VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
Distributed October 23, 2020		
C1	Michele Freethy, Larkin Land Use Planners Inc., dated October 8, 2020	1
C2	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 13, 2020	1
C3	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 13, 2020	1
C4	Johanna R. Shapira, Wood Bull, Barristers Solicitors, Queen Street West, Toronto, dated October 13, 2020	1
C5	Sonia Zorzi, dated October 9, 2020	1
C6	Lezlie Phillips, Liberty Development Corporation, Steelcase Rd. W., Markham, dated October 7, 2020	1
C7	Michele Freethy, Larkin Land Use Planners Inc., dated October 8, 2020	1
Distributed October 28, 2020		
C8	Michele Freethy, Larkin Land Use Planners Inc., dated October 8, 2020	1
C9	Frank Gulas, Canadian Pacific Railway Company, Proximity-Ontario, dated October 23, 2020	1
C10	Mark R. Flowers, Davies Howe LLP, Adelaide Street West, Toronto, dated October 26, 2020	1
C11	Ronald and Alessandra Basso, Sunset Terrace, Woodbridge, dated October 25, 2020	1
C12	Jack Wong, Malone Given Parsons, Renfrew Drive, Markham, dated October 26, 2020	1
C13	Jack Wong, Malone Given Parsons, Renfrew Drive, Markham, dated October 26, 2020	1
C14	Kevin Ayala Diaz, EMC Group, Keele Street, Vaughan, dated October 23, 2020	1

Please note there may be further Communications.

VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C15	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 26, 2020	1
C16	Kevin Ayala Diaz, EMC Group, Keele Street, Vaughan, dated October 23, 2020	1
C17	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 26, 2020	1
C18	Christopher J. Tanzola, Overland LLP, Yonge Street, Toronto, dated October 26, 2020	1
C19	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 26, 2020	1
C20	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 26, 2020	1
C21	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 26, 2020	1
C22	Rosemarie Humphries, Humphries Planning Group, Pippin Road, Vaughan, dated October 26, 2020	1
C23	Mark R. Flowers, Davies Howe LLP, Adelaide Street West, Toronto, dated October 26, 2020	1
C24	David A McKay, MHBC, Weston Road, Woodbridge, dated October 26, 2020	1
C25	David A McKay, MHBC, Weston Road, Woodbridge, dated October 26, 2020	1
C26	Draga Barbir, Barbir and Associates Planning Consultants, Melrose Street, Etobicoke, dated October 27, 2020	1
C27	Michael A. Vani, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C28	Nadia Zuccaro, EMC Group, Keele Street, Vaughan, dated October 27, 2020	1
C29	Luch Ognibene, Nine-Ten West Limited, Keele Street, Vaughan	1

Please note there may be further Communications.

VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C30	Fred Winegust, Bryan Keshen, Reena, Clark Avenue West, Vaughan, dated October 26, 2020	1
C31	Fred Winegust, Reena, Clark Avenue West, Vaughan, dated October 26, 2020	1

Distributed October 29, 2020

C32	Sabrina Sgotto, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C33	Maurizio Rogato, Blackthorn Developments, dated October 27, 2020	1
C34	Maurizio Rogato, Blackthorn Developments, dated October 27, 2020	1
C35	Maurizio Rogato, Blackthorn Developments, dated October 27, 2020	1
C36	Maurizio Rogato, Blackthorn Developments, dated October 27, 2020	1
C37	Grant Uyeyama, KLM Planning Partners, Jardin Drive, Concord, dated October 27, 2020	1
C38	Jim Baird, Liberty Development Corporation, dated October 27, 2020	1
C39	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C40	Michael A. Vani, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C41	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C42	Roy Mason, KLM Planning Partners, Jardin Drive, Concord, dated October 27, 2020	
C43	Martin Quarcoopome, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C44	Mark Emery, Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1

Please note there may be further Communications.

VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C45	Tara Connor, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C46	Roy Mason, KLM Planning Partners, Jardin Drive, Concord, dated October 28, 2020	1
C47	John Zipay, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C48	Mark R. Flowers, Davies Howe LLP, Adelaide Street West, Toronto, dated October 28, 2020	1
C49	Presentation material from Fred Winegust, Reena	1
C50	Mark R. Flowers, Davies Howe LLP, Adelaide Street West, Toronto, dated October 28, 2020	1
C51	Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C52	Roy Mason, KLM Planning Partners, Jardin Drive, Concord, dated October 27, 2020	1
C53	Mark McConville, Humphries Planning Group, Pippin Road, Vaughan, dated October 27, 2020	1
C54	Ryan Guetter, Sandra Patano, Weston Consulting, Millway Avenue, Vaughan, dated October 27, 2020	1
C55	Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C56	Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C57	Stephen Albenese, IBI Group, St. Clair Avenue West, Toronto, dated October 28, 2020	1
C58	Stephen Albenese, IBI Group, St. Clair Avenue West, Toronto, dated October 28, 2020	1

Please note there may be further Communications.

VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C59	Jenna Thibault, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C60	Nadia Zuccaro, EMC Group, Keele Street, Vaughan, dated October 28, 2020	1
C61	Roy Mason, KLM Planning Partners, Jardin Drive, Concord, dated October 28, 2020	1
C62	Sandra Patano, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C63	Michael A. Vani, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C64	Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C65	John Zipay, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C66	Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C67	Elisa Testa, dated October 29, 2020	1
C68	Presentation material from Sabrina Coletti, Bobby Gauthier and Robert Rappolt, WSP, Planning, Landscape Architecture and Urban Design Commerce Valley Drive West, Thornhill	1
C69	Tara Connor, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C70	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	
C71	Martin Quarcoopome, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C72	Sabrina Sgotto, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1

Please note there may be further Communications.

VAUGHAN

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C73	Sabrina Sgotto, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C74	Sabrina Sgotto, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C75	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C76	A. Milliken Heisey, Papazian Heisey Myers, Barristers & Solicitors, King St. W., Toronto, dated October 28, 2020	1
C77	Tara Connor, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C78	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C79	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C80	Michael A. Vani, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C81	Philip Stewart, Pound and Stewart Associates Ltd., dated October 28, 2020	1
C82	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C83	Ryan Guetter, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C84	Kevin Bechard, Weston Consulting, Millway Avenue, Vaughan, dated October 28, 2020	1
C85	Timothy J. Arnott, BA Consulting Group, St. Clair Avenue West, Toronto, dated October 28, 2020	1
C86	Philip Stewart, Pound and Stewart Associates Ltd., dated October 28, 2020	1
C87	Maurizio Rogato, Blackthorn Developments, dated October 28, 2020	1

Please note there may be further Communications.

COMMITTEE OF THE WHOLE (PUBLIC MEETING) – OCTOBER 29, 2020

COMMUNICATIONS

		Item
C88	Maurizio Rogato, Blackthorn Developments, dated October 28, 2020	1

Disclaimer Respecting External Communications
Communications are posted on the City's website pursuant to Procedure By-law Number 7-2011. The City of Vaughan is not responsible for the validity or accuracy of any facts and/or opinions contained in external Communications listed on printed agendas and/or agendas posted on the City's website.

Please note there may be further Communications.

LARKIN+
land use planners inc.
larkinplus.com 905-895-0554

COMMUNICATION – C1
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

2020-10-08

VIAEMAIL: clerks@vaughan.ca &
Developmentplanning@vaughan.ca

Office of the City Clerk
& Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Dear Sir/Mme:

Re: Application Nos. Z.16.028 & DA.18.089 - 1406979 Ontario Inc.
6701 Highway 7, Part of Lots 4 and 5, Concession 9, City of Vaughan, Regional Municipality of York

We represent Arbor Memorial Inc. ("AMI") regarding planning matters which may impact their cemetery and funeral establishment properties. AMI owns and operates Glenview Memorial Gardens at 7541 Highway 50 in Woodbridge which directly abuts 6701 Highway 7 to the south. We continue to monitor planning Applications Nos. DA.18.089 & Z.16.028 which propose the construction of single and multi-unit warehouse employment buildings and an internal road. This letter provides a follow up to previous correspondence dated April 27, 2020 in which we expressed concerns about the proposed re-configuration of the internal road to the south end of the development and abutting Glenview Memorial Gardens.

As stated in our previous letter, the location of the road along the northern border of AMI's property will impact AMI's future development plans for Glenview Memorial Gardens by changing an existing "interior side yard" setback to an "exterior side yard" setback. As a result of this proposed change to DA.18.089, additional setbacks will be required to any development along the future road which impacts AMI's plans for the development of the cemetery. AMI has not been consulted by either 1406979 Ontario Inc. or the City during the planning process for this site where a potential impact to their property may be realized.

Accordingly, please accept this letter as a formal objection to Application Nos. Z.16.028 and DA.18.089.

If you have any questions in regards to this request or wish to discuss AMI's concerns, please contact the undersigned.

Sincerely,
LARKIN+

Michele Freethy, MA, RPP
Associate
mif@larkinplus.com

cc Jennifer Kim, Planner, Jennifer.Kim@vaughan.ca
Cosimo Casale, Cosmopolitan Associates | AMI
Tom Barlow, Fasken Martineau
Roy Mason, KLM Planning Partners Inc.
Michael T. Larkin, LARKIN+

October 13, 2020

COMMUNICATION – C2
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 9600 City of Vaughan Comprehensive Zoning By-law Review/Written Submission

I am the land use planning consultant retained by Robert Irwin, the owner of the lands legally described as Part of Lot 18, Concession 8, in City of Vaughan (the "Subject Lands") in the Regional Municipality of York, and known municipally as 9600 Highway 27. I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review regarding the re-zoning of the Subject Lands from Open Space and Agricultural Zone to Environmental Protection and Agricultural Zone.

A Statutory Open House is scheduled for October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 28, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Map 138** and **Section 12.0 (Environmental Protection, Open Space, and Agriculture Zone),** we conclude that the Subject Site should be zoned Agricultural in its entirety. An Agricultural Zone is to provide for agricultural uses, with an associated single detached dwelling.

Property description:

The Subject Lands front the west side of Highway 27, between Major Mackenzie Drive West and Rutherford Road, and are mostly south of the Humber River. The Lands have an irregular shape and are approximately 6 acres in size, and developed with a large size single detached dwelling.

The Lands are located east of the CP rail tracks and the proposed Highway 427 Expansion. A commuter rail line is proposed and would use the existing CP rail tracks.

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

Two future GO stations are to be located nearby: the first one, north of Rutherford Road and east of the CP rail tracks; and the second, south of Major Mackenzie Drive and east of the CP rail tracks, just west of the Highway 27 intersection. Both future GO stations are within walking distance of the Subject Lands. Highway 27 is part of the Regional Transit Priority Network. Sewer and water connections are existing or planned and are within reasonable distance.

In the York Region Official Plan, the Subject Lands are designated "Towns and Villages" and "Regional Greenlands System" on Map 1. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are designated "Towns and Villages" on Maps 3, 4, 8 and 11. The "Towns and Villages" designation permits a wide range of uses including residential, commercial and institutional uses.

Policy 2.1.7 states that the boundaries and the extent of the Regional Greenlands System shown on Map 2 are approximate. Policy 2.1.7 further states that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by *environmental impact studies.* These refinements will be incorporated into the Plan and will not require an amendment to the Plan.

In the City of Vaughan Official Plan, the Subject Lands are designated "Natural Areas" on Schedule 13. Exact delineation of boundaries will be finalized during the application approval process.
The Lands are shown as shown as "Stable Areas" and "Natural Areas and Countryside" on Schedule 1.
On Schedule 2 the Subject Lands are shown as "Natural Heritage Network" (NHN). Policy 3.2.3.2 states that the policy text prevails over the mapping shown on Schedule 2 in determining the NHN. Refinements to the NHN may occur through the development approval process and shall be reflected on Schedule 2 without the need for an Official Plan Amendment. This may occur on a site-by-site basis.

The lands are currently zoned "Open Space" and Agricultural. In Draft 3 of the Proposed Zoning By-law (September 2020), the property is re-zoned to Environmental Protection Zone (EP) Agricultural Zone on Map 138.

From our preliminary research it seems that the proposed re-zoning is not based on any scientific evidence or studies. We submit that the proposed zoning should be Agricultural Zoning for the entire parcel.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

October 13, 2020

COMMUNICATION – C3
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 9650 City of Vaughan Comprehensive Zoning By-law Review/Written Submission

I am the land use planning consultant retained by Vito Pacifico, the owner of the lands legally described as Part of Lot 18, Concession 8, in City of Vaughan (the "Subject Lands") in the Regional Municipality of York, and known municipally as 9650 Highway 27. I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review regarding the downzoning of the Subject Lands from Open Space to Environmental Protection Zone.

A Statutory Open House is scheduled for October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 28, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Map 138** and **Section 12.0 (Environmental Protection, Open Space, and Agriculture Zone),** we conclude that the Subject Site should be zoned Agricultural. An Agricultural Zone is to provide for agricultural uses, with an associated single detached dwelling.

Property description:

The Subject Lands front the west side of Highway 27, between Major Mackenzie Drive West and Rutherford Road, and are mostly north of the Humber River. The Lands have an irregular shape and are approximately 7 acres in size, and developed with a large size single detached dwelling.

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9
Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

The Lands are located east of the CP rail tracks and the proposed Highway 427 Expansion. A commuter rail line is proposed and would use the existing CP rail tracks. Two future GO stations are to be located nearby: the first one, north of Rutherford Road and east of the CP rail tracks; and the second, south of Major Mackenzie Drive and east of the CP rail tracks, just west of the Highway 27 intersection. Both future GO stations are within walking distance of the Subject Lands. Highway 27 is part of the Regional Transit Priority Network. Sewer and water connections are existing or planned and are within reasonable distance.

In the York Region Official Plan, the Subject Lands are designated "Towns and Villages" and "Regional Greenlands System" on Map 1. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are designated "Towns and Villages" on Maps 3, 4, 8 and 11. The "Towns and Villages" designation permits a wide range of uses including residential, commercial and institutional uses.

Policy 2.1.7 states that the boundaries and the extent of the Regional Greenlands System shown on Map 2 are approximate. Policy 2.1.7 further states that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by *environmental impact studies.* These refinements will be incorporated into the Plan and will not require an amendment to the Plan.

In the City of Vaughan Official Plan, the Subject Lands are designated "Natural Areas" on Schedule 13. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are shown as shown as "Stable Areas" and "Natural Areas and Countryside" on Schedule 1.

On Schedule 2 the Subject Lands are shown as "Natural Heritage Network" (NHN). Policy 3.2.3.2 states that the policy text prevails over the mapping shown on Schedule 2 in determining the NHN. Refinements to the NHN may occur through the development approval process and shall be reflected on Schedule 2 without the need for an Official Plan Amendment. This may occur on a site-by-site basis.

The lands are currently zoned "Open Space". In Draft 3 of the Proposed Zoning By-law (September 2020), the property is re-zoned to Environmental Protection Zone (EP) on Map 138.

From our preliminary research it seems that the proposed re-zoning is not based on any scientific evidence or studies. We submit that the proposed zoning should be Agricultural Zoning.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

13 October 2020

Sent via E-mail (Brandon.Correia@vaughan.ca / clerks@vaughan.ca)

Brandon Correia
Manager of Special Projects, Planning and
Growth Management Portfolio
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

Re: City of Vaughan Comprehensive Zoning By-law Review
Comments on Behalf of Morguard Investments Limited
Woodbridge Square, 7600 Weston Road

We represent Morguard Investments Limited, the operator and co-owner of the lands municipally known as 7600 Weston Road in the City of Vaughan ("**Woodbridge Square**"). The subject site is owned by Dev-West Properties Inc..

Woodbridge Square is located on the southwest corner of Weston Road and Highway 7. Presently, the site is occupied by a low-rise retail plaza and associated surface parking. The site is designated *High-Rise Mixed-Use* in the 2010 City of Vaughan Official Plan (the "**VOP 2010**"), which permits a mix of residential, commercial and office uses in mid- and high-rise built forms.

Currently, Woodbridge Square is zoned *C5 Community Commercial Zone* and subject to exception 9(720) in Zoning By-law 1-88 (the "**current ZBL**"). The C5 Zone permits a range of commercial uses as well as office buildings. Exception 9(720) permits a retail warehouse and hotel as additional permitted uses, and modifies some of the applicable zoning standards for the site including exterior side yard, landscape strip and parking requirements.

We understand that the City is undertaking a city-wide comprehensive review of the current ZBL in order to implement, reflect, and conform with the VOP 2010. On behalf of our client, we have reviewed the draft of the city-wide comprehensive zoning by-law released September 2020 (the "**proposed ZBL**") and write to identify concerns with the draft in advance of the public open house taking place on 14 October 2020.

Johanna R. Shapira Direct: (416) 203-5631 jshapira@woodbull.ca
65 Queen Street West Suite 1400 Toronto Ontario M5H 2M5 T (416) 203-7160 F (416) 203-8324 www.woodbull.ca

13 October 2020

Submissions

The proposed ZBL rezones Woodbridge Square from *Community Commercial* to *General Mixed Use (GMU), Exception 443.*

Proposed Zone Category

1. Upon review of the proposed list of Mixed-Use Zones under the proposed ZBL, and given the approved land use designation *High-Rise Mixed-Use* under VOP 2010, Morguard believes a site-specific *High-Rise Mixed-Use Zone (HMU)* would be more appropriate for Woodbridge Square than the proposed GMU zone. In particular, the HMU zone would align with the intent of the *High-Rise Mixed-Use* VOP 2010 designation and grant residential use permissions in an area identified for intensification of a mix of commercial, office, and residential uses.

   Morguard seeks modifications to the proposed ZBL to amend the proposed zone from a site-specific GMU zone to a site-specific HMU zone.

In addition, Morguard has some site-specific concerns, as follows.

Permitted Uses

2. Woodbridge Square currently enjoys permissions for a retail warehouse pursuant to exception 9(720). The term "retail warehouse" is not included in the proposed ZBL and is therefore not listed as a permitted use in either the GMU zone or the proposed site specific exception.

   While "retail" is a permitted use in the proposed GMU zone, its definition being "*premises where goods, wares, merchandise, substances, articles, or things are offered and kept for sale direction to the public*", does not capture all of the conditions captured by "retail warehouse," which is defined in the current ZBL as follows:

   > *Means a building or part of a building in which goods and merchandise are displayed, stored and sold in a warehouse format. A warehouse format means a configuration where there is the integrated display, storage and sale of goods and merchandise, or a showroom with an associated warehouse component. A retail warehouse shall have a minimum gross floor area of 300 sq.m., except for a retail warehouse devoted primarily to the sale of prescription drugs, pharmaceuticals and health and beauty aids which shall have a minimum gross floor area of 1,500 sq.m.. A retail warehouse shall not include a gross floor area greater than 1,000 sq.m devoted, in the aggregate, to the storage, display and sale of food products. For greater clarity, a retail warehouse is not a supermarket or flea market.'*

Morguard seeks modifications to the proposed ZBL to confirm that retail warehouses will continue to be permitted on the Woodbridge Square site, as such permissions safeguard the unique and extensively utilized services that make up this established retail node for the greater community, patrons and longstanding tenants.

3. The proposed ZBL employs more ambiguous language than the current ZBL in its description of certain uses that are critical to the operations and services at Woodbridge Square. In particular, where the current ZBL lists specific uses and terms such as "pharmacies," "LCBO Outlet" and "Brewers Retail Outlet," the proposed ZBL lists only "clinic," "retail," and "supermarket."

   Morguard seeks modifications to the proposed ZBL to ensure that the specific uses identified in the current ZBL are preserved and included within the ambit of their respective definitions.

4. The proposed ZBL does not include a "shopping centre" as a permitted use in the GMU zone and is not permitted on the Woodbridge Square site, whereas the current ZBL permits individual commercial uses only if "*they are carried on entirely within a shopping centre*". This language is omitted in the proposed ZBL.

   The proposed ZBL defines the term "shopping centre" as "*premises consisting of a building or group of buildings that are managed as a unit by a single owner or tenant, or by a group of owners or tenants, and contain at least three commercial units*". In the current ZBL, the term "*means a building or a unified group of buildings on a lot designed, developed and managed as a single operating unit for which parking is provided in common off-street areas, as opposed to a business area comprising unrelated individual commercial establishments*". The existing buildings at Woodbridge Square would fall into these definitions.

   Morguard seeks modifications to the proposed ZBL to clarify that a shopping centre is a permitted use on the Woodbridge Square site.

   In this regard, we note that shopping centres are proposed to be permitted in four of six other Mixed Use Zones (LMU, MMU, HMU, CMU). If the zone for Woodbridge Square is amended from GMU to HMU as described in the first comment of this submission, that would also satisfy this concern respecting a shopping centre use, subject to the removal of size limits as requested in comment #5 below. If Woodbridge Square continues to be zoned GMU and shopping centres continue to not be permitted in the GMU zone, Morguard seeks to confirm that Woodbridge Square retains shopping centres on a site-specific basis.

Maximum Size Limits on Retail Uses

5. The proposed ZBL imposes a maximum gross floor area (GFA) of 10,000 m^2 for a number of permitted uses in the GMU zone, whereas the current ZBL does not prescribe a limit on GFA for any of the permitted uses in the C5 zone for the Woodbridge Square site.

   Operations on the existing site may already exceed the proposed 10,000 m^2 GFA allowance, and Morguard believes that adding restrictive limits is unmerited on this site, given its size, prominence as a community shopping centre and local shopping destination, and hub for a host existing tenants and uses. It is imperative to Morguard's current operations as well as its future contemplated tenants and uses that such limits be removed for the Woodbridge Square site as they pertain to "retail" and "supermarket" uses, as well as "retail warehouse" and "shopping centre" uses.

   Morguard seeks modifications to the proposed ZBL to clarify that the 10,000 m^2 GFA restriction does not apply to the Woodbridge Square site.

Landscaping Requirements

6. The proposed ZBL adds a new requirement for 10% minimum landscaped open space, in addition to a 3.5m strip along lot lines abutting a street.

   The requirement for 10% minimum landscaped open space was not previously required in the current ZBL. Morguard is not in favour of the additional 10% landscaping requirement as this additional regulation would apply to any alteration or future development of Woodbridge Square, and unduly restricts Morguard's ability to develop and enhance the existing buildings and site for its tenants. The landscaping strip requirements allow for sufficient buffering between the street and existing parking and buildings, providing adequate landscaping for the site.

   Morguard seeks modifications to the proposed ZBL to clarify that the new landscaped open space provisions do not apply to the Woodbridge Square site.

We kindly request that the current permissions present on the Woodbridge Square site are taken into account and maintained, either by modification to the proposed zone category or by way of incorporation on a site-specific basis. We would be happy to discuss these concerns further with staff prior to any decisions on the enactment of the ZBL.

We also request notice of any future public consultation of the proposed ZBL, including any Committee or Council meetings and decisions.

13 October 2020

Thank you for your consideration.

Yours very truly,

Wood Bull LLP

Johanna R. Shapira

JRS/asr

c. Client
K. Franklin

-----Original Message-----
From: Sonia Zorzi [redacted]
Sent: Friday, October 09, 2020 11:34 AM
To: Clerks@vaughan.ca
Subject: [External] Clarence zoning

Hello,

I live in the islington & rutherford area and would like to know what I can do to help STOP the zoning change for Clarence ave and Mr Nicolini's plan of building on the land. I am unable to attend the meeting online because I work those nights but I want to have my displeasure known and would like to vote against it. I have lived in the area for many years and do not agree that anything should be built to that extensive extreme. I would actually like nothing to be built.

Please let me know what I need to do or whom I need to write to in order for my vote to be counted.

Thank you
Sonia

Sent from the Cat Lady on her iPhone >^..^<

COMMUNICATION – C6
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

From: Correia, Brandon <Brandon.Correia@vaughan.ca>
Sent: Wednesday, October 14, 2020 4:08 PM
To: Clerks@vaughan.ca; 'Lezlie Phillips' <lezlie@libertydevelopment.ca>
Cc: DiGirolamo, Diana <Diana.DiGirolamo@vaughan.ca>
Subject: RE: [External] FW: VAUGHAN COMPREHENSIVE ZBL - STATUTORY PUBLIC MEETING OCT 29 2020

Hi Lezlie,

Confirming receipt of this email. We will take a careful look at the exception and comments you refer to. Thank you for your continued review.

Best Regards,
Brandon

Brandon Correia, BES PMP
Manager, Special Projects
905-832-8585 ext. 8227| brandon.correia@vaughan.ca

City of Vaughan I Planning & Growth Management Portfolio
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca

From: Clerks@vaughan.ca <Clerks@vaughan.ca>
Sent: Friday, October 09, 2020 9:25 AM
To: 'Lezlie Phillips' <lezlie@libertydevelopment.ca>; Clerks@vaughan.ca; Correia, Brandon <Brandon.Correia@vaughan.ca>
Subject: RE: [External] FW: VAUGHAN COMPREHENSIVE ZBL - STATUTORY PUBLIC MEETING OCT 29 2020

Good Morning, We have received your email and the one sent on Wednesday October 7, 2020.It has been forwarded to the appropriate department.

Thank you

City of Vaughan | Office of the City Clerk
2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1
vaughan.ca

From: Lezlie Phillips <lezlie@libertydevelopment.ca>
Sent: Friday, October 09, 2020 9:12 AM
To: Clerks@vaughan.ca; Correia, Brandon <Brandon.Correia@vaughan.ca>
Subject: [External] FW: VAUGHAN COMPREHENSIVE ZBL - STATUTORY PUBLIC MEETING OCT 29 2020
Importance: High

Good morning; just confirming you received my email below. Can you confirm? Thank you, take care, lezlie

Lezlie Phillips
Liberty Development Corporation
1 Steelcase Rd. W. | Unit 8 | Markham, ON L3R 0T3
Tel: 905.731.8687 | Ext: 226 | Fax: 905.731.6826
lezlie@libertydevelopment.ca | www.libertydevelopment.ca

From: Lezlie Phillips
Sent: Wednesday, October 07, 2020 1:08 PM
To: 'Clerks@vaughan.ca' <Clerks@vaughan.ca>; 'Correia, Brandon' <Brandon.Correia@vaughan.ca>
Subject: VAUGHAN COMPREHENSIVE ZBL - STATUTORY PUBLIC MEETING OCT 29 2020
Importance: High

Good afternoon; We are writing on behalf of 1930328 Ontario Inc., the Owners of the property located in the vicinity of Maplecrete Rd. and Hwy 7, municipally addressed as 2901 Hwy 7. Our comments for consideration at the Statutory Public Meeting to be held on Oct. 29 2020 are as follows; in reviewing the latest draft of the City's comprehensive zoning by-law, it appears that the site specific zoning by-law 039-2019 for this property (attached for easy reference) is not reflected as a zone exception. We would request that the exceptions list be revised to reflect the current zoning prior to enactment . Can you please confirm back to me receipt of this email? If you have any questions, please do not hesitate to contact me. Thank you, Lezlie

Lezlie Phillips
Liberty Development Corporation

1 Steelcase Rd. W. | Unit 8 | Markham, ON L3R 0T3
Tel: 905.731.8687 | Ext: 226 | Fax: 905.731.6826 | Cell; 416.707.0443
lezlie@libertydevelopment.ca | www.libertydevelopment.ca

LARKIN+
land use planners inc.
larkinplus.com 905-895-0554

COMMUNICATION – C7
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

2020-10-08

VIA EMAIL: clerks@vaughan.ca

Office of the City Clerk
Vaughan City Hall
Level 100
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Sir/Mme:

Re: Submission to the City of Vaughan Comprehensive Zoning By-law Review in regards to Glenview Memorial Gardens - 7451 Regional Road 50, City of Vaughan, Regional Municipality of York

We represent Arbor Memorial Inc. (AMI) owner of Glenview Memorial Gardens located at 7451 Regional Road 50 in the City of Vaughan. We provided previous submissions on the first (2019-08-14) and second (2020-04-27) drafts of the City of Vaughan Comprehensive Zoning By-law in regards to comments on the proposed zoning by-law regulations that are being applied to AMI's lands.

We have reviewed the Third Draft – Comprehensive Zoning By-law and, while we note that some of our comments have been addressed, several comments still need to be addressed prior to adoption by Council:

- **Issue #1:** Funeral Establishment is not included as a permitted use in the Employment Zone EM1. Funeral Homes are identified as a permitted use within the EM1 Zone of the City of Vaughan Comprehensive ZBL 1-88.

  - **Resolution:** ***Include Funeral Establishment in the list of permitted uses for Prestige Employment Zone (EM1) on Table 11.2 of the Third Draft – Comprehensive Zoning By-law. Alternatively, add Funeral Establishment as a permitted use to Exception 794 EM1 (H) zone that applies to the east portion of Glenview Memorial Gardens.***

- **Issue #2:** Exception Number 794 that has been applied to Glenview Memorial Gardens does not include the correct exception, schedule, and zone boundaries.

  - **Resolution:** ***Update proposed Exception 794 and Figure E-1257 to accurately reflect the correct zones and standards that apply to Glenview Memorial Gardens in amended by By-Law 054-2019. Please see attached DOC & PDF files.***

- **Issue #3:** Schedule A – Map 22 does not accurately reflect the correct zone category or the correct zone boundary for the eastern portion of Glenview Memorial Gardens as amended by ZBL 054-2019.

  - **Resolution:** ***Update Map 22 to identify the eastern portion of Glenview Memorial Gardens as EM1(H)-794 Zone and modify the zone boundary to accurately reflect the boundary between the lands zoned OS2 & EM1(H). Please see attached Map 22 with comments, PDF and CAD files.***

We respectfully request that the City of Vaughan make these final changes prior to the adoption of the new zoning by-law. If any questions or clarifications are required, please contact the undersigned.

Sincerely,

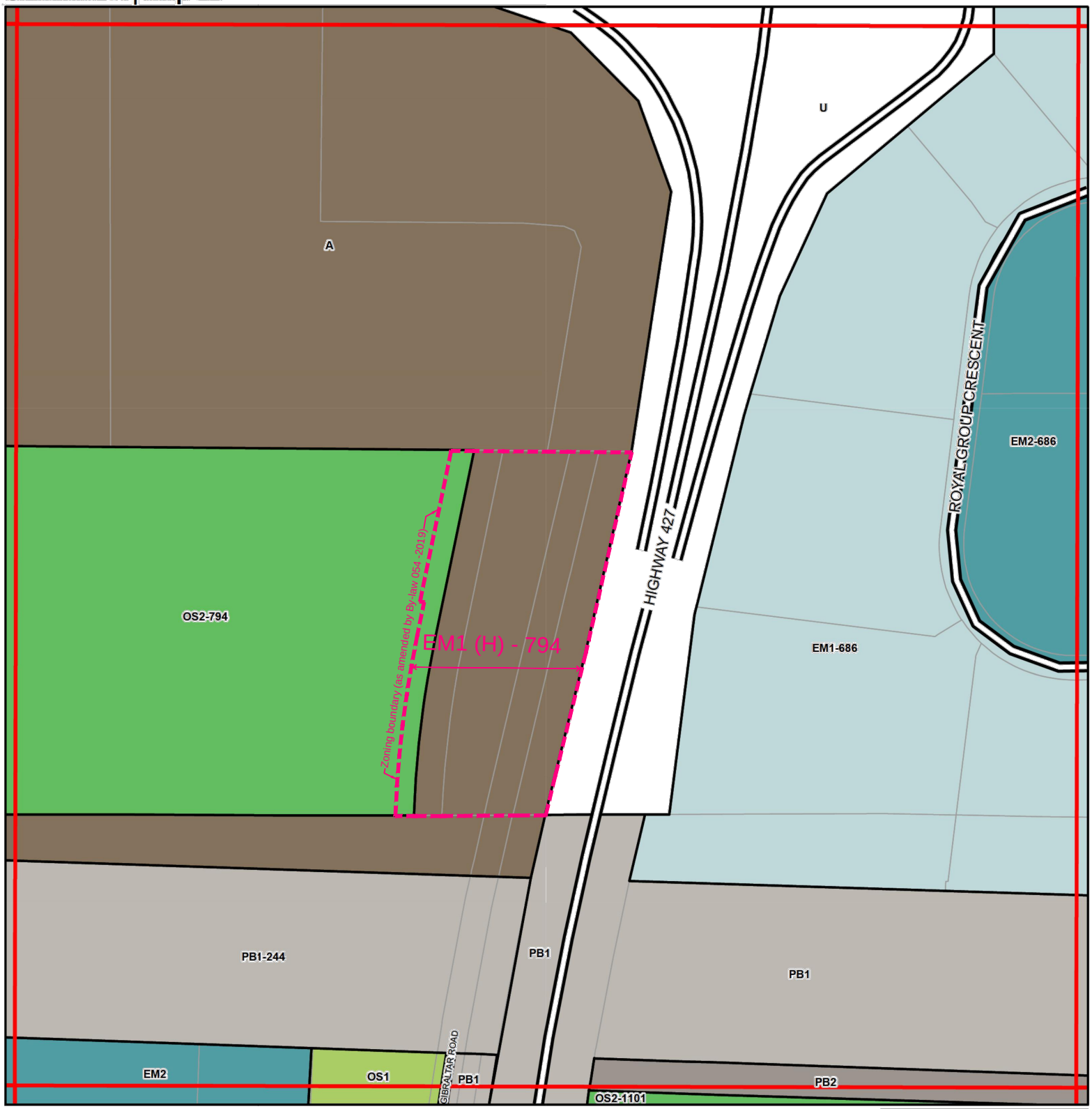
LARKIN+

Michele Freethy, MA, RPP
Associate Planner
mif@larkinplus.com

cc. Brandon Correia, City of Vaughan brandon.correia@vaughan.ca
Cosimo Casale, Cosmopolitan Associates
Tom Barlow, Fasken Martineau
Daniel Ceron, LARKIN+ land use planners

Zoning By-law _- 2020

Schedule A | Map 22



Conservation, Open Space and Agricultural Zones

- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- **V1** (Station Precinct Zone)
- **V2** (South Precint Zone)
- **V3** (Neighbourhood Precint Zone)
- **V4** (Employment Precint Zone)

Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

Mixed-Use Zones

- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

Employment Zones

- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

Other Zones

- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

1:5,000

VAUGHAN

61	62	63	64
41	42	43	44
21	**22**	23	24
1	2	3	4

Third Working Draft: September, 2020

14.794

Exception Number 794	**Legal Description: 7517-7541 Highway 50**
Applicable Parent Zones: OS2, and EM1(H)	
Schedule A Reference: 21, 22	**Figure E Link (if applicable)**
By-Law 054-2019	**Figure T Link (if applicable)**

14.794.1 Definitions

The following definitions shall apply to lands labelled “OS2” of the “Subject Lands”, as shown on Figure E-1257:

a. Administrative Office; Means a building or a part of a building in which one or more persons are employed in the administration, direction or management of a business or organization, related to the operation of a cemetery.

b. Chapel; Means a building or part of a building used for services, introspection, reflection or worship, related to the operation of a cemetery.

c. Reception Centre; Means a building or a part of a building used for the purpose of receiving an assembly of people, related to the operation of a cemetery.

d. Service building; Means a building or part of a building in which vehicles and machinery required for the maintenance and operation of a cemetery, and where cemetery and related supplies are stored, and shall include open storage in the location shown as "Service Yard" on Figure E-1257.

14.794.2 Permitted Uses

The following uses shall be permitted on lands labelled “OS2” of the “Subject Lands”, as shown on Figure E-1257:

- Cemetery and related uses including: Administrative Office, Chapel, Columbarium, Small Scale Columbarium, Crematorium, Mausoleum, Reception Centre and Service Building.

14.794.2 Lot and Building Provisions

The following lot and building requirements shall apply to lands labelled “OS2”, as shown on Figure E-1257:

a. A minimum of 8.5% of the total lot area shall be used for no other purpose than landscaping.

b. A strip of land not less than six (6) metres in width shall be provided along the west and east lot lines adjacent to Highway No. 50 and the north/south connector road respectively and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across said strips.

c. A strip of land not less than six (6) metres in width shall be provided along the north and south lot lines and shall be used for no other purpose than landscaping.

d. A parking area shall be provided with a means of access or driveway a minimum of 7.5 m in width, but not exceeding 16.3 m in width measured perpendicular to the center line of the driveway.

e. The minimum front, interior side, and rear yard requirements for a building shall be 9.0 m.

f. The minimum yard requirement for a small scale columbarium shall be 6.0 m.

g. The maximum permitted height of a building shall be 15.0 m.

14.794.3 Holding Provisions for Employment Area Zone EM1 (H)

The following provisions shall apply to all the lands zoned "EM1(H) Prestige Employment Area Zone" with the Holding Symbol "(H)", as shown on Figure E-1257

a. Lands zoned with the Holding Symbol "(H)" shall be used only for the production of field crops or a use legally existing as of the date of the enactment of this By-law.

b. Removal of the Holding Symbol "(H)" from the Subject Lands shall be contingent of the following:

   i. The Owner successfully obtains the approval of a Site Development Application(s) for the proposed development.

   ii. The Owner shall enter into a Servicing/Development and/or Subdivision Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services including but not limited to roads (extension of Gibraltar Road from the north to south limit of the property), water, wastewater, storm and any land conveyances, as required for the Subject Lands. The Agreement shall be registered to the lands to which it applies to and to the satisfaction of the Development Engineering Department.

iii. The Owner shall enter into the Developer's Group Agreement with the other participating landowners within Block 57/58 to the satisfaction of the City. The Agreement shall have regard to but, not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services, landscaping and fencing. This agreement shall also include a provision for future developers of land to participate with the Developers' Group Agreement when they wish -to develop their lands, all to the satisfaction of the Development Engineering Department; and

iv. The Owner shall submit a letter from the Block Trustee for the Block 57/58 Developers' Group indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 57/58 Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department.

14.794.4 Employment Area Provisions

The following provisions shall apply to the lands zoned "EM1(H) Prestige Employment Area Zone" on Figure "E-1257":

a. A parking area within the "EM1(H) Prestige Employment Area Zone" shall be provided with a means of access or driveway at least 5 metres but not exceeding 7.5 metres in width measured perpendicular to the centre line of the driveway, unless the driveway is a joint ingress and egress driveway, in which case the width shall be 7.5 metres.

b. Where an Employment Area Zone abuts the boundary of lands zoned Open Space or Residential, a strip of land for no purpose other than landscaping will not be required.

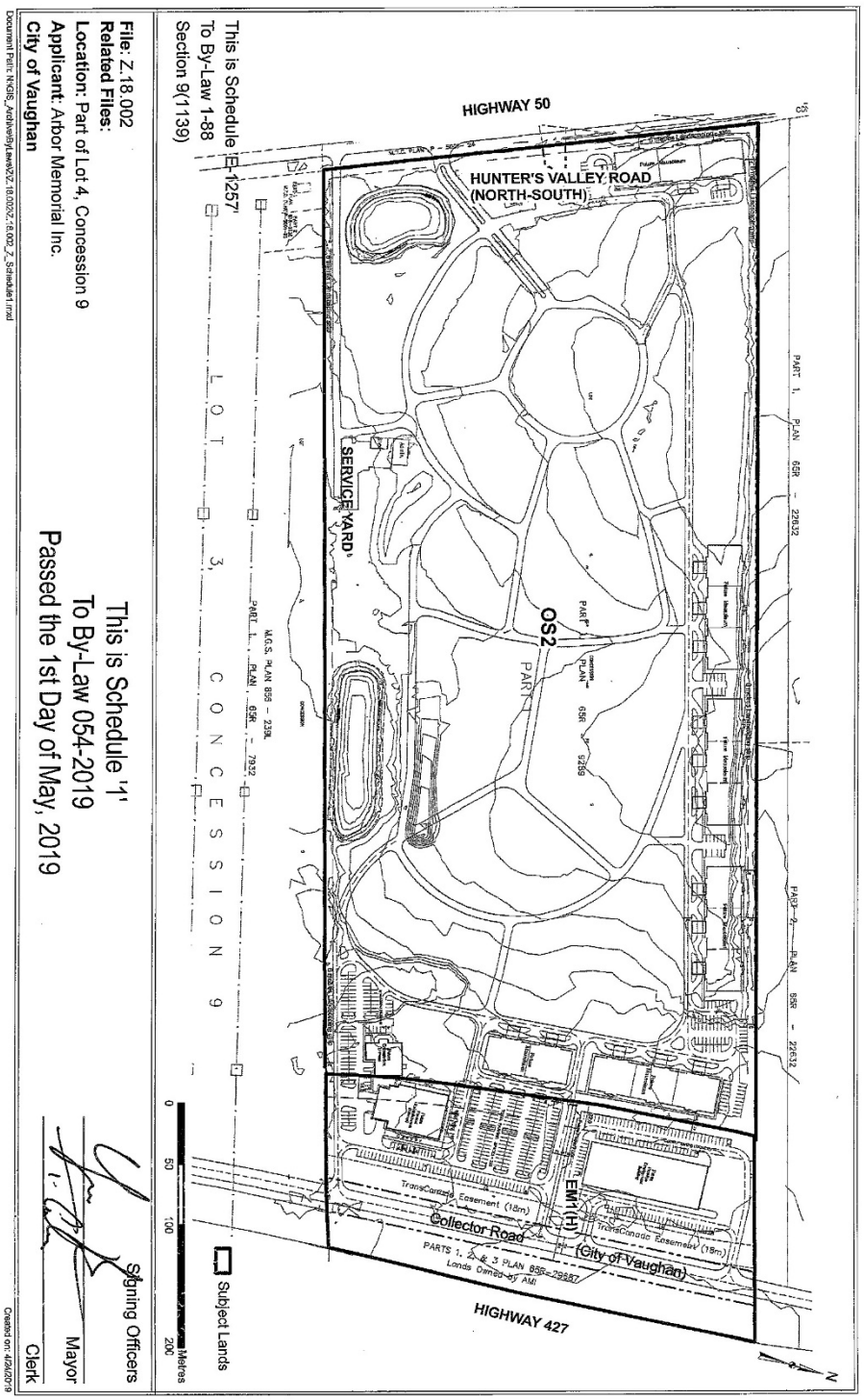
c. A Funeral Home in a Single Unit Building may be connected to another cemetery use by a covered walkway/breezeway.

d. To permit required parking for any building, structure or use to be shared across zone boundaries.

e. That no permanent building or structure shall be located within 7m of the pipeline right-of-way.

f. That no building or structure is permitted within 3 m of a right-of-way. Accessory buildings/structures shall have a minimum setback of at least 3 m from the limit of the right-of-way.

14.794.5 Figure E-1257



LARKIN+
land use planners inc.
larkinplus.com 905-895-0554

COMMUNICATION – C8
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

2020-10-08

VIAEMAIL: clerks@vaughan.ca &
Developmentplanning@vaughan.ca

Office of the City Clerk
& Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Dear Sir/Mme:

Re: Application Nos. Z.16.028 & DA.18.089 - 1406979 Ontario Inc.
6701 Highway 7, Part of Lots 4 and 5, Concession 9, City of Vaughan, Regional Municipality of York

We represent Arbor Memorial Inc. ("AMI") regarding planning matters which may impact their cemetery and funeral establishment properties. AMI owns and operates Glenview Memorial Gardens at 7541 Highway 50 in Woodbridge which directly abuts 6701 Highway 7 to the south. We continue to monitor planning Applications Nos. DA.18.089 & Z.16.028 which propose the construction of single and multi-unit warehouse employment buildings and an internal road. This letter provides a follow up to previous correspondence dated April 27, 2020 in which we expressed concerns about the proposed re-configuration of the internal road to the south end of the development and abutting Glenview Memorial Gardens.

As stated in our previous letter, the location of the road along the northern border of AMI's property will impact AMI's future development plans for Glenview Memorial Gardens by changing an existing "interior side yard" setback to an "exterior side yard" setback. As a result of this proposed change to DA.18.089, additional setbacks will be required to any development along the future road which impacts AMI's plans for the development of the cemetery. AMI has not been consulted by either 1406979 Ontario Inc. or the City during the planning process for this site where a potential impact to their property may be realized.

Accordingly, please accept this letter as a formal objection to Application Nos. Z.16.028 and DA.18.089.

If you have any questions in regards to this request or wish to discuss AMI's concerns, please contact the undersigned.

Sincerely,
LARKIN+

Michele Freethy, MA, RPP
Associate
mif@larkinplus.com

cc Jennifer Kim, Planner, Jennifer.Kim@vaughan.ca
Cosimo Casale, Cosmopolitan Associates | AMI
Tom Barlow, Fasken Martineau
Roy Mason, KLM Planning Partners Inc.
Michael T. Larkin, LARKIN+

COMMUNICATION – C9
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

From: Frank Gulas <Frank_Gulas@cpr.ca>
Sent: Friday, October 23, 2020 2:01 PM
To: Clerks@vaughan.ca
Subject: [External] In reference to Block Plan Applicaiton File BL.60E2018

Good Afternoon,

Re: Block Plan Applicaiton File BL.60E2018

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company (CP)'s mainline at mileage 55.8, Hamilton Subdivision.

CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities.

Those guidelines are found at the following website address:

http://www.proximityissues.ca
The safety and welfare of residents can be adversely affected by rail operations. CP is not in favour of residential uses that are not compatible with rail operations.
Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Sincerely,

CP Proximity-Ontario

Davies Howe
LAND DEVELOPMENT ADVOCACY & LITIGATION

Mark Flowers
markf@davieshowe.com
Direct: 416.263.4513
Main: 416.977.7088
Fax: 416.977.8931
File Nos. 703617 / 703619

October 26, 2020

By E-Mail

City of Vaughan, Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: City Clerk

Dear Council:

Re: Draft City-Wide Comprehensive Zoning By-law
Committee of the Whole Meeting on October 29, 2020 - Agenda Item 3.1

We are counsel to Vogue Investments Limited ("Vogue") and Centre Street Properties Inc. ("Centre"), the owners of adjacent properties municipally known as 1118 Centre Street and 1136 Centre Street, respectively (collectively, the "Properties"). The Properties are located on the north side of Centre Street, between Dufferin Street and Bathurst Street, a short distance east of Vaughan Boulevard.

Vogue and Centre have reviewed the current draft City-wide Zoning By-law in relation to the Properties, which we understand will be considered by the Committee of the Whole at its meeting on October 29, 2020. According to Schedule A, Map 57 of the draft Zoning By-law, both Properties are proposed to be zoned GMU (General Mixed-Use Zone), with 1118 Centre Street subject to Exception No. 345 and 1136 Centre Street subject to Exception Nos. 518 and 481.

By virtue of Exception Nos. 345 and 518, the permitted uses at 1118 Centre Street and 1136 Centre Street are proposed to be restricted to a limited number of commercial uses, and subject to various site-specific lot, building and minimum parking requirements.

Meanwhile, by virtue of Exception No. 481, 1136 Centre Street is also proposed to be subject to a series of additional site-specific lot and building requirements, which appear to be intended to be applied to properties zoned R3. Thus, clarity is sought with respect to the City's intended application of this proposed zoning exception.

According to the notice issued by the City for this meeting, the draft Zoning By-law is intended to "implement the vision of the Vaughan Official Plan 2010 ('VOP 2010')" and is "consistent with provincial policy, conforms to VOP 2010, and responds to emerging urban issues as well as contemporary urban development trends". With respect, that is certainly not an accurate description of the draft Zoning By-law in relation to the Properties.

The Centre Street corridor within which the Properties are located is identified on Schedule 1 – Urban Structure of the VOP 2010 as a "Regional Intensification Corridor", which is identified as a "major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit".

Meanwhile, the Properties are located within the area proposed to be subject to the Centre Street Corridor policies in section 12.9 of Volume 2 of the VOP 2010. The portions of the Properties fronting onto Centre Street are proposed by the City to be designated Mid-Rise Mixed-Use "A" in the Centre Street Corridor policies, which would permit a broad range of uses including residential, commercial and institutional, and be subject to a maximum density of 2.8 FSI and a maximum height of 8 storeys.

Vogue and Centre have outstanding appeals to the Local Planning Appeal Tribunal ("LPAT") of the VOP 2010 and the Centre Street Corridor policies, which are scheduled to be heard in May 2021. Although Vogue and Centre are of the view that the Properties can accommodate greater heights and densities than proposed by the City, there is no dispute that the Properties are properly identified in the VOP as a mixed-use intensification area and that a broad range of permitted uses (including residential uses) are appropriate for the Properties.

As a result, it is not reasonable for the City to restrict the list of permitted uses and limit the height and the level of intensification allowed on the Properties as proposed in the draft Zoning By-law. Accordingly, Vogue and Centre object to the draft Zoning By-law in its current form.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or City Council regarding the Comprehensive Zoning By-law, as well as any further public meeting(s) concerning this matter.

Yours truly,
DAVIES HOWE LLP

Mark R. Flowers
Professional Corporation

copy: Clients
Murray Evans and Joanna Fast, Evans Planning Inc.

COMMUNICATION – C11
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 25, 2020
To: Vaughan city clerk
Via email: clerks@vaughan.ca

Public hearing agenda, October 29, 2020- 7 PM.
Zoning bylaw review, third draft. Comments specific to MAP 163 with section 14 exception No 985 and FILE Z.08.039 -19T-14V001 (Old Cicchino holdings - 3812 Major Mackenzie Drive)

The zoning for the subject property should be RT1 alone or RT1 (985) and OS1(985) rather than RM2 (985)and OS1(985). This is more appropriate for the flowing reasons:

1 Many current residents , affected by the proposed RM2 (985), and the new developer/owner of FILE Z.08.039 -19T-14V001, had full knowledge of exceptions 985 and made decisions in the past based on these exceptions. The change in ownership of the development land should not be used as an excuse for asking for higher densities or inflate the land prices.

Current real estate data is beginning to show the oversupply of higher density housing while lower density housing is very seldom oversupplied. Increasing the lower density supply of housing will improve people's life styles and also their motivation to increase their changes for equal opportunity. High density housing has a tendency to become labeled with names that are detrimental in promoting equal opportunity and a fair life style.

COVID-19 has provided the opportunity to rethink the appropriateness of higher density due to the effects on peoples' life styles and well being. The benefit developers receive via higher densities come at a cost to the residents affected by the new developments. This makes equal opportunity more difficult to achieve.

These exceptions (985) on MAP 163 ,FILE Z.08.039 -19T-14V001. should not, in the future, be subject to higher density requests for the convenience of the developer. This area is currently zoned for an FSI 1.57. The developer already sought an increase of FSI via the committee of adjustment on December 12, 2019 file A151-19. The designation of the subject area, file Z.08.039/19T-14V001, to RM2(985) might provide the developer with higher density opportunities at a cost to the affected residents.

2 Zoning this area RT1 with or without exception, 985 is more appropriate for file Z.08.039/19T-14V001 because it better integrates with the existing abutting neighborhood and provides a climate where younger people can raise children. RT1 zone permits 7.5 m backyards, a condition more appropriate for younger families and less risky in term of public health and crime issues.

3 FILE Z.08.039 -19T-14V001 in Map 163 is not in the VMC corridor and higher density in this area would increase traffic congestion to intolerable levels. The requested densities near Major Mackenzie and Weston road such FILE Z.08.039 -19T-14V001 in Map 163 plus the new application Z.20.016-DA.0.20 plus 19T-17V004 plus 19T 14-V001 plus 19T-19-V005 plus 19T 18-V002 plus future development in the nearby plus traffic generated external to the neighborhood to reach by Canada Wonderland and the new Cortelucci Vaughan Hospital would make the whole area very congested which is not appropriate for a suburban area like this one (Map 163).

We are directly affected by this rezoning. The current zoning proposal for RM2 (985) and OS1 (985) is not acceptable for FILE Z.08.039 /19T-14V001 in MAP 163.

Ronald Basso

for
Ronald and Alessandra Basso
[redacted]Sunset Terrace, Woodbridge, Ontario

COMMUNICATION – C12
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Jack Wong
905 513 0170 x113
jwong@mgp.ca

October 26, 2020

MGP File: 15-2362

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

via email: brandon.correia@vaughan.ca

Attention: Brandon Correia
Manager, Special Projects

RE: Comprehensive Zoning By-law Review
2966 and 2986 Highway 7 West
2117969 Ontario Inc.

Malone Given Parsons ("MPG") is the planning consultant for 2117969 Ontario Inc., the owner of 2966 and 2986 Highway 7 West ("Subject Site") located at the northeast corner of Jane Street and Highway 7 West in the City of Vaughan (the "City").

2117969 Ontario Inc. submitted applications for Official Plan Amendment and Zoning By-law Amendment to the City of Vaughan in December 2011 (OP.11.015 and Z.11.047) to facilitate the development of two 40 storey residential mixed-use towers on the Subject Site (the "Applications"). These applications were deemed complete on January 23, 2012 and the Design Review Panel (DRP) was held on January 26, 2012. A public meeting was then held on April 3, 2012. Subsequently, our client appealed the Vaughan Official Plan 2010 (Vaughan OP) in December 2012, including the Vaughan Metropolitan Centre Secondary Plan (VMC Secondary Plan) to the former Ontario Municipal Board (OMB). Through a series of mediation sessions, Minutes of Settlement were approved by the OMB and were formally executed on December 28, 2016.

The City is currently undertaking a comprehensive review of its Zoning By-law No. 1-88 (the "ZBL Update"). 2117969 Ontario Inc, has been closely monitoring the ZBL Update and on February 19, 2020 our clients legal counsel filed a letter with the City raising concerns with same. Unfortunately, these concerns have not been addressed in the most recent draft of the ZBL Update materials.

Our client is particularly concerned with Maps 51 and 52 of Draft Schedule A to the ZBL Update which currently zones a portion of the western and northern limits of the Subject Site as Public Open Space Zone (OS1). We respectfully request that the City reflect the OS1 Zone in accordance with the attached Schedule A Map 51 and 52 prepared by MPG (see Appendix A). Of particular relevance is that the VMC Black Creek Renewal Municipal Class Environmental Assessment Study concluded the enclosure of Black Creek from the outlet of the retrofitted Edgeley Pond is contiguous with the culvert under Highway 7 along the western limit of the Subject Site. Additionally, the Edgeley Pond and Park Design concluded the pond feature and its buffer is located outside of the Subject Site. As such, we request that the OS1 Zone be reflective of the

technical work completed through these studies and removed from the western and northern limits of the Subject Site and replaced with a zone that is reflective of the Applications.

We look forward to continuing discussions with the City of Vaughan on this matter. Thank you for your time and consideration.

Yours truly,

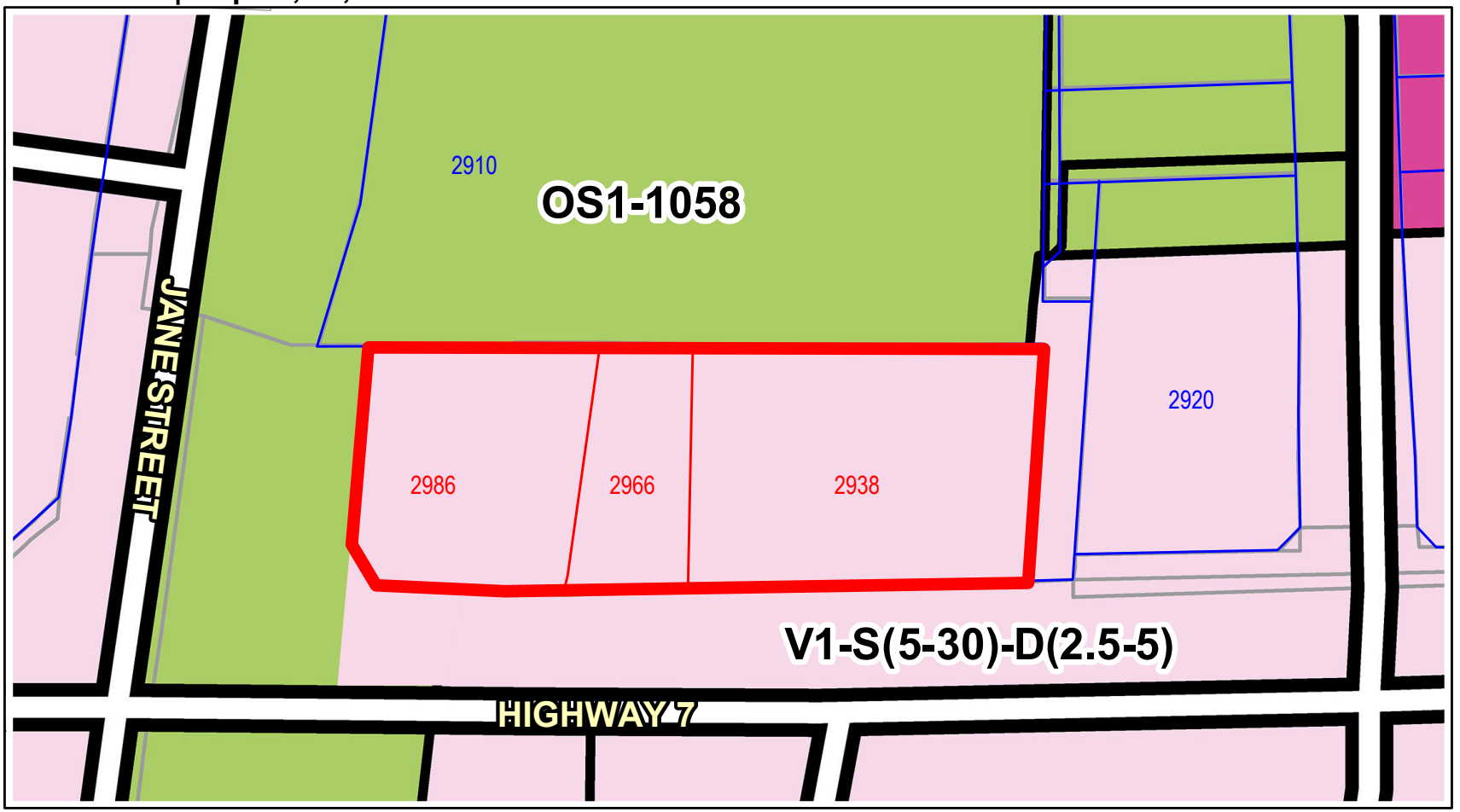
MALONE GIVEN PARSONS LTD.

Jack Wong, MCIP, RPP
Associate

Zoning By-law _- 2020

Schedule A | Map 51, 52, 31 and 32

Appendix A



Conservation, Open Space and Agricultural Zones

- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- **V1** (Station Precinct Zone)
- **V2** (South Precint Zone)
- **V3** (Neighbourhood Precint Zone)
- **V4** (Employment Precint Zone)

Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

Mixed-Use Zones

- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

Employment Zones

- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

Other Zones

- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

SUBJECT LANDS

1:5,000

VAUGHAN WSP

89	90	91	92	93
69	70	71	72	73
49	50	51	52	53
29	30	31	32	33
9	10	11	12	13

Third Working Draft: September, 2020

COMMUNICATION – C13
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Jack Wong
905 513 0170 x113
jwong@mgp.ca

October 26, 2020

MGP File: 15-2365

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

via email: brandon.correia@vaughan.ca

Attention: Brandon Correia
Manager, Special Projects

RE: Comprehensive Zoning By-law Review
2938 Highway 7 West
Midvale Estates Ltd.

Malone Given Parsons ("MGP") is the planning consultant for Midvale Estates Ltd., the owner of 2938 Highway 7 West ("Subject Site") located near the northeast corner of Jane Street and Highway 7 West in the City of Vaughan (the "City").

Midvale Estates submitted applications for Official Plan Amendment and Zoning By-law Amendment to the City of Vaughan in December 2011 (OP.11.014 and Z.11.046) to facilitate the development of two 40 storey residential mixed-use towers on the Subject Site (the "Applications"). These applications were deemed complete on January 23, 2012 and the Design Review Panel (DRP) was held on January 26, 2012. A public meeting was then held on April 3, 2012. Subsequently, our client appealed the Vaughan Official Plan 2010 (Vaughan OP) in December 2012, including the Vaughan Metropolitan Centre Secondary Plan (VMC Secondary Plan) to the former Ontario Municipal Board ("OMB"). Through a series of mediation sessions, Minutes of Settlement were approved by the OMB and were formally executed on December 28, 2016.

The City is currently undertaking a comprehensive review of its Zoning By-law No. 1-88 (the "ZBL Update"). Midvale Estates Ltd. has been closely monitoring the ZBL Update and on February 19, 2020 our clients legal counsel filed a letter with the City raising concerns with same. Unfortunately, these concerns have not been addressed in the most recent draft of the ZBL Update materials

Our client is particularly concerned with Maps 51 and 52 of Draft Schedule A to the ZBL Update which currently zones a portion of the northern limits of the Subject Site as Public Open Space Zone (OS1). We respectfully request that the City reflect the OS1 Zone in accordance with the attached Schedule A Map 51 and 52 (see Appendix A) prepared by MGP. Of particular relevance is that the VMC Black Creek Renewal Municipal Class Environmental Assessment Study and the Edgeley Pond and Park Design concluded the pond feature and its buffer is outside of Subject Site. As such, we request that the OS1 Zone be reflective of the technical work completed through these studies and removed from the northern limit of the Subject Site and replaced with a zone that is reflective of the Applications.

We look forward to continuing discussions with the City of Vaughan on this matter. Thank you for your time and consideration.

Yours truly,

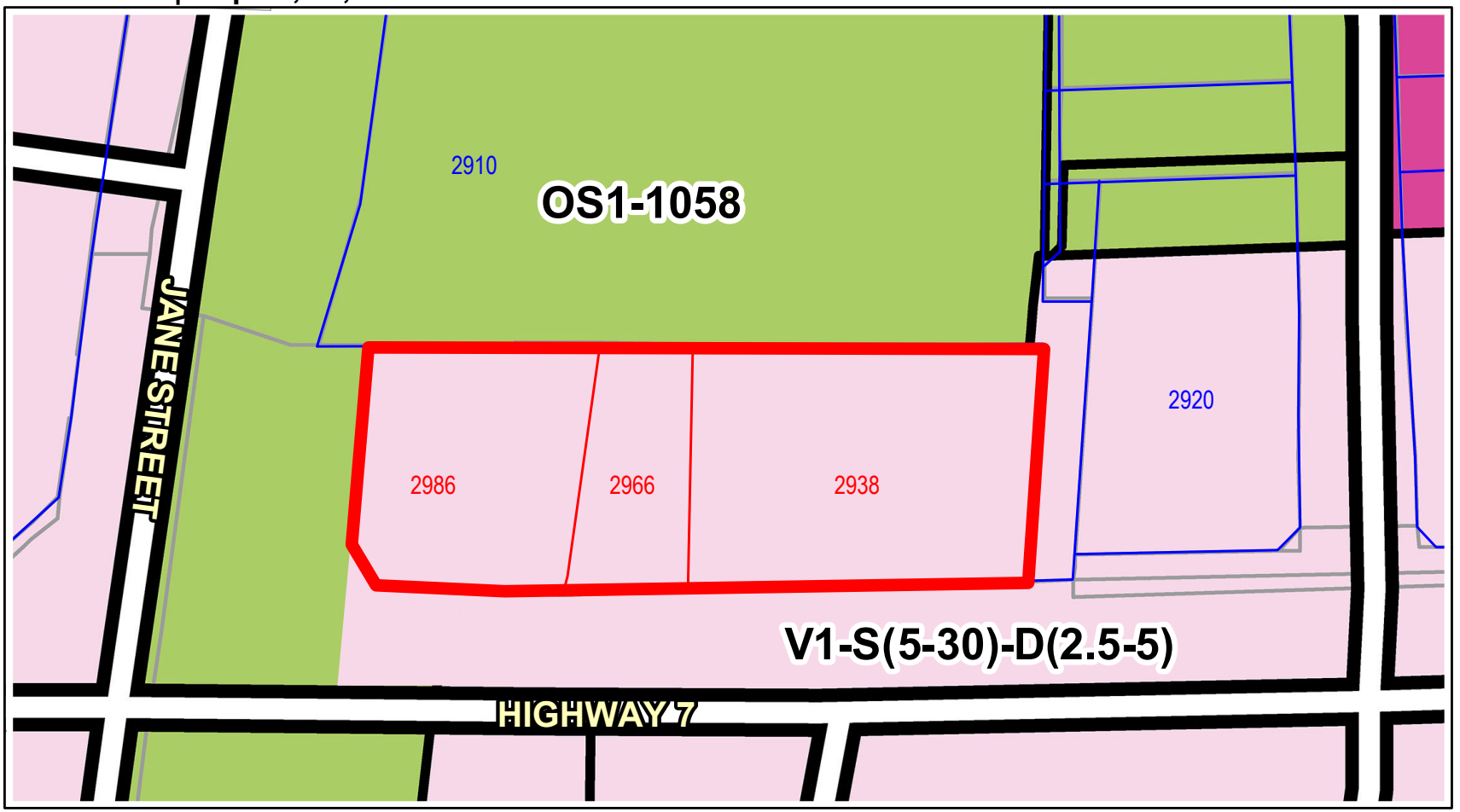
MALONE GIVEN PARSONS LTD.

Jack Wong, MCIP, RPP
Associate

Zoning By-law _- 2020

Schedule A | Map 51, 52, 31 and 32

Appendix A



Conservation, Open Space and Agricultural Zones

- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

Vaughan Metropolitan Centre Zones

- **V1** (Station Precinct Zone)
- **V2** (South Precint Zone)
- **V3** (Neighbourhood Precint Zone)
- **V4** (Employment Precint Zone)

Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

Mixed-Use Zones

- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

Employment Zones

- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

Other Zones

- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

SUBJECT LANDS

1:5,000

VAUGHAN WSP

89	90	91	92	93
69	70	71	72	73
49	50	51	52	53
29	30	31	32	33
9	10	11	12	13

Third Working Draft: September, 2020

EMC GROUP LIMITED

Engineers
Planners
Project Managers

File: 213150
October 23, 2020

COMMUNICATION – C14
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: **Todd Coles**
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: **Comments on Third Draft of City-wide Comprehensive Zoning By-law (September 2020)**
Keeleview Centre Holdings Limited
7575 & 7577 Keele Street
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for Keeleview Centre Holdings Limited with respect to their lands known as 7575 & 7577 Keele Street, Vaughan. The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

To our understanding the intent of the Comprehensive Zoning By-law "is to create a new Zoning By-law that is both responsive and anticipatory of emerging planning policy and opportunities, but is also in conformity with and fully implements the vision and intent of the VOP 2010."

We note that in the Vaughan Official Plan 2010 the subject lands are designated "Low-Rise Mixed Use" which allows residential units, office uses and limited retail. In reference to the Comprehensive Zoning By-law Schedule A- Map 34 (September 2020), the By-law illustrates the subject property as "General Commercial" (GC-492) which allows a wide range of commercial uses including automotive service uses. Within the Third Draft of the Comprehensive Zoning By-law 2020 the proposed zoning for the subject property does not conform to the City of Vaughan Official Plan 2010 and will require a future zoning by-law amendment to implement the VOP 2010 vision. Furthermore we request that the subject lands be zoned "Low-Rise Mixed-Use" in the Vaughan Comprehensive Zoning By-Law to conform to the Vaughan OP 2010 Schedule 13.

We also voice our concerns to the moratorium that restricts zoning by-law amendments from being submitted for a period of two years following the adoption of the new Comprehensive Zoning By-law. This moratorium will lengthen the proposed development timing of the property by a minimum of two years creating an undue hardship.

Should you have any questions or concerns, we are open to meet with you to discuss the merits of this request.

Yours Truly,

EMC GROUP LIMITED

Kevin Ayala Diaz

Kevin Ayala Diaz
Planner

Att.

C: - Brandon Correia- Manager of Special Projects
- Keeleview Centre Holdings Limited

Overland LLP
Christopher J. Tanzola
Tel: (416) 730-0337 x. 112
Direct: (416) 730-0645
Email: ctanzola@overlandllp.ca

COMMUNICATION – C15
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 26, 2020

VIA EMAIL

Mayor Maurizio Bevilacqua and Members of City Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Brandon Correia
Manager, Special Projects

Your Worship and Members of Council:

RE: City of Vaughan New Comprehensive Zoning By-law
10-20 Gatineau Drive
City of Vaughan File Nos. Z.08.032 and DA.13.040
Transition Concerns

We are the lawyers for D'Or Developments Inc. (the "**Owner**"), the owner of the lands municipally known as 10-20 Gatineau Drive in the City of Vaughan (the "**Site**").

The Site was the subject of applications for Zoning By-law Amendment and Site Plan Approval that were approved by the Ontario Municipal Board/Local Planning Appeal Tribunal (LPAT Case No. PL131327) (the **"Applications"**) and is currently under construction for an approved 20- and 17-storey residential development.

In this context, we are providing our comments on the draft City of Vaughan New Comprehensive Zoning By-law (the **"New Vaughan ZBL"**).

Background

By way of background, the Site is an irregularly shaped parcel, located on the east side of New Westminster Drive, north of Centre Street, and on the north side of Gatineau Drive, a new street created as part of the approval of the Applications.

The Site was severed from the lands to the south (which continue to be owned by Blue Water Ranch Developments Inc.) via a consent application that was approved by the Committee of Adjustment on December 7, 2017, which created a new lot to facilitate the development contemplated by the Application.

The rezoning of the Site was approved by the OMB/LPAT in its order issued January 17, 2017, and subsequently amended by its orders of September 26, 2017 and February 12, 2019 correcting minor errors in the text of the by-law. The Site Plan Application was approved subject

to conditions in the Tribunal's order dated June 2, 2020. The proposal conforms to the Vaughan Official Plan 2010, and did not require an amendment to the Official Plan.

A copy of the final OMB/LPAT-approved zoning by-law is attached to this letter.

The Approved Development

The approved site-specific amendment to By-law No. 1-88 applies an RA5 zone and site-specific exceptions to the Site.

The Site is identified as Parcel "A" in the approved zoning by-law amendment. The approved zoning permits a maximum of 22-storeys or 63 meters with a maximum gross floor area of 39,185 square meters, and applies various site-specific zone standards including with respect to parking requirements, landscaping, setbacks, and unit sizes.

The approved Site Plan Application facilitates the development proposed for Parcel "A". As approved and currently under construction, this Site will contain two residential condominium buildings (17 and 20 storeys in height) linked by a low-rise podium. Loading spaces, outdoor amenities, and visitor parking spaces are accommodated at grade; resident parking is below grade.

The zoning by-law amendment approved by the OMB/LPAT contemplates a further application before development can proceed on the Parcel "B" lands, which remain subject to a holding symbol.

The New Vaughan ZBL (3rd Draft)

We have reviewed the third draft of the New Vaughan ZBL released in October 2020, which now includes site specific exceptions to the performance standards of the New Vaughan ZBL. As currently drafted, the New Vaughan ZBL now proposes to zone the Site as *RM2– 1068 (Multiple Residential Zone 2, exception number 1068)*.

We note that the permissions and performance standards found in exception 1068 generally reflect those which have been approved by the OMB/LPAT for the Site, and are transposed into the template of the New Vaughan ZBL. However, we note that the **addresses** do not reflect the most recently municipally assigned addresses for the Site, which now include **10 and 20 Gatineau Drive**.

We also note that the third draft contains transition provisions for developments that are proceeding through the planning process. It is important that there be clear, effective transition rules for developments that are at various stages of the planning process so that inappropriate or unintended impediments to development do not arise in site-specific matters as a result of the exercise of enacting a new, general zoning by-law.

Our client is interested in ensuring that construction and finalization of the development on the Site will continue without interruption as a result of the New Vaughan ZBL; and that the correct zoning provisions that accurately reflect the results of the site-specific OMB/LPAT approvals are incorporated into any new zoning that is applicable to the Site.

Thank you for providing the opportunity to comment on the draft New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised draft of the by-law, and any consideration or decisions made by City Council and committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our mailing address is shown above. Our email addresses are as follows:

- Christopher Tanzola (ctanzola@overlandllp.ca)
- Greg Smith (gsmith@overlandllp.ca)

Yours truly,
Overland LLP

Per: Christopher J. Tanzola
Partner

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

Ontario

ISSUE DATE: February 12, 2019 **CASE NO.:** PL131327

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDINGS COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Blue Water Ranch Developments Inc.
Subject:	Application to amend Zoning By-law No. 1-88 – Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	RA5(H) High Density Residential – Town Centre Zone
Proposed Zoning:	RA5(North) and RA5(South)
Purpose:	To permit a 22 storey residential building with a 5.65 FSI in the northern portion of the property and to permit a 6 storey residential building with a 1.7 FSI in the southern portion of the property
Property Address/Description:	784 Centre Street
Municipality:	City of Vaughan
Municipal File No.:	Z.08.032
OMB Case No.:	PL131327
OMB File No.:	PL131327
OMB Case Name:	Blue Water Ranch Developments Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by:	Blue Water Ranch Developments Inc.
Subject:	Site Plan
Property Address/Description:	Part Lot 6, Concession 2
Municipality:	City of Vaughan
OMB Case No.:	PL131327
OMB File No.:	PL140910

BEFORE:

S. JACOBS MEMBER	)))	Tuesday, the 12th day of February, 2019

THIS MATTER having come on for a public hearing before the Ontario Municipal Board (the "Board"), now continued as the Local Planning Appeal Tribunal (the "Tribunal"), on November 27 and 28, 2014;

AND THE BOARD having issued its Decision on February 9, 2015, as amended by its Decision on March 6, 2015, allowing the appeal by Blue Water Ranch Developments Inc. ("Blue Water") of its Zoning By-law Amendment application and approving Blue Water's Site Plan Approval application;

AND THE BOARD having issued its Order on January 17, 2017 as amended by its Order on September 26, 2017, with respect to Blue Water's Zoning By-law Amendment;

AND THE TRIBUNAL having been advised in a telephone conference call with the Parties held on February 11, 2019 of the need for a technical correction to the September 26, 2017 Order in respect of the form of Zoning By-law Amendment attached to the September 26, 2017 Order as Schedule "A" (the "ZBA"), whereby it has been determined by the Parties that a portion of Section 2 (ci) of the ZBA inadvertently prohibits zero setbacks below grade on the lands;

AND THE TRIBUNAL having been advised by the Parties, on consent, that it was not intended to prohibit zero setbacks below grade on the lands, and the Parties having jointly requested that the Tribunal correct this error with respect to below grade setbacks;

AND THE TRIBUNAL having been satisfied by the evidence of Philip Levine provided by an Affidavit sworn on February 7, 2019;

AND THE TRIBUNAL being satisfied that a correction to the ZBA would be minor in the circumstances;

AND THE TRIBUNAL having been provided by the Parties, on consent, with an amended form of Zoning By-Law Amendment (the "Corrected By-law") attached as Schedule "A" to this Amending Order, which corrects the permissions applicable to below grade setbacks to all lot lines;

THE TRIBUNAL THEREFORE ORDERS that the September 26, 2017 Order is hereby amended to substitute the Corrected By-law attached as Schedule "A" to this Amending Order in place of the ZBA, and the Clerk of the City of Vaughan is authorized to make such revisions to the City's By-law numbering for record-keeping purposes as are necessary to give effect this correction.

REGISTRAR

SCHEDULE A

BY-LAW NUMBER - 2019

A By-law to amend City of Vaughan By-law 1-88 as amended by 013-2018.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

NOW THEREFORE pursuant to the Orders of the Ontario Municipal Board/Local Planning Appeal Tribunal dated January 17, 2017, September 26, 2017, and _____, 2019 in Case No. PL131327, By-law 1-88 of the City of Vaughan is amended as follows:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
   a) Deleting Schedule "E-1351" and substituting therefor the Schedule "E-1351" attached hereto as Schedule "1".
   b) Deleting Subparagraph aii) in Exception Paragraph 9(1225).
   c) Deleting all reference to the RA5 High Density Residential-Town Centre Zone and related standards and the lands zoned RA5 in the map in Schedule "A4" and replacing the map with Schedule "E-1351" attached hereto as Schedule "1".
2. Rezoning the lands shown as "Subject Lands" shown on Schedule "E-1573", attached hereto as Schedule "2" from RA5(H) High Density Residential-Town Centre Zone with the Holding Symbol "(H)" to RA5 High Density Residential-Town Centre Zone and RA5(H) High Density Residential-Town Centre Zone with the Holding Symbol "(H)" in the manner shown on said Schedule.
   a) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

      "(1443) Notwithstanding the provisions of:

      A. The following provisions shall apply to all the lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1573". The Holding Symbol "(H)" shall remain on Parcel "B" until such time as the following:

         i) access shall be provided along the east property line to the north/south public access easement (future road) to the satisfaction of the Development Engineering and Infrastructure Planning Department, as

shown as Future Road "2" on Schedule "E-1573", attached hereto as Schedule "2";

ii) water and sewage servicing capacity is identified and allocated by Vaughan Council;

iii) a Site Development Application is approved by Vaughan Council;

iv) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law _____- 2019, or a Temporary Sales Office in accordance with Section 3.25 of By-law 1-88, or the production of field crops.

B. Nothwithstanding the provisions of:

a) Section 2.0 respecting the Definition of a Parking Space and Gross Floor Area (GFA) and Subsection 3.8 respecting Minimum Parking Requirements and Driveway Access;

b) Subsection 3.13 and 5.1.1d) respecting Minimum Landscaped Area;

c) Subsection 3.17 respecting Portions of Buildings Below Grade;

d) Subsection 4.1.4 respecting Parking and Access Requirements;

e) Subsection 4.14 respecting Uses Permitted and development standards in the RA5 High Density Residential-Town Centre Zone;

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1573" attached hereto as Schedule "2":

ai) The minimum length of an underground parking space on Parcel "A" shall be 5.7m;

aii) The minimum required parking for Residential Apartment Dwelling unit within the RA5 High Density Residential-Town Centre Zone shall be 1.1 spaces/unit for residents, plus 0.1 spaces/unit for visitors, totaling 1.2 spaces/unit;

bi) The minimum width of a landscape strip along a lot line abutting a street line in the RA5 High Density Residential-Town Centre Zone shall be as follows:

Parcel "A"

- 0.45 m (Future Road "1")
- 1.7 m (New Westminster Drive)

Parcel "B"

- 3.7 m (Future Road "1")

ci) The minimum setback from the front lot line, the rear lot line, the interior side lot line, and the exterior lot line to the nearest part of a building below finished grade shall be 0 m;

di) The minimum landscape strip width around the periphery of the surface parking area for Parcel "A" shall be 1.6 m;

dii) Subsection 4.1.4 b) ii) shall not apply to Parcel "A";

diii) Subsection 4.1.4 f) shall not apply to Parcels "A" and "B";

ei) The following additional uses shall be permitted on Parcel "B" only:

- Independent Living Facility;
- Long Term Care Facility;
- Supportive Living Facility;

eii) The following zone standards shall apply to the Subject Lands, as shown on Schedule "E-1573" attached hereto as Schedule "2":

Parcel "A"

- Minimum Front Yard Setback (Future Road "1") - 0.45 m
- Minimum Exterior Side Yard Setback (New Westminster Drive) - 1.7 m
- Minimum Interior Side Yard Setback - 4.8 m
- Maximum Building Height - 22-storeys or 63 m, whichever is less
- Maximum Gross Floor Area - 39,185 m^2
- Minimum Lot Area – 6,988 m^2 (no further amendment is required to this by-law should the minimum lot area be reduced due to conveyance of lands for a public right-of-way or other land dedication required by a public authority)
- Minimum Landscape Strip along the north property line - 1.6 m

- Maximum Combined Gross Floor Area of all retail/commercial uses – 30% of the ground floor area
- Maximum Gross Floor Area of each Retail/Commercial Unit – 250m^2
- Maximum Ground Floor Area of a Residential Dwelling – 1,500m^2

Parcel "B"

- Minimum Front Yard Setback (Future Road "1") - 3.7 m
- Minimum Front Yard Setback (Future Road "1") to a canopy - 1m
- Maximum Gross Floor Area - 11,890 m^2
- Minimum Lot Area – 6,805 m^2 (no further amendment is required to this by-law should the minimum lot area be reduced due to conveyance of lands for a public right-of-way or other land dedication required by a public authority)
- Maximum Combined Gross Floor Area of all retail/commercial uses – 30% of the ground floor area
- Maximum Gross Floor Area of each Retail/Commercial Unit – 250m^2
- Maximum Ground Floor Area of a Residential Dwelling – 1,500m^2

f) Adding Schedule "E-1573" to Exception Paragraphs 9(1443) attached hereto as Schedule "2".

g) Deleting Key Map 2B and substituting therefor the Key Map 2B attached hereto as Schedule "3".

3. Schedules "1", "2" and "3" shall be and hereby form part of this By-law.

4. By-law 008-2017 was repealed on January 30, 2018.

5. By-law 013-2018 is hereby repealed. The previous by-law did not include provisions for portions of buildings below-grade along New Westminster Drive.

Authorized by Item No.59 of Report No. 36
of the September 2, 2014 Committee of the Whole
Refusal by Vaughan City Council on
September 9, 2014

SUMMARY TO BY-LAW _____ - 2019

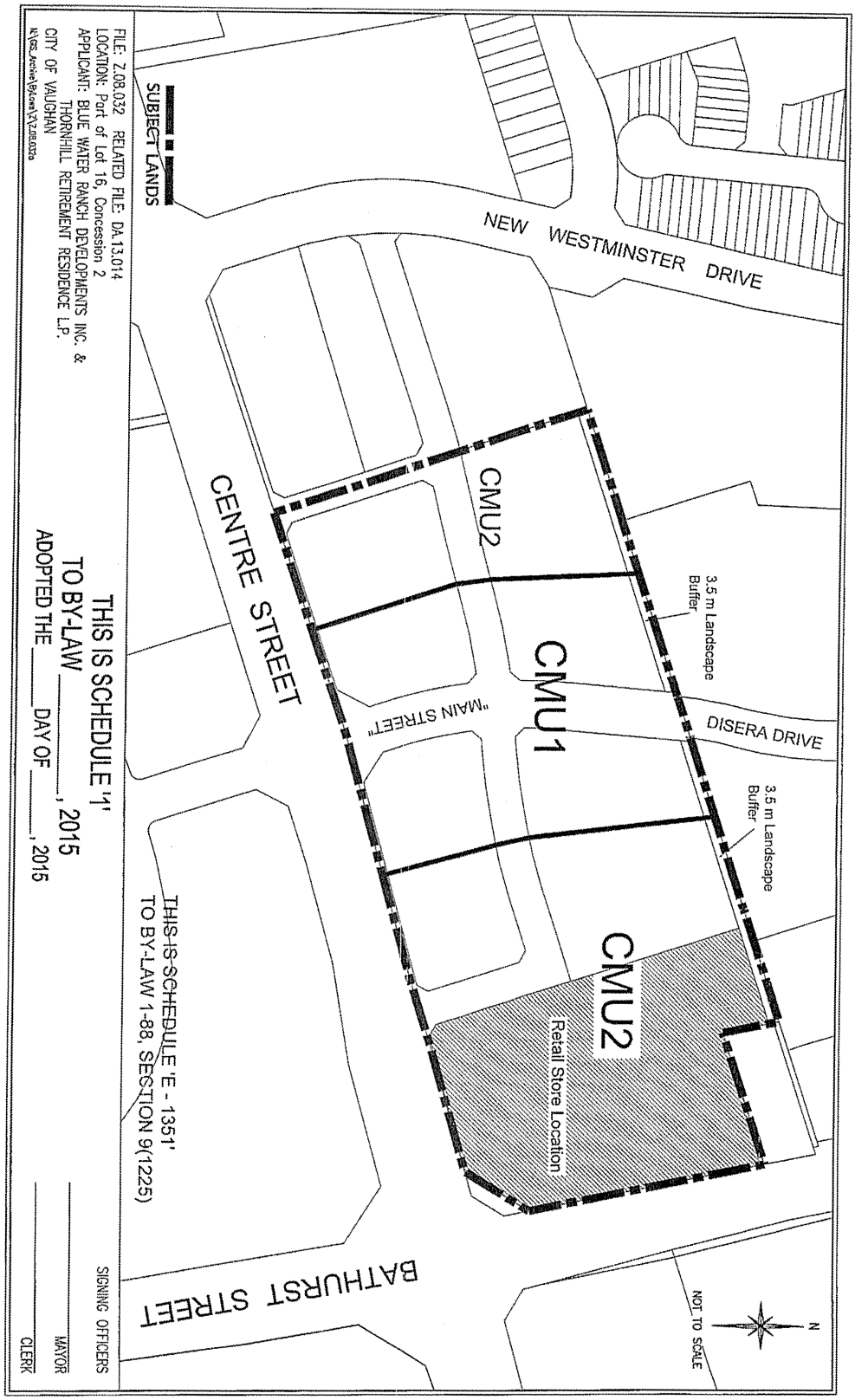
NOTE: This summary does not form part of By-law _____-2019

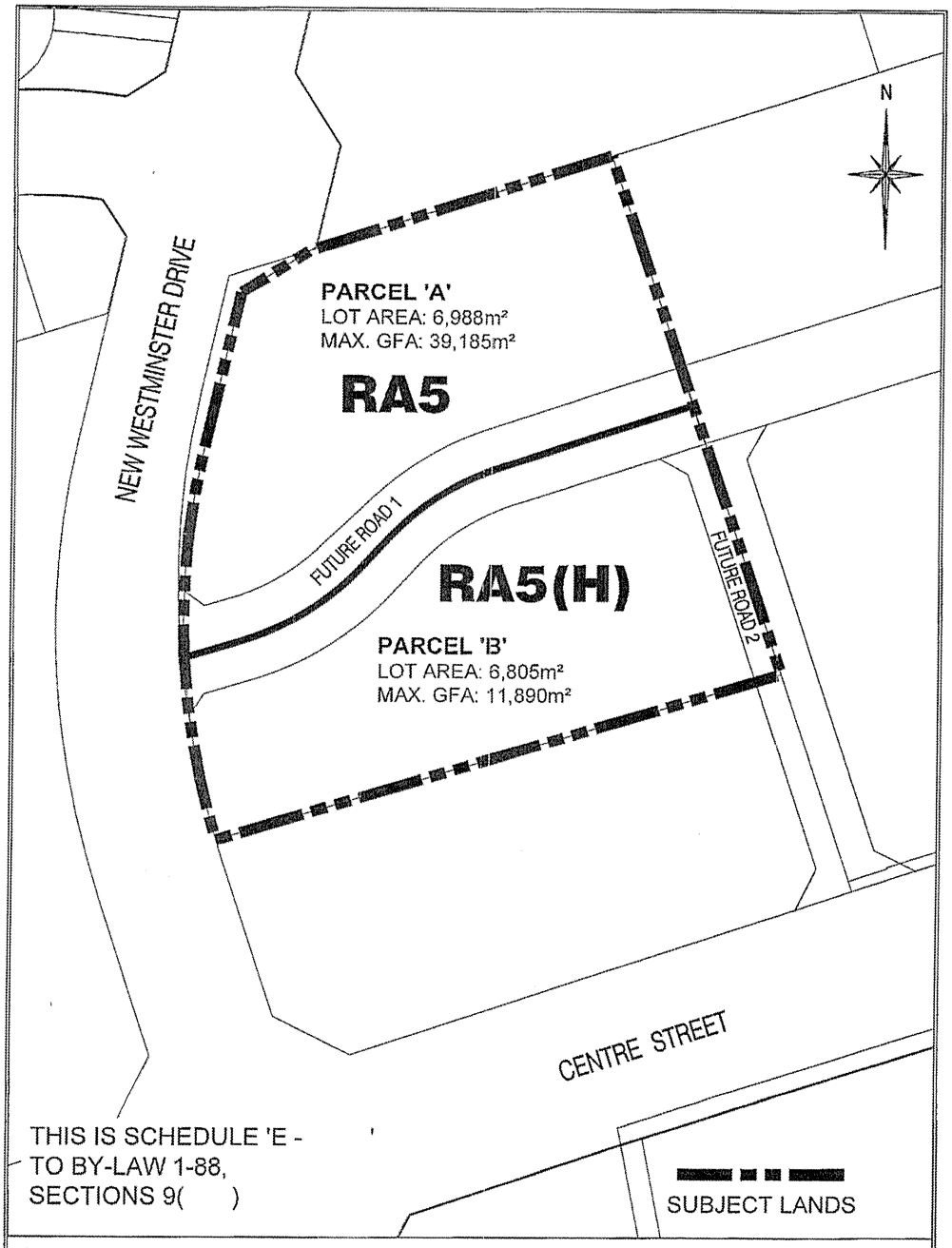
The lands subject to this By-law are located on the east side of New Westminster Drive, north of Centre Street, being Part of Lot 6, Concession 2, City of Vaughan.

The purpose of this by-law is to rezone Parcel "A" from RA5(H) High Density Residential Town Centre Zone with the Holding Symbol "(H)" to RA5 High Density Residential Town Centre Zone thereby removing the Holding Symbol "(H)" and permitting the site-specific zoning exceptions, to facilitate the development of 19 and 22-storey apartment buildings having a total maximum GFA of 39,185 m^2.

The by-law will also maintain the Holding Symbol "(H)" on Parcel "B" to facilitate the development of a 6-storey apartment building with a GFA of 11,890 m^2, which includes permission for a senior retirement residence. The Holding Symbol "(H)" on Parcel "B" will be maintained until such time as following:

i) Access shall be provided along the east property line to the north/south public access easement (future road) to the satisfaction of the Development Engineering and Infrastructure Planning Department, as shown as Future Road "2" on Schedule "E- ", attached hereto as Schedule "2";
ii) water and sewage servicing capacity is identified and allocated; and,
iii) a Site Development application is approved by Vaughan Council.


SUBJECT LANDS
NEW WESTMINSTER DRIVE
CENTRE STREET
CMU2
CMU1
CMU2
"MAIN STREET"
3.5 m Landscape Buffer
3.5 m Landscape Buffer
DISERA DRIVE
Retail Store Location
THIS IS SCHEDULE 'E - 1351'
TO BY-LAW 1-88, SECTION 9(1225)
BATHURST STREET
N
NOT TO SCALE
FILE: Z.08.032 RELATED FILE: DA.13.014
LOCATION: Part of Lot 16, Concession 2
APPLICANT: BLUE WATER RANCH DEVELOPMENTS INC. & THORNHILL RETIREMENT RESIDENCE L.P.
CITY OF VAUGHAN
K:\GIS_Archive\ByLaws\Z\Z.08.032a
THIS IS SCHEDULE '1'
TO BY-LAW _____, 2015
ADOPTED THE _____ DAY OF _____, 2015
SIGNING OFFICERS
MAYOR
CLERK



NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW _____ - 2015

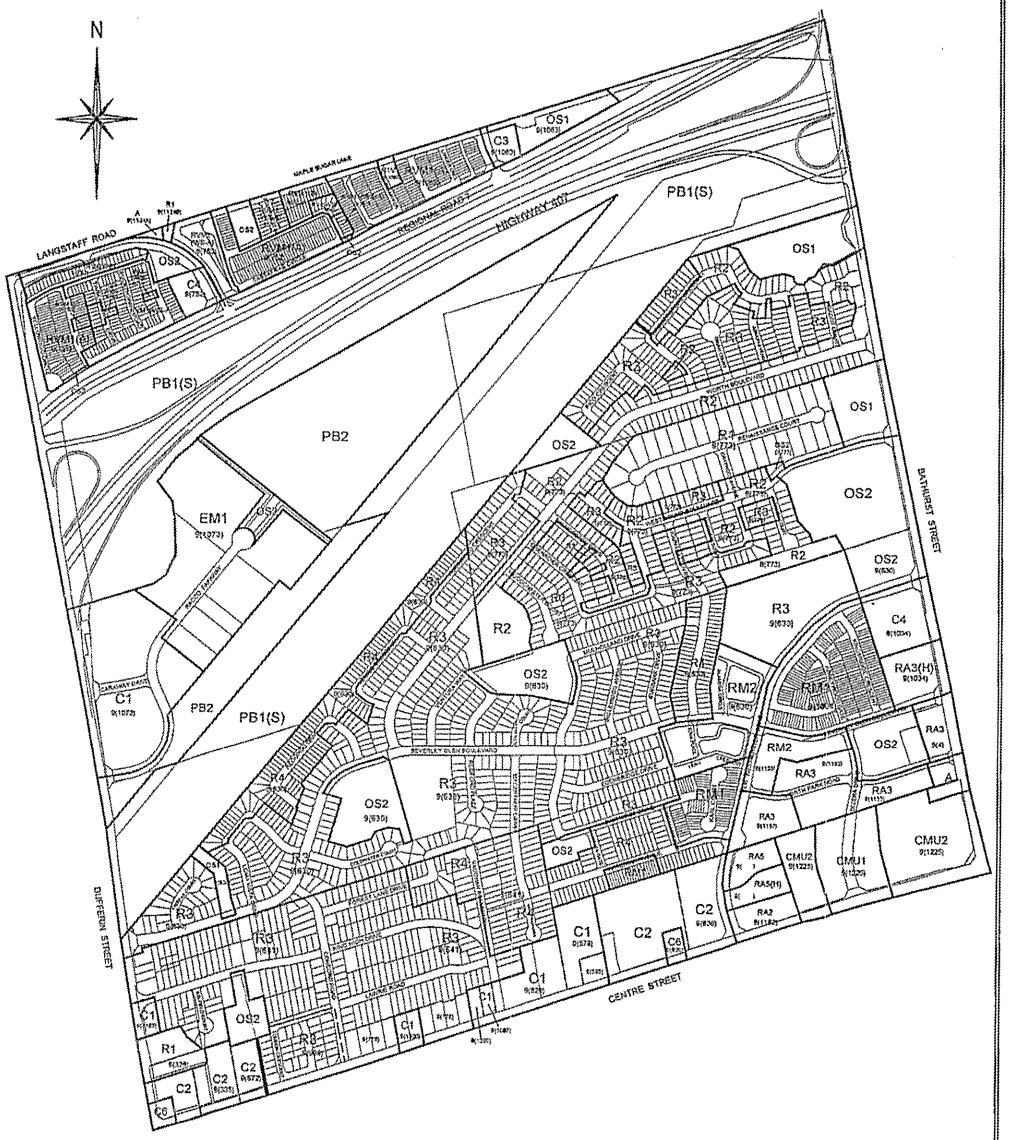
PASSED THE _____ DAY OF _____ , 2015

FILE: Z.08.032 RELATED FILE: DA.13.014
LOCATION: Part of Lot 16, Concession 2
APPLICANT: BLUE WATER RANCH DEVELOPMENTS INC. &
THORNHILL RETIREMENT RESIDENCE L.P.
CITY OF VAUGHAN
N:\GIS_Archive\ByLaws\Z\Z.08.032a

SIGNING OFFICERS

_____
MAYOR

_____
CLERK



KEY MAP 2B
BY-LAW No. 1-88

NOT TO SCALE

THIS IS SCHEDULE '3'
TO BY-LAW _____ - 2015

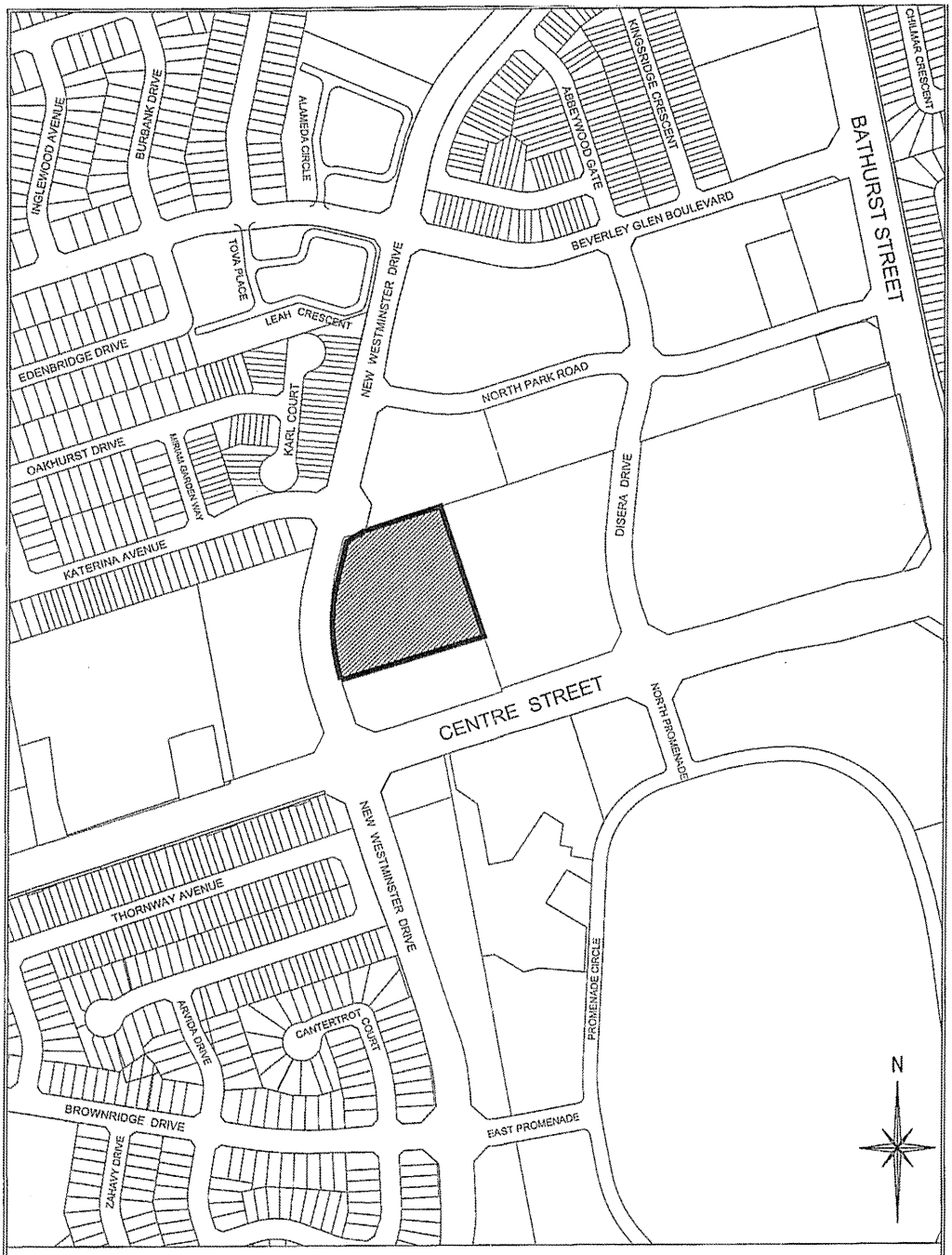
PASSED THE_____ DAY OF_____ , 2015

FILE: Z.08.032 RELATED FILE: DA.13.014
LOCATION: Part of Lot 16, Concession 2
APPLICANT: BLUE WATER RANCH DEVELOPMENTS INC. &
THORNHILL RETIREMENT RESIDENCE L.P.
CITY OF VAUGHAN
N:\GIS_Archive\ByLaws\Z\Z.08.032a

SIGNING OFFICERS

_____
MAYOR

_____
CLERK



NOT TO SCALE

LOCATION MAP
TO BY-LAW _____ - 2015

FILE: Z.08.032 RELATED FILE: DA.13.014
LOCATION: Part of Lot 16, Concession 2
APPLICANT: BLUE WATER RANCH DEVELOPMENTS INC. &
THORNHILL RETIREMENT RESIDENCE L.P.
CITY OF VAUGHAN
N:\GIS_Archive\ByLaws\Z\Z.08.032a

SUBJECT LANDS

EMC GROUP LIMITED

Engineers
Planners
Project Managers

October 23, 2020

COMMUNICATION – C16
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: **Todd Coles**
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: **Comments on City-wide Comprehensive Zoning By-law**
240 Fenyrose Crescent
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the property owners of 240 Fenyrose Crescent, Vaughan. The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

We note that in the Vaughan Official Plan 2010, the subject lands are entirely designated "Low-Rise Residential" which allows for low-rise residential uses. In reference to the Comprehensive Zoning By-law Schedule A- Map 107 (September 2020), the By-law illustrates the subject property as Estate Residential (RE) & Environmental Protection (EP-198). Within the Third Draft of the Comprehensive Zoning By-law 2020 the proposed Environmental Protection zoning for the rear of the subject property does not conform to the City of Vaughan Official Plan 2010 Schedule 13.

From our research, we understand that during the development of the Plan of Subdivision a man-made concrete lined channel was constructed to convey the external drainage from the Weston Downs Subdivision, and that the lands were void of any vegetation when purchased by the current owner. In the last 20 years the owner undertook to landscape the area to its current state similar to the surrounding executive community. The attached air photo gives an overview of the surrounding lands. It is noted that the surrounding lands exhibit the same attributes and all other surrounding properties have remained entirely in the Estate Residential Zone (RE).

For this reason we do not agree with the partial Environmental Protection Zone (EP) of the subject property as seen in Attachment 2.

Should you have any questions or concerns, we are open to meet with you to discuss the merits of this request.

Yours Truly,

EMC GROUP LIMITED

Kevin Ayala Diaz

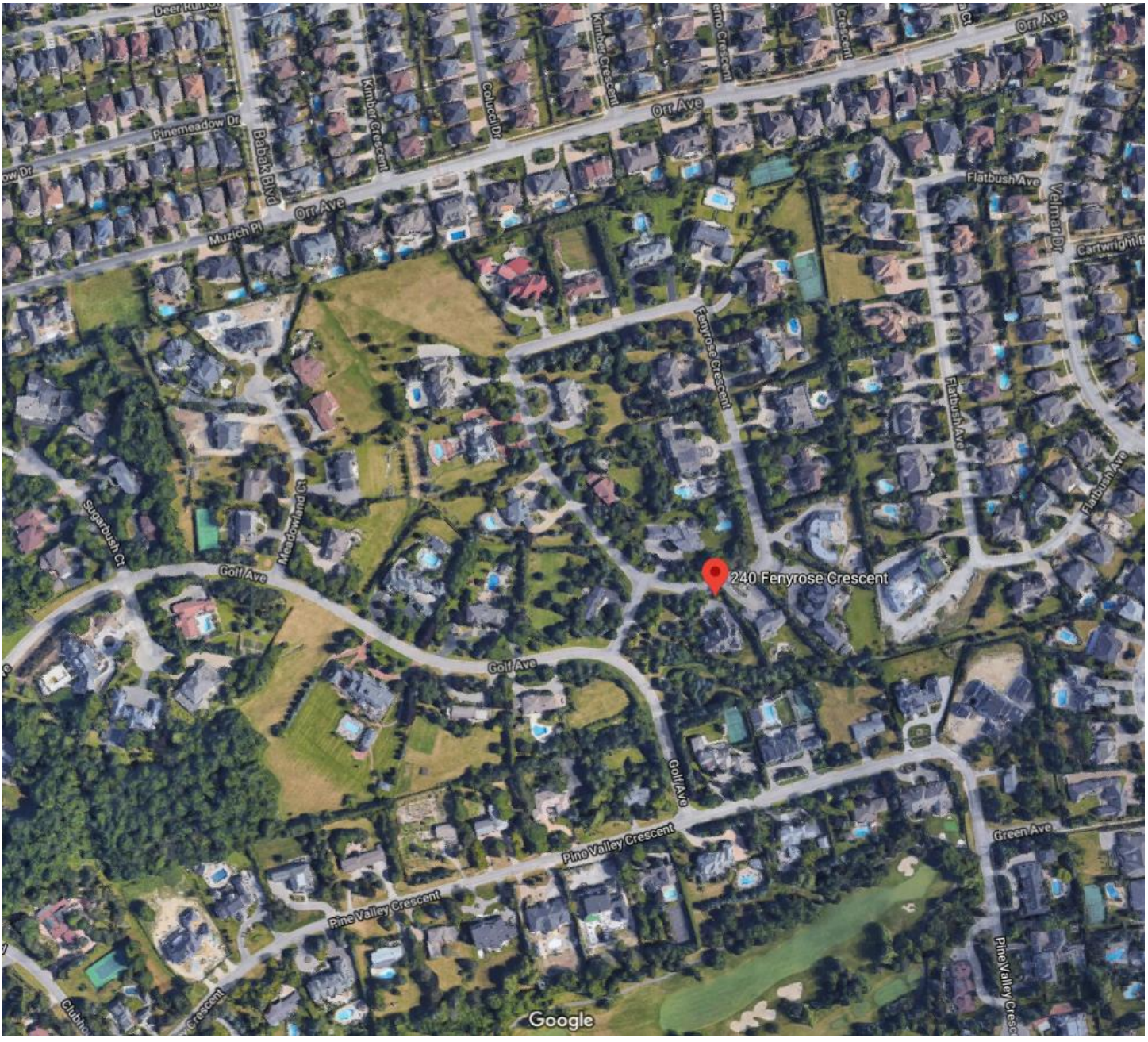
Kevin Ayala Diaz
Planner

Att.

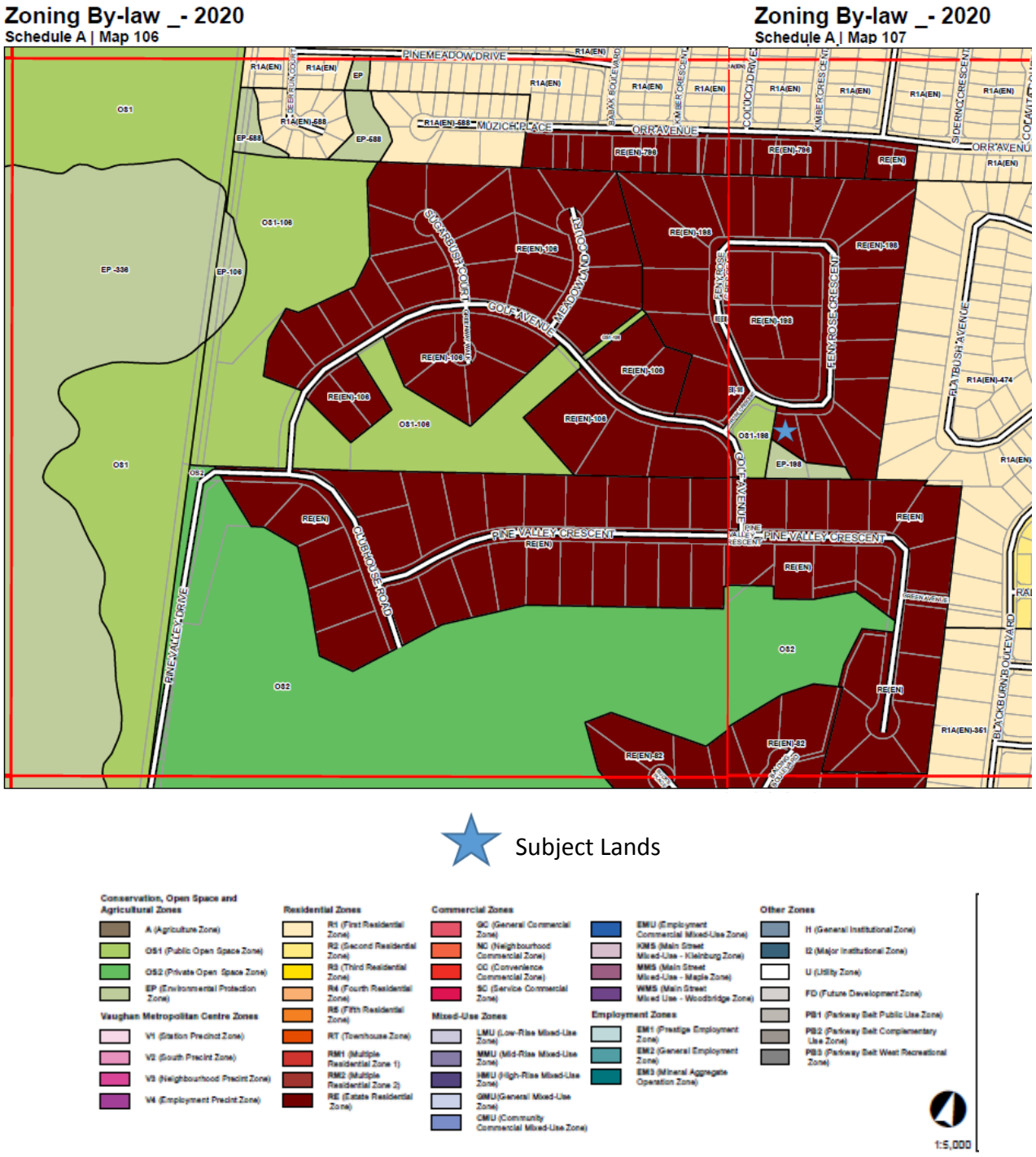
C: - Brandon Correia- Manager of Special Projects
- Josie Zuccaro / 240 Fenyrose Cresent

Attachment 1

Aerial Photo of 240 Fenyrose Crescent and the Surrounding Residential Area



Attachment 2
Third Draft of the Comprehensive Zoning By Law Schedule A – Map 106 & 107



October 26, 2020

COMMUNICATION – C17
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 4900 King Vaughan Road, Comprehensive Zoning By-law Review / Written Submission

I am the land use planning consultant retained by Ian Fraser, regarding the lands legally described as Part of Lot 1, Concession 7, in the City of Vaughan (the "Subject Lands") in the Regional Municipality of York, and known municipally as 4900 King Vaughan Road. I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review.

A Statutory Open House took place on October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 28, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Maps 278 and 280** and **Section 14 (Exceptions)**, we conclude that the Subject Lands should be zoned Agricultural with a site-specific exemption. As per information provided by Mr. Fraser it seems that there are some active old applications/approvals which would grant more rights to the lands than the Agricultural Zone does (for example the creation of a new lot with a dwelling on it). The information received from Mr. Fraser seems relevant, but has not yet been fully verified, because of time constraints and COVID constraints. We will continue the relevant research and will inform you about the results. In the meantime, we submit that you should further review the site-specific circumstances and possible exemptions.

Property description:

The Subject Lands front the north side of King Vaughan Road, west of Mill Road. The Lands have a frontage of 330 feet along King Vaughan Road and a depth of 1331 feet, and have an area of approximately 10 acres. The lands are developed with a large single detached dwelling.

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9
Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

The lands are currently zoned "Agricultural". In Draft 3 of the Proposed Zoning By-law (September 2020), the property is zoned Agricultural Area (A) Zone on Map 280.

Based on our preliminary research the proposed zoning should be Agricultural with a site-specific exemption recognizing a potential for additional lot creation based on open applications predating the Greenbelt Plan (to be verified). We submit that the proposed zoning should be considered as a site-specific exemption.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

Overland LLP
Christopher J. Tanzola
Tel: (416) 730-0337 x. 112
Direct: (416) 730-0645
Email: ctanzola@overlandllp.ca

COMMUNICATION – C18
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 26, 2020

VIA EMAIL

Mayor Maurizio Bevilacqua and Members of City Council
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Brandon Correia
Manager, Special Projects

Your Worship and Members of Council:

RE: City of Vaughan New Comprehensive Zoning By-law
South Side of Gatineau Drive (Blue Water Ranch, Parcel "B")
City of Vaughan File Nos. Z.08.032

We are the lawyers for Blue Water Ranch Developments Inc. (the "**Owner**"), the owner of the lands located on the south side of Gatineau Drive, east of New Westminster Drive, and north of 784 Centre Street (the **"Site"**).

Although the Site has site-specific zoning approved, as discussed below, further development applications are anticipated imminently for the Site. It is in this context that we are providing our comments on the draft City of Vaughan New Comprehensive Zoning By-law (the **"New Vaughan ZBL"**).

Background

The Site is the remaining development parcel (identified as Parcel "B") of the original landholding with the municipal address 784 Centre Street.

A six-storey retirement residence, with the current municipal address of 784 Centre Street, was developed in the early-2000s, and is identified as Parcel "C" in various planning documents.

Parcel "A" is located on the north side of Gatineau Drive, with the municipal address of 10-20 Gatineau Drive, and is currently under construction by D'Or Developments Inc. for residential towers of 20 and 17 storeys.

Together with Parcel "A", the Site (i.e., Parcel "B") was the subject of an application for a Zoning By-law Amendment (City of Vaughan File No. Z.08.032) that was approved by the OMB/LPAT in Case No. PL131327.

The rezoning of the Site was approved by the LPAT in its order issued January 17, 2017, and subsequently amended by its orders of September 26, 2017 and February 12, 2019 correcting minor errors in the text of the by-law.

A Site Plan Application for Parcel "A" was approved subject to conditions in the Tribunal's order dated June 2, 2020, and, as noted, the development on Parcel "A" is currently under construction.

Unlike Parcel "A", however, the Parcel "B" Site has not proceeded with a Site Plan Approval application and is currently vacant.

Approved Zoning on the Site

The OMB/LPAT approved zoning for the Site applies an RA5 zone with a holding symbol and allows additional uses such as an independent living facility, a long term care facility, and a supportive living facility. The approved zoning permits a maximum gross floor area of 11,890 square meters, with site-specific standards including setbacks, lot area, and unit sizes. The holding symbol relates to the provision of access along the east property line, infrastructure capacity, and the approval of a future Site Plan application. A temporary sales office, among other uses, is permitted during the period that the holding symbol remains on the Site.

The New Vaughan ZBL (3rd Draft)

We have reviewed the third draft of the New Vaughan ZBL released in October 2020, which now includes site specific exceptions to the performance standards of the New Vaughan ZBL. As currently drafted, the New Vaughan ZBL now proposes to zone the Site as *RM2 (H)– 1068 (Multiple Residential Zone 2 (H), exception number 1068)*.

We note that the permissions and performance standards found in exception 1068 generally reflect those which have been approved by the OMB/LPAT, and are transposed into the template of the New Vaughan ZBL. However, we note the following:

- The exception incorrectly refers to "10-30 Disera Drive, 784 Centre Street". The reference should be to **"10-20 Gatineau Drive, and lands north of 784 Centre Street".**
- The permitted uses section of exception 1068 includes a reference to "Section 1443.1.1". It is not clear how this reference to the legacy exception Vaughan Zoning By-law 1-88 will carry forward into the New Vaughan ZBL.

More generally, we note that the performance standards applicable to the Site and surrounding area carry forward zoning permissions, in particular maximum densities, which, although recently approved for the Site by the OMB/LPAT in connection with the development of the Parcel "A" lands on the north side of Gatineau Drive, are largely based on a dated policy framework. These zoning standards are not, in our submission, reflective of more contemporary planning goals and objectives for this area of the City of Vaughan.

For example, the maximum permitted gross floor area on the Site is 11,890 square metres. This is the "leftover" density after the development of Parcels "A" and "C" based on the maximum

permitted density for this block in Official Plan Amendment 671. Official Plan Amendment 671 emerged in the context of the Provincial Policy Statement 1996, and the 1994 York Region Official Plan, and was carried forward with virtually no changes into the Vaughan Official Plan 2010. In other words, the density permission being proposed in the New Vaughan ZBL is from some 20-25 years ago, and ignores changes to the Provincial, Regional, and local planning framework since that time as well as surrounding developments that have occurred since then.

We note that the City of Vaughan has recently launched a study for the Promenade Centre Secondary Plan in anticipation of the redevelopment of the shopping mall lands. Extensive investments in rapid transit have been made along Centre Street in recent years. Meanwhile, York Region continues to plan for Major Transit Station Areas along this corridor, as required by the Growth Plan for the Greater Golden Horseshoe,

Carrying outdated performance standards into the New Vaughan ZBL represents a lost opportunity to provide the Site and the surrounding lands with zoning standards that are reflective of current reality and would permit development in a coherent, comprehensive manner.

The Owner intends to file site-specific applications in the near-term for these lands, and accordingly is not supportive of the outdated zoning for the Site as proposed in the New Vaughan ZBL.

We have also reviewed the transition provisions of the New Vaughan ZBL. Our client supports an approach to transition that allows sites that are in the development approval process and/or that are contemplated for further development beyond existing permissions to be able to proceed to be considered on their planning merits notwithstanding the timing of adoption of the New Vaughan ZBL by City Council.

Thank you for providing the opportunity to comment on the draft New Vaughan ZBL. Would you kindly ensure that we receive a copy of any notices for public meetings, revised draft of the by-law, and any consideration or decisions made by City Council and committees of Council with respect to the New Vaughan ZBL.

Please provide notice to each of the following. Our mailing address is shown above. Our email addresses are as follows:

- Christopher Tanzola (ctanzola@overlandllp.ca)
- Greg Smith (gsmith@overlandllp.ca)

Yours truly,
Overland LLP

Per: Christopher J. Tanzola
Partner

October 26, 2020

COMMUNICATION – C19
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 12355 Mill Road, City of Vaughan Comprehensive Zoning By-law Review / Written Submission

I am the land use planning consultant retained by Marianne and Vito Pacifico, the owners of the lands legally described as Part Lot 1, Concession 7, City of Vaughan, in the Regional Municipality of York, and known municipally as 12355 Mill Road (the "Subject Lands"). I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review.

A Statutory Open House took place on October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 28, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Map 280** and **Section 14 (Exceptions)**, we conclude that the Subject Lands should be zoned Agricultural with a site-specific exemption.

The Subject Lands are located on the east side of Mill Road, north of King Vaughan Road, and south of King Road. The Lands have an irregular shape and are approximately five acres (2.67 ha) in size. The Lands have a frontage of 455 feet (138.7 meters) along Mill Road, and a depth of approximately 457 feet (139.3 meters). The lands are developed with a large residential dwelling and several storage buildings. The lands are residential in nature and have not been used for any rural or agricultural purpose for a very long time.

From our preliminary research it seems that the proposed zoning is not based on any scientific evidence or studies. We submit that the proposed zoning should be considered as a site-specific exemption allowing for residential development.

If you have any questions regarding the above, please contact me.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

October 26, 2020

COMMUNICATION – C20
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 9650 Highway 27, City of Vaughan Comprehensive Zoning By-law Review

Second Revised Written Submission

I am the land use planning consultant retained by Vito Pacifico, the owner of the lands legally described as Part of Lot 18, Concession 8, in City of Vaughan (the "Subject Lands") in the Regional Municipality of York, and known municipally as 9650 Highway 27. I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review regarding the downzoning of the Subject Lands from Open Space to Environmental Protection Zone.

A Statutory Open House took place on October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 28, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Map 138** and **Section 12.0 (Environmental Protection, Open Space, and Agriculture Zone)**, we concluded in our Letter of October 13 that the Subject Site should be zoned Agricultural. However, further to our additional research on planning processes in the area and site-specific planning processes, we conclude that the lands should be zoned as a site-specific exemption allowing residential or commercial development.

Property description:

The Subject Lands front the west side of Highway 27, between Major Mackenzie Drive West and Rutherford Road, and are mostly north of the Humber River. The Lands have an irregular shape and are approximately 7 acres in size, and developed with a large size single detached dwelling.

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

The Lands are located east of the CP rail tracks and the proposed Highway 427 Expansion. A commuter rail line is proposed and would use the existing CP rail tracks. Two future GO stations are to be located nearby: the first one, north of Rutherford Road and east of the CP rail tracks; and the second, south of Major Mackenzie Drive and east of the CP rail tracks, just west of the Highway 27 intersection. Both future GO stations are within walking distance of the Subject Lands. Highway 27 is part of the Regional Transit Priority Network. Sewer and water connections are existing or planned and are within reasonable distance.

In the York Region Official Plan, the Subject Lands are designated "Towns and Villages" and "Regional Greenlands System" on Map 1. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are designated "Towns and Villages" on Maps 3, 4, 8 and 11. The "Towns and Villages" designation permits a wide range of uses including residential, commercial and institutional uses.

Policy 2.1.7 states that the boundaries and the extent of the Regional Greenlands System shown on Map 2 are approximate. Policy 2.1.7 further states that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by *environmental impact studies.* These refinements will be incorporated into the Plan and will not require an amendment to the Plan.

In the City of Vaughan Official Plan, the Subject Lands are designated "Natural Areas" on Schedule 13. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are shown as shown as "Stable Areas" and "Natural Areas and Countryside" on Schedule 1.

On Schedule 2 the Subject Lands are shown as "Natural Heritage Network" (NHN). Policy 3.2.3.2 states that the policy text prevails over the mapping shown on Schedule 2 in determining the NHN. Refinements to the NHN may occur through the development approval process and shall be reflected on Schedule 2 without the need for an Official Plan Amendment. This may occur on a site-by-site basis.

The lands are currently zoned "Open Space". In Draft 3 of the Proposed Zoning By-law (September 2020), the property is re-zoned to Environmental Protection Zone (EP) on Map 138.

From our preliminary research it seems that the proposed re-zoning is not based on any scientific evidence or studies. We submit that the proposed zoning should be a site-specific exemption allowing residential or commercial development.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

COMMUNICATION – C21
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 26, 2020
HPGI File: 11267

SUBMITTED VIA EMAIL: clerks@vaughan.ca

City Council
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Attention: **City Clerk, City of Vaughan**

Re: **Public Hearing – Third Draft Comprehensive Zoning By-law Review**
3660 Rutherford Road (the "Subject Property")
West Rutherford Properties Ltd. (the "Owner")

Humphries Planning Group represents West Rutherford Properties Ltd, owner of the property located at 3660 Rutherford Road within the City of Vaughan. The Owner has an active appeal before the Local Planning Appeal Tribunal (LPAT), LPAT case file number PL130754, which appeals the failure of the City of Vaughan to adopt the requested Official Plan Amendment, and Zoning By-law Amendment applications.

Based on the potential timeline of the City of Vaughan Third Draft – Comprehensive Zoning By-law and the status of the Owner's Zoning By-law Application we request that a site-specific deferral be enacted for the Property to facilitate the continuation of the active appeal before the LPAT.

Further, we ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.
c/o Rosemarie Humphries
190 Pippin Road, Suite A
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,
HUMPHRIES PLANNING GROUP INC.

Rosemarie Humphries, BA, MCIP, RPP
President

cc: Mr. Brandon Correia, Manager, Special Projects
West Rutherford Properties Ltd.

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com
~ Do Something Good Everyday! ~ STAY SAFE ~

COMMUNICATION – C22
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 26, 2020
HPGI File: 11266

SUBMITTED VIA EMAIL: clerks@vaughan.ca

City Council
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Attention: **City Clerk, City of Vaughan**

Re: **Public Hearing – Third Draft Comprehensive Zoning By-law Review**
South-east corner of Weston Road and Retreat Boulevard, Blocks 10 & 272, RP 65M-3898, Lot 22, Concession 5 (the "Subject Property")
Ozner Corporation (South) (the "Owner")

Humphries Planning Group represents Ozner Corporation (South), owner of the property located at the south-east corner of Weston Road and Retreat Boulevard in the City of Vaughan and legally described as Blocks 10 and 272 on Registered Plan of Subdivision 65M-3898, Lot 22, Concession 5. The Owner has an active appeal before the Local Planning Appeal Tribunal (LPAT), LPAT case file number PL130753, which appeals the failure of the City of Vaughan to adopt the requested Official Plan Amendment, and Zoning By-law Amendment applications.

Based on the potential timeline of the City of Vaughan Third Draft – Comprehensive Zoning By-law and the status of the Owner's Zoning By-law Application we request that a site-specific deferral be enacted for the Property to facilitate the continuation of the active appeal before the LPAT.

Further, we ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future council meetings. Notice can be delivered to the following mailing address:

Humphries Planning Group Inc.
c/o Rosemarie Humphries
190 Pippin Road, Suite A
Vaughan, ON, L4K 4X9

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned.

Yours sincerely,
HUMPHRIES PLANNING GROUP INC.

Rosemarie Humphries, BA, MCIP, RPP
President

cc: Mr. Brandon Correia, Manager, Special Projects
Ozner Corporation (South)

Davies Howe

LAND DEVELOPMENT ADVOCACY & LITIGATION

Mark Flowers
markf@davieshowe.com
Direct: 416.263.4513
Main: 416.977.7088
Fax: 416.977.8931
File Nos. 703378

October 26, 2020

COMMUNICATION – C23
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

By E-Mail

City of Vaughan, Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: City Clerk

Dear Council:

Re: Draft City-Wide Comprehensive Zoning By-law
Committee of the Whole Meeting on October 29, 2020 - Agenda Item 3.1

We are counsel to Clubhouse Developments Inc. ("Clubhouse"), the owner of the lands currently occupied by the Country Club (formerly the Board of Trade Golf Course) and municipally known as 20 Lloyd Street, 241 Wycliffe Avenue and 737 and 757 Clarence Street (the "Lands")

As the City is aware, the Lands are currently subject to Official Plan Amendment (File No. OP.19.014), Zoning By-law Amendment (File No. Z.19.038) and Draft Plan of Subdivision (File No. 19T-19V007) applications (collectively, the "Applications") submitted by Clubhouse on December 23, 2019 to permit the redevelopment of a portion of the Lands for residential development.

Clubhouse has reviewed the current draft City-wide Comprehensive Zoning By-law in relation to the Lands, which we understand will be considered by the Committee of the Whole at its meeting on October 29, 2020.

If the Applications are approved, it is our view that the zoning by-law amendments to the City's current Zoning By-law should be incorporated into the new Comprehensive Zoning By-law. Thus, one option would be for the City to exclude the Lands from the Comprehensive Zoning By-law pending the outcome of the Applications.

Further, we note that on Schedule A, Map 66 of the draft Comprehensive Zoning By-law, the southeast portion of the Lands are proposed to be zoned OS2, whereas this portion of the Lands is currently zoned R2 in Zoning By-law No. 1-88. Clubhouse objects to the proposed rezoning of this portion of the Lands from a residential zone category,

particularly when it has active applications before the City to permit residential development on the Lands.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or City Council regarding the Comprehensive Zoning By-law, as well as any further public meeting(s) concerning this matter.

Yours truly,
DAVIES HOWE LLP

Mark R. Flowers
Professional Corporation

copy: Clients
Mark Yarranton and Billy Tung, KLM Planning Partners Inc.

COMMUNICATION – C24
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

October 26, 2020

Brandon Correia
BES PMP Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Mr. Correia:

RE: CITY OF VAUGHAN ZONING BY-LAW REVIEW – THIRD DRAFT
THIRD COMMENT LETTER – HOME DEPOT OF CANADA INC.
140 NORTHVIEW BOULEVARD, VAUGHAN
FILE: 9316HA-11

On behalf of our client, Home Depot of Canada Inc. (hereinafter "Home Depot"), we have reviewed the most recent City of Vaughan proposed Third Draft of the Comprehensive Zoning By-law in the context of our client's lands located at 140 Northview Boulevard ("the subject lands").

On August 14, 2019, and February 19, 2020, we submitted comments in relation to the subject lands proposed first draft and second draft Zoning By-laws respectively. Based on our review of the current Third Draft Zoning By-law, we understand that the subject lands are proposed to be rezoned to "Prestige Employment (EM1)", and subject to "Site-Specific Exception Number 674" (which is new since the previous two draft Zoning By-laws, a copy of which has been enclosed with this letter for convenience).

On this basis, and while we appreciate the City's efforts to recognize our client's lands through the noted site-specific exception, we still have the following comments for the City's consideration and clarification in this respect:

1. While the Third Draft Zoning By-law proposed that the subject lands be rezoned "Prestige Employment (EM1)", and subject to "Site-Specific Exception Number 674", none of these zoning provisions permit "Retail" or "Garden Centre" uses, nor do they permit "Outside Storage", "Outdoor Display Area" or "Seasonal Outdoor Display Area" as specified accessory uses (as defined under the Third Draft Zoning By-law) on the subject lands, all of which are associated with the existing Home Depot store use itself.

   Given that the subject lands are currently zoned "Retail Warehouse Employment Area (EM3) Zone" under City of Vaughan Zoning By-law 1-88, it is our preference that the Third Draft Zoning By-law be revised to carry forward the existing EM3 zoning provisions and permissions that apply to the subject lands, in order to form part of Site-Specific Exception Number 674. The EM3 Zone excerpt of Vaughan Zoning By-law 1-88 has been attached to this letter (and highlighted) for the

City's convenience. These provisions recognize the existing Home Depot operation on the subject lands.

However, if the City does not prefer to grant this request, at a minimum, it is requested that Section 14.674.1.1 (permitted uses) of Site-Specific Exception Number 674 be revised to add the following two (2) additional permitted uses and the following three (3) specified accessory uses relative to the subject lands:

Permitted Uses:

- **Retail; and**
- **Garden Centre.**

Specified Accessory Uses:

- **Outside Storage;**
- **Outdoor Display Area; and**
- **Seasonal Outdoor Display Area.**

In the absence of this revision, the current Third Draft Zoning By-law creates a situation whereby the existing Home Depot store would become a legal non-conforming use. As such, it is strongly recommended that this request be addressed in the final Zoning By-law approved by Council.

2. Secondly, given the proposed changes to the by-law standards for the subject lands, the existing Home Depot Store would also potentially become a legal non-conforming use based on the current Third Draft Zoning By-law based on the following provision:
    - A minimum setback of 20m from any lot line abutting a road for Outside Storage in Section 5.13.4

    On this basis, it is requested that Section 14.674.2 (i.e. lot and building requirements) of Site-Specific Exception Number 674 be revised to add the following additional exemption provision in **bold** relative to outside storage setbacks.

    Section 5.13.4 of this By-law shall not apply to the lands shown as "EM3" on Figure E-1095.

    - NOTE – Section 14.674.2 contains a typographical error in the current numbering (i.e. it provides clauses 1, 3 and 4), which should be addressed to be renumbered 1, 2 and 3. The requested additional provision as noted above would be clause 4 to this Section of Site-Specific Exception Number 674.

3. Per our previous two comment submissions, it has always been our understanding that the intent of the Draft Zoning By-law is to implement the City of Vaughan Official Plan, 2010 (i.e. VOP 2010). On this basis, the VOP 2010 designates the subject lands "Mid-Rise Mixed Use", and as such we request that the new Zoning By-law reflect and implement the zoning for the subject lands accordingly and consistently with VOP 2010. In addition, site specific policies for the subject lands were approved via an OMB Decision issued on July 31, 2015 (OMB Case No. PL111184), as part of the settlement on VOP2010. On this basis, it is our opinion that the subject lands should be zoned in accordance with the approved OMB Decision for the subject lands.

    However, at a minimum, if this request to rezone the subject lands so they are in conformity with VOP 2010 and corresponding OMB Decision is not granted, then comments 1 and 2 above should be acknowledged and addressed accordingly in order so that the existing Home Depot

store permissions continue to apply moving forward, and also avoid to a legal non-conforming situation for the subject lands.

Ultimately, and as per our previous two comment submission letters, we wish to reiterate the fact that the subject lands have existing permissions which should be contained within the new Zoning By-law in their entirety. There should be no removal of these permissions, nor should there be any additional restrictions placed on the subject lands which would unduly and unnecessarily impact or impede Home Depot's operations (which again could potentially cause Home Depot to become a legal non-conforming use).

Based on the above, we would appreciate that the City addresses these comments prior to formal adoption of the proposed Third Draft Zoning By-law at City Council.

Should you any further questions please do not hesitate to contact the undersigned.

Thank you.

Yours truly,

MHBC

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner

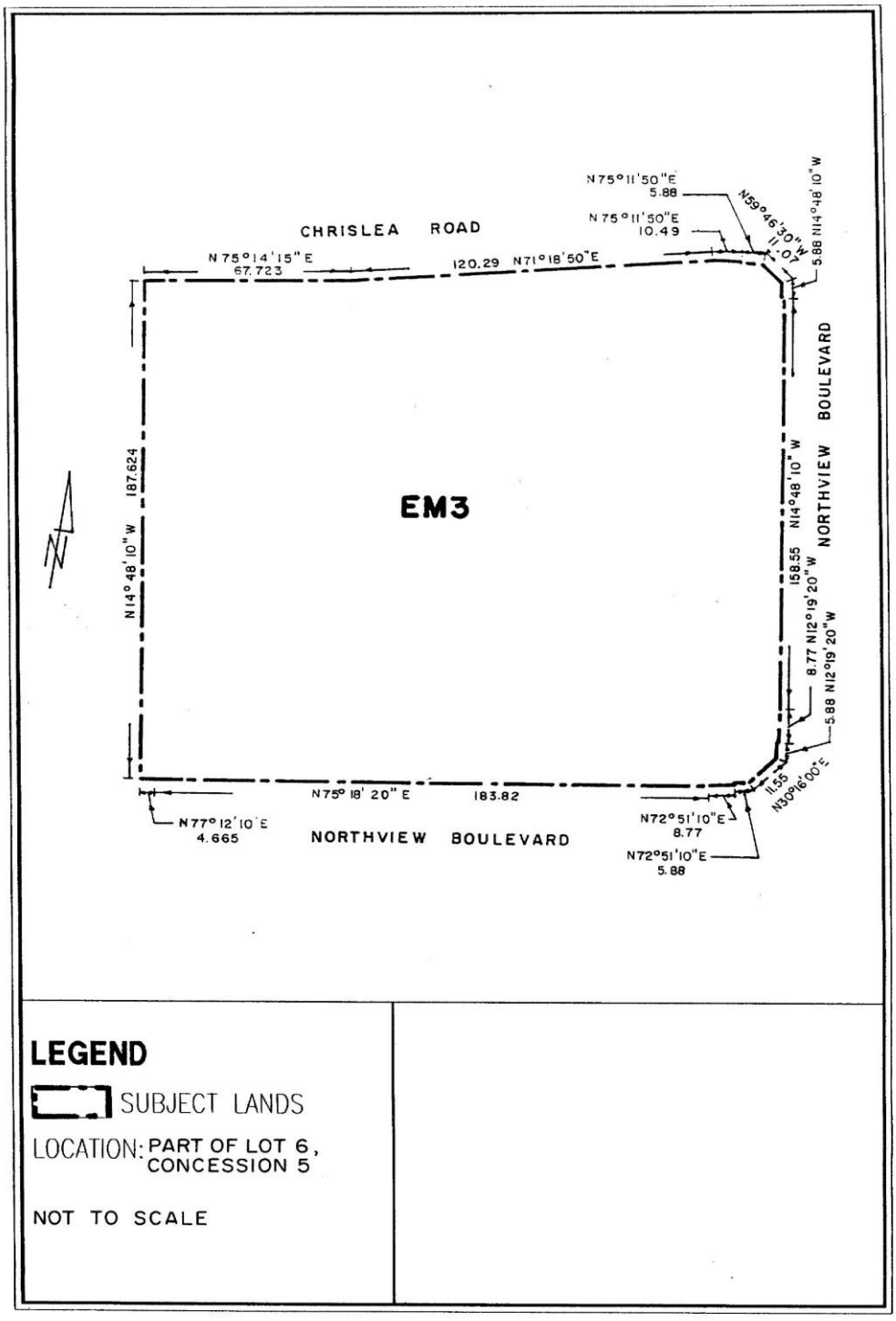
Andrew Palumbo, HBA, MCIP, RPP
Associate

cc.: Kimberly Koenig, Home Depot of Canada Inc.

14.674

Exception Number 674	**Legal Description: 140 Northview Boulevard**
Applicable Parent Zone: EM1	
Schedule A Reference: 50	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**
14.674.1 Permitted Uses	
1. The following additional uses shall be permitted: a. Heavy equipment sales, rental and service; and, b. Restaurant.	
14.674.2 Lot and Building Requirements	
1. The maximum gross floor area of the heavy equipment sales, rental and service use shall be 194.0 m^2. 3. The maximum gross floor area of restaurant uses shall be 156.0 m^2. 4. The maximum gross floor area devoted to large equipment storage shall be 68.0 m^2.	
14.674.3 Parking	
1. The minimum number of required parking spaces shall be 677.	
14.674.4 Other Provisions	
1. The maximum number of restaurants permitted shall be 2.	
1000.1.5 Figures	

Figure E-1095



ix) The outside storage of any goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted.

6.4 EM2-A - RESTRICTED GENERAL EMPLOYMENT AREA ZONE (Large Lot)

6.4.1 Uses Permitted

a) The uses permitted include all uses permitted in the EM2 "General Employment Area Zone".

6.5 EM3 - RETAIL WAREHOUSE EMPLOYMENT AREA ZONE

6.5.1 a) Uses Permitted

- All uses permitted in an EM1 Zone
- Building Supply Outlet
- Catalogue Sales
- Convention Centre
- Retail Warehouse
- Retail Nursery
- Swimming Pool, Recreational Vehicles Leasing/Rental/Sales

b) Limited outdoor display of merchandise, goods or materials shall be permitted provided that the display of goods and materials is accessory to a permitted use, and such display shall not exceed an area equal to 0.25 times the gross floor area of the buildings or structures on the lot devoted to the use to which the display is accessory.

6.6 EM4 - EMPLOYMENT AREA TRANSPORTATION ZONE

6.6.1 Uses Permitted

- Airport
- Landing Field
- Railway Classification Yard including accessory office, warehousing, distribution and repair facilities
- Intermodal Yard and uses accessory thereto

6.7 INDUSTRIAL ZONES

6.8 GENERAL PROVISIONS

The following provisions shall apply to all Industrial Zones.

6.8.1 Industrial Zone Requirements

No person shall, within an Industrial Zone, use any lands, or erect, alter or use any building or structure except for a purpose set forth in the Section referring to that Zone and in accordance with its provisions and with any applicable provisions contained in Subsection 6.8, in Section 3.0, and in Schedule "A".

6.8.2 Accessory Retail Sales

Where retail sales accessory to an industrial use are permitted, the gross floor area of the accessory use shall not exceed ten percent (10%) of the gross floor area of the entire unit devoted to the industrial use and this area shall be separated from the rest of the unit by a solid partition.

6.8.3 Landscaping Requirements

a) A strip of land no less than three (3) metres in width shall be provided along a lot line which abuts a street line, and shall be used for no other purpose than landscaping. This shall not prevent the provision of access driveways across the said strip.

b) Notwithstanding Paragraph 6.8.3(a) above, a strip of land not less than six (6) metres in width shall be provided along a lot line of an arterial road, and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across the said strip.

c) Notwithstanding Paragraphs 6.8.3(a) and (b) above, a strip of land not less than nine (9) metres in width shall be provided along a lot line which abuts the street line of a Provincial arterial road, and shall be used for no purpose other than landscaping. This shall not prevent the provision of access driveways across the said strip.

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

COMMUNICATION – C25
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

KITCHENER
WOODBRIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

October 26, 2020

Brandon Correia
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Mr. Correia:

RE: CITY OF VAUGHAN ZONING BY-LAW REVIEW – THIRD DRAFT
THIRD COMMENT LETTER – HOME DEPOT OF CANADA INC.
55 CITYVIEW BOULEVARD, VAUGHAN
OUR FILE: 9316HA-11

On behalf of our client, Home Depot of Canada Inc. (hereinafter "Home Depot"), we have reviewed the most recent City of Vaughan proposed Third Draft of the Comprehensive Zoning By-law in the context of our client's lands located at 55 Cityview Boulevard ("the subject lands").

On August 14, 2019, and February 19, 2020, we submitted comments in relation to the subject lands proposed first draft and second draft Zoning By-laws respectively. Based on our review of the current Third Draft Zoning By-law, we understand that the subject lands are proposed to be rezoned to "Employment Commercial Mixed Use (EMU)", and subject to "Site-Specific Exception Number 865" (which is new since the previous two draft Zoning By-laws, a copy of which has been enclosed with this letter for convenience).

On this basis, and while we appreciate the City's efforts to recognize our client's lands through the noted site-specific exception, we still have the following comments for the City's consideration and clarification in this respect:

1. Firstly – there are a few erroneous references with respect to Figure E-1347 (which is the correct schedule that has been included with this site-specific exception), as follows:
    - Section 14.865.1.1 (i.e. permitted uses) of the site-specific exception makes reference to "Figure E-1374";
    - Section 14.865.1.2 (i.e. accessory uses) of the site-specific exception makes reference to "Figure E-1346";
    - Section 14.865.2.1 (i.e. lot and building requirements) of the site-specific exception also makes reference to "Figure E-1346"; and
    - Section14.865.3.1 (I.e. parking) of the site-specific exception makes reference to "Figure E-1344".

These erroneous references should all be corrected to accurately reference "Figure E-1347" accordingly, and to err on the side of caution, the City should check all other Figure references in this site-specific exception (even those that do not apply to the subject lands).

2. Throughout Site-Specific Exception Number 865, there are several references to "Street A", which actually applies to "Cityview Boulevard". As such, all references to Street A should be replaced with Cityview Boulevard accordingly, which is also consistent with the streets and road labeled on Figure E-1347 of the site-specific exception.

3. Section 14.865.1.1 (i.e. permitted uses) of Site-Specific Exception Number 865 should be revised to add "**Garden Centre**", "**Outdoor Display Area**" and "**Outside Storage**" to the permitted uses list, given that these uses are recognized and defined in the Third Draft Zoning By-law, and that Home Depot operates portions of its store for garden centre, outdoor display area and outside storage purposes. This would ensure that the existing Home Depot garden centre, outdoor display area and outside storage components of the store operations are each permitted on the subject lands as-of-right by the Zoning By-law.

   In addition, enclosed with this letter please find two (2) Minor Variance Decisions that have been approved for the subject lands on April 10, 2014 (City File No. A170/09), and April 16, 2015 (City File No. A107/15) respectively, each of which permits the following with respect to outdoor display area and outside storage permissions:

   - To permit outdoor display and sales areas as shown on the sketch enclosed with the decision (see April 10, 2014 Decision); and
   - To permit outdoor storage of gas bottle racks within the existing parking area (see April 16, 2015 Decision).

   On this basis, the request to include outdoor display area and outside storage as part of the as-of-right permitted uses within Section 14.865.1.1 of Site-Specific Exception Number 865 serves to implement the existing minor variance approvals in place for the subject lands with respect to these two land uses.

4. We request that the following language in **bold** be added to Section 14.865.2.1 (i.e. lot and building requirements) of Site-Specific Exception Number 865:

   *"**Notwithstanding the provisions of Sections 4.24.2 and 8.2.2 of this By-law**, the following provisions shall apply to the lands labelled "C2" on Figure E-1346:"*

   Inclusion of this "notwithstanding" language serves to prevent the existing Home Depot store from being subject to other restrictive provisions of Third Draft Zoning By-law, which would potentially cause Home Depot to become a legal non-conforming use, and these include (but are not limited to) the following zoning provisions:
   - Required 45 degree angular plane in Section 8.2.2
   - New minimum landscape open space of 10% in Section 8.2.2
   - New required build-to-zone of 5-10m in Section 8.2.2
   - New minimum required build-to-line for corner lots of 55% in Section 8.2.2
   - Surface parking prohibition in all yards in Section 8.2.2
   - Enclosed Waste Storage in Section 4.24.2

5. Section 14.865.2.1.f.i ((i.e. lot and building requirements) should be revised to read as follows with respect to the permitted maximum building height (proposed revision is shown in **bold** below):

   f. The maximum building height shall be:

   i. ***11.3 m*** *for a commercial or retail use.*

   This requested revision is also based on the enclosed April 10, 2014 Minor Variance Decision for the subject lands, which permits a maximum building height of 11.3 metres, not 11 metres as per the current wording in Site-Specific Exception Number 865. As such, this revision implements the existing minor variance approval in place for the subject lands with respect to maximum building height.

6. Section 14.865.3.2 (i.e. parking/loading) of Site-Specific Exception Number 865 should be revised to add the following site-specific provision (or similar) to read as follows with respect to loading permissions:

   *"**Notwithstanding the provisions of this Zoning By-law, loading and unloading shall be permitted to take place between a building and Highway 400 for the lands municipally addressed as 55 Cityview Boulevard.**"*

   The basis for this request is also the attached April 10, 2014 Minor Variance Decision for the subject lands, which granted approval to permit loading and unloading as described above. As such, inclusion of this language (or similar) would recognize and implement the existing loading/unloading permissions already in place for the subject lands.

7. It is requested that Section 14.865.3 (i.e. parking) of Site-Specific Exception Number 865 be revised to add the following two (2) provisions and exceptions (or similar) with respect to vehicular and bicycle parking in association with the subject lands:

   - ***"Notwithstanding the provisions of this Zoning By-law, the minimum number of parking spaces required for the lands municipally addressed as 55 Cityview Boulevard shall be provided at a rate of 3.5 parking spaces/100m² of gross floor area."***

     Please be advised that this requested revision reflects the approved minimum parking rate for this site (i.e. 3.5 spaces/100 m^2) as granted by the attached April 10, 2014 Minor Variance Decision for the subject lands.

   - ***"Notwithstanding Section 6.5 of this Zoning By-law, no bicycle parking spaces shall be required for the lands municipally addressed as 55 Cityview Boulevard".***

   Provision of these two (2) additional provisions to Site-Specific Exception Number 865 (or similar) avoids the current Home Depot site from becoming a legal non-conforming use relative to the vehicular and bicycle parking requirements of the proposed Third Draft Zoning By-law.

In addition, bicycle parking is not typically associated with a use such as Home Depot whereby bulky and heavy goods are common (and not feasible to transport via bicycle), and thus the request to be exempt from these rates altogether.

As per our previous two comment submission letters and as described above, we wish to reiterate the fact that the subject lands have existing permissions which should be contained within the new Zoning By-law in their entirety. There should be no removal of these permissions, nor should there be any additional restrictions placed on the subject lands which would unduly and unnecessarily impact or impede Home Depot's operations (which could potentially cause Home Depot to become a legal non-conforming use).

Based on the above, we would appreciate that the City addresses these comments prior to formal adoption of the proposed Third Draft Zoning By-law at City Council.

Should you any further questions please do not hesitate to contact the undersigned.

Yours truly,

MHBC

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner

Andrew Palumbo, HBA, MCIP, RPP
Associate

cc.: Kimberly Koenig, Home Depot of Canada Inc.

14.865

Exception Number 865	**Legal Description: 11-147 Argento Crescent, 11-93 Trudeau Drive, 170-232 Retreat Boulevard, 1-86 Orion Avenue, 1-98 Manordale Crescent, 3420-3560 Major Mackenzie Drive West, 55-277 Cityview Boulevard**
Applicable Parent Zone: EM1, EMU, OS1, R3, R4, R5, RT, U	
Schedule A Reference: 164, 183	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**

14.865.1 Permitted Uses

1. The following additional uses shall be permitted in the area labelled "C2" on Figure E-1374:

   a. Business service;

   b. Clinic;

   c. Employment use;

   d. Financial institution;

   e. Health and fitness centre;

   f. Hospital;

   g. Laboratory;

   h. Nursing home;

   i. Office building;

   j. Personal service;

   k. Pharmacy;

   l. Restaurant;

   m. Retail;

   n. Service and repair shop; and,

   o. Veterinary clinic, provided that all boarding of animals is within a wholly enclosed building.

2. The following additional accessory uses shall be permitted in the area labelled "C2" on Figure E-1346:

   a. Drive-through, accessory to a financial institution, pharmacy or restaurant; and,

   b. Outdoor patio, accessory to a restaurant.

3. A drive-through is permitted subject to the provisions of this by-law and shall not be located between a building and abutting Street "A."

14.865.2 Lot and Building Requirements

1. The following provisions shall apply to the lands labelled "C2" on Figure E-1346:

   a. The minimum building setback to Highway 400 for all above and below grade structures shall be 14.0 m;

   b. The minimum setback to Street "A" shall be 10.0 m;

   c. The minimum setback to Major Mackenzie Drive shall be 6.0 m;

   d. The minimum rear yard shall be 6.0 m;

   e. The maximum lot coverage shall be 60%;

   f. The maximum building height shall be:

      i. 11.0 m for a commercial or retail use; and

      ii. 15.0 m for an employment use.

   g. The minimum setback from any Residential Zone shall be 20.0 m;

   h. The minimum required setback from a noise attenuation feature (i.e. fence, berm etc.) to Highway 400 shall be 0.3 m;

   i. The minimum width of a landscape strip shall be:

      i. 9.0m abutting Highway 400;

      ii. 6.0 m abutting Major Mackenzie Drive; and,

      iii. 6.0 m abutting Street "A".

2. The minimum setbacks in an EM1 Zone shall be:

   a. 14.0 m from Highway 400; and,

b. 10.0 m from Street “A.”

3. The maximum interior garage width may be increased on a lot with a frontage less than 11.0 m provided the increased width shall:

   a. Only occur on an interior wall;

   b. Have a maximum width of 1.8 m; and,

   c. Not occur within the first 1.2 m immediately behind the garage door.

4. The maximum number of townhouse in a row on Blocks 1 and 2 shall be 7.

5. The minimum interior side yard setback to a door that provides access to the dwelling or an attached garage may be reduced to 1.2 m provided that no stairs or risers used to access the door are located within the minimum required yard.

6. The minimum interior or exterior yard requirement in a Residential Zone may be reduced to 3.0 m where it abutting a greenway as shown on Figure E-1347.

7. The following provisions shall apply to a single detached dwelling in the area shown as “RS1” on Figure E-1347:

   a. The minimum lot frontage shall be 7.5 m;

   b. The minimum lot area shall be 202.0 m^2;

   c. The minimum front yard shall be 4.5 m;

      i. The minimum front yard setback to an attached garage facing a lot line shall be 6.0 m.

   d. The minimum rear yard shall be 7.5 m;

   e. The minimum interior side yard shall be 1.2 m;

      i. The minimum interior side yard on a lot abutting a non-residential use, including a walkway, greenway, and buffer block or stormwater management pond, shall be 3.5 m; and,

      ii. The minimum interior side yard setback on one side may be reduced to 0.45 m, where it abuts a minimum yard of 1.2 m, except where it abuts a non-residential use, including a greenway, walkway, buffer block or stormwater management pond.

   f. The minimum exterior side yard shall be 4.5 m;

i. The minimum exterior side yard setback to an attached garage facing a lot line shall be 6.0 m.

g. The minimum lot depth shall be 27.0 m; and,

h. The maximum building height shall be 2 storeys and 9.5 m.

14.865.3 Parking

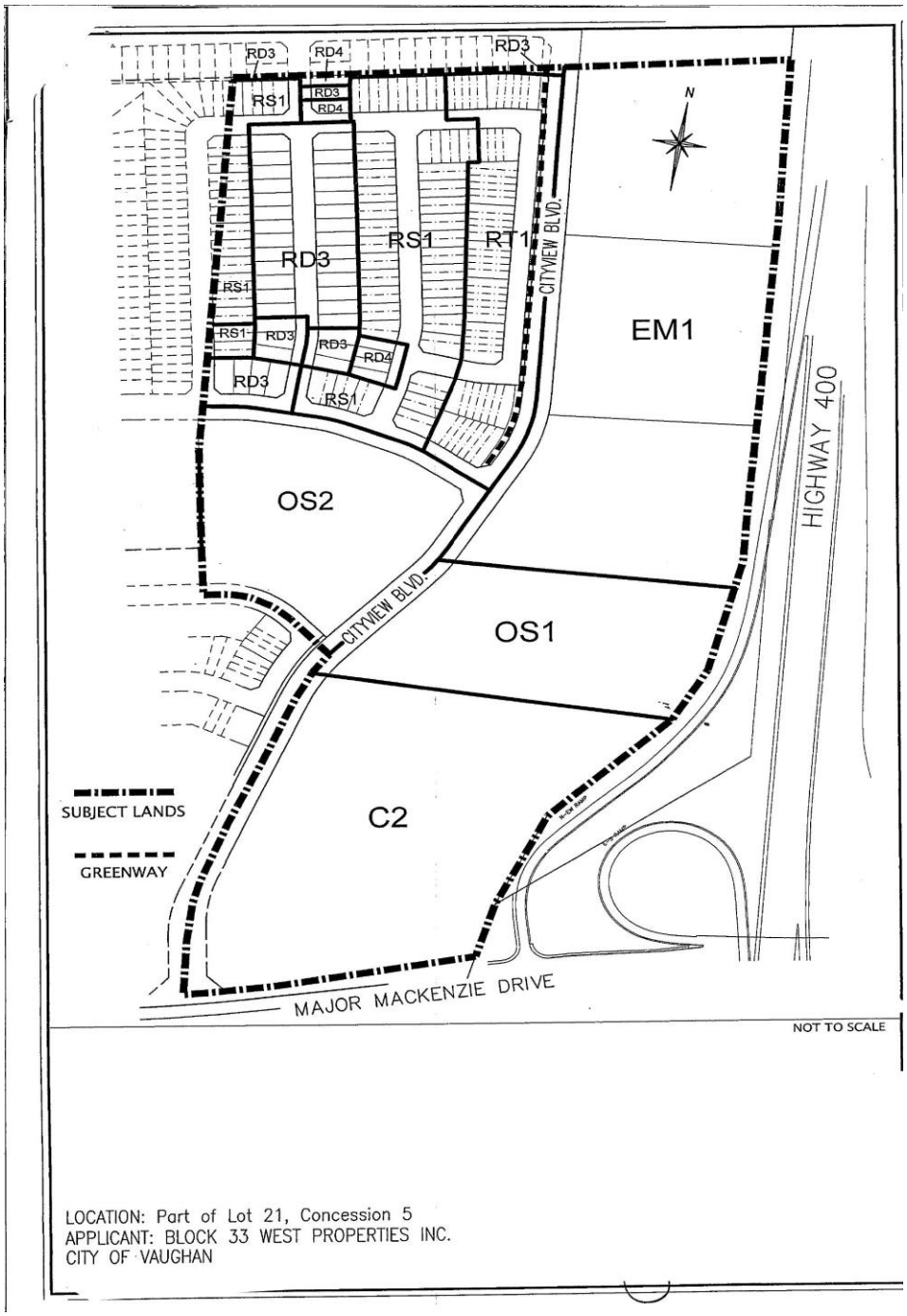
1. Parking in the labelled "C2" on Figure E-1344 shall be provided in accordance with Section 6 of this by-law except where a building or a unified group of buildings is designed, developed and managed as a single operating unit, for which parking is provided in common off-street areas, in which case it shall be treated as a shopping centre and the minimum number of required parking spaces shall be calculated at a rate of 6.0 parking spaces per 100.0 m^2 of gross floor area.
2. Loading and unloading shall take place anywhere on the lot except between a building and abutting Highway 400 a building and abutting Street "A" or a building and abutting Major Mackenzie Drive.
3. The minimum number of parking spaces per single detached dwelling in the area labelled "RS1" on Figure E-1347 shall be 2.
4. No garage shall project into the front yard or exterior yard more than 1.0 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2.0 m where there is a covered and unenclosed porch or a covered and enclosed porch.

14.865.4 Other Provisions

1. On a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling.
2. For the purposes of Subsection 14.1221.2, a greenway shall mean a strip of land abutting a public highway (Street "A") used for the purpose of a landscaped area and allowing vehicular access to a public highway. A greenway shall not form part of a public highway and is not a reserve.

14.865.5 Figures

Figure E-1347



VAUGHAN

COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1
Tel [905] 832-2281 Fax [905] 832-8535

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: **A170/09**

APPLICANT: **HOME DEPOT HOLDINGS INC.**

PROPERTY: Part of Lot 21, Concession 5 (Lot 64, Registered Plan 65M-3885) municipally known as 55 Cityview Blvd., Woodbridge

ZONING: The subject lands are zoned C2, General Commercial Zone and subject to the provisions of Exception 9(1221) under By-law 1-88 as amended.

PURPOSE: **To permit the construction of a Home Depot store and retail building, as follows:**

PROPOSAL:
1. To permit a building height of 11.3 metres.
2. To permit a minimum of 3.5 parking spaces / 100m2 of gross floor area for all uses on the subject lands.
3. To permit loading and unloading between a building and Hwy 400.
4. To permit outdoor display and sales areas as shown on the attached sketch.

BY-LAW REQUIREMENT:
1. A maximum building height of 11.0 metres is permitted.
2. A minimum of 6.0 parking spaces / 100m2 of gross floor area is required.
3. Loading and unloading shall not be permitted between a building and Hwy 400.
4. Outdoor display and sales is not permitted.

BACKGROUND INFORMATION:

<u>Other Planning Act Applications</u>
The land which is the subject in this application was also the subject of another application under the Planning Act:

B009/09 - APPROVED August 15, 2013 - creation of a lot and easement in favour of the lands to the north.
B010/09 - APPROVED August 15, 2013 - easement in favour of the lands to the south.
A025/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the south.
A169/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the north.
Site Plan Application DA.08.001 - currently under review.

Sketches are attached illustrating the request.

MOVED BY: _____

SECONDED BY: _____

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A170/09, HOME DEPOT HOLDINGS INC.**, be **APPROVED,** in accordance with the sketches attached and subject to the following conditions:

1. That the associated Site Development Application DA.08.001 be approved by Vaughan Council, if required to the satisfaction of the Development Planning Department;

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee.**(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

A. Perrella,
Chair

H. Zheng,
Vice Chair

J. Cesario,
Member

L. Fluxgold,
Member

M. Mauti,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	**APRIL 10, 2014**
Last Date of Appeal:	**APRIL 30, 2014**

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

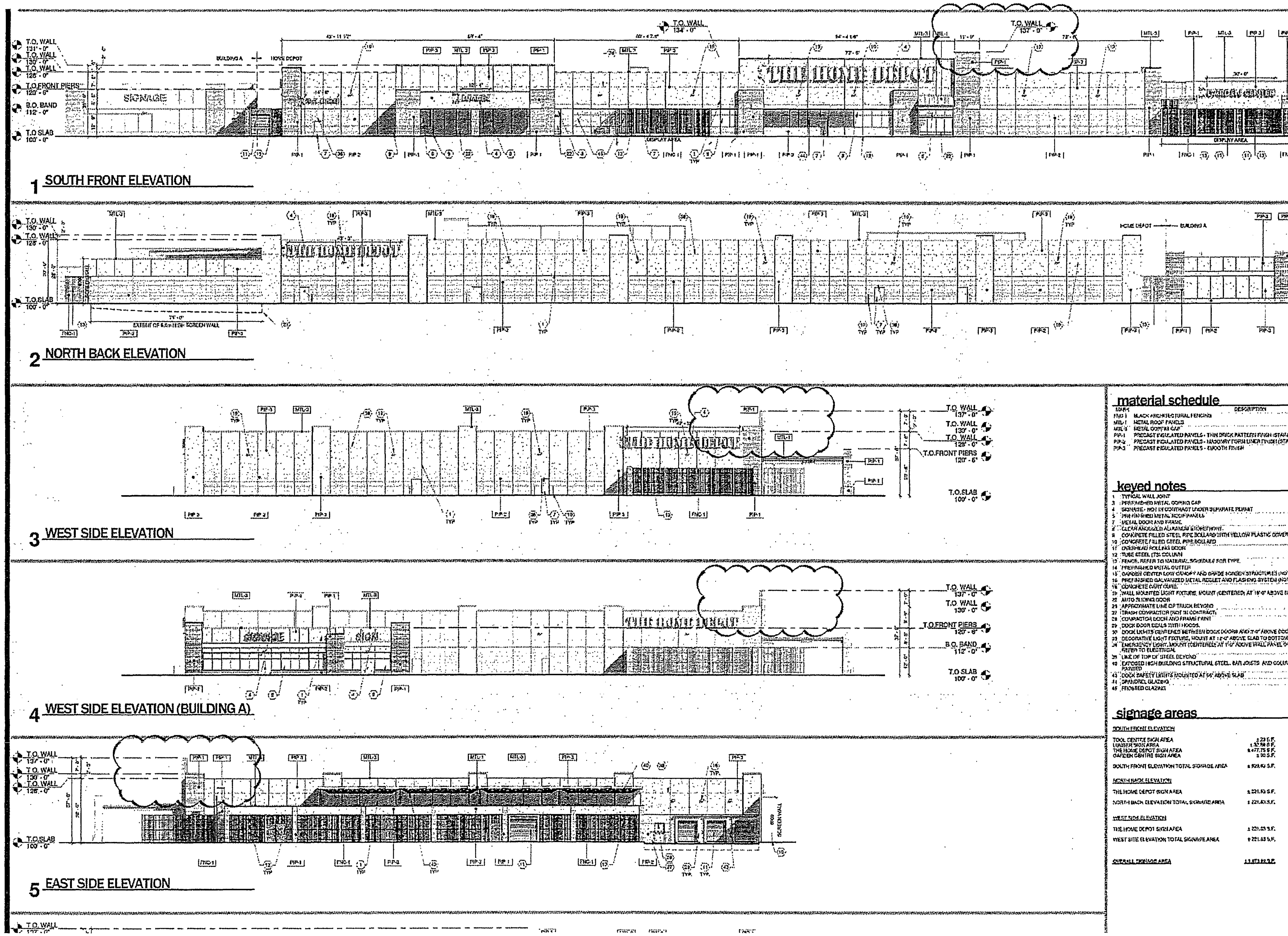
Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the $650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of $125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **APRIL 30, 2015**

A170/09



MINOR VARIANCE SKETCH
55 CITYVIEW BLVD,
VAUGHAN, ON
HIGHWAY #400 & MAJOR MACKENZIE

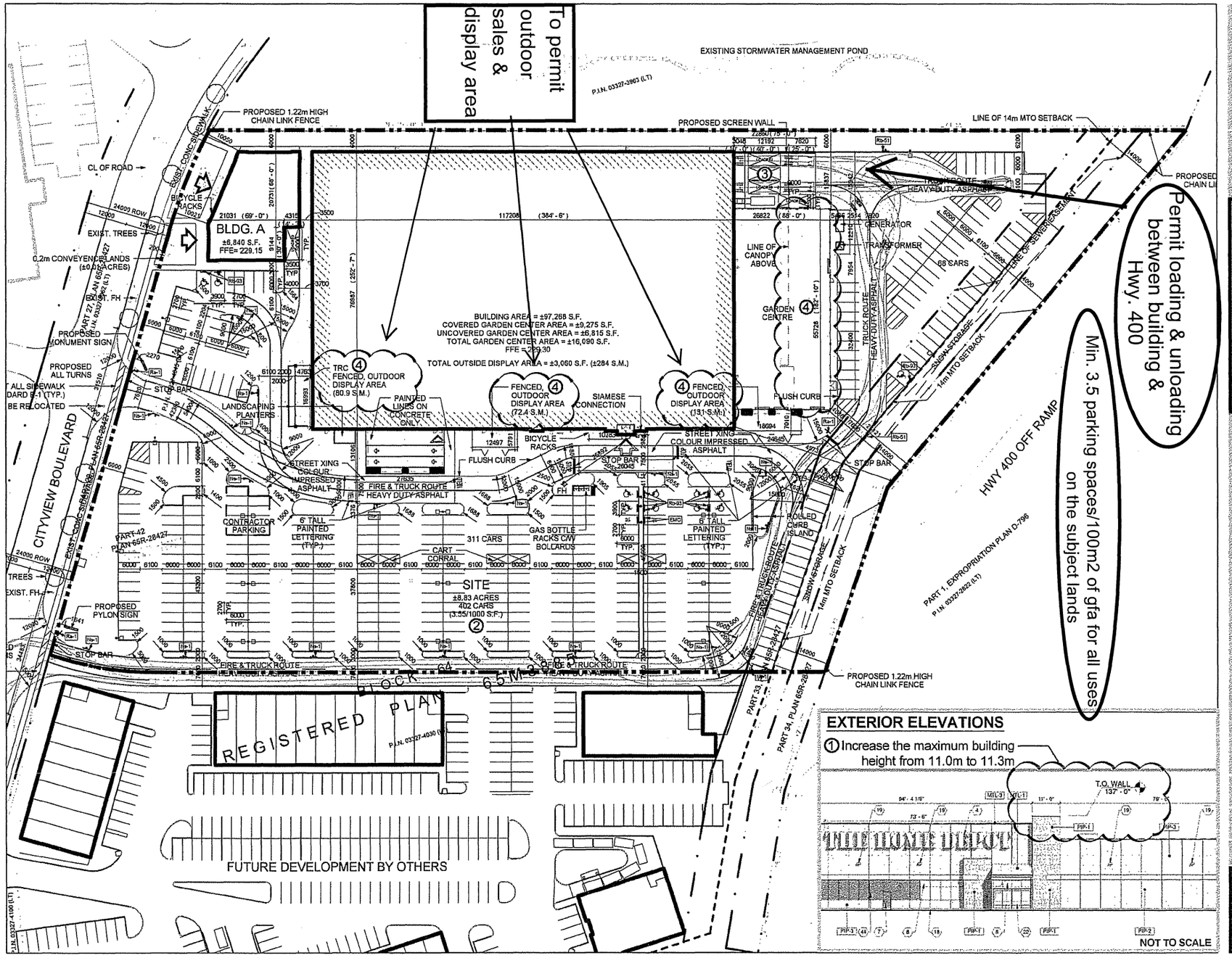
A minor variance to increase the maximum building height from 11.0m to 11.3m is required for approval

BUILDING HEIGHT = 11.3M

DATE: February 12, 2014

NOT TO SCALE

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE



EXTERIOR ELEVATIONS

① Increase the maximum building height from 11.0m to 11.3m

MINOR VARIANCE SKETCH

55 CITYVIEW BLVD.
VAUGHAN, ON
HIGHWAY #400 & MAJOR MACKENZIE

LEGEND

Lands Subject to Minor Variance

Minor Variances Required for Approval

1) Increase the maximum building height from 11.0m to 11.3m
2) Decrease the required parking from 632 spaces to 402 spaces
3) To allow loading spaces between the proposed building and Highway 400
4) To permit outdoor sales and display

DATE: February 12, 2014

SCALE: 1 : 1,000

N:\9316\EL\2014\February\Minor Variance\9316EL - Minor Variance Sketch.dwg

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
MHBC
2200-2365 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
T: 905 761 5588 F: 905 761 5589 | WWW.MHBCPLAN.COM

17/2/2015

A170/09

VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

FILE NUMBER:	**A170/09**
APPLICANT:	**HOME DEPOT HOLDINGS INC.**
	Subject Area Municipally known as **55 Cityview Blvd., Woodbridge**

VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-2281 Fax: (905)832-8535

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: **A107/15**

APPLICANT: **HOME DEPOT HOLDINGS INC.**

PROPERTY: Part of Lot 21, Concession 5 (Lot 64, Registered Plan No. 65M-3885) municipally known as 55 Cityview Boulevard, Woodbridge

IN THE ~~MATTER OF the application~~ that has been submitted, the provisions of Subsection 45 of the Planning Act, predecessors, as amended, for authorization of variances;

Heard by this Committee of Adjustment on **APRIL 16, 2015**

Enclosed is a Certified Copy of the Decision of the Committee. Notice of appeal must be sent within twenty (20) days of the making of the decision, and that if no notice of appeal has been given within that period, the decision of the Committee is final and binding.

Notice of appeal must be personally served or sent by REGISTERED MAIL to:

Secretary-Treasurer to Committee of Adjustment,
City Clerk's Office
City of Vaughan,
2141 Major Mackenzie Drive,
Vaughan, Ontario L6A 1T1

APPEALS MUST BE SUBMITTED NO LATER THAN 4:30P.M. ON

May 6, 2015

being the last date for notice of appeal.

Together with two (2) separate **certified cheques / money orders** In the amount of:

$690.00, processing fee, payable to the **TREASURER CITY OF VAUGHAN**

AND;

$125.00 for the primary variance appeal and, if necessary, **$25.00** for each related variance appeal

payable to the **MINISTER OF FINANCE**.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the cheques.

Only individuals, corporation and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be files by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

T. Coles

DATE of sending this Notice:

April 24, 2015

Todd Coles, ACST(A), MCIP, RPP
Manager of Development Services and
Secretary-Treasurer to Committee of Adjustment
City of Vaughan

Marcus Gagliardi
7050 Weston Road, Suite 230
Vaughan, ON L4L 8G7

FORM 14

VAUGHAN

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1
Tel [905] 832-2281 Fax [905] 832-8535

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A107/15

APPLICANT: HOME DEPOT HOLDINGS INC.

PROPERTY: Part of Lot 21, Concession 5 (Lot 64, Registered Plan No. 65M-3885) municipally known as 55 Cityview Boulevard, Woodbridge

ZONING: The subject lands are zoned C2, General Commercial Zone, subject to Exception 9(1221), under By-law 1-88, as amended.

PURPOSE: To permit the construction of an outdoor storage area within the existing parking area of the Home Depot.

PROPOSAL: 1. To permit outdoor storage of gas bottle racks within the existing parking area.

BY-LAW REQUIREMENT: 1. The site specific exception does not permit outside storage.

BACKGROUND INFORMATION:

Other Planning Act Applications
The land which is the subject in this application was also the subject of another application under the Planning Act:

Consent Applications:
B009/09 - APPROVED August 15, 2013 - creation of a lot and easement in favour of the lands to the north.
B010/09 - APPROVED August 15, 2013 - easement in favour of the lands to the south.

Minor Variance Applications:
A025/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the south.
A169/09 - APPROVED August 15, 2013 - to permit shared access with the lands to the north.
A170/09 - APPROVED April 10, 2014 - To permit a building height of 11.3 metres. To permit a minimum of 3.5 parking spaces / 100m2 of gross floor area for all uses on the subject lands. To permit loading and unloading between a building and Hwy 400. To permit outdoor display and sales areas as shown on the attached sketch.

Site Plan Application DA.08.001 - currently under review.

Sketches are attached illustrating the request.

MOVED BY: _____

SECONDED BY: _____

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A107/15, HOME DEPOT HOLDINGS INC.**, be **APPROVED,** in accordance with the sketches attached

COMMITTEE OF ADJUSTMENT VARIANCE **A107/15**

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR:

Signed by all members present who concur in this decision:

A. Perrella,
Chair

H. Zheng,
Vice Chair

R. Buckler,
Member

J. Cesario,
Member

M. Mauti,
Member

CERTIFICATION
I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	**APRIL 16, 2015**
Last Date of Appeal:	**MAY 6, 2015**

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

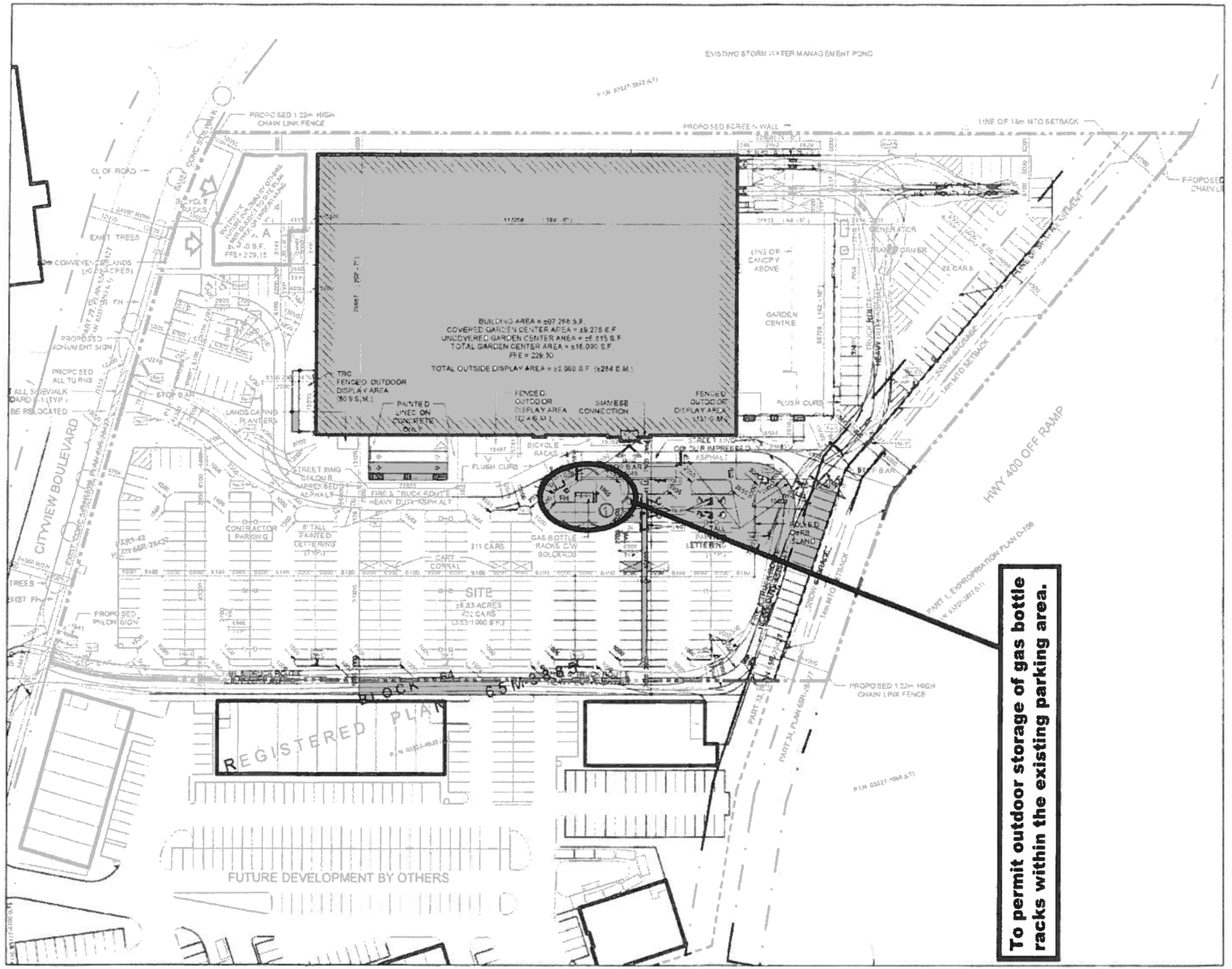
Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the $690.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of $125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS
IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **MAY 6, 2016**

A107/15



MINOR VARIANCE SKETCH

55 CITYVIEW BLVD,
VAUGHAN, ON
HIGHWAY #400 & MAJOR MACKENZIE

LEGEND

Lands Subject to Minor Variance

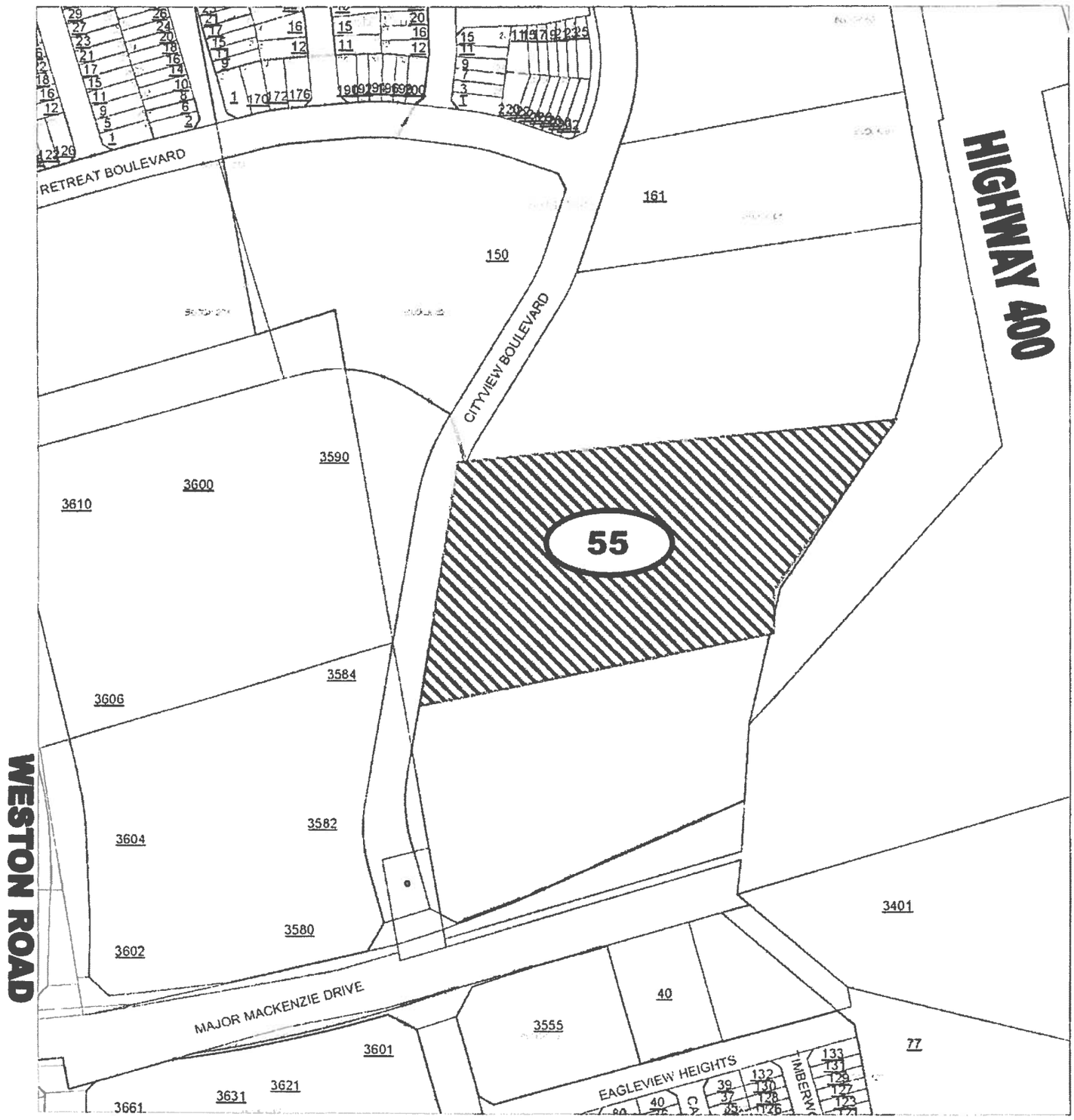
Minor Variances Required for Approval

1) Allow for outdoor gas bottle racks

DATE: March 13, 2015

SCALE: 1 : 1,000

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE



VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

N	**FILE NUMBER:**	**A107/15**
	APPLICANT:	**HOME DEPOT HOLDINGS INC**
		Subject Area Municipally known as **55 Cityview Boulevard, Woodbridge**

COMMUNICATION – C26
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1
clerks@vaughan.ca

RE: 9600 Highway 27, City of Vaughan Comprehensive Zoning By-law Review

Second Revised Written Submission

I am the land use planning consultant retained by Robert Irwin, the owner of the lands legally described as Part of Lot 18, Concession 8, in City of Vaughan (the "Subject Lands") in the Regional Municipality of York, and known municipally as 9600 Highway 27. I am submitting these Written Comments with respect to the City-Wide Comprehensive Zoning By-Law Review regarding the re-zoning of the Subject Lands from Open Space and Agricultural Zone to Environmental Protection and Agricultural Zone.

A Statutory Open House took place on October 14, 2020, and the Committee of the Whole (Public Hearing) is scheduled for October 29, 2020.

So far, we have reviewed some of the materials available on-line and dated September 2020. As a result of this brief review of the materials, specifically, **Map 138** and **Section 12.0 (Environmental Protection, Open Space, and Agriculture Zone)**, we concluded in our Letter of October 13, 2020 that the Subject Site should be zoned Agricultural in its entirety. However, based on further review and on ongoing planning processes in the area and on the site, we submit that our revised request is for a site-specific exemption which would allow for residential development on the property.

Property description:

The Subject Lands front the west side of Highway 27, between Major Mackenzie Drive West and Rutherford Road, and are mostly south of the Humber River. The Lands have an irregular shape and are approximately 6 acres in size, and developed with a large single detached dwelling. The Lands are located east of the CP rail tracks and the proposed Highway 427 Expansion. A commuter rail line is proposed and would use the existing CP rail tracks.

Two future GO stations are to be located nearby: the first one, north of Rutherford Road and east of the CP rail tracks; and the second, south of Major Mackenzie Drive and east of the CP rail tracks, just west of the Highway 27 intersection. Both future GO stations are within walking distance of the Subject Lands. Highway 27 is part of the Regional Transit Priority Network. Sewer and water connections are existing or planned and are within reasonable distance.

In the York Region Official Plan, the Subject Lands are designated "Towns and Villages" and "Regional Greenlands System" on Map 1. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are designated "Towns and Villages" on Maps 3, 4, 8 and 11. The "Towns and Villages" designation permits a wide range of uses including residential, commercial and institutional uses.

Policy 2.1.7 states that the boundaries and the extent of the Regional Greenlands System shown on Map 2 are approximate. Policy 2.1.7 further states that refinements to the boundaries of the Regional Greenlands System may occur through approved planning applications supported by *environmental impact studies.* These refinements will be incorporated into the Plan and will not require an amendment to the Plan.

In the City of Vaughan Official Plan, the Subject Lands are designated "Natural Areas" on Schedule 13. Exact delineation of boundaries will be finalized during the application approval process.

The Lands are shown as shown as "Stable Areas" and "Natural Areas and Countryside" on Schedule 1.

On Schedule 2 the Subject Lands are shown as "Natural Heritage Network" (NHN). Policy 3.2.3.2 states that the policy text prevails over the mapping shown on Schedule 2 in determining the NHN. Refinements to the NHN may occur through the development approval process and shall be reflected on Schedule 2 without the need for an Official Plan Amendment. This may occur on a site-by-site basis.

The lands are currently zoned "Open Space" and Agricultural. In Draft 3 of the Proposed Zoning By-law (September 2020), the property is re-zoned to Environmental Protection Zone (EP) and Agricultural Zone on Map 138.

From our preliminary research it seems that the proposed re-zoning is not based on any scientific evidence or studies. We submit that the proposed zoning should be a site-specific exemption allowing for residential development on the property.

Regards,
Draga Barbir, B.Sc. B.Arch. MCIP RPP

Contact:
Barbir & Associates Planning Consultants Ltd.
345 Melrose Street
Etobicoke, ON M8Z 1G9

Phone: (416) 571-8826
Email: dbarbir@barbirandassociates.com
Web: www.barbirandassociates.com

WESTON CONSULTING

planning + urban design

COMMUNICATION – C27
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Planning and Growth Management
2141 Major Mackenzie Drive
Vaughan, Ontario, L6A 1T1

October 27, 2020
File 7672

Attn: Todd Coles
City Clerk, City of Vaughan

RE: Comments on the Third Draft – Comprehensive Zoning By-Law Review
8849 Regional Road 27, City of Vaughan
Sunfield Homes (Hwy 27) Ltd.

Weston Consulting is the planning agent for Sunfield Homes (Hwy 27) Ltd., the owner of the property municipally known as 8849 Regional Road 27 in the City of Vaughan (the 'subject lands'). The purpose of this letter is to comment on the Third Draft of the City's Comprehensive Zoning By-Law Review ("Draft ZBL") dated September 2020 as it relates to the subject lands.

The subject lands are proposed to be zoned as *Third Density Residential Zone (R3) Exception 423* within the Draft ZBL in order to recognize historical development approvals applicable to the site. The subject lands are associated with Zoning By-law Amendment Application (Z.17.020), which was approved by the Local Planning Appeal Tribunal ("LPAT") through its Order dated July 16, 2019, and later enacted by Vaughan Council on October 2, 2019 through By-law 131-2019. The approval amended the existing site specific exception *R3 Residential Zone Exception 9 (692)* under the current Zoning By-Law 1-88 to permit the development of 8 single-detached dwellings.

Based on our review of the Draft ZBL, we are of the opinion that the regulation does not accurately capture the site-specific provisions approved by By-Law 131-2019. Although the applicable site specific exception Schedule E-771D was incorporated into the Draft ZBL, the associated text contained in By-law 131-2019, which permits the reduced lot frontage, increased lot coverage and increased driveway width was omitted from Exception 423. As, such, we request that the applicable provisions/text of By-law 131-2019 be fully incorporated into Section 14 of the Draft ZBL.

Further, it is noted that the following transitional provisions contained in Section 1.6.3 of the Draft ZBL are applicable to the development of the subject lands given the current active status of Site Development Application (DA.18.015), as well as the applicable LPAT Order referenced above.

> *1.6.3.2. The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:*

a. *The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;*
b. *The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,*
c. *Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.*

1.6.3.4. The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We appreciate your consideration of the above and formally request that the comments contained herein be incorporated into the final draft of the Comprehensive Zoning By-law prior to adoption. Further, we request that this correspondence be added to the public record for the upcoming Statutory Public Hearing scheduled for October 29, 2020.

We reserve the right to provide further comment on the Draft ZBL and request to be notified of any further revisions, approvals and notices applicable to the Zoning By-law Review process. Should you have questions or require anything further, please do not hesitate to contact the undersigned (ext. 252) or Steven Pham (ext. 312).

Yours truly,
Weston Consulting
Per:

Michael A. Vani, BURPl, MCIP, RPP
Senior Planner

c. Sandra Patano, Weston Consulting
Brandon Correia, City of Vaughan
Jennifer Kim, City of Vaughan
Sunfield Homes (Hwy 27) Ltd.

Att. LPAT Order (PL180309)
By-law 131-2019

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: July 16, 2019 **CASE NO(S).:** PL180309

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Sunfield Homes (Hwy 27) Ltd.
Subject:	Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	R3 Residential
Proposed Zoning:	R5 Residential
Purpose:	To permit the development of 6 single detached dwellings and 4 semi-detached dwellings
Property Address/Description	8849 Highway 27
Municipality:	City of Vaughan
Municipality File No.:	Z.17.020
OMB Case No.:	PL180309
OMB File No.:	PL180309
OMB Case Name:	Sunfield Homes (Hwy 27) Ltd. v. Vaughan (City)

Heard: March 28, 2019 in Vaughan, Ontario

APPEARANCES:

Parties	**Counsel**
Sunfield Homes (Hwy 27) Ltd. ("Applicant")	Barry Horosko
City of Vaughan ("City")	Effie Lidakis

MEMORANDUM OF ORAL DECISION DELIVERED BY PAULA BOUTIS ON MARCH 28, 2019

INTRODUCTION

[1] This application relates to a zoning by-law amendment ("ZBLA") application for property located at 8849 Highway 27 ("Subject Property"). The Subject Property is located at the northeast corner of Highway 27 and Martin Grove Road in the western portion of the City, in the community of Woodbridge.

[2] The matter was intended to come before the Tribunal as a pre-hearing conference. The parties, however, had reached a settlement and proposed converting the appearance into a settlement hearing, if the Tribunal considered it appropriate to do so.

[3] The Tribunal confirmed that proper Notice of Hearing had been served and filed the Affidavit of Service as Exhibit 1.

[4] The Tribunal canvassed attendees and determined two residents were seeking Participant status, Jay Branton and John Horton. As no one sought Party status, the Tribunal concluded it should proceed to hear the matter and converted the appearance into a settlement hearing.

[5] While two individuals were given Participant status, only Mr. Branton ultimately gave a statement raising concerns about the proposal.

[6] Kirk Franklin, a land use planner whom the Tribunal qualified to provide opinion evidence in the area of land use planning, testified in support of the settlement.

[7] At the conclusion of the hearing, the Tribunal rendered an oral decision allowing the appeal, in part, but withheld its final order pending the parties filing a final form zoning by-law with the Tribunal for its approval.

EVIDENCE AND ANALYSIS

Issues

[8] The *Planning Act* (“Act”) places several obligations on the Tribunal when it makes a decision.

[9] The Tribunal must have regard to s. 2 of the Act, which enumerates a number of provincial interests, including the orderly development of safe and healthy communities and the appropriate location of growth and development.

[10] The Tribunal’s decisions must be consistent with the Provincial Policy Statement, 2014 (“PPS”) and, in this case, the Tribunal’s decision must also conform to the Growth Plan for the Greater Golden Horseshoe, 2017 (“2017 Growth Plan”).

[11] The proposed ZBLA must conform to the applicable official plans, in this case the Vaughan Official Plan (“City OP”) and the Regional Municipality of York Official Plan (“ROP”).

Proposal, Site and Planning Context

[12] While the Subject Property consists legally of four separate blocks under Registered Plan of Subdivision 65M-2857 (“Registered Plan”), it has only a single detached dwelling on it with an associated garage. It is about one acre in size. Access has been from Martin Grove Road. It is otherwise flanked by and fronts other low-rise detached housing on smaller lots, all of which front Andy Crescent. Low-rise detached housing is also to the south.

[13] Lands to the west are generally vacant rural lands designated for employment uses. A FedEx Ground Facility is located to the west on the other side of Highway 27, with a Costco Distribution to the south of that.

[14] The original proposal proposed ten units, with single detached homes in the middle and two semi-detached homes on the edges. The revised proposal has no semi-detached homes. Instead, eight single detached homes are now proposed. As a result, a rezoning from R3 to R5, to allow for semi-detached homes, is no longer sought. Instead, the ZBLA is required to address site-specific standards for the proposal.

[15] Because of its location along a curve on Andy Crescent, the Subject Property generates pie shaped lots. This means frontages are narrower than the rear property line width. Resulting from that is a need to seek variances from the frontage standard in Zoning By-law No. 1-88 (“ZBL”), which requires a minimum frontage of 12 metres (“m”). The proposed lots will have frontages of 6.6 m to 8.9 m, as outlined in the Draft ZBLA (Exhibit 4).

[16] Other changes relate to lot coverage and driveway width. For one lot, the maximum lot coverage is required to be increased to 41% from the ZBL standard of 40%. Two lots will require a 4 m driveway width, compared to the standard of 3.6 m permitted under the ZBL.

[17] Lot area will exceed the minimum requirements for each lot and no site-specific standards are required in respect of parking. Mr. Franklin indicated that parking will be above the ZBL standard. He indicated that while residents had raised concerns about sufficient parking, he did not share that view. In particular, the concern raised by Mr. Branton at the hearing was “not so much in the driveways, but that all of them [would] have zero on street parking because it’s on a curve, so if there are guests, they would have to park in front of [other] residents”.

[18] As the Tribunal understood it, Mr. Branton indicated the proposal should be for fewer homes, reflecting the original four lots or perhaps up to a fifth lot which would still meet the 12 m frontage ZBL requirement. This would allow for more on street parking. This would also address his concerns that there is insufficient space for snow storage.

[19] Ultimately, the Tribunal does not have evidence to suggest snow storage

capacity is insufficient and does not consider it an adverse impact to have guests parking in front of other area residents' homes. In any event, the proposal exceeds the ZBL requirements for parking and meets or exceeds the City's guidance for driveways at the street curb.

[20] Mr. Franklin indicated that there was some concern in the neighbourhood about monitoring wells and environmental issues. He confirmed that a Phase I and Phase II study had been completed and there was no indication of any environmental issues on the Subject Property. He also indicated that to the extent there are design concerns, these can be further addressed at the site plan stage. He also indicated that while trees will need to be removed, there will be a master landscape plan and new trees will be planted. Further the development will comply with the tree by-law.

Opinion Evidence

[21] Mr. Franklin indicated that in his opinion the proposal represented good planning. It is an efficient development, contributing to a range and mix of housing, avoiding public heath concerns, and near transit on both Highway 27 and Martin Grove Road. He indicated it was cost effective infill development using existing infrastructure within a settlement area. In his opinion, the proposal is both consistent with the PPS and conforms to the 2017 Growth Plan.

[22] Regarding the ROP, Mr. Franklin referenced the intensification, housing and servicing policies. He indicated that there is already sidewalk infrastructure, a nearby school and transit.

[23] Regarding the City OP, Mr. Franklin reviewed the Community Area policies in Chapter 9. He reviewed each of the key criteria in Policy 9.1.2.2 and concluded that the proposal reflects existing patterns, with homes fronting on Andy Crescent; the lot size will exceed the minimums required; it will maintain the single detached housing form, though the height and scale will be slightly denser, with a two-storey residential form; the set backs conform to the ZBL requirements; the existing home has no heritage

attributes and can be demolished. He indicated that the design will complement the design existing in the area and the site plan will further ensure that. Landscaping opportunities are available as there will be generous front yards.

[24] In sum, it was Mr. Franklin's opinion that the proposal conforms to the applicable official plan policies.

[25] Regarding the Draft ZBLA, there was some question about the second "Whereas", which indicates the following:

> There has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity.

[26] Mr. Franklin indicated that there were no amendments he was aware of that would affect the proposal and he would be comfortable if it were deleted.

[27] In any event the parties agreed a final order of the Tribunal approving the ZBLA should be withheld pending consent on the final form of the ZBLA.

[28] The Tribunal indicated at the hearing that while this will double the number of lots originally planned for in the Registered Plan, the provincial planning framework has significantly changed in the intervening years. In light of that, and given that the form of housing proposed is the same without any impacts to lot area requirements, the Tribunal accepted the uncontradicted opinion evidence of Mr. Franklin that the proposal is consistent with the PPS, conforms to the 2017 Growth Plan and conforms to the ROP and City OP. Further the Tribunal finds the proposal has regard to s. 2 of the Act.

DECISION

[29] The Tribunal allowed the appeal in part. It withheld its final order pending the submission of the final zoning by-law amendment, anticipated to be on consent of the parties.

[30] The Tribunal may be spoken to in the event its assistance is required.

“Paula Boutis”

PAULA BOUTIS
MEMBER

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 131-2019

A By-law to designate by Number an amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal.

The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Local Planning Appeal Tribunal Order Issue, dated the 18th day of July 2019 (LPAT File No. PL180309), attached hereto as Schedule "A", is hereby designated as By-law Number 131-2019.

Enacted by City of Vaughan Council this 2nd day of October 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by the Decision of Local Planning Appeal Tribunal
Issued July 18, 2019, Case No: PL180309
Adopted by Vaughan City Council on March 19, 2019.
(Item No. 6 of Report No. 11 of the Committee of the Whole)

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

Ontario

ISSUE DATE: July 18, 2019 **CASE NO.:** PL180309

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Sunfield Homes (Hwy 27) Ltd.
Subject:	Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	R3 Residential
Proposed Zoning:	R5 Residential
Purpose:	To permit the development of 6 single detached dwellings and 4 semi-detached dwellings
Property Address/Description:	8849 Highway 27
Municipality:	City of Vaughan
Municipality File No.:	Z.17.020
OMB Case No.:	PL180309
OMB File No.:	PL180309
OMB Case Name:	Sunfield Homes (Hwy 27) Ltd. v. Vaughan (City)

BEFORE:

R. ROSSI	)	Thursday, the 18th
MEMBER	)	
	)	day of July, 2019

THIS MATTER having come before the Tribunal and in its Decision issued July 16, 2019, allowed the appeal in part and withheld its final order pending the submission of the final zoning by-law amendment, anticipated to be on consent of the parties;

AND THE TRIBUNAL having received the final zoning by-law amendment from the City of Vaughan;

THE TRIBUNAL ORDERS that the appeal is allowed, and By-law is hereby amended in the manner set in Schedule "A" to this Order. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

SCHEDULE A PL180309

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 131-2019

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

a) Adding the following clause after clause b) to Exception Paragraph 9 (692) in alphabetical sequence:

"c) Subsection 4.1.4 f) respecting dimensions of driveways;"

b) Adding the following sub-clauses after sub-clause ai) (5) to Exception Paragraph 9(692) in numerical and alphanumerical sequence:

"(6) The minimum lot frontage for Lots A to H as shown on Schedule E-771D shall be as follows:

Lot A – 8.6 m

Lot B – 7.2 m

Lot C – 7.1 m

Lot D – 7.1 m

Lot E - 6.6 m

Lot F – 7.3 m

Lot G – 7.9 m

Lot H – 8.9 m

(7) The maximum lot coverage for Lot H as shown on Schedule "E-771D" shall be 41%

ci) (1) The maximum driveway width for Lots A and H as shown on Schedule "E-771D" shall be 4.0 metres".

c) Deleting Schedule "E-771A" and substituting therefor the Schedule "E-771A" attached hereto as Schedule "1".

d) Adding Schedule "E-771D" attached hereto as Schedule "2".

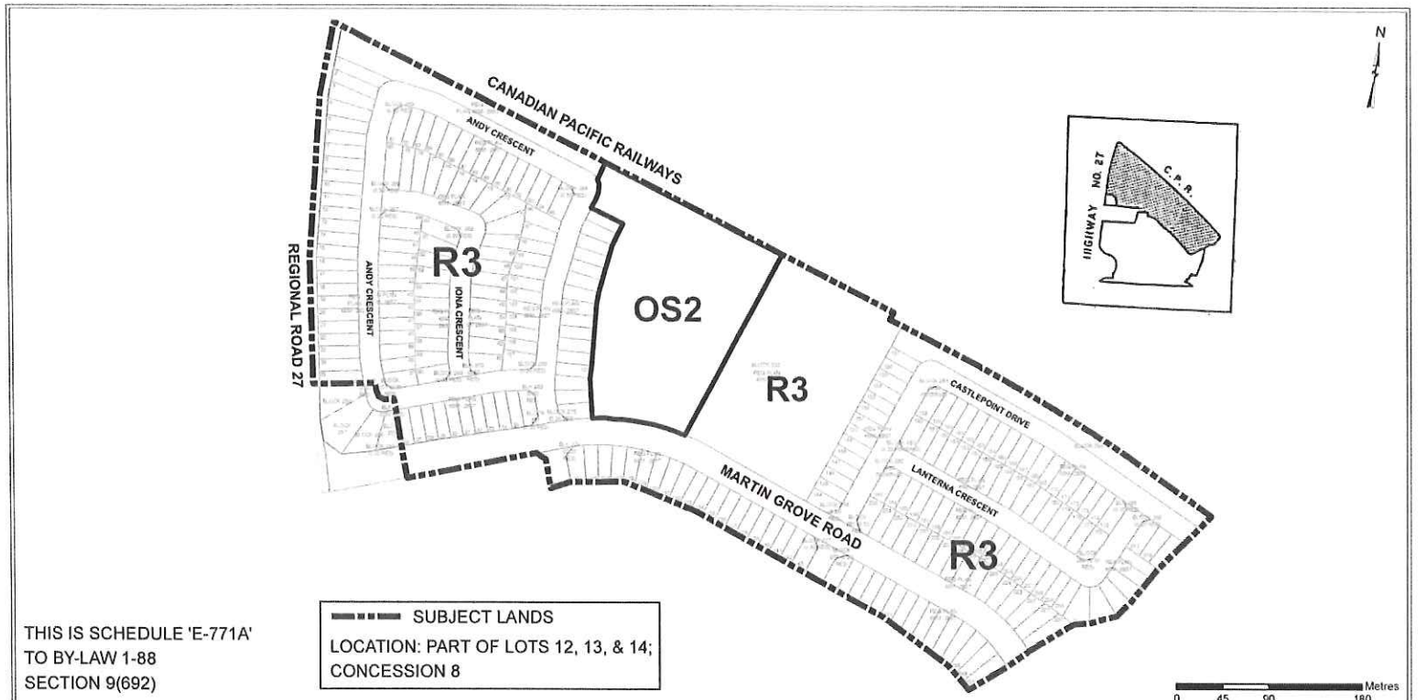
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 2nd day of October, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 6 of Report No. 11
of the Committee of the Whole, which was
Adopted by Vaughan City Council
On March 19, 2019



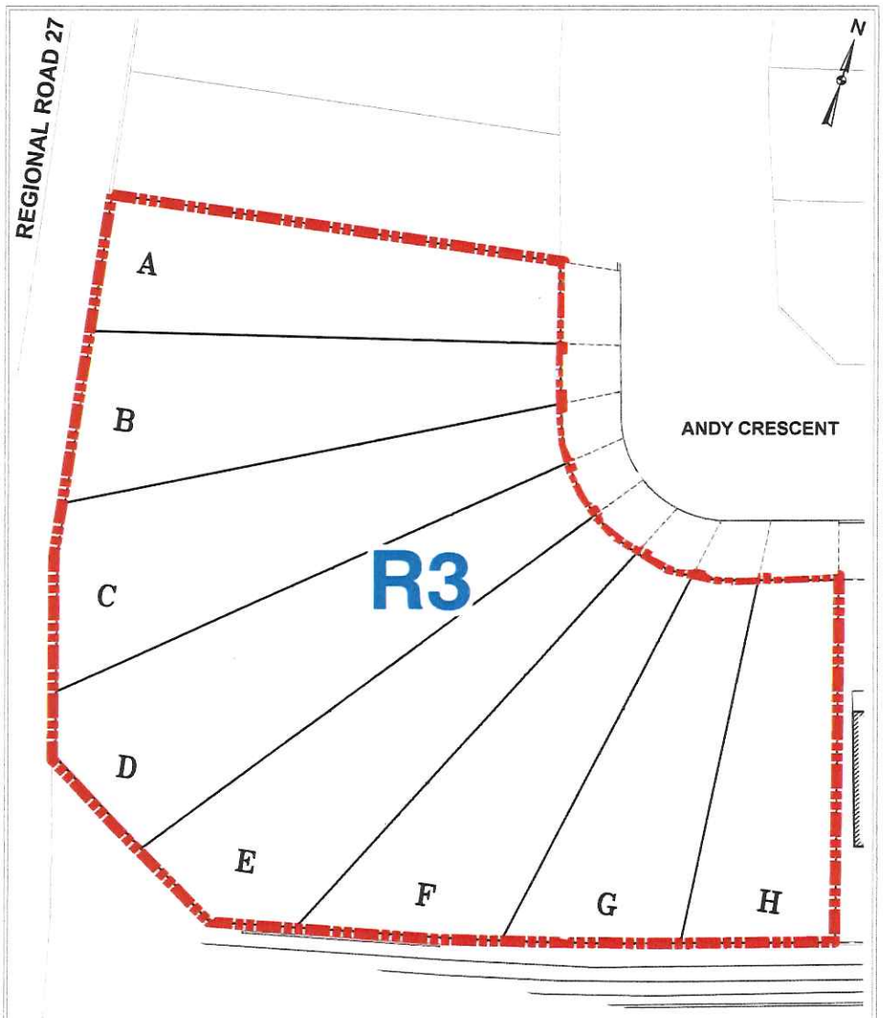
THIS IS SCHEDULE 'E-771A'
TO BY-LAW 1-88
SECTION 9(692)

FILE: Z.17.020
LOCATION: Part of Lot 13 Concession 8
APPLICANT: Sunfield Homes (Hwy 27) Ltd.
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 131 -2019
PASSED THE 2nd DAY OF October, 2019

SIGNING OFFICERS
Board Order PL180309
July 18, 2019
MAYOR
CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.17.020\Z.17.020_Schedule1.mxd
Created on: 4/8/2019



THIS IS SCHEDULE '2'
TO BY-LAW 131 - 2019
PASSED THE 2nd DAY OF October, 2019

File: Z.17.020
Location: Part of Lot 13, Concession 8
Applicant: Sunfield Homes (Hwy 27) Ltd.
City of Vaughan

Subject Lands

Document Path: N:\GIS_Archive\ByLaws\Z\Z.17.020\Z.17.020_Schedule2.mxd
Created on: 4/11/2019

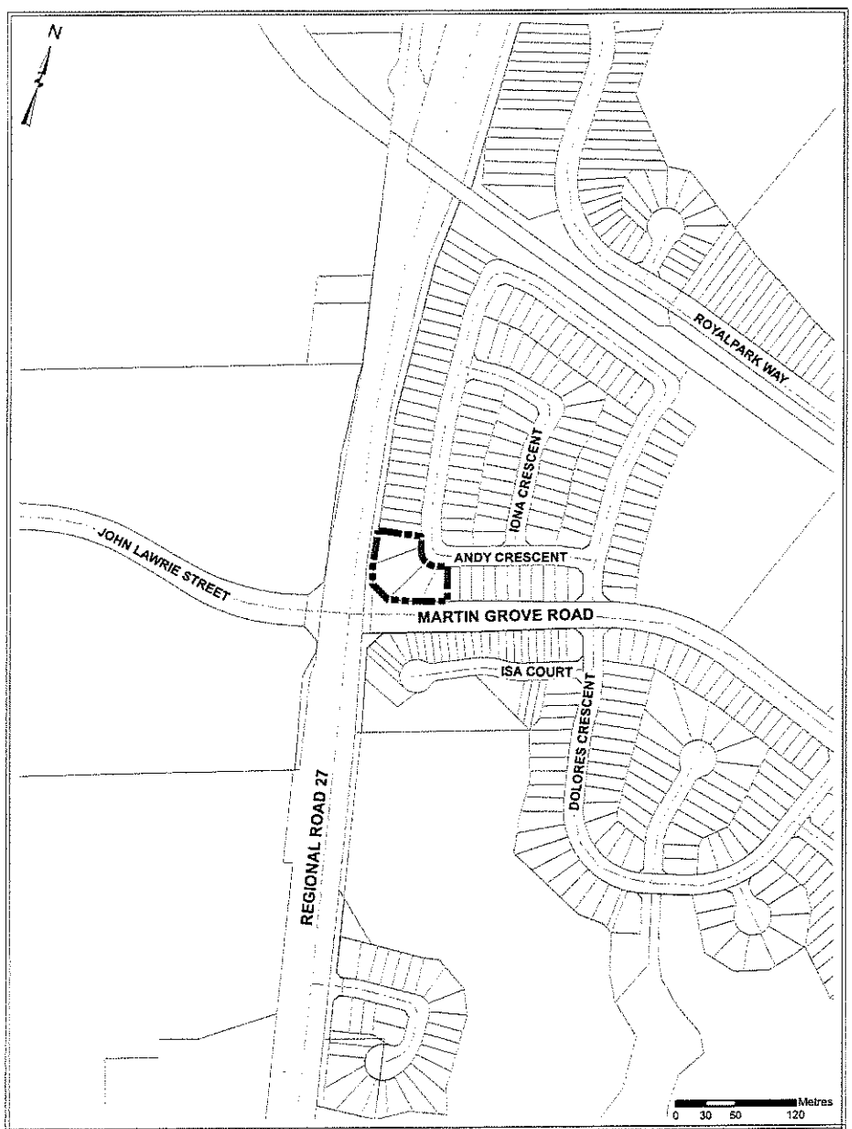
SCHEDULE A

PL180309

SUMMARY TO BY-LAW 131- 2019

The lands subject to this By-law are located at the northeast corner of Regional Road 27 and Martin Grove Road. The lands are legally described as Blocks 255, 256, 257 and 258 in Plan 65M-2857, and are municipally known as 8849 Regional Road 27, in the City of Vaughan.

The purpose of this zoning by-law amendment is to add site-specific provisions to the R3 Residential Zone Exception 9(692) to permit the development of 8 single detached dwellings on the subject lands.



Location Map
To By-Law 131 -2019

File: Z.17.020
Location: Part of Lot 13, Concession 8
Applicant: Sunfield Homes (Hwy 27) Ltd.
City of Vaughan

Subject Lands

Document Path: N:\GIS_Archive\ByLaws\Z\Z.17.020\Z.17.020_LocationMap.mxd
Created on: 4/2/2019

EMC GROUP LIMITED

Engineers
Planners
Project Managers

File: 200170
October 27, 2020

COMMUNICATION – C28
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Attention: **Todd Coles**
City Clerk

Email: Clerks@vaughan.ca

Dear Sir,

Re: **Comments on City-wide Comprehensive Zoning By-law**
1431613 Ontario Limited
9867 Highway 27
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for 1431613 Ontario Limited with respect to the lands known as 9867 Highway 27, Vaughan. The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

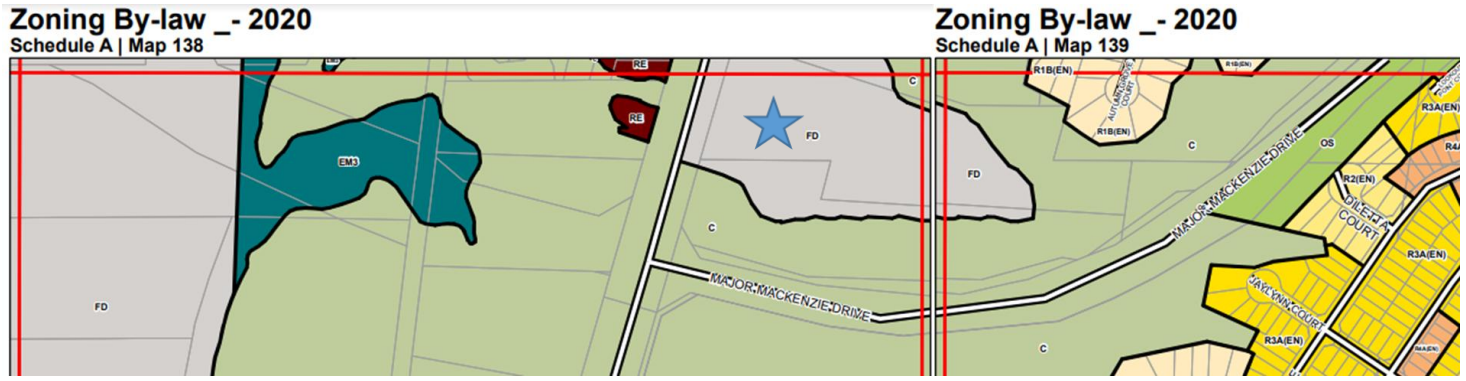
Our comments with respect to the City-Wide Comprehensive Zoning By-Law are in regards to the rezoning of the Subject Lands from Agricultural Zone (A) to Environmental Protection (EP). In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (September 2020) the By-law illustrates the subject property in its entirety, as Environmental Protection (EP-459).

We note that the Environmental Protection land designation over the entire 9867 Highway 27 property does not conform to the existing land use designations as outlined in the Vaughan Official Plan (2010) or the OPA #610 (Valley Policy Area 4). The City of Vaughan Official Plan (2010) Schedule 13 Land Use designates the property as "Low-Rise Residential" which allows for low-rise residential uses. The subject property is further designated as a "Valley Policy Area 4" by Official Plan Amendment #610 which permits a "Residential enclave development" (See Attached).

In the Second Draft of the Comprehensive By-law (January 2020) the lands were more accurately reflected as Future Development (FD) and Conservation (C), to which we had previously expressed concerns regarding the by-law schedules and online interactive mapping not corresponding correctly. To our surprise, the updated mapping included in the Third Draft (September 2020) version has been changed inaccurately, further not reflecting the Official Plan and OPA in force.

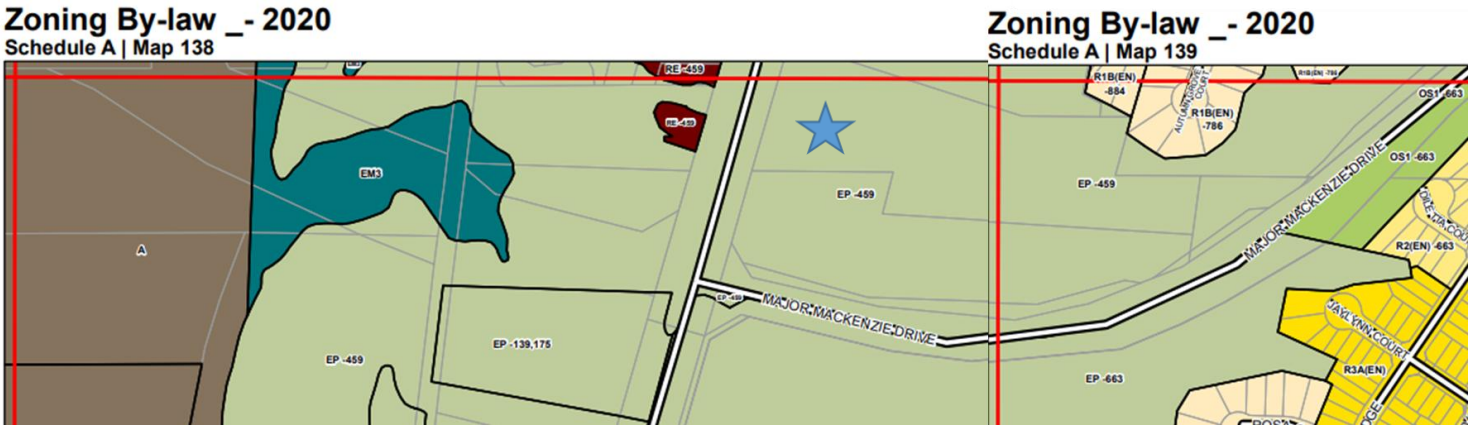
Map images from the Second Draft City Wide Comprehensive By-law (Jan 2020) and the third draft (Sept. 2020) are appended below for ease of reference.

Image 1: Second Draft Comprehensive By-law Schedule A- Maps 138 & 139 (January 2020)



★ Subject Lands

Image 2: Third Draft Comprehensive By-law Schedule A- Maps 138 & 139 (September 2020)



★ Subject Lands

We respectfully request that the Zoning By-Law designations on the subject property be changed to Future Development (FD). This would be consistent with existing planning legislation as per the City of Vaughan Official Plan (2010) and OPA #610 (Valley Policy Area 4).

It is noted that we have actively participated during the various stages of the Vaughan Comprehensive Zoning By-Law process. To date we have not received comments from City Staff. We attach copies of our correspondence.

Should you have any questions or concerns regarding the request, we ask that you please do not hesitate to contact our office.

Yours Truly,

EMC GROUP LIMITED

Nadia Zuccaro, MCIP, RPP
Planner

Att.

C: Brandon Correia- Manager of Special Projects
C: 1431613 Ontario Limited

Certificate of Approval

AMENDMENT No. 610

TO THE

OFFICIAL PLAN FOR THE

CITY OF VAUGHAN PLANNING AREA

This official plan document which was adopted by the Council of the Corporation of the City of Vaughan is approved, as modified, pursuant to Sections 17 and 21 of the Planning Act and came into force on December 17, 2004.

Date: May 18/06

Heather Konefat, M.C.I.P., R.P.P.
Director of Community Planning
The Regional Municipality of York

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend OPA #601, the Kleinburg-Nashville Community Plan, by redesignating the lands currently designated as "Regional Road 27 Valley Corridor Study Area" to "Valley Policy Area 1", "Valley Policy Area 2", "Valley Policy Area 3", "Valley Policy Area 4" and "Valley and Stream Corridor", and by adding policies relating to development of the five designations and the Regional Road 27 Valleyland Trail.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are shown as "Area Subject to Amendment No. 610" on Schedules "1" and "2" attached hereto. The subject lands are located along Regional Road 27, between Rutherford Road and Nashville Road, comprising the lands within the valley corridor of the main branch of the Humber River, being Parts of Lots 16, 17, 18, 19, 20, 21, 22, 23 and 24, Concessions 8, and Part of Lots 22 and 23, Concession 9, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the subject lands from "Regional Road 27 Valley Corridor Study Area" to "Valley Policy Area 1", "Valley Policy Area 2", "Valley Policy Area 3", "Valley Policy Area 4" and "Valley and Stream Corridor", is based on the following:

1. Section 4.10.10.1 15) of OPA #601 (the Kleinburg/Nashville Community Plan) contains policies providing for the study of the subject lands to determine if development in portions of the valley (study area) is appropriate, and if so, to identify the appropriate, primarily low intensity land uses.

2. The lands to be redesignated to "Valley Policy Area" are located outside of areas of environmental hazards (Regional Storm Floodplain, steep slopes, erosion areas) and do not contain significant natural heritage features (woodlands, wetlands). All other lands within the study area will be redesignated to "Valley and Stream Corridor", subject to the "Valley and Stream" policies of OPA 601, providing for their long term ecological protection.

3. The land uses permitted in this amendment are consistent with the existing land uses currently within the area and are primarily residential.

4. The Corridor Management Plan prepared in support of this Official Plan Amendment, provides for a comprehensive analysis of the valley corridor and sets out recommendations for both the

i. lotting, form and structure of the proposed residential development;

ii. functional servicing report;

iii. opportunities to maximize naturalized open space areas;

iv. integration of the Regional Road 27 Trail system;

v. protection of natural features; and

vi. a comprehensive urban design plan.

d) To maintain the character of the valley corridor, a landscape buffer shall be provided along Regional Road 27 and shall effectively screen any residential development from the arterial roads. This buffer shall generally be 30-50m wide and landscaped in dense naturalized plant materials. The buffer shall not form part of the parkland dedication, but may be used in the calculation of residential density.

e) All new development within "Valley Policy Area 2" shall be serviced by full municipal water and sanitary servicing, subject to the policies in Subsection 4.1.2(2) of this Plan, provided servicing capacity is available without compromising the servicing opportunities provided by this amendment for other areas within the Community Plan.

iii) Valley Policy Area 3

a) Residential development shall be permitted, subject to the "Suburban Residential" policies in Subsection 4.3.2.1 and the "Environmental" Policies in Section 4.10 of this Plan.

b) All new development within "Valley Policy Area 3" shall be serviced as per Section 4.1.2(2) of this Plan.

c) All new development shall comply with Section 4.10.14 (3) of this Plan.

iv) Valley Policy Area 4

a) Lands located west of Regional Road 27:

1. The existing residential uses outside of the Regional Storm Floodplain will be recognized; limited new residential development or redevelopment may be permitted which is

compatible with the existing housing form and lot sizes in the area;

2. All new development shall be serviced in accordance with Subsection 4.1.2(2) of this Plan.

9867 HWY 27

b) Lands located east of Regional Road 27:

1. Residential enclave development is permitted which low in scale and ground-related, and is buffered and screened from the arterial roads to maintain the sense of a natural valley; development is in a clustered format to maximize naturalized open space opportunities, at an overall density of 5.0 to 7.5 units per hectare.

2. Development is subject to the "Environmental" policies in Section 4.10 of this Plan.

3. Prior to development of this site, a comprehensive development plan shall be prepared by all landowners for approval by Council, which shall detail:

   i. lotting, form and structure of the proposed residential development;

   ii. functional servicing report;

   iii. opportunities to maximize naturalized open space areas;

   iv. integration of the Regional Road 27 Trail system;

   v. protection of natural features;

   vi. a comprehensive Urban Design Plan;

   vii. integration of a gateway feature;

   viii. co-ordinated and consolidated access that minimizes the number of vehicles access points to Regional Roads; and

   ix. *provisions for the accommodation of the future jog elimination at Major Mackenzie Drive and Regional Road 27.*

4. To maintain the character of the valley corridor, a landscape buffer shall be provided along Regional Road 27 and shall effectively screen any residential development from the arterial

roads. This buffer shall generally be 30-50m wide and landscaped in dense naturalized plant materials. The buffer shall not form part of the parkland dedication, but may be used in the calculation of residential density.

5. Any development within this Policy Area shall be serviced by full municipal water and sanitary servicing subject to the policies in Section 4.12.2 of this plan, provided servicing capacity is available without compromising the servicing opportunities provided by this amendment for other areas within the Community Plan.

6. All new development shall comply with Section 4.10.14 (3) of this Plan.

e) Adding the following to Section 4.11.2.4 (3):

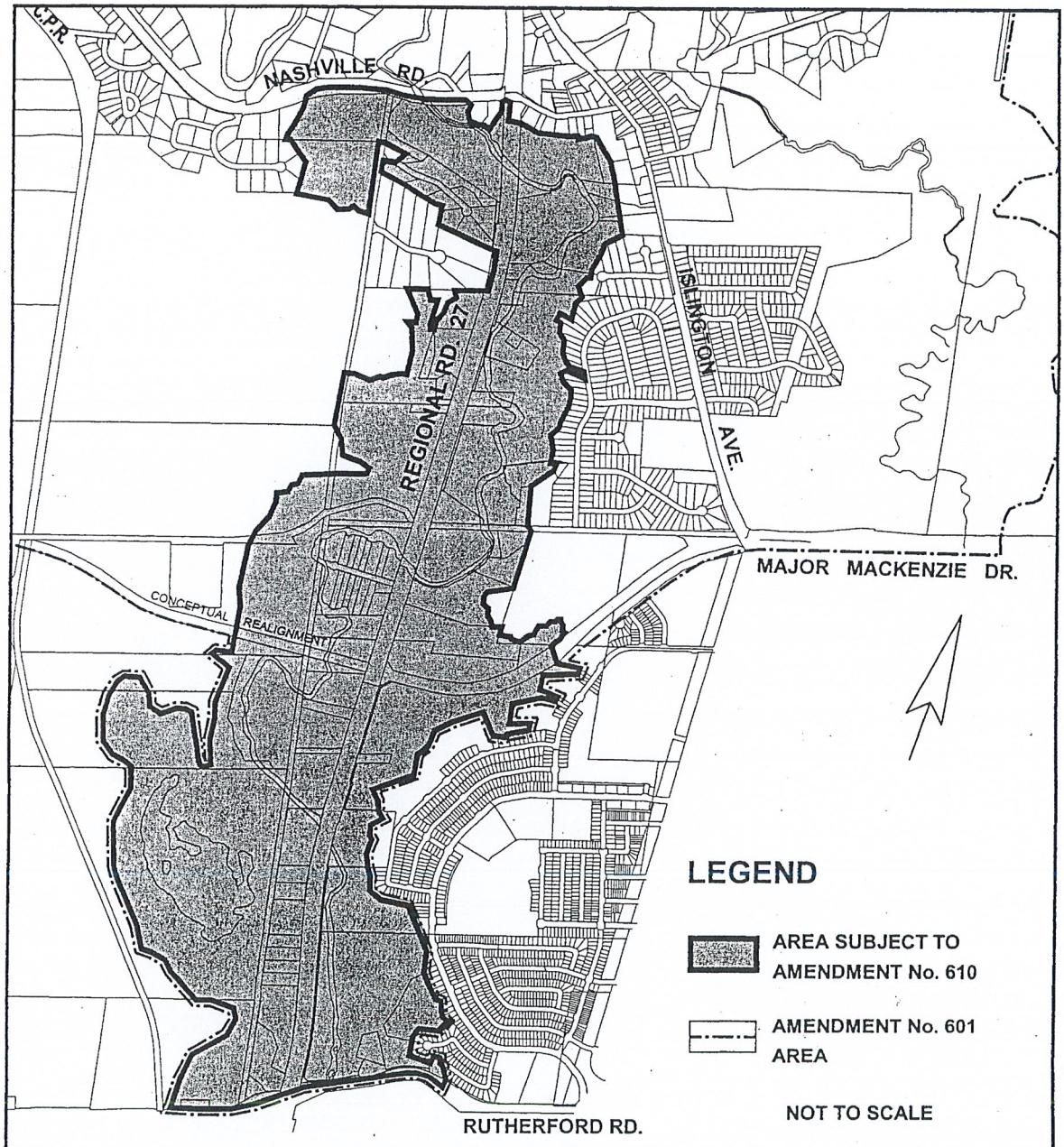
1. The Regional Road 27 Trail is a north–south local trail connecting to the Inter Regional Trail and other planned and existing trails.

2. The Regional Road 27 Trail shall be established generally in the preferred trail location shown on Schedule "A" and Appendix "B" to this Plan. An amendment to the Official Plan is not required to implement the trail in a location different from that shown on Schedule "A" and Appendix "B", provided that the intent of the Trail Plan is maintained to the satisfaction of the City.

3. The preferred alignment of Regional Road 27 Trail shall be implemented as a condition of approval of Planning Act applications for development/redevelopment of lands, through agreements with private landowners or through public-sponsored projects where the trail is on public lands.

4. Where the City determines that it is not possible to achieve the preferred trail location, the alternate location, associated with the Regional Road 27 right-of-way, may be implemented without amendment to this Plan.

5. The trail shall be constructed in a way which minimizes the ecological impacts, in consultation and partnership with the Toronto and Region Conservation Authority.



LOCATION:

PART OF LOTS 16 TO 24,
CONCESSION 8 &
PART OF LOTS 22 & 23,
CONCESSION 9

THIS IS SCHEDULE '1'
TO AMENDMENT No. 610
ADOPTED THE 8th DAY OF MAR., 2004

SIGNING OFFICERS

MAYOR

CLERK

N:\DFT\PLANNER\KAREN\Opa610\opa610_z.03.005

THIS IS SCHEDULE 'A'
TO AMENDMENT NO. 601

ADOPTED THE ___ DAY OF _____, 2001

SIGNING OFFICERS

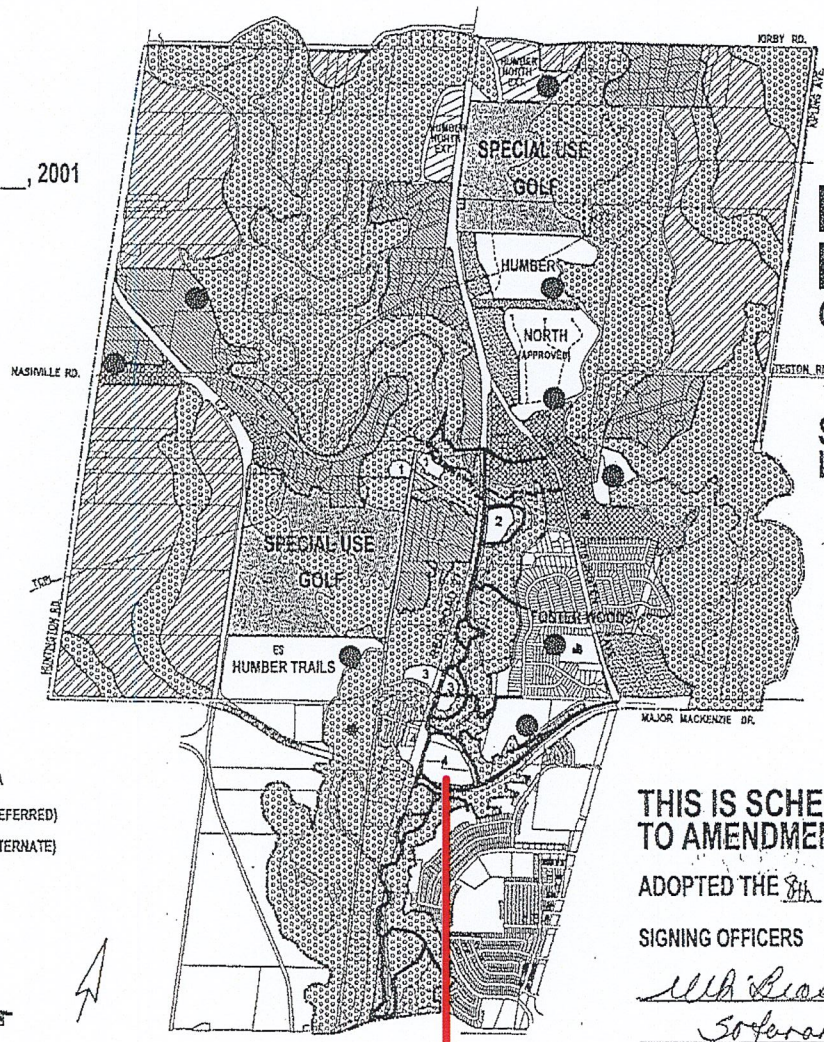
_____ MAYOR

_____ CLERK

LEGEND

- SERVICED RESIDENTIAL
- FUTURE RESIDENTIAL
- SUBURBAN RESIDENTIAL
- CORE AREA
- SPECIAL USE - GOLF
- RURAL AREA
- VALLEY AREA
- OPEN SPACE
- NEIGHBOURHOOD PARK
- LINEAR PARK
- INTER-REGIONAL TRAIL
- WASTE DISPOSAL ASSESSMENT AREA
- REGIONAL ROAD 27 TRAIL ROUTE (PREFERRED)
- REGIONAL ROAD 27 TRAIL ROUTE (ALTERNATE)
- ES ELEMENTARY SCHOOL
- AMENDMENT AREA
- 2 VALLEY POLICY AREAS 1 TO 4

SCALE



KLEINBURG NASHVILLE COMMUNITY PLAN

SCHEDULE 'A' LAND USE

THIS IS SCHEDULE '2'
TO AMENDMENT NO. 610

ADOPTED THE 8th DAY OF MAR., 2004

SIGNING OFFICERS

MAYOR

CLERK

Valley Policy Area 4

VAUGHAN Re: 9867 Highway 27, Vaughan

COMMENT FORM

City-wide Comprehensive Zoning By-law Review **Event Date:** January 28, 2020

Please provide contact information, including your e-mail address, and check the box below if you wish to receive project updates by e-mail or if you wish to be contacted about your comments. You will have the option to unsubscribe from receiving project updates by e-mail at any time. [X] Please add me to the mailing list [X] Please contact me

Name	E-mail	Telephone
Nadia Zuccaro (EMC Group Ltd.)	nzuccaro@emcgroup.ca	905-738-3939 ext 229

Comments, Questions, Concerns

We request some clarification with respect to the overlays seen on the online interactive map when viewing the subject properties. On the online interactive map, 9867 Highway 27 has unidentifiable green overlays along the frontage of Hwy 27, and at the rear end of the site. We suggest that the green overlay blocks be removed from the online interactive map to accurately reflect the By-Law Zones. We appreciate if we could also meet to discuss the proposed FD (Future Development Zone) and clarify the implications of this zoning.

☐ **Continued on the back...**

Brandon Correia, Project Manager **Telephone: 905-832-8510 ext. 8227** **Email: brandon.correia@vaughan.ca**	**City of Vaughan, Building Standards Department** **2141 Major Mackenzie Drive** **Vaughan, ON L6A 1T1**

This form may contain personal information as defined under the Municipal Freedom of Information and Protection of Privacy Act. This information is collected under the legal authority of the Municipal Act, 201,S.O. 2001 c.25, as amended. This information will be used by the City of Vaughan to notify interested parties about the City-wide Comprehensive Zoning By-law Review and will become a part of Building Standards Department files, where applicable. Questions regarding this collection may be directed to Building Standards Department, City of Vaughan, 2141 Major Mackenzie Drive, Vaughan, Ontario L6A 1T1, 905-832-8510.

Nadia Zuccaro

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Wednesday, February 5, 2020 11:06 AM
To: 'brandon.correia@vaughan.ca'
Cc: 'Mario Zuccaro'; 'filing@emcgroup.ca'
Subject: City- Wide Comprehensive Zoning By-law Review- Our Comments
Attachments: City of Vaughan By-Law Review Comment Forms January 28 2020..pdf

Hi Brandon,

Thank you for taking the time to speak with Mario Zuccaro about the City's new draft zoning by-law at the January 28, 2020 'Second Draft Open House' at Father Ermano Bulfon CC. We have had a chance to review the document and have a number of comments relating to specific properties and the by-law in general that we would like to share.

Comments on the following addresses are included in the attachment:

1. 69 & 73 Nashville Road, Kleinburg;
2. 240 Fenyrose Crescent, Woodbridge;
3. 11023 & 11035 Huntington Road, Kleinburg;
4. 9867 Highway 27, Kleinburg;
5. 7575 & 7577 Keele Street, Concord;
6. 7689 Keele Street, Concord;
7. 31 Napier Street, Kleinburg;

As discussed, we would appreciate meeting with you to discuss the issues brought up in the attached comment sheets. Please let us know when you have some time to meet with Mario and I.

Should you have any questions or concerns, please do not hesitate to contact me.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3
T.905.738.3939 x 229
F.905.738.6993
E. nzuccaro@emcgroup.ca
www.emcgroup.ca

Nadia Zuccaro

From: Kevin Ayala Diaz <kayaladiaz@emcgroup.ca>
Sent: Friday, June 26, 2020 12:26 PM
To: brandon.correia@vaughan.ca
Cc: 'Nadia Zuccaro'; filing@emcgroup.ca
Subject: City-wide Comprehensive Zoning By-Law Review -Our Comments

Hello Brandon,

What is the status on the City-wide Comprehensive Zoning By-Law Review.

We have sent our comments and wanted to know if they have been addressed in anyway? Have comments been made back?

Comments on the following addresses were made earlier this year.

1. 69 & 73 Nashville Road, Kleinburg
2. 240 Fenyrose Crescent, Woodbridge
3. 11023 & 11035 Huntington Road, Kleinburg
4. 9867 Highway 27, Kleinburg
5. 7575 & 7577 Keele Street Concord
6. 7689 Keele Street, Concord
7. 31 Napier Street, Kleinburg

Please provide any information of the ongoing review. Thanks

Best Regards

Kevin Ayala Diaz, M.E.S., B.Arch.
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200
Vaughan, Ontario, L4K 4X3
t. 905.738.3939 **x 225**
w. *www.emcgroup.ca*
e. *kayaladiaz@emcgroup.ca*

Nadia Zuccaro

From: Kevin Ayala Diaz <kayaladiaz@emcgroup.ca>
Sent: Monday, July 20, 2020 4:34 PM
To: brandon.correia@vaughan.ca
Cc: 'Nadia Zuccaro'; filing@emcgroup.ca
Subject: City-wide Comprehensive Zoning By-Law Review

Hello Brandon.

We would like to inquire over the status of the City-wide Comprehensive Zoning By-Law Review. We submitted comments in January 2020, have they been reviewed or addressed? Please give me a call to discuss, thanks.

Comments on the following addresses were made earlier this year.

1. 69 & 73 Nashville Road, Kleinburg
2. 240 Fenyrose Crescent, Woodbridge
3. 11023 & 11035 Huntington Road, Kleinburg
4. 9867 Highway 27, Kleinburg
5. 7575 & 7577 Keele Street Concord
6. 7689 Keele Street, Concord
7. 31 Napier Street, Kleinburg

I inquired about this in June 2020 and have not heard from you back.

Best Regards

Kevin Ayala Diaz, M.E.S., B.Arch.
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200
Vaughan, Ontario, L4K 4X3
t. 905.738.3939 **x 225**
w. *www.emcgroup.ca*
e. *kayaladiaz@emcgroup.ca*

Nadia Zuccaro

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Monday, October 19, 2020 5:27 PM
To: 'Correia, Brandon'
Cc: 'Mario Zuccaro'; kayaladiaz@emcgroup.ca
Subject: RE: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27
Attachments: OPA 610.pdf

Hi Brandon,

Thank you for your email.

We would appreciate if we could schedule a skype call later this week. I am available everyday generally from 1pm onwards. If you could set up a call I would appreciate it.

But in the meantime, I am having a hard time understanding your response as I understood through the open house presentation, that the Zoning by-law is meant to conform to the Official Plan and should be aligned with the Policies as outlined in the plan.

It is not our intention to have this by-law pre-zone the property, but we find that the EP-459 zone is much more restrictive than the existing A Zone, or even the previously proposed Future development zone. This is what we would like to discuss since the property is designated for some residential uses.

I have attached the OPA document (OPA 610) I had referred to in my last email to show the approved OP uses on the lands. The lands fall into Valley Policy Area 4.

We look forward to meeting with you and being able to further discuss this with the consulting team. Please include both Mario and Kevin on the invite.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3
T.905.738.3939 x 229
F.905.738.6993
E. nzuccaro@emcgroup.ca
www.emcgroup.ca

From: Correia, Brandon [mailto:Brandon.Correia@vaughan.ca]
Sent: Monday, October 19, 2020 10:55 AM
To: 'Nadia Zuccaro' <nzuccaro@emcgroup.ca>
Subject: RE: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27

Hi Nadia,

Can I suggest we set up a time to further discuss your concerns later this week or early next week ? If you provide a time, I can arrange a skype call. Generally, these lands and surrounding are not proposing pre-zoning. An application for re-zoning would be required for some of the uses which may be contemplated at an Official Plan policy level. However, I am happy to discuss this further with staff and our lead consultant.

Best Regards,

Brandon

Brandon Correia, BES PMP
Manager, Special Projects
905-832-8585 ext. 8227| brandon.correia@vaughan.ca

City of Vaughan I Planning & Growth Management Portfolio
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca

From: Nadia Zuccaro <nzuccaro@emcgroup.ca>
Sent: Thursday, October 08, 2020 1:02 PM
To: Correia, Brandon <Brandon.Correia@vaughan.ca>
Cc: 'Mario Zuccaro' <mzuccaro@emcgroup.ca>
Subject: [External] Comments on Third Draft Comprehensive By-law- RE: 9867 Highway 27

Hi Brandon,

I hope you are doing well. I wanted to send this email as a follow up to my telephone message of yesterday afternoon so you may have some context regarding some very serious concerns we have regarding the third draft comprehensive by-law regarding **9867 Highway 27** located generally at the north east corner of Highway 27 and Major Mackenzie Drive.

In reference to the Comprehensive Zoning By-law Schedule A- Maps 138 and 139 (September 2020) the By-law illustrates the subject property in its entirety, as Environmental Protection (EP-459). The Environmental Protection land designation over the entire 9867 Highway 27 property does not conform to the existing land use designations outlined in the Vaughan Official Plan (2010) or the OPA #610, nor is it in line with the current Agricultural zoning in by-law 1-88.

The City of Vaughan Official Plan (2010) Schedule 13 Land Use designates the property as “Low-Rise Residential” which allows for low-rise residential uses. The subject property is further designated as a “Valley Policy Area 4” by Official Plan Amendment #610 which permits a “Residential enclave development”.

In the Second Draft of the Comprehensive By-law (January 2020) the lands were more accurately reflected as Future Development (FD) and Conservation (C), to which we had previously expressed concerns regarding the by-law schedules and online interactive mapping not corresponding correctly. To our surprise, the updated mapping included in the Third Draft (September 2020) version has been changed inaccurately, further not reflecting the Official Plan and OPA in force.

Map images comparing the second draft City wide Comprehensive By-law (Jan 2020) and the third draft (Sept. 2020) are attached for your ease of reference.

I would like to discuss this a soon as possible, and hope that you could kindly provide me with a response prior to the Virtual Open House meeting next week.

Regards,

Nadia Zuccaro, MCIP, RPP
Planner

EMC Group Limited
Engineers, Planners, Project Managers
7577 Keele Street, Suite 200, Vaughan, Ontario, L4K 4X3
T.905.738.3939 x 229
F.905.738.6993
E. nzuccaro@emcgroup.ca
www.emcgroup.ca

NINE-TEN WEST LIMITED

COMMUNICATION – C29
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020
Delivered by email

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Re: City-wide Comprehensive Zoning By-Law Review
Committee of the Whole Public Meeting – October 29, 2020

This letter will acknowledge receipt of the Notice of Hearing associated with the above-referenced matter. Nine-Ten West Limited has significant land holdings situated within Blocks 11 and 18, and more particularly the Carrville District Centre Secondary Plan Area. Specifically, our land holdings are legally described as Blocks 59-62 inclusive, Plan 65M-1499; Block 40, Plan 65M-4486; PT Lots 16 & 17, Con 2, Being Part 2 Plan 65R-35639; PT Lots 16 & 17, Con 2, Being Part 3 Plan 65R-35639; and Block 148, Plan 65M3973 Except 65M4617.

We have actively participated in the City's Comprehensive Zoning By-law Review and have previously provided comments and met with staff with regards to our landholdings. With the more recent release of site-specific exceptions, we have identified additional concerns relating to the following:

1. Treatment of part lots shared between Nine-Ten West Limited and the property municipally identified as PT LT 17, Con 2 Vaughan (Peter and Donna Mayor);
2. Carry-over of Site-Specific Zoning By-law's 139-2013 and 137-2014 into Exception 1024; and,
3. Carry-over of Site-Specific Zoning By-law 133-2016 into Exception 1031.

We have communicated our detailed comments under separate email to staff (copy enclosed), and together we are looking to schedule a follow-up time to further review and discuss with them. To date staff has been very responsive to our questions and helpful in providing greater clarity, and we are hopeful our issues can be resolved prior to the enactment of the new By-law.

We trust these comments will be taken under advisement. Should further discussion or clarification be warranted, please do not hesitate to contact me directly.

Sincerely,
Nine-Ten West Limited

Luch Ognibene, RPP
Vice President, Land Development

cc. B. Correia, City of Vaughan

From: Eric Del Favero
Sent: October 26, 2020 10:16 AM
To: Wong, Natalie <Natalie.Wong@vaughan.ca>; Luch Ognibene <lognibene@remingtongroupinc.com>
Cc: Correia, Brandon <Brandon.Correia@vaughan.ca>
Subject: RE: Comprehensive Zoning By-law Inquiries - Remington Lands

Good morning Natalie, hope all is well.

I understand the comprehensive zoning by-law is going to public hearing this Thursday evening. Luch Ognibene (cc'd) and I have had a chance to review the site-specific exceptions against our lands and have a few questions/comments. For reference, the questions pertain to:

1. Site-specific provisions affecting CDC Block 11 in Exception 1024;
2. Site-specific provisions affecting CDC Block 18 in Exception 1031;
3. Treatment of our part lots shared with the Mayor property (his lands are proposed to be zoned EPA). See the enclosed plan highlighting our part-lots in red.

Below is a detailed breakdown of our questions/comments by exception:

Exception 1024

- Section 1395.1.2.2.c. should be 2.4m as per site-specific by-law 139-2013 civ)?
- Should section ciii) of by-law 139-2013 be included under exception 1024? I noticed there was no height in the new by-law under section 7.3.2 (unless I'm just missing this).
- I believe Section 1395.1.2.3 (currently reads section 1396.1.2.2 but I believe the numbering was repeated) should only relate to blocks two, three, four, and five as per by-law 139-2013 section cvi). It currently includes blocks one and six.
- Should section g)i) from by-law 137-2014 be included under the provisions? I noticed the side yard setback provision wasn't included and the standard in the parent by-law is 2.4 not 2.0m.

You will notice by-law 139-2013 includes lands zoned OS1, OS2, and OS5 which are now proposed to be zoned EP, OS1, and EP-ORM. Based on my read of the draft by-law, it is not clear to me what setbacks (side year and/or rear yard) will apply to lands abutting EPA as these are not specified. My concern is that an extensive amount of work was carried-out to justify the buffers that were imposed on the Carrville District Centre (CDC) lands, and said lands (natural feature + buffer) were appropriately zoned OS1 and conveyed into public ownership. Nine-Ten West would want some form of confirmation/understanding as to how setbacks will be dealt with as we advance individual development applications for our CDC lands abutting EPA in the future. We can provide some of the historical background into if required. The same concern would apply to Nine-Ten West lands proposed to be zoned FD-Future Development.

Exception 1031

- Section 14.1063.1v) mentions Schedule A4.1, is this schedule being included in the exception?
- I believe section 14.1063.4 "other provisions" is a repetition.
- Should section 1.B.ci).2) of by-law 133-2016 be included in the provisions?
- Should section 2.c).f). of by-law 133-2016 be included? I'm not sure if this is a standard in the parent by-law?
- Many of the definitions have not been included in the exception but they are in the parent by-law. However, two (2) of them aren't; being "commercial parking lot" and "temporary parking lot." Can these be added to the exception?
- I'm not sure if the HMU zone allows commercial parking lots as identified in our site specific by-law 133-2016 (section 2.d)? Can this be added to the exception?
- Can section 2.e).i) and 2.e).ii) regarding outdoor patios be included in the exception?

Part-Lots

- With regards to Item (3), we have part lots that are zoned and conditional upon the adjoining part lots on the Mayor property, however the latter are identified as EPA in the draft By-law (part-lots highlighted in red on the enclosed plan). The same applies for part lots on the Woodvalley property

on the east Mayor property boundary. We understand work has been completed on behalf of the Mayor lands to substantiate developable tableland exists to round-out the part lots created on both the Nine-ten West and Woodvalley properties. This should be reflected in the draft By-law.

I recognize this is short notice, but if you would like to meet to discuss these comments further in advance of the public hearing, Luch and I can make ourselves available. Please do not hesitate to contact either of us directly if you would like to discuss this in more detail.

Thank you,

Eric

Eric Del Favero | Project Manager Land Development
The Remington Group Inc.
7501 Keele Street, Suite 100 | Vaughan, Ontario | L4K 1Y2
T: 905 761-8200 x 2243| M: 647 629-0187
edelfavero@remingtongroupinc.com

Reena

COMMUNICATION – C30
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 26, 2020

Office of the City Clerk
Attention: Brandon Correia – Manager, Special Projects
City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

RE: Proposed Draft Comprehensive Zoning By-Law - Comments and Recommendation
Communication: October 29, 2020, 7PM – Committee of the Whole (Public Meeting)
Agenda Item 3.1

Summary Recommendation:
Reena on behalf of the social housing sector is requesting amendment and supplements to the Third Draft of the proposed City-Wide Comprehensive Zoning By-Law to include Group Home / Congregate Care / Respite Care as Permitted Uses in the Residential Zone definition found in Section 7. The draft should consider the inclusion of "Assisted Living Facility" as a use in the Institutional Zone found in Section 12/13. In Chapter 3 definitions section, you may want to consider providing a definition for Assisted Living Facility.

The above summary recommendation, if included, would better reflect existing and common uses, and supports the vision of Vaughan as an inclusive and progressive city. We recognize that the scope of the review and the tremendous work done by staff may have led to errors of omission and we are pleased to work with city staff and council to provide advice and support on behalf of charities like ours that provide housing and social supports.

Background
Reena is a not-for profit organization, operating in the City of Vaughan, that promotes dignity, individuality, independence, personal growth and community inclusion for people with diverse abilities within a framework of Jewish culture and values. A significant part of the organization's work is to provide housing for people with diverse abilities and to address the lack of attainable housing. As such we are providing comments/input to the City's development and approval process for the proposed City-Wide Comprehensive Zoning By-Law since, as currently proposed, it will have the potential for negative impact on our ability to carry out this function in the City of Vaughan. Reena is part of a network of similar social housing entities in the city and works closely with others to support the diversity and inclusion of all citizens.

Reena is making these comments to ensure a few definitions are added to the proposed Draft of the City-Wide Comprehensive Zoning By-Law scheduled to be before council in November 2020. By 2021, Reena will be operating 7 congregate care residential buildings, 2 Assisted Living Facilities (ALF), and 1 Program Centre in Vaughan. When the 2020 Zoning Bylaw is adopted, these buildings and facilities will operate under the following zone designations:

Zone Designation	Specific Zone	Reena Operates	Map Location
Residential	R1	5 Group Homes	18 (3), 19 (1) 34 (1)
	R3	2 Group Homes	56 (1), 134 (1)
Institutional	I1	1 ALF, 1 Community Centre	134 (1), 37 (1)
Agricultural	A.1100	1 ALF	37 (1)

The Third Draft of the proposed City-Wide Comprehensive Zoning By-Law fails to include Group Home / Congregate Care / Respite Care as Permitted Uses in the Residential Zone definition found in Section 7. The draft also fails to identify Assisted Living Facility as a use in the Institutional Zone found in Section 12/13. It also fails to provide a definition for Assisted Living Facility in the Chapter 3 definitions section, although specifically identifying Assisted Living Facility in the permitted use in Exception Number 1100, 14.1100

We are requesting the opportunity to make a deputation at the October 29th Public Hearing.

History

As part of the history of our interest in this matter, in November 2019, Reena almost lost its ability to provide Respite Care for individuals with developmental disabilities due to a misinterpretation of By-Law 1-88 when city staff were answering questions for the Ontario Ministry of Community Children and Social Services related to one of our housing facilities.

The attached PDF presentation includes the letter, e-mail and request for consideration and results of the November 2019 meetings and interactions with City Staff, which lead to a modern interpretation of City of Vaughan Bylaw 1-88.

At that time, we had requested that Staff make sure that these modern definitions that we submitted to the City also be forwarded to the team working on the new City-Wide Comprehensive Zoning By-Law for inclusion into the proposed draft document. This would assist in avoiding future by-law misinterpretations that could impact Reena's ability, and the ability of others in the business of providing housing for those with developmental disabilities or related concerns to deliver much needed services.
Our review of the Third Draft of the proposed City-Wide Comprehensive Zoning By-Law revealed a number of definitions and acceptable wording that were missing,

and we request that the City include those omissions prior to the adoption of the final version of the City-Wide Comprehensive Zoning By-Law.

To fulfill the commitment made by Vaughan Staff to Reena when we had an issue of interpretation of By-Law 1-88 for Ontario Ministry Staff, risking our 3 Respite Children's Care licenses, and to avoid future confusion when city staff is contacted by Ministry staff about any of the locations we currently operate in Vaughan, we are requesting that following definitions be added to Chapter 3. The referenced uses should be identified as permitted uses in Chapter 7 - Residential Zone Table, and Chapter 11 – Institutional Zone and the designation of A.1100 on Map 37 should be changed to I1.

Assisted Living Facility (Referenced in 14.1100, Exception 1100, Parent Zone A)
Means premises containing four (4) or more independent dwelling units intended to accommodate people of varying circumstance, with individual kitchen or cooking facilities, the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents, some of whom may require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

Group Home / Congregate Care (to be added as a permitted use within a Residential Zone)
Means premises containing three (3) or more independent dwelling units intended to accommodate people of varying circumstance, with a common kitchen or cooking facility, the ability to reside together and is managed and operated for those who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

Respite Care (to be added as a permitted use in all Residential Zones and Institutional Zone – I1)
Means an ability for someone who is on a documented list of pre-vetted individuals, managed by an organization that is regulated by the Province of Ontario or the Government of Canada, who qualify for temporary support for varying periods of time in a calendar year to receive a level of care available in an Assisted Living Facility, Group Home or Congregate Care Setting.

Reena requests that these definitions be incorporated into the City-Wide Comprehensive Zoning By-Law and these identified uses be inserted in the appropriate sections of the By-Law prior to its consideration/adoption by City Council in November 2020.

Thank you for your attention in this matter.

Please feel free to contact me at 416-801-4039 / fwinegust@reena.org, should you have a need for clarification of the November 2019 meeting, subsequent discussions and commitments.

Thank you.

Fred Winegust
Stakeholder Relations
416-801-4039

Bryan Keshen
CEO

cc. Sandy Stemp – COO, Reena
cc. Stan Zynoberg – Property Manager, Reena
cc. Michael Manett – MCIP RPP Principal Planner and President – Mplan Inc.
cc. Alan Shefman – City of Vaughan, Councilor Ward 5
cc. Sandra Yeung-Racco – City of Vaughan, Councilor, Ward 4
cc. Marilyn Iafrate – City of Vaughan, Councilor, Ward 1
cc. Ben Pucci P. Eng. – City of Vaughan – Director of Building Standards and Chief Building Official
cc. Elvio Valente – Manager, Zoning Services, Building Standards Department, City of Vaughan

Addressing Reena Requirements; Analysis of Draft 3 – October 26, 2020

City of Vaughan City-wide Comprehensive Zoning By-law Review

Third Draft Zoning By-law: Statutory Open House

October 14, 2020

COMMUNICATION – C31

ITEM 1 Committee of the Whole (Public Meeting), October 29, 2020

Background

- Reena had issues with existing City of Vaughan Zoning By-law 1-88
  - Issues with interpretation of Group Home and Respite Care – City of Vaughan to Ministry
  - 241 Crestwood almost lost 3 respite care spaces
- Meeting with City Zoning and Bylaw led to resolution of issue
  - Meeting with City November 4, 2019 (Stemp, Zynoberg, Winegust, Manett)
  - Letter sent November 5, 2019, by Reena to City of Vaughan
  - E-mail response November 12, 2019, from City of Vaughan to Reena
  - Interpretations made to ensure that our use fit within existing definitions
  - Assurance that these clearer definitions made it into the revised 2020 Zoning By-Law
- Draft 3 of Revised 2020 Zoning By-law is entering its last stage
- City council will vote on the new By-Law in November
- **Reena's concerns have not been addressed**
- We need to submit our concerns in writing to City of Vaughan in writing and request a deputation slot at the Public Hearing on October 29, 2020

November 5, 2019 – Letter from Reena to City of Vaughan

Reena

November 5, 2019

Mr. Ben Pucci, P.Eng.
Director of Building Standards and Chief Building Official

Mr. Elvio Valente
Manager, Zoning Services

Building Standards Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Further to our meeting with you of November 4, 2019, as discussed, Reena has been operating the residence at 241 Crestwood Road with the knowledge and understanding of the City since 2008, as a "Group Home", notwithstanding the definition of "Group Home" in Vaughan Zoning By-law 1-88.

During that time there have been 3 residents, each with developmental disabilities, living there on a permanent basis, receiving individualized around the clock support in a single housekeeping unit.

A number of families in Vaughan have a child with a developmental disability living at home. The stress on the parents and families supporting these individuals around the clock can sometimes be overwhelming.

Over the years, Reena has worked with these families to establish a schedule to allow them to have their child stay at 241 Crestwood Road for a limited amount of time, as short as a weekend and as long as a few weeks or months.

These children are permanently on a limited list of developmentally disabled children who can stay for short periods of time on a temporary basis at 241 Crestwood, blend in with the individuals living permanently at 241 Crestwood, and become a part of the housekeeping unit while they are there.

This "respite care" service allows their parents some time to recover from the ongoing stress they regularly endure, allowing them to be capable of continuing to provide love and support when their child returns home.

At no time would the number of residents at 241 Crestwood Road exceed a total of 6, made up of the 3 permanent residents and up to 3 temporary residents who regularly stay for various periods of time. The staff who are providing around the clock support do not live or sleep at this location. All bedrooms are assigned to the individuals who are receiving support. The staff do not have a bedroom.

We are requesting that the City of Vaughan, through the responsible By-Law and Zoning staff, confirm in writing, that Reena complies with the interpretation of the current Vaughan by-law 1-88, with respect to the existing "Group Home" use.

With that written confirmation, we would ask that the same City staff inform the Ministry of our compliance.

This will allow the Ministry to issue an operating license for a "respite care" facility not to exceed 3 respite individuals with developmental disabilities at any one time, as required by recently updated legislation.

This Provincially issued license would enable Reena to operate a "respite care" service, within a stable and existing household made up of 3 individuals with developmental disabilities who receive around the clock support and live permanently at 241 Crestwood Road, which is a single detached residential dwelling permitted by the Zoning By-law.

Thank you for your assistance in resolving this matter.

Fred Winegust
Reena, Stakeholder Relations

cc. Bryan Keshen – CEO, Reena
cc. Sandy Stemp – COO, Reena
cc. Stan Zynoberg – Property Manager, Reena
cc. Michael Manett - MCIP RPP Principal Planner and President – MPlan Inc.
cc. Alan Shefman – City of Vaughan, Councilor, Ward 5

November 12, 2019 – Letter from City of Vaughan to Reena

From: Pucci, Ben <Ben.Pucci@vaughan.ca>
Sent: November 12, 2019 10:29 AM
To: Fred Winegust <fwinegust@reena.org>
Cc: Valente, Elvio <Elvio.Valente@vaughan.ca>
Subject: RE: Clarification of how Respite Care operates within a Housekeeping Unit at the 241 Crestwood Road Reena Group Home

Hi Fred,

Further to your letter dated November 5, 2019, this will confirm the property is zoned R2 (Residential Zone) under City of Vaughan Zoning By-law 1-88, as amended. A single Family Dwelling is permitted. See related definitions below:

DWELLING, SINGLE FAMILY DETACHED - Means a separate building containing only one (1) dwelling unit.

DWELLING UNIT - Means a room or a suite of two (2) or more rooms, designed or intended for use by a family, in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment.

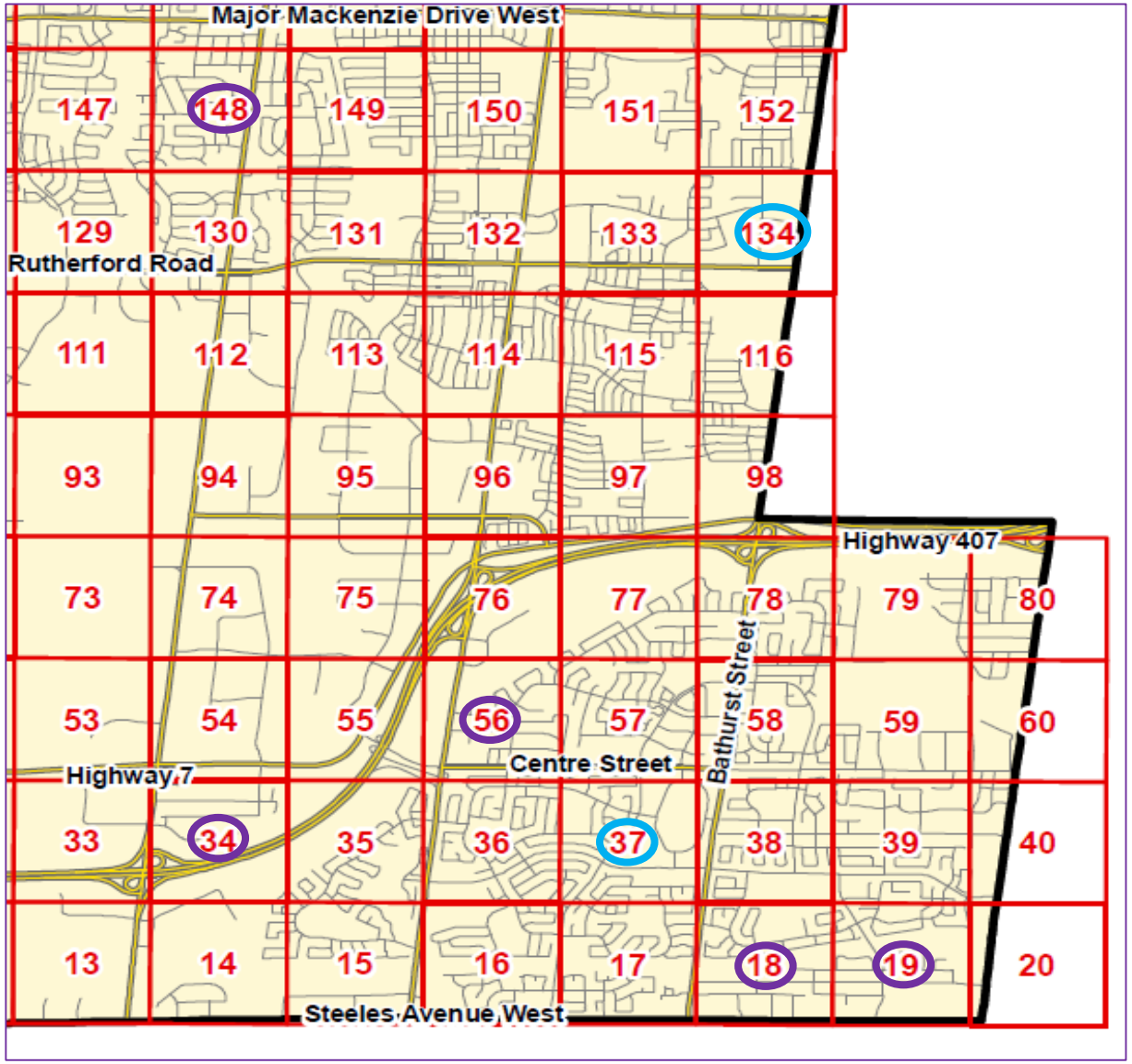
FAMILY - Means one (1) or more persons living in a dwelling unit as a single and nonprofit housekeeping unit and includes roomers and/or boarders; but in no case shall the number of roomers and boarders exceed two (2) in total.

Based on your letter, the residents (three permanent with three temporary) are living together as a single housekeeping unit. We are satisfied that the operation of the dwelling unit is a single housekeeping unit, with the three permanent residents, and with the three residents from your permanent list that stay for varying periods of time for respite stays.

Regards,

Ben Pucci, P.Eng.
Director of Building Standards and Chief Building Official
905-832-8511, ext. 8872 | ben.pucci@vaughan.ca

Reena Operates Various Residences and Programming in these Locations in Vaughan



7 Residential Zones

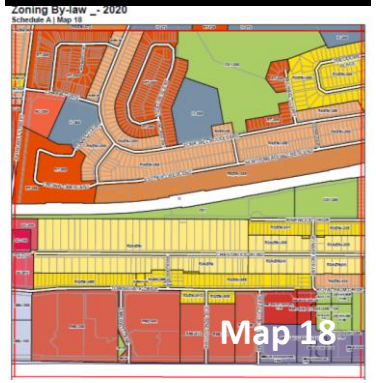
R1 – Crestwood, Rockview, R3 – King High, Barrhill

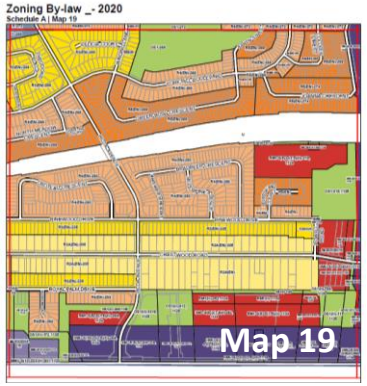
7.2.1 **Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones**

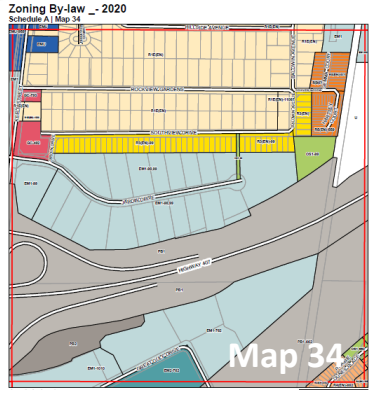
Table 7-2: Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones

	RE	R1	R2	R3	R4	R5
Residential Uses						
Independent living facility	•	•	•	•	•	•
Semi-detached dwelling					•	•
Single detached dwelling	•	•	•	•	•	•
Community Uses						
Community garden (1)	•	•	•	•	•	•
Other Uses						
Model home (1)	•	•	•	•	•	•
Temporary sales office (1)	•	•	•	•	•	•
Specified Accessory Uses						
Home occupation (1)	•	•	•	•	•	•
Secondary suite (1)	•	•	•	•	•	•
Short-term rental (1)	•	•	•	•	•	•

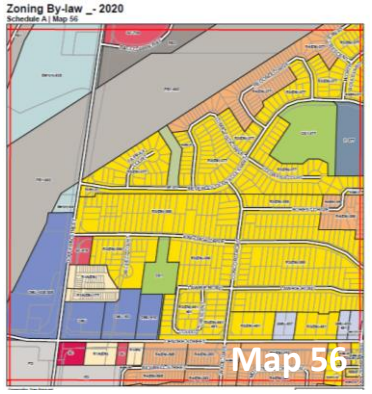
R1

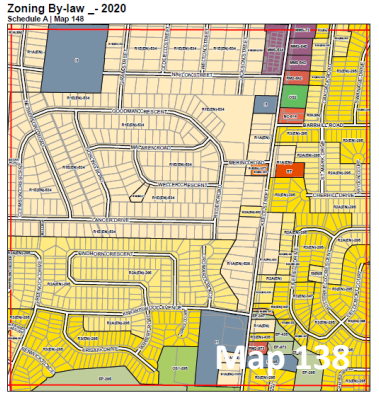






R2



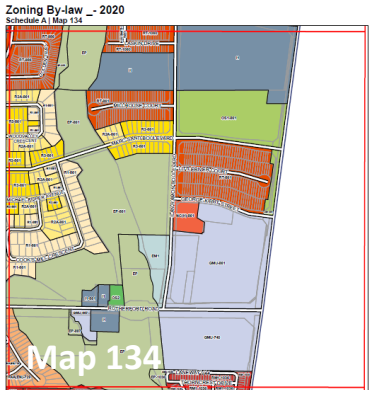


I1 – RCR, Battle Centre

Table 13-1: List of Institutional and Other Zones

Zone Name	Zone Symbol(s)	Purpose of the Zone
General Institutional Zone	I1	To permit a range of institutional uses, such as government facilities and schools

I1



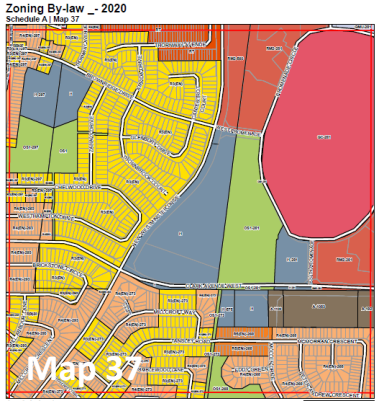


Table 13-2: Permitted Uses in the Institutional and Other Zones

	I1	I2	U	FD	PB1	PB2	PB3
		Residential Uses					
Retirement residence	•	•					
		Community Uses					
Cemetery (1)						E	E
Community facility	•	•					
Community garden (1)	•	•					
Conservation use	•	•	•	E (3)		•	•
Day care centre	•	•					
Emergency service	•	•					
Hospital		•					
Long term care facility	•	•					
Passive recreational use	•	•	•	E (3)	•		•
Place of worship (1)	•	•					
Public uses					•	•	•
School	•	•					
Urban square		•					

14 Site-specific Exceptions

A-1100 - LFRR

A

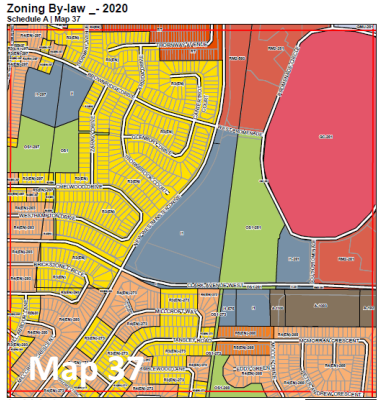


Table 12-1: Applicable Environmental Protection, Open Space, and Agriculture Zones

Zone Name	Zone Symbol	Purpose of the Zone
Agriculture Zone	A	To provide for agricultural uses including an associated single detached dwelling

	EP	OS1	OS2	A
Active recreational use		•	•	
Cemetery (1)		•	•	
Community garden (1)		•	•	•
Conservation use	•	•	•	•
Park		•	•	
Passive recreational use	•	•	•	•
Residential Uses				
Single detached dwelling				•
Specified Accessory Uses				
Accessory agriculture dwelling (1)				•
Agri-tourism (1)(2)				•
Bed and breakfast (1)				•
Home industry (1)				•
Home occupation (1)				•
Intermodal container (1)				•
Seasonal farm stand (1)				•
Secondary suite (1)				•
Short-term rental (1)				•

Additional requirements to Table 12-2:

14.1100

Exception Number 1100	**Legal Description: Multiple properties as shown on Figure E-1612**
Applicable Parent Zone: A	
Schedule A Reference: 37	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**

14.1100.1 Permitted Uses

1. An Assisted Living Facility shall be permitted as an additional use.

14.1100.2 Lot and Building Requirements

1. The minimum amenity area shall be 1,415.0 m^2.
2. The minimum lot area shall be 48.0 m^2 per unit.
3. The minimum front yard (north lot line) shall be 7.2 m.
4. The minimum interior side yard (east lot line) shall be 8.6 m.

14.1100.3 Parking

1. The minimum number of required parking spaces shall be 21.
2. Parking areas shall be accessed from the abutting lot to the west.

14.1100.4 Other Provisions

1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street.
2. The maximum permitted encroachments for a canopy are as follows:
   a. 2.3 m into the front yard (abutting Clark Avenue);
   b. 2.0 m into the westerly interior side yard; and,
   c. 3.5 m into the easterly interior side yard.

3 Definitions

Defined

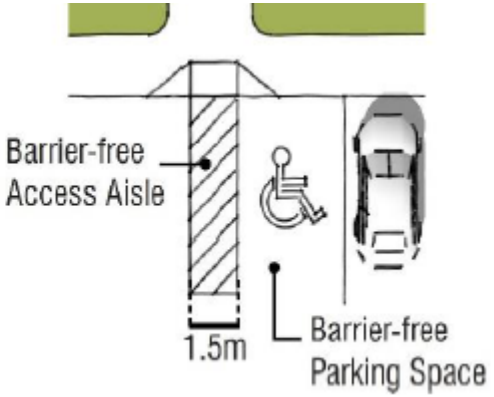
Barrier-free Access Aisle: Means an area abutting a barrier-free parking space to provide unobstructed pedestrian access to and from a barrier-free parking space.

Barrier-free Parking Space: Means an unobstructed rectangular area for the exclusive use of temporary parking of a motor vehicle for persons with disabilities, but shall not include a driveway or aisle.

Independent Living Facility: Means premises containing four (4) or more independent dwelling units intended to accommodate people of common circumstance the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents.

Long Term Care Facility: Means premises containing four or more sleeping units, without individual kitchen or cooking facilities, used for the accommodation of persons with common circumstance, and who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

Short-term Rental: Means a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of not more than 29 consecutive days but shall not include a hotel, motel or bed and breakfast establishment or any other use defined herein.




3.0 DEFINITIONS

Definitions are an important operative part of the By-law that provide clarity to provisions, whether general or specific. In this By-law, defined terms are underlined. To confirm the definition of a defined term, this Section should always be referenced.

Short Term Rental

Missing

- Assisted Living Facility (A.1100)
- Congregate Care
- Group Home
- Respite Care
- Others?

Reena is requesting that the City of Vaughan zoning By-Law team consider the following;

- Definitions be added to Chapter 3.
  - Assisted Living Facility
  - Group Home / Congregate Care
  - Respite Care
- The definitions should be identified as permitted uses in Zone Categories;
  - Chapter 7 - Residential Zone Table
  - Chapter 11 – Institutional Zone
- The designation of A.1100 on Map 37 should be changed to I1.

3 Definitions

Term	Assisted Living Facility	Group Home / Congregate Care	Respite Care
Zone Category Permitted Use	Institutional Zone	Residential Zone	Residential Zone Institutional Zone
Definition	Means premises containing four (4) or more independent dwelling units intended to accommodate people of varying circumstance, with individual kitchen or cooking facilities, the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents some of whom may require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.	Means premises containing three (3) or more independent dwelling units intended to accommodate people of varying circumstance, with a common kitchen or cooking facility, the ability to reside together and is managed and operated for those who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.	Means an ability for someone who is on a documented list of pre-vetted individuals, managed by an organization that is regulated by the Province of Ontario or the Government of Canada, who qualify for temporary support, for varying periods of time in a calendar year to receive a level of care available in an Assisted Living Facility, Group Home or Congregate Care Setting.

Next Steps

- **Third Draft Zoning By-law** – Now Available
  - Visit zonevaughan.ca
  - Online and e-mail comment submission
  - Virtual Statutory Public Meeting: **October 29, 2020**
- **Final Draft Zoning By-law**
  - Will be presented to Council for consideration for passing in the weeks following the October 29, 2020 Statutory Public Meeting

VAUGHAN

Stay Informed and Provide Feedback

www.zonevaughan.ca

#ZoneVaughan

"Let's work together to achieve the vision for our City's future."

Manager, Special Projects
Brandon Correia, BES PMP
City of Vaughan

brandon.correia@vaughan.ca

VAUGHAN

Backup Slides

Structure

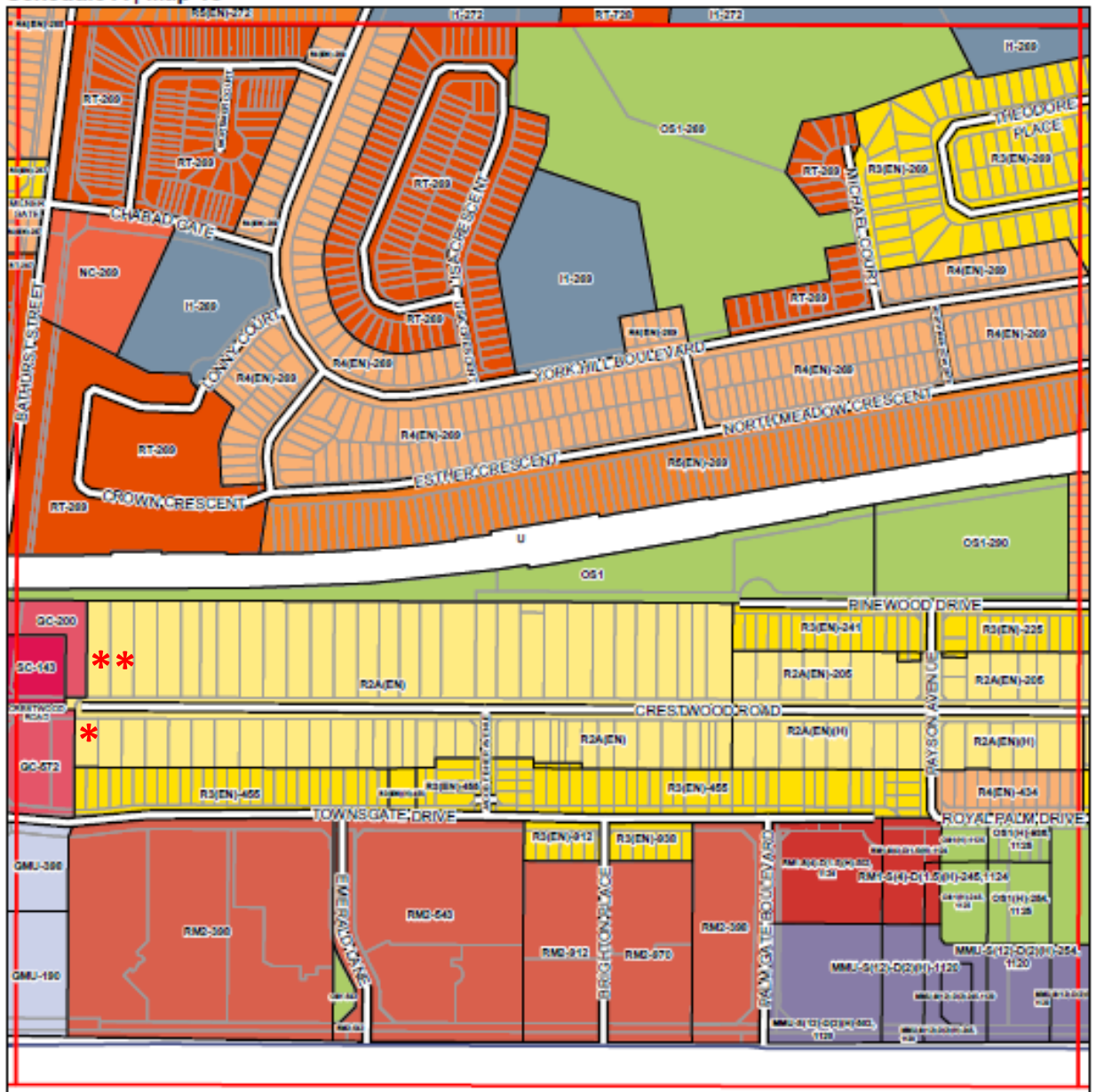
Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 18 – 236, 240, 241 Crestwood

Zoning By-law _- 2020
Schedule A | Map 18



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

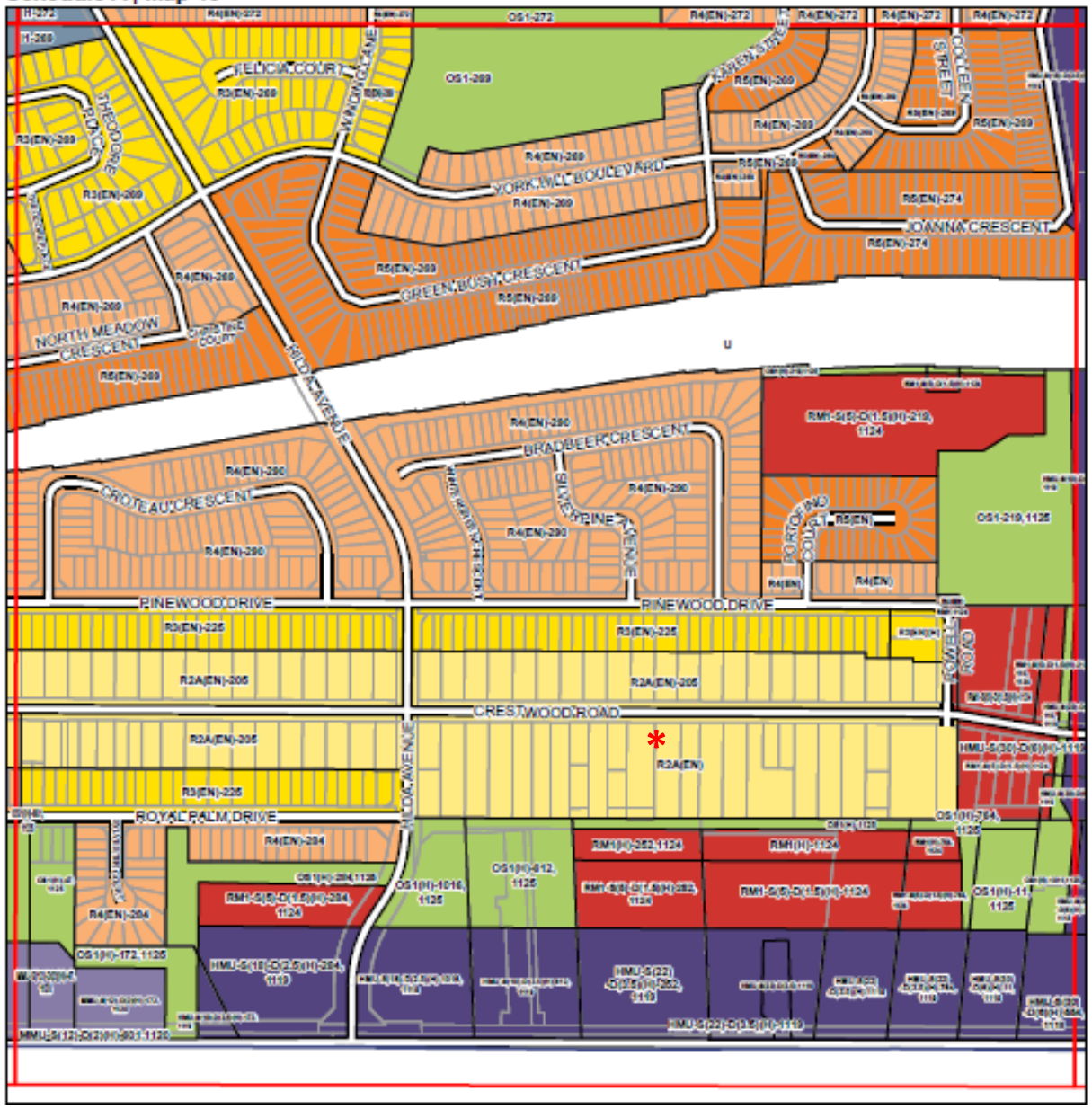
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 19 – 65 Crestwood

Zoning By-law _- 2020

Schedule A | Map 19



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

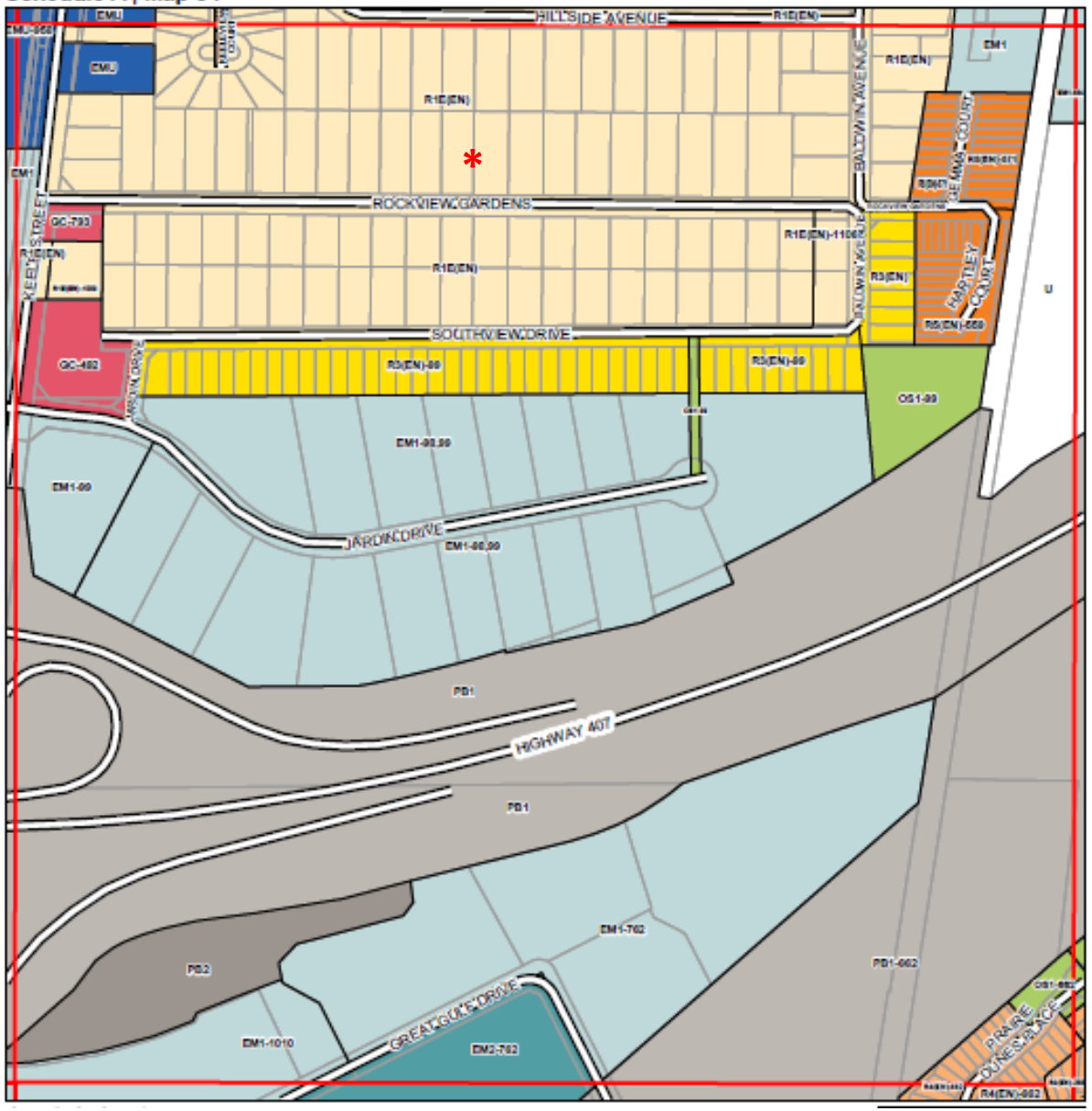
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 34 – 90 Rockview

Zoning By-law _- 2020

Schedule A | Map 34



Residential Zones

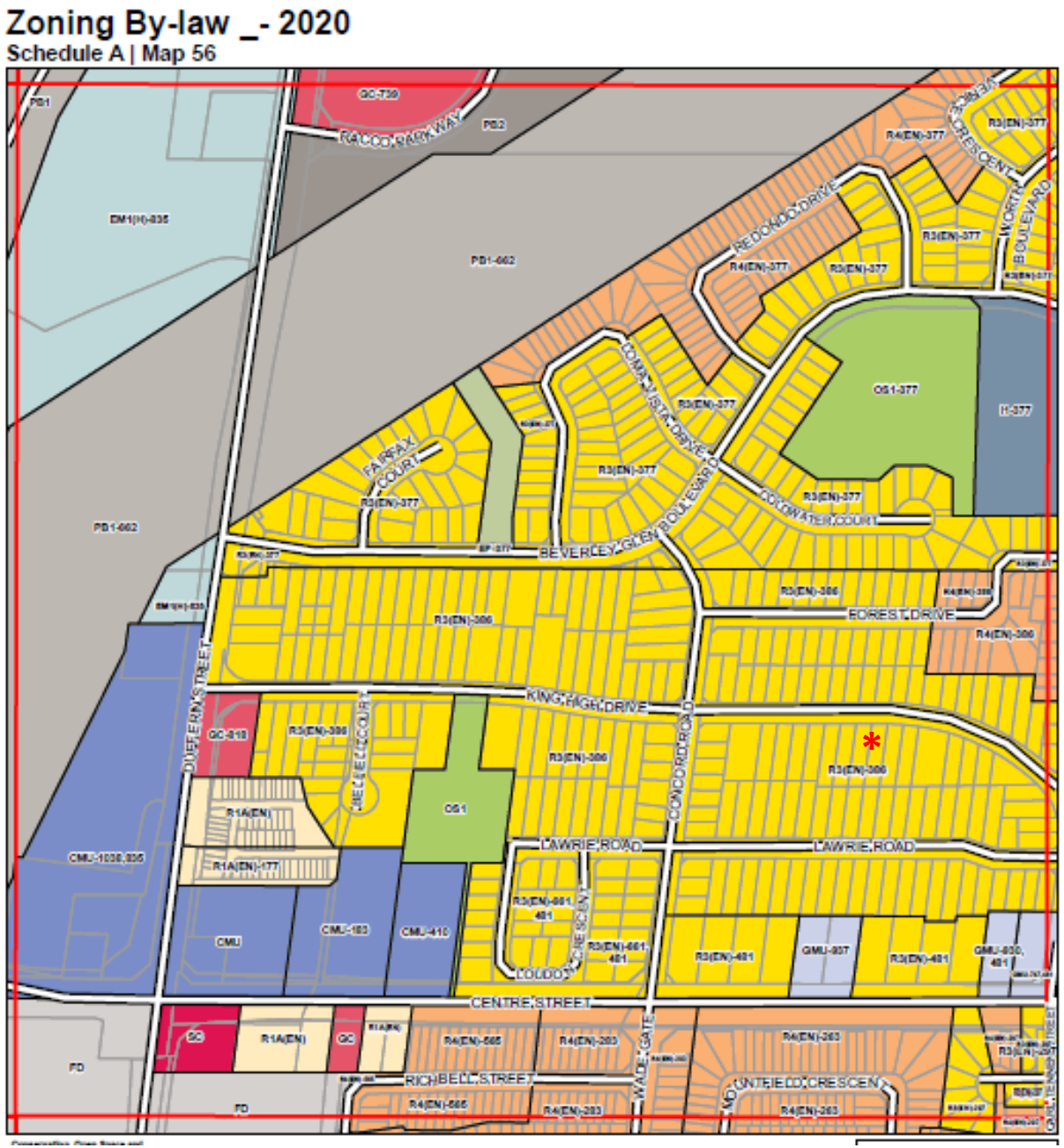
- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 56 – 62 King High



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

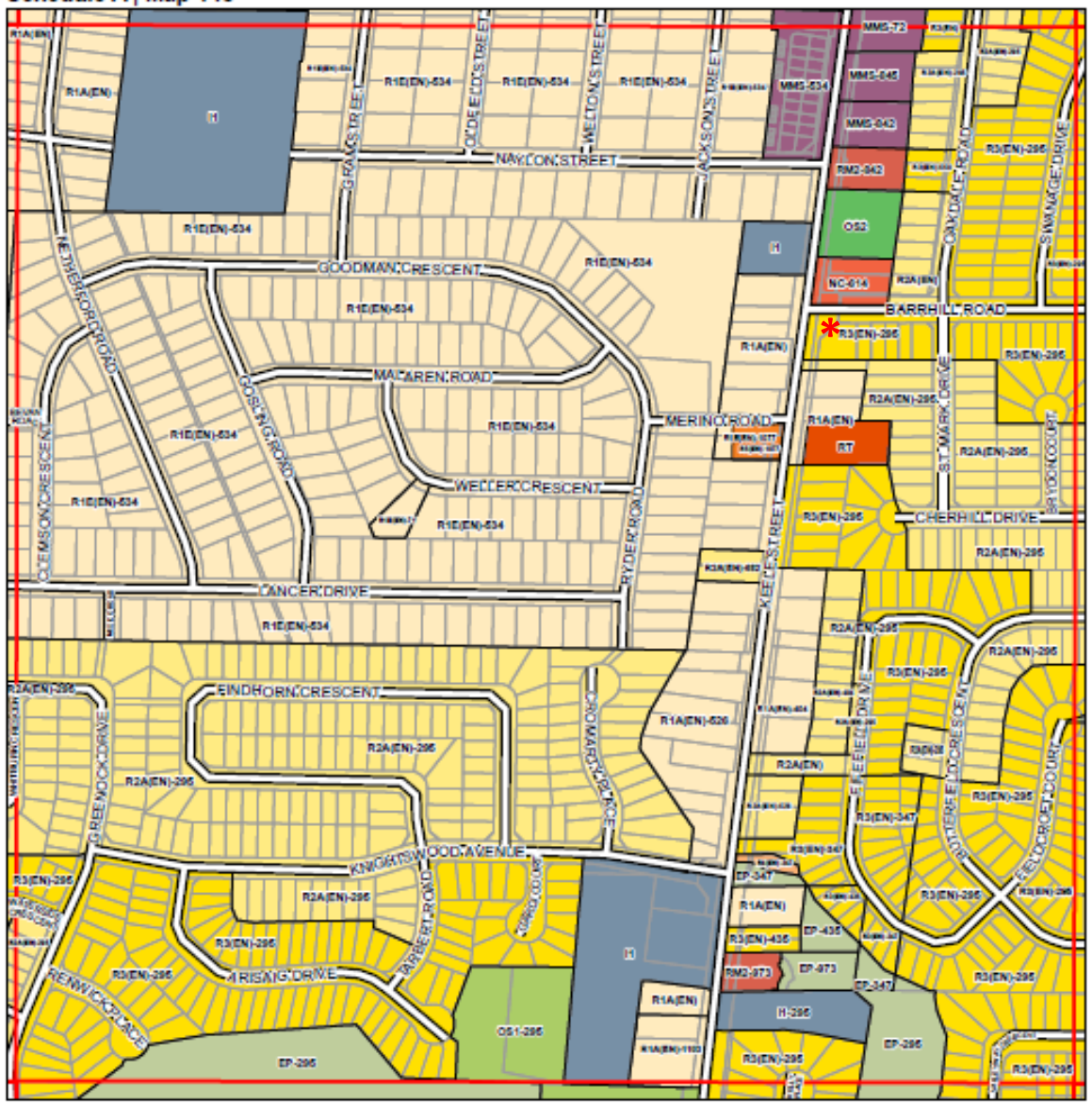
Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 134 – 5 Barhill

Zoning By-law _- 2020
Schedule A | Map 148



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Structure

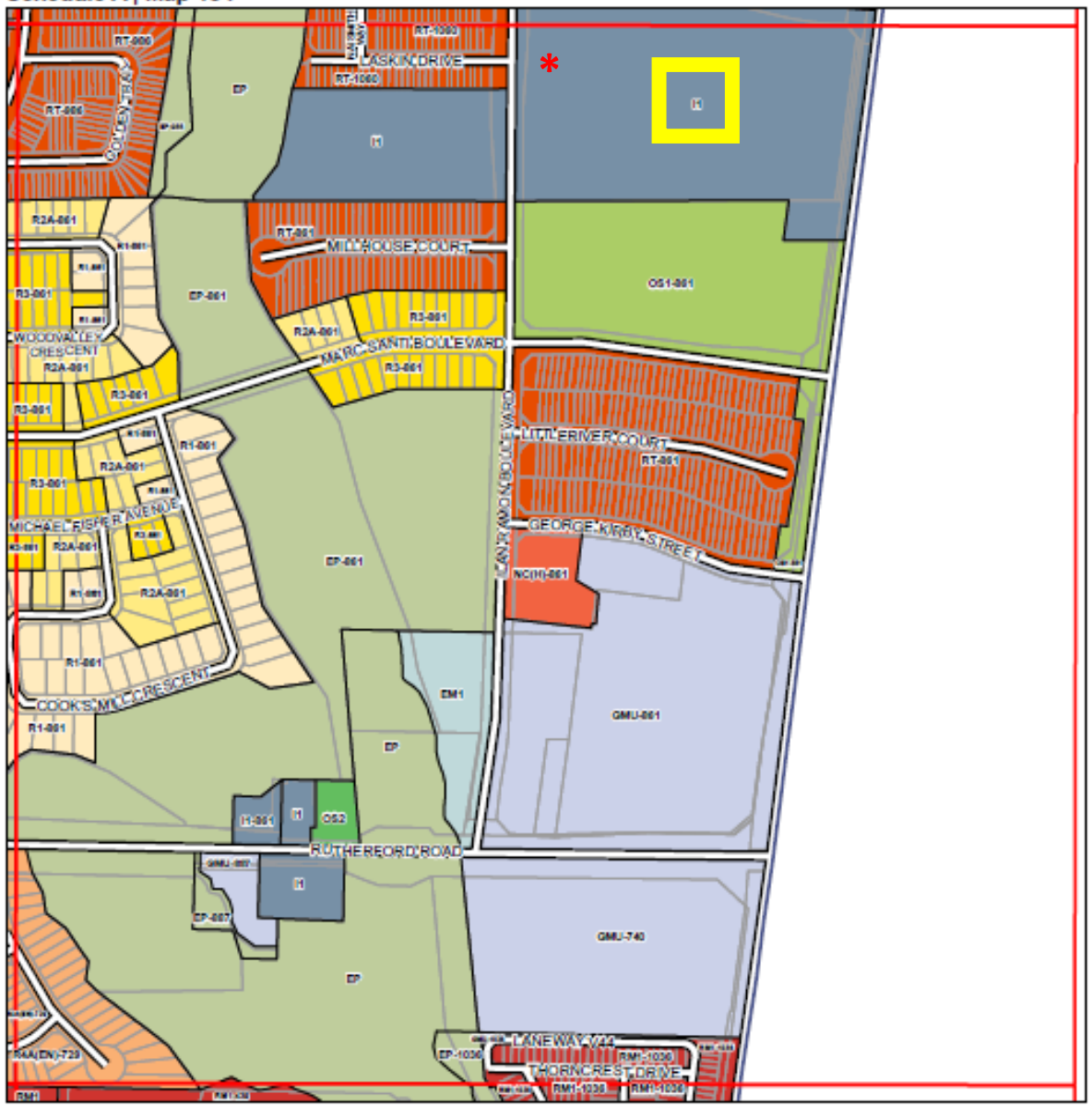
Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 134 – Reena Community Residence – 49 Lebovic Campus Drive

Zoning By-law _- 2020
Schedule A | Map 134



Other Zones

I1 (General Institutional Zone)

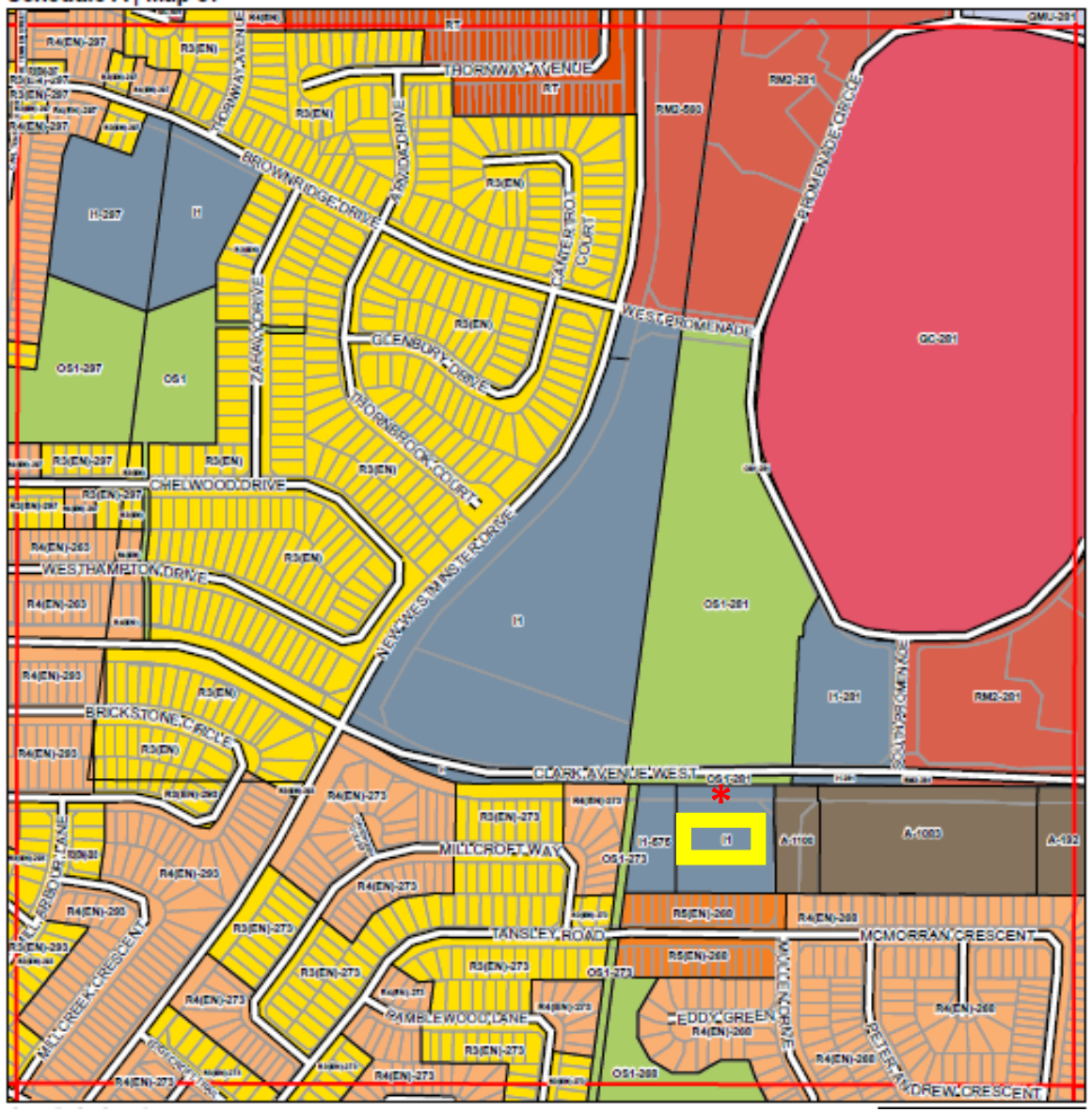
Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

Map 37 – Battle Centre (927 Clark)



Other Zones

I1 (General Institutional Zone)

Conservation, Open Space and Agricultural Zones

A (Agriculture Zone)

14.1100

Exception Number 1100	**Legal Description: Multiple properties as shown on Figure E-1612**
Applicable Parent Zone: A	
Schedule A Reference: 37	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**
14.1100.1 Permitted Uses	
1. An Assisted Living Facility shall be permitted as an additional use.	
14.1100.2 Lot and Building Requirements	
1. The minimum amenity area shall be 1,415.0 m^2.	
2. The minimum lot area shall be 48.0 m^2 per unit.	
3. The minimum front yard (north lot line) shall be 7.2 m.	
4. The minimum interior side yard (east lot line) shall be 8.6 m.	
14.1100.3 Parking	
1. The minimum number of required parking spaces shall be 21.	
2. Parking areas shall be accessed from the abutting lot to the west.	
14.1100.4 Other Provisions	
1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street.	
2. The maximum permitted encroachments for a canopy are as follows:	
a. 2.3 m into the front yard (abutting Clark Avenue);	
b. 2.0 m into the westerly interior side yard; and,	
c. 3.5 m into the easterly interior side yard.	

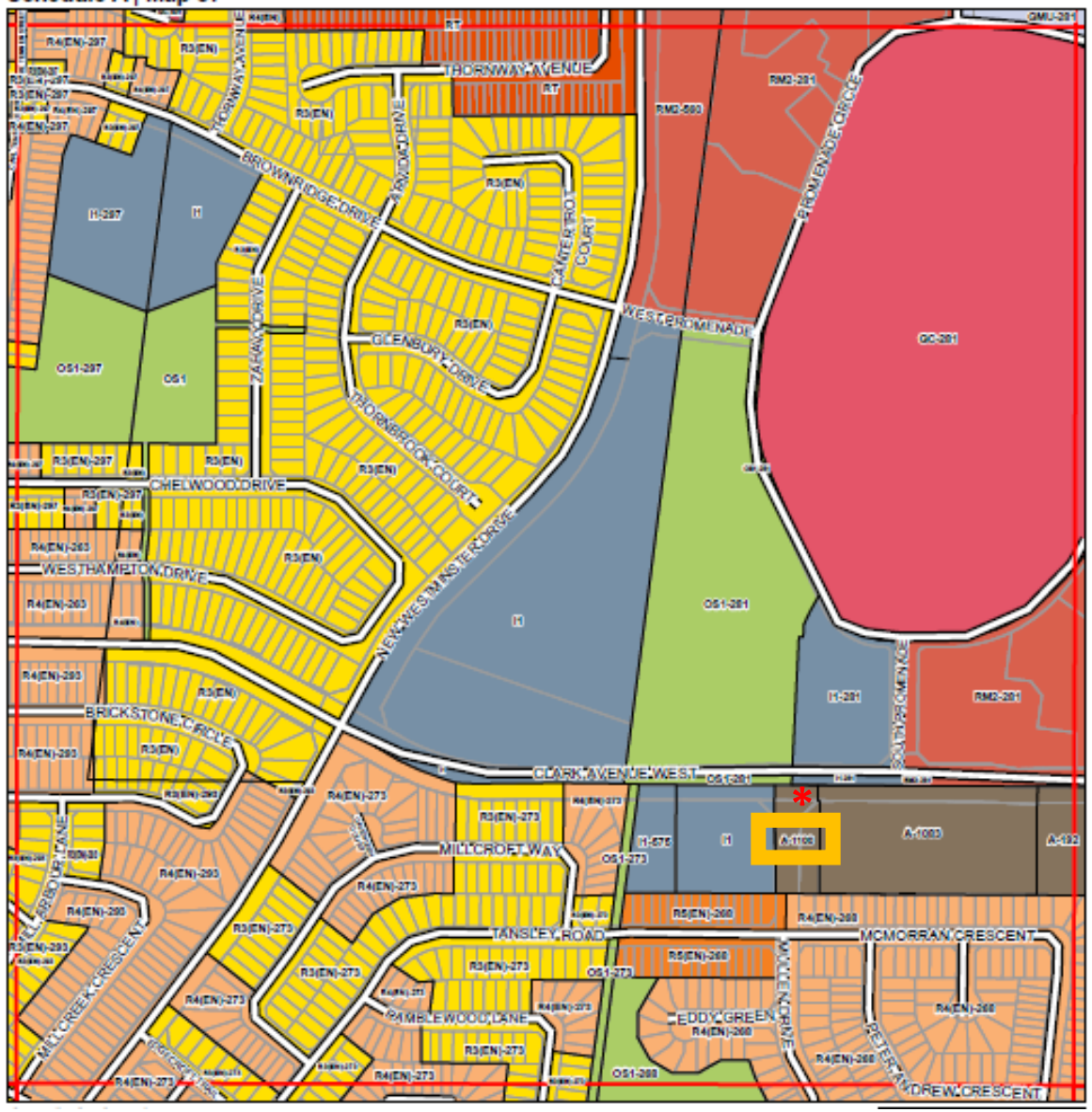
Structure

Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 37 – LFRR Centre (917 Clark)



Other Zones

I1 (General Institutional Zone)

Conservation, Open Space and Agricultural Zones

A (Agriculture Zone)

14.1100

Exception Number 1100	**Legal Description: Multiple properties as shown on Figure E-1612**
Applicable Parent Zone: A	
Schedule A Reference: 37	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**
14.1100.1 Permitted Uses	
1. An Assisted Living Facility shall be permitted as an additional use.	
14.1100.2 Lot and Building Requirements	
1. The minimum amenity area shall be 1,415.0 m^2.	
2. The minimum lot area shall be 48.0 m^2 per unit.	
3. The minimum front yard (north lot line) shall be 7.2 m.	
4. The minimum interior side yard (east lot line) shall be 8.6 m.	
14.1100.3 Parking	
1. The minimum number of required parking spaces shall be 21.	
2. Parking areas shall be accessed from the abutting lot to the west.	
14.1100.4 Other Provisions	
1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street.	
2. The maximum permitted encroachments for a canopy are as follows:	
a. 2.3 m into the front yard (abutting Clark Avenue);	
b. 2.0 m into the westerly interior side yard; and,	
c. 3.5 m into the easterly interior side yard.	

WESTON
CONSULTING
planning + urban design

Vaughan City Hall
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 9220-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
99 Peelar Road, City of Vaughan

Weston Consulting is the planning consultant for the Kiriakou Group, owners of the property located at 99 Peelar Road in the City of Vaughan (herein referred to as the 'subject property'). Weston has been engaged to provide assistance to the landowners during the City of Vaughan's Comprehensive Zoning By-Law Review process and participate in the process by way of this submission.

We have reviewed the proposed draft Zoning By-law for the City of Vaughan, which has been ongoing since March 2018 and provide the below comments as they relate to the proposed draft Zoning By-law.

Description of Subject Property

The subject property is located in the City of Vaughan, along Peelar Road, just east of Jane Street, abutting Highway 407 to the south. Currently on the site there is a banquet hall, Hazelton Manor Banquet & Conference Centre as well as at grade parking and a small vegetative buffer along the south property line adjacent to the Highway. The subject property has a total area of 14,230 square metres (1.4 hectares) and is located within the Vaughan Metropolitan Centre (VMC). The surrounding land uses are primarily commercial, with commercial and employment uses to the north and east of the property, and conservation lands to the west.

The subject property is situated near higher-order transit with the VMC Subway Station and Highway 407 Subway Station approximately 1km from the site. Jane Street is to the west, which is a Regional Rapid Transit Corridor, and Highway 407 to the south is a Regional Corridor.

Based on historical photography, the lands were originally developed sometime in the late 1960's and included a structure not dissimilar to the one at exists today with at grade parking by 1970. Since that time, the use of the lands has varied to including various commercial uses and has been expanded and rebuilt over the several years including a rebuild and expansion of the structure and expansion of the existing at-grade parking. However, even throughout the variations in development the location of the building has remained relatively unchanged, as has the use of the lands for various commercial uses. Given that the function and use of the site historically remained, it is our opinion that the use of the lands should be considered,

evaluated and maintained through the Zoning By-law review process to appropriately recognize the use of the lands.

Policy Context

The *Planning Act*, sets out the regulatory framework for land use planning matters in Ontario and provides the basis for the preparation and updating of Official Plans and Zoning By-laws. Section 26 of the *Planning Act* requires that a municipality update its Official Plan to conform, or not conflict with, provincial plans every 10 years. Following an update of the Official Plan, the *Planning Act* directs that all zoning by-laws that are in effect must be updated by the municipality no later than three years after a revision under Section 26(1) to the Official Plan comes into effect.

The City of Vaughan is currently in the process of updating its Official Plan, the Vaughan Metropolitan Center (VMC) Secondary Plan as well as its Zoning By-law, as part of the current Municipal Comprehensive Review (MCR). We recognize that the update to the Zoning by-law Amendment is provided to bring the By-law into conformity with the current Vaughan Official Plan (VOP) (2010), which was not previously completed due to substantive ongoing appeals on VOP 2010.

The City of Vaughan Official Plan identifies the lands as within the Natural Heritage System and designated as *Natural Areas*. This designation was approved as part of the VOP 2010 update and does not recognize the existing use of the lands, nor the built environment of the lands. Given that the subject property is development within existing uses, there are no existing natural heritage features on the subject property that warrant the existing land use designation within the Official Plan. Additionally, the VMC Secondary Plan also designates the subject property as *Major Open Space*. While this designation again does not recognize the existing use or context of the subject property, both of these planning documents are currently under review where consideration for redesignation of the lands can be made. It is noted that it is our intention to participate in the Official Plan Review and VMC Secondary Plan Review processes to restore permissions to the subject property.

Given the proximity to higher order transit, access to existing and planning infrastructure and services and the long-standing existing uses of the subject property, it is our opinion that the uses of the draft Zoning By-law are better suited to reflect the existing uses of the lands, rather than implement permissions which result in a legal non-conforming condition on the subject property.

Existing and Proposed Zoning

The existing City of Vaughan consolidated Zoning By-law 1-88 was passed by Vaughan City Council on September 19, 1988, and since then there have been several amendments. The current zoning by-law 1-88 zones the subject property as *C10 – Corporate District Zone*, which is a Commercial zone. The *C10* zone permits for a wide range of commercial uses.

Under the current draft documents, the proposed zoning for the subject property is anticipated to change to *OS – Open Space* and would permit limited uses such as park/conservation related uses. This would drastically affect the subject property's development potential and

result in a non-conforming use on lands which have legally operated commercial uses for over 50 years.

Natural Heritage Review

A portion of the property is within the Toronto and Region Conservation Authorities (TRCA) Regulated Area due to the presence of a valley system associated with the Humber River Watershed. The subject property is also within the Black Creek Renewal Study Area. The VMC Black Creek Renewal ESA was conducted to determine appropriate stormwater management measures need to improve stormwater runoff quantity and quality and to minimize erosion and flooding potential within the Black Creek watershed. This study looked at alternative solutions to better optimize the existing conditions related to flooding, erosion and water quality within the Black Creek watershed.

Under the preferred alignment route, the subject property is identified as outside the boundary of the potential alignment configurations for the Black Creek Renewal program. While under other scenarios, the subject property was required to facilitate various solutions, the preferred option is outside the boundaries of the subject property, baring no development limitations for the subject property. Given that the subject property is not required for infrastructural services, does not present any existing environmental constraints, and is an existing development parcel, it is our opinion that the draft zoning by-law should more appropriately reflect the existing uses of the lands, rather than a proposed open space designation.

Summary and Recommendations

- That the Draft Comprehensive Zoning By-law be revised to reflect the exisiting buit form and use on the subject property and maintain a Commercial zoning category.

- Given its location within the Secondary Plan area, the subject property can and should accommodate a greater amount of height and density. It is also reflective of the subject property's proximity to higher-order transit that the subject property is appropriate for development.

- The subject property is located along the Regional Corridor in the York Region Official Plan and is approximately 400 metres from a Jane Street which is a Regional Rapid Transit Corridor. The subject property is also approximately 1km from VMC Subway and Highway 407 Subway Station. Areas within proximity to higher-order transit are to accommodate the most intensive and widest range of uses.

- The VMC Black Creek Renewal ESR was done to determine channel alignments and physical forms for the Black Creek Renewal between Highway 7 and Highway 407 in order to mitigate the current flooding and erosion problems in Black Creek. The subject property is outside the preferred alignment route that was outlined in the study and therefore is not required as open space or infrastructure development.

- TRCA identifies a small portion of the lands as within the Regulated Area. Given this identification, any modification or development of the lands would be subject to TRCA

review and approval, providing an opportunity for protection of any lands identified as within the Regulated Area.

- The proposed draft zoning by-law would result in a legal non-conforming condition, which is unfavorable to both the City and the landowner.

It is in our opinion that the subject property is better suited for development than open space/ park uses proposed within the draft zoning by-law. The natural heritage significance of the subject property has been reviewed through Black Creek Renewal ESA and resulted in a preferred scenario that excluded the subject property from within the Black Creek Renewal area.

We trust that the above noted comments will be received for review and consideration in the Zoning By-law Review process. We respectfully reserve the right to provide additional comments through the review process. Should you have any questions, or require any additional information, please contact the undersigned at extension 243 or Andrea Patsalides at extension 297.

Yours truly,
Weston Consulting
Per:

Sabrina Sgotto HBA, MCIP, RPP
Associate

c. Brandon Correia, Manager of Special Projects
Kiriakou Group

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C33
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
7551 & 7601 Jane Street
City of Vaughan, Region of York

Dear Sir,

I write on behalf of 785343 Ontario Ltd. & I & M Pandolfo Holdings Inc., being the Registered Owners of lands municipally addressed as 7551 & 7601 Jane Street and located on the east side of Jane Street, south of Highway 7, on the south side of Doughton Road, west of Maplecrete Road and north of the future Interchange Way extension *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning per City of Vaughan Zoning By-law No. 1-88, as amended

The Subject Lands are currently zoned as 'EM-1' Zone (Employment) and 'OS-1' Zone *(Open Space)* per *City of Vaughan Zoning By-Law No. 1-88* as amended.

Proposed Zoning

The Subject Lands are proposed to be zoned 'V3-S *(5-25)*-D*(2.5-4.5)(H)*' along with site specific exception No. 1126 and 'OS-1*(H)*- 221' Zone, along with site specific exception No. 1509, per the proposed CZBL.

The Subject Lands are also subject to Schedule B-1 Vaughan Metropolitan Centre-Special Provisions indicating permitted Office Uses along Maplecrete Road and Active Uses Frontage *(convertible)* along the Black Creek and Doughton Road frontages.

BLACKTHORN DEVELOPMENT CORP.

Comments

The Subject Lands are part of the *Vaughan Metropolitan Centre (VMC) Secondary Plan* and per the CZBL are proposed to be 'pre-zoned'.

While our office is generally supportive of pre zoning the Subject Lands, the Site-Specific permissions, per the Secondary Plan, should be accurately carried forward to the proposed CBLA including but not limited to, permitted heights and density.

Permitted Heights and Densities, per the Secondary Plan, for a portion of the Subject Lands, include a range of 5 to 30 storeys and 4.5 to 5.0 Density, not 5 to 25 storeys and 4.5 Density. Permitted uses in accordance with Section 9.3 of the said Secondary Plan should also be carried for within the proposed CZBL.

Accordingly, the proposed Zoning of the Subject Lands does not conform to the City's Official Plan, as required by the *Planning Act,* and does not conform to the VMC Secondary Plan Site Specific policies.

As such, our office respectfully requests revisions be undertaken to the proposed CZBL to accurately reflect the Site-Specific permissions for the Subject Lands, in accordance with the in effect Secondary Plan.

Our office would be pleased to arrange a Meeting with the appropriate City personnel to review this request in detail.

Lastly, we request notice of any updates or matters related to the CZBL including a Notice of Decision.

Thank you for the opportunity to review the Third Draft of the CZBL and provide Comments for consideration by City personnel and Members of Committee of the Whole.

Your attention and consideration of the above Comments is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy: Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C34
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
3812 Major Mackenzie Drive
Part of Lot 21, Concession 6
City of Vaughan, Region of York

Dear Sir,

I write on behalf of G Group Major Mackenzie Inc., being the Registered Owner of lands municipally addressed as 3812 Major Mackenzie Drive and located on the north side of Major Mackenzie Drive, immediately west of Weston Road within the City of Vaughan *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning per City of Vaughan Zoning By-law No. 1-88, as amended

The Subject Lands are currently zoned as 'RA3 *(H)*' Zone *(Residential)* and 'OS2' Zone *(Open Space)* per City of Vaughan Zoning By-Law No. 1-88, as amended.

Proposed Zoning

The Subject Lands are proposed to be zoned as 'RM2 (H)' Zone *(Multiple Unit Residential Zone)* and 'OS' Zone *(Open Space)* per the proposed CZBL.

Comments

The proposed zoning of the Subject Lands seeks to conform to the City's Official Plan.

The Subject Lands are designated 'Mid Rise Mixed Use' per the *City of Vaughan Official Plan.*

Email: mrogato@blackthorncorp.ca **www.blackthorncorp.ca** **Tel: (416) 888-7159**

In reviewing the proposed 'RM2' Zone requirements and in particular, Additional Requirements to Table 7-8, a 45 Degree Angular Plane is required and shall be applied from the rear lot line where an 'RM2' Zone abuts any other Residential Zone except another 'RM2' or 'RM3' Zone. There are also specific Podium and Tower Requirements which require minimum and maximum podium height, tower step-back, tower floor plate, tower separation and tower setbacks.

The above requirements seek to implement urban design requirements through a Zoning By-law, which does not consider site specific conditions and hinders proper design.

As such, our office respectfully requests the Zoning By-law not include specific 45 Degree Angular Plane and Podium and Tower Requirements, permitting such requirements to be assessed and implemented through Site Plan Control and Site-Specific Zoning By-laws instead.

Our office would be pleased to arrange a Meeting with the appropriate City personnel to review this request in detail.

Lastly, we request notice of any updates or matters related to the CZBL including a Notice of Decision.

Thank you for the opportunity to review the Third Draft of the CZBL and provide Comments for consideration by City personnel and Members of Committee of the Whole.

Your attention and consideration of the above Comments is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy: Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C35
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
7141 Highway 50
City of Vaughan, Region of York

Dear Sir,

I write on behalf of Carreiro Holding Company Inc. being the Registered Owner of lands municipally addressed as 7141 Highway 50 and located on the east side of Highway 50, north of Steeles Avenue West and Highway 407, south of Gibraltar Road and west of Highway 427, within the City of Vaughan *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning

The Subject Lands are currently zoned as PB2 *(Parkway Belt West Plan)* as per City of Zoning By-Law No. 1-88 as amended.

Proposed Zoning

The Subject Lands are proposed to be zoned PB2 *(Parkway Belt)* per the proposed CZBL.

Comments

The proposed zoning of the Subject Lands does not conform to the City's Official Plan, as required by the *Planning Act*.

Email: mrogato@blackthorncorp.ca **www.blackthorncorp.ca** **Tel: (416) 888-7159**

The Subject Lands are designated 'Prestige Employment' per Schedule 13 of the *City of Vaughan Official Plan.*

Further, the Subject Lands were removed from the *Provincial Parkway Belt Plan* per amendment No*(s)*. 153 and 186.

Accordingly, we respectfully request the proposed CZBL be revised to reflect conformity to the Official Plan and removal of the Subject Lands from the *Provincial Parkway Belt Plan.*

Our office would be pleased to arrange a Meeting with the appropriate City personnel to review this request in detail.

Lastly, we request notice of any updates or matters related to the CZBL including a Notice of Decision.

Thank you for the opportunity to review the Third Draft of the CZBL and provide Comments for consideration by City personnel and Members of Committee of the Whole.

Your attention and consideration of the above Comments is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy: Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C36
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 27, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
10037 Keele Street
Part of Lot 26, Concession 3, Plan 65R-
Teston Road & Dufferin Street
City of Vaughan, Region of York

Dear Sir,

I write on behalf of Kings Development Inc., being the Registered Owner of lands municipally addressed as 10037 Keele Street and located on the east side of Keele Street, north of Major Mackenzie Drive, immediately north of Richmond Street and west of Cousins Lane, within the City of Vaughan *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning per City of Vaughan Zoning By-law No. 1-88, as amended

The Subject Lands are currently zoned as 'C1' *(Commercial)*, per City of Vaughan Zoning By-law No. 1-88, as amended.

Proposed Zoning

The Subject Lands are proposed to be zoned 'MMS' *(Main Street Mixed-Use – Maple Zone)* per the proposed CZBL.

Comments

The proposed CZBL seeks to conform to the City's Official Plan, as required by the *Planning Act*.

The Subject Lands are designated 'Low Rise Mixed Use' per Schedule 13 of the *City of Vaughan Official Plan* with a height of 3 Storeys and Density of 1.25.

The proposed zoning seeks to implement the designation of the Subject Lands, per the Official Plan, permitting a wide range of commercial, residential, community, accessory, and other uses.

A Pre-Application Consultation Meeting was held on September 9th, 2020 to present a Mixed-Use Development Proposal on the Subject Lands, which is generally consistent with the uses permitted per the CZBL.

As such, our office is generally in support of the proposed CZBL, subject to any further revisions.

Lastly, we request notice of any updates or matters related to the CZBL including a Notice of Decision.

Thank you for the opportunity to review the Third Draft of the CZBL and provide Comments for consideration by City personnel and Members of Committee of the Whole.

Your attention and consideration of the above Comments is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy: Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client

PLANNING PARTNERS INC.

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

KLM File P-3099

COMMUNICATION – C37
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 27, 2020

City Clerk's Office
Vaughan City Hall
Main Floor, South Wing
2141 Major Mackenzie Drive
Vaughan, Ontario, L6A 1T1

Attention: **City Clerk and Mayor & Members of Vaughan Council**

RE: **Committee of the Whole (Public Hearing) – October 29, 2020**
ITEM 1 – City-Wide Comprehensive Zoning By-law
Comments on the Third Draft Zoning By-law and First Draft Site-Specific Exceptions
Client: ZZEN Group of Companies Limited

Dear City Clerk, and Mayor & Members of Vaughan Council:

On behalf of our client, the ZZEN Group of Companies Limited ("ZZEN"), KLM Planning Partners Inc. ("KLM") is pleased to provide you with the following comments on the draft City-Wide Comprehensive Zoning By-law (Third Draft) and the draft Site-Specific Zoning Exceptions (First Draft) both released for public review and comment on September 24, 2020.

First Draft Zoning By-law (April 2019 – January 27 2020)

In August 2019, KLM was retained by ZZEN to undertake a detailed review of 39 buildings and/or sites containing a grouping of buildings owned by ZZEN in accordance with the City's First Draft By-law released in April 2019. On August 14, 2019, KLM wrote a letter to the City seeking additional time to review the First Draft By-law and mapping given the significant number of ZZEN sites that needed to be reviewed by KLM.

On January 17, 2020, KLM submitted an 11-page letter to Brandon Correia, Manager of Special Projects containing comments on the First Draft By-law including errors and omissions to both the text and mapping, and sought both clarification and consideration of alternative zoning options and standards for both the text and mapping.

KLM also identified several ZZEN properties that contained existing By-law 1-88 site-specific exceptions and as-of-right use permissions, and the need to acquire and review the draft site-specific exceptions for the new zoning by-law in order to verify the extent of the land use impact upon existing developed ZZEN

sites and those ZZEN sites not yet developed but having a planned intended use within the immediate future.

Second Draft Zoning By-law (January 28 2020 – September 23 2020)

On January 28, 2020, the City released the Second Draft Zoning By-law for public review and comment, however, the draft site-specific zoning exceptions were not included as part of this version of the new by-law. KLM proceeded to review the Second Draft By-law and submitted a 14-page letter to the City (ie. to Brandon Correia) on February 12, 2020, that contained 78 comments for the City to consider and address. Again, KLM reiterated the need for the City to release the draft site-specific exceptions related to the new zoning by-law in order to allow KLM to undertake a fulsome zoning review of the 39 ZZEN properties.

On February 14, 2020, ZZEN and KLM met with Brandon Correia to discuss the comments contained in KLM's January 17, 2020 letter and to discuss what was included in our February 12, 2020 letter. This meeting was both informative and constructive with City staff indicating that they and WSP ("consultant retained by the City") would consider the comments contained in both the January 17 and February 12 2020 letters submitted by KLM, and that there would be a Third Draft By-law and First Draft of the Site-Specific Exceptions to be released in Spring 2020.

Throughout the Covid-19 global pandemic this year, KLM inquired with Brandon Correia during the Spring and Summer months on the date that the Third Draft By-law and First Draft Site-Specific Exceptions would be released to the public for review and comment. Although we were first advised sometime in June and then August, the Third Draft By-law and First Draft Site-Specific Exceptions were not released until September 24, 2020. We appreciate that throughout this process, Brandon Correia has responded to our calls and emails and to our questions and requests for meetings, both promptly and informatively.

Third Draft Zoning By-law + First Draft Site-Specific Exceptions (both since September 24 2020)

Since the release of the Third Draft By-law on September 24, 2020, KLM has reviewed this 145-page document and the related mapping and can advise that many of the comments related to the general provisions of the by-law that were raised in our first two letters have been addressed in light of the feedback provided to the City and the dialogue that has transpired since KLM was retained by ZZEN last year.

a) Matters that Require Further Review and Consultation with City Staff

Given the Draft Site-Specific Exceptions were only released 4 weeks ago for the first time since the City initiated this City-wide zoning review, we require more time to thoroughly review each of the ZZEN properties, and we respectfully request that Vaughan Council direct City staff to not enact the draft new City-wide zoning by-law this year as identified at the recent Open House, and instead defer this action to sometime in early 2021 in order to allow ZZEN and KLM (as well as other landowners) to provide comprehensive feedback and an opportunity to meet and discuss the draft site-specific exceptions in greater detail.

In our review of the ZZEN sites to date, we have noticed the following that require further dialogue and review by the City:

- some site-specific exceptions contained in By-law 1-88 have not all been transferred in their entirety to the new site-specific exceptions, and there are some omissions that should be incorporated into the new exceptions;

- some new exceptions apply to multiple sites (not always owned by ZZEN) containing several exceptions that are not always linked to a corresponding Exception Schedule, which makes it difficult to identify which site the specific exception text refers to;

- some exceptions include references to By-law 1-88 zone categories (EM3 Retail Warehouse and C7 Service Commercial) and uses that no longer exist in the new by-law but are referred to in the new exception, however, these former uses are not specifically listed or defined in the new exception to indicate what uses would exactly be permitted on the site, and consequently ZZEN could lose some uses that are currently permitted;

- some exceptions are worded or structured in such a manner that could be interpreted in more than one way;

- one site has a new Holding "H" symbol affixed to the property when no such provision exists today in By-law 1-88, and the new site-specific exception does not identify the conditions required for the removal of the "H" provision;

- some exceptions refer to a "C" Zone where no such zone exists in the Third Draft By-law on lands currently identified as OS1 Open Space Conservation Zone in By-law 1-88;

- some exceptions include old Exception Schedules that have since been amended by other site-specific by-laws in By-law 1-88 and need to be updated;

- some ZZEN sites that have a C7 Service Commercial zoning on their property in By-law 1-88 (with the intention to build service commercial uses in the immediate future) are now zoned EM1 Prestige Employment whereas other landowners that are currently zoned C7 have been assigned an SC Service Commercial zone category on their lands in the new by-law; the ZZEN sites zoned C7 in By-law 1-88 should be zoned SC in the new Zoning By-law rather than EM1 to continue to allow service commercial uses;

- some ZZEN sites that have an EM3 Retail Warehouse zoning on their property in By-law 1-88 (with the intention to build Retail Warehouse uses in the immediate future) are now zoned EM1 and may not be permitted to build this use, whereas another ZZEN site that includes a Retail Warehouse use as a site-specific exception will be maintained as an exception in the new by-law although not defined; sites that currently permit a Retail Warehouse use as-of-right but not as a site-specific exception should be allowed to be included as an exception in the new by-law; and,

- the northwest quadrant of Highway's 7 and 27 include many buildings under C7 and EM1 zone categories and under various site-specific exceptions in By-law 1-88, that are now under EM1 and EMU (Employment Mixed Use) zone categories under various exceptions that have omitted many existing uses and will cause viable and important establishments such as but not limited to the Universal Event Space (banquet hall) and Fionn MacCool's restaurant to become legal non-conforming; the new by-law should look at the existing uses operating on this larger property and

include them within a single zone category and site-specific exception to avoid causing several uses from becoming legal non-conforming.

In addition, KLM participated in the on-line Comprehensive Zoning By-law Open House that was held on October 14, 2020, and posed several comments and questions to City staff and WSP, some of which City staff or WSP indicated that further consideration would be required.

Request to Vaughan Council to Defer Passing the New Zoning By-law Until Sometime in Early 2021 to Allow Further Consultation with City Staff on the First Draft Site-Specific Exceptions and Third Draft By-law

KLM will be completing its review of the Draft Site-Specific Exceptions on the various ZZEN properties and will be submitting detailed comments to Brandon Correia, Vaughan Manager of Special Projects, over the next few weeks.

We look forward to continuing our dialogue with Brandon Correia and arranging a virtual meeting(s) with him to discuss the concerns of our client in an effort to avoid any appeals to the Local Planning Appeals Tribunal (LPAT). Our client would rather take additional time to work out any differences, clarify and correct omissions and errors, and seek consensus on achieving a new City-wide zoning by-law and site-specific exceptions that will work for both parties with the overall aim of avoiding a costly and lengthy LPAT Hearing.

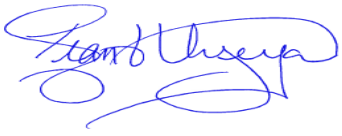
We believe that by deferring the enactment of this new City-wide by-law into 2021 will allow sufficient time for ZZEN and KLM to meet and continue our dialogue with the City to address our issues, and that this represents good planning. Each draft of the new zoning by-law has improved as a result of landowner input and dialogue, and each draft has benefitted from the length of time in between drafts to make each document better. Ensuring that sufficient time is provided for the City staff and landowners to thoroughly discuss improvements to the First Draft Site-Specific Exceptions and to not hastily pass the new by-law before the end of this year will lead to a zoning document that will benefit our client and their tenants for years to come and to avoid costly and time-consuming appeals.

If you have any questions, please feel free to contact me to discuss further. I will also be speaking on Deputation at the Public Hearing.

Please also send me a copy of the Vaughan Council decision pertaining to this Item, and any notices for any upcoming meetings.

Respectfully submitted,

KLM PLANNING PARTNERS INC.



Grant Uyeyama, BAA, MCIP, RPP
Principal Planner

Attachment: Map of ZZEN Properties

Copy to: Joseph Sgro, ZZEN Group of Companies Limited
Sam Speranza, ZZEN Group of Companies Limited
Mark Yarranton, President, KLM Planning Partners Inc.
Brandon Correia, Vaughan Manager of Special Projects

PROPOSED SUBDIVISION MAP

DETAIL - A

L0013 — NOT ZONED

L0002 NOT ZONED

L0023 8745 HWY No 50 BY-LAWS 218-2010

L0025 BY-LAW 194-2010 NOTE DEVELOPED

L0017 PERCO BY-LAW 155-2008

L0012 - BY-LAW 145-2014

L0010 BY-LAW 126-27 2006

L0032

L0026 - BY-LAW 101-2013

L0014 BY-LAW FILE Z.16.028

L0033 - NOT ZONED

L0034-001 UNDER D/A

L0018

L0005

L0004

L0007

L0008

L0003 BY-LAWS 37-2002, 78-2003, 79-2002, 80-2002, 198-2008, 385 2001 (SOBARA LANDS)

Weston No 400

Jane St.

Keele St.

Bathurst St.

Dufferin St.

Yonge St.

Pine Valley Dr.

Kipling Ave.

Clarence St.

Islington Ave.

Huntington Rd.

Highway 50

Highway 27

Martin Grove Rd.

Major Mackenzie Dr.

Rutherford Rd.

Langstaff Rd.

Kirby Rd.

Teston Rd.

King-Vaughan Rd.

Steeles Ave. W.

Highway No. 407

Highway 7

Centre St.

CON. 11 CON. 10 CON. 9 CON. 8 CON. 7 CON. 6 CON. 5 CON. 4 CON. 3 CON. 2 CON. 1

LOT NO.

CONCESSION NO.

TOWN OF CALEDON

CITY OF BRAMPTON

CITY OF TORONTO

TOWN OF RICHMOND HILL

TOWN OF MARKHAM

FORMERLY TOWNSHIP OF KING

500 0 500 1000 metres

1000 0 1000 3000 feet

2141 MAJOR MACKENZIE DRIVE, VAUGHAN, ONTARIO L6A 1T1

APRIL 2011

VAUGHAN

LIBERTY for all

October 27, 2020

Mayor and Members of Vaughan Council c/o Office of the City Clerk

City of Vaughan

2141 Major Mackenzie Drive

Vaughan, ON, L6A 1T1

RE:

DRAFT NEW COMPREHENSIVE ZONING BY-LAW

PROVISIONS RELATING TO 1 & 180 PROMENADE CIRCLE, VAUGHAN, ON

PROMENADE SHOPPING CENTRE REVITALIZATION

Dear Mayor, Members of Council, and City Clerk:

I am writing on behalf of Promenade Limited Partnership, owners of the Promenade Shopping Centre site municipally known as 1 and 180 Promenade Circle, City of Vaughan.

We have reviewed the Committee of the Whole (Public Meeting) Report dated October 29, 2020 regarding the draft new Citywide Comprehensive Zoning By-law ("CZBL"). We note that the Staff Report indicates that the CZBL will recognize existing site-specific zoning amendments and other planning approvals obtained on or after January 1, 2015.

The main purpose of this submission is to request confirmation from the City that the CZBL will incorporate all of the applicable provisions of the following site-specific by-law amendments adopted by Vaughan Council for the Promenade Shopping Centre site in 2019/2020:

- By-law 105-2019, which rezoned the Promenade Phase 1 lands to (H) RA5 and modified certain C5 zone provisions for the balance of the site
- By-law 125-2019, being a technical amendment to modify the LOT definition provisions and bicycle parking rates (Office – short term bicycle parking)
- By-law 114-2020, which lifted the (H) Holding provision from the RA5 zoning on the Promenade Phase 1 lands.

I have communicated directly with Planning Staff in this regard, and respectfully request that the City incorporate all of the applicable provisions of the above noted site-specific zoning amendments for the Promenade Shopping Centre site into the new Comprehensive Zoning By-law prior to its adoption.

We also request clarification by the City as to the basis for the differentiation of the General Commercial (GC) and General Mixed Use (GMU) zone categories proposed for the Promenade Shopping Centre lands on Schedule A to the draft CZBL, and why Schedule A does not reflect the High Density Residential – Mixed Use (RA5) zoning currently in effect for the Promenade Phase 1 redevelopment lands by By-law 105-2019. Furthermore, what is the City's intended framework for applying a High-Rise Mixed Use (HMU) or similar zone category to the entire Promenade Shopping Centre site to implement the High-Rise Mixed Use designation in the City of Vaughan 2010 Official Plan?

Please provide me with notice of all future public consultation(s) regarding the proposed CZBL, including any Committee and/or Council meetings and decisions.

If you have any questions with respect to the enclosed please do not hesitate to contact me by e mail at jbaird@libertydevelopment.ca.

Yours Truly,
LIBERTY DEVELOPMENT CORPORATION
For and on behalf of the PROMENADE LIMITED PARTNERSHIP

Jim Baird, MCIP, RPP

c. Brandon Correia, Manager of Special Projects

WESTON
CONSULTING

planning + urban design

COMMUNICATION – C39
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 6728-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
9785 & 9797 Keele Street, Vaughan

Weston Consulting is the planning consultant for Laurier Harbour (Keele) Inc., the registered owner of the lands at 9785 and 9797 Keele Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands are currently zoned "*R1 – Residential Zone*" and "*R2 – Residential Zone*" by in-force Vaughan Zoning By-law 1-88. However, the subject lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings heard in January 2020. In a Decision dated April 2, 2020 (Memorandum of Oral Decision), the LPAT approved a site-specific Official Plan Amendment and a Plan of Subdivision, and granted approval in principle of a site-specific Zoning By-law Amendment. This Zoning By-law Amendment seeks to rezone the lands to "*RT1(H) – Townhouse Residential Zone*" with site-specific provisions to permit the development of 19 townhouse units served by a private common element condominium road.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*R1A(EN) – First Density Residential Zone (Established Neighbourhood)*" and "*R2A(EN)-295 – Second Density Residential Zone (Established Neighbourhood)*", which we recognize is not consistent with the draft Zoning By-law Amendment that has approval in principle by the LPAT.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of Site Development Application (DA.17.069), as well as the LPAT Decision above. With respect to the active Site Plan Application, Section 1.6.3 states:

1.6.3.2 The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:

a. *The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;*
b. *The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,*
c. *Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.*

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

a. *The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,*
b. *The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.*

With respect to the LPAT approval in principle, Provision 1.6.3.4 of the draft CZBL states that:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL, including Provision 1.6.3.4, will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We submit that as the draft Zoning By-law Amendment for the subject lands received approval in principle by the LPAT on April 2, 2020, the subject lands fall under transition provision 1.6.3.4 of the draft CZBL. We are supportive of this provision and submit that under this provision, there will be a process in which the new site-specific zoning can be implemented for the subject lands in accordance with the approval in principle by the LPAT through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved. Additionally, we anticipate that no conflicts shall arise with the EN – Established Neighbourhood suffix upon the implementation of

the site-specific zoning as approved in principle by the LPAT through the above noted transition provisions.

In summary, we support Provisions 1.6.3.2, 1.6.3.3 and 1.6.3.4 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Laurier Harbour (Keele) Inc., Client
Aaron Platt, Davies Howe LLP

WESTON CONSULTING

planning + urban design

COMMUNICATION – C40
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON, L6A 1T1

October 28, 2020
File 7028-3

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
7080 Yonge Street, Vaughan
File No. OP.20.011 + Z.20.026

Weston Consulting is the authorized planning agent for 7080 Yonge Limited, the registered owner of the lands at 7080 Yonge Street in the City of Vaughan (the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is currently zoned "*C1, Restricted Commercial*" with site specific exception 9 (802) by the in-force Zoning By-Law 1-88. Based on our review of the CZBL, the subject property is proposed to be zoned "*HMU – S(22), D(3.5) – H, High-Rise Mixed-Use"*.

Applications for Official Plan Amendment (OP.20.011) and Zoning By-law Amendment (Z.20.026) were submitted to the City of Vaughan on October 9, 2020 to permit the development of (2) mixed-use buildings consisting of a 40-storey and 20-storey high-rise tower linked by a 2-storey shared podium. The applications are currently being reviewed and are expected to be deemed complete shortly in accordance with Sections 22 (4) and 34 (10.1) of the Planning Act.

We understand that the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications; however, it is noted that these provisions do not apply to active rezoning applications currently in process. Although the current site-specific rezoning application makes every effort to consider the provisions of the CZBL, we request clarity on how the City intends to implement existing rezoning applications currently in process and deemed complete prior to the enactment of the CZBL. Further, it is our request that should the site-specific rezoning application be approved, it be implemented through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting scheduled for October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process and request to be notified of any future reports, meetings and decisions regarding the CZBL.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 252 or Mallory Nievas at extension 312 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Michael A. Vani, BURPl, MCIP, RPP
Senior Planner

c. Ryan Guetter, Weston Consulting
Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Carol Birch, Planner
Bill Friedman, Friedmans Law Firm
7080 Yonge Limited

WESTON
CONSULTING
planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 6729-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
9560 & 9570 Keele Street, Vaughan

Weston Consulting is the planning consultant for Laurier Harbour (Keele) Inc., the registered owner of the lands at 9560 and 9570 Keele Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands were previously zoned "*R1 – Residential Zone*" by Vaughan Zoning By-law 1-88. However, the lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings which rezoned the lands to "*RT1 – Townhouse Residential Zone*". In a Decision issued on February 26, 2019, the LPAT granted approval in principle of a site-specific Zoning By-law Amendment and withheld its Order on the Zoning By-law Amendment until such time as a Site Plan was finalized and a final form of the Zoning By-law was provided. Once these terms were satisfied, the LPAT issued its Order, dated October 10, 2020 approving the Zoning By-law Amendment in its final form. This site-specific Zoning By-law rezoned the lands to "RT1 – Townhouse Residential Zone" to facilitate the development of 19 three-storey freehold townhouse units to be served by a private common element condominium road.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*R1A(EN)-1103 – First Density Residential Zone (Established Neighbourhood)*" subject to Exception 1103. It is acknowledged that Exception 1103 implements almost all of the site-specific provisions awarded to the site as a result of the LPAT-approved Zoning By-law Amendment, although the zone category remains R1A(EN), rather than RT1. However, Exception 1103 is missing the reference to the minimum lot depth of 22.4 m for Block 6 as approved in the site-specific Zoning By-law Amendment.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of Site Development Application (DA.16.116), as well as the LPAT Decision above. With respect to the active Site Plan Application, Section 1.6.3 states:

1.6.3.2 The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:

a. The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;
b. The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,
c. Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

a. The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,
b. The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We are supportive of the above-noted transition provisions and submit that under this provision, the site plan application for the subject lands implementing the LPAT-approved Zoning By-law Amendment will receive approval and that the subject lands can be developed accordingly without any further amendment required to the CZBL. Additionally, we anticipate that no conflicts shall arise with the EN – Established Neighbourhood suffix upon the implementation of the site-specific zoning as approved by the LPAT through the above noted transition provisions.

In summary, we support and request that the LPAT-approved site-specific Zoning By-law Amendment provisions are captured in the CZBL. However, we request that the LPAT-approved site-specific Zoning By-law Amendment be included in its entirety and that Exception 1103 of the CZBL be updated to include the minimum lot depth provision for Block 6 in accordance with the approved Zoning By-law Amendment.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on

behalf of our client and we request to be notified of any future reports and/or meetings regarding the CZB. We request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Laurier Harbour (Keele) Inc., Client
Aaron Platt, Davies Howe LLP

KLM
PLANNING PARTNERS INC.

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 27, 2020

Office of the Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

COMMUNICATION – C42
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Attention: Mr. Todd Coles

Dear Sir:

RE: City of Vaughan Comprehensive Zoning By-law Review – Public Meeting October 29, 2020

I am making this submission on behalf of Jane Locke Development, owner of 220 Caldari Road and 8885 Jane Street, and Lorwood Properties, owner of 9001 Jane Street.

Each of the three properties were zoned EM1 – Prestige Employment under zoning By-law 1-88, as amended. The proposed zoning for the three properties is also EM1, but the permitted uses under the proposed EM1 zone category are now much less permissive.

In particular, uses such as Motor vehicle sales, Motor vehicle rentals, and Motor vehicle repair will only be permitted if they were existing at time of passing the propose zoning by-law. In addition, it appears that the new EM1 zone category will no longer permit many of the commercial and service uses that serve the employment area. Some of the uses previously permitted but are now proposed to be excluded are restaurants, banquet hall, club, health centre, convention centre, hotel motel, and service and repair shop.

The Motor vehicle related permissions are very important as they provided a needed service to the business and employees throughout the employment area. These uses should be specifically permitted in the proposed EM1 zone category.

Lands within the EM1 zone category are typically located on the outer edges of the employment areas with good access and/or exposure to arterial roads and collector roads and function as nodes to service the neighbouring employment area. As such, flexibility should be

maintained in terms of providing a broad range of permitted uses in the EM1 zone category to serve the businesses and employees of the employment area.

My client is willing to further discuss this matter with City of Vaughan Planning staff prior to the zoning by-law going to Council in an effort to assist in developing a zoning by-law that will allow buildings to be fully leased and generate jobs to support our economy.

Yours very truly,
KLM PLANNING PARTNERS INC.

Roy Mason
Principal Planner

cc: Mr. Michael Losier

WESTON CONSULTING

planning + urban design

COMMUNICATION – C43
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 4750

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
9000 Bathurst Street, Vaughan
Related LPAT File PL171236

Weston Consulting is the planning consultant for Islamic Shia Ithna- Asheri Jamaat of Toronto (ISIJ) the registered owner of 9000 Bathurst Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands are currently zoned "*A – Agricultural Zone*" and "*OS1 – Open Space Conservation Zone*" by in-force Vaughan Zoning By-law 1-88. However, the subject lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings heard in July 2020. In a decision dated October 17, 2019, the LPAT provided approval in principle for site-specific Official Plan and Zoning By-law Amendments. These Amendments seek to re-designate and rezone the lands to facilitate residential and retirement uses, expand the institutional uses that currently exist, and properly delineate the natural heritage features on the site. Weston Consulting and City of Vaughan Planning staff are currently working to refine these amendments for final approval by the LPAT.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*I1 – General Institutional Zone*" and "*EP – Environmental Protection Zone*" which is not consistent with the draft Zoning By-law Amendment that has approval in principle by the LPAT. We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications that would be applicable to the subject lands given the current active status of the LPAT decision noted above.

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal

Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We submit that as the draft Zoning By-law Amendment for the subject lands received approval in principle by the LPAT on October 17, 2019, the subject lands fall under transition provision 1.6.3.4 of the draft CZBL. We are supportive of this provision and submit that under this provision, there will be a process in which the new site-specific zoning can be implemented for the subject lands in accordance with the approval in principle by the LPAT through a consolidation of the CZBL once the final form of the site-specific Zoning By-law and corresponding Official Plan Amendment is approved.

In summary, we support Provision 1.6.3.4 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 226 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Martin Quarcoopome, BES, MCIP, RPP
Associate

c. Client
Mark Flowers, Davies Howe LLP
Carol Birch, City of Vaughan, Planning and Development

WESTON CONSULTING

planning + urban design

COMMUNICATION – C44
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 3867-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
Vaughan Mills Secondary Plan Landowners Group

Weston Consulting is the planning consultant for H & L Title Inc. / Ledbury Investments Ltd., 2811187 Ontario Limited, and Anland Developments Inc., which comprise the Vaughan Mills Centre Secondary Plan Landowners Group (the "Landowners Group") who have land holdings located southeast of the intersection of Weston Road and Rutherford Road in the City of Vaughan (herein referred to as the "subject lands").

We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the Landowners Group.

The subject lands are located south of Rutherford Road, west of Highway 400, east of Weston Road, and north of the future extension of Bass Pro Mills Drive. An air photo is included as Attachment 1 to this letter. The subject lands are currently zoned "*A - Agricultural*" by in-force Vaughan Zoning By-law 1-88. However, the lands form part of the Vaughan Mills Centre Secondary Plan ("VMCSP"), which was approved by York Region Council on June 26, 2014 and subsequently appealed by the Landowners Group, among others, to the Local Planning Appeal Tribunal ("LPAT"). The VMCSP proposes to designate the subject lands within the "Vaughan Mills Centre Business District" for Prestige Office Employment and Prestige Employment uses. The Landowners Group has brought forward an alternative concept for the subject lands which envisions mixed-use development consisting of residential, higher order office employment, commercial, and open space uses, with the proposed residential uses on the western portion of the subject lands, near to the existing low-density residential community west of Weston Road, and employment uses on the eastern portion of the subject lands, adjacent to the Highway 400 corridor.

A "Phase 1" LPAT hearing of the appeals of the VMCSP by the Landowners Group is scheduled to proceed in June 2021, together with related appeals by the Landowners Group of the Vaughan Official Plan (2010). Following the resolution of the VMCSP appeals as it relates to the subject lands, it is anticipated that the zoning for the subject lands would be amended to conform to the relevant policies and designations in the VMCSP.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned *"FD – Future Development"*, which permits only legally existing uses until such time as a new planning application is filed to amend the By-law for urban development.

Given the active LPAT proceedings for the VMCSP and anticipated future site-specific Zoning By-law Amendments to conform to the VMCSP designations and policies ultimately approved, such site-specific zoning for the subject lands should be incorporated into the CZBL.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of the Landowners Group on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and further request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 240 or at extension 241 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

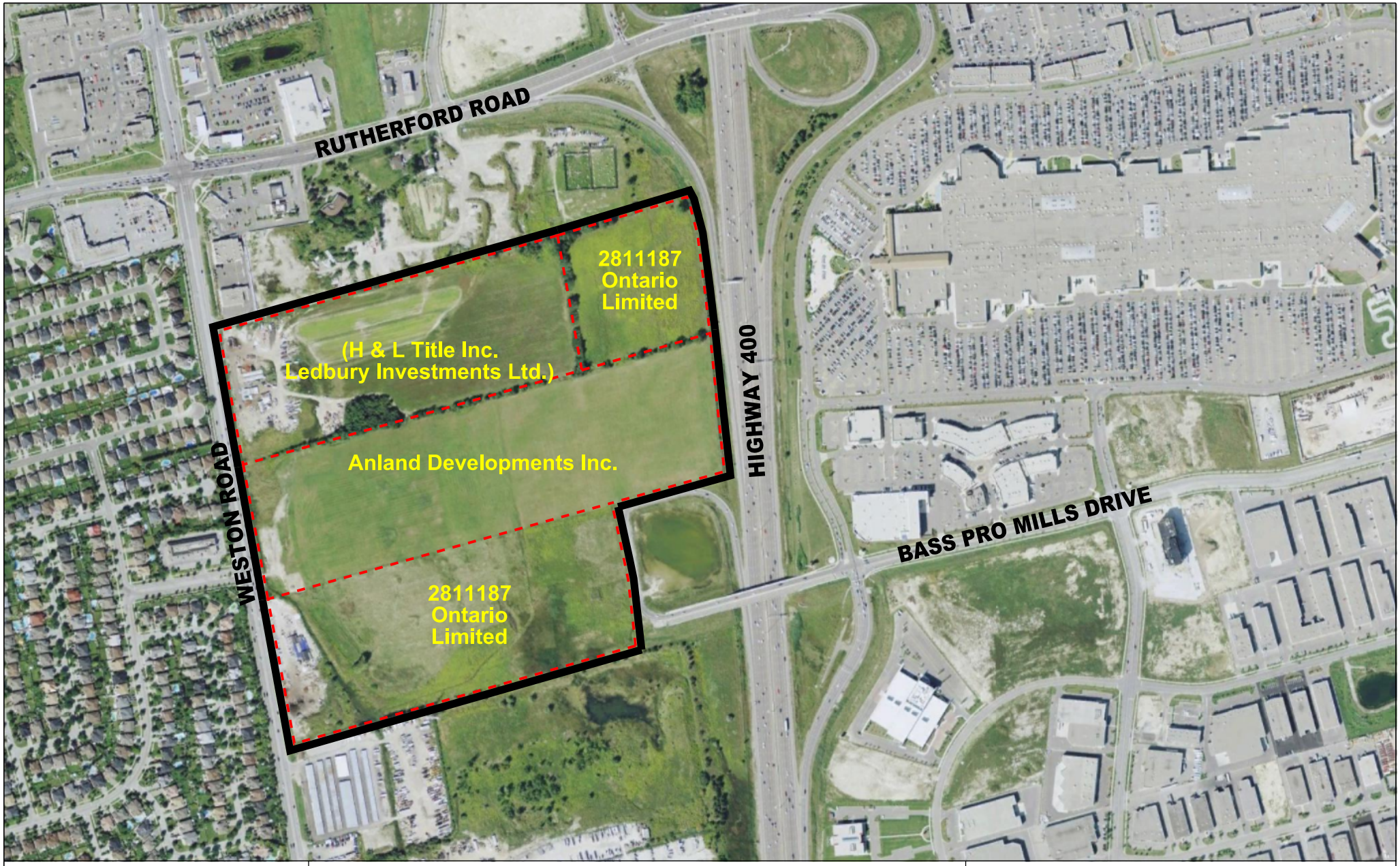
Mark N. Emery, BES MCIP, RPP
President

and

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Vaughan Mills Centre Secondary Plan Landowners Group
Chris Barnett, Osler, Hoskin & Harcourt LLP
Gerard Borean, Parente Borean
Mark Flowers, Davies Howe LLP

Enclosures



WESTON CONSULTING
planning + urban design

File Number:	3867
Date Drawn:	10 JUNE 13
Drawn By:	SM
Planner:	JL
Scale:	NTS
CAD:	3867/schedules/3867 Ownership map.dgn

LEGEND

LAND OWNERS GROUP

Air Photograph from Google Earth Pro.
Date of photography: August 2009

LAND OWNERSHIP MAP

WESTON CONSULTING

planning + urban design

COMMUNICATION – C45
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Vaughan City Hall
2141 Major Mackenzie Dr
Vaughan, ON
L6A 1T1

October 28, 2020
File 9999

Attn: Todd Coles, City Clerk

Dear Sir,

Re: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
31 Chicory Gate

Weston Consulting is the planning consultant for the owner of 31 Chicory Gate in the City of Vaughan (herein referred to as the "subject property"). The purpose of this letter is to request clarification on the definition of *Home Occupation* under the proposed third draft of the City-Wide Comprehensive Zoning By-law (CZBL). Within ZBL 1-88, permitted uses under the *Home Occupation* provision is limited to *"the office of a regulated health professional."*

We have reviewed the CZBL's list of permitted uses for *Home Occupation* under Section 5.0 – Specific Use Provisions:

5.10 Home Occupation

1. A home occupation shall include the following uses:
Art studio;
Business service;
Clinic;
Home based day care;
Massage establishment;
Personal service;
Office; and,
Instruction, including personal fitness, music, dance, math/science/language tutoring or instruction, cooking, and similar activities.

It is our understanding that a home-based bakery or catering service would be a permitted use under the proposed *Home Occupation* definition as per email correspondence from Brandon Correia, Manager, Special Projects, Planning and Growth Management, dated September 8, 2020. While we are pleased to receive this confirmation, we are unable to identify specific language in the third draft of the CZBL that states this specific use is permitted. Based on this correspondence, we respectfully request clarification in the CZBL related to the *Home Occupation* use, specifically as it relates to a home-base bakery or catering service.

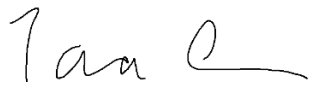
We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 320 should you have any questions regarding this submission.

Yours truly,

Weston Consulting
Per:



Tara Connor, MCIP, RPP
Senior Planner

c. Client

KLM
PLANNING PARTNERS INC.

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

COMMUNICATION – C46
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

Office of the Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles

Dear Sir:

RE: City of Vaughan Comprehensive Zoning By-law Review – Public Meeting October 29, 2020
PFAFF Automotive Partners (Playacor Holdings Ltd.), 105 and 131 Four Valley Drive

I am making this submission on behalf of Playacor Holdings Ltd, owner of Block 1, R.P. 65M-3537, municipally known as 105 Four Valley Road, and Block 2, R.P. 65M-3537, municipally known as 131 Four Valley Drive.

On August 27, 2015 the Committee of Adjustment approved Minor Variance applications A251/15 and A259/15, applicable to 105 Four Valley Road and 131 Four Valley Road, respectively.

The approval of the two Minor Variances permit Motor Vehicle Sales Establishments on each of Blocks 1 and 2, R.P. 65M-3537, and allow a 0m setback along the common lot line between Blocks 1 and 2.

As the first phase of development, following the Committee of Adjustment approvals, PFAFF Porsche has constructed a building on Block 1, R.P. 65M-3537, 105 Four Valley Drive, and is operating a Motor Vehicle Sale Establishment. The future second phase of development will take place on Block 2, R.P. 65M-3537, 131 Four Valley Drive and will also be in the form of a Motor Vehicle Sales Establishment.

It is important that the proposed new zoning by-law recognize and replicate the permissions granted by the Committee of Adjustment for Applications A251/15 and A259/15, as they apply to both 105 and 131 Four Valley Drive. My client does not want to lose their existing permissions with the approval of the new comprehensive zoning by-law.

It is requested that the draft comprehensive zoning by-law be revised to explicitly incorporate provisions to permit a Motor Vehicle Sale Establishment on each of the two properties, and permit a 0m setback provision along the common property line between Blocks 1 and 2, R.P. 65M-3537.

Your action on this request is most appreciated.

Yours very truly,
KLM PLANNING PARTNERS INC.

Roy Mason
Principal Planner

cc: Mr. Chris Pfaff, President and CEO, Pfaff Automotive Partners
Mr. Michael Talmage, Executive Vice President, Pfaff Automotive Partners

WESTON CONSULTING

planning + urban design

COMMUNICATION – C47
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 8959

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
9770 Highway 27, City of Vaughan

Weston Consulting is the planner for the 1264564 Ontario Ltd., the legally registered owner of the property located at 9770 Highway 27 in the City of Vaughan (herein referred to as the 'subject property'). The Kleinburg Inn, a 29-bedroom hotel, has been operating on the subject property for decades. The purpose of this correspondence is to provide a formal submission on behalf of our client to recognize the existing hotel use under a commercial zoning category through the City of Vaughan's City-wide Comprehensive Zoning By-law (the "CZBL") Review.

We have reviewed the third draft of the CZBL and are pleased to provide the enclosed comments.

The subject property is 5.54 acres in size and is located south of Major Mackenzie Drive on the west side of Highway 27, and has the Humber River running along its western end (Figure 1). Major Mackenzie Drive is being realigned between Highway 27 and the Canadian Pacific Railway tracks, which are west of the property. To allow for this realignment, the Region, in consultation with the Toronto and Region Conservation Authority ("TRCA") and other agencies, has approved the construction of a bridge to run over the Humber River and the level crossing of the railway tracks. This bridge will be situated directly north of the property.

The CZBL proposes a change in zoning from 'OS-1' to 'EP-139, 175' which basically recognizes the existing development and allows for some expansion of the use. Exceptions 139 and 175 are brought forward from By-law 1-88, which allow for the enlargement of the building through the addition of a restaurant and second-floor apartments.

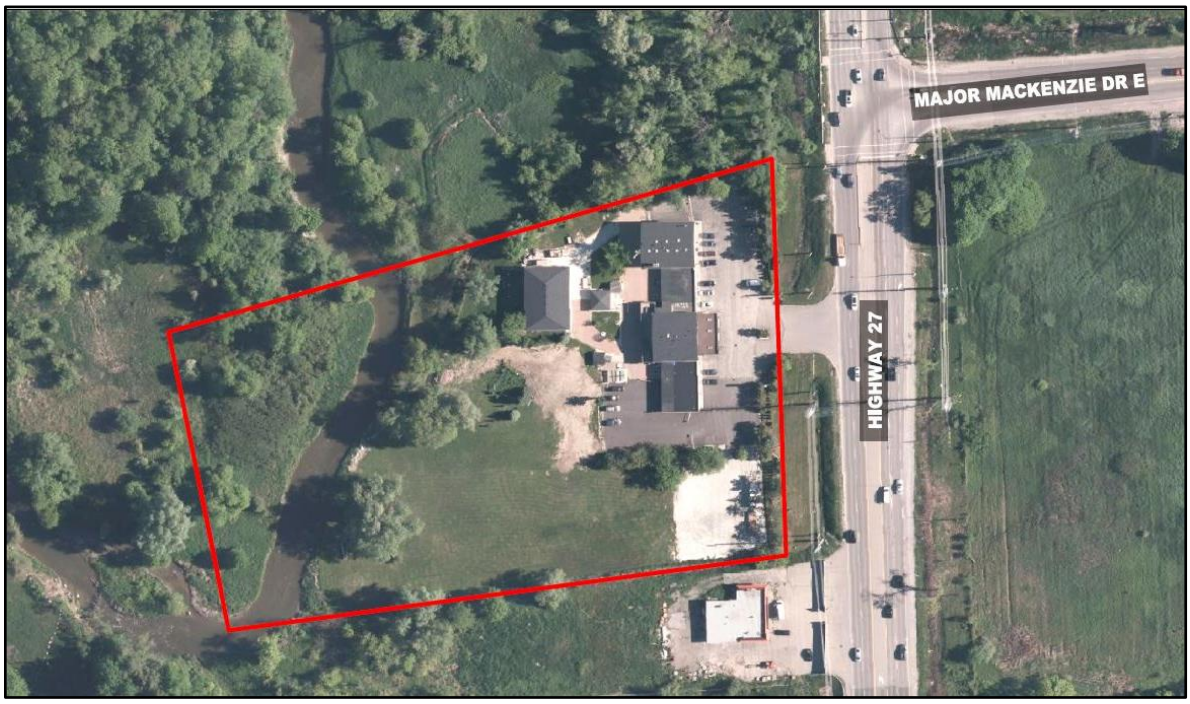


Figure 1: The subject property.

The third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current status of Site Development Application (DA.00.109), which has been reactivated. Section 1.6.3 of the CZBL states:

1.6.3.2 The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:

a. The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;
b. The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,
c. Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

a. The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,

b. The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.

The property is of a commercial nature given its use as a hotel. The hotel building is located on the eastern portion of the site fronting onto Highway 27, situated away from the property's natural heritage features. The existing building maintains a setback greater than 30 m from the Humber River. Currently, the hotel includes 29 bedrooms and a total gross floor area ("GFA") of 1,381.50 m^2 across the building's one-, two- and three-storey portions. At the rear of the hotel is a garage, along with two storage sheds. We disagree with the underlying EP – Environmental Protection Zone for the portion of the property currently occupied by the hotel and its associated parking and developable area.

In 2010, the landowner received Site Plan (DA.00.109) approval from the Council of the City of Vaughan for an expansion to the hotel. The proposed expansion was for a 593.48 m^2 two-storey addition consisting of a games room and the reconfiguration of the existing 29 suites to include kitchenettes. At the time of this approval, Official Plan Amendment ("OPA") 601 was in effect and designated the lands '*Valley and Stream Corridor'* (Kleinburg-Nashville Community Plan).

The property was subject to the plan's Non-Conforming Use policies. These policies permitted the use to continue as a hotel and allowed for the proposed expansion on the basis that there would be no adverse impact and incompatibility with the surrounding neighbourhood and community. It was the opinion of Development Planning Staff that the proposed expansion conformed to OPA 601. Although the landowner never fulfilled the required conditions of approval which resulted in the lapse of this approval and the lapse of the TRCA Permit which was issued. The Site Plan application file number has remained open with the City, and the owner is actively working with Planning Staff on a reapproval of the expired approval. In the meantime, the existing hotel has continued operating and the Region has begun constructing a bridge just north of the site.

It is our opinion, that given the current zoning by-law review, now is the time to recognize the existing site area occupied by the hotel as a commercial site and should be zoned as such. Given the site's historic and current use as a hotel, it is our opinion that the property, at least in part, should be recognized as an area with permissions for commercial uses. It is our request that the Developable Area receive a site-specific zoning to formally recognize the commercial function of this portion of the property.

The introduction of an elevated bridge directly north of the property, and the road improvements being implemented to realign Major Mackenzie Drive to connect to Highway 427 which is being expanded in this area, will result in the urbanization of the immediate, surrounding area. Once the bridge and road construction are complete, the hotel will be located at an intersection of two Regional, major arterial roads, which is supportive of re-designating the lands to a use which recognizes the existing commercial function. Figure 2 provides an illustration of the future proposed intersection which will be adjacent to the subject property. Mixed-use developments, commercial buildings and high-density development are often situated in locations at or near

major intersections. Given the investment being dedicated to these transportation improvements, ensuring that, at a minimum, the existence of current uses in the area are maintained is appropriate and warranted. A re-zoning of the property as a commercial use is in our opinion more appropriate and reflects the true nature of the existing condition than the proposed EP – Environmental Protection Zone.

Figure 2: Proposed intersection at Major Mackenzie Drive and Highway 27 (Image from the Regional Municipality of York, 2019)

In summary, we support Provisions 1.6.3.2 and 1.6.3.3 contained in the third draft of the CZBL and the inclusion of Exceptions 139 and 175. However, the true nature of the existing development is commercial and it is our request that the CZBL be amended to reflect the commercial aspect of the use. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at 416-305-7989 should you have any questions regarding this submission, and please copy Sandra Patano on all correspondence.

Yours truly,
Weston Consulting
Per:

John Zipay MSc., U.R.P., RPP
Executive Associate
jjzipay@hotmail.com

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Dino Giuliani (Kleinburg Inn)
Sandra Patano, Weston Consulting
Jenna Thibault, Weston Consulting

Davies Howe

LAND DEVELOPMENT ADVOCACY & LITIGATION

Mark Flowers
markf@davieshowe.com
Direct: 416.263.4513
Main: 416.977.7088
Fax: 416.977.8931
File Nos. 702354

October 28, 2020

COMMUNICATION – C48
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

By E-Mail

City of Vaughan, Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: City Clerk

Dear Council:

Re: Draft City-Wide Comprehensive Zoning By-law
Committee of the Whole Meeting on October 29, 2020 - Agenda Item 3.1

We are counsel to Jordan Fisch, Ryan Fisch and Brittany Fisch (collectively, "Fisch") and 1096818 Ontario Inc. ("109"), together the owners of six adjacent properties municipally known as 1260, 1272, 1282, 1294, 1304 and 1314 Centre Street (collectively, the "Properties"). The Properties are located on the north side of Centre Street between Concord Road and Vaughan Boulevard.

Fisch and 109 have reviewed the current draft City-wide Comprehensive Zoning By-law in relation to the Properties, which we understand will be considered by the Committee of the Whole at its meeting on October 29, 2020.

According to Schedule A, Map 56 of the draft Zoning By-law, the Properties are proposed to be zoned as follows:

1. 1260 and 1272 Centre Street are proposed to be zoned GMU-937, which would restrict the use of these properties to an office use, subject to certain site-specific lot, building and parking requirements; and

2. 1282, 1294, 1304 and 1314 Centre Street are proposed to be zoned R3(EN)-481, which would restrict the use of these properties to low density residential and related uses, subject to certain site-specific lot and building requirements, and it appears the proposed Established Neighbourhood (EN) suffix would further reduce the maximum height of these properties to 8.5 metres.

According to the notice issued by the City, the draft Zoning By-law is intended to "implement the vision of the Vaughan Official Plan 2010 ('VOP 2010')" and is "consistent with provincial policy, conforms to VOP 2010, and responds to emerging urban issues as well as contemporary urban development trends". With respect, that is certainly not an accurate description of the draft Zoning By-law in relation to the Properties.

The Centre Street corridor within which the Properties are located is identified on Schedule 1 – Urban Structure of the VOP 2010 as a "Regional Intensification Corridor", which is identified as a "major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit".

Meanwhile, the Properties are located within the area proposed to be subject to the Centre Street Corridor policies in section 12.9 of Volume 2 of the VOP 2010. The Properties are proposed by the City to be designated Mid-Rise Mixed-Use "B" in the Centre Street Corridor policies, which would permit a broad range of uses including residential, commercial and institutional, and be subject to a maximum density of 1.6 FSI and a maximum height of 4 storeys.

Fisch and 109 have outstanding appeals to the Local Planning Appeal Tribunal of the VOP 2010 and the Centre Street Corridor policies, which are scheduled to be heard in May 2021. Although Fisch and 109 are of the view that the Properties can accommodate greater heights and densities than proposed by the City, there is no dispute that the Properties are properly identified in the VOP 2010 as a mixed-use intensification area and that a broad range of permitted uses (including residential uses) are appropriate for the Properties.

Thus, it is unreasonable for the City to restrict the list of permitted uses and limit the height and the level of intensification allowed on the Properties as proposed in the draft Zoning By-law. Accordingly, Fisch and 109 object to the draft Zoning By-law in its current form.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or City Council regarding the Comprehensive Zoning By-law, as well as any further public meeting(s) concerning this matter.

Yours truly,
DAVIES HOWE LLP

Mark R. Flowers
Professional Corporation

copy: Clients

Reena Deputation

to

City of Vaughan

COMMUNICATION – C49
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Comprehensive Zoning By-law Review

Third Draft Zoning By-law

Committee of the Whole (Public Hearing)

Agenda Item 3.1

Thursday, October 29, 2020, 7PM

Background

- Reena had issues with existing City of Vaughan Zoning By-law 1-88
  - Issues with interpretation of Group Home and Respite Care – City of Vaughan to Ministry
  - 241 Crestwood almost lost 3 respite care spaces
- Meeting with City Zoning and Bylaw led to resolution of issue
  - Meeting with City November 4, 2019 (Stemp, Zynoberg, Winegust, Manett)
  - Letter sent November 5, 2019, by Reena to City of Vaughan
  - E-mail response November 12, 2019, from City of Vaughan to Reena
  - Interpretations made to ensure that our use fit within existing definitions
  - Assurance that these clearer definitions made it into the revised 2020 Zoning By-Law
- Draft 3 of Revised 2020 Zoning By-law is entering its last stage
- City council will vote on the new By-Law in November
- **Reena's concerns have not been addressed**

November 5, 2019 – Letter from Reena to City of Vaughan

Reena

November 5, 2019

Mr. Ben Pucci, P.Eng.
Director of Building Standards and Chief Building Official

Mr. Elvio Valente
Manager, Zoning Services

Building Standards Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan ON L6A 1T1

Further to our meeting with you of November 4, 2019, as discussed, Reena has been operating the residence at 241 Crestwood Road with the knowledge and understanding of the City since 2008, as a "Group Home", notwithstanding the definition of "Group Home" in Vaughan Zoning By-law 1-88.

During that time there have been 3 residents, each with developmental disabilities, living there on a permanent basis, receiving individualized around the clock support in a single housekeeping unit.

A number of families in Vaughan have a child with a developmental disability living at home. The stress on the parents and families supporting these individuals around the clock can sometimes be overwhelming.

Over the years, Reena has worked with these families to establish a schedule to allow them to have their child stay at 241 Crestwood Road for a limited amount of time, as short as a weekend and as long as a few weeks or months.

These children are permanently on a limited list of developmentally disabled children who can stay for short periods of time on a temporary basis at 241 Crestwood, blend in with the individuals living permanently at 241 Crestwood, and become a part of the housekeeping unit while they are there.

This "respite care" service allows their parents some time to recover from the ongoing stress they regularly endure, allowing them to be capable of continuing to provide love and support when their child returns home.

At no time would the number of residents at 241 Crestwood Road exceed a total of 6, made up of the 3 permanent residents and up to 3 temporary residents who regularly stay for various periods of time. The staff who are providing around the clock support do not live or sleep at this location. All bedrooms are assigned to the individuals who are receiving support. The staff do not have a bedroom.

We are requesting that the City of Vaughan, through the responsible By-Law and Zoning staff, confirm in writing, that Reena complies with the interpretation of the current Vaughan by-law 1-88, with respect to the existing "Group Home" use.

With that written confirmation, we would ask that the same City staff inform the Ministry of our compliance.

This will allow the Ministry to issue an operating license for a "respite care" facility not to exceed 3 respite individuals with developmental disabilities at any one time, as required by recently updated legislation.

This Provincially issued license would enable Reena to operate a "respite care" service, within a stable and existing household made up of 3 individuals with developmental disabilities who receive around the clock support and live permanently at 241 Crestwood Road, which is a single detached residential dwelling permitted by the Zoning By-law.

Thank you for your assistance in resolving this matter.

Fred Winegust
Reena, Stakeholder Relations

cc. Bryan Keshen – CEO, Reena
cc. Sandy Stemp – COO, Reena
cc. Stan Zynoberg – Property Manager, Reena
cc. Michael Manett - MCIP RPP Principal Planner and President – MPlan Inc.
cc. Alan Shefman – City of Vaughan, Councilor, Ward 5

November 12, 2019 – Letter from City of Vaughan to Reena

From: Pucci, Ben <Ben.Pucci@vaughan.ca>
Sent: November 12, 2019 10:29 AM
To: Fred Winegust <fwinegust@reena.org>
Cc: Valente, Elvio <Elvio.Valente@vaughan.ca>
Subject: RE: Clarification of how Respite Care operates within a Housekeeping Unit at the 241 Crestwood Road Reena Group Home

Hi Fred,

Further to your letter dated November 5, 2019, this will confirm the property is zoned R2 (Residential Zone) under City of Vaughan Zoning By-law 1-88, as amended. A single Family Dwelling is permitted. See related definitions below:

DWELLING, SINGLE FAMILY DETACHED - Means a separate building containing only one (1) dwelling unit.

DWELLING UNIT - Means a room or a suite of two (2) or more rooms, designed or intended for use by a family, in which sanitary conveniences are provided and in which facilities are provided for cooking or the installation of cooking equipment.

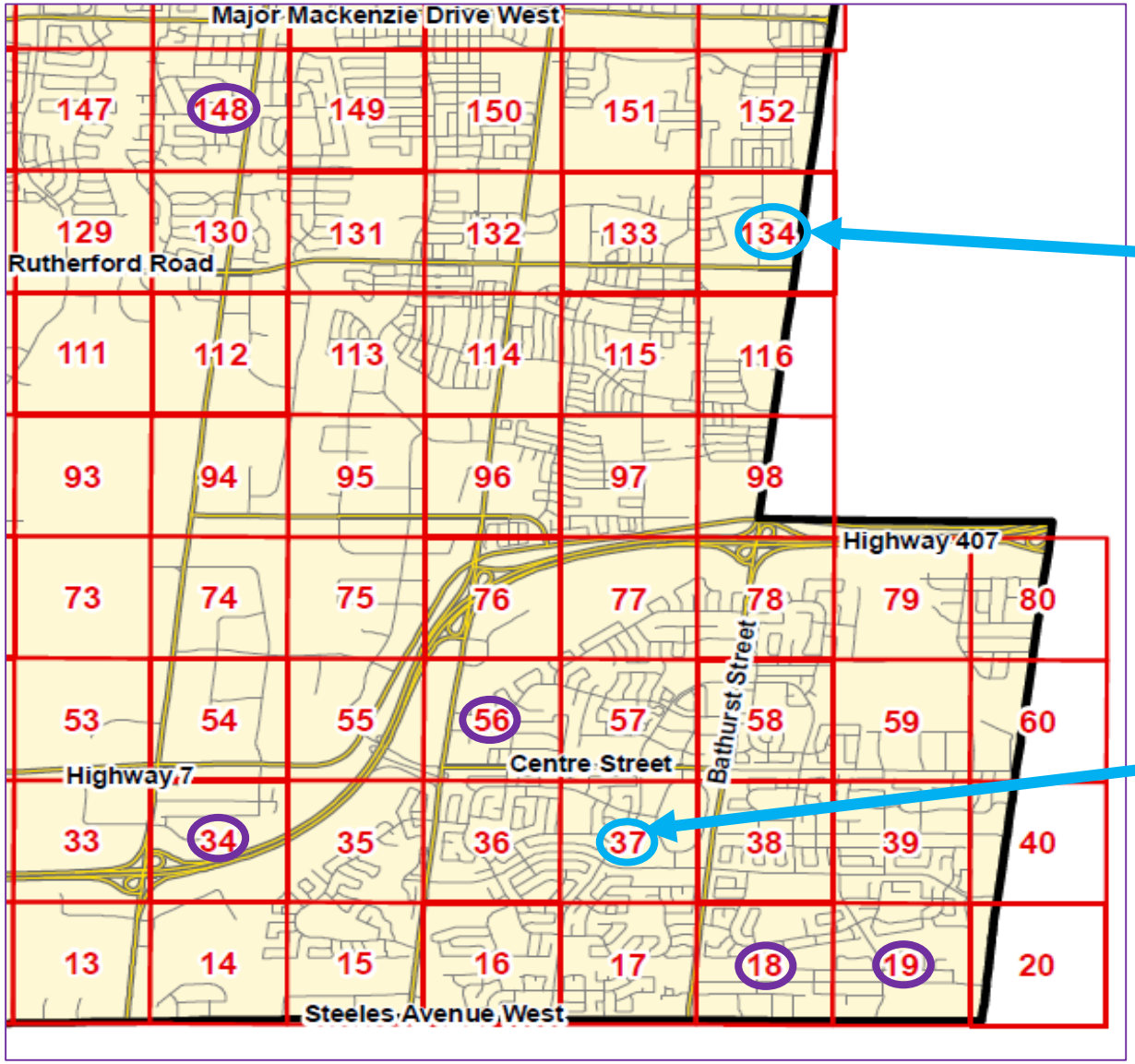
FAMILY - Means one (1) or more persons living in a dwelling unit as a single and nonprofit housekeeping unit and includes roomers and/or boarders; but in no case shall the number of roomers and boarders exceed two (2) in total.

Based on your letter, the residents (three permanent with three temporary) are living together as a single housekeeping unit. We are satisfied that the operation of the dwelling unit is a single housekeeping unit, with the three permanent residents, and with the three residents from your permanent list that stay for varying periods of time for respite stays.

Regards,

Ben Pucci, P.Eng.
Director of Building Standards and Chief Building Official
905-832-8511, ext. 8872 | ben.pucci@vaughan.ca

Reena Operates Various Residences and Programming in these Locations in Vaughan



7 Residential Zones

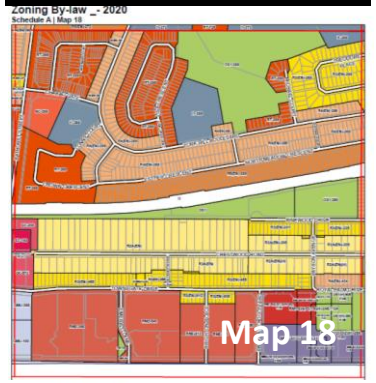
R1 – Crestwood, Rockview, R3 – King High, Barrhill

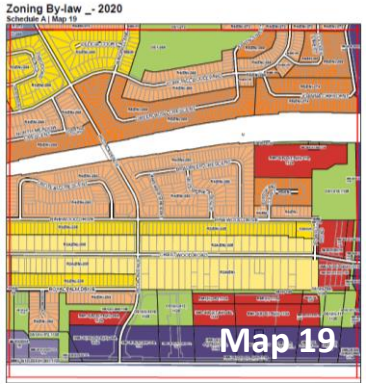
7.2.1 **Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones**

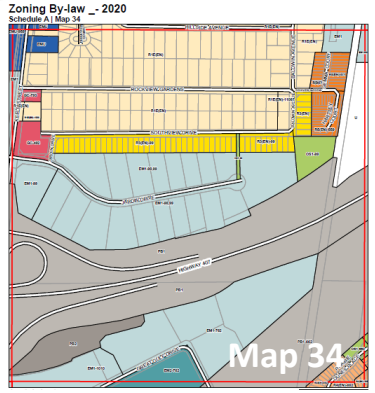
Table 7-2: Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones

	RE	R1	R2	R3	R4	R5
Residential Uses						
Independent living facility	•	•	•	•	•	•
Semi-detached dwelling					•	•
Single detached dwelling	•	•	•	•	•	•
Community Uses						
Community garden (1)	•	•	•	•	•	•
Other Uses						
Model home (1)	•	•	•	•	•	•
Temporary sales office (1)	•	•	•	•	•	•
Specified Accessory Uses						
Home occupation (1)	•	•	•	•	•	•
Secondary suite (1)	•	•	•	•	•	•
Short-term rental (1)	•	•	•	•	•	•

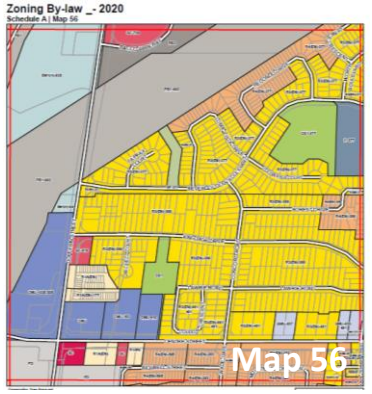
R1

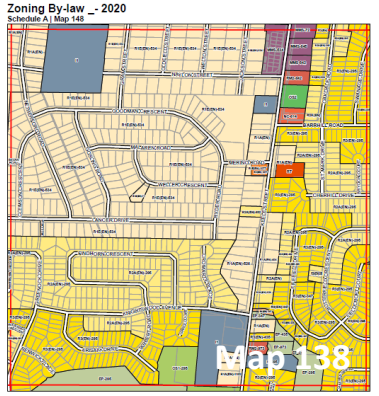






R2



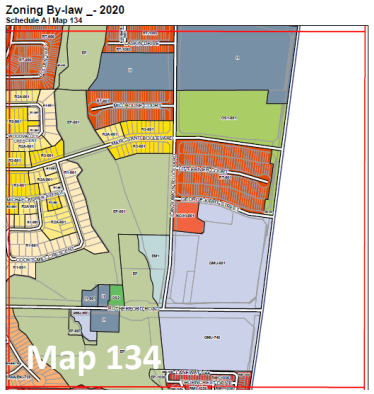


I1 – RCR, Battle Centre

Table 13-1: List of Institutional and Other Zones

Zone Name	Zone Symbol(s)	Purpose of the Zone
General Institutional Zone	I1	To permit a range of institutional uses, such as government facilities and schools

I1



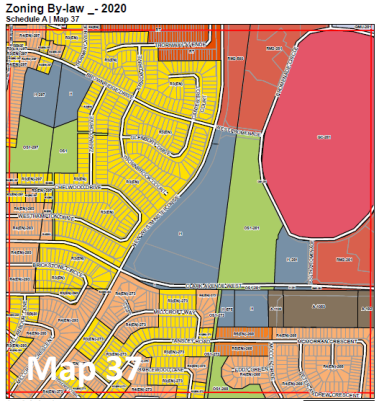


Table 13-2: Permitted Uses in the Institutional and Other Zones

	I1	I2	U	FD	PB1	PB2	PB3
		Residential Uses					
Retirement residence	•	•					
		Community Uses					
Cemetery (1)						E	E
Community facility	•	•					
Community garden (1)	•	•					
Conservation use	•	•	•	E (3)		•	•
Day care centre	•	•					
Emergency service	•	•					
Hospital		•					
Long term care facility	•	•					
Passive recreational use	•	•	•	E (3)	•		•
Place of worship (1)	•	•					
Public uses					•	•	•
School	•	•					
Urban square		•					

14 Site-specific Exceptions

A-1100 - LFRR

A

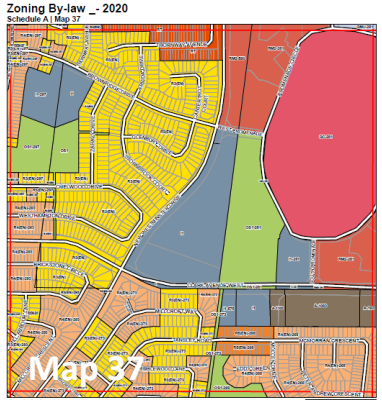


Table 12-1: Applicable Environmental Protection, Open Space, and Agriculture Zones

Zone Name	Zone Symbol	Purpose of the Zone
Agriculture Zone	A	To provide for agricultural uses including an associated single detached dwelling

	EP	OS1	OS2	A
Active recreational use		•	•	
Cemetery (1)		•	•	
Community garden (1)		•	•	•
Conservation use	•	•	•	•
Park		•	•	
Passive recreational use	•	•	•	•
Residential Uses				
Single detached dwelling				•
Specified Accessory Uses				
Accessory agriculture dwelling (1)				•
Agri-tourism (1)(2)				•
Bed and breakfast (1)				•
Home industry (1)				•
Home occupation (1)				•
Intermodal container (1)				•
Seasonal farm stand (1)				•
Secondary suite (1)				•
Short-term rental (1)				•

Additional requirements to Table 12-2:

14.1100

Exception Number 1100	Legal Description: Multiple properties as shown on Figure E-1612
Applicable Parent Zone: A	
Schedule A Reference: 37	Figure E Link (if applicable)
By-law / Tribunal Decision Reference	Figure T Link (if applicable)

14.1100.1 Permitted Uses

1. An Assisted Living Facility shall be permitted as an additional use.

14.1100.2 Lot and Building Requirements

1. The minimum amenity area shall be 1,415.0 m^2.
2. The minimum lot area shall be 48.0 m^2 per unit.
3. The minimum front yard (north lot line) shall be 7.2 m.
4. The minimum interior side yard (east lot line) shall be 8.6 m.

14.1100.3 Parking

1. The minimum number of required parking spaces shall be 21.
2. Parking areas shall be accessed from the abutting lot to the west.

14.1100.4 Other Provisions

1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street.
2. The maximum permitted encroachments for a canopy are as follows:
   a. 2.3 m into the front yard (abutting Clark Avenue);
   b. 2.0 m into the westerly interior side yard; and,
   c. 3.5 m into the easterly interior side yard.

3 Definitions

Defined

Barrier-free Access Aisle: Means an area abutting a barrier-free parking space to provide unobstructed pedestrian access to and from a barrier-free parking space.

Barrier-free Parking Space: Means an unobstructed rectangular area for the exclusive use of temporary parking of a motor vehicle for persons with disabilities, but shall not include a driveway or aisle.

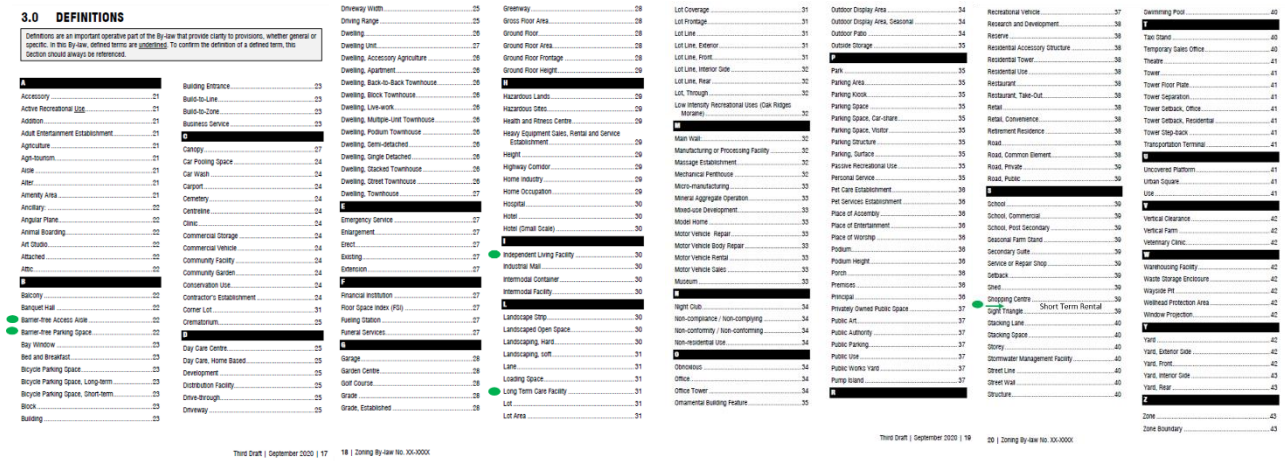
Independent Living Facility: Means premises containing four (4) or more independent dwelling units intended to accommodate people of common circumstance the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents.

Long Term Care Facility: Means premises containing four or more sleeping units, without individual kitchen or cooking facilities, used for the accommodation of persons with common circumstance, and who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.

Short-term Rental: Means a dwelling unit or part of a dwelling unit used to provide temporary accommodation for a rental period of not more than 29 consecutive days but shall not include a hotel, motel or bed and breakfast establishment or any other use defined herein.

Undefined

- Assisted Living Facility (A.1100)
- Congregate Care / Group Home
- Respite Care



Reena is requesting that the City of Vaughan Comprehensive Zoning By-Law team consider;

- **Adding Definitions to Chapter 3.**
  - Assisted Living Facility
  - Group Home / Congregate Care
  - Respite Care
- Updating Permitted Uses in Zone Categories;
  - Chapter 7 - Residential Zone Table
  - Chapter 11 – Institutional Zone
- Reclassifying A.1100 on Map 37 to I1.

3 Definitions

Term	Assisted Living Facility	Group Home / Congregate Care	Respite Care
Zone Category Permitted Use	Institutional Zone	Residential Zone	Residential Zone Institutional Zone
Definition	Means premises containing four (4) or more independent dwelling units intended to accommodate people of varying circumstance, with individual kitchen or cooking facilities, the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents some of whom may require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.	Means premises containing three (3) or more independent dwelling units intended to accommodate people of varying circumstance, with a common kitchen or cooking facility, the ability to reside together and is managed and operated for those who require a 24-hour supervised living arrangement for their well-being, and is regulated by the Province of Ontario or the Government of Canada.	Means an ability for someone who is on a documented list of pre-vetted individuals, managed by an organization that is regulated by the Province of Ontario or the Government of Canada, who qualify for temporary support, for varying periods of time in a calendar year to receive a level of care available in an Assisted Living Facility, Group Home or Congregate Care Setting.

Thank You

Backup Slides

Structure

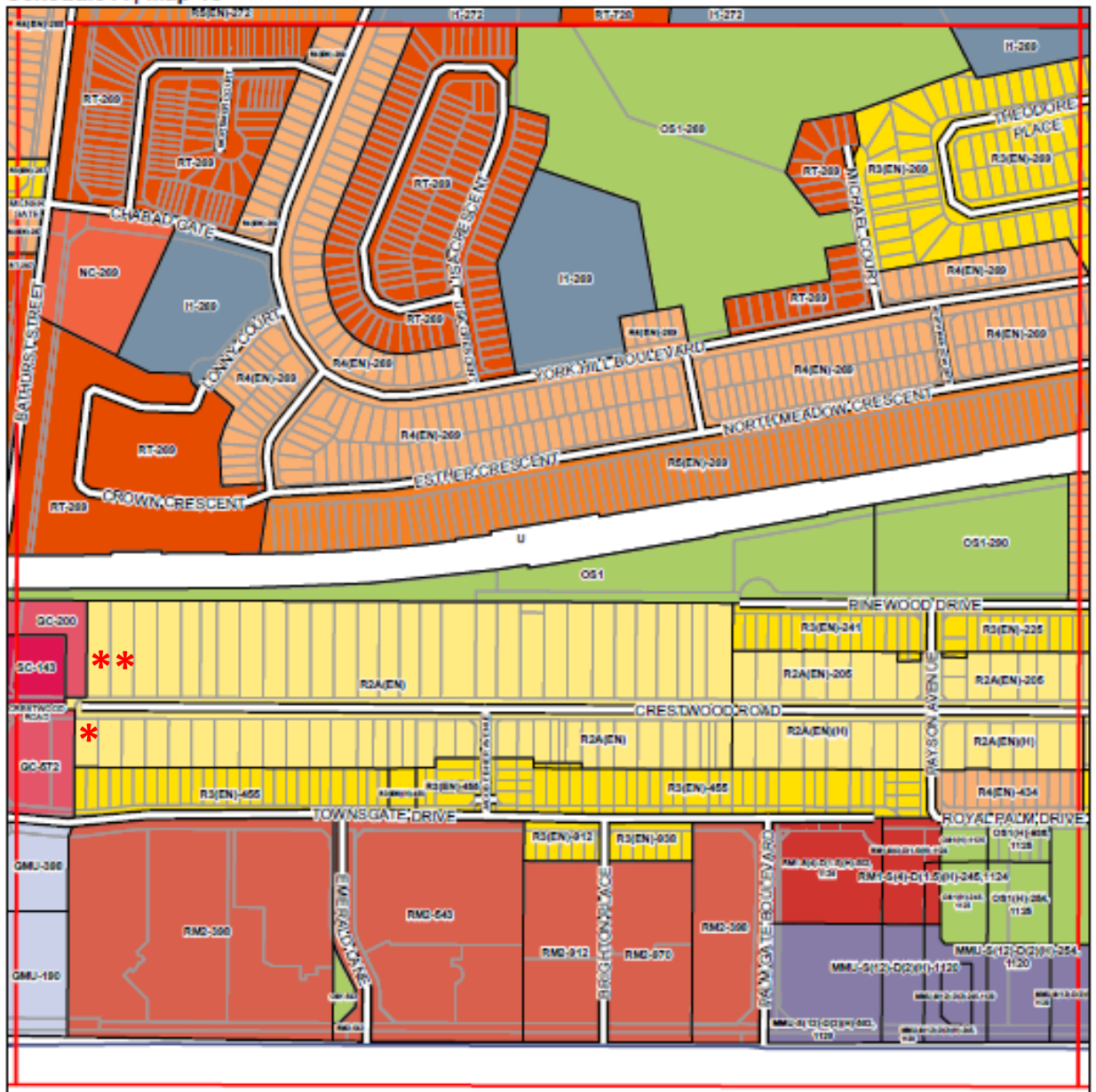
Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 18 – 236, 240, 241 Crestwood

Zoning By-law _- 2020
Schedule A | Map 18



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

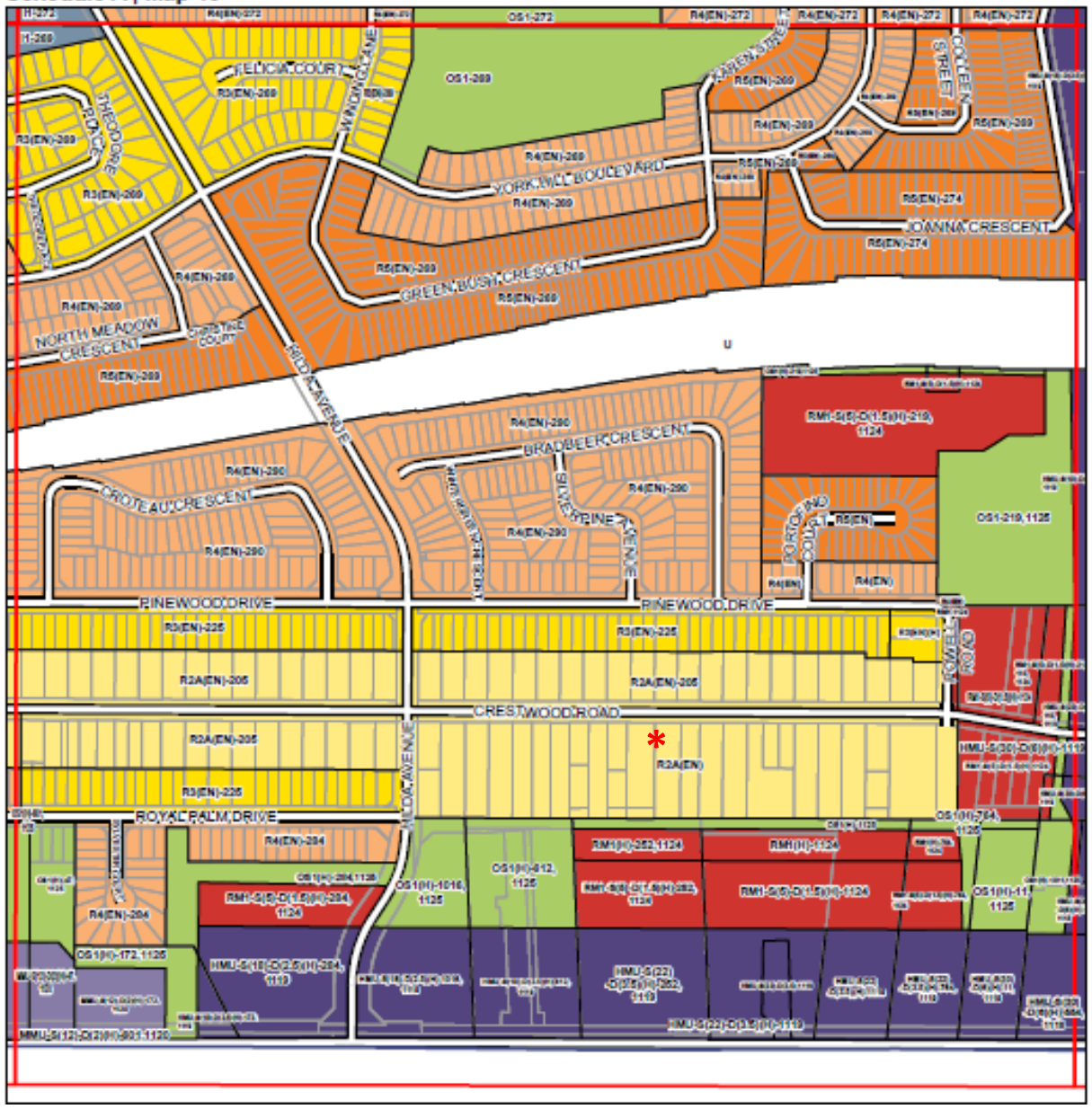
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 19 – 65 Crestwood

Zoning By-law _- 2020

Schedule A | Map 19



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

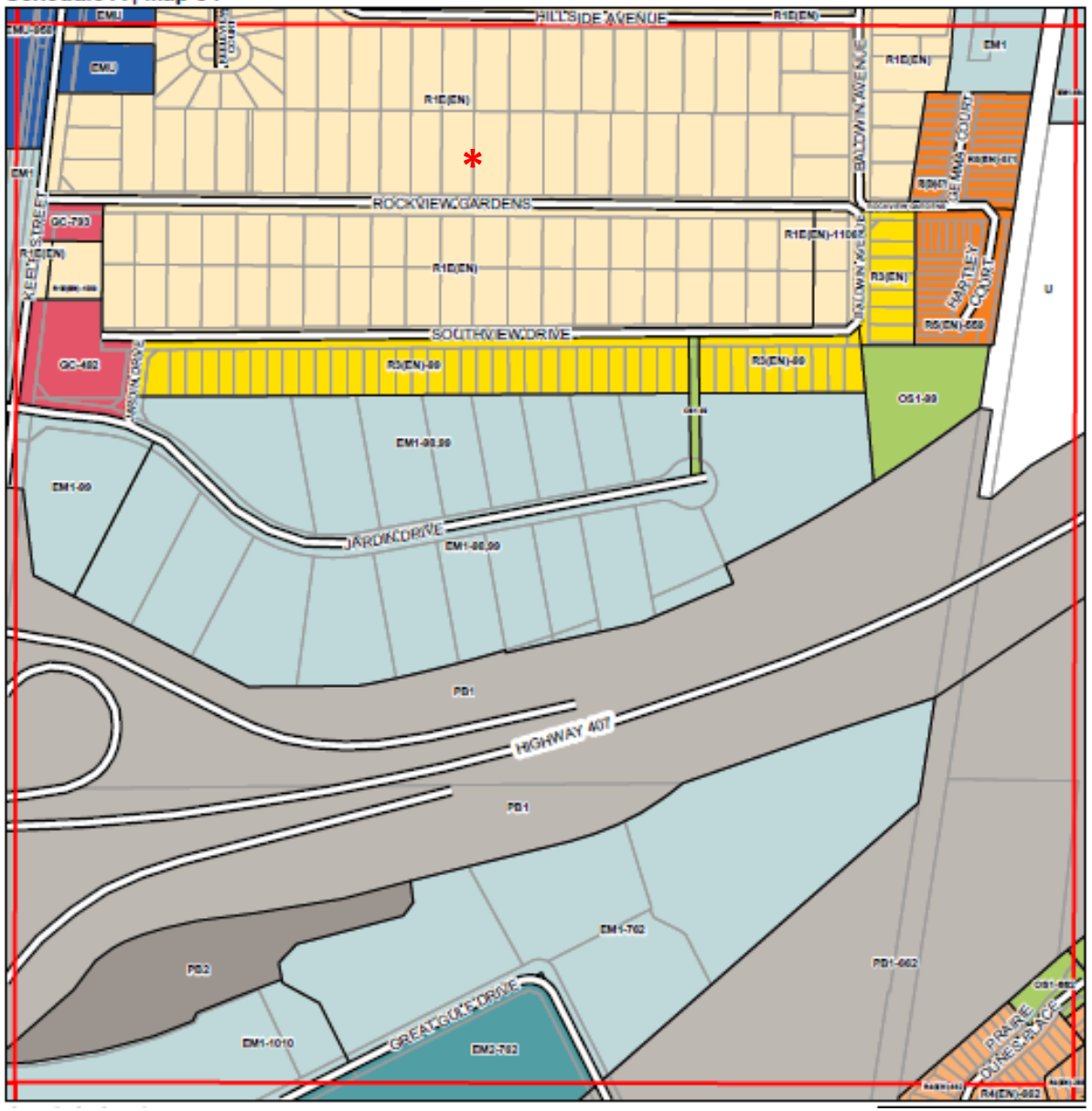
Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 34 – 90 Rockview

Zoning By-law _- 2020
Schedule A | Map 34



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

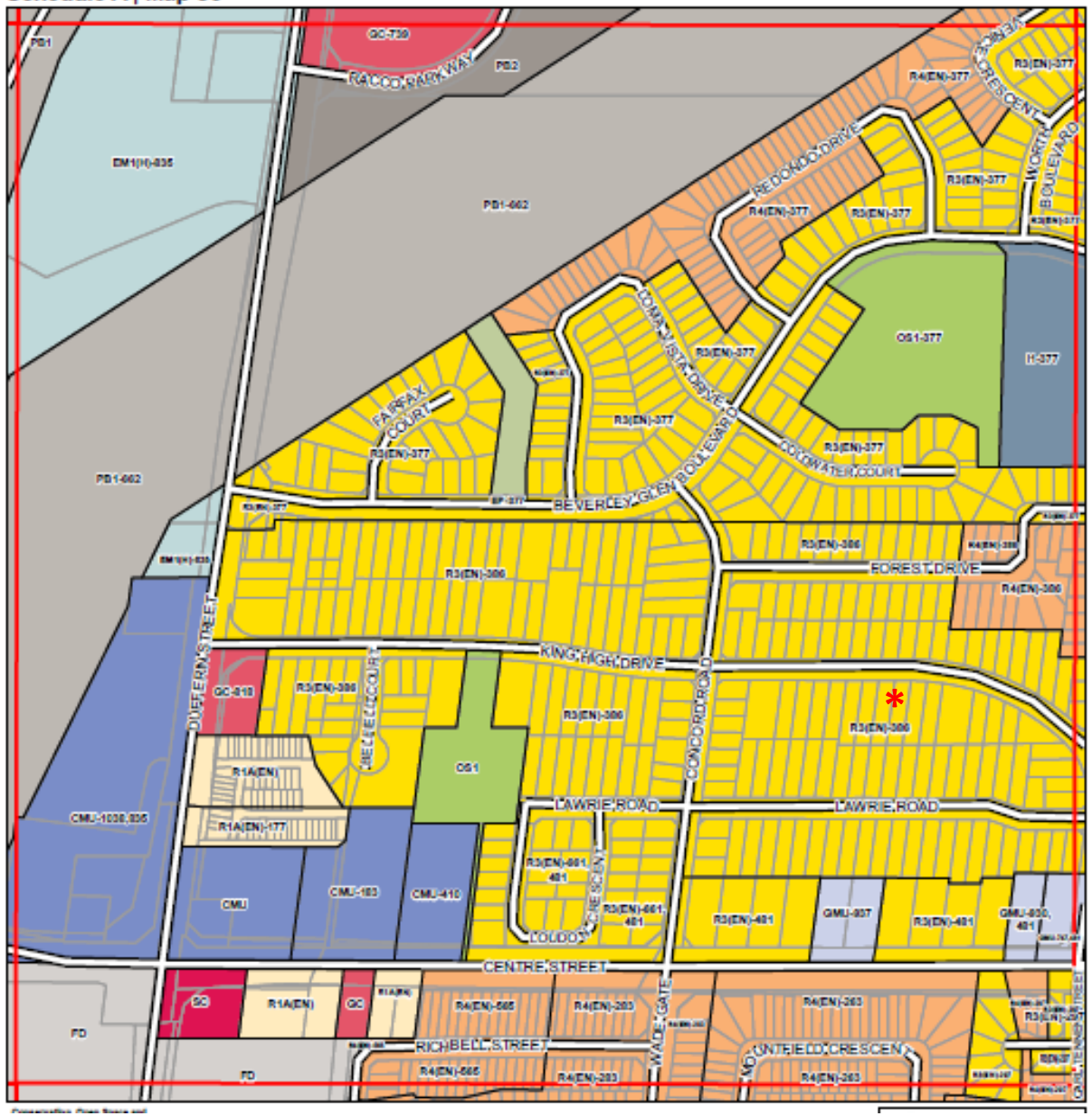
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 56 – 62 King High

Zoning By-law _- 2020

Schedule A | Map 56



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

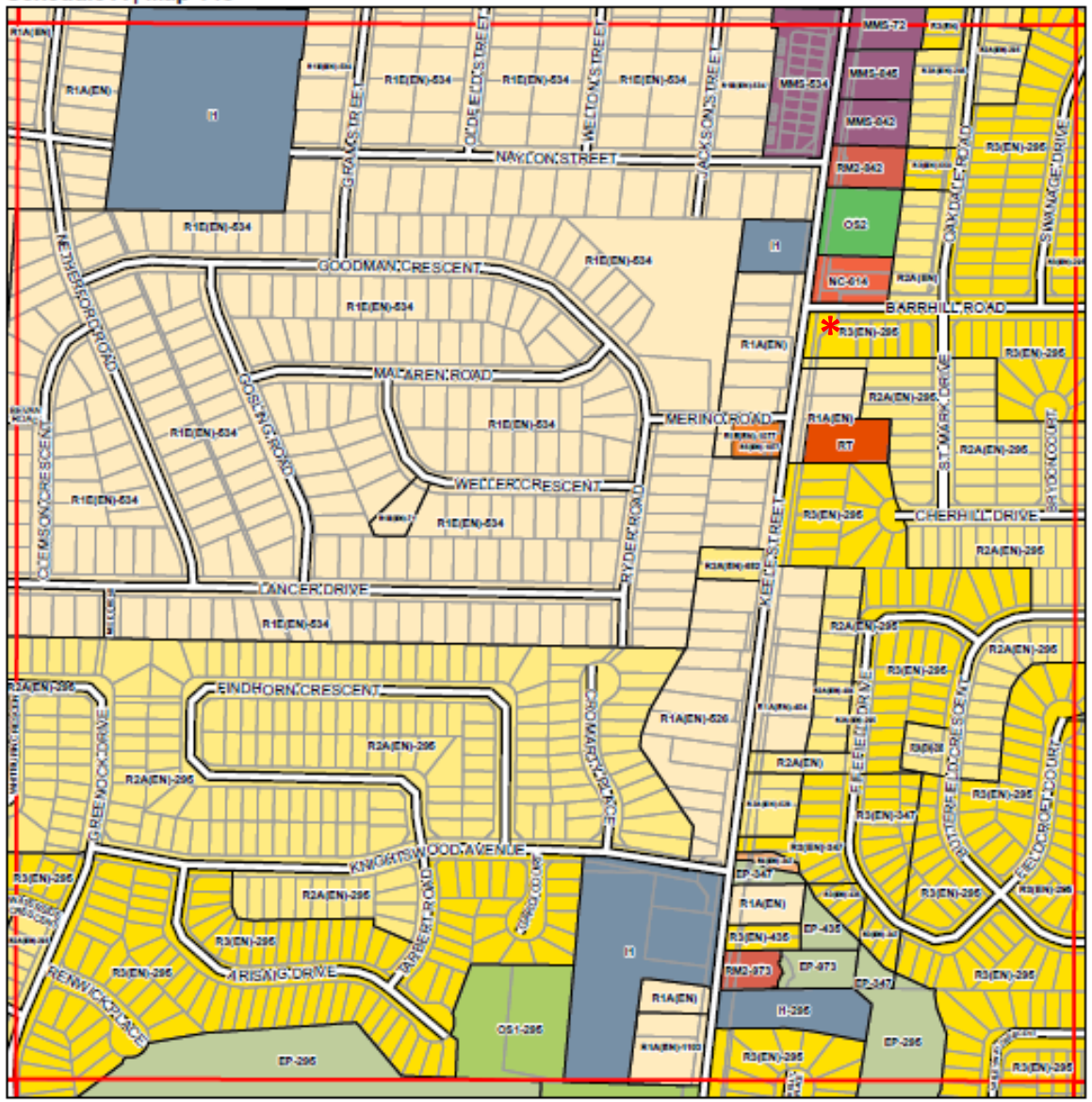
Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Map 134 – 5 Barhill

Zoning By-law _- 2020
Schedule A | Map 148



Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

*** - Approximate Location**

Structure

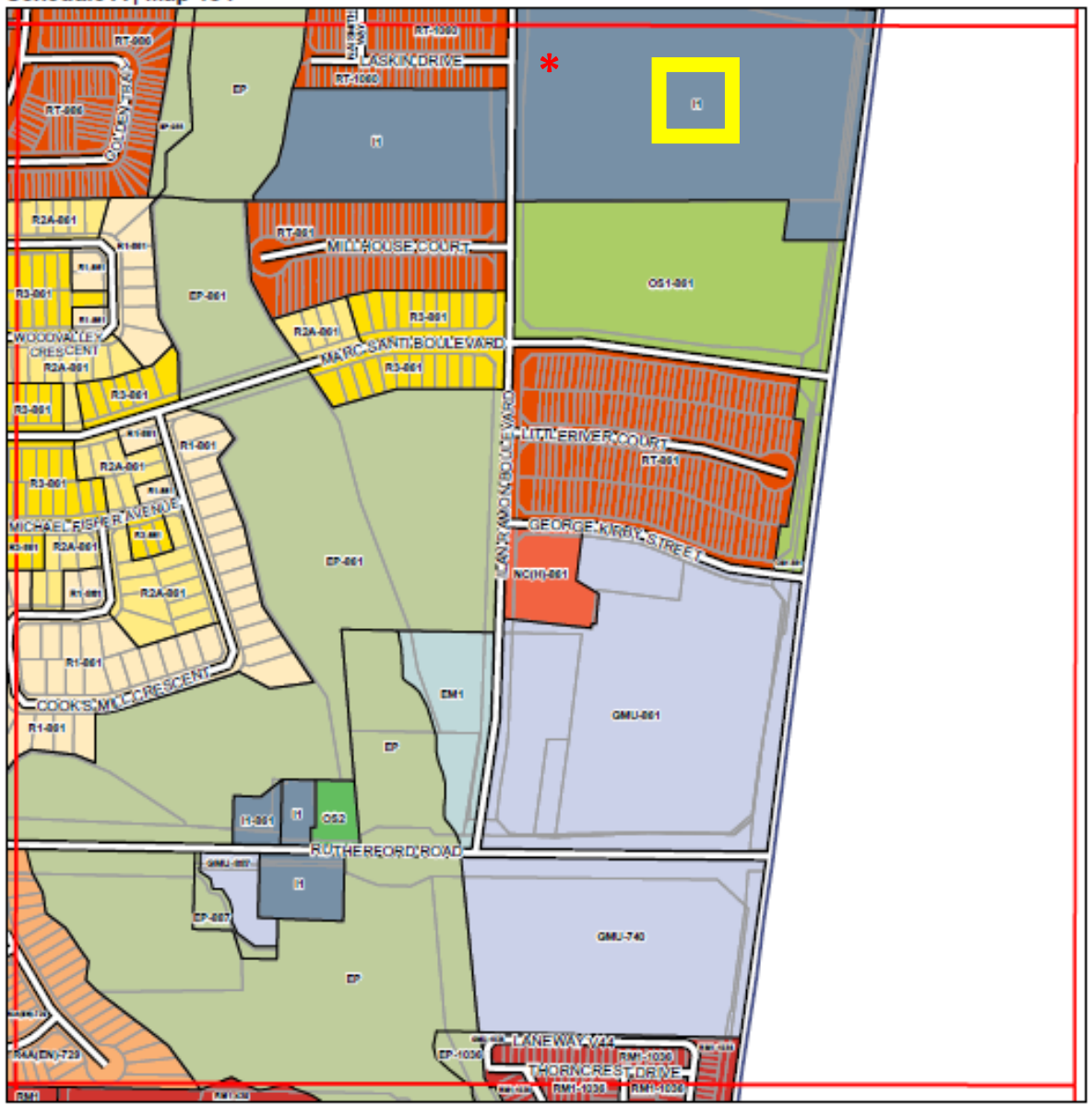
Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 134 – Reena Community Residence – 49 Lebovic Campus Drive

Zoning By-law _- 2020
Schedule A | Map 134



Other Zones

I1 (General Institutional Zone)

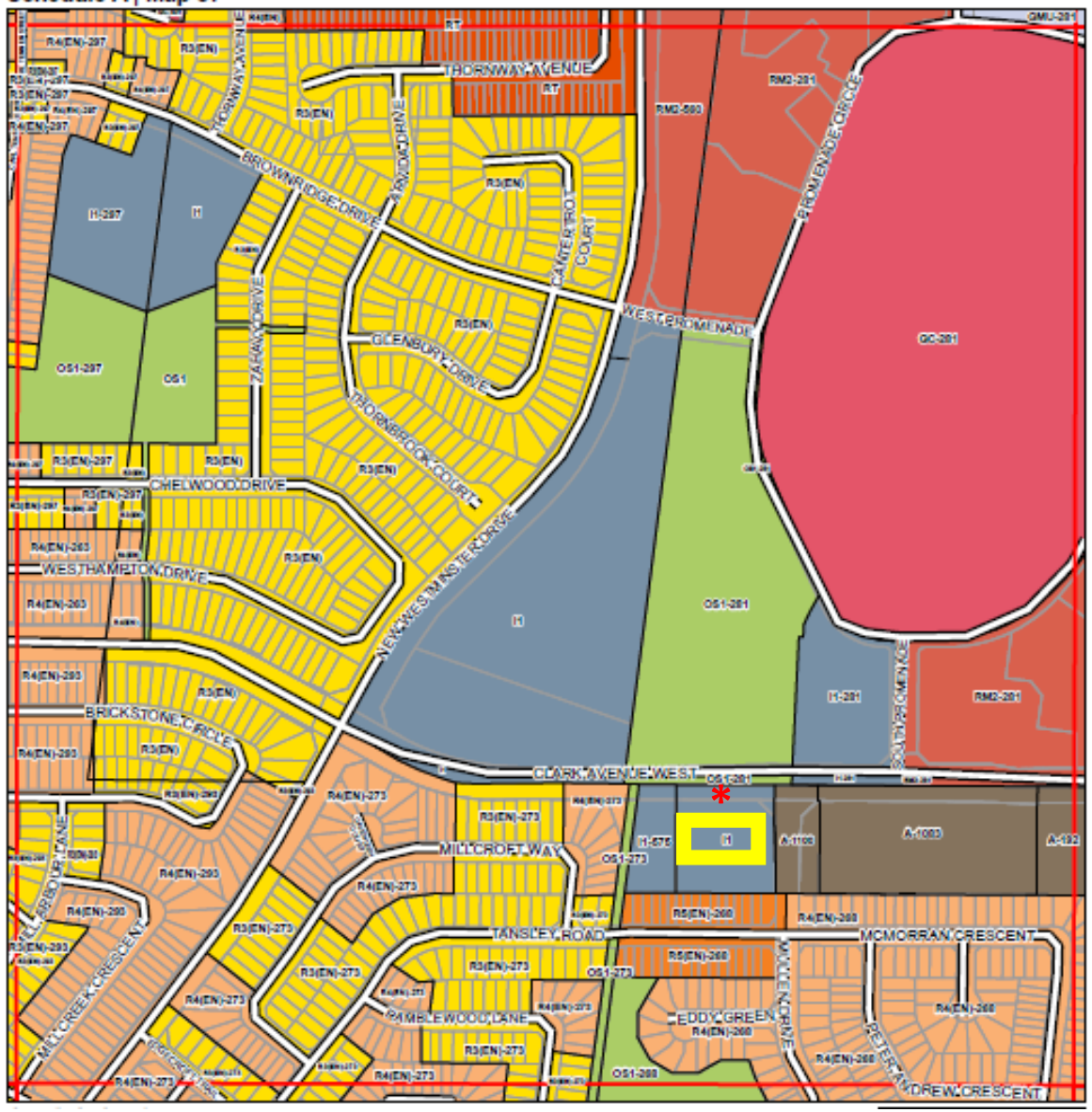
Residential Zones

- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

Commercial Zones

- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

Map 37 – Battle Centre (927 Clark)



Other Zones

I1 (General Institutional Zone)

Conservation, Open Space and Agricultural Zones

A (Agriculture Zone)

14.1100

Exception Number 1100	**Legal Description: Multiple properties as shown on Figure E-1612**
Applicable Parent Zone: A	
Schedule A Reference: 37	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**
14.1100.1 Permitted Uses	
1. An Assisted Living Facility shall be permitted as an additional use.	
14.1100.2 Lot and Building Requirements	
1. The minimum amenity area shall be 1,415.0 m^2. 2. The minimum lot area shall be 48.0 m^2 per unit. 3. The minimum front yard (north lot line) shall be 7.2 m. 4. The minimum interior side yard (east lot line) shall be 8.6 m.	
14.1100.3 Parking	
1. The minimum number of required parking spaces shall be 21. 2. Parking areas shall be accessed from the abutting lot to the west.	
14.1100.4 Other Provisions	
1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street. 2. The maximum permitted encroachments for a canopy are as follows: a. 2.3 m into the front yard (abutting Clark Avenue); b. 2.0 m into the westerly interior side yard; and, c. 3.5 m into the easterly interior side yard.	

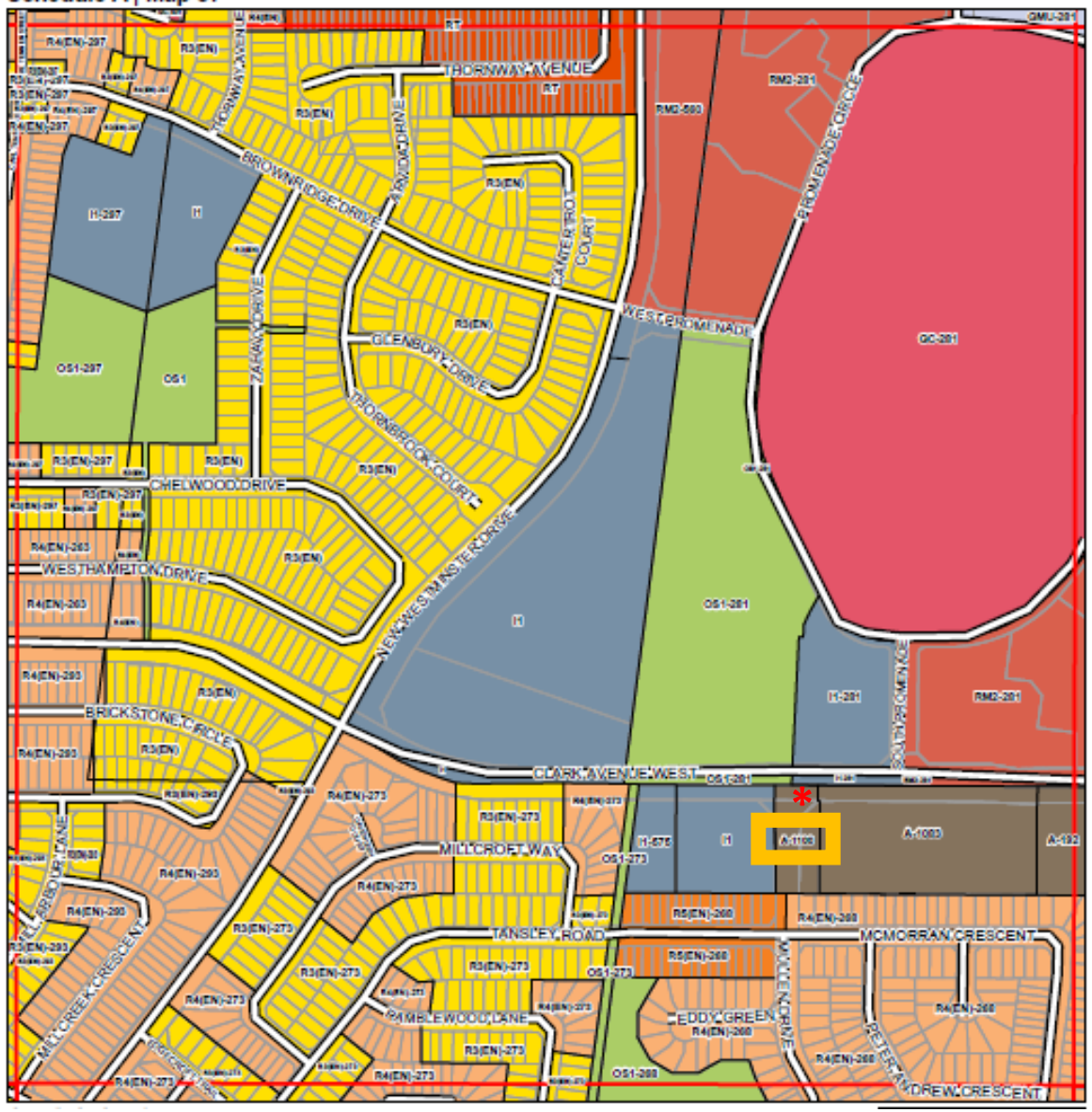
Structure

Parts 7-13 deal with Zone Categories

- 7 Residential Zones
- 8 Mixed-Use Zones
- 9 Commercial Zones
- 10 Vaughan Metropolitan Centre Zones
- 11 Employment Zones
- 12 & 13 Institutional and Other Zones
- 14 Site-specific Exceptions
- 15 Enactment

VAUGHAN

Map 37 – LFRR Centre (917 Clark)



Other Zones

I1 (General Institutional Zone)

Conservation, Open Space and Agricultural Zones

A (Agriculture Zone)

14.1100

Exception Number 1100	**Legal Description: Multiple properties as shown on Figure E-1612**
Applicable Parent Zone: A	
Schedule A Reference: 37	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**
14.1100.1 Permitted Uses	
1. An Assisted Living Facility shall be permitted as an additional use.	
14.1100.2 Lot and Building Requirements	
1. The minimum amenity area shall be 1,415.0 m^2.	
2. The minimum lot area shall be 48.0 m^2 per unit.	
3. The minimum front yard (north lot line) shall be 7.2 m.	
4. The minimum interior side yard (east lot line) shall be 8.6 m.	
14.1100.3 Parking	
1. The minimum number of required parking spaces shall be 21.	
2. Parking areas shall be accessed from the abutting lot to the west.	
14.1100.4 Other Provisions	
1. A canopy shall be permitted within the landscape strip along a lot line, abutting a street.	
2. The maximum permitted encroachments for a canopy are as follows:	
a. 2.3 m into the front yard (abutting Clark Avenue);	
b. 2.0 m into the westerly interior side yard; and,	
c. 3.5 m into the easterly interior side yard.	

Davies Howe

LAND DEVELOPMENT ADVOCACY & LITIGATION

Mark Flowers
markf@davieshowe.com
Direct: 416.263.4513
Main: 416.977.7088
Fax: 416.977.8931
File Nos. 702585

COMMUNICATION – C50
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

By E-Mail

City of Vaughan, Committee of the Whole
Vaughan City Hall
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: City Clerk

Dear Council:

Re: Draft City-Wide Comprehensive Zoning By-law
Committee of the Whole Meeting on October 29, 2020 - Agenda Item 3.1

We are counsel to 2090396 Ontario Limited ("209"), the owner of the property located at the northeast corner of Centre Street and Dufferin Street, municipally known as 1500 Centre Street (collectively, the "Property").

209 has reviewed the current draft City-wide Comprehensive Zoning By-law in relation to the Property, which we understand will be considered by the Committee of the Whole at its meeting on October 29, 2020.

According to Schedule A, Map 56 of the draft Zoning By-law, the Property is proposed to be zoned as CMU – Community Commercial Mixed-Use Zone, which would permit a range of commercial and community uses, but no residential uses. Further, the proposed CMU zoning would establish a series of lot and building requirements, including a maximum height of 32.0 metres.

According to the notice issued by the City, the draft Zoning By-law is intended to "implement the vision of the Vaughan Official Plan 2010 ('VOP 2010')" and is "consistent with provincial policy, conforms to VOP 2010, and responds to emerging urban issues as well as contemporary urban development trends". However, that is not an accurate description of the draft Zoning By-law in relation to the Property.

The Centre Street corridor within which the Property is located is identified on Schedule 1 – Urban Structure of the VOP 2010 as a "Regional Intensification Corridor", which is identified as a "major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit". Dufferin Street is also identified as a Special Study Corridor – Rapid Transit Corridor on Schedule 10 – Major Transit Network of the VOP 2010.

Meanwhile, the Property is located within the area proposed to be subject to the Centre Street Corridor policies in section 12.9 of Volume 2 of the VOP 2010, with the Property proposed to be designated Commercial Mixed Use Area "C". At the same time, the Property is located within the area identified on Schedule 14-A of the VOP 2010 as the future Dufferin Street and Centre Street Secondary Plan Area.

209 has an outstanding appeal to the Local Planning Appeal Tribunal of the VOP 2010 and the Centre Street Corridor policies in relation to the Property. It remains our client's position that a broader range of permitted uses (including residential uses) and permission for greater height and density are appropriate for the Property given its location.

Thus, 209 objects to the draft Zoning By-law in its current form, which would unnecessarily restrict the permitted uses and limit the potential for greater intensification on the Property.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or City Council regarding the Comprehensive Zoning By-law, as well as any further public meeting(s) concerning this matter.

Yours truly,
DAVIES HOWE LLP

Mark R. Flowers
Professional Corporation

copy: Client

WESTON CONSULTING

planning + urban design

COMMUNICATION – C51
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

October 28, 2020
File 8553-2 & 8553-3

Attn: City Clerk

Re: City-Wide Comprehensive Zoning By-law
Committee of the Whole (Public Meeting)
300 Atkinson Avenue, Vaughan

Weston Consulting is the planning consultant for 300 Atkinson Inc., the registered owner of the property municipally known as 300 Atkinson Avenue in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") as it relates to the subject property and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is currently zoned "*R3 - Residential Zone"* by in-force City of Vaughan Zoning By-law 1-88. However, the site is the subject of a number of active development applications, including Official Plan Amendment (OP.19.001), Zoning By-law Amendment (Z.19.002 & Z.19.028), and Site Development (DA.19.083 & DA.19.081), all of which have been deemed complete under the Vaughan Official Plan. The purpose of these active applications is to rezone a portion of the subject property to "*RM2 – Multiple Residential Zone*" with site-specific exceptions to permit the development of 15 blocks of traditional and back-to-back townhouse units, and to implement site-specific provisions on the southeast corner of the site to permit the development of a new two-storey synagogue.

Based on our review of the third draft of the CZBL, the subject property is proposed to be rezoned "*I1 – General Institutional Zone*", which permits a range of institutional uses including government facilities and schools. We understand that the proposed I1 zone category reflects the existing use of the subject property as a school. The proposed synagogue is permitted under the proposed I2 Zone; however, we note that the proposed institutional zone category does not reflect the proposed townhouse development being sought through the active Zoning By-law Amendment (Z.19.002).

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject property given the active site-specific development applications. We understand that the intent of the transition provisions is to allow for various active planning applications to proceed without having to comply with the CZBL. However, we note that the transition provisions contained in Section 1.6.3 of the draft CZBL do not specifically address active Zoning By-law Amendment applications, and we request that further clarity be provided on how Zoning Amendment applications deemed complete prior to the

enactment of the CZBL will continue to be processed. Upon the approval of the active Zoning By-law Amendment applications, it is our request that the site-specific zoning be implemented for the site through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

In summary, we support the proposed zoning category of I1 for the southeastern portion of the subject property as set forth by the current draft of the CZBL. However, we request through the transition provisions that the implementation of the CZBL will not preclude the approval of the active Zoning By-law Amendment applications. We request further clarity on the transition provisions related specifically to active Zoning By-law Amendment applications.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis, and request to be notified of any future reports and/or meetings regarding the CZBL. We further request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 236 or Jessica Damaren at extension 280 should you have any questions regarding this submission.

Yours Truly,
Weston Consulting
Per:

Kevin Bechard, BES, MSc., RPP
Senior Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
300 Atkinson Inc., Client

KLM
PLANNING PARTNERS INC.

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 27, 2020

COMMUNICATION – C52
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles

Dear Sir:

RE: City of Vaughan Comprehensive Zoning By-law Review – Public Meeting October 29, 2020

On behalf of Canvas Developments I wish to offer a preliminary overview of comments on the draft comprehensive zoning by-law for the City of Vaughan as it applies to various Canvas Developments properties located throughout the City of Vaughan.

1. 8810 and 8820 Jane Street – The proposed new EM1 zone category is less permissive than the EM1 zoning under By-law 1-88, as amended. In particular, commercial and accessory retail uses have been removed or scaled back. My client would like the proposed EM1 zone category to better reflect the previous EM1 permissions by including supporting commercial uses such as restaurants, health centres, and service shops and allow accessory retail sales to 30% of GFA to a maximum of 930 square metres, as previously permitted. In addition, given Jane Street as a potential major transportation corridor the lands in this vicinity of Jane Street should be considered for uses that compliment the enhanced transportation infrastructure.

2. 8520 Jane Street – The new zoning by-law will rezone the subject property from C7 - Service Commercial to EM1 Prestige Employment. This is a drastic change and would create numerous non-conformities on this property. It is requested that Vaughan planning staff consider implementing either a new zone category consistent with the existing C7 category or provide permitted use exceptions to the new EM1 zoning as it applies to this property. In addition, given Jane Street as a potential major transportation corridor the lands in this vicinity of Jane Street should be considered for uses that compliment the enhanced transportation infrastructure.

3. East side of Jane Street, east to Kayla Crescent – The new zoning by-law will rezone these two parcels from C2(H0 Neighbourhhood Commercial to GMU (H) General Mixed Use and from RV4 toR4A(EN)-755, respectively. Both parcels should be considered for a higher density residential zone category given location of the parcels on Jane Street directly across from Wonderland, also given the fact that Jane Street is main transit corridor leading directly to the new subway station located in the north east quadrant of Jane Street and Highway 7.

4. 3603 Langstaff Road – The new zoning by-law will replace the existing C4 -Neighbourhood Commercial to GC-592 – General Commercial. While Exception #592 permits an Automotive Retail Store as an additional permitted use, the GC zone category does not permit a Supermarket, as previously permitted under the C4 zone category.

5. 310, 330 & 346 Millway Road - The proposed new EM1 zone category is less permissive than the EM1 zoning under By-law 1-88, as amended. In particular, commercial and accessory retail uses have been removed or scaled back. My client would like the proposed EM1 zone category to better reflect the previous EM1 permissions by including supporting commercial uses such as restaurants, health centres, and service shops and allow accessory retail sales to 30% of GFA to a maximum of 930 square metres, as previously permitted. Given the proximity of these lands to the walkable subway stop further discussion is warranted regarding future land uses.

6. 9796 Dufferin Street – The proposed zoning by-law will rezone the subject lands from A – Agricultural to A – Agricultural and RE-54 Residential Estate. The new zoning permits one single family detached dwelling and allows the existing on site uses to continue. It may be beneficial to specify the existing uses on the subject property.

7. 9828 Dufferin Street – The new by-law zones the subject property A -Agricultural which is consistent with the previous A - Agricultural zone category under By-law 1-88, as amended. The A – Agricultural zone category effectively services as a holding category until such time as the lands are developed in accordance with the provisions of the Official Plan.

8. North side of Valley Vista Drive, east side of Dufferin Street – The proposed RM2-899 zoning replaces the RA3(H) zoning of By-law 1-88, as amended. The new RM2 zone category permits a variety of residential uses, and Exception #899 provides for a broad range of commercial uses, which appear to be acceptable provided the zoning standards are consistent with the previous zoning.

9. 2067 & 2077 Rutherford Road and 696 Westburne Drive – The proposed zoning by-law will zone the lands GMU – 781 - General Mixed Use from the C7 – Service Commercial

zone category under Zoning By-law 1-88, as amended. Exception #781 incorporates the provisions of the site plan approved for 2077 Rutherford Road.
The GMU permitted uses are similar to the uses permitted under the C7 zone category, but it seemingly only permits a banquet hall on Lot 21, RP 65M-2795, and only permits automotive related uses if they are legally existing at the timing of the new zoning by-law. In addition, accessory retail sales will not be permitted on Lot 22, RP 65M-2795. The omitted uses should be included under the exceptions in the new zoning by-law.
It should be noted that Council has supported the conversion of these lands from employment use to residential use, and while it is acknowledged that the Official Plan has yet to be amended to reflect the conversion, this should be considered when determining appropriate uses for these lands.

10. South Side of Highway 7, east of Pine Valley Drive and west of Marycroft Drive – The existing zoning is C7 – Service Commercial. The proposed zoning by-law zones the easterly 1/3 of the lands GMU - General Mixed Use, and the westerly 2/3rds of the ;lands GMU-533. Exception #533 allows motor vehicle repair on repair on the north east corner of Lot 2, RP 65M-2167, and an accessory drive-through with a restaurant use.
It should be noted that these lands are within a Regional intensification corridor, which may include higher density residential uses. As such, the new zoning category should be more reflective of higher intensity uses permitted in the Official Plan.

In view of the foregoing, my client requests an opportunity to meet with City of Vaughan Planning staff in order to discuss potential additional appropriate land uses and development standards in order to ensure that the new zoning by-law is acceptable prior to being passed by Council.

Yours very truly,
KLM PLANNING PARTNERS INC.

Roy Mason

cc: Lucio Polsinelli, c/o Canvas Developments

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

October 27th, 2020
HPGI File: 15425

COMMUNICATION – C53
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

SUBMITTED VIA EMAIL: clerks@vaughan.ca

City Council
Vaughan City Hall, Level 100
2141 Major Mackenzie Drive
Vaughan, ON, L6A 1T1

Attention: **City Clerk, City of Vaughan**

Re: **October 29th Public Hearing Item 1 – Third Draft Comprehensive Zoning By-law Review**
7851 Dufferin Street (the "Subject Property")
Part 1, Plan 65R-29189 and Part 2, Plan 65R-18655
ALM Property Management Inc. (the "Owner")

Humphries Planning Group represents ALM Property Management Inc., owner of the property located at 7851 Dufferin Street, within the City of Vaughan and legally described as Part 1, Plan 65R-29189 and Part 2, Plan 65R-18655. A Consent Application has been filed and approved by the City of Vaughan for a lot line adjustment with the neighbouring property. The Third Draft of the City of Vaughan's Comprehensive Zoning By-law will be brought forward to Council on October 29th and we request that the above noted site be reviewed for a zoning designation change concurrent with the Consent Application that was approved in 2015. A summary of the Consent Application is detailed below:

2015 Consent Application

A Consent Application (file B036.15) was submitted to the City of Vaughan in 2015 and a Notice of Decision for the Approval was been issued October 9, 2016. The purpose of the application was to sever the rear portion of the lands located at 265 King High Drive, and to provide the severed portion as an addition to the land immediately to the west and municipally known as 7851 Dufferin Street.

The intent of this lot line adjustment application was to reserve the added land to facilitate the future expansion of the parking lot at 7851 Dufferin Street, while allowing the Owner to sell the recently constructed residential dwelling at 265 King High Drive.

The Consent Application has resulted in a split zoning at 7851 Dufferin Street. It is our opinion that the lot addition should be zoned as General Commercial Zone to coincide with the existing zone category at 7851 Dufferin Street. This would be a technical correction in order to consolidate the zone category across the property at 7851 Dufferin Street. It should also be noted that the existing parcel fabric the City of Vaughan is illustrating in their updated Zoning mapping does not match the PIN Mapping further to the Committee of Adjustment's approval of the consent application.

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

The following materials have been attached to support the proposed zoning designation category change:

- Current Parcel Abstracts and PIN map for 7851 Dufferin Street – (PIN #03269-0428, 03269-0388, & 03269-0389)

Within the City of Vaughan's upcoming Third Draft of the Comprehensive Zoning By-law, we respectfully request that Staff and Council consider consolidating the General Commercial Zone category across the entirety of 7851 Dufferin Street.

Further, we ask to be provided notice regarding the status of the Third Draft Comprehensive Zoning By-law, including any further public meetings and future Committee of the Whole and Council meetings. Notice can be delivered to the following mailing address:

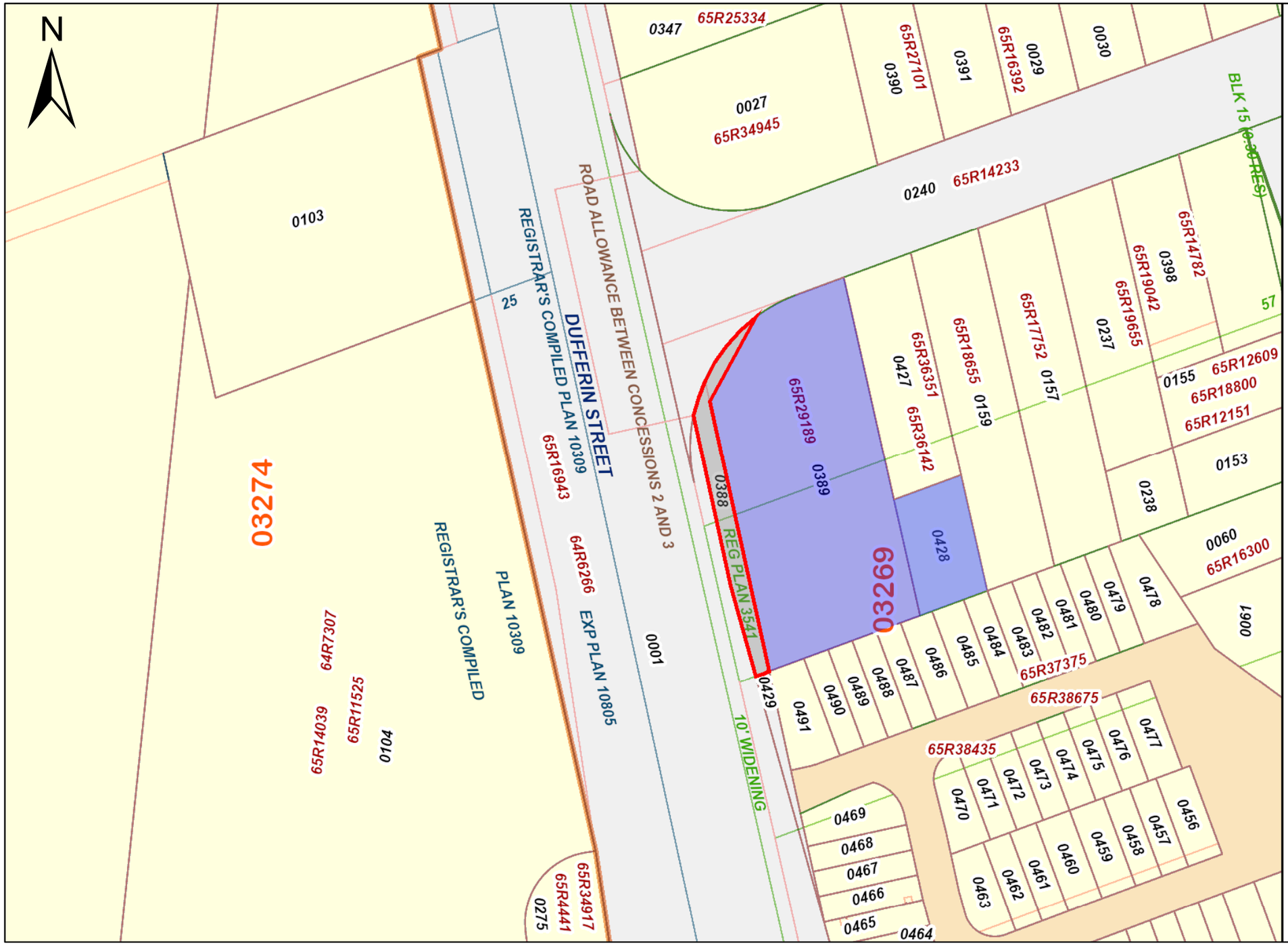
Humphries Planning Group Inc.
c/o Mark McConville
190 Pippin Road, Suite A
Vaughan, ON, L4K 4X9

We thank you for your consideration in this matter. If you have any further questions regarding the above information, feel free to contact the undersigned at extension 246.

Yours sincerely,
HUMPHRIES PLANNING GROUP INC.

Mark McConville, MCIP, RPP, M.Sc.Pl.
Associate Planner

cc: Mr. Brandon Correia, Manager, Special Projects
ALM Property Management Inc.



ServiceOntario

IMPRIMÉ LE 27 OCT. 2020 À 13 H 10 MIN 41 S POUR IVALD001

ÉCHELLE

0 30 mètres

RÉPERTOIRE DES CARTES FONCIÈRES

YORK REGION(n° 65)

LÉGENDE

PROPRIÉTÉ FRANCHE	
PROPRIÉTÉ À BAIL	
INTÉRÊT LIMITÉ	
PROPRIÉTÉ CONDOMINIALE	
NIP RETIRÉ (MISE À JOUR DE LA CARTE À VENIR)	
NUMÉRO DE LA PROPRIÉTÉ	*0449*
NUMÉRO DE LA PIÈCE	08050
TISSU GÉOGRAPHIQUE	
SERVITUDE	

CECI N'EST PAS UN PLAN D'ARPENTAGE

NOTES

EXAMINEZ LES DOCUMENTS DU TITRE POUR UNE INFORMATION COMPLÈTE SUR LA PROPRIÉTÉ, CAR LA CARTE N'INDIQUE PEUT-ÊTRE PAS LES DERNIERS ENREGISTREMENTS

CETTE CARTE A ÉTÉ RÉALISÉE À PARTIR DE PLANS ET DE DOCUMENTS ENREGISTRÉS DANS LE SYSTÈME D'ENREGISTREMENT IMMOBILIER ET A ÉTÉ ÉLABORÉE UNIQUEMENT AUX FINS DE L'INDEXATION DES PROPRIÉTÉS

POUR LES DIMENSIONS DES PROPRIÉTÉS, VOIR LES PLANS ET DOCUMENTS ENREGISTRÉS

SEULES LES PRINCIPALES SERVITURES SONT INDIQUÉES SUR LA CARTE

LES PLANS DE RENVOI SOUS-JACENTS À DES PLANS DE RENVOI PLUS RÉCENTS NE SONT PAS PRÉSENTÉS

Ontario

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LTS 57 & 58 PL 3541 VAUGHAN - PT 1 65R29189 ; VAUGHAN

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
DIVISION FROM 03269-0055

PIN CREATION DATE:
2006/10/13

OWNERS' NAMES
ALM PROPERTY MANAGEMENT INC.

CAPACITY SHARE
ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2006/10/13 **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
** AND ESCHEATS OR FORFEITURE TO THE CROWN.						
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
** CONVENTION.						
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES: 1999/06/28 **						
YR654278	2005/06/20	TRANSFER		*** DELETED AGAINST THIS PROPERTY *** 1153345 ONTARIO INC.	1513183 ONTARIO INC.	
	REMARKS: PLANNING ACT STATEMENTS					
YR671292	2005/07/22	CHARGE		*** DELETED AGAINST THIS PROPERTY *** 1513183 ONTARIO INC.	B & M HANDELMAN INVESTMENTS LIMITED FLORDALE HOLDINGS LIMITED SAMARON HOLDINGS INC. LEDMAR INVESTMENTS LIMITED SHARJOD HOLDINGS INC. SHEILACO INVESTMENTS INC. MAXOREN INVESTMENTS INC.	
YR807130	2006/04/24	CHARGE		*** DELETED AGAINST THIS PROPERTY *** 1513183 ONTARIO INC.	PELTS, ALEXANDRA	
65R29189	2006/06/27	PLAN REFERENCE				C
YR882478	2006/09/15	NOTICE		THE CORPORATION OF THE CITY OF VAUGHAN	1513183 ONTARIO INC.	C

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
					THE REGIONAL MUNICIPALITY OF YORK	
YR946790	2007/02/09	CHARGE		*** COMPLETELY DELETED *** 1513183 ONTARIO INC.	FOREMOST FINANCIAL CORPORATION	
YR946819	2007/02/09	NO ASSGN RENT GEN		*** COMPLETELY DELETED *** 1513183 ONTARIO INC.	FOREMOST FINANCIAL CORPORATION	
REMARKS: YR946790						
YR1065155	2007/10/03	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** MGL CONSTRUCTION INC.		
YR1093178	2007/11/28	CERTIFICATE		*** COMPLETELY DELETED *** MGL CONSTRUCTION INC.	BRANCATO CONSTRUCTION CO. LTD. 1513183 ONTARIO INC. THE REGIONAL MUNICIPALITY OF YORK B & M HANDELMAN INVESTMENTS LIMITED FLORDALE HOLDINGS LIMITED SAMARON HOLDINGS INC. LEDMAR INVESTMENTS LIMITED SHARJOD HOLDINGS INC. SHEILACO INVESTMENTS INC. MAXOREN INVESTMENTS INC. PELTS, ALEXANDRA FOREMOST FINANCIAL CORPORATION	
REMARKS: CERTIFICATE OF ACTION FOR YR1065155						
YR1097851	2007/12/05	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** ROM-TAL MECHANICAL INC.		
YR1101155	2007/12/12	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** ISLINGTON NURSERIES LTD.		
YR1104984	2007/12/20	CERTIFICATE		*** COMPLETELY DELETED *** ROM-TAL MECHANICAL INC.	BRANCATO, MAURO (ALSO KNOWN AS JIM BRANCATO) BRANCATO CONSTRUCTION CO. LTD. 1513183 ONTARIO INC. LEDMAR INVESTMENTS LIMITED SHARJOD HOLDINGS INC. SHEILACO INVESTMENTS INC. B & M HANDELMAN INVESTMENTS LIMITED FLORDALE HOLDINGS LIMITED SAMARON HOLDINGS INC.	

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
					MAXOREN INVESTMENTS INC. ALEXANDRA PELTS FOREMOST FINANCIAL CORPORATION	
	REMARKS: YR1097851/DELETED 2011/03/25. DELETED UNDER DISCHARGE YR1584024					
YR1105937	2007/12/21	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** NIGHT LIGHT INC.		
YR1117453	2008/01/25	CERTIFICATE		*** COMPLETELY DELETED *** ISLINGTON NURSERIES LTD.		
	REMARKS: ACTION ON YR1101155/DELETED UNDER YR1584025- 2011/03/25. MG					
YR1135847	2008/03/13	CERTIFICATE		*** COMPLETELY DELETED *** NIGHT LIGHT INC.		
	REMARKS: CERTIFICATE OF ACTION					
YR1279348	2009/01/21	APL AMEND ORDER		*** COMPLETELY DELETED *** ONTARIO SUPERIOR COURT OF JUSTICE	MGL CONSTRUCTION INC.	
	REMARKS: YR1065155 & YR1093178					
YR1280967	2009/01/28	DIS CONSTRUCT LIEN		*** COMPLETELY DELETED ***	MGL CONSTRUCTION INC.	
	REMARKS: RE: YR1065155					
YR1316808	2009/05/14	CHARGE		*** COMPLETELY DELETED *** 1513183 ONTARIO INC.	THE BANK OF NOVA SCOTIA	
YR1441463	2010/02/16	TRANSFER OF CHARGE		*** COMPLETELY DELETED *** B & M HANDELMAN INVESTMENTS LIMITED FLORDALE HOLDINGS LIMITED SAMARON HOLDINGS INC. LEDMAR INVESTMENTS LIMITED SHARJOD HOLDINGS INC. MAXOREN INVESTMENTS INC. SHEILACO INVESTMENTS INC.	ELGIN MILLS CONSTRUCTION INC.	
	REMARKS: YR671292.					
YR1521064	2010/07/21	DISCH OF CHARGE		*** COMPLETELY DELETED *** THE BANK OF NOVA SCOTIA		
	REMARKS: YR1316808.					
YR1582660	2010/12/01	APL AMEND ORDER		*** COMPLETELY DELETED *** ONTARIO SUPERIOR COURT OF JUSTICE	1513183 ONTARIO INC.	

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
	REMARKS: & YR1135847					
YR1584018	2010/12/03	TRANSFER	$2,450,000	1513183 ONTARIO INC.	1701396 ONTARIO LIMITED	C
	REMARKS: PLANNING ACT STATEMENTS					
YR1584019	2010/12/03	CHARGE		*** COMPLETELY DELETED *** 1701396 ONTARIO LIMITED	FIRM CAPITAL MORTGAGE FUND INC.	
YR1584020	2010/12/03	NO ASSGN RENT GEN		*** COMPLETELY DELETED *** 1701396 ONTARIO LIMITED	FIRM CAPITAL MORTGAGE FUND INC.	
	REMARKS: YR1584019					
YR1584021	2010/12/03	DISCH OF CHARGE		*** COMPLETELY DELETED *** ELGIN MILLS CONSTRUCTION INC.		
	REMARKS: YR671292.					
YR1584022	2010/12/03	DISCH OF CHARGE		*** COMPLETELY DELETED *** PELTS, ALEXANDRA		
	REMARKS: YR807130.					
YR1584023	2010/12/03	DISCH OF CHARGE		*** COMPLETELY DELETED *** FOREMOST FINANCIAL CORPORATION		
	REMARKS: YR946790.					
YR1584024	2010/12/03	DIS CONSTRUCT LIEN		*** COMPLETELY DELETED *** ROM-TAL MECHANICAL INC.		
	REMARKS: YR1097851.					
YR1584025	2010/12/03	DIS CONSTRUCT LIEN		*** COMPLETELY DELETED *** ISLINGTON NURSERIES LTD.		
	REMARKS: YR1101155.					
YR1629412	2011/04/01	CHARGE		*** COMPLETELY DELETED *** 1701396 ONTARIO LIMITED	ROYAL BANK OF CANADA	
YR1630339	2011/04/05	DISCH OF CHARGE		*** COMPLETELY DELETED *** FIRM CAPITAL MORTGAGE FUND INC.		
	REMARKS: YR1584019.					
YR2008824	2013/07/24	CHARGE		*** COMPLETELY DELETED *** 1701396 ONTARIO LIMITED	BANK OF MONTREAL	
YR2008825	2013/07/24	NO ASSGN RENT GEN		*** COMPLETELY DELETED ***		

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
				1701396 ONTARIO LIMITED	BANK OF MONTREAL	
	REMARKS: YR2008824.					
YR2016480	2013/08/09	DISCH OF CHARGE		*** COMPLETELY DELETED *** ROYAL BANK OF CANADA		
	REMARKS: YR1629412.					
YR2866928	2018/08/29	APL CH NAME OWNER		1701396 ONTARIO LIMITED	ALM PROPERTY MANAGEMENT INC.	C
YR2866929	2018/08/29	CHARGE	$3,000,000	ALM PROPERTY MANAGEMENT INC.	CANADIAN IMPERIAL BANK OF COMMERCE	C
YR2866930	2018/08/29	NO ASSGN RENT GEN		ALM PROPERTY MANAGEMENT INC.	CANADIAN IMPERIAL BANK OF COMMERCE	C
	REMARKS: YR2866929.					
YR2869447	2018/09/05	DISCH OF CHARGE		*** COMPLETELY DELETED *** BANK OF MONTREAL		
	REMARKS: YR2008824.					
YR2870065	2018/09/06	DISCH OF CHARGE		*** COMPLETELY DELETED *** BANK OF MONTREAL		
	REMARKS: YR2008824.					

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PT LTS 57 & 58 PL 3541 VAUGHAN - PTS 2 & 3 65R29189 ; VAUGHAN

PROPERTY REMARKS:

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
DIVISION FROM 03269-0055

PIN CREATION DATE:
2006/10/13

OWNERS' NAMES
THE REGIONAL MUNICIPALITY OF YORK

CAPACITY SHARE

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2006/10/13 **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
** AND ESCHEATS OR FORFEITURE TO THE CROWN.						
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
** CONVENTION.						
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES: 1999/06/28 **						
65R29189	2006/06/27	PLAN REFERENCE				C
YR868984	2006/08/18	TRANSFER		1513183 ONTARIO INC.	THE REGIONAL MUNICIPALITY OF YORK	C
YR882478	2006/09/15	NOTICE		THE CORPORATION OF THE CITY OF VAUGHAN	1513183 ONTARIO INC. THE REGIONAL MUNICIPALITY OF YORK	C
YR1065155	2007/10/03	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** MGL CONSTRUCTION INC.		
YR1093178	2007/11/28	CERTIFICATE		*** COMPLETELY DELETED *** MGL CONSTRUCTION INC.	BRANCATO CONSTRUCTION CO. LTD. 1513183 ONTARIO INC. THE REGIONAL MUNICIPALITY OF YORK B & M HANDELMAN INVESTMENTS LIMITED FLORDALE HOLDINGS LIMITED SAMARON HOLDINGS INC. LEDMAR INVESTMENTS LIMITED SHARJOD HOLDINGS INC.	

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
					SHEILACO INVESTMENTS INC. MAXOREN INVESTMENTS INC. PELTS, ALEXANDRA FOREMOST FINANCIAL CORPORATION	
REMARKS: CERTIFICATE OF ACTION FOR YR1065155						
YR1097175	2007/12/04	CONSTRUCTION LIEN	$17,384	TR PAVING AND INTERLOCKING INC.		C
YR1101154	2007/12/12	CONSTRUCTION LIEN		*** COMPLETELY DELETED *** ISLINGTON NURSERIES LTD.		
YR1113785	2008/01/16	CERTIFICATE		TR PAVING AND INTERLOCKING INC.		C
REMARKS: ACTION, YR1097175						
YR1152762	2008/04/23	DIS CONSTRUCT LIEN		*** COMPLETELY DELETED ***	ISLINGTON NURSERIES LTD.	
REMARKS: RE: YR1101154						
YR1280967	2009/01/28	DIS CONSTRUCT LIEN		*** COMPLETELY DELETED ***	MGL CONSTRUCTION INC.	
REMARKS: RE: YR1065155						

* CERTIFIED IN ACCORDANCE WITH THE LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

PROPERTY DESCRIPTION: PART LOT 58, PLAN 3541 DESIGNATED AS PART 2, 65R36351; CITY OF VAUGHAN

PROPERTY REMARKS: PLANNING ACT CONSENT IN YR2475017.

ESTATE/QUALIFIER:
FEE SIMPLE
LT CONVERSION QUALIFIED

RECENTLY:
DIVISION FROM 03269-0396

PIN CREATION DATE:
2016/06/10

OWNERS' NAMES
ALM PROPERTY MANAGEMENT INC.

CAPACITY SHARE
ROWN

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
** PRINTOUT INCLUDES ALL DOCUMENT TYPES AND DELETED INSTRUMENTS SINCE 2016/06/10 **						
**SUBJECT, ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO:						
** SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES *						
** AND ESCHEATS OR FORFEITURE TO THE CROWN.						
** THE RIGHTS OF ANY PERSON WHO WOULD, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF						
** IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY						
** CONVENTION.						
** ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES.						
**DATE OF CONVERSION TO LAND TITLES: 1999/06/28 **						
65R18655	1996/08/29	PLAN REFERENCE				C
YR1035623	2007/08/14	TRANSFER	$510,000	BONVENTRE, ANTONIO BONVENTRE, CATERINA	1740816 ONTARIO LIMITED	C
REMARKS: PLANNING ACT STATEMENTS						
YR2398995	2015/12/03	CHARGE		*** DELETED AGAINST THIS PROPERTY *** 1740816 ONTARIO LIMITED	HOME TRUST COMPANY	
65R36142	2016/01/27	PLAN REFERENCE				C
YR2432411	2016/02/18	APL ANNEX REST COV		1740816 ONTARIO LIMITED		C
REMARKS: NO EXPIRY						
65R36351	2016/04/25	PLAN REFERENCE				C
YR2474661	2016/05/20	APL DELETE REST		1740816 ONTARIO LIMITED		C
REMARKS: YR2432411. DELETES FROM PART 1, PLAN 65R-36351 ONLY						

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES, IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

REG. NUM.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO	CERT/ CHKD
YR2494201	2016/06/27	DISCH OF CHARGE		*** COMPLETELY DELETED *** HOME TRUST COMPANY		
	REMARKS: YR2398995.					
YR2872757	2018/09/13	APL CH NAME OWNER		1740816 ONTARIO LIMITED	ALM PROPERTY MANAGEMENT INC.	C

WESTON CONSULTING

planning + urban design

COMMUNICATION – C54
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Dr.
Vaughan, ON
L6A 1T1

October 27, 2020
File 9497

Attn: City Clerk

Re: City-Wide Comprehensive Zoning By-law
Committee of the Whole (Public Meeting)
9929 Keele Street, Vaughan

Weston Consulting is the planning consultant for Sharewell Investments, the owner of the property municipally known as 9929 Keele Street (herein referred to as the "subject property"), in the City of Vaughan within the community of Maple. We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is currently zoned "*Restricted Commercial Zone (C1)*" under the in-force City of Vaughan Zoning By-law 1-88 and is subject to site-specific Exception 9(157) and Schedule E-162. Site-specific Exception 9(157) permits the following uses on the subject property:

- Banking and Financial Institution
- Business and Professional Office
- Person Service Shops
- Photography Studio
- Retail Stores
- Services or Repair Shop
- Video Store
- Eating Establishments
- Take-out Eating Establishments (limited to a GFA of 130 m²)
- Club or Health Centre
- Travel Agency

An exception to the required minimum landscaped area is included to allow a driveway across the landscaped area adjacent to the northerly limit of the site due to the fact that the northern portion of the subject property is subject to an access easement to maintain a shared driveway and therefore, cannot implement the full landscape buffer. Additionally, the exception permits a reduced parking rate of 79 parking spaces.

The purpose of this letter is to confirm that, through the implementation of the CZBL, the site-specific exceptions, as they relate to the current Commercial zoning of the property, do not preclude any future applications on the subject property.

Upon review of the third draft of the CZBL, the subject property has been preliminarily zoned as "*Main Street Mixed-Use – Maple Zone (MMS-72)*" and is subject to Site-Specific Exception 72. It

is recognized that all permitted uses and other site-specific provisions have been captured under Exception 72 of the draft CZBL, recognizing that a Photography Studio and Travel Agency have been incorporated under Personal Service Shops and that Video Store appears to have been phased out as these establishments are now mostly obsolete. Furthermore, we acknowledge that the proposed CZBL introduces residential uses as permitted uses on the subject property in order to achieve a mixed-use corridor along this portion of Keele Street.

Notwithstanding the draft CZBL, a Pre-Application Consultation ("PAC") meeting between the landowner and the City was held on August 9, 2019. The landowner intends to submit new applications for Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use, 4-storey residential apartment building with at-grade retail uses. It is noted that this proposed mixed-use redevelopment of the site is generally consistent with the proposed new zoning for the site under the draft CZBL. However, we are also aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject property given the intention to file site-specific development applications.

We understand that the intent of the transition provisions of Section 1.6.3 is to allow for various active planning applications to proceed without having to comply with the CZBL. Upon the submission and approval of the forthcoming Zoning By-law Amendment application, it is our request that the site-specific zoning be implemented for the site through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

In summary, we support the proposed zoning category of MMS-72 for the subject property as set forth by the current draft of the CZBL. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis, and request to be notified of any future reports and/or meetings regarding the CZBL. We further request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or extension 245 should you have any questions regarding this submission.

Yours Truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

Sandra K. Patano, BES, MES, MCIP, RPP
Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Jim Harnum, City Manager
Brandon Correia, Manager of Special Projects
Sharewell Investments, Gabe DiMartino
Aaron Platt, Davies Howe LLP

WESTON CONSULTING

planning + urban design

COMMUNICATION – C55
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Development Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28, 2020
File 7584

Attn: City Clerk

Dear Sir,

RE: Part of Lot 3, Concession 3 (Parts 6&7 of R-Plan 65R-33852), Concord
Draft Zoning By-law
City of Vaughan

Weston Consulting are the Planners for Keele-407 Development Corp., the owners of the property located at north-east corner of Keele St and Great Gulf Drive in the City of Vaughan. We have reviewed the Phase 3 Draft Zoning By-law material and note that the Site Specific exception 1010 does not include the Committee of Adjustment approvals that were obtained in 2017. These approved variances to the Zoning By-law are as follows:

- **2017 – Application A168-17**

    1. A minimum of 376 parking spaces;
    2. A minimum of zero loading spaces for Building A;
    3. A minimum of zero loading spaces for Building B;
    4. A minimum unit size within a multi-unit building of 176.54 m2;
    5. A minimum rear yard setback of 8.0 metres; and
    6. A minimum landscape strip width of 8 metres.

The Committee decision is attached for your reference.

We have reviewed Section 1.6 of the Phase 3 Draft Zoning By-law text and are concerned that the minor variances achieved in 2017 will no longer be in effect on the passing of the new Zoning By-law. Section 1.6.2.1 contains three tests to recognize existing Planning Act approvals. We note that the minor variance approval was authorized by the Committee of Adjustment on or after January 1, 2015 and on or before the effective date of this by-law since it is not in effect as of yet. This satisfies the first two tests.

Our concern is that the approved variance does not meet the third test as a building permit has already been issued. Thus, based on our interpretation, the existing building would become a non-conforming land use as per Section 1.9.

It would be greatly appreciated if you could confirm that the minor variances obtained in the application noted above will remain in full force and effect when the new Zoning by-law comes into effect.

Thank you in advance for your assistance.

Yours truly,
Weston Consulting

Kurt Franklin BMath, MAES, MCIP, RPP
Vice President

cc. Mr. Sandy Minuk, Keele-407 Development Corp.
Mr. Brandon Correira, Manager – Special Projects, City of Vaughan

VAUGHAN

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, Ontario, L6A 1T1
Tel [905] 832-2281 Fax [905] 832-8535

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: A168/17

APPLICANT: KEELE - 407 DEVELOPMENT CORP.

PROPERTY: Part of Lot 3, Concession 3 (Parts 6&7 of Registered Plan 65R33852), Concord.

ZONING: The subject lands are zoned EM1 and subject to the provisions of Exception 9(1360) under By-law 1-88, as amended

PRIOR to the hearing the applicant amended the Sketch as follows:

By amending variance #1 A minimum of 376 parking spaces
NOT A minimum of 377 parking spaces

PURPOSE: **To permit the construction of 5 industrial buildings.**

PROPOSAL:
1) A minimum of ~~377~~ **376** parking spaces,
2) A minimum of zero loading spaces for building A,
3) A minimum of zero loading spaces for building B,
4) A minimum unit size within a multi-unit building of 176.54 square metres,
5) A minimum rear yard setback of 8.0 metres, and,
6) A minimum landscape strip width of 8 metres

BY-LAW REQUIREMENT:
1) A minimum of 401 parking spaces,
2) A minimum of 1 loading spaces for building A,
3) A minimum of 2 loading spaces for building B,
4) A minimum unit size within a multi-unit building of 274 square metres,
5) A minimum rear yard setback of 14.0 metres, and,
6) A minimum landscape strip width of 9 metres

A sketch is attached illustrating the request.

MOVED BY: _____

SECONDED BY: _____

THAT the Committee is of the opinion that the variances sought, can be considered minor and are desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

☐ The Committee of Adjustment received written and/or oral submissions before and/or during the hearing and have taken these submissions into consideration when making the decision.

THAT Application No.A168/17, **KEELE - 407 DEVELOPMENT CORP.**, be **APPROVED,** in accordance with the sketches and conditions attached:

1. The Owner shall successfully obtain site plan approval for Site Development File DA.16.088, if required and to the satisfaction of the Development Planning Department.

2. That if the condition(s) listed above is/are not fulfilled and the Building Permit is not applied for within twelve (12) months of the date this decision becomes final and binding, the said decision shall expire and shall be deemed to have been annulled and rescinded by the Committee. **(PLEASE NOTE THAT THIS TIME PERIOD CANNOT BE EXTENDED IN ANY WAY, FAILURE TO MEET THIS DEADLINE WILL RESULT IN REQUIRING A NEW APPLICATION AND FEE.)**

COMMITTEE OF ADJUSTMENT VARIANCE **A168/17**

VERY IMPORTANT: IT IS THE RESPONSIBILITY OF THE OWNER/APPLICANT AND/OR AGENT TO OBTAIN AND PROVIDE A CLEARANCE LETTER FROM EACH AGENCY AND/OR DEPARTMENT LISTED IN THE CONDITIONS WHETHER "IF REQUIRED" APPEARS IN THE CONDITION OR NOT, AND FORWARD THIS CLEARANCE LETTER TO THE SECRETARY-TREASURER AS SOON AS THE CONDITIONS ARE FULFILLED.

FAILURE TO COMPLY WITH THIS PROCEDURE WILL RESULT IN A LETTER BEING FORWARDED BY THE SECRETARY-TREASURER INDICATING THIS FILE HAS LAPSED AND, THEREFORE, WILL NECESSITATE THAT A NEW APPLICATION BE SUBMITTED TO LEGALIZE THIS PROPERTY.

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

CHAIR: _____

Signed by all members present who concur in this decision:

ABSENT

M. Mauti,
Chair

J. Cesario,
Vice Chair

R. Buckler,
Member

H. Zheng,
Member

A. Perrella,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, ACST(A), MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	**June 08, 2017**
Last Date of Appeal:	**June 28, 2017**

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the $708.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of $300.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

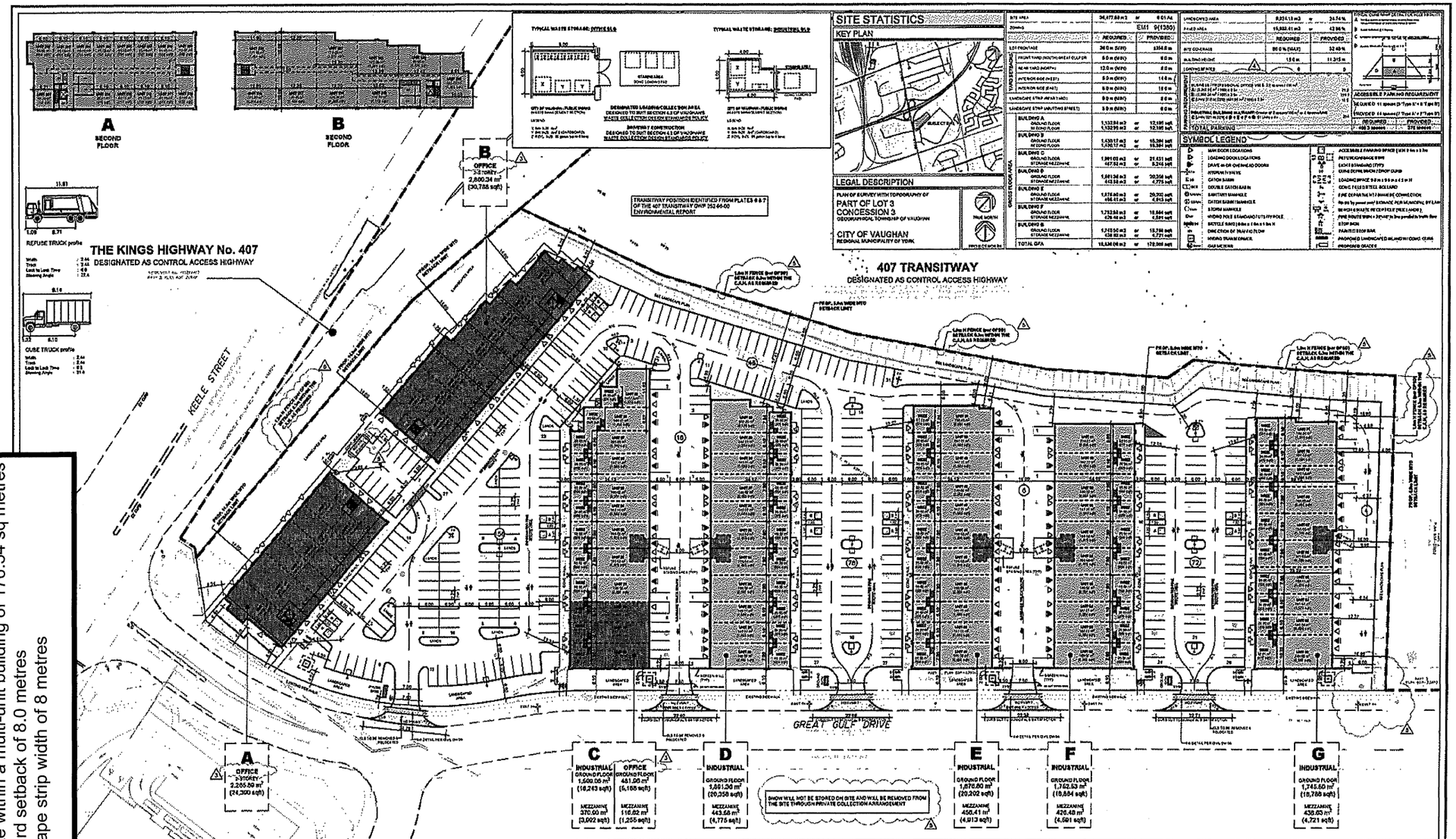
CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:
June 28, 2018

REVISED JUNE 7, 2017

A168/17

1) A minimum of 376 parking spaces
2) A minimum of zero loading spaces for building A
3) A minimum of zero loading spaces for building B
4) A minimum unit size within a multi-unit building of 176.54 sq metres
5) A minimum rear yard setback of 8.0 metres
6) A minimum landscape strip width of 8 metres



ISSUED	DATE
OR REVIEW SPA	JUNE 27, 2016
D FOR INTERNAL	SEPT. 07, 2016
OR SPA	SEPT. 22, 2016
OR COORDINATION	FEB. 22, 2017
OR SPA MMON	FEB. 27, 2017

NO	REVISION	DATE
1	COORDINATED W/CIVIL + LANDS	SEPT. 21, 2016
2	REVISED TO SUIT MUNICIPAL COMMENTS	FEB. 10, 2017
3	AMENDED BUILDING CLASSIFICATION	APRIL 24, 2017
4	REVISED AS NOTED	APRIL 27, 2017
5	REVISED AS NOTED	MAY 02, 2017

407-KEELE CENTRE

KEELE ST. & GREAT GULF DR.
CITY OF VAUGHAN, ONT.

A. BALDASSARRA
Architect Inc.
7800 Jane Street, Suite 200
Concord, Ontario L4K 4R6
Tel: (905) 660-0722
Fax: (905) 660-7019

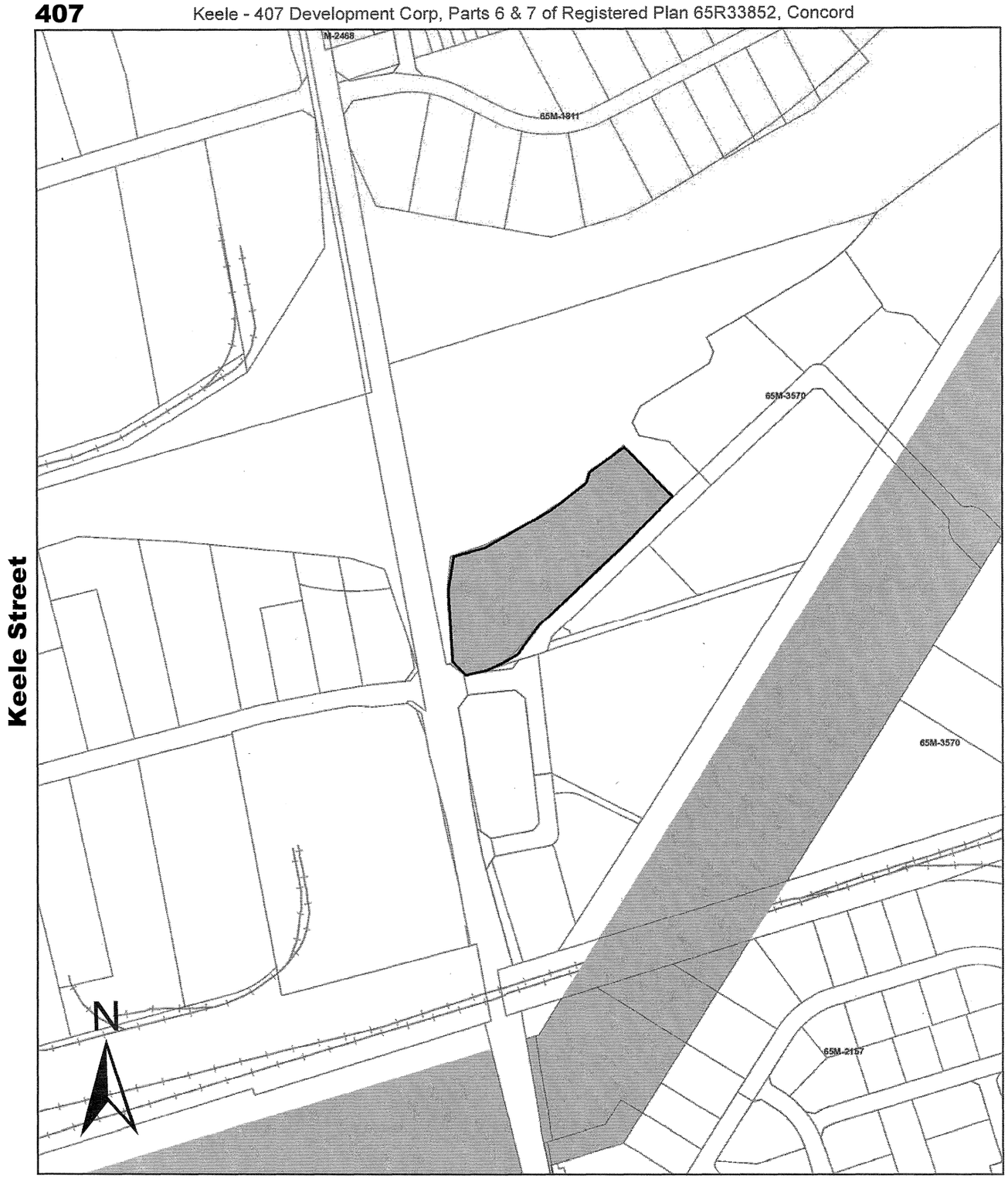
ONTARIO ASSOCIATION OF ARCHITECTS
A. BALDASSARRA LICENCE 3804

DRAWING TITLE: SITE PLAN
DA.16.088

DRAWN BY	SCALE
DW	1:500
DATE	CHECKED BY
MARCH 2016	
PROJECT No	DRAWING No
16-36	A-1.0

Location Map - A168/17

407 Keele - 407 Development Corp, Parts 6 & 7 of Registered Plan 65R33852, Concord



City of Vaughan

0 0.125 0.25 0.5 Kilometers

WESTON CONSULTING

planning + urban design

COMMUNICATION – C56
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Development Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28, 2020
File 5411

Attn: City Clerk

Dear Sir,

RE: 8440 Hwy 27, Vaughan
Draft Zoning By-law
City of Vaughan

Weston Consulting are the Planners for Parentela Holdings Inc., the owners of the property located at 8440 Hwy 27 in the City of Vaughan. We have reviewed the Phase 3 Draft Zoning By-law material and note that the Site Specific exception 226 does not reflect Committee of Adjustment approvals that were obtained in 2008 and 2013. These approved variances to the Zoning By-law are as follows:

- **2008 – Application A121-0**

    1. A minimum front yard setback of 11.5m
    2. A maximum gross floor area of 6,926m2
    3. A minimum of 518 parking spaces
    4. A minimum of 8.1% landscaping
    5. A minimum of 5 handicapped parking spaces
    6. A minimum southerly interior side yard setback of 3.0m
    7. A minimum of 1 loading space

- **2013 – Application A035-12**

    1. A minimum side yard setback of 2.84m (south side)

The Committee decisions are attached for your reference.

We have reviewed Section 1.6 of the Phase 3 Draft Zoning By-law text and are concerned that the minor variances achieved in 2008 and 2013 will no longer be in effect on the passing of the new Zoning By-law. Section 1.6.2.1 does not preserve these variances as they were approved before January 1, 2015 and a building permit has been issued.

It would be greatly appreciated if you could confirm that the minor variances obtained in the applications noted above will remain in full force and effect when the new Zoning by-law comes into effect.

Thank you in advance for your assistance.

Yours truly,
Weston Consulting

Kurt Franklin BMath, MAES, MCIP, RPP
Vice President

cc. Carlo Parentela, Parentela Holdings
Mr. Brandon Correira, Manager – Special Projects, City of Vaughan

City of Vaughan
The City Above Toronto

2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1
Tel [905] 832-2281
Fax [905] 832-8535

COMMITTEE OF ADJUSTMENT (VARIANCES)

NOTICE OF DECISION

FILE NUMBER: **A121/08**

APPLICANT: **PARENTELA HOLDINGS LTD.**

PROPERTY: Part of Lot 10, Concession 9, (municipally known as 8440 Highway 27, Woodbridge).

ZONING: The subject lands are zoned C6, Highway Commercial zone under By-Law 1-88 as amended and further subject to exception 9(409).

PURPOSE: The purpose of this application is to request variances to permit the continued construction of a two storey addition, to an existing two storey banquet facility, as follows:

PROPOSAL:

1) A minimum front yard setback of 11.5m
2) A maximum gross floor area of ~~6915.6m2~~. 6916.0 m^2
3) A minimum of 518 parking spaces.
4) A minimum of 8.1% landscaping.
5) A minimum of 5 handicapped parking spaces.
6) A minimum southerly interior sideyard setback of 3.0 m.
7) A minimum of 1 loading space.

BY-LAW REQUIREMENTS:

1) A minimum front yard setback of 15m
2) A maximum gross floor area of 4855m2.
3) A minimum of 554 parking spaces.
4) A minimum of 10% landscaping.
5) A minimum of 6 handicapped parking spaces.
6) A minimum southerly interior sideyard setback of 9.4 m.
7) A minimum of 2 loading spaces.

A sketch is attached illustrating the request.

This application was previously adjourned from the June 5, & 19, 2008 meetings.

BACKGROUND: The land which is subject to this application was also the subject of another application under the Planning Act:

Minor Variance File No. A416/02 – Appr. Nov. 7/02 Appealed to the OMB (appeal withdrawn). Applicant did not proceed with seasonal tent structure.
Minor Variance File No. A088/04 – Appr. Mar. 25/04 File Lapsed.
Minor Variance File No. A267/04- Appr. Sept. 9/04. File Lapsed
Minor Variance File. No. A197/05 – Appr. Aug. 4/05
Site Plan Application DA.02.007 - APPROVED by Council June 24, 2002.
Site Plan Application DA.04.074 - ADOPTED by Committee of the Whole Jun. 27, 2005.

MOVED BY: _____

SECONDED BY: _____

THAT the Committee is of the opinion that the variances sought can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A121/08, PARENTELA HOLDINGS LTD., be APPROVED**, in accordance with the sketch attached.

CHAIR: _____

Signed by all members present who concur in this decision:

M. Mauti, ABSENT
Chair

L. Fluxgold,
Vice Chair

J. Cesario,
Member

D.H. Kang, ABSENT
Member

M.S. Panicalli,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

per _____

Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	**July 17, 2008**
Last Date of Appeal:	**August 6, 2008**

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the $150.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of $125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS:

August 6, 2009

Revised July 4/08 A121/08

Revised July 4/08
A121/08

SITE STATISTICS

LEGAL DESCRIPTION:	PART LOT 10 CONCESSION 9 CITY OF VAUGHAN, PLAN NO. 64R7839
MUNICIPAL ADDRESS:	8440 HIGHWAY NO. 27 WOODBRIDGE, ONTARIO
ZONING:	C6 HIGHWAY COMMERCIAL
SITE AREA:	40,600.0 SM (4.06 HECTARES)
DEVELLOPED SITE AREA:	24,736.0 SM (2.47 HECTARES)
DEVELLOPED SITE COVERAGE:	15.1%
BUILDING CODE CLASSIFICATION:	GROUP A DIVISION 2 O.B.C. 3.2.2.24

BUILDING AREA:

EXISTING BUILDING	
BANQUET HALL	3,840.0 SM
OFFICES	373.0 SM
STORAGE	449.0 SM
TOTAL	= 4,668.0 SM
NEW ADDITION	
BANQUET HALL	950.00 SM
OFFICES	398.57 SM
STORAGE/MECHANICAL	899.03 SM
TOTAL	= 2,247.60 SM
TOTAL G.F.A.	= 6,915.60 SM
TOTAL BUILDING FOOTPRINT	= 3,745.00 SM

increase max gross floor area to 6,916 m²

PARKING:

PARKING REQUIRED	
TOTAL BANQUET HALL 4,790.00 SM @ 11/100	527 SPACES
TOTAL OFFICES 771.57 SM @3.5/100	27 SPACES
TOTAL	= 554 SPACES
PARKING PROVIDED	
EXISTING	421 SPACES
NEW	97 SPACES
TOTAL	= 518 SPACES
LOADING	
EXISTING	1 SPACE
NEW	~~1 SPACE~~
TOTAL	= 1 SPACES
EXISTING PAVED AREA	13,959.0 SM
NEW PAVED AREA	3,078.0 SM
LANDSCAPED AREA	3,525.0 SM

reduce parking by 36 spaces

reduce H/C parking to 5 spaces

reduce loading to 1 space — OUT

reduce landscaping to 8.1% — OUT

LEGEND:

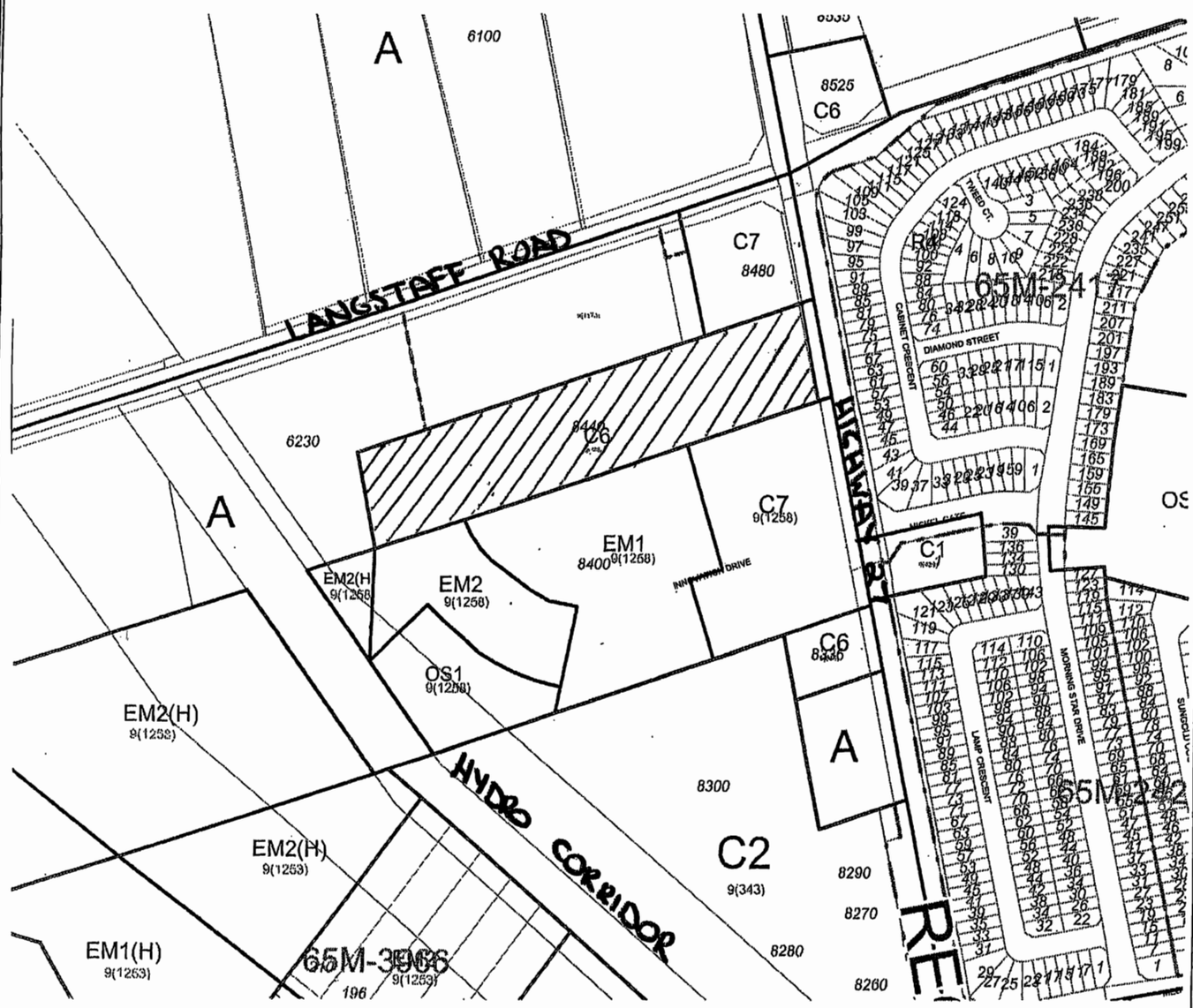
- PROPOSED ADDITION
- EXISTING BUILDING
- BUILDING ENTRANCES
- LIGHT STANDARDS
- C.B. CATCH BASIN
- DRAINAGE SLOPE DIRECTION
- TRAFFIC DIRECTIONAL ARROW
- FH FIRE HYDRANT

City of Vaughan

The City Above Toronto

COMMITTEE OF ADJUSTMENT

File No.:	**A121/08**
Applicant:	**Parentela Holdings Ltd.**
	Subject Area **8440 Highway 27, Woodbridge**



RECEIVED
FEB 2 1 2012

VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

MINOR VARIANCES

FILE NUMBER: **A035/12**

APPLICANT: **Parentela Holdings Ltd.**

IN THE MATTER OF the application that has been submitted, the provisions of Subsection 45 of the Planning Act, predecessors, as amended, for authorization of variances;

heard by this Committee of Adjustment on **FEBRUARY 9, 2012**

Enclosed is a Certified Copy of the Decision of the Committee.

Notice of appeal must be sent within twenty (20) days of the making of the decision, and that if no notice of appeal has been given within that period, the decision of the Committee is final and binding.

Notice of appeal must be personally served or sent by REGISTERED MAIL to:

The Secretary-Treasurer to Committee of Adjustment,
City of Vaughan,
2141 Major Mackenzie Drive,
Vaughan, Ontario.
L6A 1T1

NOT LATER THAN 4:30P.M.
FEBRUARY 29, 2012
being the last date for notice of appeal.

Together with two (2) separate **certified cheque(s) / money order(s)** In the amount of:

$650.00, processing fee, payable to the **TREASURER CITY OF VAUGHAN**
AND
$125.00 for the primary variance appeal and, if necessary, **$25.00** for each related variance appeal

payable to the **ONTARIO MINISTER OF FINANCE**.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the cheques

Only individuals, corporation and public bodies may appeal decisions in respect of applications for consent to the Ontario Municipal Board. A notice of appeal may not be files by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

Todd Coles

DATE of sending this Notice:

FEBRUARY 17, 2012

Todd Coles, BES, MCIP, RPP
Manager of Development Services and
Secretary-Treasurer to Committee of Adjustment
City of Vaughan

Weston Consulting Group Inc.
Attention of Kurt Franklin
201 Millway Avenue, Unit #19
Vaughan, ON L4K 5K8

FORM 14

VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

NOTICE OF DECISION
MINOR VARIANCES

FILE NUMBER: **A035/12**

APPLICANT: **Parentela Holdings Ltd.**

PROPERTY: Part of Lot 10, Concession 9, (municipally known as 8440 Highway 27, Woodbridge).

ZONING: The subject lands are zoned C6, Highway Commercial zone under By-Law 1-88 as amended and further subject to exception 9(409).

PURPOSE: **To permit the maintenance of an existing two-storey banquet facility.**

PROPOSAL:
1. To permit the maintenance of a minimum interior side yard setback of 2.84 metres. (south side).

BY-LAW REQUIREMENT:
1. A minimum interior side yard setback of 9.4 metres is required. (Variance had approved a reduction to 3.0 metres (south side).

BACKGROUND INFORMATION:

Other Planning Act Applications

The land which is the subject in this application was also the subject of another application under the Planning Act:

Minor Variance Application

A121/08 **APPROVED, Jul 17/08** (A min front yard setback of 11.5m; A max GFA of 6916.0m2.; A min f 518 parking spaces.; A min of 8.1% landscaping.; A min of 5 handicapped parking spaces.; A min southerly interior sideyard setback of 3.0 m.; A min of 1 loading space).

A197/05 **APPROVED Aug. 4/05** (To permit a max building height of 17.5m; To permit an out door patio to extend into the front yard located between the building and any residential zone; To permit a max driveway width of 14.5m).

A267/04 **APPROVED Sept. 9/04**. File Lapsed

A088/04 **APPROVED. Mar. 25/04** File Lapsed.

A416/02 **APPROVED Nov. 7/02** Appealed to the OMB (appeal withdrawn). Applicant did not proceed with seasonal tent structure.

Site Plan Application

DA.02.007 **APPROVED** by Council June 24, 2002.

DA.04.074 **ADOPTED** by Committee of the Whole Jun. 27, 2005.

A sketch is attached illustrating the request.

MOVED BY: _____

SECONDED BY: _____

THAT the Committee is of the opinion that the variance sought, can be considered minor and is desirable for the appropriate development and use of the land. The general intent and purpose of the By-law and the Official Plan will be maintained.

THAT Application No. **A035/12, Parentela Holdings Ltd.**, be **APPROVED,** in accordance with the attached sketch and subject to the following conditions:

THIS MINOR VARIANCE DECISION IS NOT A BUILDING PERMIT AUTHORIZING CONSTRUCTION UNDER THE BUILDING CODE ACT, R.S.O. 1990, AS AMENDED. A BUILDING PERMIT MAY BE REQUIRED. PLEASE CONTACT THE BUILDING STANDARDS DEPARTMENT IN THE EVENT THAT YOU REQUIRE FURTHER CLARIFICATION.

CARRIED.

COMMITTEE OF ADJUSTMENT VARIANCE **A035/12**

CHAIR:

Signed by all members present who concur in this decision:

J. Cesario,
Chair

A. Perrella,
Vice Chair

L. Fluxgold,
Member

M. Mauti,
Member

H. Zheng,
Member

CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment, and this decision was concurred in by a majority of the members who heard this application.

Todd Coles, BES, MCIP, RPP
Manager of Development Services
and Secretary-Treasurer to
Committee of Adjustment

Date of Hearing:	**FEBRUARY 9, 2012**
Last Date of Appeal:	**FEBRUARY 29, 2012**

APPEALS

APPEALS MUST BE RECEIVED BY THIS OFFICE NO LATER THAN 4:30 P.M. ON THE LAST DATE OF APPEAL NOTED ABOVE.

Should you decide to appeal this decision to the Ontario Municipal Board, a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the Ontario Municipal Board website at www.omb.gov.on.ca. If you do not have Internet access, these forms can be picked up at the City of Vaughan, Committee of Adjustment offices.

Please fill out Form A1 and follow the instructions as provided by the Ontario Municipal Board and submit your appeal to the City of Vaughan, Committee of Adjustment on or before the date stated above. You must enclose the completed form with the $650.00 processing fee, paid by **certified cheque** or **money order**, to the "TREASURER, CITY OF VAUGHAN" and the appeal fee of $125.00 for each application appealed, paid by **certified cheque** or **money order**, made payable to the "ONTARIO MINISTER OF FINANCE".

NOTE: The Planning Act provides for appeals to be filed by "persons". As groups or associations, such as residents or ratepayers groups which do not have incorporated status, may not be considered "persons" for the purposes of the Act, groups wishing to appeal this decision should do so in the name of individual group members, and not in the name of the group.

CONDITIONS

IF ANY CONDITIONS ARE IMPOSED ON THIS APPLICATION, THE FINAL DATE FOR FULFILLING THEM IS: **FEBRUARY 29, 2013**

A035/12

SKETCH FOR COMMITTEE OF ADJUSTMENT APPLICATION
3 METERS SETBACK REQUIREMENT
(BUILDING DIMENSIONS SETBACKS TO SOUTH
PROPERTY LINE WHICH ARE BELLOW 3 METRES
ARE CIRCLED)

PART OF LOT 10
CONCESSION 9
CITY OF VAUGHAN

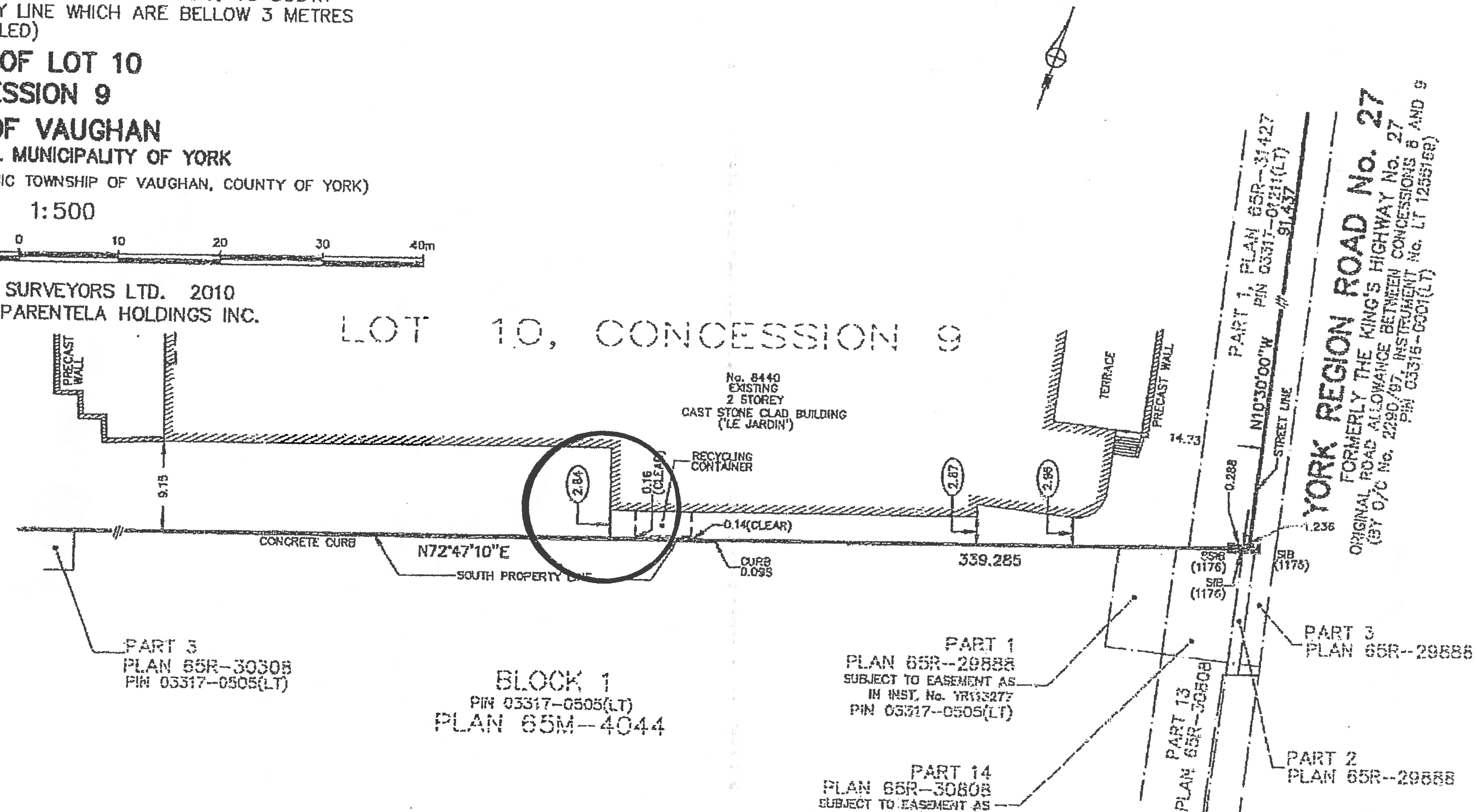
REGIONAL MUNICIPALITY OF YORK

(GEOGRAPHIC TOWNSHIP OF VAUGHAN, COUNTY OF YORK)

SCALE 1:500

10 0 10 20 30 40m

KRCMAR SURVEYORS LTD. 2010
OWNER: PARENTELA HOLDINGS INC.



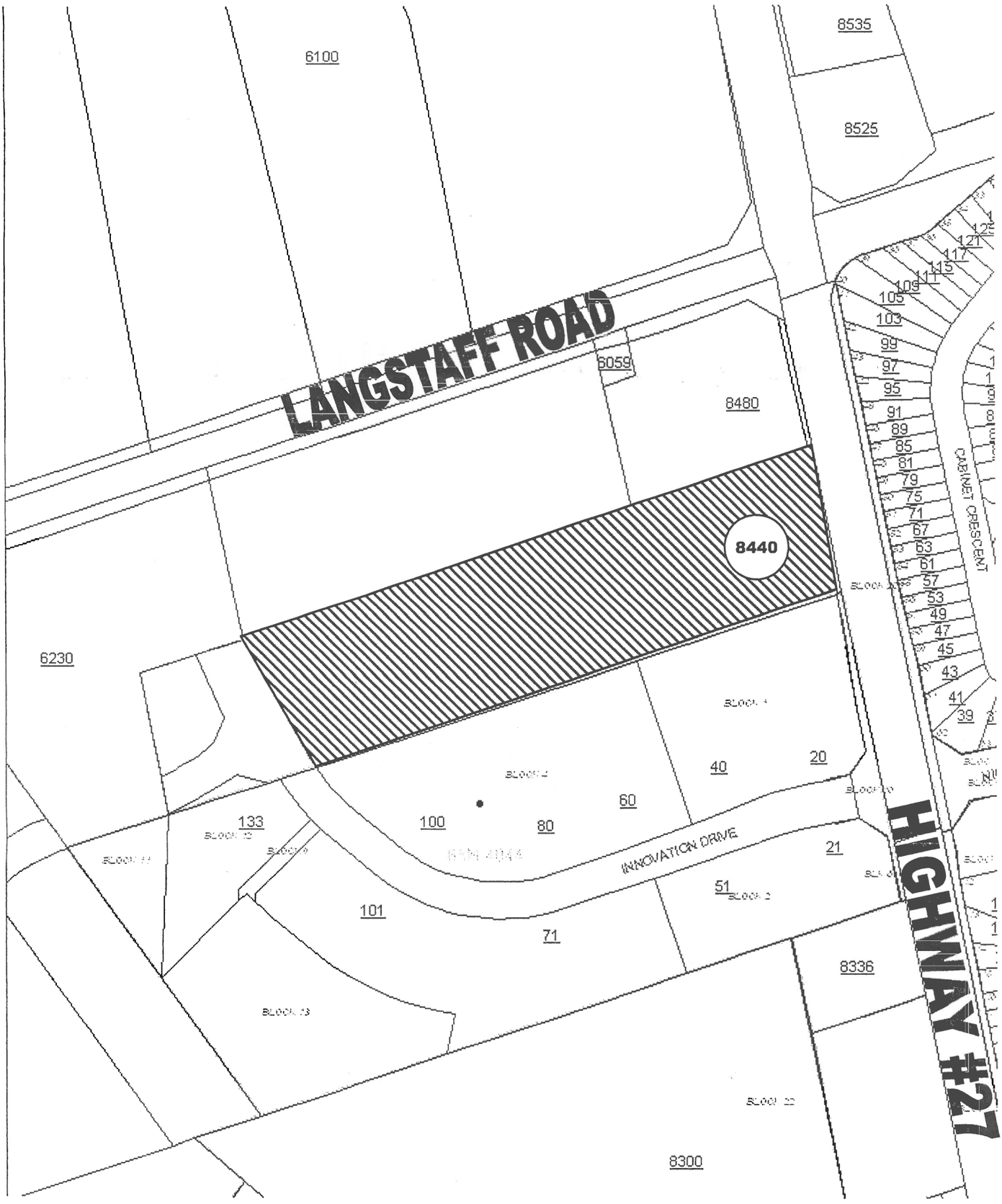
NOTE

FOR FULL SIZE SURVEY OF
THE SUBJECT PROPERTY SEE
ATTACHED COPY OF SURVEYORS
REAL PROPERTY REPORT
DATED MAY 25, 2010

DATE JUNE 22, 2010

TOM KRCMAR
ONTARIO LAND SURVEYOR

KRCMAR



VAUGHAN
City Clerk's Office

COMMITTEE OF ADJUSTMENT
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
Phone: (905)832-8585 Fax: (905)832-8535

FILE NUMBER:	**A035/12**
APPLICANT:	**PARENTELA HOLDINGS INC.**
	Subject Area Municipally known as **8440 HIGHWAY 27, WOODBRIDGE**

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

COMMUNICATION – C57
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON
L6A 1T1

Dear Mr. Correia:

VAUGHAN COMPREHENSIVE ZONING BY-LAW - THIRD DRAFT - 2748355 CANADA INC., MOBILIO DEVELOPMENTS LTD., AND RP B3N HOLDINGS INC. COMMENTS

IBI Group are the planning consultants for 2748355 Canada Inc., Mobilio Developments Ltd., and RP B3N Holdings Inc. (herein referred to as '**our clients'**) who collectively own roughly 84 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. As the majority landowners in the southwest quadrant of the VMC, our clients were actively involved in the policy development stages of the VMC Secondary Plan (VMC SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our clients, IBI Group wishes to provide the following comments on the Third Draft of the proposed Comprehensive Zoning By-law (CZBL). The intent of this letter is to highlight our main concerns and comments on the Third Draft of the CZBL.

At the outset, IBI Group believes that the lack of consistency between the Third Draft CZBL and the VMC SP significantly impedes the achievement of the City's vision for the VMC. The absence of flexibility in the proposed regulations largely deviates from the collaborative efforts which were undertaken during the lengthy VMC SP mediation processes at the Ontario Municipal Board. The overarching theme of the negotiations were to ensure that VMC SP policies did not impose upon the VMC lands with largely prescriptive standards that reflected a suburban context and would ultimately create challenges with urban development and marketability given the long development timeframe. Given that market and design may change over time, the provisions presented within the draft CZBL revert back to many of the fundamental concerns our clients had in prescribing the VMC lands with an overly rigid planning and development framework. Specifically, we would like to raise concerns over the built form and landscape requirements, the proposed parking rates, the minimum amenity area requirements as well as the general lack of consistency in considering recently approved development applications which represent an ideal, real-world example of where the market stands in association with VMC related developments. The draft CZBL largely does not take these amendments into account.

This letter is intended to provide additional feedback to the Zoning update process, adding onto our comments on the First Draft, which were submitted on August 13, 2019 and Second Draft, which were submitted on February 19, 2020, attached hereto in Appendices A and B. Appendix C provides a complete list of IBI Group's comments on the Third Draft of the CZBL. The comments found in each of these Appendices shall be considered as part of this letter.

Notwithstanding repeated requests to meet and discuss the Draft CZBL with City of Vaughan Staff, we have yet had the opportunity to do so, and continue to respectfully request this in advance of the CZBL proceeding to Committee and Council.

Vaughan Metropolitan Centre Secondary Plan

The City of Vaughan has an ambitious and commendable vision for the VMC to become a new downtown. The VMC SP was created following the City of Vaughan adoption of a new Official Plan in 2010 which designated the subject lands as being within the VMC Intensification Area. Design and development guidance in the VMC SP is provided in conjunction with the VMC Urban Design Guidelines (VMC UDG) and the VMC Streetscape and Open Space Plan (VMC SOSP). A mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with respect to a number of development-related considerations such as built-form, height, density and land use. IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our clients and are supportive of its policies, collectively working alongside City Staff throughout this process. As such, we are adamant that the flexibility present in the VMC SP policies is reflected in the provisions in the CZBL.

To date, developments in the VMC demonstrate built-form excellence and a high quality of design. They utilize existing and planned investments in rapid transit and establish a hierarchical, fine-grain grid network of streets and pathways, creating a downtown that is walkable, accessible, vibrant, and beautiful. This success is largely a result of the collective approach to policy development that incorporated flexibility into the VMC SP policies. This flexibility encourages a creative and collaborative approach to design and city-building with the public, agencies, and the property owners/developers, and is beneficial to all parties involved.

As it stands, the provisions in the Draft CZBL do not reflect the collaborative efforts between City Staff and stakeholders including our clients, throughout the development of the VMC SP policies, and the current policies in the VMC SP. IBI Group and our clients are concerned that the rigidity of the Draft CZBL provisions will constrain the collaborative processes to urbanism that made the VMC successful in the first place. It is essential that the policies and intent of the VMC SP are accurately reflected in the regulations of the Draft CZBL.

In addition, IBI Group would like to note that there are several policies from the VMC SP that are not reflected in the provisions of the Draft CZBL. A complete list of our comments on the Draft CZBL, including the policies of the VMC SP that are not contemplated in the Draft CZBL, is provided in Appendix C. Appendix C also provides notes on where this flexibility has been lost due to stringent regulations. In particular, IBI Group takes specific issues with the following items, further summarized in the Appendices, attached hereto:

- Lot and building requirements;
- Podium and tower requirements;
- Active use frontage requirements;
- Landscape requirements;
- Minimum amenity requirements;
- Parking provisions; and,
- Certain definitions, including Amenity Area and Gross Floor Area.

Rights to Appeal

In order to allow for the collaborative approach to urban development in the VMC to continue, IBI Group requests that Vaughan Council pass a resolution to permit all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect for all applications. This exception would be

consistent with Section 34.10.0.0.2 of the *Planning Act*, repealing Section 34.10.0.0.1 of the *Planning Act* which prescribes a two-year moratorium on Zoning By-law Applications once a new Zoning-By-law has been in introduced and is in-effect.

IBI Group understands that the City of Vaughan has begun to undertake a comprehensive review of the VMC SP. A resolution allowing landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect, would ensure that new developments are able to meet the intent of all the latest policy documents at the municipal, regional, and provincial levels. The resolution would also allow for the collaborative and creative design processes with City staff, agencies, and the public to continue.

Consistency with Recently Approved Development Applications

While the inclusion of *Section 1.6.3 Planning Applications in Process* brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the Draft Comprehensive By-law, IBI Group would like to ensure our clients site-specific policies are integrated and implemented into the Draft CZBL.

As it stands, not all the site-specific exceptions for recently approved development applications are accurately reflected in the Third Draft of the CZBL, including By-laws 092-2020 and 052-2019. It is essential that the site-specific exceptions for these two developments are reflected in CZBL. Please ensure this is updated before the CZBL goes before Council.

Parking Rates

The VMC is well served by higher-order transit, with the recently opened Vaughan Metropolitan Centre station on the TTC's Yonge-University-Spadina Subway Line and the VIVA Orange Bus Rapid Transit (BRT) line. To support these transit investments and encourage their use, it is important that the City of Vaughan implement lower parking rates. By providing less parking, the City, developers and residents alike will be supported and encouraged to use non-automobile forms of transportation, such as transit and active forms of transportation such as cycling or walking.

It was noted in the Public Open House on October 14, 2020 that the parking rates were based off an IBI Group study that was completed in 2010. These rates were then confirmed through a benchmarking exercise that compared the parking rates across municipalities in the Greater Toronto Area. IBI Group is concerned that these rates reflect ten-year-old realities, are outdated and not location specific. If an update was completed to this Study, or alternatively a more current parking study was completed to establish and support the draft CZBL proposed rates, IBI Group requests that this study be made public.

IBI Group supports removing the minimum parking rates altogether, which is consistent with the provisions of the First Draft of the CZBL. Removing minimum parking rates allows for development applications to reflect the market realities at the time of the applications and support transit initiatives as well as walkability.

Landmark Locations

IBI Group would also like to highlight that the notable Landmark Location provision from Schedule A2 of Zoning By-law 1-88 is missing from the Third Draft CZBL. This provision permits unlimited height in key locations along Highway 7 to encourage the development of "landmark buildings", serving as gateways into the VMC. The exclusion of these historic provisions from the CZBL essentially downzones the parcels which is inconsistent with provincial policy related to urban growth centres and MTSAs. We wish to see them included in the Final Draft.

Conclusion

On behalf of our clients, we continue to contend that the CZBL accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing and ultimately successfully and collaboratively settled upon. IBI Group and our clients are appreciative and commendatory of the collaborative approach to city-building the City of Vaughan has undertaken thus far in the VMC and hopes that these processes can continue moving forward.

We would also like to ensure that Vaughan Council pass a resolution permitting all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the CZBL coming into full force and effect. In addition, we request the Draft CZBL that goes before Council be consistent with site-specific exceptions associated with recently approved development applications, remove the minimum parking ratios, revisit the minimum amenity areas, and include the missing landmark locations, amongst a variety of other comments provided in Appendix C, attached hereto.

IBI Group kindly requests to be included in all further consultations regarding the CZBL and be notified of any future updates and decisions. Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

IBI Group

Stephen Albanese MCIP RPP

CC:

Jay Claggett, 2748355 Canada Inc., Mobilio Developments Ltd., and RP B3N Holdings Inc.

Jude Tersigni, Mobilio Developments Ltd. and RP B3N Holdings Inc.

Mark Karam, Mobilio Developments Ltd. and RP B3N Holdings Inc.

Brandon Simon, Mobilio Developments Ltd. and RP B3N Holdings Inc.

Patrick Duffy, Stikeman Elliot

APPENDIX A

Comments on the First Draft of the CZBL

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

August 13, 2019

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW REVIEW - 2748355 CANADA INC. COMMENTS

IBI Group are the planning consultants for 2748355 Canada Inc., who own roughly 68 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. As the majority landowners in the southwest quadrant of the VMC, 2748355 Canada Inc. were actively involved in the policy development stages of the VMC SP, as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the First Draft of the Comprehensive Zoning By-law, which was released in Spring 2019. This letter is intended to provide preliminary feedback to the Zoning update process. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to ensure that the flexibility currently existing in the VMC SP policies are carried forward in the Draft Zoning By-law.

In the current Draft, many of the provisions proposed accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP. The road pattern depicted in the Draft Comprehensive Zoning By-law also accurately matches that within the VMC SP. While the lot and building requirements are reflective of the policies from the VMC SP, the flexibility that was integrated into the VMC SP policies was not carried forward in the Draft. Please ensure this flexibility is carried forward in the next Draft.

There are also several policies from the VMC SP that are not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

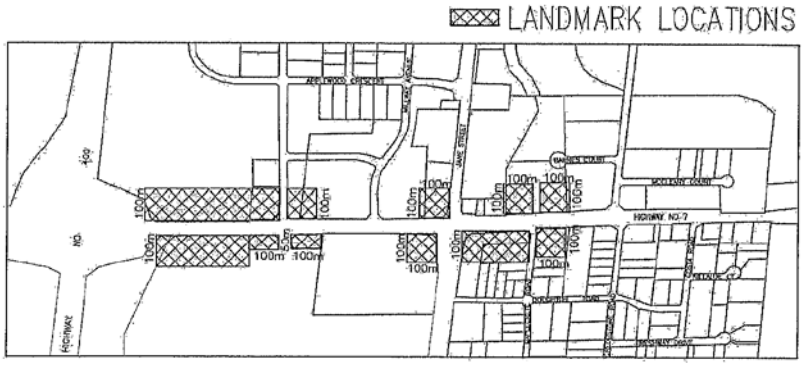
- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.15, which states that "*No development, except a public school, a stand-alone above grade structured parking facility or other institutional use, shall have a density lower than the minimum FSI identified in Schedule I or a density higher than the maximum FSI identified in Schedule I…*"
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.21, which states that *"…Office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*"
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the next version of the Draft Comprehensive Zoning By-law as well as ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Consistency with Current Zoning Provisions

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are missing from the current Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law and wish to see them included in the Second Draft. Several towers have already been approved and/or constructed along Highway 7 within the Landmark Locations, setting a precedent for the built-form along this corridor. The removal of these provisions will create a disconnect between the built-form, conflicting with several of the City's Urban Design objectives and creating great variations in height and density.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



IBI Group is generally supportive of the revisions to the parking requirements including the removal of minimum parking requirements for the majority of commercial uses, including general office, retail, and restaurants, and the slight decrease in rates for residential uses to 0.6 per dwelling unit plus 0.15 visitor parking spaces per dwelling unit These will have positive impacts in promoting walkability and the use of active and public transportation in the VMC, as well as better responds to current market conditions and car ownership. We would like to ensure that the parking requirements proposed are consistent with what is currently being approved in the VMC. If lower rates are currently being approved, an adjustment to the rates is needed.

Definitions

IBI Group also wishes to note the differences that currently exist between the definitions of Gross Floor Area within Zoning By-law 1-88, the Draft Comprehensive Zoning By-law and the VMC SP. The following table provides the definitions listed in each document:

ZONING BY-LAW 1-88	DRAFT COMPREHENSIVE ZONING BY-LAW	VMC SP
Gross Floor Area: Means the aggregate of	**Gross Floor Area:** In reference to a building,	**Gross Floor Area:** The calculation of gross floor area shall not include the

the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.	the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.	floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)

The definition listed in Zoning By-law 1-88 includes the floor areas of a building for mechanical rooms and mechanical penthouses, whereas the definition listed in Draft Comprehensive Zoning By-law excludes these floor areas. Furthermore, the definitions listed in Zoning By-law 1-88 and the Draft Comprehensive Zoning By-law exclude any floor area of a cellar, whereas the VMC SP includes floor area of a cellar. Another notable difference is that the VMC SP states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. All definitions between the three documents are consistent in that they exclude any floor area devoted to parking structures.

The calculation of gross floor area has significant implications on the calculation of several municipal fees, including but not limited to Development Charges, Section 37, and Parkland dedication. It is imperative that there is consistency between the definitions moving forward moving forward, and IBI Group recommends a revisit of these definitions.

Concluding Remarks

IBI Group wishes to reiterate our support for the proposed provisions within the Draft Comprehensive Zoning By-law that accurately reflect the policies within the VMC SP. However, as it stands there are still several policies from the VMC SP that are not reflected in the current Draft and many of the provisions do not include the flexibility that is included in the VMC SP policies. Efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, IBI Group would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law and that there is consistency between the VMC SP and the Comprehensive Zoning By-law in regards to the definition of Gross Floor Area.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft. Please do not hesitate to contact the undersigned should you have any questions.

Yours truly,

IBI Group

Stephen Albanese MCIP RPP

cc: Michael Reel, 2748355 Canada Inc.

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

August 13, 2019

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW REVIEW - MOBILIO DEVELOPMENTS LTD.

IBI Group are the planning consultants for Mobilio Developments Ltd., who own roughly 15.6 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan.

On behalf of our client, IBI Group wishes to provide the following comments on the First Draft of the Comprehensive Zoning By-law, which was released in Spring 2019. This letter is intended to provide preliminary feedback to the Zoning update process. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our clients and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to ensure that the flexibility currently existing in the VMC SP policies are carried forward in the Draft Zoning By-law.

In the current Draft, many of the provisions proposed accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP. The road pattern depicted in the Draft Comprehensive Zoning By-law also accurately matches that within the VMC SP. While the lot and building requirements are reflective of the policies from the VMC SP, the flexibility that was integrated into the VMC SP policies was not carried forward in the Draft. Please ensure this flexibility is carried forward in the next Draft.

There are also several policies from the VMC SP that are not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

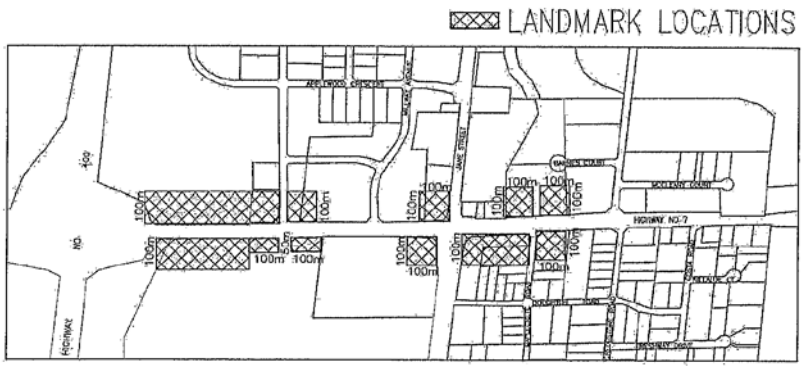
- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.15, which states that "*No development, except a public school, a stand-alone above grade structured parking facility or other institutional use, shall have a density lower than the minimum FSI identified in Schedule I or a density higher than the maximum FSI identified in Schedule I…*"
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.21, which states that *"…Office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*"
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the next version of the Draft Comprehensive Zoning By-law as well as ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Consistency with Current Zoning Provisions

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are missing from the current Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law and wish to see them included in the Second Draft. Several towers have already been approved and/or constructed along Highway 7 within the Landmark Locations, setting a precedent for the built-form along this corridor. The removal of these provisions will create a disconnect between the built-form, conflicting with several of the City's Urban Design objectives and creating great variations in height and density.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



IBI Group is generally supportive of the revisions to the parking requirements including the removal of minimum parking requirements for the majority of commercial uses, including general office, retail, and restaurants, and the slight decrease in rates for residential uses to 0.6 per dwelling unit plus 0.15 visitor parking spaces per dwelling unit These will have positive impacts in promoting walkability and the use of active and public transportation in the VMC, as well as better responds to current market conditions and car ownership. We would like to ensure that the parking requirements proposed are consistent with what is currently being approved in the VMC. If lower rates are currently being approved, an adjustment to the rates is needed.

Definitions

IBI Group also wishes to note the differences that currently exist between the definitions of Gross Floor Area within Zoning By-law 1-88, the Draft Comprehensive Zoning By-law and the VMC SP. The following table provides the definitions listed in each document:

ZONING BY-LAW 1-88	DRAFT COMPREHENSIVE ZONING BY-LAW	VMC SP
Gross Floor Area: Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of	**Gross Floor Area:** In reference to a building, the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical	**Gross Floor Area:** The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000

any cellar, or car parking area above or below grade within the building or within a separate structure.	room, mechanical penthouse, but excluding any portion of a garage or parking structure.	square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)

The definition listed in Zoning By-law 1-88 includes the floor areas of a building for mechanical rooms and mechanical penthouses, whereas the definition listed in Draft Comprehensive Zoning By-law excludes these floor areas. Furthermore, the definitions listed in Zoning By-law 1-88 and the Draft Comprehensive Zoning By-law exclude any floor area of a cellar, whereas the VMC SP includes floor area of a cellar. Another notable difference is that the VMC SP states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. All definitions between the three documents are consistent in that they exclude any floor area devoted to parking structures.

The calculation of gross floor area has significant implications on the calculation of several municipal fees, including but not limited to Development Charges, Section 37, and Parkland dedication. It is imperative that there is consistency between the definitions moving forward moving forward, and IBI Group recommends a revisit of these definitions.

Concluding Remarks

IBI Group wishes to reiterate our support for the proposed provisions within the Draft Comprehensive Zoning By-law that accurately reflect the policies within the VMC SP. However, as it stands there are still several policies from the VMC SP that are not reflected in the current Draft and many of the provisions do not include the flexibility that is included in the VMC SP policies. Efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, IBI Group would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law and that there is consistency between the VMC SP and the Comprehensive Zoning By-law in regards to the definition of Gross Floor Area.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft. Please do not hesitate to contact the undersigned should you have any questions.

Yours truly,

IBI Group

Stephen Albanese MCIP RPP

cc: Jude Tersigni, Mobilio Developments Ltd.

APPENDIX B

Comments on the Second Draft of the CZBL

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

February 19, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW - SECOND DRAFT - 2748355 CANADA INC. COMMENTS

IBI Group are the planning consultants for 2748355 Canada Inc., who own roughly 68 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. As the majority landowners in the southwest quadrant of the VMC, 2748355 Canada Inc. were actively involved in the policy development stages of the VMC Secondary Plan (SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the Second Draft of the Comprehensive Zoning By-law, which was released on January 28, 2020. This letter is intended to provide additional feedback to the Zoning update process, in addition to our comments on the First Draft, which were submitted on August 13, 2019. We respectfully request a working session with City staff and key VMC landowners to review and discuss the Draft Comprehensive Zoning By-law.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to reiterate that the flexibility currently existing in the VMC SP policies are carried forward in the Comprehensive Zoning By-law.

Further, IBI Group understands that the City of Vaughan will begin to undertake a comprehensive review of the VMC SP this year. We would like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. If the Comprehensive Zoning By-law is updated to reflect the existing VMC SP policies, the zoning will need to be updated again to be consistent with the new VMC SP policies. IBI Group requests that updating the Zoning within the VMC be postponed until the VMC SP review process is complete to avoid unnecessary amendments to the Comprehensive Zoning By-law.

In the second Draft, many of the provisions proposed still accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP.

IBI Group supports the inclusion of *Office Use Permitted Zones* outside the Urban Growth Centre in Schedule B1 in the Second Draft. Additionally, the inclusion of *Section 1.5.3 Planning Approvals in Process*, brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the Draft Comprehensive By-law. IBI Group would like the opportunity to meet with City Staff to discuss 2748355 Canada Inc.'s site-specific policies and their integration and implementation within the Draft Comprehensive Zoning By-law.

There are, however, several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

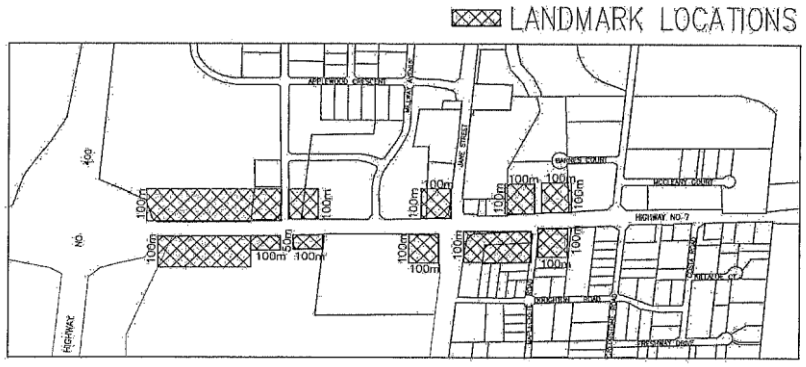
- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Landmark Locations

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are still missing from the Second Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law that essentially downzone the parcels and wish to see them included in the Final Draft. The removal of these provisions will create a downzoning that is inconsistent with provincial policy related to urban growth centres and MTSAs.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



Definitions

IBI Group is pleased with the updates to the Gross Floor Area (GFA) definition in the Second Draft, which provides additional clarity into the calculation of GFA. However, there is still a significant difference with the definition within the VMC SP, which states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. It is imperative that there is consistency between the definitions moving forward.

Document	Gross Floor Area Definition
Zoning By-Law 1-88	Means the aggregate floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.
VMC SP	The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)
1st Draft Comprehensive Zoning By-Law	In reference to a building, the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.
2nd Draft Comprehensive Zoning By-Law	In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade.

Permitted Uses and Building and Lot Requirements

A working session with City Staff would be beneficial to discuss detailed matters such as the permitted uses and lot and building requirements within the VMC Zones. Some elements of concern that IBI Group would like to highlight, include, but are not limited to:

Permitted Uses

- Permitted uses within V3 Zone (Vaughan Metropolitan Centre Neighbourhood Zone) are more prescriptive than the permitted uses listed within the VMC SP for Neighbourhood Precincts (Policy 8.4.1). For example, while the VMC SP permits retail and service commercial uses within the Neighbourhood Precincts in accordance with Section 8.6 (Retail), these uses are not permitted based on the Draft Comprehensive Zoning By-law.
- Public parking is not permitted in V3, which is inconsistent with future driving trends and does not allow for shared parking opportunities.
- Note #3: Why are commercial uses restricted to the ground floor? What is the rationale behind the proposed 10% restriction? ;
- Note #4: Restricting office uses to the V3 zone subject to areas shown on Schedule B-1 is overly restrictive, resulting in an intent not consistent with VMC SP;

- Note #5: This condition exists/is proposed within several applications within the VMC. Instead of restricting apartment dwellings within the ground floor frontage, can they be limited to a certain percentage?
- Note #6: It is too restrictive to limit these uses to corner lots only. What is the rationale for this?

Lot and Building Requirements

IBI Group wishes to understand the rationale behind the following changes to the lot and building requirements for the VMC zones between the First and Second Draft Comprehensive By-law:

- An increase to the minimum front yard from 2.0m to 3.0m for V1, V2 and V4;
- An increase to the minimum exterior side yard from 2.0m to 3.0m for V1, V2 and V4; and
- An increase to the required build-to-zone from 3.0m to 5.0m for V1, V2 and V3.

IBI Group is supportive of the removal of the 30.0m height minimum for podium and tower.

Overall it appears there are several inconsistencies between the VMC SP and the current Draft Comprehensive Zoning By-law in terms of permitted uses and the lot and building requirements. IBI Group wishes that more flexibility be integrated within the lot and building requirements so that the provisions are not too restrictive. There is currently an innovative and collaborative approach to city building occurring in the VMC between the landowners and City staff, and the restrictive nature of the zoning provisions within the current Draft Comprehensive By-law could remove some of this creativity and collaboration.

Conclusion

On behalf of our client, we continue to contend the advancement of a Comprehensive Zoning By-law in advance of a new policy review of the VMC SP appears premature. Notwithstanding, should the City wish to continue, we submit that the Comprehensive Zoning By-law accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing. Additional efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, our clients would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law so as to not downzone the existing permissions enjoyed by these select blocks.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss the draft Comprehensive By-law. We would also like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. Please do not hesitate to contact the undersigned should you have any questions.

Thank you,

IBI GROUP

Stephen Albanese MCIP RPP

cc: Michael Reel, 2748355 Canada Inc.

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

February 19, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW - SECOND DRAFT - MOBILIO DEVELOPMENTS LTD. COMMENTS

IBI Group are the planning consultants for Mobilio Developments Ltd., who own roughly 15.6 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan.

On behalf of our client, IBI Group wishes to provide the following comments on the Second Draft of the Comprehensive Zoning By-law, which was released on January 28, 2020. This letter is intended to provide additional feedback to the Zoning update process, in addition to our comments on the First Draft, which were submitted on August 13, 2019. We respectfully request a working session with City staff and key VMC landowners to review and discuss the Draft Comprehensive Zoning By-law.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to reiterate that the flexibility currently existing in the VMC SP policies are carried forward in the Comprehensive Zoning By-law.

Further, IBI Group understands that the City of Vaughan will begin to undertake a comprehensive review of the VMC SP this year. We would like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. If the Comprehensive Zoning By-law is updated to reflect the existing VMC SP policies, the zoning will need to be updated again to be consistent with the new VMC SP policies. IBI Group requests that updating the Zoning within the VMC be postponed until the VMC SP review process is complete to avoid unnecessary amendments to the Comprehensive Zoning By-law.

In the second Draft, many of the provisions proposed still accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the

locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP.

IBI Group supports the inclusion of *Office Use Permitted Zones* outside the Urban Growth Centre in Schedule B1 in the Second Draft. Additionally, the inclusion of *Section 1.5.3 Planning Approvals in Process*, brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the Draft Comprehensive By-law. IBI Group would like the opportunity to meet with City Staff to discuss Mobilio Developments Ltd.'s site-specific policies and their integration and implementation within the Draft Comprehensive Zoning By-law.

There are, however, several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Definitions

IBI Group is pleased with the updates to the Gross Floor Area (GFA) definition in the Second Draft, which provides additional clarity into the calculation of GFA. However, there is still a significant difference with the definition within the VMC SP, which states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. It is imperative that there is consistency between the definitions moving forward.

Document	Gross Floor Area Definition
Zoning By-Law 1-88	Means the aggregate floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.
VMC SP	The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)
1st Draft Comprehensive Zoning By-Law	In reference to a building, the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.
2nd Draft Comprehensive Zoning By-Law	In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade.

Permitted Uses and Building and Lot Requirements

A working session with City Staff would be beneficial to discuss detailed matters such as the permitted uses and lot and building requirements within the VMC Zones. Some elements of concern that IBI Group would like to highlight, include, but are not limited to:

Permitted Uses

- Permitted uses within V3 Zone (Vaughan Metropolitan Centre Neighbourhood Zone) are more prescriptive than the permitted uses listed within the VMC SP for Neighbourhood Precincts (Policy 8.4.1). For example, while the VMC SP permits retail and service commercial uses within the Neighbourhood Precincts in accordance with Section 8.6 (Retail), these uses are not permitted based on the Draft Comprehensive Zoning By-law.
- Public parking is not permitted in V3, which is inconsistent with future driving trends and does not allow for shared parking opportunities.
- Note #3: Why are commercial uses restricted to the ground floor? What is the rationale behind the proposed 10% restriction? ;
- Note #4: Restricting office uses to the V3 zone subject to areas shown on Schedule B-1 is overly restrictive, resulting in an intent not consistent with VMC SP;
- Note #5: This condition exists/is proposed within several applications within the VMC. Instead of restricting apartment dwellings within the ground floor frontage, can they be limited to a certain percentage?
- Note #6: It is too restrictive to limit these uses to corner lots only. What is the rationale for this?

Lot and Building Requirements

IBI Group wishes to understand the rationale behind the following changes to the lot and building requirements for the VMC zones between the First and Second Draft Comprehensive By-law:

- An increase to the minimum front yard from 2.0m to 3.0m for V1, V2 and V4;
- An increase to the minimum exterior side yard from 2.0m to 3.0m for V1, V2 and V4; and
- An increase to the required build-to-zone from 3.0m to 5.0m for V1, V2 and V3.

IBI Group is supportive of the removal of the 30.0m height minimum for podium and tower.

Overall it appears there are several inconsistencies between the VMC SP and the current Draft Comprehensive Zoning By-law in terms of permitted uses and the lot and building requirements. IBI Group wishes that more flexibility be integrated within the lot and building requirements so that the provisions are not too restrictive. There is currently an innovative and collaborative approach to city building occurring in the VMC between the landowners and City staff, and the restrictive nature of the zoning provisions within the current Draft Comprehensive By-law could remove some of this creativity and collaboration.

Conclusion

On behalf of our client, we continue to contend the advancement of a Comprehensive Zoning By-law in advance of a new policy review of the VMC SP appears premature. Notwithstanding, should the City wish to continue, we submit that the Comprehensive Zoning By-law accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing. Additional efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, our clients would like to

ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law so as to not downzone the existing permissions enjoyed by these select blocks.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss the draft Comprehensive By-law. We would also like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. Please do not hesitate to contact the undersigned should you have any questions.

Thank you,

IBI GROUP

Stephen Albanese MCIP RPP

cc: Jude Tersigni, Mobilio Developments Ltd.

APPENDIX C

Comments on the Third Draft of the CZBL

IBI Group Comments on Table 10-3: Lot and Building Requirements for the VMC Zones

Table 10-3: Lot and Building Requirements for the VMC Zones						
	V1	**V2**	**V3**	**V4**	**OS1**	**Comments**
Lot and Building Requirements						
Minimum lot frontage (m)	50	50	30	30	12.0 (5)	IBI Group would like to ensure that this minimum lot area does not apply to individual freehold townhouse units.
Minimum lot area (m^2)	4000	4000	1800	1800	-	IBI Group would like to ensure that this minimum lot area does not apply to individual freehold townhouse units.
Minimum front yard (m)	3	3	3	3	9.0	The proposed front yard provisions seem to be reflective of a suburban context, not a downtown setting. Applications in the VMC consistently have a lower front yard setback than 3 m. The minimum front yard in the OS1 zone is 9.0 m., Policy 8.7.4 in the VMC SP states that "*Small-scale park supporting uses (cafes, vendors, kiosks, etc.) in parks and Public Squares are exempt from setback requirements."* IBI Group would like to see this Policy reflected accurately within the Draft CZBL.
Minimum rear yard (m)	1	1	1	1	15.0	The proposed rear yard provisions do not seem to not consider recently completed developments and/or current planning applications in the VMC, which consistently have/seek lower minimum rear yard setbacks than 1m. The minimum rear yard in the OS1 zone should consider Policy 8.7.4 of the VMC SP.
Minimum interior side yard (m)	1	1	1	1	4.5	The proposed interior side yard provisions do not seem to not consider recently completed developments and/or current planning applications in the VMC, which consistently have/seek lower minimum rear yard setbacks than 1m. The minimum interior yard in the OS1 zone should consider Policy 8.7.4 of the VMC SP.
Minimum exterior side yard (m)	3 (2)	3 (2)	3 (2)	3 (2)	4.5	The proposed exterior side yard provisions seem to be reflective of a suburban context, not a downtown setting. Applications in the VMC consistently have a lower exterior side yard than 3 m. The minimum exterior side yard in the OS1 zone should consider Policy 8.7.4 of the VMC SP.

Required build-to-zone (m)	3.0-5.0	3.0-5.0	3.0-7.5	3.0-5.0		The required build-to-zone provisions should be consistent with the minimum yard setbacks. Where Policy 8.7.3 of the VMC SP states that buildings generally shall be built to a consistent build-to line defined in the Zoning By-law, generally 2-5 m from edge of the ROW, the draft CZBL is more stringent, eliminating the flexibility introduced through the word “generally” and increasing setbacks for south, station and employment precincts.
Minimum build-to-line for corner lots (%)	80 (3)	80 (3)	60 (3)	60 (3)		The proposed minimum build-to-line for corner lot provisions do not seem to not consider recently completed developments and/or current planning applications in the VMC. This provision should be amended to add additional flexibility.
Minimum build-to-line for all other lot types (%)	75 (3)	75 (3)	75 (3)	60 (3)		The proposed minimum build-to-line for all other lot types provisions do not seem to not consider recently completed developments and/or current planning applications in the VMC. This provision should be amended to add additional flexibility.
Minimum height (m)	As shown on Schedule A (1)					The minimum height provisions do not allow for temporary retail pop-up style spaces. Provisions to allow for pop-up placemaking initiatives that do not meet the minimum height requirements should be included. In addition, please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Maximum height (m)	As shown on Schedule A (1)					The Landmark Location provision from Schedule A2 of Zoning By-law 1-88 has not been carried forward into this Draft. This provision permits unlimited height in certain locations along Highway 7 to permit the development of “landmark” sites to serve as gateways to the VMC. IBI Group is not supportive of the exclusion of these provisions from the CZBL that essentially downzones the parcels. Please ensure these provisions are included. Exception 635 states that the height limit for places of entertainment and office buildings located on lands labelled C10, shall be 35.0 m and 25.0m. This regulation should be updated to reflect the maximum height permissions

						consistent with the VMC SP schedules or removed. In addition, please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Minimum ground floor height (m)	3.5 (4)	3.5 (4)	3.5 (4)	3.5 (4)		The Draft CZBL prescribes minimum height requirements to all Zones, whereas the VMC SP only appears to apply a minimum ground-floor height to areas that are required or recommended for retail uses. IBI Group recommends that a range of 3.3m to 5.0m be provided here to allow for flexibility depending on the use.
Minimum street wall (m)	9	9	8	8		Policy 8.7.5 of the VMC states that generally, mid-rise and high-rise buildings shall contribute to a consistent street wall that is at least 2 to 3 storeys high at the build-to line. The minimum street wall provisions of the CZBL imply that a minimum street wall shall be at least 3 storeys.
Minimum FSI	As shown on Schedule A					Please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Maximum FSI	As shown on Schedule A					Please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Podium and Tower Requirements	The podium and tower requirements as specified in the applicable zone shall apply to any building with a height greater than 20.0 m in the V1 Zone and 14.0 m in the V2, V3 and V4 Zones.					Please refer to below, as certain policies from the VMC SP are not reflected in the draft CZBL.
Podium and Tower						
Minimum podium height (m)	10.5	10.5	10.5	10.5		The minimum podium height in the Draft CZBL of 10.5m assumes a higher ground floor height than the Minimum ground floor height of 3.5m identified above. At minimum, this provision should be reduced, and a range should be introduced. Prescribing minimum podium heights through Zoning inherently mandates the inclusion of a podium, limiting architectural variability and creativity across the VMC. To facilitate variety in built form, this minimum requirement should be eliminated.

Maximum podium height (m)	20	14	14	14		At minimum, a range should be introduced. Like above, prescribing maximum podium heights in a Zoning By-law inherently mandates the inclusion of a podium, limiting architectural variability and creativity across the VMC. To facilitate variety in built form, this requirement should be eliminated.
Minimum tower step back (m)	3	3	3	-		Policy 8.7.17 of the VMC SP states that towers shall be set back from the edges of podiums. This policy does not prescribe minimum step backs. The CZBL provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design, all while mandating the podium/tower design relationship. Ranges should be introduced, or these zoning provisions should be eliminated altogether.
Minimum residential tower separation (m)	25	25	25	-		This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design. Where the VMC SP includes the word 'generally', this flexibility has been removed. While 25.0m is understood as a best practice, this minimum tower separation distance is better served as a guideline present in the VMC Urban Design Guidelines.
Minimum residential tower setback from any rear lot line and interior side lot line (m)	12.5	12.5	12.5	-		This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design. A policy pertaining to this is non-existent in the VMC SP. A prescription such as this is better served as a guideline present in the VMC Urban Design Guidelines.
Minimum office tower separation (m)	20	20	20	20		This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design. This Zoning provisions contradicts Policy 8.7.18 of the VMC SP which states that the distance between the facing walls of a residential tower and an office tower may be

						reduced to a minimum of 20 metres, subject to appropriate site and building design. Lesser separation distances between office towers may be permitted. By applying a minimum separation distance between office towers, this CZBL provision appears to contradict this VMC SP policy.
Minimum office tower setback from a rear lot line or interior side lot line (m)	10	10	10	10		This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design. A policy pertaining to this is non-existent in the VMC SP. A prescription such as this is better served as a guideline present in the VMC Urban Design Guidelines.
Maximum residential tower floor plate (m^2)	750	750	750	-		This CZBL provision provides strict minimum design parameters to abide by, which limits variety, flexibility and architectural creativity in terms of design. Further, by prescribing podium and tower relationships, as well as mandating minimum stepback and separation distance requirements, as well as floor plate maximums, City of Vaughan is inherently requesting uniformity in VMC built form, limiting the ability to creatively and organically develop a downtown which responds to market conditions at any given time. Approvals have been granted for larger tower floor plate sizes in the VMC to date. The provisions in the Draft CZBL should reflect this approved built-form.
Active Use Frontage Requirements						
Active Use Frontage (Required) and Active Use Frontage (Convertible)	Applicable where shown on Schedule B-1 and in accordance with Section 4.2.					IBI Group recommends that these provisions be removed as they are already implemented through the VMC SP. If they should be kept in the Draft CZBL, please include a range to offer some flexibility.
Landscape Requirements						
Minimum landscape strip on any interior side lot line or rear lot line abutting the V3 Zone (width in m)	3	-	-	3		Please ensure that the minimum landscape strip requirements are consistent with the minimum yard requirements. As it stands, the landscape requirements are greater than the minimum yard requirements.

						According to Section 4.2.3 of the VMC UDG, "At minimum, the landscape area should generally be 2m wide; however, a minimum of 3m wide is highly encouraged in order to allow for sufficient space for large trees." This CZBL deviates from the range afforded through this guideline and seeks to mandate a recommended guideline in a prescriptive zoning by-law.
Minimum landscape strip along an interior side lot line or rear lot line abutting an Open Space Zone (width in m)	3	3	3	3		Please refer to above.
Minimum landscape strip abutting a street line (width in m)	3	3	3	3		Please refer to above.
Additional requirements to Table 10-3:						
(1) This requirement shall not apply to an above grade parking structure						
(2) The minimum exterior side yard shall be 3.5 m where the exterior side yard abuts a walkway, greenway, or stormwater management facility.						Please provide clarification on why the 3.5 m side yard deviates from the exterior yard provisions above. Please provide clarification on what is considered a walkway/greenway, as no side yard should be required for urban mews/pedestrian walkways, urban squares, POPS, etc. as required by the VMC SP.
(3) Urban squares, driveways, and walkways shall be permitted within the build-to-line, provided the cumulative total does not exceed 25% of the total build-to line requirement.						Urban Square areas, driveways, and walkways are largely prescribed by the VMC SP, and or negotiated through the detail design process. Placement of Urban Squares, especially on corners, would largely conflict the build-to-lines requirements listed above.
(4) Where lands are subject to the active use frontage (convertible) or active use frontage (required) as shown on Schedule B-1, the minimum ground floor height requirement shall be in accordance with Section 4.2.						IBI Group recommends that these provisions be removed as they are already implemented through the VMC SP. If maintained, IBI Group recommends that a range of 3.3m to 5.0m be provided here to allow for flexibility depending on the use.
(5) No minimum lot frontage shall be required in an OS Zone where the principal use is a passive recreation use or any other use operated by a public authority						

Other Draft CZBL Provisions

#	Regulation	Comments
4.2	Active Use Frontages in the Vaughan Metropolitan Centre	
	7. A minimum of 70% of the ground floor frontage that is shown on Schedule B-1 as being subject to the active use frontage (required) shall consist of one or more of the following uses: a. Business service; b. Clinic; c. Community facility; d. Personal service; e. Restaurant; and, f. Retail.	CZBL removes flexibility. Elimination of "unless it can be demonstrated that there are functional or operational constraints that warrant relief from this requirement as determined through the development approval process", which is stated in Policy 8.6.1 of the VMC SP. Please ensure this is reflected in the provision, as it lacks the same flexibility afforded by the policy document guiding land use and development in the VMC.
	8. The minimum number of building entrances shall be 1 per 30.0 m of a main wall facing a street line that is shown on Schedule B-1 as being subject to the active use frontage (required).	This provision does not provide for any flexibility and as above, seeks to prescribe design parameters associated with the ground floor. Should a large format retail store or grocery store in the podium of a building be presented, this provision mandates that several entrances will be required spanning the frontage, prescribing design criteria and limiting flexibility.
	9. Notwithstanding the minimum ground floor height of the applicable zone, the minimum ground floor height shall be 5.0 m for any portion of a main wall facing a street line that is shown on Schedule B-1 as being subject to the active use frontage (required) or active use frontage (convertible).	Policy 8.6.3 of the VMC SP states that "For frontages identified on Schedule H where retail, service commercial or public uses are required or recommended on the ground floor of buildings, ground floor heights generally shall be a minimum of 5 metres floor to floor, and windows shall correspond appropriately to the height of ground floors". Please ensure this is reflected in the provision, as it lacks the same flexibility afforded by the policy document guiding land use and development in the VMC. It is recommended that a range be

		provided for a minimum ground floor height, if not eliminated, depending on the use.
Table 4-1	Permitted Encroachments into Required Yards	These are several features that are excluded from this list and should be added. These include: Public art, signage, fencing, sills, belt courses, cornices, canopies, stairs, architectural features, and decks.
5.15.2	Below-grade Parking Structures 1. A below-grade parking structure shall be permitted to encroach into any required yard.	
	2. The minimum setback of a below-grade parking structure shall be subject to the following requirements: a. The minimum setback from a street line shall be 1.8 m; and, b. The minimum setback from an interior side lot line or rear lot line shall be 0.0 m.	Given the high ground water levels in certain areas of the VMC, it is recommended that the minimum setback be 0.0 m from a street line in order to maximize the buildable areas of underground garages, and assist with depth issues.
	3. Notwithstanding any other requirement of this By-law, an accessory building or structure that is incidental to a below-grade parking structure, such as air ventilation or an access staircase, shall be permitted anywhere on the same lot as the parking structure is located, subject to the following requirements: a. The accessory building or structure shall not be located in a minimum required front yard or exterior side yard. b. The accessory building or structure shall have a minimum setback of 3.0 m from any lot line.	Ventilation grates associated with the underground parking garage are derived from mechanical infrastructure locations, and should not be prescribed through the Zoning By-law. These should be able to encroach into the minimum setback up to 0.0 m from the lot line.
Definition	Gross Floor Area: Means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, electrical room, mechanical penthouse, elevator, elevator shaft, refuse chute, escalators, bicycle parking space, loading space, a dedicated waste storage area, any portion of a garage or parking structure located above or below grade, or any minimum amenity area required by this By-law.	Policy 8.1.1 of the VMC SP states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. There is no mention of this 10,000 square metres exclusion. Please ensure this is included.
5.15.1	Above-grade Parking Structures Any portion of a parking structure located above established grade shall be subject to the minimum lot and building requirements of the zone in which the lot is located.	There is no mention of a deduction of height in this CZBL provision. The VMC SP states that “Where two or more levels of underground parking are provided for a residential, office or mixed-use building, two levels of above-grade

		parking integrated within the podium of the building may be excluded from the calculation of the total height of the building, and the GFA of the parking area may be excluded from the calculation of the total density of the building". Please ensure this is reflected in the CZBL.
4.8	Notwithstanding any other provision of this By-law, the following uses shall be located a minimum distance of 14.0 m from any lot line abutting a highway corridor: 1. Any building or structure; 2. Any part of a minimum required parking area or loading area, including any minimum required parking space, loading space, stacking space, bicycle parking space, and any associated aisle or driveway; 3. A minimum required amenity area; and, 4. A stormwater management facility.	The corresponding policy in the VMC SP (i.e. Policy 8.1.13) is currently under appeal. This CZBL provision is therefore more stringent than the VMC SP.
4.3.1	1. A minimum amenity area shall be required for the following dwelling types: a. Apartment dwelling; b. Block townhouse dwelling; c. Multiple-unit townhouse dwelling; and, d. Podium townhouse dwelling. 2. Any required amenity area shall be located on the same lot as the dwelling to which the amenity area is required by this section.	
4.3.2	Minimum Required Amenity Area 1. For a block townhouse dwelling, the minimum amenity area requirement shall be 10.0 m2 per dwelling unit. 2. For a multiple-unit townhouse dwelling and podium townhouse dwelling, the minimum amenity area requirement shall be 10.0 m2 for the first eight dwelling units, and an additional 8.0 m2 of amenity area shall be required for each additional dwelling unit. 3. For an apartment dwelling, the minimum amenity area requirement shall be 8.0 m2 per dwelling unit for the first eight dwelling units, and an additional 5.0 m2 of amenity area per dwelling unit shall be required for each additional dwelling unit.	This provision is too stringent and too far removed from market conditions, as well as requirements in other proximate municipalities such as Toronto and Mississauga. In the current by-law amenity area can be an exclusive area that is accessible by an individual dwelling unit, such as a rooftop terrace or balcony. The CZBL states that an amenity area shall not include an exclusive area that is only accessible by an individual dwelling unit, thereby limiting the amount of land available for development, and limiting the density in order to appropriately respond to amenity area requirements.

4.3.3	1. Where a minimum amenity area is required in accordance with this section, a portion of the amenity area shall be located outdoors, and not within any enclosed building or structure, in accordance with the following: a. For a block townhouse dwelling or multiple-unit townhouse dwelling, the minimum outdoor amenity area requirement shall be 50% of the total required amenity area. b. For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m2 located at grade. c. A maximum of 20% of the required minimum outdoor amenity area shall consist of amenity area located on a rooftop or terrace. 2. Where any outdoor amenity area is required in accordance with this section, at least 50% of the minimum required outdoor amenity area shall be aggregated into contiguous areas of at least 55.0 m2. 3. Where any outdoor amenity area is provided at grade, it shall be included in satisfying any applicable minimum landscaped open space requirements of this By-law.	As it stands, the CZBL does not provide any caps for outdoor amenity area for a block townhouse dwelling or multiple-unit townhouse dwelling. The provision states that the minimum outdoor amenity area requirement shall be 50% of the total required amenity area for these uses. The way this provision is written at the moment, large block townhouse or multiple-unit townhouse dwelling developments would need to provide a significant amount of outdoor amenity area. This could be a significant deterrent to building this typology of housing, which is critical for the provision of missing middle housing, as this would significantly limit the amount of land area available. It is recommended that the CZBL only provide a minimum amenity area to be provided outside for these uses. As it stands, these provisions create obstacles to providing this form of housing, which ultimately is permitted through the VMC SP, and required to ensure variability and choice in housing stock.
Definition	Amenity Area: Means an indoor or outdoor communal space designed and maintained for active recreational uses or passive recreational uses for residents of a dwelling or building with residential uses, and shall include a breezeway. An amenity area shall not include an exclusive area that is only accessible by an individual dwelling unit.	In By-law 1-88, amenity area can be an exclusive area that is accessible by an individual dwelling unit. The CZBL states that an amenity area shall not include an exclusive area that is only accessible by an individual dwelling unit. This definition is too stringent and too far removed from market conditions, as well as requirements in other proximate municipalities such as Toronto and Mississauga. It is strongly recommended that this definition be revised to allow for amenity areas to include exclusive use areas, that are only accessible to individual dwelling

		units, such as balconies and rooftop terraces.
5.12	Outdoor Patio 1. An outdoor patio shall only be permitted as an accessory use to a restaurant use and only where an outdoor patio is expressly permitted by this By-law.	With the COVID-19 Pandemic shedding light on the importance and need for flexible patio provisions and use, the outdoor patio provisions of 5.12 are too stringent. To help promote the feasibility of restaurant uses, it is recommended that the total area of the outdoor patio can be greater than 40% of the gross floor area of the principal use to which the outdoor patio is accessory, as well as allow for the patios to encroach into the setback of 0.0m.
	2. An outdoor patio shall be provided in accordance with the required setbacks for the principal building as indicated in the zone, except in accordance with the permitted encroachments of this By-law.	
	3. The total area of the outdoor patio shall not exceed 40% of the gross floor area of the principal use to which the outdoor patio is accessory.	
	4. An outdoor patio located at grade and with direct access from the first storey of a building shall be located a minimum distance of 30.0 m from any lot line abutting a Residential Zone, Open Space Zone or Institutional Zone.	
	5. An outdoor patio located above the first storey of a building shall be located a minimum distance of 40.0 m from any lot line abutting a Residential Zone, Open Space Zone or Institutional Zone. For the purpose of this provision, the minimum distance shall be measured horizontally from the nearest part of the outdoor patio to the nearest lot line abutting a Residential Zone, Open Space Zone, or Institutional Zone.	
Table 10-2: Permitted Uses	Multiple townhouse dwelling units Schools	Multiple townhouse dwelling units should be permitted within all VMC zones. Under the Draft CZBL they are only permitted in the V3 zone. Schools should be permitted within all VMC Zones, including the V4 Zone, in order for the Draft CZBL to be consistent with Schedule E and Policy 3.4.
Additional requirements to Table 10-2	4. Apartment dwellings shall not be permitted within the ground floor frontage, except that a maximum of 15% of the ground floor frontage may be used for lobby or other common areas associated with the apartment dwelling.	Developments in the VMC have been approved which permit at-grade apartment dwellings. This provision should be removed.
Additional requirements to Table 10-2	5. This use shall only be permitted in the ground floor frontage and the total gross floor area shall not exceed 10% of the gross floor area of all uses on the lot.	This provision is too restrictive and limits the potential tenants who may want to operate businesses on the ground floor of these buildings.

Notable policies within the VMC SP that are missing from the Draft CZBL include but are not limited to:

VMC SP Policy	Comments
Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*	There is no mention of the exclusion of 10,000 square metres of office uses being allowed from the density calculation if the development contains a minimum of 10,000 square metres of office uses in the by-law.
Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*	There should be consistency between the CZBL and the VMC SP for how the land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density is calculated.
Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*	There should be consistency between the CZBL and the VMC SP for how density is calculated.
Policy 8.1.19, which states that "*The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot.*"	There is no mention of the exclusion of 10,000 square metres of office uses being allowed from the density calculation if the development contains a minimum of 10,000 square metres of office uses in the by-law.
Policy 8.1.21, which states that "*Notwithstanding Policy 8.1.15, office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*"	There are no provisions in the CZBL that would allow for the office developments with a lower density to be permitted. There should be consistency.
Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);	There are no provisions in the CZBL that would allow for the additional height and/or density permitted through this policy.
Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys*	There are no provisions in the CZBL which allow for this additional height on properties that front arterial streets. A

may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";	Zoning By-law Amendment should not be required for developments that meet the criteria for additional height listed in Policy 8.7.11.
Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"	There are no provisions in the CZBL which allow for this additional height on properties that front arterial streets. A Zoning By-law Amendment should not be required for developments that meet the criteria for additional height listed in Policy 8.7.12.

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

COMMUNICATION – C58
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON
L6A 1T1

Dear Mr. Correia:

VAUGHAN COMPREHENSIVE ZONING BY-LAW - THIRD DRAFT - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd., who own roughly 27 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC Secondary Plan (VMC SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the Third Draft of the Comprehensive Zoning By-law (CZBL). The intent of this letter is to highlight our main concerns and comments on the Third Draft of the CZBL.

At the outset, IBI Group believes that the lack of consistency between the Third Draft CZBL and the VMC SP significantly impedes the achievement of the City's vision for the VMC. The absence of flexibility in the proposed regulations largely deviates from the collaborative efforts which were undertaken during the lengthy VMC SP mediation processes at the Ontario Municipal Board. The overarching theme of the negotiations were to ensure that VMC SP policies did not impose upon the VMC lands with largely prescriptive standards that reflected a suburban context and would ultimately create challenges with urban development and marketability given the long development timeframe. Given that market and design may change over time, the provisions presented within the draft CZBL revert back to many of the fundamental concerns our clients had in prescribing the VMC lands with an overly rigid planning and development framework.

We would also like to raise additional concerns over the missing provisions regarding calculating density for sub-surface easements where no compensation was taken, as well as the built form and landscape requirements, the proposed parking rates, the minimum amenity area requirements as well as the general lack of consistency in considering recently approved development applications which represent an ideal, real-world example of where the market stands in association with VMC related developments. The draft CZBL largely does not take these amendments into account.

This letter is intended to provide additional feedback to the Zoning update process, adding onto our comments on the First Draft, which were submitted on August 13, 2019 and Second Draft, which were submitted on February 19, 2020, attached hereto in Appendices A and B. The comments found in each of these Appendices shall be considered as part of this letter.

Notwithstanding repeated requests to meet and discuss the Draft CZBL with City of Vaughan Staff, we have yet had the opportunity to do so, and continue to respectfully request this in advance of the CZBL proceeding to Committee and Council.

Vaughan Metropolitan Centre Secondary Plan

The City of Vaughan has an ambitious and commendable vision for the VMC to become a new downtown. The VMC SP was created following the City of Vaughan adoption of a new Official Plan in 2010 which designated the subject lands as being within the VMC Intensification Area. Design and development guidance in the VMC SP is provided in conjunction with the VMC Urban Design Guidelines (VMC UDG) and the VMC Streetscape and Open Space Plan (VMC SOSP). A mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with respect to a number of development-related considerations such as built-form, height, density and land use. IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies, collectively working alongside City Staff throughout this process. As such, we are adamant that the flexibility present in the VMC SP policies is reflected in the provisions in the CZBL.

To date, developments in the VMC demonstrate built-form excellence and a high quality of design. They utilize existing and planned investments in rapid transit and establish a hierarchical, fine-grain grid network of streets and pathways, creating a downtown that is walkable, accessible, vibrant, and beautiful. This success is largely a result of the collective approach to policy development that incorporated flexibility into the VMC SP policies. This flexibility encourages a creative and collaborative approach to design and city-building with the public, agencies, and the property owners/developers, and is beneficial to all parties involved.

As it stands, the provisions in the Draft CZBL do not reflect the collaborative efforts between City Staff and stakeholders including Toromont Industries Ltd., throughout the development of the VMC SP policies, and the current policies in the VMC SP. IBI Group and our client are concerned that the rigidity of the Draft CZBL provisions will constrain the collaborative processes to urbanism that made the VMC successful in the first place. It is essential that the policies and intent of the VMC SP are accurately reflected in the regulations of the Draft CZBL.

There are still several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*

- Policy 8.1.19, which states that "*The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot.*"
- Policy 8.1.21, which states that "*Notwithstanding Policy 8.1.15, office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*"
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Rights to Appeal

In order to allow for the collaborative approach to urban development in the VMC to continue, IBI Group requests that Vaughan Council pass a resolution to permit all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect for all applications. This exception would be consistent with Section 34.10.0.0.2 of the *Planning Act*, repealing Section 34.10.0.0.1 of the *Planning Act* which prescribes a two-year moratorium on Zoning By-law Applications once a new Zoning-By-law has been in introduced and is in-effect.

IBI Group understands that the City of Vaughan has begun to undertake a comprehensive review of the VMC SP. A resolution allowing landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the Zoning By-law coming into full force and effect, would ensure that new developments are able to meet the intent of all the latest policy documents at the municipal, regional, and provincial levels. The resolution would also allow for the collaborative and creative design processes with City staff, agencies, and the public to continue.

Density Commitments

The proposed draft CZBL contains no reference to Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."* Without this Policy properly reflected in the proposed draft CZBL, our client loses a significant amount of permitted density on their lands. It is critical that the density commitments that were achieved through the VMC SP negotiations in regards to giving up compensation for sub-surface easements are included into the draft CZBL.

Parking Rates

The VMC is well served by higher-order transit, with the recently opened Vaughan Metropolitan Centre station on the TTC's Yonge-University-Spadina Subway Line and the VIVA Orange Bus Rapid Transit (BRT) line. To support these transit investments and encourage their use, it is important that the City of Vaughan implement lower parking rates. By providing less parking, the City, developers and residents alike will be supported and encouraged to use non-automobile forms of transportation, such as transit and active forms of transportation such as cycling or walking.

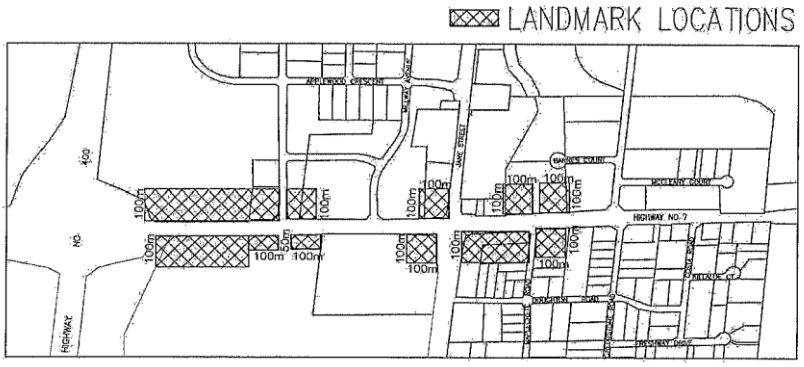
It was noted in the Public Open House on October 14, 2020 that the parking rates were based off an IBI Group study that was completed in 2010. These rates were then confirmed through a benchmarking exercise that compared the parking rates across municipalities in the Greater Toronto Area. IBI Group is concerned that these rates reflect ten-year-old realities, are outdated and not location specific. If an update was completed to this Study, or alternatively a more current parking study was completed to establish and support the draft CZBL proposed rates, IBI Group requests that this study be made public.

IBI Group supports removing the minimum parking rates altogether, which is consistent with the provisions of the First Draft of the CZBL. Removing minimum parking rates allows for development applications to reflect the market realities at the time of the applications and support transit initiatives as well as walkability.

Landmark Locations

IBI Group would also like to highlight that the notable Landmark Location provision from Schedule A2 of Zoning By-law 1-88 is missing from the Third Draft CZBL. This provision permits unlimited height in key locations along Highway 7 to encourage the development of "landmark buildings", serving as gateways into the VMC (**Figure 1**). The exclusion of these historic provisions from the CZBL essentially downzones the parcels which is inconsistent with provincial policy related to urban growth centres and MTSAs. We wish to see them included in the Final Draft.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



Conclusion

On behalf of our client, we continue to contend that the CZBL accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing and ultimately successfully and collaboratively settled upon. IBI Group and our client are appreciative and commendatory of the collaborative approach to city-building the City of Vaughan has undertaken thus far in the VMC and hopes that these processes can continue moving forward.

We would also like to ensure that Vaughan Council pass a resolution permitting all current and future VMC landowners to apply for future Zoning By-law Amendment(s), if required, within two years of the CZBL coming into full force and effect. In addition, we request the Draft CZBL that goes before Council be consistent with the density commitments for sub-surface easements, remove the minimum parking ratios, revisit the minimum amenity areas, and include the missing landmark locations.

IBI Group and Toromont Industries Ltd. kindly request to be included in all further consultations regarding the CZBL and be notified of any future updates and decisions. Please do not hesitate to contact the undersigned should you have any questions.

Sincerely,

IBI Group

Stephen Albanese MCIP RPP

CC: Lynn Korbak, Toromont Industries Ltd.

APPENDIX A

Toromont Industries Ltd. Comments on the First Draft of the CZBL

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

August 13, 2019

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW REVIEW - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd. , who own roughly 27-acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC SP, as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the First Draft of the Comprehensive Zoning By-law, which was released in Spring 2019. This letter is intended to provide preliminary feedback to the Zoning update process. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to ensure that the flexibility currently existing in the VMC SP policies are carried forward in the Draft Zoning By-law.

In the current Draft, many of the provisions proposed accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP. The road pattern depicted in the Draft Comprehensive Zoning By-law also accurately matches that within the VMC SP. While the lot and building requirements are reflective of the policies from the VMC SP, the flexibility that was integrated into the VMC SP policies was not carried forward in the Draft. Please ensure this flexibility is carried forward in the next Draft.

There are also several policies from the VMC SP that are not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

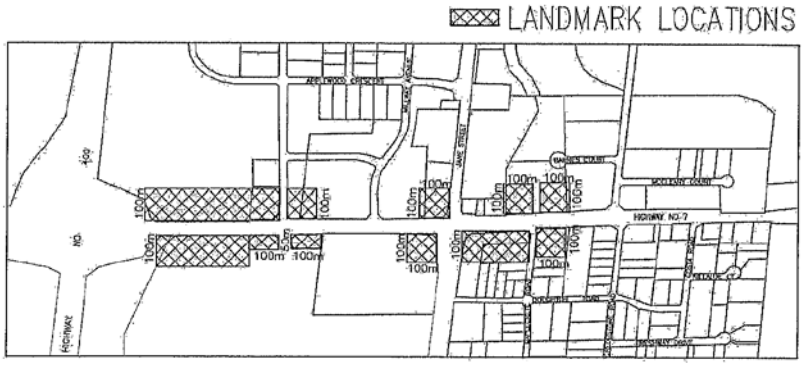
- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.15, which states that "*No development, except a public school, a stand-alone above grade structured parking facility or other institutional use, shall have a density lower than the minimum FSI identified in Schedule I or a density higher than the maximum FSI identified in Schedule I…*"
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.21, which states that *"…Office developments with a lower density than the minimums set out in Schedule I may be permitted in the South Precinct and portions of the East and West Employment Precincts outside the Urban Growth Centre, as defined in Schedule A, provided it has been demonstrated in a Development Concept Report, to the satisfaction of the City, that the minimum density can be achieved on the block with future phases of development.*"
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the next version of the Draft Comprehensive Zoning By-law as well as ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Consistency with Current Zoning Provisions

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are missing from the current Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law and wish to see them included in the Second Draft. Several towers have already been approved and/or constructed along Highway 7 within the Landmark Locations, setting a precedent for the built-form along this corridor. The removal of these provisions will create a disconnect between the built-form, conflicting with several of the City's Urban Design objectives and creating great variations in height and density.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



IBI Group is generally supportive of the revisions to the parking requirements including the removal of minimum parking requirements for the majority of commercial uses, including general office, retail, and restaurants, and the slight decrease in rates for residential uses to 0.6 per dwelling unit plus 0.15 visitor parking spaces per dwelling unit These will have positive impacts in promoting walkability and the use of active and public transportation in the VMC, as well as better responds to current market conditions and car ownership. We would like to ensure that the parking requirements proposed are consistent with what is currently being approved in the VMC. If lower rates are currently being approved, an adjustment to the rates is needed.

Definitions

IBI Group also wishes to note the differences that currently exist between the definitions of Gross Floor Area within Zoning By-law 1-88, the Draft Comprehensive Zoning By-law and the VMC SP. The following table provides the definitions listed in each document:

ZONING BY-LAW 1-88	DRAFT COMPREHENSIVE ZONING BY-LAW	VMC SP
Gross Floor Area: Means the aggregate of	**Gross Floor Area:** In reference to a building,	**Gross Floor Area:** The calculation of gross floor area shall not include the

the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.	the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.	floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)

The definition listed in Zoning By-law 1-88 includes the floor areas of a building for mechanical rooms and mechanical penthouses, whereas the definition listed in Draft Comprehensive Zoning By-law excludes these floor areas. Furthermore, the definitions listed in Zoning By-law 1-88 and the Draft Comprehensive Zoning By-law exclude any floor area of a cellar, whereas the VMC SP includes floor area of a cellar. Another notable difference is that the VMC SP states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. All definitions between the three documents are consistent in that they exclude any floor area devoted to parking structures.

The calculation of gross floor area has significant implications on the calculation of several municipal fees, including but not limited to Development Charges, Section 37, and Parkland dedication. It is imperative that there is consistency between the definitions moving forward moving forward, and IBI Group recommends a revisit of these definitions.

Concluding Remarks

IBI Group wishes to reiterate our support for the proposed provisions within the Draft Comprehensive Zoning By-law that accurately reflect the policies within the VMC SP. However, as it stands there are still several policies from the VMC SP that are not reflected in the current Draft and many of the provisions do not include the flexibility that is included in the VMC SP policies. Efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, IBI Group would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law and that there is consistency between the VMC SP and the Comprehensive Zoning By-law in regards to the definition of Gross Floor Area.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss this Draft. Please do not hesitate to contact the undersigned should you have any questions.

Yours truly,

IBI Group

Stephen Albanese MCIP RPP

cc: Lynn Korbak, Toromont Industries Ltd.

APPENDIX B

Toromont Industries Ltd. Comments on the Second Draft of the CZBL

IBI GROUP
7th Floor – 55 St. Clair Avenue West
Toronto ON M4V 2Y7 Canada
tel 416 596 1930 fax 416 596 0644
ibigroup.com

February 19, 2020

Mr. Brandon Correia
Manager, Special Projects
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan ON L6A 1T1

Dear Mr. Correia:

COMPREHENSIVE ZONING BY-LAW - SECOND DRAFT - TOROMONT INDUSTRIES LTD. COMMENTS

IBI Group are the planning consultants for Toromont Industries Ltd., who own roughly 27 acres of land south of Highway No. 7, west of Jane Street, north of Highway 407 and east of Highway 400, within the Vaughan Metropolitan Centre (VMC), in the City of Vaughan. Toromont Industries Ltd. were actively involved in the policy development stages of the VMC Secondary Plan (SP), as well as, other key guideline documents, cooperatively working with the City over the last 20+ years.

On behalf of our client, IBI Group wishes to provide the following comments on the Second Draft of the Comprehensive Zoning By-law, which was released on January 28, 2020. This letter is intended to provide additional feedback to the Zoning update process, in addition to our comments on the First Draft, which were submitted on August 13, 2019. We respectfully request a working session with City staff and key VMC landowners to review and discuss the Draft Comprehensive Zoning By-law.

Consistency with the Vaughan Metropolitan Centre Secondary Plan

IBI Group understands the City of Vaughan is undertaking a review of Zoning By-law 1-88 to create a new Comprehensive Zoning By-law that reflects the policies and permissions of the Vaughan Official Plan 2010 (VOP 2010), including the Vaughan Metropolitan Centre Secondary Plan (VMC SP). IBI Group was actively involved in the policy development stages of the VMC SP on behalf of our client and are supportive of its policies. It should be noted that a mediation process extending over several years took place between key stakeholders and City Staff during the implementation of the VMC SP to ensure that flexibility was integrated into the policies with specific regard to the built form policies. As such, IBI Group is supportive of provisions within the Comprehensive Zoning By-law that accurately reflect the policies from the VMC SP, but wish to reiterate that the flexibility currently existing in the VMC SP policies are carried forward in the Comprehensive Zoning By-law.

Further, IBI Group understands that the City of Vaughan will begin to undertake a comprehensive review of the VMC SP this year. We would like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. If the Comprehensive Zoning By-law is updated to reflect the existing VMC SP policies, the zoning will need to be updated again to be consistent with the new VMC SP policies. IBI Group requests that updating the Zoning within the VMC be postponed until the VMC SP review process is complete to avoid unnecessary amendments to the Comprehensive Zoning By-law.

In the second Draft, many of the provisions proposed still accurately match the policies from the VMC SP. For example, the locations of the land use precincts and areas of prescribed height and density from the Schedules of the Draft Comprehensive Zoning By-law accurately match the locations of the land use precincts and areas of prescribed height and density from Schedules of the VMC SP.

IBI Group supports the inclusion of *Office Use Permitted Zones* outside the Urban Growth Centre in Schedule B1 in the Second Draft. Additionally, the inclusion of *Section 1.5.3 Planning Approvals in Process*, brings additional clarity to on-going projects and those with site-specific zoning before the enactment of the Draft Comprehensive By-law.

There are, however, several policies from the VMC SP that are still not reflected in the Draft Comprehensive Zoning By-law. Notable policies within the VMC SP that are missing from the Draft Comprehensive Zoning By-law include but are not limited to:

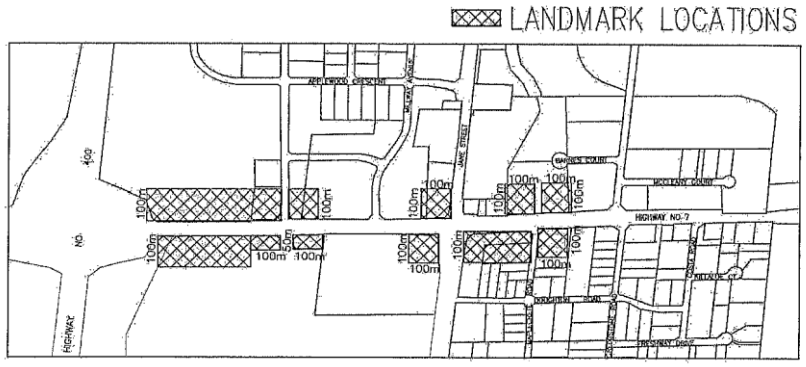
- Policy 8.1.1, which states that "…*10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot…";*
- Policy 8.1.17, which states that *"The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure."*
- Policy 8.1.18, which states that *"Notwithstanding Policy 8.1.16, where no compensation is taken for the use of a sub-surface transit easement, any lands that are encumbered by that sub-surface transit easement may be used for the calculation of density to the adjacent blocks regardless of the proposed land use designation."*
- Policy 8.1.24, which states that "*Unused height and/or density of one site (the donor site) may be transferred to another site (the receiver site)…"* (subject to certain conditions);
- Policy 8.7.11, which states that *"…Where a maximum height of 10 storeys is identified, buildings up to 15 storeys may be permitted on properties fronting arterial streets, major or minor collector streets, a Neighbourhood Park or a Public Square identified in Schedule D…";*
- Policy 8.7.12, which states that *"... Notwithstanding Schedule I, where the maximum permitted height of a building is 25 or more storeys, individual towers within a city block may exceed this limit by up to 7 storeys where an adjacent tower subject to the same rezoning application and located on the same city block has a correspondingly lower height. For example, on a block where the maximum permitted height in Schedule I is 30 storeys, a tower of 37 storeys and an adjacent tower of 23 storeys may be permitted. In such cases, density shall be calculated on the basis of the land area for all buildings involved in the height exchange, and the City may require technical studies demonstrating that the taller building will have acceptable impacts. This exchange of height shall not trigger Section 37 requirements.*"

IBI Group would like to ensure that these policies are included in the final draft of the Comprehensive Zoning By-law and ensure that a Zoning By-law Amendment is not needed for applications that conform to the policies of VMC SP.

Landmark Locations

IBI Group would also like to highlight that notable provisions from Zoning By-law 1-88 are still missing from the Second Draft Comprehensive Zoning By-law, including the Landmark Location provision from Schedule A2 of Zoning By-law 1-88 (**Figure 1**). This provision permits unlimited height in certain locations along Highway 7 to serve as a gateway to the Highway 7 corridor. IBI Group is not supportive of the exclusion of these provisions from the Comprehensive Zoning By-law that essentially downzone the parcels and wish to see them included in the Final Draft. The removal of these provisions will create a downzoning that is inconsistent with provincial policy related to urban growth centres and MTSAs.

Figure 1. Landmark Locations from Schedule A2 of Zoning By-law 1-88



Definitions

IBI Group is pleased with the updates to the Gross Floor Area (GFA) definition in the Second Draft, which provides additional clarity into the calculation of GFA. However, there is still a significant difference with the definition within the VMC SP, which states that 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. The Draft Comprehensive Zoning By-law does not make reference to this policy in any of its provisions. It is imperative that there is consistency between the definitions moving forward.

Document	Gross Floor Area Definition
Zoning By-Law 1-88	Means the aggregate floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.
VMC SP	The calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals. In addition, as per Policy 8.1.1, 10,000 square metres of gross floor area devoted to office uses on lots in the Station Precinct may be excluded from the density calculation where the development contains a minimum of 10,000 square metres of office uses per lot. (8.1.19)
1st Draft Comprehensive Zoning By-Law	In reference to a building, the aggregate of the floor areas of all storeys of a building, excluding any cellar, attic, mechanical room, mechanical penthouse, but excluding any portion of a garage or parking structure.
2nd Draft Comprehensive Zoning By-Law	In reference to a building or structure, means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, mechanical penthouse, elevator, elevator shaft, escalators, bicycle parking space, loading space, a dedicated waste storage area, or any portion of a garage or parking structure located above or below grade.

Permitted Uses and Building and Lot Requirements

A working session with City Staff would be beneficial to discuss detailed matters such as the permitted uses and lot and building requirements within the VMC Zones. Some elements of concern that IBI Group would like to highlight, include, but are not limited to:

Permitted Uses

- Permitted uses within V3 Zone (Vaughan Metropolitan Centre Neighbourhood Zone) are more prescriptive than the permitted uses listed within the VMC SP for Neighbourhood Precincts (Policy 8.4.1). For example, while the VMC SP permits retail and service commercial uses within the Neighbourhood Precincts in accordance with Section 8.6 (Retail), these uses are not permitted based on the Draft Comprehensive Zoning By-law.
- Public parking is not permitted in V3, which is inconsistent with future driving trends and does not allow for shared parking opportunities.
- Note #3: Why are commercial uses restricted to the ground floor? What is the rationale behind the proposed 10% restriction? ;
- Note #4: Restricting office uses to the V3 zone subject to areas shown on Schedule B-1 is overly restrictive, resulting in an intent not consistent with VMC SP;

- Note #5: This condition exists/is proposed within several applications within the VMC. Instead of restricting apartment dwellings within the ground floor frontage, can they be limited to a certain percentage?
- Note #6: It is too restrictive to limit these uses to corner lots only. What is the rationale for this?

Lot and Building Requirements

IBI Group wishes to understand the rationale behind the following changes to the lot and building requirements for the VMC zones between the First and Second Draft Comprehensive By-law:

- An increase to the minimum front yard from 2.0m to 3.0m for V1, V2 and V4;
- An increase to the minimum exterior side yard from 2.0m to 3.0m for V1, V2 and V4; and
- An increase to the required build-to-zone from 3.0m to 5.0m for V1, V2 and V3.

IBI Group is supportive of the removal of the 30.0m height minimum for podium and tower.

Overall it appears there are several inconsistencies between the VMC SP and the current Draft Comprehensive Zoning By-law in terms of permitted uses and the lot and building requirements. IBI Group wishes that more flexibility be integrated within the lot and building requirements so that the provisions are not too restrictive. There is currently an innovative and collaborative approach to city building occurring in the VMC between the landowners and City staff, and the restrictive nature of the zoning provisions within the current Draft Comprehensive By-law could remove some of this creativity and collaboration.

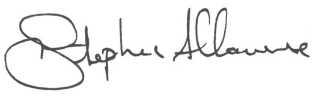
Conclusion

On behalf of our client, we continue to contend the advancement of a Comprehensive Zoning By-law in advance of a new policy review of the VMC SP appears premature. Notwithstanding, should the City wish to continue, we submit that the Comprehensive Zoning By-law accurately reflect the policies within the VMC SP including the flexibility that was arbitrated through a lengthy Ontario Municipal Board Hearing. Additional efforts should be made to ensure that these policies and the flexibility are reflected in the provisions moving forward. Furthermore, our clients would like to ensure that the Landmark Location provisions are carried forward in the Comprehensive Zoning By-law so as to not downzone the existing permissions enjoyed by these select blocks.

IBI Group kindly requests to be included in all further consultations regarding the Comprehensive Zoning By-law and be notified of any future updates. Further to this letter, we request that the City consider a coordinated working session with key VMC landowners to review and discuss the draft Comprehensive By-law. We would also like to understand the City's plan to update the Comprehensive Zoning By-law as new planning policies of the VMC SP come into effect to ensure consistency. Please do not hesitate to contact the undersigned should you have any questions.

Thank you,

IBI GROUP



Stephen Albanese MCIP RPP

cc: Lynn Korbak, Toromont Industries Ltd.

WESTON CONSULTING
planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28, 2020
File 7531

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting) – Item 1
11650 & 11700 Keele Street

Weston Consulting is the planning consultant for Wycliffe Clark Limited, the owner of the property located on the south side of Clark Avenue West, west of Bathurst Street in the City of Vaughan (herein referred to as the 'subject property'). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and provide the following comments on behalf of the landowner.

Development Planning applications Z.16.037, 19T-16V008, DA.16.079, and 19CDM-16V005 have been approved to permit the development of the property for 79 townhouse units on a common element condominium road. The Zoning By-law Amendment application was approved by City of Vaughan Council in 2018 and Zoning By-law 081-2018 (Attachment 1) came into effect on May 23, 2018. This site-specific Zoning By-law rezoned the subject property from "A" Agricultural Zone to "RT1" Residential Townhouse Zone with site-specific provisions. In addition, a Minor Variance application (A185/19) was submitted in December of 2019 and approved by the Committee of Adjustment on February 27, 2020, becoming final and binding on May 13th. The Notice of Decision with the details of the approved variances is attached for your reference (Attachment 2).

The third draft of the CZBL zones the subject property as A-1083. We have reviewed the text of Exception 1083 and recognize that it does not conform to the approved Zoning By-law 081-2018 or the Minor Variance approval. In addition, the CZBL indicates that the applicable parent zones for the subject property are A – Agriculture Zone, R4 – Fourth Density Residential Zone and RM2 – Multiple Unit Residential Zone, which does not correspond with the approved RT1 zone category for the property. The third draft CZBL, does include an RT1 – Townhouse Residential Zone which complies with the base use being developed on this site.

Based on our review of the CZBL, the zoning proposed for the subject property is inaccurate. We request that the CZBL be amended to reflect the approved RT1 zone category for the subject property and include the approved site-specific Zoning By-law regulations approved in both the Zoning By-law approval and the Minor Variance application.

We thank you for the opportunity to provide these comments and will continue to monitor the City-wide Comprehensive Zoning By-law process. We request to be notified of any future reports and/or meetings regarding the CZBL and any decisions regarding this matter.

Please contact the undersigned at ext. 309 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Jenna Thibault

Jenna Thibault, B.Sc., MPL, MCIP, RPP
Senior Planner

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
G. Bensky, Wycliffe Homes
K. Franklin, Weston Consulting

Attachment 1 – Zoning By-law 081-2018
Attachment 2 – Notice of Decision (A185/19)

WYCLIFFE CLARK LIMITED

THE CORPORATION OF THE CITY OF VAUGHAN

**IN THE MATTER OF Section 34,
Subsections (18) and (19) of
the Planning Act, R.S.O. 1990, c.P.13**

I, TODD COLES, of the Township of King, make oath and say:

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.

2. **THAT** By-law Number 081-2018 was passed by the Council of the Corporation of the City of Vaughan on the 23rd day of May 2018, and written notice was given on the 28th day of May 2018 in the manner and form and to the persons prescribed in Regulation 199/96.

3. **THAT** no notice of appeal setting out an objection to By-law 081-2018 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.

4. **THAT** By-law Number 081-2018 is deemed to have come into effect on the 23rd day of May 2018.

SWORN BEFORE ME in the City of Vaughan, in the Regional Municipality of York, this 19th day of June 2018.

TODD COLES
City Clerk

A Commissioner, etc.
**Christine Marie Monique Vigneault,
a Commissioner, etc.,
Province of Ontario, for
The Corporation of the City of Vaughan.
Expires July 5, 2020.**

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 081-2018

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

   a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from A Agricultural Zone to RT1 Residential Townhouse Zone in the manner shown on the said Schedule "1"

   b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

   "(1458) Notwithstanding the provisions of:

   a) Subsection 2.0 respecting the Definition of Gross Floor Area, Lot, and Street Line;

   b) Subsection 3.8 respecting Parking Requirements;

   c) Subsection 3.13 respecting Minimum Landscape Area;

   d) Subsection 3.21 respecting Frontage on a Public Street;

   e) Subsection 4.1.2 respecting Soft Landscaped Area;

   f) Subsection 4.1.4 f) respecting Dimensions of Driveways;

   g) Subsection 4.22.2 respecting Encroachments;

   h) Subsection 4.22.3 and Schedule "A3" respecting the zone standards in the RT1 Residential Townhouse Zone;

   the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1588":

   ai) For the purposes of this By-law, the following definitions shall apply:

   i) GROSS FLOOR AREA – Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the area of any cellar, or car parking area above or below grade within the building or within a separate structure, or mechanical penthouse or rooftop laundry room.

   ii) LOT – Means a parcel of land fronting on a public or private street;

   iii) STREET LINE – Means the dividing line between a front lot line and

a public or private street;

bi) A minimum of 20 visitor parking spaces shall be provided, of which 2 shall be barrier-free parking spaces;

ci) The minimum landscape strip width abutting a street line shall be 1.2 m;

cii) Notwithstanding ci) above, and for further clarification, the minimum landscape strip on Clark Avenue West shall be 2.5 m;

di) No person shall erect or construct a building or structure unless such building or structure has access to a private road or driveway that provides access to a public street;

ei) A minimum of 58.4 % of the required minimum landscaped area shall be composed of soft landscaping;

fi) Where a lot has a minimum frontage of 7.0 to 8.99 m, the maximum driveway width shall be 5.9 m;

gi) Exterior stairways are permitted to encroach a maximum of 0.95 m into a required interior side yard for Blocks A, B, C, D, E, F, G and Z;

gii) Porches and balconies (uncovered, unexcavated and unenclosed) are permitted to encroach a maximum of 4.4 m into a required rear yard;

giii) A 0 m no encroachment zone shall be maintained within the front yard and exterior side yards and within the interior side yard abutting a walkway;

giv) The maximum finished floor elevation of an unenclosed porch shall not exceed 1.75 m above finished grade;

hi) The minimum lot frontage shall be;

- i) Blocks H, I, J, K, L, M, N, O - 5.5 m;
- ii) Blocks A, B, C, D, E, F, G, Z - 5.9 m;

hii) The minimum lot area shall be 117 m^2/unit;

hiii) The minimum rear yard shall be:

- i) Blocks H and L - 5.65 m;
- ii) Blocks B, C, G, I, J, K, M, N, O - 6.0 m;
- iii) Blocks A, D, E, F, Z - 6.6 m;

hiv) The minimum exterior side yard shall be 0.85 m;

hv) The minimum exterior side yard abutting a sight triangle shall be 0 m;

hvi) The maximum building height shall be;

- i) Blocks A, B, C, D, E, F, G, Z - 14.1 m;
- ii) Blocks H, I, J, K, L, M, N, O - 12.8 m;

hvii) The minimum interior side yard shall be:

- i) Blocks D, E, F, G - 0.9 m;
- ii) Blocks A, B, C, Z - 0.95 m;

hviii) the minimum lot depth shall be:

i) Block G - 19 m;

ii) Block F - 20 m;

iii) Blocks A, B, C, D, E, Z - 21.0 m;

iv) Blocks H, I, J, K, L, M, N, O - 23.0;

hix) The minimum front yard shall be:

i) Block G - 2.5 m;

ii) Block F - 2.6 m;

iii) Blocks A, B, C, D, E, Z - 3.3 m;

hx) The minimum front yard setback to the stairs for Blocks A, B, C, D, E, F, G and Z shall be 0 m;

hxi) A maximum of 7 townhouse units may be constructed in a row in Blocks H, I, J, L, M and N;

hxii) The maximum interior garage width shall be 5.6 m and the minimum interior garage width shall be 2.75 m;

c) Adding Schedule "E-1588" attached hereto as Schedule "1".

d) Deleting Key Map 2A and substituting therefor the Key Map 2A attached hereto as Schedule "2".

2. Schedules "1", and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 23rd day of May, 2018.

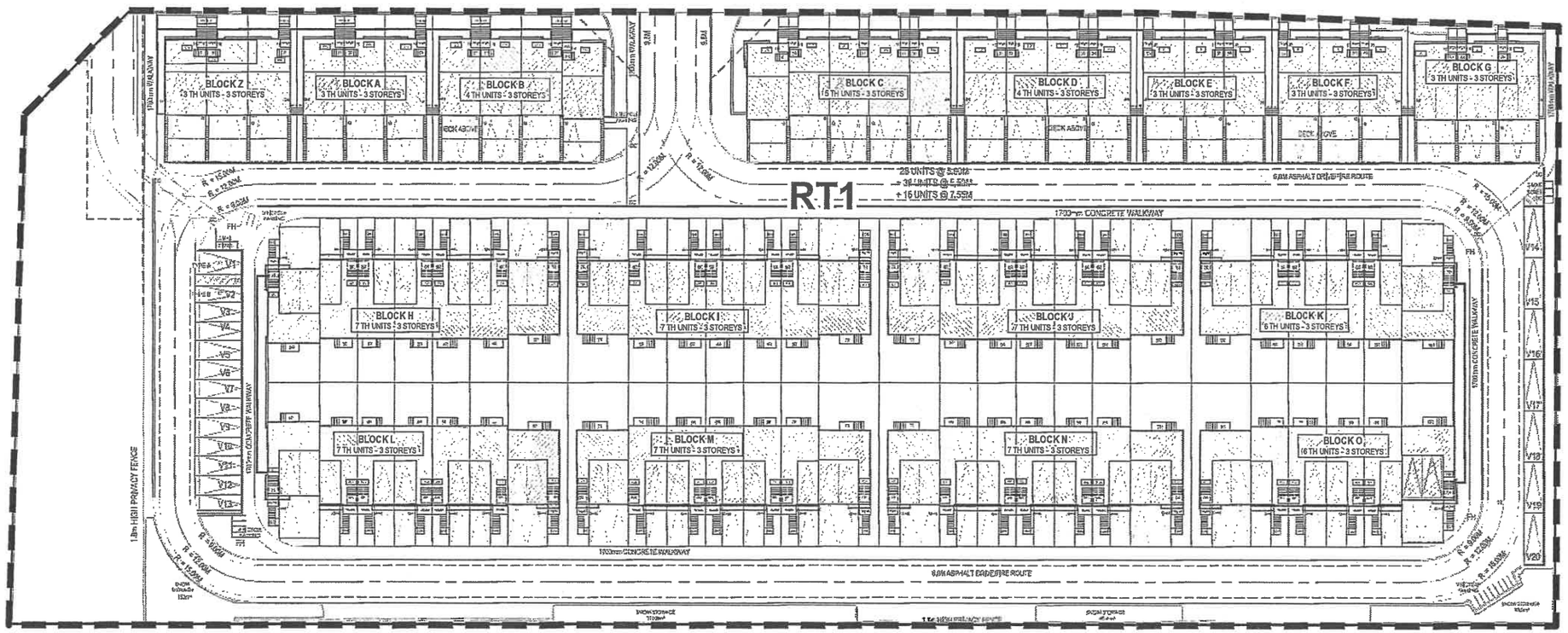
Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 3 of Report No. 6
of the Committee of the Whole
Adopted by Vaughan City Council on
February 21, 2018.

N

Clark Avenue West



THIS IS SCHEDULE 'E-1588'
TO BY-LAW 1-88
SECTION 9(1458)

SUBJECT LANDS

Metres
0 12.5 25 50

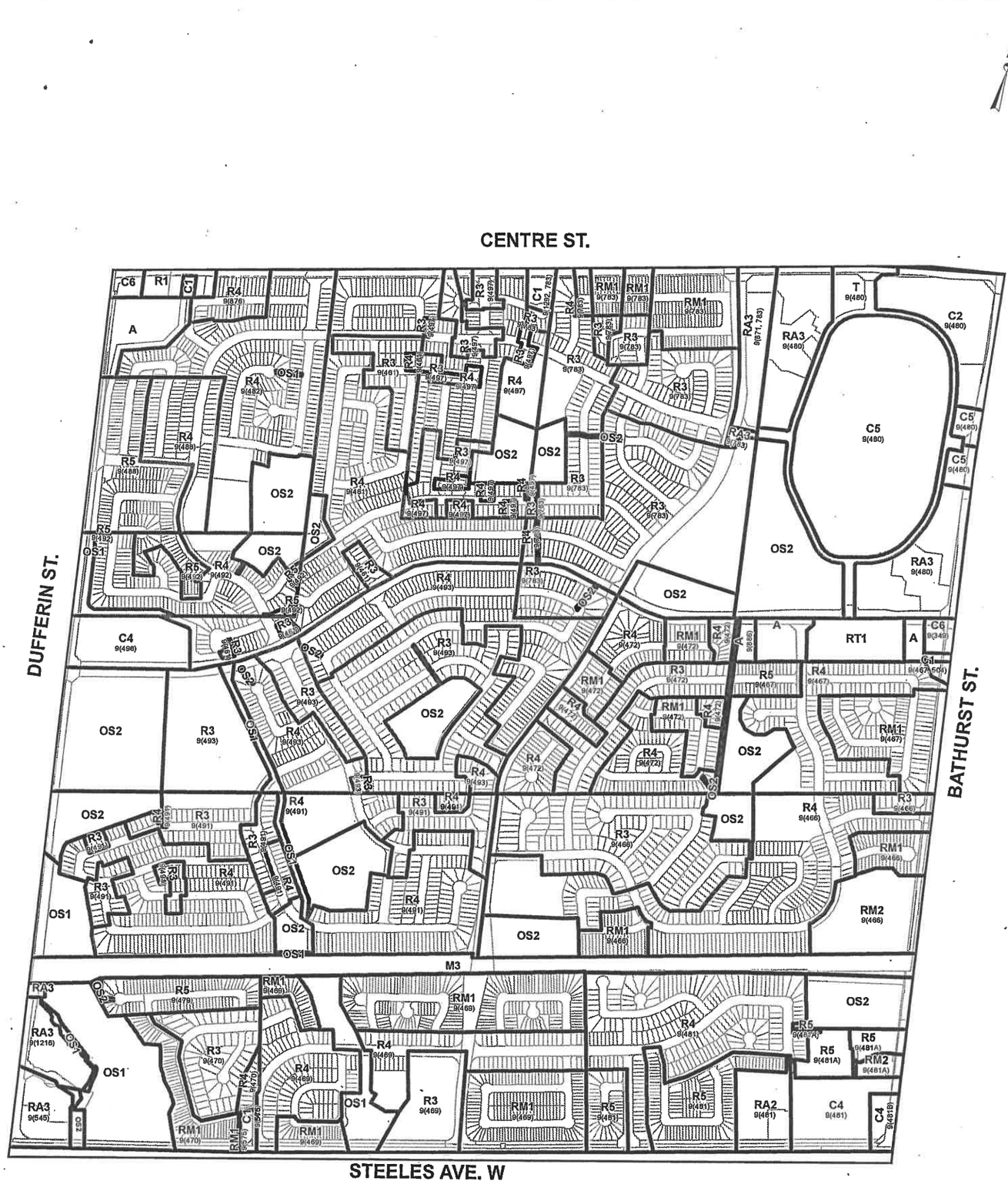
FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFF CLARK LIMITED
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 081 -2018
PASSED THE 23rd DAY OF MAY, 2018

SIGNING OFFICERS

MAYOR

CLERK



KEY MAP 2A
BY-LAW NO. 1-88

Metres
0 125 250 500

THIS IS SCHEDULE '2'
TO BY-LAW 081 -2018
PASSED THE 23rd DAY OF MAY, 2018

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008
& 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFF CLARK LIMITED
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.037\Z.16.037_Schedule2.mxd

Printed on: 4/17/2018

SUMMARY TO BY-LAW 081-2018

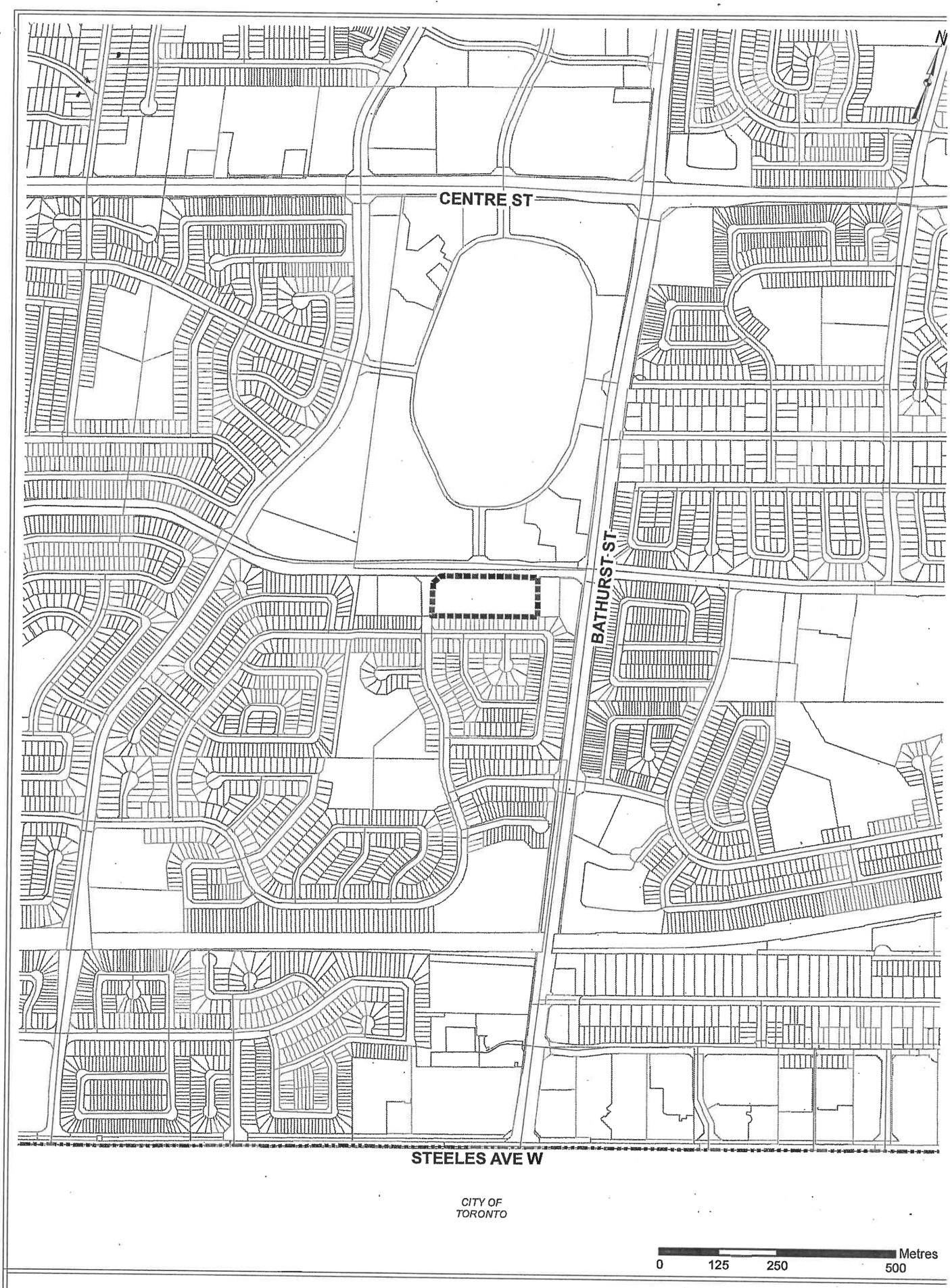
The lands subject to this By-law are located on the south side of Clark Avenue West, west of Bathurst Street, being Part of Lot 3, Concession 2, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone to RT1 Residential Townhouse Zone and to permit site-specific exceptions to the RT1 Zone to facilitate the development of 82 freehold townhouse units which are served by a private common element condominium road, and visitor parking spaces.

The exceptions to the RT1 Zone are as follows:

- A minimum of twenty (20) visitor parking spaces shall be provided, of which two (2) shall be barrier-free spaces;
- A minimum landscape strip width abutting a street line shall be1.2 m;
- The minimum landscape strip along Clark Avenue West shall be 2.5 m;
- No person shall erect or construct a building or structure unless such building or structure has access to a private road or driveway that provides access to a public street;
- A minimum of 58.4% of the required minimum landscaped area shall be composed of soft landscaping;
- Where a lot has a minimum frontage of 7.0 – 8.99 m, the maximum driveway width shall be 5.9 m;
- Exterior stairways are permitted to encroach a maximum of 0.95 m into a required interior side yard for Blocks A, B, C, D, E, F, G and Z;
- Porches and balconies (uncovered, unexcavated and unenclosed) are permitted to encroach a maximum of 4.4 m into a required rear yard;
- A 0 m no encroachment zone shall be maintained within the front yard and exterior side yards and within the interior side yard abutting a walkway;
- The maximum finished floor elevation of an unenclosed porch shall not exceed 1.75 m above finished grade;
- The minimum lot frontage shall be 5.5 m for Blocks H, I, J, K, L, M, N, and O;
- The minimum lot frontage shall be 5.9 m for Blocks A, B, C, D, E, F, G, and Z;
- The minimum lot area shall be 117 to m^2/unit;
- The minimum rear yard shall be 5.65 m for Blocks H and L;
- The minimum rear yard shall be 6.0 m for Blocks B, C, G, I, J, K, M, N and O;
- The minimum rear yard shall be 6.6 m for Blocks A, D, E, F, and Z;
- The minimum exterior side yard shall be 0.85 m;
- The minimum exterior side yard abutting a sight triangle shall be 0 m;
- The maximum building height shall be 14.1 m for Blocks A, B, C, D, E, F, G and Z;
- The maximum building height shall be 12.8 m for Blocks H, I, J, K, L, M, N, and O;
- The minimum interior side yard shall be 0.9 m for Blocks D, E, F, and G;
- The minimum interior side yard shall be 0.95 m for Blocks A, B, C, and Z;
- The minimum lot depth for Block G shall be 19 m;
- The minimum lot depth for Block F shall be 20.0 m;
- The minimum lot depth for Blocks A, B, C, D, E, and Z shall be 21.0 m;
- The minimum lot depth for Blocks H, I, J, K, L, M, N, and O shall be 23.0 m;
- The minimum front yard for Block G shall be 2.5 m;

- The minimum front yard for Block F shall be 2.6 m;
- The minimum front yard for Blocks A, B, C, D, E and Z shall be 3.3 m;
- The minimum front yard setback to the stairs for Blocks A, B, C, D, E, F, G, and Z shall be 0 m;
- A maximum of seven (7) townhouse units may be constructed in a row in Blocks H, I, J, L, M, N; and
- The maximum interior garage width shall be 5.6 m and the minimum interior garage width shall be 2.75 m.



LOCATION MAP
TO BY-LAW 081 -2018

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFF CLARK LIMITED
CITY OF VAUGHAN

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.037\Z.16.037_LocationMap.mxd

Printed on: 4/17/2018

VAUGHAN

Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
T 905 832 8585
E CofA@vaughan.ca

NOTICE OF DECISION
Minor Variance Application A185/19
Section 45 of the Planning Act, R.S.O, 1990, c.P.13
Re-Issuance of Notice Pursuant to Section 4 of O.Reg 149/20

Date of Hearing:	Thursday, February 27, 2020
Applicant:	Wycliffe Clark Limited
Agent	Kurt Franklin - Weston Consulting Group Inc.
Property:	**839 -911 Clark Avenue and 1 -279 Smallwood Circle, Thornhill**
Zoning:	The subject lands are zoned RT1 Residential Townhouse Zone, and subject to the provisions of Exception No. 9(1458) under By-law 1-88 as amended.
OP Designation:	Vaughan Official Plan 2010: Low-Rise Residential
Related Files:	None
Purpose:	Relief of the by-law is being requested to permit a reduced number of townhouse units for Blocks N, O & P from an approved 82 units to 79 units to facilitate (draft) plan of subdivision application 19T-16V008. The development as shown as Drawing No. A100 (as submitted with the application) is to replace the current Schedule E-1588 as part of Exception No. 9(1458).

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum lot depth of 27.0 metres is required.	1. To permit a minimum lot depth of 23.0 metres for Block P.
2. A minimum rear yard setback of 7.5 metres is required.	2. To permit a minimum rear yard setback of 6.0 metres for Block P.
3. A minimum interior side yard setback of 1.2 metres shall be permitted for an end unit.	3. To permit a minimum interior side yard setback of 0.95 metres for the end unit in Block C.
4. A maximum building height of 12.8 metres is permitted for Blocks N and O and a maximum building height of 11.0 metres is permitted for Block P.	4. To permit a maximum building height of 14.0 metres for Blocks N, O and P.
5. A minimum lot frontage of 6.0 metres is required.	5. To permit a minimum lot frontage of 5.5 metres for Block P.
6. Schedule E-1588 as Part of Exception No. 9(1458) applies to this development.	6. To permit the development as shown as Drawing No. A100 attached to this application and to replace the current Schedule E-1588 as part of Exception No. 9(1458).

Sketch: A sketch illustrating the request has been attached to the decision.

Having regard to the requirements of Section 45 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, including the written and oral submissions related to the application, it is the decision of the Committee:

THAT Application No. A185/19 on behalf of Wycliffe Clark Limited be **APPROVED,** in accordance with the sketch submitted with the application (as required by Ontario Regulation 200/96) and subject to the following condition:

	Department/Agency	Condition
1	Development Planning Michael Di Febo 905-832-8585 x 8990 michael.difebo@vaughan.ca	That Development Application File Number DA.19.064 be approved to the satisfaction of the Development Planning Department.

For the following reasons:

1. The general intent and purpose of the by-law will be maintained.
2. The general intent and purpose of the official plan will be maintained.
3. The requested variance(s) is/are acceptable for the appropriate development of the subject lands.
4. The requested variance(s) is/are minor in nature.

Please Note:

It is the responsibility of the owner/applicant and/or authorized agent to address any condition(s) of approval noted in this decision to the satisfaction of the commenting department or agency. Once conditions have been satisfied, the Secretary Treasurer will be in a position to issue a clearance letter which is required prior to the issuance of a Building Permit.

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Written & oral submissions considered in the making of this decision were received from the following:

Public Written Submissions * Public Correspondence received and considered by the Committee in making this decision	Public Oral Submissions *Please refer to the approved Minutes of the Thursday, February 27, 2020 meeting for submission details.
N/A	N/A

Late Written Public Submissions:

In accordance with the Committee of Adjustment Procedural By-law (069-2019) public written submissions on an Application shall only be received by the Secretary Treasurer until 4:00 p.m. on the last business day prior to the day of the scheduled Meeting.

ORIGINAL NOTICE OF DECISION DATED MARCH 6, 2020 SIGNED BY ALL MEMBERS PRESENT WHO CONCURRED IN THIS DECISION

DATE OF HEARING:	**Thursday, February 27, 2020**
DATE OF ORIGINAL NOTICE:	**March 6, 2020**
DATE OF RE-ISSUED NOTICE PURSUANT TO O.REG 149/20: *Pursuant to Section 4of O.Reg 149/20, notices of decision issued pursuant to subsection 45 of the Planning Act on or after February 26, 2020 and before April 15, 2020 are deemed to have not been completed, and notices shall be given again (no later than 10 days after the lifting of the provincial statutory COVID-19 emergency Order)*	**April 22, 2020**
LAST DAY FOR *APPEAL: *Please note that appeals must be received by this office no later than 4:30 p.m. on the last day of appeal. *The last day of appeal is 20 days after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20 .*	**May 12, 2020** **4:30 p.m.**
CERTIFICATION: I hereby certify that this is a true copy of the decision of the City of Vaughan's Committee of Adjustment and this decision was concurred in by a majority of the members who heard the application. Christine Vigneault, ACST Manager Development Services & Secretary Treasurer to the Committee of Adjustment	

Appealing to The Local Planning Appeal Tribunal
The *Planning Act*, R.S.O. 1990, as amended, Section 45

The applicant, the Minister or any other person or public body who has an interest in the matter may within 20 days *after the giving of notice in accordance with subsection 4(4) of Ontario Regulation 149/20* appeal to the Local Planning Appeal Tribunal (LPAT) against the decision of the Committee by filing with the Secretary-Treasurer of the Committee a notice of appeal (A1 Appeal Form) setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the Secretary-Treasurer of the fee prescribed by the Tribunal under the *Local Planning Appeal Tribunal Act*.

Note: A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

When **no appeal is lodged** within twenty days of the date of the making of the decision, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time. Please mail or courier appeals and prescribed fees to:

Office of the City Clerk - Committee of Adjustment
2141 Major Mackenzie Drive
Vaughan Ontario, L6A 1T1

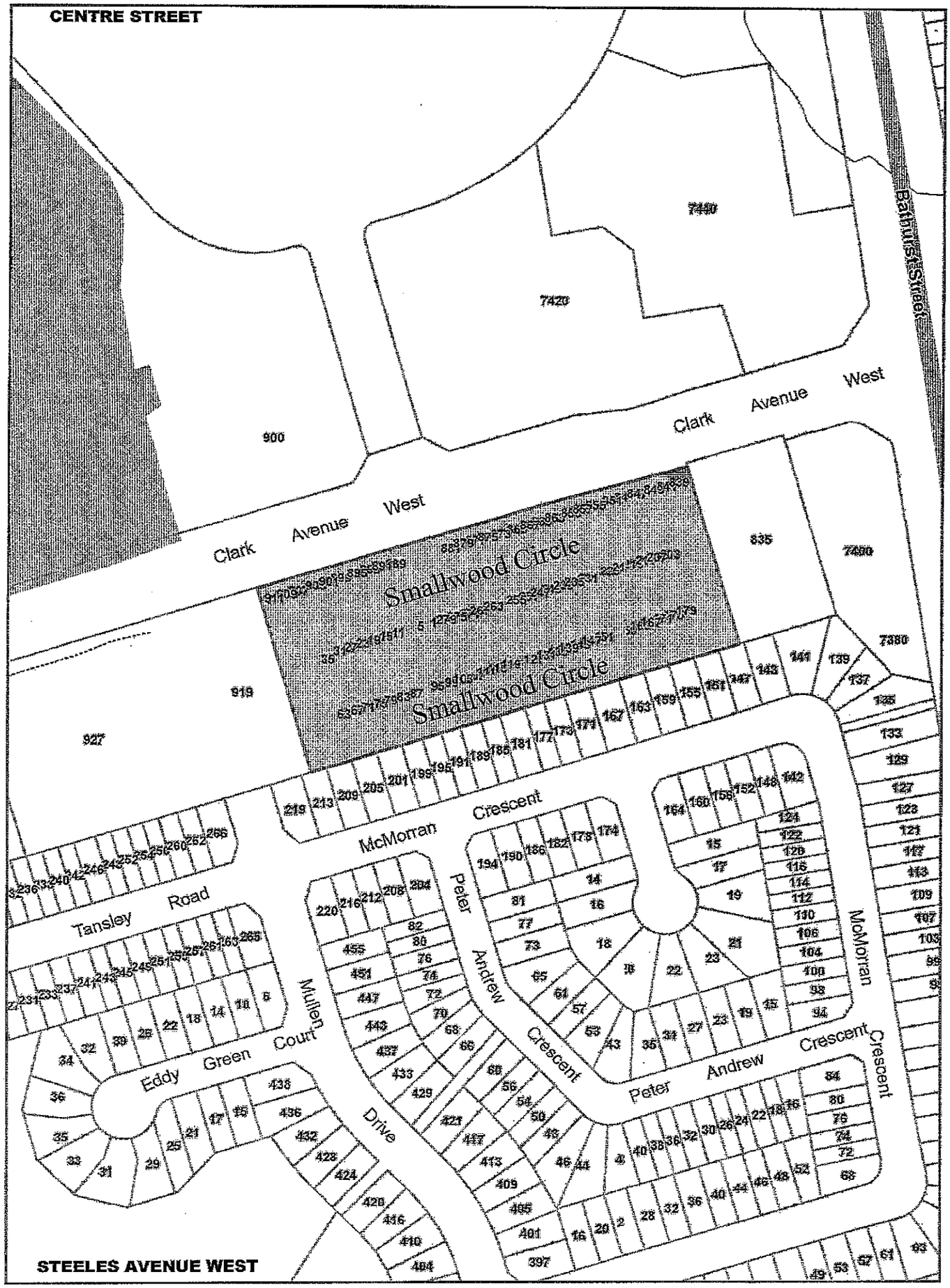
If you have questions regarding the appeal process, please email cofa@vaughan.ca

Appeal Fees & Forms

Local Planning Appeal Tribunal: The LPAT appeal fee is $300 plus $25 for each additional consent/variance appeal filed by the same appellant against connected applications. The LPAT Appeal Fee must be paid by certified cheque or money order payable to the "Minister of Finance". Notice of appeal forms (A1 Appeal Form – Minor Variance) can be obtained at www.elto.gov.on.ca or by visiting our office.

City of Vaughan LPAT Processing Fee: $841.00 per application

*Please note that all fees are subject to change.



Map Information:

Title:

LOCATION MAP - A185/19

839 -911 Clark Avenue and 1 -279 Smallwood Circle, THORNHILL

VAUGHAN

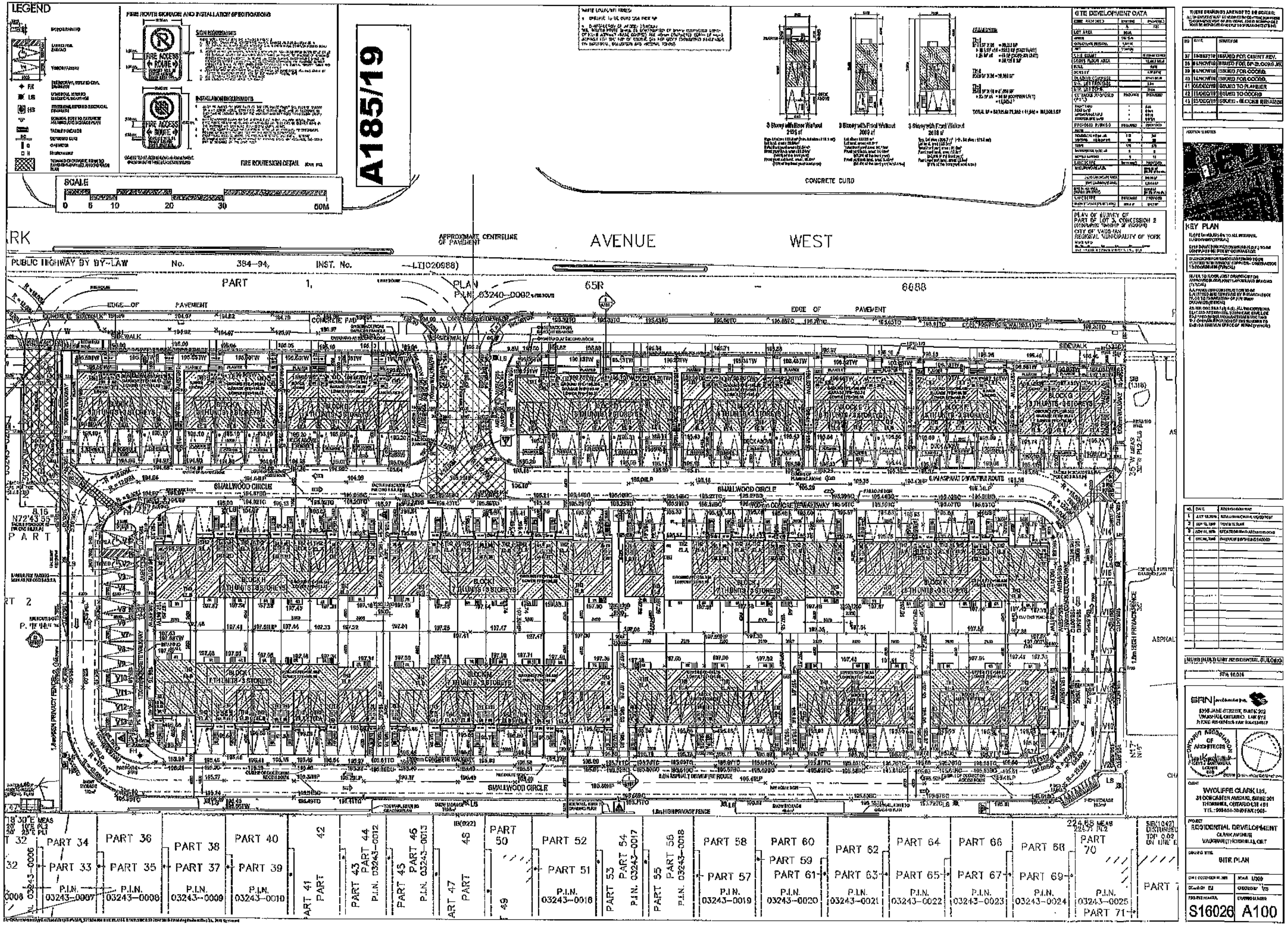
Scale: 1:2,257

0 0.04 km

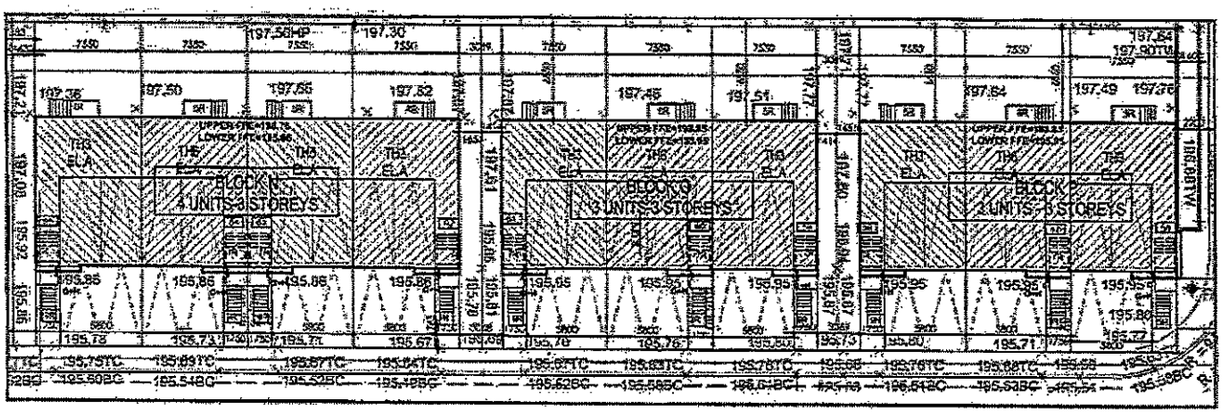
Disclaimer:

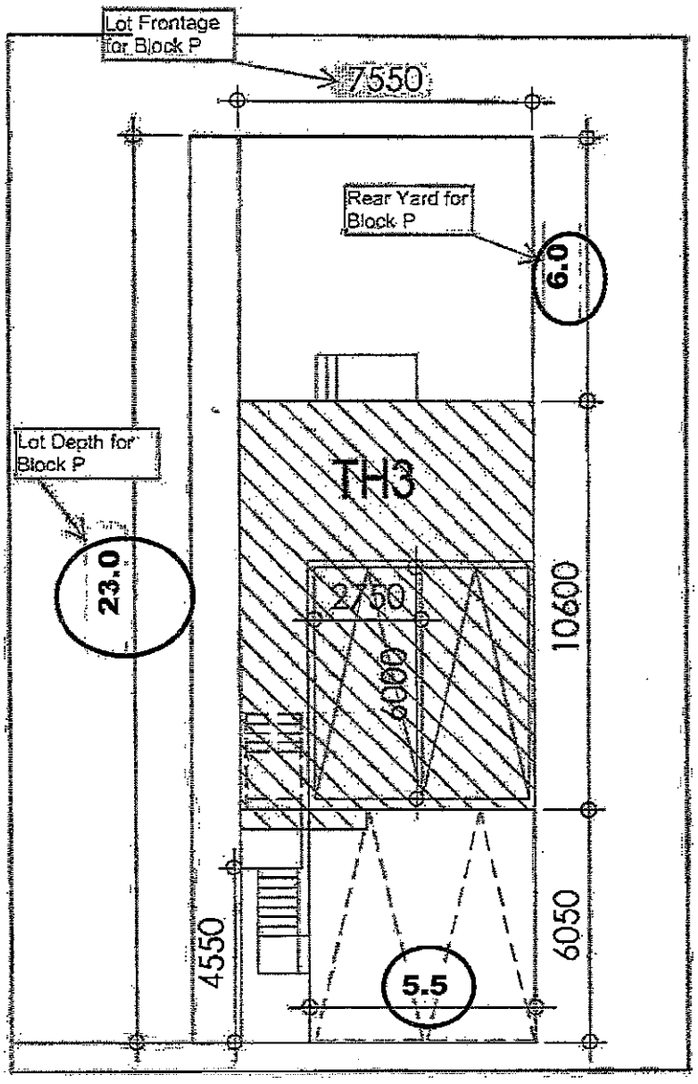
Created By:
Infrastructure Delivery Department
January 8, 2020 5:30 PM

Projection:
NAD 83
UTM Zone 17N



LEGEND
FIRE ROUTE SIGNAGE AND INSTALLATION SPECIFICATIONS
FIRE ACCESS ROUTE
SIGN REQUIREMENTS
INSTALLATION REQUIREMENTS
FIRE ROUTE SIGN DETAIL
A185/19
SCALE
0 5 10 20 30 50M
CONCRETE CURB
SITE DEVELOPMENT DATA
LOT AREA
PLAN OF SURVEY OF PART OF LOT 3, CONCESSION 2 (GEOGRAPHIC TOWNSHIP OF VAUGHAN) CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK
KEY PLAN
APPROXIMATE CENTRELINE OF PAVEMENT
AVENUE
WEST
PUBLIC HIGHWAY BY BY-LAW No. 354-94, INST. No. LT1020988
PART 1, PLAN 65R
P.I.N. 03240-0002
EDGE OF PAVEMENT
CONCRETE SIDEWALK
CONCRETE PAD
SIDEWALK
SMALLWOOD CIRCLE
1.8m HIGH PRIVACY FENCE
PART 34
PART 33
PART 36
PART 35
PART 38
PART 37
PART 40
PART 39
PART 41
PART 42
PART 43
PART 44
PART 45
PART 46
PART 47
PART 48
PART 50
PART 52
PART 51
PART 53
PART 54
PART 55
PART 56
PART 58
PART 57
PART 60
PART 59
PART 61
PART 62
PART 63
PART 64
PART 65
PART 66
PART 67
PART 68
PART 69
PART 70
PART 71
P.I.N. 03243-0006
P.I.N. 03243-0007
P.I.N. 03243-0008
P.I.N. 03243-0009
P.I.N. 03243-0010
P.I.N. 03243-0012
P.I.N. 03243-0013
P.I.N. 03243-0016
P.I.N. 03243-0017
P.I.N. 03243-0018
P.I.N. 03243-0019
P.I.N. 03243-0020
P.I.N. 03243-0021
P.I.N. 03243-0022
P.I.N. 03243-0023
P.I.N. 03243-0024
P.I.N. 03243-0025
N72°43'55"
ISSUED FOR CLIENT REV.
ISSUED FOR COORD.
ISSUED TO PLANNER
SRN
ONTARIO ASSOCIATION OF ARCHITECTS
WYCLIFFE CLARK Ltd.
RESIDENTIAL DEVELOPMENT
SITE PLAN
S16026
A100



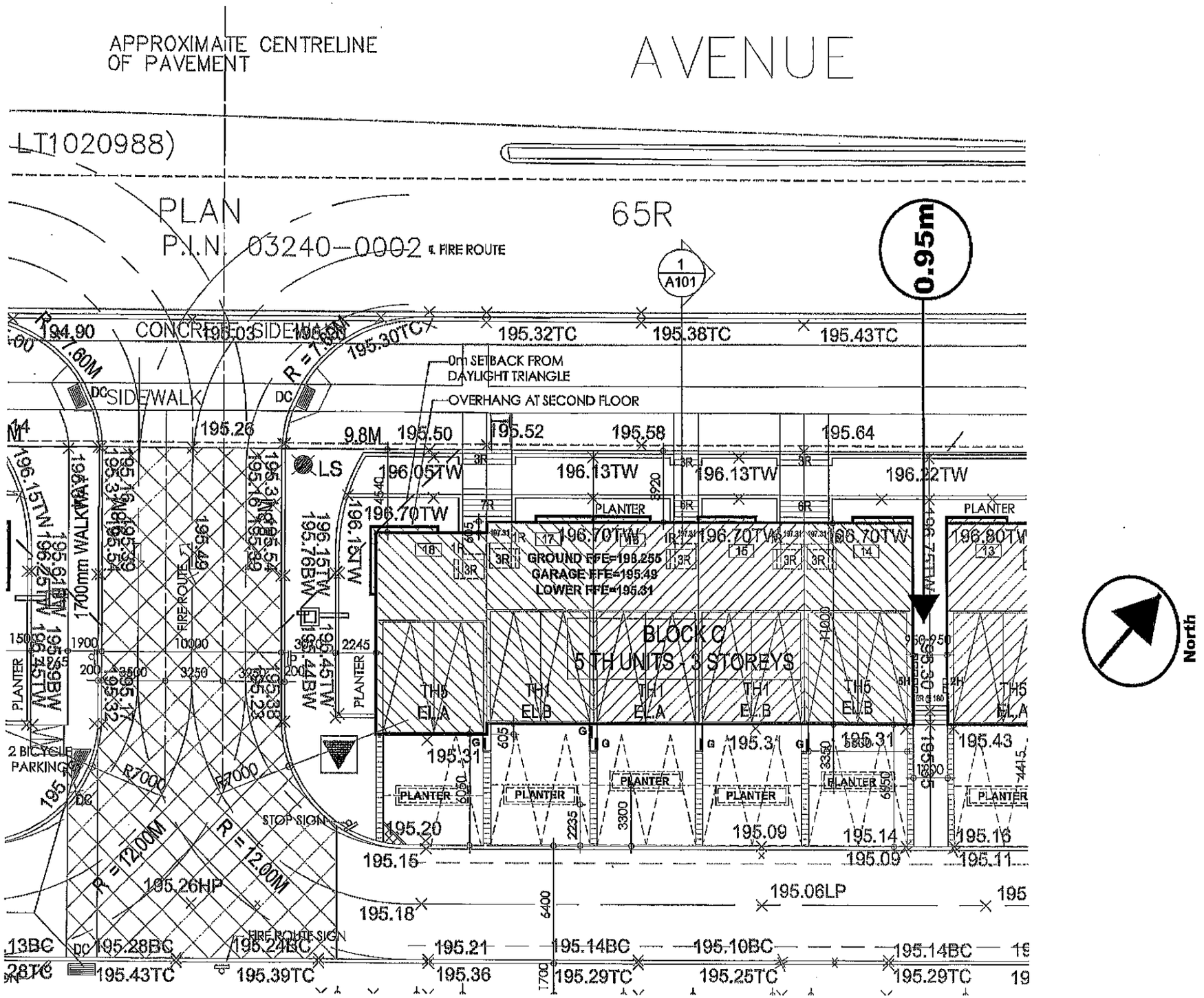


The approved Zoning By-law did not contain Block P. Thus, a minor variance application is required to incorporate Block P into the Zoning By-law. A site plan revision application has also been submitted and is currently under review by City Planning Staff.

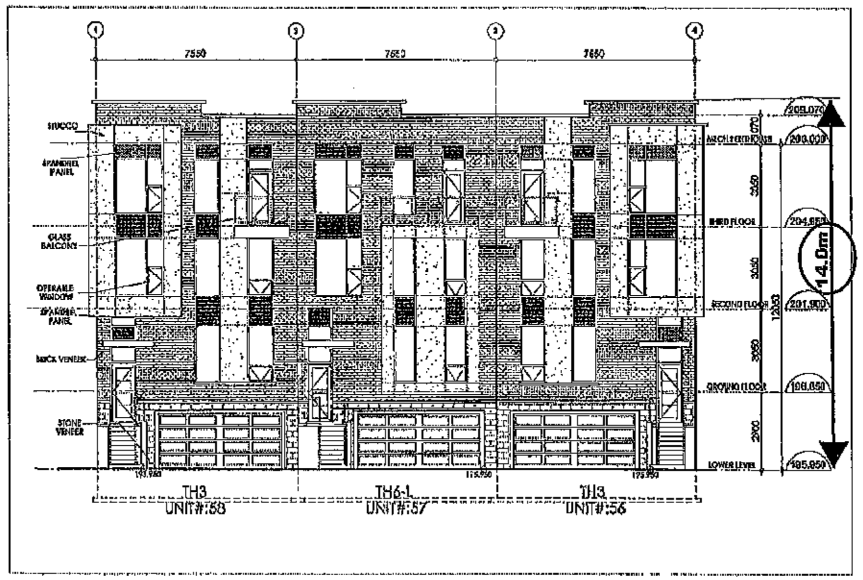
Blocks N, O, & P are comprised of units TH3 and TH6. These units have the same exterior and lot dimensions. They only differ in the interior which is not part of the minor variance application.

Since Block P was not part of the originally approved Zoning By-law, this Block needs to be added to the Zoning By-law through a minor variance application.

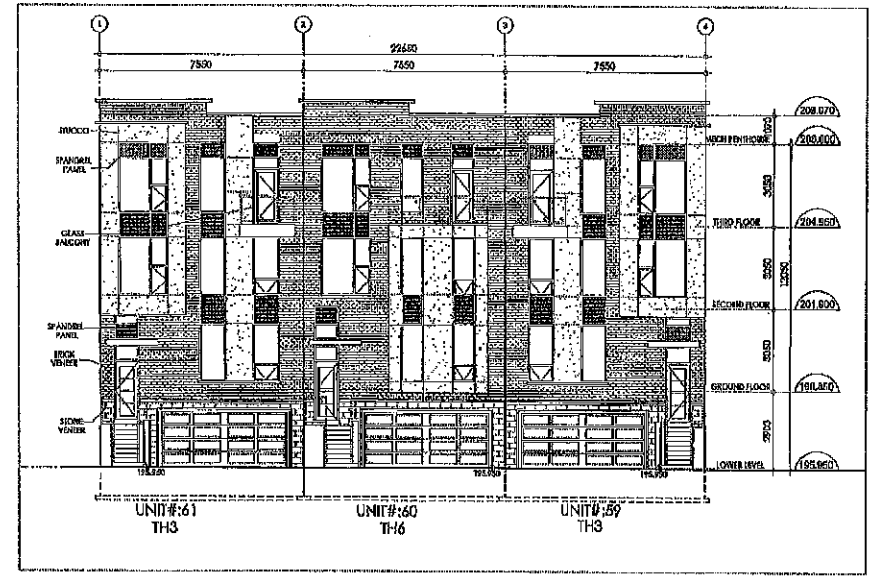
A185/19


APPROXIMATE CENTRELINE
OF PAVEMENT
AVENUE
LT1020988)
PLAN
P.I.N. 03240-0002
65R
FIRE ROUTE
1
A101
0.95m
CONCRETE SIDEWALK
SIDEWALK
0m SETBACK FROM
DAYLIGHT TRIANGLE
OVERHANG AT SECOND FLOOR
9.8M
LS
GROUND FFE=196.255
GARAGE FFE=195.49
LOWER FFE=195.31
BLOCK C
5 TH UNITS - 3 STOREYS
TH5
EL.A
TH1
EL.B
TH1
EL.A
TH1
EL.B
TH5
EL.B
TH5
EL.A
PLANTER
2 BICYCLE
PARKING
STOP SIGN
FIRE ROUTE SIGN
North

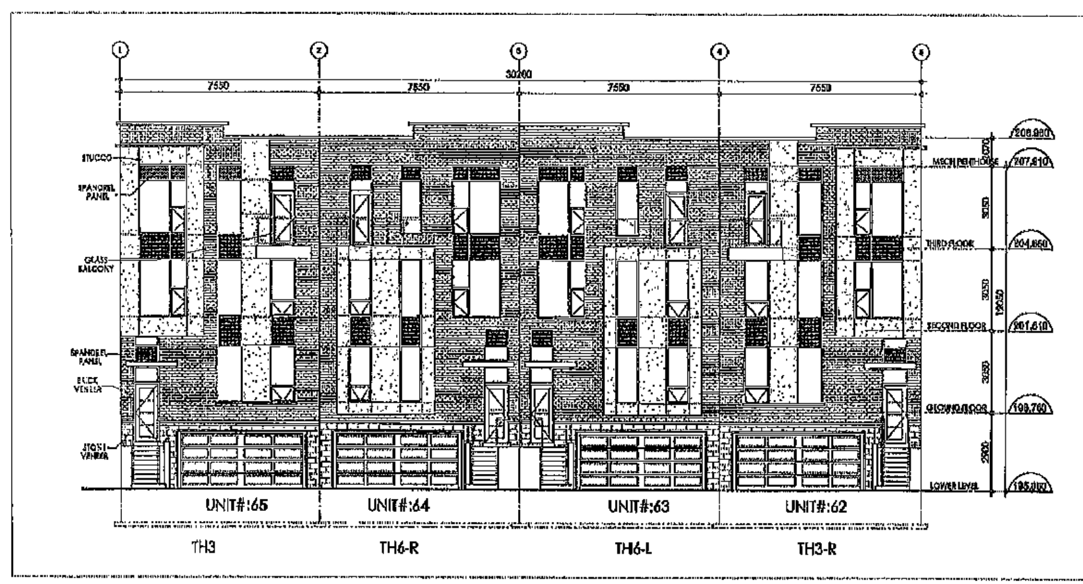
A185/19



FRONT ELEVATION BLOCK "P"
SCALE: 1:75



FRONT ELEVATION BLOCK "O"
SCALE: 1:75



FRONT ELEVATION BLOCK "N"
SCALE: 1:75

NO.	DATE	ISSUED FOR
37		ISSUED FOR CLIENT REV.
41		ISSUED TO PLANNER
42		ISSUED TO COORD

SPA 16.025

BAN architects inc.
8395 JANE STREET, SUITE 202
VAUGHAN, ONTARIO, L4K 5Y2

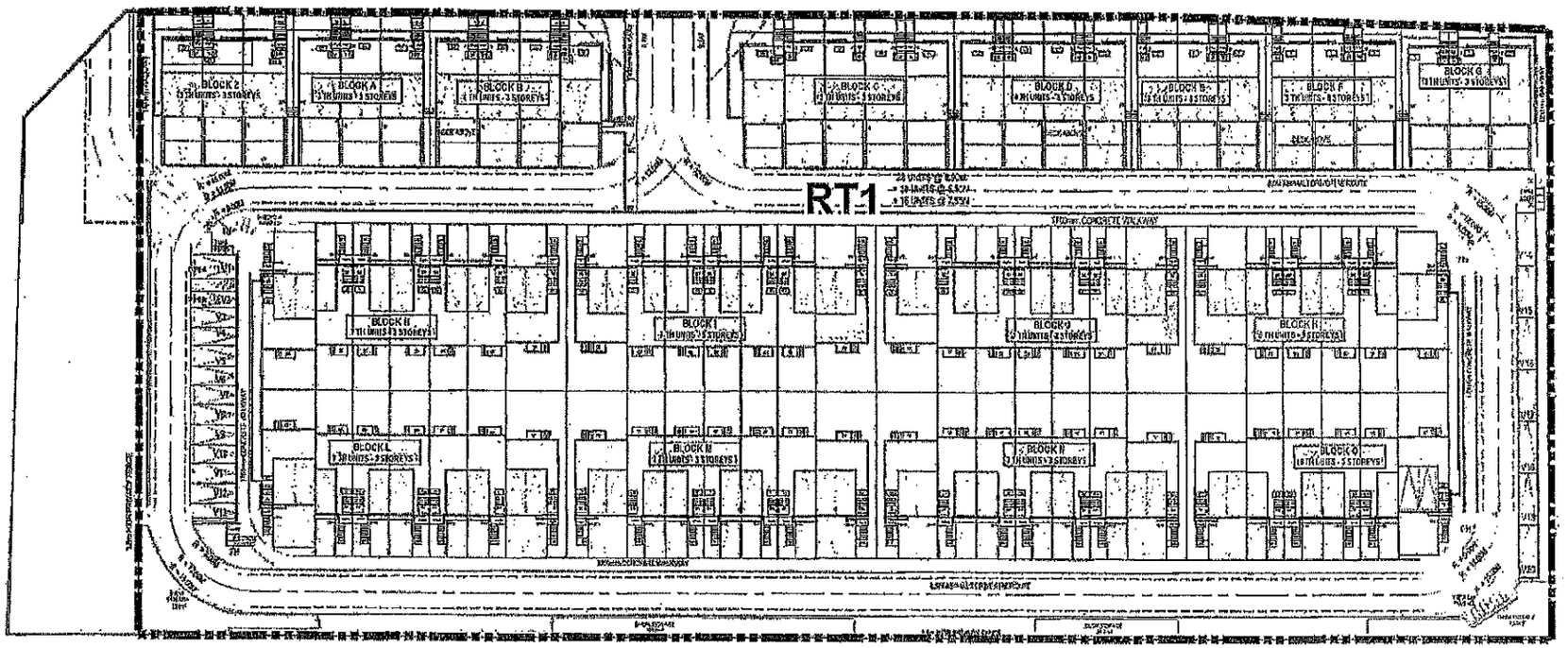
CLIENT
WYCLIFFE CLARK Ltd.
THORNHILL, ONTARIO

PROJECT
RESIDENTIAL DEVELOPMENT
CLARK AVENUE
VAUGHAN (THORNHILL), ONT

DRAWING TITLE
FRONT ELEVATIONS
O-P-N

SCALE: 1/75
DRAWN BY: EJ
CHECKED BY: VJS

PROJECT NUMBER: S16026
DRAWING NUMBER: A400.6



THIS IS SCHEDULE 'E-1588'
TO BY-LAW 1-88
SECTION 9(1458)

SUBJECT LANDS

0 12.5 25 60 Metres

FILE: Z.16.037
RELATED FILES: DA.16.079, 19T-16V008, 19CDM-16V005
LOCATION: PART OF LOT 3, CONCESSION 2
APPLICANT: WYCLIFFE CLARK LIMITED
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 193-2018
PASSED THE 12th DAY OF DECEMBER, 2018

SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.037\Z.16.037_Schedule1.mxd

Printed on: 12/5/2018

EMC GROUP LIMITED

Engineers
Planners
Project Managers

File: 216138
October 28, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, ON, L6A 1T1

Email: Clerks@vaughan.ca

COMMUNICATION – C60
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Attention: **Todd Coles**
City Clerk

Dear Sir,

Re: **Comments on City-Wide Comprehensive Zoning By-law**
56 Woodbridge Avenue, 15 Clarence Street and 23 Clarence Street
City of Vaughan, Region of York

EMC Group Limited acts as the planning consultant for the owners of the lands known as 56 Woodbridge Avenue, 15 Clarence Street and 23 Clarence Street, Vaughan (Figure 1). The comments to follow outline our concerns with the Third Draft of the Comprehensive Zoning By-law dated September 2020.

Our comments with respect to the City-Wide Comprehensive Zoning By-Law are in regards to the rezoning of the property known as *23 Clarence Street* (Subject) from R3 in Zoning By-Law 1-88, to R3-EN within the Comprehensive Zoning By-law Schedule A- Map 46 (September 2020).

We object to the classification of this property specifically as an "EN" Established Neighbourhood for the following reasons:

The lands fall within the Woodbridge Centre Secondary Plan (WCSP) which provides and supports intensification that would be permitted for 23 Clarence Street. The Subject property is identified in the WCSP as a contributing part of the Distinct Character Area of the Woodbridge Commercial Core as shown on WCSP Schedule 5. The land use designation for the 23 Clarence Street lot is identified as Low Rise Residential (1) on WCSP Schedule 2. (See Excerpts from Schedules 13 (VOP2010), 2 (WCSP) and 5 (WCSP) attached for illustrative purposes which only show the location of the subject site in relation to each schedule).

The vision for the Distinct Character area of the Woodbridge Commercial Core is outlined in the WCSP B.3.1 where the last sentence states "The Plan focuses residential intensification within the Core to create a critical population mass to support the existing and proposed commercial uses and community amenities." The land use policies for Low Rise Residential (1) designation are established in the WCSP B.4.1.2.1. as its own unique designation for this Distinct Character Area.

The following Building Types are permitted in areas designated as Low-Rise Residential (1):

i. Detached House;
ii. Semi-Detached House;
iii. Townhouses; and
iv. Multi-unit Residential Buildings.

We ask Council to consider allowing the zoning of this property to be replaced from R3-EN to a site specific Main Street Mixed Use Zone (WMS) acknowledging restricted commercial uses. This would enable the owner to provide for a proposed comprehensive development along with the other Northeast Corner lands of Woodbridge Ave and Clarence St.

(56 Woodbridge Ave and 15 Clarence St.). This would also facilitate a single driveway vehicular access onto Clarence Street for any proposed development.

A mixed use zone for these lands would be appropriate as it would facilitate all four (4) of the building types permitted within the Low Rise Residential (1) area above. A mixed use zone does provide a mix of residential uses in a low-rise form.

The other zone standards such as R - Residential Zone, RT - Townhouse Residential Zone, RM - Multiple Unit Residential Zone do not provide the flexibility of uses which the WMS zone would provide on this property.

The Subject property (23 Clarence Street) forms part of the owner's overall land holdings at the Northeast Corner of Woodbridge Avenue and Clarence Street which are also subject to Site-Specific Policies of WCSP B.4.1.2.5.a and B.4.1.2.5.b that pertain to the subject site.

> "B.4.1.2.5.a. Northeast corner of Woodbridge Avenue and Clarence Street designated Low-Rise Mixed-Use and Low-Rise Residential (1)."
>
> "B.4.1.2.5.b. Vehicular access to this these lands shall be restricted to a single driveway onto Clarence Street."

It is our understanding, from the Open Houses that the objective of the Zoning By-law Review is to align the newly implemented Zoning By-Law with the current Official Plan. We ask Council to recognize this Unique and Distinct Character Area for 23 Clarence Street and to provide an appropriate zone that would enable this property to be developed as per the designated uses allowed within the current Official Plan.

It is noted that we along with our client, have actively participated during the various stages of the Vaughan Comprehensive Zoning By-Law process including the following. To date we have not received comments from City staff on whether our request is supportable.

- Client Email to Brandon Correia on Apr 25 2019.
- Client Meeting with Brandon Correia on Apr 29, 2019.
- Client and EMC met with Brandon Correia Diana DiGirolamo on Mar 12, 2020.
- Attendance at the Open Houses during each phase of the draft By-law process.

Should you have any questions or concerns regarding the request, we ask that you please do not hesitate to contact our office.

Yours Truly,

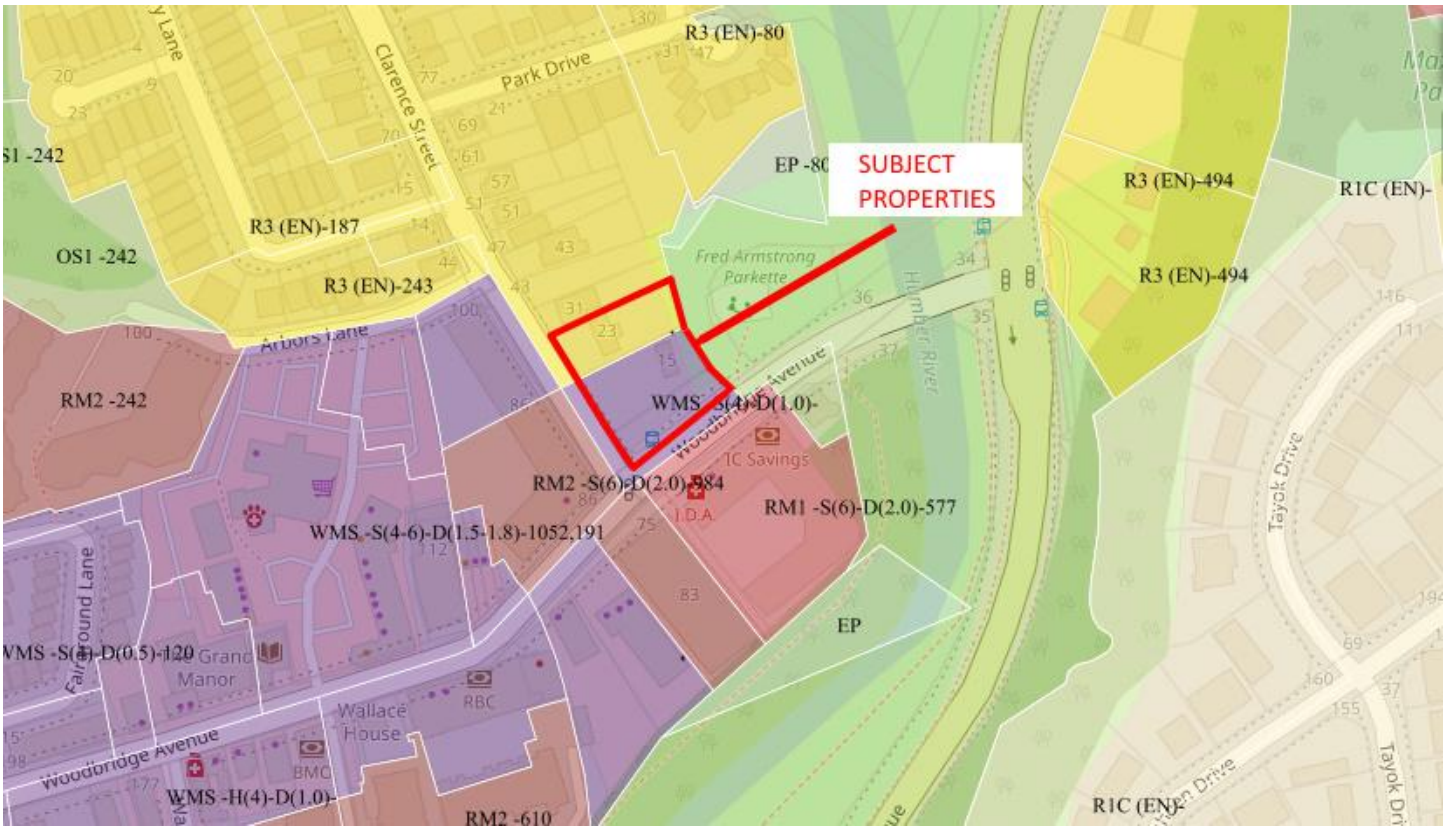
EMC GROUP LIMITED

Nadia Zuccaro, MCIP, RPP
Planner

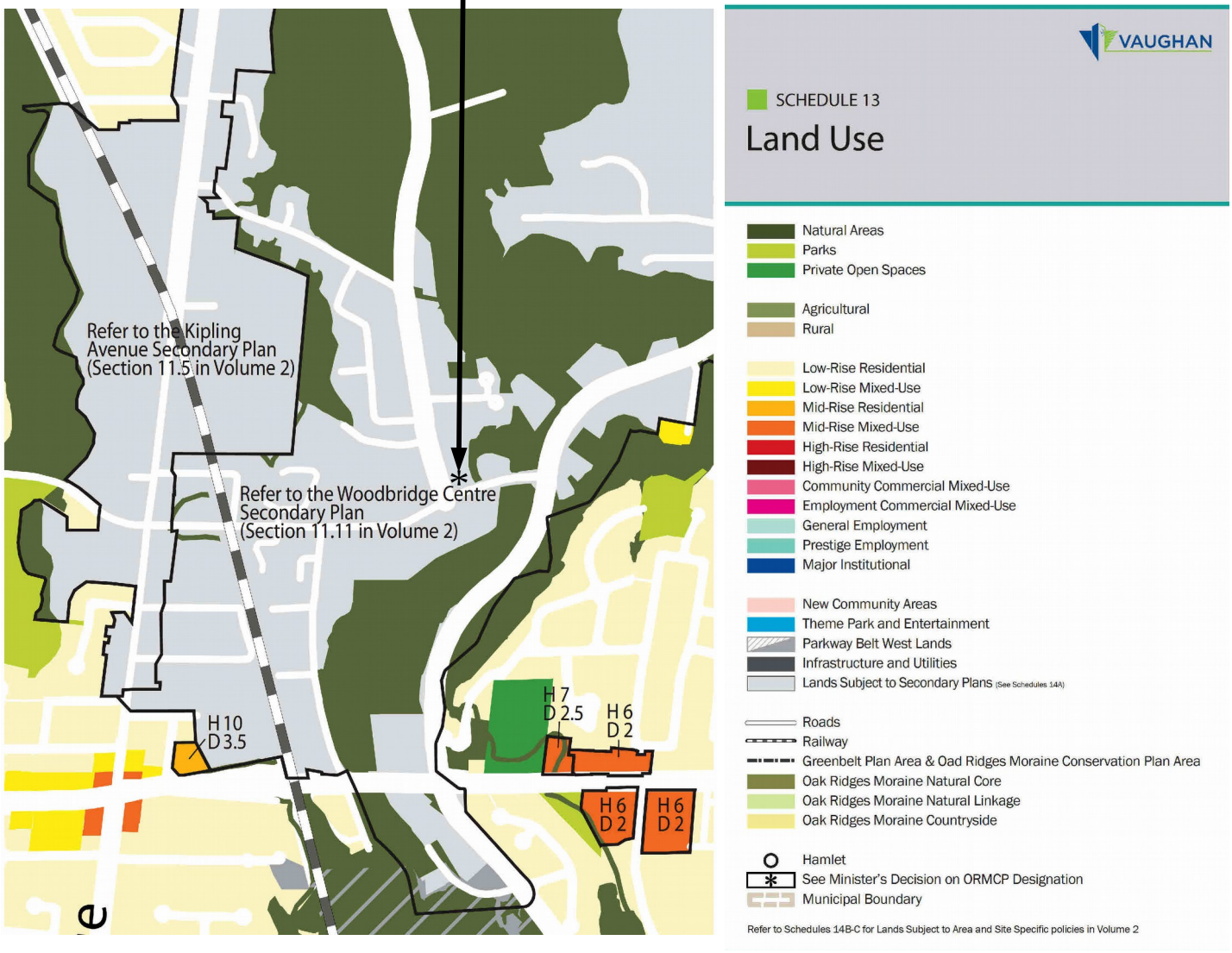
Att.

C: Brandon Correia- Manager of Special Projects
C: Tony Nicoletti

Figure 1: Subject Properties (56 Woodbridge Avenue, 15 and 23 Clarence Street)



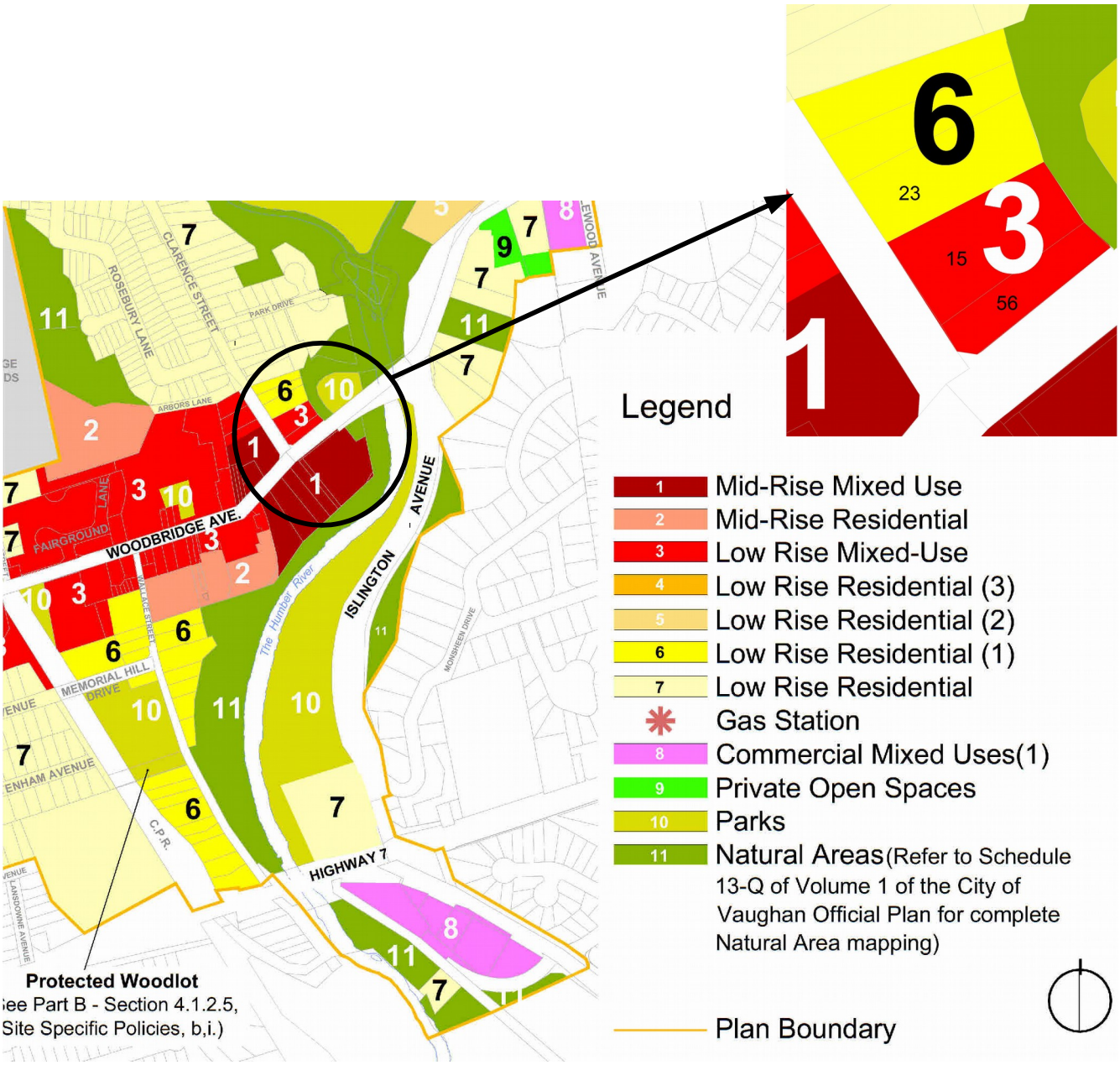
Subject Site	
Lot Address	Land Use
56 Woodbridge Ave	Refer to the Woodbridge Centre Secondary Plan (Section 11.11 in Volume 2)
15 Clarence St	
23 Clarence St	



Excerpts from Schedule 13 Land Use, September 2016 (VOP2010)

For Illustrative Purpose only Dec 12, 2016

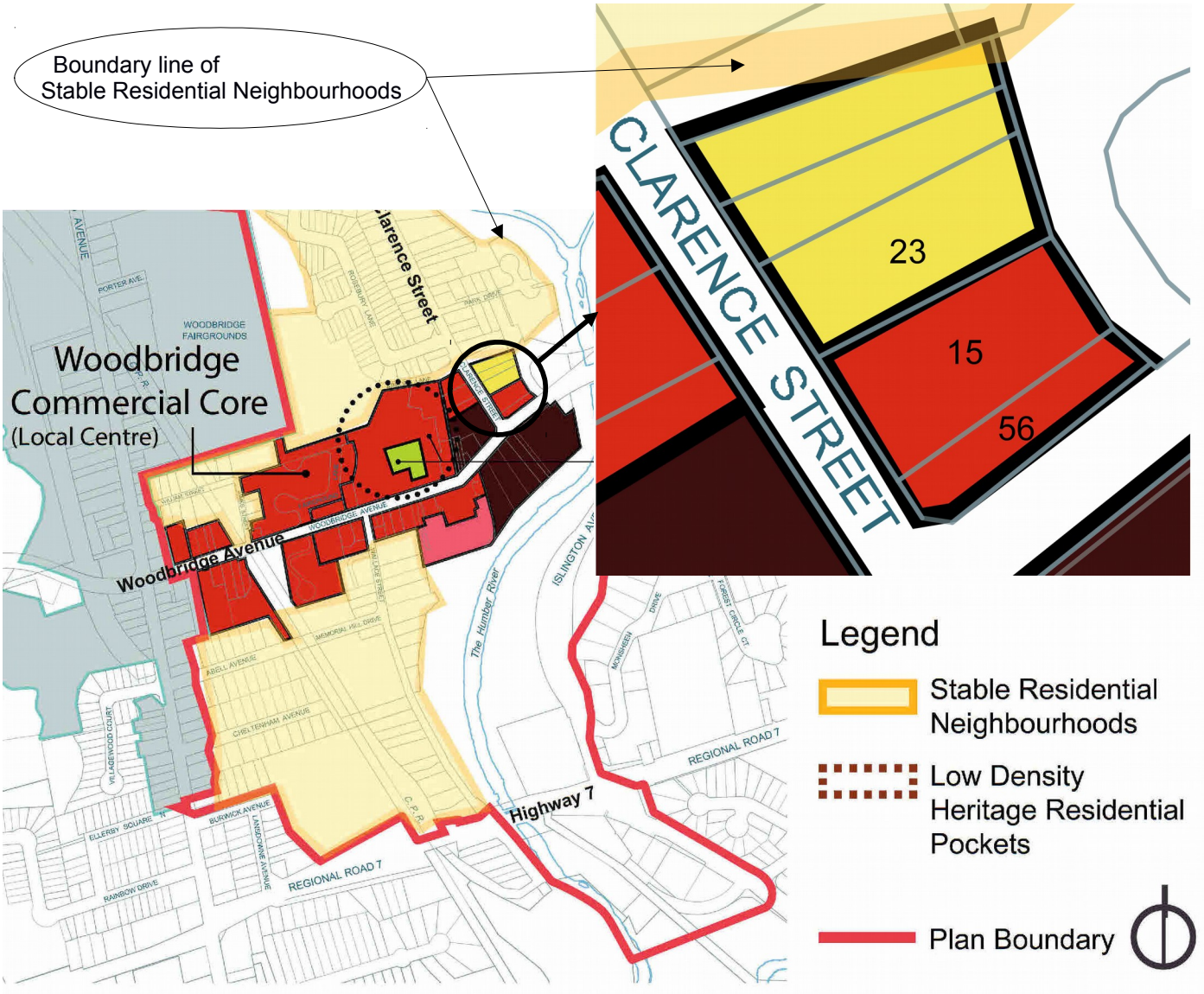
Subject Site		
Label	Lot Address	Land Use Designation
56	56 Woodbridge Ave	Low Rise Mixed-Use
15	15 Clarence St	Low Rise Mixed-Use
23	23 Clarence St	Low Rise Residential (1)



Excerpts from Land Use Plan – Schedule 2 (WCSP)

For Illustrative Purpose only Dec 12, 2016

Subject Site		
Label	Lot Address	Distinct Character Area
56	56 Woodbridge Ave	Woodbridge Commercial Core
15	15 Clarence St	Woodbridge Commercial Core
23	23 Clarence St	Woodbridge Commercial Core



Excerpts from Distinct Character Areas – Schedule 5 (WCSP)

For Illustrative Purpose only Dec 12, 2016

KLM
PLANNING PARTNERS INC.

Celebrating 30 YEARS

64 Jardin Drive, Unit 1B
Concord, Ontario
L4K 3P3
T. 905.669.4055
F. 905.669.0097
klmplanning.com

October 28, 2020

COMMUNICATION – C61
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: Mr. Todd Coles

Dear Sir:

RE: City of Vaughan Comprehensive Zoning By-law Review – Public Meeting October 29, 2020
PFAFF Automotive Partners – 78 Trowers Road

I am making this submission on behalf of PFAFF Automotive Partners, for their location at the 78 Trowers Road.

The subject property is zoned EM1 – Prestige Employment under zoning By-law 1-88, as amended. The proposed zoning for the subject property is also EM1, but the permitted uses under the proposed EM1 zone category are now much less permissive.

In particular, uses such as Motor vehicle sales, Motor vehicle rentals, and Motor vehicle repair will only be permitted if they were existing at time of passing the propose zoning by-law.

Currently the existing EM1 zoning by-law permits a Car Brokerage on the subject property and my client wants that use to continue to be a permitted as it applies to 78 Trowers Road, in addition to including adding Motor Vehicle Repair as a permitted use.

The Motor vehicle related permissions are very important as they provided a needed service to the business and employees throughout the employment area.

My client is willing to further discuss this matter with City of Vaughan Planning staff prior to the zoning by-law going to Council.

Yours very truly,
KLM PLANNING PARTNERS INC.

Roy Mason
Principal Planner

cc: Mr. Chris Pfaff, President and CEO, Pfaff Automotive Partners
Mr. Michael Talmage, Executive Vice President, Pfaff Automotive Partners

WESTON CONSULTING

planning + urban design

COMMUNICATION – C62
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28, 2020
File 5415

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting) – Item 1
11650 & 11700 Keele Street

Weston Consulting is the planning consultant for the owners of the lands located at 11650 and 11700 Keele Street in the City of Vaughan (herein referred to as the 'subject lands'). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and provide the following comments on behalf of the owners.

The in-force and effect City of Vaughan Zoning By-law 1-88, zones the subject lands as "A" Agricultural Zone. In 2011, a Zoning By-law Amendment application (Z.11.035) was submitted and later appealed to the Local Planning Appeal Tribunal (LPAT) on the basis of a non-decision by the City. A decision from the LPAT was issued on January 3, 2019 (PL180330) and the LPAT approved the site-specific Zoning By-law Amendment in principle. The issuance of the final order is being withheld until certain conditions have been satisfied. The Zoning By-law seeks to rezone the lands from "A" Agricultural Zone to "OS1" Open Space Conservation Zone and "A" Agricultural with site specific provisions allowing for agriculture-related uses. A copy of the Decision is attached for ease of reference.

The third draft of the CZBL zones the subject lands as "Agriculture" Zone. This proposed zoning by the CZBL does not recognize the LPAT site-specific zoning which has been approved in principle for the subject lands.

We have reviewed Section 1.6 – Transition of the CZBL and recognize that there are transition provisions under Section 1.6.3 which apply to in-process planning applications, that would be applicable to the subject lands given the current active status of Site Development Applications (DA.17.031 and DA.17.032), as well as the LPAT approval granted in principle for a Zoning By-law Amendment application. With respect to the LPAT approval in principle, Section 1.6.3.4 states that:

> *"The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the*

passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be."

It is our understanding that upon approval of the CZBL, transition provision 1.6.3.4 will ensure that the site-specific Zoning By-law approval for the subject lands will be incorporated into the CZBL. We are in support of this transition provision as it provides a process by which decisions made by the LPAT on or after January 1, 2015 and on or before the passing of the CZBL, will be recognized and consolidated with the approved CZBL. However, section 1.6.4 as it relates to the lapse of transition provisions, has the effect of revoking the Board Order after 5 years which we have concerns with and object to.

The file for the subject lands Zoning By-law Amendment appeal is still open with the LPAT and the owners are in the process of addressing the conditions imposed by the LPAT decision. It is our expectation that once the LPAT issues its final order, the City will update the CZBL to recognize the site-specific Zoning By-law approved by the LPAT. We reserve the right to provide further comments as part of the ongoing CZBL review process as it relates to this matter.

We thank you for the opportunity to provide these comments and will continue to monitor the CZBL process on behalf of the owners. We request to be notified of any future reports and/or meetings regarding the CZBL and any decisions regarding this matter.

Please contact the undersigned at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Sandra K. Patano, BES, MES, MCIP, RPP
Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
H. Kreiner, Kreiner Real Estate
B. Charters, Bren-Coll Holdings
David Bronskill, Goodmans LLP
John Zipay

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

Ontario

ISSUE DATE: January 03, 2019 **CASE NO(S).:** PL180330

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Joseph Kreiner and Bren-Coll Holdings Inc.
Subject:	Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	"A" Agricultural Zone
Proposed Zoning:	"A" Agricultural Zone with Site Specific provisions
Purpose:	To permit a Motor Vehicle Sales Establishment Use, Open Storage and Display Area and Employee Parking
Property Address/Description	11650 and 11700 Keele Street
Municipality:	City of Vaughan
Municipality File No.:	Z.11.035
OMB Case No.:	PL180330
OMB File No.:	PL180330
OMB Case Name:	Joseph Kreiner and Bren-Coll Holdings Inc. v. Vaughan (City)

Heard: November 21, 2018 in Vaughan, Ontario

APPEARANCES:

Parties	**Counsel**
Joseph Kreiner and Bren-Coll Holdings Inc.	David Bronskill
City of Vaughan	Effie Lidakis

MEMORANDUM OF ORAL DECISION DELIVERED BY PAULA BOUTIS ON NOVEMBER 21, 2018 AND ORDER OF THE TRIBUNAL

[1] The within appeal relates to a zoning by-law amendment ("ZBLA") application for two properties at 11650 and 11700 Keele Street ("Subject Site"). The lands are zoned "A" Agricultural. The purpose of the application was to rezone the subject lands to permit the following agricultural related uses:

a. a motor vehicle sales establishment use for heavy trucks and equipment related to agricultural activities;

b. open storage and display areas for the sale and display of heavy equipment and trucks related to agricultural activities; and

c. to allow employee parking for the existing retail nursery establishment abutting to the north (11800 Keele Street) on the Subject Site.

[2] The Tribunal filed as Exhibit 1 the Affidavit of Service for notice of the hearing.

[3] No one appeared seeking Party or Participant status.

[4] The matter proceeded by way of settlement hearing.

[5] The Applicant filed the ZBLA in October 2011, which application was deemed complete in October 2012.

[6] Processing of the application was delayed as a result of the Toronto and Region Conservation Authority ("TRCA") issuing a notice of violation on regulated lands located on 11650 Keele Street. The Applicant is now working to complete the necessary works, which are to be completed by March 20, 2020.

[7] Two Site Plan applications (one for each property) for the existing one-storey buildings together with an open storage and display area have since been filed and processed along with a resubmission of the ZBLA application.

[8] Ultimately, the appeal was filed on the basis of a non-decision by the City of Vaughan ("City").

[9] The Tribunal heard uncontested evidence from John Zipay, whom the Tribunal qualified to provide opinion evidence in the area of land use planning. It was Mr. Zipay's opinion that the proposal satisfied all the tests of the *Planning Act* ("Act") and was good planning.

[10] The application was assessed against City Official Plan Amendment 600 ("OPA 600") as the OPA in force at the time of the application.

[11] One of the conditions of the ZBLA requires that the "farm-related uses" identified in section 6.1.1b of OPA 600 will be defined as "the processing of locally grown agricultural products, the servicing of farms, and farm product outlet sales, but shall not include a farmer's market, a retail nursery or a landscaping business." The Subject Site is located within a Special Policy Area, which recognizes that these lands are within an area which is "physically separated from the larger, predominantly agricultural area to the west of the rail line." Mr. Zipay testified the viability of field crop farming on the Subject Site is reduced and is of low capability for agriculture.

[12] Amongst others, one of the outstanding conditions of approval in respect of the ZBLA relates to "identifying the limit of the Natural Heritage System and associated 30 m Vegetation Protection Zone ("VPZ") from the most conservative natural feature limit, as required by the Greenbelt Plan, to the satisfaction of the City and the TRCA", along with the conveyance of lands to be zoned "OS1 Open Space Conservation Zone" to public ownership. This relates to a provincially significant wetland.

[13] Mr. Zipay testified that the proposal was consistent with the Provincial Policy Statement, 2014 ("PPS"). Of particular interest are natural heritage policies and the protection of agricultural land for the long-term, which includes agriculture-related uses. The existing uses around the site include a gas bar, eating establishment, retail nursery, agricultural lands and a motor vehicle establishment for farm equipment. It was Mr.

Zipay's opinion that the proposed support agricultural operations found to the west and east and will not hinder land uses in proximity to the Subject Site.

[14] Mr. Zipay opined similarly for the Growth Plan for the Greater Golden Horseshoe, 2017 ("2017 Growth Plan") and the Greenbelt Plan, i.e. that the proposal conforms to the 2017 Growth Plan and the Greenbelt Plan. Both plans address the protection of agriculture and agriculture-related uses appropriately within their context and the protection of natural features.

[15] Mr. Zipay opined that the proposal conforms to the York Region Official Plan, which also speaks to agricultural uses and agriculture-related uses. He opined that it meets the intent of providing farm-related industrial and commercial uses to serve the surrounding agricultural lands located outside of the Greenbelt.

[16] The Tribunal adopts the opinions of Mr. Zipay and concludes that the proposal is consistent with the PPS, conforms to the 2017 Growth Plan, the Greenbelt Plan, the Regional Municipality of York Official Plan, and OPA 600. The Tribunal is satisfied that the proposal has sufficient regard to s. 2 of the Act.

ORDER

[17] The Tribunal allows the appeal. It withholds its final order all in accordance with Attachment 1, and conditions included therein at Appendix A.

[18] The Tribunal may be spoken to in the event issues arise during the course of satisfying conditions in Appendix A.

"Paula Boutis"

PAULA BOUTIS
MEMBER

ATTACHMENT 1

CASE NO(S).: PL180330

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Joseph Kreiner & Bren-Coll Holdings Inc.
Subject:	Application to amend Zoning By-law No. 1-88 – Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	"A" Agricultural Zone
Proposed Zoning:	"A" Agricultural Zone with Site Specific provisions
Purpose:	To permit a Motor Vehicle Sales Establishment Use, Open Storage and Display Area and Employee Parking
Property Address/Description:	11650 & 11700 Keele Street
Municipality:	City of Vaughan
Municipal File No.:	Z.11.035
OMB Case No.:	PL180330
OMB File No.:	PL180330
OMB Case Name:	Joseph Kreiner & Bren-Coll Holdings Inc. v. Vaughan (City)

BEFORE:

BOUTIS, P.	)	THE 21ST DAY OF
MEMBER	)	November, 2018

WHEREAS an application for a zoning by-law amendment was filed with the City of Vaughan (the "**City**") on October 12, 2011, on behalf of Joseph Kreiner and Bren-Coll Holdings Inc. (the "**Applicant**"), to permit, *inter alia*, certain agriculture related uses on the properties known municipally as 11650 Keele Street and 11700 Keele Street in the City of Vaughan (the "**Application**").

AND WHEREAS the Applicant filed an appeal of the Application, as revised, to the Local Planning Appeal Tribunal (the "**Tribunal**") by letter dated March 29, 2018 (the "**Appeal**");

AND WHEREAS City staff prepared a Staff Report (the "**Staff Report**") that recommended that the City support the Application at the Tribunal, subject to certain conditions to be satisfied prior to issuance of any final order by the Tribunal;

AND WHEREAS City Council, at its meeting on September 27, 2018, accepted the recommendation of City staff in the Staff Report;

AND WHEREAS these matters having come on for a public hearing before the Tribunal on November 21, 2018, at which the Tribunal heard uncontradicted and independent land use planning opinion evidence called on behalf of the Applicant in support of approval of the Application, subject to the conditions to be satisfied prior to issuance of any final order by the Tribunal, which evidence included opinions that approval of the Application would: (1) be consistent with the Provincial Policy Statement (2014); (2) be in conformity with the Growth Plan for the Greater Golden Horseshoe (2017); (3) be in conformity with the Greenbelt Plan; (4) be in conformity with the Official Plan for the Regional Municipality of York; (5) be in conformity with the Official Plan for the City of Vaughan in force at the time of the Application (OPA 600); (6) represent good planning; and, (7) be in the public interest.

AND WHEREAS the Tribunal, having heard and accepted the above-noted opinion evidence, determined that the Appeal should be allowed and that the proposed zoning by-law amendment should be approved, but the final order be withheld pending completion of certain matters;

THE TRIBUNAL ORDERS that:

1. the Appeal in respect of the above-noted matter is allowed;
2. the Application is approved, in principle, for an amendment to City of Vaughan Zoning By-law No. 1-88 to rezone the lands from "A" Agricultural Zone to "OS1" Open Space Conservation Zone and "A" Agricultural Zone with the following site-specific provisions, in accordance with Exhibit 3A, Tab 18, p. 124:
    a. A Motor Vehicle Sales Establishment for farm/heavy equipment and trucks, and the open storage and display and service of such equipment, all related to agricultural activities;
    b. Businesses that provide products or services, or both, directly to farm operations as a primary activity, and shall be limited to the processing of locally grown agricultural products, the servicing of farms, and farm product sales outlets, but shall not include a farmer's market, a retail nursery or a landscaping business; and
    c. Parking for the employees for the adjacent property to the north (11800 Keele Street) to be located on the subject lands.

but the final order is withheld pending being advised in writing by the City solicitor that the conditions in Appendix A have been satisfied which may result in changes to the approval in principle; and,

3. the Tribunal may be spoken to in the event issues arise during the course of satisfying the conditions in Appendix A.

APPENDIX A
CONDITIONS TO ISSUANCE OF FINAL ORDER

1. The zoning by-law amendment is in a final form, to the satisfaction of the City.

2. The Owner shall identify the limit of the Natural Heritage System and associated 30 m Vegetation Protection Zone ("VPZ") from the most conservative natural feature limit, as required by the Greenbelt Plan, to the satisfaction of the City and the Toronto and Region Conservation Authority.

3. The outside storage and display of vehicles shall only be permitted in the areas identified on Exhibit 3A, Tab 18, p. 125 and 126, subject to being outside the above-identified Natural Heritage System and associated 30 m VPZ, and shall be appropriately screened by an enclosed stone, masonry wall or chain link fence no less than 2 m in height with appropriating landscaping, to the satisfaction of the City.

4. The Owner shall submit a Noise Report, Phase 1 Environmental Site Assessment, Letter of Reliance and Traffic Impact Study, to the satisfaction of the City.

5. The Owner shall submit a functional servicing report ("FSR") to address the City's recommendations to service the lands with municipal water and sanitary services. Should the FSR conclude that the lands can be serviced with local well and septic systems, the Owner shall also submit a Hydrogeological Report to determine water quantity and quality, to the satisfaction of the City.

6. The Owner shall pave all driveway, parking, display and open storage areas with hot-mix asphalt in accordance with Zoning By-law 1-88 and the City's Engineering Design Standards Criteria.

7. The Owner shall submit a Geotechnical Report (including soil testing of the existing subgrade) recommending a pavement design in accordance with the Transportation Association of Canada publication, "A Guide to the Structure Design of Flexible and Rigid Pavements in Canada", including consideration of the effect of proposed underground services and non-ideal conditions, to the satisfaction of the City.

WESTON CONSULTING

planning + urban design

COMMUNICATION – C63
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON, L6A 1T1

October 28, 2020
File 7028-3

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
10489 Islington Avenue, Vaughan
File No. OP.17.012, Z.17.033, DA.17.071

Weston Consulting is the authorized planning agent for 2081447 Ontario Inc., the registered owner of the lands at 10489 Islington Avenue in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "Draft ZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is currently zoned "*C11 – Mainstreet Commercial*" by the in-force Zoning By-Law 1-88 per Key Map 8E. Based on our review of the Draft ZBL, the subject property is proposed to be zoned "*KMS-362 – Main Street Mixed Use – Kleinburg Zone, Exception 362"* per Schedule A, Map 177.

It is noted that existing Planning Act applications for Official Plan Amendment (OP.17.012), Zoning By-law Amendment (Z.17.033) and Site Development (DA.17.071) are in process and applicable to the development of the subject property. These applications have been submitted to permit (5) residential apartment units and (3) commercial rental units as part of a building addition to the existing structure and were deemed complete on January 12, 2018.

We understand that the Draft ZBL contains transition provisions in Section 1.6.3 for in-process planning applications that would be applicable to the subject property given the current active status of Site Development Application DA.17.071; however, it is noted that these provisions do not apply to active rezoning applications currently in process. Although the current site-specific rezoning application makes every effort to consider the provisions of the CZBL, it is requested that the site specific rezoning application continue to consider the in-force regulation applicable to the subject property at the time that Complete Application was issued, being Zoning By-law 1-88.

Further, we request clarity on how the City intends to implement existing rezoning applications currently in process, and request that should the site-specific rezoning application be approved, it be implemented through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting scheduled for October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process and request to be notified of any future reports, meetings and decisions regarding the Draft ZBL.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 252 or Steven Pham at extension 312 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Michael A. Vani, BURPl, MCIP, RPP
Senior Planner

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Judy Jeffers, Planner
2081447 Ontario Inc.

WESTON CONSULTING

planning + urban design

COMMUNICATION – C64
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the Clerk, City of Vaughan
2141 Major Mackenzie Dr
Vaughan, ON
L6A 1T1

October 28, 2020
File 8359

Attn: Todd Coles, City Clerk

Dear Sir,

Re: City Wide Comprehensive Zoning By-law
Committee of the Whole (Public Meeting)
8500 Huntington Road

Weston Consulting is the authorized planning consultant for the Labourers' Union Non-Profit Building Society, the owner of the lands municipally addressed as 8500 Huntington Road (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the following comments on behalf of the landowner.

The subject lands are located north of Langstaff Road and west of Huntington Road in the City of Vaughan. The lands are located in Block 64 South and the landowner is a participating landowner in the Block 64 South Landowners Group. Site-specific Zoning By-law 168-2018 was approved by City of Vaughan Council on September 27, 2018, to rezone the subject lands to *EM1(H) Prestige Employment Area Zone* (Attachment 1).

We note that the CZBL proposes to zone the subject lands *EM2(H) – 1092, General Employment Zone* subject to Exception 1092 according to Map 81. The proposed EM2 Zone category is incorrect and does not reflect the approved EM1 - Prestige Employment Zone category. Based on our review, the provisions and permitted uses within the site-specific Zoning By-law have been carried over into Exception 1092, as it relates to permitted uses (section 14.1092.1), lot and building requirements (section 14.1092.2), and the 'H' holding provisions (section 12.1092.4). In addition, Figure E-1598 indicates the proposed zoning for the subject lands as EM1(H), which is the correct zoning.

We respectfully request that the zoning for the subject lands within the CZBL be amended to EM1(H) to reflect the approved and in-force site-specific Zoning By-law. We thank you for the opportunity to provide these comments.

Please contact the undersigned at extension 236 or Jenna Thibault at extension 309 should you have any questions or wish to discuss further.

Yours truly,
Weston Consulting
Per:

Kevin Bechard, BES, M.Sc., RPP
Senior Associate

c. Client

Attachment: Site Specific Zoning By-law 168-2018

THE CORPORATION OF THE CITY OF VAUGHAN

**IN THE MATTER OF Section 34,
Subsections (18) and (19) of
the Planning Act, R.S.O. 1990, c.P.13**

I, TODD COLES, of the Township of King, make oath and say:

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.

2. **THAT** By-law Number 168-2018 was passed by the Council of the Corporation of the City of Vaughan on the 27TH day of September 2018, and written notice was given on the 11th day of October 2018 in the manner and form and to the persons prescribed in Regulation 199/96.

3. **THAT** no notice of appeal setting out an objection to By-law 168-2018 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.

4. **THAT** By-law Number 168-2018 is deemed to have come into effect on the 27th day of September 2018.

SWORN BEFORE ME in the City of Vaughan, in the Regional Municipality of York, this 14th day of November 2018.

TODD COLES
City Clerk

A Commissioner, etc.

Christine Marie Monique Vigneault,
a Commissioner, etc.,
Province of Ontario, for
The Corporation of the City of Vaughan.
Expires July 5, 2020.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 168-2018

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

   a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from "A Agricultural Zone" to "EM1(H) Prestige Employment Area Zone" with the Holding Symbol "(H)", in the manner shown on Schedule "1".

   b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

   "9(1468) A. The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1598", until the Holding Symbol "(H)" is removed pursuant to Section 36(3) or (4) of the *Planning Act:*

   i) Lands zoned with the Holding Symbol "(H)" shall be used only for the production of field crops or a use legally existing as of the date of the enactment of this By-law.

   B. Removal of the Holding Symbol "(H)" from the Subject Lands shall be contingent on the following:

   i) The Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 64 South to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services, including land dedication and construction of Hunter's Valley Road and future road to the south within Block 64 South. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands, all to the satisfaction of the Development Engineering Department;

   ii) The Owner shall submit a letter from the Block Trustee for Block

64 South Developers' Group Agreement indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 64 South Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department;

iii) The Owner through the Block 64 South Developers' Group shall enter into a Spine Services Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services for the Block, including but not limited to, roads, water, wastewater, storm and storm water management pond, land conveyances including the construction of Hunter's Valley Road and the east-west road south of the Subject Lands or front-end the works and enter into a Development Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the necessary municipal services, including but not limited to, roads, water, wastewater, storm and storm water management pond, land conveyances including the construction of Hunter's Valley Road and the east-west road south of the Subject Lands. The Agreements shall be registered against the lands to which it applies and to the satisfaction of the Development Engineering Department; and

iv) The Owner shall provide updated downstream sanitary design sheets and related drawings to demonstrate that the Subject Lands can be adequately serviced (downstream capacity). If the downstream sewer sheets determine that improvements and/or mitigation measures are required to facilitate the Development, the Owner shall agree in a Development Agreement with the City to pay its financial contribution and/or front-end financing of all applicable works that are necessary to service the Subject Lands to the satisfaction of the Development Engineering Department.

C. Notwithstanding the provisions of:

a) Subsection 3.8 a) and g) respecting Minimum Parking Requirements and Driveway Widths;

b) Subsection 6.1.6 a) respecting Landscaping Requirements;

c) Subsection 2.0 respecting the definition for an Office Building, 6.2.1 and Schedule 'A' respecting the Uses Permitted and zone standards in the EM1 Prestige Employment Area Zone

the following provisions shall apply to the lands shown as Subject Lands on Schedule "E-1598":

ai) A minimum of 1,010 parking spaces is permitted on the lands based on the following parking rates:

- 3.27 parking spaces per 100 m^2 of GFA for an Office Building
- 7 parking spaces per 100 m^2 of GFA for an Assembly Hall

aii) A maximum driveway width for ingress and egress driveway of 7.2 m is permitted;

bi) The minimum required landscape strip widths on the Subject Lands shall be:

- 5 m abutting Huntington Road
- 3 m abutting Hunter's Valley Road (north-south) and future public road (east-west)

ci) The following additional uses shall be permitted on the Subject Lands:

- An Office Building with a total maximum GFA of 27,000 m^2, and may include the following uses up to a maximum GFA of 5,700 m^2 on any floor:
  - Office, Business or Professional (including a Regulated Health Professional)
  - Pharmacy
  - Print Shop
  - Health Centre
  - Bank or Financial Institution
- Assembly Hall (maximum GFA of 4,535 m^2);

cii) A maximum building height of 28 m is permitted;

ciii) A minimum front yard setback of 7 m is permitted."

c) Adding Schedule "E-1598" attached hereto as Schedule "1".

d) Deleting Key Map 10C and substituting therefor the Key Map 10C attached hereto as Schedule "2".

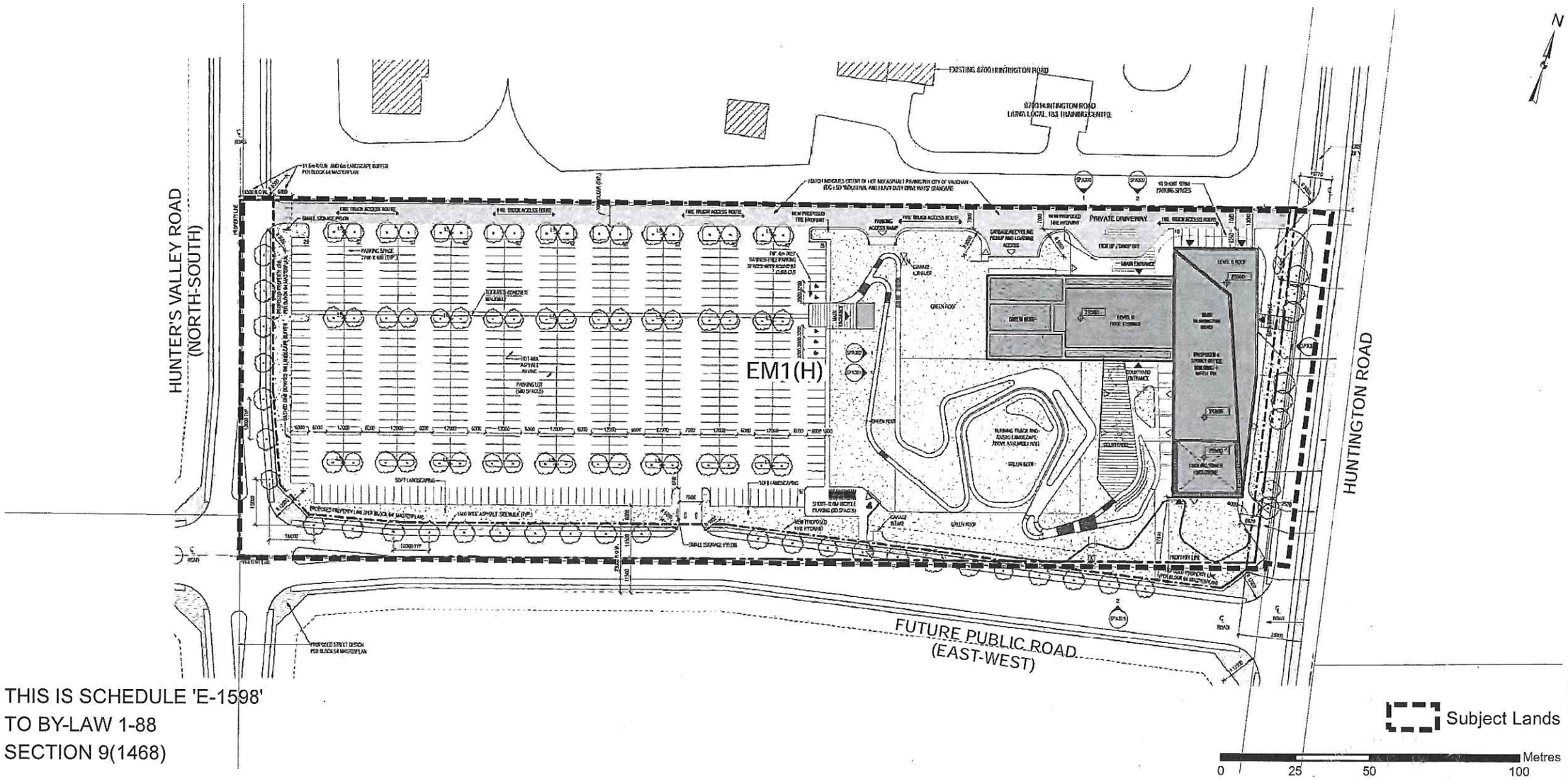
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 27th day of September, 2018.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 4 of Report No. 27
of the Committee of the Whole
Adopted by Vaughan City Council on
September 27, 2018.



THIS IS SCHEDULE 'E-1598'
TO BY-LAW 1-88
SECTION 9(1468)

FILE: Z.18.003
RELATED FILES: OP.18.002
LOCATION: PART OF LOTS 11 & 12, CONCESSION 10
APPLICANT: LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA - LIUNA LOCAL 183
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 168-2018
PASSED THE 27TH DAY OF SEPTEMBER, 2018

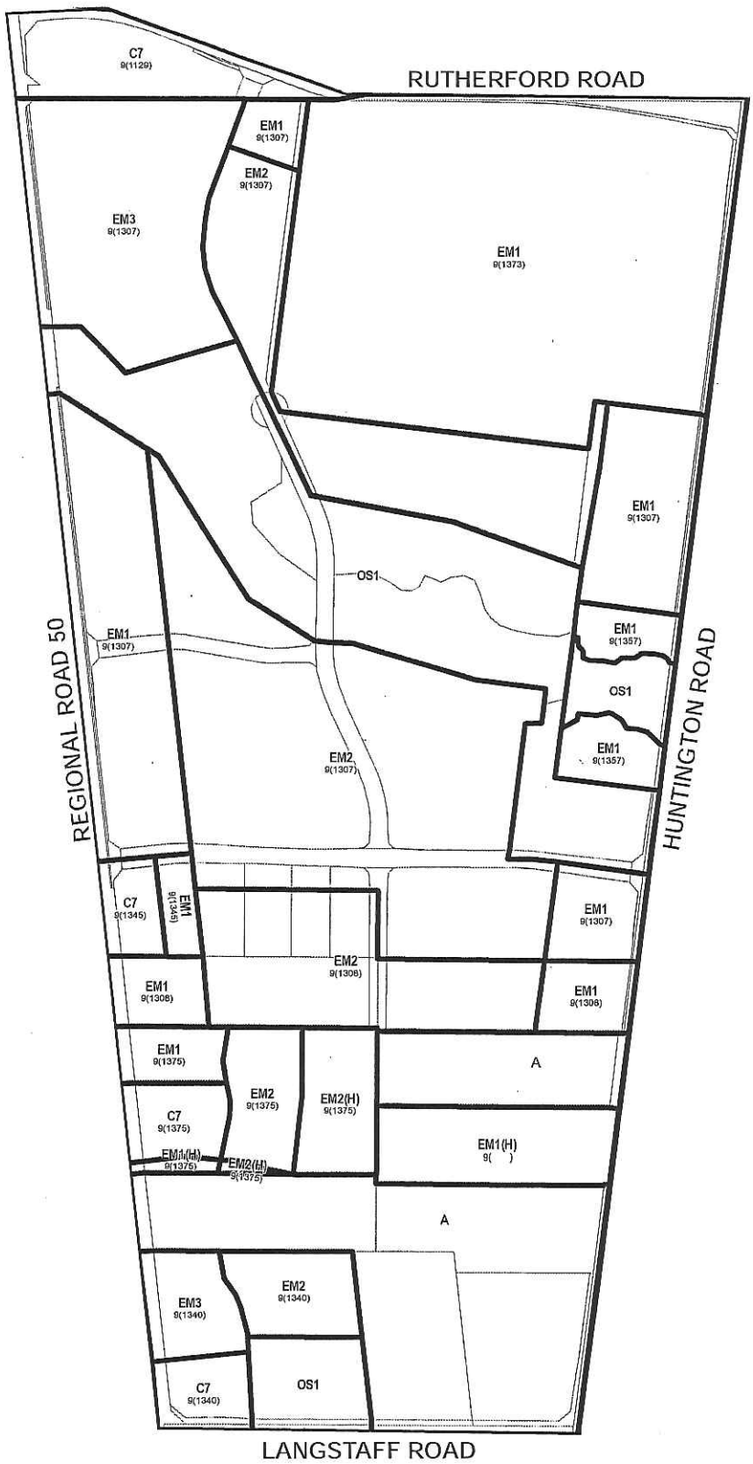
SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.18.003\Z.18.003_ByLaw_Schedule1.mxd

Printed on: 9/6/2018



KEY MAP 10C
BY-LAW NO. 1-88

Metres
0 100 200 400

THIS IS SCHEDULE '2'
TO BY-LAW 168-2018
PASSED THE 27TH DAY OF SEPTEMBER, 2018

FILE: Z.18.003
RELATED FILES: OP.18.002
LOCATION: PART OF LOTS 11 & 12, CONCESSION 10
APPLICANT: LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA - LIUNA LOCAL 183
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.18.003\Z.18.003_ByLaw_Schedule2KeyMap.mxd

Printed on: 9/13/2018

SUMMARY TO BY-LAW 168-2018

The Subject Lands are located on the west side of Huntington Road, north of Langstaff Road, and are municipally known as 8500 Huntington Road, City of Vaughan. The purpose of this By-law is to facilitate the development of a 6-storey, 27,000 m^2 office building including an assembly hall and accessory uses.

The purpose of this by-law is to rezone the Subject Lands from A Agricultural Zone to EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)". The removal of the Holding Symbol "(H)" is contingent upon the following conditions being satisfied:

a) The Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 64 South to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services, including land dedication and construction of Hunter's Valley Road and future road to the south within Block 64 South. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands, all to the satisfaction of the Development Engineering Department;

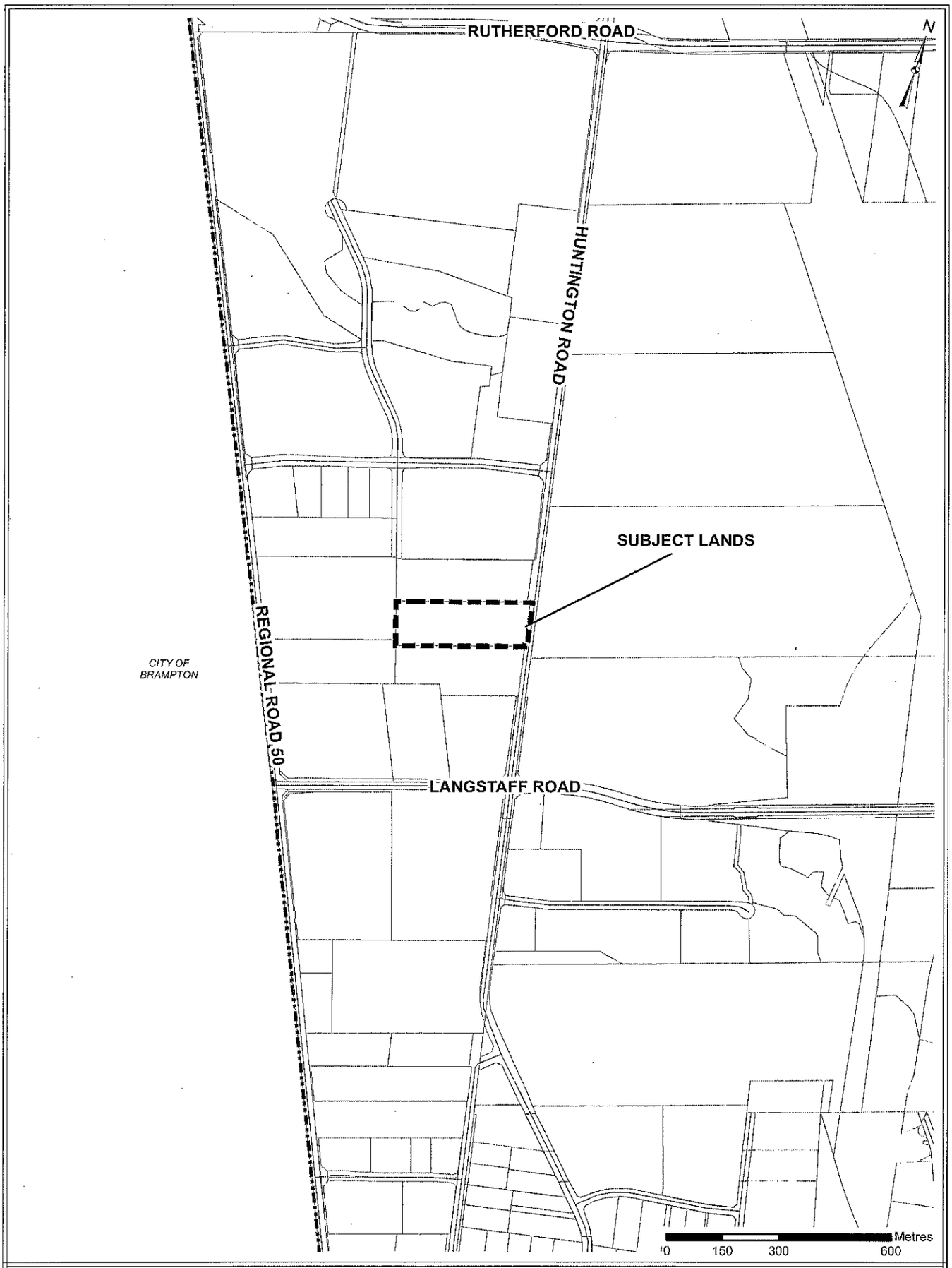
b) The Owner shall submit a letter from the Block Trustee for Block 64 South Developers' Group Agreement indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 64 South Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department;

c) The Owner through the Block 64 South Developers' Group shall enter into a Spine Services Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services for the Block, including but not limited to, roads, water, wastewater, storm and storm water management pond, land conveyances including the construction of Hunter's Valley Road and the east-west road south of the Subject Lands or front-end the works and enter into a Development Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the necessary municipal services, including but not limited to, roads, water, wastewater, storm and storm water management pond, land conveyances including the construction of Hunter's Valley Road and the east-west road south of the Subject Lands. The Agreements shall be registered against the lands to which it applies and to the satisfaction of the Development Engineering Department; and

d) The Owner shall provide updated downstream sanitary design sheets and related drawings to demonstrate that the Subject Lands can be adequately serviced (downstream capacity). If the downstream sewer sheets determine that improvements and/or mitigation measures are required to facilitate the Development, the Owner shall agree in a Development Agreement with the City to pay its financial contribution and/or front-end financing of all applicable works that are necessary to service the Subject Lands to the satisfaction of the Development Engineering Department.

The by-law includes site-specific exceptions to facilitate the development of the 6-storey, 27,000 m^2 office building including an assembly hall and accessory uses:

- The maximum width for an ingress and egress driveway shall be 7.2 m;
- The minimum landscape strip widths abutting Huntington Road and the future roads at Hunter's Valley Road (north-south), and future public road (east-west), shall be 5 m and 3 m respectively;
- To permit a maximum building height of 28 m;
- To permit a reduced front yard building setback of 7 m;
- To permit a total of 1,010 parking spaces at a rate of 3.27 parking spaces per 100 m^2 for an Office Building and Accessory Uses, and 7 parking spaces per 100 m^2 for an Assembly Hall;
- To permit the following additional uses to the EM1 Prestige Employment Area Zone:
  - Office, Business or Professional (including a Regulated Health Professional)
  - Pharmacy
  - Print Shop
  - Health Centre
  - Bank or Financial Institution



LOCATION MAP
TO BY-LAW **168-2018**

FILE: Z.18.003
RELATED FILES: OP.18.002
LOCATION: PART OF LOTS 11 & 12, CONCESSION 10
APPLICANT: LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA - LIUNA LOCAL 183
CITY OF VAUGHAN

Document Path: N:\GIS_Archive\ByLaws\Z\Z.18.003\Z.18.003_ByLaw_LocationMap.mxd

Printed on: 9/5/2018

WESTON CONSULTING

planning + urban design

COMMUNICATION – C65
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 9883

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
10356 Huntington Road, Vaughan

John Zipay & Associates, in conjunction with Weston Consulting, is the planning consultant for the property municipally known as 10356 Huntington Road in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") as it relates to the subject property and are pleased to provide the enclosed comments on behalf of the landowner.

The subject property is proposed to be maintained within the "*A – Agricultural Zone*" through the new CZBL. However, it is our understanding that through the City-wide Comprehensive Zoning By-law Review, day nursery and community centre uses are being eliminated from the A - Agricultural Zone.

The owner of the subject property has filed a Site Development Application (DA.20.032) to the City of Vaughan for the erection of a building to house a day nursery and community centre. The application was deemed complete by the City of Vaughan on September 3, 2020 and is currently in process. We recognize that minor variances dealing with setbacks may be required to implement the proposed Site Plan.

Further, we note that there are transition clauses in the draft CZBL related to in-process applications, which intend to allow applications that are currently being processed to proceed without having to comply with the new By-law. We request confirmation from the City of Vaughan Planning and Building departments that the active Site Development application, should it be necessary, is protected by these transition clauses.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client and we request to be notified of any future reports and/or meetings regarding the CZB. We request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at 416-305-7989 should you have any questions regarding this submission.

Yours truly,

John Zipay MSc., U.R.P., RPP
Executive Associate
jjzipay@hotmail.com

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Client

WESTON CONSULTING

planning + urban design

COMMUNICATION – C66
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 7935-1

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
7850 Dufferin Street, Vaughan

Weston Consulting is the planning consultant for Dufcen Construction Inc., the registered owner of the property located at 7850 Dufferin Street in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

Applications for Official Plan Amendment (OP.17.013) and Zoning By-law Amendment (Z.17.040) were submitted to the City of Vaughan on December 4, 2017 and deemed completed on June 20, 2019. A resubmission of the Official Plan and Zoning By-law Amendment applications was submitted on May 11, 2020 in conjunction with a Site Plan Approval Application (DA.20.023). It is noted that the Official Plan and Zoning By-law Amendment applications were appealed to the Local Planning Appeal Tribunal on March 16, 2020 pursuant to subsections 17(40) and 34(11) of the *Planning Act*.

The subject lands are currently zoned "*C7 – Service Commercial Zone*" by in-force Vaughan Zoning By-law 1-88. However, the subject property is currently subject to an active Zoning By-law Amendment application (Z.17.040), which proposes to re-zone the subject property to "*RM2 – Multiple Residential Zone*" with site specific exceptions. Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*CMU – Community Commercial Mixed-Use Zone*", which we recognize is not consistent with the Zoning By-law Amendment Application that is currently subject to proceedings before the LPAT.

We understand that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications that would be applicable to the subject property given the current active status of Site Development Application (DA.20.023); however, it is noted that these provisions do not apply to active rezoning applications currently in process. Although the current site-specific rezoning application makes every effort to consider the provisions of the CZBL, we request clarity on how the City intends to implement existing rezoning applications currently in process, and request that should the site-specific rezoning application be approved by the LPAT,

it be implemented through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

In summary, we reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 236 or Michael Vani at extension 252 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Kevin Bechard, BES, M.Sc., RPP.
Senior Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Carol Birch, Planner
Gerry Borean, Parente Borean
Dufcen Construction Inc.

COMMUNICATION – C67
ITEM 1
Committee of the Whole (Public Meeting)
Deputation **October 29, 2020**

Zoning By-Law Review

Public Hearing

October 29, 2020

Good evening everyone. My name is Elisa Testa. Thank you for the opportunity to speak this evening in this Public Hearing. I have lived in Woodbridge for 30 years. I have seen Vaughan grow and expand very rapidly in recent years from a small town to a very vibrant metropolis rich in cultural diversity. I must say that I welcome all that Vaughan has to offer and I am very proud that I chose to come to live in the city above Toronto back in 1990 along side my husband and have raised my family here. We are indeed lucky to live here.

I completely understand why the zoning by-laws needed to be reviewed to keep up with the rapid growth of our city. What an incredible task for the team who is to be commended for the thorough job in which this review was handled and written. I attempted to go through the document to the best of my ability but found it a bit overwhelming as it is very extensive. However, I do believe that, again, it is thorough, covering all important aspects and points that it needs to cover. I also believe that the team has gone to great lengths to consider public opinion and feedback through the community open houses that were held throughout its process.

Having said this, I implore you to stick to what has been outlined and stipulated in the by-laws as it is reaffirming the Vaughan Official Plan of 2010 as the plan looks at growth and development respectively and appropriately. For example, I have a special interest in Schedule B-4 which outlines the TRCA regulated areas and is subject to section 4.22 of the By-law which stipulates that site alterations and development are to be steered away from lands that are considered to be environmentally compromised such as wetlands or hazardous lands under the threat of natural occurrences such as flooding and/or erosion. Alterations to shorelines and watercourses or building on a slope in a valley wall or in a flood plain must never be allowed. Also, development should be steered

away from lands considered by the TRCA as having a natural heritage and should be preserved as further stipulated by the by-laws. This too, I ask you to really stick to these by-laws as our green space is being depleted. We absolutely need our green space to be conserved. It is crucial to our health and well being and of course, it enhances the beauty of our city. We do not want the “urban jungle” look, so please, stick to the by-laws on which you so painstakingly worked. Amendments to these by-laws should never be considered.

Thank you for your attention.

COMMUNICATION – C68
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan City-wide Comprehensive Zoning By-law Review

Statutory Public Meeting

October 29th, 2020

WSP BrookMcIlroy

VAUGHAN

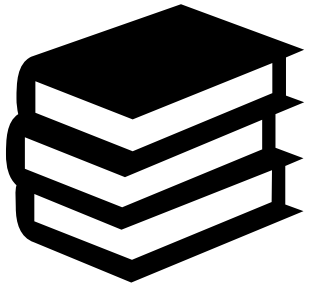
Meeting Agenda

1. Purpose of Tonight's Meeting
2. Purpose of the Zoning By-law Review
3. Project Timeline
4. Public Consultation
5. What We Heard and Key Improvements
6. Next Steps

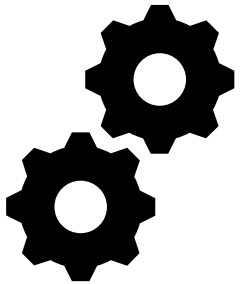
Purpose of Tonight's Meeting

1. Statutory Public Meeting under Section 34 of the *Planning Act*
2. The purpose of tonight's meeting is to receive formal input from Council and members of the public on the Draft City-wide Comprehensive Zoning By-law
3. The Project Team will consider this input to prepare the Final Zoning By-law
4. The Final Zoning By-law will be presented to Council for adoption at a later date

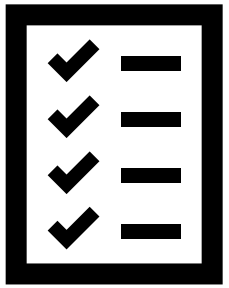
Purpose of the Zoning By-law Review



Implement the 2010 Vaughan Official Plan



Modernize the provisions and standards



Adhere to the key principles and recommendations of the Zoning Strategy Report

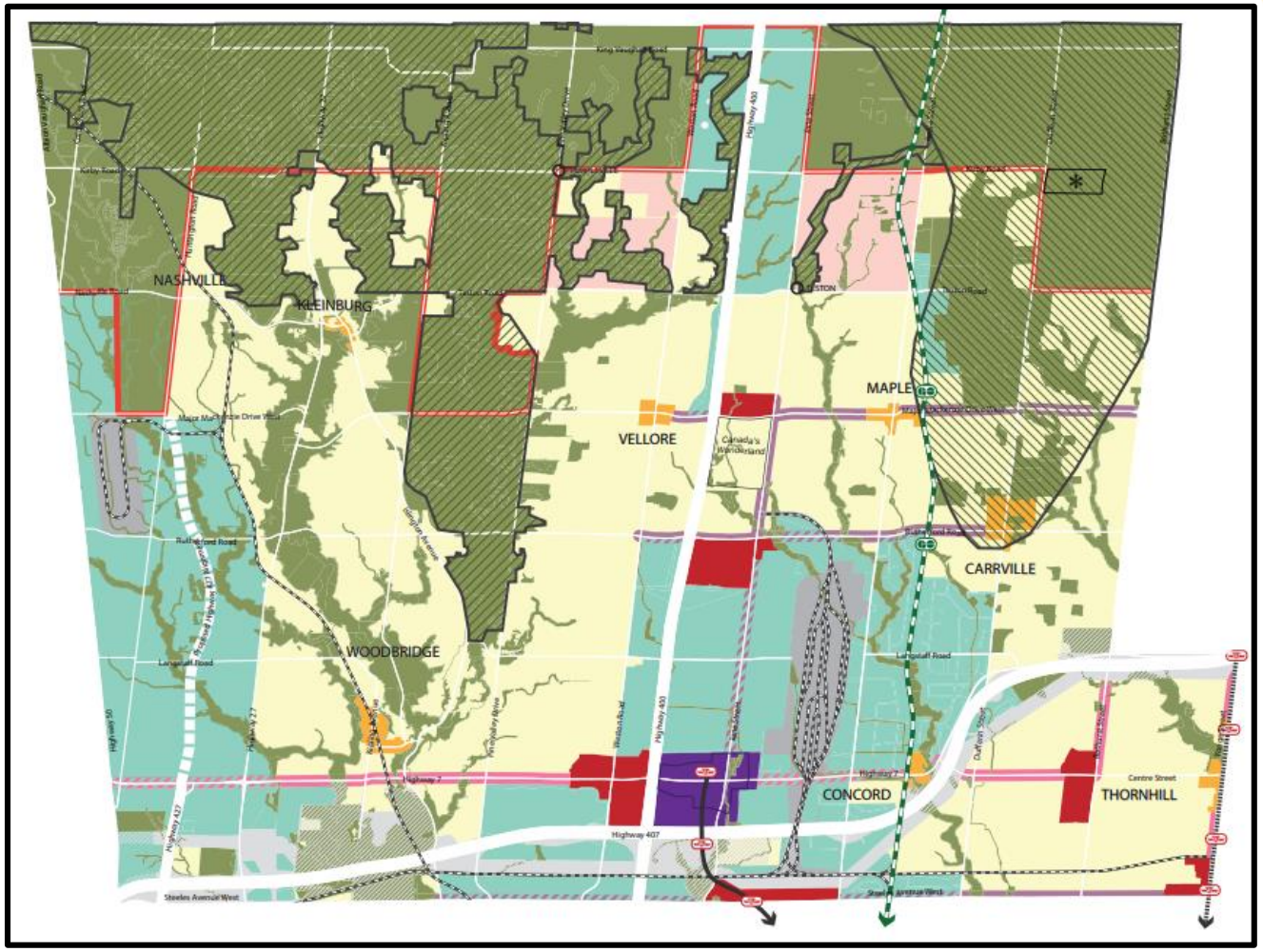
Project Timeline

Project Consultation

- 15 Ward Based Open Houses
- 3 “Pop Up” Events
- Meetings with Steering Committee
- Workshops with City staff
- ZoneVaughan.ca
- Interactive map
- e-Blasts
- 400+ public comments

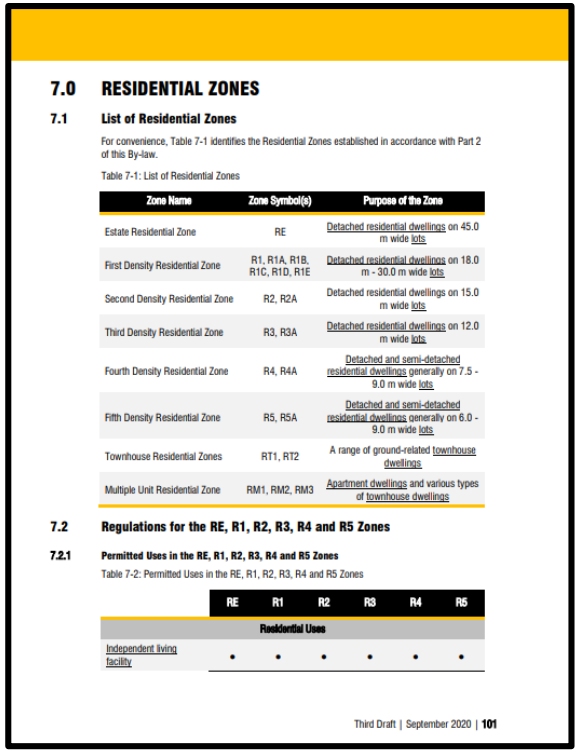
Key Highlights

- **Implement the City structure as contemplated by VOP 2010**



Key Highlights

- **Streamlined, accessible and contemporary document**



7.0 **RESIDENTIAL ZONES**

7.1 **List of Residential Zones**

For convenience, Table 7-1 identifies the Residential Zones established in accordance with Part 2 of this By-law.

Table 7-1: List of Residential Zones

Zone Name	Zone Symbol(s)	Purpose of the Zone
Estate Residential Zone	RE	Detached residential dwellings on 45.0 m wide lots
First Density Residential Zone	R1, R1A, R1B, R1C, R1D, R1E	Detached residential dwellings on 18.0 m - 30.0 m wide lots
Second Density Residential Zone	R2, R2A	Detached residential dwellings on 15.0 m wide lots
Third Density Residential Zone	R3, R3A	Detached residential dwellings on 12.0 m wide lots
Fourth Density Residential Zone	R4, R4A	Detached and semi-detached residential dwellings generally on 7.5 - 9.0 m wide lots
Fifth Density Residential Zone	R5, R5A	Detached and semi-detached residential dwellings generally on 6.0 - 9.0 m wide lots
Townhouse Residential Zones	RT1, RT2	A range of ground-related townhouse dwellings
Multiple Unit Residential Zone	RM1, RM2, RM3	Apartment dwellings and various types of townhouse dwellings

7.2 **Regulations for the RE, R1, R2, R3, R4 and R5 Zones**

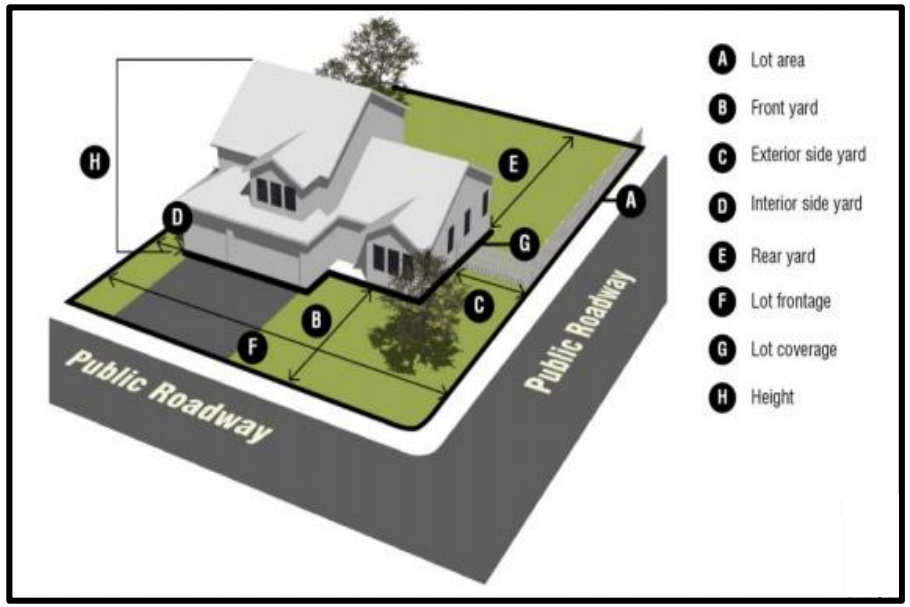
7.2.1 **Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones**

Table 7-2: Permitted Uses in the RE, R1, R2, R3, R4 and R5 Zones

	RE	R1	R2	R3	R4	R5
Residential Uses						
Independent living facility	•	•	•	•	•	•

Third Draft | September 2020 | 101

Document Wayfinding and Design



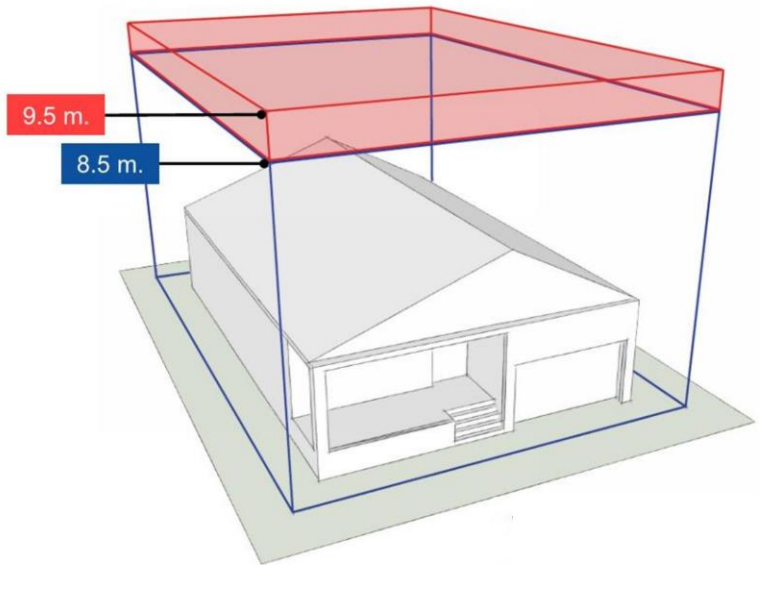
Non-operative Illustrations

"Legal non-conformity" refers to situations where land or buildings are being used for a purpose which is no longer in compliance with this new By-law. This can occur where a use was legally established under a previous Zoning By-law, but this By-law has been updated in a manner that no longer permits the use. This By-law allows a legal non-conforming use to continue. However, an expansion of a non-conforming use may require a minor variance or zoning by-law amendment application.

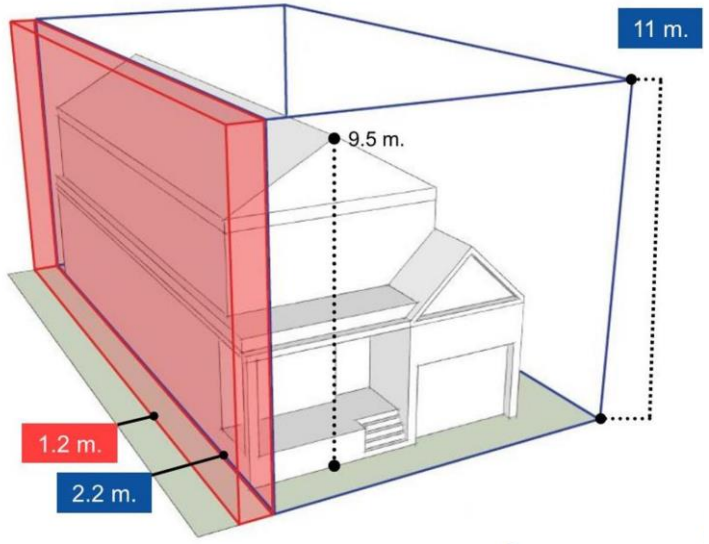
Non-operative Notations

Key Highlights

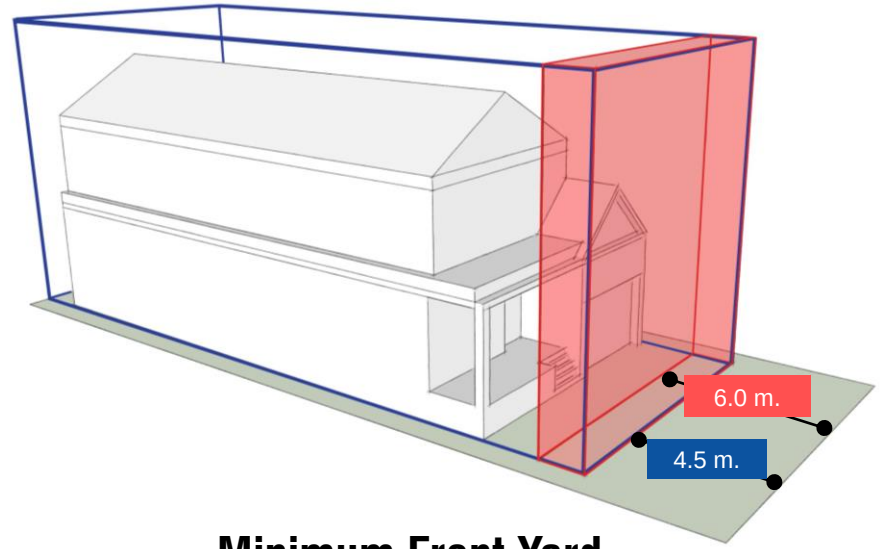
- **Established Neighbourhood (-EN) Suffix**



Maximum Height



Minimum Interior Side Yard

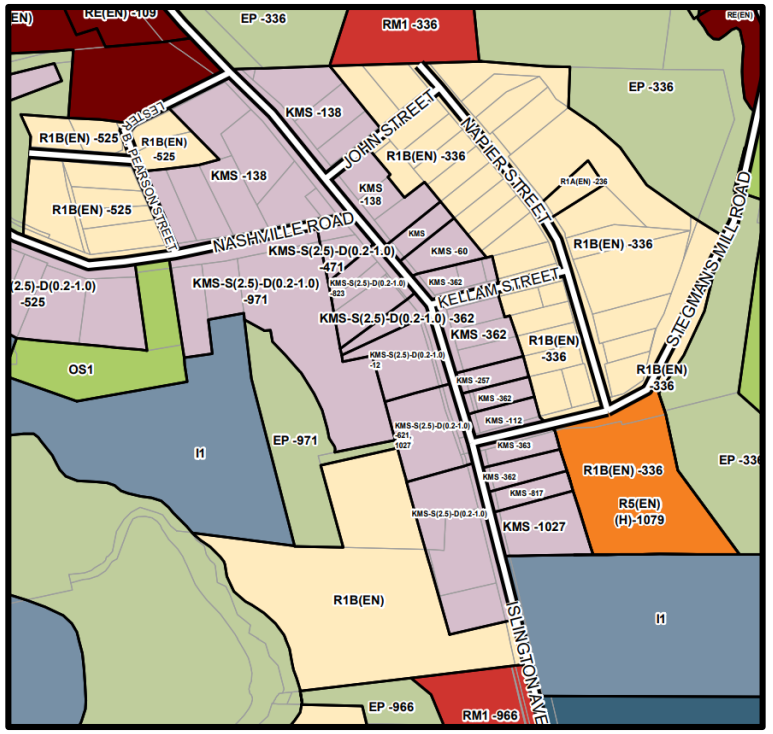


Minimum Front Yard

Key Highlights

- **Pre-Zoning and Main Street Mixed Use Zone**

VMC



Kleinburg

Key Highlights

- **Height and Density Codes**

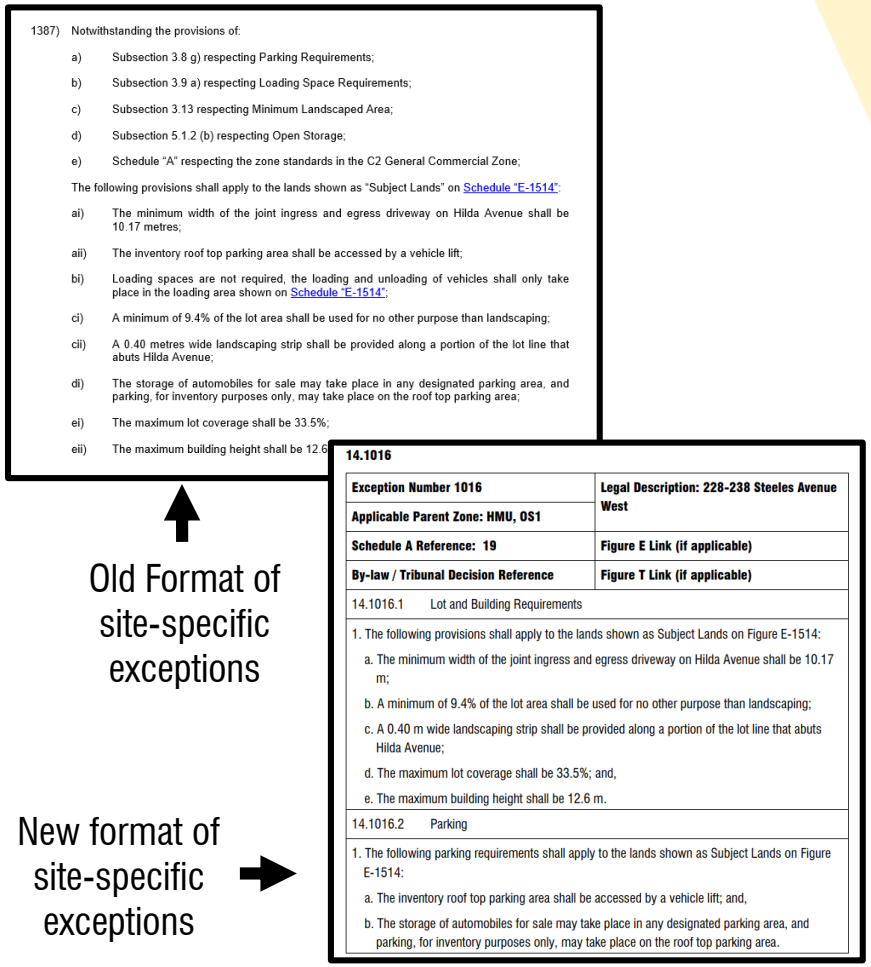
V3-S(3-10)-D(1.5-3), where:

- **V3** is the base zone
- **S** refers to height in storeys, where the minimum height is 3, and the maximum height is 10 storeys
- **D** refers to Floor Space Index (FSI),where the minimum FSI is 1.5, and the maximum FSI is 3

VMC

Key Highlights

- Update the defined terms and broaden the permitted uses to recognize existing conditions and contemporary land uses
- Modernized and updated the parking and loading requirements
- Review and update of nearly 1,500 site-specific exceptions



1387) Notwithstanding the provisions of:

a) Subsection 3.8 g) respecting Parking Requirements;

b) Subsection 3.9 a) respecting Loading Space Requirements;

c) Subsection 3.13 respecting Minimum Landscaped Area;

d) Subsection 5.1.2 (b) respecting Open Storage;

e) Schedule "A" respecting the zone standards in the C2 General Commercial Zone;

The following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1514":

ai) The minimum width of the joint ingress and egress driveway on Hilda Avenue shall be 10.17 metres;

aii) The inventory roof top parking area shall be accessed by a vehicle lift;

bi) Loading spaces are not required, the loading and unloading of vehicles shall only take place in the loading area shown on Schedule "E-1514";

ci) A minimum of 9.4% of the lot area shall be used for no other purpose than landscaping;

cii) A 0.40 metres wide landscaping strip shall be provided along a portion of the lot line that abuts Hilda Avenue;

di) The storage of automobiles for sale may take place in any designated parking area, and parking, for inventory purposes only, may take place on the roof top parking area;

ei) The maximum lot coverage shall be 33.5%;

eii) The maximum building height shall be 12.6

Old Format of site-specific exceptions

14.1016

Exception Number 1016	**Legal Description: 228-238 Steeles Avenue West**
Applicable Parent Zone: HMU, OS1	
Schedule A Reference: 19	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**

14.1016.1 Lot and Building Requirements

1. The following provisions shall apply to the lands shown as Subject Lands on Figure E-1514:
   a. The minimum width of the joint ingress and egress driveway on Hilda Avenue shall be 10.17 m;
   b. A minimum of 9.4% of the lot area shall be used for no other purpose than landscaping;
   c. A 0.40 m wide landscaping strip shall be provided along a portion of the lot line that abuts Hilda Avenue;
   d. The maximum lot coverage shall be 33.5%; and,
   e. The maximum building height shall be 12.6 m.

14.1016.2 Parking

1. The following parking requirements shall apply to the lands shown as Subject Lands on Figure E-1514:
   a. The inventory roof top parking area shall be accessed by a vehicle lift; and,
   b. The storage of automobiles for sale may take place in any designated parking area, and parking, for inventory purposes only, may take place on the roof top parking area.

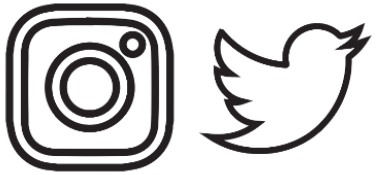
New format of site-specific exceptions

Next Steps

- **Prepare the Final Zoning By-law for Council Adoption**
  - Visit zonevaughan.ca for updates and project resources
- **Council Adoption**
  - Will be presented to Council for consideration for passing following the Statutory Public Meeting

Stay Informed and Provide Feedback

www.zonevaughan.ca



#ZoneVaughan

"Let's work together to achieve the vision for our City's future."

Manager, Special Projects
Brandon Correia, BES PMP
City of Vaughan

brandon.correia@vaughan.ca

VAUGHAN

WESTON CONSULTING

planning + urban design

COMMUNICATION – C69
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 6715

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
7553 Islington Avenue and 150 Bruce Street
File No. OP.08.017 & Z.16.008

Weston Consulting is the planning consultant for 7553 Islington Holding Inc., the registered owner of the lands at 7553 Islington Avenue and 150 Bruce Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-Law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands are currently zoned "*A – Agricultural Zone*", "*OS1 – Open Space Conservation Zone*", and "*R1 9(643) Residential Zone*" under the in-force Zoning By-Law 1-88 ("ZBL1-88") per Key Map 7A. Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*EP – Environmental Protection Zone*" per Schedule A - Map 26.

We firmly disagree with the proposed zoning designation for the subject lands under the CZBL.We contend that the proposed "*EP – Environmental Protection Zone*" infers that the necessary environmental studies have been completed to determine that the lands or on-site features are environmentally sensitive and would be significantly impacted by a development, or are hazardous to human life. Our outline of the project's background below will demonstrate that the potential environmental impacts, sensitivity, or hazards of the site and proposed development are currently under technical discussion with the City and the Toronto and Region Conservation Authority ("TRCA"), and will be the focus of an upcoming Local Planning Appeal Tribunal (LPAT) hearing.

History of Planning Applications and Appeals

The site is currently the subject of Official Plan Amendment ("OPA") and Zoning By-Law Amendment ("ZBA") applications OP.08.017 and Z.16.008. The OPA was submitted in 2008 to the City to amend OPA 240 (Woodbridge Community Plan) to redesignate the subject lands, which would facilitate the development of two 22-storey residential buildings connected by a 5-storey podium.

Since then, a ZBA application was submitted in 2016 alongside a resubmission of the OPA to seek relief from ZBL 1-88, amend OPA 240 and the 2010 Official Plan and permit an updated version of the proposed development. In June 2019, and as a result of significant technical discussions with the City of Vaughan and Toronto and Region Conservation Authority (TRCA) regarding the potential environmental impacts and hazards from the lands plus on-site features, Weston Consulting submitted a revised OPA and ZBLA application package. The resubmission included a number of supporting studies, which concluded that the OPA and ZBA applications could be supported on the basis that the proposed development would have no significant environmental impacts on the surrounding lands or on-site features, and that there would be no hazards to human life resulting from the proposed development. Despite this, we are still engaged in technical discussions with the City and TRCA regarding the potential environmental impacts and hazards. Although a conclusion to these discussions has yet to be agreed upon, we remain confident that the analyses support the proposed development.

The above noted applications are presently before the LPAT, formerly the Ontario Municipal Board (OMB) (PL170151 and PL170152). A hearing date has been set for July 2021 and will focus upon the noted issues.

Transition Provisions

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications that would be applicable to the subject lands given the active status of the noted LPAT cases, the hearing date scheduled, and the proposed ZBA to the in-force ZBL 1-88 that is a focal point of the cases. With respect to the active LPAT cases, Provision 1.6.3.4 of the draft CZBL states that:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL, including Provision 1.6.3.4, will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We submit that as the LPAT cases were initiated after January 1, 2015, will have decision notices issued after this date, and centre upon a proposed ZBA to ZBL 1-88, the subject lands

fall under transition provision 1.6.3.4 of the draft CZBL. We are supportive of this provision and submit that under this provision, there will be a process in which the new site-specific zoning can be implemented for the subject lands in accordance with a potential approval by the LPAT through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

Conclusion

We have outlined our position with regards to the "*EP – Environmental Protection Zone*" and justified our disagreement with the proposed designation. The proposed zoning designation infers that the necessary environmental studies have been completed to determine that the lands or on-site features are environmentally sensitive and would be significantly impacted by a development, or are hazardous to human life. While these studies have been completed in support of the proposed development, the results of these studies are under detailed discussion with the City and TRCA. Given the status of the planning applications and the lack of a conclusion to these technical discussions/issues, we disagree that the subject lands be zoned for environmental protection under the CZBL. Instead, we request that the lands retain their current zoning designations under ZBL1-88 ("*A – Agricultural Zone*", "*OS1 – Open Space Conservation Zone*", and "*R1 9(643) Residential Zone*"), or are rezoned for future development.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 320or Steven Pham at extension 312should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Tara Connor, MCIP, RPP
Senior Planner

c. Raymond Nicolini, 7553 Islington Holding Inc.
Patrick Harrington, Aird&Berlis LLP
Ryan Guetter, Weston Consulting

WESTON CONSULTING

planning + urban design

COMMUNICATION – C70
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 6873

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
17 Millwood Parkway, Vaughan

Weston Consulting is the planning consultant for Centra (BT1) Inc., the registered owner of the property at 17 Millwood Parkway in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") as it relates to the subject property and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands were previously zoned "*RR 9(62) – Rural Residential Zone*" by Vaughan Zoning By-law 1-88. However, the lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings which rezoned the lands to "*R1 – Residential Zone*" and "*OS1 – Open Space Zone*". In an Interim Decision issued on January 10, 2020, the LPAT allowed the proposed Zoning By-law Amendment and Draft Plan of Subdivision for the subject property. Once the final form of the Zoning By-law was provided, the LPAT issued an Order, dated April 15, 2020, approving the Zoning By-law Amendment in its final form. This site-specific Zoning By-law rezoned the lands to "*R1 – Residential Zone*" and "*OS1 – Open Space Zone*" to facilitate the development of a 9-lot single detached residential subdivision served by a new public road. A copy of the final LPAT Order is enclosed with this submission.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*RE(EN)-22 – Estate Residential Zone (Established Neighbourhood)*" subject to site-specific Exception 22. The proposed zone category is not consistent with the site-specific Zoning By-law Amendment approved by the LPAT for the subject property.

We request that the draft CZBL mapping be revised to reflect the LPAT-approved site-specific Zoning By-law Amendment for the subject property and that the content of the Amendment be included in its entirety. A new exception number should be implemented for the subject property to reflect the site-specific provisions approved for the site.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence

be added to the public record for the Statutory Public Meeting received on October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client and we request to be notified of any future reports and/or meetings regarding the CZB. We request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Jessica Damaren at extension 280 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President
Encl.
c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Centra (BT1) Inc., Client
Daniel Artenosi, Overland LLP

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

ISSUE DATE: April 15, 2020 **CASE NO.:** PL170960

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Centra (BT1) Inc.
Subject:	Application to amend Zoning By-law No. 1-88 - Refusal or neglect of City of Vaughan to make a decision
Existing Zoning:	"RR - Rural Residential"
Proposed Zoning:	"R1 - Residential Zone" and "RD1 - Residential Detached Zone One"
Purpose:	To permit the development of a residential plan of subdivision
Property Address/Description:	17 Millwood Parkway
Municipality:	City of Vaughan
Municipality File No.:	Z.16.010
LPAT Case No.:	PL170960
LPAT File No.:	PL170960
LPAT Case Name:	Centra (BT1) Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Centra (BT1) Inc.
Subject:	Proposed Plan of Subdivision - Failure of City of Vaughan to make a decision
Purpose:	To permit the development of a residential plan of subdivision
Property Address/Description:	17 Millwood Parkway
Municipality:	City of Vaughan
Municipality File No.:	19T-16V002
LPAT Case No.:	PL170960
LPAT File No.:	PL170961

BEFORE:

BLAIR S. TAYLOR MEMBER	)))	Wednesday, the 15th day of April, 2020

THIS MATTER having come on for public hearing and the Tribunal having issued an Interim Decision, dated January 10, 2020, allowing the Zoning By-law Amendment and the Draft Plan of Subdivision and approved the Draft Plan Conditions;

AND THE TRIBUNAL having received a request for final approval of the Zoning By-law Amendment and Draft Plan of Subdivision;

THE TRIBUNAL ORDERS that the appeal with respect to the Zoning By-law Amendment is allowed, in part, and that Zoning By-law No. 1-88 of the City of Vaughan as amended, is hereby amended in the manner set out in 'Schedule A' to this Order. The Tribunal authorizes the municipal clerk to assign a number to this by-law for record keeping purposes.

The appeal with respect to the Draft Plan of Subdivision is allowed, in part, and the Draft Plan of Subdivision dated July 24, 2019 and shown in 'Schedule B' to this Order is approved subject to the fulfilment of the conditions set out in 'Schedule C' to this Order.

Pursuant to subsection 51(56.1) of the *Planning Act,* the City of Vaughan, as the approval authority in which the lands are situated, shall have the authority to clear the conditions of draft plan approval and to administer final approval of the plan of subdivision for the purposes of subsection 51(58) of the *Planning Act*.

“Evelyn Dawes”

EVELYN DAWES
DEPUTY REGISTRAR

SCHEDULE A

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER XXX-2020

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. That City of Vaughan By-law Number 1-88 be and it is hereby further amended by:
   a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from RR Rural Residential Zone, subject to site-specific Exception 9(62), to R1 Residential Zone and OS1 Open Space Conservation Zone, in the manner shown on Schedule "1".
   b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":
      "( ) A. Notwithstanding the provisions of:
         a) Section 2.0, respecting the definition of "Lot Line, Front";
         b) Schedule "A" respecting the minimum lot frontage, exterior side yard setback, and building height in the R1 Residential Zone;

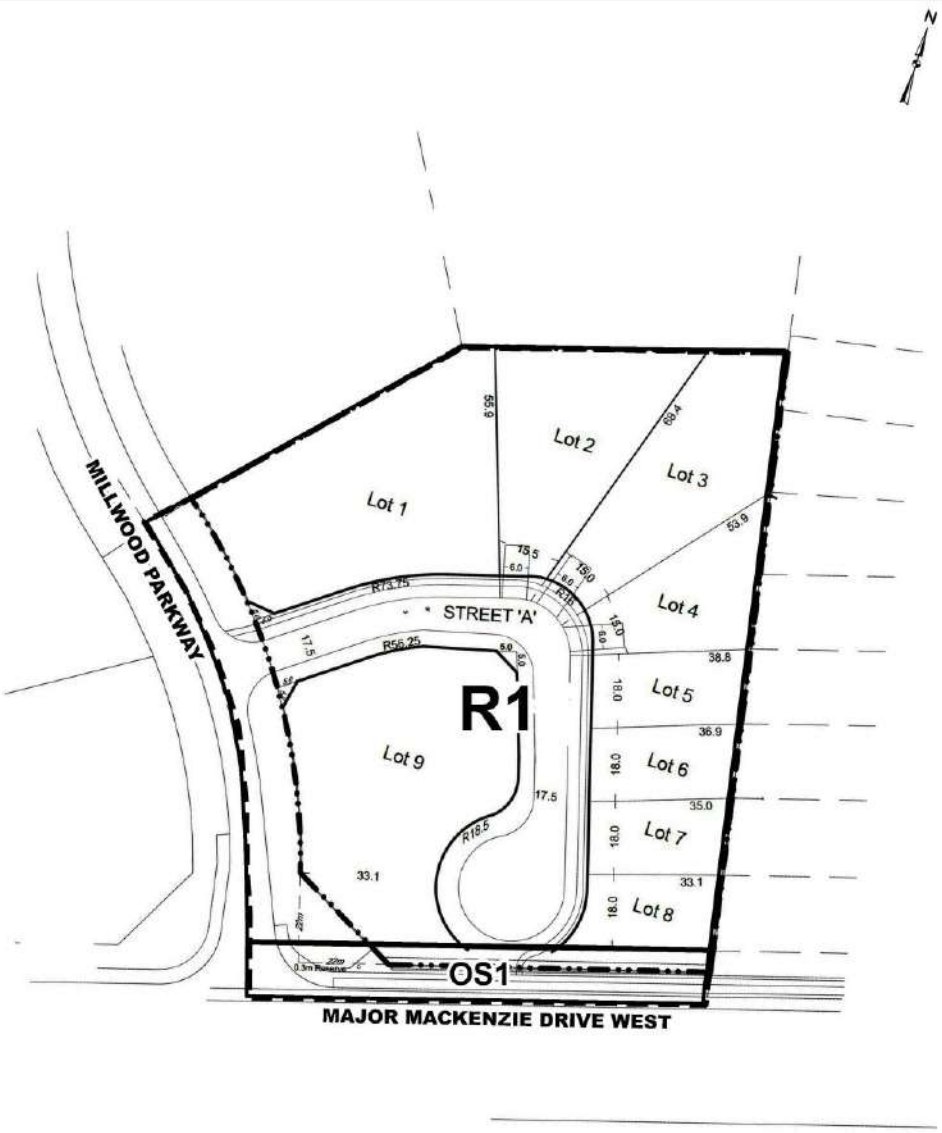
         the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E- ":
         ai) the front lot line for Lot 9 shall be the easterly lot line abutting Street 'A';
         bi) the minimum lot frontage shall be 15 m for Lots 2, 3 and 4;
         bii) the minimum exterior side yard shall be 3 m for Lot 8; and
         biii) the maximum building height shall be 11 m.
   c) Adding Schedule "E-* " attached hereto as Schedule "1".
   d) Deleting Schedule "E-64" and substituting therefor the Schedule "E-64" attached hereto as Schedule "2", thereby deleting all references to Exception 9(62) from the Subject Lands.
   e) Deleting Key Map 6E and substituting therefor the Key Map 6E attached hereto as Schedule "3".
2. Schedules "1", "2" and "3" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this XXth day of (Month), 2020.

_____
Hon. Maurizio Bevilacqua, Mayor

_____
Todd Coles, City Clerk

Authorized by the Decision of the Local Planning
Appeal Tribunal issued _____, 20XX, and the
Delegation Order issued _____, 20XX (Case No. PL_____)
Adopted by Vaughan City Council on _____, 2019
(Item No. _____ of Report No. _____ of the Committee of the Whole)



THIS IS SCHEDULE '1'
TO BY-LAW _____-2019
PASSED THE _____ DAY OF _____, 2019

FILE: Z.16.010
RELATED FILES: 19T-16V002
LOCATION: PART OF LOT 21, CONCESSION 6
APPLICANT: CENTRA (BT1) INC.
CITY OF VAUGHAN

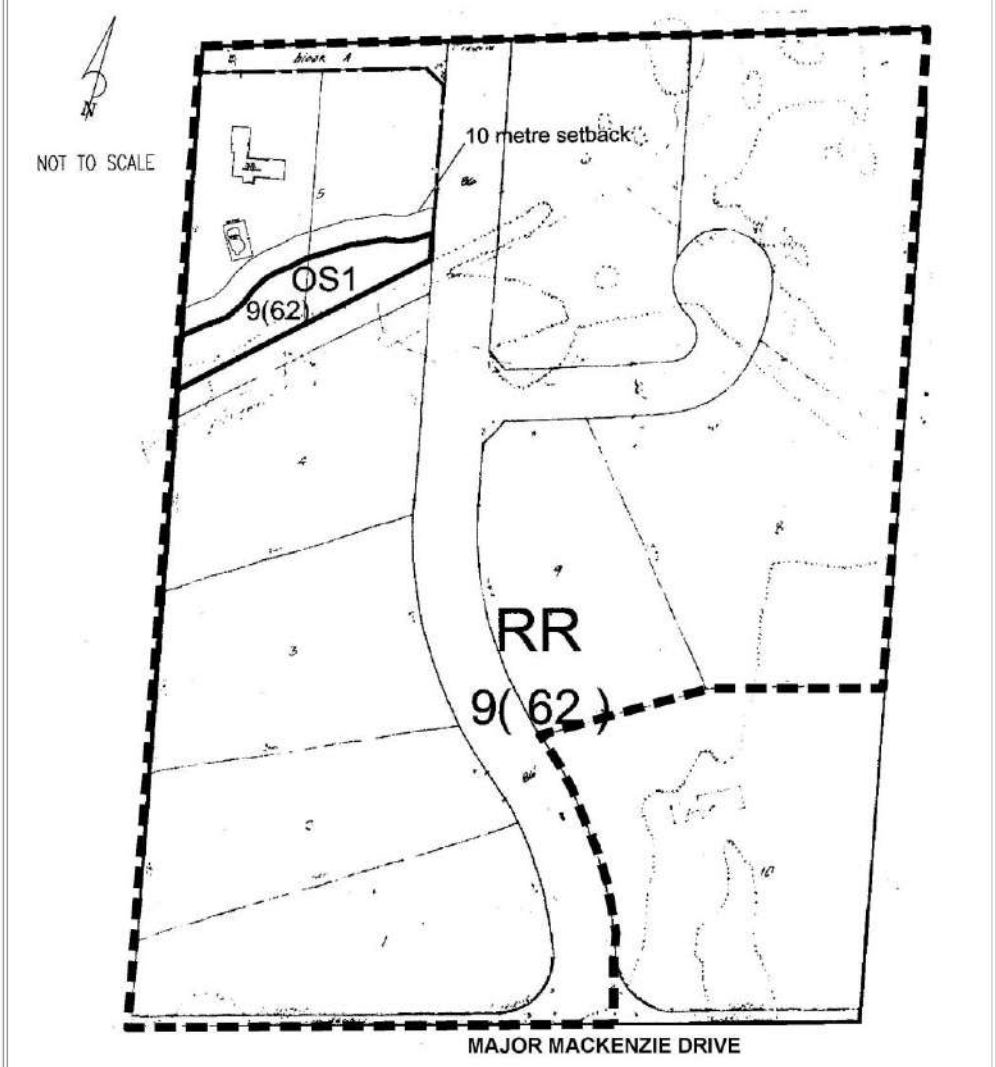
SIGNING OFFICERS

_____
MAYOR

_____
CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.010\Z.16.010_Schedule1Revised.mxd

Printed on: 9/18/2019



THIS IS SCHEDULE 'E-64'
TO BY-LAW 1-88
SECTION 9(62)

SUBJECT LANDS

THIS IS SCHEDULE '2'
TO BY-LAW _____-2019
PASSED THE _____ DAY OF _____, 2019

FILE: Z.16.010
RELATED FILES: 19T-16V002
LOCATION: PART OF LOT 21, CONCESSION 6
APPLICANT: CENTRA (BT1) INC.
CITY OF VAUGHAN

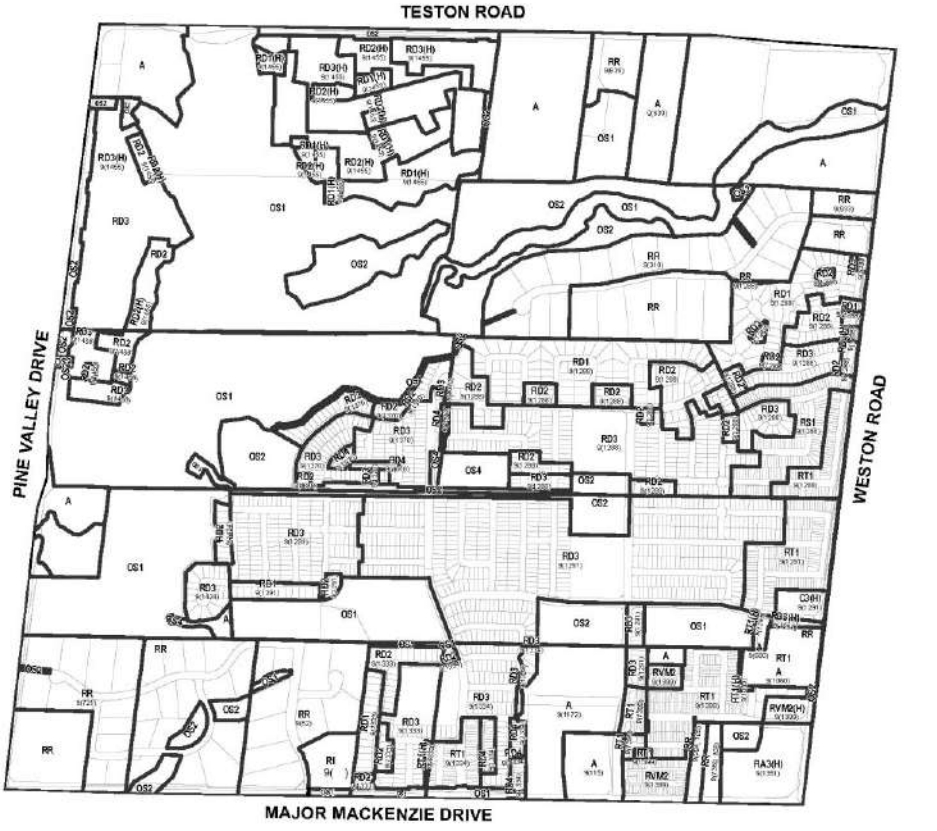
SIGNING OFFICERS

_____
MAYOR

_____
CLERK

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.010\Z.16.010_Schedule2.mxd

Printed on: 1/22/2019



KEY MAP 6E
BY-LAW NO. 1-88

0 125 250 500 Metres

THIS IS SCHEDULE '3'
TO BY-LAW _____-2019
PASSED THE _____ DAY OF _____, 2019

FILE: Z.16.010
RELATED FILES: 19T-16V002
LOCATION: PART OF LOT 21, CONCESSION 6
APPLICANT: CENTRA (BT1) INC.
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

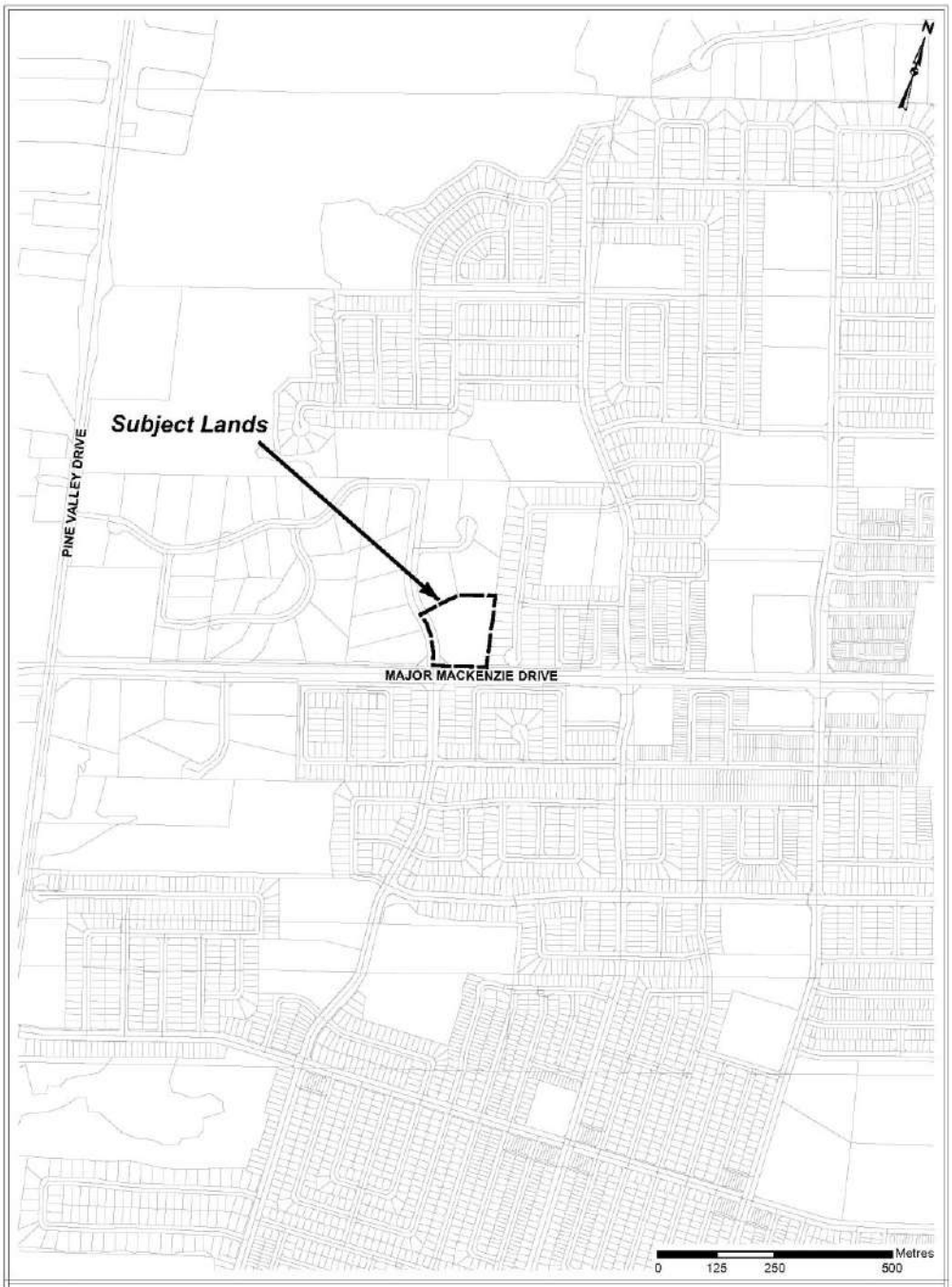
Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.010\Z.16.010_Schedule3KeyMap6E.mxd

Printed on: 1/22/2019

SUMMARY TO BY-LAW - 2020

The lands subject to this By-law are located on the north east corner of Major Mackenzie Drive and Millwood Parkway, and are municipally known as 17 Millwood Parkway, being in Part of Lot 21, Concession 6, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from RR Rural Residential Zone, subject to site-specific Exception 9(62), to R1 Residential Zone and OS1 Open Space Conservation Zone, with site-specific zoning exceptions, to facilitate a residential subdivision for 9 detached dwellings on a new public road.

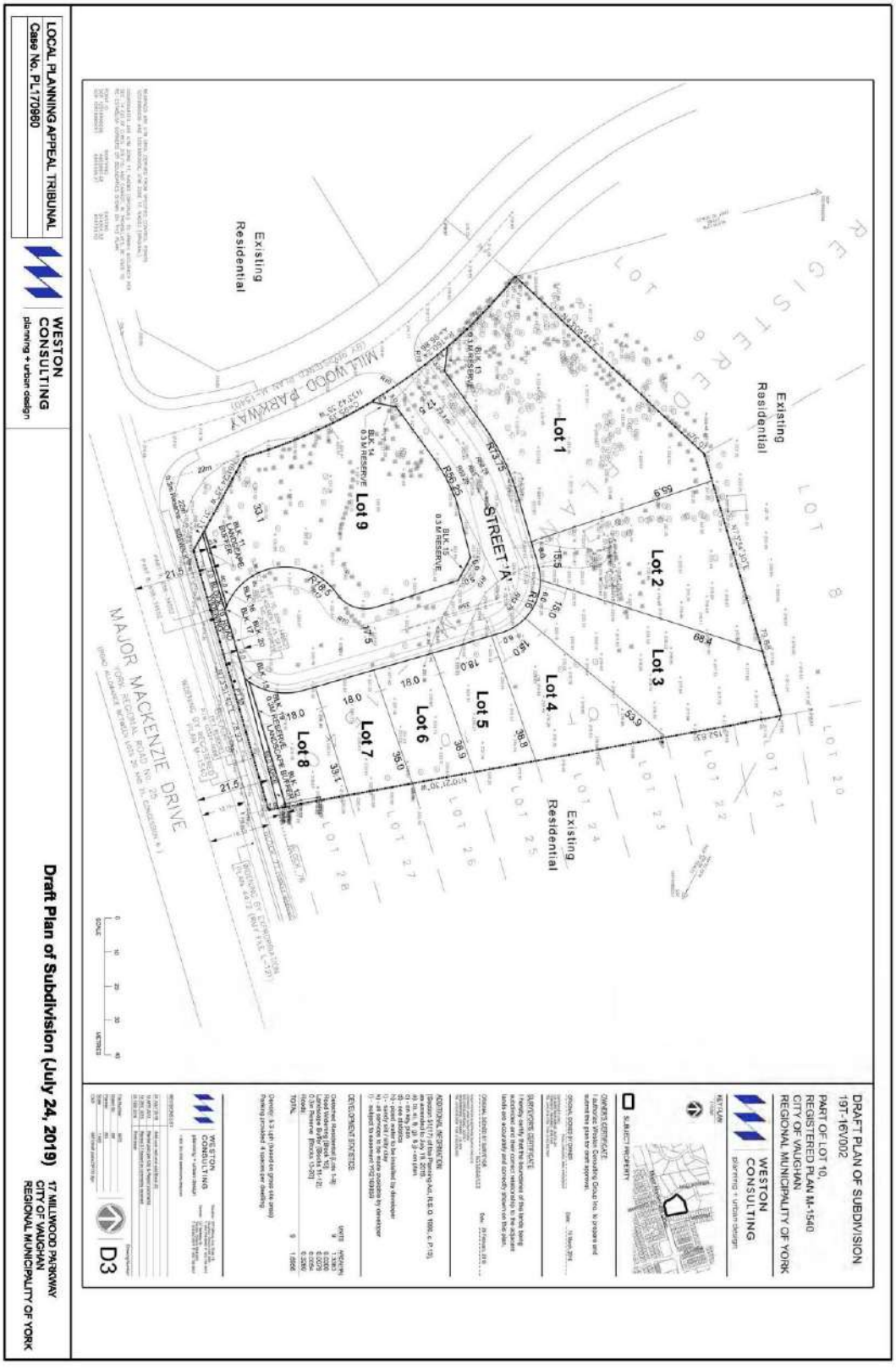


LOCATION MAP
TO BY-LAW _____-2019

FILE: Z.16.010
RELATED FILES: 19T-16V002
LOCATION: PART OF LOT 21, CONCESSION 6
APPLICANT: CENTRA (BT1) INC.
CITY OF VAUGHAN

Document Path: N:\GIS_Archive\ByLaws\Z\Z.16.010\Z.16.010_LocationMap.mxd Printed on: 1/22/2019

SCHEDULE B


DRAFT PLAN OF SUBDIVISION
19T-16V002
PART OF LOT 10,
REGISTERED PLAN M-1540
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
WESTON CONSULTING
planning + urban design
KEY PLAN
SUBJECT PROPERTY
OWNER'S CERTIFICATE
SURVEYOR'S CERTIFICATE
ADDITIONAL INFORMATION
DEVELOPMENT STATISTICS
Lot 1
Lot 2
Lot 3
Lot 4
Lot 5
Lot 6
Lot 7
Lot 8
Lot 9
STREET 'A'
MILLWOOD PARKWAY
MAJOR MACKENZIE DRIVE
Existing Residential
Existing Residential
Existing Residential
SCALE
METRES
LOCAL PLANNING APPEAL TRIBUNAL
Case No. PL170980
WESTON CONSULTING
planning + urban design
Draft Plan of Subdivision (July 24, 2019)
17 MILLWOOD PARKWAY
CITY OF VAUGHAN
REGIONAL MUNICIPALITY OF YORK
D3

SCHEDULE C

ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION FILE 19T-16V002 ("THE PLAN")
CENTRA (BT1) INC. ("THE OWNER")
LOT 10, REGISTERED PLAN M-1540
PART OF LOT 21, CONCESSION 6, CITY OF VAUGHAN

CITY OF VAUGHAN

THE CONDITIONS OF THE CITY OF VAUGHAN ("THE CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-16V002, ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Schedule No. 1a).

2. The Conditions of Approval of York Region as set out in Schedule No. 1b) and dated February 25, 2016.

3. The Conditions of Approval of Canada Post as set out in Schedule No. 1c) and dated June 20, 2016.

4. The Conditions of Approval of Enbridge Gas Distribution Inc. as set out in Schedule No. 1d) and dated May 19, 2016.

5. The Conditions of Approval of Alectra Utilities Corporation (formerly PowerStream Inc.) as set out in Schedule No. 1e) and dated May 20, 2016.

Clearances

1. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees, provided that:

   a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, and other essential services; and

   b) all commenting agencies agree to registration by phases and provide clearances, as required in the Conditions in Attachment Nos. 1a), 1b), 1c), 1d), and 1e), for each phase proposed for registration; and furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

2. The City shall advise that the Conditions in Attachment No. 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

3. York Region shall advise that the Conditions in Attachment No. 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

4. Canada Post shall advise that the Conditions in Attachment No. 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

5. Enbridge Gas Distribution Inc. shall advise that the Conditions in Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

6. Alectra Utilities Corporation (formerly PowerStream Inc.) shall advise that the Conditions in Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHEMENT NO. 1a)

CONDITIONS OF APPROVAL

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Weston Consulting Group Inc., Project No. 6873, dated July 24, 2019.

2. The lands within the Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the Planning Act.

3. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development charges, the provision of roads and municipal services, external storm sewers, sanitary sewers and watermain along Millwood Parkway and Major Mackenzie Drive, the restoration of Millwood Parkway, and landscaping and fencing. The said Subdivision Agreement shall be registered against the lands to which it applies.

4. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department, in accordance with the in-effect Tariff of Fees By- law.

5. The Owner shall pay to the City of Vaughan by way of certified cheque, Cash-in-Lieu of dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-Lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the Cash-in-Lieu payment.

6. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.

7. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.

8. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the Plan.

9. The Owner shall agree in the Subdivision Agreement to design and construct, or financially contribute to, the necessary downstream sanitary system improvements to service the Plan, to the satisfaction of the City.

10. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanently built or proposed, that have been designed and oversized by others to accommodate the development of the Plan if applicable.

11. The Holding Symbol "(H)" will not be removed until such time that the City and York Region confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the Plan.

12. The Owner shall agree in the Subdivision Agreement to restore and/or resurface all disturbed areas of Millwood Parkway in conjunction with the servicing of the proposed Lots in the Plan to the satisfaction of the City.

13. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and York Region.

14. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the Lot and/or Block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.

15. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes, which shall be granted to the appropriate authority(ies), free of all charges and encumbrances.

16. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.

17. Should the construction of a residential dwelling on any of the Lots result in a side yard setback less than 1.2 m, or having roof encroachments, the Owner shall agree in the Subdivision Agreement to create easements for maintenance purposes prior to the transfer of the land.

18. The Owner shall convey the following lands to the City free of all charges and encumbrances:

a) Landscape Buffer Blocks 11 and 12

b) 0.3 m Reserve Blocks 13, 14 and 15

19. Prior to final approval of the Plan, the Owner shall complete and obtain from the Toronto and Region Conservation Authority ("TRCA") all necessary approvals relating to the Well Head Protection Areas Water Quality (WHPA-Q) designation on the Plan by the Source Protection Plan (SPP) under the Clean Water Act, 2006.

20. For open space block(s)/buffer blocks that are being conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of the applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:

a) Submit a Phase Two Environmental Site Assessment ("ESA") report in accordance with Ontario Regulation (O. Reg.) 153/04, as amended, assessing all open space/buffer Block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of open space/buffer block(s) shall be conducted only after the City has certified the rough grading of the park/open space/buffer block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.

b) Should remediation of any portions of the park/open space/buffer block(s) within the Plan be required to meet applicable standards set out in the Ministry of the Environment, Conservation and Parks ("MOECP") document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended, submit a Remedial Act Plan ("RAP") and a complete copy of the satisfactory registration of the Record of Site Condition ("RSC") filed on the Environmental Site Registry including the acknowledge letter from MOECP, covering the remediated park/open space/buffer block(s) within the Plan.

c) Submit a signed and stamped environmental certificate letter prepared by the Owner and/or Owner's Environmental Qualified Person/Professional ("QP") stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and York Region are suitable for the intended land use, meet the applicable standards set out in the MOECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended, and they are not aware of any soil, ground water or sediment contamination on or within the conveyed lands or adjacent lands that could potentially migrate resulting in exceedances of the applicable MOECP standards.

d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.

21. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) shall be issued for any Lots and/or Blocks until the Owner's consulting engineer certifies, to the satisfaction of the City, that the lot grading complies with the City of Vaughan lot grading criteria and the driveway(s) as shown on the Plan submitted for the construction of the building(s) on the subject lots and/or blocks conform in terms of location and geometry (i.e. width, etc.) with the approved or amended and subsequently approved Construction Drawings.

22. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slopes stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the landscape buffer blocks.

23. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing to the satisfaction of the City.

24. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:

a) Submit a Phase One Environmental Site Assessment ("ESA") report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan ("RAP"), Phase Three ESA Report in accordance with O. Reg. 153/04, as amended, for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.

b) Should a change to a more sensitive land use as defined under 0 . Reg. 153/04, as amended, or remediation of any portions of lands within the Plan be required to meet the applicable standards set out in the Ministry of the Environment, Conservation and Parks ("MOECP") document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended, submit a complete copy of the satisfactory registration of the Record(s) of Site Condition ("RSC") filed on the Environmental Site Registry including the acknowledgement letter from the MOECP, covering all lands within the Plan.

c) Submit a signed and stamped environmental certificate letter prepared by the Owner and/or Owner's Environmental Qualified Person/Professional ("QP") stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and York Region are suitable for the intended land use, meet the applicable standards set out in the MOECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended, and they are not aware of any soil, ground water or sediment contamination on or within the conveyed lands or adjacent lands that could potentially migrate resulting in exceedances of the applicable MOECP standards.

d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.

25. Prior to final approval of the Plan and prior to the commencement of construction, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations of the report including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.

26. The Owner shall agree in the Subdivision Agreement that demolition works shall include offsite removal of all materials, backfilling, compaction and certification of works by a soils consultant.

27. Prior to the initiation of grading, and prior to the registration of the Plan, or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report(s) that describes the storm drainage system for the proposed development within the Plan, which shall include:

a) plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;

b) the location and description of all outlets and other facilities;

c) stormwater management techniques which may be required to control minor and major flows; and

d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned report(s) to the satisfaction of the City.

28. The Owner shall agree in the Subdivision Agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the City.

29. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.

30. The Owner shall agree in the Subdivision Agreement to provide a minimum level of fire safety and protection to the environment and building construction stage which will support firefighting operations in accordance with Ontario Building Code ("OBC") Section 3.2.5, and includes but is not limited to, the following requirements:

a) that water supply for firefighting, including municipal or private hydrants, shall be identified on the appropriate plans in accordance with OBC requirements, and shall be installed and operational prior to the construction of any buildings;

b) that all hydrants be unobstructed and ready for use at all times;

c) that access roadways be maintained and suitable for large heavy vehicles;

d) that temporary municipal addresses be posted and visible for responding emergency vehicles to the satisfaction of the City;

e) that designated fire breaks must be identified on Building Permit drawings; and

f) that the Owner give consideration to the installation of sprinklers in the residential dwelling units.

31. The Owner shall agree in the Subdivision Agreement to remove all existing driveways, culverts and construct associated restoration works including reconstruction of any disturbed ditches, grading and drainage routes.

32. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.

33. The road allowance within this Plan shall be named to the satisfaction of the City and York Region. The proposed street name shall be submitted by the Owner for approval by Vaughan Council and shall be included on the first engineering drawings.

34. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.

35. Any dead end or open side of a road allowance created by this Plan shall be terminated in 0.3 m reserves, to be conveyed to the City and/or Region of York without monetary consideration and free of all encumbrances, to be held by the City and/or Region of York until required for future road allowances or development of adjacent lands.

36. Prior to final approval of the Plan, the Owner shall agree that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City or Region of York, free of all costs and encumbrances. This includes but is not limited to, the following:

    a) at the south-west corner of Lot 1 where Millwood Parkway intersects with Street 'A' a 10 m curb radius is required in accordance with the City's standard drawing criteria.

37. The final approved Plan shall include:

    a) Landscape Buffer Blocks for Blocks 11 and 12 that are contiguous with the north boundary of the Landscape Buffer Blocks in the abutting residential development to the east (being Block 76 on Plan 65M-4250, Cal-Wood Developments Inc.) for consistency along Major Mackenzie Drive.

38. Prior to final approval of the Plan, an environmental noise impact study shall be prepared at the expense of the Owner, and provided to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out. the recommendations set out in the approved noise report to the satisfaction of the City.

39. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a L.E.D. street lighting system in the Plan in accordance with City standards and specifications. The Plan shall be provided with decorative street lighting to the satisfaction of the City.

40. The Owner shall agree in the Subdivision Agreement that for lots (Lots 8 and 9) with flankages on a primary road (Major Mackenzie Drive), as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the control architect prior to issuance of a building permit.

41. The Owner shall agree in the Subdivision Agreement that for Lots 1, 8 and 9 which have flankages and visibility on more than one public road (being Major Mackenzie Drive, and/or Millwood Parkway, and/or Street 'A'), that all flankages that face a public road will require upgraded elevations.

42. Prior to the landscape plan review by the Urban Design and Cultural Heritage Division, a fee shall be paid by the Owner to the Development Planning Department in accordance with the in-effect Council approved Tariff of Fees By-law for Vaughan Planning Applications - Landscape Plan Review.

    This fee will include staff's review and approval of proposed streetscaping/landscaping within the Plan, including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, and natural feature edge restoration/management plans, and tree inventory/preservation/removal plans.

    In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period, and assumption of the development by the City.

43. Prior to final approval of the Plan, the Owner shall prepare an Urban Design Brief, to the satisfaction of the City, which shall conform with the Council approved City-Wide Urban Design Guidelines. The Urban Design Brief will address, but not be limited to, the following matters:

    a) A landscape master plan; which includes the coordination of the urban design/streetscape elements such as fencing treatments and street tree planting. In addition, the landscape master plan will address the community edge treatment along Major Mackenzie Drive, including the appropriate landscaping for Landscape Buffer Blocks 11 and 12 with low maintenance plant material;

    b) Architectural control design guidelines; which includes appropriate flankage elevation treatments along Major Mackenzie Drive, Millwood Parkway and Street 'A'; and

    c) Sustainable design practices and guidelines.

44. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the residential lots that abut the existing residential lands to the north and east, to the satisfaction of the City.

45. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the residential Lots that abut Landscape Buffer Blocks 11 and 12, to the satisfaction of the City.

46. The Owner shall agree in the Subdivision Agreement to erect permanent wood fence treatments for flanking residential Lots and Blocks; to be coordinated with the environmental noise report and architectural control design guidelines.

47. Prior to final approval of the Plan, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved, proposed methods of tree preservation, and trees to be removed.

    The study shall quantify the value of any tree replacements using the Urban Design and Cultural Heritage Division's Tree Protection Protocol. Prior to final approval of the Plan, the Owner will be required to enter into a Tree Protection Agreement with the City. The Owner shall not remove trees without written approval by the City.

48. Prior to final approval of the Plan, the Owner shall pay to the City a Woodlot Development Charge, at a rate of $1,000.00 per residential dwelling unit, in accordance with the previous Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement.

49. The Owner acknowledges that the City of Vaughan has species at risk within its jurisdiction which are protected under the Endangered Species Act, 2007, S.O. 2007, c. 6., The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guides to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the Subdivision Agreement, the Owner must comply with the provisions of the Endangered Species Act.

50. The Owner shall agree in the Subdivision Agreement that should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department (Urban Design and Cultural Heritage Section) shall be notified immediately.

51. The Owner shall agree in the Subdivision Agreement that in the event human remains are encountered during construction activities, the Owner must immediately cease all construction activities and contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

52. The Owner shall include the following warning clauses as a schedule in all Offers of Purchase and Sale, or Lease for all Lots/Blocks within the entire Plan:

    a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

       The City has NOT imposed an amount for a 'Tree Fee', or any other fee, which may be charged as a condition of purchase for the planting of trees. Any Tree Fee' paid by

purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling."

b) "Purchasers and/or tenants are advised that proper grading of all Lots in conformity with the subdivision grading plans is a requirement of this Subdivision Agreement.

The City has taken a Letter of Credit from the Owner as a security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposits from the Purchasers to the City and/or Owner, for lot grading purposes is NOT a requirement of this Subdivision Agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."

c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:

i. The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.

ii. Driveways in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage (metres)	Maximum Width of Driveway (metres)
6-6.99[1]	3.5
7-8.99[1]	3.75
9-11.99[1]	6
12 and greater[2]	9

[1] The Lot Frontage for Lots between 6 - 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

[2] The Lot Frontages for Lots 12 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior Side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior Side yard shall be soft landscaping in accordance with Paragraph 4.1.2."

e) "Purchasers and/tenants are advised that mail delivery will be from a designated community mailbox as required by Canada Post. The location of the mailbox shall be shown on the community information plan provided by the Owner in its sales office."

f) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including those from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."

g) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highways, laneways, walkways or other similar public spaces, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings."

h) "Purchasers and/or tenants are advised that the City has taken a Letter of Credit from the Owner as a security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposits from the purchaser and/ or tenant to the City and/or Owner, for fencing, is NOT a requirement of this Subdivision Agreement."

i) "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing, noise attenuation features and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings.

The City has taken a Letter of Credit from the Owner as a security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposits from the purchasers to the City and/or Owner for fencing is NOT a requirement of this Subdivision Agreement.

The maintenance of the noise attenuation features or fencing shall not be the responsibility of the City or York Region, and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation features or fencing shall be the sole responsibility of the lot owner. Landscaping provided on York Region's right-of-way by the Owner or the City for aesthetic purposes shall be approved by York Region and maintained by the City with the exception of usual grass maintenance."

j) "Purchasers and/or tenants are advised that this Plan of Subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice."

k) "Purchasers and/or tenants are advised that the Owner has made a contribution towards recycling containers for each residential unit as a requirement of this Subdivision Agreement. The City has taken this contribution from the Owner to off- set the cost for recycling containers, therefore, direct cash deposits from the purchasers and/or tenants to the Owner for recycling container purposes is NOT a requirement of the City. The intent of this initiative is to encourage the purchasers and/or tenants to participate in the City's waste diversion programs and obtain their recycling containers from the Joint Operations Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue."

Any additional warning clause as noted in the Subdivision Agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.

53. The Owner shall include the following warning clause as a schedule in all Offers of Purchase and Sale, or Lease for Lots 8 and 9:

a) "Purchasers and/or tenants are advised that the installation of any gate of access point from the Lot to the Landscape Buffer Block is prohibited."

54. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such Lot or Block.

55. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit(s) shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.;
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
- the location of parks, open space, buffer blocks, stormwater management facilities and trails;
- the location of institutional uses, including schools, places of worship, and community facilities;
- the location and type of commercial sites;
- colour-coded residential for singles, semis, multiples, and apartment units; and,
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, Vaughan, ON, L6A 1T1; (905) 832-8585."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at (phone number) ".

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

56. Notwithstanding the provisions generally included within the Subdivision Agreement, the City may issue model home Building Permit(s) provided that the land is zoned to the satisfaction of the City and the relevant conditions of the Subdivision Agreement are fulfilled.

57. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit(s).

58. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.

59. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.

The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.

60. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

ATTACHEMENT NO. 1b)
CONDITIONS OF APPROVAL

Schedule or Conditions 19T-16V02
17 Millwood Parkway
Part of Lot 10, Registered Plan No. M-1540 (Centra (BT1) Inc.)
City or Vaughan

YORK REGION

RE: Revised Condition for Draft Plan of Subdivision 19T-16V02 (SUBP.16.V.0040)
17 Millwood Parkway
Part of Lot 10, Registered Plan No. M-1540
(Centra (BT1) Inc.)
City of Vaughan

York Region staff has now completed our review of the above noted revised plan of subdivision prepared by Weston Consulting, File No. 6873, dated July 24, 2019. The subject site is located at 17 Millwood Parkway, on the northeast corner of Major Mackenzie Drive and Millwood Parkway, in the City of Vaughan. The proposed development consists of 9 single detached units and blocks for road widening, landscape buffers, and 0.3m reserves, within a 1. 7 ha site.

York Region has no objection to draft plan approval of the revised plan of subdivision subject to the Region's conditions of draft approval dated August 17, 2016 and the revised wording for Condition 20(c) below:

2. c) An additional 2.0 metre widening, 40 metres in length, together with a 60 metre taper for the purpose of a westbound right turn lane at the intersection of ~~Street "A"~~ Millwood Parkway and Major Mackenzie.

Please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at Justin. Wong@york.ca should you require further assistance.

Re: Weston Consulting Group Inc., File No. 6873, Dated February 25, 2016

1. Prior to or concurrent with draft plan approval for any residential units, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:

   A. Not enter into any agreements of purchase and sale with end users[1] for the subject lands until such time as:

a. The City approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or

b. i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,

ii. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 12 months) to permit presales;

or

c. The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City allocates the capacity to this development.

AND

B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.

2. Prior to draft plan approval, the Owner shall enter into an indemnity agreement with York Region. The agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre- conditions of draft approval as part of the draft approval of plan of subdivision 19T-16V02 or any phase thereof by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

[1] The term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.

2. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.

3. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

4. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review.

5. The Owner shall agree in the Subdivision Agreement that any direct connection(s) to and/or the crossing(s) of a York Region water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection(s) and/or crossing(s) shall be shall be submitted to the Infrastructure Asset Management Branch for approval.

6. For all lands, the Holding (H) provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the Ontario Planning Act, The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:

    - The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,

    - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable lo the Region (usually 6 months lo 36 months depending on the complexity of the development) lo permit the plan registration; or,

    - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity lo this development.

7. Prior to final approval, the Owner shall provide a direct pedestrian and cycling connection to the Major Mackenzie Drive from Street "A". The Owner shall submit drawings showing the pedestrian and cycling connections and facilities to the boundary roadways and adjacent developments to promote the usage of non-auto travel modes to the satisfaction of York Region and the City of Vaughan.

8. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any

works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:

a) Plan and Profile for the York Region road and intersections;
b) Grading and Servicing;
c) Construction Access Design;
d) Utility and underground services Location Plans;
e) Erosion and Siltation Control Plans;
f) Landscaping Plans, including tree preservation, relocation and removals;
g) Requirements of York Region Transit/Viva

9. Prior to final approval, the Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region right-of-way. Only those works located in their ultimate location based on the next planning upgrade for this right-of-way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.

10. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.

11. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.

12. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall match into the Region's Capital Delivery project schedule for construction in 2016.

13. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that the Owner will provide the installation of visual screening between Street "A" and Major Mackenzie Drive, consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located within the right-of-way of Street "A". The Owner shall submit to Development Engineering for review and approval, landscape plans showing the proposed planting for headlight screening purposes.

14. Prior to final approval, the Owner shall submit drawings depicting the following lo the satisfaction of York Region staff:

    a) All existing woody vegetation within the York Region road right-of-way,

b) Tree protection measures to be implemented on and off the York Region road right-of- way to protect right-of-way vegetation to be preserved,
c) Any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right-of-way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:
e) Tree planting shall be undertaken in accordance with York Region standards as
a) articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed in the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance,
f) For landscape features not maintained to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.

15. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.

16. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.

17. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.

18. The following warning clause shall be included in a registered portion of the Subdivision Agreement with respect to the lots or blocks affected:

    "Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."

19. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to York Region's Development Engineering, as follows:

a) That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;

b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;

c) That maintenance of the noise barriers and fences bordering on York Region right-of- ways shall not be the responsibility of York Region

20. Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:

a) A widening across the full frontage of the site where it abuts Major Mackenzie Drive of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Major Mackenzie Drive, and

b) A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Major Mackenzie Drive and adjacent to the above noted widening(s), and

c) An additional 2.0 metre widening, 40 metres in length, together with a 60 metre taper for the purpose of a westbound right tum lane at the intersection of Millwood Parkway and Major Mackenzie.

21. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.

22. The Region requires the Owner to submit, in general accordance with the requirements of the Environmental Protection Act and 0. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("0. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed lo the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked lo different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual dale of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual dale of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section.

The Region, al its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted lo the Region must be prepared in general accordance with the requirements of 0. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording lo the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.

23. The Owner shall also provide the Region's Development Engineering with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, al a level or concentration that exceeds the Environmental Protection Act 0. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

    The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to the Region,

24. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, to be responsible to decommission any existing wells on the owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the area municipality.

25. The Owner shall agree in the Subdivision Agreement in wording satisfactory to Development Engineering, prior to the development approval of Lois 8 & 9, that access lo Lots 8 & 9 shall be via Street "A" (the internal road network) exclusively and that direct access to Major Mackenzie Drive will not be permitted.

26. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, al no cost lo the Region.

27. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

28. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide the passenger standing area/shelter pad identified below and shall be installed to the satisfaction of the local municipality and York Region Transit. The Region confirms that all such passenger standing area/shelter pad shall be owned and maintained by the Region and that the local municipality shall have no responsibility for those, notwithstanding that they may be included in the Subdivision Agreement.

    Subject to approval by YRT/Viva, passenger standing area and shelter pad shall be provided at the following location:

ON Street	AT Street	Location	Standard	Traffic Signal Request
Major Mackenzie Drive	Millwood Parkway	NE Corner	YRT-1.02 or YRT-1.03	

    The passenger standing area/shelter pad shall be provided at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks. The Owner may apply for a development charge credit, in accordance with the York Region - Road Works development charge credit guideline for passenger standing areas and shelter pads.

    Landscaping should not interfere with the bus stop, passenger standing area, shelter or corner sightlines.

    The bus stop location determined during the design phase is subject to change. Prior to construction of the passenger standing area/shelter pad, the Owner/consultant shall confirm with YRT/Viva the final bus stop location/requirements. The Owner/consultant is to contact YRT/Viva Facilities Supervisor (tel. 905-762-2111) to confirm final details.

29. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing transit services in the vicinity of this development. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT/Viva route maps and the Future Plan maps are available from YRT/Viva upon request.

30. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop location.

31. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.

32. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

33. The Regional Corporate Services Department shall advise that Conditions 1 to 32 inclusive, have been satisfied.

ATTACHEMENT NO. 1c)

CONDITIONS OF APPROVAL

CANADA POST

Re: 19T-16V002 & Z.16.010

RELATED FILES:
CENTRA (BT1) INC.
17 MILLWOOD PARKWAY
(PART OF LOT 10, REGISTERED PLAN NO.: M-1540
THE CITY OF VAUGHAN WARD 3 POSTAL DELIVERY AREA: WOODBRIDGE.

Dear Sir/Madam:

Thank you for the opportunity to comment on the above noted project.

As a condition of draft approval, Canada Post requires that the owner/developer comply with the following conditions.

- The owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.

- The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.

- The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.

The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.

- Any required walkway across the boulevard, as per municipal standards.

- Any required curb depressions for wheelchair access.

The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

ATTACHEMENT NO. 1d)
CONDITIONS OF APPROVAL

ENBRIDGE GAS DISTRIBUTION

Re: Draft Plan of Subdivision & Zoning By-law Amendment Centra (BT1) Inc.
17 Millwood Parkway
Part of Lot 10, Registered Plan No. M-1540 City of Vaughan
File No.: 19T-16V002 & Z-16-010

Enbridge Gas Distribution does not object to the proposed application(s).

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and /or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

The applicant will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

ATTACHEMENT NO. 1e)

CONDITIONS OF APPROVAL

POWERSTREAM / ALECTRA UTILITIES CORPORATION

	We have reviewed the Proposal and have no comments or objections to its approval.
X	We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).
	We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by_____
	We have reviewed the proposal and have the following concerns (attached below)
	We have reviewed the proposal and our previous comments to the Town/City, dated _____ are still valid.

PowerStream has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or the agent, for this plan is required to contact PowerStream to discuss all aspects of the above project. PowerStream will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Service Application Information Form (SAIF). PowerStream will then use this information to determine the type of available service in the area to supply this project and determine the charges for the subdivision or development.

Once PowerStream has received all proposed details and are satisfied with the design, PowerStream will provide the customer with an Offer to Connect which will specify all the details and the responsibilities of each party. Once the Offer to Connect is signed and full payment is received by PowerStream, PowerStream will start the final design and state and/or obtain the required approvals from the local municipality.

The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

If there are any existing components of PowerStream's electrical distribution system on the proposed project site, they will have to be relocated by PowerStream at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by PowerStream at the Developer's cost.

We trust this information is adequate for your files.

WESTON CONSULTING

planning + urban design

COMMUNICATION – C71
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 7466

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
2975, 2985, 2993 Teston Rd, Vaughan
Related OMB File PL171151

Weston Consulting is the planning consultant Jane Teston Holdings Inc. the registered owner of 2975, 2985, 2993 Teston Rd. in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

2985 and 2993 Teston Rd. are zoned "*A – Agricultural Zone*" while 2975 Teston Rd. is zoned "*R4 – Residential Four Zone*" by in-force Vaughan Zoning By-law 1-88. Applications for an 11 storey mid-rise building were filed in January, 2017. The subject lands are now subject to a Local Planning Appeal Tribunal (formerly Ontario Municipal Board) appeal filed in November, 2017.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*RE(EN) – Residential Estate (Established Neighbourhoods) Zone*" and *"R4(EN)-759 – Fourth Density Residential (Established Neighbourhood) – Exception 759 Zone* which reflect the current status of the lands. While we appreciate that the draft CZBL reflects current land uses as no approvals by the LPAT have been issued, we are aware that the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications that would be applicable to the subject lands given the current active status of the LPAT decision noted above.

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We are supportive of this provision and submit that under this provision, there will be a process in which the new site-specific zoning can be implemented for the subject lands in accordance with any future approval by the LPAT through a consolidation of the CZBL once the final form of a site-specific Zoning By-law is approved.

In summary, we support Provision 1.6.3.4 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 226 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Martin Quarcoopome, BES, MCIP, RPP
Associate

c. Client

WESTON CONSULTING

planning + urban design

COMMUNICATION – C72
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 5803

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
7700 Bathurst Street, City of Vaughan

Weston Consulting is the planning consulting firm for 1529749 Ontario Limited, the registered owner of the lands municipally known as 7700 Bathurst Street in the City of Vaughan (herein referred to as the "subject lands"). The purpose of this letter is to provide comments on the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") on behalf of the land owner.

The subject lands are currently under review for an Official Plan Amendment application (OPA16.006) to Volume 1 of the City's Official Plan and a Zoning By-law Amendment application (Z.20.019) to By-law 1-88 to facilitate the development of the western portion of the subject lands (known as 'Phase 1 lands') for the development of a mixed-use development with two (2) high-rise residential buildings (28 and 30 storeys in height) and a two-storey medical office building. Planning applications to facilitate the future development of the eastern portion of the subject lands and the remainder of the site will be submitted at the appropriate time in the planning process to coordinate with the completion of the Promenade Centre Secondary Plan.

The subject lands are currently zoned "*C – Commercial*" by in-force Vaughan Zoning By-law 1-88. Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*GMU – General Mixed-Use Zone"*, and subject to Exception 281. We recognize that the draft zoning regulations capture the existing site-specific conditions and permissions for the operation of the subject lands as a commercial site. The eastern portion of the lands will be maintained as a commercial operation that will operate within the existing and proposed zoning standards. As noted above, site-specific Official Plan Amendment and Zoning By-law Amendment applications are being processed for the Phase 1 lands and it is recognized that the proposed draft CZBL does not capture the high-rise mixed-use zoning currently being sought for the Phase 1 lands.

There is an active site-specific Official Plan Amendment appeal filed with the Local Planning Appeal Tribunal ("LPAT"), which is currently under review. Minute of Settlement between the land owner and the City of Vaughan have been drafted, and finalization of the appeal is required once

the details of the instruments have been completed. In addition, the subject lands were part of a city-wide appeal to Volume 1 of the Vaughan Official, wherein a Decision by the LPAT was made on April 28, 2020 to settle this appeal.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of the Official Plan Amendment and Zoning By-law Amendment Applications (OP.16.006 & Z.20.019), as well as the active site-specific LPAT Appeal. With respect to the active above-noted planning applications, Section 1.6.3 states:

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

a. The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,
b. The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.

With respect to the LPAT approval in principle and the active site-specific appeal, Provision 1.6.3.4 of the draft CZBL states that:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or a conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of the terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL, including Provision 1.6.3.4, will be repealed five years from the effective date of the By-law without further amendment to the By-law. A consent application to facilitate the development of the Phase 1 lands is anticipated to be submitted in the near future for review and consideration by the City.

We submit that the transition provisions under Section 1.6.3 of the draft CZBL be considered for all active and future planning applications and LPAT Decisions for the subject lands. We are supportive of these provisions and submit that under these provisions, there will be a process

where new site-specific Official Plan policies and Zoning By-law regulations can be implemented for the subject lands in accordance any future approval in principle by the LPAT and by Council. In summary, we support Provisions 1.6.3.3 and 1.6.3.4 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We also request that the provisions being sought for the Phase 1 lands and the requested zoning be considered for the subject lands for inclusion within the CZBL. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sabrina Sgotto at extension 243 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Sabrina Sgotto, HBA, MCIP, RPP
Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
The Torgan Group, Client
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP
Ryan Guetter, Senior Vice President, Weston Consulting

WESTON CONSULTING

planning + urban design

COMMUNICATION – C73
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 9257

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
3300 Highway 7, Vaughan

Weston Consulting is the planning consultant for 1042710 Ontario Limited, the registered owner of the lands at 3300 Highway 7 in the City of Vaughan (herein referred to as the "subject property"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

Applications for Official Plan (OP.19.010) and Zoning By-law (Z.19.025) Amendments were submitted to the City of Vaughan on October 28, 2019 and deemed completed by Staff on November 22, 2019. A Statutory Public Meeting regarding the development applications was held on February 4, 2020, providing the public with the opportunity to comment on and ask questions about the proposed development. Comments regarding the proposed applications were received from the reviewing departments and agencies, and currently the consulting team is working to update their materials accordingly. It is anticipated that a resubmission will be made in short order and that the applications will be brought to Council for approval in Q1 of 2021.

The subject lands are currently zoned "*C8 – Office Commercial Zone*" by in-force Vaughan Zoning By-law 1-88. However, the lands are subject to an active Zoning By-law Amendment application (Z.19.025), which proposed to maintain the existing "*C8 – Office Commercial Zone*" with site specific exceptions to include permissions for residential uses, as well as exceptions to the zone standards. Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*V1 – Vaughan Metropolitan Centre Station Zone"*. We anticipate that upon approval of the active Zoning By-law Amendment applications, the CZBL will be updated to reflect the approved site-specific zoning information for the subject lands.

In summary, we trust that the CZBL will be approved to reflect site-specific changes to the zoning for the subject lands that is reflective of the active Zoning By-law Amendment applications. We respectfully reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 243 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Sabrina Sgotto, HBA, MCIP, RPP
Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
1042710 Ontario Limited, Client
Ryan Guetter, Senior Vice President, Weston Consulting

WESTON CONSULTING

planning + urban design

COMMUNICATION – C74
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 7310

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
39 Centre Street, Vaughan
Z.17.021 and DA.17.046

Weston Consulting is the planning consultant for Peter Edrey, the registered owner of the lands at 39 Centre Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

City of Vaughan Committee of the Whole approved Zoning By-Law Amendment ("ZBA") application Z.17.021 and Site Development application DA.17.046 on June 16, 2020 to rezone the subject lands from *"R1V Old Village Residential Zone – Exception 9(662)"* to *"C1 Restricted Commercial Zone"*, and permit the development of a business/professional office in the existing heritage dwelling with site-specific exceptions. The ZBA is currently being finalized by the City and applicant, and has yet to be enacted.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned *"R1E First Density Residential, Exception 403"* per Map 60.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process or approved planning applications filed before the effective date of the By-Law that would be applicable to the subject lands, given that the Site Development application (DA.17.046) has recently been approved alongside the ZBA application (Z.17.021). With respect to the approved Site Plan Application, Section 1.6.3 states:

1.6.3.2 The requirements of this By-law do not apply to prevent the erection or use of a building or structure for which an application for site plan approval has been filed on or before the effective date of this By-law, provided:

a. The site plan application is deemed complete in accordance with the City of Vaughan Official Plan, 2010;

b. *The site plan application was in compliance with Zoning By-law 1-88, as amended, and any applicable finally approved minor variances, including minor variances qualified by Section 1.6.3.1; and,*
c. *Any building permit issued after final approval of the site plan that complies with the provisions of Zoning By-law 1-88, as amended, and is in accordance with any final minor variances.*

1.6.3.3 The requirements of this By-law do not apply to prevent the approval of any minor variance, site plan, plan of subdivision, consent application, part lot control exemption or plan of condominium application that has been filed on or before the effective date of this By-law, provided:

a. *The application is deemed complete in accordance with the City of Vaughan Official Plan, 2010; and,*
b. *The application was in compliance with Zoning By-law 1-88, as amended, and any finally approved minor variances including minor variances qualified by Section 1.6.3.1.*

We understand that the provisions do not apply to ZBA applications currently in-process or recently approved. It is requested that the recently approved Site Development and ZBA applications continue to consider the in-force regulations applicable to the subject lands at the time that the application was approved, being Zoning By-Law 1-88.

Further, we request clarity on how the City intends to implement on-going or recently approved ZBA applications, and request that once the ZBA is enacted, it be implemented through a consolidation of the CZBL such that the By-Law reflects the recently approved site-specific provisions for the subject lands.

In summary, we support Provisions 1.6.3.2 and 1.6.3.3 contained in the third draft of the CZBL and recommend its inclusion in the final By-law. We request that the subject lands and the recently approved Site Development and ZBA applications continue to be subject to the in-force Zoning By-Law 1-88 until the ZBA is enacted and can be implemented into the CZBL. We reserve the right to provide further comments as part of the ongoing CZBL Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the CZBL Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Sandra K. Patano BES, MES, MCIP, RPP
Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Peter Edrey, client
Ryan Guetter, Weston Consulting

WESTON CONSULTING

planning + urban design

COMMUNICATION – C75
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 9537

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
180 Steeles Avenue West, Vaughan
File No. OP.20.002 & Z.20.005

Weston Consulting has been retained by Mizrahi Constantine (180 SAW) Inc., the registered owner of the lands at 180 Steeles Avenue West, in the City of Vaughan (herein referred to as the "subject lands"). In review of the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL"), Weston is providing the enclosed comments on behalf of the landowner.

The subject lands are zoned C4 - Neighbourhood Commercial Zone, subject to site-specific exception 9(422) under the in-force City of Vaughan Zoning By-law 1-88. Based on our review of the CZBL proposes to change the zoning of the subject lands to "*HMU-S(22)-D(3.5)(H)-252,1119 (High-Rise Mixed-Use Zone)"*.

Applications for Official Plan Amendment (OP.20.002) and Zoning By-law Amendment (Z.20.005) were submitted to the City of Vaughan on February 14, 2020 to permit the development of 2,080 condominium units in six (6) mixed-use residential buildings containing commercial at grade, with heights of 16, 16, 25, 29, 39, and 45 storeys. In accordance with Sections 22 (4) and 34 (10.1) of the Planning Act, the applications have been deemed complete by the City of Vaughan on March 16, 2020. At this time, a second submission is in process and no formal decisions have been issued regarding the submitted applications.

We understand that the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications; however, it is noted that these provisions do not apply to active rezoning applications currently in process. The current site-specific rezoning application requests rezoning to the subject lands to "RA3 Apartment - Residential Zone, subject to site-specific zoning exceptions" and it is recognized that this zoning designation is not reflected in the CZBL. We request clarity on how the City intends to implement existing rezoning applications currently in process and deemed complete prior to the enactment of the CZBL. Further, it is our request that should the site-specific rezoning application be approved, it be implemented through a consolidation of the CZBL once the final form of the site-specific zoning by-law is approved.

We request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. Further, we reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Jason De Luca at extension 253 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Mizrahi Constantine (180 SAW) Inc., Client
Mary Caputo, Senior Planner, Development Services
Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Quinto Annibale, Loopstra Nixon

COMMUNICATION – C76
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

From: Alan Heisey <heisey@phmlaw.com>
Sent: Wednesday, October 28, 2020 11:52 AM
To: Clerks@vaughan.ca
Cc: rguetter@westonconsulting.com; 'Jan Sin' <jannalausin@gmail.com>; 'Daphne' <daphneykcheng@gmail.com>
Subject: [External] Re: Item 3 - Agenda for Committee of the Whole of the City of Vaughan October 29, 2020 - Comprehensive Zoning Bylaw

Chair and Members of the Committee of the Whole

Please be advised we are the solicitors for Tien de Religion Canada the owners of 5859 Rutherford Road in the City of Vaughan
Our client has serious concerns with and objections to the proposed bylaw as it affects its property which are outlined in greater detail in a letter dated October 28, 2020 under separate cover sent to you by Weston Consulting.
Please provide the author with notice of any future meetings concerning this matter and written notice of passing of any zoning bylaw passed by Council.

Please acknowledge receipt of this submission in writing.

A.Milliken Heisey Q.C.
Papazian | Heisey | Myers,
Barristers & Solicitors/Avocats
Standard Life Centre,
Suite 510, 121 King St. W.,
P.O. Box/C.P. 105,
Toronto, ON, M5H 3T9
Tel: 416 601 2702 | F: 416 601 1818

Website | Bio

WESTON CONSULTING

planning + urban design

COMMUNICATION – C77
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 8304-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
4850 Highway 7 and 79 Arrowhead Drive
City of Vaughan

Weston Consulting is the planning consultant for My Place On 7 Inc., the registered owner of the lands at 4850 Highway 7 and 79 Arrowhead Drive in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") as it pertains to the subject lands, and are pleased to provide the following comments on behalf of the landowner.

The subject lands are currently zoned "*R1 – Residential Zone*" and "*R2 – Residential Zone*" by the in-force Vaughan Zoning By-law 1-88. These zones permit Single Family Detached Dwellings. Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned as "*R2A(EN) – Second Density Residential Zone (Established Neighbourhood)"* and "*R1B(EN) – First Density Residential Zone (Established Neighbourhood)."* These zones permit Detached Residential Dwellings.

As we are currently preparing both Official Plan Amendment and Zoning By-law Amendment applications for a 14-storey, mixed-use building on the subject lands for imminent submission, we ask that City Staff consider more permissive zoning regulations than those currently shown within the CZBL, as much of the existing policy regime is more accepting of increased growth and intensification upon the subject lands.

The subject lands are currently located within the Wigwoss-Helen BRT Major Transit Station Area. Section 2.1 of A Place to Grow states,

> *This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to* major transit station areas *and other* strategic growth areas*, including* urban growth centres*, and promoting transit investments in these areas. To optimize provincial investments in* higher order transit*, this Plan also identifies* priority transit corridors *and the*

> *Province expects municipalities to complete detailed planning for* major transit station areas *on these corridors to support planned service levels.*

As referenced above, *major transit station areas* seek to align valuable public investments in transit infrastructure with planned growth to best leverage and utilize public resources.

Furthermore, Policy 2.2.4.3 states,

Major transit station areas on priority transit corridors or subway lines will be planned for a minimum density target of:

> *b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit;*

As the subject lands are located within the proposed Wigwoss-Helen Draft MTSA and are to be served by bus rapid transit (BRT) there will be a minimum density target of 160 residents and jobs combined per hectare and thus, a greater allowance for intensification. These targets would not be met within the current and planned for zoning permissions. Additionally, the subject lands are located within a *Regional Corridor* as per Map 1 – Regional Structure within the York Region Official Plan. Section 5.3 states,

> *Intensification will occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision and transit ridership. These strategic locations are based on an intensification framework that recognizes that the highest density and scale of development will occur in the Regional Centres followed by the Regional Corridors.*

As outlined above, *Regional Corridors* should accommodate a greater amount of intensification. ‘

Policy 5.4.28 further illustrates the parameters for growth of Regional Corridors.

> *Regional Corridors are planned to function as urban main streets that have a compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form.*

The subject lands are also located within a *Regional Intensification Corridor* as per Schedule 1 – Urban Structure within the Vaughan Official Plan. Policy 2.2.1.1 states,

> *Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other Intensification Areas in Vaughan and across York Region.*

Furthermore, the subject lands are located within planned Intensifications Areas. Policy 2.2.1.2 states,

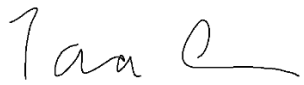
Intensification Areas will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan.

In summary, it is our opinion that the subject lands should be considered for a more permissible zoning regulatory framework within the CZBL as the lands fall within a policy regime that is more amenable to growth and intensification.

We kindly request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. Furthermore, we intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 320 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:



Tara Connor, MCIP, RPP
Senior Planner

cc. Ryan Guetter, Weston Consulting
Raymond Nicolini, My Place on 7 Inc.

WESTON CONSULTING

planning + urban design

COMMUNICATION – C78
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 8569

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
4190-4220 Steeles Avenue West, Vaughan
Z.13.013

Weston Consulting and UD+D are representing Vector Properties Ltd., the owner of the lands municipally known as 4190 and 4220 Steeles Avenue West in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands is currently occupied by two (2) mixed commercial buildings located on the northeast corner of Gaudaur Road and Steeles Avenue West. The lands are currently zoned *Prestige Employment Area Zone (EM1) (Commercial Complex CC)* within the current in-effect By-law 1-88. The proposed application is a zoning by-law amendment to achieve site specific zoning that will permit the gross floor area and parking ratios of land uses as discussed with Planning Staff on November 2, 2018.

On September 27, 2019, an application was submitted to rezone the subject lands to *Prestige Employment Area Zone (EM1) (Commercial Complex CC)* in Zoning By-law 1-88. The application would permit additional commercial uses and specific parking regulations on the subject lands located in Table 1 below:

Art Studio	Banquet Hall	Business Service	Clinic
Club	Commercial School	Financial Institution	Funeral Home
Health Club	Hotel	Hotel (Small Scale)	Light Manufacturing
Micro-manufacturing	Office	Personal Service	Pet care establishment

Place of Entertainment	Public Hall	Restaurant	Retail
Retail Convenience	Service/Repair Shop	Theatre	Veterinary Clinic
Community Garden	Day Care Centre	Long Term Care Facility	Place of Worship
Public Parking	Urban Square	Outdoor Display Area	Below-grade parking structure
Temporary Sales Office			

A re-submission of the application is pending and as per conversation with Planning Staff, there is anticipation that a recommendation report will be brought for Council approval, targeted for later this year.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*Employment Commercial Mixed-Use Zone*" per Map 8.

We are aware that the third draft of the CZBL contains some but not all of the above permitted uses but we respectfully request that all the above uses and proposed parking regulations be carried forward as proposed through our site-specific zoning by-law.

We request that the subject lands be subject to the current in-force Zoning By-Law 1-88 until the site-specific ZBA is enacted and can be implemented into the CZBL. We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 290 or Ryan Guetter at extension 241 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Beth Johnson, UD+D
Alan Hirschfield, UD+D

WESTON
CONSULTING
planning + urban design

COMMUNICATION – C79
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

City of Vaughan
Planning and Growth Management
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

October 28th, 2020
File 5264-1

Attn: Chair and Members of the Committee of the Whole

RE: City-Wide Comprehensive Zoning By-law, The Corporation of the City of Vaughan
Item 3: Agenda for Committee of the Whole of the City of Vaughan, October 29th 2020
5859 Rutherford Road, City of Vaughan
Tien De Religion Canada

Weston Consulting is the planning consultant for Tien De Religion, the owner of the property municipally known as 5859 Rutherford Road, (herein called the "subject property") in the City of Vaughan. The subject property is located on the south side of Rutherford Road, east of Highway 27 and is an irregular shape. The subject property also maintains direct access and frontage on Rutherford Road and currently contains residential uses consisting of a one storey building with a two storey addition, several wooden decks, a swimming pool, retaining wall and accessory structures and a farming operation with a storage barn. These uses have been continuous. Through discussions with the property owner, it is our understanding that uses relating to agricultural operations have also continuously existed on the site for many years.

The subject property is located in a valley branch of the Humber River and is bounded by dwelling units to the north and east and open space to the south and west. Lands further west of the property are developed with a large residential subdivision.

The property is subject to an appeal of the City of Vaughan Official Plan to the Ontario Municipal Board file PL 111184. The appeal is with regard to the Vaughan Official Plan 2010 which has policies that prohibit most forms of land use development at the subject site. The policies contained prohibit site alteration or expansion in order to protect and enhance the function of the natural areas and countryside of the Municipality. As such, an appeal was filed in December of 2012 and is still outstanding and pending resolution.

A previous submission, a copy of which is attached, was provided to the City on February 4th, 2020. No formal response has been provided regarding the issues outlined in the letter, and subsequent drafts of the By-law have not reflected our concerns.

Figure 1- Air Photo of Subject Property

Purpose

This submission is made on behalf of the owners as it relates to the subject property and the proposed regulatory and schedule changes proposed through the third draft of the City-wide comprehensive review of its Zoning By-law being considered.

It remains our opinion that that the proposed zoning category should be revised to reflect the existing uses on the property, which are residential and agricultural in nature. It is our opinion that the subject property should be zoned *First Density Residential Zone (R1)* or a similar residential zone. The purpose of this zoning is to recognize the existing uses, which is a single-family dwelling. It is also our understanding that historic uses of the property were also for agricultural purposes.

Additionally, the current By-law allows for an existing Legal Non-Conforming building to be *"enlarged or extended provided the building or structure is used for the purpose permitted by this By-law in the zone in which it is located and further provided that such extension or enlargement complies with all such zone requirements"*. Section 1.10.2 of the proposed By-law states that a Legal Non-Conforming building may only be *"enlarged, expanded or otherwise altered, provided that a) the use is permitted by this By-law; b) the enlargement, expansion or alteration does not cause further contravention of any aspect o this By-law that is not complied with and c) the enlargement, expansion or alteration does not cause non-compliance with any other provision of this By-law.*

It is our opinion that the policies regarding Legal Non-Conforming uses in the proposed Zoning By-law be revised in order to maintain the policies in the existing Zoning By-law regulations in this regard.

Current Planning Permissions

The property is currently zoned *Open Space Conservation Zone (OS1)* in the City of Vaughan Zoning by-law 1-88. Permitted uses in this zone include recreational uses such as driving range, golf course; institutional uses such as cemetery, mausoleum, crematorium and conservation uses such as conservation projects or forestry projects.

City of Vaughan Comprehensive Zoning By-law Review

Within the proposed third draft mapping of the City of Vaughan comprehensive review, the subject property is proposed to be zoned *Environmental Protection Zone (EP)*. It is our opinion that that the proposed zoning category should be revised to reflect the existing use, which is residential in nature. It is our opinion that the subject property should be zoned *First Density Residential Zone (R1)* or similar residential zone. The purpose of this zoning is to recognize the existing uses, which is a single-family dwelling.

Figure 2- Proposed Comprehensive Zoning Review Mapping

In conclusion, we wish to make this submission on behalf of the owners as it relates to the subject property and the proposed policy and schedule changes proposed through the third draft of the City-wide comprehensive review of its Zoning By-law being considered. It is our opinion that that

the proposed zoning category is not consistent with the existing uses and we request the proposed zone be modified. We reserve the right to provide further comments in relation to further revised by-law. Please provide written notice of any Zoning By-law passed pursuant to this process to the undersigned.

If you have any questions or require further information in the meantime, please contact the undersigned below or Liam O'Toole at ext. 316.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c: Tien De Religion
Alan Heisey, Papazian, Heisey, Myers
Peter Chee

Attachments
1. Submission dated February 4th 2020

WESTON
CONSULTING

planning + urban design

City of Vaughan
Planning and Growth Management
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

February 4, 2020
File 5264-1

Attn: Brandon Correia, Manager, Special Projects

Dear Sir,

RE: City of Vaughan Comprehensive Zoning By-law
5859 Rutherford Road, City of Vaughan
Tien De Religion Canada

Weston Consulting is the planning consultant for Tien De Religion, the owner of the property municipally known as 5859 Rutherford Road, (herein called the "subject property") in the City of Vaughan. The subject property is located on the south side of Rutherford Road, east of Highway 27 and is an irregular shape. The subject property maintains direct access and frontage on Rutherford Road and currently contains a residential dwelling with several wood decks, a swimming pool, retaining walls and accessory structures built in the 1960s pursuant to 5147 and 62-315, respectively. This use has been continuous.

The subject property is abutting on a branch of the Humber River and is bounded by dwelling units to the north and east and open space to the south and west. Lands further west of the property are developed with a large residential subdivision.

The Lands currently are zoned OSI and A, under the current zoning bylaw 1-88. The A (Agricultural), permits Agricultural Uses, Single Family Dwelling, Church, Community Centre and School, in addition other uses,

The property is subject to an appeal of the City of Vaughan Official Plan to the Ontario Municipal Board file PL 111184. The appeal is with regard to the Vaughan Official Plan 2010 which has policies that prohibit most forms of land use development at the subject site. The policies contained prohibit site alteration or expansion in order to protect and enhance the function of the natural areas and countryside of the Municipality. As such, an appeal was filed in December of 2012 and is still outstanding.

Figure 1- Air Photo of Subject Property

Purpose

We wish to make this submission on behalf of the owners as it relates to the subject property and the proposed policy and schedule changes proposed through the first draft of the City-wide comprehensive review of its Zoning By-law being considered. It is our opinion that that the proposed zoning category should be revised to reflect the existing uses which is residential in nature. It is our opinion that the subject property should be zoned *First Residential Zone (R1)* or a similar residential zone. The purpose of this zoning is to recognize the existing uses, which is a single family dwelling.

Current Planning Permissions

The subject lands are designated *Natural Areas* and *Countryside* in the City of Vaughan Official Plan (2010) and is also identified within the City of Vaughan Official Plan as Natural Areas. This designation prohibits development other than natural area management; flood or erosion control projects; transportation, infrastructure and utilities and low-intensity recreational activities.

The property is currently zoned *Open Space Conservation Zone (OS1)* in the City of Vaughan Zoning by-law 1-88. Permitted uses in this zone include recreational uses such as driving range, golf course; institutional uses such as cemetery, mausoleum, crematorium and conservation uses such as conservation projects or forestry projects. Residential uses are not permitted.

City of Vaughan Comprehensive Zoning By-law Review

The City of Vaughan is undertaking a City-wide comprehensive review of its Zoning By-law that aims to create a progressive By-law with updated, contemporary uses and standards. The new Zoning By-law will implement the Official Plan and accurately reflect the intent of policy direction under one consolidated, streamlined Zoning By-law.

Within the proposed first draft mapping of the comprehensive review, the subject property is zoned *Conservation Zone (C)* which only permits conservation uses and passive recreational uses. It is our opinion that that the proposed zoning category should be revised to reflect the existing uses which is residential in nature. It is our opinion that the subject property should be zoned *First Residential Zone (R1)* or similar residential zone. The purpose of this zoning is to recognize the existing uses, which is a single family dwelling.

Figure 2- Proposed Comprehensive Zoning Review Mapping

Furthermore, Weston Consulting is working with the Toronto and Region Conservation Authority (TRCA) to recognize said uses. Weston Consulting has coordinated and attended several meetings with the TRCA and City Staff from 2015 to present, with the most recent being August 7, 2019. Below is a chronology of Weston's involvement with the TRCA.

Previous Discussions with the TRCA

- June 12, 2015 – Initial meeting;
- March 30, 2016 – Meeting to discuss the scope of required technical review;
- August 31, 2016 – Technical studies submitted to TRCA for review;
- June 5, 2017 – Meeting to discuss TRCA comment letter regarding August 31, 2016 submission;
- July 11, 2017 – Subsequent submission to the TRCA with respect to the June 5, 2017 meeting;
- November 23, 2017 – TRCA comments provided regarding July 11, 2017 submission;
- August 3, 2018 – Subsequent submission to TRCA to support recognition of existing structures;
- September 18, 2018 – TRCA permit submitted for remedial works;
- November 2018 – TRCA permit issued for restoration works;
- March 1, 2019 – Meeting with TRCA regarding position on existing structures;
- August 1, 2019 – Response letter issued to TRCA including an update to geotechnical Analysis;
- October 2, 2019- Site Visit with TRCA.

The purpose of these meetings was to discuss legalizing the existing structures provided that the majority of the existing residential building is beyond the TRCA floodplain limit. To support this case, Weston Consulting has made several submissions to the TRCA, which included supporting technical studies to confirm and recognize the location of the TRCA floodplain limit and the geotechnical analysis of the slopes in and around the dwelling.

The meeting of August 7, 2019 included staff and legal counsel for the City of Vaughan, TRCA, legal counsel and Tien de Religion involved the to discuss comments from May 31, 2019, response letter and next steps to address re-sloping/retaining wall and building within floodplain. The TRCA acknowledged that some of the structures are legal non conforming except for the two-storey addition and use of the portion of the building within floodplain as a residential habitation.

Planning Opinion

It is our opinion that the subject property's proposed zone should be altered to reflect the existing use.

In addition, the lands should not be zoned *Conservation Zone* and should be zoned within a residential zone category. The uses permitted in said *Conservation Zone* does not reflect the existing use and intent of the subject property, which is an existing single family home, located beyond the TRCA floodplain limit. Also, through the VOP 2010 appeal, Weston Consulting is working with City of Vaughan policy staff regarding amended policy to recognize the residential uses by amending the designation to an appropriate residential designation.

In conclusion, we wish to make this submission on behalf of the owners as it relates to the subject property and the proposed policy and schedule changes proposed through the first draft of the

City-wide comprehensive review of its Zoning By-law being considered. It is our opinion that that the proposed zoning category is not consistent with the existing uses and proposed amending Official Plan designation for the property.

If you have any questions or require further information in the meantime, please contact the undersigned below or Julia Pierdon at ext. 307.

Yours truly,
Weston Consulting
Per:

Julia Pierdon, BURPI, MCIP, RPP
Senior Planner

c: Tien De Religion
Ryan Guetter, Weston Consulting
Alan Heisey, Papazian, Heisey, Myers
Peter Chee
Coreena Smith, TRCA
David Marcucci, City of Vaughan
Bruce Engell, Weirfolds
Jonathan Wigley, Gardiner Roberts LLP

WESTON
CONSULTING

planning + urban design

COMMUNICATION – C80
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020
File 3559

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Attn: Todd Coles, City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
7290 Major Mackenzie Drive West, Vaughan
Related: Files Z.16.040 and DA.16.083

Weston Consulting has been retained by Amar Transport Inc./3942198 Canada Inc., the registered owner of the lands at 7290 Major Mackenzie Drive West, in the City of Vaughan (herein referred to as the "subject lands"). In review of the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL"), Weston is providing the enclosed comments on behalf of the landowner.

Following Council approval of the above-noted Zoning By-law Amendment Application for the subject lands on May 27, 2020, site-specific By-law No. 141-2020 to amend City of Vaughan By-law 1-88 was forwarded to Vaughan Council on October 21, 2020 for final approval. By-law No. 141-2020 establishes zoning permissions on the subject lands to facilitate the development of a permanent truck terminal use with outside storage, whereas By-law 1-88 had previously permitted these uses on a temporary basis. It is our understanding that By-law No. 141-2020 was adopted on consent and we are now awaiting final notice of its adoption. A copy of By-law No. 141-2020 is attached for reference.

We request that the City of Vaughan ensure that By-law No. 141-2020 is fully incorporated and consolidated into Section 14 of the CZBL, so that the zoning permissions on the subject lands contained therein be reflected in the final approved version of the CZBL, as is appropriate. Further, we maintain that any applicable transition provisions contained in Section 1.6.3 for in-process planning applications shall apply as it relates to the finalization of the Site Development Application DA.16.083.

We further request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. Further, we reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 252 or Jason De Luca at extension 253 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Michael A. Vani, BURPI, MCIP, RPP
Senior Planner

c. Amar Transport Inc./3942198 Canada Inc.
Ryan Guetter, Senior Vice President, Weston Consulting
Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Mary Caputo, Senior Planner, Development Services
Eugene Fera, Senior Planner, Development Services

Michael Vani

Subject: RE: Item 5, Committee of the Whole Report No. 20, May 27, 2020

From: Clerks@vaughan.ca <Clerks@vaughan.ca>
Sent: June 9, 2020 1:50 PM
To: Jason De Luca <jdeluca@westonconsulting.com>
Subject: Item 5, Committee of the Whole Report No. 20, May 27, 2020

Sent on behalf of Todd Coles, City Clerk

RE: 3942198 CANADA INC. C/O AMARDEEP DEOL ZONING BY-LAW AMENDMENT FILE Z.16.040 SITE DEVELOPMENT FILE DA.16.083 7290 MAJOR MACKENZIE DRIVE VICINITY OF REGIONAL ROAD 50 AND MAJOR MACKENZIE DRIVE

Attached for your information is **Item 5, Report No. 20,** of the Committee of the Whole (2) regarding the above-noted matter, which was adopted without amendment by the Council of the City of Vaughan at its meeting of May 27, 2020.

To assist us in responding to inquiries, please quote the item and report number.

Sincerely,

Todd Coles
City Clerk
905-832-8504 | clerks@vaughan.ca

City of Vaughan I Office of the City Clerk
2141 Major Mackenzie Dr., Vaughan, ON L6A 1T1
vaughan.ca

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 141-2020

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

    a) Rezoning the lands shown as “Subject Lands” on Schedule “E-1459”, attached hereto as Schedule “1”, from A Agricultural Zone to EM2 General Employment Area Zone, in the manner shown on the said Schedule “1”.

    b) Deleting Exception Paragraph 9(1331) in its entirety and substituting the following Paragraph to Section 9.0 EXCEPTIONS”:

    “(1331) Notwithstanding the provisions of:

    a) Subsections 6.3.1 and 6.3.2 respecting Uses Permitted and Accessory Outside Storage in an EM2 General Employment Area Zone;

    b) Schedule "A" respecting Minimum Lot Area, Minimum Yard Requirements and Maximum Building Height;

    c) Subsection 3.13 respecting Minimum Landscaped Area;

    d) Subsection 3.8 g) Maximum Driveway width

    e) Subsection 3.9 b) respecting Maximum Aisle Width adjacent to a loading area for a garage enclosure;

    f) Subsection 3.9 c) respecting required surface of a loading area for a

garage enclosure and related driveways and maneuvering areas;

g) Subsection 3.8 k) respecting required surface of a loading area for a garbage enclosure and related driveways, parking spaces and maneuvering areas;

The following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1459 ” attached hereto as Schedule “1”:

ai) a truck terminal with the accessory outside storage of transport containers, transport trailers, chassis, and a temporary accessory administrative office, shall be permitted; motor vehicle repair shall not be permitted;

aii) the outside storage of transport containers, transport trailers and chassis shall be permitted in the areas identified as Areas "A" and "B" and shall not exceed 38 % of the lot area and shall only be in accordance with the following provisions:

Area "A"

- a maximum of two (2) transport containers may be stacked and in no case, shall any outside storage or the height of the stacked transport containers exceed 5.2 metres;
- the maximum number of transport containers permitted to be stored in Area "A" shall be 152;

Area “B”

- the stacking of transport containers shall not be permitted;
- the maximum height of outside storage shall not exceed 4.1 metres;
- the maximum number of transport containers permitted to be stored in Area "B" shall be 85;

aiii) The total maximum number of transport containers/trailers permitted to be stored in areas “A” and “B” combined shall be 161;

aiv) The storage of hazardous material, the outside storage of goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out

appliances or equipment shall not be permitted on the Subject Lands;

av) The accessory office building shall be temporary in nature and shall not require foundations, footings or municipal water and sanitary servicing and shall have a maximum height of 4.5 m. as approved through the Site Plan. A minimum of 8 parking spaces will be provided to serve the temporary office building. The temporary accessory office building shall be demolished and replaced with a new permanent office building, with a minimum area of 550 m^2 when servicing becomes available to the Subject Lands in accordance with the City's Comprehensive Zoning By-law 1-88 and to the satisfaction of the City of Vaughan.

avi) The minimum setback from the TransCanada Pipelines Limited right-of-way, for all buildings or structures, outside storage, machinery, equipment and excavations shall be 10m. No outside storage, building or structure, vehicles, machinery, fill or building material is permitted on the TransCanada Pipelines Limited right-of-way, unless approval is obtained from TransCanada Pipelines Limited.

bi) The minimum lot area shall be 3.6 ha. The minimum lot area may be reduced, without amendment to the Zoning By-law should the Subject Lands become a corner lot and additional road widenings are required to facilitate the road widening, provided all the setback and the minimum landscape strip width zoning requirements continue to be maintained.

bii) The minimum yard setbacks to any outside storage, temporary building or structure shall be:

- Front (Major Mackenzie Drive) - 23m
- Side and Rear - 16 metres;
- Residential Zone – 31 m

ci) The entirety of the Subject Lands, including the truck terminal and accessory outside storage, shall be completely enclosed by a strip of land not less than 16 metres in width around the perimeter of the

Subject Lands, and shall be used for no purpose other than an earthen berm, landscaping and fencing. The said earthen berm and fence enclosure shall be no less than 5.0 metres in height, comprised of a minimum 2.5 metre high earthen berm and a minimum 2.5 metre high, acoustic, and wood privacy fencing. This shall not prevent the provision of an access driveway to Major Mackenzie Drive across the said strip in a location as approved by the Site Plan. These provisions shall be maintained should the Subject Lands become a corner lot and future road widenings and sight triangles are required. The landscaped buffer shall be included as part of the landscaping requirement and shall be implemented as per the approved Site and Landscape plans.

di) The maximum Driveway width for the truck terminal use shall be 25.4 m at the lot line.

ei) The maximum width of a drive aisle and maneuvering area related to a loading area for a garbage enclosure is 16.3 m.

fi) The surface of areas identified as Area "A" and Area "B" shall be made of recycled asphalt.

gi) The surface of areas of all loading spaces and related driveways, parking spaces and maneuvering areas shall be paved with recycled asphalt.

c) Deleting Schedule “E-1459 ” and substituting therefor the Schedule “E 1459” attached hereto as Schedule “1”.

d) Deleting Key Map 10E and substituting therefor the Key Map 10E attached hereto as Schedule “2”.

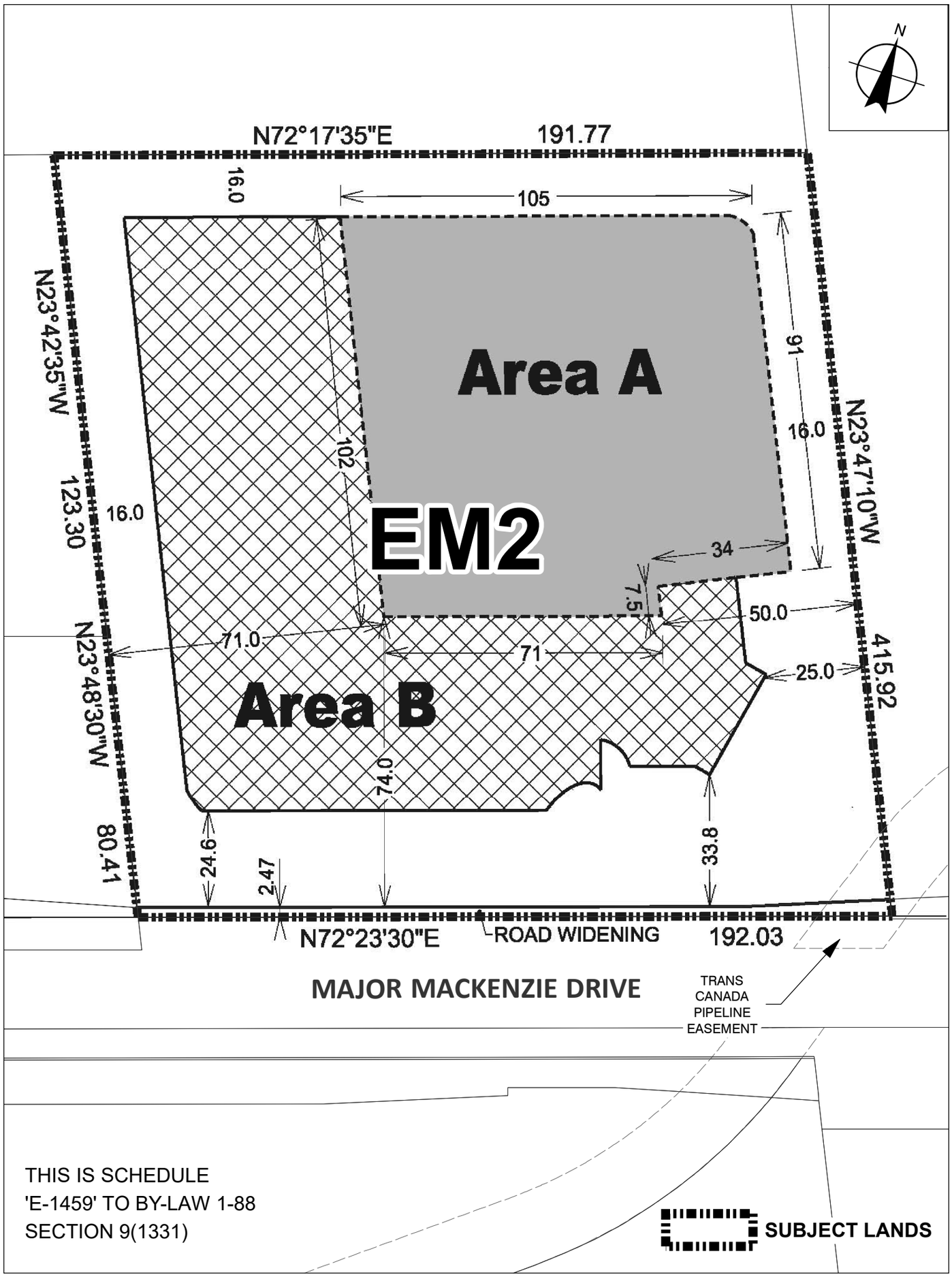
2. Schedules “1” and “2” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 21st day of October, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Authorized by Item No. 5 of Report No. 20
of the Committee of the Whole
Adopted by Vaughan City Council on
May 27, 2020.



THIS IS SCHEDULE '1'
TO BY-LAW 141-2020
PASSED THE 21ST DAY OF OCTOBER, 2020

FILE: Z.16.040
RELATED FILE: DA.16.083
LOCATION: Part of Lot 21, Concession 10
APPLICANT: 3942198 Canada Inc. C/O Amardeep Deol
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

KEY MAP 10E
BY-LAW 1-88

Metres
0 250 500 1,000

THIS IS SCHEDULE '2'
TO BY-LAW 141-2020
PASSED THE 21ST DAY OF OCTOBER, 2020

FILE: Z.16.040
RELATED FILE: DA.16.083
LOCATION: Part of Lot 21, Concession 10
APPLICANT: 3942198 Canada Inc. C/O Amardeep Deol
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

SUMMARY TO BY-LAW 141-2020

The lands subject to this By-law are municipally known as 7290 Major Mackenzie Drive and are located on the north side of Major Mackenzie Drive, City of Vaughan.

The purpose of this by-law is to rezone the lands shown from A Agricultural Zone to EM2 General Employment Area Zone with the following zoning exceptions:

ai) a truck terminal with the accessory outside storage of transport containers, transport trailers, chassis, and a temporary accessory administrative office, shall be permitted; motor vehicle repair shall not be permitted;

aii) the outside storage of transport containers, transport trailers and chassis shall be permitted in the areas identified as Areas "A" and "B" and shall not exceed 38 % of the lot area and shall only be in accordance with the following provisions:

Area "A"

- a maximum of two (2) transport containers may be stacked and in no case, shall any outside storage or the height of the stacked transport containers exceed 5.2 metres;
- the maximum number of transport containers permitted to be stored in Area "A" shall be 152;

Area “B”

- the stacking of transport containers shall not be permitted;
- the maximum height of outside storage shall not exceed 4.1 metres;
- the maximum number of transport containers permitted to be stored in Area "B" shall be 85;

aiii) The total maximum number of transport containers/trailers permitted to be stored “A” and “B” shall be 161;

aiv) The storage of hazardous material shall not be permitted; the outside storage of goods or materials which are obnoxious, visually or otherwise, including derelict or scrap motor vehicles or machinery and worn-out appliances or equipment shall not be permitted;

av) The accessory office building shall be temporary in nature and shall not require foundations, footings or municipal water and sanitary servicing shall have a maximum height of 4.5 m. The temporary accessory office building

will be demolished and replaced with the construction of new permanent office building, with a minimum area of 550 m^2 when servicing becomes available to the Subject Lands;

avi) The minimum setback from the TransCanada Pipelines Limited right-of-way, for all buildings or structures, outside storage, machinery, equipment and excavations shall be 10m. No outside storage, building or structure, vehicles, machinery, fill or building material is permitted on the TransCanada Pipelines Limited right-of-way, unless approval is obtained from TransCanada Pipelines Limited.

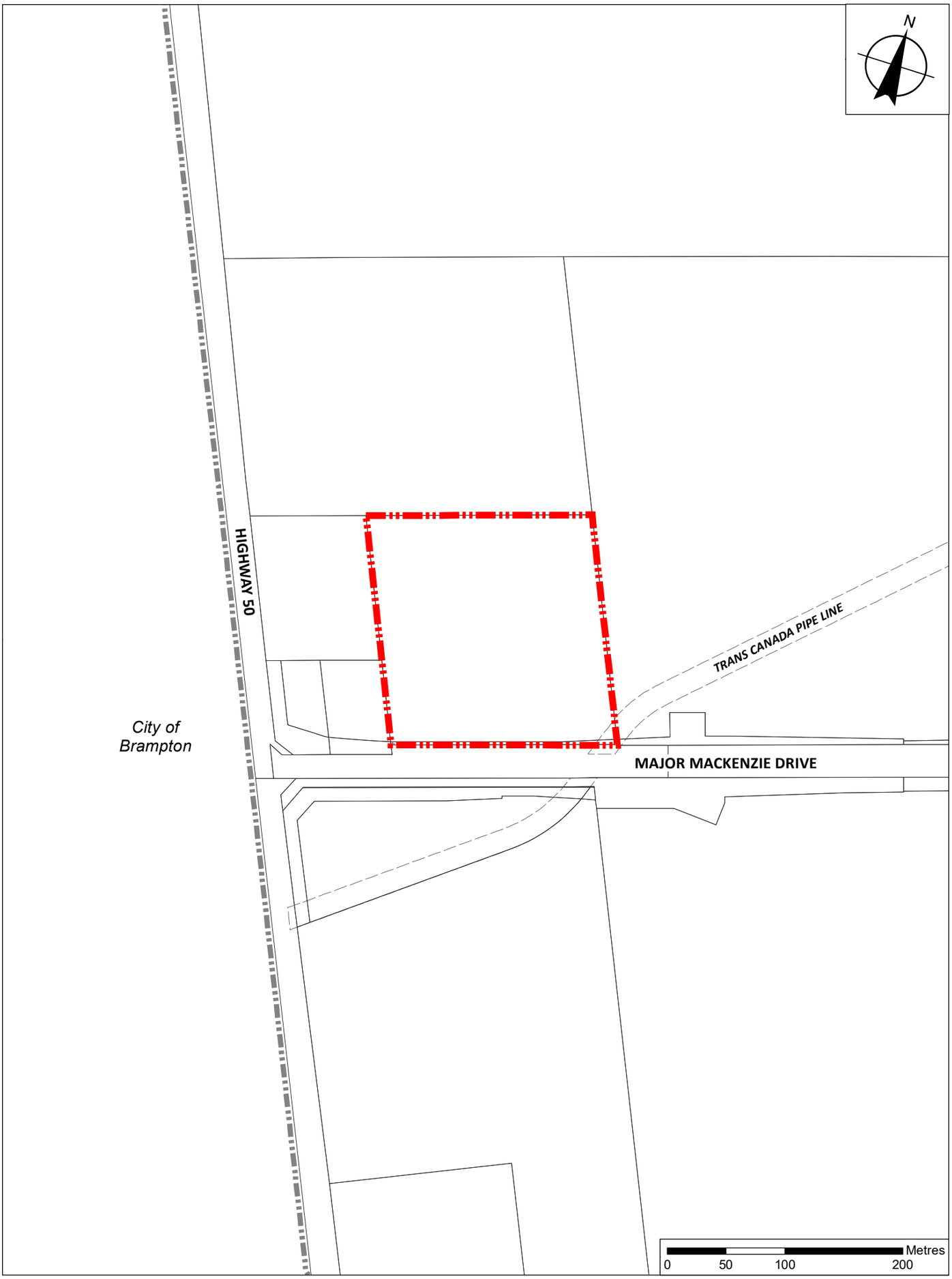
bi) The minimum lot area shall be 3.6 ha. to facilitate a future road widening. The minimum lot area may be reduced, without amendment to the Zoning By-law should the Subject Lands become a corner lot and additional road widenings are required, provided all the setbacks and minimum landscape strip widths continue to be maintained.

bii) The minimum yard setbacks to any outside storage, temporary building or structure shall be:

- Front (Major Mackenzie Drive) - 23m
- Side and Rear - 16 metres;
- Residential Zone – 31 m

ci) The entirety of the Subject Lands including the accessory outside storage shall be completely enclosed by a strip of land not less than 16 metres in width shall be provided around the perimeter of the Subject Lands, and shall be used for no purpose other than an earthen berm, landscaping and fencing. The said earthen berm and fence enclosure shall be no less than 5.0 metres in height, comprised of a minimum 2.5 metre high earthen berm and a minimum 2.5 metre high, acoustic, wood privacy and enhanced fencing. This shall not prevent the provision of access driveway to Major Mackenzie Drive across the said strip in a location as approved by the Site plan. These provisions shall be maintained should the Subject lands become a corner lot and future road widenings and sight triangles are requited.

di) The maximum Driveway width for the truck terminal use shall be 25.4 m.



LOCATION MAP
TO BY-LAW 141-2020

FILE: Z.16.040
RELATED FILE: DA.16.083
LOCATION: Part of Lot 21, Concession 10
APPLICANT: 3942198 Canada Inc. C/O Amardeep Deol
CITY OF VAUGHAN

SUBJECT LANDS

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM

COMMUNICATION – C81
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

BY EMAIL clerks@vaughan.ca & REGULAR MAIL

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: Royal Building Products (a Westlake Company)
City of Vaughan – Comprehensive Zoning By-law Review ('CBZR')
71 Royal Group Crescent - Parts Lots 4 & 5, Concession 9, Plan 65R-28279
91 Royal Group Crescent - Parts Lots 3 & 4, Concession 9, Plan 65R-28279
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of Royal Building Products, (hereafter referred to as 'Royal'), regarding the above captioned properties located in the Vaughan West (South) Corporate Park, as part of the Vaughan Enterprise Zone ('VEZ'), which provides versatile access to distribute its products within regional markets.

Royal is pleased to provide comments as part of the City's 'Comprehensive Zoning By-law Review' or ('CZBR') program – 3rd Draft, publicly released September 24, 2020, with the purpose of pursuing zoning compliance with the implementation of VOP 2010, as amended, among other matters.

Royal is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation, and a strong municipal tax base within the City of Vaughan and the Region of York.

> *'With operations throughout North America, NAPCO - Royal Building Products offers the renovation, remodeling and new construction industries a broad range of innovative vinyl products including siding, mouldings, deck, window profiles and patio doors. NAPCO - Royal Building Products also manufactures pipe and fittings for the electrical, municipal, irrigation, plumbing and industrial construction industries.' Source: NAPCO - Royal Building Products.*

Over the past twenty years, Royal has successfully operated its manufacturing, distribution and office business functions at 71 and 91 Royal Group Crescent, where 'Royal' property interests, at these two locations, total collectively about 10.85 ha. (26.8 acres) in land area.

A. THE PURPOSE OF 'ROYAL' PARTICIPATION IN THE CITY'S 'CZBR' PROGRAM

In terms of the City's CZBR program, Royal seeks zoning compliance through the implementation of VOP 2010, as amended, among other matters, as further set out below:

- To inform regarding in effect Zoning By-law 1-88, as amended, with Zoning By-law Exception 1013, as it relates to Royal's property interests, and ensure that prior approved Variances and Consents previously obtained continue to be treated as in conformity and compliance under the new Zoning By-law;

- To clarify and reconcile the proposed 'CZBR' Schedules or Mapping;

- To reconcile the definitions and characteristics of 'Outside Storage', also referred to as 'Outdoor Storage', 'Open Storage' and 'On-Site Storage' land uses per other planning documents, its planned function, development standards and regulations;

- And, to address related zoning matters as the 'CZBR' evolves.

B. THE PLANNING CONTEXT OF 'ROYAL' PROPERTIES

Aerial Image 1 describes the context of the Royal's *'Employment Area'* properties, with the following with uses:

TABLE 1: 'ROYAL' PROPERTIES IN THE VAUGHAN WEST (SOUTH) CORPORATE PARK

Municipal Address	Tenure	Operational Use	VOP, 2010 as Amended	Block or Land Area	Building GFA*
71 Royal Group Crescent	Leased	Manufacturing-Distribution-Office	'Prestige Employment' & 'General Employment'	3.96 ha.	24,810 sq. m
91 Royal Group Crescent	Leased	Manufacturing-Distribution-Office-Outside Storage	'Prestige Employment' & 'General Employment'	6.89 ha.	41,547 sq. m
	Total			**10.85 ha.**	**66,357 sq. m**

E.O.E.

VOP 2010, as amended, includes a planning horizon to 2031, and both Royal's 71 and 91 Royal Group Crescent business operations comply with the City's official plan land use designations as set out on Figure 1, describing an employment area with employment planned functions. More specifically, VOP 2010, as amended, provides for two, or dual employment area land use designations, applying to both 71 and 91 Royal Group Crescent properties, as per Schedule 13, Land Use, and Schedule 13-P Land Use. These land use designations are referred to as *'Prestige Employment'* (fronting onto Highway 427) and *'General Employment'* (fronting onto Royal Group Crescent).

The *'Prestige Employment'* land use designation permits *'Industrial uses including manufacturing, warehousing (but not retail warehouse), processing, and distribution uses located within wholly enclosed buildings and which do not require outside storage. Outside storage is not permitted...'* Office uses are permitted, among other uses. *(VOP 2010, page 262)*

The *'General Employment'* land use designation permits *'A full range of industrial uses including manufacturing, warehousing (but not retail warehouse), processing, transportation, distribution, any of which may or may not include outdoor storage..."* Office uses are permitted, among other uses. *(VOP 2010, page 261)*

Of note, these land use designations are also generally consistent with the City's prior Official Plan, Amendment No. 450, 'Employment Area Growth and Management Plan' where the subject lands are designated as *'Prestige Area'* and *'Employment Area'*, per Schedule '2A', per approved Amendment No. 450, 'Employment Area West Structural Plan', guiding the initial development of this employment area and its planned functions.

Of interest, Zoning By-law 1-88, as amended, pre-dated both OPA No. 450 and VOP, 2010, as amended, although there were incremental amendments and by-law variances obtained to this zoning for this employment area.

In summary, this following documentation is filed as part of the CZBR to ensure zoning conformity with VOP 2010, as amended.

C. 71 ROYAL GROUP CRESCENT (BLDG. 106) – CURRENT ZONING

The City of Vaughan approved the Site Plan for Building Permit issuance regarding Bldg. 106, per Architect, A.W. Trusevych of A.W. Trusevych Associates, Architect Inc. confirming the building, and the subject property, were constructed in accordance and consistent with the City's approval as granted as per the Final Review Report.

Presently the subject property is zoned 'EM1 Prestige Employment Area Zone', Special Section, 9 (1013) per Zoning By-law 1-88, as amended, as further amended by By-law No. 233-99. Figure 2 is a Zoning Reference Map per City of Vaughan Zoning By-law 1-88, as amended, and Section 1013, Schedule E-1108 Schedule 2 is included in Appendix 'A'.

D. 71 ROYAL GROUP CRESCENT (BLDG. 106) – APPROVED BY-LAW VARIANCE A079/07

In 2008 By-Law Variances were approved with respect to the subject property, and the abutting property to the south, known as 81 Royal Group Crescent, based on Zoning By-law 1-88, as amended. Please refer to Addendum 'A' as it relates to the variances obtained for the subject property and related lands.

For the purposes of the Zoning By-law Special Section 1013, Royal Group Crescent is deemed a public road, among others. Please also note direct access to the subject property will be maintained via Royal Group Crescent with an additional secondary access, as well, to Royal Group Crescent, shared with the lands to the south, among other matters. Royal business operations obtain access to these properties through multiple shared driveway locations via Royal Group Crescent.

Also, related to the approved By-law Variances is an Easement Schedule describing those easements to be conveyed by 1260392 Ontario Limited together with the severed lands, as well as those easements to be reserved in favour of 1260392 Ontario Limited abutting Blocks per a contiguous Consent Applications. At that time there were no restrictive covenants associated with the subject lands according to the client's solicitor.

E. 91 ROYAL GROUP CRESCENT (BLDG. 108) – CURRENT ZONING

The City of Vaughan approved the Site Plan for Building Permit issuance regarding Bldg. 108, per Architect, A.W. Trusevych of A.W. Trusevych Associates, Architect Inc. confirming the building, and its property, were constructed in accordance and consistent with the City's approval as granted as per the Final Review Report.

Presently the subject property is zoned 'EM1 Prestige Employment Area Zone', Special Section, 9 (1013) per Zoning By-law 1-88, as amended, as further amended by By-law No. 233-99. Figure 2 is a Zoning Reference Map per City of Vaughan Zoning By-law 1-88, as amended, and Section 1013, Schedule E-1108 Schedule 2 is included in Appendix 'A'.

F. 91 ROYAL GROUP CRESCENT (BLDG. 108) – APPROVED BY-LAW VARIANCE A077/07

In 2007 By-Law Variances were approved with respect to the subject property, and the abutting property to the north, known as 81 Royal Group Crescent, based on Zoning By-law 1-88, as amended. Please refer to Addendum 'B' as it relates to the variances obtained for the subject property and related lands.

For the purposes of the Zoning By-law Special Section 1013, Royal Group Crescent is deemed a public road, among others. Please also note direct access to the subject property will be maintained via Royal Group Crescent with an additional secondary access, as well, to Royal Group Crescent, shared with the lands to the south, among other matters. Royal business operations obtain access to these properties through multiple shared driveway locations via Royal Group Crescent.

Also, related to the approved By-law Variances is an Easement Schedule describing those easements to be conveyed by 1260392 Ontario Limited together with the severed lands, as well as those easements to be reserved in favour of 1260392 Ontario Limited abutting Blocks per a contiguous Consent Applications. At that time there were no restrictive covenants associated with the subject lands according to the client's solicitor.

G. PROPOSED 'CZBR' SCHEDULE 'A' MAPPING PER ROYAL'S PROPERTY INTERESTS

Attached Figure 3, depicts the proposed zoning designation provided by CZBR Schedule 'A' mapping as it relates to 'Royal' property interests.

Royal's 71 & 91 Royal Group Crescent properties are depicted with the 'Prestige Employment Zone' EM1-686 zoning designation. This Exception No. 686 zone allows for the manufacturing or processing use in addition to related employment area activities. This proposed Exception fails however, in that it does not recognize the intent of VOP 2010, which provides for dual land use designations to the subject properties, which in effect permits 'outside storage'.

Of Interest, 'Outside Storage', 'Outdoor Storage', 'Open Storage' and 'On-Site' uses are defined and/or described differently by various land use planning documents. As well, 'storage' as a use is governed by many other factors such its type, primary or accessory, temporal or interim, scale required, location on site, staging, location relative to other surrounding uses, the level of screening required, deemed adverse affects, if any, and the relationship of the storage to a primary manufacturing use, among other matters.

To maintain the City's Employment Area competitive advantages, the 'Comprehensive Zoning By-law Review' will need to ensure clarity and certainty, in managing 'Outdoor Storage', 'Outside

Storage', 'Open Storage' and 'On-site Storage' terminology, where, and how applied. The VOP 2010, as amended, and Zoning By-law definitions, planned functions and development standards and regulations require clarity and consistency to support economic competitiveness and environmental sustainability.

TABLE 1: HOW 'STORAGE' TERMS ARE APPLIED IN PLANNING DOCUMENTS

	Outside Storage	Outdoor Storage	Open Storage	On-site Storage
Provincial PBWP	NO	NO	YES	YES
Vaughan OPA 450	YES	NO	NO	NO
VOP 2010	YES	YES	NO	NO
Vaughan By-law 1-88	YES	NO	YES	NO
Vaughan CZBR	YES	NO	NO	NO

Another aspect to consider in seeking clarity and certainty in terms of the CZBR with regard to 'outside storage', is the planned function of manufacturing, and the inherent uses that apply to this use. Truck and trailer parking, for example, are inherent to this permitted use and are not typically deemed as a 'storage' function. The movement and staging of manufactured goods on site should be deemed as an inherent function, and not be subject to 'storage' use zoning by-law provisions. Please refer to 'Table 2: Comparison of Storage Definitions' which expresses a concern regarding the proposed definition of Outside Storage and how it is preposed to be applied by the CZBR.

Although the intent of VOP, 2010, as amended, permits 'outside storage' on a property, in this case 71 and 91 Royal Group Crescent, as depicted by a dual designation, it does not appear to be reflected in the CZBR to date. For example, it is important that 'Royal' be allowed to maintain the use of the 91 Royal Group Crescent for outside or outdoor storage purposes to support its manufacturing operations, notwithstanding the development standards that are applied to 'outside storage'.

Therefore, to maintain uniformity and avoid non-compliance where possible, it is recommended that a new Special Section or site specific zoning for 71 & 91 Royal Group Crescent be consistent with the land use permissions of VOP, 2010, as amended, by recognizing the dual land use designations applying to each of the properties, and include land use permission in the new Zoning By-law, in loc-step with VOP 2010, as amended permissions.

H. ADDITIONAL ITEMS OF INTEREST

It is also important to acknowledge that certain industries require on-site storage silos, which are related to the manufacturing processes. In the proposed 'EM1' and 'EM2' Zones, silos are to be limited to 15m height in terms of building or structure height limitations per the Employment Zone development standards.

Also, there would be value in clarifying 'Accessory' as it may or may not relate to 'inherent' permitted uses associated with principal permitted uses, such as staging, truck and trailer activities. In Employment Zones reference is made to 'Accessory Office' and 'Accessory Retail' only.

I. CONCLUSION & RECOMMENDATION

In conclusion, this letter sets out principles and issues which the 'CZB' needs to address appropriately. Royal is pleased to provide continuing input as part of the City's 'CZBR' program in support of the following principles:

- 'Principle #1: Ensure Conformity with the Official Plan'
- 'Principle #2: Minimizing Legal Non-Conforming Uses and Non-Complying Structures';
- 'Principle #3: Maintaining Permission's where Possible', and;
- 'Principle #4: Creating a User-Friendly By-law'.

Our submission does not preclude any submission regarding these property's that may be filed by the property owner.

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your cooperation.

Yours truly,
Pound & Stewart Associates Limited

Philip Stewart
la/1711_ltr.Royal.Oct.28.20

Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. R. Gray, Miller Thomson
cc. Client

TABLE 2: COMPARISON OF 'STORAGE' DEFINITIONS `

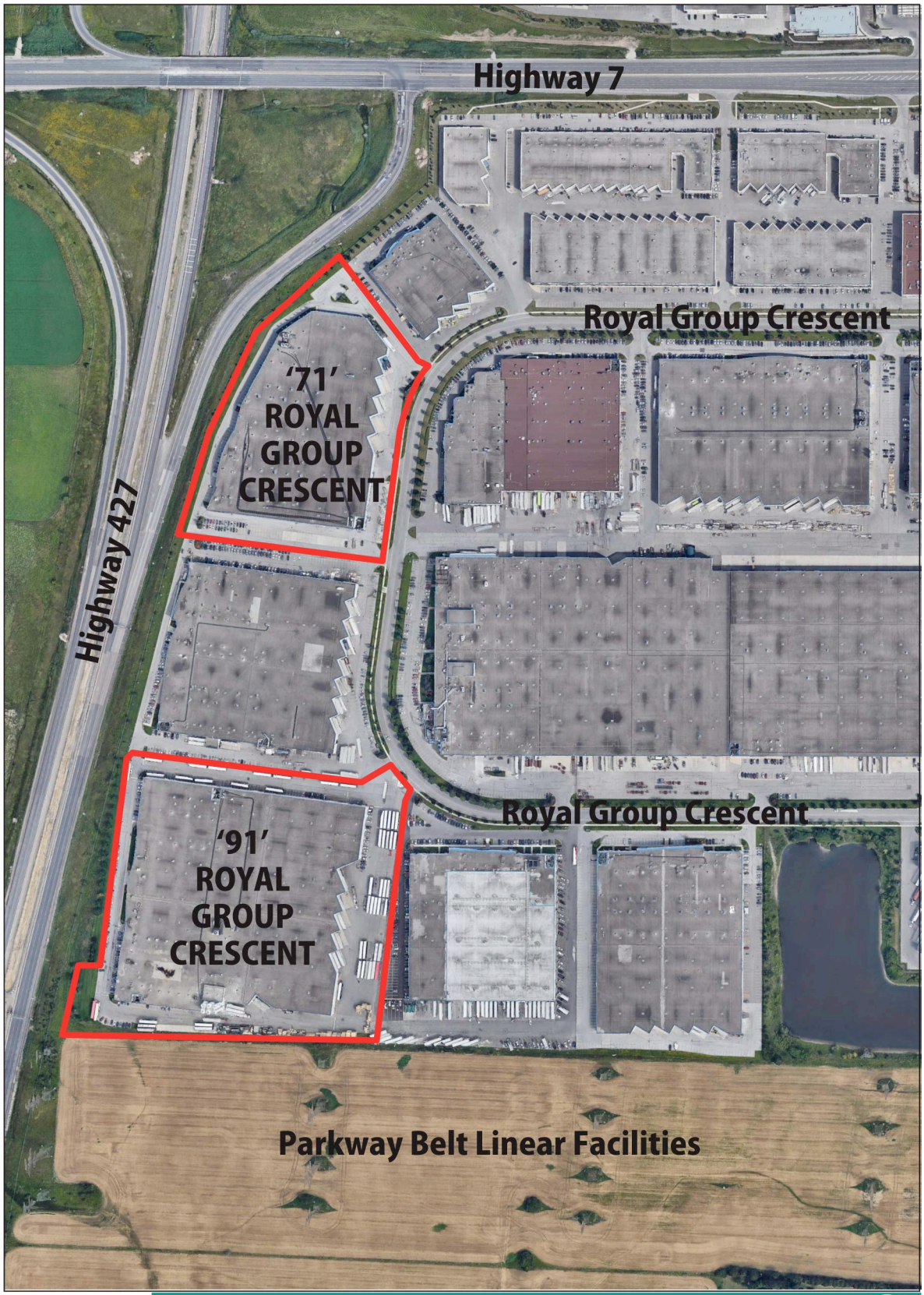
Defined Terms	Parkway Belt West Plan	VOP, Office Consolidation March 1, 2019	Vaughan Zoning By-law 1-88, as amended	Vaughan Draft CBZR – First Draft April 2019	Vaughan Draft CBZR – Third Draft September 2020	PSP Comments
Outside Storage Use	No Definition PBWP References Include Temporary or Interim: 'On-site Storage' 'Storage'	**Section 9.2.2.10 General Employment** **e. 'Outside Storage'**	**OUTSIDE STORAGE** - Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure in the EM2 Zone only.	**Outside Storage**: Means an open area of land used for the temporary storage of materials, equipment, intermodal containers or finished goods which are associated with the principal use of the lot. **Storage**: Means an area that is used for the keeping of goods or material, either within a building or structure, or in an outside storage area, where expressly permitted by this By-law.	**Outside Storage:** Means an open area of land used for the temporary storage of materials, equipment, intermodal containers, or finished goods which are associated with the principal use of the lot, and may include the temporary parking of commercial vehicles.	It is noted that the definition for 'storage' has been removed in the third draft. The definition of 'Outside Storage' has been expanded upon to include "… the temporary parking of commercial vehicles". Does this mean that any zone which allows for 'manufacturing or processing facility' technically requires the 'outside storage' use to accommodate the temporary parking of commercial vehicles? Such as the EM1 zone, which allows for 'manufacturing or processing facility' but not 'outside storage'.
Outdoor Storage Use	No Definition PBWP References Include Temporary or Interim: 'On-site Storage'	**General Employment Section 9.2.2.10 bi. 'Outdoor Storage'** **Infrastructure & Utilities Section 9.2.2.26. b ii.** *"secondary uses such as passive or active recreation community gardens, other utilities, parking lots and* ***outdoor storage*** *that are accessory to adjacent land*	No Definition	No Definition	No Definition	

TABLE 2: COMPARISON OF 'STORAGE' DEFINITIONS `

Defined Terms	Parkway Belt West Plan	VOP, Office Consolidation March 1, 2019	Vaughan Zoning By-law 1-88, as amended	Vaughan Draft CBZR – First Draft April 2019	Vaughan Draft CBZR – Third Draft September 2020	PSP Comments
	'Storage'	*uses subject to the review/approval of the utility provider."*				
Open Storage Use	No Definition PBWP References Include Temporary or Interim: 'On-site Storage' 'Storage'	**No Reference**	**OPEN STORAGE** - Means the leaving, placing or parking of goods, materials, machinery, equipment or vehicles on a lot and not covered by a structure for a period of more than 72 hours.	No Definition	No Definition	
On-Site Storage Use	'On-site Storage'	**No Reference**	No Definition	No Definition	No Definition	

1711_TableA_Definitions_Comparison_October 2020

IMAGE 1: ROYAL GROUP, INC. CITY OF VAUGHAN
OCTOBER 2020

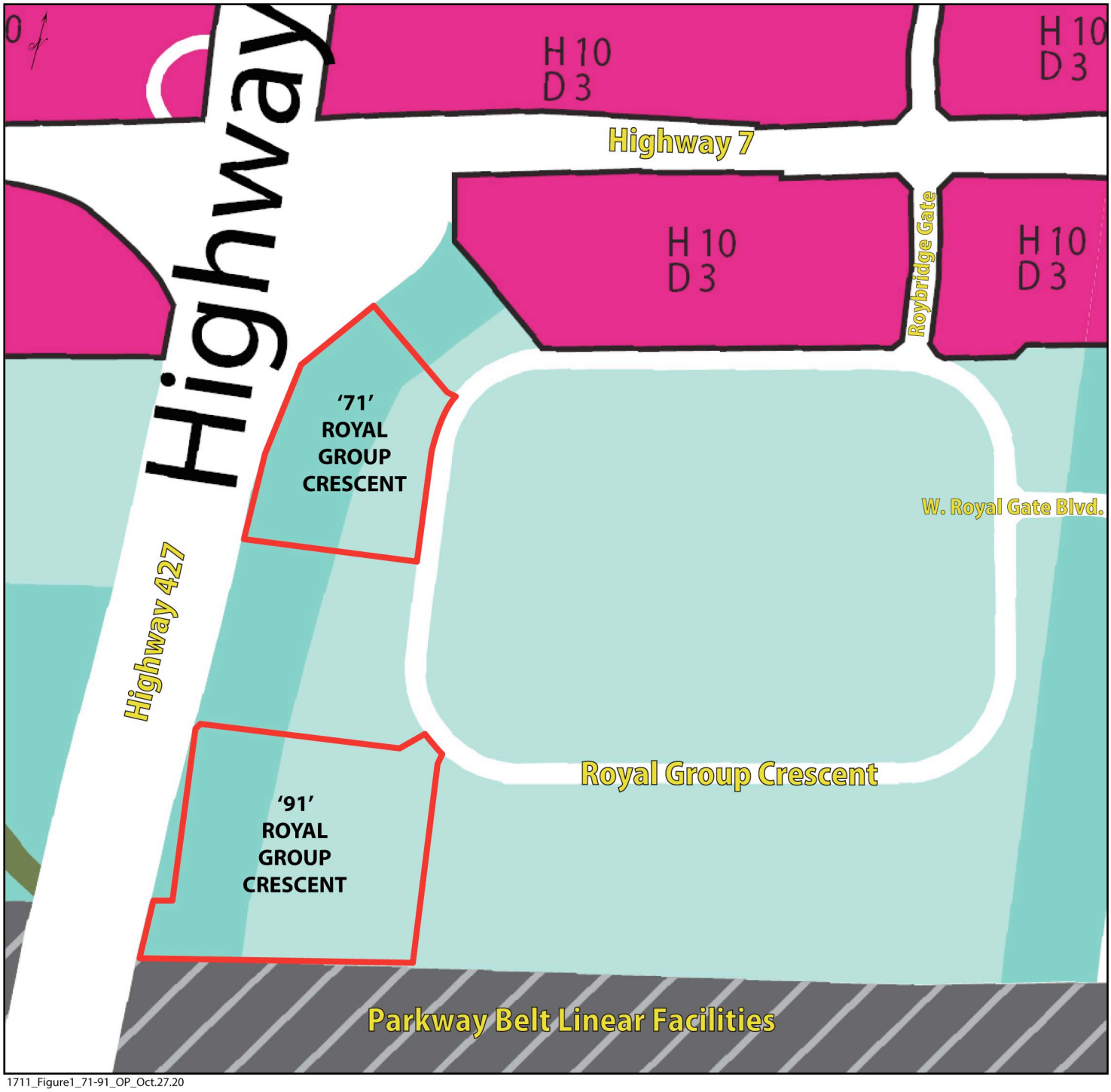


ROYAL® Building Products
A Westlake Company

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM
CITYPLAN PORTAL®
Helping People Shape Living, Working & Public Spaces

1711_Image1_71_91_Oct.27.20

FIGURE 1: CITY OF VAUGHAN OFFICIAL PLAN, OFFICE CONSOLIDATION JUNE 2019 - SCHEDULE 13: LAND USE
COMPREHENSIVE ZONING BY-LAW REVIEW (3RD DRAFT)
71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
OCTOBER 2020



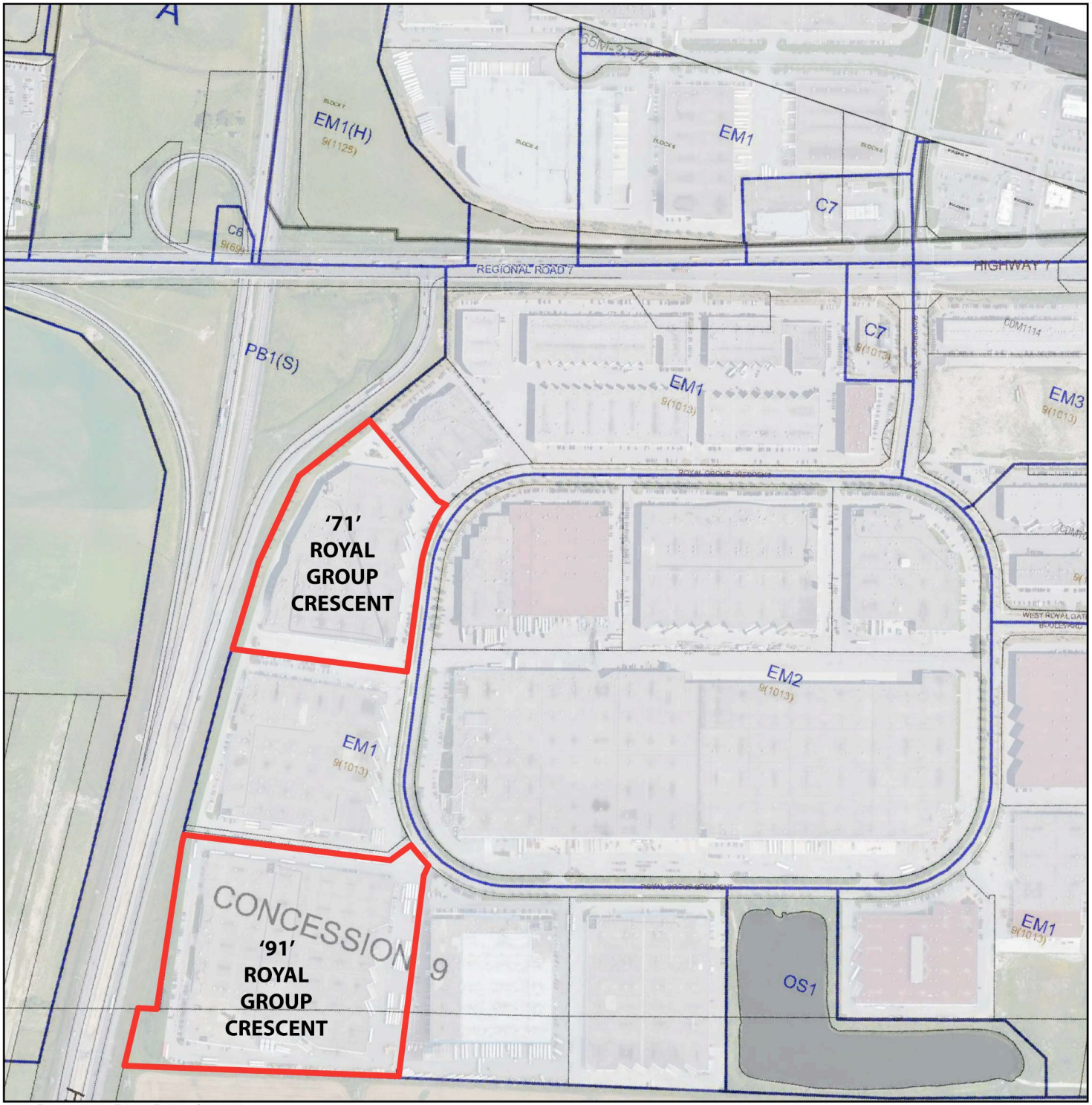
1711_Figure1_71-91_OP_Oct.27.20

- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- High-Rise Residential
- High-Rise Mixed-Use
- Community Commercial Mixed-Use
- Employment Commercial Mixed-Use
- General Employment
- Prestige Employment
- Major Institutional
- New Community Areas
- Theme Park and Entertainment
- Parkway Belt West Lands
- Infrastructure and Utilities
- Lands Subject to Secondary Plans

ROYAL Building Products
A Westlake Company

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM
CITYPLAN PORTAL
Helping People Shape Living, Working & Public Spaces

FIGURE 2: CITY OF VAUGHAN ZONING BY-LAW 1-88, AS AMENDED
71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
OCTOBER 2020



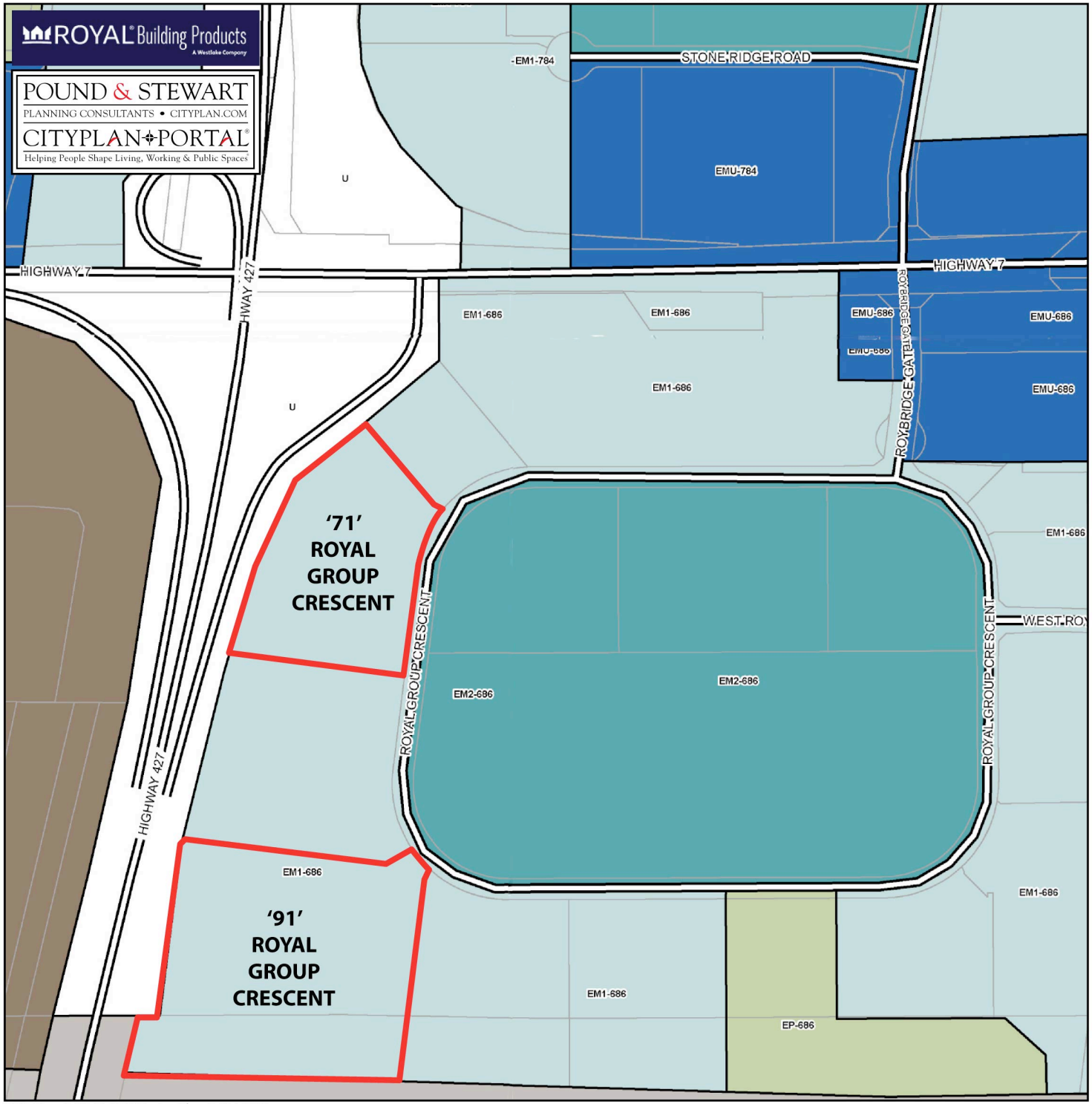
ZONES	PERMITTED USE CATEGORIES
EM1	PRESTIGE EMPLOYMENT ZONE
EM2	GENERAL EMPLOYMENT ZONE
EM3	MINERAL AGGREGATE OPERATION ZONE
C7	SERVICE COMMERCIAL ZONE
OS1	OPEN SPACE CONSERVATION ZONE

ROYAL® Building Products
A Westlake Company

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM
CITYPLAN PORTAL®
Helping People Shape Living, Working & Public Spaces

1711_Figure2_71-91_ExistingZoning_Oct.27.20

FIGURE 3: CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW - 3RD DRAFT ZONING BY-LAW MAPPING - SCHEDULE A
71 & 91 ROYAL GROUP CRESCENT - CITY OF VAUGHAN
OCTOBER 2020



LEGEND

MIXED-USE ZONES
- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

EMPLOYMENT ZONES
- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

COMMERCIAL ZONES
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

RESIDENTIAL ZONES
- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES
- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

OTHER ZONES
- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

1711_Figure3_71-91_RGC_Zoning_Phase3_Oct.27.20

1013) Notwithstanding the provisions of:

a) Deleted;

b) Subsection 3.9(d) respecting loading space requirements;

c) Subsection 2 respecting the definition of “Public Highway”;

d) Schedule “A” respecting the maximum building height requirement in a C8 Office Commercial Zone;

e) Subsection 6.1.6(a) respecting landscaping requirements in Employment Area zones;

f) Subsection 6.1.6(d) respecting the minimum width of a landscape strip in the EM1 Prestige Employment Area Zone where it abuts lands zoned OS1 Open Space Conservation Zone;

g) Subsection 2 respecting the definition of a lot.

h) Schedule “A” respecting the minimum lot frontage and minimum lot area requirements in a C7 Service Commercial Zone.

i) Subsection 5.1.4 respecting Use Permitted, All Commercial Zones;

j) Subsection 2 respecting the definition of “Lot Line, Front”;

k) Subsection 3.8 a) respecting Parking Requirements;

l) Subsection 3.8 g) respecting driveway widths;

m) Subsection 3.9 a) ii) respecting loading space requirements for an office building;

n) Subsection 6.1.1 respecting Permitted Uses in all Employment Area Zones and Subsection 6.5.1 respecting permitted uses in the Retail Warehouse Employment Area Zone;

o) Schedule “A” respecting the zone standards in the EM3 Retail Warehouse Employment Area Zone;

p) Schedule "A" respecting the minimum rear yard setback in a EM1 Prestige Employment Area Zone;

q) Section 2.0 respecting the definition of a Mixing Plant;

r) Subsection 6.2.1 respecting the permitted uses in the EM1, Prestige Employment Area Zone;

The following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1108”:

ai) Deleted;

bi) Loading and unloading shall be permitted to be located between a building and a street;

ci) For the purposes of this By-law, Streets “A”, “B” and “C” shown on Schedule “E-1108” shall be considered to be public streets;

di) The maximum building height shall be 30 metres;

ei) A strip of land not less than 6m in width shall be provided along a lot line which abuts the street line of Street “B” shown on Schedule “E-1108”. This shall not prevent the provision of access driveways across the said strip;

fi) No landscape strip is required within and along the boundary of an EM1 Zone where it abuts an OS1 Zone;

gi) For the purposes of zoning conformity, the lands shown as C7- Service Commercial Zone on Schedule “E-1108” and Schedule “E-1108A” shall be deemed to be a lot;

gii) For the purposes of zoning conformity the lands shown as “Subject Lands” on Schedule “E-1108B” shall be deemed to be one lot and to comply with the provisions of this By-law, regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made;

hi) The minimum lot frontage shall be 55m and the minimum lot area shall be 5400m2 on the lands shown as C7 Service Commercial Zone on Schedule “E-1108” and Schedule “E-1108A”;

ii) Subsection 5.1.4 shall not apply to the lands shown as C7 Service Commercial Zone on Schedule “E-1108” and Schedule “E-1108A”;

ji) The north property line shall be deemed to be the front lot line for the lands shown as “Subject Lands” on Schedule “E-1108B”;

ki) The minimum number of parking spaces shall be 649 for the lands shown as “Subject Lands” on Schedule “E-1108B”;

kii) The minimum parking requirement for the lands shown as EM2 General Employment Area Zone and identified as "Part 1" on Schedule "E-1108" shall be 0.6 parking spaces/100 sq.m.;

kiii) The minimum number of parking spaces shall be 78 for the lands shown as EM1 Prestige Employment Area Zone on Schedule "E-1108A";

kiv) The minimum number of parking spaces shall be 314 for the lands shown as the “Subject Lands” on Schedule “E-1108C”.

li) The maximum driveway width shall be 9m for the lands shown as “Subject Lands” on Schedule “E-1108B”;

mi) Loading spaces shall not be required for an office building on the lands shown as “Subject Lands” on Schedule “E-1108B”;

ni) The following uses shall not be permitted on the lands shown as “Subject Lands” on Schedule “E-1108B”:

- Building Supply Outlet, and;
- Swimming Pool, Recreation Vehicles Leasing/Rental/Sales

nii) The following additional use shall be permitted on the lands shown as “Subject Lands” on Schedule “E-1108B”:

- Business and Professional Offices, including offices for regulated health professionals;

oi) The minimum rear yard setback shall be 4.9m for the lands shown as “Subject Lands” on Schedule “E-1108B”;

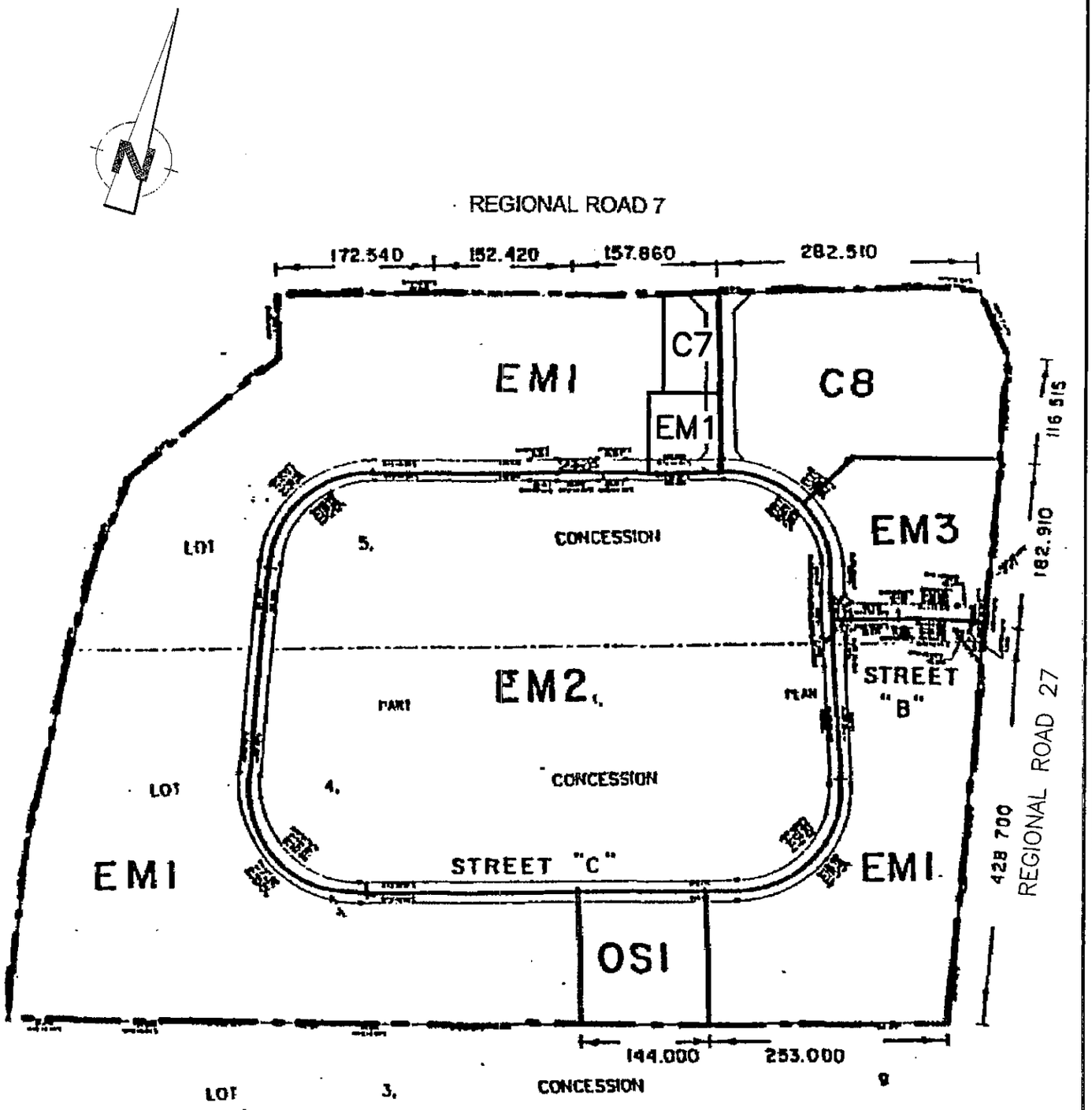
pi) The minimum rear yard setback shall be 6.1m for the lands shown as EM1 Prestige Employment Area Zone on Schedule "E-1108A".

qi) Notwithstanding the definition of a Mixing Plant in Section 2.0, for the purposes of this exception a Mixing Plant shall be defined as Follows:

Mix Plant – Means a building or structure or part of a building or structure where various Dry and wet goods or materials are mixed and/or batched for the purposes of Manufacturing powder and adhesives, to produce mortars, grout, adhesives and other Related products provided that all mixing shall occur within a wholly enclosed building Without Outside Storage.

ri) The following additions used shall be permitted on the subject lands as shown on Schedule “E-1108C”

- Mixing Plant.



THIS IS SCHEDULE 'E-1108'
TO BY-LAW 1-88, SECTION 9(1013)

NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW 225 - 2010
PASSED THE 7th DAY OF SEPT., 2010

SUBJECT LANDS

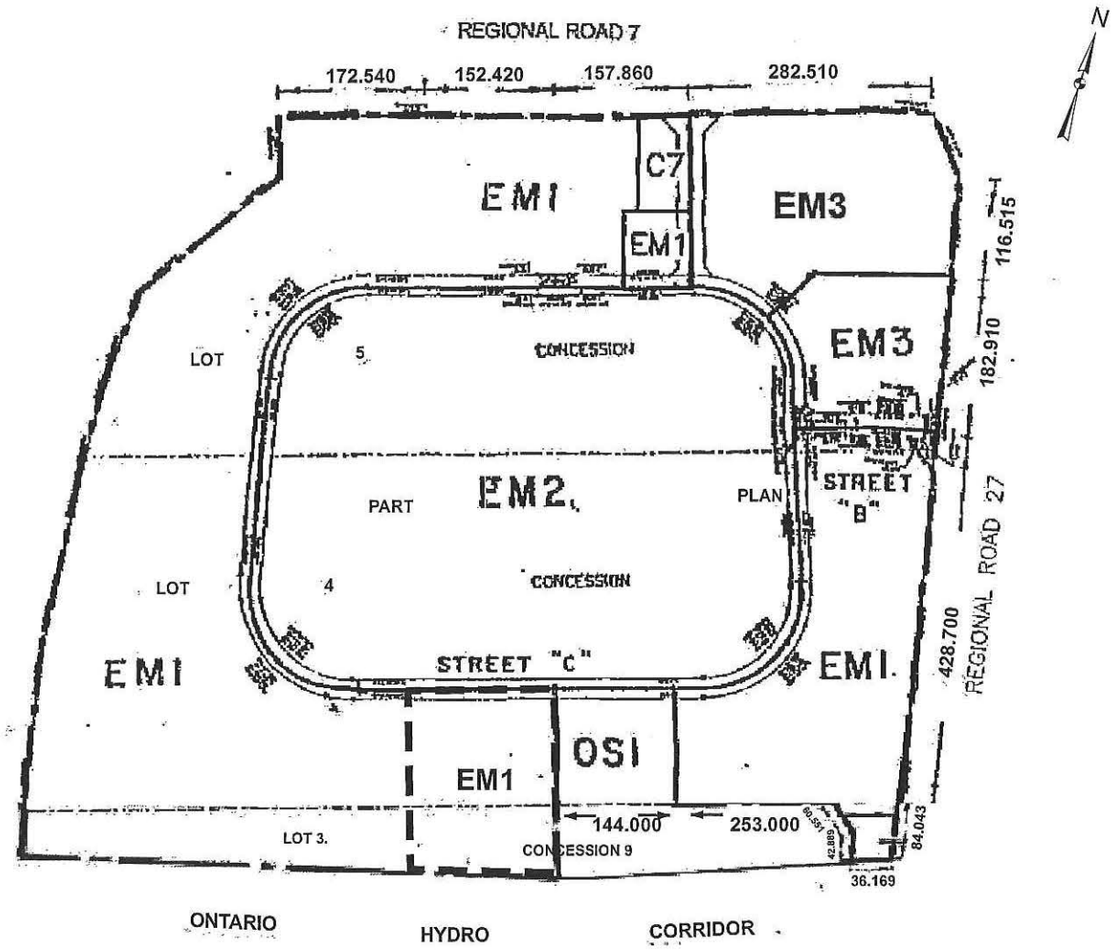
FILE: Z.09.039
RELATED FILE: DA.09.081
LOCATION: Part Lot 5, Concession 9
APPLICANT: GANZ REALTY LIMITED
CITY OF VAUGHAN

N:\DFT\1-BY-LAWS\z\z.09.039.dwg

SIGNING OFFICERS

MAYOR

CLERK



THIS IS SCHEDULE 'E-1108'
TO BY-LAW 1-88
SECTION 9(1013)

Metres
0 125 250 500

FILE: Z.17.043
RELATED FILE: DA.18.010
LOCATION: PART OF LOTS 3 AND 4, CONCESSION 9
APPLICANT: OMERS REALTY CORPORATION
CITY OF VAUGHAN

THIS IS SCHEDULE '1'
TO BY-LAW 122 -2018
PASSED THE 19th DAY OF JUNE, 2018

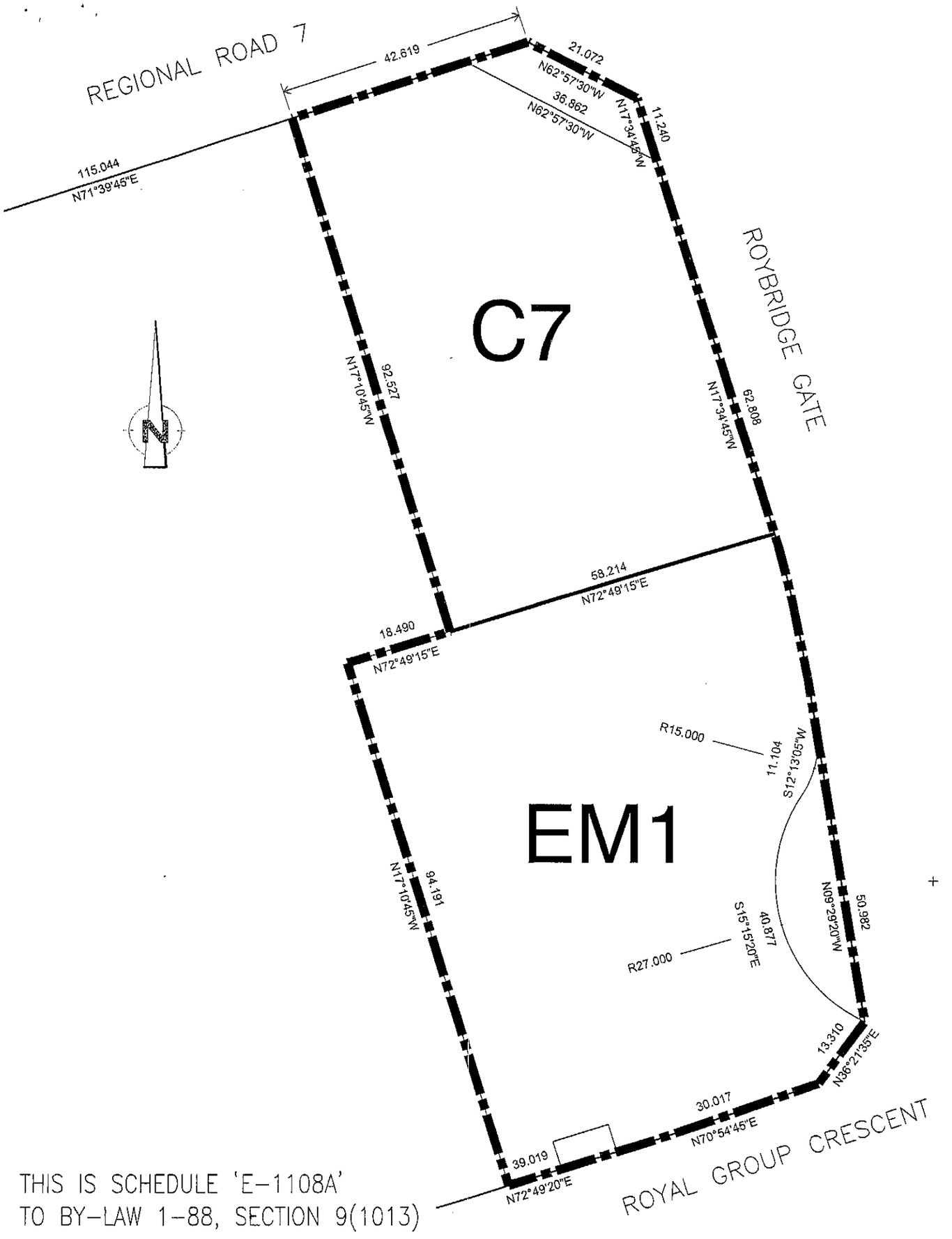
SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS Archive\ByLaws\Z\Z.17.043\Z.17.043 Schedule1.mxd

Printed on: 6/12/2018



THIS IS SCHEDULE 'E-1108A'
TO BY-LAW 1-88, SECTION 9(1013)

NOT TO SCALE

THIS IS SCHEDULE '1'
TO BY-LAW 225 - 2010
PASSED THE 7th DAY OF SEPT., 2010

SUBJECT LANDS

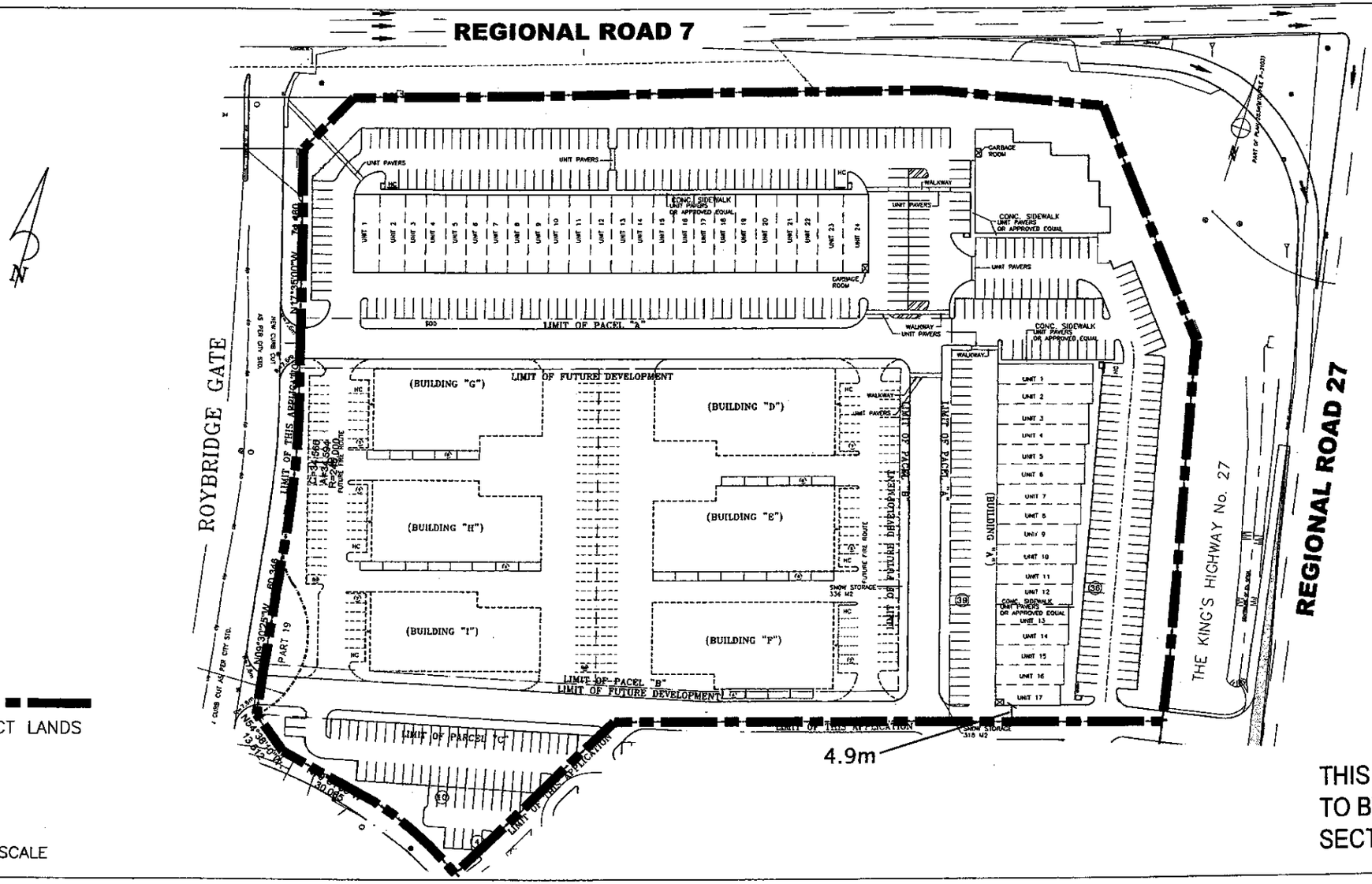
FILE: Z.09.039
RELATED FILES: DA.09.081, Z.04.065, DA.05.003
LOCATION: Part Lot 5, Concession 9
APPLICANT: GANZ REALTY LIMITED
CITY OF VAUGHAN

N:\DFT\1-BY-LAWS\z\z.09.039.dwg

SIGNING OFFICERS

MAYOR

CLERK



SUBJECT LANDS

NOT TO SCALE

THIS IS SCHEDULE `E-1108B'
TO BY-LAW 1-88
SECTION 9(1013)

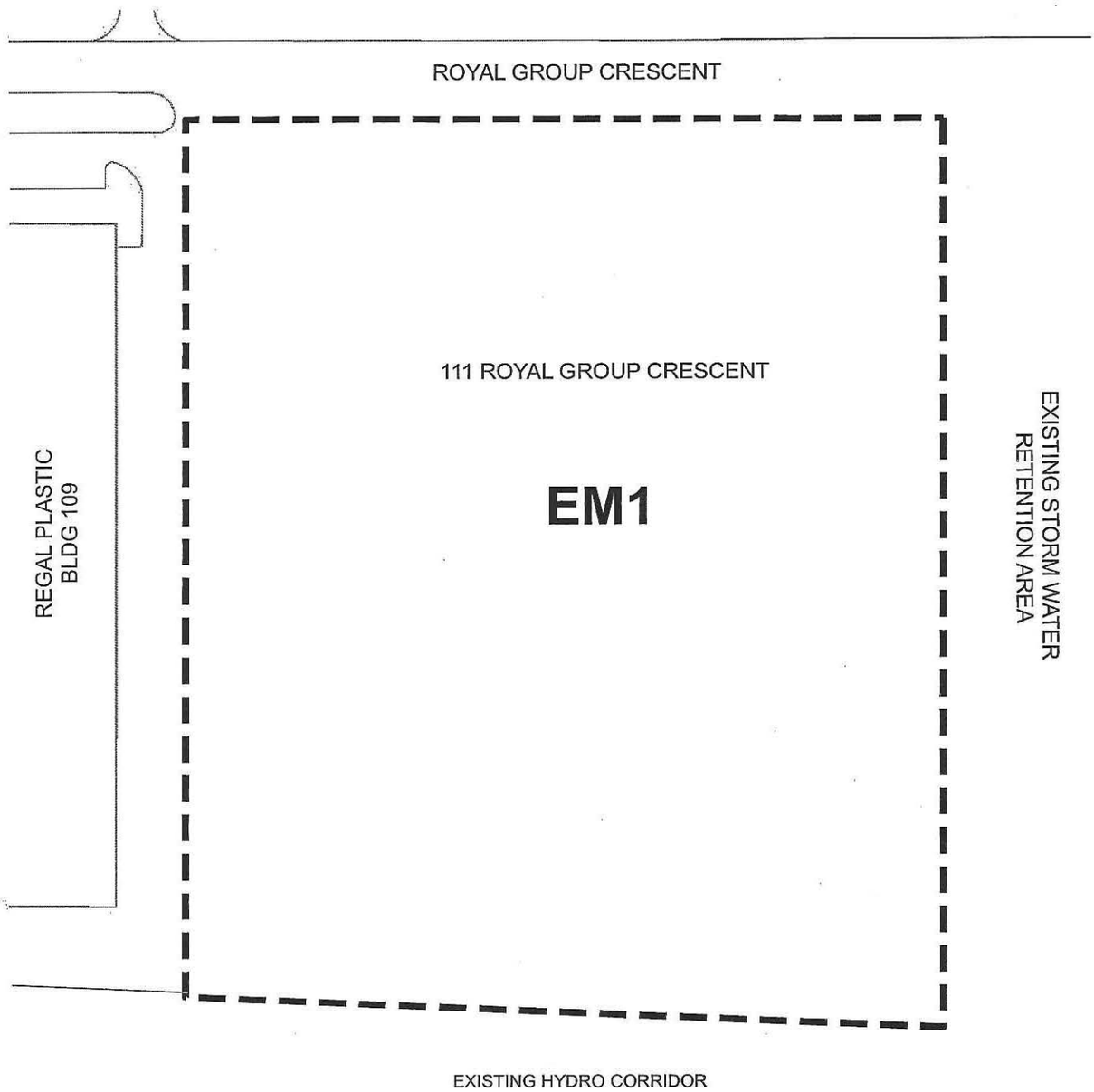
FILE No. Z.06.031
RELATED FILE No. DA.06.061
LOCATION: Part of Lot 5, Concession 9
APPLICANT: 2056239 ONTARIO INC.
CITY OF VAUGHAN

THIS IS SCHEDULE `1'
TO BY-LAW 320 - 2006
PASSED THE 25th DAY OF SEPT., 2006

SIGNING OFFICERS

MAYOR

CLERK



THIS IS SCHEDULE 'E-1108C'
TO BY-LAW 1-88
SECTION 9(1013)

Subject Lands

Not to Scale

THIS IS SCHEDULE '2'
TO BY-LAW 122 -2018
PASSED THE 19th DAY OF JUNE, 2018

FILE: Z.17.043
RELATED FILE: DA.18.010
LOCATION: PART OF LOTS 3 AND 4, CONCESSION 9
APPLICANT: OMERS REALTY CORPORATION
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

Document Path: N:\GIS Archive\ByLaws\Z\Z.17.043\Z.17.043 Schedule2.mxd

Printed on: 6/12/2018

14.686

Exception Number 686	**Legal Description: 1-19 Roybridge Gate, 20-151 Royal Group Crescent, 6125-6251 Highway 7, 7500-7600 Highway 27**
Applicable Parent Zone: EP, EM1, EM2, EMU	
Schedule A Reference: 22, 23, 42, 43	**Figure E Link (if applicable)**
By-law / Tribunal Decision Reference	**Figure T Link (if applicable)**

14.686.1 Permitted Uses

1. The following uses shall not be permitted on the area labelled “Subject Lands” on Figure E-1108B:

   a. Building supply outlet; and,

   b. Swimming pool, recreation vehicles leasing/rental/sales.

2. The following additional uses shall be permitted on the area labelled “Subject Lands” on Figure E-1108B:

   a. Clinic; and,

   b. Office

3. A mixing plant shall be permitted as an additional use on the area labelled “Subject Lands” on Figure E-1108C.

14.686.2 Lot and Building Requirements

1. The following provisions shall apply to the area shown as “Subject Lands,” on Figure E-1108:

   a. The Streets shown as “A,” “B” and “C” on Figure E-1108 shown on shall be considered to be public streets;

   b. The maximum building height shall be 30.0 m;

   c. The minimum width of a landscape strip along the lot line abutting the street line of Street “B” shall be 6.0 m; and,

   d. no landscape strip is required within and along the boundary of an EM1 zone where it abuts a C zone.

2. The area labelled “C7” on Figure E-1108 and Figure E-1108A shall be deemed to be a lot.

3. The area shown as “Subject Lands” on Figure E-1108B shall be deemed to be one lot and to comply with the provisions of this By-law, regardless of the creation of a new lot by way of condominium, part-lot control, consent or any easements, or other rights or registrations given or made.

4. The following provisions shall apply to the area labelled “C7” on Figure E-1108 and Figure E-1108A:

   a. The maximum lot frontage shall be 55.0 m; and

   b. The minimum lot area shall be 5,400.0 m^2.

5. The north property line shall be deemed to be the front line for the lands labelled “Subject Lands” on Figure E-1108B.

6. The maximum driveway width for the lands labelled “Subject Lands” on Figure E-1108B shall be 9.0 m.

7. The minimum rear yard for the area labelled “Subject Lands” on Figure E-1108Bshall be 6.1 m.

8. The minimum rear yard for the area labelled “EM1” on Figure E-1108A shall be 4.9 m.

14.686.3 Parking

1. Loading and unloading shall be permitted to be located between a building and a street on the area labelled “Subject Lands” on Figure E-1108.

2. The minimum number of required parking spaces for the area labelled “Subject Lands” on Figure E-1108B shall be 649.

3. The minimum number of required parking spaces for the area labelled “EM2” and identified as "Part 1" on Figure E-1108 shall be calculated at a rate of 0.6 parking spaces per 100.0 m^2 of gross floor area.

4. The minimum number of required parking spaces for the lands labelled “EM1,” on Figure E-1108A shall be 78.

5. The minimum number of required parking spaces for the lands labelled “Subject Lands,” on Figure E-1108B shall be 314.

6. Loading spaces shall not be required for an office building on the lands labelled “Subject Lands” on Figure E-1108B.

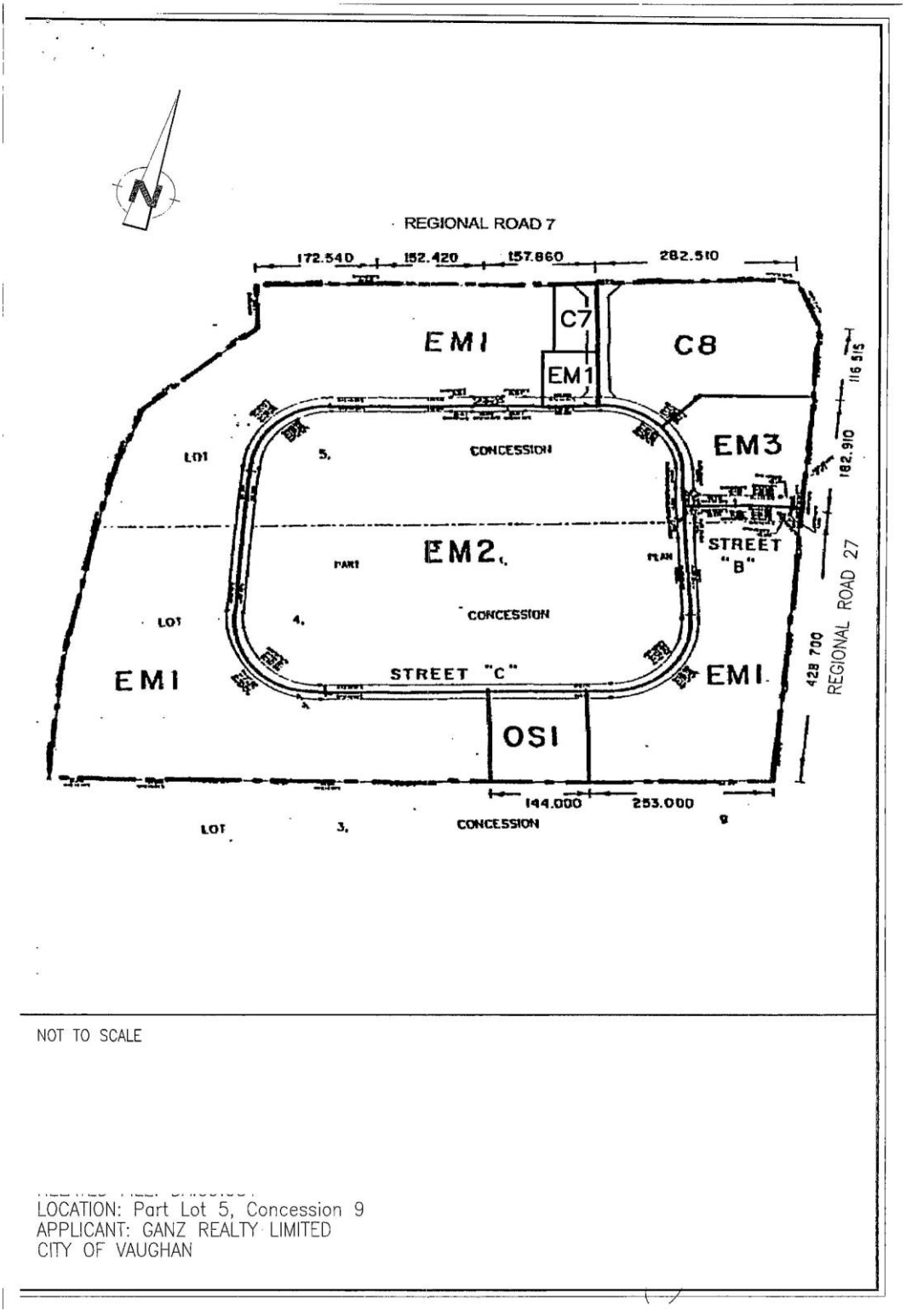
14.686.4 Other Provisions

1. A mixing plant shall mean a building or structure or part of a building or structure where various dry and wet goods or materials are mixed and/or batched for the purposes of manufacturing

powder and adhesives, to produce mortars, grout, adhesives and other related products provided that all mixing shall occur within a wholly enclosed building without Outside Storage.

14.686.5 Figures

Figure E-1108



NOT TO SCALE

LOCATION: Part Lot 5, Concession 9
APPLICANT: GANZ REALTY LIMITED
CITY OF VAUGHAN

Figure E-1108

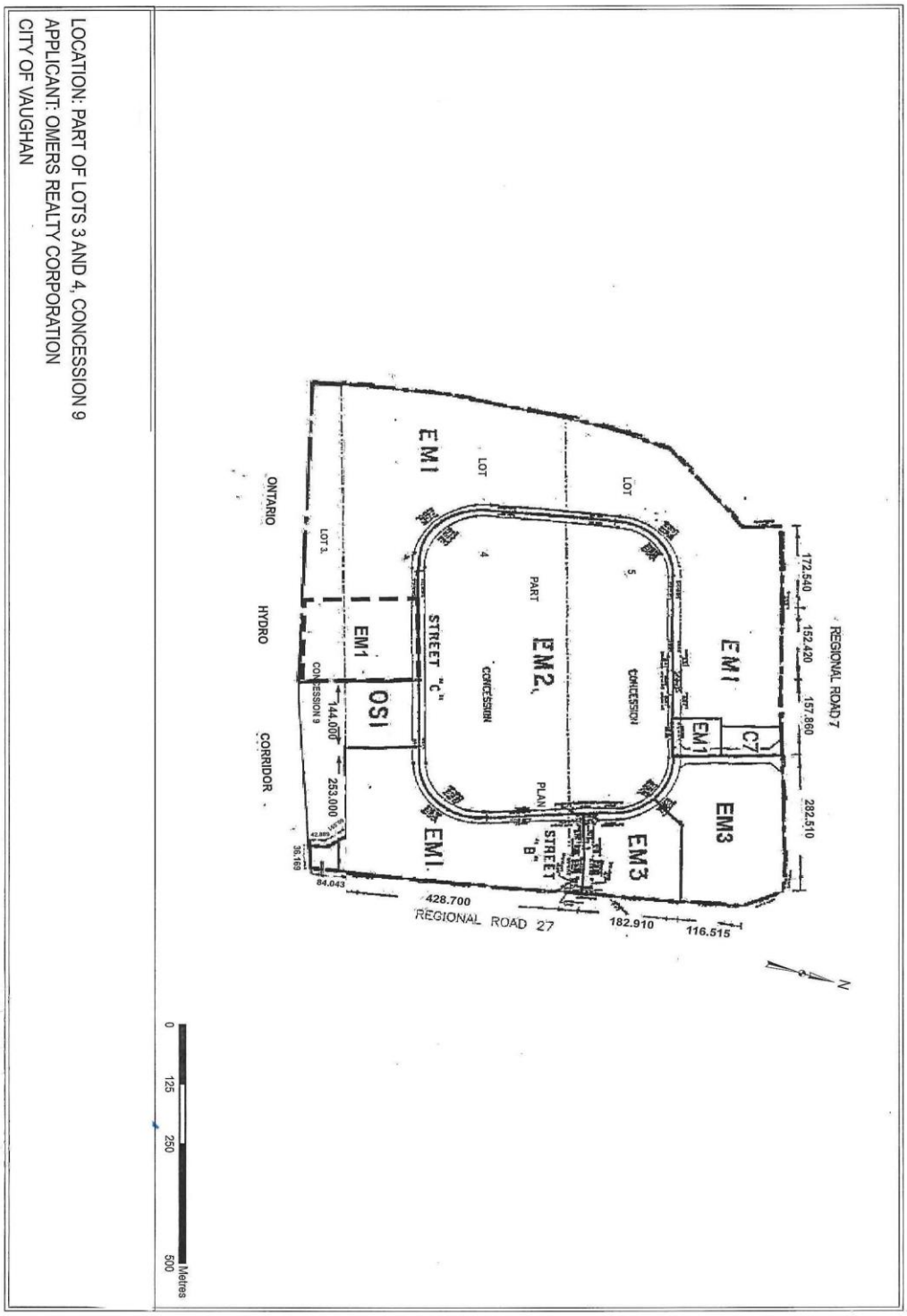


Figure E-1108A

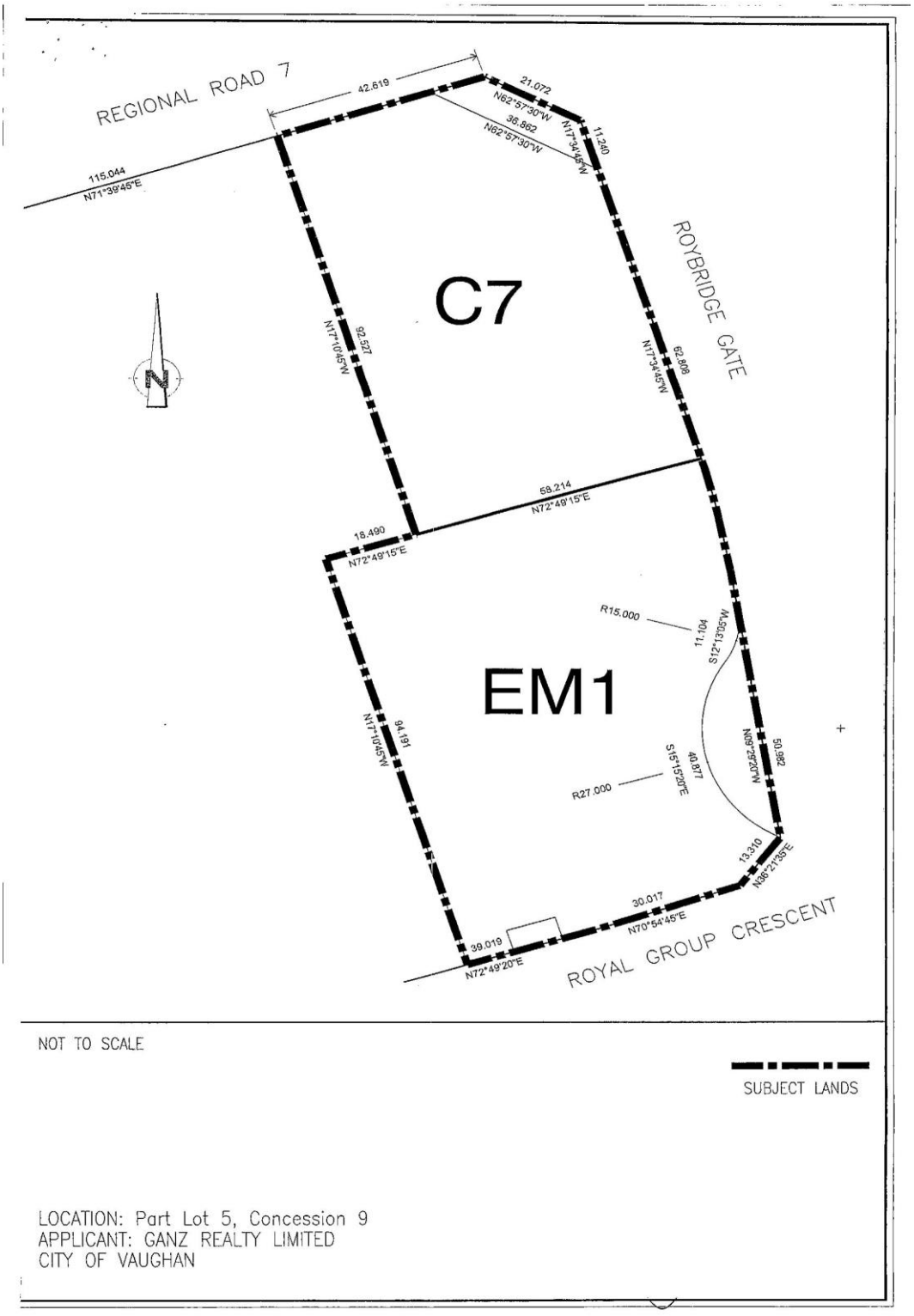


Figure E-1108B

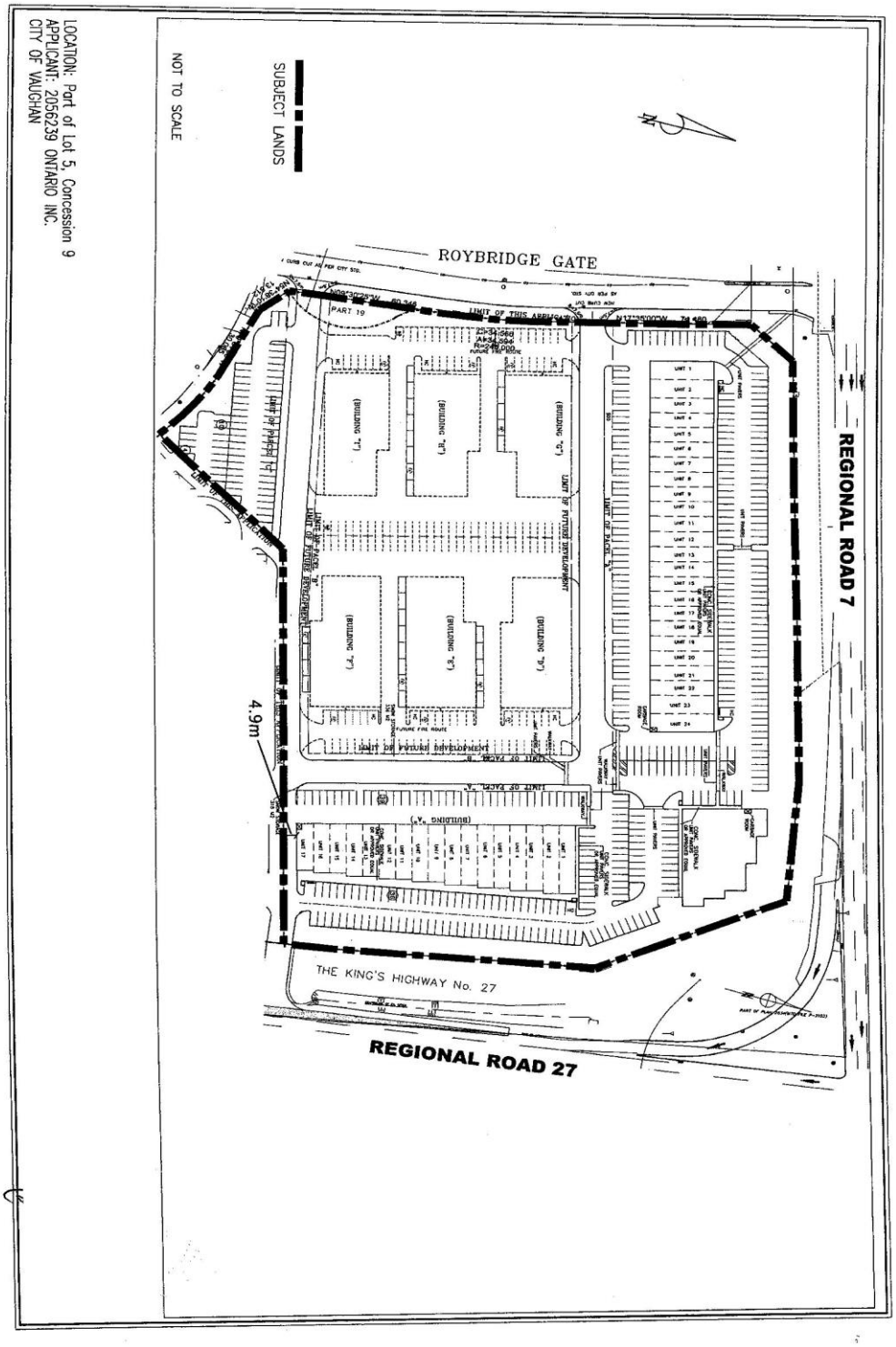
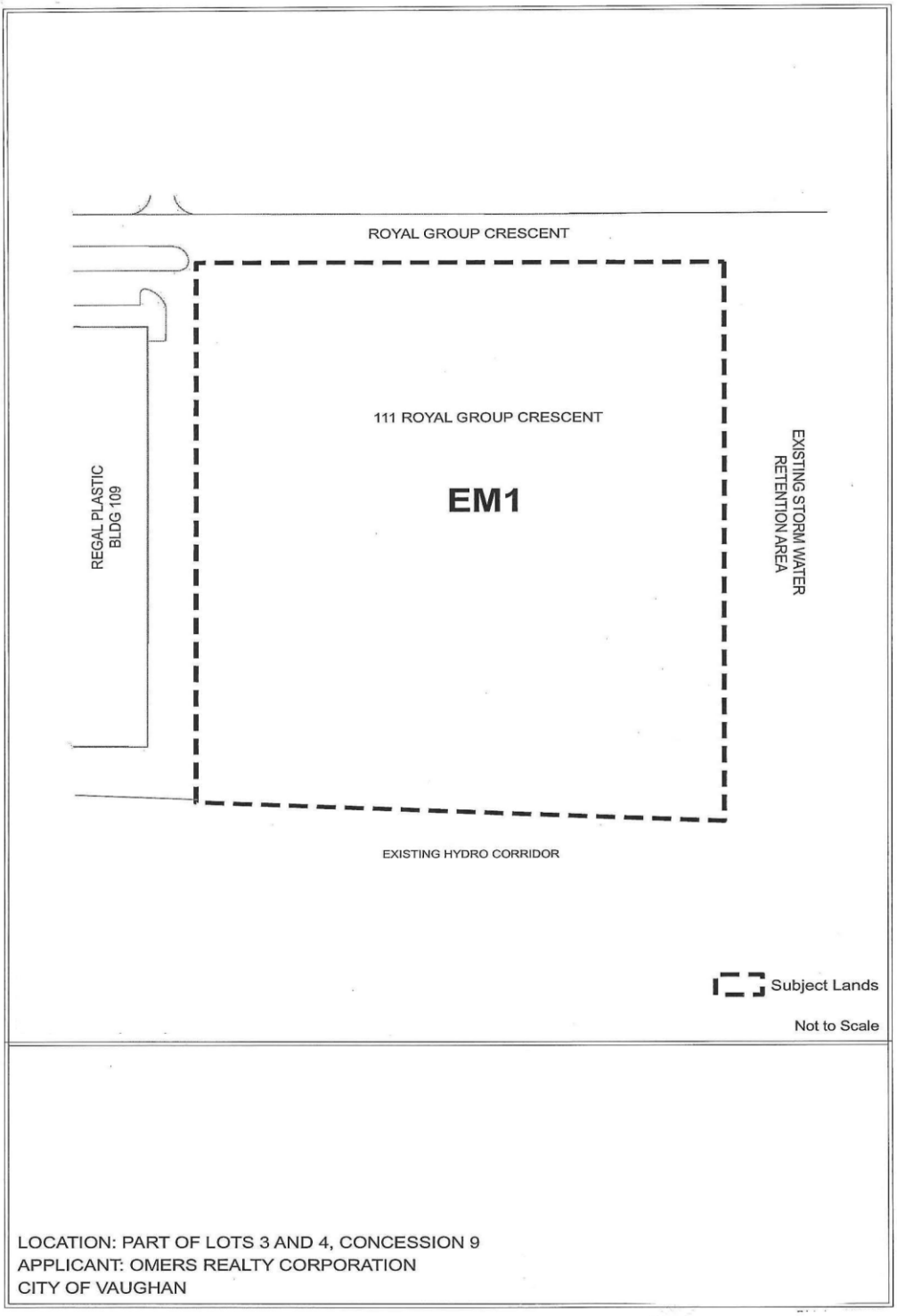


Figure E-1108C



Addendum ‘A’ - Minor Variance Application File No. A 079/07

71 Royal Group Crescent - Block ‘K’

This Minor Variance application supports a concurrent Consent Application in progress as it relates to the subject lands. Please refer to the Summary Map providing comprehensive overview of the proposed Minor Variances as it relates to this Block, and as related to abutting Blocks which are each supported by separate Minor Variance applications.

Also attached is a Minor Variance Key Map in the same format outlining the Shared Access and Driveway Width minor variance locations as per the attached Draft Reference Plan as prepared by Schaeffer and Dzaldov Limited.

6 (b). The City of Vaughan Zoning By-law, 1-88, as amended requirement(s):

Minor variances are sought to obtain relief from Section 3.8 PARKING REQUIREMENTS of the City of Vaughan Zoning By-law, 1-88, as amended, and as determined by the Building Standards Department - Zoning Section. Section 3.8 a) reads in part as follows:

“The owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time parking spaces and areas as follows:”

No. 1 – A minor variance is sought to permit shared driveway access per section 3.8 (a).

No. 2 - A minor variance is sought to obtain relief from a drive aisle width of 6 metres, where the subject lands will accommodate a minimum 3 metres of a 6 metre mutual drive aisle per section 3.8 (a) and (f).

No. 3 - A minor variance is sought to obtain relief from the parking space requirements.

---

7. Why is it not possible to comply with the provisions of the By-law?

No. 1 – Where shared driveway access is proposed, a minor variance is required per Section 3.8 (a) above. The subject lands require a shared driveway providing access with the abutting lands to the south, 81 Royal Group Crescent (Block ‘J’).

No. 2 – Where a mutual or share driveway is proposed, a minor variance is required per Section 3.8 (a) and (f) of the City of Vaughan Zoning By-law, 1-88, as amended. The subject lands will accommodate a minimum 3 metres of a 6 metre mutual drive aisle to be shared with the abutting lands to the south, 81 Royal Group Crescent (Block ‘J’).

No. 3 – The parking space requirement is 350, where there are 319 existing parking spaces leaving a deficiency of 31 parking spaces, or 9.1%.

---

6 (c). Proposed Change to By-law requirements:

The approval of the following minor variances will facilitate the orderly use of the subject lands:

No. 1 – A shared driveway access will be provided in favour of the subject lands, over the lands to the immediate south described as Part 24, as per the draft Reference Plan, as further supported by the Easement Schedule.

No. 2 - A minimum 6 metre mutual drive aisle will be provided per Part 27 on the subject lands, collectively with the lands to the south comprised of Part 24 on the draft Reference Plan, per the Easement Schedule.

No. 3 - The lands are developed and the new lot boundary creates a minor parking space deficiency.

Addendum 'B' - Minor Variance Application File No. A077/07

91 Royal Group Crescent - Block 'I'

This Minor Variance application supports a concurrent Consent Application in progress as it relates to the subject lands. Please refer to the Summary Map providing comprehensive overview of the proposed Minor Variances as it relates to this Block, and as related to abutting Blocks which are each supported by separate Minor Variance applications.

Also attached is a Minor Variance Key Map in the same format outlining the Shared Access, Driveway Width and Lot Frontage minor variance locations as per the attached Draft Reference Plan as prepared by Schaeffer and Dzaldov Limited.

6 (b). The City of Vaughan Zoning By-law, 1-88, as amended requirement(s):

Minor variances are sought to obtain relief from Section 3.8 PARKING REQUIREMENTS of the City of Vaughan Zoning By-law, 1-88, as amended, and as determined by the Building Standards Department - Zoning Section. Section 3.8 a) reads in part as follows:

"The owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time parking spaces and areas as follows:"

No. 1 – A minor variance is sought to permit shared driveway access per section 3.8 (a).

No. 2 - A minor variance is sought to obtain relief from the minimum lot frontage width of 36 metres, Zone Requirement Table, Schedule 'A' per the City of Vaughan Zoning By-law, 1-88, as amended, where the subject lands will provide for a lot frontage of 33.09 metres as measured at 6.4 metres back from the streetline.

---

7. Why is it not possible to comply with the provisions of the By-law?

No. 1 – Where shared driveway access is proposed, a minor variance is required per Section 3.8 (a) above. The subject lands require a shared driveway providing access with the abutting lands to the north, 81 Royal Group Crescent (Block 'J').

No. 2 – The proposed Industrial lot configuration in terms of existing driveway access points and functionality is best served by a lot frontage of 33.09 metres.

---

6 (c). Proposed Change to By-law requirements:

The approval of the following minor variances will facilitate the orderly use of the subject lands:

No. 1 – A shared driveway access will be provided in favour of the subject lands, over the lands to the immediate north described as Parts 16 & 20, as per the draft Reference Plan, as further supported by the Easement Schedule.

No. 2 - A lot frontage width of 33.09 metres is proposed which will exceed the maximum lot frontage by 2.91 metres or about 8 %.

WESTON
CONSULTING
planning + urban design

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 4346-1

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law ("CZBL") Review
Committee of the Whole (Public Meeting)
10335 Highway 50, City of Vaughan

Weston Consulting is the planning consultant for Danlaughton Holdings, the registered owner of the lands at 10335 Highway 50 in the City of Vaughan (herein referred to as the "**subject lands**"). The purpose of this letter is to provide comments on the third draft of the CZBL on behalf of the land owner.

The subject lands are currently zoned "*A – Agricultural Zone*" and "*OS1 – Open Space*" by in-force Vaughan Zoning By-law 1-88. However, the subject lands were the subject of an Ontario Municipal Board ("OMB") decision issued on June 17, 2009 (PL070448) wherein the OMB approved a site-specific Official Plan Amendment and a site-specific Zoning By-law Amendment, in principle. The Zoning By-law Amendment rezones the middle and rear portions of the lands to "*EM2(H) – General Employment Zone*" and "*OS1 – Open Space Conservation Zone*" to allow development of a waste transfer and recycling facility and the ancillary operation of wood grinding. A copy of this decision is attached for ease of reference.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*FD – Future Development Zone*", "*EP – Environmental Protection Zone*" and, "*A – Agricultural Zone*", which are not consistent with the draft Zoning By-law Amendment that has approval in principle by the OMB. We thus request that the draft CZBL be modified to reflect and be consistent with the zoning approved by the OMB for the subject lands.

Although we recognize that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications such as the Owner's current site plan application, these transition provisions are insufficient to properly reflect the existing approvals for the subject lands. Further, we understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL will be repealed five years from the effective date of the CZBL without further amendment to the CZBL. We respectfully submit that the entirety of the zoning permissions approved in the OMB Decision issued on June 17, 2009 for the subject lands be included in the final CZBL to be approved by City Council.

In summary, we recommend that the inclusion of zoning permissions approved in principle by the OMB in 2009 be fully implemented into the final CZBL and any further amendments to such By-law. We reserve the right to provide further comments as part of the ongoing CZBL Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting to be held on October 29, 2020.

We intend to continue to monitor the CZBL Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Danlaughton Holdings, Client
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP

Encl. Decision

ISSUE DATE:

Jun. 17, 2009

Ontario

PL070448

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Danlauton Holdings Ltd. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to re-designate the tableland portion of the subject lands, located on the east side of Highway No. 50, north of Major Mackenzie Drive, on Part of Lot 23, Concession 10, municipally known as 10335 Highway No. 50, from "Agriculture Area" to "Industrial" to permit an automobile gas bar/service station, an automobile repair shop and an eating establishment with drive-through on the westerly 120 metre portion of the tablelands (2.16 hectares) and to permit a recycling operation, including concrete crushing and wood grinding, and ancillary recycling operation uses on the balance of the tablelands (12.48 hectares).
City of Vaughan File No. OP.99.014
OMB File No. O070075

Danlauton Holdings Ltd. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 1-88, as amended, to rezone the westerly 120 metre tableland portion of the subject lands (2.16 hectares), located on the east side of Highway No. 50, north of Major Mackenzie Drive, on Part of Lot 23, Concession 10, municipally known as 10335 Highway No. 50, from "A" Agricultural Zone" to C6-Highway Commercial Zone" to permit an automobile gas bar/service station, an automobile repair shop and an eating establishment with drive-through and to also rezone the balance of the tablelands (12.48 hectares) from A" Agricultural Zone" to "EM2-General Employment Area Zone" to permit a recycling operation, including concrete crushing and wood grinding, and ancillary recycling operation uses.
City of Vaughan File No. Z.99.034
OMB File No. Z070050

APPEARANCES:

Parties	**Counsel**
City of Vaughan	Rick Coburn
Major Fifty Investments Inc.	Patricia Foran Patrick Harrington
Danlauton Holdings Ltd.	Mary Flynn-Guglietti Andrew Warman
Regional Municipality of Peel City of Brampton	Stephen Garrod
Toronto Region Conservation Authority	Jonathan Wigley

DECISION DELIVERED BY J. de P. SEABORN

The matters before the Board are appeals by Danlauton Holdings Ltd. (the Applicant) from a refusal by Council for the City of Vaughan (City) to enact an Official Plan Amendment (OPA) and Zoning By-law Amendment (By-law) to permit a waste transfer and recycling facility on a parcel of land situated on the east side of Highway 50, north of Major Mackenzie Drive in the Regional Municipality of York Region (York Region). A site plan application is also before the Board. However, the Parties requested that if the OPA and By-law are approved, the Board withhold both its decision and order with respect to the settlement of the details of the site plan, including any conditions, to be addressed in a subsequent hearing in the event an agreement is not reached.

The Application and Position of the Parties

The position of the City and the Applicant's neighbour to the north, Major Fifty Investments Inc. (Major Fifty), is that the planning instruments are premature and the appeals should therefore be dismissed. While the City is not opposed to a waste transfer and recycling facility *per se*, approval for any site-specific use should not be given by the Board in advance of comprehensive planning for the entire area. With respect to Major Fifty, it may wish to build offices on its land and is therefore concerned that its plans may be jeopardized if the proposed facility is located next door. Like the City, Major Fifty argued that a site-specific approval is premature in the absence of both secondary and block planning for the area.

At the commencement of the hearing, the Board was advised that the issues raised by the Regional Municipality of Peel (Peel Region), City of Brampton (Brampton) and the Toronto Region Conservation Authority (TRCA) were resolved with the Applicant. Minutes of Settlement were filed in support of agreements reached and accordingly, these three Parties did not participate in the hearing. Mr. Garrod, Mr. Wigley and Ms. Flynn-Guglietti were in agreement that if the appeals were successful, approval of the planning instruments would be subject to the agreements reached between these Parties and the Applicant, as reflected in the Minutes of Settlement.

As a result of the agreement reached with Peel Region, Brampton and the TRCA, the application before the Board was amended and revisions were made to the proposed Official Plan Amendment and Zoning By-law. The site plan was also amended to incorporate certain modifications, some of which were made during the course of the hearing. The scope of the facility proposed by the Applicant includes a waste transfer/recycling building, accessory office building, garage and semi-enclosed area for storing recyclables and wood grinding. The original site plan included a concrete crushing operation as one of the on-site activities, which was withdrawn during the course of the hearing. The east end of the property was originally slated to be paved as an outdoor storage area for vehicles and equipment. Instead it will be dedicated to the TRCA. The main materials handled at the site will be construction materials, including drywall, roofing, wood, cardboard and metal. The site is not intended to handle any household waste or organics, hazardous or contaminated waste, liquids, glass or plastics. The tipping and sorting of waste will occur in the main building, with the recyclables stored in the outside bins, to be trucked off-site. The Applicant will require a Certificate of Approval pursuant to section 27 of the *Environmental Protection Act* (EPA), which will regulate maximum daily volumes at the facility as well as any conditions of approval that the Ministry of Environment may require in connection with the proposed operation. Certificates of Approval under the EPA obviously require an operator to manage the facility in a manner, which does not result in a nuisance or a hazard to health and safety.

Until an internal road network is built, access is proposed from Highway 50 along an existing driveway to the middle of the property where the recycling operation is proposed to be situated. The signals to accommodate access from Highway 50 would likely be removed when the public road network for the entire block is constructed. Similarly, the facility will operate on private services, including a storm water management pond, until municipal services are provided. The Mammone family (who are the principles of the Applicant company) reside in the dwelling at the front of the property, which will be unaffected by the proposal. The original plan called for a gas station and drive-thru restaurant at Highway 50 however the Applicant abandoned that aspect of the proposal. The rear portion of the property (to the east) is traversed by Rainbow Creek and that portion of the property will be conveyed to the TRCA in accordance with the terms of its agreement, if the Applicant is successful.

Despite the settlement with Peel and Brampton in respect of access and with the TRCA with respect to protecting that portion of the site that is environmentally sensitive, the City and Major Fifty remained opposed to the application.

Hearing Process

In support of the appeals the Applicant called several witnesses, including: Alan Young (land use planning); Catherine Dowling (waste management approval process/environmental economics); William Coffey (water resource management); Gordon Wichert (aquatic ecosystem dynamics, assessment, rehabilitation and watershed planning); Dan Cherepacha (transportation planning and parking); John Trought (air quality); and John Emeljanow (noise assessment). In opposition to the approvals sought, Major Fifty called four expert witnesses: Kim Nystrom (transportation): Boris Weisman (air quality); Brian Howe (noise/acoustics); and Murray Evans (land use planning). Witnesses who testified on behalf of the City were: Selma Hubjer (transportation planning and traffic); Tony Iacobelli (terrestrial ecologist/environmental planning); Wayne McEachern (land use planning); and Camela Marrelli (land use planning). In addition John Kersey, the neighbour to the south of the Applicant's property, and Paul Mantella, President of the Nashville Area Ratepayers Association, each gave brief testimony as Participants to the hearing. The Kerseys were present throughout the hearing and are opposed to the project, even as amended.

Background

Mr. Young provided background evidence. Briefly, the Applicant's 14.6-hectare property is situated on the east side of Highway 50, north of Major Mackenzie Drive. Highway 50 is a regional road and represents the boundary between Vaughan and Brampton. The Mammone family controls the Applicant, Danlauton Holdings Ltd. The Mammone's operate Mammone Disposal Services Ltd. (Mammone Disposal), which is a waste transfer and recycling facility located at 8940 Jane Street, also in the City of Vaughan. Mammone Disposal was successful in obtaining a zoning amendment in 1997 to permit its operation.

Shortly after Mammone Disposal received its approvals in the late 1990's, Cambridge Mills (also referred to as Vaughan Mills) applied to designate and rezone its lands, which abut Mammone Disposal, for the purpose of commercial uses including an indoor shopping mall, all of which have since been constructed. When Cambridge Mills

made its applications, Mammone Disposal objected on the basis of land use compatibility. A settlement was reached in 1999, which had the effect of giving Mammone Disposal 10 (ten) years to re-locate its waste transfer and recycling facility. Consequently, in May 1999 an application was filed to designate the family property at Highway 50 for employment uses, in order to facilitate a relocation of Mammone Disposal in accordance with the settlement reached. These applications were held in abeyance for several years pending the completion of a policy study for the entire area.

In 2007, the Board conducted a mediation between Mammone Disposal and the City. Minutes of Settlement were executed and the City agreed to: first, support Mammone's request that the Highway 50 property be removed from the Highway 427 Transportation Corridor Study Area; and second, process the Applications without requiring the completion of a Secondary Plan for the area. Mammone Disposal agreed that its operation at Jane Street would cease within one year of receiving approval to operate a waste transfer and recycling facility at Highway 50 or if the applications were not approved, the facility would have to close by July 2012. In short then, under the current agreement with the City, Mammone Disposal must close its operations at the Jane Street site by 2012. The purpose of the application before the Board is to ensure that Mammone Disposal can continue its operations without interruption, by permitting a similar waste transfer and recycling facility at the Highway 50 site.

Issues

The main planning issue before the Board is whether the Applicant's project can proceed in the absence of an approved secondary plan and associated block plan. What flows from this fundamental issue is whether the proposed waste transfer and recycling facility would be compatible with adjacent future development and consistent with the City's policies for employment uses and waste recycling establishments.

The City's planners testified that any approval would be premature and unduly restrict planning options for the area. While the Minutes of Settlement surrounding the Jane Street facility state that the City would "process" the application for a facility at Highway 50 without a secondary plan, the position taken at the hearing was that "process" was never intended to mean that the City would support or approve such an application. Major Fifty argued that the Applicant is essentially seeking a pre-approval, which has the potential to impair and impede the interest of other landowners in the

area. In short, the argument advanced was that any secondary plan and associated block plan prepared for the area would have to account for the Applicant's facility. The existence of the facility would limit future options for adjoining compatible land uses, road networks and environmental protection areas within the block. For these reasons, the City and Major Fifty oppose the approvals sought.

The position of the Applicant was that the approval it seeks would not preclude reasonable options for either the secondary planning area or block plan. The Applicant argued that the level of detail it has provided supports the approvals. The Applicant argued that the conceptual Block Plans it has prepared reinforce that there are limited options for both the future road network and environmental protection areas. Moreover, situating a waste transfer and recycling facility mid-block is consistent with applicable policies for employment lands, the ultimate designation. The Applicant further argued that site-specific exceptions have been made in the past and in light of the level of detail filed to support the Applicant's proposal (expert reports included an ecological review, noise analysis, environmental testing, transportation study, air quality assessment, functional servicing reports and a draft application for a Certificate of Approval under the EPA), this is a case where approval can properly precede the secondary and associated block plan processes.

Necessary Approvals

The Applicant seeks a site-specific Official Plan Amendment (OPA) to the City's OPA 600 because the entire property is designated "Agricultural Area" and "Valley and Stream Corridor". The proposed re-designation (which would apply to the middle portion of the property) is to "General Employment", with a site-specific provision permitting a waste transfer and recycling facility and the ancillary operation of wood grinding. The proposal for a concrete crusher was withdrawn at the hearing. Consistent with the agreement reached with the TRCA, the easterly portion of the property will not be developed and following restoration, that part of the site (described in the Minutes of Settlement, Exhibit 2) will be conveyed to the TRCA. With respect to the westerly portion of the site, which fronts onto Highway 50, it is no longer included in the application for a re-designation. As indicated in the Minutes of Settlement entered into with Peel Region and Brampton (Exhibit 1), plans to establish a gas bar/service station, automobile repair shop and drive-thru restaurant no longer form part of the application before the Board.

With respect to the re-zoning application, the middle and rear portions of the site need to be re-zoned from the agricultural and open space conservation zones. Counsel agreed at the outset that if the Board approved the application, a decision on the Site Plan referral should not be made to allow time for the Parties to attempt to reach an agreement on the details. This approach is also reflected in the Minutes of Settlement between the Applicant, Peel Region, Brampton and the TRCA. In addition and unrelated to the Minutes of Settlement, the Applicant must obtain certificates of approval from the Ministry of Environment (MOE) in order to operate the waste transfer and recycling facility. These applications would however follow land use planning approvals.

Consideration of Policies and Findings

The application before the Board was initially filed in May 1999 and therefore the 1997 Provincial Policy Statement (PPS) is applicable. Mr. Young's opinion was that the project has regard to not only the provisions of the 1997 PPS, but is also consistent with the policies contained in the 2005 PPS. In summary, Mr. Young concluded that the application has regard to matters of Provincial interest, a factor to be weighed by the Board pursuant to section 2 of the *Planning Act*. Waste transfer and recycling facilities are supported by policies contained in the PPS and the Board adopts and relies upon the evidence of Mr. Young in this regard.

All planners agreed that the Region of York Official Plan (ROPA 19) includes the Applicant's property within the Urban Area. When the Region adopted ROPA 19 it re-designated approximately 1700 hectares of land in the area north of Langstaff Road, between Highways 27 and 50, to permit the creation of employment lands. One of the major policy objectives of ROPA 19 was to ensure that lands would be reserved for the extension of Highway 427. As indicated by Mr. Young, when the alternative corridor protection options were made available in June 2007, it became clear that the Applicant's property is not required for the extension. The Ministry of Transportation (MTO) further confirmed this fact in May 2008 with the release of the Technically Preferred Route. On this issue the Board finds that corridor protection for the Highway 427 extension is resolved as it relates to the Applicant's lands. Simply put, the Applicant's lands no longer need to be reserved to accommodate the extension, a fact acknowledged by City witnesses.

The planners testified that the City's Official Plan Amendment No. 600 (OPA 600) implements the policies of ROPA 19 through the Employment Area Designation policies. As set out in Section 3.6 of OPA 600, lands in the Highway 50 corridor (West Vaughan Enterprise Zone) are re-designated Employment Secondary Plan Study Area by OPA 600 in anticipation of their future incorporation within Official Plan Amendment No. 450 (OPA 450). Mr. Evans emphasized that OPA 600 further requires that the area remains subject to rural and agricultural area policies until a Secondary Plan (or Plans) is adopted by the City thereby incorporating the lands into OPA 450, giving them full urban status, and providing appropriate policies including a detailed land use schedule. The planners for the City and Mr. Evans were of the opinion that OPA 600 clearly contemplates the adoption of secondary plans and that the Applicant's lands should remain subject to rural and agricultural use area policies set out in OPA 600, until the applicable secondary plan is approved. Accordingly, the position of Major Fifty and the City was that the lands could not be incorporated into OPA 450 until a secondary plan is approved, and any site-specific approval would be premature.

The planning evidence was clear that the property is currently designated Agricultural Area and Valley and Stream Corridor. Pursuant to OPA 450, the site is within the Employment Secondary Plan Study Area and the clear intention is to re-designate these agricultural lands for employment uses in the future. OPA 450 provides land use direction for the City's employment areas. Mr. Young testified that the Applicant's proposal is entirely consistent with policies of OPA 450 as they relate to an Employment Area designation. Simply put, a waste transfer and recycling facility is permitted within an Employment Area designation and because the Applicant's proposal is consistent with the policies of OPA 450, a secondary plan is not a prerequisite to compliance with the City's Official Plan. Mr. Young described the policies of OPA 450, pointing out that Employment Area General uses are intended to be located in the interior of employment lands, beyond view from Provincial highways and arterial roads. Employment area lands can accommodate a wide range of uses, including outdoor storage, processing, warehousing, and storage operations and transportation and distribution facilities. In fact, because the policies indicate that a waste-recycling establishment can only be permitted in Employment Area General, an interior location such as the Applicant's conforms with these policies.

While the policy framework under consideration contemplates the preparation of a secondary plan prior to development, the issue to be resolved is whether the absence

of a secondary plan automatically precludes development. There are examples within the vicinity of the site where development has been permitted without the requisite secondary plan. In this regard, the Board accepts the evidence of Mr. Young that OPA 600 can be amended in advance of the preparation of a secondary plan. There is precedent for this approach. Mr. Young was correct in his assessment that there have been at least two instances where official plan amendments have been permitted because the new use is not permitted by the agricultural designation under OPA 600 (see *Guscon Transportation Limited* and *Amar Transport Inc.*). Mr. Young was fair in his evidence in agreeing that it is incumbent on the Applicant to demonstrate that the approval of any development proposal cannot unduly prejudice or predetermine the future planning for the area. This in short, is the crux of the difference between the Parties.

To respond to the issue of predetermining development, the Applicant created two conceptual Block Plans, the purpose of which was to demonstrate how the facility would not unduly prejudice or predetermine future planning for the area. Recent planning efforts related to Block 64 (two kilometres to the south) provided a template or guide for Mr. Young's work. Block 64 is similar in size and pursuant to OPA 631, designates the arterial frontage as prestige, designates the interior lands as General Employment Areas, and designates the watercourse corridor as Valley Lands. The Block 64 Block Plan corresponds to a secondary plan, adding additional detail such as secondary road locations. Using Block 64 as a guide, the Applicant's conceptual Block Plans considered land use, environmental protection, transportation improvements, a potential internal road network, location of storm water management ponds, development parcels (which are constrained in any event due to significant natural heritage corridors), and future plans for the site, once full services are introduced. The collective opinion of Mr. Young and the team of experts who assisted him was that any future plan (whether a secondary plan or associated block plan) would necessarily be almost identical to the conceptual Block Plans presented in evidence. It is therefore simply not necessary for the Applicant to have to wait for the formal process in order to proceed with its development. Nothing would be gained by waiting in light of first, the level of detail that accompanies the application; second, the request that the decision on the Site Plan be withheld pending further refinement; and third, the conditions which the Applicant is prepared to accept requiring it to participate in any formal secondary and/or Block Plan planning process.

Major Fifty argued that it was not relying on the requirement for a secondary plan and associated Block Plan to prevent a recycling facility on the Applicant's lands, nor was it seeking process for the sake of process. Mr. Evans testified that landowners are entitled to rely on official plan policies that envision an opportunity for stakeholders to participate in a comprehensive planning process, the purpose of which is to establish goals, objectives, layouts, site designs and land uses for a particular area. Mr. Evan's opinion was that it is important that a "blank slate" be preserved so that an optimal plan is tailored to meet the objectives of all landowners in the area. The Board has carefully considered Mr. Evan's opinion and the opinions of the Municipal planners in this regard. On the facts of this case, the Board is persuaded by both the evidence of Mr. Young, the unique position of the Applicant, as well as the evidence provided by expert witnesses who addressed aspects of the proposal within their respective areas of expertise.

First, as described in the evidence of Mr. Young (and supported by the detailed work undertaken by the individual expert consultants), there are only so many options for the area. There is no question that the property will eventually be part of an employment area and the interior of the site is suited to general employment. Second, the evidence and level of detail provided by the Applicant in the conceptual Block Plans meets the policy requirements of OPA 450. In this regard the Board prefers the evidence of the Applicant's expert team as opposed to that offered by Major Fifty and the City. The Applicant retained experts and provided evidence and reports which undertook, respectively, an environmental analysis, surface water management analysis, transportation analysis and planning analysis. Relying on the approved Block Plan for Block 64 (2 km to the south of Block 66W), Mr. Young developed conceptual Block Plans, which are consistent with the land use-planning framework established in OPA 450. Prestige Areas are laid out on the arterial road frontages. The interior of the Block is designated as General Employment Areas (which permits warehousing, recycling and other such hard uses). In Block 64 the watercourse corridor is protected as Valley Lands, as proposed by the Applicant (and supported by the agreement with the TRCA) for Block 66W. A north/south mid-block collector road and necessary east/west collector roads are identified. Given the location of Rainbow Creek and the topography of the site, there are limited options for the road network and reasonable alternatives have been identified in the conceptual Block Plans. In short, the conceptual Block Plans mirror the Block Plan for Block 64. The conceptual Block Plans were

prepared based on the detailed work of Dr. Wichert, who takes into account the entire TRCA Regulated area, two York Region Greenlands located outside the regulated area, and associated buffers. It is because of the level of detail provided by the experts retained by the Applicant that the Board accepts and relies upon the opinion of Mr. Young that the Applicant's proposal does not unduly prejudice planning for this block. The detailed study and analysis that went into the conceptual Block Plans convinces the Board that reasonable options are not precluded for the area and therefore approval of the planning instruments is not premature in the absence of a secondary plan. In short, nothing would be gained by way of a further planning exercise and nothing would be prejudiced by way of the site-specific Official Plan amendment. Site-specific approvals have been adopted in the past and this application is an appropriate exception to the usual process. The Board also relies on the agreements the Applicant has been able to reach with Peel Region and Brampton in respect of access and the TRCA in respect of protecting the watercourses on site. The Applicant has recommended conditions that require it to first participate in any secondary planning process and second, make the necessary financial contributions. The Board adopts these conditions.

With respect to the use itself, there was no dispute that a waste recycling facility requires the appropriate approvals from the MOE. Clearly the Applicant cannot operate without the necessary certificates of approval issued pursuant to the provisions of the *Environmental Protection Act*. The Board accepts the submissions of Major Fifty that the Certificate of Approval process is not intended to replace the Board's responsibility to consider environmental matters. In this case, the Board is persuaded from a planning perspective that environmental issues have been adequately addressed. The Applicant has considered potential environmental impacts associated with a waste recycling and transfer facility and there is simply no convincing evidence of impact. The fact that the facility cannot operate without the appropriate Certificate(s) of Approval issued by the MOE is further protection for the environment and surrounding landowners. The site plan process is available to ensure that specific impacts, if any, are minimized or eliminated. The Kerseys, who reside to the south, are understandably concerned about site impacts such as noise, odour, and traffic. While the Board appreciates their concerns, the Municipalities have already determined that the area will re-designated for employment purposes, subject to appropriate protection for valley and stream corridors. As indicated previously, all surrounding properties will eventually be re-designated. The decision has already been made that the area will no longer remain

agricultural and a recycling/waste transfer use is permitted in General Employment areas. The evidence in respect of site-specific impacts, given the nature of the operation (non-organic waste) and the proposal for the site configuration (in particular covering outside storage), convinces the Board that there will be little, if any, impact on the abutting neighbours. The amendment of the application to remove the concrete crushing operation will mean that both potential dust and noise impacts are significantly reduced.

Relying on the evidence of Mr. McEachern, Major Fifty and the City argued that a secondary plan could be prepared and in place within the next two years. Accordingly, the position advanced was that there is no prejudice to the Applicant waiting for that process to unfold. While the Board does not doubt Mr. McEachern's opinion on this matter, unforeseen events could clearly delay the entire process. Given the settlement with the City in 1999 which requires the Applicant to move from its Jane Street location and the settlements in these appeals reached with Peel Region, Brampton and the TRCA, the Board is not prepared to delay an approval to await the outcome of the secondary plan process in circumstances where the timing cannot be guaranteed.

Similarly, the City argued that any approval should be for a temporary use until the use is determined through the secondary and block planning process. The Board rejects this proposed condition. For this type of facility, providing a temporary use would not give the Applicant the certainty that it requires to facilitate the move from Jane Street. The Board is persuaded on the evidence that a waste recycling and transfer facility is an appropriate use for an interior site, on employment lands.

Finally, the Board is convinced that the waste recycling and transfer facility can operate in a way that neither results in a nuisance or a hazard. First, improvements, if necessary, can be made to the site plan to ensure there is no impact. The site plan application remains before the Board for settlement at a future hearing. Second, the Applicant simply will not be given its certificate of Approval from MOE unless standards are met. Third, given the type of operation emissions, noise, odour and dust are all potential impacts that are addressed by both separation distance and an appropriate site plan configuration. The waste is non-hazardous and inert and the concrete crushing facility, which posed the greatest potential for impact, has been deleted from the application.

Decision

The appeals in respect of the OPA and By-law Amendment are allowed. The Decision of the Board is to:

1. To re-designate the middle portion of the lands from "Agricultural Area" to "General Employment", with a site-specific provision permitting only a waste transfer and recycling facility and the ancillary operation of wood grinding, in accordance with the draft OPA described in Exhibit 67.

2. To rezone the middle and rear portions of the site from A Agricultural Zone to EM2 (H) General Employment Area Zone (Holding) and OS1 Open Space Conservation Zone, in accordance with the draft Zoning By-law amendment described in Exhibit 68.

3. The Board will withhold its Order in respect of the OPA and Zoning amendment to permit the Applicant and the City to confer on the precise wording of these amendments.

4. As requested by the Parties, the Board withholds its decision and order with respect to the settlement of the details of the Site Plan, including any conditions. The Applicant has agreed, prior to Site Plan approval, to enter into an agreement with the City whereby the Applicant agrees to:

    a. Connect the waste transfer and recycling facility to the services for the Block Plan area when available.

    b. Participate in the Block Plan process, including the cost sharing agreement.

    c. Dedicate lands for the purpose of establishing a collector road or roads at a location or locations on the subject property to be determined through the secondary plan and block planning process for Block 66W and to the satisfaction of the Commissioner of Engineering and Public Works. These lands shall be conveyed to the City free of charge and at the expense of the owner of the subject lands, and to be accompanied by the filing of a Record of Site Condition at the owner's expense.

The Parties are to advise when they are ready to proceed before the Board to determine the Site Plan details. In any event, a status update should be provided within three (3) months of the date of this decision. I remain seized of these appeals.

"J. de P. Seaborn"

J. de P. SEABORN
VICE CHAIR

WESTON CONSULTING

planning + urban design

COMMUNICATION – C83
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 27, 2020
File 9979

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
8940 Jane Street, Vaughan

Weston Consulting is the planning consultanting firm for Sandra Mammone, the registered owner of lands municipally known as 8940 Jane Street in the City of Vaughan (herein referred to as the "subject lands"). We have reviewed the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") and are pleased to provide the enclosed comments on behalf of the landowner.

The subject lands were previously zoned "*EM1(H) – Prestige Employment Area Zone*" and "*EM2 – General Employment Area Zone*" in Vaughan Zoning By-law 1-88. However, the lands were the subject of Local Planning Appeal Tribunal ("LPAT") proceedings which rezoned the lands to "*RM3(H) – Apartment Residential Zone*" and "*OS2 – Open Space Park Zone*". In a Decision issued on September 17, 2018, the LPAT granted approval in principle of a site-specific Official Plan Amendment and Zoning By-law Amendment and withheld its Order on the Amendments until such time that the Region of York advises the Tribunal in writing that transportation items are fulfilled and the Holding Symbol associated with the rezoning is lifted. Once these terms are satisfied, the LPAT can issue its full Order, approving Official Plan Amendment and By-law Amendment in its final form.

The site-specific Zoning By-law rezoned the lands "*RM3(H) – Apartment Residential Zone*" and "*OS2 – Open Space Park Zone*" to facilitate the development of three blocks with five (5) mixed-use apartment buildings ranging between 18 and 26 storeys in two phases with a maximum of 871 residential units in Phase 1 and 526 units that can be built in Phase 2 and a Public Open Space block. The proposed development will take access on private and municipal roads.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*RM2(H) – Multiple Unit Residential Zone 2*", "*OS1(H) – Public Open Space Zone"* and, "*EM1(H) – Prestige Employment Zone*" *subject* to Exception 570. It is acknowledged that Exception 570 implements the correct site-specific zone to the site as a result of the LPAT-approved Zoning By-law Amendment; however, zone Exception does not capture the LPAT approval specific to the development. We request that the site-specific by-law and Holding conditions be included in its

entirety within the CZBL, as it is referenced in the partial LPAT approval, dated September 17, 2018. See attached decision.

We are aware that the third draft of the CZBL contains transition provisions in Section 1.6.3 for in-process planning applications, that would be applicable to the subject lands given the current active status of the LPAT Decision noted-above. With respect to the LPAT Decision, Section 1.6.3 states:

1.6.3.4 The requirements of this By-law do not apply to a lot where the Ontario Municipal Board or Local Planning Appeal Tribunal has, on or after January 1, 2015 and on or before the passing of this By-law, granted approval in principle for a zoning by-law amendment or minor variance to Zoning By-law 1-88, a provisional consent, or conditional or final Site Plan Approval, but has decided that the final Order shall come into force or be issued at a future fixed date or upon the performance of terms imposed by the Ontario Municipal Board or Local Planning Appeal Tribunal, as the case may be, and a building permit has not yet been issued, the lot has not yet been registered at the Land Registry Office, or the applicable easement or agreement has not yet been registered on title, as the case may be.

We understand that, in accordance with Provision 1.6.4.2 of the draft CZBL, the transition provisions in Section 1.6 of the CZBL will be repealed five years from the effective date of the By-law without further amendment to the By-law.

We are supportive of the above-noted transition provisions and submit that under this provision, any future site development applications for the subject lands implementing the LPAT-approved Zoning By-law Amendment will receive approval and that the subject lands can be developed accordingly without any further amendment required to the CZBL.

In summary, we support that the LPAT-approved site-specific Zoning By-law Amendment provisions are captured in the CZBL. However, we request that Exception 570 be updated to reflect the entirety of the LPAT Decision, dated September 17, 2018.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020. We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 241 or Sandra Patano at extension 245 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Ryan Guetter, BES, MCIP, RPP
Senior Vice President

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Sandra & Dan Mammone, Client
Mary Flynn-Guglietti, McMillan LLP
Annik Forristal, McMillan LLP

Encl. Decision

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement local

Ontario

ISSUE DATE: September 17, 2018 **CASE NO(S).:** PL140839
PL110419

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellants (jointly):	Casertano Developments Corporation and Sandra Mammone
Appellants (jointly):	Limestone Gallery Investments Inc. and Damara Investment Corp.
Appellants (jointly):	Granite Real Estate Investment Trust and Magna International Inc.
Appellants (jointly):	H & L Title Inc. and Ledbury Investments Ltd.
Appellant:	Canadian National Railway
Appellant:	Rutherford Land Development Corporation
Appellant:	281187 Ontario Ltd.
Appellant:	Anland Developments Inc.
Subject:	Proposed Official Plan Amendment No. 2 to the Official Plan for the City of Vaughan (2010)
Municipality:	City of Vaughan
OMB Case No.:	PL140839
OMB File No.:	PL140839
OMB Case Name:	Mammone v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Casertano Development Corporation
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"General Commercial"

Proposed Designation:	"High-Density Residential/Commercial"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"
Property Address/Description:	9060 Jane Street
Municipality:	City of Vaughan
Approval Authority File No.:	OP.07001
OMB Case No.:	PL110419
OMB File No.:	PL110419
OMB Case Name:	Casertano Development Corporation v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Casertano Development Corporation
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	"C1(H) Restricted Commercial Zone"
Proposed Zoning:	"RA3(H) Apartment Residential Zone"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 26 to 40 storeys containing approximately 2,050 residential units and two (2) freestanding 2-storey office/commercial buildings and ground floor retail commercial uses totaling 4,234 square metres (45,574 square feet) in gross floor area in Blocks "B" and "C"
Property Address/Description:	9060 Jane Street
Municipality:	City of Vaughan
Municipal File No.:	Z.09.038
OMB Case No.:	PL110419
OMB File No.:	PL110420

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Sandra Mammone
Subject:	Request to amend the Official Plan - Failure of the City of Vaughan to adopt the requested amendment
Existing Designation:	"General Commercial"
Proposed Designation:	"High-Density Residential/Commercial"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"
Property Address/Description:	8940 Jane Street
Municipality:	City of Vaughan
Approval Authority File No.:	OP.09.006
OMB Case No.:	PL110419
OMB File No.:	PL110455

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Sandra Mammone
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	"EM1(H) Prestige Employment Area Zone" and "EM2 General Employment Area Zone"
Proposed Zoning:	"RA3(H) Apartment Residential Zone"
Purpose:	To permit the development of six (6) residential apartment buildings ranging from 25 to 35 storeys containing approximately 1,600 residential units and two (2) freestanding 2-storey office/commercial buildings (Blocks "D" and "E") and ground floor office/commercial uses in Blocks "A", "B" and "C"
Property Address/Description:	8940 Jane Street
Municipality:	City of Vaughan
Municipal File No.:	Z.09.037
OMB Case No.:	PL110419
OMB File No.:	PL110456

Heard: January 25 and 26, 2018 in Vaughan, Ontario

APPEARANCES:

Parties	Counsel*Representative
City of Vaughan	R. Coburn* and C. Storto*
Dulcina Investments Inc. (formerly Casetano Development Corporation), and Sandra Mammone	M. Flynn-Guglietti* and A. Forristal*
Tesmar Holdings Inc.	M. McDermid*
Rutherford Land Development Corporation	Q. Annibale* and B. Ruddick*
Granite Real Estate Inc. and Magna International Inc.	A. Skinner*
Anland Developments Inc.	C. Barnett*
281187 Ontario Limited	G. Borean*
Region of York	B. Ogunmefun*
Canadian National Railway	A. Heisey*
H & L Tile and Ledbury Investments Ltd.	M. Flowers*
Ivanhoe Cambridge II Inc.	J. Alati*
York Region School Board	J. Easto*
Toronto and Region Conservation Authority	C. Bonner

DECISION DELIVERED BY C. CONTI AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] A Pre-hearing Conference ("PHC") was held before the Ontario Municipal Board ("Board"), now the Local Planning Appeal Tribunal ("Tribunal"), with regard to appeals of the Vaughan Mills Centre Secondary Plan ("Secondary Plan") and related to applications for amendments to the City of Vaughan ("City") Official Plan and the Secondary Plan, and for Zoning By-law Amendments ("ZBA's") by Dulcina Investments Inc. and Sandra Mammone ("Dulcina and Mammone") to permit the development of lands at 9060 Jane Street ("Dulcina Lands") and 8940 Jane Street ("Mammone Lands").

[2] The Secondary Plan sets out proposed land use designations and policies for an area generally bounded by Rutherford Road to the north and Bass Pro Mills Drive to the south, generally extending to Jane Street to the east and Weston Road to the west. An area to the east of Jane Street and south of Rutherford Road is also included in the Secondary Plan area. Multiple appeals were filed regarding the Secondary Plan, but through discussion among the parties and as a result of Board conducted mediation a number of the appeals were settled and motions were brought forward at the PHC for approvals related to the settlements.

[3] The applications by Dulcina and Mammone have undergone an extensive appeal process which included a number of PHC's. Through this process, the appeals of the Dulcina and Mammone applications were consolidated with the appeals of the Secondary Plan. At the PHC, the Board heard that many of the issues regarding the Dulcina and Mammone appeals had been settled.

[4] This decision deals with the appeals as they relate to lands owned by Dulcina and Mammone, including a motion for partial approval of modifications to the Official Plan and Secondary Plan and for approval of the ZBA's to facilitate development of the lands.

MOTION

[5] In support of their motion, Dulcina and Mammone filed a Motion Record (Exhibit 13) which included the Affidavit of Allan Young, a Registered Professional Planner who is President of A. Young Planner Ltd. Mr. Young also provided oral testimony at the PHC. He was qualified by the Board as an expert in land use planning.

[6] The intent of the motion was to approve in principle certain modifications to the City's Official Plan and the Secondary Plan, and to also approve in principle ZBA's for Dulcina Lands and the Mammone Lands in order to permit development of the properties. The Board heard that the Dulcina Lands and the Mammone Lands are two adjoining parcels on the west side of Jane Street, south of Riverock Gate. According to the evidence, the functional gross areas of the properties for the proposals are 2.83 hectares ("ha") for the Dulcina Lands and 3.08 ha for the Mammone Lands. The lands are located adjacent to the Vaughan Mills Mall and in proximity to the Region of York ("Region") Transit bus terminal. The lands are well removed from the nearest low rise residential area.

[7] The Board heard that the proposal has been revised and the number of proposed units has been reduced as a result of discussions among the parties and Board led mediation. The current proposal for the Dulcina Lands includes the construction of five towers of 24, 26, 26, 28 and 28 storeys containing 1,467 units. The Mammone Lands proposal includes five towers of 18, 18, 24, 26 and 26 storeys containing 1,397 units. Ground level commercial uses are proposed for each site. In addition, Dulcina and Mammone will dedicate approximately 1.54 ha for a public park and contribute to the expansion of the public street network in the area.

[8] According to Mr. Young's evidence, the properties are located within the Vaughan Mills Primary Centre, which is a high priority intensification area. Jane Street is designated as a Regional Rapid Transit Corridor in both the City and the Regional

Official Plans. The lands are designated as High-Rise Mixed Use in the Secondary Plan, which was adopted by the City through Official Plan Amendment No. 2 ("OPA 2") and was approved by the Region on June 26, 2014.

[9] Mr. Young indicated that the draft Official Plan Amendment modifies OPA 2 by adding a new section 18, which incorporates site specific policies for the Dulcina and Mammone lands (Exhibit 14). The provisions require the development of the lands to be undertaken in two phases, the first phase of which would permit up to 1,125 units for the Dulcina Lands and up to 871 units for the Mammone Lands. Development of the second phase is dependent on the completion of a comprehensive transportation assessment. Height and density requirements are included, as well as provisions for the construction and dedication of required public roads and the dedication of the public park. Holding symbols will be placed on each phase of the proposed development.

[10] Mr. Young's evidence was that a ZBA has been prepared for each site, which provides appropriate zoning to permit the development and sets out the requirements for land use, gross floor area height, setbacks, parking and other standards for the development of each property (Exhibit 13, Tab 2E and 2F). The ZBA for the Dulcina Lands also includes clauses to accommodate providing for indoor public recreational space if required by the City.

[11] Mr. Young's opinion was that the proposed Official Plan Amendment and the ZBA's are appropriate and will permit a level of development in a prime intensification area that is consistent with the Provincial Policy Statement, 2014 ("PPS"), conforms to the Growth Plan for the Greater Golden Horseshoe ("Growth Plan"), and conforms to the polices of the Region's Official Plan and the City's Official Plan. It was his opinion that the proposals will provide significant public benefits including the expansion of the public street network and the provision of a public park. Furthermore, he indicated that s. 37 benefits have been secured. He recommended that the Official Plan Amendment and the ZBA's be approved.

[12] Responses to the Motion were filed by Canadian National Railway Company ("CNR") and Manga International Inc., Granite Real Estate Inc., and Granite Reit Inc. ("Magna and Granite") in Exhibits 26 and 28 respectively. Magna and Granite did not oppose the motion. CNR did not oppose the motion, as long as the Board's approval would be without prejudice to the balance of policies appealed by CNR as set out in Schedule B of Exhibit 26.

[13] Magna and Granite and CNR operate facilities in the area which may be impacted by locating sensitive uses in the vicinity. Mr. Young indicated that the requirements of the Ministry of the Environment's NPC-300 Noise Guideline would be met for the proposal to deal with any noise impact concerns. He recommended that the final order be withheld until there was a review of the siting and configuration of the proposed buildings in relation to the guideline.

[14] At the PHC, the Board was asked to approve in principle the Amendment to the Official Plan which will modify the Secondary Plan, and approve the ZBA's in principle with final approval to be withheld. The parties filed a draft order (Exhibit 18) which includes a number of conditions for final approval, and includes requirements that must be fulfilled before Phase 2 can be approved. These include completion of an updated Transportation Impact Study for the Phase 2 development, accommodation of transportation infrastructure improvements, and appropriate implementation of a non-auto modal split for each development.

[15] At the PHC, the Board also heard that the final order should be withheld until the noise issue has been reviewed under the NPC-300 Noise Guideline and until the Board received confirmation that the planning instruments are in their final form.

[16] Also included in the motion was a request for an order of the Board accepting the withdrawal of the appeal of Damarra Investments Corp. ("Damarra") and scoping of the

appeal of Limestone Gallery Investments Inc. ("Limestone") as set out in Exhibit J of Mr. Young's affidavit (Exhibit 13, Tab 2J). The Board heard that Damarra, Limestone and Starburst Investments Inc. ("Starburst") own lands in the Secondary Plan area and that as a result of meetings with the City a number of issues have been resolved and scoped. The Board heard that Damarra had withdrawn its appeal, Limestone intends to continue in the appeal process based upon the scoped issues list, and Starburst will continue its party status sheltering under the Limestone appeal. There was no opposition to this request.

[17] The draft order also included an order related to above-noted withdrawal and scoping matters.

[18] Mark Flowers indicated that he did not oppose the requested approvals provided that they were specific for the subject lands and that the Board's approval orders included certain "without prejudice" clauses. The draft order contained the appropriate clauses.

FINDINGS

[19] The Board considered the evidence and the submissions of the parties. The opinion evidence of Mr. Young was uncontested and no party opposed the requested approvals.

[20] In consideration of the above, the Board agreed with the evidence provide by Mr. Young and found that the proposed modifications to the Official Plan which will amend the Secondary Plan and the proposed ZBA's were consistent with the PPS, conformed to the Growth Plan, conformed to the Regional Official Plan and the City Official Plan and they should be approved.

[21] The Board issued an oral decision approving in principle the modifications to the Official Plan and the Secondary Plan and approving the ZBA's in principle subject to the matters set out in the draft order (Exhibit 18). The final order was to be withheld until a review of the proposal in relation to the NPC-300 Noise Guideline was completed and until confirmation was received from the City, and Dulcina and Mammone that the planning instruments were in their final form.

[22] Subsequent to the PHC, the Tribunal has been informed that the requirements for issuing the final approval of the modifications to the Official Plan and Secondary Plan, for the final approval of the ZBA's have been fulfilled. Based upon the above, the Tribunal finds that it is appropriate to issue final approval of these instruments. The order is provided below.

ORDER

[23] The Tribunal orders that the motion is allowed and the appeal is allowed in part. The City of Vaughan Official Plan, the Vaughan Mills Centre Secondary Plan and the City of Vaughan Zoning By-law No. 1-88 are amended as set out and subject to the matters and conditions included in Attachment 1.

"C. Conti"

C. CONTI
VICE-CHAIR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

PL110419
PL110420
PL110455
PL110456
PL140839
PL111184

LOCAL PLANNING APPEAL TRIBUNAL

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

IN THE MATTER OF proceedings commenced under subsections 17(36), 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended,

Appellant:	Dulcina Investments Inc. (formerly Casertano Development Corporation)
Appellant:	Sandra Mammone
Subject:	Appeals in respect of the City of Vaughan Official Plan 2010 (the "**VOP 2010**"), and in respect of the Vaughan Mills Centre Secondary Plan forming part of Volume 2 of the VOP 2010 and in respect of Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 9060 Jane Street and in respect of Council's refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 9060 Jane Street and in respect of Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan for the land municipally known as 8940 Jane Street and in respect of Council's refusal or neglect to enact a proposed amendment to the City of Vaughan Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands municipally known as 8940 Jane Street.
Municipality:	City of Vaughan
OMB Case Nos.:	PL110419, PL110420, PL110455, PL110456, PL140839, PL111184
OMB File Nos.:	PL110419, PL110420, PL110455, PL110456, PL140839, PL111184

THESE MATTERS having come on for a public hearing,

THE TRIBUNAL ORDERS that in accordance with the provisions of sections 17(50) and 34(26) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, in respect of the VOP 2010, and in respect of the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment No. 2 to the VOP 2010 and forming part of Volume 2 of the VOP 2010, as adopted by the City of

Vaughan on March 18, 2014, and modified and approved by the Region of York on June 26, 2014 and in respect of the City of Vaughan Zoning By-law No. 1-88:

1. The policies and schedules of the Vaughan Mills Centre Secondary Plan are hereby modified and as set out in Attachment "A" attached hereto and forming part of this Order, and hereby approved as they relate to the lands municipally known as 8940 Jane Street in the City of Vaughan (the "**Mammone Site**") and 9060 Jane Street in the City of Vaughan (the "**Dulcina Site**"), subject to paragraph 5 hereof.

2. City of Vaughan Zoning By-law No. 1-88, as amended, is hereby further amended as set out in Attachments "B" and "C" attached hereto and forming part of this Order, subject to paragraph 5 hereof.

3. This partial approval of the Vaughan Mills Centre Secondary Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of any other party to seek to modify, delete or add to the unapproved policies, schedule, maps, figures definitions, tables and associated text in the said Plans, or (b) the jurisdiction of the Tribunal to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the said Plans on a general, area-specific or site-specific basis, as the case may be.

4. The appeals by the Appellants are hereby allowed to the extent necessary to give effect to this Order, and in all other respects are hereby dismissed. The motion filed by the Appellants pursuant to Section 43 of the *Ontario Municipal Board Act* is hereby withdrawn on consent unconditionally and entirely.

5. This Order as it relates to the approval of Attachments "A", "B" and "C" in respect of the Phase 2 Lands defined below shall be withheld until such time as the Region of York has advised the Tribunal in writing that:

   (a) With respect to the development of the Phase 2 Lands being Block "C" shown on Schedule 2 to Attachment "B" to this Order, (the "**Dulcina Phase 2 Lands**""):

      (i) An updated Transportation Impact Study in respect of the Dulcina Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks "A" and "B" shown on Schedule 2 to Attachment "B" to this Order (the "**Dulcina Phase 1 Lands**"), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 of the Vaughan Mills Centre Secondary Plan, as amended from time to time ("**Table 2**"), have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.

      (ii) The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Dulcina Phase 2 Lands have been implemented or identified in the City of Vaughan's plans or the Region's 10-Year Roads and Transit Capital Construction Program.

(iii) The Dulcina Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Dulcina Site. If the said modal split has not been achieved in Phase 1, the owner of the Dulcina Site shall, prior to the lifting of the Holding Symbol ("H") for the Dulcina Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Phase 2 Lands; and

(b) With respect to the development of the Phase 2 Lands being Block "C" shown on Schedule 1 to Attachment "C" to this Order (the "**Mammone Phase 2 Lands**"):

(i) An updated Transportation Impact Study in respect of the Mammone Phase 2 Lands, based on the Transportation Impact Study prepared for Blocks "A" and "B" shown on Schedule 1 to Attachment "C" to this Order (the "**Mammone Phase 1 Lands**"), has been prepared to the satisfaction of the Region. The updated Transportation Impact Study shall indicate and identify what infrastructure improvements listed in Table 2 have been completed, outstanding, or planned and what steps will be taken to implement these requirements as of the date of the updated Transportation Impact Study.

(ii) The transportation infrastructure improvement requirements identified in Table 2 to accommodate the development of the Mammone Phase 2 Lands have been implemented or identified in the City of Vaughan's plans or the Region's 10-Year Roads and Transit Capital Construction Program.

(iii) The Mammone Site has achieved a non-auto modal split of at least 20 percent in Phase 1 of development of the Mammone Site. If the said modal split has not been achieved in Phase 1, the owner of the Mammone Site shall, prior to the lifting of the Holding Symbol ("H") for the Mammone Phase 2 Lands, outline steps to be taken, to the satisfaction of the City and the Region, to achieve the said modal split in the development of the Mammone Phase 2 Lands.

6. The appeal by Damara Investment Corp. (PL140839) is withdrawn and the appeal filed by Limestone Gallery Investments Inc. (PL140839) is scoped on consent of Limestone Gallery Investments Inc., the City of Vaughan, and the Region of York in accordance with Attachment "D" hereto.

The Local Planning Appeal Tribunal orders:

i. **That the Vaughan Mills Centre Secondary Plan, being Official Plan Amendment Number 2 to the City of Vaughan Official Plan 2010, be amended by:**

- **(a) Adding the new Section 18.0 "Site Specific Policies" set out below.**
- **(b) Deleting Schedule I "Development Block" and substituting therefor the Schedule I attached hereto**
- **(c) Deleting Table 2 – "Transportation Network Improvements" and substituting therefor the Table 2 – "Transportation Network Improvements" attached hereto.**
- **(d) Deleting Policy 3.6.1.7, Part B, replaced with Policy 18.2 hereto.**
- **(e) Modify Policy 7.4.1, Part C, Block 7 (Bullet 2) to read as "The dedication of the park within Block B7 as identified in this Plan**
- **(f) Delete Policy 7.4.1, Part C, Block 8 (Bullet 1)**
- **(g) Modify Policy 7.4.1, Part C, Block 8 (Bullet 2) to read as "The dedication of park(s) within Block B8 as identified in this Plan**
- **(h) Modify Policy 7.4.1, Part C, Block 7 and 8 (Bullet 1) to read as "The construction of Bass Pro Mills Drive extension to Jane Street. Intersection improvements will be required at this location".**

18.0: Site Specific Policies

18.1 Special Provisions Governing the Development of Block B7(b)

The following policies will apply to the development of the lands shown as "B7(b)" on Schedule I:

a) The subject lands shall be developed in two phases that correspond with the Horizons outlined in Table 2 "Transportation Network Improvements", and subject to the delivery of infrastructure identified in Policy 7.4.1 (Part C) pertaining to Block 7 and Blocks 7 and 8 in accordance with the site-specific policies which follow. The boundaries of the Phase 1 and Phase 2 areas will be confirmed in the implementing zoning by-law or any amendment thereto. Development within each Phase may be staged through a site development application(s) in a manner satisfactory to the City and York Region.

b) A by-law may be passed under Section 34 of the *Planning Act* authorizing increases in heights and densities above those permitted in Schedule B: "Heights and Densities" of this Secondary Plan, in accordance with Policies 18.1 c) and d) below, subject to the application of Section 37 of the *Planning Act*, as specified in policy 9.0 (Part C) of this Secondary Plan, and provided that the use of the Subject Lands shall be subject to the removal of a Holding Symbol "H" in accordance with Policy 10.3 (Part C) of this Secondary Plan and the policies contained in this Policy 18.1.

c) Notwithstanding the heights permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the average height for development in Block B7(b) to approximately 26 storeys. Individual building heights shall be prescribed in the by-law, and no individual building shall exceed a maximum height of 28 storeys.

d) Notwithstanding the maximum densities permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the permitted density (FSI) to permit the phased development of a total maximum Gross Floor Area of 131,702 m^2 (consisting of 128,962 m^2 of residential GFA and 2,740 m^2 of non-residential GFA) for Phase 1 and Phase 2 within the Subject Lands, provided that the maximum number of residential units permitted shall not exceed 1125 residential units in Phase 1; and 342 residential units in Phase 2.

e) The removal of the Holding Symbol ("H") may be staged within each Phase, which is set out in the implementing Zoning By-law, to the satisfaction of the City and York Region.

f) In each Phase, all new development requiring the conveyance of land for streets, parks and / or other public facilities shall be subject to a draft plan of subdivision or development agreement as per Policy 14.0 (Part C) of this Plan.

g) The following policies shall apply to the removal of the Holding Symbol ("H") for the development of Phases 1 and 2 within the Subject Lands, and shall be included, without limitation, as conditions for the removal of the Holding Symbol ("H") in the implementing zoning by-law under Section 34 of the *Planning Act*:

Phase 1 (2021 Horizon)

i. The provision of the following:
   a. Satisfactory arrangements are in place for the completion and use of the Bass Pro Mills Drive extension to Jane Street prior to first occupancy, to the satisfaction of the City.
   b. Satisfactory arrangements for the construction and conveyance of an east/west public street linking Vaughan Mills Circle and Jane Street, including potential signalization, if warranted, to the satisfaction of York Region;
   c. Submission of an updated "Transportation Demand Management Plan" at each stage of development to the satisfaction of the City and York Region, that meets the objectives of Policy 4.1.1 (Part B), and reviews the progress in implementing the "Recommended Network Improvements" in Table 2, 7.3 (Part C).
   d. The submission of a Development Concept Report for the development of Phase 1 in accordance with Policy 6.2, (Part C) of this Secondary Plan;

ii. The final approval of a site plan application under Section 41 of the *Planning Act,* to the satisfaction of the City and York Region;

iii. The execution and delivery of a subdivision agreement or development agreement securing the following:
   a. Conveyance of lands, from within the area of subject lands, that are required for the widening of Jane Street; the east/west road linking Jane Street and Vaughan Mills Circle within Development Block B7(b) on Schedule I; and the portion of the proposed "Neighbourhood Park" located on the west side of Jane Street;
   b. The construction of the east/west road linking Jane Street and Vaughan Mills Circle within Development Block B7(b) on Schedule I;
   c. The payment of cash-in-lieu in accordance with Section 42 of the Planning Act and;
   d. The extension of public services with respect to the development of Phase 1 in the implementing Zoning By-law;

iv. Water supply and sewage servicing capacity required for development of Phase 1 to proceed have been identified by York Region and allocated by the City;

v. The execution and delivery of an agreement under Section 37 of the *Planning Act* to the satisfaction of the City with respect to increases in heights and densities referenced in Policy 18.1 c) and d) above;

vi. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal services, parkland and community services; and

vii. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

Interim Uses Permitted within Phase 2:

Notwithstanding Policy 9.2.2.6, (Volume 1, VOP 2010), respecting uses permitted in the "High-Rise Mixed-Use" designation, a single storey commercial building with a maximum Gross Floor Area of 1,970 square metres shall be permitted as an interim use within the Phase 2 Lands as identified in the implementing Zoning By-law. Such use shall be permitted while the Holding Symbol ("H") is in place and such use shall cease prior to the removal of the Holding Symbol ("H") for the Phase 2 Lands where the building is located and subject to conditions of removal of the Holding Symbol ("H") as set out in the implementing Zoning By-law.

Phase 2 (2031 Horizon)

i. In keeping with Policy 7.6 (Part C) of this Plan, the submission of a comprehensive "Jane Street Corridor Area Development Concept Report" as required through Policy 8.0 (Part C), and identified as "Jane Street Corridor Area" identified in Schedule A: "Plan Area" of this Secondary Plan, to the satisfaction of the City and York Region;
ii. A Comprehensive Transportation Assessment, prepared to the satisfaction of the City and York Region demonstrating development capacity for either complete or staged removal of the Holding Symbol ("H") as required in Policy 7.6 (Part C) of this Secondary Plan;
iii. The submission of an updated Development Concept Report for the development of Phase 2 in keeping with Policy 6.2, (Part C) of this Plan;
iv. The final approval of a site plan application under Section 41 of the *Planning Act*, to the satisfaction of the City and York Region;
v. The execution and delivery of a subdivision agreement or development agreement securing the conveyance of lands required for any remaining public streets and road widenings and the construction thereof;
vi. The provision of community facilities, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services.
vii. Water supply and sewage servicing capacity required for development of Phase 2 to proceed have been identified by York Region and allocated by the City;
viii. Adequate provision has been made for school sites and community facilities;
ix. Any necessary agreements required to ensure orderly development of the land, have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal servicing and community services; and
x. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

18.2 Special Provisions Governing the Development of Block B8

The following policies will apply to the development of the lands shown as "B8" on Schedule I:

a) The subject lands shall be developed in two phases that correspond with the Horizons outlined in Table 2 "Transportation Network Improvements", and subject to the delivery of infrastructure identified in Policy 7.4.1 (Part C) pertaining to Block 8 and Blocks 7 and 8 in accordance with site specific policies which follow. The boundaries of the Phase 1 and Phase 2 areas will be confirmed in the implementing zoning by-law or any amendment thereto. Development within each Phase may be staged through a site development application(s) in a manner satisfactory to the City and York Region.

b) A by-law may be passed under Section 34 of the *Planning Act* authorizing increases in heights or densities above those permitted in Schedule B: Heights and Densities" of this Secondary Plan in accordance with Policies 18.2 c) and d) below, subject to the application of Section 37 of the

Planning Act, as specified in Policy 9.0 (Part C) of this Secondary Plan, and provided that the use of the Subject Lands shall be subject to the removal of a Holding Symbol ("H") in accordance with Policy 10.3 (Part C) of this Secondary Plan and the policies contained in this Policy 18.2.

c) Notwithstanding the heights permitted in Schedule B of this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to increase the average height for development in Block B8 to be approximately 24 storeys. Individual building heights shall be prescribed in the zoning by-law, and no individual building shall exceed a maximum height of 26 storeys.

d) Notwithstanding the maximum densities permitted in Schedule B to this Secondary Plan, a by-law may be passed under Section 34 of the *Planning Act* to permit the phased development of a total maximum Gross Floor Area of 114,034 m^2 (consisting of 112,044m^2 of residential GFA and 1,991m^2 of non-residential GFA) for Phase 1 and Phase 2 within the Subject Lands, provided that the maximum number of residential units permitted shall not exceed 871 residential units in Phase 1; and 526 residential units in Phase 2.

e) The removal of the Holding Symbol ("H") may be staged within each Phase, which is set out in the implementing Zoning By-law, to the satisfaction of the City and York Region;

f) In each Phase, all new development requiring the conveyance of land for streets, parks and / or other public facilities shall be subject to a draft plan of subdivision or development agreement as per Policy 14.0, Part C of this Plan.

g) The following policies shall apply to the removal of the Holding Symbol ("H") for the development of Phases 1 and 2 within the Subject Lands, and shall be included, without limitation, as conditions for the removal of the Holding Symbol ("H") in the implementing by-law under Section 34 of the *Planning Act*:

Phase 1 (2021 Horizon)

i. The provision of the following:
   a. Satisfactory arrangements are in place for the completion and use of the Bass Pro Mills Drive extension to Jane Street prior to first occupancy, to the satisfaction of the City.
   b. Satisfactory arrangements for the completion of Romina Drive (with provision for the necessary conveyances within the Subject Lands) north to Vaughan Mills Circle, including potential signalization, if warranted, at Romina Drive and Bass Pro Mills Drive.
   c. Submission of an updated "Transportation Demand Management Plan" at each stage of development, to the satisfaction of the City and York Region, and that meets the objectives of Policy 4.1.1 (Part B), and that reviews the progress in implementing the "Recommended Network Improvements" in Table 2, 7.3 (Part C).
   d. The submission of a Development Concept Report for the development of Phase 1 in accordance with Policy 6.2, Part C of this Secondary Plan;

ii. The final approval of a site plan application under Section 41 of the *Planning Act*, to the satisfaction of the City and York Region;

iii. The execution and delivery of a subdivision agreement or development agreement securing:
   a. the conveyance of lands that are required for the widening of Jane Street, the extension of Bass Pro Mills Drive to Jane Street, the Romina Drive extension, and the portion of the proposed "Neighbourhood Park" located on the west side of Jane Street, as identified in Schedule 1 of the implementing zoning by-law;
   b. The construction of Romina Drive extension;
   c. The construction of the Bass Pro Mills Drive extension to Jane Street, and the entrance of Romina Drive;
   d. The payment of cash-in-lieu in accordance with Section 42 of the Planning Act;

iv. The extension of public services with respect to the development of Phase 1 as defined in the implementing Zoning By-law.
v. Water supply and sewage servicing capacity required for development of the Phase 1 Lands to proceed have been identified by York Region and allocated by the City;
vi. The execution and delivery of an agreement under Section 37 of the *Planning Act* to the satisfaction of the City of Vaughan with respect to increases in heights and densities referenced in Policy 18.2 c) and d) above;
vii. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City and/or York Region where appropriate, for municipal servicing, parkland and community services;
viii. A By-law to remove the Holding Symbol (H) shall not be enacted until such time as the owner has ceased all operations and demolished all buildings and structures for any lands north of the Vaughan Mills Centre Secondary Plan boundary along the southern edge of Bass Pro Mills Drive Right-of-Way as identified on Schedule A of this Plan, that may encroach or encumber the conveyance and/or construction of Bass Pro Mills Drive; and
ix. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

Phase 2 (2031 Horizon)

i. In keeping with Policy 7.6 (Part C) of this Secondary Plan, the submission of a scoped comprehensive "Jane Street Corridor Area Development Concept Report" as required through Policy 8.0 (Part C), and identified as "Jane Street Corridor Area" identified in Schedule A: "Plan Area" of this Secondary Plan; to the satisfaction of the City and York Region;
ii. A comprehensive Transportation Assessment, prepared to the satisfaction of the City and York Region demonstrating development capacity for either complete or staged removal of the Holding Symbol ("H") as required in Policy 7.6 (Part C) of this Secondary Plan;
iii. The submission of an updated Development Concept Report for the development of Phase 2 in keeping with Policy 6.2 (Part C) of this Secondary Plan;
iv. The final approval of a site plan application under Section 41 of the *Planning Act* to the satisfaction of the City and York Region;
v. The execution and delivery of a subdivision agreement or development agreement securing the conveyance of any remaining lands required for public streets and road widenings and the construction thereof, the provision of community facilities, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act* and the extension of public services;
vi. Water supply and sewage servicing capacity required for development of Phase 2 to proceed, have been identified by York Region and allocated by the City;
vii. Adequate provision has been made for school sites and community facilities;
viii. Any necessary agreements required to ensure orderly development of the land have been executed among benefitting landowners, and the City or York Region where appropriate, for municipal servicing and community services; and
ix. Environmental requirements to permit development to proceed have been secured to the satisfaction of the City.

18.3 Special Provisions Governing the Development of Block B3(a)

The following policies will apply to the development of the lands shown as "B3(a)" on Schedule I:

a) No residential development shall be permitted in Block B3(a) in Phase 1;

b) **Residential development in Phase 2 for Block B3(a), will be subject to the outcome of the required Phase 2 comprehensive Jane Street Corridor Area Development Concept Report and the Comprehensive Transportation Assessment and implementation of the infrastructure identified in Table 2 (Phase 2, 2031 Time Horizon), which will establish the residential capacity for Phase 2.**

Schedule I: DEVELOPMENT BLOCKS

Table 2
Recommended Transportation Network Improvements

HORIZON	DEVELOPMENT LEVEL		RECOMMENDED NETWORK IMPROVEMENTS TO ACCOMMODATE THE PROPOSED DEVELOPMENT LEVEL AT THE STATED HORIZON
PHASE 1: **Horizon 2021**	***Includes all of the Jane Street Corridor Area as shown in Schedule A of the Vaughan Mills Centre Secondary Plan*** (70% of all proposed development east of Highway 400) #	• Up to 3,631 residential units ** • Up to 16,304 m^2 retail uses • Up to 46,079 m^2 of office	***Road Network Improvements: (Jane Street Corridor Area)*** • Complete Bass Pro Mills Drive extension to Jane Street. • Complete Caldari Road extension to Rutherford Road. • Complete Romina Drive extension to Vaughan Mills Ring Road. • Implement a full-moves signalized access on Jane Street midblock between Riverock Gate and Bass Pro Mills Drive as part of planned development applications. • Provide an additional right-turn lane on southbound Fisherman's Way at Bass Pro Mills Drive.
	Within the Vaughan Mills Business District as shown in Schedule A of the Vaughan Mills Centre Secondary Plan (40% of all development west of Highway 400) *	• Up to 101,600 m^2 of prestige employment uses • Up to 39,494 m^2 of office uses • Up to 30,715 m^2 of neighbourhood and medium format retail uses • Up to 14,520 m^2 of other uses including hotel, entertainment, and cultural uses	***Road Network Improvements: (Vaughan Mills Centre Business District Area)*** • Northbound dual left-turn lanes on Weston Road at Rutherford Road (dependent on effects of the improvements on Major Mackenzie Drive at Highway 27). • Implement the internal road network as show in the Vaughan Mills Centre Secondary Plan, Schedule F. • Plan for a four-lane cross-section for Vellore Woods Boulevard south of Rutherford Road, and for Creditview Road north of Bass Pro Mills Drive. • Provide an additional right-turn lane on northbound Vellore Woods Boulevard at Rutherford Road. ***Other Transportation Improvements:*** • Implement a strong internal grid network as outlined in the Secondary Plan to enhance traffic connectivity across the site. • Viva Quick Start rapid bus service on Jane Street, from Rutherford Road to the planned Spadina Subway extension station at Highway 7. • Transit signal priority and queue jump lanes on Jane Street, Weston Road and Rutherford Road. • Enhancement of YRT bus service on Rutherford Road and to the YRT Vaughan Mills bus terminal. • Proactive and aggressive programs and initiatives to reinforce the need to create change in modal split behavior, to promote greater use of transit, to attract more riders and to achieve the assumed modal split. • Create an organized Passenger Pick-up and Drop-off (PPUDO) area adjacent to the Vaughan Mills transit terminal. • Collaborate with car share operators to introduce car-sharing. • Revise parking standards for developments to discourage single-occupancy vehicle use. • Consider use of shared parking, and preferred parking for hybrid and electric vehicles.

HORIZON	DEVELOPMENT LEVEL		RECOMMENDED NETWORK IMPROVEMENTS TO ACCOMMODATE THE PROPOSED DEVELOPMENT LEVEL AT THE STATED HORIZON
			• Implement intelligent parking information systems across the Vaughan Mills Centre area parking lots for more effective distribution of parking demands. • Implement transportation demand management strategies within the Vaughan Mills Centre area to discourage heavy car uses and encourage developing less auto-dependent travel behaviours. • Integrate comprehensive pedestrian and cycling route facilities and network to promote active transportation. • Promote self-contained neighbourhood living/working and recreation within the Vaughan Mills Centre area to help reduce traffic demands on the area's road network.
PHASE 2: **Full Build-Out (Horizon 2031)**	***Includes development within the Rutherford Road Area, and the Bass Pro Mills Area, as shown in Schedule A of the Vaughan Mills Centre Secondary Plan.*** ***Includes the remainder of development within the Vaughan Mills Business District as shown in Schedule A of the Vaughan Mills Centre Secondary Plan ****	• Up to 672 residential units • Up to 55,931 m^2 retail and other uses • Up to 31,500 m^2 of office • Up to 152,400 m^2 of prestige employment uses • Up to 59,241 m^2 of office uses • Up to 46,072 m^2 of neighbourhood and medium format retail uses • Up to 21,781 m^2 of other uses including hotel, entertainment, and cultural uses	***Road Network Improvements: (West of Highway 400)*** • Completion of Bass Pro Mills Drive extension to Weston Road. • Install traffic signals at the intersection of Bass Pro Mills Drive at Weston Road. ***Other Transportation Improvements:*** • Higher-order transit service on Jane Street, in the form of BRT or LRT, with its dedicated right-of-way connecting the Spadina Subway extension to Vaughan Mills Centre and up to Canada's Wonderland and the future Mackenzie Vaughan Hospital on Major Mackenzie Drive. • Enhancing priority transit service on Rutherford Road and introduce Viva service; • Pedestrian and cyclist bridge crossing over Highway 400 midblock between Bass Pro Mills Drive and Rutherford Road to provide additional non-auto connection within the Secondary Plan. • Continue to promote sustainable transportation (transit, walking, cycling) and other transportation demand management programs and measures to encourage a greater shift in travel mode patterns to achieve the assumed modal split.

[#] Up to 80% of the proposed development east of Highway 400 could be accommodated if the full extension of Bass Pro Mills Drive to Weston Road is also completed by 2021.

* Development thresholds and transportation improvements will be determined through the Block Plan process as identified in Part C, Section 7.4.3 of the Secondary Plan for lands located in the Vaughan Business District Area (west of Highway 400). The Block Plan application will address the matters set out in Policies 10.1.1.15 of VOP 2010 and shall constitute a complete application to the satisfaction of the City of Vaughan.

** The total unit counts for Phase 1 are based on the June 2015 Transportation Assessment Addendum Report for the Vaughan Mills Centre Secondary Plan, subject to Policy 7.3 Part C, and the other policies of Section 7, Part C of this Plan.

Attachment C

Authority: Local Planning Appeal Tribunal Decision/Order issued [DATE] in LPAT File No. PL

Sandra Mammone

BY-LAW NUMBER _____ - 2018 (LPAT)

A By-law to amend City of Vaughan By-law 1-88.

The Local Planning Appeal Tribunal orders:

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

   a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from EM1(H) Prestige Employment Area Zone with the Holding Symbol "(H)" and EM2 General Employment Area Zone to RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on the said Schedule "1".

   b) Deleting Exception 9(881) from Section 9.0 "EXCEPTIONS" and substituting therefor the following paragraphs:

      "(881) A. The following provisions shall apply to the RA3 Apartment Residential Zone lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-964", until the Holding Symbol "(H)" is removed pursuant to Subsection 36(3) or (4) of the *Planning Act*:

      a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law ___-2017. Notwithstanding the foregoing, one (1) temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in the City of Vaughan By-law 1-88, and an Underground Parking Structure shall be permitted;

      b) Upon the enactment of a by-law, or by-laws to remove the Holding symbol "(H)" form any portion of the Subject Lands, development will occur sequentially in two Phases on the lands identified as the "Phase 1 Lands" (Blocks A and B) and "Phase 2 Lands" (Block C), as shown on Schedule "E- ". Development within each Phase may be staged in accordance with a staging plan, to the satisfaction of the City of Vaughan and York Region;

      c) <u>"Phase 1 Lands" (2021 Horizon) – Holding Symbol "(H)" Removal Conditions:</u>.

      A By-law to remove the Holding Symbol "(H)" from the "Phase 1 Lands", or any portion thereof, shall not be enacted until the following conditions are satisfied:

      i) A Development Concept Report, including supporting studies, has been submitted to the satisfaction of the City of Vaughan and York

Region;

ii) A subdivision agreement or development agreement has been executed and registered securing the conveyance of the Jane Street road widening across the frontage of the Subject Lands, the conveyance of public parkland (identified as the lands zoned OS2 Open Space Park Zone on Schedule "E- "), the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and, if efficient and practical, the Phase 2 Lands, as set out on Schedule "E- ";

iii) Arrangements have been made satisfactory to the City of Vaughan and/or York Region for the completion of the extension of Bass Pro Mills Drive to Jane Street (with all the necessary conveyances) and the extension of the required segment of Romina Drive;

iv) Final approval of a Site Development Application(s) has been obtained for the Phase 1 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, in accordance with Section 41 of the *Planning Act*;

v) An agreement pursuant to Section 37 of the *Planning Act*, to the satisfaction of the City of Vaughan, has been executed and registered, providing for the payment of $2,181,200 with respect to increases in height and density for the development of the Phase 1 Lands and the Phase 2 Lands. Payment of the Section 37 amount shall be pro-rated based upon the percentage of the approved number of units and payable prior to the issuance of the first Building Permit for any above grade structure(s) (other than the temporary sales office);

vi) At the City of Vaughan's request, entering into a Park Developer Build Agreement with the City to construct the entire public park block in accordance with the City of Vaughan's Developer Build Parks Policy (Policy No. 07.2.05), which agreement will include "Schedule 'D' – Base Work Requirements for Assumption of a Conveyed Park Block", as shown on Schedule "E- " attached hereto as Schedule "2", to the satisfaction of the City Vaughan Manager of Parks Development Planning Department;

vii) A cost sharing agreement has been executed to the City's satisfaction to secure the proportionate share of the works

required to service and deliver the entire public park block(s);

viii) Water supply and sewage servicing capacity have been identified by York Region and allocated to the Phase 1 Lands, or portions thereof, by the City of Vaughan;

ix) The Owner shall have ceased all operations and demolished all buildings and structures within the area of the Phase 1 and Phase 2 Lands, to the satisfaction of the City of Vaughan;

x) Any necessary agreements required to ensure orderly development of the Phase 1 Lands have been executed among benefitting landowners, and the City of Vaughan and/or York Region where appropriate, for municipal servicing and community services;

xi) The submission of Ministry of Environment and Climate Change (MOECC) Record(s) of Site Condition (RSCs), MOECC Acknowledgment Letter(s) for the Phase 1 Lands, including lands to be conveyed to the City of Vaughan, and all supporting Environmental Site Assessment studies and documentation (including reliance to the City of Vaughan) in accordance with Schedule "E- " and Schedule "E- ", attached hereto as Schedules "3" and "4", respectively, to the satisfaction of the City of Vaughan;

d) <u>"Phase 2 Lands" (2031 Horizon) – Conditions of Removal of the Holding Symbol "(H)":</u>

A By-law to remove the Holding Symbol "(H)" from the "Phase 2 Lands", or any portion thereof, shall not be enacted until the following conditions are satisfied:

i) A scoped comprehensive "Jane Street Corridor Area Development Concept Report" has been submitted to the satisfaction of the City of Vaughan and York Region;

ii) A Comprehensive Transportation Assessment has been prepared to the satisfaction of the City of Vaughan and York Region, demonstrating development capacity for either complete or staged removal of the Holding Symbol "(H)" for the Phase 2 Lands, or portion thereof;

iii) An updated Development Concept Report for the development of the Phase 2 Lands has been submitted, to the satisfaction of the City of Vaughan;

iv) Final approval of a Site Development Application(s) has been

obtained for the Phase 2 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, in accordance with Section 41 of the *Planning Act*;

v) A subdivision agreement or development agreement has been executed and registered with respect to the Subject Lands securing the conveyance of lands required for any remaining public streets and road widenings and the construction thereof, the payment of cash-in-lieu in accordance with Section 42 of the *Planning Act*, and the extension of public services with respect to the development of the Phase 1 Lands and the Phase 2 Lands within the Subject Lands, as set out on Schedule "E- ";

vi) Water supply and sewage servicing capacity have been identified by York Region and allocated to the Phase 2 Lands by the City of Vaughan;

vii) Adequate provision has been made for school sites and community facilities to support the development of the Phase 2 Lands, or portion thereof from which the Holding Symbol "(H)" is being removed, have been provided to the satisfaction of the City of Vaughan;

viii) The submission of Ministry of Environment and Climate Change (MOECC) Record(s) of Site Condition (RSCs), MOECC Acknowledgment Letter(s) for the Phase 2 Lands, including lands to be conveyed to the City of Vaughan, and all supporting Environmental Site Assessment studies and documentation (including reliance to the City of Vaughan) in accordance with Schedule "E- " and Schedule "E- ", attached hereto as Schedules "3" and "4", respectively, to the satisfaction of the City of Vaughan;

B. Subject to the requirements of Paragraph A above, notwithstanding the provisions of:

a) Subsection 2.0 respecting the Definition of Lot, Building Height, Care Share, Parking Space, Parking Space – Handicapped, Place of Worship, Service or Repair Shop, and Underground Parking Structure;

b) Subsection 3.8 (a) respecting Parking Requirements;

c) Subsection 3.9 respecting Loading Requirements;

d) Subsection 3.13 respecting Minimum Landscaped Area;

e) Subsection 3.17 respecting Portions of Buildings Below Grade;

f) Subsection 4.1.6 respecting Minimum Amenity Area;

g) Subsection 4.1.8 and Schedule "A" respecting the minimum Zone Standards in the RA3 Apartment Residential Zone;

h) Subsections 4.1.7 respecting Uses Permitted in All Residential Zones and 4.12 respecting Uses Permitted in the RA3 Apartment Residential Zone;

i) Subsection 6.1.2 and Schedule "A" respecting the minimum Zone Standards in the EM1 Prestige Employment Area Zone;

the following provisions shall apply to the development of the lands shown as "Subject Lands" on Schedule "E-964" upon the removal of the Holding Symbol "(H)":

ai) For the purpose of this Exception Paragraph:

i) The Phase 1 and Phase 2 lands shall be deemed to be one lot, regardless of the number of buildings or structures constructed thereon, the creation of separate units and/or lots by way of plan of condominium, conveyance, consent, or other permissions, and any easements or registrations that maybe granted, shall be deemed to comply with the provisions of this By-law;

ii) The definition of Building Height shall exclude accessory roof construction, elevator(s), mechanical room, antenna, parapet wall, canopies, landscape features, or roof-top equipment. Furthermore, any residential floor area on the same storey at, or adjacent to, the roof-top equipment shall not be considered a storey, provided that the said residential floor area is less than 50% of the floor area for that storey and does not increase the maximum number of permitted Dwelling Units on the Phase 1 and Phase 2 lands;

iii) Car Share means a service for local users in support of community transit and environmental goals. It is a membership-based on service offering members access to a dispersed network of shared vehicles 24 hours, 7 days a week. It is primarily designed for shorter times and shorter distance trips providing a public service to enhance mobility options. It does not include a dealership, rental uses or car brokerage use. Car Share parking spaces may be set aside within a covered area on the Phase 1 and Phase 2 lands, and will not count towards satisfying the minimum parking supply requirements of this by-law;

iv) The minimum dimensions of a Parking Space are 2.7 metres by 5.8 metres;

v) Accessible Parking Spaces and Aisles shall be provided in

accordance with Ontario Regulation 413/12 with a minimum parking space length of 5.8 metres;

vi) Place of Worship shall mean a building used for religious worship and may include accessory facilities such as an assembly hall, auditorium, shrine, and rectory;

vii) Service or Repair Shop shall only include the servicing or repairing of small household appliances and electronic devices;

viii) An Underground Parking Structure shall mean a building or structure constructed below finished grade for the temporary parking of motor vehicles and shall not include the storage of impounded or derelict motor vehicles;

bi) The minimum Residential – Apartment Dwelling parking ratio shall be 0.95 parking spaces per unit;

bii) The maximum Residential – Apartment Dwelling parking ratio shall be 1.15 parking spaces per unit;

biii) The minimum Residential – Apartment Dwelling, Visitor parking ratio shall be 0.20 spaces per unit and may be located in the commercial parking area. The parking spaces provided to satisfy the requirements for the Commercial uses will also count towards satisfying the residential visitor parking requirements;

biv) The minimum Commercial parking ratio shall be 3.0 parking spaces per 100 m^2 Gross Floor Area;

ci) Subsection 3.9 (a) shall not apply;

di) The following minimum landscape strip widths shall be provided:

i) 1.9 m along Bass Pro Mills Drive;

ii) 6.0 m along Vaughan Mills Circle;

iii) 9.0 m along the west property line;

iv) 3.0 m along Romina Drive;

ei) The minimum setback from the front lot line (Bass Pro Mills Drive) to the nearest part of the building below finished grade shall be 0.0 m;

fi) The Minimum Amenity Area provided on the Subject Lands shall be based on 2.5 m^2 per unit;

gi) The minimum setback to a sight triangle shall be 0.0 m;

gii) The minimum front yard setback (Bass Pro Mills Drive) shall be as follows:

i) Block 'A' – 10.0 m;

ii) Block 'C' – 1.9 m;

giii) The minimum rear yard setback (Vaughan Mills Circle) shall be as follows:

i) Block 'A' – 6.0 m;

ii) Block 'B' – 6.0 m;

giv) The minimum side yard setback (from west property line) shall be as follows:

i) Block 'A' – 8.0 m;

gv) The minimum setback from the east property line (Romina Drive) shall be as follows:

iii) Block 'B' – 3.0 m;

gvi) The maximum permitted Building Height shall be as follows:

Block 'A':

i) Building 1A – 24-storeys (79.5 m);

ii) Building 1B – 18-storeys (59.6 m);

Block 'B':

i) Building 2 – 26-storeys (83.5 m);

Block 'C':

i) Tower 3A – 18-storeys (59.6 m);

ii) Tower 3B – 26-storeys (83.5 m);

gvii) The minimum distance between buildings above 7-storeys shall be 22.0m;

gviii) The maximum permitted number of Dwelling Units within the Phase 1 Lands shall be 871;

gix) The maximum permitted number of Dwelling Units within the Phase 2 Lands shall be 526;

gx) The total maximum Gross Floor Area (GFA) on the Phase 1 Lands and the Phase 2 Lands shall be 114,034 m^2, consisting of 112,044 m^2 of residential GFA and 1,991 m^2 of non-residential GFA;

gxi) A maximum Gross Floor Area of 1,991 m^2 devoted to Commercial uses shall be permitted on the ground floor of the buildings on the land Zoned RA3 Apartment Residential Zone, where the floor to floor height of a commercial unit shall be a minimum of 4.5 m;

hi) In addition to the uses permitted in all Residential Zones and in the RA3 Apartment Residential Zone, the following commercial uses shall be permitted only if they are carried on within a wholly enclosed building and with no open storage:

i) Bank or Financial Institution;

ii) Brewers Retail Outlet;

iii) Business or Professional Office;

iv) Car Share;

v) Club or Health Centre;

vi) Community Centre;

vii) Day Nursery;

viii) Eating Establishment;

ix) Eating Establishment, Convenience

x) Eating Establishment, Take-Out;

xi) Independent Living Facility;

xii) L.C.B.O Outlet;

xiii) Long Term Care Facility;

xiv) Personal Service Shop;

xv) Pet Grooming Establishment;

xvi) Pharmacy;

xvii) Photography Studio;

xviii) Place of Entertainment;

xix) Place of Worship;

xx) Public, Technical or Private School;

xxi) Public Library;

xxii) Recreational;

xxiii) Retail Store;

xxiv) Service or Repair Shop;

xxv) Supermarket;

xxvi) Underground Parking Structures;

xxvii) Veterinary Clinic;

xxviii) Video Store;

hii) An outdoor patio shall only be permitted as an accessory use to an Eating Establishment, Convenience Eating Establishment, or Take-Out Eating Establishment and then only in accordance with the following provisions:

i) The outdoor patio shall not exceed fifty percent (50%) of the gross floor area devoted to patron use of the eating establishment in conjunction with which the outdoor patio use is permitted;

ii) Parking shall not be required for the outdoor patio;

iii) An outdoor patio may be permitted in any yard;

iv) Any lighting facilities illuminating an outdoor patio shall be arranged so as to deflect light away from adjoining properties and streets;

v) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audio-visual presentations, music concerts and shows, may be permitted in areas designated for outdoor patio use;

vi) The ground surface of an outdoor patio shall be of concrete or

other hard surface;

vii) An outdoor patio shall only be permitted in accordance with an approved Site Development Application;

viii) An outdoor patio of an eating establishment licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in the case of emergency and which is not from the interior of the main building; and,

ii) For the lands zoned EM1 Prestige Employment Area, as shown on Schedule "E-964", the Minimum Lot Frontage shall be 23.0 m and the Minimum Lot Area shall be 2,860 m².

b) Deleting Schedule "E-964" and substituting therefor the Schedule "E-964" attached hereto as Schedule "1".

c) Adding Schedule "E- " attached hereto as Schedule "2".

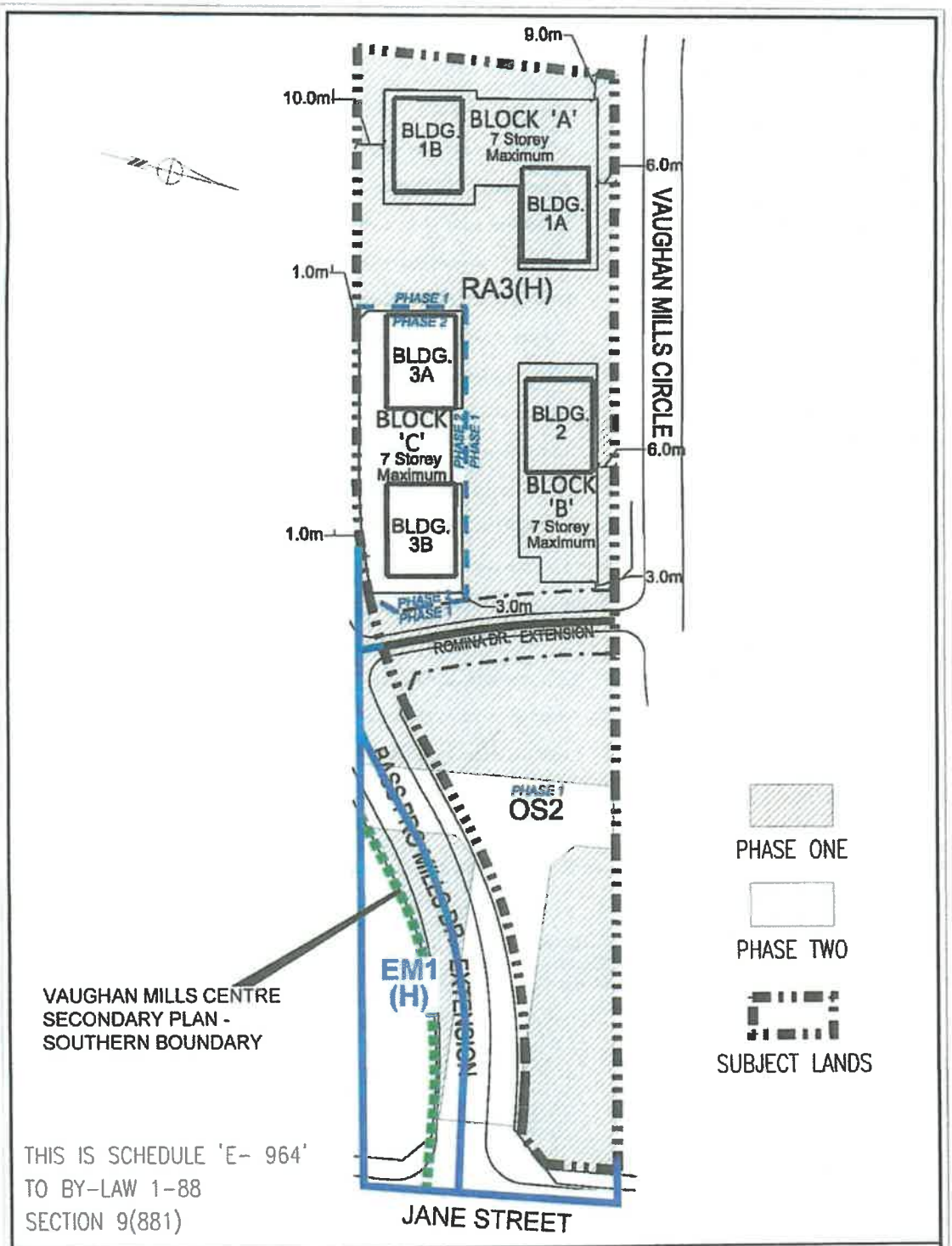
d) Adding Schedule "E- " attached hereto as Schedule "3".

e) Adding Schedule "E- " attached hereto as Schedule "4".

f) Deleting Key Map 5C and substituting therefor the Key Map 5C attached hereto as Schedule "5".

2. Schedules "1", "2", "3", "4", and "5" shall be and hereby form part of this By-law.

PURSUANT TO THE DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED [DATE] AND ORDER ISSUED [DATE] IN THE BOARD FILE NO. PL



THIS IS SCHEDULE 'E- 964'
TO BY-LAW 1-88
SECTION 9(881)

THIS IS SCHEDULE '1'
TO BY-LAW _____ - 2017
PASSED THE ___ DAY OF ___, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

SCHEDULE "D"

Base Work Requirements for Assumption of a Conveyed Park Block

I. Part I

1. Archaeological Assessment, Stage I and II is required to determine limits of public park block(s). Proposed public park lands are to be clear of all historically significant heritage features.

2. Proposed public park block(s) grading must not negatively impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.

3. The public park block(s) shall not be encumbered by any easements for utility services, transformer boxes, temporary or permanent building structural elements, building overhangs, Canada Post mail boxes and/or access, buffers, and the like with the exception of cross easements for servicing, utilities, maintenance and access.

4. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed grading works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual at interim and final phases of the public park block(s) development to the satisfaction of the City, acting reasonably.

5. A Park Master Plan to the City's standard level of service shall be prepared and include the following information:

   a) Boundaries of proposed parkland dedication and the total size of individual blocks;

   b) Existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition;

   c) Layout plan which illustrates proposed park program requirements, phasing plan based on adjacent construction activities, pedestrian circulation, and required setbacks as determined by the Parks Development Department;

   d) Grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements including development proposed over lands encumbered with strata conditions and to the Parks Development Department's satisfaction, acting reasonably; and

   e) A preliminary construction cost estimate.

   The plans listed above are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2'
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

requirements to the satisfaction of the Parks Development Department, acting reasonably.

II. Part II: Public Park Base Condition Works

1. A geotechnical investigation shall be conducted by a qualified Professional Engineer for all public park block(s) in the Park Master Plan to the satisfaction of the Parks Development Department, acting reasonably. In addition, a Phase Two Environmental Site Assessment shall be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing all public park block(s) in the Park Master Plan for conformity with the applicable MOECC Site Condition Standards for parkland use to the satisfaction of the Parks Development Department, acting reasonably. For both the geotechnical investigation and the Phase Two Environmental Site Assessment a minimum of 4 boreholes are to be taken at regular intervals along the full length of the proposed public park block(s). Borehole reports for the geotechnical investigation will indicate soil type, water content, and density (general compaction). For the Phase Two Environmental Site Assessment all samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants, as required under O.Reg. 153/04 (as amended). Should additional fill be placed to meet required grading levels, the results of the Phase Two Environmental Site Assessment shall be supplemented with a letter report addressed to the City from the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MOECC Site Condition Standards referenced above and compacted to the standard referenced below. For greater certainty, it is understood and agreed that all obligations under this paragraph will be satisfied for the Casertano Park Block and Mammone Park Block where geotechnical reports for such lands have been prepared by a qualified Professional Engineer in accordance with the attached borehole plans and where Phase Two Environmental Site Assessments have been conducted on such lands by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) and the attached borehole plans.

2. Adequate sized servicing connections are required along the main public park frontage and shall include a water chamber manhole, complete with a curb stop, sanitary manhole and a storm water manhole. All structures are to be located a minimum of 5 meters from adjacent property lines. [Ensure compliance with the most updated Engineering Design Criteria and Standard Drawings.]

3. The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the public park block(s). The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the block(s). The cable feed will originate

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2"x4" wood stake, visible above grade.

4. Public park block(s) grading shall be completed using clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD) inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels as determined by the City approved grading plan. The park block shall generally be graded to meet and match surrounding levels and allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area.

5. No fill shall be placed on existing topsoil and the stockpiling of topsoil is prohibited on the public park block(s). Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the Parks Development Department, acting reasonably, and results of testing provided to the Parks Development Department for review and approval. Topsoil shall be placed to a minimum depth of 300mm over the entire public park block(s), with the exception of area falling within strata limits, which are to be determined following the detailed design stage. Prior to placement of topsoil, the owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.

6. All temporary sediment control management measures are to be removed prior to rough grading.

7. The public park block(s) shall be seeded with a seed mix approved by Parks Development Department.

8. Any dead, damaged and hazardous trees based on an arborist's report recommendations shall be removed and disposed of off-site.

9. The perimeter of the public park block(s) shall be fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the public park block(s).

10. The Owner shall be responsible to maintain the public park block(s) until such time as the public park's construction commences or assumption is granted. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice summer, erosion repairs, cleaning of catch basins, repair of perimeter

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

fencing and removal of any debris that is dumped on the site, to the satisfaction of the City, acting reasonably.

III. Part III: Public Park Development Works to the Ultimate Condition

The following are the general principles that shall be incorporated into and form part of the Development Agreement based on Option A of the Section 13: Compensation and Payment Schedule to Developer(s) under the Developer Build Parks Policy No.: 07.2.05.

Part II: Public Park Base Condition Works and Part III: Public Park Development Works shall collectively be referred to as the "Ultimate Condition".

1. **General:**

   1.1 **The Owner shall design, tender a construction contract and construct the Public Park in accordance with the Landscape Construction Drawings and Specifications approved by the City. These works constitute projects incorporated in the City's Development Charges By-law 045-2013 and in accordance with the "Developer Build Parks Policy, No. 07.02.05" or the applicable policy version in force at the time of start of the first phase of construction of the Public Park for the Public Park Development Works only and not any works that are required to ensure that the Parklands meet the Part II: Parkland Base Condition Works.**

   1.2 **All works necessary to ensure that the Public Park is delivered to the City in the Ultimate Condition shall be at the sole cost and expense of the Owner.**

   1.3 **The Owner shall obtain all approvals and permits required to construct the Public Park.**

   1.4 **The Owner shall award all contracts and shall supervise all construction and provide all necessary certifications by its Consultant(s) to the satisfaction of the City, acting reasonably.**

2. **Consultant(s) Services:**

   2.1 **The Owner shall retain all necessary construction, landscape architecture, structural & mechanical engineers, electrical engineers, surveying, geotechnical, or other professionals/consultants to complete the Park Design and Construction Supervision and Contract Administration services.**

   2.2 **The Consultant(s) shall be qualified in constructing municipal park development projects and have sufficient resources to satisfactorily design, construct and**

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

administer Public Park development and the Owner shall provide such evidence to the City as requested in this regard.

2.3 The Owner's agreements or contracts with its landscape architect shall include design, general supervision and resident supervision on the construction of the Public Park to the Ultimate Condition and shall provide that the representatives of the City's Parks Development Department shall be entitled to inspect the construction of the Parklands to the Ultimate Condition and to stop any work in the event that the work is being performed in a manner that may result in a completed installation that would not be satisfactory to the City.

2.4 All design drawings shall bear the seal and signature of the professional engineer or landscape architect who is responsible for the relevant designs.

3. Contractor selection and construction costs:

3.1 All design drawings, specifications, and detailed cost estimates shall be approved by the City before any agreement is entered into for the construction of the Public Park to the Ultimate Condition and the total cost shall not exceed available Development Charge funding including all construction costs, landscape architectural services, structural & mechanical engineers, electrical engineers, and geotechnical consultants, testing, surveying, geotechnical certifications, applicable taxes, obtaining approvals and permits, construction contract administration and supervision, contingencies, applicable taxes and all costs reasonably relating to the Public Park to ensure the Park Development Works comply with City Standards and Criteria.

3.2 Prior to awarding a contract for the construction of the Public Park, the Owner shall provide the City with documentation that confirms to the satisfaction of the City, acting reasonably, that a competitive bid process was followed, with a minimum of three (3) qualified landscape general contractors, to tender the construction contract for the Public Park including a copy of the tender document and a summary of unit and total bid price for review and approval by the City. The City shall be satisfied that the selected landscape general contractor is qualified in constructing municipal park development projects, having at least five (5) years' experience in site servicing and park development and has sufficient resources to satisfactorily construct the Public Park prior to the Owner awarding the construction contract. The Owner shall provide the City with an updated cost of the Public Park based on bid prices for information following the tender closing.

3.3 Prior to the commencement of the Public Park works, should the total cost exceed the approved construction budget, the scope of the project will be amended accordingly subject to approval by the Owner and the City. The actual certified cost shall not include any of the Public Park works which are the Owner's obligation to construct The Part II: Parkland Base Condition Works, including but not limited to, design, administration and construction for the clearing and grubbing, tree

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

preservation/removal and protective measures, rough grading, topsoil spreading, drainage, seeding, supplying water, storm and electrical service stubs (including chambers and meters as required to property line), temporary perimeter fencing, construction signage and sediment control fencing or all other required Parkland Base Condition Works.

3.4 In the event that there are additional Public Park works requiring use of contingency funds attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City of the use of the contingency. However, the Owner shall not be obligated to obtain the City's consent to authorize such minor additional work or increase in the cost of the Public Park through use of the contingency, except for any major changes that affect quality or facility delivery, or changes that cumulatively exceed 80% of the available contingency of the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall provide copies of all supplementary contracts and change orders to the City for verification.

4. Payments:

4.1 The Owner shall submit a monthly statement on progress payment (invoice) on Public Park works performed during the previous monthly payment period and as agreed upon by the City for works completed. The invoice shall include a certificate sealed by the Landscape Architectural consultant confirming the Public Park works have been inspected and completed as per the approved construction drawings and specifications; copies of invoices from the Consultant, Suppliers and Contractors; a standard Statutory Declaration and a certificate from the Workplace Safety and Insurance Board (WSIB). The City shall reimburse the Owner the total payments for the Public Park works, which shall not exceed the reimbursable consulting fee and construction cost of the Public Park, subject to the funds being available in the approved City Capital Budget.

4.2 Subject to the Developer Build Parks Policy, the Park works' payments will be subject to a five percent (5%) Maintenance Holdback, which will be released thirteen (13) months after the date a certificate of Substantial Performance has been issued, subject to no outstanding deficiencies. In addition, a ten percent (10%) Holdback will be required and shall be released as per the requirements of the Construction Lien Act. All reimbursable consulting fees are to be invoiced separately from the Public Park works and shall not be subject to the five percent (5%) Maintenance Holdback and ten percent (10%) Holdback.

4.3 Prior to the City making the final payment to the Owner for the Public Park works, a comprehensive reconciliation of the costs and payments shall be undertaken to the satisfaction of the City, acting reasonably.

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ___ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

4.4 Once the Public Park works are Substantially Performed, the City will begin the process to release the ten percent (10%) Holdback pursuant to the provisions of this Agreement and as per the requirements of the Construction Lien Act, once the following have been confirmed and/or provided:

4.4.1 Substantial Performance of the Public Park works was approved and confirmed by the professional consulting Landscape Architect and 45 days after publication of such in the Daily Commercial News by the Owner and/or his agent has transpired;

4.4.2 The proof of publication has been submitted to the City;

4.4.3 A Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Public Park have been paid in full and that there are no outstanding claims related to the subject works; and

4.4.4 No liens have been registered in regard to this contract, to the satisfaction of the City.

4.5 Notwithstanding that the City will be responsible for the maintenance of the Public Park from the date of Substantial Performance, the Owner shall remain responsible for (i) any and all guarantees for the Public Park for a period of thirteen (13) months; and (ii) all new plant material for a period of 24 months pursuant to the approved Construction Drawing and Specifications.

4.6 The City shall release the five percent (5%) Maintenance Holdback to the Owner for the Public Park once the following have been confirmed/or provided:

4.6.1 Thirteen (13) months have passed from the publication date of the certificate of Substantial Performance;

4.6.2 A thirteen (13) month warranty inspection has been conducted by City staff which shall be scheduled by the Owner twelve (12) months following Substantial Performance;

4.6.3 All noted deficiencies from the thirteen (13) month warranty inspection have been rectified to the City's satisfaction, acting reasonably;

4.6.4 The Owner's professional consulting Landscape Architect has issued a certificate certifying the warranty period has expired and that the noted deficiencies have been completed in general conformance to the construction drawings, specifications and reports; and

4.6.5 Any liens registered in regard to the contract have been released and/or paid by the Owner.

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

5. **Final Inspection:**

5.1 The City shall conduct a final inspection of the Public Park and Services to the satisfaction of the City, acting reasonably, prior to the City issuing Substantial Performance Confirmation as defined below.

5.2 Prior to scheduling the Final Inspection and the Public Park being considered ready for use by the public to the satisfaction of the City, the Owner shall provide the City with the following information:

5.2.1 A certification from the professional consulting Landscape Architect that confirms that the Public Park have been constructed in accordance with the approved construction drawings, City standards and specifications, and sound engineering/construction practices;

5.2.2 A grading certification from either the professional consulting Landscape Architect or an Engineer based on the review of the Ontario Land Surveyor (OLS) completed survey for the rough grades, confirming the Public Park works have been constructed to the approved construction drawings and specifications;

5.2.3 A copy of the Canadian Safety Association (CSA) certificate for all playground equipment and associated safety surfacing in accordance with CAN/CSA Z614-14 Children's Playspaces and Equipment;

5.2.4 A copy of a third party CSA Children's Playspaces inspection for all playground equipment and associated safety surfacing;

5.2.5 A copy of the Electrical Safety Authority (ESA) clearance letter for the pedestrian pathway lighting associated with the Public Park and a certificate from the electrical design Consultant indicating the electrical load of the pedestrian pathway lighting and a photometric plan of the Public Park confirming a minimum of five (5) lux horizontal average light level maintained along all pathway surfaces;

5.2.6 A copy of the City building permits and required sign-offs from the City building inspector(s) for all works required to construct the Public Park;

5.2.7 A detailed breakdown of the final as-constructed costs of the Public Park certified by the professional consulting landscape architect to the satisfaction of the City, acting reasonably;

5.2.8 Copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Public Park to the satisfaction of the City, acting reasonably;

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____ - 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

5.2.9 Copies of all quality assurance test results, supplementary geotechnical reports and construction related reports;

5.2.10 All project close out information required for all Public Park's facilities and equipment, which shall include, but is not necessarily limited to, maintenance manuals, touch up paint, tool kits, warranty information and weigh bills (for topsoil amendments, fertilizer applied on site, etc.);

5.2.11 Storm Water Management certification from the block engineering consultant that confirms that the park blocks have been designed and constructed in accordance with the approved storm water engineering requirements for the park blocks; and

5.2.12 A Structural Engineer certification from a professional engineer for all structural footings, foundations and structures (shade structure, etc.), confirming that the necessary structures have been designed and constructed in accordance with the associated building permits, drawings and specifications.

6. Inspection and testing by City

6.1 The City may conduct, at the expense of the Owner, any tests that the City, in its absolute discretion, considers necessary to satisfy itself as to the proper construction, installation or provision of the Parklands to the Ultimate Condition.

6.2 The City, its employees, agents and contractors or any other authorized persons may inspect the construction and installation of the Public Park to the Ultimate Condition under any contract, but such inspection shall in no way relieve the Owner from its responsibility to inspect the said construction and installation. If the construction and installation of the Public Park to the Ultimate Condition is not, in the opinion of the City, being carried out in accordance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement, the City may issue instructions to the Owner and/or the Owner's landscape architect or arborist to take such steps as may be deemed necessary to procure compliance with the provisions of this Park Development Agreement and/or the Final Park Development Agreement. Such instructions may be written, or may be verbal, in which case the City shall confirm them in writing within three (3) business days. In the event that neither the Owner nor the Owner's landscape architect or arborist is present at the Site to receive such verbal instructions, the City may instruct the contractor(s) to cease work forthwith.

7. Maintenance until Substantial Performance of the Public Park

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

7.1 The Owner shall be responsible to maintain the Public Park until Substantial Performance is issued by the City pursuant to the provisions of this Agreement and once the following have been confirmed and/or provided:

7.1.1 The City conducted a final inspection and is satisfied that the Public Park works have been completed to its satisfaction, acting reasonably, and the City is in agreement with the issuance of the certificate of Substantial Performance;

7.1.2 The Owner's professional consulting Landscape Architect has submitted a certificate, under seal, certifying that the consultant has inspected the construction and the Public Park have been constructed as per the approved drawings and specification and confirms rectification of any major deficiencies identified during the final inspection;

7.1.3 Two (2) cuts of the turf/grass areas have taken place;

7.1.4 All garbage and debris has been removed from the Park blocks;

7.1.5 A complete set of hardcopy (3 full sized sets) and digital (AutoCAD and PDF) "As Constructed" Construction Drawings for the Public Park prepared by an Ontario Land Surveyor and shall include a topographical survey of the final grades at 0.25m contour intervals, servicing structures/inverts, and the location of above-ground Public Park facilities, planting beds and tree bases, electrical items, site furniture, play structures, and play area limits.

8. Emergency Repairs

8.1 At any time prior to the acceptance and/or assumption of the Parklands by the City, if any of the park services do not function or do not function properly or, in the opinion of the City, require necessary immediate repairs to prevent damage or undue hardship to any persons or to any property, the City may enter upon the Parklands and make whatever repairs may be deemed necessary and the Owner shall pay to the City, immediately upon receipt of a written demand, all expenses (including landscape approval fees), based upon the cost of the work incurred in making the said repairs. If the Owner fails to make the payment as demanded by the City, the City shall be entitled to draw upon any security filed pursuant to the Park Development Agreement. The City covenants and agrees to advise the Owner within three (3) business days from the date of entry by the City of the nature and extent of the emergency and repairs which were necessary. Such undertaking to repair shall not be deemed an acceptance of the Parklands by the City or an assumption by the City of any liability in connection therewith and shall not release the Owner from any of its obligations under the Final Park Development Agreement.

9. Damage and Debris

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

9.1 All lands owned by the City outside the limits of the Site Plan that may be used by the Owner or parties employed by the Owner or others during construction staging area(s) in connection with the construction of the Public Park to the Ultimate Condition shall be kept in a good and usable condition and, if damaged by the Owner or parties employed by the Owner in the construction staging area(s) in connection with the construction of the Parklands to the Ultimate Condition will be repaired or restored immediately;

9.2 Not foul the public roads, outside the limits of the Site Plan, leading to the Parklands, and the Owner further agrees to provide the necessary persons and equipment to be available on reasonable notice at all times to keep such roads clean and that all trucks making deliveries to or taking materials from the Site Plan lands shall be adequately covered and reasonably loaded so as to not scatter refuse, rubbish, or debris on the abutting highways and streets;

9.3 If in the opinion of the City, in its sole discretion, the aforementioned requirements are not complied with, the City may elect to complete the work as required and the Owner shall forthwith upon demand pay to the City the full cost thereof and that the City may draw on any security filed pursuant to this Park Development Agreement and/or the Final Park Development Agreement if the Owner fails to make the payment demanded by the City;

9.4 Not allow and restrain, insofar as it is able to do so, all others, from depositing junk, debris, or other materials on any lands within the Site Plan, including lands to be dedicated for municipal purposes, vacant public land and private land;

9.5 Clear debris and garbage on any land within the Site Plan if so requested in writing by the City and that the City shall have the authority to remove such debris and garbage at the sole cost of the Owner if the Owner fails to do so within seventy-two (72) hours of written notice.

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '2' (Con't.)
TO BY-LAW_____- 2017
PASSED THE ____ DAY OF ____, 2017

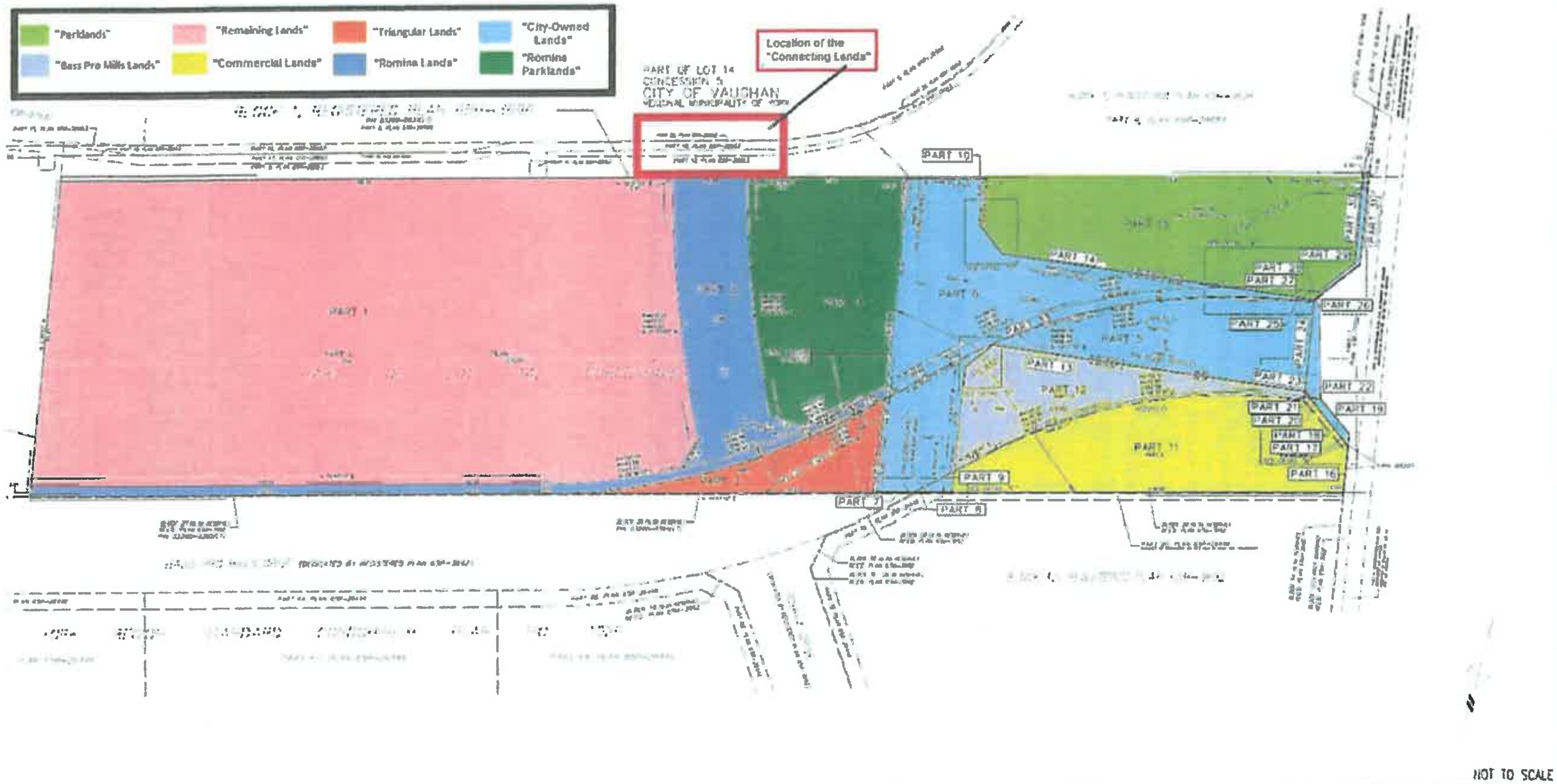
FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg



FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

THIS IS SCHEDULE '3'
TO BY-LAW ________ - 2017
PASSED THE _____ DAY OF _____, 2017

SIGNING OFFICERS

________ MAYOR

________ CLERK

N:\OS_Archive\ByLaws\Z\z.09.037.dwg

RSC and Conveyance Plan

Applicable Site Condition Standards

Subject to any exceptions granted by the MOECC, the Records of Site Condition shall confirm, at a minimum, satisfaction of the following site condition standards as set out in the Ministry of Environment Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act dated April 15, 2011, as amended or revised from time to time:

Lands (as identified in Schedule "3")	Applicable Site Condition Standards
Parklands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
City-Owned Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Triangular Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Remaining Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Romina Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Romina Parklands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Residential/Parkland/Institutional Property Use
Bass Pro Mills Lands	Table 3 – Full Depth Generic Site Condition Standards in a Non-Potable Ground Water Condition for Industrial/Commercial/Community Property Use
Connecting Lands	Not applicable. No RSC to be obtained by Mammone for the Connecting Lands.

Notwithstanding the foregoing, in the event that the MOECC allows an exemption under section 48(3) of Ontario Regulation 153/04, as amended, in respect of the applicable site condition standards for sodium, electrical conductivity or sodium adsorption ratio, any portions of the Parklands, City-Owned Lands and Romina Parklands that are to be used by the City for parkland shall nevertheless be remediated by Mammone to the applicable site condition standard for sodium, electrical conductivity or sodium adsorption ratio as identified in the table above.

In the event of any amendment, revision or other change to the Applicable Site Condition Standards following the filing of an RSC required under these Minutes, nothing in these Minutes shall be interpreted to require Mammone to obtain a new RSC, to amend or revise a filed RSC, to perform remediation activities not otherwise required to satisfy Mammone's obligations under

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '4'
TO BY-LAW_____- 2017
PASSED THE ___ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK

N:\GIS_Archive\ByLaws\Z\z.09.037.dwg

these Minutes, or to re-perform any remediation activities previously completed by Mammone to satisfy its obligations under these Minutes. For greater certainty, Mammone shall only be obligated to file an RSC confirming satisfaction of the Applicable Site Condition Standards in force at the time of the date of filing of the applicable RSC and, to the extent remediation is required for satisfaction of its obligations to obtain RSCs under these Minutes, Mammone shall only be obligated to remediate the lands to the extent necessary to satisfy the Applicable Site Condition Standards in force at the time of the date of the filing of the RSC for such lands. In the case of any other remediation undertaken pursuant to Schedule "D", Mammone shall only be obligated to remediate to the Applicable Site Condition Standards in force at the time of such remediation.

The parties acknowledge and agree that a single RSC may be obtained by Mammone for the Remaining Lands, the Romina Lands and the Romina Parklands, in which case, the Applicable Site Condition Standards shall be the more stringent Applicable Site Condition Standards set out above for such lands.

Milestone Dates

An RSC has already been obtained by Mammone for the Commercial Lands and Bass Pro Mills Lands, therefore, the obtaining of an RSC for such lands is not subject to a milestone date.

The Records of Site Condition required pursuant to this By-law shall be delivered by Mammone in accordance with the following timeline:

Part 1: RSC for Parklands, City-Owned Lands and Triangular Lands

1. Anticipated date for completion of confirmatory sampling: May 1, 2017
2. Anticipated date for submission to MOECC: June 1, 2017
3. Anticipated date for filing and acknowledgment of Records of Site Condition by MOECC: October 16, 2017

Part 2: RSC for Remaining Lands, Romina Lands and Romina Parklands

1. A Record of Site Condition for the Remaining Lands, Romina Lands and Romina Parklands shall be filed by the earlier of:

   i) the date of first occupancy of a residential building on the Dulcina Site;
   ii) the date of first site plan approval with respect to any phase or stage of development of the Mammone Site; or
   iii) the second (2nd) anniversary of the date of the Board's Order approving the OPA and rezoning (subject to "H") with respect to the Phase 1 development of the Mammone Site (the **"Romina Conveyance Date"**).

THIS IS SCHEDULE 'E- ' TO BY-LAW 1-88, SECTION 9( )

THIS IS SCHEDULE '4' (Con't.) TO BY-LAW_____- 2017

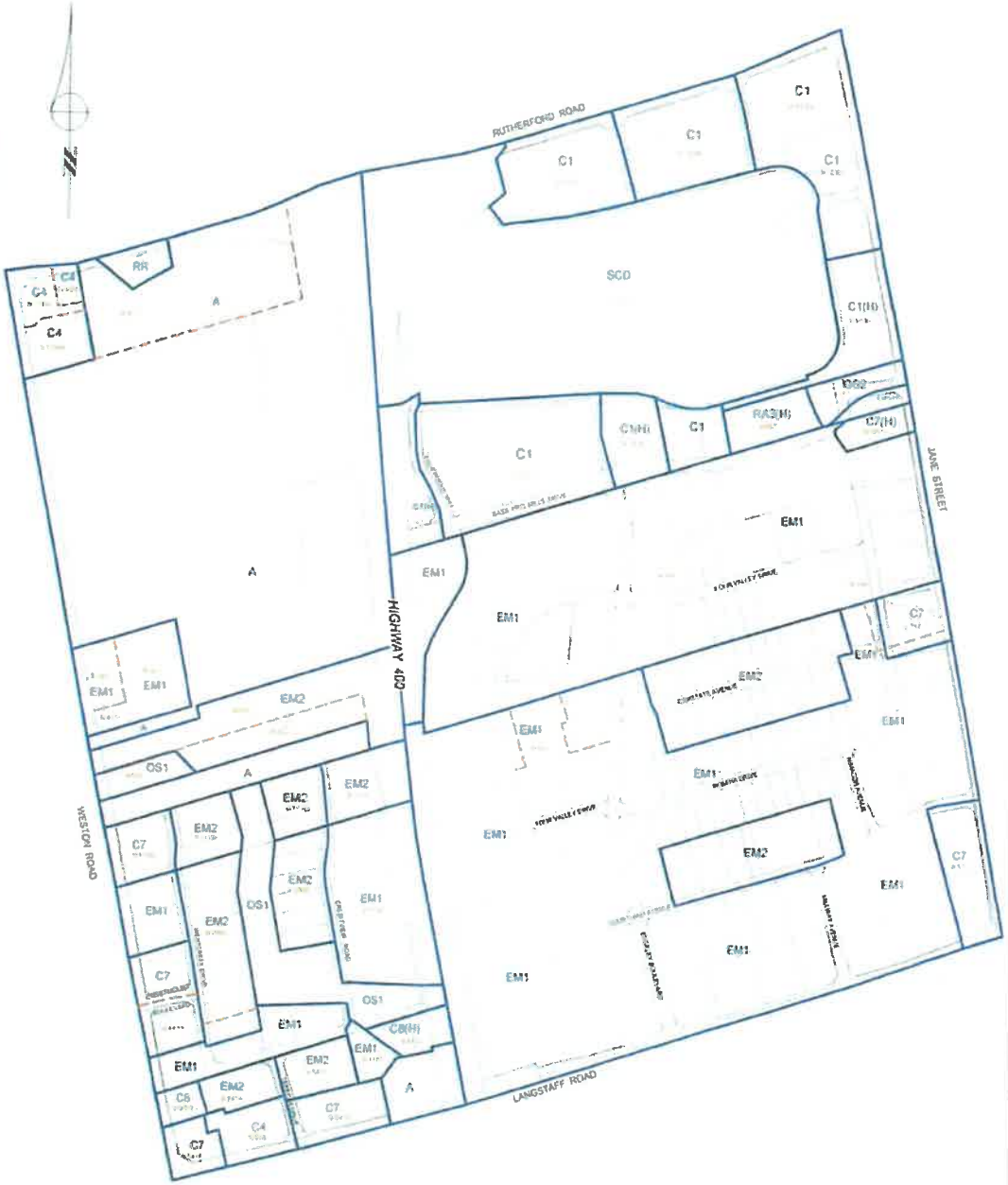
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

_____
CLERK



KEY MAP 5C
BY-LAW 1-88

NOT TO SCALE

THIS IS SCHEDULE '5'
TO BY-LAW _____ - 2017
PASSED THE ____ DAY OF ____, 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SIGNING OFFICERS

_____
MAYOR

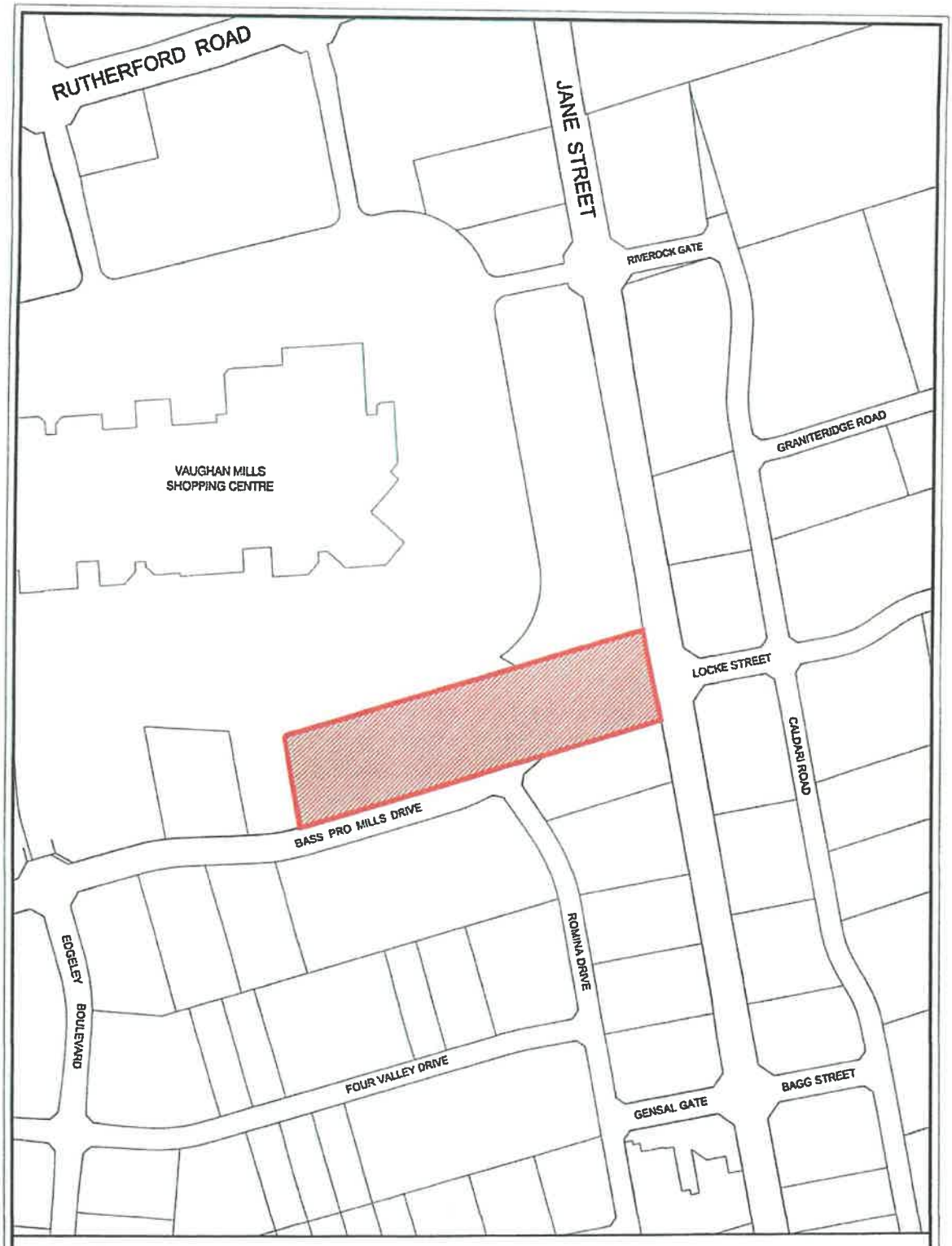
_____
CLERK

SUMMARY TO BY-LAW _____ - 2017

The lands subject to this By-law are located on the west side of Jane Street, south of Rutherford Road, municipally known as 9060 Jane Street, in part of Lots 13 and 14, Concession 5, City of Vaughan.

The purpose of this By-law is to rezone the lands to this By-law from EM1 (H) Prestige Employment Area Zone with the Holding Symbol "(H)" and EM2 General Employment Area Zone to RA3 (H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone. The robust conditions for the removal of the Holding Symbol "(H)" are two-phased to coincide with the orderly and sequential development of the Subject Lands and include conditions for Section 37 Contributions. This By-law deletes and replaces Exception 9(881) and Schedule E-964 thereby including the following site-specific zoning exceptions:

a) site-specific definitions of "lot", "building height", "car share", "parking space", "parking space – handicapped", "place of worship', "service or repair shop", and "underground parking structure"
b) reduced parking requirements
c) reduced minimum setbacks to portions of the building below grade (Bass Pro Mills)
d) reduced setbacks to daylight triangles
e) the provisions for building envelopes
f) maximum building heights
g) maximum number of residential apartment dwelling units
h) provisions for density bonussing for the Subject Lands and the Jane Street Corridor Area
i) maximum ground related commercial areas
j) site-specific commercial uses with no open storage
k) minor relief to the outdoor patio provisions to permit flexibility



NOT TO SCALE

LOCATION MAP
TO BY-LAW _____ - 2017

FILE No.: Z.09.037
RELATED FILE: OP.09.006
LOCATION: PART OF LOT 14, CONCESSION 5
APPLICANT: SANDRA MAMMONE
CITY OF VAUGHAN

SUBJECT LANDS

N:\GIS_Archive\Byla...

mcmillan

Attachment D

Reply to the Attention of	Mary Flynn-Guglietti
Direct Line	416.865.7256
Email Address	mary.flynn@mcmillan.ca
Our File No.	201539
Date	June 21, 2018

SENT VIA EMAIL

Local Planning Appeal Tribunal
655 Bay Street, Suite 1500
Toronto, ON M5G 2K4

Attention: Mr. Tome Kondinski, LPAT Caseworker

-and-

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L64 1T1

Attention: Ms. Claudia Storto
Deputy City Manager, Legal and Human Resources

-and-

Borden Ladner Gervais LLP
Bay Adelaide Centre,
22 Adelaide St. W.
East Tower
Toronto, ON M5H 4E3

Attention: Mr. F.F. (Rick) Coburn

Dear Mr. Kondinski, Ms. Storto and Mr. Coburn:

Re: Limestone Gallery Investments Inc. ("Limestone"), Damara Investments Corp. ("Damara") and Starburst Developments Inc. ("Starburst")
OMB Case No. PL140839 and Consolidated Matters

We are the solicitors retained to act on behalf of Limestone, Damara and Starburst in connection with matters related to OMB Case No. PL140839 and consolidated matters. On March 18, 2014, the council of the City of Vaughan adopted Official Plan Amendment No. 2, being the Vaughan Mills Centre Secondary Plan (the "**VMCSP**"), to the City of Vaughan Official Plan (2010). On July 11, 2014, the Council of the Regional Municipality of York modified and approved the VMCSP.

Limestone is the owner of lands in the VMCSP located at the south-east quadrant of Rutherford Road and Highway 400, municipally known as 3255 Rutherford Road. Damara is the owner of lands located in the VMCSP located at the south-west corner of Jane Street and Rutherford Road, municipally known as 9100 Jane Street. Starburst is the owner of two properties in the VMCSP, one located at the south-east corner of Rutherford Road and Sweetriver Boulevard and the other located at the north-west corner of Jane Street and Riverock Gate and municipally known as 3191 Rutherford Road respectively and 9088 Jane Street.

By letter dated July 25, 2014, Limestone and Damara appealed the Region's decision to approve the VMCSP to the Ontario Municipal Board ("**Board**") and attended the initial Pre-hearing in September of 2014 for the VMCSP and was granted party status. On September 23, 2014 Starburst sought and was granted party status. On November 17, 2015, Limestone, Damara and Starburst filed with the City a revised Preliminary Issues List, see Schedule "A" attached. Subsequent to being granted party status Limestone, Damara and Starburst have met with the City to determine if its concerns could be amicably addressed.

We wish to formally notify the Board that we hereby withdraw the appeal filed by Damara and will not be participating in the hearing regarding the VMCSP as it relates to its lands. With respect to Limestone it will continue to participate in these proceedings and Starburst will remain a party to these proceedings sheltering under the Appeal filed by Limestone. However, Limestone and Starburst have agreed to further scope their Appeal in accordance with the Issues List attached as Schedule "B" to this letter and further agree that they will not raise, or seek to advance, directly or indirectly issues other than those listed in Schedule "A". For greater certainty, Limestone and Starburst agree not to raise Issues 3, 6, 7 and 13 as set out in the Preliminary Issues List attached as Schedule "A" and in particular will not raise the issue of employment conversion on any of the lands within the VMCSP.

Yours truly,

Mary Flynn-Guglietti

/jl

Encls.

SCHEDULE "A"

PRELIMINARY ISSUES LIST OF LIMESTONE/DAMARA/STARBURST

APPEALS OF THE VAUGHAN MILLS CENTRE SECONDARY PLAN
PL140839, PL110419 & PL140154

REVISED: NOVEMBER 16, 2015
Further to meeting with Vaughan Staff on November 9, 2015

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
	Do the density/height assignments provide sufficient support to the implementation of a rapid transit corridor along Jane Street and the creation of a Primary Centre at Vaughan Mills? What is the justification for the recommended heights and densities provided in the Secondary Plan?	Part B 3.2 – "Units. Population and job Projections by Area" table Part B 3.5.2 Schedule "B"
1	The Auto mall on the west side of Jane St., north of Rutherford has a proposed density of 3.5 and is not within the Primary Centre. The Limestone parcel only has a density of 2.0 and is within the Primary Centre. **The densities for this parcel should be higher than that of lands outside of the primary centre, so increasing the densities here to at least 3.5 is justifiable. We understand there will be greater densities in the VMC so we are asking that densities here be complementary to those, not necessarily as high.**	

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
2.	Would greater maximum building heights be appropriate while respecting the Vaughan Official Plan principle that the tallest buildings will be in the Vaughan Metropolitan Centre? Given that this is a Primary Centre and growth area, should greater building heights be considered to complement the Vaughan Metropolitan Centre? We understand that the tallest buildings will be in VMC, so we are not necessarily looking for those heights but we think that **greater building heights than what is proposed in this Plan are justified, given the provisions for higher order transit and the existing transit terminal at Vaughan Mills. Traffic and transit tend to dictate density.** **Heights should not matter, as long as density is achieved.** What is the justification for the limited height restrictions?	Schedule "B"
3.	Is it appropriate for the Secondary Plan to require a minimum retail frontage? The numbers are too arbitrary. Commercial/retail uses are generally located on the ground levels. **Would also like provisions for community/amenity space such as a rec centre. Should not be restricted to commercial/retail uses only**	Part B 3.5.3 Part B 3.6.1.5 Schedule "D"
4.	Is it appropriate for the Secondary Plan to require a minimum FSI to be devoted to non-residential uses in each project? Why is there a minimum requirement for non-residential uses? All non-residential uses will be located on the ground floors, FSI should not matter	Part B 3.5.7

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
5.	Is it appropriate for the Secondary Plan to include numeric parameters relating to built form? The numeric parameters should not be entrenching but should only be used as a guideline. Each project and site will be different and it may not make sense for certain developments to strictly follow these provisions. Separation distances may limit the density allowed based on site/lot configurations. In addition, is there flexibility in the defined locations for each proposed use, specifically in block 1? Can the "Community Commercial Mixed-use" portion be configured differently to work better with lot configurations? (given the grade from the highway ramp).	Part B 3.8.2, 3.8.3, 3.8.4
6.	Could the permitted Development Levels be increased based on the available traffic capacity? Is there or can there be a mechanism for increased density based on traffic studies prepared for future developments?	Part C 7.3 – Table 2 Part C 7.3.1
7.	Does the inclusion of the lands on the east side of Jane Street constitute an employment land conversion and if so has it been justified in the context of a municipal comprehensive review process? What information is available to support the employment land conversion?	Part C 7.4.1 Blocks 4 and 5 Schedules "A" to "I" inclusive

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
8.	Are the proposed park designations required and appropriate? The majority of parkland seems to fall within our lands. What compensation is there and is this much land needed for a park? Why are the designated parks based on the entire land area of the Primary Centre and not justified per parcel? What is the justification for all this dedicated parkland? Flexibility is needed with respect to size and location of parkland. **The over-dedicated area of parkland to be compensated back to the land owner with <u>cash</u> at current market value or <u>density</u>, at the discretion of the land owner.**	Part B 5.1, 5.2, 5.3 Schedules "B", "C", "D","E", "H" and "I"
9.	Should privately-owned, publicly accessible open spaces be deemed to be equivalent to public parks for the purpose of satisfying the needs of future residents? Why can't the required parkland dedication calculated through the development approval process be used as/towards the public park designation? They serve the same purpose.	Part B 5.1, 5.2, 5.3

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
10.	Is the proposed local street network required and appropriate? Flexibility is needed in the location of the proposed local street network. Although they match up to what currently exists as the private drive aisles through the commercial properties, these locations may not make sense for future residential development. Why do the proposed streets need to be publicly owned when they connect to a private street network? If all parcels are redeveloped at different times, then there will be no consistency to the road network if it is dedicated as public on one site, but still a private drive aisle on the adjacent site. The Landscaped mid-block pedestrian connections split the parcel even more and further limit the development potential of the sites. Flexibility needed in the location of these pedestrian mid-block connections **Language needs to be included in the Plan to recognize that the proposed road networks, pedestrian connections, and park locations are conceptual, general guidelines only and that they may be modified to suit the individual site development proposals at the discretion of the land owner, as long as the intent of the Plan is maintained.**	Schedules "A" to "I" inclusive Schedule "H"
11.	Should other existing uses, in addition to the mall, be permitted to continue and expand in accordance with the standard approvals process and without requiring an amendment to the Secondary Plan? **We would like a provision included to permit the continued as-of-right uses should we need or wish to expand the commercial uses. Only if and when we redevelop to change the existing uses to residential should we be required to follow the provisions of the Secondary Plan.**	Part B 3.6.5.1

Issue No.	Issue	Affected Policies of the Vaughan Mills Centre Secondary Plan
12	**Should the individual Block requirements include the dedication of all parks designated in the Plan?** Specifically Blocks 1, 3 and 6 what is the reason for the park dedications in all of these blocks? And how is it justified for the landowner? Can the park and road areas be included in the density calculations for the parcels that they are proposed in? The over-dedicated portion of parkland to be compensated back to the land owner at current market value. **The over-dedicated area of parkland to be compensated back to the land owner with cash and current market value or density, at the discretion of the land owner.**	Part C 7.4.1, 7.4.2 Schedule "I"
13.	Is a Block Plan approach to the co-ordination of development appropriate and practicable in the context of a non-greenfield Primary Centre? The Block Plan approach for the redevelopment of these lands is not appropriate. We all know that each parcel is owned by a different entity which may or may not choose to redevelop their lands. A Site Plan process is a more practical approach since each parcel has a different agenda. This will ensure that at least some parcels are redeveloped and at their own pace. If the Block Plan approach is used, it could mean that the sites remain as-is indefinitely. And what happens with the centre parcel along Rutherford between HWY 400 and Jane St. that is a commercial condominium with a number of different owners. How will the Block Plan approach deal with this to get all of them on board?	Part C 8.1, 8.2, 8.3

WESTON CONSULTING

planning + urban design

COMMUNICATION – C84
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

October 28, 2020
File 8275

Attn: City Clerk

RE: City-Wide Comprehensive Zoning By-law Review
Committee of the Whole (Public Meeting)
4, 6, 10 and 12 Hartman Avenue, and 8307 and 8311 Islington Avenue
City of Vaughan

Weston Consulting is the planning consultant for the registered owner of the lands located at 4, 6, 10 and 12 Hartman Avenue, and 8307 and 8311 Islington Avenue in the City of Vaughan (herein referred to as the 'subject lands'). The purpose of this letter is to provide commentary to the City of Vaughan on the on the third draft of the City-wide Comprehensive Zoning By-law (the "CZBL") on behalf of the land owner.

The western portion of the lands are mainly zoned "*R2 – Residential Zone*" and the eastern portion, abutting the east branch of the Humber River is zoned "*OS1 – Open Space Zone*" with a "*Greenbelt Overlay*" by in-force Vaughan Zoning By-law 1-88. The City of Vaughan is currently reviewing Official Plan Amendment and Zoning By-law Amendment applications for the development of the subject lands. The current rezoning application proposes to rezone the lands to "*RM2 – Multiple Residential Zone*" and *"OS1 – Open Space Zone*" and apply site-specific permissions for the development of stacked townhomes on a private common element condominium road.

Based on our review of the third draft of the CZBL, the subject lands are proposed to be zoned "*R2A(EN) – Second Density Residential Zone"*, subject to Exception 852 and "*EP – Environmental Protection Zone*", subject to Exception 689. We are accepting of the rezoning of the lands; however, we recognize that the zone exceptions identified on Map 67 of Schedule A of the CZBL applicable are not consistent with the subject lands. We request that the City of Vaughan revise Map 67 of schedule A to eliminate reference to Exceptions 689 and 852 for the subject lands.

We reserve the right to provide further comments as part of the ongoing City-wide Comprehensive Zoning By-law Review process as it relates to this matter, and request that this correspondence be added to the public record for the Statutory Public Meeting received on October 29, 2020.

We intend to continue to monitor the City-wide Comprehensive Zoning By-law Review process on behalf of our client on an ongoing basis. We request to be notified of any future reports and/or meetings regarding the CZBL and request to be notified of any decisions regarding this matter.

Thank you for the opportunity to provide these comments. Please contact the undersigned at extension 236 or Mathew Halo at extension 282 should you have any questions regarding this submission.

Yours truly,
Weston Consulting
Per:

Kevin Bechard, BES, M.Sc., RPP
Senior Associate

c. Nick Spensieri, Deputy City Manager, Infrastructure Development
Brandon Correia, Manager of Special Projects
Naiman Consulting, Client

Memorandum

COMMUNICATION – C85
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

TO:
Mayor and Members of Council, c/o Office of the City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

COPIES:
Liberty Development Corporation

FROM:
Timothy J. Arnott

PROJECT:
7411-10
Review of City of Vaughan Comprehensive Zoning Bylaw (3rd Draft)

DATE:
October 28, 2020

SUBJECT: REVIEW OF CITY OF VAUGHAN'S 3RD DRAFT OF COMPREHENSIVE ZONING BYLAW (2020)

BA Group is retained by Liberty Development Corporation (Liberty) to review the parking and loading provisions of the current 3rd Draft of the City of Vaughan's proposed Comprehensive Zoning Bylaw that would amend the City's existing Zoning Bylaw 1-88, as amended, along with other Zoning Bylaws that regulate the use of land and the character, location and use of buildings and structures within the City of Vaughan.

Liberty has an interest in several properties within the City of Vaughan including the following:

- 1930328 Ontario Inc. – 2901 Highway 7 (southeast corner of Highway 7 and Maplecrete Road, in the Vaughan Metropolitan Centre [VMC]);
- 1834371 Ontario Inc. – 2951 Highway 7 and 180 and 190 Maplecrete Road (southwest corner of Highway 7 and Maplecrete Road, in the VMC0;
- 1834371 Ontario Inc. – 1890 Highway 7 (north side, east of the Metrolinx Barrie GO Rail corridor, within the Concord GO Secondary Plan area); and,
- Promenade Limited Partnership – 1 and 180 Promenade Circle, Promenade Shopping Centre (southwest quadrant of Centre Street and Bathurst Street and the subject of the ongoing Promenade Secondary Plan review by the City of Vaughan).

The following review and comments are provided as input towards the ongoing review the City staff and their consultants are conducting and in advance of a Statutory Public Meeting (Committee of the Whole) to be held on October 29 2020 and the subsequent finalization of the Comprehensive Zoning Bylaw to be presented to the City of Vaughan Council on a date yet to be decided.

This review herein presents high level comments directed at key elements of the parking and loading provision within the 3rd Draft of the Comprehensive Zoning Bylaw.

Comments on Section 6.0 of the 3rd Draft of the Comprehensive Zoning Bylaw:

Section 6.1.9:
The provision of Tandem Parking within non-residential uses should be permitted where such parking management techniques can facilitate access on demand to the parking spaces that don't have direct access to a drive aisle.

Section 6.2.2
Rounding of the calculation of the requisite parking requirements should reflect a rounding down if the calculation results in a fraction of vehicular parking spaces and rounding up if a calculation results in a fraction of a bike parking space.

Section 6.3.1.
Parking space dimensions should be considered for reduction to a minimum dimensions of 2.6 m in width and 5.6 metres in length, particularly for structured parking conditions.

Furthermore, "stacked parking" spaces should be explicitly permitted and defined within the Zoning provisions.

Section 6.3.5.
Parking space rates for land uses within Vaughan should be further considered for reduction to include:

- VMC – "No Minimum" rates for apartment dwelling units and key non-residential uses and further reductions in residential visitor parking space rates to reflect the following macro policy framework and existing/evolving empirical conditions:
    - Provincial and Regional policy including the Ontario Growth Plan, York Region Official Plan, York Region Transportation Mobility Plan Guidelines;
    - Site Transportation context and multi-modal opportunities
    - Changing travel characteristics and vehicle ownership characteristics;
    - Evolving Greater Toronto Area Zoning Bylaw Parking requirements;
    - Comparative Zoning Bylaw parking requirements for comparable urban centres in the GTA, Southern Ontario, and across Canada
    - Parking demand characteristics for comparable development conditions at existing (built) and approved developments across the GTA
- Development along existing or planned transit corridors should also be targeted for further reduction in resident and non-resident (including visitor parking rates)parking ratios for reasons similar to above (e.g., MMU, HMU, CMU, GMU, EMU development zones);

Section 6.4.2
Accessible parking spaces should have the Barrier Free access aisle reflect the same length dimensions as the Accessible parking space length.

Section 6.5.2
Bike parking space dimensions should reflect both current bike parking system design conditions especially when stacked bike parking systems are considered. Narrower and more compact bike parking opportunities are emerging and reflect efficiencies when incorporating same into developments.

Section 6.5.3
Bicycle parking space rates should be subject to similar "sharing" calculations that vehicular parking rates enjoy. Shared trip making is not something that is exclusive to those that drive private vehicles to their destinations.

Section 6.8.2
The calculation of the shared parking reduction factors should be structured such that they encourage the temporal benefits of mixed-use developments. The factors for land uses such as office could be further reduced during the afternoon time periods to better serve as potential sharing with typical uses such as residential visitor, retail (especially small scale retail), and others.

Section 6.11.2
Clarification should be added to describe the design vehicles associated with "Type D" loading spaces

As the Comprehensive Zoning Bylaw nears it final form, we reserve the right to comment further on these and other aspects of the mobility related provisions.

We trust that the foregoing will be of assistance when crafting the final version of the Comprehensive Zoning Bylaw. Please keep us informed of the progress of the Comprehensive Zoning Bylaw as it is further refined towards its Final form.

Should you wish to contact us directly to discuss aspects of the foregoing, please do not hesitate to do so.

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM

COMMUNICATION – C86
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

October 28, 2020

BY EMAIL clerks@vaughan.ca **& REGULAR MAIL**

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive,
Vaughan, Ontario
L6A1T1

Attn: Mr. T. Coles, City Clerk

Re: Royal Group, Inc.
City of Vaughan – Comprehensive Zoning By-law Review ('CZBR')
131 & 155 Regalcrest Court, et al.
Parts of Lots 4 & 5, Concession 8, & Part of Blocks 2, 3 & 4, Plan 65M-3033, et al.
City of Vaughan, Region of York
Our File 1711

We are the Planners of Record writing on behalf of Royal Group, Inc., regarding their above noted Employment Area properties. Royal Group, Inc. is a well-established manufacturer of building and infrastructure products contributing to environmental sustainability, job creation and a strong municipal tax base within the City of Vaughan and the Region of York.

> *'With operations throughout North America, Royal Group, Inc. Building Products offers the renovation, remodeling and new construction industries a broad range of innovative vinyl products including siding, mouldings, deck, window profiles and patio doors. NAPCO - Royal Building Products also manufactures pipe and fittings for the electrical, municipal, irrigation, plumbing and industrial construction industries.' Source: Royal Building Products.*

Over the past thirty years, Royal Group, Inc. has successfully operated its manufacturing business at 131 and 155 Regalcrest Court, which it owns, and 101 Regalcrest Court, which it leases, as further supported by abutting lands, also leased from Hydro One Networks Inc. ('HONI'), providing product storage areas prior to distribution. Collectively, the Royal Group, Inc. land or property interests, in this location, total about 11.95 ha. (29.5 acres) in land area. Please refer to Aerial Image 1.

OVERVIEW & PROPERTY CONTEXT ROYAL GROUP, INC. MANUFACTURING OPERATION

The Royal Group, Inc. manufacturing operation is located within the 'The Royal Plastics Corporate Park', as part of the Vaughan Enterprise Zone ('VEZ'), providing versatile access to distribute its products within regional markets. While Royal Group, Inc. 131 and 155 Regalcrest Court property is proximate to the Highway 7 'Regional Intensification Corridor', located to the immediate north, this property does not directly front onto, or gain access via Highway 7. Royal Group, Inc. business operations obtain access through four driveway locations via Regalcrest Court.

Aerial Image 1 describes the broader context of the Royal Group, Inc. Employment Area land interests, with the distribution of uses described as follows:

TABLE 1: 'Royal Group, Inc.' - PROPERTIES IN THE 'ROYAL PLASTICS CORPORATE PARK'

Municipal Address	Tenure	Product: Municipal & Building Products: Pipes & Fittings	Block or Land Area	Building GFA*
131 Regalcrest Court	Owned	**Manufacturing/ Office/Distribution**	2.19 ha.	8,627 sq. m
155 Regalcrest Court	Owned	**Manufacturing/ Office/Distribution**	2.05 ha.	10,897 sq. m
101 Regalcrest Court	Leased	**Manufacturing/ Accessory Storage**	1.72 ha.	3,908 sq. m.
Northern Open Storage Block (Hydro One Networks Inc.)	Leased	**Outdoor and/or Outside Storage**	3.30 ha.	N/A
Southern Open Storage Block (Hydro One Networks Inc.)	Leased	**Outdoor and/or Outside Storage**	2.69 ha.	N/A
	Total		**11.95 ha.**	**23,432 sq. m**

* approximate

Please note, 131 and 155 Regalcrest Court function as one property, comprised of two industrial buildings, providing enclosed manufacturing space, offices and staff areas, with site inclusive landscaped areas, parking spaces, driveway access aisles, material storage silos, inclusive of areas to support the distribution and staging activities.

VAUGHAN OFFICIAL PLAN ('VOP 2010') APPEAL NO. 70)

Royal Group, Inc. is in the process of settling its appeal (no. 70) of the Vaughan Official Pan 2010 (VOP 2010) to provide certainty and clarity to the manufacturing business operations located at 131 and 155 Regalcrest Court.

PURPOSE OF ROYAL GROUP, INC. PARTICIPATION IN THE CITY'S 'CZBR' PROGRAM

Royal Group, Inc. is pleased to provide comments as part of the City's 'Comprehensive Zoning By- law Review' or ('CZBR') program – '3rd Draft', publicly released September 2020.

Please note, Royal Group, Inc. is on the municipal record, having filed an August 2019 written submission concerning the 'CZBR' program - '1st Draft', to ensure the new CZB complies with VOP 2010, as finalized after appeal no. 70 is finalized, and the following other matters, as set out below:

- Zoning By-law Amendment Application Z.10.029 ('ZBA'), currently held in abeyance. Zoning By-law Amendment Application Z.10.029 ('ZBA') was filed on September 2, 2010 at the City of Vaughan with the purpose of implementing approved Official Plan Amendment No. 450, titled *'Employment Area and Growth Management Plan'* ('OPA 450'), in advance of Council adoption of VOP 2010 which occurred on September 7, 2010;

- To inform regarding existing Zoning By-law 1-88, as amended, Zoning By-law Exceptions, per Royal Group, Inc. property interests;

- To reconcile the definitions and characteristics of 'Outdoor Storage', 'Outside Storage', 'Open Storage' and 'On-Site Storage' land uses per planning documents such as the Parkway Belt West Plan, OPA 450, VOP 2010, Zoning By-law 1-88, as amended, per new Zoning By-law definitions, planned function, development standards and regulations;

- To reconcile the zoning status of Parkway Belt West Plan ('PBWP') Amendment No. 201 (MAH FILE 19-PBA-028-201) lands, deleted from the PBWP Area, and Royal Group, Inc. Zoning By-law Amendment Application Z.08.023 ('ZBA'), held in abeyance;

- To reconcile zoning for a driveway access link, zoned 'PB2' under Zoning By-law 1-88, as amended, but not located within the PBWP Area, per PBWP Amendment No. 8;

- To clarify and reconcile the proposed 'CZBR' Schedules or Mapping;

- And, to address other related zoning matters as the CZBR evolves.

PROPOSED 'CZBR' SCHEDULE 'A' MAPPING PER ROYAL GROUP, INC. PROPERTY INTERESTS

Upon completion of VOP 2010 Appeal No. 70 settlement process, it will be necessary to consider the CZBR, to ensure zoning conformity with VOP 2010, as amended. In the interim we provide the following comments for consideration, in view of the attached Figures 1 and 2 providing context and close-up perspectives of the proposed CZBR Schedule 'A' mapping as it relates to Royal Group, Inc. property interests at this time.

131 & 155 Regalcrest Court is depicted with two zoning designations, described as primarily the 'Employment Commercial Mixed Use Zone' 'EMU-151' and partially, the 'General Employment Zone' 'EM2-396', which is only located along at the southern edge of this property.

As part of the CZBR process, it will be necessary to reconcile the site-specific zoning identified with the 'EMU-151' portion, as the Royal Group, Inc. property shares this Exception with an abutting property to the north, known as 5875 Highway owned by a different landowner. There is no longer a zoning relationship between these properties, notwithstanding the currently in force Zoning By-law 1-88, Exception 291. See attached Appendix 'A'.

Our expectation is that the settlement of VOP 2010 Appeal No. 70 with site specific policies, exception 291 will become redundant as it relates to the 131 & 155 Regalcrest Court property. Parking ratios, among other development standards, will also need to be considered in terms of compliance requirements.

- **101 Regalcrest Court** is depicted as the 'General Employment Zone' 'EM2-396'. This zone allows for a maximum building height of 15m, which includes storage silos. It is important that the height of the existing storage silos are recognized and in compliance with in the new Zoning By-law, among other development standards. As well, existing access easements as approved should continue to run with the property.

- **Hydro One Networks Inc. ('HONI') leased lands** were removed from the Parkway Belt West Plan ('PBWP') by Amendment No. 201 (MAH File 19-PBA-028-201), as approved by the Province of Ontario on April 23, 2012, further to the Royal Group, Inc. application, with Hydro One Networks Inc. ('Hydro One') authorization. PBWP No. 201 therefore removed 11.7 hectares (28.2 acres) of land area from the PBWP.

These lands remain as 'Parkway Belt West Public Use Zone' 'PB1' and 'PB1-606', and 'Parkway Belt West Complementary Use Zone' 'PB2' per the CZBR.

Notwithstanding, VOP 2010, as amended, conforms with PBWP Amendment No. 201, as these lands are identified as "Infrastructure and Utilities". The VOP 2010 acknowledges the lands as *"Infrastructure and Utilities"* which permits *"secondary uses such as ..., outdoor storage that are accessory to adjacent land uses subject to the review/approval of the utility provider."*

In summary, it would be appropriate under the CZBR to change the zoning for these lands in keeping with VOP 2010, as finalized after appeal no. 70 is resolved, and provincial land use policies.

In addition, Figure 2 depicts a small triangular block of land providing driveway access to Royal Group, Inc. 'outside storage' and/or 'open storage' blocks. This triangular block was removed from the PBWP by Amendment No. 8 on January 24, 1985. Similarly, this block also does not form part of the PBWP, requiring resolution through the CZBR.

The '606' Exception applies to the northern block which allows for the private use of public lands for outside storage, and that the stacking of pipes and storage of pipes to a maximum height of 4.9m is permitted. In addition, the property must be enclosed by a fence of at least 2 m. in height. It is important to recognize the southern block of HONI lands in a similar context, as per Royal Group, Inc. Zoning By-law Amendment Application Z.08.023 ('ZBA') held in abeyance, pending resolution via the CZBR.

CONCLUSION & RECOMMENDATION

In conclusion, this letter sets out principles and issues which the CZB needs to address appropriately. We would suggest a meeting to discuss the specific manner in which the By-law can do that once appeal no. 70 is resolved and VOP 2010 is finalized as it applies to the Royal Group, Inc. properties, as part of the City's 'CZBR' program in support of the following principles:

***'Principle #1:** Ensure Conformity with the Official Plan';*

***'Principle #2:** Minimizing Legal Non-Conforming Uses and Non-Complying Structures';*

***'Principle #3:** Maintaining Permission's where Possible',* and;

***'Principle #4:** Creating a User-Friendly By-law'.*

We would also appreciate our firm being placed on the City's mailing list regarding any future public notices, updates, reports, Committee and Council Agenda related Items, and any Council decision or actions on the above captioned matter.

Thank-you in advance for your co-operation.

Yours truly,
Pound & Stewart Associates Limited

Philip Stewart
la/1711_ltr.Royal.Oct.28.20

Attachments: As noted herein

cc. Mr. B. Correia, Project Manager, Comprehensive Zoning By-law Review, City of Vaughan
cc. Mr. D. Marcucci, MCIP, RPP, Planning & Building Department, City of Vaughan
cc. Miller Thomson
cc. Client

IMAGE 1
NAPCO-ROYAL BUILDING PRODUCTS, CITY OF VAUGHAN

Legend

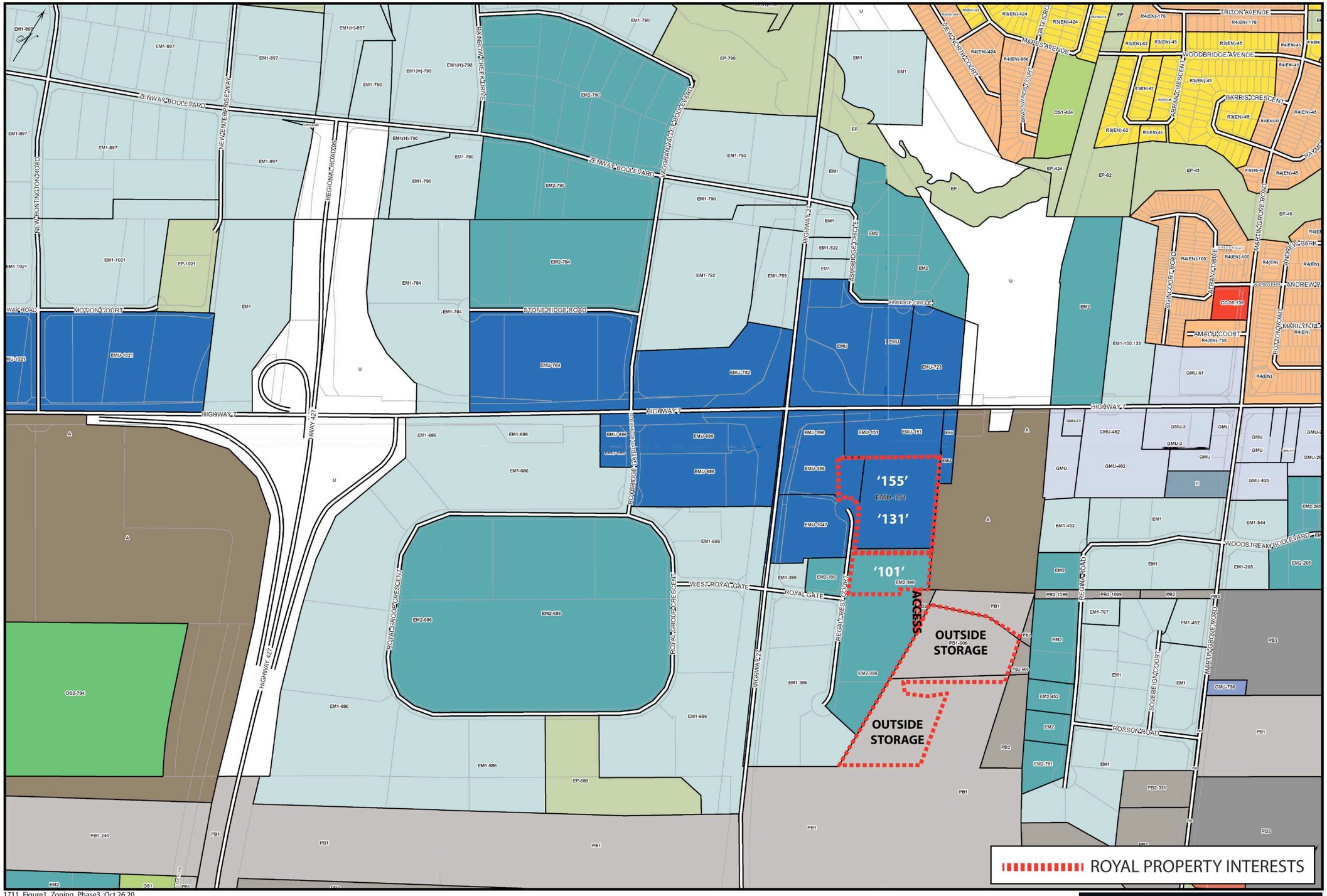
- Royal 131 & 155 Regalcrest Court (Owned)
- Royal 101 Regalcrest Court (Leased)
- Royal's Northern & Southern Outside Storage blocks (Leased)
- Royal's Access Route
- Parkway Belt West Plan Area

NAPCO ROYAL PIPE & FITTINGS

ROYAL Building Products A Westlake Company

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM
CITYPLAN PORTAL®
Helping People Shape Living, Working & Public Spaces

FIGURE 1: CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW - 3RD DRAFT ZONING BY-LAW MAPPING - 'SCHEDULE A' - COMPILATION OF MAPS 22 - 24 AND 42 - 44
131 & 155 REGALCREST COURT 'ET AL' - CITY OF VAUGHAN



LEGEND

MIXED-USE ZONES
- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

EMPLOYMENT ZONES
- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

COMMERCIAL ZONES
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

RESIDENTIAL ZONES
- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES
- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

OTHER ZONES
- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

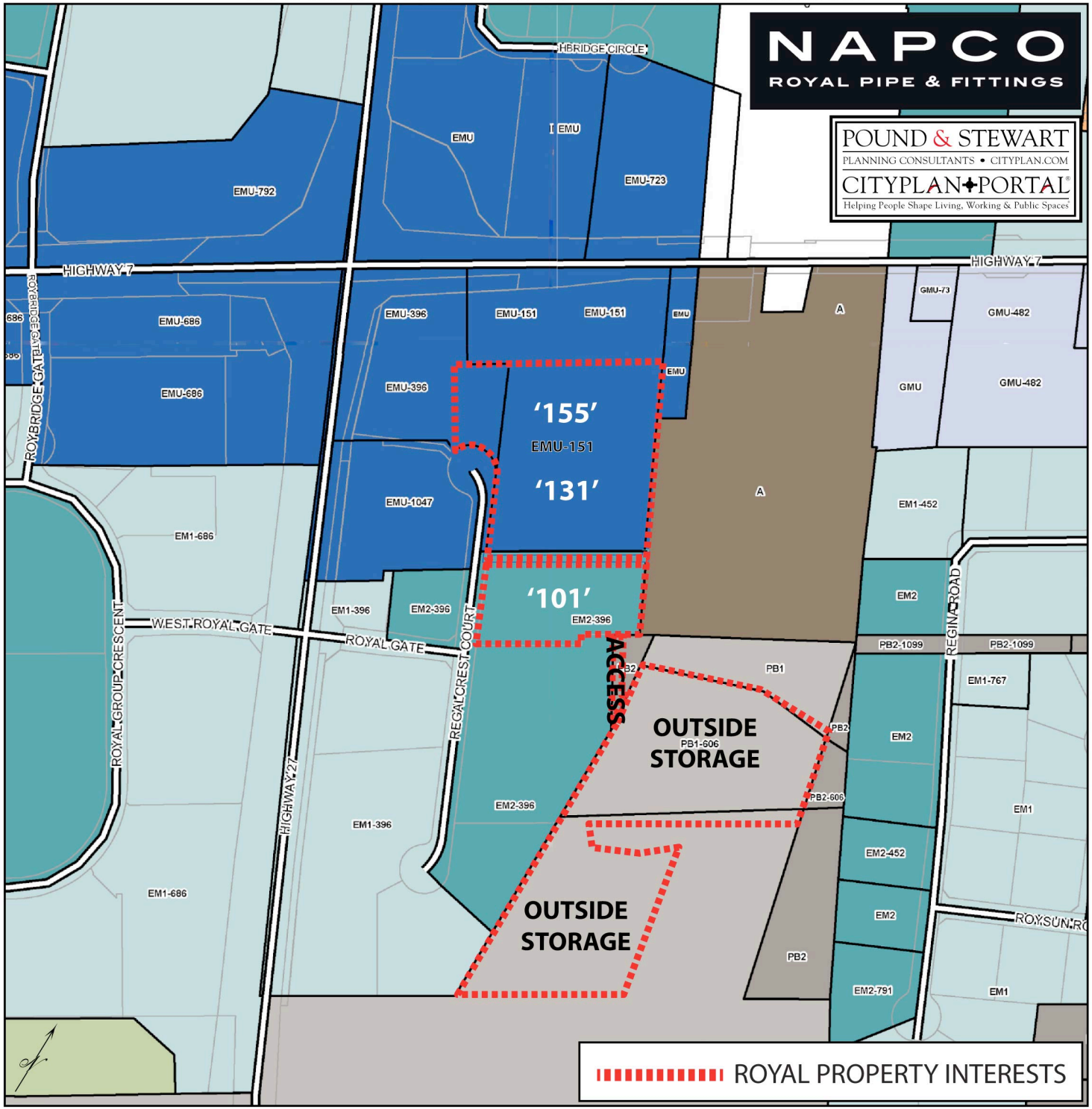
1711_Figure1_Zoning_Phase3_Oct.26.20

VAUGHAN

NAPCO ROYAL PIPE & FITTINGS

POUND & STEWART
PLANNING CONSULTANTS • CITYPLAN.COM
CITYPLAN+PORTAL®
Helping People Shape Living, Working & Public Spaces

FIGURE 2: CLOSE-UP - CITY OF VAUGHAN COMPREHENSIVE ZONING BY-LAW REVIEW
3RD DRAFT ZONING BY-LAW MAPPING - 'SCHEDULE A'
131 & 155 REGALCREST COURT 'ET AL' - CITY OF VAUGHAN



LEGEND

MIXED-USE ZONES
- **LMU** (Low-Rise Mixed-Use Zone)
- **MMU** (Mid-Rise Mixed-Use Zone)
- **HMU** (High-Rise Mixed-Use Zone)
- **GMU**(General Mixed-Use Zone)
- **CMU** (Community Commercial Mixed-Use Zone)
- **EMU** (Employment Commercial Mixed-Use Zone)
- **KMS** (Main Street Mixed-Use - Kleinburg Zone)
- **MMS** (Main Street Mixed-Use - Maple Zone)
- **WMS** (Main Street Mixed Use - Woodbridge Zone)

EMPLOYMENT ZONES
- **EM1** (Prestige Employment Zone)
- **EM2** (General Employment Zone)
- **EM3** (Mineral Aggregate Operation Zone)

COMMERCIAL ZONES
- **GC** (General Commercial Zone)
- **NC** (Neighbourhood Commercial Zone)
- **CC** (Convenience Commercial Zone)
- **SC** (Service Commercial Zone)

RESIDENTIAL ZONES
- **R1** (First Residential Zone)
- **R2** (Second Residential Zone)
- **R3** (Third Residential Zone)
- **R4** (Fourth Residential Zone)
- **R5** (Fifth Residential Zone)
- **RT** (Townhouse Zone)
- **RM1** (Multiple Residential Zone 1)
- **RM2** (Multiple Residential Zone 2)
- **RE** (Estate Residential Zone)

CONSERVATION, OPEN SPACE & AGRICULTURAL ZONES
- **A** (Agriculture Zone)
- **OS1** (Public Open Space Zone)
- **OS2** (Private Open Space Zone)
- **EP** (Environmental Protection Zone)

OTHER ZONES
- **I1** (General Institutional Zone)
- **I2** (Major Institutional Zone)
- **U** (Utility Zone)
- **FD** (Future Development Zone)
- **PB1** (Parkway Belt Public Use Zone)
- **PB2** (Parkway Belt Complementary Use Zone)
- **PB3** (Parkway Belt West Recreational Zone)

1711_Figure2_Zoning_Phase3_Oct.23.20

291) The lands shown as Subject Lands on Schedule E-296 attached hereto shall be subject to the following provisions:

a) Notwithstanding the provisions of Subsection 6.2.1 regarding uses permitted in the EM1 Prestige Employment Area Zone, the following additional uses shall be permitted on the Subject Lands:

i) a eating establishment which may include a banquet hall, provided that the combined floor area shall not exceed nine hundred & thirty (930) square metres and the maximum seating capacity of the restaurant is five hundred (500);

ii) a retail commercial showroom for the merchandising of home improvement, hardware, recreation, automotive and similar equipment, but without outside storage;

iii) a dry-cleaning business;

iv) places of entertainment.

b) The maximum combined Gross Floor Area devoted to offices, retail showroom, and restaurant and/or banquet hall shall not exceed thirty-five percent (35%) of the total Gross Floor Area of the development of the Subject Lands.

c) Notwithstanding the provisions of Subsection 3.8 regarding parking requirements, the following provision shall apply to the Subject Lands:

minimum number of parking spaces to be provided 600

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C87
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 28, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
0 Keele Street
Part of Lot 1, Concession 3, Parts 1 to 5, Plan 65R-11198
Keele Street & Steeles Avenue West
City of Vaughan, Region of York

Dear Sir,

I write on behalf of 2284607 Ontario Limited, being the Registered Owner of lands municipally addressed 0 Keele Street and located on the east side of Keele Street, north of Steeles Avenue West and immediately south of the Canadian National Railway within the City of Vaughan *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning per City of Vaughan Zoning By-law No. 1-88, as amended

The Subject Lands are currently zoned as 'PB 1*(S)*' Zone *(Parkway Belt)* per *City of Vaughan Zoning Bylaw No. 1-88*, as amended.

Proposed Zoning

The Subject Lands are proposed to be zoned 'PB1 *(662)*' Zone *(Parkway Belt)*, as per the ZBL Review.

Email: mrogato@blackthorncorp.ca **www.blackthorncorp.ca** **Tel: (416) 888-7159**

Comments

Currently, we have no specific comments regarding the proposed Zoning of the Subject Lands.

However, we wish to respectfully request notice of any updates or matters related to the CZBL, for review and comment, including a Notice of Decision.

Your attention regarding our request is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy:

Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client

BLACKTHORN
Development
Corp.

Land Development | Land Use Planning | Project Management | Government Relations

COMMUNICATION – C88
ITEM 1
Committee of the Whole (Public Meeting)
October 29, 2020

DELIVERED VIA EMAIL

October 28, 2020

City of Vaughan
Office of the City Clerk
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attention: **Mr. Todd Coles, City Clerk**

RE: **Comments: City-Wide Comprehensive Zoning By-Law Review**
10150, 10180, & 10220 Pine Valley Drive
City of Vaughan, Region of York

Dear Sir,

I write on behalf of Serenity Valley P. Lawn Management Inc., being the Registered Owner of lands municipally addressed as 10150 Pine Valley Drive, Ms. Dina Giambattista, Owner of 10180 Pine Valley Drive, & Ms. Alexandra Tam, Owner10220 Pine Valley Drive and located on the north side of Major Mackenzie Drive, west of Pine Valley Drive, within the City of Vaughan *("Subject Lands")*.

We appreciate the opportunity to provide comments pertaining to the Third Draft of City of Vaughan's comprehensive, City-wide review of Zoning By-Law No. 1-88 *(CZBL)*.

Current Zoning per City of Vaughan Zoning By-law No. 1-88, as amended

The Subject Lands are Zoned with multiple zones, applying to each respective property, as follows:

1. 10150 Pine Valley Drive: 'OS2' Zone *(Open Space Park)*.
2. 10180 Pine Valley Drive: 'RR' Zone with Exception No. 111 *(Rural Residential Zone)*.
3. 10220 Pine Valley Drive: 'RR' Zone *(Rural Residential Zone)*.

Proposed Zoning

The proposed Zoning per the CZBL seeks to zone each property, as follows:

1. 10150 Pine Valley Drive: 'OS1' Zone *(Public Open Space Zone)*.

Email: mrogato@blackthorncorp.ca **www.blackthorncorp.ca** **Tel: (416) 888-7159**

2. 10180 Pine Valley Drive: 'RE' Zone with Exception No. 48 *(Estate Residential Zone)*.

3. 10220 Pine Valley Drive: 'RE' Zone *(Estate Residential Zone)*.

Comments

The Subject Lands municipally addressed as 10150 Pine Valley Drive have been approved for Mausoleum Uses, currently permitted within the existing Zoning and the proposed OS1 Zone does permit a 'Cemetery' use, which includes a Mausoleum.

Our office requests clarity if such a use would also *permit the co-ordination and provision of rites and ceremonies with respect to dead human bodies and the provision of such other services*, per the 'Funeral Services' definition within the proposed CZBL, which is not a permitted use within an OS1 Zone. While the transition regulations of the proposed CZBL seeks to capture all previously approved development applications and/or building permit applications, our office respectfully wishes to confirm all site specific permissions, associated with lands municipally addressed as 10150 Pine Valley Drive be carried forward into the proposed CZBL.

Further, our office respectfully requests the City reconsider the proposed zoning of lands municipally addressed as 10180 Pine Valley Drive and 10220 Pine Valley Drive and instead rezone the Subject Lands to form part of the OS1 Zone. The said lands are adjacent to the 10150 Pine Valley Drive lands, currently proposed to be zoned OS1 Zone. As such, zoning all lands within the same Zone *(e.g. OS1 Zone)* would avoid a split zone situation, should the lands be merged into one lot, which the current Owners are currently considering.

Our office would be pleased to arrange a Meeting with the appropriate City personnel to review this request in detail.

Lastly, we request notice of any updates or matters related to the CZBL including a Notice of Decision. Thank you for the opportunity to review the Third Draft of the CZBL and provide Comments for consideration by City personnel and Members of Committee of the Whole.

Your attention and consideration of the above Comments is greatly appreciated.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,
BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Principal

Copy:
Mr. Brandon Correia, Manager of Special Projects, City of Vaughan
Client