

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: December 3, 2015

CASE NO(S): PL111184

PROCEEDING COMMENCED UNDER subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	1042710 Ontario Limited (aka Royal Centre)
Appellant:	1096818 Ontario Inc.
Appellant:	11333 Dufferin St et al
Appellant:	1191621 Ontario Inc.; and others
Subject:	Failure to announce a decision respecting Proposed Official Plan Amendment No. New Official Plan
Municipality:	City of Vaughan
OMB Case No.:	PL111184
OMB File No.:	PL111184
OMB Case Name:	Duca v. Vaughan (City)

PROCEEDING COMMENCED UNDER section 37 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28, as amended, and Rule 34 of the Board's Rules of Practice and Procedure

Request by:	City of Vaughan
Request for:	Request for Directions

Heard: November 18, 2015 in Vaughan, Ontario

APPEARANCES:

Parties

Counsel

City of Vaughan

L. Townsend

Region of York

F. Santaguida

See Attachment 1 for list of parties
and appellants

MEMORANDUM OF ORAL DECISION DELIVERED BY S. JACOBS ON NOVEMBER 18, 2015 AND ORDER OF THE BOARD

[1] The purpose of this prehearing conference was to hear a motion by the City of Vaughan (the “City”) seeking approval by the Ontario Municipal Board (the “Board”) of certain policies and schedules of the Vaughan Metropolitan Centre Secondary Plan (the “VMC Secondary Plan”). The VMC Secondary Plan is included in the City of Vaughan Official Plan (the “Official Plan”), which is under appeal at the Board. While there are 147 appeals to the Official Plan, 26 appeals relate to the VMC Secondary Plan.

[2] Canadian National Railway requested party status specifically to appeals 50, 143 and 145 and in relation to sections 3.3, 4.1.4, 4.3.8, 8.1.17, 8.1.18, 8.5.3, 10.1.2, 10.1.3 and 10.6.2 of the VMC Secondary Plan. The Board granted this request for party status on consent.

[3] Ms. Townsend explained that since the time that the City filed its Motion Record (Exhibit 92(c)), it has worked with the appellants to address concerns raised in responses to the City’s motion. As a result, the City filed a supplementary affidavit of Steven Dixon, a planner with the City, which included an updated version of the VMC Secondary Plan to reflect the concerns raised by appellants and parties (Exhibit 92(d)). The City’s motion therefore proceeded on consent.

[4] In Mr. Dixon’s opinion, the policies and schedules in the VMC Secondary Plan that are before the Board for approval are consistent with the *Provincial Policy Statement, 2014*, conform with the *Growth Plan for the Greater Golden Horseshoe*, conform with the Region of York Official Plan, and represent good planning.

[5] The parties wished the Board to note that there are other outstanding appeals that have raised concerns with similar Official Plan policies to those which are now settled in the VMC Secondary Plan. While the settled VMC Secondary Plan policies do not apply to the lands of these appellants, these other appellants wish to ensure that the partial approval of the VMC Secondary Plan does not prejudice these other appeals.

The Board notes the agreement of the parties that partial approval of the VMC Secondary Plan is without prejudice to these other appeals and that the City will not use this partial approval as a reason to approve the same or similar language in these other appeals. It is understood that the City will be free to argue that the same or similar policy language ought to be approved in other areas on the basis of sound planning rationale, but not on the basis that there should be a single set of policies that apply to the VMC and the other areas, or that because the policies were appropriate for the VMC, they are appropriate for the other areas.

[6] Based on Mr. Dixon's land use planning evidence and the motion on consent, the Board grants the City's motion in accordance with the attached order (Attachment 2).

[7] Ms. Townsend indicated that there are likely more settlements to arise regarding the VMC Secondary Plan. The parties therefore requested that, where notice is required, the Board allow notice to be given to those who have an interest in the VMC Secondary Plan, rather than to all those involved in the Official Plan appeals. The Board finds this to be a reasonable request and directs that any future notice relating to the VMC Secondary Plan shall be given to those who have been identified as appellants, parties, or participants to the appeals of the VMC Secondary Plan.

"S. Jacobs"

S. JACOBS
MEMBER

If there is an attachment referred to in this document,
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Ontario Municipal Board

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ATTACHMENT 1

PL111184

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1042710 Ontario Limited
Appellant: 1191621 Ontario Inc.
Appellant: 1529749 Ontario Inc.
Appellant: 1541677 Ontario Inc. and others
Subject: Failure to announce a decision respecting the proposed new Official Plan of the Regional Municipality of York for the City of Vaughan
Municipality: City of Vaughan
OMB Case No.: PL111184
OMB File No.: PL111184

CONTACTS VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN

Vaughan Metropolitan Centre Secondary Plan Appellants	Appeal	Representative
1042710 Ontario Ltd.	1	Patricia A. Foran & Patrick Harrington Aird & Berlis LLP
Wal-Mart Canada Corp.	10	Roslyn Houser & Michael Stewart Goodmans LLP
First Vaughan Investments Inc., Roland Properties Inc. and Skyrange Investments Inc.	72	
Calloway REIT (Sevenbridge) Inc. (SmartCentres)	73	
1834371 Ontario Ltd.	30	Barry Horosko Horosko Planning Law
2128475 Ontario Corp.	146	
1930328 Ontario Inc.	147	
Hollywood Princess Convention and Banquet Centre Ltd.	50	Quinto M. Annibale & Steven Ferri Loopstra Nixon LLP
785345 Ont. Ltd and I & M Pandolfo Holdings	59	
Royal 7 Developments Ltd.	84	
Mr. Antonio Di Benedetto	109	
Luigi Bros. Paving Company Ltd.	91	Gerard C. Borean Parente Borean LLP
1034933 Ontario Ltd.	120	
Luigi Bros. Paving Company Ltd. (Peelar)	128	
Concetta Marciano	135	
Pro Catering Ltd.	136	
Michael Termini, Salvatore Termini and Rosa Bancheri	145	
2117969 Ontario Inc.	106	John Alati, Alexander Suriano & Matthew DiVona Davies Howe Partners LLP
Midvale Estates Ltd.	107	
Potestas Properties Inc.	108	
Bentall Kennedy (Canada) Ltd.	111	James Harbell, Patrick Duffy & Maggie Bassani Stikeman Elliott LLP

Toromont Industries Ltd.	114	Michael Miller Dickinson Wright LLP
Berkley Commercial (Jane) Inc.	119	Daniel Artenosi, Christopher J. Tanzola & Christie Gibson Overland LLP
York Region Condominium Corporation 730	137	Reza Fakhim & Domenica Perruzza
York Condominium Corporation 499	139	Robert Miller Scargall Owen-King LLP
350 Creditstone Investments Inc.	143	Steven A. Zakem Aird & Berlis LLP

Vaughan Metropolitan Centre Secondary Plan Parties	Party	Representative
Region of York	A	Pitman Patterson & Ajay Gajaria Borden Ladner Gervais LLP Gabriel Szobel & Frank Santaguida Region of York
Ministry of Municipal Affairs and Housing	B	Kenneth G. Hare & Ugo Popadic MMAH
Toronto and Region Conservation Authority	C	Jonathan Wigley Gardiner Roberts LLP June Little TRCA
York Region Catholic District School Board	G	Tom McCrae Shibley Righton LLP Christine Hyde YRCDSB
York Region District School Board	H	Gilbert Luk YRDSB

ATTACHMENT 2

PL111184

ONTARIO MUNICIPAL BOARD

IN THE MATTER OF subsection 17(40) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended

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Municipality: City of Vaughan
OMB Case No.: PL111184
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THESE MATTERS having come on for a public hearing,

THE BOARD ORDERS that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, in respect of the Vaughan Metropolitan Centre Secondary Plan, forming part of Volume 2 of the City of Vaughan Official Plan (2010) (the "Plan"), as adopted by the City of Vaughan (the "City") on September 7, 2010 and modified on December 11, 2012 and October 7, 2015 and including such other modifications as reflected in Exhibit 92D to these proceedings, those portions of the Plan as set out in **Schedule "A"**, and those portions of the Plan with the modifications as set out in **Schedule "B"** attached to and forming part of this Order are hereby approved, save and except those policies and land use schedules which remain under appeal on a site-specific or area-specific basis.

AND THE BOARD ORDERS that the partial approval of the Plan shall be strictly without prejudice to, and shall not have the effect of limiting, (a) the rights of a party to seek to modify, delete or add to the unapproved policies, schedules, maps, figures, definitions, tables and associated text in the Plan, or (b) the jurisdiction of the Board to consider and approve modifications, deletions or additions to the unapproved policies, schedules, maps figures, definitions, tables and associated text in the Plan on a general, area-specific or site-specific basis, as the case may be, provided that the parties shall be bound by the commitments made by them to scope their issues to a site-specific or area-specific basis.

AND THE BOARD FURTHER ORDERS that the scoping of appeals to a specific site or area is without prejudice to the positions taken by the parties to those appeals so that if those appeals proceed to a hearing, either on their own or as may be consolidated with other site-specific appeals, the City will not take the position that the Board ought not to approve site-specific appeals or area-specific modifications to the affected policies, schedules, maps, figures, definitions, tables and associated text on the basis that they deviate from or are inconsistent with such policies, schedules, maps, figures, definitions, tables and associated text that have been approved on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules, maps figures, definitions, table and associated text). However, this does not affect the City's right to assert that the approved policies, schedules, maps figures, definitions, table and associated text should be applied to the specific sites or areas without modification on the basis that they constitute good planning.

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AND THE BOARD FURTHER ORDERS that where inconsistent with the policies and schedules of the VMC Secondary Plan, the outcome of any site-specific appeal will be identified in the Plan by way of a site-specific exception.

AND THE BOARD FURTHER ORDERS that the pending Appeals filed in respect of the Plan shall be determined through the hearing process or as otherwise consented to by the parties and approved by the Board.

AND THE BOARD FURTHER ORDERS that it may be spoken to in the event any matter or matter should arise in connection with the implementation of this Order.

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SCHEDULE "A"

PART A			
Chapter 1		ALL	
Chapter 2		ALL	
Chapter 3		ALL	
PART B			
Chapter 1		ALL	
Chapter 2		ALL	
Chapter 3	Preamble	ALL	
	3.1	ALL	
	3.2	ALL	
	3.4	ALL	
	3.5	ALL	
	3.7	ALL	
	3.8	ALL	
	3.9	ALL	
	3.10	ALL	
Chapter 4	Preamble	ALL	
	4.1	ALL	
	4.2	ALL	
	4.3	4.3.2	
		4.3.11 - 4.3.20	
	4.4	4.4.3 - 4.4.10	
	4.5	4.5.1	
		4.5.4 - 4.5.8	
4.6	ALL		
Chapter 5		ALL	
Chapter 6	Preamble	ALL	
	6.1	6.1.6 - 6.1.8	
		6.2.1 - 6.2.2	
	6.2	6.2.4	
		6.2.6 - 6.2.8	
		6.2.10	
	6.3	6.3.1 - 6.3.3	
		6.3.5	
6.3.7 - 6.3.10			
Chapter 7		ALL	
Chapter 8	Preamble	ALL	
	8.1	8.1.2	
		8.1.4 - 8.1.8	
		8.1.11 - 8.1.16	
		8.1.21 - 8.1.24	
	8.2	ALL	
	8.3	ALL	
	8.4	8.4.1 - 8.4.2	
		8.4.4	
	8.5	ALL	
8.6	ALL		
8.7	ALL		
8.8	8.8.1(a) - 8.8.1(h)		
	8.8.2		
Chapter 9		ALL	
Chapter 10	10.1	10.1.1	
		10.1.4 - 10.1.6	
	10.2	ALL	
	10.3	ALL	
	10.4	ALL	
	10.5	ALL	
	10.6	10.6.1	
		10.6.4 - 10.6.6	
	10.7	ALL	
10.8	ALL		
Schedules		A	
		B	
		E	
		F	
		G	
		H	
	J		

PART C	
Appendix A	Figure A-D
	Figure G-L

SCHEDULE “B”

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
4.0 STREETS AND TRANSPORTATION				
4.1	4.1.4	MMAH (Participant) CN Rail (Participant)	The City may require with applications for development, the submission of a traffic impact study and pedestrian and bicycle circulation plan that assess the impacts of the proposal on the street network and how it facilitates access and circulation by transit users, cyclists and pedestrians.	The City may require with applications for development, the submission of a traffic impact study and pedestrian and bicycle circulation plan that assesses the impacts of the proposal on the street network, <u>including the impacts of truck traffic that accommodates neighbouring industrial uses, and/or a pedestrian and bicycle circulation plan that demonstrates</u> how <u>the development</u> it facilitates access and circulation by transit users, cyclists and pedestrians.
4.2	4.2.11	(72) First Vaughan Investments Inc. et al. (73) Calloway REIT (Sevenbridge) Inc.	Passenger pick-up and drop-off (PPUDO) facilities associated with the subway station shall be located within the right-of-ways of local streets west and east of Millway Avenue and may be located on Applemill Road. To ensure Millway Avenue functions as intended for vehicular and bicycle movement and parking, PPUDO facilities shall not be located in the Millway Avenue right-of-way. Any plans for a temporary off-street PPUDO shall include plans for the site’s future development with uses consistent with the vision, principles and objectives for the VMC.	<u>The Toronto Transit Commission has identified a need for approximately 40</u> P passenger pick-up and drop-off (PPUDO) facilities associated with the subway station, <u>that</u> shall be located within the right-of-ways of local streets west and east of Millway Avenue and may be located on Applemill Road. To ensure Millway Avenue functions as intended for vehicular and bicycle movement and parking, PPUDO facilities shall not be located in the Millway Avenue right-of-way, <u>except for the area immediately adjacent to the York Region Bus Terminal on the west side of Millway Avenue, north of Applemill Road. PPUDO facilities proposed along this section of Millway Avenue shall be designed to the satisfaction of the City.</u> Any plans for a temporary off-street PPUDO shall include plans for the site’s future development with uses consistent with the vision, principles and objectives for the VMC.
5.0 ENERGY, WATER AND THE NATURAL ENVIRONMENT				
5.4	5.4.1	MMAH (Participant)	Stormwater management practices and facilities shall be guided by the Vaughan Metropolitan Centre Municipal Servicing Class Environmental Assessment Master Plan and designed and implemented to the satisfaction of the City and the Toronto and Region Conservation Authority.	Stormwater management practices and facilities shall be guided by the Vaughan Metropolitan Centre Municipal Servicing Class Environmental Assessment Master Plan and designed and implemented to the satisfaction of the City and the Toronto and Region Conservation Authority, <u>in consultation with the Ministry of Transportation.</u>

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
5.6	5.6.6	MMAH (Participant)	<p>The Black Creek Remediation Strategy will result from the Black Creek Optimization Study Municipal Class Environmental Assessment (Phases 1 and 2), the VMC Black Creek Renewal EA (Phases 3 and 4), and the Streetscape and Open Space Master Plan. Schedule J shows the anticipated area of flood remediation that will result from the implementation of the measures outlined in the Optimization Study EA and will be refined further through the Renewal EA. Development and site alterations, excluding the construction of servicing and infrastructure forming part of the remedial works, shall not be permitted within the Remediation Area identified on Schedule J until all of the following are satisfied:</p> <p>a. The remedial flood protection works approved for Black Creek are complete. These works shall include the upgraded pond, culvert replacement, and the new naturalized creek channel and associated buffer;</p> <p>b. Updated flood line mapping has been prepared and approved by TRCA; and,</p> <p>c. The development meets the program, regulatory and policy requirements of the TRCA.</p>	<p>The Black Creek Remediation Strategy will result from the Black Creek Optimization Study Municipal Class Environmental Assessment (Phases 1 and 2), the VMC Black Creek Renewal EA (Phases 3 and 4), and the Streetscape and Open Space Master Plan. Schedule J shows the anticipated area of flood remediation that will result from the implementation of the measures outlined in the Optimization Study EA and will be refined further through the Renewal EA. <u>Within the lands identified as Black Creek Renewal Area or Existing Floodplain on Schedules F and J, the underlying land use designations identified on Schedule F shall not come into force.</u> Development and site alterations, excluding the construction of servicing and infrastructure forming part of the remedial works, shall not be permitted within the Remediation Area identified on Schedule J until all of the following <u>conditions are met to the satisfaction of the City, the TRCA and the Province:</u></p> <p>a. The remedial flood protection works approved for Black Creek are complete <u>pursuant to the approved Black Creek Renewal EA.</u> These works shall include the upgraded pond, culvert replacement, and the new naturalized creek channel and associated buffer;</p> <p>b. Updated flood line mapping <u>based on as-constructed drawings</u> has been prepared <u>by a qualified engineer</u> and approved by <u>the TRCA, which confirms the subject lands have been removed from the floodplain;</u> and,</p> <p>c. The development meets the program, regulatory and policy requirements of the TRCA.</p>
5.6	5.6.7	MMAH (Participant)	<p>Notwithstanding 5.6.5, development may be permitted within the Black Creek Remediation Area identified on Schedule J in accordance with the phased implementation of the Black Creek Remediation Strategy, subject to the following:</p> <p>a. The development phase meeting all flood plain management requirements with respect to ecological management, naturalization and flood remediation (including safe ingress and egress and</p>	<p>5.6.7 Notwithstanding 5.6.5, development may be permitted within the Black Creek Remediation Area identified on Schedule J in accordance with the phased implementation of the Black Creek Remediation Strategy, subject to the following <u>Prior to the conditions of Policy 0 being satisfied, only the uses existing as of the day this Plan is approved and the construction of servicing and infrastructure forming part of the remedial works of the Black Creek shall be</u></p>

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
			<p>flood proofing to the level of the regulatory flood and no significant off-site impacts to flooding) to the satisfaction of the TRCA and the City;</p> <p>b. The development phase does not compromise the implementation of future phases of the remediation strategy and associated parkland;</p> <p>c. Updated flood line mapping being prepared and approved by the TRCA recognizing the proposed development phase and that it is protected to the level of the regulatory flood.</p>	<p><u>permitted.</u></p> <p><u>5.6.8 Notwithstanding Policies 5.6.6 and 5.6.7, phased development and site alterations within the Black Creek Remediation Area and lands within the existing floodplain, as identified on Schedule J, may be permitted only if the following conditions have been met to the satisfaction of the City and the TRCA:</u></p> <p><u>a. It has been demonstrated that the lands have been removed from the floodplain;</u></p> <p>a.b. <u>_____</u> The development phase meeting or site alteration meets all flood plain management requirements with respect to ecological management, naturalization and flood remediation (including safe ingress and egress and flood proofing to the level of the regulatory flood and no significant off-site impacts to flooding) to the satisfaction of the TRCA and the City;</p> <p>b.c. <u>_____</u> The development phase or site alteration does not compromise the implementation of future phases of the remediation strategy and associated parkland;</p> <p><u>d. Updated flood line mapping being based on as-constructed drawings has been prepared by the proponent's qualified engineer and approved by the TRCA; and</u></p> <p>e.e. <u>_____</u> recognizing <u>It has been demonstrated that</u> the proposed development phase and that it is protected to the level of the regulatory flood.</p>
5.6	Proposed New Policy 5.6.9	MMAH (Participant)	N/A	<p><u>Upon satisfaction of the requirements of Policy 5.6.6 or 5.6.7, the underlying land use designations identified on Schedule F shall come into force for the applicable lands without the need for an amendment to this Plan.</u></p>

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5.6	5.6.10 (formerly 5.6.9)	(108) 2431247 Ontario Inc. (Zzen 2)	Existing uses and structures within the Black Creek Remediation Area shown on Schedule J are not permitted to expand or redevelop until such time as the limit of the upgraded pond and associated public park/open space, and the new naturalized creek channel, associated TRCA buffer and public park/open space, have been defined within the approved flood remediation strategy, including the approved EAs. Once the limit is defined, such expansions or redevelopment will contribute toward, or not inhibit, the implementation of the approved remediation strategy. Such works are subject to meeting the program, regulatory and policy requirements of the TRCA.	Notwithstanding Policy 9.2.2.a , E existing uses and structures within the Black Creek Remediation Area shown on Schedule J are not permitted to expand or redevelop beyond the existing at-grade footprint until such time as the limit of the upgraded pond and associated public park/open space, and the new naturalized creek channel, associated TRCA buffer and public park/open space, have been defined within the approved flood remediation strategy, including the approved EAs. Once the limit is defined, such E Expansions or redevelopment will contribute toward, or not inhibit, the implementation of the approved remediation strategy. Such works are subject to meeting the program, regulatory and policy requirements of the TRCA.
6.0 PARKS AND OPEN SPACES				
6.3	6.3.2	MMAH (Participant)	The final size and location of the environmental open space and the Black Creek tributary and associated flood plain, and the environmental open space designation north and south of Highway 7 immediately east of Highway 400, and any possible re-designation to that of the adjacent land uses to the east, are to be determined pursuant to the following: a Flood Plain Analysis, detailed design of the Highway 7 ramp re-alignment, detailed design of the stormwater facilities and environmental considerations, to the satisfaction of the City and TRCA.	The final size and location of the environmental open space and the Black Creek tributary and associated flood plain, and the environmental open space designation north and south of Highway 7 immediately east of Highway 400, and any possible re-designation to that of the adjacent land uses to the east, are to be determined pursuant to the following: a Flood Plain Analysis, detailed design of the Highway 7 ramp re-alignment, detailed design of the stormwater facilities and environmental considerations, to the satisfaction of the City, the Ministry of Transportation and the TRCA.
6.3	6.3.9	(139) YRCC 499	Development abutting the eastern edge of the Black Creek corridor (Greenway and/or Black Creek environmental open space) between Highway 7 and Interchange Way shall face and provide pedestrian access to the environmental open space. Buildings shall be set back a minimum of 2-5 metres from the edge of the corridor. Landscaping within the setback zone shall complement the corridor and provide a buffer between the public and private realms. Private streets separating the corridor from development may be considered.	Development abutting the eastern edge of the Black Creek corridor (Greenway and/or Black Creek environmental open space) between Highway 7 and Interchange Way shall face and provide pedestrian access to the environmental open space corridor . Buildings shall be set back a minimum of 2-5 metres from the edge of the corridor. Landscaping within the setback zone shall complement the corridor and provide a buffer between the public and private realms. Private streets separating the corridor from development may be considered.

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			8.0 LAND USE, DENSITY AND BUILT FORM	
8.1	8.1.2	MMAH (Participant)	As per Policy 5.6.5, the ultimate alignment of Black Creek, the extent of its floodplain and the land use impacts of both will be determined through the Black Creek Remediation Strategy. In concert with the strategy, the location and size of a stormwater management facility in the southeast area of the VMC will be finalized. The land use designations within the hatched area identified on Schedule F shall be subject to the results of the VMC Black Creek Renewal EA (Phases 3 and 4) and the VMC Servicing and Stormwater Management Master Plan Study. The land use designations within this area may be modified without amendment to this plan provided the final designations are consistent with those established for the area. In the interim, development may be permitted in accordance with the underlying land use designations in Schedule F, subject to Policies 5.6.5 and 5.6.6.	As per Policy 5.6.5, the ultimate alignment of Black Creek, the extent of its floodplain and the land use impacts of both will be determined through the Black Creek Remediation Strategy. In concert with the strategy, the location and size of a stormwater management facility in the southeast area of the VMC will be finalized. The land use designations within the hatched area identified on Schedule F shall be subject to the results of the VMC Black Creek Renewal EA (Phases 3 and 4) and the VMC Servicing and Stormwater Management Master Plan Study. The land use designations within this area may be modified without amendment to this plan <u>subject to the conditions described in Policy 5.6.6 and</u> provided <u>that</u> the final designations are consistent with those established for the area. In the interim, development may be permitted in accordance with the underlying land use designations in Schedule F, subject to Policies 5.6.5 and 5.6.6.
8.1	8.1.7	(135/136) Concetta Marciano/Pro Catering Ltd.	Notwithstanding any of the policies of this section, previously approved and existing uses in the VMC shall be permitted, subject to Section 9.2 of this plan. Nevertheless, where existing uses are not consistent with the vision and objectives of this plan, redevelopment shall be encouraged.	Notwithstanding any of the policies of this section, previously approved and existing uses in the VMC shall be permitted, subject to Section 9.2 of this plan. Nevertheless, where existing uses are not consistent with the vision and objectives of this plan, redevelopment shall be encouraged.
8.1	8.1.22	(1) 1042710 Ontario Ltd (Royal Centre)	As per Policy 5.2.3.8 of Volume 1 of the Vaughan Official Plan 2010, drive-through facilities shall only be permitted on the basis of a site-specific amendment to this plan.	As per Policy 5.2.3.8 of Volume 1 of the Vaughan Official Plan 2010, <u>new</u> drive-through facilities shall only be permitted on the basis of a site-specific amendment to this plan.
8.1	8.1.24	CN Rail (Participant)	The City acknowledges the long term potential for the VMC to expand east and north beyond the boundaries identified in Schedule A as the population targets and land use objectives of this plan are achieved. Such expansions will require a review of land use policies for the affected areas, in the context of an Official Plan Review.	The City acknowledges the long term potential for the VMC to expand east and north beyond the boundaries identified in Schedule A as the population targets and land use objectives of this plan are achieved. Such expansions will require a review of land use policies for the affected areas, in the context of an Official Plan Review.

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
8.2	8.2.2	N/A	<p>The following uses generally shall be permitted in the Station Precinct:</p> <ul style="list-style-type: none"> • Corporate, professional or government office; • Hotel; • Conference facility; • College or university; • Commercial school; • Retail, including Major Retail over 10,000 square metres; • Place of entertainment; • Restaurant; • Financial institution; • Personal or business service; • Residential dwelling; • Art studio; • Place of worship; • Daycare; • Public school, library, cultural facility or community centre; • Public parking; • Park. 	<p>The following uses generally shall be permitted in the Station Precinct:</p> <ul style="list-style-type: none"> • Corporate, professional or government office; • Hotel; • Conference facility; • College or university; • Commercial school; • <u>Retail, service commercial and public uses, including:</u> <ul style="list-style-type: none"> ◦ <u>retail stores</u> ◦ <u>restaurants (including patios)</u> ◦ <u>places of entertainment</u> ◦ <u>personal and business services</u> ◦ <u>professional offices and public institutions</u> ◦ <u>financial institutions</u> ◦ <u>public school, library, cultural facility or community centre</u> ◦ <u>daycares</u> • <u>Large scale retail, in accordance with Policy 8.6.6:</u> • Major Retail over 10,000 square metres; • Place of entertainment; • Restaurant; • Financial institution; • Personal or business service; • Residential dwelling; • Art studio; • Place of worship; • Daycare; • Public school, library, cultural facility or community centre; • Public parking; • Park.

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
8.5	8.5.1		<p>A mix of office and other non-noxious employment uses shall be encouraged in the East and West Employment Precincts, as shown in Schedule F. In addition to office buildings, the following may also be permitted: research and development facilities, light industrial uses and public institutions. In addition, hotels and conference facilities are also permitted, provided they are located on a development block adjacent to Highways 7, 400 or 407. Commercial uses, such as restaurants (including patios), day cares (including outdoor play areas) and convenience stores, shall also be permitted as ancillary uses where they are integrated in the building, generally at grade. A mix of low-rise, mid-rise and high-rise buildings, as described in Policy 8.7.1, shall be encouraged in the East and West Employment Precincts.</p>	<p>A mix of office and other non-noxious employment uses shall be encouraged in the East and West Employment Precincts, as shown in Schedule F. In addition to office buildings, <u>The following may also be used shall be permitted in the East and West Employment Precincts:</u></p> <ul style="list-style-type: none"> • <u>Corporate, professional and government offices;</u> • <u>Research and development facilities;</u> • Light industrial uses and public institutions; • <u>Commercial or technical schools;</u> • <u>Dedicated above-grade parking structures, in accordance with Policy 8.8.1.f; and,</u> • In addition, hotels and conference facilities are also permitted, provided they are located on a development block adjacent to Highways 7, 400 or 407. <p><u>In addition to the uses permitted above, the following uses Commercial uses, such as restaurants (including patios), day cares (including outdoor play areas) and convenience stores, shall also be permitted as ancillary uses where they are integrated into the building, generally at grade:</u></p> <ul style="list-style-type: none"> • <u>retail stores;</u> • <u>restaurants (including patios);</u> • <u>places of entertainment;</u> • <u>personal and business services;</u> • <u>financial institutions;</u> • <u>daycares (including outdoor play areas); and,</u> • <u>convenience stores.</u> <p>A mix of low-rise, mid-rise and high-rise buildings, as described in Policy 8.7.1, shall be encouraged in the East and West Employment Precincts.</p>
















SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
8.6	8.6.1	N/A	Retail, service commercial and public uses, including retail stores, restaurants, places of entertainment, personal and business services, professional offices and public institutions, are permitted throughout the VMC subject to Policy 8.1.4 and Policies 8.6.2 to 8.6.10.	Retail, service commercial and public uses, including retail stores, restaurants, places of entertainment, personal and business services, professional offices and public institutions, are permitted throughout the VMC subject to Policy 8.1.4 and Policies 8.6.2 to 8.6.10.
8.6	8.6.4	(72) First Vaughan Investments Inc. et al. (73) Calloway REIT (Sevenbridge) Inc.	For frontages where retail uses are required or recommended, the retail uses may occupy the second and third floors of buildings, in addition to the ground floor. Where retail uses are proposed for the second and third floors of buildings, these portions of the buildings are encouraged to be substantially glazed, where feasible, as determined through the development approval process.	For frontages where retail uses are required or recommended, the retail uses may occupy the second and third floors of buildings, in addition to the ground floor. Where retail uses are proposed for the second and third <u>above the first</u> floors of buildings, these portions of the buildings are encouraged to be substantially glazed, where feasible, as determined through the development approval process.
8.6	8.6.5	(72) First Vaughan Investments Inc. et al. (73) Calloway REIT (Sevenbridge) Inc.	Where retail, service commercial or public uses are proposed to be located in buildings on frontages not identified on Schedule H as required or recommended locations for retail, service commercial or public uses, such uses shall generally be restricted to small-scale, neighbourhood-oriented commercial uses such as convenience stores, dry cleaners, banks, cafes and restaurants. In Neighbourhood Precincts where frontages are not identified on Schedule H as locations where retail, service commercial or public uses are required or recommended, such uses shall generally be restricted to small-scale, neighbourhood-oriented commercial uses and are only permitted on corner lots.	Where retail, service commercial or public uses are proposed to be located in buildings on frontages not identified on Schedule H as required or recommended locations for retail, service commercial or public uses, such uses shall generally be restricted to small-scale, neighbourhood-oriented commercial uses such as convenience stores, dry cleaners, banks, cafes and restaurants. In Neighbourhood Precincts where frontages are not identified on Schedule H as locations where retail, service commercial or public uses are required or recommended, such uses shall generally be restricted to small-scale, neighbourhood-oriented commercial uses and are only permitted on corner lots.

SECTION	POLICY	APPELLANT(S)	ORIGINAL CITY TEXT	MODIFIED LANGUAGE
8.6	8.6.6	(72) First Vaughan Investments Inc. et al. (73) Calloway REIT (Sevenbridge) Inc.	<p>Large scale retail uses, which are retail uses with a gross floor area greater than 5,000 square metres, including but not limited to department stores, furniture, appliance or home improvement stores, and full-size grocery stores, are permitted in the Station Precinct. To reduce the impact on the pedestrian realm resulting from the scale of such uses, large scale retail uses shall be urban in form.</p> <p>To achieve this urban form, the ground floor street wall of large scale retail uses shall be animated through a high degree of articulation and fenestration including such features as large amounts of clear glazing, multiple entrances (where practical), and smaller street-oriented retail uses. Large scale retail uses shall locate the bulk of their floor area behind smaller, street-oriented retail uses and/or above the ground floor. Internal servicing areas for such uses shall be encouraged, and external servicing areas shall be located on rear laneways and screened from public view.</p>	<p>Large scale retail uses, which are retail uses with a gross floor area greater than 5,000 square metres, including but not limited to department stores, furniture, appliance or home improvement stores, and full-size grocery stores, are permitted in the Station Precinct. To reduce the impact on the pedestrian realm resulting from the scale of such uses, large scale retail uses shall be urban in form.</p> <p>To achieve this urban form, the ground floor street wall of large scale retail uses shall be animated through a high degree of articulation and fenestration including such features as large amounts of clear glazing, multiple entrances (where practical), and smaller street-oriented retail uses. Large scale retail uses shall locate the bulk of their floor area behind smaller, street-oriented retail uses and/or above the ground floor. Internal servicing areas for such uses shall be encouraged, and external servicing areas shall be located on rear laneways <u>where feasible</u> and screened from public view.</p>
8.6	8.6.9	N/A	<p>As per Policy 8.1.4, retail activities in the VMC are intended to take place primarily at grade and along streets. Individual retail and service commercial uses generally shall not be permitted below grade, except in the basements of multi-storey buildings adjacent and connected to the subway station. Exceptions may also be made to permit one level of retail below grade for large-scale commercial uses generally greater than 1,000 square metres in size, and accessory service commercial uses, provided that they are connected to the ground-floor of multi-storey buildings.</p>	<p>As per Policy 8.1.4, retail activities in the VMC are intended to take place primarily at grade and along streets, <u>and single-storey commercial uses shall not be permitted in the VMC except where physically connected and integrated with a larger multi-storey development.</u> Individual retail and service commercial uses generally shall not be permitted below grade, except in the basements of multi-storey buildings adjacent and connected to the subway station. Exceptions may also be made to permit one level of retail below grade for large-scale commercial uses generally greater than 1,000 square metres in size, and accessory service commercial uses, provided that they are connected to the ground-floor of multi-storey buildings.</p>
8.8	8.8.1.d	N/A	<p>Parking for institutional, office and retail uses shall be located underground where feasible, and may be provided in above-grade structures integrated within the podium of the building, subject to Policy 8.8.2. Office buildings shall include at least one level of underground parking.</p>	<p>Parking for institutional, office and retail uses shall be located underground where feasible, and may be provided in above-grade structures integrated within the podium of the building, subject to Policy 8.8.2. Office buildings shall include at least one level of underground parking.</p>

VMC SECONDARY PLAN SCHEDULE B - Transit Network
SEPTEMBER 17, 2015 VMC SUB-COMMITTEE ADOPTED SCHEDULE

SCHEDULE B > TRANSIT NETWORK

LEGEND

- | | | | |
|---|--|---|---------------------------------|
|  | subway entrances |  | spadina subway alignment |
|  | future subway entrances |  | future spadina subway extension |
|  | potential Hwy7 rapidway stations |  | spadina subway station box |
|  | potential Jane Street rapidway stations |  | highway 7 rapidway |
|  | 5 minute walking radii |  | potential jane street rapidway |
|  | blocks adjacent to subway |  | potential viva stations |
|  | on-street passenger pick-up and drop-off |  | bus station |
| | |  | major parks and open spaces |



VMC SECONDARY PLAN SCHEDULE B - Transit Network
NOVEMBER 2015 MODIFICATIONS

SCHEDULE B > TRANSIT NETWORK

LEGEND

- | | | | |
|---|---|---|---------------------------------|
|  | subway entrances |  | spadina subway alignment |
|  | potential Hwy7 rapidway stations |  | future spadina subway extension |
|  | potential Jane Street rapidway stations |  | spadina subway station box |
|  | 5 minute walking radii |  | highway 7 rapidway |
|  | blocks adjacent to subway |  | potential jane street rapidway |
|  | bus station |  | potential viva stations |
|  | see Policy 6.3.2 |  | major parks and open spaces |

