

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, Report No. 41, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on October 30, 2012.

**3 VAUGHAN METROPOLITAN CENTRE (VMC) SECONDARY PLAN
PROPOSED MODIFICATIONS TO ADOPTED SECONDARY PLAN
FILE: 25.5.12.1
WARD 4**

The Committee of the Whole (Public Hearing) recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated October 16, 2012, be approved;
- 2) That the presentation by the Director of Policy Planning and Mr. Tim Smith, Senior Associate, Urban Strategies, Spadina Avenue, Toronto, be received;
- 3) That the following deputations and communications be received:
 1. Mr. Michael Bissett, Bousfields Inc., Church Street, Toronto, on behalf of the Pandolfo Group, and communication C5, dated October 15, 2012;
 2. Mr. Adriano Volpentesta, America Drive, Vaughan;
 3. Ms. Carmen Coppola, on behalf of Mr. Tony Di Benedetto, Sharpecroft Boulevard, Downsview, and communication C2, dated October 9, 2012;
 4. Mr. Jeffrey Stone, Bathurst Street, Vaughan;
 5. Mr. Jim Levac, Weston Consulting Group Inc, Millway Avenue, Vaughan, on behalf of Goldpark Group/ZZen Group, and communication C11, dated October 16, 2012;
 6. Ms. Maria Gatzios, Gatzios Planning, Woodbine Avenue, Markham, on behalf of 1042710 Ontario Limited (Royal Centre), and communication C10 from Ms. Kimberly L. Beckman, Davies Howe Partners LLP, Spadina Avenue, Toronto, dated October 16, 2012;
 7. Ms. Paula Bustard, SmartCentres, Applewood Crescent, Vaughan;
 8. Mr. Stephen Roberts, Bentoak Crescent, Thornhill; and
 9. Mr. Serge Babahekian, Richmond Street West, Toronto; and
- 4) That the following communications be received:
 - C4. Mr. Jim Kirk, Malone Given Parsons Ltd., Renfrew Drive, Markham, dated October 10, 2012;
 - C6. Ms. Amy Shepherd, IBI Group, Richmond Street West, Toronto, dated October 15, 2012;
 - C7. Mr. Victor Labreche, Labreche Patterson & Associates Inc., Trillium Drive, Kitchener, dated October 16, 2012; and
 - C8. Ms. Jennifer Drake, Goodmans LLP, Bay Street, Toronto, dated October 16, 2012.

Recommendation

The Commissioner of Planning recommends:

1. That this report on the proposed modifications to the Council Adopted VMC Secondary Plan be received; and that any issues identified by the public and Council, be addressed in a comprehensive report to Committee of the Whole.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 2

Contribution to Sustainability

Consistent with Green Directions Vaughan, the City's Community Sustainability and Environmental Master Plan, the Vaughan Metropolitan Centre (VMC) Secondary Plan will conform to the Region of York's policies for complete communities by providing policies that provide for environmental protection, sustainable community design, and economic vitality and growth. More specifically, the proposed VMC Secondary Plan addresses the following goals outlined by Green Directions Vaughan:

- Goals 1 & 5: Demonstrates leadership through green building and urban design policies.
- Goal 2: Ensures sustainable development and redevelopment.
- Goal 3: Ensures that the VMC is easy to get around in with low environmental impact.
- Goal 4: Creates a vibrant community for citizens, businesses and visitors.
- Goal 5 & 6: Establishes overall vision and policy structure that supports the implementation of Green Directions Vaughan.

Economic Impact

The new Vaughan Official Plan (VOP) 2010, which includes the VMC Secondary Plan, establishes the planning framework for development throughout the City to 2031. The Official Plan, when approved will have a positive impact on the City of Vaughan in terms of encouraging and managing growth and fostering employment opportunities. It will also fulfill the City's obligations to conform to Provincial policies and meet regionally imposed targets for residential and employment intensification specific to Regional Centres.

The VMC Secondary Plan review was funded through the capital budget PL-9003-07 for the Vaughan Official Plan 2010.

Communications Plan

Notice of this meeting has been communicated to the public by the following means:

- Posted on the www.vaughan.ca online calendar, Vaughan Tomorrow website www.vaughtantomorrow.ca City Page Online and City Update (corporate monthly e-newsletter);
- Posted to the City's social media sites, Facebook and Twitter;
- By Canada Post to landowners of lands within the study area; to residents within 150 m of the study area boundary, to ratepayer associations; and to all those requesting notification of the review of the VMC Secondary Plan;
- By Canada Post to almost 1500 addresses on the Vaughan Tomorrow/Official Plan Review mailing list, updated to include the parties identified in the letters directed to the Region of York; and,
- To the Official Plan Review e-mail list.
- Placed in the Vaughan Citizen and Thornhill Liberal on October 4, 2012.

The notices for the October 16, 2012 Public Hearing were mailed directly to all landowners within the study area, to surrounding neighbours within 150 metres of the study area boundary, to ratepayer associations, and to individuals who had previously requested notification. In addition, the notice was posted on the City of Vaughan website on September 27, 2012, and placed in the Vaughan Citizen and Thornhill Liberal on October 4, 2012, to promote City-wide awareness of this Public Hearing.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 3

Purpose

The purpose of this report is to present proposed modifications to the adopted Secondary Plan for the Vaughan Metropolitan Centre at a Committee of the Whole Public Hearing. A final report with recommendations, which takes into consideration comments from the Public Hearing, and other public agencies, will proceed to a future Committee of the Whole meeting. The revised Plan is the result of a Council directed review of two specific areas of the adopted VMC Secondary Plan, consideration of various modification requests from land owners within the VMC planning area, and general refinements to the Secondary Plan as a result of ongoing related studies.

Background - Analysis and Options

Location

The VMC is located between Highway 400 to the west, Creditstone Road to the east, Portage Parkway to the north, and Highway 407 to the south (see Attachment 1).

Existing Uses

The VMC is located within a major regional employment area which is served by a multi-modal transportation network. Black Creek is located just east of Jane Street. It flows parallel to the arterial road, and through the VMC area adding a natural heritage complement to the site. There are a scattering of buildings, including an 8-storey office building, three mid-rise hotels and a number of low-rise, retail and employment buildings in the VMC Secondary Plan area; however, a substantial portion of the VMC Plan area remains vacant.

Zoning

The zoning provisions of By-law 1-88 applicable to the Secondary Plan area will remain in effect until they are updated or replaced by zoning consistent with the new Vaughan Official Plan 2010, and the VVMC Secondary Plan. The preparation of the new City zoning by-law is now in its initial stages.

City of Vaughan Official Plan (VOP) 2010

The Vaughan Official Plan 2010 applies to all lands in the City and has been produced in two volumes. Volume 1 introduces general policies applicable throughout the City. The Vaughan Metropolitan Centre (VMC) Secondary Plan is included in Volume 2. It contains a number of Secondary Plans and site and area specific policies for areas that require more detailed policy treatments. This report deals with the policies and modifications specific to the VMC Secondary Plan.

Secondary Plan Review Process: The Initial Community, Government and Agency Consultation Process

The VMC Study involved extensive consultation. The City, Region of York, transit agencies, School Boards and Toronto and Region Conservation Authority (TRCA) were engaged throughout the process. Landowners in the study area were involved through a series of interviews at the beginning of the study process and again in November and December of 2009 as the structural framework and policy direction were taking shape. In addition to the consultation which occurred at the City Official Plan Open Houses of May 28, and November 18, 2009, the following meetings and workshops were held:

- (i) Visioning Workshop 1- Setting the Stage for a New Downtown, May 7, 2009:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 4

- a. With Industry and Stakeholders (afternoon)
 - b. Residents' workshop and Open House (evening)
- (ii) Workshop 2- Exploring Development Concepts for the New Downtown, September 30, 2009:
 - a. With Stakeholders (afternoon)
 - b. Community Open House (evening)
- (iii) Public Information Meeting - March 8, 2010
- (iv) Statutory Public Open House - April 19, 2010
- (v) June 14, 2010 – Statutory Public Hearing.
- (vi) June 29, 2010 – Council Meeting, ratifying the recommendations made by Committee of the Whole at the Public Hearing.
- (vii) August 31, 2010 – Special Committee of the Whole Meeting to consider responses to public, government and agency submissions, for incorporation into the VMC Secondary Plan.
- (viii) September 7, 2010 – Council meeting ratifying the recommendations made at the August 31, 2010 Special Committee of the Whole Meeting. The following recommendation of the Committee of the Whole (in part) was approved by Council:

“That the draft Vaughan Metropolitan Centre Secondary Plan (May 2010) be revised in accordance with the recommendations set out in Attachment No. 1 to this report;

The revised version of the VMC Secondary Plan proceed to Council for adoption at the Council meeting of September 7, 2010 as part of Volume 2 of the new Official Plan; and that the plan reflect the changes approved by Committee of the Whole at this meeting;

And whereas the draft Secondary Plan includes only part of the 7601 Jane Street lands within the Urban Growth Centre boundary and part of the lands are outside of the Urban Growth Centre boundary;

And whereas it is more appropriate from a comprehensive point of view for the Subject Lands to be designated entirely “Downtown Mixed Use” rather than only partially downtown mixed use;

Now therefore, be it resolved that staff be directed to consider the feasibility of the requested changes to the Draft OP and the draft Secondary Plan and report to Council as part of a future report dealing with modifications to the adopted plan.”

It is also noted that the staff report of August 31, 2010 contained a recommendation to:

“Revisit the northwest quadrant of the VMC Secondary Plan to complete a further transportation and land use review, following the Council approval of the VMC Secondary Plan.”

Approval Process

The VMC Secondary Plan was adopted by Council on September 7, 2010, as part of Volume 2 of the VOP 2010. On June 28, 2012, the Region of York endorsed the adopted City of Vaughan

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 5

modifications to Volume 1 of the VOP 2010, and recommended the approval of the modified Volume 1 to the Ontario Municipal Board. Staff are also addressing modification requests to Volume 2 of the Official Plan, which have been received since the time of adoption.

It is anticipated that the revised VMC Secondary Plan will be brought forward to a Committee of the Whole meeting later this fall, for final consideration. Upon Council approval, the modified Plan will then be sent to the Region of York for Council comment and endorsement, and then to the OMB for final approval if appeals still remain after the City and Regional processes. Timely approval of the Plan would be of assistance in assessing a number of development proposals within the VMC Secondary Plan area.

Consultation Process for the Review of Adopted VMC Secondary Plan

The consultation process respecting the post-adoption review of the VMC Secondary Plan has been extensive and involved Provincial, Regional, and City staff; the City's Consultant for the VMC Secondary Plan Study; many meetings with landowners of the areas subject to the specific reviews; and meetings with other landowners requesting modifications to the Plan since its adoption on September 7, 2010.

Since the VMC Secondary Plan review began in the fall of 2010, the Policy Planning Department has been involved in on-going consultation with VMC landowners. In the fall of 2011, an inter-agency working group "The VMC Implementation Team" was established to help facilitate projects related to the development of the VMC lands. This group, which includes Provincial, Regional, City, and Toronto and Region Conservation Authority staff (TRCA), has been meeting on a monthly basis, since September of 2011. In addition, the VMC Sub-Committee was formed in the fall of 2011. The status of and proposed changes to the Secondary Plan are discussed at the meetings of this Sub-Committee.

In the spring of 2012, a presentation was provided to the VMC Sub-Committee outlining major directions towards finalization of the VMC Secondary Plan. The proposed modifications which are the subject of this report, were presented to the VMC Sub-Committee on September 13, 2012, for input and discussion. All VMC landowners, and others requesting notification of Sub-Committee meetings, are notified by mail of upcoming meetings. In addition, all meetings and corresponding agendas are posted on the City website.

VMC Sub-Committee of Council meeting of September 13, 2012

The proposed modifications to the adopted VMC Secondary Plan were presented to the VMC Sub-Committee on September 13, 2012, and the forum was then opened for questions and deputations. The following comments were noted:

- (i) **Would we consider combining a school site with the Community Centre/ library facility, or a combined public/Catholic school site in the VMC?**

Staff Response:

The School Board representatives are not adverse to a combined facility with the City, or to combined public/Catholic school sites; however, the co-ordination of timing with respect to the need for the community facility or school site, is often a deciding factor as to whether this option can be realized. The School Board cannot fund a school facility in advance of the actual requirement for the site (which is based on residential population numbers). Therefore this is an option which can be explored at the draft plan of subdivision application stage.

- (ii) **Given the modifications to the office permissions schedule, approximately how much office gross floor area is now permitted in the VMC?**

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 6

Staff Response:

Office buildings are permitted in all precincts within the VMC, with the exception of the neighbourhood precincts, so the capacity for office gross floor area (GFA) is abundant. Practically speaking, there is effectively no limit on how much office space can be built in the foreseeable future. The Secondary Plan establishes an employment target for 2031 that assumes approximately 5,000 office jobs will be created in the VMC in the next 20 years. This estimate, which was based in part on York Region's office employment forecast for Vaughan, equates to approximately 1.5 million sq.ft of office space (140,000 sq.m).

The physical vision for the VMC used in developing the Secondary Plan, illustrated approximately 5.3 million sq.ft of office space (500,000 sq.m) at full build-out. Policies have been provided in the Secondary Plan to ensure a minimum amount of office use in close proximity to the mobility hub, to ensure a balance of commercial and residential development that supports the employment target for 2031 and the economic viability of the downtown area. This is also the preferred location for high density office buildings. Should the demand for office space be higher than reflected by the target, the office GFA by 2031 and at full build-out of the VMC, could be much more than the projected numbers.

Requests were also made at the Sub-Committee meeting, that the report on the proposed modifications to the Secondary Plan be forwarded to a future Committee of the Whole Special meeting, or Public Hearing meeting, to permit greater resident participation. This evening's Public Hearing responds to these requests.

Additionally, depositions were heard by representatives of four landowners/landowner groups, requesting further consideration of previously submitted modification requests to the Plan. Staff have been addressing these through additional communications with the individual landowners, and the results of these discussions will be provided through written responses in a matrix format, as part of the future Committee of the Whole technical report.

The Policy Context

The study area is subject to Provincial, Regional and municipal policy as follows:

(i) The Provincial Policy Statement (PPS)

The PPS supports the efficient use of land, resources and infrastructure. It promotes land use patterns, densities and mixes of uses that minimize vehicular trips and supports the development of plans and viable choices for public transportation. All Official Plans must be consistent with the PPS.

(ii) Growth Plan for the Greater Golden Horseshoe: The Places to Grow Plan (2006)

Places to Grow identifies the VMC as one of 25 Urban Growth Centres (UGC's). UGC's are strategic focal points for growth and intensification. The VMC is to be planned as the focus for investment in institutional and region-wide public services, as well as commercial, recreational, cultural, and entertainment uses. UGC's like the Vaughan Metropolitan Centre, have been assigned a growth target of 200 people and jobs per hectare by 2031. The VMC is expected to achieve, and possibly exceed, the assigned density target by 2031.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 7

(iii) The Regional Transportation Plan (The Big Move)

Metrolinx, an agency of the Ontario government, designates the VMC as an Anchor Mobility Hub in the Regional Transportation Plan. This designation reflects the fact that the VMC will be the site of the connection between 2 rapid transit lines; the Spadina Subway Extension and VIVA's Highway 7 Bus Rapid Transit line, and will also be well connected to the local and regional bus network through the York Region Transit Bus Terminal. The Bus Terminal is proposed at the northwest corner of Applemill Road and Millway Avenue, just north of the subway entrance; with a planned future below ground pedestrian connection to the subway service. Anchor Mobility Hubs are envisioned as the foundations of a successful regional transportation network and are recommended to achieve a density of 200-400 people and jobs per hectare. They are to evolve as vibrant places of activity and major regional destinations.

(iv) The Region of York Official Plan (ROP)

The ROP identifies the VMC as one of four Regional Centres, which are to “contain a wide range of uses and activities and be the primary focal points of intensive development, including residential, employment, live-work, mobility, investment, and cultural and government functions”. The Region's Official Plan calls for the preparation of secondary plans for Regional Centres that include, but are not limited to:

- Minimum density requirements and targets;
- A fine-grained street grid;
- Urban built form massed, designed and oriented to people;
- A concentration of the most intensive development and greatest mix of uses within a reasonable and direct walking distance of rapid transit stations;
- A minimum requirement of 35% affordable new housing units;
- Policies that sequence development in an orderly way;
- Policies to ensure excellence in urban design and sustainable construction methods;
- Requirements to reduce and/or mitigate urban heat island effects;
- Policies that establish urban greening targets;
- Provisions for an urban public realm;
- Public art policies;
- Policies to ensure connections and enhancements to local and Regional Greenlands systems;
- Policies to require innovative approaches to urban stormwater management;
- A mobility plan;
- Requirements for new school sites to be constructed to an urban standard; and,
- Provisions for human services.

The VMC Secondary Plan is expected to conform to the aforementioned Regional policies.

(v) The Vaughan Official Plan (VOP) 2010

The VOP 2010 establishes the boundaries for the VMC, removing the lands west of Highway 400, and the lands east of Creditstone Road from the former District Area of the Vaughan Corporate Centre. It also states that the VMC Secondary Plan area (larger area as shown on Attachment 2), will comprise distinct development precincts, and that the VMC Secondary Plan will establish growth targets of 12,000 residential units and 6,500 new jobs by 2031. The VOP 2010 also highlights the VMC's role as the strategic location for the concentration of the highest densities and widest mix of uses in the City, including but not limited to commercial, office, residential, cultural, entertainment, hospitality and institutional uses.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 8

Overview of the VMC Secondary Plan as Adopted

The VMC boundary area is intended to accommodate a minimum of 11,500 jobs, including 5,000 new office, and 1,500 new retail and service jobs, by 2031, and a minimum of 12,000 residential units (approximately 25,000 people). In the interim phase of build-out to 2021, the employment numbers are projected to be approximately 7,000 jobs, and approximately 4,800 new residential units (a population of approximately 10,000 people).

The Precincts

The VMC lands have been organized into four different precincts each with variations in land uses, policies, and maximum and minimum density/height ranges. The precincts are described briefly as follows:

(i) The Station Precinct

A broad mix of uses is encouraged in the Station Precinct shown on Attachment 3, with a concentration of office and retail uses around the subway station. A mix of commercial/residential high-rise and mid-rise buildings is also encouraged. The primary commercial streets are located within this precinct. The greatest densities are proposed within the central area of the Station Precinct, with a minimum and maximum floor space index (FSI) ranging from 3.5 - 6.0, and heights ranging from a minimum of 6 to a maximum of 35 storeys, to take advantage of the close proximity of planned subway/VIVA stations.

(ii) The South Precinct

A mix of uses is encouraged in the South Precinct shown on Attachment 3, including a high proportion of office uses overall and retail on Interchange Way. This is also the preferred location for a post-secondary institution. A mix of commercial/residential mid-rise and low-rise buildings is encouraged in the South Precinct, as well as high-rise buildings up to a potential 25 storeys in the northerly portion of the precinct. The minimum and maximum densities within this precinct range from 1.5 - 4.5 FSI.

(iii) The Neighbourhood Precincts

The Neighbourhood Precincts, one of which is located in each quadrant of the VMC area (see Attachment 3), shall be developed primarily with residential uses, complemented by community amenities such as schools, parks, community centres and daycare facilities, as required. A mix of high-rise, mid-rise and low-rise buildings is encouraged. The density and building height ranges proposed for the Neighbourhood Precincts are 1.5 - 4.5 FSI, and 4 - 25 storeys (a minimum height of 3 storeys is permitted for townhouses).

A minimum of 10% of the residential units on each development block or combination of development blocks in the Neighbourhood Precincts on either side of Highway 7 are required to be grade-related units, integrated into the bases of apartment buildings, or in the form of townhouses or stacked townhouses.

(iv) The Technology/Office Precincts

The Technology Precincts which are located at the east and west limits of the proposed built area of the VMC (see Attachment 3), are to include a mix of office and other non-noxious employment uses in high-rise, mid-rise, and low-rise buildings. In addition to office uses, research and development facilities, light industrial uses, and institutional uses are permitted. Hotels and conference facilities are also permitted provided they are

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 9

located on development blocks adjacent to Highway 7. The density and building height ranges within the Technology Precincts are 2.5 - 4.5 FSI, and 5 - 25 storeys, in blocks adjacent to Highway 7, and 1.5 - 3.0 FSI, and 4 - 10 storeys, in the remainder of the Technology Precinct blocks.

The Urban Design Framework

Urban design and architecture in the VMC lands must be of the highest quality. In addition to the design policies which follow, the VMC Secondary Plan includes a policy requiring that all development in the VMC be subject to review by the City Design Review Panel prior to Council approval, in order to ensure a high standard of design.

(i) Built Form

A wide variety of building types are encouraged across the VMC including low-rise (4 storeys), mid-rise (5 - 10 storeys), and high-rise (above 10 storeys) buildings. The following policies apply to buildings within the VMC:

- The perceived mass of mid-rise buildings should be reduced through vertical articulation of the façade and building step-backs of the upper floors.
- To maintain a human scale street wall and mitigate the impact of shadow and wind, high-rise buildings generally shall take a podium and point-tower form.
- Buildings should be built at a consistent build-to line defined in the corresponding Zoning-By-law for the VMC and form a street wall.
- Buildings shall be located and massed to define the edges of streets, and massed to minimize the extent and duration of shadows on parks, public and private amenities space, and retail streets in the spring, summer, and fall.
- The perceived mass of longer buildings will be broken-up with evenly spaced vertical recesses or other articulation and/or changes in material.
- There should be variation in the building materials and design treatments on lower floors or podiums of buildings on a block.
- Mechanical penthouses/elevator cores shall be screened and integrated in the design of buildings.
- Generally balconies shall be recessed and/or integrated in the design of the building façade.
- Finishing materials for buildings in the VMC should be high quality, using materials such as stone, brick and glass.

Recommended Modifications to the Council Adopted VMC Secondary Plan

- (1) The Northwest Quadrant (area between Highway 400 to the west, Jane Street to the east, Highway 7 to the south, and Portage Parkway to the north – see Attachment 1)

At the time of Council's adoption of VOP 2010, the landowners for this quadrant had requested modifications to the VMC Secondary Plan to permit a central park and an alternative resolution to the Highway 400 ramp connections. As a starting point for the review of this portion of the Plan, the landowners were requested to submit an alternative

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 10

concept plan for consideration by the City. Staff set-out the parameters for proposed modifications to the subject area, including the submission of a justification report to accompany the alternative concept. Subsequently, staff and the City's Consultant met with the landowners and their representatives several times to discuss alternative proposals. The common themes of each of the alternatives have been the central park feature and the location of the YRT Bus Station at the southwest corner of Portage Parkway and Millway Avenue. The revised VMC Secondary Plan incorporates both these elements as well as the following modifications to the northwest quadrant:

(i) Highway 400 and Highway 7 Connections

Attachment 12 of this report shows the two options under study in the Region of York and City of Vaughan Joint Transportation Study for the VMC and surrounding areas. Both options provide good operations at the Highway 400 off-ramps and their associated intersections. However, recognizing the need for additional detailed design work involving MTO, City staff are of the opinion that Option 2 better accommodates the future urban context for pedestrians and cyclists, and provides opportunities for superior urban design at this important gateway to the VMC. This option also permits the development of additional lands in the gateway area relative to Option 1.

(ii) Local Street Modifications

A grid street network for the northwest quadrant has been maintained; however, modifications have been made to accommodate a horizontally aligned central park stretching over three large city blocks (see Attachment 7). A notable difference is the extension of Applemill Road and Vaughan Street through the quadrant; as well, minor changes have been made to local street alignments. An east-west local street connection between Buttermill Avenue and Millway Avenue has been eliminated to accommodate the new location of the York Region Transit (YRT) Bus Station between Portage Parkway and Applemill Road (thus increasing the necessity of the two remaining east-west links). A north-south street between Millway and Edgeley has also been eliminated leaving only one north-south local street between the two major collector streets, reducing the porosity of the block structure.

(iii) Land Use Changes

In conjunction with adding a large central park in the northwest quadrant of the Plan, the extent of environmental open space at the westerly boundary of the quadrant has been reduced, and the neighbourhood parks which had been oriented north/south have been removed. With the re-alignment of Applewood Road, the "Technology Precinct" in this quadrant has been shifted to the west side of Applewood Road and expanded to the north. This change was possible due to the reduction of environmental open space, and re-configuration of the ramp to Highway 400.

The YRT Bus Terminal site, which had been located at the northeast corner of Highway 7 and Millway Avenue in the adopted VMC Secondary Plan, has now been re-located to the southwest corner of Portage Parkway and Millway Avenue (see Attachment 7). All parties (York Region Transit, the landowner and the City), have accepted this corner as the site for the permanent bus terminal.

The primary commercial area in the northwest quadrant remains focused around the subway station, with secondary retail areas located around the other VIVA stations. Staff has been advised by VivaNext that the potential Highway 7 rapidway stop proposed at Maplecrete Road is to be re-sited to Creditstone Road. As a result of this change, the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 11

secondary commercial retail areas have been removed at the intersection of Maplecrete and Highway 7, and are now proposed at the northwest and southwest corners of Creditstone Road and Highway 7 (see Attachment 9).

Other proposed modifications to the retail structure will also permit retail along Applemill Road, Vaughan Street, and a short stretch of Buttermill Avenue facing the central park; and on Edgeley Road and Highway 7 (see Attachment 9). It is noted that the on-going VMC Streetscape and Open Space Plan Study has identified a need for a retail study for the VMC to provide greater detail respecting the retail strategy. This study may result in further modification recommendations to the Secondary Plan, which would then be considered at the time that the Region of York reviews the Plan.

In the proposed Secondary Plan, two school sites continue to be shown on sites north of the central park (see Attachment 8). The School Boards have identified the potential need for two schools in this quadrant. The sites are sized to meet their land requirements (4-5 acres) to the extent possible. The City and landowners are pursuing discussions with the School Boards on opportunities for reducing the school site footprints and potentially integrating the sites into the podiums of buildings.

A community block has been specifically sited in the northwest quadrant in the proposed Secondary Plan. It has been strategically located in close proximity to the transportation hub and across from the public square (see Attachment 8). This block could potentially accommodate a multi-storey community centre/library complex.

(2) 7601 Jane Street (located between Jane Street and Maplecrete Road, and immediately south of Doughton Road – see Attachment 1)

As per the Council direction of September 7, 2010, staff was directed to consider the feasibility of the landowner's request to designate the entire subject area as "Downtown Mixed-Use", permitting greater density, and to allow the entirety of the lands to be developed in the preliminary stages as part of the Urban Growth Centre (UGC). Similarly as in the review of the northwest quadrant, the landowner was requested to submit a concept plan with the appropriate justification. Further to this request, City staff and the VMC Consultant met with the landowner on November 30, 2010, to clarify the principles of the VMC vision, and to advise on the required submission material. A second meeting, at which the landowner introduced a preliminary concept plan, was held on March 1, 2011. The preliminary plan was reviewed by staff and the City's Consultant and comments were discussed with the landowner and his Consultants on April 20, 2011. Staff met again with the landowner and his consultant on September 5th, 2012, to discuss the proposed modifications to the VMC Secondary Plan.

As a result of the further review of this area the following changes are proposed to the adopted VMC Secondary Plan:

(i) Black Creek Channel Re-alignment

The VMC Black Creek Renewal EA (Phases 3 and 4) is currently underway and projected for completion by February of 2013. The landowner of 7601 Jane Street had indicated that he prefers that the alignment of the channel be shifted westerly towards the Jane Street corridor. This shift is being examined in the EA, and if it is confirmed in the final recommendations, will permit an additional portion of the 7601 Jane Street property to be developed. This would be subject to the phasing policies applicable to the remediation area emerging from the EA.

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 12

(ii) Modifications to Density and Phasing of Development

As a result of the proposed increase to the area of the VMC lands within the 2.5 – 4.5 FSI and 5 – 25 storey density/height classification (see Attachment 4); a larger proportion of the subject lot will now fall into this greater intensification area. The lands abutting Maplecrete Road remain subject to the 1.5 - 3.0 FSI and 4-10 storey density/height classification to provide a transitional area between the high density proposed to the west and the existing low density employment area to the east.

In addition, a policy has been added to the Secondary Plan (section 8.1.7), permitting residential uses to be developed outside the UGC prior to achievement of 8,000 residential units within the Urban Growth Centre (UGC), provided they meet the following criteria:

- The subject property on which redevelopment is proposed is contiguous to property within the VMC UGC, or the property is otherwise part of a coordinated master plan that includes land in the UGC. In either case, the proposed development shall be part of a planned phased redevelopment of the larger property or combined properties, and the first phase of development shall occur within the UGC.
- The proposed development will replace an existing use that is not consistent with the long-term vision and policy objectives for the VMC.
- Convenient pedestrian and cycling connections between the proposed development and the planned subway station and nearest VIVA station in the VMC, either exist or will be built in conjunction with the development.
- The proposed development will not prevent or unreasonably delay the planning and construction of neighbouring development within the VMC UGC.

It is noted that the foregoing (section 8.1.7), will apply to all lands in the VMC that meet the requirements of the policy.

(3) Modifications to the VMC Secondary Plan as a result of the VMC Black Creek Renewal EA Stages 3 and 4

The preliminary findings of the Municipal Class EA (Stages 3 and 4) for the channel have determined that almost the entire width of the environmental land reflected in the adopted VMC Plan is within the 100 year flood level. In order to permit the pedestrian trail system/urban amenity areas which have been envisioned for this part of the VMC Secondary Plan, there is a need for an additional (approximately 25 m wide) linear park adjacent to the east side of the channel environmental lands. This additional park area is shown in Attachment 5. The final EA results will confirm the specific extent of the environmental area and linear park width. Since the Secondary Plan will precede the completion of the EA, the Secondary Plan will contain a policy which refers to the final EA document as setting the specific widths of both the environmental land and linear park.

It is noted that the entire extent of the Black Creek study area was not captured in Schedule "G" of the adopted VMC Plan. This schedule has now been revised to reflect lands north and south of Highway 7, and adjacent to Jane Street which are subject to the Special Study Area B (see Attachment 3). Section 10.2.9 - Black Creek Remediation Strategy (see Attachment 13) has been added to the VMC Secondary Plan to define phasing policies for the development of lands within the Black Creek remediation area. These policies will permit the implementation of the recommendations of the Black Creek Renewal EA which is now underway. The Toronto and Region Conservation Authority (TRCA) has been consulted on the details and is supportive of the proposed updated

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 13

policies. An additional schedule, Schedule "K" (see Attachment 11), has also been added to the Secondary Plan; it will correspond to and help clarify the phasing policies of the newly added section 10.2.9.

(4) Modifications to the VMC Secondary Plan as a result of the Streetscape and Open Space Master Plan

As a result of the on-going VMC Streetscape and Open Space Master Plan Study, the following modifications have been recommended to section 6.0 - Parks and Open Spaces, of the adopted VMC Secondary Plan:

- (i) Sections of the public square that stretch from Portage Parkway to Interchange Way on the west side of Millway Avenue, are referred to as the "Millway Park" (see Attachment 5), in the adopted VMC Secondary Plan. The Streetscape and Open Space Master Plan Study is recommending the removal of the Millway Park Design Principles- Section 6.2.1, a-q, from the Secondary Plan; and, their inclusion instead in the VMC Streetscape and Open Space Master Plan, once a more refined vision for Millway Park is developed. A policy will be included in the Secondary Plan stating that the design of Millway Park should be in conformity with the principles identified in the VMC Streetscape and Open Space Master Plan.

(5) General Modifications to VMC Secondary Plan

(i) Precincts

The Station Precinct area has been expanded in the revised Plan to include the blocks north and south along the length of Highway 7 from Applewood Road to just west of Creditstone Road (see Attachment 3). This will permit more office development along Highway 7, where it would be well supported both from a visibility and transportation point of view.

The areas of the Neighbourhood Precincts along Highway 7 have been reduced as a result of the expansion of the Station Precinct along this corridor.

The South Precinct has been expanded to include three blocks on the north side of Interchange Way; and, two South Precinct blocks formerly on the east side of Jane Street, between Interchange Way and Highway 407, have been removed and replaced with parkland/environmental land use designations. This latter change will facilitate the Black Creek Remediation Strategy, and also permits a public park designation on vacant lands.

The Technology Precincts remain sited at the easterly and westerly boundaries of the VMC Secondary Plan. The configuration and area of the Technology Precincts at the westerly boundary have been modified and increased as a result of changes to the street connections to Highway 400, a decrease in the environmental open space (n/w quadrant), and adjustments to the local street network in both the northwest and southwest quadrants. The name of the Technology Precincts in the proposed modified Plan has also been changed to "Technology/Office Precincts". Adding the office component to the name is thought to better convey that this designation permits a broad mix of office and other non-noxious employment uses.

(ii) Density/Height Classifications

The lands subject to the 2.5-4.5 FSI density and 5-25 storey height classification extend farther to the north and south in the westerly quadrants of the proposed VMC Plan; and,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 14

slightly farther east in the southeast quadrant of the Plan, generally as a result of modifications to the street network and re-location/re-configuration of parkland within the proposed VMC Plan. The proposed reconfiguration of the Highway 400/Highway 7 connections has also permitted an extension of the lands subject to this density/height classification farther west towards Highway 400 (see Attachment 4).

(iii) Other Street and Open Space Network Modifications

The street network in the southwest quadrant has been modified to better accommodate property lines, existing developments, larger sized school blocks, and the revised alignment of the Colossus overpass. It is noted that minor adjustments to street alignments are permitted at the development application stage without amendment to the VMC Secondary Plan (section 4.3.1- Street Network).

The parks in the southwest quadrant have also been re-located. The neighbourhood parks which were shown at the westerly portion of the quadrant in the adopted Plan, have now been arranged as a central east-west stretch of park blocks. In addition, retail uses are now permitted on the north side of Doughton Road, facing the park blocks. The large neighbourhood park between Millway Avenue and Jane Street has been reduced in size; and the public parkland in the westerly quadrants of the VMC is now connected through the arrangement of walkways (mews) and park blocks (see Attachment 5).

In the southeast quadrant, a smaller park formerly sited between Doughton Road and Freshway Drive, has been removed to accommodate a larger school site. The neighbourhood park which had been sited in this southeast quadrant has been re-located to vacant lands between Jane Street and the Black Creek Channel environmental lands.

Overall the total amount of parkland in the proposed VMC Secondary Plan is slightly less than the 20.0 ha provided for in the adopted Plan; however, policies are being considered to provide for parkettes/public squares (minimum 0.2 ha in area) at various locations in the VMC (see Attachment 5). These smaller parks or squares will provide an important complementary function as places for gathering, passive recreation and landscaping.

Attachment 5 identifies the general locations for parkettes and squares; however, the precise location, size, shape and characteristics of each will be determined to the satisfaction of the City during the review of development concept reports and draft plans of subdivision. The general locations for these smaller parks/public squares were based on a number of factors, including, location on vacant lands to help ensure that initial phases of residential and other development are adequately served by public open space; location on the larger identified school blocks (over 5 acres in area), where there would be a surplus of land; and, as bump-outs to augment the proposed Millway Avenue linear parks.

(iv) School Sites

Staff and the City's Consultant met with representatives of the Region of York District and Catholic School Boards in August of 2012 to present a first draft of the revised VMC Secondary Plan. The School Boards' representatives were in agreement with the re-location of the potential school site originally requested in the northeast quadrant of the Plan (this site was reflected in error in the southwest quadrant of the adopted Plan), to the southeast quadrant; and, with the slight shifting of other sites as a result of the changes to the local street network and parkland distribution (see Attachment 8).

In the first draft of the revised Plan school sites of approximately 2.5 acres had been located adjacent to public parks to encourage the school use of the public parks as the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 15

outdoor play areas. This proposed arrangement would also have required a joint maintenance agreement between the School Boards and the City of Vaughan. The School Boards' representatives however, expressed serious concerns with this proposal. They explained that school outdoor play area design and facilities needs, are very different from those that would be provided in a typical public park. They also predicted conflicts with the general public at times when the school would need exclusive use of the park.

In conclusion, the School Boards' representatives indicated that they would require minimum 5 acre school sites in order to accommodate their curriculum and other standard site needs. It was explained that although they are not opposed to a more urban school format; their current provincial funding for the construction of school sites is not sufficient to cover the cost of building urban format schools. The School Boards' representatives recognize that typical suburban standards for schools may not be appropriate in the VMC and will welcome opportunities to work with developers to minimize their site areas to the extent possible. The adopted VMC Secondary Plan contains policies which speak to the need for more compact urban school sites. These policies will be further articulated in the modified Plan. Staff are also facilitating the development of new urban school design standards through workshops and dialogue with urban design Consultants, School Boards' representatives, and other stakeholders. The proposed VMC Secondary Plan provides for 4-6 acre school sites; but anticipates that all efforts will be made to reduce the school site areas at the precinct plan and draft plan of subdivision stage.

(v) Revisions to Section 37-Bonusing Policies

The City is currently examining various procedures and guidelines developed by other municipalities for the use of the Section 37 Bonusing provisions of the Planning Act, to develop a more comprehensive set of guidelines for the use of this development tool in intensification areas city-wide. Once these guidelines are developed and approved by Council they will also apply to the VMC area.

For the purposes of the VMC Secondary Plan, however, it is important to build on the Section 37 policies in the VOP 2010, in order to identify a list of preferred benefits which could be achieved through the use of these policies. The adopted VMC Secondary Plan, section 8.1.12 included a benefits list which has now been revised to exclude benefits which are typically budgeted for by the City and paid for through Development Charges; and, expanded to include additional benefits which are considered desirable in the VMC.

The proposed list is as follows:

- Subway entrances in buildings adjacent to Millway Avenue;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City's standard services;
- Public amenities within identified environmental open spaces, including but not limited to permanent pathways, recreational trails and bridges, that are not accommodated by the City's standard levels of service;
- Structured parking for vehicles and/bicycles (below or above grade) to be transferred to a public authority for use as public parking;
- Public art;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 16

- Upgrades to community facilities which are beyond the City's standard services;
- Streetscape, mews or open space design enhancements which are above the City's standard levels of service; and,
- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated by the City's standard levels of service.

(6) Review of Submitted Modification Requests

Approximately 9 written submissions have been received requesting modifications to the VMC Secondary Plan, since Council adoption on September 7, 2010. The majority of the modification requests address land use designations and policies relating to specific properties while other responses pertain to general policy issues.

These submissions are being considered on the basis of conformity with VOP 2010 principles, Provincial and Regional policy frameworks, and on sound planning principles. They will be addressed in a matrix format in the comprehensive staff report projected for a Committee of the Whole meeting in the fall of 2012.

Common themes that have emerged through the review of the written submissions include the following;

(i) **Proposed urban design policies are considered to be too prescriptive and may result in unwarranted uniformity of design.**

Staff Response:

The design policies in the adopted VMC Secondary Plan are meant to achieve the vision for the VMC and are considered important to the quality of urban form and character of place. However, staff has reviewed specific policies included in section 8.6 – Built Form, of the VMC Secondary Plan in consultation with the City's Consultant for this project, and have revised the wording to add flexibility where it was considered appropriate. Staff and the VMC Consultant have also met with members of the City's Design Review Panel (DRP) to review the urban design policies. Through discussions with the DRP and with City Urban Design staff, it was identified that additional urban design policy is required with respect to building typologies; and, that it would be beneficial to provide more information regarding the surrounding context of the proposed development at the time that it is reviewed by the DRP. The relevant Secondary Plan policies will be reviewed to address the needs identified. Therefore, subsequent revisions and additions to design policies will be proposed in a comprehensive report to a Committee of the Whole meeting projected for the fall of 2012.

In addition, it was determined that Urban Design Guidelines should be developed for the VMC area to address other elements, including, building interface with public space, above ground parking structures, entrances/ramps to parking garages, loading area locations/ design, building lobbies of different types, private amenities and their interface with internal driveways; all of which are presently posing design challenges as staff and the DRP review applications. The Urban Design Guidelines document, once it is prepared and approved by Council, will either form an appendix to the VMC Secondary Plan, or alternatively be provided as a separate document.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 17

City staff are also considering the implementation of “precinct level planning” in the VMC as a preliminary step to the review of development applications. Precinct implementation strategies are intended to address such matters as urban design, pedestrian connectivity, environmental performance standards; and, phasing of schools, community services, parks, and stormwater management servicing and transportation infrastructure, on a more comprehensive scale than the single draft plan of subdivision application permits.

(ii) Strata parking arrangements should be permitted within the VMC planning area.

Staff Response:

The City commissioned a study on Strata Parking and is developing principles and guidelines for such arrangements in primary intensification areas of the City. Input from stakeholders, City departments, and other levels of government are being prepared for consideration of the VMC Sub-Committee at a future meeting. Since it was important to include strata parking policies in the VMC Secondary Plan, the following policies have been developed specifically for the VMC area, based on the principles of the City initiated study on Strata Parking:

Add to Section 4.3 -Street Network, following 4.3.5:

- The City may permit private parking, including access to parking, under a local street or mews, provided the intended purpose, function and character of the street or mews, including its function as a right-of-way for transportation and utilities and its streetscape, are not materially or qualitatively compromised. In such cases, a strata title agreement arrangement that outlines in detail issues such as access, maintenance, liability, and monetary contributions, shall be required. Alternatively, where underground parking is proposed, the City may consider a permanent public easement on private land to accommodate a street or mews.

Replace Policy 6.2.5 in Section 6.2 (Public Squares and Neighbourhood Parks) with the following:

- Parks in the VMC shall not contain surface parking areas, other than those required for service vehicles. Generally, parks shall be unencumbered by underground parking, utility easements, or utility structures located above or below grade. The City may permit parking or utilities under a park only where it is satisfied that the intended purpose, function and character of the park are not materially or qualitatively compromised. In such cases, a strata title agreement arrangement that outlines in detail issues such as access, maintenance, liability, and monetary contributions, shall be required. Structures associated with below grade uses, such as ramps, pedestrian entrances/exits, emergency access, and vents shall be integrated into the adjacent buildings. Where unavoidable, structures associated with below grade uses, shall be integrated into the design of the open space. The area occupied by such structures shall not count toward the parkland dedication.

(iii) Alternative parkland dedication policies should be considered for the VMC.

Staff Response:

A report to the Finance and Administration Committee of June 18, 2012,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 18

recommended that a review of appropriate parkland credits within the intensification areas of the VMC and the Yonge/Steeles Secondary Plan be completed. A further report is to be delivered to the Finance and Administration Committee in the fall of 2012 on the unit rate to be used in the calculation of cash-in-lieu of parkland dedication, and may contain further recommendations with respect to this matter.

Relationship to Vaughan Vision 2020/Strategic Plan

The proposed VMC Secondary Plan is consistent with the priorities set by Council in the Vaughan Vision 20/20 Plan, and in particular with the City's commitment to "plan and manage growth and economic vitality". The following specific initiatives are of particular relevance to the VMC Secondary Plan:

- Support and co-ordinate land use planning for high capacity transit at strategic locations in the City.
- Review the Vaughan Corporate Centre Vision.
- Complete and implement the Growth Management Strategy (Vaughan Tomorrow).
- Conduct the 5 – year review of the Official Plan as part of the Growth Management Strategy 2031.

Regional Implications

The proposed VMC Secondary Plan has been prepared pursuant to the policy requirements and provisions of the Vaughan Official Plan 2010, and new Region of York Official Plan. Accordingly, it includes the minimum density requirements and targets for Regional Centres, urban design, phasing, and sustainability policies prescribed by the Regional Official Plan. The VMC Secondary Plan supports key objectives of the Region of York Official Plan (2010); specifically, the implementation of the Plan's following objectives stated in Sections 5.4 - Regional Centres and Corridors, and 7.2 - Moving People and Goods:

"To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections."

"To ensure streets support all modes of transportation including walking, cycling, transit, automobile use, and the efficient movement of goods."

"To plan and protect future urban and rural streets to accommodate transportation demands."

Conclusion

The Vaughan Metropolitan Centre (VMC) Secondary Plan was adopted by Council on September 7, 2010, with the direction that the northwest quadrant and the 7601 Jane Street lands, be reviewed in consideration of the respective landowners' requests for modifications to the Plan. Since the adoption of the Secondary Plan the City has also received notice of modification requests from other land owners in the VMC. The post adoption review has involved substantial consultation with the landowners of the identified areas, as well as discussions with other landowners respecting written requests for modifications. In addition, there has been on-going consultation with the VMC Sub-Committee of Council, the VMC Implementation Team, the City's Design Review Panel, and the City's Consultants for the VMC Secondary Plan and the VMC Streetscape and Open Space Plan, on these and other proposed changes which have evolved through on-going VMC studies since Council adoption of the Plan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OCTOBER 30, 2012

Item 3, CW(PH) Report No. 41 – Page 19

Comments on the proposed modifications received from the public and Council at this Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map
2. Vaughan Metropolitan Centre Boundaries
3. Land Use Precincts
4. Height and Density Parameters Map
5. Parks and Open Spaces
6. The Street Network
7. The Transit Network
8. Community Services and Cultural Facilities
9. Areas for Retail Uses
10. Areas for Office Uses
11. Black Creek Remediation Area
12. Highway 400/Highway 7 Connections (Options 1 and 2)
13. Proposed New Section 10.2.9- Black Creek Remediation Strategy

Report prepared by:

Anna Sicilia, Senior Planner, ext. 8063
Roy McQuillin, Manager of Policy Planning, ext. 8211

/lm

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

Mr. Tony Di Benedetto
141 Sharpcroft Blvd
Toronto, ON, M3J 1P6
(416) 638-5864

<u>C 2</u> COMMUNICATION CW (PH) - <u>Oct 16/12</u> ITEM - <u>3</u>

Mr. Jeffery Abrams, City Clerk
Mr. John MacKenzie, Commissioner of Planning
City of Vaughan
2141 Major MacKenzie Drive
Vaughan, ON, L6T 1A1

October 9, 2012

RE: Committee of the Whole (Public Hearing) Oct 16, 2012

Proposed Modifications to the Adopted Vaughan Metropolitan Centre
Secondary Plan, City of Vaughan Official Plan – Volume 2 (File 25.5.12.1)

Plan 8070 Lot 14 (0 Peelar Rd S/S) City of Vaughan
1.18 acres (256.75 feet frontage on Peelar Rd, 200 feet frontage on Old Jane St).
Property Roll Number 1928-000-231-11500-0000.

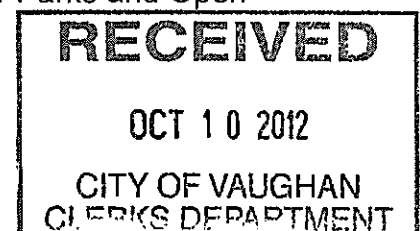
Dear Mr. Abrams, Mr. MacKenzie, and Members of Council,

Please be advised that I am the owner of the above noted property located on the south side of Peelar Rd and east of Old Jane St. road allowance.

In addition to my previous letters of January 15, 2010 and January 12, 2012, I, hereby, once again advise the City that my property is currently designated Corporate Centre District by OPA 500 and zoned EM1 in accordance with the City's current zoning bylaw.

Also, the Vaughan Metropolitan Centre Secondary Plan was approved by Council on September 2010 and designated my property for low rise residential or office development. Recently, on September 13, 2012 at the Vaughan Metropolitan Centre Sub-committee meeting, the adopted Secondary Plan was changed and my land was identified as Major Parks and Open Spaces.

This is not acceptable, as I have been paying taxes since 1968 for my property designated as industrial lands. Therefore, I am opposed to the Proposed VMC Secondary Plan and the re-designation of my property to Major Parks and Open Spaces.



Please note I have every intention of maintaining development rights for this property which has been owned by my family since 1968. A development concept plan is attached for your information.

Since 1988, we have paid local area improvement charges in the amount of \$75,000 to provide service connections to the property for sanitary trunk sewers, manhole installation as well as curbs and gutters. The land is serviced with water, gas and hydro. I have copies of the bills for the local improvement expenses from 1988 and I have also a copy of a letter from the Town of Vaughan from 1985 that confirms that I can build on my property. Also, I have a letter from the TRCA from 1983 that they have no objection to the location of the proposed building on my property. I am attaching copies of these letters and bills for your review.

As a result, I strongly oppose any open space use or stormwater management use on my property. Future stormwater use or open space use in the Vaughan Metropolitan Centre must not encumber my lands so I can maintain my development rights.

I await your reply. Once again, I am formally requesting a meeting with the appropriate people from your office to discuss my concerns in greater detail as soon as possible.

Sincerely,

Mr. Tony Di Benedetto
141 Sharpcroft Boulevard
Downview, Ontario
M3J 1P6

Attached:

Map of Adopted and Proposed VMC Secondary Plan

Letter to John Zipay, Jan 15, 2010

Letter to Abe Khademi, Municipal Infrastructure Group Jan 12, 2012

Letter to John MacKenzie, Commissioner of Planning Oct 1 2012

Development Concept Plan

Property Survey

Letter from Town of Vaughan, Michael DeAngelis, Deputy Director of Planning 1985

Letter and map from TRCA, Barry Knox, Development Control Section 1983





3 Letters for Local Improvement Expenses from Town of Vaughan,
R.A. Panizza, Town Clerk, 1988

4.17

Proposed VMC Secondary Plan

DRAFT REVISIONS AUGUST 31 2012
SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND





-  H 0 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
-  H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
-  H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
-  major parks and open spaces
see Policy 9.2.3

SUBJECT PROPERTY
O. PEELAR RD.

Adopted VMC Secondary Plan

SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND

-  H 6 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
-  H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
-  H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
-  major parks and open spaces
see Policy 9.2.3

SUBJECT PROPERTY
O. PEELAR RD.

Not to Scale



FILE: 25.5.12.1
September 13, 2012

Height and Density Parameters Attachment No. 4

K:\Projects\Vaughan Metropolitan Centre\VMC Study 25.5.12.1_August_2012.dwg

A-1

January 15, 2010

City of Vaughan
Commissioner of Planning
2141 Major Mackenzie Drive
Vaughan, Ontario
L6T 1A1

Attn: Mr. John Zipay
Commissioner of Planning

Re: Vaughan Metropolitan Focused Area Study
Property Roll: 19-28-000-231-115
Antonio and Egidia Di Benedetto

Please be advised that we are the owners of the above noted property located on the south side of Peelar Road, east of the old Jane Street Road allowance. We are aware of the Focused Area Study being undertaken by the city of Vaughan of this area and have serious concerns.

Recent plans,/displays provided to the public contemplate open space use for the entirety of our landholdings. We are advising the City that our property is Designated Corporate Centre District by OPA 500 and zoned EM1 in accordance with By-law. We have every intention of maintaining development rights for our property which we have owned since 1968. We have paid local area improvement charges in the amount \$75000 to ensure servicing connections to the property. We strongly oppose any open space use on the land.

We have been informed that the Black Creek Optimization Study is currently underway with conclusions and recommendations forthcoming shortly.

We formally request a meeting with appropriate staff to discuss our concerns in greater detail at the earliest opportunity of the City.

We await your reply.

Regards,

A-2

January 12th, 2012

Mr. Abe Khademi, P. Eng., PMP
The Municipal Infrastructure Group Ltd.
8800 Dufferin Street
Vaughan, Ontario
L4K 0C5

Fax: 905-738-0065

**RE: Public Consultation Centre No. 2 of Thursday, December 8, 2011
Municipal Servicing Strategy Master Plan Class Environmental Assessment Study
Vaughan Metropolitan Centre
Comments for Property Roll: 19-28-000-231-115**

Dear Sir:

Please be advised that I am the owner of the above noted property located on the south side of Peelar Road and east of the old Jane Street road allowance.

I am hereby once again advising the City that my property is designated Corporate Centre District by OPA 500 and zoned EM1 in accordance with the City's current zoning by-law.

Also, the proposed Vaughan Metropolitan Centre Secondary Plan designated my property for high density residential development. A development concept plan is attached for your information.

Please note I have every intention of maintaining development rights for this property which has been owned by my family since 1968. We have paid local area improvement charges in the amount of \$75,000 to provide servicing connections to the property.

As a result, we strongly oppose any open space use or stormwater management use on the land. Your December 8, 2011 Public Meeting display board number 10 shows that the swm requirements for my land shall be determined as part of the Black Creek channel design EA. Future swm for my land must not encumber my lands so we can maintain our development rights.

I await your acknowledgement and reply.

Sincerely,



Mr. Tony Di Benedetto
141 Sharpecroft Boulevard
Downsview, Ontario
M3J 1P6

416-638-5864

Attached Development Concept Plan Drawing A1

cc: Mr. Tony Artuso – City of Vaughan, Fax: 905-832-6145
Mr. Saad Yousaf – City of Vaughan, Fax: 905-832-6145

A-3

October 1st, 2012

Mr. John MacKenzie
Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Drive
Maple, Ontario
L6T 1A1

**RE: Proposed Modifications
 To Adopted Vaughan Metropolitan Centre Secondary Plan
 Property Roll Number 19-28-000-231-115**

Dear Sir:

Please be advised that I am the owner of the above noted property located on the south side of Peeler Road and east of the old Jane Street road allowance.

In addition to my previous letters of January 15, 2010 and January 12, 2012 (see attached) I hereby once again advise the City that my property is currently designated Corporate Centre District by OPA 500 and zoned EM1 in accordance with the City's current zoning by-law.

Also, the September 2010 Vaughan Metropolitan Centre Secondary Plan was approved by Council and designated my property for high density residential development. Recently, on September 13, 2012 at the Vaughan Metropolitan Centre Sub-Committee Meeting the Secondary Plan was changed and my land was identified as environmental open space. This is unacceptable as I have been paying taxes since 1968 for my property designated as industrial lands.

Please note I have every intention of maintaining development rights for this property which has been owned by my family since 1968. A development concept plan is attached for your information.

We have paid local area improvement charges in the amount of \$75,000 to provide servicing connections to the property.

As a result, I strongly oppose any open space use or stormwater management use on my property. Future stormwater use or open space use in the Vaughan Metropolitan Centre must not encumber my lands so I can maintain my development rights.

A-4

I await your acknowledgement and reply. Once again, I am formally requesting a meeting with the appropriate people from your office to discuss my concerns in greater detail as soon as possible.

Sincerely,

Mr. Tony Di Benedetto
141 Sharpecroft Boulevard
Downsview, Ontario
M3J 1P6

416-638-5864

Attached: January 15, 2010 Letter
January 12, 2012 Letter
Development Concept Plan

cc: Diana Birchall – Director of Policy Planning
Regional Councillor Schulte
Regional Councillor Di Biase
Ward 4 Councillor Yeung Racco

A-5

RECORDS ON FILE

W. S. GIBSON 1898-1955
G. S. ABREY 1906-1941
M. M. GIBSON 1912-1947
S. LANSON 1922-1948

W. S. GIBSON & SONS

ONTARIO LAND SURVEYORS

ESTABLISHED 1820

4679 YONGE STREET

TELEPHONE. 225-1121

REFERENCE NO.

8070-Y

WILLOWDALE, ONT. January 16th 1968

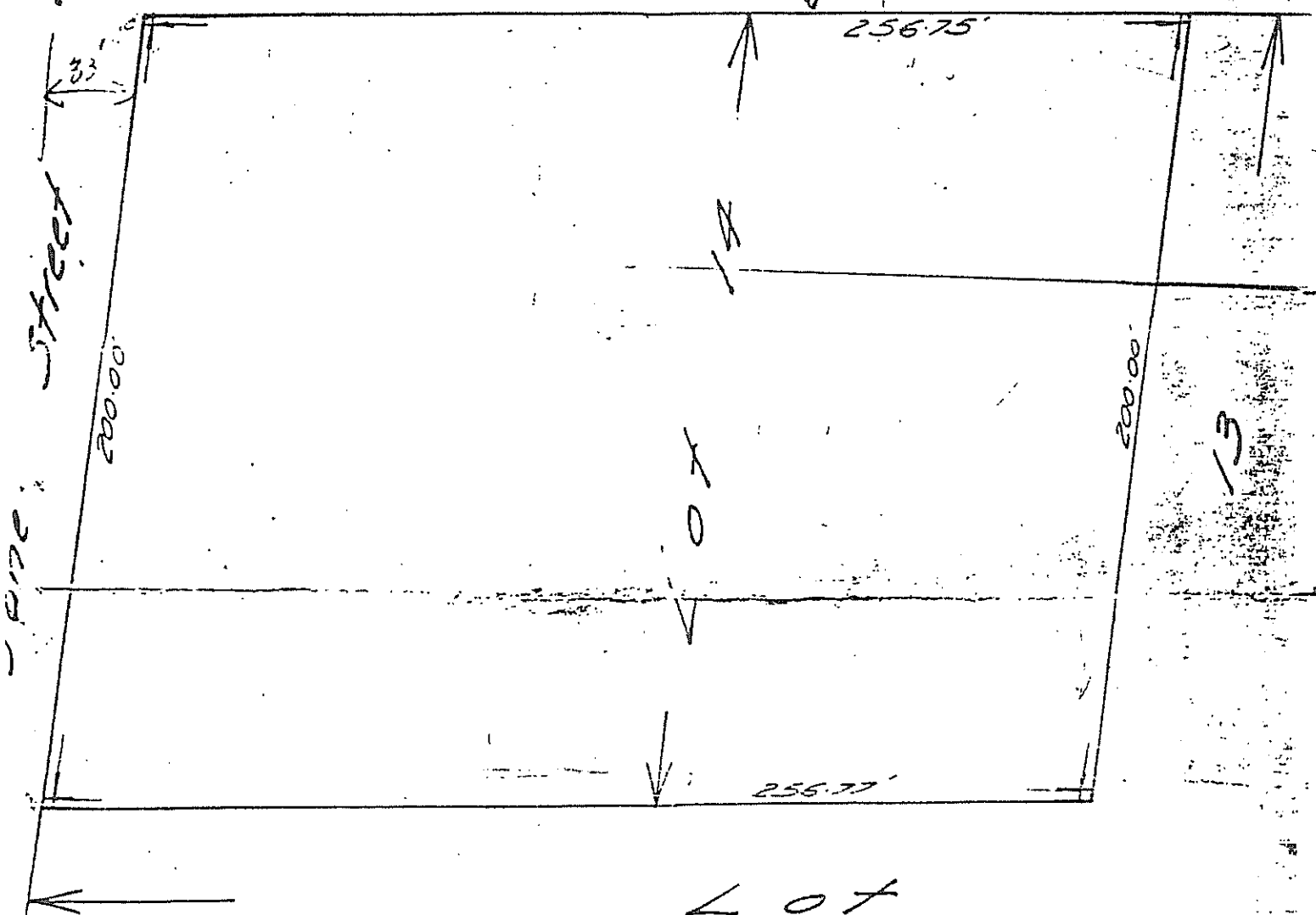
Plan of Lot 14, Plan 8070, Township
of Vaughan, County of York

Scale: 1" = 40'

Peel Road

(Formerly Edgley Rd.)

Road



For:
Mr. H. Shore,
90 Myrtle Homes,
4949 Colborne St.,
Willowdale, Ont.

A-7

W. S. GIBSON & SONS

ONTARIO LAND SURVEYORS

PLANNING



CIVIC CENTRE
2141 MAJOR MACKENZIE DRIVE, MAPLE, ONTARIO L0J 1E0 TELEPHONE (416) 832-2281



May 30, 1985

Mr. A. Di Benedetto
141 Sharpcroft Blvd.,
Downsview, Ontario
M3J 1P6

Dear Sir:

Re: Proposed Building South East Corner of Jane St. & Peeler Road
Lot 14, Plan 8070
Town of Vaughan

Further to your letter of May 15, 1985, please be advised of the following.

The subject lands are zoned "Restricted Industrial" "A" (M1-A) Zone by By-law 2523.
The by-law requires the following provisions:

1. Lot coverage - 50%
2. Minimum front yard setback - 15 metres
3. Minimum interior side yard setback - 1.5 metres
4. Minimum exterior side yard - 15 metres
5. Minimum rear yard setbacks - 4.5 metres

(For the purposes of the by-law, Jane Street is considered the front yard and Peeler Rd. the exterior side yard).

Prior to the issuance of a building permit, a site plan agreement is necessary. Two copies of the application for site plan approval have been included and you will note that the information required for the processing of the site plan is listed on the third page of the application form. Although it is not necessary for the site plan to be stamped by an architect, it will be necessary for an engineer to prepare a storm water management study for the site as part of the site plan approval process.

.....2

A-8

Normally it takes approximately two to three months to process a site plan agreement. Once the site plan has been approved by the various Town Departments, the site plan agreement is then executed between the Town and the owner and registered on title and the owner must deposit a letter of credit (usually in the amount of \$15,000.00) with the Town to ensure the works are completed. The agreement specifies that the owner has one (1) year to complete the works as outlined in the agreement, however, extensions may be given provided the owner submits a request in writing to the Town.

Once the agreement is registered, and the building plans approved, a building permit may be issued. The permit expires six (6) months after the date of issue, however, extensions to the building permit may be given provided the owner submits a request in writing.

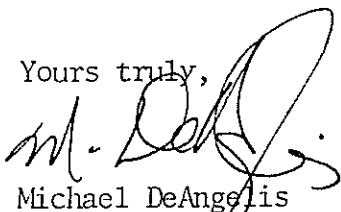
A heating system is required in the building at the time of occupancy.

It is anticipated that services will be available to the subject lands by the Spring of 1986. The contract for other services has been tendered and the project is being completed under a local improvement program. If you require any additional information with respect to costs and specific timing, please contact Tom Perry, the Assistant Town Engineer at 832-8525.

Finally, Planning Staff would not support a "pre-fab" metal building on the subject lands. Given the site's high visibility to both Jane Street and Peelar Road and in accordance with Town standards with respect to industrial building, a "pre-fab" building would not be appropriate on this location. Staff also note that in your letter you referred to a gravel driveway on site, all driveways and parking areas must be paved with asphalt as per Town's standards.

I trust this information is of assistance to you, however, should additional information be required, please contact the following people, for building permit information - George Lefler at 832-8510, site plan information - Judy Bates at 832-8565 and any Engineering information - Tom Perry at 832-8525.

Yours truly,



Michael DeAngelis
Deputy Director of Planning

JB/kt

Encls.

A-9



OK FOR THE SITE TO PUT A BUILDING
A PERMIT TO PUT FILL ON THE
PROPERTY IS NOT REQUIRED AT
THIS TIME

the metropolitan toronto and region conservation authority

5 shoreham drive • downsview ontario m3n 1s4 (416) 661 6600

1983 FEB 10

Mr. A. DiBenedetto
141 Sharpcroft Blvd.
DOWNSVIEW, Ontario
M3J 1P6

Dear Sir:

Re: Southeast corner of
Jane Street & Peelar Road

This will acknowledge receipt of your letter dated February 2, 1983 and a copy of a sketch showing the proposed location of a structure (trailer or building) to be located on the above-noted site. Our staff has examined your plan and find that the proposed structure will be located outside the regional floodplain. We, therefore, have no objection to the location of the structure as shown and would have no objection to the issuance of a building permit by the Town of Vaughan.

With respect to your proposal to place fill on the subject property, the Authority's fill regulation lines have not been registered to date and, therefore, a permit is not required from the Authority at this time.

However, as previously stated in our letter of January 19, 1983, we would recommend that no filling take place below the existing top of bank of the Black Creek Valley as shown on the attached map.

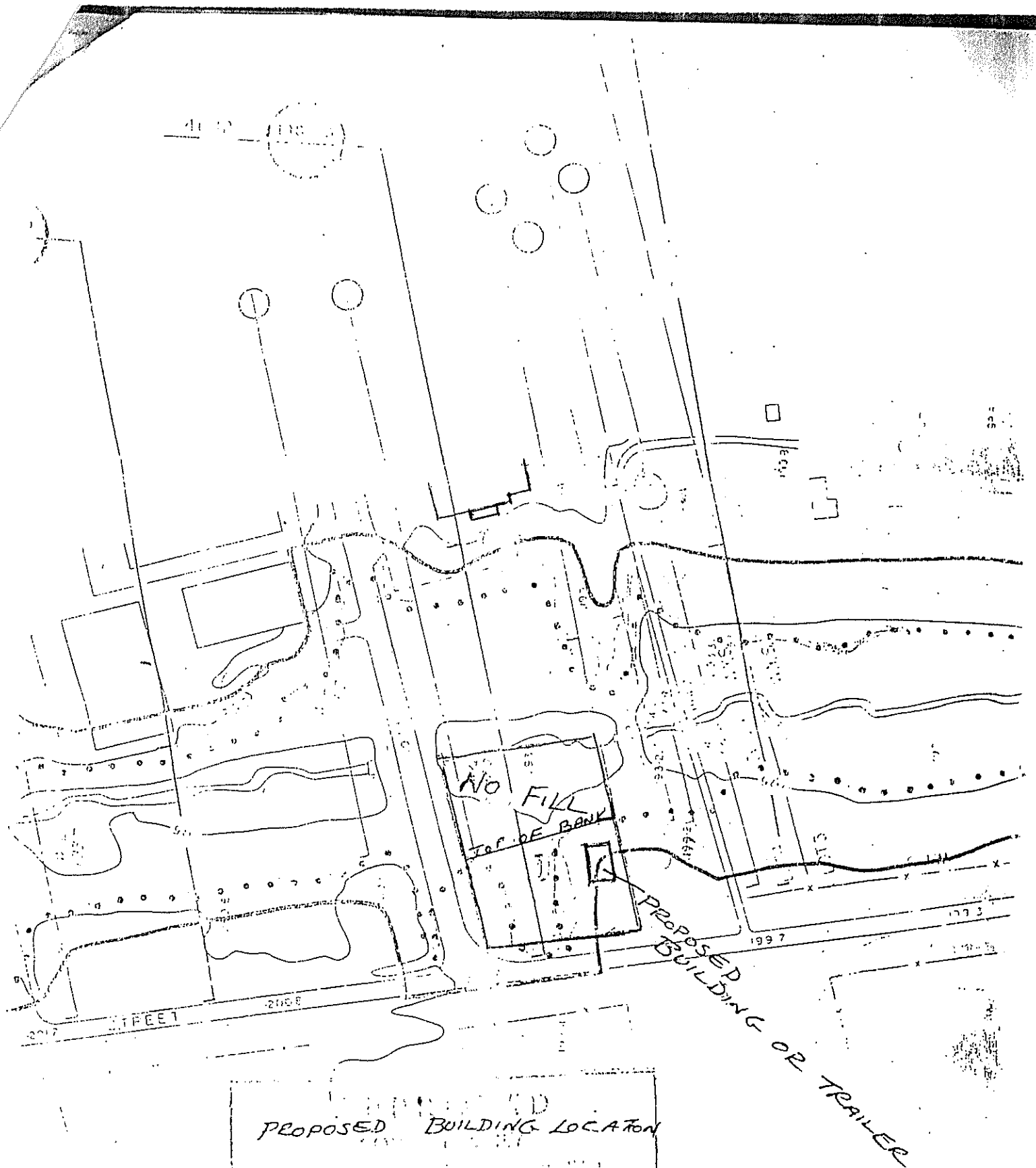
We also bring to your attention, the last paragraph of the Town of Vaughan's letter to you dated November 3, 1982 in which they recommend that the culvert, proposed within the small drainage ditch crossing your property, be sized no smaller than the existing culvert under Jane Street. Since this drainage ditch drains a portion of Jane Street, caution must be taken so as not to block it off. We trust this is the information you require.

Yours truly,

Barry Knox
Barry E. Knox, Planner
Development Control Section

BEK:L
Enc.,

A-10



PROPOSED BUILDING LOCATION

Benny Keef
Feb. 10 / 83

A-11

4 1/2 M. (44,111) STUYLVA NY 1 KULIX
SEWER ON JANE COSTA R. 10.00 - 1.22
NOTICE OF COSTS STR.
BY

THE CORPORATION OF THE TOWN OF VAUGHAN
FOR IMPOSING A SEWER RATE

24-1986

WHEREAS pursuant to Section 64 of the Ontario Municipal Board Act R.S.O. 1980 and Section 218 of the Municipal Act R.S.O. 1980, the Ontario Municipal Board did by orders made February 11, 1986 and September 24, 1986 approve the installation of a Sanitary (Trunk) Sewer located on Jane Street with associated works at a cost of \$4,636,279.24.

TAKE NOTICE THAT:

1. The Town of Vaughan intends to impose a Special Sewer Rate upon those owners of land who derive a benefit from the works. The Special Charge may be paid as a lump sum amount or in ten (10) annual instalments, at a rate as follows:

<u>Annual Amount</u>	<u>Lump Sum Amount</u>
\$2,102.16 per hectare	\$12,380.11 per hectare
<u>\$850.74 per acre</u>	<u>\$5,010.23 per acre</u>

- 2.(a) The area upon which such water works rate is to be levied is as follows:

- 1) Jane Street - from 2500 metres north of Highway No. 7 to 820 metres south of Highway No. 7
- 2) Maplecrete Road - from Peelar Road to Highway No. 7
- 3) Peelar Road - from Jane Street to Creditstone Road
- 4) Doughton Road - from Jane Street to Costa Road
- 5) Creditstone Road - from Highway No. 7 to a point 812 metres south of Highway No. 7
- 6) Costa Road - from Highway No. 7 to Freshway Drive
- 7) Freshway Drive - from Creditstone Road to a point 393 metres east of Creditstone Road
- 8) Killaloe Road - from Costa Road to a point 155 metres east of Costa Road
- 9) Highway No. 7 - from Creditstone Road to a point 505 metres east of Creditstone Road

- (b) No exemptions will be granted.

3. The following summarizes the details of the charges specially assessed against the property.

Name/Address/Property Description:

000-231-11500
55 DIBENEDETTO ANTONIO
DIBENEDETTO FOIDIA
111 CHARCROFT BLVD
DOWNVIEW ONT M3J 1P6
Peelar Rd

Acreage: 1.18 ACRE

Total Annual Amount: \$1003.87 = \$10,038.60 PAID
Total Lump Sum Amount: \$5912.07

A-12 (G.T.H.)

(211)
10 Million
Project

Cost \$29,000.00

THE LOCAL IMPROVEMENT ACT
FORM 4 (SECTIONS 44(2), 50(1))

MAPLECRETE-ESTELLE AREA

SANITARY SEWERS AND SERVICE CONNECTIONS

SEP. 2 - 1988

TAKE NOTICE THAT:

1. The Council of The Corporation of the Town of Vaughan has constructed as a local improvement, (sanitary) sewers and service connections and necessary appurtenances thereto on streets in the Maplecrete-Estelle area of the Town of Vaughan.
2. The cost of the work is (\$1,920,528.01) of which \$346,144.28 is to be paid by the Corporation. The special rate per metre frontage is \$181.98 (\$55.47 per foot). The cost for each service connection is \$5,620.28 or \$2,637.62 for a connection without a manhole. The special assessment may be paid as a (lump sum) or in annual instalments at an annual rate of (11%).
3. The estimated lifetime of the work is 30 years.
4. A Court of Revision will be held on the 17th day of October at 7:30 p.m. in the Council Chamber of the Town of Vaughan, 2141 Major Mackenzie Drive, Maple, for the purpose of hearing complaints against the proposed assessments and any other complaint that persons interested may desire to make that may be cognizable by the court.
5. The following summarizes the details of the charges specially assessed on the above mentioned property.

Property Address: Peclar Rd.

Frontage: 206.75 ft.

	<u>Costs</u>	<u>Annual</u>	or	<u>Lump Sum</u>
<u>Sewers</u>		<u>\$1947.59</u>		<u>\$11468.42</u>
<u>SANITARY Service Connection</u>		<u>\$954.28</u>	<u>WITH MANHOLE,</u>	<u>\$5620.28</u>
<u>TOTAL</u>		<u>\$2901.87 = PAID.</u>		<u>\$17088.70</u>

6. Property owners who wish to pay their special assessment as a lump sum must do so on or before the 2nd day of December 1988.

All payments should be made payable to:

Treasurer
Town of Vaughan
2141 Major Mackenzie Drive
Maple, Ontario
L6Y 1E0

7. Should you have any enquiries regarding this matter please contact

Dated: September 2, 1988

000-231-11500
DIBENEDETTO ANTONIO
DIBENEDETTO EGIDIA
141 SHARPCROFT BLVD
DOWNSVIEW ONT

M3J 1P6

832-2281
R.A. Panizza,
Clerk,
Town of Vaughan.

A-13

17. TAAUB

cost \$35 per yr.

CURBS, GUTTERS, AND STORM SEWER CONNECTIONS

SEP. 2 - 1988

1. The Council of The Corporation of the Town of Vaughan has constructed as a local improvement, curbs, gutters, storm sewer connections and necessary appurtenances thereto on streets in the Maplecrete-Estella area of the Town of Vaughan.

2. The cost of the work is \$3,432,808.08 of which \$1,588,184.77 is to be paid by the Corporation. The special rate per metre frontage is \$329.97 (\$100.58 per foot). The cost for each service connection is \$6,146.57. The special assessment may be paid as a lump sum or in annual instalments at an annual rate of 11%.

3. The estimated lifetime of the work is 30 years.

4. A Court of Revision will be held on the 17th day of October at 7:30 p.m. in the Council Chamber of the Town of Vaughan, 2141 Major Mackenzie Drive, Maple, for the purpose of hearing complaints against the proposed assessments and any other complaint that persons interested may desire to make that may be cognizable by the court.

5. The following summarizes the details of the charges specially assessed on the above mentioned property.

Property Address: Peelar Rd.

Frontage: (206.75 FE.

<u>Costs</u>	<u>Annual</u>	or	<u>Lump Sum</u>
Curbs, Gutters & PAVING	\$3531.29		\$20794.92
Storm Sewer Connection	\$		\$
TOTAL	\$3531.29		\$20794.92

6. Property owners who wish to pay their special assessment as a lump sum must do so on or before the 2nd day of December 1988.

All payments should be made payable to:

Treasurer
Town of Vaughan
2141 Major Mackenzie Drive
Maple, Ontario
L4J 1E0

7. Should you have any enquiries regarding this matter please contact

Dated: September 2, 1988

000-231-11500
DIBENEDETTO ANTONIO
DIBENEDETTO EUGIDIA
141 SHARPCROFT BLVD
DOWN: VIEW ONI

1134 1136

R.A. Panizza,
Clerk,
Town of Vaughan.

832-2281 Switchboard

JOHN LEACH

A-14

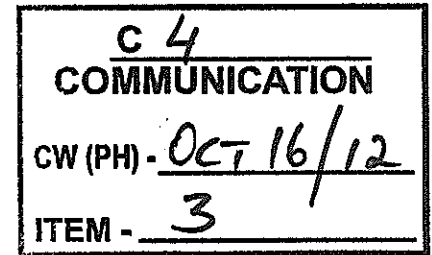
21. $\nabla f(x)$

October 10, 2012

Mr. John MacKenzie, MCIP, RPP,
Commissioner of Planning
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, Ontario
L6A 1T1

Without Prejudice

Dear Sir:



-RE: Vaughan Metropolitan Centre Secondary Plan – proposed revisions and modifications

This is to follow up our recent discussions and your request that Liberty Developments (1834371 Ontario Inc.) provide proposed modifications to the secondary plan that would resolve Liberty's issues. We have the following comments and suggested changes based on the secondary plan as adopted in 2010 combined with the modifications shown in your September 13th report to the VMC sub-committee.

The significant issues are:

1. Height and Density
2. Roads (public vs private)
3. Requirement for plans of subdivision
4. Stormwater management (contributions to the Black Creek revitalization) and
5. Requirement for a landowner group agreement.

We have other comments on the secondary plan which we can review with you when we next meet.

The proposed modifications in the September 13th report provide clarity and in our opinion improve the secondary plan overall. We support the changes and welcome the opportunity to continue participating in the plan process. Our detailed comments on the above noted significant issues are as follows:

1. Height and Density

The 2010 secondary plan designates the Liberty Maplecrete site *Neighbourhood Precinct* (Schedule G). The prescribed maximum height is 25 storeys and maximum density is 4.5 FSI.

The September 13th report recommends extending the *Station Precinct* designation out along Hwy 7, which would include the Maplecrete site (except the southerly part (180 Maplecrete)).

The implication is to also include the increased height and density afforded the Station Precinct designation (35 storeys and 6.0 FSI); we support this.

We also propose the designation be applied to 180 Maplecrete, the justification being that it would both recognize a city initiative to promote assembly of land and promote a common density and height regime for both sides of a future (east/west) road identified in the secondary plan.

Considering the applications on file and the approved projects in the VMC, combined with the conclusions presented in the city's Office Market Study, we agree the higher height and density provisions of the Station Precinct should be extended and the limits increased. This will increase potential office commercial critical mass, this being a significant comment in the study conclusion, and will support projects such as Liberty Maplecrete.

Our proposal: modify the schedules to designate the entire Liberty Maplecrete site Station Precinct and apply the Height and Density provisions (maximum 35 storeys and 6.0 FSI).

We note that the Urban Growth Centre designation boundary is proposed in the September 13th report to be expanded at the southeast Jane and Hwy 7; we suggest it similarly could be expanded to include the area south of the planned east/west road through Liberty Maplecrete.

2. Roads (public vs private)

The 2010 plan refers to all streets shown in the Schedules as "public" roads. Liberty proposes to provide the roads as shown – there are two that are to traverse the property, in a form and appearances of a public road built to municipal standards, but retain them in private ownership. Public access would be maintained via easements in favour of the municipality.

There are no underground services such as sewers and water lines, so there is no need from that perspective for public ownership. And Liberty wants to construct parking under the road.

This approach is similar to that approved for the Royal 7 Developments Ltd project on the north side of Hwy 7 at Maplecrete where the internal road will be a private street with public access easement.

The effect of retaining the roads in private ownership is to retain more land for development, reduce building setbacks and incur less future operating costs (road maintenance) for the municipality.

Our proposal: remove the word "public" from Sections 4.1, 4.3.1 and 4.3.15 so as to permit private roads.

Notwithstanding the above proposal: The road allowances in Section 4.3 Street Network and on Schedule C are identified with specific widths that we believe are greater than necessary. Objectives by many municipalities are to narrow road allowances and reduce both pavement and landscape boulevards.

Our proposal: modify section 4.3.3 to indicate:

Highway 7 at 45 – 68 metres,

Local street at less than 22 metres

Mews street at less than 17.5 metres

And modify Schedule C Street Network and the sections in Appendix B accordingly.

3. Requirement for plans of subdivision

Section 10.3.1 requires plans of subdivision for all development that requires conveyance of land. Liberty believes alternative development control methods could be used which are less time-consuming and onerous on the landowner and the municipality. For example, direct dedication/conveyance to the municipality at the development control stage could be employed. This avoids the cumbersome subdivision agreement process. Financial guarantees can be imposed without the subdivision agreement.

***Our proposal: Add flexibility to Policy 10.3.1, such as
“... shall proceed by development control agreement.”***

4. Stormwater management (contributions to the Black Creek revitalization)

Section 5.4.6 Stormwater Management requires agreements among landowners in the VMC to equitably distribute the cost of stormwater management. This potentially could include the cost of the Black Creek Remediation Strategy. Liberty opposes this; remediation is a cost that should be attributed to those who have caused the need and to those projects which depend on remediation. The Liberty project is designed to avoid that and should not be required to participate in the remediation cost. Further, the City is requiring advanced stormwater controls on each site; Liberty is proposing to do this on the Maplecrete project.

Our proposal: Amend Section 5.4.6 last sentence to state “An agreement among landowners in the VMC contributing stormwater flows to the system will be required to equitably ...”

5. Requirement for a landowner group agreement.

Section 7.1.2 Community Services requires an agreement among landowners, the City and public agencies regarding community services... to ensure land costs for facilities are equitably distributed.

Section 10.7.1 Landowners' and Development Agreements has some flexibility: The City *may* require landowner agreements to distribute costs of infrastructure and alternatively *may* implement other arrangements to address cost sharing.

Liberty supports the 'alternatives' aspect but is concerned that 'shared infrastructure' is too encompassing. The policy states "...including but not limited to roads and road improvements, waste and wastewater services, parkland, stormwater management facilities, and land for schools and other community services."

Experience shows that this process of landowner agreements will work only in areas where land values are fixed and at the same level for all lands in the area e.g. in greenfields, low density plans. Where lands have differing values, such as higher density areas like the VMC, the task of equitable distribution becomes difficult if not impossible to negotiate.

Our proposal: remove this requirement for landowner group agreements or limit the affected area of the agreement e.g. "... the City may require that landowners in prescribed precincts or sub areas of approximate equal land value enter into an agreement..."

Thank you for inviting our comments on the secondary plan. We welcome an opportunity to discuss this further with you and your staff.

Yours truly,

Malone Given Parsons Ltd.



Jim Kirk, MCIP, RPP,
Partner

Cc: Diana Birchall; Anna Sicilia
Fred Darvish; Lezlie Phillips
Barry Horosko

October 15, 2012

Project No. 12149

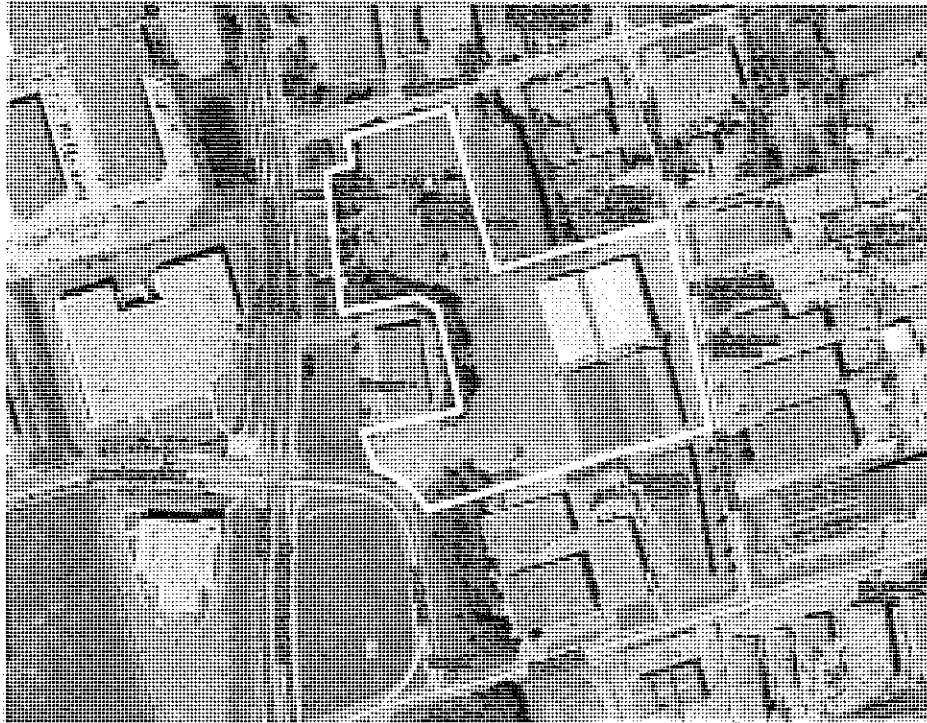
Mr. John MacKenzie
Commissioner of Planning
City of Vaughan
2141 Major MacKenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mr. MacKenzie:

***Re: Proposed Modifications to Adopted VMC Secondary Plan
7551 and 7601 Jane Street – Vaughan Square Centre
Pandolfo Group***

As planning consultants to the owner of 7551 and 7601 Jane Street (see aerial photo below), we are writing to provide comments on the proposed modifications to the adopted VMC Secondary Plan as set out in the staff report.

Aerial Photo of 7551 and 7601 Jane Street



While we appreciate that staff have responded directly to our client's initial concerns and made several changes further to our discussions, there continue to be items that require further modification based on the current draft. Our comments in this regard are summarized as follows:

1. Schedule A - Move the Urban Growth Centre (UGC) boundary east to Maplecrete Road to include the subject site in its entirety. (note: schedule 1 to the parent official plan would also require modification to reflect this change.) (see page 2, figure 1)
2. Schedule J - Move the higher density area (4.5 FSI/25 storeys) boundary east to Maplecrete Road to reflect the modified UGC boundary. (see page 3, figure 2)
3. Schedule C - Show a "private street" between Freshway Drive and Interchange Way where there is currently a "local street" shown west of Maplecrete Road. (see page 5, figure 5)
4. Modify policy 4.3.5 to clarify that the dedication of land for new public street rights-of-way will be shared between property owners where appropriate and possible. (see page 6, figure 6)
5. Modify the boundary line of Special Study Area B to reflect the more accurate line delineated on Schedule K as the "Black Creek Remediation Area". (see page 6, figure 7)
6. Depending upon the final determination of the Black Creek alignment we may have further comments as the alignment will affect the development potential of this property. (see page 7, Figure 8)
7. Modify policy 10.2.9 as necessary to provide that the width and location of the Linear Park east of Jane Street is not defined until such time as the location and buffers of Black Creek are determined. (see page 7)

Our more detailed comments with respect to the above are set out below.

Height and Density Parameters

The modifications to Schedules A and J would expand the UGC and 25 storey/4.5 FSI permissions further east to about midway between the block west of Maplecrete Road. While we are supportive of this modification, we request that the Urban Growth Centre boundary should be expanded to the eastern extent of the VMC (Maplecrete Road)(See Figure 1). In line with that, the higher density 25 storey/4.5 FSI area would also be shifted to reflect the UGC boundary along Maplecrete Road (See Figure 2).

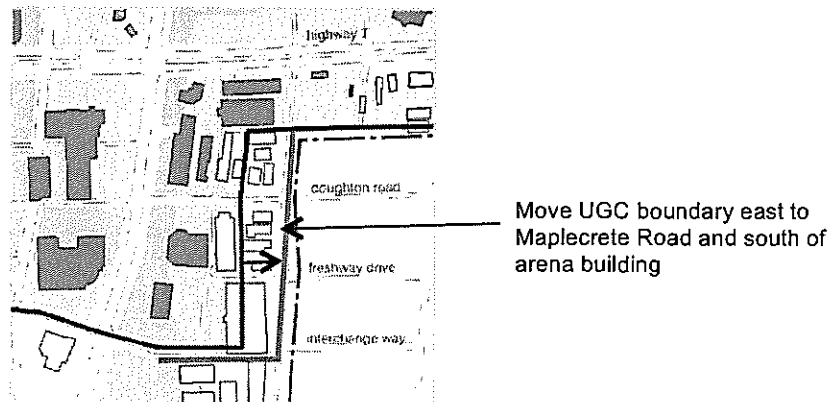


Figure 1 – Schedule A, Urban Growth Centre

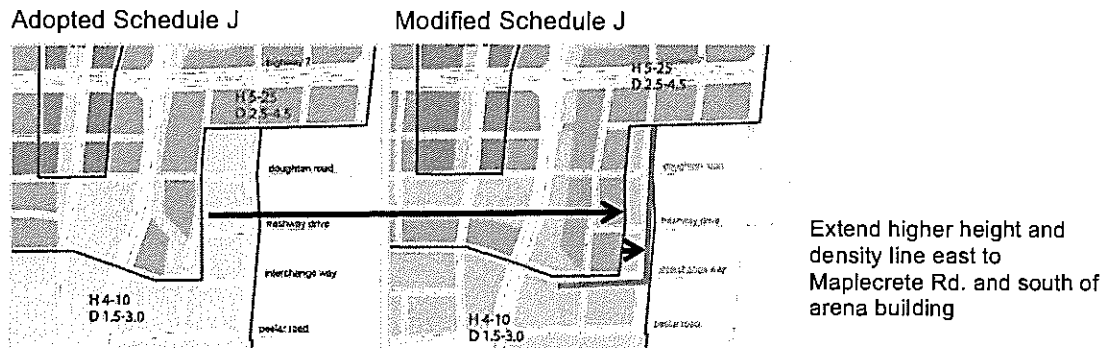


Figure 2 – Schedule J, Height and Density Parameters Modifications

In our view there is an additional benefit to expanding the UGC and higher density and height parameters for the following reasons:

- The current UGC boundary straddles the property. In order to allow for the orderly development of the property, we believe that the entire property should be included in the UGC and the higher density area.
- There is a clear intent to locate higher density development on the subject site, which would straddle the UGC. Given this intent and the uncertainty related to the alignment of Black Creek on the western portion of the subject site, we believe that expanding the UGC would provide an opportunity for intensification to occur in the southeastern VMC in a more timely and orderly manner.
- Specifically, in terms of location, the subject site is located at the southerly gateway to the VMC and is also uniquely positioned within walking distance to several major transit routes, including two TTC subway stations, a GO station and the VIVA bus network. In this respect, the constraints on this site arising out of the Black Creek alignment should be balanced by taking advantage of the opportunities presented by this location through increased height and density parameters.
- The expansion of the height and density parameters would not result in any detrimental land use compatibility issues. Specifically, given the proposed location of the school site northeast of the subject site, which is directly adjacent to the employment area, there does not appear to be any need for transition to the east in terms of height and density (See Figure 3).
- In addition, the potential loss of intensification resulting from the development of the school site could be made up by the slight expansion of the UGC.

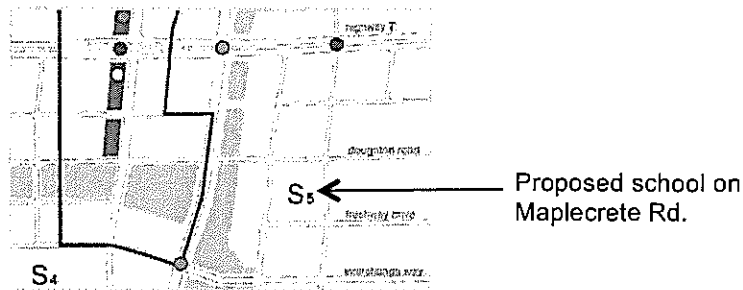


Figure 3 – School Location

- Further to the above comments respecting the mapping and the location of the height and density parameters, we also believe that a higher density should be considered for the subject site similar to other approvals in the VMC which have been approved over 5.0 times FSI. For the reasons stated above, we believe that the City would benefit from additional intensification on the subject site.
- In terms of specific comments relating to the policies, we appreciate that 8.1.7 has been modified to allow for development of residential units outside of the UGC prior to 8,000 units being developed within the UGC. However, the requirement that the first phase of development be located within the UGC significantly diminishes the effect of the new permission on this site. Specifically, given the uncertainty with respect to the timing of the Black Creek alignment on the western portion of the subject property, the phasing of development would be from east to west (See Figure 4). This concern can be addressed through the modification to expand the UGC east to Maplecrete Road. This would assist in facilitating the intensification of the area and the studies have been completed which demonstrate that the eastern portion of the subject site may be developed in advance of and independent of the western portion.

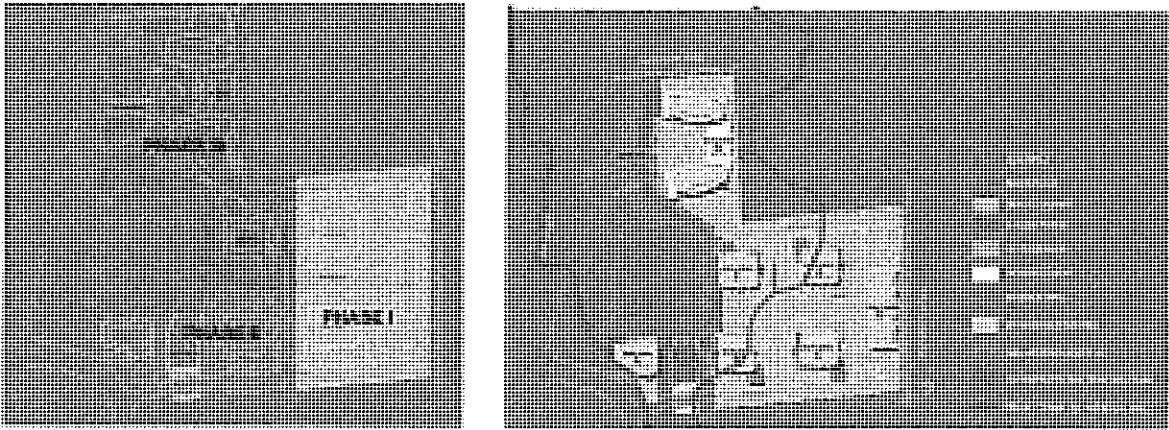


Figure 4 - Proposed Phasing

Street Network

- There are two streets proposed to bisect the subject site, one east-west street and one north-south street. Given that the subject site would be bounded by four public streets with four access points and given the unknown alignment of the Black Creek floodplain remediation line, we request that the southerly extent of the north-south street between Freshway Drive and Interchange Way be shown as a 20m "private street" subject to appropriate easements on Schedule C as indicated in Figure 5.

Schedule C

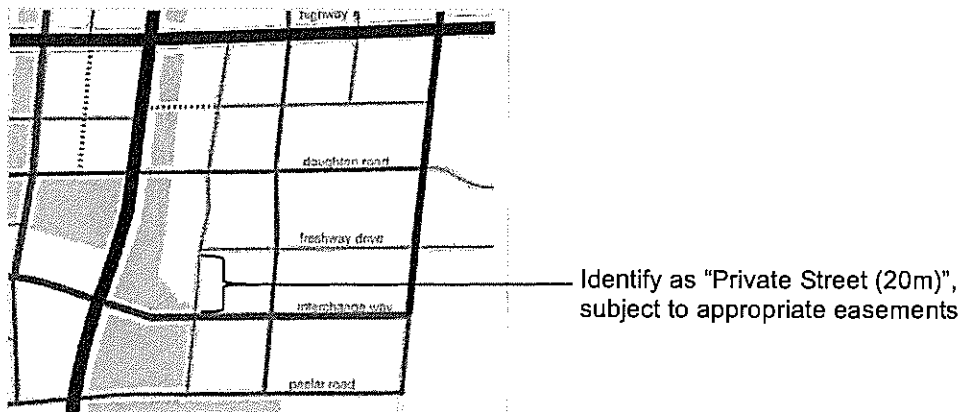


Figure 5 – Street Network Modification

- In addition, the alignment of the proposed public streets adjacent to the subject site should be amended to more closely reflect the intent that public streets should be shared between different properties in terms of future dedications (See Figure 6).

Schedule A

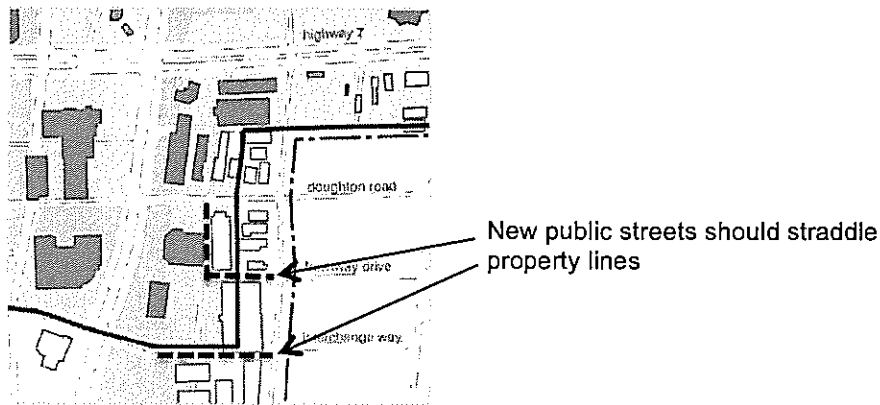


Figure 6 – Street Network Alignment at Freshway Drive and the proposed new North-South street

In our view, the most appropriate method to ensure the sharing of road dedications would be to modify policy 4.3.5 by adding the following wording shown in bold italics below:

“New collector and local roads identified in Schedule C shall be identified in all approved plans within the VMC and shall be conveyed to the municipality as a condition of approval of draft plans of subdivision and site plan applications, at no cost to the City ***and, where possible, streets should straddle property boundaries so that they are shared.***”

Land Use Precincts – Schedule G (Floodplain related issues)

The modifications to Schedule G are certainly moving in the right direction, however we still have the following objections:

- The Special Study Area policy 8.4.4 states that “Properties partially or wholly within Special Study Area B, but entirely outside the floodplain, are exempted from the development restrictions applicable to lands in the study area.” In our view, the restrictions should only apply to the lands within the floodplain, despite the overall property boundaries. In this regard, we request that Schedule G be amended to modify the Special Study Area line to align with the flood remediation line as identified on Schedule K (see Figure 7 below).

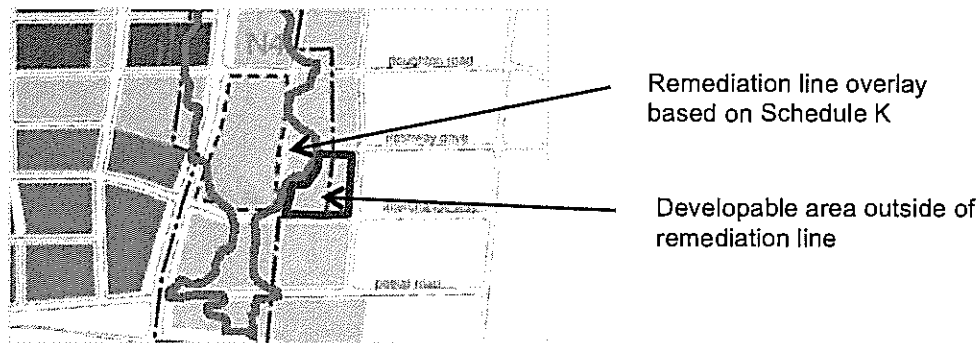


Figure 7 – Schedule G showing Remediation Line

- With respect to the lands now shown within the area identified as “land use designation subject to results of the VMC Black Creek Renewal EA (Stages 3 & 4)” as well as any lands that may be located within the flood remediation line shown on Schedule K, we request an opportunity to jointly work with all applicable City and agency representatives (e.g. TRCA and MNR) to work toward a site-specific interim policy solution that allows for development, despite the overall restrictions set out in new Policy 10.2.9.
- As a point of clarification, please confirm that the Special Study Area reference in the legend of Schedule G is intended to reference Policy 8.4.4 as it applies to the subject site (the Schedule currently references “x.x.x”).

Black Creek Renewal Study

Depending upon the final determination of the Black Creek alignment we may have further comments as the alignment will affect the development potential of this property. We will have further comments if the Black Creek alignment remains in its current location as shown in Figure 8, which would substantially diminish the developable area, especially once the potential buffer, park and new street network are accounted for.

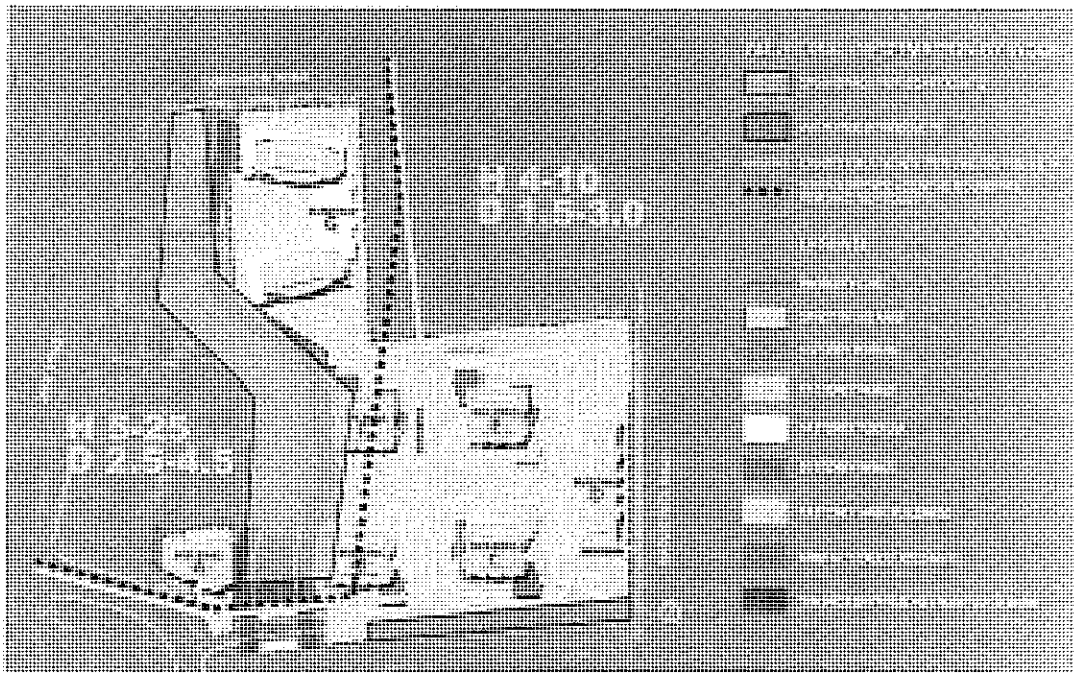


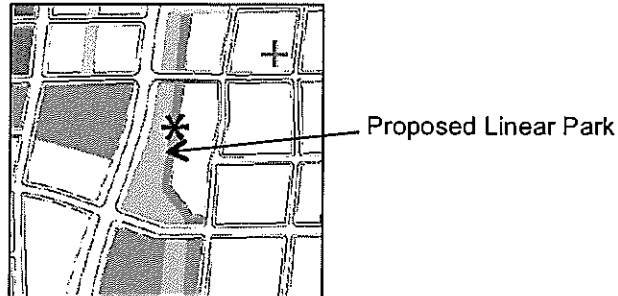
Figure 8 – Original Proposed Black Creek Alignment

Major Parks and Open Spaces – Schedule E

While we are generally supportive of a linear trail on the east side of Black Creek, we object to the proposed width of 25 metres. In our view, the purpose of this park is to

provide a walking or multi-use trail connection between Highway 7 and the open spaces areas to the south and that to fulfill this purpose a width of approximately 6 metres is adequate given that the linear park may encroach onto private properties. However, if it is intended that this park be more substantial for other purposes, we would have no issue with the width, subject to it being provided entirely on City property, especially given the uncertainty of the ultimate alignment of the Black Creek floodplain and the resulting potential loss of developable area.

Schedule E



In order to alleviate the concern respecting the proposed location and width of the linear park, we suggest that Policy 10.2.9 be modified to include the following new subsection:

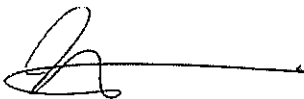
"10.2.9(7) – The final location and width of the Linear Park east of Jane Street will be determined once the limit of the upgraded pond, naturalized creek channel and associated buffer have been defined within the approved remediation strategy."

Notwithstanding its ultimate width and location, we look forward to working with the City to integrate appropriate connections to the trail within the ultimate development of the subject site. In addition, in order to accommodate the anticipated demand for park space for families within the proposed development, we are working to develop a parkette area offering passive recreation amenity to the residents and workers in the area.

Concluding Remarks

On behalf of the landowner, we are pleased to offer the above comments and look forward to working with staff towards a final policy framework that will achieve the vision of the Vaughan Metropolitan Centre. If there are any questions with respect to the foregoing please do not hesitate to contact me at 416-947-9744.

Yours truly,
Bousfields Inc.



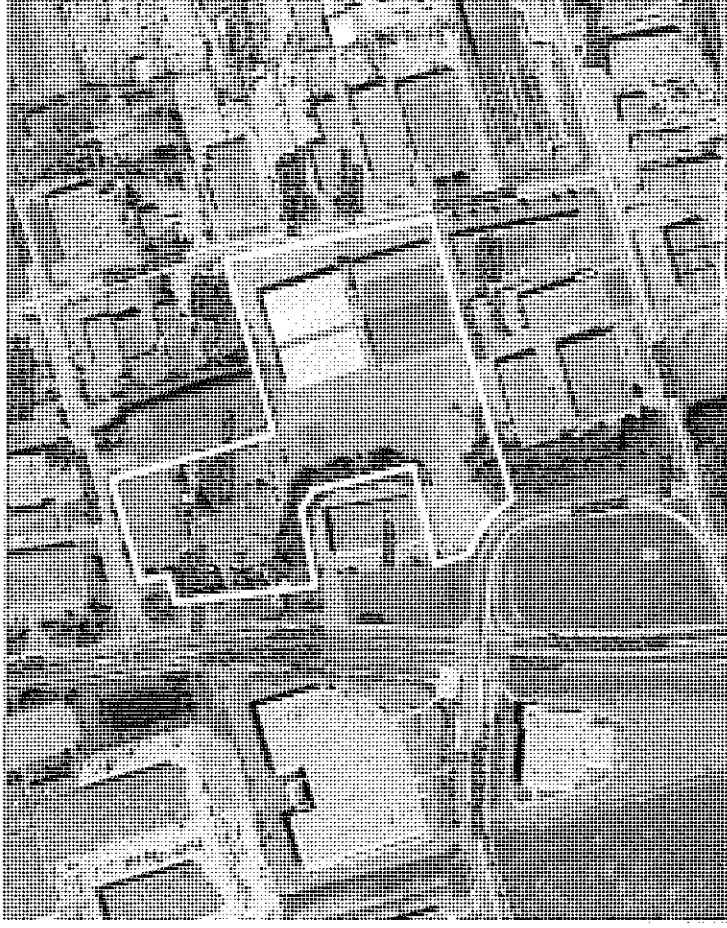
Michael Bissett, MCIP, RPP

c. Anna Sicilia, Diana Birchall and Joe Pandolfo

CITY OF VAUGHAN

Proposed Modifications to Adopted VMC Secondary Plan

7551 and 7601 Jane Street – 785345 Ontario Limited, L & M Portfolio Holdings

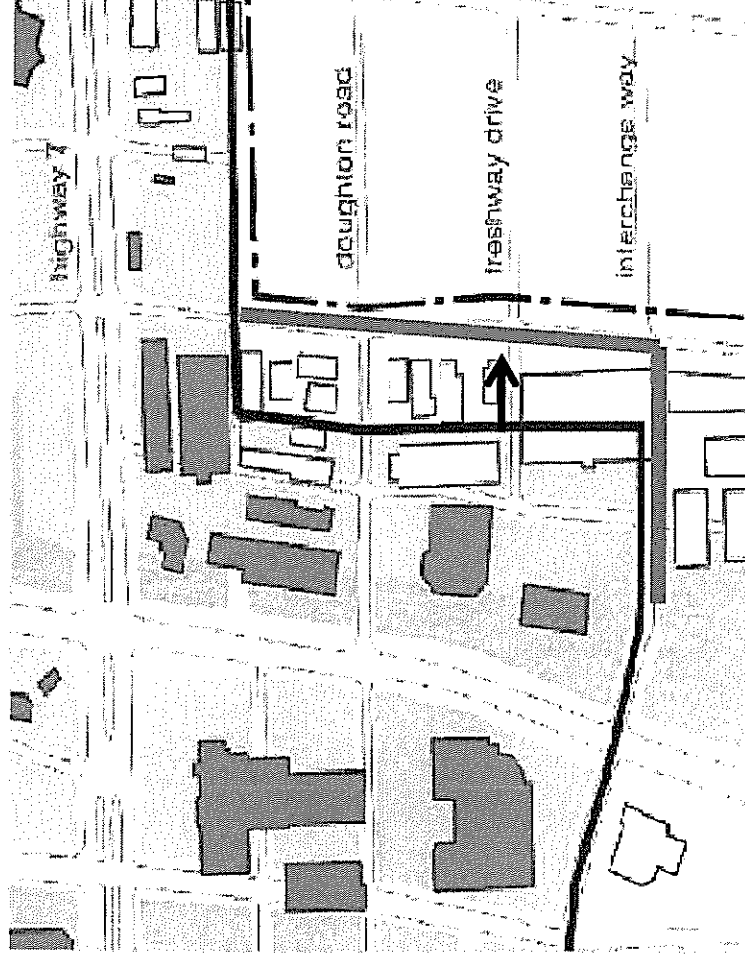


Michael Bissett, Bousfields Inc.

October 16, 2012

URBAN GROWTH CENTRE BOUNDARY

- 1) Schedule A - Move the Urban Growth Centre (UCG) boundary east to Maplecrete Road to include the subject site in its entirety

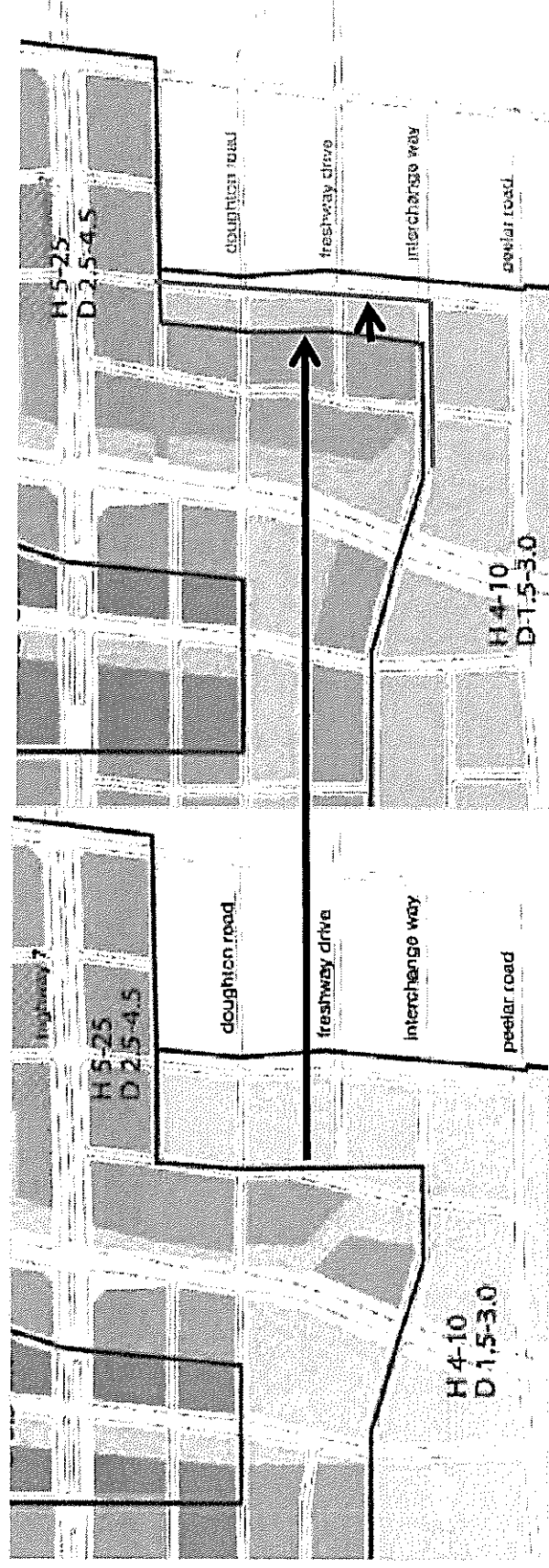


HEIGHT AND DENSITY PARAMETERS

- 2) Schedule J – Move the higher density area (4.5 FSI/25 storeys) boundary east to Maplecrete Road to reflect the modified UGC boundary

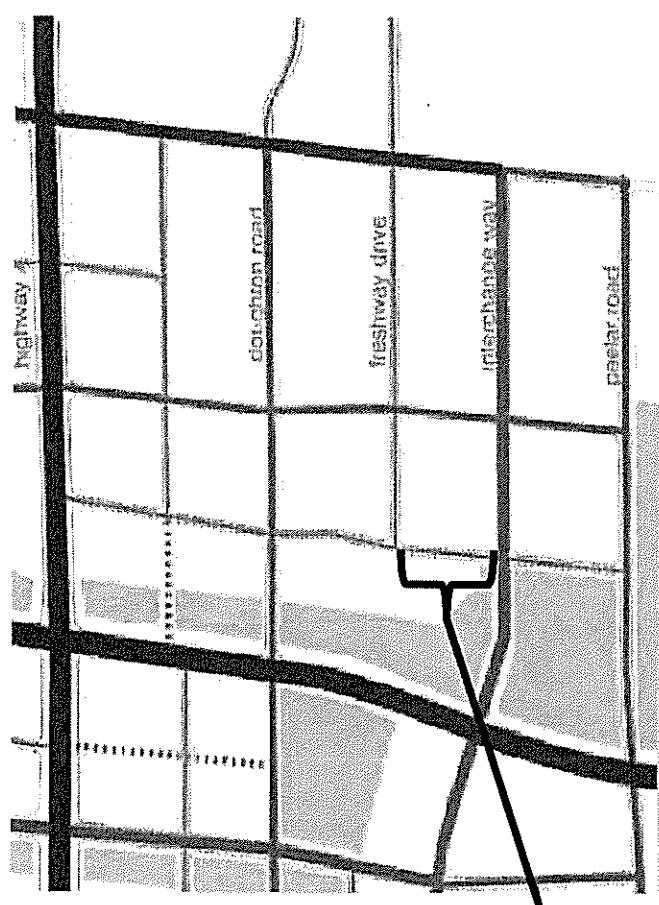
Adopted Schedule J

Modified Schedule J



STREET NETWORK

- 3) Schedule C – show a “private street” between Freshway Drive and Interchange Way where there is currently a “local street” shown west of Maplecrete Road

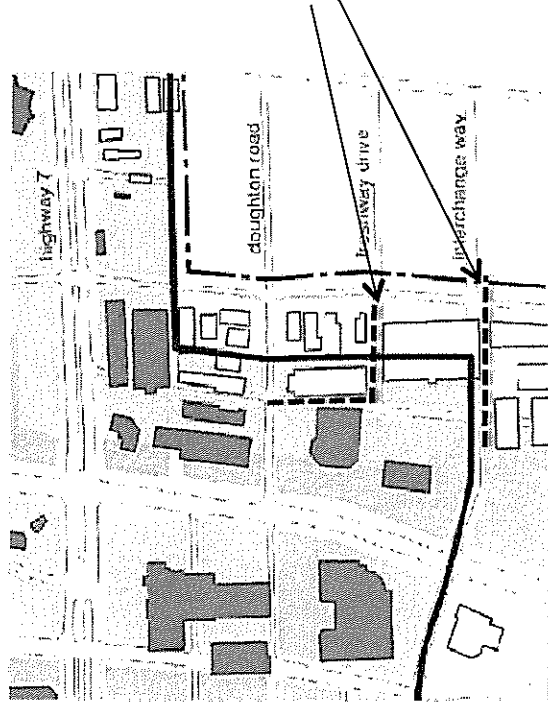


Identify as “Private Street”, subject to appropriate easements

STREET NETWORK

- 4) Modify policy 4.3.5 to clarify that the dedication of land for new public street right-of-way will be shared between property owners where appropriate and possible

Schedule A

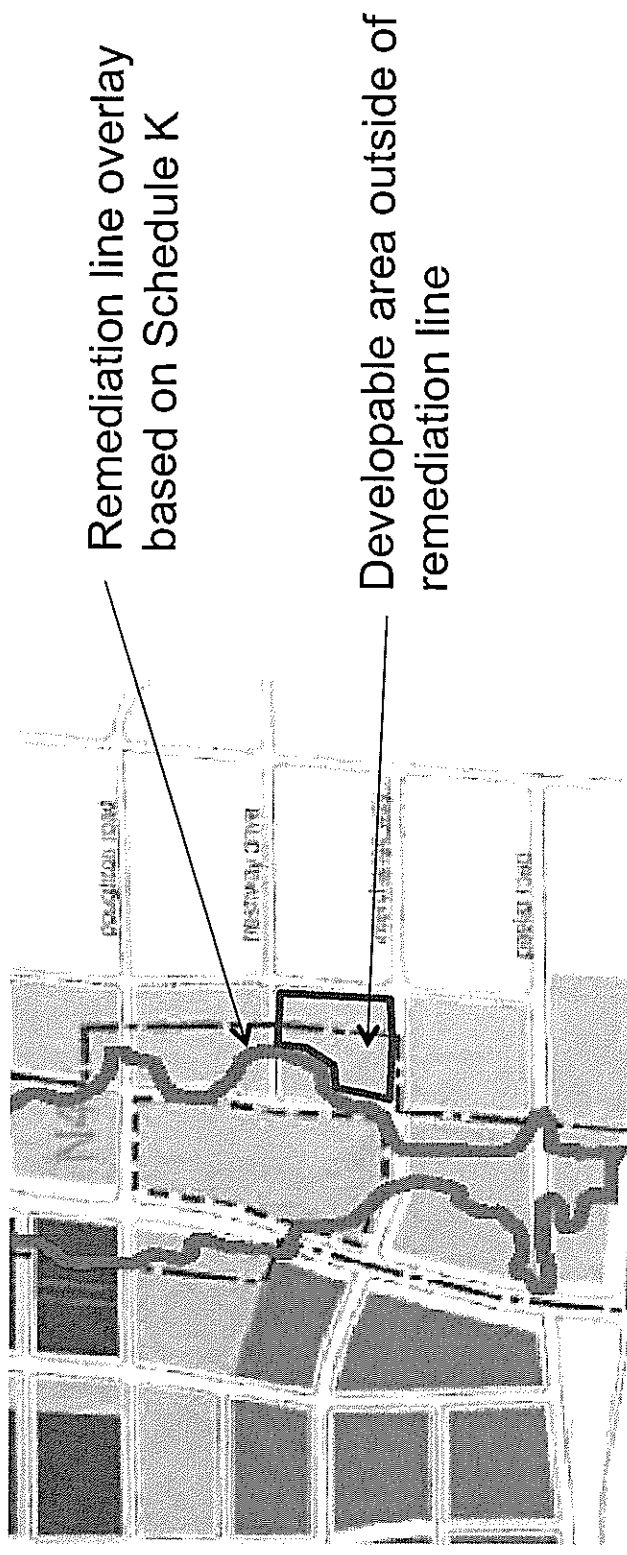


New public streets should
straddle property lines

“New collector and local roads identified in Schedule C shall be identified in all approved plans within the VMC and shall be conveyed to the municipality as a condition of approval of draft plans of subdivision and site plan applications, at no cost to the City **and, where possible, streets should straddle property boundaries so that they are shared.**”

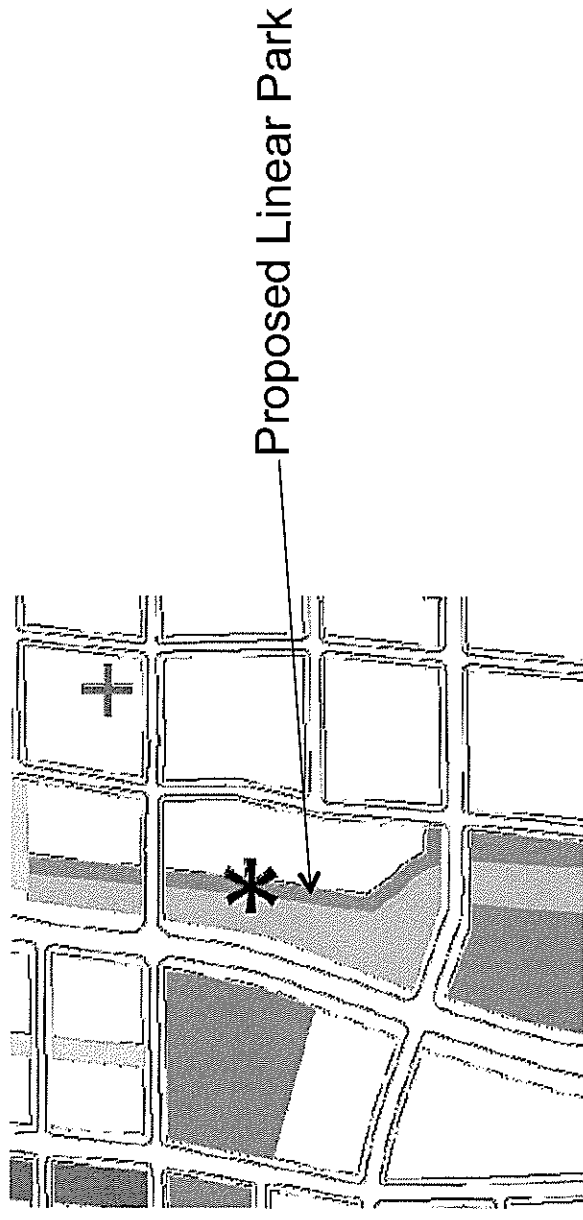
LAND USE PRECINCTS

- 5) Schedule G - Modify the boundary line of Special Study Area B to reflect the more accurate line delineated on Schedule K as the “Black Creek Remediation Area”



MAJOR PARKS AND OPEN SPACES

- 7) Modify policy 10.2.9 as necessary to provide that the width and location of the Linear Park east of Jane Street is not defined until such time as the location and buffers of Black Creek are determined



Summary

1. Schedule A - Move the Urban Growth Centre (UGC) boundary east to Maplecrete Road to include the subject site in its entirety. (note: schedule 1 to the parent official plan would also require modification to reflect this change.)
2. Schedule J - Move the higher density area (4.5 FSI/25 storeys) boundary east to Maplecrete Road to reflect the modified UGC boundary.
3. Schedule C - Show a "private street" between Freshway Drive and Interchange Way where there is currently a "local street" shown west of Maplecrete Road.
4. Modify policy 4.3.5 to clarify that the dedication of land for new public street rights-of-way will be shared between property owners where appropriate and possible.
5. Modify the boundary line of Special Study Area B to reflect the more accurate line delineated on Schedule K as the "Black Creek Remediation Area".
6. Depending upon the final determination of the Black Creek alignment we may have further comments as the alignment will affect the development potential of this property.
7. Modify policy 10.2.9 as necessary to provide that the width and location of the Linear Park east of Jane Street is not defined until such time as the location and buffers of Black Creek are determined.

<u>C 6</u> COMMUNICATION CW (PH) - <u>Oct 16/12</u> ITEM - <u>3</u>

From: Amy Shepherd [mailto:ashepherd@IBIGroup.com]

Sent: Monday, October 15, 2012 6:32 PM

To: Abrams, Jeffrey; Clerks@vaughan.ca

Cc: Sicilia, Anna; MacKenzie, John

Subject: communication/depositions pertaining to the VMC - October 16, 2012 COW public hearing

Dear Mr. Abrams,

IBI Group represents Bentall Kennedy (Canada) LP and Toromont Industries Ltd., who are major landowners within the Vaughan Metropolitan Centre (VMC). We will be attending tomorrow night's COW meeting and do not plan to make a deputation, but would like to have the attached put on the record of communication.

Thank you,

Amy Shepherd

Amy Shepherd MSc MCIP RPP
Associate

IBI Group
5th Floor-230 Richmond Street West
Toronto ON M5V 1V6 Canada

tel 416 596 1930 ext 536

fax 416 596 0644

email ashepherd@IBIGroup.com

web www.ibigroup.com

NOTE: This e-mail message and attachments may contain privileged and confidential information. If you have received this message in error, please immediately notify the sender and delete this e-mail message.

NOTE: Ce courriel peut contenir de l'information privilégiée et confidentielle. Si vous avez reçu ce message par erreur, veuillez le mentionner immédiatement à l'expéditeur et effacer ce courriel.



IBI Group
5th Floor—230 Richmond Street West
Toronto ON M5V 1V6 Canada
tel 416 596 1930
fax 416 596 0644

October 15, 2012

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

Dear Sir:

**VAUGHAN METROPOLITAN CENTRE (VMC) SECONDARY PLAN, PROPOSED
MODIFICATIONS TO ADOPTED SECONDARY PLAN**

On behalf of our client Bentall Kennedy (Canada LP) Ltd., IBI Group made deputations at the September 13th, 2012 VMC Sub-Committee of Council meeting regarding previously submitted requests for modifications to the VMC Secondary Plan and other concerns. IBI Group has had subsequent discussions with municipal staff and will continue to work with the City of Vaughan as revisions are made to the policies and schedules of the VMC Secondary Plan.

Yours truly

IBI GROUP

A handwritten signature in black ink, appearing to read "Jay Claggett", written over a horizontal line.

Jay Claggett
Director

C.c. Mr. John MacKenzie, Commissioner of Planning, City of Vaughan
Ms. Anna Sicilia, Senior Policy Planner, City of Vaughan
Mr. Mike Reel, Bentall Kennedy (Canada) LP



IBI Group
5th Floor—230 Richmond Street West
Toronto ON M5V 1V6 Canada
tel 416 596 1930
fax 416 596 0644

October 15, 2012

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

Dear Sir or Madame:

**VAUGHAN METROPOLITAN CENTRE (VMC) SECONDARY PLAN, PROPOSED
MODIFICATIONS TO ADOPTED SECONDARY PLAN**

On behalf of our client Toromont Industries Ltd., IBI Group made deputations at the September 13th, 2012 VMC Sub-Committee of Council meeting regarding previously submitted requests for modifications to the VMC Secondary Plan and other concerns. IBI Group has had subsequent discussions with municipal staff and will continue to work with the City of Vaughan as revisions are made to the policies and schedules of the VMC Secondary Plan.

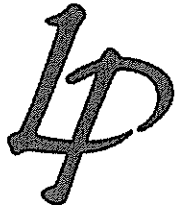
Yours truly

IBI GROUP

A handwritten signature in black ink, appearing to read "Jay Claggett", written over a horizontal line.

Jay Claggett
Director

C.c. Mr. John MacKenzie, Commissioner of Planning, City of Vaughan
Ms. Anna Sicilia, Senior Policy Planner, City of Vaughan
Mr. David Wetherald, Toromont Industries Ltd.



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (anna.sicilia@vaughan.ca)

Our File: P-375-09 L

October 16, 2012

Ms. Anna Sicilia
Senior Policy Planner
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Dear Ms. Sicilia:

**Re: Proposed Modifications to Adopted Vaughan Metropolitan Centre (VMC)
Secondary Plan
City of Vaughan Official Plan – Volume 2 (File 25.5.12.1)**

We represent A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed modifications to the adopted Vaughan Metropolitan Centre Secondary Plan to determine if the document would apply to our clients' current and future operating interests and if these proposed modifications address our previous comment letters we provided to the City on this plan. The proposed modifications are detailed in the staff report for File No. 25.5.12.1 that will be considered by the Committee of the Whole at its meeting this evening. Please accept this as our written submission on the subject matter.

With our assistance, ORHMA and the brands noted above have a strong record of working collaboratively with municipalities throughout the Province to develop mutually satisfactory regulations and guidelines that are fair and balanced in both approach and implementation for existing and new drive-through facilities ("DTF"). These planning-based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum justified stacking/queuing requirements and setback relative to the actual DTF/queuing lane of the restaurant.

We believe the proposed draft modifications for this plan do not address the policies we have previously noted in letters regarding the Vaughan Metropolitan Centre Secondary Plan. We have previously submitted three letters pertaining to the City of Vaughan Official Plan – Volume 2, dated May 17, 2010, June 14, 2010 and July 8, 2010 on behalf of our clients as noted above which are attached hereto for your reference.

<u>C 7</u>
COMMUNICATION
CW (PH) - <u>OCT 16/12</u>
ITEM - <u>3</u>

We wish to note the following policies that prohibit drive-through facilities to which we continue to object to:

s. 8.1.3

s. 8.1.18

As we have noted in our previous letters, it is inappropriate to prohibit uses at the level of the Official Plan, or Secondary Plans in this case and as such we continue to these two noted policies above. Further, the following policies regarding to non-conforming uses are of issue as well:

s. 9.2.1

s. 9.2.2

Please also consider this letter as our formal request to be provided with copies of all future notices, reports, and resolutions relating to the proposed modifications to the adopted Vaughan Metropolitan Centre Secondary Plan.

Yours truly,
Labreche Patterson & Associates Inc.



Victor Labreche, MCIP, RPP
Senior Principal

Attach.

Copy: *Jeffrey A. Abrams, City Clerk, City of Vaughan*
(via e-mail: jeffrey.abrams@vaughan.ca)

Roy McQuillin, Manager of Policy Planning
(via e-mail: roy.mcquillin@vaughan.ca)

Marco Monaco, ORHMA
(via e-mail: mmonaco@orhma.com)

Leo Palozzi, The TDL Group Corp.
(via e-mail: palozzi_leo@timhortons.com)

Leslie Smejkal, The TDL Group Corp
(via e-mail: smejkal_leslie@timhortons.com)

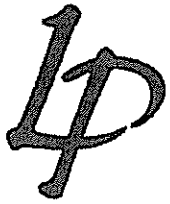
Paul Hewer, McDonald's Restaurants of Canada Limited
(via e-mail: paul.hewer@ca.mcd.com)

Susan Towle, Wendy's Restaurants of Canada, Inc.
(via e-mail: susan.towle@wendys.com)

Darren Sim, A&W Food Services of Canada Inc.
(via e-mail: dsim@aw.com)

*Michael Polowin, Gowling Lafleur Henderson LLP
(via e-mail: michael.polowin@gowlings.com)*

*Denise Baker, Townsend and Associates
(via e-mail: denise.baker@ltownsend.ca)*



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

May 17, 2010

(E-mailed: rose.magnifico@vaughan.ca)

City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1
Attention: Rose Magnifico, Assistant City Clerk

Dear Ms. Magnifico:

Re: Vaughan's Proposed New Official Plan – file number OP.25.1- May 17, 2010, Report # P.2010.23

We are responding to the City of Vaughan's notice relative to the statutory public meeting for the above noted subject matter to be held on May 17, 2010 at 6:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for their consideration.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed new draft official plan for the City of Vaughan and wish to note the following.

As some background to this, we wish to note that the ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations, and guidelines. Along with its members and the assistance of Labreche Patterson & Associates Inc., the ORHMA has a strong record of working collaboratively with municipalities throughout the province to develop mutually satisfactory regulations and guidelines that are fair and balanced in its approach and implementation for new drive-through facilities proposed within any given municipality. These planning based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum stacking/queuing requirements amongst other things.

We together with the ORHMA and the noted brands above had one previous meeting with senior staff of the Planning Department this past February following their report to the Committee of the Whole in January. A representative from the ORHMA and Tim Hortons also provided delegation comments to the Committee of the Whole at its January 25, 2010 meeting. The previous report titled "City of

Vaughan Improvement and Potential Regulation of Drive-Through Facilities" (File 15.109) recommended certain proposed official plan amendments, proposed zoning by-law amendments, and draft design guidelines for drive-through facilities. The actual proposed official plan amendments is what we are commenting on in this letter as the actual amendments are now detailed in the above noted subject report. We understand that further consultation and review time will pertain to the actual proposed zoning regulations and design guidelines and we will continue to consult with planning staff on those items.

Regarding the specific recommended Official Plan based policies proposed by planning staff in report P.2010.23, the ORHMA and the noted member brands have recently requested that we review the proposed new official plan for the City of Vaughan to determine if any proposed amendments would apply to its existing drive-through facility locations as well as areas of the City.

Zoning based regulations and specific urban design guidelines for drive-through facilities are common throughout Ontario. It is important to note for your consideration that the Implementation of Official Plan based policies that specifically prohibit drive-through facilities in areas that would otherwise permit service retail commercial uses, large format retail uses, plazas and supermarkets, which are considered destination oriented uses and accompanying expansive surface parking lots **is not a common or appropriate form of regulation applied to drive-through facilities in Ontario.** In fact, the Ontario Municipal Board has recently noted in a case regarding the new official plan for the City of Ottawa that *"the proper approach for controlling these is the one adopted by the City of Toronto, which prohibits these facilities through its zoning by-law and not in its Official Plan. Official Plans do not need to be prescriptive like zoning by-laws."* This is an approach repeated in almost every case, both at the Ontario Municipal Board and in the Courts, relative to Official Plan prohibitions on specific uses.

Further, based on the above comments, it would be a contradiction to prohibit a drive-through use, which is not a destination use but rather it relies on existing large volumes of vehicles already traveling on busy roads (often termed pass-by traffic) for the vast majority of its customers in the same areas that large format retail, plazas, and supermarkets, etc. would otherwise be permitted by the draft Official Plan. These destination uses contribute the vast majority of traffic, all with large required parking lots, **not drive-through facilities.** We question what is the difference between these destination uses and their large parking lots compared to drive-through facilities to the point that drive-throughs are to be prohibited in all Intensification Areas being the "Vaughan Metropolitan Centre", the "Primary Centres", the "Primary Intensification Corridors" and "Local Centres" but there is very little, if any, restrictions placed on these other noted permitted destination uses in the same areas. In this regard, we ask "what is the problem with drive-throughs that can't be addressed by the zoning by-law and by urban design guidelines specific to the use." No specific justification is provided in staff's report explaining the rationale for the restrictions on drive-through development.

Referring again to the Ottawa Official Plan decision, the Board in that case decided that:

"The Board agrees that the policy as it exists gives no consideration to the possibility of minimizing any possible effect on the pedestrian environment through design for the unique characteristics of specific locations and that there are a number of ways to develop drive-through facilities on "Traditional Mainstreets", while protecting and enhancing the pedestrian environment. The evidence proffered by the appellant shows that drive-through facilities in appropriate circumstances, can be designed to have minimal effect on traffic and the pedestrian environment."

The result of that decision was language in the OP that while discouraging drive-through facilities on Traditional Mainstreets, still allowed for their establishment if the policies of the OP that pertained to those streets could otherwise be maintained. This solution has now been followed in London, Kingston, and more recently in the downtown core of Ottawa. In other

words, it may be appropriate to have additional specific policies for drive-through facilities for certain areas of a city but outright prohibition in areas where otherwise very similar uses are permitted are not justified. We are aware of other related case law on this matter and we will send you these case references under separate cover letter.

Based on the above-noted commentary, it is our submission that official plan prohibition policies for drive-through facilities are not appropriate or necessary at the level of an official plan. We believe that at the basis of these rulings is the fact that drive-throughs locate in existing areas of any City that are already designated for service, large format, and destination oriented retail commercial land uses all of which rely on vehicular and pedestrian access already coming to and accommodated in the area by associated parking lots. As such, the only unique feature of a drive-through in these pre-determined commercial areas is the drive-through stacking or queuing lane. The drive-through facility and stacking is a detail which can clearly be regulated through the zoning by-law and/or urban design guidelines and under the municipal powers of Site Plan Control. Therefore, prohibition based policies at the level of an official plan is not warranted.

We wish to note, contrary to many of the comments made in the previous staff report in January 2010, under the heading "Contributions to Sustainability" and also comments contained in the current report to be considered by Committee on May 17, 2010, drive-through facilities **do contribute** to sustainability goals of the "Green Directions Vaughan, the City's Sustainability and Environmental Masterplan" to a greater extent than the alternative which are parking lots. Based on our experience and related traffic and environmental impact studies of drive-through uses completed by others, the only other alternative to a drive-through for a restaurant use is larger parking lots to be able to accommodate the same number of vehicles coming to these restaurants that would otherwise be split between the parking lot service option or using the drive-through option. Larger parking lots are needed if the drive-through didn't exist which leads to more asphalt heating, larger storm water management facilities, larger buildings to accommodate more people internal to these buildings, and larger HVAC units for these larger buildings all equating to a larger demand on the energy/hydro grid system. Further, based on related traffic studies and again in the City of Ottawa, the Ottawa Zoning By-law provides for a 20% reduction in the required number of parking spaces that applies to a restaurant when a drive-through service option is available with the restaurant. We are also aware that the City of Winnipeg provides for up to a 50% reduction in the same situation.

Furthermore, drive-throughs continue to be an ancillary use to the restaurant. In other words, the restaurant must be present in order for a drive-through to exist. Adding a drive-through is complementary to the restaurant use by lowering in-store demand which in turn helps in-store service and overall operating efficiencies of the restaurant.

In addition, and as previously supplied to planning staff, a study was completed by RWDI Environmental Inc. on behalf of The TDL Group which compares the related emissions generated by vehicles that use the parking lot with those that use the combined drive-through service lane/parking lot during peak times in the morning rush hours. It was found that vehicles choosing the combined drive-through/parking lot services within the study period did not create more overall emissions than vehicles that would use the parking lot and often the overall emissions were less for vehicles using the combined drive-through/parking option. As a result of start up emissions, the parked car scenario creates somewhat higher overall emissions than if that car was to otherwise use the drive-through for service. **It is important to note that the RWDI study has been peer reviewed and accepted by Dr. Deniz Karman, PHD, P.Eng, Professor of Environmental Engineering, Carlton University.**

Further, we also wish to note that of the existing 38 locations of the above noted brands, 23 are currently located within the identified "Intensification Areas" that propose to not permit a drive-through as a permitted use per the current draft of the new Official Plan. We object to these designations and we would object to these locations becoming Legal Non-conforming within in any future zoning by-law

amendment pertaining to these existing locations as a result of any future approval of an implementing Zoning By-law for these locations. It is important to note that the vast majority of these existing locations are located on designated "Arterial Streets" which are identified as carrying large volumes of traffic. Arterial Streets are one street network category below "Provincial Highways" in the draft Official Plan.

In addition to our above noted concerns and objections to various comments and recommendations for the proposed new Official Plan, we wish to note the following specific objections to certain proposed policies of the Official Plan:

Policy 5.2.3 – "Supporting and Transforming the Retail Sector" – last paragraph of this policy: Firstly we object to the first sentence in this paragraph that states "*The issue of drive-through retail uses has undergone considerable study in Vaughan*". We are not aware of any specific study that the city has done relative to drive-through uses, and if there is one completed in Vaughan, we request that it be provided to us as soon as possible. We are aware of previous city staff reports related to drive-throughs, namely a report presented to the Committee of the Whole on January 25, 2010 – File 15.109. This report contains only personal opinion and anecdotal statements about drive-throughs that are not substantiated by any appropriate level of study to justify the comments contained in that previous report. Also, there is a chart contained in that report titled "Table 1: Drive-through Policies of Other Cities in the Greater Toronto Area and Beyond". We previously noted to city staff that this table/chart comparison contains many errors and therefore, cannot be relied on. In addition, to simply compare what other cities may have in place for drive-through regulations does not constitute a study.

Policy 5.2.3.7: We request that the second sentence in this policy referencing the prohibition of drive-through facilities in Intensification Areas and Heritage Districts be deleted. In lieu of a specific noted prohibition in the Intensification Area and Heritage Districts and in keeping with the above noted OMB decision in Ottawa, specific "performance standard" type policies should be considered to achieve certain urban design objectives pertaining to specific required built form policies. The policy framework for drive-throughs should be similar to policies that apply to surface parking lots in "Intensification Areas" and "Heritage Areas" as noted in policy 9.1.2.5 (f) "ensuring any surface parking areas are buffered and screened from all property lines through the use of setbacks and landscaping."

We understand that five focused area secondary plans are proposed to go forward to a Public Hearing on June 14, 2010. We would like to note that this process should be delayed if they contain similar policies with respect to drive-through facilities to that of the overall Official Plan so that the related items are considered comprehensively.

Based on the foregoing, we request an opportunity to meet with the appropriate planning staff at their earliest opportunity to discuss our objections to the current draft of the official plan and its specific prohibition of drive-through facilities. We thank the city for its consideration to our comments and look forward to working with city staff over the coming weeks to mutually resolve concerns.

Yours truly,
Labreche Patterson & Associates Inc.



Victor Labreche, MCIP, RPP
Senior Principal

VL/sl

Copy: Tony Elenis (via e-mail: telenis@orhma.com)
President and CEO – ORHMA

Peter Adams (via e-mail: padams@orhma.com)
ORHMA

Michelle Saunders (via e-mail: msaunders@orhma.com)
ORHMA

Darren Sim (via e-mail: dsim@aw.com)
A&W Food Services of Canada Inc.

Sherry MacLauchlan (via e-mail: maclauchlan.sherry@ca.mcd.com)
McDonald's Restaurants of Canada Limited

Scott Dutchak (via e-mail: dutchak.scott@ca.mcd.com)
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Nick Javor (via e-mail: javor_nick@timhortons.com)
The TDL Group Corp

Maurice Luchich (via e-mail: luchich@timhorton.com)
The TDL Group Corp

Susan Towle (via e-mail: susan_towle@wendys.com)
Wendy's Restaurants of Canada, Inc.

Michael Polowin (via e-mail: michael.polowin@gowlings.com)
Gowling Lafleur Henderson LLP

John Zipay (via e-mail: john.zipay@vaughan.ca)
Commissioner of Planning, City of Vaughan

Diana Birchall (via e-mail: diana.birchall@vaughan.ca)
Director of Policy Planning



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

June 14, 2010

(E-mailed: rose.magnifico@vaughan.ca)

City of Vaughan
Clerks Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1
Attention: Rose Magnifico, Assistant City Clerk

Dear Ms. Magnifico:

**Re: North Kleinburg-Nashville Secondary Plan File # KN – 25.5.12.3
Woodbridge Centre Secondary Plan File # WBC – 25.5.12.2
Vaughan Metropolitan Centre Secondary Plan File # VMC – 25.2.12.1
Yonge Steeles Corridor Secondary Plan File # YS – 25.5.12.4
Official Plan Review – Volume 2 Plans Subject to Existing Secondary Plans Policies and
Site and Area Specific Policies File # 25.1.1 (b)**

We are responding to the City of Vaughan's notice relative to the statutory public meeting for the above noted subject matter to be held on June 14, 2010 at 6:00 p.m., Council Chambers. Please accept this as our written submission on this matter and we would ask that you please provide this to the Committee of the Whole in advance of their meeting tonight for their consideration. As you will recall we previously attended the public meeting of Council on May 17, 2010 to provide our written and verbal comments to you on the proposed new City of Vaughan Official Plan – File # OP – 25.1.

Please be advised that we represent the member brands being A & W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry group association being the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the above noted secondary plans and the proposed amendments as part of Volume 2 of the new broad Official Plan the City of Vaughan and wish to note the following.

As we previously noted within our correspondence to the City on May 17, 2010 on the proposed overall new Official Plan for the City of Vaughan, we specifically objected to the prohibition of drive-through facilities within the following designations being: "Vaughan Metropolitan Centre", "Primary Centres", "Primary Intensification Corridors", and "Local Centres". In addition to the specific prohibition of drive-through facilities within these designations of the new Official Plan and based on our review of the four new above noted secondary plans that are the subject of the public meeting this evening, we note that the Yonge Street Corridor Secondary Plan and the Vaughan Metropolitan Centre Secondary Plan are located in the same areas that are either in the Vaughan Metropolitan Centre designation and the Primary Intensification Corridor designation of the new Official Plan which also proposes to prohibit drive-through facilities in those areas. Further, the Kleinburg-Nashville Secondary Plan and the Woodbridge Secondary Plan propose to add new prohibition areas for drive-

throughs based on our review. Below are the specific details/objection to related policies prohibiting drive-through facilities in four of the five new Secondary Plan being discussed at the public meeting tonight.

Secondary Plan	DT Prohibition
Kleinburg Nashville Secondary Plan	<ul style="list-style-type: none"> ▪ Kleinburg-Nashville Low-Rise Mixed Use I and Kleinburg-Nashville Low-Rise Mixed Use II reference Section 9.2.2.2 of Volume 1 of the OP which then references Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Districts in addition to other design objectives ▪ DTs prohibited in the Kleinburg-Nashville Heritage Conservation District
Woodbridge Secondary Plan	<ul style="list-style-type: none"> ▪ Woodbridge Low-Rise Mixed Use references Section 9.2.2.2 of Volume 1 of the OP and Woodbridge Mid-Rise Mixed Use references Section 9.2.2.4 of Volume 1 of the OP where both reference Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Districts in addition to other design objectives ▪ Commercial Mixed Use 1 does not identify DTs as a permitted or prohibited use ▪ DTs prohibited in the Woodbridge Heritage Conservation District
Yonge Street Corridor	<ul style="list-style-type: none"> ▪ High-Rise Mixed Use references Section 9.2.2.6 of Volume 1 of the OP and Mid-Rise Mixed Use references 9.2.2.4 of Volume 1 of the OP where both reference Section 5.2.3 of Volume 1 of the OP which states that DTs are prohibited in Intensification Corridors and Heritage Conservation Districts in addition to other design objectives ▪ DTs prohibited in the Thornhill Heritage Conservation District
Vaughan Metropolitan Centre	<ul style="list-style-type: none"> ▪ VMC Secondary Plan Policy 8.1.3 – "Single-storey commercial uses and drive-through establishments shall not be permitted in the VMC." Therefore, DTs prohibited in the entire secondary plan area

As we previously detailed in our letter dated May 17, 2010 on the new city wide Official Plan, substantial consideration has been given to the basis for specific prohibition of drive-through both at the Ontario Municipal Board (OMB) and within the Courts in Ontario on this matter. In this regard, we have attached a memorandum prepared by Gowlings LLP of its research based on related case law both at the OMB and within the Courts on this subject. As is evident in the review of the related case law on this matter, the approach repeated in almost every case both at the OMB and within the Courts on proposed official plan prohibitions for drive-through facilities is that it need not be prohibited at the level of the official plan.

In our opinion, at the basis of the OMB and Court's consideration on this matter, is the fact that in most instances prohibition of drive-through areas would still permit most other forms of retail/commercial land uses including restaurants altogether with their required and permitted surface parking lots. Further, what is suggested in many of these decisions is the fact that specific performance/design policies may be warranted for drive-through facilities in certain areas of a municipality which we would generally concur with, and in some cases limited prohibition areas noted at the level of the zoning by-law pertaining to drive-through facilities permissions but again not at the level of the Official Plan.

We note with interest that the staff reports prepared for each of the above noted secondary plans as well as the staff report for the Official Plan Review – Volume 2 referred to the "contribution to sustainability" as one of the primary factors for many of the recommendations contained within the related staff recommendation reports. We wish to note, based on the related case law on this matter, there is nothing to suggest that drive-through facilities as a specific land use, do not contribute "sustainability" goals of any municipality or that it would be in conflict with the Provincial Policy Statement (PPS) or Growth Plan for the Greater Golden Horseshoe. Conversely, based on studies and evidence provided to the OMB particularly in the Ottawa case, drive-through facilities lead to a more compact form of development for restaurant facilities as smaller parking lot areas and buildings result when drive-through facilities are present as they represent a more efficient form of service for the customer that would otherwise have to rely and require larger surface parking lots and buildings if the drive-through facility was not present. Recently the City of Ottawa provided for a 20 percent reduction in surface parking areas when a drive-through a facility is present together with a sit down service restaurant. We are aware that the City of Winnipeg provides up to a 50 percent reduction in the same scenario. Specifically, drive-through facilities support many of the policies in the PPS particularly policies 1.1 "Managing and Directing Land Uses to Achieve Efficient Development and Land Use Patterns".

Finally, while we recognize that within the related staff report P.2010.27 on the Official Plan Review – Volume 2; it is noted that there are four secondary plans that have been previously approved as follows: Carrville Centre Secondary Plan, Steeles West Secondary Plan, Highway 400 Employment Lands, and Kipling Avenue Secondary Plan. We would object to any amendments to these existing secondary plans that would further prohibit drive-through facilities in these existing secondary plan areas. In conclusion, and again based on our previous correspondence of May 17, 2010 related to the broad new Official Plan for the City and further as noted above, we object to any new and further prohibition of drive-through facilities at the level of the Official Plan. We will contact Planning staff in the next couple of weeks to specifically meet discuss our requested approach to this matter to develop performance based policies within the broad Official Plan and related secondary plans on drive-through facilities together with identifying any particular areas for restrictions at the level of the zoning by-law as a more appropriate approach than specific Official Plan prohibitions for drive-through facilities. Thank you for your consideration to our comments and we look forward to working with staff and the City further in the coming weeks on our concerns.

Yours truly,
Labreche Patterson & Associates Inc.



Victor Labreche, MCIP, RPP
Senior Principal

VL/sl
Attach.

Copy: *Tony Elenis (via e-mail: telenis@orhma.com)*
President and CEO – ORHMA

Peter Adams (via e-mail: padams@orhma.com)
ORHMA

Michelle Saunders (via e-mail: msaunders@orhma.com)
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Darren Sim (via e-mail: dsim@aw.com)
A&W Food Services of Canada Inc.

Sherry MacLauchlan (via e-mail: maclauchlan.sherry@ca.mcd.com)
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Commissioner of Planning, City of Vaughan

Diana Birchall (via e-mail: diana.birchall@vaughan.ca)
Director of Policy Planning

Mauro Peverini (via e-mail: mauro.peverini@vaughan.ca)
Acting Manager of Policy Planning



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

July 8, 2010

(Via e-mail diana.birchall@vaughan.ca
and courier)

Ms. Diana Birchall
Director of Policy Planning
City of Vaughan
Planning Department
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Dear Ms. Birchall:

**Re: City of Vaughan's proposed new Official Plan Volume 1 and Volume 2 proposed new
and existing Secondary Plan Policies and site and area specific policies**

We are providing this letter to you in addition to our previously written correspondence regarding our concerns and objections to current proposed Official Plan policy as currently drafted within the Volume 1 and Volume 2 parts of the proposed new Official Plan for the City of Vaughan. Our previous letters to the City on this subject are dated May 17, 2010 and June 14, 2010. This letter is further with regards to matters discussed at our recent meeting of June 24, 2010 wherein we reiterated our concerns mainly with the many proposed prohibition of drive-through facility policies that are proposed within several areas of the new Official Plan both Volume 1 and 2. As we specifically discussed and in reference to previously provided related OMB and case law decisions on this matter, it is our submission as supported by the case file material that drive-through facilities are not to be prohibited at the level of the official plan.


As you will recall, as discussed at our meeting with you on June 24, 2010, you agreed to consider various examples of policies that have been placed within other recently completed new official plans for various municipalities in Ontario that we referred to in our discussion. These example policies provide various options for specific drive-through restrictions as it relates to an identified area of a municipality but not a prohibition. We had referred to these policies as area specific "performance standards" that have been placed in various official plans throughout Ontario in specific areas of a given municipality. We note that, while these policies may discourage the development of a drive-through facility in an identified area of a given municipality, they require specific performance type policies and requirements that a new drive-through facility would have to meet to ensure that the overall intent of the official plan is maintained. In some cases this may be coupled with the requirement of a site-specific zone change to support the drive-through facility in a particular identified area.

Enclosed herein please find an OMB decision relative to consideration of drive-through restrictions, related policies for the City of Ottawa as well as recent approved specific official plan policies for drive-through facilities within the official plans of the City of London, City of Kingston and the City of Mississauga. We have highlighted the relevant parts of the enclosed material for your ease of reference.

We would respectfully request that you please give serious consideration to this approach on restricting drive-through facilities within the City of Vaughan similar to the approach taken in other municipalities and also either directed or supported by the OMB or the courts. We would appreciate this consideration prior to finalizing the planning staff report currently scheduled to go to Committee of the Whole on July 28, 2010.

In the mean time if you have any questions or need further information on this matter please do not hesitate to contact our office.

Yours truly,
Labreche Patterson & Associates Inc.



Victor Labreche, MCIP, RPP
Senior Principal

VL/sl
Attach.

Copy: John Zipay (via e-mail: john.zipay@vaughan.ca)
Commissioner of Planning, City of Vaughan

Mauro Peverini (via e-mail: mauro.peverini@vaughan.ca)
Acting Manager of Policy Planning

Ted Radlak (via e-mail: ted.radlak@vaughan.ca)
Urban Designer

Janice Atwood-Petkovski (via e-mail: janice.atwood-petkovski@vaughan.ca)
Commissioner of Legal and Administrative Services and
City Solicitor

Michael Polowin (via e-mail: michael.polowin@gowlings.com)
Gowling Lafleur Henderson LLP

Tony Elenis (via e-mail: telenis@orhma.com)
President and CEO – Ontario Restaurant Hotel and Motel Association

Michelle Saunders (via e-mail: msaunders@orhma.com)
ORHMA

From: Elizabeth Reimer [<mailto:elizabeth@lpplan.com>]

Sent: Tuesday, October 16, 2012 11:29 AM

To: Sicilia, Anna

Cc: Abrams, Jeffrey; McQuillin, Roy; 'Marco Monaco'; palozzi_leo@timhortons.com; smejkal_leslie@timhortons.com; paul.hewer@ca.mcd.com; susan.towle@wendys.com; dsim@aw.ca; michael.polowin@gowlings.com; denise.baker@ltownsend.ca; 'Victor Labreche'

Subject: City of Vaughan - Proposed Modifications to Adopted Vaughan Metropolitan Centre Secondary Plan (File No. 25.5.12.1)

Ms. Sicilia,

Please accept the attached correspondence relative to our comments on the proposed modifications to the adopted Vaughan Metropolitan Centre Secondary Plan.

By way of copy to the City Clerk, please forward this correspondence to the Committee for consideration this evening.

Please do not hesitate to contact our office if you have any questions or need additional information.

Thank you for your consideration of the attached.

**Elizabeth Reimer, BES
Planner**

Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

330-A1 Trillium Drive

Kitchener, Ontario

N2E 3J2

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<http://www.lpplan.com>

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C 8
COMMUNICATION
CW (PH) - Oct 16/12
ITEM - 3

From: Drake, Jennifer [<mailto:JDrake@goodmans.ca>]

Sent: Tuesday, October 16, 2012 12:15 PM

To: Abrams, Jeffrey

Cc: McQuillin, Roy; Houser, Roslyn

Subject: Vaughan Metropolitan Centre Secondary Plan - Wal-Mart Canada Corp. Policies of Concern

Please find attached correspondence sent to Augustine Ko at the Region of York on behalf of Wal-mart Canada Corp. on June 1, 2012, which sets out some key policies of concern to Wal-mart in the new City of Vaughan Official Plan, including policies of concern in the Vaughan Metropolitan Centre Secondary Plan ("VMC Secondary Plan") with respect to its property located at 101 Edgeley Boulevard.

We have reviewed the report on the proposed modifications to the Council adopted VMC Secondary Plan prepared in preparation for the October 16 public hearing, however, it is not clear from the report whether Wal-mart's concerns with the secondary plan policies as adopted by Council have been addressed. We note that the report states that written submissions requesting modifications to the VMC Secondary Plan will be addressed in a comprehensive staff report projected for a future Committee of the Whole meeting in the fall of 2012. We await this further staff report and the release of modified VMC Secondary Plan in order to determine whether Wal-mart still has concerns with the policies of the Plan.

Jennifer

Jennifer Drake

Goodmans LLP

416.597.4143

jdrake@goodmans.ca

Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, ON M5H 2S7
goodmans.ca

***** Attention *****

This communication is intended solely for the named addressee(s) and may contain information that is privileged, confidential, protected or otherwise exempt from disclosure. No waiver of confidence, privilege, protection or otherwise is made. If you are not the intended recipient of this communication, please advise us immediately and delete this email without reading, copying or forwarding it to anyone.

June 1, 2012

File No. 10-1333

Via Email: Augustine.Ko@york.ca

The Regional Municipality of York
Transportation and Community Planning Department
York Region Administrative Building
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Attention: Augustine Ko, Senior Planner

Dear Sir:

**Re: Wal-Mart Canada Corp. ("Wal-Mart")
City of Vaughan Official Plan Appeal – OMB Case No. PL111184**

You asked us to provide additional information with respect to the Wal-Mart appeal of the City of Vaughan Official Plan (the "New Plan") in respect of the four properties listed below in the City of Vaughan ("Vaughan") :

- i) 8300 Regional Road 27 (Woodbridge);
- ii) 101 Edgeley Boulevard (VMC);
- iii) 1900 Major Mackenzie Drive (Maple); and
- iv) 700 Centre Street (Thornhill)

As we advised by letter dated April, 19th Wal-Mart is not appealing the New Plan in its entirety, but rather the appeal is specific to the properties identified above. Wal-Mart simply wants to ensure that the policies in the New Plan recognize its existing stores and will provide for their expansion pursuant to the underlying official plan and zoning permissions.

As you are aware, Vaughan has not yet provided a consolidated version of the New Plan which has made it difficult for our client to determine the specific policies of concern. Without a consolidated version of the New Plan, we have had to rely on a review of the various staff reports, Committee of the Whole and Council minutes and discussions with planning staff to understand the policy changes to the New Plan over the past 18 months.

We are not yet satisfied that the proposed policies of the New Plan as they relate to the above noted sites, as they fail to recognize the underlying approvals for each of the sites and to provide the necessary framework for expansion of the existing Wal-Mart stores. In the case of the

Woodbridge store, large retail uses are simply not permitted while the Woodbridge and Maple sites are subject to policies which would not permit single storey buildings and require a mix of retail (70%) and non-retail uses (30%). In addition, the area specific policies for the Maple store (Section 12.3) do not appear to be consistent with the designation shown on Schedule 1-“Urban Structure” and it is not clear whether the intensification policies apply to site. A revised secondary plan is in process for the Vaughan Metropolitan Secondary Plan (“VMC SP”) which could result in significant changes to the policies affecting for the Wal-Mart site.

While our client is generally satisfied with the New Plan as it relates to 700 Centre St., we still wish to review the consolidated copy of the New Plan.

We have highlighted below some of the key policies of concern to Wal-Mart on a site by site basis, but expect that these may change once a consolidated version of the New Plan is available for review:

i) 8300 Regional Road 27

- Section 5.2.3 – Major Retail policies
- Sections 9.2.2.7 (b), (c), (e) – to provide the necessary exemptions from the new policies relating to built form, requirement for a mix of retail and non-retail uses and to allow “Major Retail” uses (uses with gfa greater than 10,000 sm) without amendment to the zoning by-law.
- Section 13 (Site Specific Policies)- Requires the inclusion of a site specific policy to recognize the underlying approvals for the existing retail/commercial centre.
- Schedule 1- Urban Structure -Lands should be redesignated to “Primary Centre”

ii) 101 Edgeley Drive

- Section 11.0.1.5 – concerns with policies of the VMC SP. A revised VMC SP will be released next fall and we have been advised that significant changes are being proposed in the vicinity of the Wal-Mart block.
- Appendix A- Schedules of VMC SP – the schedules show a street network which traverse the Wal-Mart block and will limit Wal-Mart’s ability to expand
- Section 9.2.2 of the VMC SP – policy is intended to recognize existing uses and possible expansion of the exiting uses is limited to a maximum of 10%

iii) 1900 Major Mackenzie Drive

- Section 2.2 (Primary Centres and Intensification)- Cannot determine applicable policies for Maple site
- Section 5.2.3 – Major Retail policies
- Section 12.3.2.17 – site specific policy for larger area including Maple site needs to be amended to recognize existing commercial development on the lands and to provide for expansion of the Maple Wal-Mart store

iv) 700 Centre Street

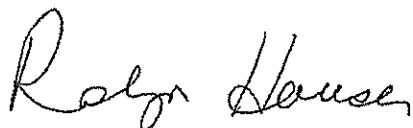
- Section 2.2 – policies which relate to Primary Centres and Intensification
- Section 5.2.3- Retail policies
- Section 9.2.2.6- High-Rise Mixed-Use
- Section 12.12 – Site specific policy for Thornhill site
- Schedule 1 (Urban Structure) and Schedule 13-T (Land Use)

As noted above, once a consolidated version of the New Plan is available, additional issues and/or policies of concern may be identified on behalf of Wal-Mart. In addition, we will want to review the updated version of the Vaughan Metropolitan Centre Secondary Plan once it is available.

Should you require any additional information or clarification of the above, please do not hesitate to contact us.

Yours very truly,

Goodmans LLP



Roslyn Houser
RH/jab

cc: Chris Hanson – Wal-Mart Canada Corp.
Roy McQuillin – City of Vaughan



Davies
Howe
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LLP

Lawyers

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davieshowe.com

October 16, 2012

By E-Mail Only to john.mackenzie@vaughan.ca

Policy Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

Attention: John MacKenzie
Commissioner of Planning

Dear Sirs and Mesdames:

**Re: Vaughan Metropolitan Centre Secondary Plan
Comments on
1042710 Ontario Limited**

As you are aware, we are counsel to 1042710 Ontario Limited, also known as Royal Centre.

Royal Centre is the owner of approximately two (2) hectares of land in the City of Vaughan (the "City") that is legally described as Part of Lot 6, Concession 5 (Parts 1 to 3 on Reference Plan 65R - 19087) and is municipally known as 3200 Highway 7 West. The Royal Centre property is located within the Vaughan Metropolitan Centre Secondary Plan.

We are writing to provide our comments on the recommendations made by City staff to the Vaughan Metropolitan Centre Sub-Committee at its September 13, 2012 meeting in relation to the Vaughan Metropolitan Centre Secondary Plan.

The Royal Centre is not supportive of the proposed modifications to the local street network and the creation of a large park in the vicinity of its land which would result in the loss to the Royal Centre of the entire vacant north half of its property. The proposed modifications are intended to facilitate the creation of a large park, which is referred to as the Millway Avenue Linear Park, and a street along the southerly limit of the park. The park, as proposed, would be horizontally oriented to Highway 7 in a location that is immediately north of the existing Royal Centre office building.

Please refer to: **Kim Beckman**
e-mail: kimb@davieshowe.com
File No. 931781

C 10
COMMUNICATION
CW (PH) - Oct 16/12
ITEM - 3



Davies
Howe
Partners
LLP

The proposed modifications and their significant impact on the Royal Centre property are not reasonable, necessary or justifiable. The creation of a large park block in this location is not appropriate given its close proximity to Highway 7 and the resulting reduction in the size of the development blocks on the north side of Highway 7. The reduction in the size of those development blocks would undermine the viability of any redevelopment plan for the Royal Centre site or the adjacent development blocks in any manner that would be supportive of the Vaughan Metropolitan Centre's primary planning objectives.

For over 20 years, the Royal Centre has been the only significant office development within the lands that now make up the Vaughan Metropolitan Centre. Royal Centre has shared its historic vision with the City of Vaughan for significant intensification within its lands and prior to the introduction of the proposed Vaughan Metropolitan Centre Secondary Plan.

Royal Centre is an experienced developer of office projects in intensive urban forms. Our client seeks to work with the City of Vaughan in realizing an appropriate and viable redevelopment proposal for its property. This opportunity would be precluded if the proposed modifications to the road network and the introduction of a large linear park in this location are approved.

Royal Centre will continue to follow developments in relation to the Vaughan Metropolitan Centre Secondary Plan generally, and will continue to participate fully in the public planning process. Royal Centre also looks forward to participating in ongoing discussions with other Vaughan Metropolitan Centre landowners to address the cost sharing issues that were referenced in the staff report that was considered by the Vaughan Metropolitan Centre Sub-Committee on September 13, 2012.

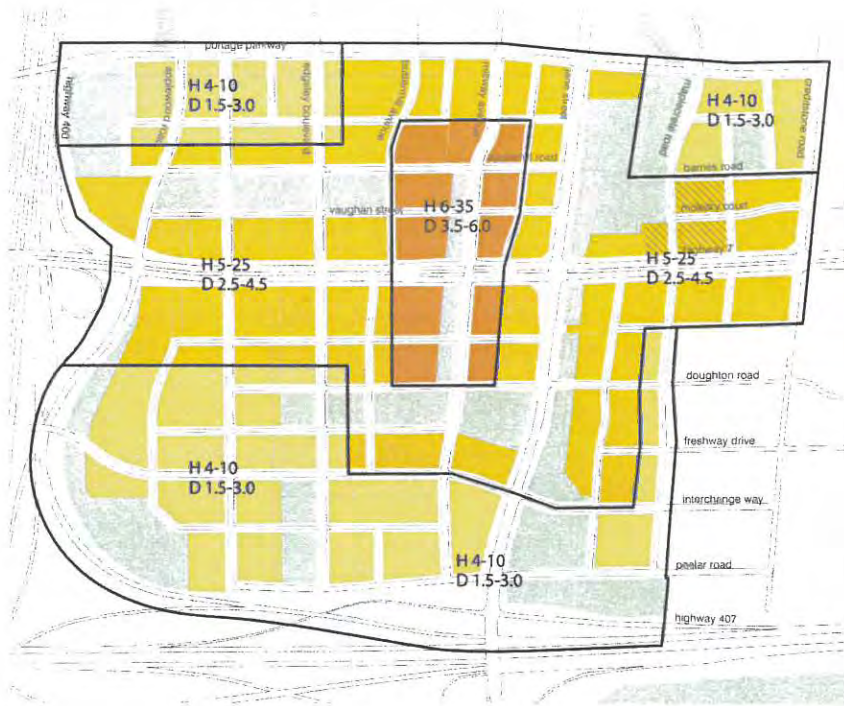
DAVIES HOWE PARTNERS LLP

Kimberly L. Beckman
Professional Corporation

KLB:KB

Copy Client
Claudia Storto, Legal Department, City of Vaughan

Proposed VMC Secondary Plan



SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND

- H 6 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
- H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
- H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
- major parks and open spaces
see Policy 9.2.3

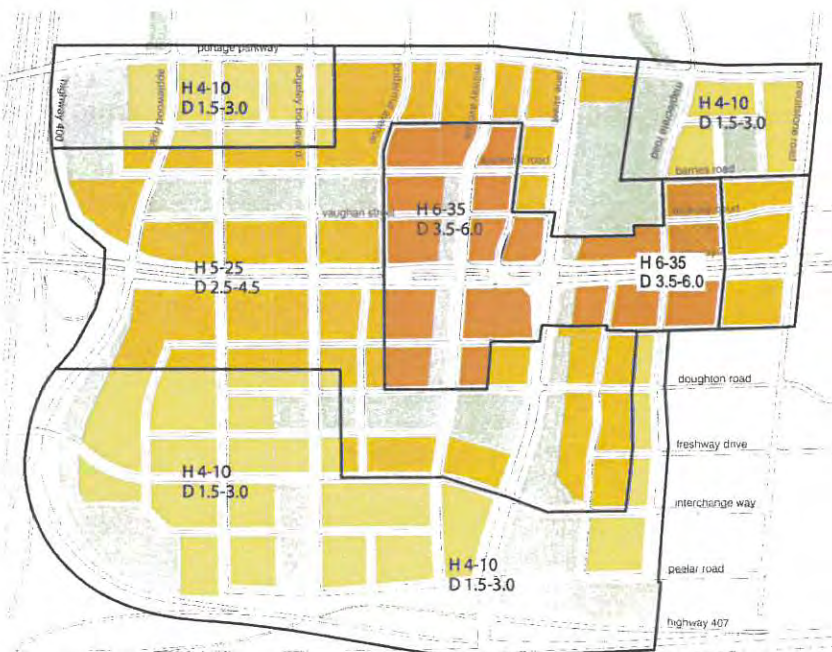


FILE: 25.5.12.1
October 16, 2012

Height and Density Parameters Attachment No. 4

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Proposed VMC Secondary Plan



SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND

- H 6 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
- H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
- H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
- major parks and open spaces
see Policy 9.2.3



WESTON
CONSULTING
planning + urban design

**3. VAUGHAN METROPOLITAN CENTRE (VMC) SECONDARY PLAN
PROPOSED MODIFICATIONS TO ADOPTED SECONDARY PLAN
FILE: 25.5.12.1
WARD 4**

P.2012.30

Recommendation

The Commissioner of Planning recommends:

1. That this report on the proposed modifications to the Council Adopted VMC Secondary Plan be received; and that any issues identified by the public and Council, be addressed in a comprehensive report to Committee of the Whole.

Contribution to Sustainability

Consistent with Green Directions Vaughan, the City's Community Sustainability and Environmental Master Plan, the Vaughan Metropolitan Centre (VMC) Secondary Plan will conform to the Region of York's policies for complete communities by providing policies that provide for environmental protection, sustainable community design, and economic vitality and growth. More specifically, the proposed VMC Secondary Plan addresses the following goals outlined by Green Directions Vaughan:

- Goals 1 & 5: Demonstrates leadership through green building and urban design policies.
- Goal 2: Ensures sustainable development and redevelopment.
- Goal 3: Ensures that the VMC is easy to get around in with low environmental impact.
- Goal 4: Creates a vibrant community for citizens, businesses and visitors.
- Goal 5 & 6: Establishes overall vision and policy structure that supports the implementation of Green Directions Vaughan.

Economic Impact

The new Vaughan Official Plan (VOP) 2010, which includes the VMC Secondary Plan, establishes the planning framework for development throughout the City to 2031. The Official Plan, when approved will have a positive impact on the City of Vaughan in terms of encouraging and managing growth and fostering employment opportunities. It will also fulfill the City's obligations to conform to Provincial policies and meet regionally imposed targets for residential and employment intensification specific to Regional Centres.

The VMC Secondary Plan review was funded through the capital budget PL-9003-07 for the Vaughan Official Plan 2010.

Communications Plan

Notice of this meeting has been communicated to the public by the following means:

- Posted on the www.vaughan.ca online calendar, Vaughan Tomorrow website www.vaughantomorrow.ca City Page Online and City Update (corporate monthly e-newsletter);
- Posted to the City's social media sites, Facebook and Twitter;

- By Canada Post to landowners of lands within the study area; to residents within 150 m of the study area boundary, to ratepayer associations; and to all those requesting notification of the review of the VMC Secondary Plan;
- By Canada Post to almost 1500 addresses on the Vaughan Tomorrow/Official Plan Review mailing list, updated to include the parties identified in the letters directed to the Region of York; and,
- To the Official Plan Review e-mail list.
- Placed in the Vaughan Citizen and Thornhill Liberal on October 4, 2012.

The notices for the October 16, 2012 Public Hearing were mailed directly to all landowners within the study area, to surrounding neighbours within 150 metres of the study area boundary, to ratepayer associations, and to individuals who had previously requested notification. In addition, the notice was posted on the City of Vaughan website on September 27, 2012, and placed in the Vaughan Citizen and Thornhill Liberal on October 4, 2012, to promote City-wide awareness of this Public Hearing.

Purpose

The purpose of this report is to present proposed modifications to the adopted Secondary Plan for the Vaughan Metropolitan Centre at a Committee of the Whole Public Hearing. A final report with recommendations, which takes into consideration comments from the Public Hearing, and other public agencies, will proceed to a future Committee of the Whole meeting. The revised Plan is the result of a Council directed review of two specific areas of the adopted VMC Secondary Plan, consideration of various modification requests from land owners within the VMC planning area, and general refinements to the Secondary Plan as a result of ongoing related studies.

Background - Analysis and Options

Location

The VMC is located between Highway 400 to the west, Creditstone Road to the east, Portage Parkway to the north, and Highway 407 to the south (see Attachment 1).

Existing Uses

The VMC is located within a major regional employment area which is served by a multi-modal transportation network. Black Creek is located just east of Jane Street. It flows parallel to the arterial road, and through the VMC area adding a natural heritage complement to the site. There are a scattering of buildings, including an 8-storey office building, three mid-rise hotels and a number of low-rise, retail and employment buildings in the VMC Secondary Plan area; however, a substantial portion of the VMC Plan area remains vacant.

Zoning

The zoning provisions of By-law 1-88 applicable to the Secondary Plan area will remain in effect until they are updated or replaced by zoning consistent with the new Vaughan Official Plan 2010, and the VVMC Secondary Plan. The preparation of the new City zoning by-law is now in its initial stages.

City of Vaughan Official Plan (VOP) 2010

The Vaughan Official Plan 2010 applies to all lands in the City and has been produced in two volumes. Volume 1 introduces general policies applicable throughout the City. The Vaughan

Metropolitan Centre (VMC) Secondary Plan is included in Volume 2. It contains a number of Secondary Plans and site and area specific policies for areas that require more detailed policy treatments. This report deals with the policies and modifications specific to the VMC Secondary Plan.

Secondary Plan Review Process: The Initial Community, Government and Agency Consultation Process

The VMC Study involved extensive consultation. The City, Region of York, transit agencies, School Boards and Toronto and Region Conservation Authority (TRCA) were engaged throughout the process. Landowners in the study area were involved through a series of interviews at the beginning of the study process and again in November and December of 2009 as the structural framework and policy direction were taking shape. In addition to the consultation which occurred at the City Official Plan Open Houses of May 28, and November 18, 2009, the following meetings and workshops were held:

- (i) Visioning Workshop 1- Setting the Stage for a New Downtown, May 7, 2009:
 - a. With Industry and Stakeholders (afternoon)
 - b. Residents' workshop and Open House (evening)
- (ii) Workshop 2- Exploring Development Concepts for the New Downtown, September 30, 2009:
 - a. With Stakeholders (afternoon)
 - b. Community Open House (evening)
- (iii) Public Information Meeting - March 8, 2010
- (iv) Statutory Public Open House - April 19, 2010
- (v) June 14, 2010 – Statutory Public Hearing.
- (vi) June 29, 2010 – Council Meeting, ratifying the recommendations made by Committee of the Whole at the Public Hearing.
- (vii) August 31, 2010 – Special Committee of the Whole Meeting to consider responses to public, government and agency submissions, for incorporation into the VMC Secondary Plan.
- (viii) September 7, 2010 – Council meeting ratifying the recommendations made at the August 31, 2010 Special Committee of the Whole Meeting. The following recommendation of the Committee of the Whole (in part) was approved by Council:

“That the draft Vaughan Metropolitan Centre Secondary Plan (May 2010) be revised in accordance with the recommendations set out in Attachment No. 1 to this report;

The revised version of the VMC Secondary Plan proceed to Council for adoption at the Council meeting of September 7, 2010 as part of Volume 2 of the new Official Plan; and that the plan reflect the changes approved by Committee of the Whole at this meeting;

And whereas the draft Secondary Plan includes only part of the 7601 Jane Street lands within the Urban Growth Centre boundary and part of the lands are outside of the Urban Growth Centre boundary;

And whereas it is more appropriate from a comprehensive point of view for the Subject Lands to be designated entirely "Downtown Mixed Use" rather than only partially downtown mixed use;

Now therefore, be it resolved that staff be directed to consider the feasibility of the requested changes to the Draft OP and the draft Secondary Plan and report to Council as part of a future report dealing with modifications to the adopted plan."

It is also noted that the staff report of August 31, 2010 contained a recommendation to:

"Revisit the northwest quadrant of the VMC Secondary Plan to complete a further transportation and land use review, following the Council approval of the VMC Secondary Plan."

Approval Process

The VMC Secondary Plan was adopted by Council on September 7, 2010, as part of Volume 2 of the VOP 2010. On June 28, 2012, the Region of York endorsed the adopted City of Vaughan modifications to Volume 1 of the VOP 2010, and recommended the approval of the modified Volume 1 to the Ontario Municipal Board. Staff are also addressing modification requests to Volume 2 of the Official Plan, which have been received since the time of adoption.

It is anticipated that the revised VMC Secondary Plan will be brought forward to a Committee of the Whole meeting later this fall, for final consideration. Upon Council approval, the modified Plan will then be sent to the Region of York for Council comment and endorsement, and then to the OMB for final approval if appeals still remain after the City and Regional processes. Timely approval of the Plan would be of assistance in assessing a number of development proposals within the VMC Secondary Plan area.

Consultation Process for the Review of Adopted VMC Secondary Plan

The consultation process respecting the post-adoption review of the VMC Secondary Plan has been extensive and involved Provincial, Regional, and City staff; the City's Consultant for the VMC Secondary Plan Study; many meetings with landowners of the areas subject to the specific reviews; and meetings with other landowners requesting modifications to the Plan since its adoption on September 7, 2010.

Since the VMC Secondary Plan review began in the fall of 2010, the Policy Planning Department has been involved in on-going consultation with VMC landowners. In the fall of 2011, an inter-agency working group "The VMC Implementation Team" was established to help facilitate projects related to the development of the VMC lands. This group, which includes Provincial, Regional, City, and Toronto and Region Conservation Authority staff (TRCA), has been meeting on a monthly basis, since September of 2011. In addition, the VMC Sub-Committee was formed in the fall of 2011. The status of and proposed changes to the Secondary Plan are discussed at the meetings of this Sub-Committee.

In the spring of 2012, a presentation was provided to the VMC Sub-Committee outlining major directions towards finalization of the VMC Secondary Plan. The proposed modifications which are the subject of this report, were presented to the VMC Sub-Committee on September 13, 2012, for input and discussion. All VMC landowners, and others requesting notification of Sub-Committee meetings, are notified by mail of upcoming meetings. In addition, all meetings and corresponding agendas are posted on the City website.

VMC Sub-Committee of Council meeting of September 13, 2012

The proposed modifications to the adopted VMC Secondary Plan were presented to the VMC Sub-Committee on September 13, 2012, and the forum was then opened for questions and deputations. The following comments were noted:

- (i) **Would we consider combining a school site with the Community Centre/ library facility, or a combined public/Catholic school site in the VMC?**

Staff Response:

The School Board representatives are not adverse to a combined facility with the City, or to combined public/Catholic school sites; however, the co-ordination of timing with respect to the need for the community facility or school site, is often a deciding factor as to whether this option can be realized. The School Board cannot fund a school facility in advance of the actual requirement for the site (which is based on residential population numbers). Therefore this is an option which can be explored at the draft plan of subdivision application stage.

- (ii) **Given the modifications to the office permissions schedule, approximately how much office gross floor area is now permitted in the VMC?**

Staff Response:

Office buildings are permitted in all precincts within the VMC, with the exception of the neighbourhood precincts, so the capacity for office gross floor area (GFA) is abundant. Practically speaking, there is effectively no limit on how much office space can be built in the foreseeable future. The Secondary Plan establishes an employment target for 2031 that assumes approximately 5,000 office jobs will be created in the VMC in the next 20 years. This estimate, which was based in part on York Region's office employment forecast for Vaughan, equates to approximately 1.5 million sq.ft of office space (140,000 sq.m).

The physical vision for the VMC used in developing the Secondary Plan, illustrated approximately 5.3 million sq.ft of office space (500,000 sq.m) at full build-out. Policies have been provided in the Secondary Plan to ensure a minimum amount of office use in close proximity to the mobility hub, to ensure a balance of commercial and residential development that supports the employment target for 2031 and the economic viability of the downtown area. This is also the preferred location for high density office buildings. Should the demand for office space be higher than reflected by the target, the office GFA by 2031 and at full build-out of the VMC, could be much more than the projected numbers.

Requests were also made at the Sub-Committee meeting, that the report on the proposed modifications to the Secondary Plan be forwarded to a future Committee of the Whole Special meeting, or Public Hearing meeting, to permit greater resident participation. This evening's Public Hearing responds to these requests.

Additionally, deputations were heard by representatives of four landowners/landowner groups, requesting further consideration of previously submitted modification requests to the Plan. Staff have been addressing these through additional communications with the individual landowners, and the results of these discussions will be provided through written responses in a matrix format, as part of the future Committee of the Whole technical report.

The Policy Context

The study area is subject to Provincial, Regional and municipal policy as follows:

(i) The Provincial Policy Statement (PPS)

The PPS supports the efficient use of land, resources and infrastructure. It promotes land use patterns, densities and mixes of uses that minimize vehicular trips and supports the development of plans and viable choices for public transportation. All Official Plans must be consistent with the PPS.

(ii) Growth Plan for the Greater Golden Horseshoe: The Places to Grow Plan (2006)

Places to Grow identifies the VMC as one of 25 Urban Growth Centres (UGC's). UGC's are strategic focal points for growth and intensification. The VMC is to be planned as the focus for investment in institutional and region-wide public services, as well as commercial, recreational, cultural, and entertainment uses. UGC's like the Vaughan Metropolitan Centre, have been assigned a growth target of 200 people and jobs per hectare by 2031. The VMC is expected to achieve, and possibly exceed, the assigned density target by 2031.

(iii) The Regional Transportation Plan (The Big Move)

Metrolinx, an agency of the Ontario government, designates the VMC as an Anchor Mobility Hub in the Regional Transportation Plan. This designation reflects the fact that the VMC will be the site of the connection between 2 rapid transit lines; the Spadina Subway Extension and VIVA's Highway 7 Bus Rapid Transit line, and will also be well connected to the local and regional bus network through the York Region Transit Bus Terminal. The Bus Terminal is proposed at the northwest corner of Applemill Road and Millway Avenue, just north of the subway entrance; with a planned future below ground pedestrian connection to the subway service. Anchor Mobility Hubs are envisioned as the foundations of a successful regional transportation network and are recommended to achieve a density of 200-400 people and jobs per hectare. They are to evolve as vibrant places of activity and major regional destinations.

(iv) The Region of York Official Plan (ROP)

The ROP identifies the VMC as one of four Regional Centres, which are to "contain a wide range of uses and activities and be the primary focal points of intensive development, including residential, employment, live-work, mobility, investment, and cultural and government functions". The Region's Official Plan calls for the preparation of secondary plans for Regional Centres that include, but are not limited to:

- Minimum density requirements and targets;
- A fine-grained street grid;
- Urban built form massed, designed and oriented to people;
- A concentration of the most intensive development and greatest mix of uses within a reasonable and direct walking distance of rapid transit stations;
- A minimum requirement of 35% affordable new housing units;
- Policies that sequence development in an orderly way;
- Policies to ensure excellence in urban design and sustainable construction methods;
- Requirements to reduce and/or mitigate urban heat island effects;
- Policies that establish urban greening targets;
- Provisions for an urban public realm;

- Public art policies;
- Policies to ensure connections and enhancements to local and Regional Greenlands systems;
- Policies to require innovative approaches to urban stormwater management;
- A mobility plan;
- Requirements for new school sites to be constructed to an urban standard; and,
- Provisions for human services.

The VMC Secondary Plan is expected to conform to the aforementioned Regional policies.

(v) The Vaughan Official Plan (VOP) 2010

The VOP 2010 establishes the boundaries for the VMC, removing the lands west of Highway 400, and the lands east of Creditstone Road from the former District Area of the Vaughan Corporate Centre. It also states that the VMC Secondary Plan area (larger area as shown on Attachment 2), will comprise distinct development precincts, and that the VMC Secondary Plan will establish growth targets of 12,000 residential units and 6,500 new jobs by 2031. The VOP 2010 also highlights the VMC's role as the strategic location for the concentration of the highest densities and widest mix of uses in the City, including but not limited to commercial, office, residential, cultural, entertainment, hospitality and institutional uses.

Overview of the VMC Secondary Plan as Adopted

The VMC boundary area is intended to accommodate a minimum of 11,500 jobs, including 5,000 new office, and 1,500 new retail and service jobs, by 2031, and a minimum of 12,000 residential units (approximately 25,000 people). In the interim phase of build-out to 2021, the employment numbers are projected to be approximately 7,000 jobs, and approximately 4,800 new residential units (a population of approximately 10,000 people).

The Precincts

The VMC lands have been organized into four different precincts each with variations in land uses, policies, and maximum and minimum density/height ranges. The precincts are described briefly as follows:

(i) The Station Precinct

A broad mix of uses is encouraged in the Station Precinct shown on Attachment 3, with a concentration of office and retail uses around the subway station. A mix of commercial/residential high-rise and mid-rise buildings is also encouraged. The primary commercial streets are located within this precinct. The greatest densities are proposed within the central area of the Station Precinct, with a minimum and maximum floor space index (FSI) ranging from 3.5 - 6.0, and heights ranging from a minimum of 6 to a maximum of 35 storeys, to take advantage of the close proximity of planned subway/VIVA stations.

(ii) The South Precinct

A mix of uses is encouraged in the South Precinct shown on Attachment 3, including a high proportion of office uses overall and retail on Interchange Way. This is also the preferred location for a post-secondary institution. A mix of commercial/residential mid-rise and low-rise buildings is encouraged in the South Precinct, as well as high-rise buildings up to a potential 25 storeys in the northerly portion of the precinct. The minimum and maximum densities within this precinct range from 1.5 - 4.5 FSI.

(iii) The Neighbourhood Precincts

The Neighbourhood Precincts, one of which is located in each quadrant of the VMC area (see Attachment 3), shall be developed primarily with residential uses, complemented by community amenities such as schools, parks, community centres and daycare facilities, as required. A mix of high-rise, mid-rise and low-rise buildings is encouraged. The density and building height ranges proposed for the Neighbourhood Precincts are 1.5 - 4.5 FSI, and 4 - 25 storeys (a minimum height of 3 storeys is permitted for townhouses).

A minimum of 10% of the residential units on each development block or combination of development blocks in the Neighbourhood Precincts on either side of Highway 7 are required to be grade-related units, integrated into the bases of apartment buildings, or in the form of townhouses or stacked townhouses.

(iv) The Technology/Office Precincts

The Technology Precincts which are located at the east and west limits of the proposed built area of the VMC (see Attachment 3), are to include a mix of office and other non-noxious employment uses in high-rise, mid-rise, and low-rise buildings. In addition to office uses, research and development facilities, light industrial uses, and institutional uses are permitted. Hotels and conference facilities are also permitted provided they are located on development blocks adjacent to Highway 7. The density and building height ranges within the Technology Precincts are 2.5 - 4.5 FSI, and 5 - 25 storeys, in blocks adjacent to Highway 7, and 1.5 - 3.0 FSI, and 4 - 10 storeys, in the remainder of the Technology Precinct blocks.

The Urban Design Framework

Urban design and architecture in the VMC lands must be of the highest quality. In addition to the design policies which follow, the VMC Secondary Plan includes a policy requiring that all development in the VMC be subject to review by the City Design Review Panel prior to Council approval, in order to ensure a high standard of design.

(i) Built Form

A wide variety of building types are encouraged across the VMC including low-rise (4 storeys), mid-rise (5 - 10 storeys), and high-rise (above 10 storeys) buildings. The following policies apply to buildings within the VMC:

- The perceived mass of mid-rise buildings should be reduced through vertical articulation of the façade and building step-backs of the upper floors.
- To maintain a human scale street wall and mitigate the impact of shadow and wind, high-rise buildings generally shall take a podium and point-tower form.
- Buildings should be built at a consistent build-to line defined in the corresponding Zoning-By-law for the VMC and form a street wall.
- Buildings shall be located and massed to define the edges of streets, and massed to minimize the extent and duration of shadows on parks, public and private amenities space, and retail streets in the spring, summer, and fall.

- The perceived mass of longer buildings will be broken-up with evenly spaced vertical recesses or other articulation and/or changes in material.
- There should be variation in the building materials and design treatments on lower floors or podiums of buildings on a block.
- Mechanical penthouses/elevator cores shall be screened and integrated in the design of buildings.
- Generally balconies shall be recessed and/or integrated in the design of the building façade.
- Finishing materials for buildings in the VMC should be high quality, using materials such as stone, brick and glass.

Recommended Modifications to the Council Adopted VMC Secondary Plan

- (1) The Northwest Quadrant (area between Highway 400 to the west, Jane Street to the east, Highway 7 to the south, and Portage Parkway to the north – see Attachment 1)

At the time of Council's adoption of VOP 2010, the landowners for this quadrant had requested modifications to the VMC Secondary Plan to permit a central park and an alternative resolution to the Highway 400 ramp connections. As a starting point for the review of this portion of the Plan, the landowners were requested to submit an alternative concept plan for consideration by the City. Staff set-out the parameters for proposed modifications to the subject area, including the submission of a justification report to accompany the alternative concept. Subsequently, staff and the City's Consultant met with the landowners and their representatives several times to discuss alternative proposals. The common themes of each of the alternatives have been the central park feature and the location of the YRT Bus Station at the southwest corner of Portage Parkway and Millway Avenue. The revised VMC Secondary Plan incorporates both these elements as well as the following modifications to the northwest quadrant:

- (i) Highway 400 and Highway 7 Connections

Attachment 12 of this report shows the two options under study in the Region of York and City of Vaughan Joint Transportation Study for the VMC and surrounding areas. Both options provide good operations at the Highway 400 off-ramps and their associated intersections. However, recognizing the need for additional detailed design work involving MTO, City staff are of the opinion that Option 2 better accommodates the future urban context for pedestrians and cyclists, and provides opportunities for superior urban design at this important gateway to the VMC. This option also permits the development of additional lands in the gateway area relative to Option 1.

- (ii) Local Street Modifications

A grid street network for the northwest quadrant has been maintained; however, modifications have been made to accommodate a horizontally aligned central park stretching over three large city blocks (see Attachment 7). A notable difference is the extension of Applemill Road and Vaughan Street through the quadrant; as well, minor changes have been made to local street alignments. An east-west local street connection between Buttermill Avenue and Millway Avenue has been eliminated to accommodate the new location of the York Region Transit (YRT) Bus Station between Portage Parkway and Applemill Road (thus increasing the necessity of the two remaining east-west links). A north-south street between Millway and Edgeley has also been eliminated leaving only

one north-south local street between the two major collector streets, reducing the porosity of the block structure.

(iii) Land Use Changes

In conjunction with adding a large central park in the northwest quadrant of the Plan, the extent of environmental open space at the westerly boundary of the quadrant has been reduced, and the neighbourhood parks which had been oriented north/south have been removed. With the re-alignment of Applewood Road, the "Technology Precinct" in this quadrant has been shifted to the west side of Applewood Road and expanded to the north. This change was possible due to the reduction of environmental open space, and re-configuration of the ramp to Highway 400.

The YRT Bus Terminal site, which had been located at the northeast corner of Highway 7 and Millway Avenue in the adopted VMC Secondary Plan, has now been re-located to the southwest corner of Portage Parkway and Millway Avenue (see Attachment 7). All parties (York Region Transit, the landowner and the City), have accepted this corner as the site for the permanent bus terminal.

The primary commercial area in the northwest quadrant remains focused around the subway station, with secondary retail areas located around the other VIVA stations. Staff has been advised by VivaNext that the potential Highway 7 rapidway stop proposed at Maplecrete Road is to be re-sited to Creditstone Road. As a result of this change, the secondary commercial retail areas have been removed at the intersection of Maplecrete and Highway 7, and are now proposed at the northwest and southwest corners of Creditstone Road and Highway 7 (see Attachment 9).

Other proposed modifications to the retail structure will also permit retail along Applemill Road, Vaughan Street, and a short stretch of Buttermill Avenue facing the central park; and on Edgeley Road and Highway 7 (see Attachment 9). It is noted that the on-going VMC Streetscape and Open Space Plan Study has identified a need for a retail study for the VMC to provide greater detail respecting the retail strategy. This study may result in further modification recommendations to the Secondary Plan, which would then be considered at the time that the Region of York reviews the Plan.

In the proposed Secondary Plan, two school sites continue to be shown on sites north of the central park (see Attachment 8). The School Boards have identified the potential need for two schools in this quadrant. The sites are sized to meet their land requirements (4-5 acres) to the extent possible. The City and landowners are pursuing discussions with the School Boards on opportunities for reducing the school site footprints and potentially integrating the sites into the podiums of buildings.

A community block has been specifically sited in the northwest quadrant in the proposed Secondary Plan. It has been strategically located in close proximity to the transportation hub and across from the public square (see Attachment 8). This block could potentially accommodate a multi-storey community centre/library complex.

(2) 7601 Jane Street (located between Jane Street and Maplecrete Road, and immediately south of Doughton Road – see Attachment 1)

As per the Council direction of September 7, 2010, staff was directed to consider the feasibility of the landowner's request to designate the entire subject area as "Downtown Mixed-Use", permitting greater density, and to allow the entirety of the lands to be developed in the preliminary stages as part of the Urban Growth Centre (UGC). Similarly as in the review of the northwest quadrant, the landowner was requested to submit a concept plan with the appropriate justification. Further to this request, City staff and the

VMC Consultant met with the landowner on November 30, 2010, to clarify the principles of the VMC vision, and to advise on the required submission material. A second meeting, at which the landowner introduced a preliminary concept plan, was held on March 1, 2011. The preliminary plan was reviewed by staff and the City's Consultant and comments were discussed with the landowner and his Consultants on April 20, 2011. Staff met again with the landowner and his consultant on September 5th, 2012, to discuss the proposed modifications to the VMC Secondary Plan.

As a result of the further review of this area the following changes are proposed to the adopted VMC Secondary Plan:

(i) Black Creek Channel Re-alignment

The VMC Black Creek Renewal EA (Phases 3 and 4) is currently underway and projected for completion by February of 2013. The landowner of 7601 Jane Street had indicated that he prefers that the alignment of the channel be shifted westerly towards the Jane Street corridor. This shift is being examined in the EA, and if it is confirmed in the final recommendations, will permit an additional portion of the 7601 Jane Street property to be developed. This would be subject to the phasing policies applicable to the remediation area emerging from the EA.

(ii) Modifications to Density and Phasing of Development

As a result of the proposed increase to the area of the VMC lands within the 2.5 – 4.5 FSI and 5 – 25 storey density/height classification (see Attachment 4); a larger proportion of the subject lot will now fall into this greater intensification area. The lands abutting Maplecrete Road remain subject to the 1.5 - 3.0 FSI and 4-10 storey density/height classification to provide a transitional area between the high density proposed to the west and the existing low density employment area to the east.

In addition, a policy has been added to the Secondary Plan (section 8.1.7), permitting residential uses to be developed outside the UGC prior to achievement of 8,000 residential units within the Urban Growth Centre (UGC), provided they meet the following criteria:

- The subject property on which redevelopment is proposed is contiguous to property within the VMC UGC, or the property is otherwise part of a coordinated master plan that includes land in the UGC. In either case, the proposed development shall be part of a planned phased redevelopment of the larger property or combined properties, and the first phase of development shall occur within the UGC.
- The proposed development will replace an existing use that is not consistent with the long-term vision and policy objectives for the VMC.
- Convenient pedestrian and cycling connections between the proposed development and the planned subway station and nearest VIVA station in the VMC, either exist or will be built in conjunction with the development.
- The proposed development will not prevent or unreasonably delay the planning and construction of neighbouring development within the VMC UGC.

It is noted that the foregoing (section 8.1.7), will apply to all lands in the VMC that meet the requirements of the policy.

(3) Modifications to the VMC Secondary Plan as a result of the VMC Black Creek Renewal EA Stages 3 and 4

The preliminary findings of the Municipal Class EA (Stages 3 and 4) for the channel have determined that almost the entire width of the environmental land reflected in the adopted VMC Plan is within the 100 year flood level. In order to permit the pedestrian trail system/urban amenity areas which have been envisioned for this part of the VMC Secondary Plan, there is a need for an additional (approximately 25 m wide) linear park adjacent to the east side of the channel environmental lands. This additional park area is shown in Attachment 5. The final EA results will confirm the specific extent of the environmental area and linear park width. Since the Secondary Plan will precede the completion of the EA, the Secondary Plan will contain a policy which refers to the final EA document as setting the specific widths of both the environmental land and linear park.

It is noted that the entire extent of the Black Creek study area was not captured in Schedule "G" of the adopted VMC Plan. This schedule has now been revised to reflect lands north and south of Highway 7, and adjacent to Jane Street which are subject to the Special Study Area B (see Attachment 3). Section 10.2.9 - Black Creek Remediation Strategy (see Attachment 13) has been added to the VMC Secondary Plan to define phasing policies for the development of lands within the Black Creek remediation area. These policies will permit the implementation of the recommendations of the Black Creek Renewal EA which is now underway. The Toronto and Region Conservation Authority (TRCA) has been consulted on the details and is supportive of the proposed updated policies. An additional schedule, Schedule "K" (see Attachment 11), has also been added to the Secondary Plan; it will correspond to and help clarify the phasing policies of the newly added section 10.2.9.

(4) Modifications to the VMC Secondary Plan as a result of the Streetscape and Open Space Master Plan

As a result of the on-going VMC Streetscape and Open Space Master Plan Study, the following modifications have been recommended to section 6.0 - Parks and Open Spaces, of the adopted VMC Secondary Plan:

- (i) Sections of the public square that stretch from Portage Parkway to Interchange Way on the west side of Millway Avenue, are referred to as the "Millway Park" (see Attachment 5), in the adopted VMC Secondary Plan. The Streetscape and Open Space Master Plan Study is recommending the removal of the Millway Park Design Principles- Section 6.2.1, a-q, from the Secondary Plan; and, their inclusion instead in the VMC Streetscape and Open Space Master Plan, once a more refined vision for Millway Park is developed. A policy will be included in the Secondary Plan stating that the design of Millway Park should be in conformity with the principles identified in the VMC Streetscape and Open Space Master Plan.

(5) General Modifications to VMC Secondary Plan

(i) Precincts

The Station Precinct area has been expanded in the revised Plan to include the blocks north and south along the length of Highway 7 from Applewood Road to just west of Creditstone Road (see Attachment 3). This will permit more office development along Highway 7, where it would be well supported both from a visibility and transportation point of view.

The areas of the Neighbourhood Precincts along Highway 7 have been reduced as a result of the expansion of the Station Precinct along this corridor.

The South Precinct has been expanded to include three blocks on the north side of Interchange Way; and, two South Precinct blocks formerly on the east side of Jane Street, between Interchange Way and Highway 407, have been removed and replaced with parkland/environmental land use designations. This latter change will facilitate the Black Creek Remediation Strategy, and also permits a public park designation on vacant lands.

The Technology Precincts remain sited at the easterly and westerly boundaries of the VMC Secondary Plan. The configuration and area of the Technology Precincts at the westerly boundary have been modified and increased as a result of changes to the street connections to Highway 400, a decrease in the environmental open space (n/w quadrant), and adjustments to the local street network in both the northwest and southwest quadrants. The name of the Technology Precincts in the proposed modified Plan has also been changed to "Technology/Office Precincts". Adding the office component to the name is thought to better convey that this designation permits a broad mix of office and other non-noxious employment uses.

(ii) Density/Height Classifications

The lands subject to the 2.5-4.5 FSI density and 5-25 storey height classification extend farther to the north and south in the westerly quadrants of the proposed VMC Plan; and, slightly farther east in the southeast quadrant of the Plan, generally as a result of modifications to the street network and re-location/re-configuration of parkland within the proposed VMC Plan. The proposed reconfiguration of the Highway 400/Highway 7 connections has also permitted an extension of the lands subject to this density/height classification farther west towards Highway 400 (see Attachment 4).

(iii) Other Street and Open Space Network Modifications

The street network in the southwest quadrant has been modified to better accommodate property lines, existing developments, larger sized school blocks, and the revised alignment of the Colossus overpass. It is noted that minor adjustments to street alignments are permitted at the development application stage without amendment to the VMC Secondary Plan (section 4.3.1- Street Network).

The parks in the southwest quadrant have also been re-located. The neighbourhood parks which were shown at the westerly portion of the quadrant in the adopted Plan, have now been arranged as a central east-west stretch of park blocks. In addition, retail uses are now permitted on the north side of Doughton Road, facing the park blocks. The large neighbourhood park between Millway Avenue and Jane Street has been reduced in size; and the public parkland in the westerly quadrants of the VMC is now connected through the arrangement of walkways (mews) and park blocks (see Attachment 5).

In the southeast quadrant, a smaller park formerly sited between Doughton Road and Freshway Drive, has been removed to accommodate a larger school site. The neighbourhood park which had been sited in this southeast quadrant has been re-located to vacant lands between Jane Street and the Black Creek Channel environmental lands.

Overall the total amount of parkland in the proposed VMC Secondary Plan is slightly less than the 20.0 ha provided for in the adopted Plan; however, policies are being considered to provide for parkettes/public squares (minimum 0.2 ha in area) at various locations in the VMC (see Attachment 5). These smaller parks or squares will provide an important complementary function as places for gathering, passive recreation and landscaping.

Attachment 5 identifies the general locations for parkettes and squares; however, the precise location, size, shape and characteristics of each will be determined to the satisfaction of the City during the review of development concept reports and draft plans of subdivision. The general locations for these smaller parks/public squares were based on a number of factors, including, location on vacant lands to help ensure that initial phases of residential and other development are adequately served by public open space; location on the larger identified school blocks (over 5 acres in area), where there would be a surplus of land; and, as bump-outs to augment the proposed Millway Avenue linear parks.

(iv) School Sites

Staff and the City's Consultant met with representatives of the Region of York District and Catholic School Boards in August of 2012 to present a first draft of the revised VMC Secondary Plan. The School Boards' representatives were in agreement with the re-location of the potential school site originally requested in the northeast quadrant of the Plan (this site was reflected in error in the southwest quadrant of the adopted Plan), to the southeast quadrant; and, with the slight shifting of other sites as a result of the changes to the local street network and parkland distribution (see Attachment 8).

In the first draft of the revised Plan school sites of approximately 2.5 acres had been located adjacent to public parks to encourage the school use of the public parks as the outdoor play areas. This proposed arrangement would also have required a joint maintenance agreement between the School Boards and the City of Vaughan. The School Boards' representatives however, expressed serious concerns with this proposal. They explained that school outdoor play area design and facilities needs, are very different from those that would be provided in a typical public park. They also predicted conflicts with the general public at times when the school would need exclusive use of the park.

In conclusion, the School Boards' representatives indicated that they would require minimum 5 acre school sites in order to accommodate their curriculum and other standard site needs. It was explained that although they are not opposed to a more urban school format; their current provincial funding for the construction of school sites is not sufficient to cover the cost of building urban format schools. The School Boards' representatives recognize that typical suburban standards for schools may not be appropriate in the VMC and will welcome opportunities to work with developers to minimize their site areas to the extent possible. The adopted VMC Secondary Plan contains policies which speak to the need for more compact urban school sites. These policies will be further articulated in the modified Plan. Staff are also facilitating the development of new urban school design standards through workshops and dialogue with urban design Consultants, School Boards' representatives, and other stakeholders. The proposed VMC Secondary Plan provides for 4-6 acre school sites; but anticipates that all efforts will be made to reduce the school site areas at the precinct plan and draft plan of subdivision stage.

(v) Revisions to Section 37-Bonusing Policies

The City is currently examining various procedures and guidelines developed by other municipalities for the use of the Section 37 Bonusing provisions of the Planning Act, to develop a more comprehensive set of guidelines for the use of this development tool in intensification areas city-wide. Once these guidelines are developed and approved by Council they will also apply to the VMC area.

For the purposes of the VMC Secondary Plan, however, it is important to build on the Section 37 policies in the VOP 2010, in order to identify a list of preferred benefits which could be achieved through the use of these policies. The adopted VMC Secondary Plan,

section 8.1.12 included a benefits list which has now been revised to exclude benefits which are typically budgeted for by the City and paid for through Development Charges; and, expanded to include additional benefits which are considered desirable in the VMC.

The proposed list is as follows:

- Subway entrances in buildings adjacent to Millway Avenue;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City's standard services;
- Public amenities within identified environmental open spaces, including but not limited to permanent pathways, recreational trails and bridges, that are not accommodated by the City's standard levels of service;
- Structured parking for vehicles and/bicycles (below or above grade) to be transferred to a public authority for use as public parking;
- Public art;
- Upgrades to community facilities which are beyond the City's standard services;
- Streetscape, mews or open space design enhancements which are above the City's standard levels of service; and,
- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated by the City's standard levels of service.

(6) Review of Submitted Modification Requests

Approximately 9 written submissions have been received requesting modifications to the VMC Secondary Plan, since Council adoption on September 7, 2010. The majority of the modification requests address land use designations and policies relating to specific properties while other responses pertain to general policy issues.

These submissions are being considered on the basis of conformity with VOP 2010 principles, Provincial and Regional policy frameworks, and on sound planning principles. They will be addressed in a matrix format in the comprehensive staff report projected for a Committee of the Whole meeting in the fall of 2012.

Common themes that have emerged through the review of the written submissions include the following;

- (i) **Proposed urban design policies are considered to be too prescriptive and may result in unwarranted uniformity of design.**

Staff Response:

The design policies in the adopted VMC Secondary Plan are meant to achieve the vision for the VMC and are considered important to the quality of urban form and character of place. However, staff has reviewed specific policies included in section 8.6 – Built Form, of the VMC Secondary Plan in consultation with the City's Consultant for this project, and have revised the wording to add flexibility

where it was considered appropriate. Staff and the VMC Consultant have also met with members of the City's Design Review Panel (DRP) to review the urban design policies. Through discussions with the DRP and with City Urban Design staff, it was identified that additional urban design policy is required with respect to building typologies; and, that it would be beneficial to provide more information regarding the surrounding context of the proposed development at the time that it is reviewed by the DRP. The relevant Secondary Plan policies will be reviewed to address the needs identified. Therefore, subsequent revisions and additions to design policies will be proposed in a comprehensive report to a Committee of the Whole meeting projected for the fall of 2012.

In addition, it was determined that Urban Design Guidelines should be developed for the VMC area to address other elements, including, building interface with public space, above ground parking structures, entrances/ramps to parking garages, loading area locations/ design, building lobbies of different types, private amenities and their interface with internal driveways; all of which are presently posing design challenges as staff and the DRP review applications. The Urban Design Guidelines document, once it is prepared and approved by Council, will either form an appendix to the VMC Secondary Plan, or alternatively be provided as a separate document.

City staff are also considering the implementation of "precinct level planning" in the VMC as a preliminary step to the review of development applications. Precinct implementation strategies are intended to address such matters as urban design, pedestrian connectivity, environmental performance standards; and, phasing of schools, community services, parks, and stormwater management servicing and transportation infrastructure, on a more comprehensive scale than the single draft plan of subdivision application permits.

(ii) Strata parking arrangements should be permitted within the VMC planning area.

Staff Response:

The City commissioned a study on Strata Parking and is developing principles and guidelines for such arrangements in primary intensification areas of the City. Input from stakeholders, City departments, and other levels of government are being prepared for consideration of the VMC Sub-Committee at a future meeting. Since it was important to include strata parking policies in the VMC Secondary Plan, the following policies have been developed specifically for the VMC area, based on the principles of the City initiated study on Strata Parking:

Add to Section 4.3 -Street Network, following 4.3.5:

- The City may permit private parking, including access to parking, under a local street or mews, provided the intended purpose, function and character of the street or mews, including its function as a right-of-way for transportation and utilities and its streetscape, are not materially or qualitatively compromised. In such cases, a strata title agreement arrangement that outlines in detail issues such as access, maintenance, liability, and monetary contributions, shall be required. Alternatively, where underground parking is proposed, the City may consider a permanent public easement on private land to accommodate a street or mews.

Replace Policy 6.2.5 in Section 6.2 (Public Squares and Neighbourhood Parks) with the following:

- Parks in the VMC shall not contain surface parking areas, other than those required for service vehicles. Generally, parks shall be unencumbered by underground parking, utility easements, or utility structures located above or below grade. The City may permit parking or utilities under a park only where it is satisfied that the intended purpose, function and character of the park are not materially or qualitatively compromised. In such cases, a strata title agreement arrangement that outlines in detail issues such as access, maintenance, liability, and monetary contributions, shall be required. Structures associated with below grade uses, such as ramps, pedestrian entrances/exits, emergency access, and vents shall be integrated into the adjacent buildings. Where unavoidable, structures associated with below grade uses, shall be integrated into the design of the open space. The area occupied by such structures shall not count toward the parkland dedication.

(iii) Alternative parkland dedication policies should be considered for the VMC.

Staff Response:

A report to the Finance and Administration Committee of June 18, 2012, recommended that a review of appropriate parkland credits within the intensification areas of the VMC and the Yonge/Steeles Secondary Plan be completed. A further report is to be delivered to the Finance and Administration Committee in the fall of 2012 on the unit rate to be used in the calculation of cash-in-lieu of parkland dedication, and may contain further recommendations with respect to this matter.

Relationship to Vaughan Vision 2020/Strategic Plan

The proposed VMC Secondary Plan is consistent with the priorities set by Council in the Vaughan Vision 20/20 Plan, and in particular with the City's commitment to "plan and manage growth and economic vitality". The following specific initiatives are of particular relevance to the VMC Secondary Plan:

- Support and co-ordinate land use planning for high capacity transit at strategic locations in the City.
- Review the Vaughan Corporate Centre Vision.
- Complete and implement the Growth Management Strategy (Vaughan Tomorrow).
- Conduct the 5 – year review of the Official Plan as part of the Growth Management Strategy 2031.

Regional Implications

The proposed VMC Secondary Plan has been prepared pursuant to the policy requirements and provisions of the Vaughan Official Plan 2010, and new Region of York Official Plan. Accordingly, it includes the minimum density requirements and targets for Regional Centres, urban design, phasing, and sustainability policies prescribed by the Regional Official Plan. The VMC Secondary Plan supports key objectives of the Region of York Official Plan (2010); specifically, the implementation of the Plan's following objectives stated in Sections 5.4 - Regional Centres and Corridors, and 7.2 - Moving People and Goods:

"To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections."

“To ensure streets support all modes of transportation including walking, cycling, transit, automobile use, and the efficient movement of goods.”

“To plan and protect future urban and rural streets to accommodate transportation demands.”

Conclusion

The Vaughan Metropolitan Centre (VMC) Secondary Plan was adopted by Council on September 7, 2010, with the direction that the northwest quadrant and the 7601 Jane Street lands, be reviewed in consideration of the respective landowners' requests for modifications to the Plan. Since the adoption of the Secondary Plan the City has also received notice of modification requests from other land owners in the VMC. The post adoption review has involved substantial consultation with the landowners of the identified areas, as well as discussions with other landowners respecting written requests for modifications. In addition, there has been on-going consultation with the VMC Sub-Committee of Council, the VMC Implementation Team, the City's Design Review Panel, and the City's Consultants for the VMC Secondary Plan and the VMC Streetscape and Open Space Plan, on these and other proposed changes which have evolved through on-going VMC studies since Council adoption of the Plan.

Comments on the proposed modifications received from the public and Council at this Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

Attachments

1. Location Map
2. Vaughan Metropolitan Centre Boundaries
3. Land Use Precincts
4. Height and Density Parameters Map
5. Parks and Open Spaces
6. The Street Network
7. The Transit Network
8. Community Services and Cultural Facilities
9. Areas for Retail Uses
10. Areas for Office Uses
11. Black Creek Remediation Area
12. Highway 400/Highway 7 Connections (Options 1 and 2)
13. Proposed New Section 10.2.9- Black Creek Remediation Strategy

Report prepared by:

Anna Sicilia, Senior Planner, ext. 8063

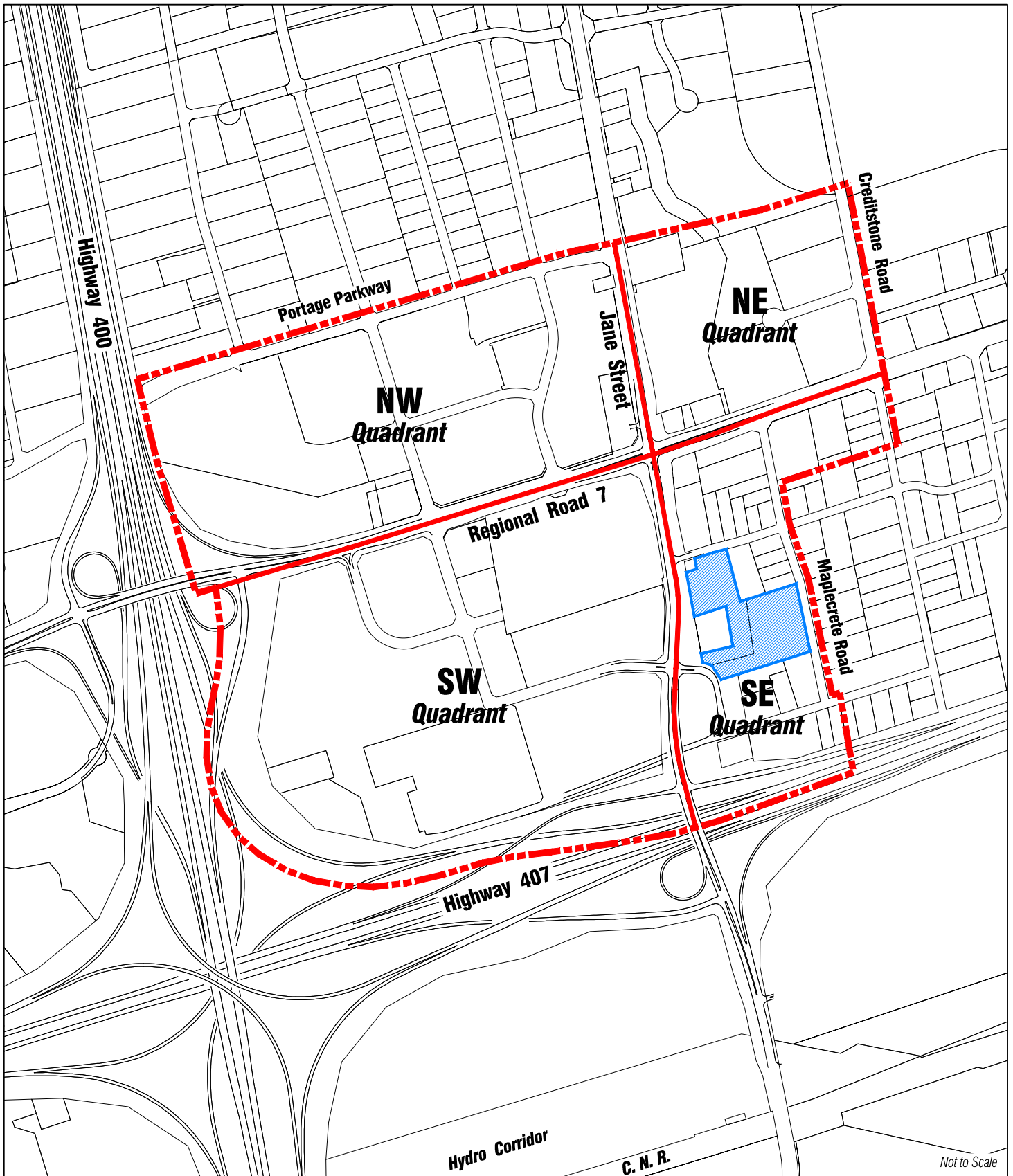
Roy McQuillin, Manager of Policy Planning, ext. 8211

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

DIANA BIRCHALL
Director of Policy Planning

/lm



Legend

— Vaughan Metropolitan Centre Boundary

7601 Jane Street

Location Map Attachment No. 1

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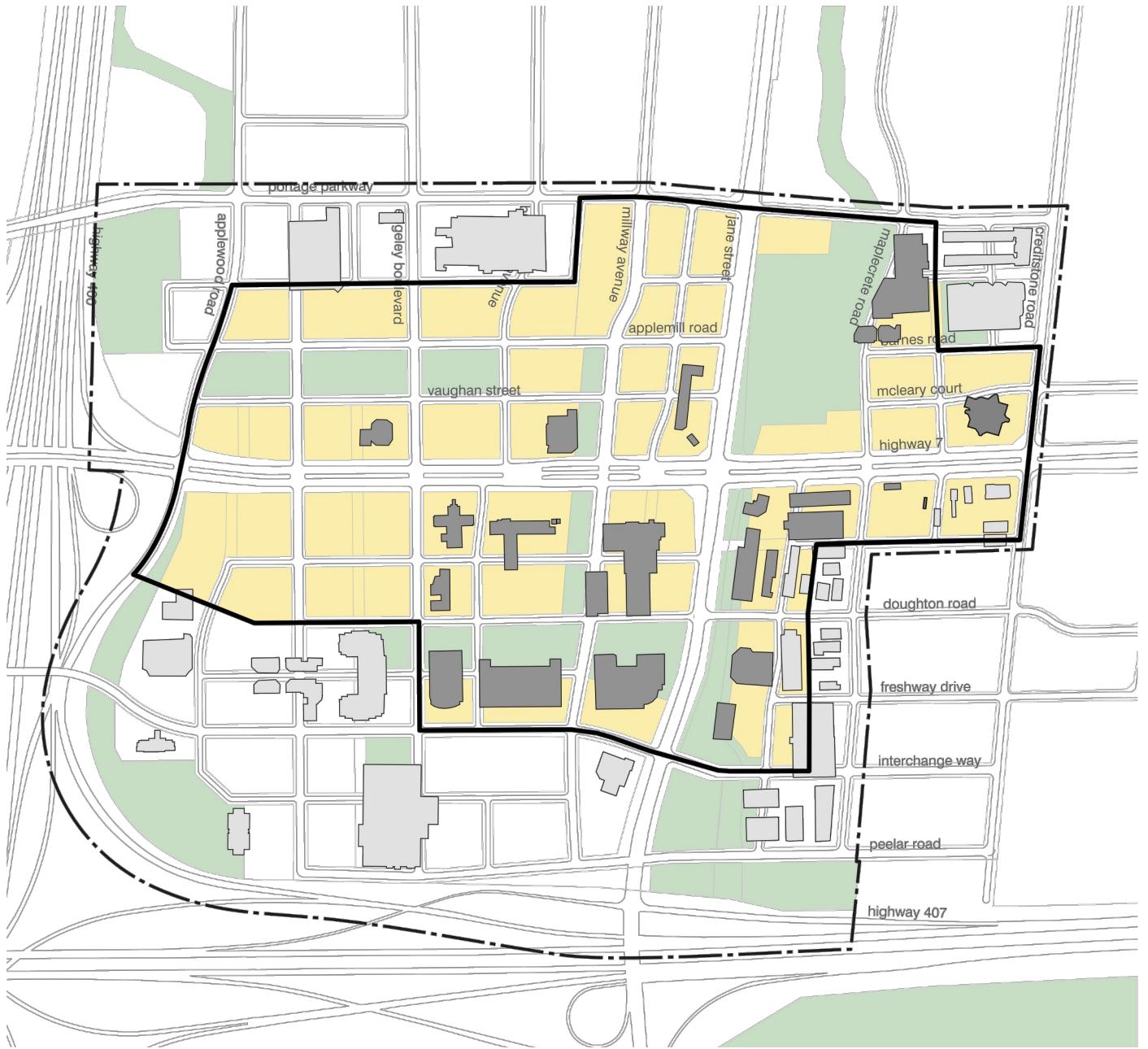
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SCHEDULE A > VAUGHAN METROPOLITAN CENTRE BOUNDARIES

LEGEND

-  vaughan metropolitan centre boundary
-  urban growth centre boundary
-  existing buildings
-  existing and planned streets
-  major parks and open spaces



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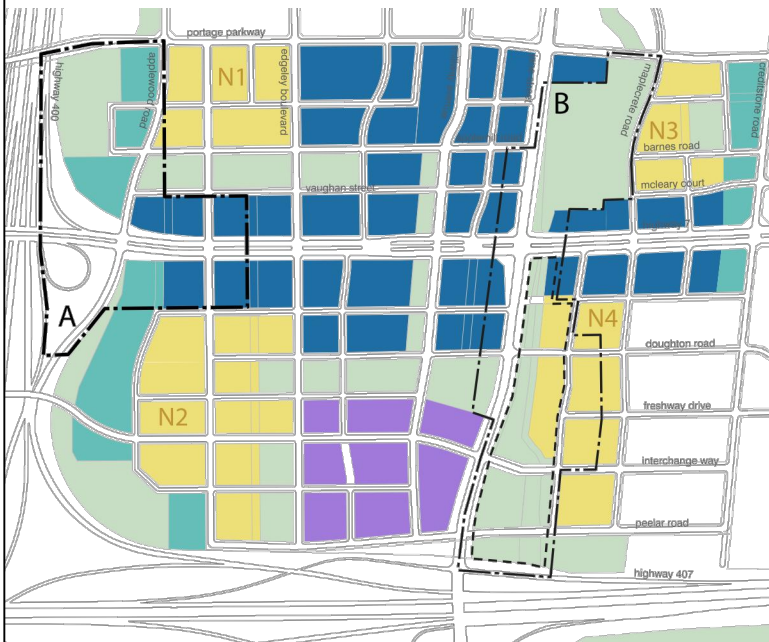
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Vaughan Metropolitan Centre Boundaries Attachment No. 2

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Proposed VMC Secondary Plan

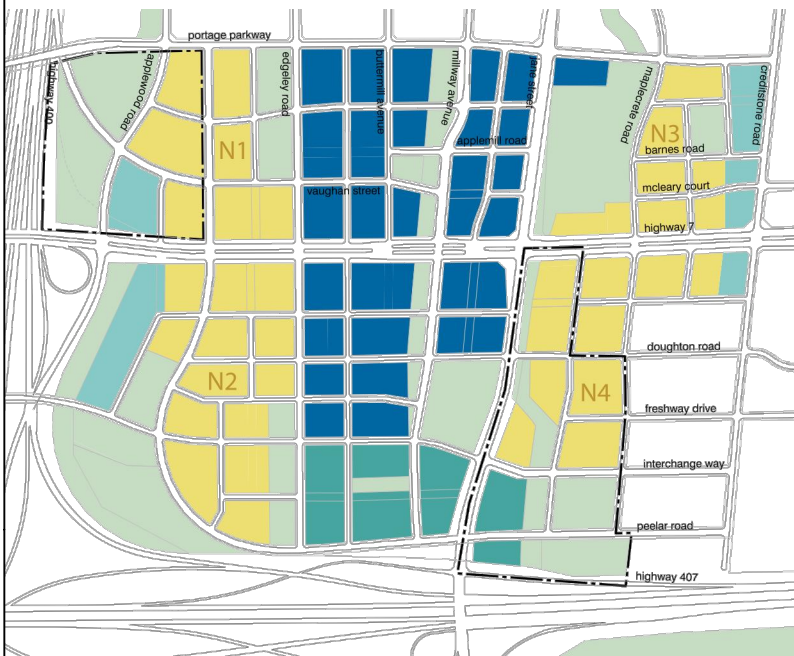


SCHEDULE G > LAND USE PRECINCTS

LEGEND

- station precinct
- south precinct
- neighbourhood precincts
- technology / office precincts
- major parks and open spaces
- special study area A (west) (See Policies X.X.X and X.X.X)
(land use designation and configuration of developable land will be subject to detailed results of the Region of York and City Joint Transportation Study)
- special study area B (east) (See Policies X.X.X and X.X.X)
- land use designation subject to results of the VMC Black Creek Renewal EA (Stages 3 & 4)

Adopted VMC Secondary Plan



SCHEDULE G > LAND USE PRECINCTS

LEGEND

- station precinct
- south precinct
- neighbourhood precincts
- technology precincts
- major parks and open spaces
- special study areas A (west) and B (east) (See Policies 4.3.9, 8.1.14 and 8.4.4)

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Land Use Precincts Attachment No. 3

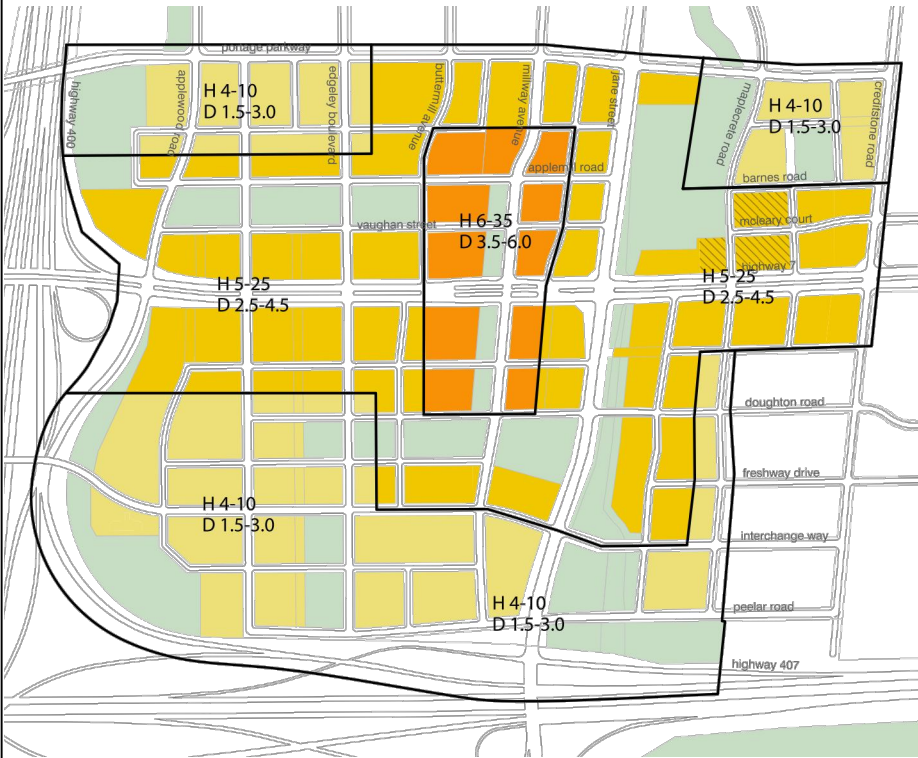
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Proposed VMC Secondary Plan

SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND

- H 6 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
- H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
- H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
- major parks and open spaces
- see Policy 9.2.3

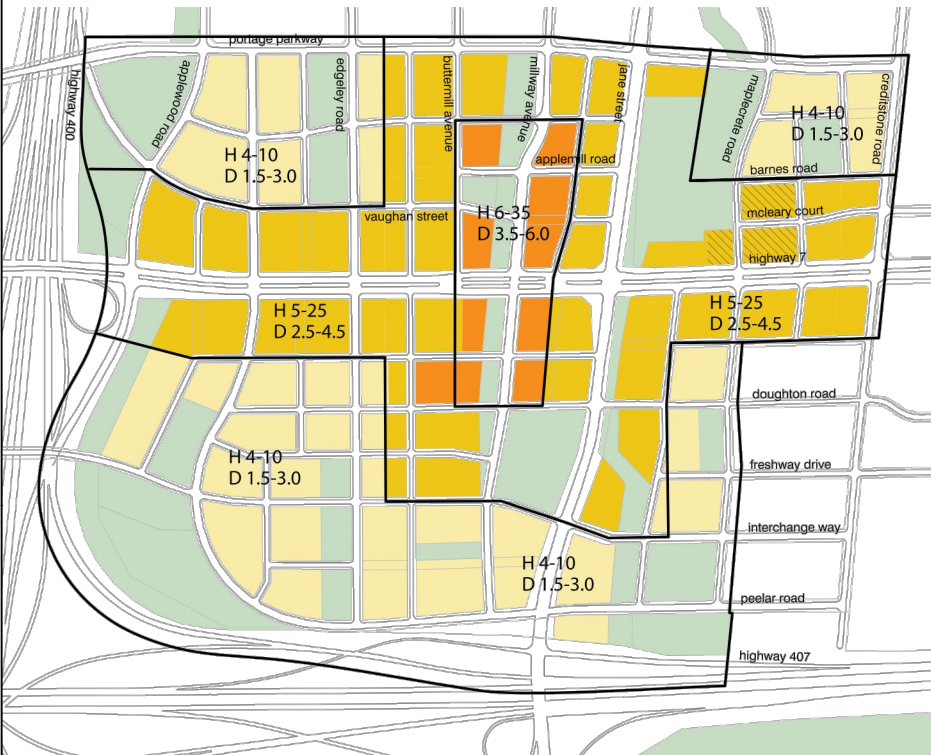


Adopted VMC Secondary Plan

SCHEDULE J > HEIGHT AND DENSITY PARAMETERS

LEGEND

- H 6 storey minimum - 35 storey maximum
D 3.5 minimum fsi - 6.0 maximum fsi
- H 5 storey minimum - 25 storey maximum
D 2.5 minimum fsi - 4.5 maximum fsi
- H 4 storey minimum - 10 storey maximum
(up to 15 storeys may be permitted subject to Policy 8.6.14)
D 1.5 minimum fsi - 3.0 maximum fsi
- major parks and open spaces
- see Policy 9.2.3



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Height and Density Parameters Attachment No. 4

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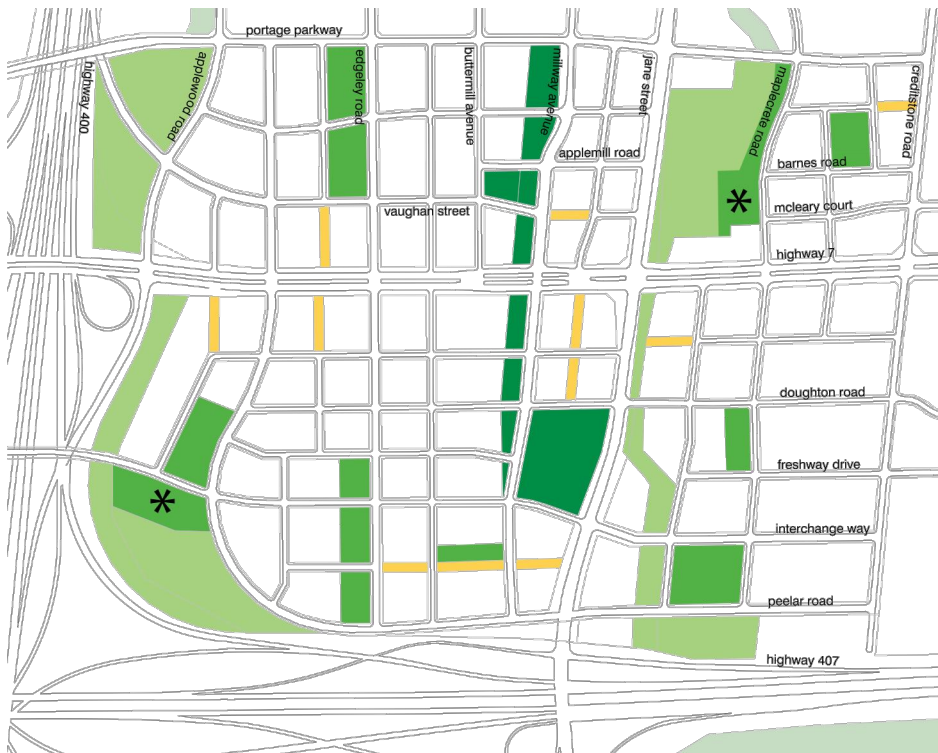


Proposed VMC Secondary Plan

SCHEDULE E > MAJOR PARKS AND OPEN SPACES

LEGEND

- environmental open spaces
- neighbourhood parks
- millway avenue linear park
- mews or local street
- + urban squares (see Policy X.X.X)
- * parkland associated with environmental open spaces



Adopted VMC Secondary Plan

SCHEDULE E > MAJOR PARKS AND OPEN SPACES

LEGEND

- environmental open spaces
- neighbourhood parks
- public squares
- mews or local street
- * parkland associated with environmental open spaces

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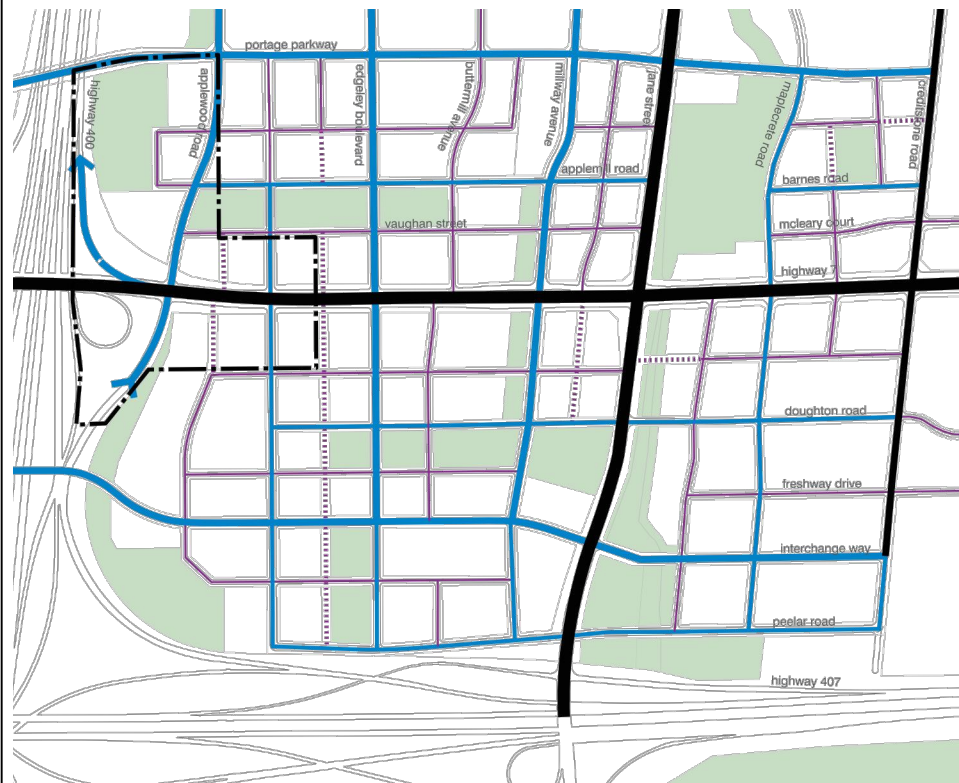


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Parks and Open Spaces Attachment No. 5

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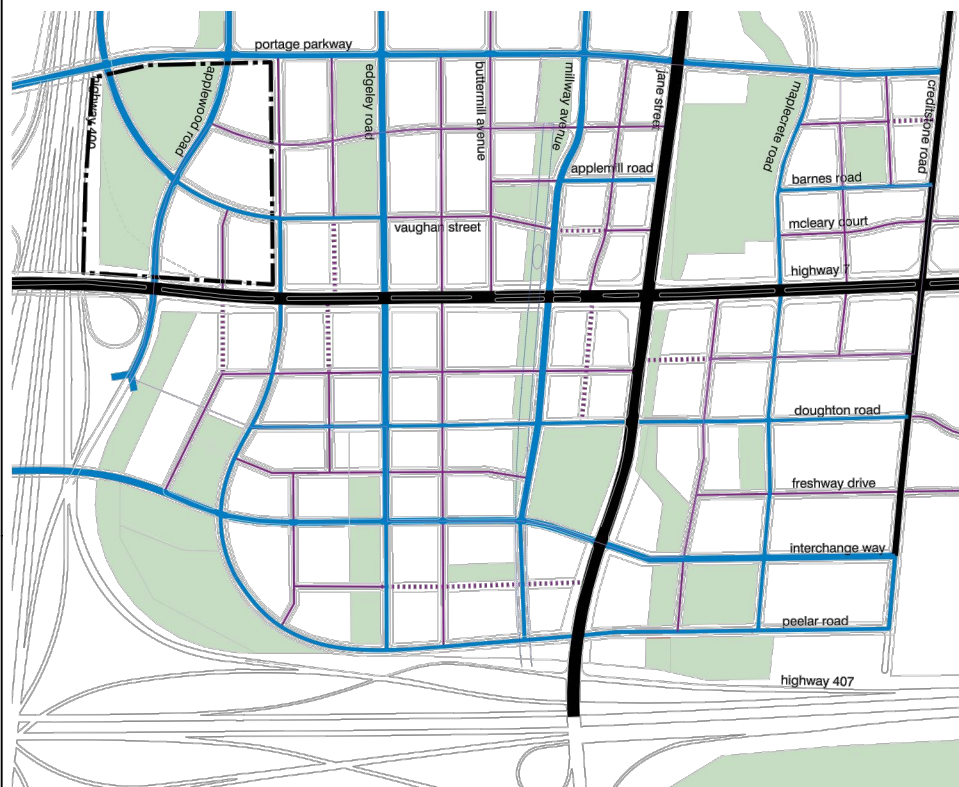


Proposed VMC Secondary Plan

SCHEDULE C > STREET NETWORK

LEGEND

- arterials (54m+ row)
- minor arterial (33m row)
- major collectors and special collector (28-33m row)
- minor collectors (23-26m row)
- local streets (20-22m row)
- local street or mews (18-20m row)
- special study area A (see Policy 4.3.9)
- major parks and open spaces



Adopted VMC Secondary Plan

SCHEDULE C > STREET NETWORK

LEGEND

- arterials (54m+ row)
- minor arterial (33m row)
- major collectors and special collector (28-33m row)
- minor collectors (23-26m row)
- local streets (20-22m row)
- local street or mews (20m row)
- special study area A (see Policy 4.3.9)
- major parks and open spaces

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The Street Network Attachment No. 6

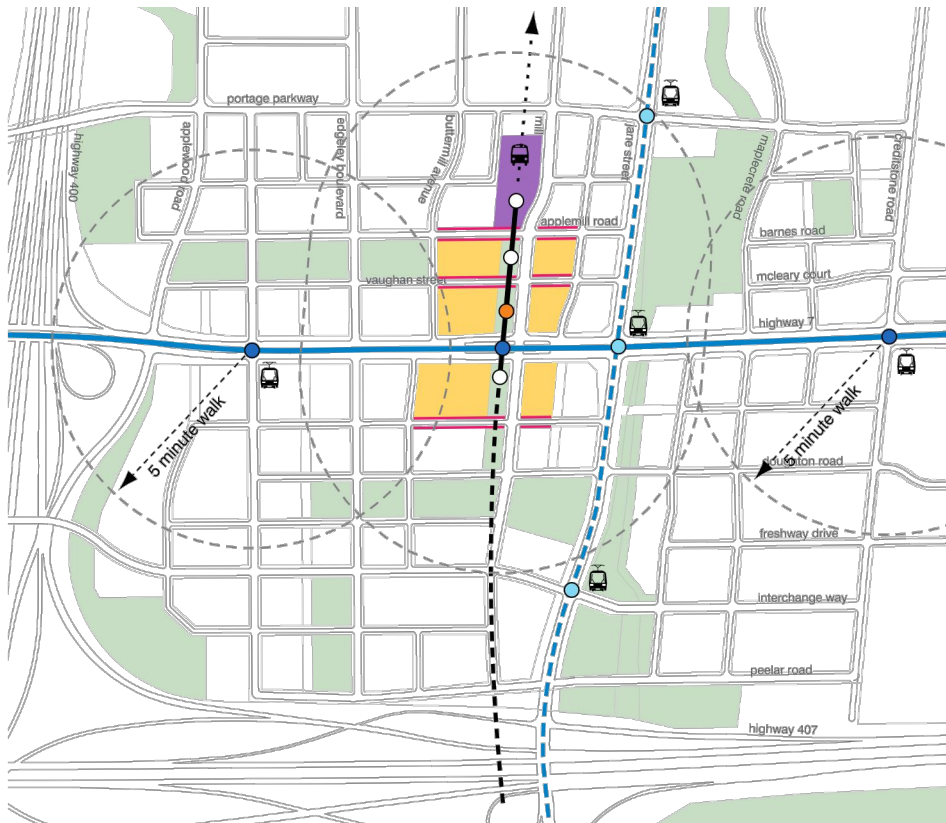
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Proposed VMC Secondary Plan

SCHEDULE B > TRANSIT NETWORK

LEGEND

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

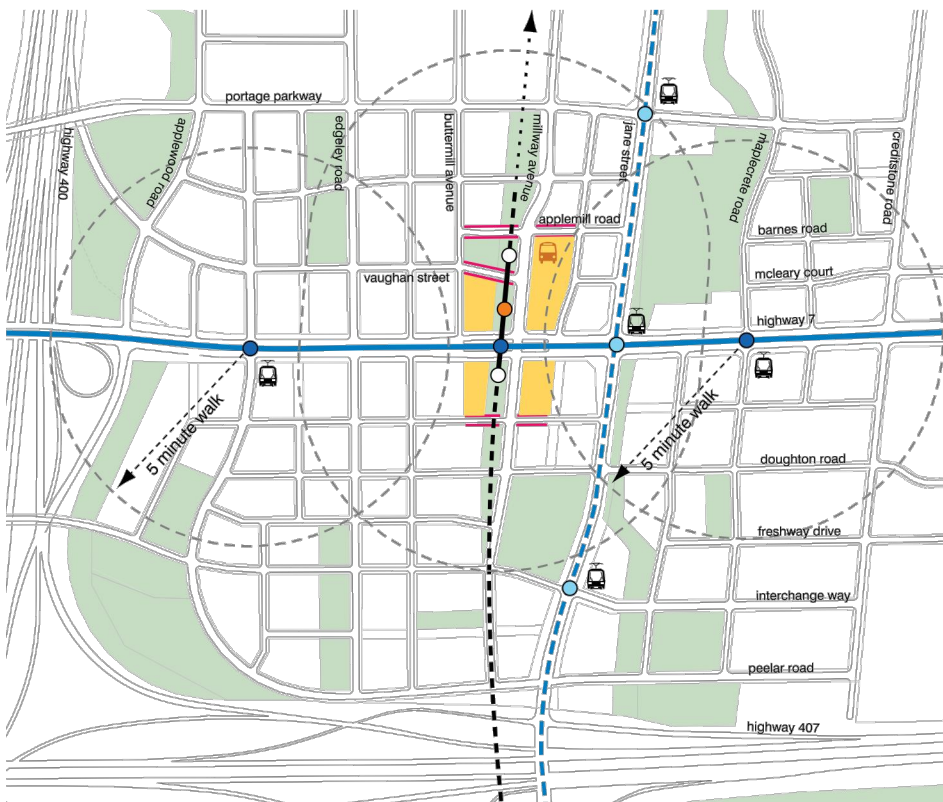


Adopted VMC Secondary Plan

SCHEDULE B > TRANSIT NETWORK

LEGEND

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



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The Transit Network Attachment No. 7

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Proposed VMC Secondary Plan

SCHEDULE F > COMMUNITY SERVICES AND CULTURAL FACILITIES

LEGEND

- S potential school sites
- C potential community facility
- sites for community and cultural amenities
- public squares
- other major parks and open spaces
- bus station
- subway entrances
- future subway entrances
- potential Hwy7 rapidway stations
- potential Jane Street rapidway stations

Adopted VMC Secondary Plan

SCHEDULE F > COMMUNITY SERVICES AND CULTURAL FACILITIES

LEGEND

- potential school sites
- sites for community and cultural amenities
- public squares
- other major parks and open spaces
- subway entrances
- future subway entrances
- potential Hwy7 rapidway stations
- potential Jane Street rapidway stations

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October 16, 2012

Community Services and Cultural Facilities Attachment No. 8

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Proposed VMC Secondary Plan

SCHEDULE I > AREAS FOR RETAIL USES

LEGEND

- primary commercial area - retail uses required
- secondary commercial area - retail uses required
- tertiary commercial areas - retail uses permitted
- public squares
- other major parks and open spaces
- subway entrances
- future subway entrances
- potential Hwy7 rapidway stations
- potential Jane Street rapidway stations

Adopted VMC Secondary Plan

SCHEDULE I > AREAS FOR RETAIL USES

LEGEND

- primary commercial street - retail uses required
- secondary commercial street - retail uses required
- tertiary commercial areas - retail uses permitted
- public squares
- other major parks and open spaces
- subway entrances
- future subway entrances
- potential Hwy7 rapidway stations
- potential Jane Street rapidway stations

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FILE: 25.5.12.1
October 16, 2012

Areas for Retail Uses Attachment No. 9

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Proposed VMC Secondary Plan

SCHEDULE H > AREAS FOR OFFICE USES

LEGEND

- office uses required (see Policy 8.2.3)
- office or other prestige employment uses required
- office uses permitted
- major parks and open spaces

Adopted VMC Secondary Plan

SCHEDULE H > AREAS FOR OFFICE USES

LEGEND

- office uses required (see Policy 8.2.3)
- office or other prestige employment uses required
- office uses permitted
- major parks and open spaces

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FILE: 25.5.12.1
October 16, 2012

Areas for Office Uses Attachment No. 10

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SCHEDULE K > BLACK CREEK REMEDIATION AREA

LEGEND

- major parks and open spaces
- Black Creek remediation area



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Black Creek Remediation Area Attachment No. 11

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Option 1



Option 2

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Highways 400 & 7 Connections (Options 1 & 2)

Attachment No. 12

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Draft Black Creek Remediation Strategy Secondary Plan Policies**Add the following new section to Section 10.0 Implementation****10.2.9 Black Creek Remediation Strategy**

Black Creek provides the only opportunity in the VMC to create a vibrant community amenity space in conjunction with ecological restoration of select ecological functions of a natural feature. It is an important environmental asset and currently flows through the VMC in a highly urbanized condition. Historically the Creek has been altered and developed around in the absence of stormwater quality and quantity measures. As a result, the Creek is highly degraded and subject to flooding during Regional storm events beyond the existing channel onto abutting properties and streets.

The City has developed a strategy to improve the ecological and infrastructure value of Black Creek in order to: accommodate the scale of anticipated development; restore ecological services of the riparian corridor; provide community amenity space; and improve water quality and quantity controls within and around the VMC. The Black Creek Optimization Study Municipal Class Environmental Assessment (Phases 1 and 2) and VMC Black Creek Renewal EA (Phases 3 and 4) provide for the naturalization of the Creek channel and the improvement of related open space and stormwater facilities. Improvements include the removal of infrastructure that create impediments to flow, improved quality and quantity controls, and the creation of a naturalized channel and open space system. As a by-product of these improvements, the flood plain for this segment of Black Creek will be reduced in area which will improve the opportunity for intensification within the entire VMC.

This approach is in keeping with Section 1.1.3.3 of the Provincial Policy Statement (PPS), which provides that “Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety”. Furthermore it is consistent with Section 1.1.3.4 of the PPS wherein the implementation of the flood remediation strategy will maintain an appropriate level of public safety and will facilitate an appropriate form of intensification and redevelopment.

1. The flood remediation strategy for Black Creek 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.
2. Schedule K shows the anticipated area of flood remediation that will result from the implementation of the measures outlined in the Black Creek Optimization Study Municipal Class Environmental Assessment (Phases 1 and 2) and will be refined further through the VMC Black Creek Renewal EA (Phases 3 and 4).

3. Until remediation is complete, development, excluding the construction of servicing and infrastructure forming part of the remedial works, shall not be permitted until all of the following are satisfied:
 - a) the remedial flood protection works approved for Black Creek are complete. These works shall include the upgraded pond and associated public park/open space, culvert replacement, and the new naturalized creek channel, associated buffer and public park/open space;
 - b) updated flood line mapping has been prepared and approved by TRCA; and
 - c) the development meets the program, regulatory and policy requirements of the TRCA.
4. Notwithstanding the above, development is permitted in accordance with the phased implementation of the remediation strategy as specified in the approved Environmental Assessments noted in 2., subject to the following:
 - 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 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;
 - b) The development phase does not compromise the implementation of future phases of the remediation strategy;
 - 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.
5. Detailed consideration of the design of the channel, open space, and related infrastructure, shall recognize the prominence and significance of the VMC as well as the ecological significance of Black Creek. The upgraded pond and new naturalized creek channel will be integrated in design to a high urban design standard and as complimentary landscapes.
6. Existing uses and structures within the flood remediation area (i.e. floodplain), shown on Schedule K, 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 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.