

I, JOHN D. LEACH, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 654 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board, as per Order #1761, dated June 20, 2006.



JOHN D. LEACH
City Clerk
City of Vaughan

DATED at the City of Vaughan
this 27th day of October, 2006.

ISSUE DATE:

June 20, 2006

DECISION/ORDER NO:

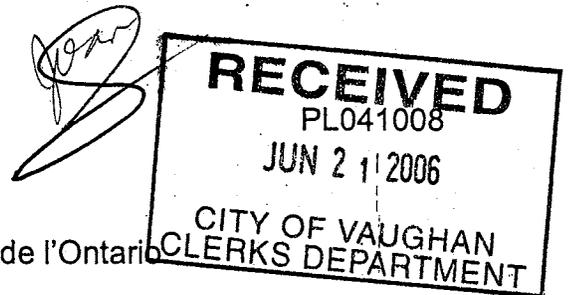
1761



Ontario

Ontario Municipal Board

Commission des affaires municipales de l'Ontario



Springside Gardens Estates Corp. has referred to the Ontario Municipal Board under subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, determination and settlement of details of a site plan for lands composed of Lot 17, Concession 4, being Part 4 on Plan 65R-17543, municipally known as 9401 Jane Street, in the City of Vaughan
O.M.B. File No. M060042

Jane-Ruth Development Inc. has appealed to the Ontario Municipal Board under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from a decision of the Regional Municipality of York to approve Proposed Amendment No. 607 to the Official Plan for the City of Vaughan to respond to the policies of Official Plan Amendment No. 600 by guiding future development within the Vaughan Centre Secondary Plan Area by placing designations of "High Density Residential/Commercial Area – Special Policy", "General Commercial – Special Policy", and "Valley Lands" on lands, bounded by Rutherford Road to the south, Jane Street to the west, Springside Road to the north, and a tributary of the West Branch of the Don River to the east
Approval Authority File No. D06-OPA607V
O.M.B. File No. O040183

Springside Gardens Estates Corp. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignate land located at the southeast corner of Jane Street and Springside Road, in Lot 17, Concession 4, being Part 4 on Plan 65R-17543, municipally known as 9401 Jane Street, from "General Commercial (Special Policy)" under Official Plan Amendment No. 607 (adopted by Council for the City of Vaughan and before the Ontario Municipal Board) to "Medium Density Residential – Commercial" and "General Commercial", to permit the development of six (6) 2-storey mixed-use buildings comprised of approximately 6,846 square metres of commercial uses on the ground floor with a total of 59 residential dwelling units on the second floor, as well as a 3-storey office/commercial building having a gross floor area of approximately 10,110 square metres
Approval Authority File No. OP.05.002
O.M.B. File No. O060056 (OPA 654)

Springside Gardens Estates Corp. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 1-88, as amended, of the City of Vaughan to rezone lands located at the southeast corner of Jane Street and Springside Road, in Lot 17, Concession 4, being Part 4 on Plan 65R-17543, municipally known as 9401 Jane Street, from "A Agricultural Zone" to "RA3 Apartment Residential Zone" and "C4 Neighbourhood Commercial Zone" to permit the development of six (6) 2-storey mixed-use buildings comprised of approximately 6,846 square metres of commercial uses on the ground floor with a total of 59 residential dwelling units on the second floor, as well as a 3-storey office/commercial building having a gross floor area of approximately 10,110 square metres
O.M.B. File No. Z060032

APPEARANCES:

<u>Parties</u>	<u>Counsel</u>
Jane-Ruth Developments Inc.	C. Barnett
Springside Gardens Estates Corp.	B. Horosko
Canadian National Railway Properties	A. Heisey
City of Vaughan	C. Storto

MEMORANDUM OF ORAL DECISION DELIVERED BY SUSAN D. ROGERS ON JUNE 9, 2006 AND ORDER OF THE BOARD

This matter deals with an outstanding appeal of Official Plan Amendment 607 of the City of Vaughan, as well as appeals filed by Springside Gardens Inc., of an Official Plan Amendment application, Zoning By-law Amendment application and Site Plan application. All matters have been resolved by the parties and the request made to this Board has been made on consent of all parties.

The appeal of OPA 607 was filed by Jane-Ruth during the course of a lengthy Board hearing held in respect of site specific applications filed by Jane-Ruth for its lands affected by OPA 607. The Board issued a decision and order in respect of the appropriate official plan policies for the lands owned by Jane-Ruth. However, the Board has not yet issued any order in respect of the appeals of OPA 607.

The owner of the remaining lands affected by OPA 607, Springside, has filed its own site specific Official Plan, Zoning By-law and Site Plan approval applications, and wished to join these appeals with the outstanding appeal of OPA 607. With reference to the decision of the Board in respect to the Jane-Ruth lands south of the CN pull-back track east of Jane Street, and the policies resulting from that decision, the parties have arrived at a suitable set of planning policy documents for the lands north of the CN pull back track.

The Board heard evidence from a planning expert in respect to the proposal for the Springside lands and accepts the evidence of Ms Lindsey Dale-Harris that the proposal reflects the findings of the Board in respect to development of lands next to the

CN pull-back track, conforms to the provisions of the Provincial Policy Statement, and the Regional and City Official Plans and constitutes good planning.

The Board therefore will:

1. Dismiss the appeals of Springside pursuant to Section 22(7) of the *Planning Act* with respect to their private official plan amendment application. (O060056)
2. Allow the appeal by Jane-Ruth, of the City of Vaughan's OPA 607, in part, and will approve OPA 607 as modified and appended to this decision as Attachment 1. (PL041008).
3. Allow the appeal of Springside with respect to its Zoning By-law Amendment application and will amend the Zoning By-law for the City of Vaughan in accordance with the document appended to this decision as Attachment 2.
4. Approve the site plans listed in Attachment 3 to this decision, subject to the conditions contained therein.

This is the Order of the Board.

"Susan D. Rogers"

SUSAN D. ROGERS
MEMBER

to OMB Board Order # 1761, dated June 20/06

AMENDMENT NUMBER 654

TO THE OFFICIAL PLAN

OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 654 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 654.

Also attached hereto but not constituting part of the Amendment are Appendices "I" and "II".

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment No. 600.

The subject Amendment will redesignate the lands shown as "Area Subject to Amendment No. 654 on Schedule "1" hereto from "Agricultural" to "General Commercial " and "Medium Density Residential Commercial" in the manner shown on said Schedule "1". The Amendment will also provide appropriate development policies to ensure compatible development with the surrounding land uses. The Amendment will:

1. Respond to the policies of OPA No. 600 that require the preparation of a secondary plan, in the form of an Official Plan Amendment, to guide future development within the Vaughan Centre Secondary Plan Area.
2. Establish a commercial and a mixed use form of development on the subject lands, having regard for the overall land use context of the area, together with City, Regional and Provincial planning policies.
3. Establish policies to guide the development of the lands in terms of use, transportation, environment and urban design.
4. Include the approved noise attenuation policies for residential uses affected by the CN Rail MacMillan Yard pullback track as set out in OPA #626, to all lands within the Amendment Area.

II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands), are shown on Schedules "1" and "2" attached hereto as "Area Subject to Amendment No. 654". The Subject Lands comprise approximately 4.87ha and are located at the southeast corner of Jane Street and Springside Road, being in Lot 17, Concession 3, City of Vaughan and are bounded by Jane Street to the west, Springside Road to the north, the CN pullback track to the south, and the valleyland of a tributary of the West Branch of the Don River, to the east. The pullback track is related to the CN Rail MacMillan Yard operations located south of Rutherford Road.

III BASIS

The decision to amend the Official Plan to redesignate the subject lands from "Agricultural" to "General Commercial " and "Medium Density Residential Commercial" is based on the following considerations:

1. The Provincial Policy Statement (PPS) directs municipalities to provide opportunities for redevelopment and intensification at locations, which have sufficient or planned infrastructure and to establish development standards which are cost effective and which will minimize land consumption and servicing costs.
2. The Region of York Official Plan contains policies for the preparation of plans for Urban Centres. According to the Region's Official Plan, permitted uses in Urban Centres should be similar to those permitted in Regional Centres, with a greater emphasis on residential and local employment uses. Urban Centre should comprise the highest density and mix of uses within urban areas, with the exception of Regional Centres.

3. According to OPA No. 600, "Vaughan Centre" shall be an Urban Centre as defined in the Regional Official Plan including a mix of high and medium density residential uses, retail, office, community, cultural, recreational, civic, entertainment and tourism oriented...". OPA No.600 requires that the City designate medium and higher density, mixed use development along arterial roads, with the highest densities at major intersections to promote increased transit use and the provision of efficient and effective transit services.
4. OPA No. 600 provides that the Vaughan Centre Secondary Plan Area shall be the subject of studies reflecting urban design, land use integration, transportation and public transit, servicing, municipal and community facility needs and requirements, to ensure that it develops in a manner consistent with the City's policy and development objectives. OPA No. 483 and No. 505 established secondary plan policies for the majority of Vaughan Centre located west of Jane Street. These policies were subsequently consolidated into OPA No. 600.
5. The Ontario Municipal Board has approved OPA No. 626, for the lands located south of the CN Rail MacMillan Yard pullback track, north of Rutherford Road and east of Jane Street.
6. OPA No.626 created a gateway and anchor for the east limit of Vaughan Centre, through the introduction of 780 residential units and a potential population of about 1560 persons. The provision of greater building heights and densities and the opportunity for the mixing of uses has established a mixed use character and distinctive urban environment that will help to create a positive urban identity for Vaughan Centre along the east side of Jane Street.
7. The Ontario Municipal Board, having carefully reviewed all the evidence with respect to noise attenuation requirements for residential uses affected by the pullback track within OPA No.626, established specific noise attenuation policies which should be consistently applied for all lands east of Jane Street, north or south of the CN Rail MacMillan Yard pullback track.
8. The Ontario Municipal Board also concluded that the Jane Street Corridor was an appropriate location for the introduction of residential uses. This Amendment will provide for a mix of medium density residential and commercial uses within the emerging Urban Centre, in a location which is well buffered from existing low density residential uses in the Maple Community but which is well situated with respect to the provision of residential amenities.
9. This Amendment establishes comprehensive policies to address the commercial and residential uses, density, traffic requirements, noise requirements, including the CN pullback track and environmental policies, based on the policies set out in OPA No. 626, in order to ensure that there is a consistent policy basis for the development of lands on the east side of Jane Street within the "Vaughan Centre" boundary.
10. Specifically this Amendment provides for the following uses:
 - i) Medium Density Residential/Commercial
 The Amendment provides for a mix of residential and commercial uses. In order to protect the proposed new residential uses, specific policies regarding environmental noise impact from the pullback track are included within the amendment and a residential designation is not permitted within 150 metres from the CN Rail MacMillan Yard pullback track located to the south, measured from the north rail of the north

track.

ii) General Commercial

The Amendment designates the lands within 150 metres of the CN Rail MacMillan Yard pullback track, measured from the north rail of the north track General Commercial.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

1. Schedule "B1" to OPA No. 600 is hereby deleted and replaced with Schedule "B1" attached hereto as Schedule "B".

a) Subsection 4.1.1 vi) is amended by deleting the number "4,600" and substituting therefore the number "4,800".

b) Subsection 4.2.1.3.1, Exceptions is amended by adding the following policies:

"d) Notwithstanding any of the provisions herein, within the Medium Density Residential Commercial Area, subject to OPA No. 654, located at the southeast corner of Jane Street and Springside Road a maximum of 125 residential units shall be permitted. Lands located within the Area Subject to Amendment No. 654 shall be developed as a high quality mixed use development.

Notwithstanding the provisions of Section 4.2.2.7, service stations and gas bars shall not be permitted.

In addition to the design objectives of Section 4.2.2.2 the following urban design principles shall apply:

1. The development shall establish a distinctive high quality urban environment defined by architecture and landscape treatment. Buildings are encouraged to be sited to create an interesting and attractive streetscape along Jane Street with attention to integration of transit facilities and a high quality streetscape and open space;
2. Buildings should be sited to take advantage of the natural amenity of the valley.
3. Pedestrian access to buildings will be integrated with adjacent public streets to ensure access is convenient and safe;
4. The development shall establish a distinctive and co-ordinated landscape treatment internal to the site;
5. The development shall provide safe, efficient and convenient vehicular access in a pedestrian-friendly manner. Access shall be coordinated with an internal access route to a signalized intersection opposite Auto Vaughan Drive.
6. The development shall be designed to visually screen and minimize the impact of on-site parking and service areas; and

7. Separate vehicular access and driveways shall be encouraged for the residential and commercial uses. Mutual or shared driveways shall be discouraged.
- ii) The proponent of the development for the Subject Lands located at the southeast corner of Jane Street and Springside Road will be responsible for attenuating noise from the pullback track at residential receptors in the development.
1. Residential buildings shall be setback a minimum of 113.50 m measured perpendicular to the southerly property line of the Amendment area, which is the equivalent of 150m from the north track of the CN Rail MacMillan Yard pullback track. Residential buildings within the Amendment Area shall be air-conditioned and contain a warning clause on Title and in all Condominium Declaration Documents indicating possible disturbance of outdoor activities, in accordance with the recommendations of a noise report. Notwithstanding the foregoing, underground parking structures may be located within the 113.50m setback.
 2. The proponent of development on the Subject Lands will be responsible for attenuating noise from the pullback track at residential receptors in the development.
 3. Noise studies and design of noise attenuation measures shall be based on the noise criteria of MOE publication LU-131, "Noise Assessment Criteria in Land Use Planning", October 1997, including the Annex to LU-131, with the following supplementary clarifications:
 - o The applicable noise criteria for Transportation Sources are contained in Section 3 of LU-131, including Tables 1,2,3 and 4;
 - o the applicable noise criteria for Stationary Sources are contained in Section 4 of LU-131, including Tables 5, 6, and 7;
 - o the pullback track shall be treated as a "Stationary Source";
 - o the 5 dBA flexibility suggested in LU-131 shall not be permitted in the calculation of noise levels at the plane of window;
- iii) Where needed, for compliance with the stationary noise source criteria set out in LU-131, as per the OMB decision No. 1815, dated November 23, 2004 as amended by decision No. 0982 dated April 19, 2005, the construction of apartment buildings will incorporate balconies that are enclosed to act as a barrier to the sound experienced on the balconies and at adjacent living room and bedroom windows.
- iv) The analysis and design for the architectural details shall take into account the full frequency spectrum characteristics of the diesel locomotive sound sources, in accordance with good engineering practice.
- v) Residential buildings within the Amendment Area shall be air conditioned and contain a warning clause on Title and in all Condominium Declaration Documents indicating that there may be possible disturbance of outdoor activities, in accordance with the recommendations of a noise report. Notwithstanding the foregoing, underground parking structures may be located within the 113.5 m setback.

- vi) The implementing zoning by-law shall include appropriate development standards to facilitate the development of the Subject Lands.
- vii) It is recognized that the lands subject to this Amendment could be divided into more than one property or parcel, which may be developed independently. Arrangements shall be made as a condition of site plan approval to ensure that internal access to the residential properties are functionally integrated and secured to ensure appropriate road access.

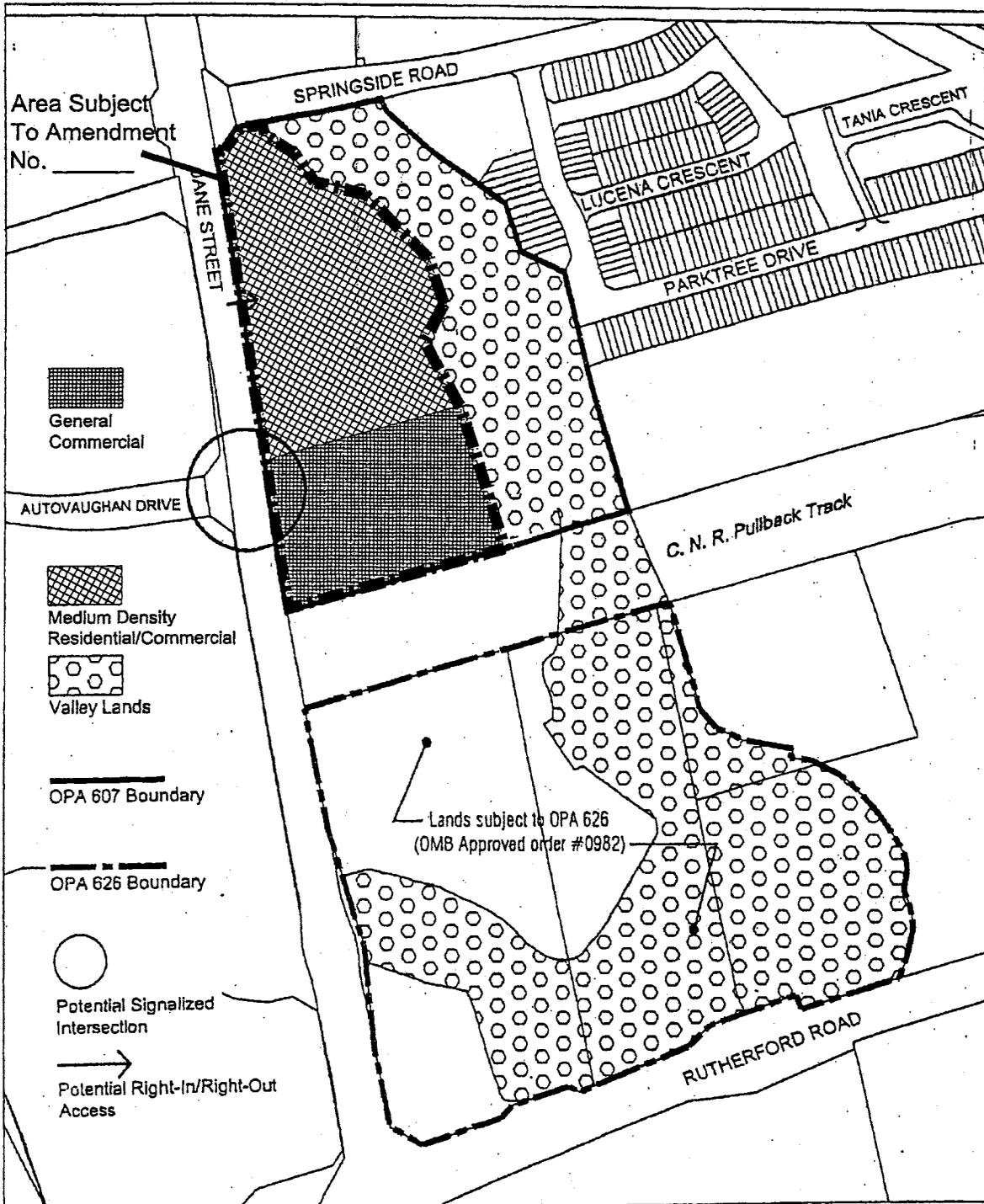
V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the Vaughan Zoning By-law, Draft Plan of Condominium approval, and Site Plan approval, pursuant to the Planning Act.

Implementation and maintenance of all required rail noise, vibration and safety impact mitigation measures, including notices on title and in all sales and lease agreements, such as rail operations warning clauses, will be secured through appropriate legal mechanisms during the site plan and condominium approvals processes, to the satisfaction of the City of Vaughan in consultation with CN.

VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.



LEGEND

▬▬▬▬ AREA SUBJECT TO AMENDMENT NO. 654

LOCATION: PART OF LOT 17
CONCESSION 4
CITY OF VAUGHAN

NTS

THIS IS SCHEDULE '1'
TO AMENDMENT NO. 654

PASSED THE _____ DAY OF _____, 2006.

SIGNING OFFICERS

BOARD ORDER # 1761
JUNE 20, 2006 Mayor
Clerk

VAUGHAN CENTRE
SECONDARY PLAN



LEGEND

- (ES) ELEMENTARY SCHOOL
- (NP) NEIGHBOURHOOD PARK
- (SW) STORM WATER MANAGEMENT
- (DC) DISTRICT COMMERCIAL CENTRE
- SP SPECIAL POLICY
- [Diagonal lines] LOW DENSITY RESIDENTIAL
- [Cross-hatch] MEDIUM DENSITY RESIDENTIAL/COMMERCIAL
- [Vertical lines] GENERAL COMMERCIAL
- [Horizontal lines] HIGH DENSITY RESIDENTIAL/COMMERCIAL
- [Dotted pattern] VALLEY LANDS
- [Dashed line] GREENWAY SYSTEM
- [Thick solid line] PRIMARY ROAD
- [Dashed-dotted line] VAUGHAN CENTRE SECONDARY PLAN AREA
- [Thick dashed line] AREA SUBJECT TO AMENDMENT #483 VAUGHAN CENTRE SECONDARY PLAN
- [Thick solid line] AREA SUBJECT TO AMENDMENT #826 OMB APPROVED ORDER #9882

THIS IS SCHEDULE 'B1' TO
AMENDMENT # 600

ADOPTED THE ___ DAY OF
_____, 2006

SIGNING OFFICERS

MAYOR

CLERK

LOCATION OF INTERSECTION
TO BE DETERMINED

CANADA'S WONDERLAND

HIGHWAY 400

JANE STREET

AREA
SUBJECT TO
AMENDMENT
NO. _____

CNR

RUTHERFORD ROAD

PRIMARY ROAD MUST
ALIGN WITH FUTURE
EDGELEY BOULEVARD

This is Schedule "2"
to Official Plan
Amendment No. 654

APPENDIX I

RECORD OF COUNCIL ACTION

On May 16, 2006, the Committee of the Whole, at a Public Hearing held on May 16, 2005, considered applications to amend the Official Plan and Zoning By-law to redesignate and rezone the Subject Lands to facilitate a development comprised of 3 eight-storey condominium buildings with approximately 450 units, and a three-storey mixed-use commercial/office building having a total gross floor area of approximately 13,500m².

At that meeting, the Committee of the Whole adopted the following recommendation:

"THAT the Public Hearing for Files OP.05.002 and Z.05.007 (Nashdene Garden Estates Inc.) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole."

The Committee of the Whole recommendation was ratified by Council on May 24, 2005.

The Owner subsequently amended the applications to facilitate the development of the Subject Lands with the following, which were considered at a Public Hearing on December 5, 2005:

- six(6) two-storey, mixed-use buildings comprised of approximately 6,846m² ground floor commercial uses with a total of 59 residential dwelling units on the second floor; and
- a three-storey office/commercial building having a gross floor area of approximately 10,110m².

At that meeting, the Committee of the Whole adopted the following recommendation:

"THAT the Public Hearing for Files OP.05.002 and Z.05.007 (Nashdene Garden Estates Inc.) BE RECEIVED, and that any issues identified be addressed by Staff in a comprehensive report to the Committee of the Whole."

The Committee of the Whole recommendation was ratified by Council on December 12, 2006.

On April 3, 2006, the Committee of the Whole considered a report from the Commissioner of Planning with respect to the Official Plan Amendment Application (File: OP.05.002) to redesignate the subject lands shown on Attachment #1 from "General Commercial (Special Policy)" under OPA #607 to "Medium Density Residential - Commercial" and "General Commercial" with site specific policies to implement the proposed plan. The report included the following recommendation (in part):

"THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES replacing the balance of OPA #607 with a site-specific amendment, to implement Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.)."

The Committee received the application and referred the matter to the Council meeting of April 10, 2006, to provide an opportunity for the applicant to meet with the Development Planning Department to resolve outstanding issues identified.

On April 10, 2006, Council considered a report from the Commissioner of Planning wherein a recommendation was included to refer further consideration of File OP.05.002 (Springside Gardens Estates Corp.) to the April 18, 2006 Committee of the Whole meeting, in order to allow the applicant and the Development Planning Department additional time to address the issues identified by the Committee of the Whole.

On April 18, 2006, the Committee of the Whole considered a subsequent report from the Commissioner of Planning, which included the following recommendation:

"That the recommendation in the report of the Commissioner of Planning for File OP.05.002 (Springside Gardens Estates Corp.), dated April 3, 2006 (Item 36, Report #18) be modified by deleting Condition 1. i) e) and that the provision of an ecological buffer be implemented as discussed in this memorandum and implemented through the zoning by-law and site development agreement."

The Committee of the Whole adopted this recommendation, which was ratified by Council on April 24, 2006.

The Official Plan and Zoning Amendment Applications and the Site Development Application were subsequently amended on May 5, 2006 to reflect a revised proposal consisting of a three-storey office/commercial building, three 3-storey residential buildings, and 3 2-storey mixed commercial/residential building.

The revised applications were considered by the Committee of the Whole on May 29, 2006, at which time the following recommendation was adopted:

"That the recommendation contained in the report of the Commissioner of Planning, dated May 29, 2006, be approved; and that the coloured elevation drawings submitted by the applicant be received."

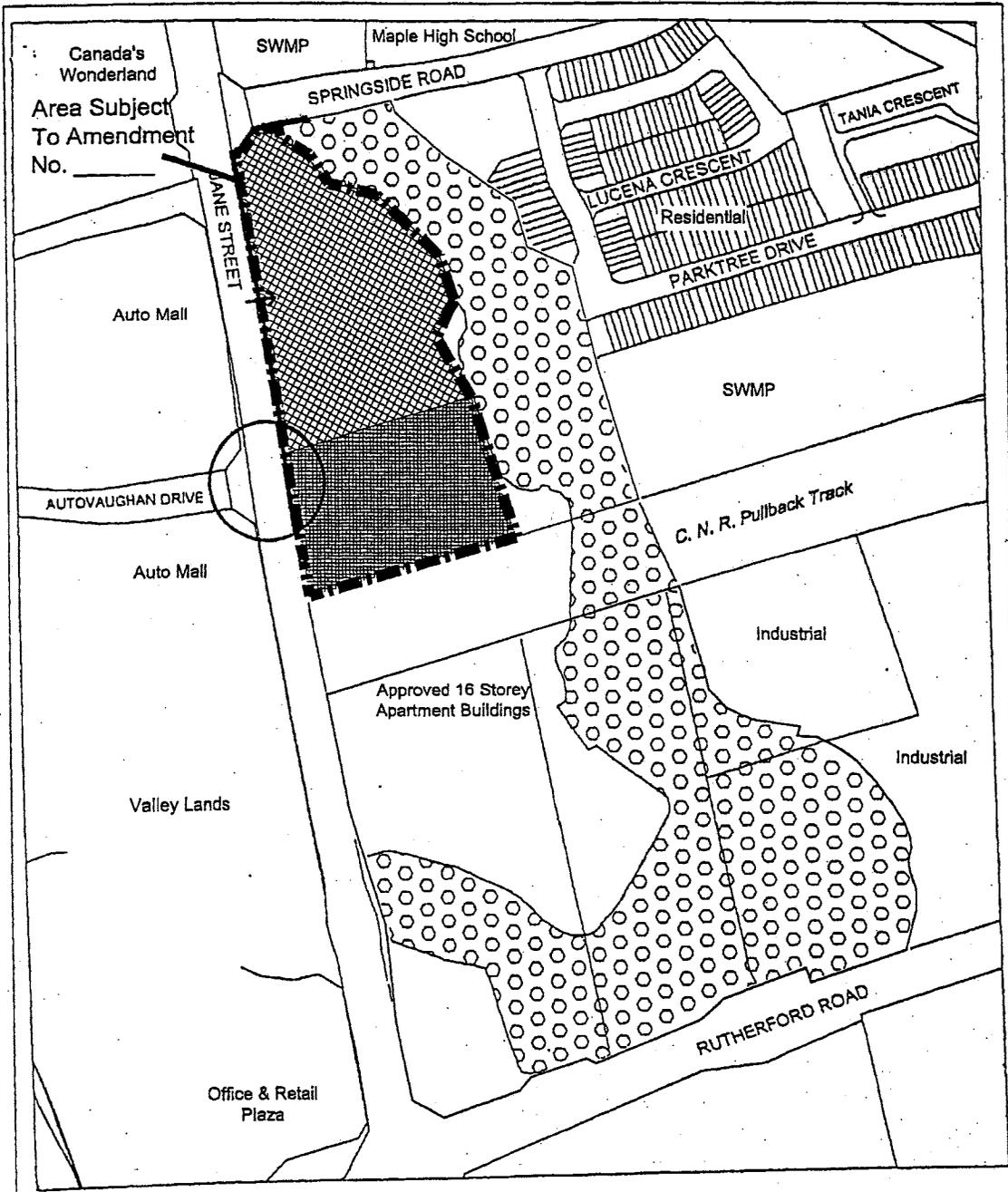
The report of the Commissioner of Planning included the following recommendation, which was adopted by Council, without amendment on June 12, 2006:

1. THAT Recommendation 1 i) b) of Council's resolution of April 24, 2006 (Item 36, Report #18) respecting Official Plan Amendment File OP.05.002 (Springside Gardens Estates Corp.) BE AMENDED, to provide for a total of 125 residential units comprised of 96 units in three 3-storey buildings and 29 units located above ground floor commercial units.
2. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Zoning By-law Amendment File Z.05.007 (Springside Gardens Estates Corp.).
3. That the implementing zoning by-law rezone the subject lands as shown on Attachment #2 from A Agricultural Zone to C4 Neighbourhood Commercial Zone, C4(H) Neighbourhood Commercial Zone with the addition of the Holding Symbol "H" and OS1 Open Space Conservation Zone, and provide the necessary zoning exceptions to implement the proposed site plan as discussed in this report.
4. THAT the Ontario Municipal Board BE ADVISED THAT COUNCIL ENDORSES the approval of Site Development File DA.06.027 (Springside Estates Gardens Corp.), subject to the following:
 - a) that prior to the execution of the site plan agreement:
 - i) the final site plan, building elevations, landscape plan and cost estimate shall be approved to the satisfaction of the Development Planning Department;
 - ii) the final development limits of the subject lands shall be established to the satisfaction of the Toronto and Region Conservation Authority and the City and the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
 - iii) the Owner shall satisfy all requirements of the Region of York;
 - iv) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
 - v) the Owner shall satisfy all requirements of the Fire Department;
 - vi) the final stormwater management, site grading and servicing plans, and traffic report shall be approved to the satisfaction of the Engineering Department;
 - vii) the Owner shall submit a parking study in support of the proposed parking standards and a parking allocation plan identifying how the parking spaces shall be allocated between the residential, visitor, office and commercial uses and the proposed method of enforcement to ensure that parking spaces are available for each intended use to the satisfaction of the Engineering and Development Planning Departments;
 - viii) the Owner shall provide a plan identifying the location of the community mailboxes to the satisfaction of Canada Post and the Development Planning Department;

- ix) the final landscape plan shall include the details respecting the valley edge restoration and amenity area for the City owned lands, to the satisfaction of the Development Planning Department;
 - x) the Owner shall satisfy all the requirements of CN Rail as shown on Attachment #11, as may be amended; and
 - xi) the site plan shall incorporate the future bicycle lane in accordance with the draft Pedestrian and Bicycle Master Plan Study to the satisfaction of the Parks Department.
- b) that the site plan agreement include the following clauses:
- i) "The Owner shall pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to a fixed rate prior to the issuance of a building permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. In addition, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands, for the commercial component prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."
 - ii) "The Owner shall pay to the City prior to the issuance of a building permit their share of the applicable Special Area Development Charges based on the net area of 4.87 hectares."
 - iii) "The Owner shall pay to the City all applicable development charges."
 - iv) "The Owner shall undertake the necessary noise study(ies) required to recommend the materials and construction methods to be employed to meet the stationary noise source criteria in all areas of the proposed building.

Prior to the issuance of a building permit, the final noise impact assessment study shall be approved to the satisfaction of the City, in consultation with CN Rail.

The Owner, shall agree to implement all of the recommendations of the final approved noise study and that prior to the issuance of a building permit, a qualified engineer shall certify that the building plans implement the recommendations of the approved noise study(ies)."
 - v) "The Owner shall pay to the City a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the Special Area Woodlot Development Charge By-law."
 - vi) The relevant clauses as set out in CN Rail's Conditions of Approval on Attachment # 11, as may be amended;
 - vii) A clause identifying that snow removal and garbage pick-up shall be privately administered and the responsibility of the Owner or Condominium Corporation.
 - viii) A clause requiring that that the residential development shall proceed by way of a draft plan of condominium."



NOT TO SCALE

LEGEND

▬▬▬▬ AREA SUBJECT TO AMENDMENT NO. 654

LOCATION: PART OF LOT 17
CONCESSION 4
CITY OF VAUGHAN

APPLICANT: SPRINGSIDE

**APPENDIX II
EXISTING LAND USE
OFFICIAL PLAN
AMENDMENT NO. 654**

-  General Commercial
-  Medium Density Residential / Commercial
-  Valley Lands