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 584 to the Official Plan of the Vaughan Planning Area, which was approved (in part) and modified under Subsections IV.2.e), f) and g) (*in italics*) by the Ontario Municipal Board, as per Order #1696, dated October 27, 2004.

JOHN DALEACH City Clerk

City of Vaughan

DATED at the City of Vaughan this 23rd day of November, 2004.

9 1 94

ISSUE DATE:

Oct. 27, 2004

**DECISION/ORDER NO:** 

1696



PL021142

# Ontario Municipal Board Commission des affaires municipales de l'Ontario

The Catholic Cemeteries Archdiocese of Toronto has appealed to the Ontario Municipal Board under subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from a decision of the City of Vaughan to approve Proposed Amendment No. 584 to the Official Plan for the Vaughan Planning Area OMB File No. O020189

#### **APPEARANCES:**

<u>Parties</u>	<u>Counsel</u>
City of Vaughan	C. Storto
1168912 Ontario Incorporated and Imortanne Marketing Inc.	J. Pepino P. Bruzio
Catholic Cemeteries Archdiocese of Toronto	P. Lauwers

MEMORANDUM OF ORAL DECISION ARISING OUT OF A TELEPHONE CONFERENCE CONDUCTED BY J. R. AKER ON OCTOBER 14, 2004 AND ORDER OF THE BOARD

At the outset of this telephone conference the Board was informed that the parties had reached a settlement. The Board has received Minutes of Settlement (Exhibit 2).

The Board received affidavit evidence from Mr. John Stevens, a qualified planner, supporting the proposed modifications to Official Plan Amendment No. 584.

No one spoke in opposition.

Based on the affidavit evidence of Mr. Stevens (Exhibit 1), the Board finds the proposed modifications represent good planning.

OCT 2 8 2004

CLERKS DEPARTMENT

The Board Orders that the appeal of the Catholic Cemeteries Archdiocese of Toronto is allowed, in part, and Official Plan Amendment No. 584 is hereby modified in the manner appended hereto as Schedule A and, as so modified, is approved.

The Board further Orders that the remainder of the appeal by the Catholic Cemeteries Archdiocese of Toronto is hereby dismissed.

The hearing scheduled to commence on November 29, 2004 for three days, is no longer required and is cancelled.

The Board so Orders.

J. R. AKER MEMBER

#### SCHEDULE A

#### Modification to Official Plan Amendment No.584

Add the following to subsection IV.2.e)

In particular the comprehensive site development and implementing zoning bylaw shall provide for the following:

- 1. The provision of a passive landscaped amenity area containing a minimum area of 3000 square meters, with a minimum frontage along Toronto RV Road of 45 metres immediately south of the adjacent cemetery lands. The use of such area will be restricted in the zoning bylaw to landscaping.
- 2. The northerly office building will consist of a maximum of 7 floors, comprised of 6 typical floors, in addition to the ground floor. The maximum height of the building shall be as shown on Schedule "B" attached hereto. The southerly office building will consist of a maximum of 8 floors, comprised of 7 typical floors, in addition to the ground floor; The maximum height of the building shall be as shown on Schedule "B" attached hereto. Any retail facility located between the office buildings shall be a maximum of 1 storey and not exceed 12 metres in height. The hotel building on the Site will consist of a maximum of 9 floors, comprised of 6 typical floors, in addition to the ground floor, a second floor and a mezzanine; The maximum height of the building shall be as shown on Schedule "B" attached hereto.
- 3. All parking shall be located underground or at grade. No parking, shall be located in above ground structures.
- 4. Landscaping and fencing requirements and window treatment shall be established by the City and to the satisfaction of the City in the Site Plan Agreement in consultation with the land owner and the owner of the adjacent cemetery lands.

Add a new section IV.2.f)

- 1. Road improvements satisfactory to the Region and the City and of the Ministry of Transportation shall be undertaken. Such road improvements are intended to include:
  - (a) Traffic signal installation at the Highway 27/Toronto RV Road intersection;
  - (b) The construction of a southbound right turn lane at the Highway 27/Toronto RV Road intersection;
  - (c) The widening of the eastbound approach of the Highway 27/Toronto RV Road intersection. The widening should accommodate two eastbound and one westbound lane.

#### Add a new section IV.2.g)

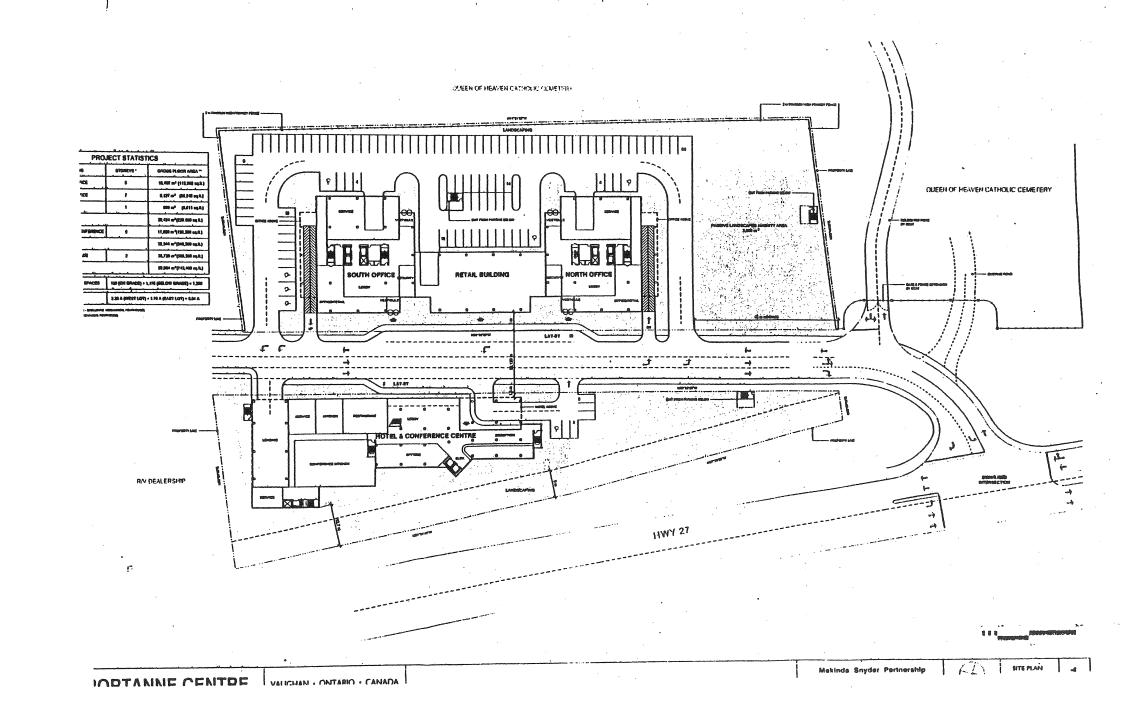
1. Development shall only occur on full water and sewer services. The extension of water and sewer services to the subject lands shall be sized to accommodate the present and future requirements of the adjacent cemetery lands. The costs thereof have been dealt with by private agreement between the land owners.

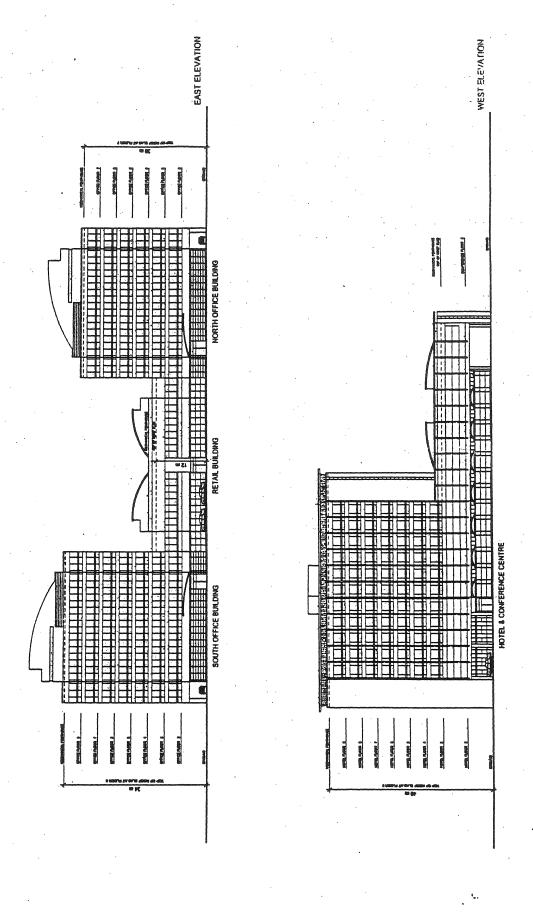
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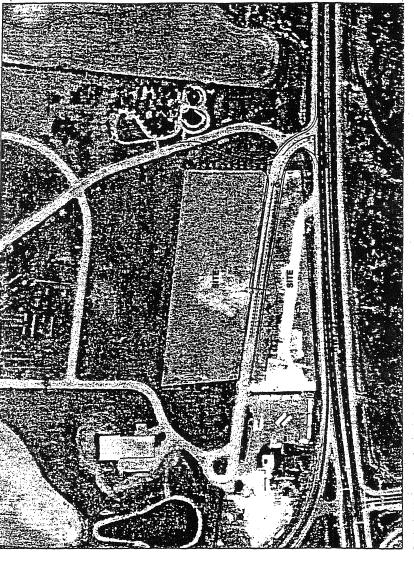
Makinda Snyder Partnership Acceretta - Ramma

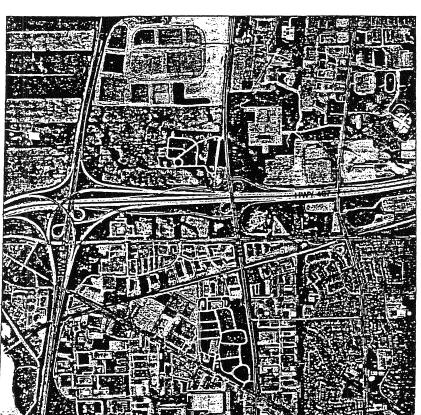
PORTANNE CENTRE

VAUGHAN · ONTANO · CANADA









AD & INTERSECTION UPGRADES BY IBI

SCATION PLAN

### THE CITY OF VAUGHAN

# BY-LAW

#### **BY-LAW NUMBER 345-2002**

A By-law to adopt Amendment Number 584 to the Official Plan of the Vaughan Planning Area.

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

- 1. THAT the attached Amendment Number 584 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "1", "2", "3" and "4" is hereby adopted.
- 2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

READ a FIRST, SECOND and THIRD time and finally passed this 11<sup>th</sup> day of November, 2002.

Michael Di Biase, Mayor

J. D. Verger City Clerk

#### **AMENDMENT NUMBER 584**

#### TO THE OFFICIAL PLAN

#### OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 584 to the Official Plan of the Vaughan Planning Area, and Schedules "1", "2", "3" and "4", constitute Amendment Number 584.

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

#### **PURPOSE**

I

The purpose of the subject Amendment is to amend Amendment No. 450 (Employment Area Plan) to the Official Plan of the Vaughan Planning Area. The subject Amendment will redesignate two parcels of land from "General Complementary Use Area" under the Provincial Parkway Belt West Plan, to a "Prestige Area" designation, subject to the "Service Node" policies, under Amendment No. 450.

This Amendment will facilitate the development of the subject lands as an Employment Area, comprised of prestige employment and service commercial uses, and will include policies that will permit office, hotel and conference/banquet hall, limited retail commercial and associated ancillary uses, together with appropriate development policies addressing such matters as intensity, traffic and site function.

#### LOCATION

II

The lands subject to Amendment No. 584, are hereinafter referred to as the "subject lands", and are located on the west side of Regional Road 27, north of Highway 407 (7242 Regional Road 27), in Lot 2, Concession 8, and Lots 2 and 3, Concession 9, City of Vaughan.

#### III <u>BASIS</u>

The decision to amend the Official Plan is based on the following considerations:

1. The subject lands are designated "General Complementary Use Area" by the Provincial Parkway Belt West Plan. This designation permits legally existing uses, agricultural, institutional, recreational and public uses, a single residential dwelling on a legally existing vacant lot, and other uses that maintain the open space character of the area and preserves and enhances natural features.

On April 3, 1997, the Ministry of Municipal Affairs and Housing approved Amendment No. 9, which removed the subject lands from the Provincial Parkway Belt West Plan. As the proposed office, hotel and commercial uses were not permitted in the "General Complementary Use Area" designation, Council has resolved to amend the City's Official Plan to provide opportunities for urban uses through the expansion of the City's Employment Area.

The appropriate designation to facilitate the proposed development on the subject lands is "Prestige Area" under Amendment No. 450, subject to the "Service Node" policies. The "Prestige Area" designation accommodates uses that require high visual exposure, good accessibility, and an attractive working environment. Service Nodes provide for the day-to-day convenience and service needs of businesses, industries and their employees. Service Nodes are generally located at the intersection of arterial and/or collector roads within the Employment Area, but are permitted in other areas that are conveniently located, or are predominantly devoted to such uses as an office complex and hotel. The maximum area of a Service Node is 1.2 hectares, which can be exceeded if the site is developed with a predominant use, such as an office building or hotel.

2.

Amendment No. 450 permits service commercial uses, but not full retail commercial, unless it is located on the ground floor of an office building. The proposed development includes retail store uses on both the ground floor and outside of the two office buildings. Given the somewhat isolated location of the property and distance to retail sites in Woodbridge and Toronto, the limited amount of retail is considered to be complementary to the primary office and hotel uses, and will provide a service to its users. Therefore, retail commercial uses can be supported, with a restriction on the gross floor area being set out in the Zoning By-law.

- 3. The proposed service commercial uses constitute an appropriate development of the subject lands for the following reasons:
  - a) the subject lands are located at a highly visible and prominent location at Regional Road 27 and Highway 407, which is conducive and in close proximity to businesses and industries;
  - b) the proposed uses are considered to be compatible with existing and planned surrounding uses, including the cemetery to the west and the Toronto RV Centre to the south, and would complement the office and hotel sector growth that is planned for the Vaughan Corporate Centre and the Employment Centre at Highway 427 and Regional Road 7;
  - the subject lands are highly accessible to both traffic and public transit, and given its proximity to Regional Road 27, Highway's 407 and 427, Regional Road 7 and Steeles Avenue West, should ensure quick dispersal of traffic in the area and negligible traffic impact.

The site is also located close to the planned Ministry of Transportation Ontario's light rapid transit line and station with 600 parking spaces at the northwest corner of Regional Road 27 and Steeles Avenue West. The MTO's "Transitway Corridor Protection Study" dated December 1998, indicates that the Highway 27 transit station is advantageous since it would be possible to access Lester B. Pearson International Airport (LBPIA) via a transit corridor along Highway 27; and.

- d) the proposed development provides additional service commercial lands for the City, which will facilitate businesses and industries and the traveling public, and will create new opportunities for employment, taxable assessment, and spin-off economic and social opportunities.
- 4. The subject lands are located along a portion of Regional Road 27 that is identified as an "Urban Corridor" by the Region of York's Official Plan, having potential for more intensive, transit-supportive mixed-use development. The proposed use of the subject lands conforms to the "Urban Area" designation in the Regional Official Plan.
- 5. The proponent of the subject lands has submitted a Market Review and Financial Feasibility Report prepared by the IBI Group, dated July 22, 2002, which concluded (in part):
  - "IBI Group would generally agree that the scale of the proposed development is significant, particularly in the suburban context and more specifically in the City of Vaughan. Vaughan has historically been very successful in its growth and development in the manufacturing and warehousing sectors with less emphasis on office development. However, the subject location at the intersection of Highway's 27 and 407 is well suited to more than the "typical" suburban office model of development.

Given that the site is relatively isolated from other suburban activity, but has superior regional accessibility characteristics, there is a need to establish a critical mass in order to attract development. IBI Group suggests that some 200,000 sq.ft of office space (GLA) and a 120,000 sq.ft hotel represent a critical mass which would be appropriate for the subject site."

 "IBI Group suggests a phased approach to development to ensure that an appropriate amount of office space is introduced into the northwest Greater Toronto Area (GTA) market at this location. This will also allow for competitive developments in Vaughan in designated office areas such as the Vaughan Corporate Centre. Each of Phases 1 and 2 would comprise approximately 100,000 sq.ft (GLA). It is anticipated that each office building would have floor plates on the order of 15,000 sq.ft and would be approximately 7-storeys in height. The density of the proposed office component is about 1.43 times coverage."

- "IBI Group estimates that there is an opportunity in the 2001 to 2011 timeframe for some 1.2 to 2.5 million sq.ft of additional office space in the City of Vaughan. The lower estimate assumes only a nominal increase in the share of office employment in the City whereas the higher estimate assumes that Vaughan's share of office employment will increase to levels comparable with York Region as a whole. Based on this demand forecast, the proposed development represents between 8% to 17% of the potential future market."
- 6. Having received a statutory Public Hearing held on January 22, 2001, on October 15, 2002, Vaughan Council approved Official Plan Amendment Application OP.00.022 to redesignate the subject lands to a "Prestige Area" designation under Amendment No. 450. The Amendment will permit office, hotel and commercial uses.

#### IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 450 to the Official Plan of the Vaughan Planning Area, is hereby amended by:

- 1. Redesignating the subject lands located northwest of Regional Road 27 and Highway 407, shown as "Area Subject To Amendment No. 584" on Schedules "1", "2", "3" and "4", attached hereto, from "General Complementary Use Area" under the Provincial Parkway Belt West Plan, to "Prestige Area" under Amendment No. 450, by:
  - a) deleting Schedules "1", "2", "2A" and "3" to Amendment No. 450 and substituting therefor Schedules "1", "2", "2A" and "3" attached hereto as Schedules "1", "2", "3" and "4" respectively, thereby adding the subject lands to Amendment No. 450.
- Adding the following site-specific policies to Exception Section 9.0 in Amendment No.
   450:

- "9.11 (OPA No. 584): The following policies shall apply to the subject lands located on the west side of Regional Road 27, north of Highway 407, in Lot 2, Concession 8, and Lots 2 and 3, Concession 9, City of Vaughan, and identified as "Area Subject To Amendment No. 584" on Schedules "1", "2", "2A" and "3" to Amendment No. 450:
- Area" policies in Section 2.2.3 and the "Service Node" policies in Section 2.2.5. Notwithstanding the permitted uses identified in Section 2.2.3(1b) and 2.2.5(1e) in the "Development Policies" section of each designation, the priority uses for the subject lands shall be offices, hotels with related hospitality, eating establishment and conference/banquet hall facilities, and other prestige employment uses. Ancillary retail commercial uses shall be permitted where their orientation and location are appropriately integrated into a development that is designed and devoted to the priority uses. The implementing Zoning By-law shall establish the permitted uses and development standards.
- b) Given the scale and phasing of the overall development, a detailed urban design guidelines report, master landscape plan, and comprehensive development phasing plan shall be submitted with the site plan application.
- c) Enhanced architectural treatment and appropriate mass and scale of the buildings, shall be provided for the overall development, reflecting the prominence of the Highway 407 and Regional Road 27 location. Buildings shall be designed so that elevations facing a street and the entrance to the site present a "front-like" elevation. Similarly, sensitive architectural treatment shall be required for the facades that face the cemetery and Toronto RV Centre.
- d) Surface parking and service areas shall be appropriately landscaped and screened from view, and the outside storage of goods and materials and garbage shall not be permitted. Perimeter landscaping shall be required to enhance the built environment, including sufficient-sized landscaped buffers adjacent to Regional Road 27 and the cemetery, and a significant urban landscaped treatment within the right-of-way of Toronto RV Road.

e) The comprehensive site development shall address the above-noted development and design policies, and the "Urban Design" policies in Section 2.3.1 of Amendment No. 450".

In particular the comprehensive site development and implementing zoning bylaw shall provide for the following:

- The provision of a passive landscaped amenity area containing a minimum area of 3000 square metres, with a minimum frontage along Toronto RV Road of 45 metres immediately south of the adjacent cemetery lands. The use of such area will be restricted in the zoning by-law to landscaping.
- 2. The northerly office building will consist of a maximum of 7 floors, comprised of 6 typical floors, in addition to the ground floor. The maximum height of the building shall be as shown on Schedule "B" attached hereto. The southerly office building will consist of a maximum of 8 floors, comprised of 7 typical floors, in addition to the ground floor; the maximum height of the building shall be as shown on Schedule "B" attached hereto. Any retail facility located between the office buildings shall be a maximum of 1 storey and not exceed 12 metres in height. The hotel building on the Site will consist of a maximum of 9 floors, comprised of 6 typical floors, in addition to the ground floor, a second floor and a mezzanine; the maximum height of the building shall be as shown on Schedule "B" attached hereto.
- 3. All parking shall be located underground or at grade. No parking, shall be located in above ground structures.
- 4. Landscaping and fencing requirements and window treatment shall be established by the City and to the satisfaction of the City in the Site Plan Agreement in consultation with the land owner and the owner of the adjacent cemetery lands.
- f)
  1. Road improvements satisfactory to the Region and the City and of the Ministry of Transportation shall be undertaken. Such road improvements are intended to include:

- a) Traffic signal installation at the Highway 27/Toronto RV Road intersection;
- b) The construction of a southbound right turn

  lane at the Highway 27/Toronto RV Road

  intersection;
- c) The widening of the eastbound approach of the Highway 27/Toronto RV Road intersection.

  The widening should accommodate two eastbound and one westbound lane.
- g) 1. Development shall only occur on full water and sewer services.

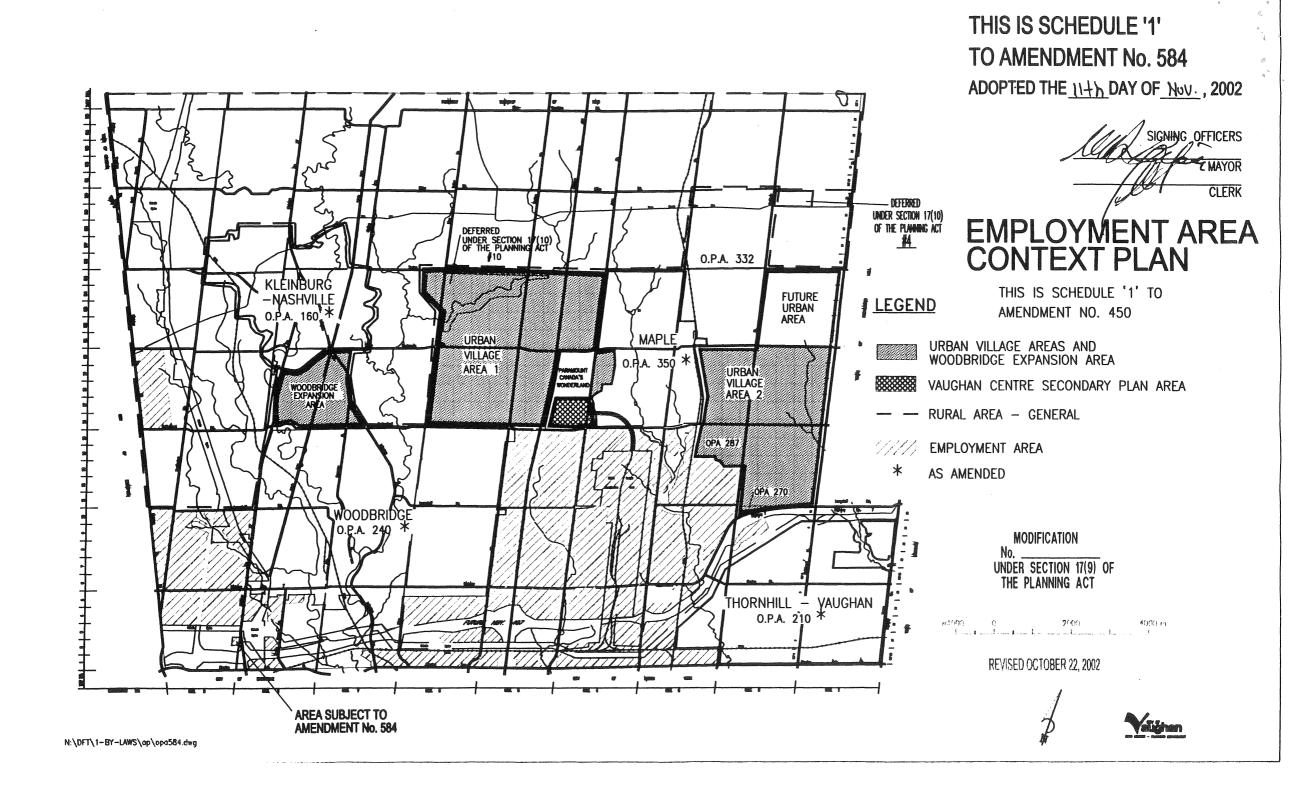
  The extension of water and sewer services to the subject lands shall be sized to accommodate the present and future requirements of the adjacent cemetery lands. The costs thereof have been dealt with by private agreement between the land owners.

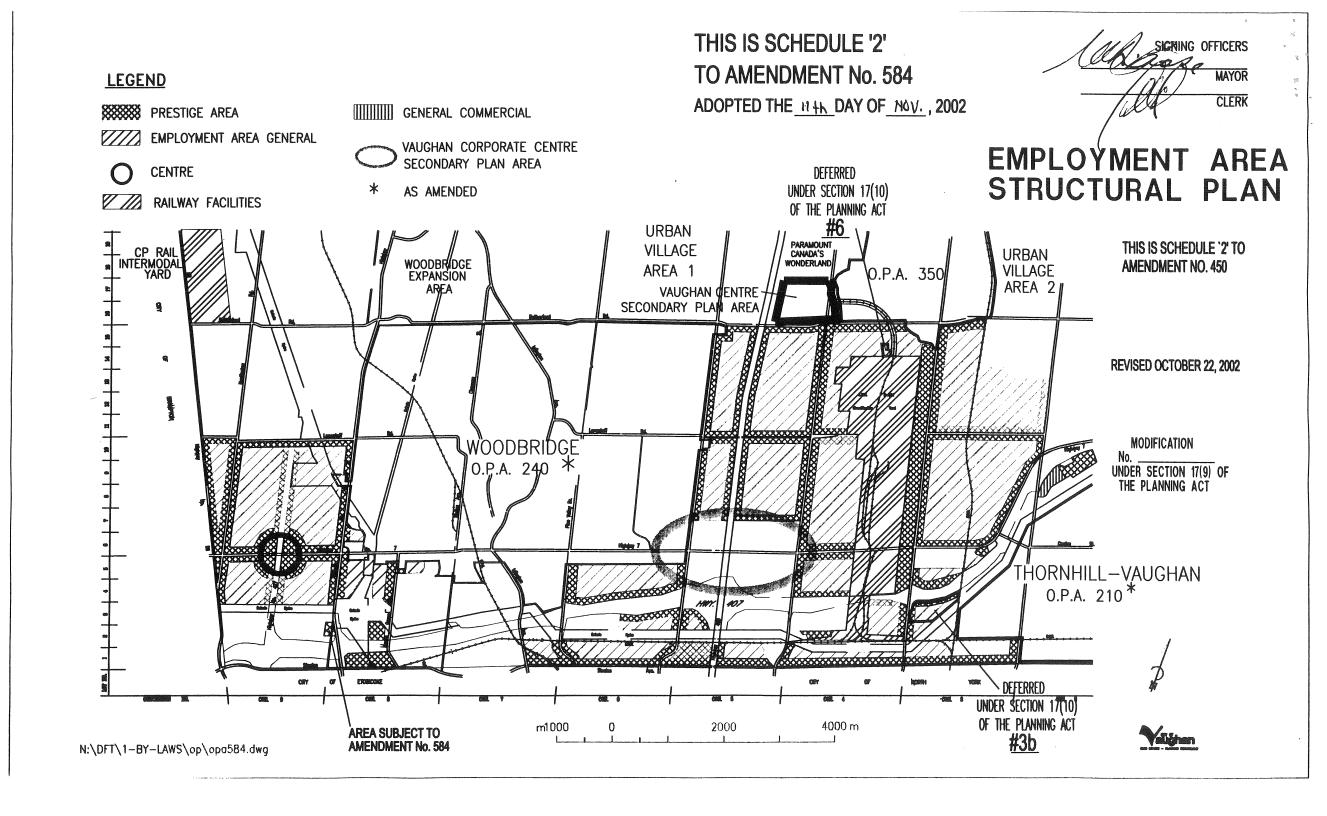
#### V <u>IMPLEMENTATION</u>

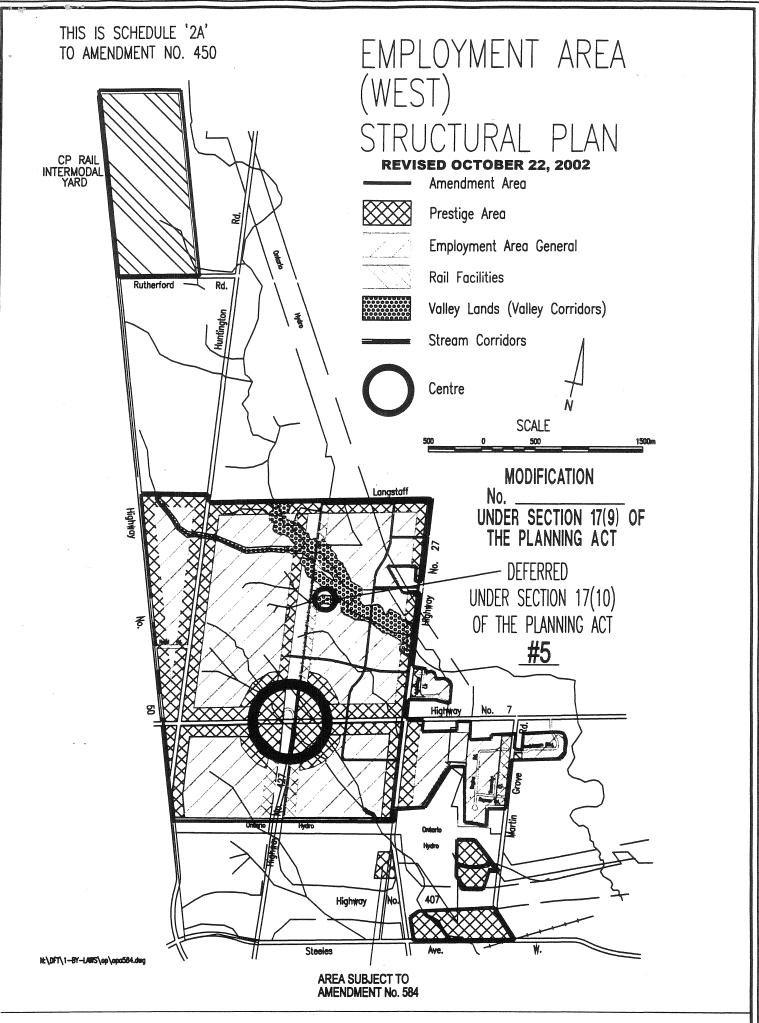
It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject land shall be implemented by way of an amendment to the Zoning By-law and site plan approval, pursuant to the "Planning Act".

#### VI <u>INTERPRETATION</u>

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.







# THIS IS SCHEDULE '3' TO AMENDMENT No. 584 ADOPTED THE 11 + DAY OF Nov., 2002

FILE No. OPA 584

LOCATION: Part of Lot 2, Concession 8 &

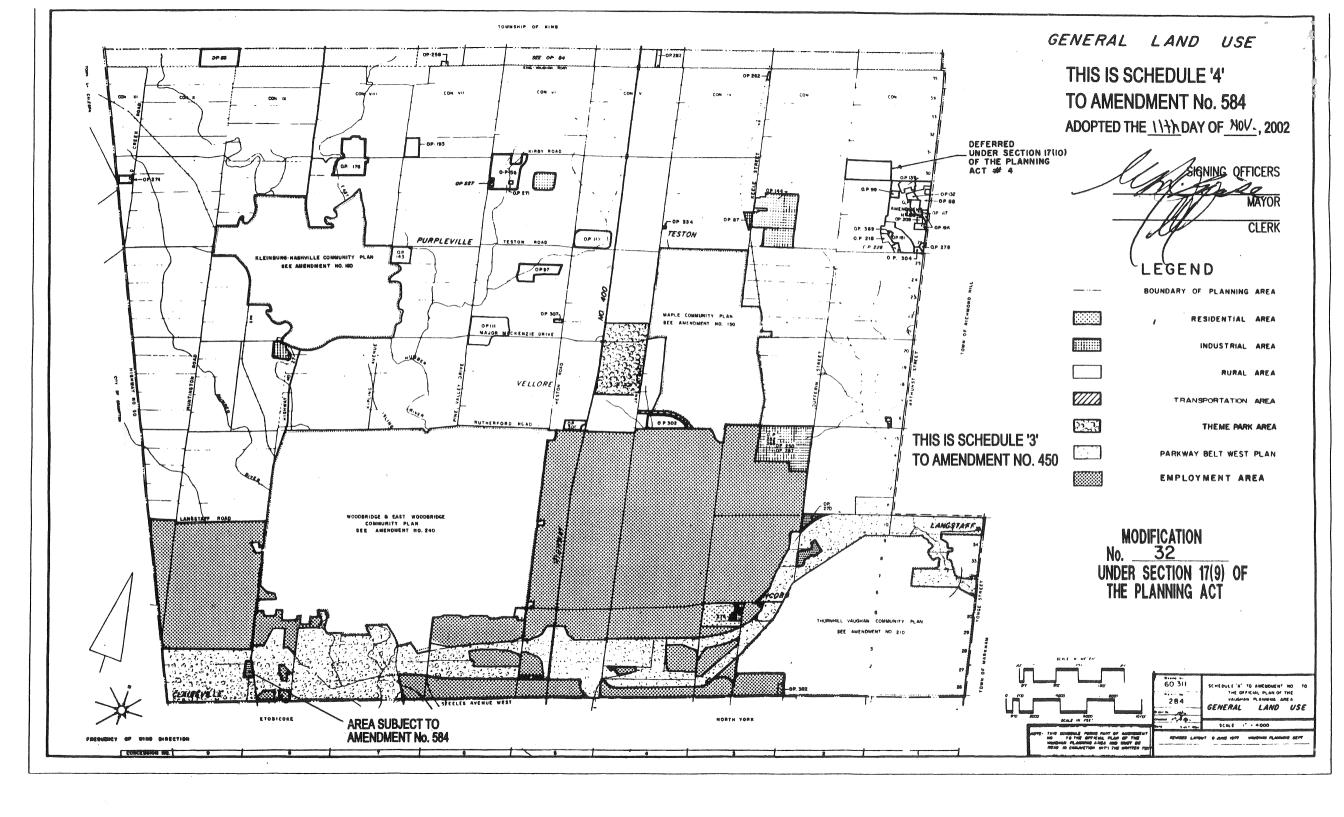
Part of Lots 2 & 3, Concession 9

CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK



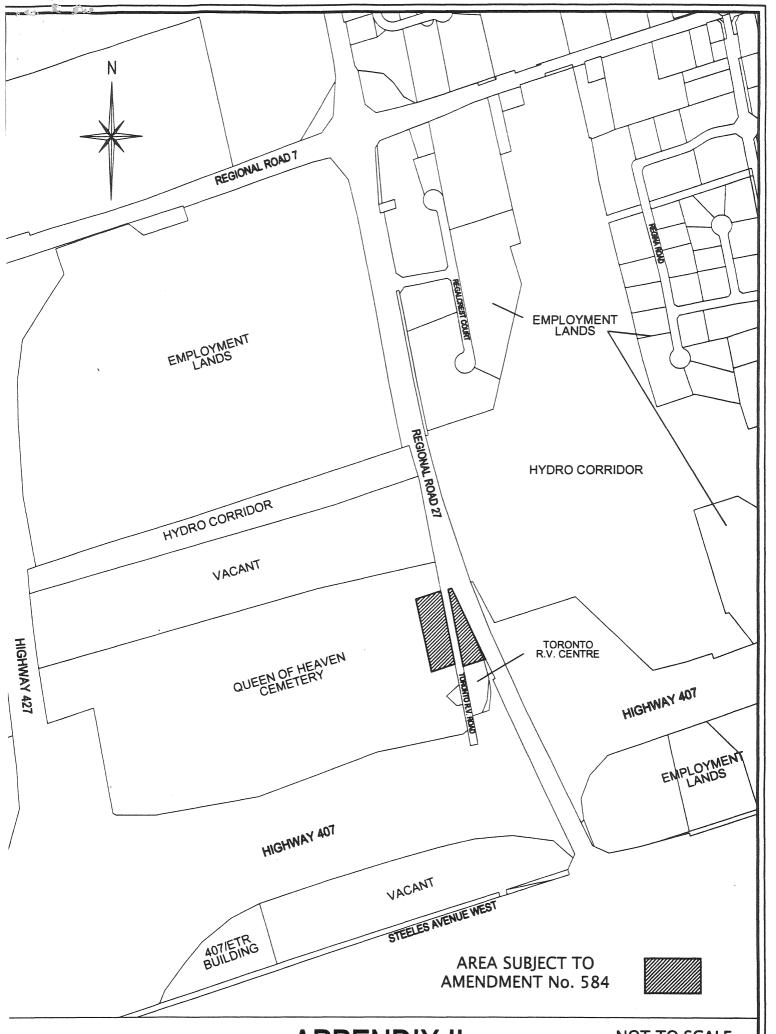
#### APPENDIX I

On October 15, 2002, Vaughan Council considered applications to amend the Official Plan and Zoning By-law, based on the following proposal:

- Easterly Parcel (0.71 ha/1.76 ac): 9-storey hotel with 120 rooms, and 2-storey conference/banquet centre with reception, eating establishments, recreational and meeting rooms, comprising a total of 9,300 m<sup>2</sup> (100,100 ft<sup>2</sup>);
- Westerly Parcel (1.33 ha/3.28 ac): 8-storey (Phase 1) and 7-storey (Phase 2) office buildings, including ground floor retail, comprising a total of 20,424 m<sup>2</sup> (220,000 ft<sup>2</sup>).
- A total of 1,294 parking spaces for the office and hotel development, comprising 118 surface and 1,176 underground spaces on 2 levels, with direct access to both parcels from Toronto RV Road, off Regional Road 27.

#### At the meeting, Council resolved:

- "1. THAT Official Plan Amendment Application OP.00.022 (1168912 Ontario Incorporated) BE APPROVED, subject to the following conditions:
  - a) redesignate the subject lands to a "Prestige Area" designation under OPA 450 (Employment Area Plan), subject to the "Service Node" policies;
  - b) permit office, hotel and conference/banquet hall, limited retail commercial and associated ancillary uses, together with appropriate development policies addressing such matters as intensity, traffic, and site function; and,
  - c) incorporate urban design objectives into the site-specific amendment to ensure proper integration of the development with the adjacent land uses.
- 2. THAT Zoning By-law Amendment Application Z.00.107 (1168912 Ontario Incorporated) BE APPROVED, subject to the following conditions:
  - a) that the implementing zoning by-law:
    - rezone the subject lands to C7 Service Commercial Zone;
    - restrict the site to office buildings; hotel with related hospitality, conference/banquet hall facilities, and eating establishment/outdoor patio; and limited retail store uses;
    - iii) provide minimum 9 m wide landscaped buffers adjacent to Regional Road 27 and the cemetery, and any necessary build-to or setback requirements to achieve appropriate built form and to facilitate a significant urban landscaped treatment within the right-of way of Toronto RV Road;
    - permit any necessary exceptions to implement the approved site plan;
       and.
  - b) that prior to the implementing by-law being enacted, the required site plan application shall be approved by Council."



# APPENDIX II EXISTING LAND USE OFFICIAL PLAN AMENDMENT No. 584

NOT TO SCALE

FILE No. OPA 584

LOCATION: Part of Lot 2, Concession 8 &

Part of Lots 2 & 3, Concession 9

CITY OF VAUGHAN