

Clause No. 13 in Report No. 11 of Committee of the Whole was adopted, as amended, by the Council of The Regional Municipality of York at its meeting held on June 26, 2014.

**13**

**AMENDMENT NO. 2 TO THE VAUGHAN OFFICIAL PLAN (2010) –  
THE VAUGHAN MILLS CENTRE SECONDARY PLAN**

**Committee of the Whole recommends:**

- 1. Receipt of the deputation by Mark Flowers, Davies Howe Partners LLP, on behalf of a number of landowners who own lands between Weston Road and Highway 400, in the City of Vaughan.**
- 2. Receipt of the following communications:**
  - 1. Jeffrey A. Abrams, City Clerk, City of Vaughan, dated March 24, 2014.**
  - 2. Michael Bissett, Bousfields Inc., on behalf of Rutherford Land Development Corporation, dated June 9, 2014.**
  - 3. A. Milliken Heisey, Papazian Heisey Myers, on behalf of Canadian National Railway, dated June 10, 2014.**
  - 4. Nima Kia, Lakeshore Group, on behalf of Stronach Trust, dated June 11, 2014**
  - 5. Steven Zakem, Aird & Berlis LLP, on behalf of Granite Real Estate Investment Trust and Magna International Inc., dated June 11, 2014**
  - 6. Mark Flowers, Davies Howe Partners LLP, on behalf of H & L Tile Inc. and Ledbury Investments Ltd., dated June 11, 2014**
  - 7. Meaghan McDermid, Davies Howe Partners LLP, on behalf of Tesmar Holdings Inc., dated June 11, 2014.**

**3. Adoption of the following recommendations in the report dated May 29, 2014 from the Commissioner of Transportation and Community Planning, with the following amendment to Recommendation 2:**

**2. Council *protect for the potential re-establishment of a minor collector road connection to Weston Road opposite Astona Boulevard, to be reviewed by staff no sooner than 2019.***

**1. RECOMMENDATIONS**

It is recommended that:

1. Council approve the Vaughan Mills Centre Secondary Plan, as modified and set out in *Attachment 1*.
2. Council re-establish a minor collector road connection to Weston Road opposite Astona Boulevard.
3. The Director of Community Planning be authorized to issue Notice of Decision for the Vaughan Mills Centre Secondary Plan, as prescribed by the Planning Act.
4. Regional staff be authorized to appear before the Ontario Municipal Board in support of the Region's position, if necessary, and the Commissioner of Transportation and Community Planning or designate be authorized to execute Minutes of Settlement, if appropriate.

**2. PURPOSE**

This report provides an overview and recommends approval of the Vaughan Mills Centre Secondary Plan, subject to the modifications described in *Attachment 1*. Vaughan Mills Centre is a significant intensification area within the City of Vaughan. If approved, the Secondary Plan will form part of Volume 2 of the City of Vaughan Official Plan (2010).

### **3. BACKGROUND**

#### **The Vaughan Official Plan (2010) Volume 1 applies city-wide and provides the foundation for managing growth within the City**

The City of Vaughan Official Plan (2010) is comprised of two volumes. Volume 1 applies city-wide and provides foundational objectives and policies to manage growth within the City and conforms to the Regional Official Plan and Provincial policies and plans. Schedule 1 – Urban Structure of the Vaughan Official Plan (2010) identifies the Secondary Plan area as ‘Primary Centre’, for lands located east of Highway 400) and ‘Employment Areas’, for lands located west of Highway 400. According to the City’s intensification hierarchy, Primary Centres are intended to be subordinate to the Vaughan Metropolitan Centre.

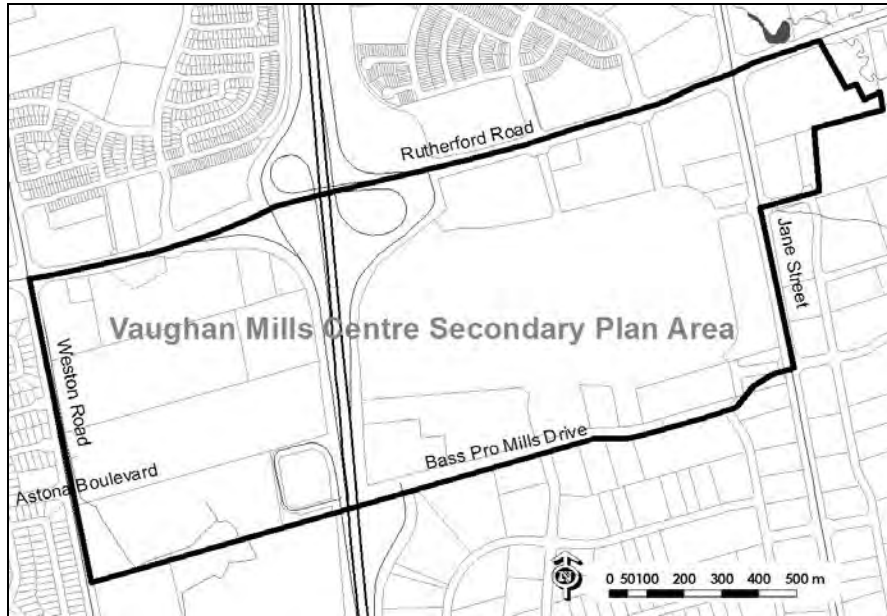
#### **The Vaughan Official Plan Volume 2 is comprised of individual secondary plans for certain identified areas within the City**

Volume 2 of the Vaughan Official Plan (2010) builds upon the policies of Volume 1 and contains secondary plans that were carried forward from the former Vaughan Official Plan, and area and site specific policies. Volume 2 should be read in conjunction with the policies of Volume 1. Amendment No. 2 represents a new secondary plan for the Vaughan Mills Centre area and, if approved, will be added to Volume 2 of the Vaughan Official Plan (2010).

#### **The Vaughan Mills Centre Secondary Plan area is a unique intensification and employment area that straddles Highway 400**

The Vaughan Mills Centre Secondary Plan area is generally bordered by Rutherford Road to the north, Jane Street to the east, Bass Pro Mills Road to the south and Weston Road to the west, and has a total developable area of 146.4 hectares (see Figure 1). The Secondary Plan area is bisected by Highway 400 and includes a portion of the Black Creek, the Vaughan Mills Mall and is located adjacent to the future rapid transit corridor on Jane Street.

**Figure 1**  
Vaughan Mills Centre Secondary Plan Area



#### **4. ANALYSIS AND OPTIONS**

##### **Development of the Vaughan Mills Centre Secondary Plan included input and consultation with the public, key agency stakeholders and Regional staff**

Schedule 14-A – Areas subject to Secondary Plans of Volume 1 of the Vaughan Official Plan (2010) identifies Vaughan Mills Centre as a required Secondary Plan area. The City of Vaughan has conducted a comprehensive planning exercise for the Vaughan Mills Centre area to guide future development. This Secondary Plan will assist in responding to recent development pressures and current Ontario Municipal Board (OMB) appeals in the area. The process and creation of the Vaughan Mills Centre Secondary Plan included public consultation and input from key stakeholders and Regional staff. On March 18, 2014, City of Vaughan Council adopted Amendment No. 2 to the Vaughan Official Plan (2010) and has forwarded the amendment to York Region for Regional Council's approval.

##### **The Secondary Plan provides a detailed and comprehensive policy framework and vision for the Vaughan Mills Centre area to 2031**

The Secondary Plan provides policies and directions on land use planning and growth management to 2031 and will create a vibrant, complete and mixed-use urban centre. *Attachment 2* shows the planned land use designations and emerging block pattern for the

Secondary Plan area. The Secondary Plan targets a total population of 8,778 persons in 4,303 units and a total of 10,907 jobs, and incorporates principles such as walkability, sustainability and promotes high quality urban design.

**The plan protects employment uses on the west side of Highway 400 while providing limited retail activities**

The lands located on the west side of Highway 400 within the secondary plan area are designated as 'Employment Commercial Mixed-Use', 'Prestige Employment' and 'General Employment' in Volume 1 of the City's Official Plan. Schedule C of the Vaughan Mills Centre Secondary Plan designates these lands as 'Employment Commercial Mixed Use' 'Prestige Office Employment' and 'Prestige Employment'. This Secondary Plan protects for employment uses on those lands, while providing limited (defined as up to 15 per cent of an employment area in the York Regional Official Plan) retail and commercial activities to support the employment uses.

**Redevelopment of Vaughan Mills Mall is not anticipated as part of this Secondary Plan; any redevelopment of the mall property will require future study**

The secondary plan area includes the Vaughan Mills Mall; however, the Secondary Plan does not anticipate redevelopment of the mall property. Accordingly, the Secondary Plan provides that any redevelopment of the mall property will require future study and the development of a master plan to best determine how any potential future redevelopment will be integrated with the planned function of the surrounding area.

**Development within the Secondary Plan area is phased based on the timing of transportation and other infrastructure improvements in the area**

The Secondary Plan identifies specific infrastructure and servicing requirements for each development block within the Secondary Plan area. The policies of the Plan provide for the appropriate phasing and staging of development to ensure that the necessary and specifically identified infrastructure facilities including transit services and road network improvements, among other facilities, are in place to support the planned development. A copy of the planned transit network for the Secondary Plan area is shown in *Attachment 3*.

The Secondary Plan prescribes development thresholds based on a transportation analysis undertaken as part of the Secondary Plan study. The Secondary Plan establishes that approximately 70 per cent of development on the east side of Highway 400 and 40 per cent of development on the west side of highway 400 could progress within the 2021 time horizon and would require, among others, the completion of Bass Pro Mills Drive to Jane Street and new Viva Quick Start rapid bus service (limited stop, mixed-traffic) on Jane Street, to connect with the Spadina Subway extension at the Vaughan Metropolitan Centre, as part of the YRT/Viva network expansion plan. Development beyond 2021 to

full build-out requires, among others, the completion of Bass Pro Mills to Weston Road and dedicated bus rapid transit or light-rail transit on Jane Street.

**Regional staff recommend the re-establishment of a road connection to Weston Road opposite Astona Boulevard**

The recommended modifications (see *Attachment 1*), in addition to minor technical matters, re-establish an additional minor collector road connection to Weston Road opposite Astona Boulevard. This same connection was previously eliminated from an early draft of the Secondary Plan through a resolution of Vaughan Council in June 2013. Regional staff have identified that without a road connection at this location residents will be forced to make several unnecessary movements onto Weston Road to access the east side of Weston Road. These unnecessary movements will consume part of the existing and future traffic signal capacity on Weston Road north and south of Astona Boulevard. This connection provides for improved connectivity to and from the Secondary Plan area and completes the proposed grid pattern of road connections in the area. Issues of traffic infiltration into the Weston Downs neighbourhood can be appropriately dealt with by restricting vehicle movements at this intersection.

**The Region's Transportation Master Plan Update will review road and transit plans needed to support growth including the Vaughan Mills Centre Secondary Plan**

In March 2014, concurrent with the adoption of the Vaughan Mills Centre Secondary Plan, the City of Vaughan requested that York Region review the priority and timing of transit and road improvements in the Vaughan Mills Secondary Plan area. The City of Vaughan specifically identified rapid transit plans along Jane Street, upgraded transit service on Weston Road and the potential role for a transit hub serving the Secondary Plan area as priority matters (see *Attachment 4 - Item 5*, Report No. 10 of the Committee of the Whole, City of Vaughan).

The Region's Transportation Master Plan Update will commence in Spring 2014 and is scheduled to be completed in early 2016. A key focus of the Update will be a review of current road and transit plans within the context of planned growth across York Region, including transportation improvements needed to support intensification areas, such as the Vaughan Mills Centre Secondary Plan area. The Update will reconfirm the recommended network improvements identified in the Secondary Plan and the associated timing of those improvements.

## **The Secondary Plan conforms to the Provincial Growth Plan and York Region Official Plan (2010)**

The overall intent of the Secondary Plan conforms to the key policies of the Provincial Growth Plan and encourages the creation of complete, mixed-use urban communities that will help support growth and intensification within the built boundary.

The Vaughan Mills Centre Secondary Plan area is identified as 'Urban Area' in Map 1 of the York Region Official Plan (YROP-2010). Urban areas are the focus of growth and intensification in the Region and provide for a wide range uses. The Secondary Plan conforms to Regional policies respecting intensification within the built boundary, and balances residential and employment uses to improve the possibilities for working and living in close proximity. The Secondary Plan provides minimum affordable housing policies and supports high-quality urban design and pedestrian friendly communities in keeping with the YROP-2010.

The Secondary Plan is bordered by three Regional Roads (Jane Street, Rutherford Road and Weston Road). Rutherford Road and Weston Road are identified as part of the Regional Transit Priority Network and Jane Street is identified as a Regional Rapid Transit Corridor. The Secondary Plan will help to ensure communities are planned with the early integration of transit.

### **Link to key Council-approved plans**

#### 2011 – 2015 Strategic Plan

The Vaughan Mills Centre Secondary Plan provides a vision for a vibrant, mixed use urban centre. Approval of this Secondary Plan supports the strategic objectives of the 2011 – 2015 Strategic Plan by promoting healthy communities, housing choice, protecting employment lands and increasing employment opportunities for those living in the Region.

#### Vision 2051

Approval of the Vaughan Mills Centre Secondary Plan supports Vision 2051 and the goal of creating liveable cities and complete communities through providing a policy structure that provides for a range and mix of uses.

## **5. FINANCIAL IMPLICATIONS**

The approval of the Vaughan Mills Centre Secondary Plan supports the subsequent approval of development applications that facilitate future growth, which increases Regional and local assessments. The increase in Regional and local assessments is

contingent upon the amount of development constructed. The approval of the Vaughan Mills Centre Secondary Plan will result in new growth and development in the area. Development Charge revenue collected as a result of new development within this Secondary Plan area will support infrastructure projects throughout the Region.

## **6. LOCAL MUNICIPAL IMPACT**

The recommendations of this report are consistent with the position of the Council of the City of Vaughan, which adopted the Secondary Plan on March 18, 2014. The Vaughan Mills Centre Secondary Plan provides local policy direction to manage growth in the Vaughan Mills area consistent with the policies and vision outlined in the Vaughan Official Plan (2010) Volume 1.

## **7. CONCLUSION**

Located in the south west and south east quadrants of Rutherford Road and Highway 400, the Vaughan Mills Centre Secondary Plan provides a comprehensive land use and policy framework to manage and guide growth within this local primary centre and employment area. The Secondary Plan establishes a vision for a vibrant, complete and mixed-use urban centre where people can live, work and play. The vision, policies and objectives of the Secondary Plan are consistent with the principles of Volume 1 of the Vaughan Official Plan (2010) and further supports the City's intensification hierarchy.

The Secondary Plan targets a total population of 8,778 persons and 10,907 jobs for the area and establishes an appropriate phasing scheme for development within this secondary plan that is tied to the provision of key infrastructure facilities including transit and roadways.

The Vaughan Mills Centre Secondary Plan conforms to the Regional Official Plan in balancing residential and employment opportunities, providing for affordable housing and supporting intensification. The Secondary Plan represents good planning in keeping with the principle of establishing complete urban communities well served by rapid transit.

Accordingly, staff recommends that Council approve the Vaughan Mills Centre Secondary Plan, as modified and set out in *Attachment 1*.

For more information on this report, please contact Josh Reis, Senior Planner at ext. 71515.

The Senior Management Group has reviewed this report.

*Attachments (4)*



## **YORK REGION MODIFICATIONS**

Note: ~~Strikethrough text denotes deleted text.~~  
Underlined text denotes added text

### **General**

Replace all references to “VIVA” with “vivaNext”

Revise all schedules to show an internal road connection within the secondary plan area to Weston Road opposite Astona Boulevard.

### **Part A**

#### **2.4.3 Region of York Official Plan (ROP)**

The new Region of York Official Plan was approved by the Province in September, 2010, and a large majority approved by the Ontario Municipal Board in January 2013. ROP 2010 reflects conformity with the 2005 Provincial Policy Statement, the Greenbelt Plan and the province’s Growth Plan. An important policy initiative of the Plan is to promote city building, focusing on regional centres and corridors, and including innovation in urban design and green building. The overall intensification objective in the Plan is aligned with the Provincial Places to Grow Plan: a minimum of 40% residential intensification within the built-up area. More specifically, ROP 2010 is one of the components in the Region’s Planning for Tomorrow growth management initiative. The ROP 2010 Plan integrates the York Region Master Plans for Pedestrian and Cycling, Transportation and Transit, and Water and Wastewater. ROP 2010 designates the Study Area as an Urban Area on Map 1-Urban Structure.

~~Within the ROP, local municipalities are required to plan for the comprehensive and long-term growth of Regional Corridors as mixed-use areas in a comprehensive manner including their role and function as transportation, transit, and neighbourhood areas. Jane Street and Rutherford Road are identified as a Regional Rapid Transit Corridor and Regional Transit Priority Network respectively, and are considered “Local Corridors” within ROP 2010. Local Corridors have the potential for intensive and mixed-use land development supported by public transit services. Local Corridors link Regional and Local Centres and may be identified as routes for transit services and facilities.~~

### **Part B**

#### **1.4.1 Jane Street Corridor**

The overall vision for the area is towards achieving a higher density mixed use neighbourhood supported by high order transit that is ~~all~~ served by accessible open space and parks, pedestrian connections, community services, and an enhanced pedestrian realm.

## **3.0 Introduction**

The policies in this section address land use for Vaughan Mills Centre and are intended to ensure all future planning and development is in keeping with the desired build out of the area.

The policies established in this section build upon those in the Vaughan Official Plan 2010 (VOP 2010) ~~and other applicable policies.~~

### 3.4 Land Use Framework

All development within the ~~Secondary Plan area~~ land use areas of this Plan are subject to Site Plan Control pursuant to Section 41 of the Planning Act and Section 10.1.2.20 of the VOP 2010. The Land Use Map, Schedule C: Land Use Designations, delineates land use designations for the Vaughan Mills Centre Secondary Plan.

#### 3.5.5

Through the policies of this Plan, the City shall seek to meet an overall density target of 193 people and jobs per hectare by 2031 in Vaughan Mills Centre. Notwithstanding the policies of this Plan, the City may revise the overall density targets without amendment to this Plan, but any revised target should be consistent with goals and objectives of this Plan.

#### 3.5.6

Schedule B: Height and Density establishes the maximum density ~~and minimum densities (D)~~ permitted in Vaughan Mills Centre, expressed as floor space index (FSI). With the exception of public safety services and community facilities, no development shall have a density ~~lower or~~ higher than the FSI ~~range~~ as of right. The FSI and developable area requirements of a parcel shall be defined and calculated as per Section 10 of the VOP 2010.

#### 3.6.1.7

~~Notwithstanding the foregoing, T~~the lands located at the northwest corner of the future extension of Bass Pro Mills Drive to Jane Street, as shown on Schedule C: Land Use Designations shall be subject to the following policies:

- The lands shall be zoned with the Holding Symbol (H) in accordance with Section 36 of the Planning Act. A by-law to remove the Holding Symbol (H) shall not be enacted until such time as:
  - ~~A~~ Draft Plan of Subdivision ~~19T-98V10~~ has been registered and Bass Pro Mills Drive extension to Jane Street at Locke Street has been constructed and dedicated as a public right-of way;
  - A Site Plan Agreement for the development of the subject lands has been registered;
  - The Owner shall have ceased all operations and demolished all buildings and structures; and
  - The Owner shall have provided a Record of Site Condition, based on the studies of a qualified environmental consultant and the completion of any necessary remediation work, which indicates that the entire site is free of environmental hazard and meets the Ministry of the Environment (MOE) Guidelines for Industrial and Commercial Uses. The record of site condition shall be acknowledged by MOE;

#### **3.6.1.4**

A mix of low, mid, and high-rise building typologies shall be permitted as identified in Part B, Section 3.8 and on Schedule B: Height and Density of this Plan.

#### **3.6.2.3**

A mix of Mid-Rise Mixed-Use building typologies shall be permitted as identified in Part B, Section 3.8 and on Schedule B: Height and Density of this Plan.

#### **3.6.3.3**

A mix of low and medium-rise building typologies shall be permitted as identified in Part B, Section 3.8 and on Schedule B: Height and Density of this Plan.

#### **3.6.4.3**

In addition to the building types permitted under Section 9.2.2.1 of VOP 2010, low-rise building typologies shall be permitted as identified in Part B, Section 3.8 and on Schedule B: Height and Density, including:

- Stacked Townhouses and Low-Rise Buildings

#### **3.7.2.4**

All uses within the Prestige Office designation shall be wholly enclosed within a building, and no outdoor storage shall be permitted.

#### **3.7.2.5**

A mix of low and medium-rise building typologies shall be permitted as identified in Part B, Section 3.8 and on Schedule B: Height and Density of this Plan.

#### **3.7.3.2**

A mix of low and mid-rise building typologies shall be encouraged as identified in Part B, Section 3.8 and on Schedule B: Height and Density of this Plan.

### **3.8.1 General**

The built form policies of this Plan define the parameters for a desired future built environment in Vaughan Mills Centre. The intent is to ensure that new buildings reinforce a coherent, harmonious, and appealing urban environment, as well as contribute to the structure and enhancement of the Open Space and Transportation Frameworks of this Plan. In addition to the land use policies of this Plan, the built form policies provide more detailed direction for development. The policies and guidelines below are illustrated by the figures in Appendix B.

As outlined in Policy 9.2.3 of the VOP 2010, a wide variety of building typologies are permitted within Vaughan Mills Centre. This Secondary Plan builds on the policies of the VOP 2010 while providing additional direction in guiding built form. In addition to the permitted height and density parameters, as indicated on Schedule B: Height and Density, and Schedule D: Ground Floor Frontage Types, the following policies shall apply.

- A wide variety of buildings shall be permitted in Vaughan Mills Centre including Low-rise, Midrise, and High-rise buildings, in accordance with Schedule B: Height & Density, including:
  - Low-rise buildings (2-4 storeys) including townhouses, apartments and office, employment, institutional and mixed-use buildings. Low-Rise buildings shall have a minimum height of 2 storeys, and a maximum of 4 storeys. Low-Rise buildings are appropriate for areas within the Vaughan Mills Primary Centre that do not front onto arterial streets (Jane Street, Rutherford Road, or Bass Pro Mills Drive). Low-rise buildings are generally located internal to the block fronting onto lower order streets, as identified on Schedule F: Transportation Framework.
  - Mid-rise buildings (generally 6-12 storeys), which may contain a mix of uses and built forms. Mid-rise buildings are permitted throughout Vaughan Mills Centre, and shall have a minimum height of 2 storeys in the employment area, 3 storeys in the areas east of Highway 400.
  - High-rise buildings (up to approximately 25 storeys), as identified on Schedule B: Height and Density.
- ~~The maximum permitted height and density identifies a height and density range for each land use designation.~~ The height in storeys shall not exceed the numbers following the letter H, as shown on Schedule B: Height and Density.
- The built form policies of this Plan define the desired future character and function of the built environment including height and massing, parking and movement, and landscaping in contributing to a pedestrian-oriented environment. The intent is to ensure that new buildings reinforce a coherent, harmonious and appealing urban environment, as well as contribute to the enhancement of the public realm according to the following built form criteria.\

#### **4.2.7.3.3 West of Highway 400 (Vaughan Mills Centre Business District)**

- A revised ramp entrance to the existing partial interchange at Bass Pro Mills Drive via a new intersection at the proposed east-west collector road and the proposed north-south collector parallel to Highway 400. This will provide south bound access for traffic originating on both the east and west side of Highway 400, and help to distribute southbound traffic away from boundary roads.
- The extension of Bass Pro Mills Drive to Weston Road. This roadway extension will provide an important connection between lands west and east of Highway 400 and will generally help to distribute east-west traffic in the area. Existing and future highway crossings should be pedestrian and bicycle friendly. The proposed Bass Pro Mills extension to Weston Road will help to mitigate through-traffic along Weston Road and Rutherford Road. Intersection improvements, including turning lanes and traffic signals, will be required at this intersection.

The proposed Bass Pro Mills Drive connections with Jane Street and Weston Road will also help to divert traffic from Rutherford and thus improve the level of service at the Weston Road/Rutherford Road intersection.

- A new connection to Weston Road opposite the existing Astona Boulevard signalized intersection from the proposed internal road network. Consideration will be given to mitigate the potential for traffic into the neighbourhood of Weston Downs, west of Weston Road.
- A ~~third~~second connection to Weston Road from the internal street grid north of the proposed Weston Road/Bass Pro Mills Drive intersection is proposed.
- A new internal north-south collector street between the proposed Bass Pro Mills extension with Rutherford Road opposite the Vellore Woods Boulevard/Rutherford Road intersection.
- New internal north-south collector streets are proposed with a new connection at Rutherford Road parallel to Weston Road. Consideration will be given to connecting these streets with the existing Westcreek Drive and Creditview Road south of the Study Area. This internal street network will help to keep traffic internal to development blocks, and divert traffic away from Weston Road.

The long-term plan for these streets, additional transportation improvements, and strategies beyond the Secondary Plan boundary will need to be planned and implemented over time. Further comprehensive transportation analysis will be required through the Tertiary Plan process for the Vaughan Mills Mall Area as identified on Schedule A.

## **Part C**

### **2.1**

The policies contained in this Plan shall apply to the lands within the Plan Area boundary identified in Schedule A: Plan Area, and shall be referred to shown in Figure 1: Study Area, as the Vaughan Mills Centre Secondary Plan area. Except as otherwise provided herein, the policies of this Plan shall supersede the policies of any other area or site specific Official Plan Amendment which is in force for the subject lands on the date of the approval of this Plan. Although this plan will not be in force until approved by York Region Council, or the Ontario Municipal Board in the event of an appeal, City staff will use it to guide their review of development applications and other proposals for the Vaughan Mills Centre.

### **Table 2: Transportation Network Improvements, 7<sup>th</sup> Bullet Point:**

Improvements to the Weston Road/Rutherford Road intersection, which may include nNorthbound dual left-turn lanes, signal timing adjustments and other physical modifications as may be studied and implemented by the Region to provide additional transportation capacity within the Vaughan Mills Business District to the satisfaction of the City and York Region. on Weston Road at Rutherford Road (dependent on effects of the improvements on Major Mackenzie Drive at Highway 27).

### **7.4.3**

For development within the Vaughan Mills Centre Business District:

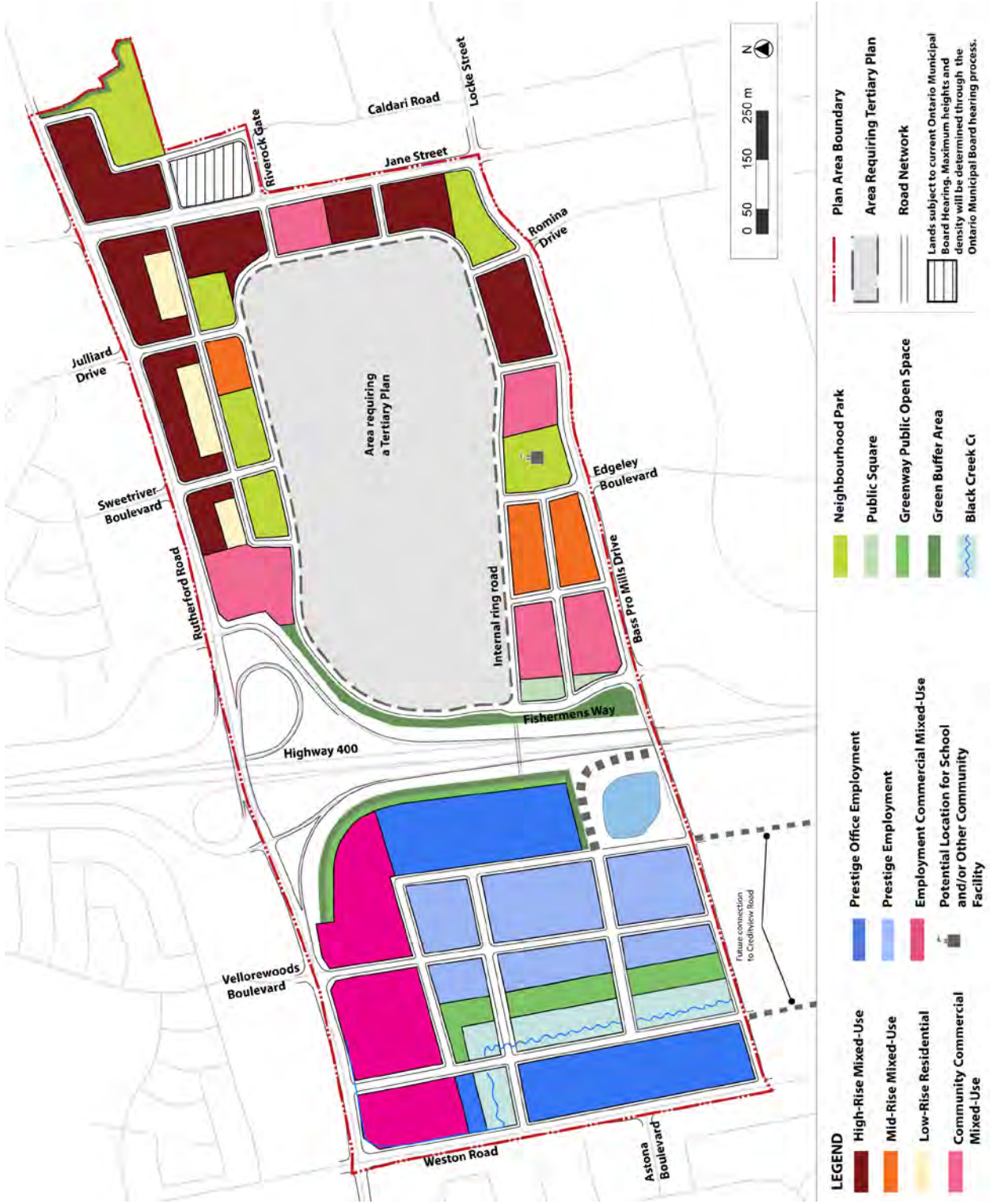
Key benchmarks for the advancement of development within the Vaughan Mills Centre Business District shall include, among other things: the completion of Bass Pro Mills Drive from Jane Street to Weston Road; and a revised ramp entrance to the existing partial interchange at Bass Pro Mills Drive via a new intersection at the proposed east-west and north-south collector parallel to Highway 400.

The following shall be required as a condition of development for the following blocks as shown on Schedule I.

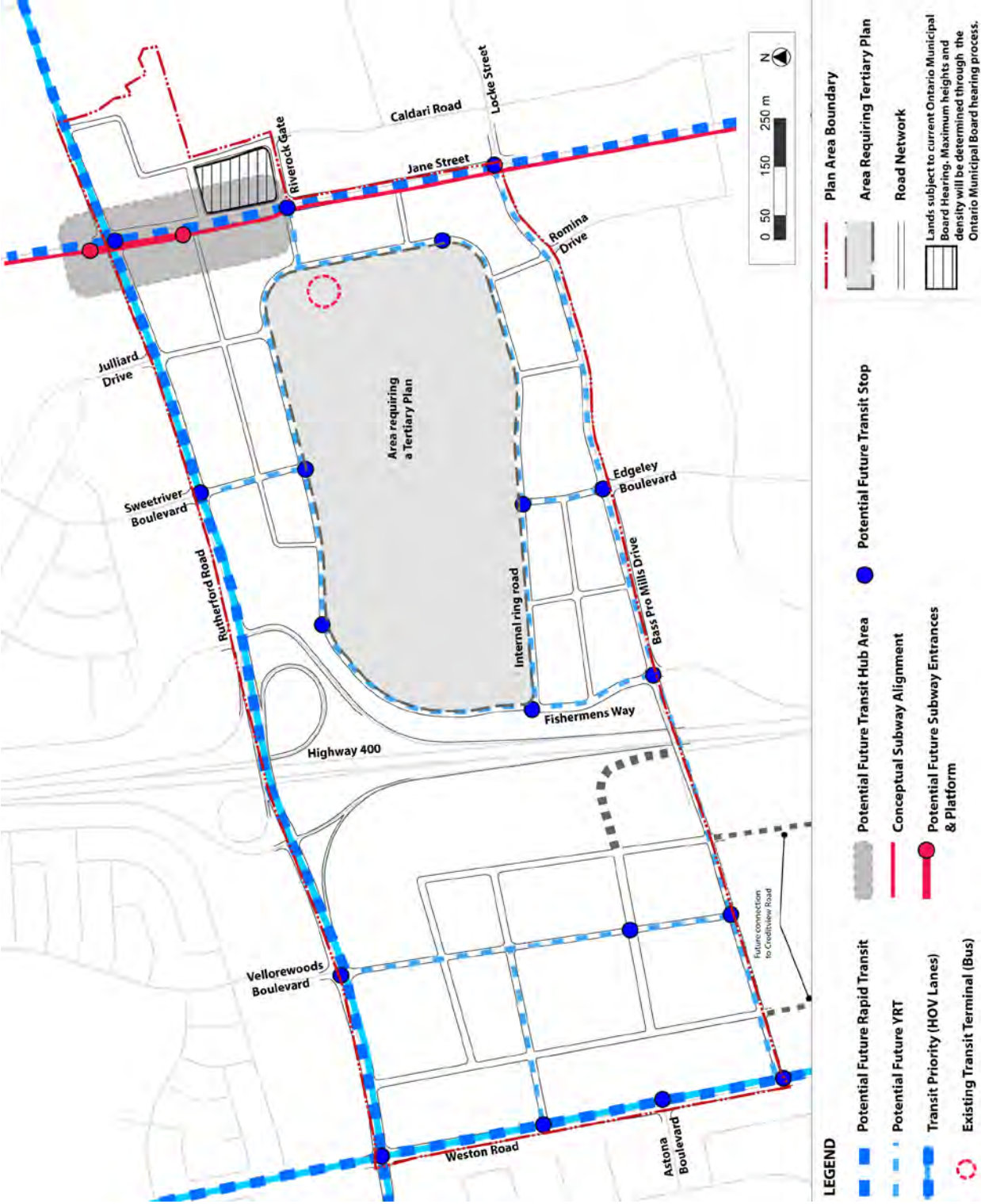
#### Blocks 11-17

Development within the Vaughan Mills Centre Business District for Blocks 11-17 will require a Block Plan. The Block Plan application will address the matters set out in Policies 10.1.1.15 of VOP 2010 and shall constitute a complete application to the satisfaction of the City of Vaughan. In addition to the Block Plan requirements of VOP 2010, the following matters are considered to be a priority for development in the Vaughan Mills Centre Business District:

- The extension of Bass Pro Mills Road from the Highway 400 interchange to Weston Road;
- The design and realignment of the Black Creek as identified in this Plan;
- The dedication of parks and road connections as identified in this Plan;
- A new internal north-south collector street between the proposed Bass Pro Mills extension with Rutherford Road opposite the Vellore Woods Boulevard/Rutherford Road intersection;
- New internal north-south collector streets with a new connection at Rutherford Road parallel to Weston Road; ~~and~~
- Roadway connections to Westcreek Drive and Creditview Road south of the Study Area; and
- A new roadway connection to Weston Road opposite Astona Boulevard



Amendment No. 2 to the Vaughan Official Plan (2010) – the Vaughan Mills Centre Secondary Plan







**FOR INQUIRIES: PLEASE QUOTE ITEM & REPORT NO.**

March 24, 2014

Mr. Denis Kelly, Regional Clerk  
The Regional Municipality of York  
17250 Yonge Street, Box 147  
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:

**RE: VAUGHAN MILLS CENTRE SECONDARY PLAN (THE "VMCS PLAN")  
CITY OF VAUGHAN RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY  
SUBMISSIONS  
FILE #: 26.1  
WARD 3 & 4**

Attached for your information is **Item 5, Report No. 10**, of the Committee of the Whole regarding the above-noted matter which was adopted, *as amended*, by the Council of the City of Vaughan at its meeting of March 18, 2014.

I draw your attention to Clause 5. of the recommendation as follows:

"5. *York Region be requested to initiate a review of its Transportation Master Plan in 2014 to assess, among other things, the priority and timing of various transit and road network improvements and new initiatives required to address local development. Such review, in consultation with Local Municipalities, should provide advice to Metrolinx about project prioritization and timing under the "Big Move" Plan. In regard to the Jane Street and Weston Road corridors, the following matters should be investigated as priority matters:*

- a) *Advancing the implementation of rapid transit on Jane Street;*
- b) *The implementation of Quick Start/Rapid Transit Service on Jane Street;*
- c) *The upgrading of transit service on Weston Road;*
- d) *The potential role of a transit hub serving the Secondary Plan area in support of existing and proposed development."*

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey A. Abrams', written over a circular stamp or seal.

Jeffrey A. Abrams  
City Clerk

Attachment:

Extract

Attachments are available in the City Clerk's Office and the City's website at [www.vaughan.ca](http://www.vaughan.ca) under City Council/Agendas, Minutes and Extracts

JAA/as

## **DEPUTATION AND COMMUNICATIONS**

**From:** Jules Calzavara [mailto:JulesC@davieshowe.com]  
**Sent:** Wednesday, June 11, 2014 3:40 PM  
**To:** Regional Clerk  
**Cc:** Martin, Carrie; Mark Flowers; Monica Costa  
**Subject:** Deputation Request - Committee of the Whole meeting June 12, 2014

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Dear Sir or Madam,

Mark Flowers of Davies Howe Partners LLP would like to make a deputation at tomorrow morning's Committee of the Whole meeting on behalf of a number of landowners who own lands between Weston Road and Highway No. 400, within the Vaughan Mills Centre Secondary Plan area. Specifically, Mark would like to make a deputation regarding item No. F.2.3 - the proposed Vaughan Mills Centre Secondary Plan. Kindly confirm that Mark will be added to the list of deputants.

Kindly confirm receipt of my email.

Thank you, Jules

Jules Calzavara  
Legal Assistant to Michael Melling  
[JulesC@davieshowe.com](mailto:JulesC@davieshowe.com)  
416.977.7088



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**FOR INQUIRIES:** PLEASE QUOTE ITEM & REPORT NO.

March 24, 2014

Mr. Denis Kelly, Regional Clerk  
The Regional Municipality of York  
17250 Yonge Street, Box 147  
Newmarket, ON L3Y 6Z1

Dear Mr. Kelly:


**RE: VAUGHAN MILLS CENTRE SECONDARY PLAN (THE "VMCS PLAN")  
CITY OF VAUGHAN RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY  
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I draw your attention to Clause 5. of the recommendation as follows:

- "5. *York Region be requested to initiate a review of its Transportation Master Plan in 2014 to assess, among other things, the priority and timing of various transit and road network improvements and new initiatives required to address local development. Such review, in consultation with Local Municipalities, should provide advice to Metrolinx about project prioritization and timing under the "Big Move" Plan. In regard to the Jane Street and Weston Road corridors, the following matters should be investigated as priority matters:*
- a) *Advancing the implementation of rapid transit on Jane Street;*
  - b) *The implementation of Quick Start/Rapid Transit Service on Jane Street;*
  - c) *The upgrading of transit service on Weston Road;*
  - d) *The potential role of a transit hub serving the Secondary Plan area in support of existing and proposed development."*

Sincerely,



Jeffrey A. Abrams  
City Clerk

Attachment:

Extract

Attachments are available in the City Clerk's Office and the City's website at [www.vaughan.ca](http://www.vaughan.ca) under City Council/Agendas, Minutes and Extracts

JAA/as

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 18, 2014

Item 5, Report No. 10, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 18, 2014, as follows:

**By approving that the following Communications be received:**

- C1. Anthony Francescucci and Sonia Meucci, Weston Downs Ratepayers' Association, Blackburn Boulevard, Vaughan;**
- C7. Ms. Mary Flynn-Guglietti, McMillan LLP, Bay Street, Toronto, dated March 14, 2014; and**
- C8. Mr. Peter R. Walker, Walker, Nott, Dragicevic Associates Limited, Eglinton Avenue East, Toronto, dated March 14, 2014.**

*Regional Councillor Di Biase declared an interest with respect to the foregoing matter insofar as it relates to the lands in the study area west of Hwy 400 on the basis that his Chief Financial Officer in the upcoming municipal election is a landowner in this area, and did not take part in the discussion or vote on the matter.*

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**5 VAUGHAN MILLS CENTRE SECONDARY PLAN (THE "VMCS PLAN")  
CITY OF VAUGHAN RESPONSE TO PUBLIC, GOVERNMENT AND AGENCY SUBMISSIONS  
FILE #: 26.1  
WARD 3 & 4**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated February 25, 2014, be approved subject to the following:**
  - 1. That the Vaughan Mills Centre Secondary Plan be further modified by deleting the sixth bullet point "The necessary transportation facilities;" in Policy 10.3 of Part C, Section 1.0 Plan Implementation and substituting the following: "The necessary transportation facilities, including road network improvements and infrastructure, transportation demand management measures and the implementation of timely transit improvements or the approved funding to provide such improvements by the responsible transit authority, to the satisfaction of the City, as identified in Table 2: "Transportation Network Improvements" or as provided for in any update to any Provincial, York Region or City policy or master plan".**
- 2) That the following deputations and Communications be received:**
  - 1. Mr. Gerard Borean, Parente Borean, Hwy 7, Vaughan, and Communication C5, dated February 24, 2014;**
  - 2. Mr. Mark Flowers, Davies Howe Partners, Spadina Avenue, Toronto, and Communication C12, dated February 25, 2014; and**
  - 3. Ms. Rose Savage, Radley Street, Woodbridge; and**
- 3) That the following Communications be received:**
  - C3 Mr. Steven A. Zakem, Aird & Berlis, Barristers and Solicitors, Bay Street, Toronto, dated February 24, 2014;**
  - C6 Ms. Nima Kia, Lakeshore Group, Wellington Street West, Toronto, dated February 24, 2014;**
  - C7. Ms. Rosemarie L. Humphries, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated February 24, 2014;**
  - C8 Mr. Rod Fortune, Murlee Holdings Limited, Gordon MacKay Road, Toronto, dated February 24, 2014;**

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- C9 Mr. Alan Young, Weston Consulting, Millway Avenue, Vaughan, dated February 24, 2014;
- C10 Mr. Barry A. Horosko, Brattys, Barristers and Solicitors, Keele Street, Vaughan, dated February 24, 2014;
- C11 Ms. Mary Flynn-Guglietti, McMillan, Bay Street, Toronto, dated February 25, 2014;
- C13 A. Milliken Heisey, Papazian Heisey Myers, Barristers & Solicitors, 121 King Street West, Toronto, dated February 25, 2014; and
- C14 Mr. Mariusz B. Jastrzebski, Goldberg Group, Avenue Road, Toronto, dated February 25, 2014.

**Recommendation**

The Commissioner of Planning recommends that:

1. The “Track Changes” version of the draft Vaughan Mills Centre Secondary Plan (February 2014), forming Attachment 3 to this report, reflecting the modifications set out in the section of the report entitled “Issues Resulting in Substantive Changes to the Plan and in Attachment 2 “Response Table for Agency and Public Comments”, BE APPROVED and be forwarded to Council for adoption, subject to any further direction resulting from this meeting and final staff review;
2. The “Transportation Assessment - Vaughan Mills Centre Secondary Plan Area” (February 2014), MMM Group Ltd. forming Attachment 8, BE RECEIVED;
3. The adopted Secondary Plan be forwarded to York Region for approval as an insertion into Volume 2 of the Vaughan Official Plan 2010, being the incorporation of a new Section 11.11 “Vaughan Mills Centre” as one of the “Secondary Plan Areas” identified on Schedule 14-A to Volume 1 of VOP 2010;
4. The adopted Vaughan Mills Centre Secondary Plan form the basis for the City’s position at the Ontario Municipal Board in respect of the appeals within the Secondary Plan Area, in regard to, among other things, such matters as land use, development density and phasing, building height, transportation, urban design, parkland amount and distribution, open space areas/stormwater management and servicing;
5. York Region be requested to initiate a review of its Transportation Master Plan in 2014 to assess, among other things, the priority and timing of various transit and road network improvements and new initiatives required to address local development. Such review, in consultation with Local Municipalities, should provide advice to Metrolinx about project prioritization and timing under the “Big Move” Plan. In regard to the Jane Street and Weston Road corridors, the following matters should be investigated as priority matters:
  - a) Advancing the implementation of rapid transit on Jane Street;
  - b) The implementation of Quick Start/Rapid Transit Service on Jane Street;
  - c) The upgrading of transit service on Weston Road;
  - d) The potential role of a transit hub serving the Secondary Plan area in support of existing and proposed development.

**Contribution to Sustainability**

Green Directions Vaughan was approved by Council in April 2009. It is the City’s Community Sustainability and Environmental Master Plan and is one of the foundations for the Vaughan Mills Centre Secondary Plan. It is designed to guide the community toward a more sustainable future by addressing environmental, cultural, social and economic issues. The goals, objectives and

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action items of Green Directions were considered in the preparation of the Plan, under the following:

#### Objectives:

- 2.2 – To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth.
- 3.1 – To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.
- 4.1 - To foster a city with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage.
- 4.2 – Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan Citizens, sustainable tax base and continuing prosperity into the 21<sup>st</sup> Century.

#### Economic Impact

The new Vaughan Official Plan 2010 ("VOP 2010") including the Vaughan Mills Centre Secondary Plan, establishes the planning framework for development throughout the City to 2031. The Plan will have a positive impact on the City of Vaughan in terms of managing growth. It will also foster employment opportunities while fulfilling the City's obligations to conform to Provincial policies and meet regionally imposed targets for employment growth and residential intensification.

#### Communications Plan

On February 12, 2014, Notice of this Committee of the Whole meeting was mailed to those who requested notification at the June 11, 2013 Public Hearing and/or by written correspondence. This notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca), the City Page Online and through social media sites.

#### Purpose

To report on requested modifications and issues emerging from the June 11, 2013 Public Hearing and the agency and stakeholder review process and to:

- Obtain direction on further modifications to the Vaughan Mills Centre Secondary Plan for the purpose of its finalization and ultimate adoption by Council;
- Confirm the adopted Vaughan Mills Centre Secondary Plan as the City's land use and development vision for the response to the appeals currently before the Ontario Municipal Board.

#### Background - Analysis and Options

##### Background

On May 22, 2013 the Vaughan Mills Centre Secondary Plan was made available for public review and was the subject of a Public Open House on that date. On June 11, 2013 Staff brought forward a Public Hearing Report to Committee of the Whole presenting the draft VMCS Plan. The Public Hearing Report discussed the provisions of the Plan including: Key principles and objectives of the Plan; the general development framework, including policies respecting land use and urban design, the proposed transportation network, parks and open space framework, sustainable development measures, community service requirements and implementation

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policies. In addition, it included a preliminary land use plan. The following recommendations of Committee of the Whole were ratified by Council on June 25, 2013 by approving the following:

- 1) *That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 11, 2013 be approved;*

*THAT the draft Vaughan Mills Centre Secondary Plan, prepared by Dialog Inc. forming [Attachment 8] to this report, BE RECEIVED; and any issues raised at the public hearing be addressed by the Policy Planning Department in a future Technical Report to Committee of the Whole.*

- 2) *That the following resolution submitted by Councillor DeFrancesca, be approved:*

*Whereas, residents have raised concerns with the proposed intersection at Astona Boulevard and Weston Road;*

*Whereas, a connection to Weston Road is proposed at the future intersection of the extended Bass Pro Mills Drive and Weston Road;*

*Whereas, opportunities exist to connect the future Bass Pro Mills Drive to Langstaff Road and Rutherford Road through the future extensions of Creditview Road and Westcreek Drive;*

*Therefore be it resolved that:*

*Staff will be directed to eliminate the eastern roadway connection to the proposed intersection at Weston Road and Astona Boulevard, and that staff continue to work with York Region and landowners on the proposed intersection at Weston Road and the Bass Pro Mills Drive extension, and that staff report back on the timing and implementation of the extension of Bass Pro Mills Drive and the extensions of Creditview Road and Westcreek Drive.*

This report has been prepared in response to Council's direction.

Recommended Modifications to the Draft VMCS Plan (May 2013)

Staff has received submissions from a number of sources, which will be addressed in this report. For the purpose of responding to the comments and requested changes, two categories of revisions were identified. These include:

- a. Major Changes that would potentially have a substantive effect on the Secondary Plan; and
- b. Other issues that may be resolved through minor changes to the Plan or further clarification.

Issues that may result in a major change to the VMCS Plan are discussed in the staff report in the section entitled "Issues Resulting in Substantive Changes to the Plan". More minor issues are identified and commented on in the "Response Table for Agency and Public Comments", forming Attachment 2. Where warranted, modifications to the VMCS Plan have been recommended.

The Response Table for Agency and Public Comments

Staff has endeavoured to respond to all comments that have been received. As such, responses have been prepared to each submission, which are reflected either in the body of the report or in Attachment 2.



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Several objectives were used as the basis for analyzing the submissions made by landowners, public agencies and residents regarding the VMCS Plan. This included ensuring that the principles of VOP 2010 were maintained, that the broader policy direction was considered (Regional Official Plan, Places to Grow, VOP 2010 supporting studies) along with the application of sound planning principles.

The submissions were each considered on their own merit and recommendations made on appropriate responses and actions. In addition, Staff has identified areas where changes should be made to the Plan policies. The "Response Table for Agency and Public Comments" (Attachment 2) presents information response/concerns/requests, staff comments and any recommended policy and schedule changes. Summaries in Attachment 2 contain the following in tabular format:

- The Item number;
- The submission date;
- The correspondence content, as summarized by Staff;
- Staff comment on the submission; and
- Staff recommendation on the submission.

The "Response Table for Agency and Public Comments" (Attachment 2) will form part of the public record of comments.

#### The "Track Changes" Version of the VMCS Plan

The resulting changes to the version of the Secondary Plan that was received at the June 11, 2013 Public Hearing are reflected in the "Track Changes" version of the Plan which forms Attachment 3 to this report. It includes the changes identified in this staff report in the section entitled "Issues Resulting in Substantive Changes to the Plan", in the "Response Table for Agency and Public Comments" (Attachment 2) and minor changes required to improve clarity and readability of the Plan. It is recommended that this version of the Plan be the basis for finalization and adoption, subject to any further direction resulting from this meeting and final staff review;

#### Ontario Municipal Board Appeals

There are currently eight Ontario Municipal Board appeals of the VOP 2010 related to the lands in the Secondary Plan area. Four are related to lands located on the east side of Highway 400 along the Jane Street Corridor; three of which are related to on-going site specific appeals. The other four are related to lands located on the west side of Highway 400, along Weston Road. Ultimately, any changes resulting from the resolution of the site specific appeals will be incorporated into Volume 2 of VOP 2010, as required.

It is noted that the City received a number of responses to the draft Secondary Plan from participants in the aforementioned Ontario Municipal Board appeals. This report will not be responding directly to the issues raised in those letters because there continue to be "Without Prejudice" negotiations in hopes of settling or scoping the appeals. As per Recommendation 4, the Council endorsed/adopted Secondary Plan is intended to form the basis for the City's position at the Ontario Municipal Board in respect of the appeals in regard to, among other things, such matters as land use, development density and phasing, building height, transportation, urban design, parkland amount and distribution, open space areas/stormwater management and servicing.

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**Issues Resulting in Substantive Changes to the Plan**

**a) Character Areas and Design Principles**

Urban Design will play an important role in the evolution of the plan area. It will help shape the identity of its distinct elements while serving to ensure that each area contributes to the overall quality of the plan. To this end, Part B, Policy 1.4 “Character Areas” has been added to provide context and vision for the different areas within the Vaughan Mills Centre Secondary Plan to enhance the quality of development, and build on the potential of each of the areas. The modified February 2014 Plan continues to divide the Secondary Plan into four (4) development areas, however, each area is defined by a dominant function and urban character/quality. These areas are shown on Schedule A (Refer to Attachment 4). The new text setting out the governing policies is included in the Track Changes version of the revised VMCS Plan (Attachment 3), commencing on page 33. An overview of the policies is provided below.

Synopsis of the Character Area Policies

The purpose of Character Areas policies is to:

- Define the distinct areas of the Plan and provide an organizational structure for development towards achieving the Vision identified in Section 1.1 of the Plan (e.g. the Guiding Principles and Big Moves);
- Identify the desired future character and function of the areas within the Plan, building on existing assets, structure, and future vision; and
- Create a framework for development that serves to enhance the character of the Vaughan Mills Centre area encouraging the application of ‘place-making’ principles set out in VOP 2010.

The four character areas include:

**1. Jane Street Corridor**

The Jane Street Corridor includes the Jane Street and Rutherford Road intersection and the lands fronting along the Jane Street Corridor between Locke Street and Rutherford Road. The area plays an important role as a transportation node and as an important employment and mixed-use corridor connecting the Vaughan Metropolitan Centre to the south (Jane Street and Highway 7) to the proposed Mackenzie Vaughan Hospital to the north (Jane Street and Major Mackenzie Drive). The area is in transition and provides opportunity for intensification along the corridor with future higher-order transit in coordination with other planned development along Jane Street.

The Plan envisions the Jane Street Corridor area as a higher density mixed-use neighbourhood supported by high order transit, served by accessible open space, parks, pedestrian connections, community services and an enhanced pedestrian realm. The Corridor is proposed to be a key destination and gateway for the emerging Centre. It will be urban in nature reflecting its function as a regional attraction and as a transit oriented development along Jane Street.

Defining Characteristics include, without limitation:

- Supporting a gateway development character at the corner of Jane Street and Rutherford Road as a symbolic point of reference for the area;
- Orienting the tallest buildings towards the Jane Street and Rutherford Road intersection and transit nodes;

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- A pedestrian-oriented and urban cross-section for Rutherford Road and Jane Street with a mixed-use retail/residential frontage with buildings set close to the street to create an address and relationship to the street;
- High quality streetscaping and pedestrian facilities;
- Providing mid-block connections and linkages to surrounding land uses and open spaces, with trail linkages to the West Don River Valley to the east;
- Creating internal public street networks for improved traffic flow and connectivity to develop the city grid;
- Providing publicly accessible open spaces that function as a central feature for development ensuring that amenity spaces are well connected to the broader public realm network;
- Incorporating iconic elements, architectural features and public art that contributes to the character and identity of the community;
- Creating mixed-use frontages along Jane Street to encourage animation of the street and neighbourhood vibrancy;
- Exploring typological variation in building design to increase visual interest by considering variation in tower shape, orientation, and façade design;
- Orienting and massing buildings to frame views and control privacy between properties;
- Structuring building massing to create a public realm interface that frames open spaces and provides a sense of enclosure and human scale for pedestrians;
- Providing pedestrian connections with existing and future transit facilities, retail, open space, and natural heritage areas; and buffering from surrounding employment uses.

#### **2. Rutherford Road Area**

Lands in this area include the commercial blocks on the south side of Rutherford Road between the Jane Street character area and the Highway 400 interchange. The development outlook for this area reflects the commercial mixed-use function and interface with the Vaughan Mills Mall.

It is anticipated that this area will evolve from a predominantly single storey commercial plaza form with large surface parking areas into a vibrant commercial and mixed-use residential area that transitions down from higher density areas along Jane Street. The Plan proposes this area to include a variety of housing typologies from low-rise to high-rise, offering a range of housing to the community. The Plan envisions this area as having street level commercial frontages with residential uses served by community amenities and parks. The proposed character of the area will be defined by a fine grain of blocks, connected streets and pedestrian connections, with lower built form that frames the public realm and open space areas.

Defining Characteristics include, without limitation:

- Encouraging a mixed-use retail frontage along Rutherford Road to enhance pedestrian activity along the street;
- Providing a fine grain of streets and blocks conducive to walking and transit to support an enhanced pedestrian setting;
- Aligning neighbourhood parks with development to make parkland accessible and centrally located to residents;
- Transitioning building heights down from Rutherford Road towards the Vaughan Mills Mall Area;
- Framing open spaces with mixed-use frontages;

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- Providing pedestrian connections to Rutherford Road, the Vaughan Mills Mall, and between blocks; and
- Structuring and enhancing east-west connections to ensure development blocks are woven together cohesively.

#### **3. Bass Pro Mills Area**

This area includes the lands between the southerly leg of the internal ring road and Bass Pro Mills Drive between the Jane Street Corridor Area and the Highway 400 interchange. The Plan envisions this area transitioning from higher densities along the Jane Street corridor to lower densities approaching the Highway 400 corridor. This area will provide a transition between the employment uses to the south and the Vaughan Mills Mall to the north with a mixed-use development format. The area is proposed to maintain the prevalent commercial use but encourages some residential development to help distribute residential uses throughout the Centre.

Defining Characteristics include, without limitation:

- Providing additional street connections to further develop the street grid;
- Creating a system of neighbourhood parks and public squares to provide amenity uses for the future community in this area;
- Creating a comparatively wide streetscape along Bass Pro Mills Drive with cycling facilities, a multiuse path, and high quality landscaping to improve the pedestrian experience and connectivity between the existing residential areas west of Weston Road through to Jane Street;
- Encouraging modest residential intensification to benefit from surrounding employment and commercial land uses, future road connections, and public amenities envisioned for the area;
- Creating north-south and east-west connections that aligns streets and pathways with and to the Vaughan Mills Mall;
- Providing mixed-use retail and office frontages along Bass Pro Mills Drive to enhance pedestrian activity along the street;
- Encouraging pedestrian-oriented retail by providing direct pedestrian access from the street; and
- Encouraging pedestrian-scaled design through the use of building stepbacks, multiple entrances, midblock connections, and a consistent street wall.

#### **4. Vaughan Mills Centre Business District**

The Vaughan Mills Centre Business District is located south of Rutherford Road, north of the proposed Bass Pro Mills Drive extension, between Highway 400 and Weston Road and is envisioned to develop with a mix of prestige employment uses directing most of the office uses to the Highway 400 corridor as encouraged by VOP 2010. The strategic importance of these employment lands was recently confirmed through *the Housing Analysis and Employment Land Needs Report (Hemson Consulting, 2010)* that informed VOP 2010. The District is proposed to be a centre for innovation and design excellence that capitalizes on its location and visibility, and has been generally configured to coordinate with lands to the south of the proposed Bass Pro Mills extension. This area is envisioned to be a nexus of activity and function as a 'knowledge hub' attracting businesses in the 'green' and 'creative', technology, research and development industries.

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Defining Characteristics include, without limitation:

- Creating a fine grain block and street pattern with opportunities for mid-block connections providing pedestrian access to Weston Road, and the Vaughan Mills Mall area;
- Providing an internal collector road network with new connections to surrounding arterial roads and the Highway 400 interchange;
- Transitioning heights from higher buildings adjacent to Highway 400, to low-rise buildings along Weston Road;
- Directing the Black Creek northwards by incorporating it into a naturalized open space feature, providing a multi-use amenity space with cycling and pedestrian paths to serve the employment area and surrounding neighbourhood, while recognizing and addressing flood risks;
- Creating a connected public realm through midblock connections and linkages to open spaces, natural features, and the surrounding area;
- Structuring and concentrating retail at key intersections and areas of activity, as well as along primary arterial streets;
- Orienting buildings towards open spaces to reinforce a strong visual linkage within the landscape; and
- Maintaining, enhancing, and restoring the natural environment in support of sustainable development objectives.

The modified division of development areas by proposed function and character supports the coordination of development while simultaneously addressing issues unique to each area. The inclusion of the subject policies in Section B, Policy 1.4 enhances the Plan by strengthening the policy framework that sets out the City's vision and expectations for implementation through the development approvals process.

#### **b) Transportation Network & Capacity**

##### Results of the Transportation Assessment

In light of the modifications resulting from the Public Hearing held on June 11, 2013, Planning and Engineering Staff together with the consultant team and the Region of York held a series of meetings to finalize the Transportation Assessment undertaken by MMM Group Ltd. A number of transit and network improvements have been recommended as shown in Table 2 – "Recommended Transportation Network Improvements Horizon 2021" (Attachment 5a), and illustrated in Attachment 5b.

The Transportation Assessment concludes that:

- Traffic operations at major intersections in the boundary road network around the Vaughan Mills Centre Secondary Plan Area are generally operating at a moderate to poor level of service under the existing conditions, with Rutherford Road being the key congested link, particularly during the p.m. peak hour;
- One of the key limiting factors in terms of traffic operations in the Vaughan Mills Centre area's road network is the capacity constraints already being experienced on the existing boundary roads, such as along Rutherford Road and Weston Road, for which the opportunities for major additional capacity improvements are very limited. The extension of Bass Pro Mills Drive from Jane to Weston will be an essential element for network improvement, and will provide more routing options for better traffic distribution around the Vaughan Mills area;

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- Under the interim horizon 2021, with the implementation of some initial transportation system and network improvements, and assuming a full completion of Bass Pro Mills Drive extension from Jane Street to Weston Road, it is estimated that up to 80% of the Secondary Plan could be developed for the areas east of Highway 400, and up to 40% for the area west of Highway 400, before the boundary road network is expected to reach capacity conditions. The Secondary Plan proposed only approximately 70% to be developed for the areas east of Highway 400, which is within the assumed threshold level;
- Under the alternative scenario assuming a partial completion of Bass Pro Mills Drive, with connection to Jane Street, but no extension to Weston Road by horizon 2021, some roadway capacity in the network east of Highway 400 is expected to become available resulting from traffic reassignment. It is expected that up to 70% of the Secondary Plan development could be accommodated in the areas east of Highway 400 with similar capacity conditions, while the 40% development level could still be maintained west of Highway 400; and
- It is expected that a more aggressive travel mode shift would be needed, along with further alternative transportation system developments, in order to accommodate the area's transportation demands by 2031.

#### Horizon 2021: Improvements Needed for Further Development

The plan to accommodate the projected Secondary Plan development for 2021 should include the following:

- The City of Vaughan should work with YRT to monitor transit ridership in Vaughan the Mills area and usage of the Vaughan Mills Transit Terminal on a semi-annual basis, to determine when expansion may be needed. YRT should be proactive in terms of expanding service frequencies to attract more riders, again based on bi-annual monitoring.
- Viva Quick Start rapid bus service on Jane Street, from Rutherford Road to the planned Spadina Subway extension station at Highway 7. The design for the Viva Quick Start service on Jane Street should include transit signal priority at all signalized intersections south of Rutherford Road, and specifically at the access from Jane to the YRT Terminal at Vaughan Mills, to facilitate access to the terminal. Queue jump lanes should be planned at all intersections on Jane Street where general traffic volumes create a significant impediment to regular transit service, and where either sufficient right-of-way exists currently, or can be obtained. The Region with the City's input should initiate development of a plan for this service in the immediate term.
- A similar program of transit signal priority and queue jump lanes should be considered on Weston Road. It is acknowledged that such a program is not foreseen in the Region's transit network at present, but it is apparent based on the projected conditions that transportation alternatives are needed for travel in the Weston Road corridor. The proposed high-order transit on Jane Street is outside of a convenient walking distance, and the congestion created at the Highway 400 interchange discourages the short trip to Jane Street that would be required by transit to access the Jane BRT service. The City and Region should initiate a review of the feasibility of changes to this corridor, in the immediate term, to review opportunities and constraints (e.g. the road right-of-way width).

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- Enhanced bus service on Rutherford Road, connecting to the Rutherford GO Station, particularly during weekday peak periods.
- Reconfiguration of YRT local bus routes to provide more convenient access to the YRT bus terminal at Vaughan Mills, via Bass Pro Mills Drive once it is extended to connect Weston Road to Jane Street.
- YRT and the City should work together to develop and implement programs and incentives to promote greater use of transit as the network evolves, through community engagement.
- The City should work through the existing Transportation Management Association to reinforce the need to create change in modal split behavior, within the business community, and to develop programs to manage demand in terms of the amount and time of travel. Businesses need to understand that there are limits to accessibility under the current regime of highly auto-dependent behaviour, and if accessibility is limited, so are the profits and operational efficiency that businesses depend on.
- The City and YRT should work with the Vaughan Mills Mall owner to create an organized Passenger Pick-up and Drop-off (PPUDO) area adjacent to the transit terminal. This will facilitate travellers exiting from Highway 400 and area roadways who wish to access transit.
- The PPUDO should also include space for car-share and bike rental systems. The City should work with car share operators to introduce car-sharing here (and elsewhere in the City), to facilitate greater use of transit for travellers coming to the broader Vaughan Mills area.
- The City should implement a phased program of reductions to parking standards for residential and office developments as the enhanced transit infrastructure is introduced, within 500 metres walking distance of any rapid transit corridor. These should include consideration of maximum parking standards and shared parking. A requirement for carpooling spaces for office developments should also be introduced (preferred parking for vehicles with 2 or more registered occupants); preferred parking for hybrid and electric vehicles should also be included. The City should also work with developers to plan for an integrated technology system to advise drivers of where parking is available within the district.

**Horizon 2021: Recommended Road Network Improvements**

In addition to the recommended transit related improvements, the Transportation Assessment also recommends the following road-network improvements required in order to support the proposed development in the VMCSPP to the 2021 Horizon.

<b>LOCATION</b>	<b>RECOMMENDED IMPROVEMENTS</b>
Rutherford Road at Weston Road	North Bound Dual Left-Turn Lanes (Dependent on effects of the proposed Major Mackenzie Drive at Highway 27; conditions should be monitored prior to introducing this improvement)
Bass Pro Mills Drive	Extension of Bass Pro Mills Drive between Weston Road and Jane Street

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Jane Street at East Access Road A	Full moves signalized access subject to warrant analysis
Bass Pro Mills Drive at Weston Road	Install new Traffic Signals
Bass Pro Mills Drive at Hwy 400 NB Off-Ramp	Additional exclusive south-bound right-turn lane
Vellore Woods Boulevard	Plan for 4-lane cross-section south of Rutherford Road
Creditview Road	Plan for 4-lane cross-section north of Bass Pro Mills Drive
Rutherford Road at Vellore Woods Boulevard	Exclusive North Bound Right-Turn Lane

The results from the transportation study support the level of development proposed in the VM CSP, subject to the phasing of the transportation and servicing infrastructure as proposed in Section 7, Part C of the Plan.

**Horizon 2031: Required Improvements**

For accommodation of further development to 2031, the following improvements are required in addition to those cited for 2021.

Road Network Improvements: (West of Highway 400)

- Completion of Bass Pro Mills Drive extension to Weston Road;
- Install traffic signals at the intersection of Bass Pro Mills Drive at Weston Road.

Other Transportation Improvements:

- Higher-order transit service on Jane Street, in the form of BRT or LRT, with its dedicated right-of-way connecting the Spadina Subway extension to Vaughan Mills Centre and up to Canada's Wonderland and the future Mackenzie Vaughan Hospital on Major Mackenzie Drive;
- Enhancing priority transit service on Rutherford Road to Viva service;
- Pedestrian and cyclist bridge crossing over Highway 400 midblock between Bass Pro Mills Drive and Rutherford Road to provide an additional non-auto connection within the Secondary Plan;
- Continue to promote sustainable transportation (transit, walking, cycling) and other transportation demand management programs and measures to encourage a greater shift in travel mode patterns to achieve the assumed modal split.

**Traffic Infiltration**

In the draft Secondary Plan, a road connection to Weston Road was provided directly opposite Astona Boulevard creating a full four-way intersection. The concern was raised that the resulting intersection would increase traffic infiltration into the existing residential neighbourhood particularly to the west of Weston Road. On June 25, 2013 Council directed staff to remove the direct access across from Astona Boulevard. Therefore, Schedule F "Transportation Network", has been modified to reflect this direction. This modification to the road configuration was taken into consideration in the modeling and analysis done for the transportation assessment.



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The City has received numerous resident concerns about the amount of non-local traffic infiltrating through the communities surrounding the Vaughan Mills Centre Secondary Plan (VMCSP), namely the Weston Downs Community, Block 32 west and Block 32 east. In the City's continuing effort to identify the extent vehicular infiltration, staff has undertaken numerous traffic studies and has been monitoring traffic patterns within these communities. The data obtained through these community studies has provided staff with an understanding of the existing traffic patterns. This "baseline" data can be used to determine the contribution to traffic as a result of the development of the VMCSP. In particular, staff will be able to fully understand the extent of increased traffic infiltration and develop the appropriate mitigation measures to reduce this traffic infiltration within these communities, as development of the VMCSP progresses.

**c) Growth Forecasts, Heights & Densities**

**Growth Forecast**

Based on input received during the agency and public consultation process and the further direction of Council, the consulting team completed the Transportation Analysis and gave further consideration to the growth projections for the Secondary Plan area. The Transportation Analysis has provided the opportunity to better relate the population growth, measured in the number of residential units, to improvements in the transportation system.

Part B, Policy 3.2 "Growth" of the Plan now proposes a maximum of approximately 4,303 units for total build-out at 2031, an increase of 460 units from the initial May 2013 Draft VMCSP which proposed a total of 3,843 units. This is supported by the supplementary MMM Group Ltd. December 2013 Transportation Assessment Report. The additional 460 units translate to an increased population of approximately 930 residents. The proposed number of jobs in the modified plan remains consistent with the initial May 2013 Draft VMCSP.

The following modifications respecting growth forecasts are summarized below:

<b>Total (Up to 2031)</b>	<b>May 2013 Draft VMCSP</b>	<b>Dec 2013 Modified Draft VMCSP</b>	<b>Differential</b>
<b>Units</b>	3,843	4,303	460
<b>Population</b>	7,839	8,778	939
<b>Jobs</b>	10,912	10,907	5

**Height & Density**

In order to accommodate the proposed increase in density, in addition to applying the design principles set-out in Part B, Policy 1.4 "Character Areas", modifications were made to Schedule B – "Height & Density" of the Plan (Attachment 6). The heights and densities in the proposed "Jane Street Corridor" were marginally increased to reflect the principles and policies of the Region and VOP 2010 by directing growth to major corridors.

Schedule B assigns the maximum heights and densities to the immediate southeast and south west corners of Jane Street and Rutherford Road to support the "gateway" role envisioned in Part B, Section 1.4.1 of the Plan. The plan permits a maximum height of 25 storeys and a density of 4.0, of which 0.5 FSI is for non-residential uses. The densities in the Jane Street Corridor Area are gradually stepped down from the intersection of Jane Street and Rutherford Road starting at 4.0 (0.5 non-residential); to 3.5 (0.5 non-residential); and to 3.0 (0.5 non-residential) on to Bass

CITY OF VAUGHAN

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Pro Mills Drive. A decrease in the maximum building heights also occurs, from 25 storeys in the north to 16 storeys along Bass Pro Mills Drive. This corresponds with the modifications to Policy 3.5.7 of the Plan.

**d) Development Thresholds**

Part C, Policy 7.3, Part B of the Plan has been updated for the Jane Street Corridor Area, Rutherford Road Area and Bass Pro Mills Area to reflect the revised development statistics discussed in Part C of this report. The Plan now identifies requirements for community facilities and parkland/ public space and other infrastructure to be provided and made available at certain development thresholds to ensure that services are coordinated with development. Residential development in the Rutherford Road and Bass Pro Mills Areas is anticipated to take place with the coordination and provision of improved transit infrastructure including higher order transit to occur between 2021 and 2031. The “threshold” limits are listed as maximum upset limits per character areas and are proposed as follows:

**Jane Street Corridor (*within the 2021 time horizon*)**

- Up to 3,371 residential units;
- Up to 16,304 m2 retail uses;
- Up to 46,079 m2 office; and
- 4.3 ha of public parks

**Vaughan Mills Centre Business District (*within the 2021 time horizon*)**

- Up to 101,600 m2 prestige employment uses;
- Up to 39,494 m2 of office uses;
- Up to 30,715 m2 of neighbourhood and medium format retail uses;
- Up to 14,520 m2 of other uses including hotel entertainment, and cultural uses; and,

**Rutherford Road and Bass Pro Mills Areas (*within the 2021 and 2031 time horizon*)**

- Up to 932 residential units;
- Up to 55,931 m2 retail uses;
- Up to 31,500 m2 office; and
- 2.5 ha of public parks
- 1.3 ha for potential school site or park

**Vaughan Mills Centre Business District (*within the 2031 time horizon with full build out of the Bass Pro Mills Drive Extension*)**

- Up to 152,400 m2 prestige employment uses;
- Up to 59,241 m2 of office uses;
- Up to 46,072 m2 of neighbourhood and medium format retail uses;
- Up to 21,781 m2 of other uses including hotel entertainment, and cultural uses; and,
- Minimum 1.1 ha of parkland

**The Vaughan Mills Mall**

This Plan does not anticipate the change in form or function of the Vaughan Mills Mall over the life of this plan. Policy 7.3.4.Part C of the Plan has been modified to permit expansions or changes to the Vaughan Mills Mall, beyond the current permissions set out in Policy 3.6.5,

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Part B, by way of an official plan amendment, in accordance with the requirements of the VMCSP. However, the preparation of a Tertiary Plan, by way of official plan amendment will be required, should the Vaughan Mills Mall be proposed for redevelopment to allow for residential uses

**e) Key Transportation and Servicing Requirements**

Part C, Policy 7.4 has been modified to include specific infrastructure and servicing requirements for each development block, as shown on Schedule I – Development Blocks (Attachment 7). The policies in this section have been added to ensure the necessary transportation and servicing infrastructure will be available as development occurs. This includes: adequate storm, sewer and water services, transportation improvements, streetscape enhancements, street connections, appropriate acquisition of dedication spaces such as parks, roads and school sites.

**Jane Street Corridor Area (B3 – B8)**

The Plan indicates that the key benchmarks for the advancement of development in this area includes among other things: the completion of Bass Pro Mills Drive to Jane Street; the northerly extension of Caldari Road to Rutherford Road; higher-order 'quick-start' VIVA transit service along Jane Street; and, higher order priority transit service and features (HOV lanes, transit priority signals, queue jump lanes) along Rutherford Road between Jane Street and Yonge Street. The following shall be required as a condition of development for the following Blocks as shown on Schedule I.

Block 3

- New local street parallel to Rutherford Road to provide for the existing development blocks; and
- The dedication of parks as identified in the Plan

Block 4

- The northerly extension of Caldari Road from River Rock Gate to Rutherford Road and the implementation of a signalized intersection at Rutherford Road and Caldari Road;
- The provision of a signalized public street on the west side of Jane Street, between Locke Street and Riverrock Gate;
- The dedication of parks as identified in the Plan;
- That the existing woodlot located along the southern boundary of the existing lot be protected in accordance with the City's preliminary findings of and directions arising from the Vaughan Natural Heritage Network Review currently underway. The exact boundaries of the woodlot and protected area will be determined and/or refined through the development approvals process to the satisfaction of the City, in consultation with the Region and TRCA.

Block 5

- The northerly extension of Caldari Road from Riverrock Gate to south boundary extents of Block 4; and
- An east-west public street along the north boundary of the block between Jane Street and Caldari Road.

Block 7

- The provisions of an east-west signalized public street between Jane Street and the internal Ring Road; and
- The dedication of parks as identified in the Plan

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Block 8

- A north-south local street connection between Bass Pro Mills Drive and the ring road west of Romina Drive;
- The extension of Romina Drive north to the internal Ring Road; and
- The dedication of parks as identified in this Plan.

Blocks 7 & 8

- Major collector road connecting the Bass pro Mills interchange with Jane Street opposite Locke Street. Intersection improvements, including turning lanes and traffic signals, will be required at this intersection.

**Rutherford Road Area (B1 & B2) and Bass Pro Mills Drive Area (B9 & B10)**

The Plan suggests key benchmarks for the advancement of development to occur within The Rutherford Area and the Bass Pro Mills Area. These benchmarks shall include, among other things: the completion of Bass Pro Mills Drive from Jane Street to Weston Road; Higher order rapid transit along Jane Street; and transit priority service along Rutherford Road.

Block 1 and 2

- A new local street parallel to Rutherford Road to provide internal circulation for the existing development blocks; and
- The dedication of parks as identified in the Plan;

Block 10

- A new north-south and east-west internal local street network within the development block between Edgeley Boulevard and Fisherman's Way; and
- The dedication of parks as identified in the Plan;

**Vaughan Mills Centre Business District (B11 – B19)**

Key benchmarks for the advancement of development within the Vaughan Mills Centre Business District shall include, among other things: the completion of Bass Pro Mills Drive from Jane Street to Weston Road; and a revised ramp entrance to the existing partial interchange at Bass Pro Mills Drive via a new intersection at the proposed east-west and north-south collector parallel to Highway 400.

Block 11 – 17

- Development for Blocks 11 – 17 will require a Block Plan, and will address the matters set out in Policies 10.1.1.15 of VOP 2010 and shall constitute a complete application to the satisfaction of the City of Vaughan. In addition to Block Plan requirements set out in VOP 2010, the following matters are considered to be a priority for development in the Vaughan Mills Centre Business District, and in the preparation of the Block Plan:
  - Extension of Bass Pro Mills Road from the Highway 400 interchange to Weston Road;
  - The design and realignment of the Black Creek within the Black Creek Greenway as identified in this Plan;
  - The dedication of parks and road connections as identified in the VM CSP;
  - New internal north-south collector street between the proposed Bass Pro Mills extension with Rutherford Road opposite the Vellore Woods Boulevard/Rutherford Road intersection;

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- New internal north-south collector streets with a new connection at Rutherford Road parallel to Weston Road; and
- Roadway connections to Westcreek Drive and Creditview Road south of the Study Area.

#### Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities of Council in the Vaughan Vision 2020 Plan, and in particular to the City's commitment to "plan and manage growth and economic vitality". The following component relates directly to the Vaughan Mills Centre Secondary Plan:

- "Support and coordinate land use planning for high capacity transit at strategic locations in the City".

#### Regional Implications

The Vaughan Mills Centre Secondary Plan has been prepared in consultation with Region of York staff and to ensure it is in conformity with the new Regional Official Plan. Regional staff participated in the process through the Technical Advisory Committee with follow-up consultation with Regional staff taking place through the finalization of this Plan. As the approval authority for the Vaughan Official Plan, this report will be forwarded to York Region upon its adoption by Council.

#### Conclusion

The Vaughan Mills Centre Secondary Plan supports the longer term transition of the Secondary Plan area into a higher density mixed-use Primary Centre (east of Highway 400) and an employment area focusing on prestige uses including offices, knowledge based uses oriented toward green and creative businesses and industries in the technology and research and development sectors (west of Highway 400).

Given its 2031 time horizon, this is a transformative plan. Outside of the Jane Street Corridor, it is not expected to result in significant changes in the plan area in the short term. This is a result of the approval processes that would be required for the greenfield areas west of Highway 400 and the fact that much of the land east of Highway 400, except along Jane Street, is already developed. As such, uses like the Vaughan Mills Mall are anticipated to have a long lifespan extending into the next decade and possibly beyond. This is recognized in the Plan. The most immediate changes may be the result of ongoing Ontario Municipal Board processes that are currently underway in the Jane Street corridor. This Secondary Plan will also serve to inform the City's position at the OMB on related appeals.

The Secondary Plan provides policies governing such matters as land use, development density, including the maximum number of residential units, building height, transportation, urban design, parkland amount and distribution open space areas/stormwater management and servicing. Implementation has also been an important consideration. Development will be phased and coordinated with the availability of transportation and other infrastructure improvements including upgrades to the transit system and key road network improvements, a number of which will be required as a condition of development approval for various sites within the Plan area.

The draft Vaughan Mills Centre Secondary Plan was made available for public review and was presented at a public open house on May 22, 2013. This was followed by a statutory public hearing held on June 11, 2013. At the public hearing the Committee received deputations and written submissions and directed that such issues be addressed in a Technical Report to Committee of the Whole. This decision was ratified by Council on June 25, 2013.

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Written submissions received from private citizens/landowners, development interests, governments and government agencies, have been analyzed and recommendations have been developed to respond to the identified issues. These are set out in detail in Attachment 2. The approach taken to some of the key policy areas has also been addressed in the main body of the report as set out in the section entitled "Issues Resulting in Substantive Changes to the Plan".

Each request for a change was considered on its merit taking into consideration the principles of the new Official Plan, the need to ensure continuing conformity with policy direction provided by senior levels of government (e.g. the Region Official Plan, Planning Act, Places to Grow Plan, and Provincial Policy Statement) and adherence to sound planning principles.

Therefore it is recommended that the draft Vaughan Mills Centre Secondary Plan (May 22, 2013) be modified in accordance with the recommendations contained in this report. It is further recommended that staff proceed with revisions to the plan, incorporating the changes recommended herein, along with any further direction resulting from this meeting and final staff review and that the revised plan proceed to Council for adoption.

#### **Attachments**

1. Location Map and Context Plan
2. Response Table for Agency and Public Comments
3. Final Draft Vaughan Mills Centre Secondary Plan, February 2014 (*Annotated*)
4. Schedule A – Plan Area (*modified February 2014*)
- 5a) Table 2 – Transportation Network Improvements
- 5b) Figure E1 – Recommended Transportation Improvements Horizon 2021 Schedule (*MMM Group Limited February 2014 – Vaughan Mills Centre Secondary Plan Transportation Assessment*)
6. Schedule B – Height & Density (revised February 2014)
7. Schedule I – Development Blocks
8. Vaughan Mills Centre Secondary Plan Transportation Assessment, February 2014 (*MMM Group Limited*)

**Note:** A hard copy of Attachments 3 and 8 are on file in the City Clerk's Department and are available on the City of Vaughan website.

#### **Report prepared by:**

Melissa Rossi, Senior Policy Planner, ext. 8320  
Roy McQuillin, Manager of Policy Planning, ext. 8211

(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.)

*Regional Councillor Di Biase declared an interest with respect to the foregoing matter insofar as it relates to the lands in the study area west of Hwy 400 on the basis that his Chief Financial Officer in the upcoming municipal election is a landowner in this area, and did not take part in the discussion or vote on the matter.*

*Councillor Yeung Racco declared an interest with respect to the foregoing matter, as it relates to the Northeast corner of Jane Street and Riverock Gate, Tesmar Holdings Inc., as her daughter is working for a related company, and did not take part in the discussion or vote on the matter.*

June 9, 2014

Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attn: Mr. Dennis Kelly, Regional Clerk

Dear: Mr. Kelly

**Re: Amendment No. 2 to the Vaughan Official Plan (2010)  
Vaughan Mills Centre Secondary Plan  
Committee of the Whole Report F.2.3  
Rutherford Land Development Corp.  
Southeast Corner of Jane Street and Rutherford Rd.**

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We are planning consultants to Rutherford Land Development Corp. (RLDC) the owner of lands located at the southeast corner of Rutherford Road and Jane Street (the "RLDC Site"). On behalf of RLDC, we are writing to request that the following modifications to the Vaughan Mills Centre Secondary Plan (the "Secondary Plan").

While we continue to be generally supportive of the thrust and direction of the Secondary Plan, we believe there should be specific modifications made to provide additional flexibility and clarity in implementing one aspect of the Plan, namely the development thresholds of the Plan. Specifically, we note that the language of Section 7.3.1 of Part C provides some flexibility for adjusting the maximum of 3,371 residential units to the year 2021. However, we believe there should be further clarification in terms of what should be considered when determining the appropriate number and allocation of units and non-residential floor space to the Character Areas.

For instance, the policy should allow for recognition that office and retail development within the Jane Street Corridor Character Area would likely be much less than what is allocated in the Secondary Plan to the year 2021 (ie. 46,079sm of office, 16,304sm of retail). An adjustment based on a more reasonable land use mix to the year 2021 could then be made through a reduction in non-residential space and corresponding increase in residential capacity, if deemed appropriate.

Specifically, we request the following modification to the policy 7.3.1:

*"Development beyond the limits prescribed in Sections 7.3-7.4 may be modified through a five year review, or where the City determines that additional development is appropriate due to improved transportation capacities or adjustments to planning policy in the future. In considering the implementation of development thresholds through the use of holding symbols, consideration should be given to the possible shifting of land uses, timing of development of blocks, size of development blocks, proximity to existing and/or planned transit, and the policies of this Plan..."*

Based on the foregoing modifications to Policy 7.3.1, we noted that the Secondary Plan already provides a certain weighting towards certain properties by virtue of the assigned densities on Schedule F. Inherent in the assignment of densities would be consideration of proximity to transit and policies of the Plan speaking to providing symbolic references at the gateway intersection of Jane and Rutherford for example. Therefore, in allocating units and GFA within the development threshold, the policy would provide for a straightforward calculation weighted towards sites based on their gross land area and their assigned density.


Beyond that, there would also be a consideration of timing of development of blocks within the corridor, since it would not be in the public interest to assign units or GFA to blocks that are unlikely to be developed to 2021. In that respect, the proposed modification would allow for a consideration of development-ready sites within the ultimate assignment of the threshold, resulting in an assignment that is more likely to proceed to fruition along this important corridor.

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 Mills Centre. We do have other concerns that staff are aware of but we have not addressed them here.

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. Luka Kot, Rutherford Land Development Corp.



June 10, 2014

Chair John Taylor and Members of the Committee  
Committee of the Whole  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attention: Mr. Denis Kelly, Regional Clerk  
regional.clerk@york.ca

Chair Taylor and Members of the Committee:

**Re: Committee of the Whole Meeting June 12, 2014**  
**Re: F.2.3 Amendment No. 2 to the Vaughan Official Plan (2010) -**  
**The Vaughan Mills Centre Secondary Plan**

Please be advised that we are the solicitors for Canadian National Railway ("CN"). Our client owns and operates the MacMillan Classification Yard (the "Yard") located east of Jane Street nearby the eastern edge of the proposed Plan. The Yard comprises about 1000 acres and is about three times the size of the total proposed Vaughan Mills Center Secondary Plan Planning Area.

CNR employs 1500 people at this location and has, over the last fifty years, attracted numerous other industries to the employment lands that have developed around the Yard in the heart of Vaughan. The Yard is one of the most important transportation terminals in Canada and North America

CN is opposed to the Vaughan Mills Centre Secondary Plan as it applies to the lands south of Rutherford Road and east of Jane Street and requests that the Amendment Area be amended by York Region to exclude all of the lands east of Jane Street and south of Rutherford Road.

CN is of the view these lands should remain as employment lands.

Our client's specific objections to the Amendment are as follows:

1. AMENDMENT AREA IS INAPPROPRIATE

CN states that the inclusion of the lands east of Jane Street, south of Rutherford Road and north of Riverock Gate in the Study Area and the proposed Secondary Plan Planning Area has been done with no planning rationale or analysis to support the inclusion of these lands in the Amendment Area.

Standard Life Centre, Suite 510, 121 King St. W., P.O. Box 105, Toronto, ON M5H 3T9

T: 416 601 1800  
F: 416 601 1818

It is our belief that Vaughan Planning Staff did not support this decision as Staff's original recommendation did not include any lands east of Jane Street within the original Study Area.

2. PROPOSED DESIGNATION OF LANDS EAST OF JANE STREET AS HIGH-RISE MIXED USE IS BAD PLANNING

The proposed Secondary Plan calls for mixed use high-rise, with a substantial portion being contemplated as residential condominium towers for the lands east of Jane Street and south of Rutherford Road. This area is within the noise influence area of the Yard and within the original setback zone established by the Township of Vaughan established to protect residential areas from excessive noise.

These lands were originally designated as "Commercial Mixed Use" but are now proposed to be redesignated as "High-Rise Mixed Use". There has not been any analysis as to the land use compatibility between the new proposed high-density residential uses and the existing uses of the employment area abutting to the south and east, including the Yard. It is our belief that Vaughan Planning Staff does not support this decision to designate these lands as High-Rise Mixed Use.

Our client believes that, should high rise residential developments be permitted in the area east of Jane Street and south of Rutherford Road many of the new residents will be exposed to noise levels from the Yard and the adjoining industrial area that are not consistent with the standards for industrial noise levels established by the Ontario Ministry of the Environment Guidelines and the City of Vaughan Noise Bylaw.

CN as a railway is exempt from the provisions of the Vaughan Noise Bylaw and the Ontario Environmental Protection Act.

Additionally, CN believes that traffic infiltration from this proposed residential area into the employment lands may lead to conflicts with industrial traffic and in particular tractor trailers.

In the event the Region approves the Amendment as it applies to lands east of Jane Street, it is our client's submission that Caldari Road should not be extended north of Riverrock Gate so as to prevent the infiltration of industrial traffic north of Riverrock into the proposed residential community.

3. LANDS IN THE AMENDMENT AREA WEST OF JANE STREET ARE NOT ACOUSTICALLY FEASIBLE FOR RESIDENTIAL DEVELOPMENT

It is CN's belief that residential development east of Jane Street is not acoustically feasible due the industrial stationary noise sources to the east.

It is further CN's position that the proposed residential designations east of Jane Street are not an appropriate location to utilise the Class 4 Area designation of the new NPC 300 guidelines of the Ministry of the Environment.

CN objects to the designation of the Amendment Area east of Jane Street as a Class 4 Area under the NPC 300 Guideline.

#### 4. HISTORY OF RESIDENTIAL ENCROACHMENTS ON THE MACMILLAN YARD

As a result of the constraints on expansion of CN's facilities in the City of Toronto, political pressure to relocate a majority of those freight operations outside of Toronto and the movement of new industries to suburban locations, CN commenced planning in the late 1950's for the ultimate relocation of its rail classification freight yard activities from central Toronto locations to a northern location outside of urban development in what was then a rural area.

The MacMillan Yard was ultimately constructed and opened in the 1960's. The amount of land acquired and the facilities that it can accommodate were designed to ensure sufficient capacities for CN's freight operations into the distant future.

When the MacMillan Rail Yard was designed, the pull back track which runs north of the yard beyond Rutherford Road was designed so that it went directly northbound in the direction of the then rural community of Maple.

As a result of objections by Maple residents, CN redesigned the yard and its pull back track to a less efficient configuration such that the pull back track went north of Rutherford Road and then curved west toward Jane Street where it terminates.

Over the last twenty-three years, there have been considerable residential encroachments permitted adjacent to the MacMillan Yard. Initially in the 1980's residential development was allowed to the north of the yard's pull back track at a distance of 150 metres. This community generated a number of complaints for CN and Vaughan given the twenty-four hour noise generated by the MacMillan Yard.

Subsequent to that the Villa Giardino residential condominium development was approved by Vaughan in 1999 and then for the first time, south of the yard's pull back track north of Rutherford Road high rise residential development was permitted by the OMB in 2004 after a lengthy hearing over the objections of the City of Vaughan and CN Rail.

CN is very concerned by the possible introduction of residential and other sensitive land uses to the northwest of its yard, south of Rutherford Road and east of Jane Street.

## 5. CONVERSION OF THE EMPLOYMENT LANDS EAST OF JANE STREET

CN is of the view that the Amendment as it applies east of Jane Street is a conversion of employment lands and is contrary to the tests in the Planning Act, the Places to Grow Act and the Provincial Policy Statement 2014.

## 6. THE 2014 PROVINCIAL POLICY STATEMENT

CN would refer Regional Council in making its decision to the 2014 Provincial Policy Statement issued under the Planning Act and in particular section 1.6.8-9 of that policy.

“1.6.8 Transportation and Infrastructure Corridors.

1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.

1.6.8.2 Major goods movement facilities and corridors shall be protected for the long term.

1.6.8.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.

1.6.8.5 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and infrastructure facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

Rail facilities are defined to mean the following under the PPS 2014:

Rail facilities; means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.”

The Macmillan Classification Yard is one of the most important transportation terminals in Canada and together with its appurtenant rail corridors constitutes Rail Facilities protected by the PPS 2014.

The proposal to put residential development east of Jane Street south of Rutherford Road could lead to the ultimate destabilisation of the industrial area to the west of the Yard.

The MacMillan Classification Yard's continued successful and efficient operation is important to the local economy of Vaughan and the North American economy including York Region in making rail an affordable transportation option for local employers.

Kindly provide the author with written notice of any further meetings and/or decisions by Council of York Region or its Committees in respect of this matter and provide the author with Notice of Adoption of any Official Plan Amendment.

We would request copies of the Minutes of the Committee of the Whole and Regional Council meetings addressing this matter.

Kindly acknowledge receipt of this letter in writing.

Yours very truly,



A. Milliken Heisey  
AMH/cmb

cc: Clerk Region of York, regional.clerk@york.ca

Canadian National Railway

Steve Zakem, solicitor for Granite Real Estate

Michael Melling, Solicitor for Tesmar

Barry Horosko, Solicitor for Delisle



# LAKESHORE GROUP

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June 11, 2013

VIA EMAIL [regional.clerk@york.ca](mailto:regional.clerk@york.ca)

York Region Committee of the Whole  
C/O Mr. Denis Kelly, Regional Clerk  
The Regional Municipality of York  
17250 Yonge Street  
Newmarket, ON L3Y 6Z1

Dear Committee Members:

**RE: June 12, 2014 Committee of the Whole Item F.2.3 - Vaughan Mills Centre Secondary Plan**

We are the planning consultants for Stronach Trust ("Stronach"), owner of the recently created industrial parcel immediately west of the Maple Stamping Facility at 401 Caldari Road (a municipal address for our client's property has yet to be assigned, which was created through Consent application B016/11) (the "Stronach Lands").

We have been closely involved in the public consultation process throughout the development of the Vaughan Mills Centre Secondary Plan. We attended several workshops and provided comments to the City of Vaughan on June 10, 2013 and on February 24, 2014 regarding previous drafts of the Secondary Plan.

We have reviewed the May 29, 2014 report of the Commissioner of Transportation and Community Planning recommendations and it appears that no modifications have been made with respect to our concerns regarding the establishment of sensitive land uses on the east side of Jane Street. We continue to maintain our position as set out in our June 10, 2013 letter which is attached for your convenience.

Please provide us and Stronach's legal counsel, Steven O'Melia of Miller Thomson LLP (who is copied on this correspondence) with notice of any decision or any further consideration of this matter, including adoption of the Secondary Plan.

Should you have any questions, please feel free to call me at (416) 364-5926.

Sincerely,  
THE LAKESHORE GROUP

Nima Kia, M.C.I.P., R.P.P.  
MANAGER



# LA K E S H O R E **GROUP**

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C.C  
Rick Pennycooke, Lakeshore Group  
Steven O'Melia – Miller Thomson LLP (*via email: somelia@millerthomson.com*)



June 10, 2013

VIA EMAIL [Melissa.Rossi@vaughan.ca](mailto:Melissa.Rossi@vaughan.ca)

Ms. Melissa Rossi, Senior Policy Planner  
Policy Planning Department  
City of Vaughan  
Vaughan City Hall, Level 200  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Dear Ms. Rossi:

**RE: Draft Vaughan Mills Centre Secondary Plan Study – Stronach Trust Comments**

We are the planning consultants for Stronach Trust (“Stronach”), owner of the recently created industrial parcel immediately west of the Maple Stamping Facility at 401 Caldari Road (a municipal address for our client’s property has yet to be assigned, which was created through Consent application B016/11) (the “Stronach Lands”).

We have reviewed the May 22, 2013 draft of the Vaughan Mills Centre Secondary Plan and wish to provide the following comments:

**LAND USE COMPATIBILITY CONCERNS**

The current boundaries of the Secondary Plan Study Area include two properties on the east side of Jane Street, immediately adjacent to the Stronach Lands. These properties were initially designated as “Prestige Employment” in the new 2010 Vaughan Official Plan (VOP2010) when adopted by City Council on September 7, 2010. One of these properties is immediately adjacent to northeast corner of Jane Street and Riverrock Gate, and is hereinafter referred to as the “Tesmar Lands”. The other property is located immediately adjacent to the southeast corner of Jane Street and Rutherford Road, and is hereinafter referred to as the “Delisle Lands”.

The Tesmar Lands and the Delisle Lands were not initially within the boundaries of the Vaughan Mills Centre Secondary Plan. However, pursuant to a motion carried by City Council on September 27, 2011, these lands were subsequently incorporated into the boundaries of the Secondary Plan Study Area. Pursuant to the same motion, it was resolved that consideration be given to redesignate the Tesmar Lands and the Delisle Lands from Prestige Employment to Commercial Mixed Use in the VOP2010.

Within Schedule C of the May 2013 draft Vaughan Mills Centre Secondary Plan, the Tesmar Lands are identified as being “subject to a current Ontario Municipal Board hearing” with no specific land use





recommendations included for the property. The Delisle Lands are split-designated as "High-Rise Mixed-Use" and "Neighbourhood Park".

The Stronach Lands are immediately adjacent to the Tesmar Lands and the Delisle Lands and the boundaries of the Vaughan Mills Centre Secondary Plan Study Area. The Stronach Lands are designated "General Employment" in VOP2010, and are included within the broader Employment Area designation. As per Section 2.2.4.1 of VOP2010, the planned function of the Employment Areas is to support economic activity in Vaughan by supplying land for a range of industrial, manufacturing, warehousing and, where appropriate, some office uses.

Although the Stronach Lands are currently vacant, the planned function of the lands and their intended use for heavy industry will be detrimentally impacted by future residential uses currently contemplated on the Delisle Lands in the draft May 2013 Secondary Plan Document (in addition to the residential uses contemplated for the Tesmar Lands which are currently before the Ontario Municipal Board).

As per the Ministry of Environment's D-6 Guideline document (compatibility between industrial facilities and sensitive land uses), the high-rise mixed-use developments currently contemplated for the Tesmar Lands and the Delisle Lands are considered a sensitive land use (with residential land uses considered sensitive 24 hours/day). The existing land use permissions for the Stronach Lands (including those in VOP2010 which are under appeal) permit a Class III Industrial Facility to be developed on the lands. As per Section 4.4.5 of the D-6 Guideline (emphasis added):

*"where there is no existing industrial facility within the area designated/zoned for industrial land use, **determination of the potential influence area shall be based upon a hypothetical worst-case scenario for which the zoned area is committed**".*

As such, and as per Section 4.1.1 of the D-6 Guideline, both the Tesmar Lands and the Delisle Lands are within the potential influence area of the Stronach Lands and minimum separation distances must be employed. The Ministry's Guideline further indicates that when impacts from industrial activities cannot be mitigated or prevented to the level of a trivial impact (i.e. no adverse effects), new development, whether it be an industrial facility or a sensitive land use, shall not be permitted.

In light of the foregoing, the current draft recommendations for a High-Rise Mixed-Use designation for a portion of the Delisle Lands does not represent good land use planning and would not meet with Ministry standards. Should permissions for the future development of sensitive land uses on the Delisle Lands be adopted by City Council (as is currently recommended in the draft Secondary Plan document), it will lead to land use compatibility issues with development on the Stronach Lands and the broader employment area east of Jane Street.

#### **JANE STREET CORRIDOR RESIDENTIAL POTENTIAL LAND USE REVIEW**

In September 2006, Vaughan City Council directed staff to undertake a Land Use Review for the Jane Street Corridor area, south of Rutherford Road, with respect to the potential for the establishment of residential development. The Land Use Review includes an analysis of both the Tesmar Lands and the Delisle Lands. The Review concludes that the employment designations on the east side of Jane



Street as found in OPA 450 be retained, and that development applications for residential uses within the Review Area be considered premature pending the completion of the Vaughan Centre Update focused study and plan.

Among the key findings of the report regarding the non-suitability of residential uses in the Review Area were as follows:

- Limited number of school spaces available in the general area – busing likely required
- Lack of other community services, including parks
- Hard services, notably sewage services, are currently unavailable for residential uses even though both water and sewer lines exist
- The finer grain road network required to support residential neighbourhoods would need to be addressed, as would traffic impacts

The findings of the Review when coupled with the aforementioned compatibility concerns indicate that the High-Rise Mixed-Use designation currently proposed for the Delisle Lands is not supportable.

#### **HEMSON HOUSING ANALYSIS AND EMPLOYMENT LANDS NEEDS STUDY**

Hemson Consulting Ltd. was retained by the City of Vaughan to prepare a Housing Analysis and Employment Land Needs study (Employment Study) to inform the Official Plan Review process. A 2011 addendum to this Study was also prepared by Hemson.

One of the findings of the Employment Study was that the current supply of employment land should be maintained in Vaughan. This was based on a finding that at the current prevailing densities, there would be a shortage of employment land in 2031.

The addendum to the Study addresses the Jane Street Corridor including the Tesmar Lands and the Delisle Lands. Hemson indicates that the proposed land use conversion of the Tesmar Lands and the Delisle Lands to “Commercial Mixed-Use” (this proposed redesignation was being considered by Council at the time, as per a motion carried at its September 27, 2011 meeting) is not appropriate for a number of reasons, including:

- *The lands are located within a large and almost fully developed employment area around the CN Concord Yard. As noted in the April 2010 report, this area contains a major concentration of economic activity and is healthy and competitive for continued employment land use.*
- *The lands occupy a central position within the larger area, traversing both the Vaughan 400 and Vaughan 400 North Employment Areas. As also noted in the April 2010 report, no change is recommended for interior portions of the major employment areas due to the risk of area destabilization.*

The addendum goes on to state that:



*"based on the Growth Plan tests, changes of the Jane Street Corridor lands to a Commercial Mixed-Use designation is not considered good planning and does not meet the tests set out in Section 2.2.6.5 of the Growth Plan."*

Given the foregoing, the High-Rise Mixed-Use designation currently proposed for the Delisle Lands is not appropriate.

#### **PROPOSED GENERAL LAND USE POLICIES**

Section 3.5.10 of the May 2013 draft Secondary Plan document includes policies which require the submission of noise, vibration and odour studies by the proponents of sensitive land uses within 300 metres of an industrial use to the satisfaction of the City. These studies are required to:

- Include recommendations for materials and construction methods to be employed to meet the Ministry of the Environment Guidelines.
- Recommend provisions to be included in the Site Plan Agreement that requires an engineer to certify that the building plans implement the recommendations contained in the mitigation reports before a building permit is issued.
- Recommend inclusions in the conditions of condominium approval that the mitigation measures recommended be implemented and certified, as well as a condition requiring the inclusion of noise, vibration, odour warning clause in the applicable condominium documents.

Stronach is supportive of this policy framework. However, as per the Ministry of Environment's D-6 Guideline, appropriate buffers from sensitive land uses will be required in addition to appropriate mitigation measures and warning clauses.

#### **FURTHER COMMENT**

We are available at any time to meet or to provide any additional information you may require regarding this submission. Please notify us and Stronach's legal counsel, Steven O'Melia of Miller Thomson LLP (who is copied on this correspondence) of all future public meetings and Council's decision regarding the adoption of the Vaughan Mills Centre Secondary Plan.

We look forward to working with you to address our client's comments and concerns.

Should you have any questions, please feel free to call me at (416) 364-5926.

Sincerely,  
**THE LAKESHORE GROUP**

Nima Kia, M.C.I.P., R.P.P.  
MANAGER



**LAKESHORE GROUP**

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c.c

Rick Pennycooke, Lakeshore Group

Steven O'Melia – Miller Thomson LLP (*via email: somelia@millerthomson.com*)

# AIRD & BERLIS LLP

Barristers and Solicitors

Steven A. Zakem  
Direct: 416.865.3440  
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June 11, 2014

**BY EMAIL**

Our Matter No. 91037

Chair John Taylor and Members of the Committee of the Whole  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario L3Y 6Z1

Attention: Mr. Denis Kelly, Regional Clerk

Dear Mr. Kelly:

**Re: Committee of the Whole Meeting – June 12, 2014  
Item F2.3 - Amendment No. 2 to the Vaughan Official Plan (2010) – The  
Vaughan Mills Centre Secondary Plan**

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We are the solicitors for Granite Real Estate Investment Trust (successor in interest to MI Developments Inc.) and Magna International Inc. ("Magna") and write with respect to the above referenced matter.

By way of background, Granite Real Estate Investment Trust ("Granite") is a public Canadian based real estate investment trust engaged in the ownership and management of predominantly industrial, warehouse and logistics properties. Granite's tenant base currently includes Magna and its operating subsidiaries as our largest tenants, together with tenants from other industries. Granite's properties consist of manufacturing plants, light industrial properties, corporate offices, product development and engineering centers and test facilities. Granite owns approximately 32 million square feet in over 100 income properties in North America and Europe. Over a dozen of these properties are located within the City of Vaughan and are leased primarily to Magna and its subsidiaries. These properties, both historically and today, represent a significant employment base within the city.

Magna is a leading global automotive supplier with 315 manufacturing operations and 82 product development, engineering and sales centres in 29 countries and has over 128,000 employees.

One of the Granite properties is known municipally as 401 Caldari Road and is zoned and designated for industrial uses and is currently leased to a subsidiary of Magna on a long term basis and contains a heavy stamping plant that operates 24 hours a day, 7 days a week, 365 days per year. The stamping plant, by its very nature, creates noise, both directly as a result of the stamping of metal as well as the large transport trucks which deliver and pick up from the plant 24 hours a day. The Tesmar Holdings Inc. ("Tesmar") property is in close proximity to 401 Caldari Road.

In 2005 Tesmar made an application to permit the residential development consisting of two residential towers approximately 32 stories in height and containing in the order of 600 units. This application was recommended for refusal by City of Vaughan Planning Staff because the introduction of residential uses was seen as incompatible with the industrial and employment uses and applicable planning policies including the *Provincial Policy Statement (2005)* and Vaughan Official Plan Amendment 450.

Notwithstanding the recommendation of City of Vaughan Planning Staff, City Council adopted Official Plan Amendment 653 ("OPA 653") which was forwarded to the Region of York for a decision.

Region of York Planning Staff expressed similar concerns to those expressed by City of Vaughan Planning Staff. Before a final decision could be made by the Region of York, Tesmar appealed OPA 653 to the Ontario Municipal Board. MI Developments Inc. together with CN Rail and the Region of York were granted party status on the Tesmar appeal. One of the primary issues before the Board is whether or not the Tesmar application constitutes a conversion of employment lands. Prior to a full hearing, by way of motion, Tesmar sought a determination by the Board that the application did not constitute a conversion. This motion was opposed by CN Rail, MI Developments Inc. and the Region of York. The Ontario Municipal Board, in a decision dated February 19, 2008 dismissed the motion by Tesmar and ordered that a full hearing be scheduled.

At the request of Tesmar, the appeals were adjourned *sine die* to be brought back at a subsequent date following the request of any of the parties. Since the adjournment, the appeals have been the subject of a mediation before the Board.

In the interim period, the City of Vaughan embarked upon the preparation of a new Official Plan and adopted that Official Plan on September 7, 2010. The Vaughan OP designated the subject lands "Prestige Employment". The associated policies for this designation would not permit a residential uses on the Tesmar property. A similar designation applied to the property owned by Delisle Properties Limited ("Delisle") and located immediately to the north of the Tesmar property. Region of York Planning Committee recommended approval of the City of Vaughan Official Plan with a "Prestige Employment" designation on the lands located at the north east corner of Jane Street and Rutherford Road. Notwithstanding this recommendation, the Region of York Council, at the initiative of City of Vaughan Councillors, endorsed the re-designation of the Tesmar and Delisle lands to "High-Rise Mixed Use". This modification to the Vaughan Official Plan (2010) was done without the benefit of any planning analysis by City of Vaughan or York Region planning staff and without proper public consultation.

This re-designation to High-Rise Mixed Use is currently before Ontario Municipal Board as part of the Vaughan Official Plan (2010) Ontario Municipal Board proceedings. Granite and Magna continue to oppose that re-designation. Furthermore, Granite and Magna and their experts are of the opinion that the unsubstantiated re-designation of these lands for residential purposes is contrary to, and inconsistent with, the *Growth Plan*, the *Provincial Policy Statement (2014)*, *Region of York Official Plan* and the *City of Vaughan Official Plan*.

In reliance upon the foregoing unsubstantiated re-designation of the Tesmar and Delisle lands, the Vaughan Mills Centre Secondary Plan recommends the designation of these lands for residential uses. In the course of the study leading to the adoption of the Secondary Plan, there was no critical analysis of permitting residential uses on the east side of Jane Street because of the decision that had already been made by the City of Vaughan and Region of York Council's to re-designate those lands for residential purposes. This is a case of the tail wagging the dog and inclusion of these lands within the Secondary Plan area, and their re-designation for residential purposes, is merely a reflection of this earlier political decision and has never been the subject of a recommendation by either City of Vaughan or Region of York planning staff.

We urge the Committee of the Whole to modify the Vaughan Mill Centre Secondary Plan to exclude the lands east of Jane Street and south of Rutherford Road from the Secondary Plan area and to make the necessary modifications to the remaining portions of the Secondary Plan to reflect the exclusion of these lands. This will create a proper and defined boundary between residential uses on the one hand, and an important and significant employment area on the other hand, and will avoid land use incompatibilities which threaten the viability of industrial uses such as those owned and operated by my clients'.

Kindly provide the undersigned with notice of the decision of the Committee of the Whole and Region of York Council with respect to the matter.

Yours very truly,

AIRD & BERLIS LLP



Steven A. Zakem

SAZ/jfs

c.c. Magna International Inc.  
Granite Real Estate Inc.  
Alan Heisey, Solicitor for Canadian National Railway  
Michael Melling/Meaghan McDermid, Solicitors for Tesmar  
Barry Horosko, Solicitor for Delisle Properties Limited

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direct line: 416.263.4513  
File No. 702586

June 11, 2014

**By E-Mail to [regional.clerk@york.ca](mailto:regional.clerk@york.ca)**

The Regional Municipality of York  
Committee of the Whole  
Region of York Administrative Centre  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

Attention: Regional Clerk

Dear Sir/Madam:

**Re: Proposed Amendment No. 2 to the Vaughan Official Plan (2010)  
Vaughan Mills Centre Secondary Plan  
Agenda Item: F.2.3**

We are counsel to H & L Title Inc. and Ledbury Investments Ltd., the owners of lands located east of Weston Road and south of Rutherford Road within the Vaughan Mills Centre Secondary Plan area.

With their authorization, we are also writing on behalf of Anland Developments Inc. and 2811187 Ontario Limited, who are also owners of lands within the portion of the Secondary Plan area located between Weston Road and Highway No. 400, within the so-called "Vaughan Mills Centre Business District".

Each of the owners identified above have actively participated in the planning process for the proposed Vaughan Mills Centre Secondary Plan. Among other things, in February 2014, each of the owners made separate written submissions to the City of Vaughan in advance of City Council's adoption of the Secondary Plan, identifying a series of concerns with the proposed document. For your reference, copies of each of those submissions are attached to this letter, together with a copy of a June 10, 2013 submission from our office to the City of Vaughan on behalf of the owners in response to an initial draft of the Secondary Plan.

We have reviewed the report of the Region's Commissioner of Transportation and Community Planning, which we understand will be considered by the Committee of the Whole at its meeting on June 12, 2014. In that report, the Commissioner is





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recommending the approval of the Secondary Plan, subject to certain modifications that are appended to the report.

Regrettably, the proposed modifications do not address the fundamental concerns with the proposed Secondary Plan that have been identified by the various owners throughout the planning process.

Accordingly, the owners do not support the approval of the Secondary Plan in its current form, and we therefore urge the Committee and Regional Council to not adopt the staff recommendations.

Rather, we request that the matter be deferred at this time, that staff be directed to meet with the owners and other stakeholders to identify appropriate modifications to the Secondary Plan to address the concerns that have been identified, and that the proposed Secondary Plan be brought back to the Committee for consideration only after that has occurred.

We thank the Committee in advance for its consideration of this submission. We will also be in attendance at the Committee meeting in order to speak to this matter.

Kindly ensure that we receive notice of any decision(s) made by the Committee and/or Regional Council concerning this item and that we are notified of any further public meeting(s) and/or staff report(s) regarding this matter.

Yours truly,

**DAVIES HOWE PARTNERS LLP**

*per:*

Mark R. Flowers  
Professional Corporation

encls.

copy: Gerald Borean, Parente Borean LLP  
Laura Bisset, Davis LLP  
Jim Levac / Jack Wong, Weston Consulting Group Inc.  
Rosemarie L. Humphries, Humphries Planning Group Inc.



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direct line: 416.263.4513  
File No. 702586

February 25, 2014

**By E-Mail to [clerks@vaughan.ca](mailto:clerks@vaughan.ca)**

Chair and Members of the Committee of the Whole  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, Ontario  
L6A 1T1

Dear Sirs / Mesdames:

**Re: Draft Vaughan Mills Centre Secondary Plan  
Agenda Item 5 – Committee of the Whole Meeting on February 25,  
2014  
File #: 26.1  
Submissions on behalf of H & L Title Inc. and Ledbury  
Investments Ltd.**

We are counsel to H & L Title Inc. and Ledbury Investments Ltd., the owners of lands located east of Weston Road and south of Rutherford Road, within the Vaughan Mills Centre Secondary Plan area. Our clients are also appellants to the Vaughan Official Plan (2010).

By letter dated June 10, 2013, we submitted detailed comments on behalf our clients and also on behalf of other landowners (Anland Developments Inc. and 2811187 Ontario Limited) situated west of Highway 400 in the Vaughan Mills Centre Secondary Plan area in response to various concerns with the original draft Vaughan Mills Centre Secondary Plan, dated May 22, 2013. A copy of the previous submission is attached for ease of reference.

It is our understanding that representatives for Anland Developments Inc. and 2811187 Ontario Limited will be submitting separate comments on the revised draft Secondary Plan on behalf of their clients.

We have had the opportunity to review the revised draft Vaughan Mills Centre Secondary Plan (the "VMCSP") dated February 14, 2014, together with the



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related report of the City's Commissioner of Planning entitled "City of Vaughan Response to Public, Government and Agency Submissions" (the "Staff Report").

We are disappointed that none of the previous concerns raised have been addressed in the revised draft VMCSPP, nor has our previous submission been recognized or responded to in the Staff Report.

Accordingly, we are writing to advise the Committee that our clients oppose the revised draft VMCSPP in its current form.

Among the outstanding concerns with the draft VMCSPP are the following:

- The revised draft VMCSPP proposes to designate our clients' lands in the so-called "Vaughan Mills Centre Business District" (formerly known as Area 3) only for Prestige Office Employment and Prestige Employment. The proposed land use pattern will further segregate this area from the mixed use areas proposed for the east side of Highway 400 and south of Rutherford Road;
- The revised draft VMCSPP does not provide for any form of housing or mixed commercial/residential uses within the "Vaughan Mills Centre Business District", specifically along the east side of Weston Road, where such uses could provide an appropriate transition to the established residential community to the west of Weston Road. Allowing for such uses would be consistent with Principle 3 of the VMCSPP, which aims to provide a diverse range of housing options in the secondary plan area;
- The revised draft VMCSPP fails to recognize the west side of the Highway 400 corridor as an appropriate location for a broader range of compatible commercial and residential uses. The development potential of these lands is further hindered by the proposed introduction of policies that would restrict building heights to 10 storeys and a density of 2.0 FSI;
- The proposed 70m Black Creek Corridor and 50m District Greenway are inappropriate from a land use perspective, and the extent of these proposed corridors have not been justified; and
- In keeping with its designation as a transit priority corridor, lands located on the east side of Weston Road should be identified as an appropriate location for mixed use intensification, and the proposed transportation



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Page 3


network for the lands west of Highway 400 should be reconsidered in the context of future mixed use development on these lands.

We request that the Committee direct staff to reconsider the draft VMCSPP in light of these comments and bring forward a further revised draft of the Secondary Plan that addresses the various concerns that have been identified by our clients.

Our clients remain committed to continuing to work with the City and other stakeholders in finalizing the VMCSPP in a manner that appropriately addresses their concerns and, at the same time, satisfies the City's objectives.

Yours truly,

**DAVIES HOWE PARTNERS LLP**

*per*   
Mark R. Flowers  
Professional Corporation

encl.

copy: John Mackenzie, Commissioner of Planning, City of Vaughan  
H & L Title Inc. and Ledbury Investments Ltd.  
Jim Levac / Jack Wong, Weston Consulting Group Inc.

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direct line: 416.263.4508  
File No. 702586

June 10, 2013

**By Courier**

Committee of the Whole  
City of Vaughan  
Clerks Department  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

**Attention: Rosanna DeFrancesca, Chair of the Committee of the Whole**  
**Jeffrey Abrams, City Clerk**  
**John MacKenzie, Commissioner of Planning**

Dear Sirs/Mesdames:

**Re: June 11, 2013 Public Meeting of the Committee of the Whole  
Response to Draft Vaughan Mills Centre Secondary Plan  
By: H & L Title Inc., Ledbury Investments Ltd., Anland  
Developments Inc. & 2811187 Ontario Limited**

Davies Howe Partners LLP and Weston Consulting Group Inc. represent H&L Title Inc. and Ledbury Investments Ltd. Parente Borean LLP and Humphries Planning Group Inc. represent 281187 Ontario Limited, and Humphries Planning Group Inc. represents Anland Developments Inc. This letter is submitted on behalf of the four companies (collectively referred to herein as "the Group").

The Group's lands are located within "Area 3" of the Draft Vaughan Mills Centre Secondary Plan (Draft Secondary Plan). These lands amount to approximately 97 acres or roughly 73% of the remaining undeveloped lands within Area 3 and are located south of Rutherford Road to the north, Highway 400 to the east, Weston Road to the west and the future extension of Bass Pro Mills Drive to the south. A map is attached for your convenience.

By way of background information, the Group members have actively participated in both the City of Vaughan Official Plan and the Vaughan Mills Centre Secondary Plan Study review processes. The Group members have obtained party status in the Ontario Municipal Board proceedings for the Vaughan Official Plan.



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We take this opportunity to provide the following submissions regarding the Draft Secondary Plan:

First, the Group submits that the Draft Secondary Plan contains several shortcomings and requires further review. Accordingly, the Group objects to the Draft Secondary Plan.

Second, the Plan fails to address many fundamental land use planning issues and was created prior to the finalization of necessary background and technical studies. The Draft Secondary Plan has also failed to appropriately incorporate the Group's submissions throughout the study process. It is submitted that the elements of land uses, density, height and street network all require further consideration.

Third, the Draft Secondary Plan provides nine (9) Guiding Principles within Part B, Section 1.2 and uses these principles as a benchmark for guiding the development and measuring the success of the plan. We have reviewed these principles and submit that the distribution of land uses and associated policy regimes in the Draft Secondary Plan are inappropriate. Therefore, the Draft Secondary Plan should be amended to designate the Group's lands for mixed use purposes. This designation would more appropriately account for the land's context and relationship to Vaughan Mills, the mixed use lands to the north, the residential lands to the west, and the future extension of Bass Pro Drive to the south.

#### **Principle 1 – Create a Vibrant, Complete, Mixed-Use Urban Centre**

The Draft Secondary Plan does little to integrate future land uses on both sides of Highway 400 and continues the highway as a major physical boundary. As a result, the Group's lands within Area 3 Employment are inappropriately segregated from the high density, retail and mixed uses on the east side of Highway 400 and south of Rutherford Road. Little effort or initiative has been made to link the Group's lands, and the projected 7590 jobs associated with their lands, to the planned transit hub connected to the mall. The Group submits this land use pattern is not good planning and will hinder the creation of a vibrant and complete mixed-use urban centre.

The proposed road network within Area 3 is comprised of too many planned streets. The Group submits this requires further consideration in order to appropriately contribute to this principle.

#### **Principle 2 – Foster a High Quality of Place, Design Excellence, and Sustainability**

While we generally agree with this principle, we observe that its implementation is undermined by the land use issues outlined above, resulting in the loss of the



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opportunity for considerable synergy between both sides of Highway 400 and a “human scaled” environment. A mixed use designation in Area 3 would better reflect Principle 2.

### **Principle 3 – Provide a Diverse Range of Housing Options in Vaughan Mills Centre**

The Draft Secondary Plan does not provide for any type of housing within Area 3, which is inconsistent with the permitted residential uses within Area 1 and Area 2. It is also unclear as to whether building “ground family oriented” housing around a regional mall has been thoroughly considered.

Furthermore, it is highly unlikely that low and medium density/ground housing will replace any of the out-parcel retail buildings in the Vaughan Mills Mall. In order to achieve the desired variety of housing options, we submit that low, medium and high density residential uses should be planned within Area 3, having regard to the residential area to the west.

### **Principle 4 – Enhance the Role of Vaughan Mills Centre as a “Centre” of Economic Activity, Jobs, and Commerce in the Region**

We submit that it is common for regional shopping centres like Vaughan Mills to create sizable land use synergies for the surrounding area, especially as the regional centre matures. Vaughan Mills is not yet complete, so this process will continue for the foreseeable future. The Draft Secondary Plan fails to recognize these positive spin-off effects and how to plan for them for the future. The creation of a unique employment and commercial environment is restrained by the rigid policies in the Plan, such as maximum floor area. Likewise, the Draft Secondary Plan fails to recognize the west side of the Highway 400 corridor in this area as an attractive location for offices, corporate headquarters, hotels, convention centres and forms of residential use. The restrictions placed on Area 3, including 10 storey building heights and 2.0 FSI, are arbitrary and should be revisited. Area 3 requires higher building types, heights and density in order to better utilize existing investments in provincial and city infrastructure, such as Highway 400, its interchanges and the road network.

### **Principle 5 – A Walkable Urban Environment**

Promoting a pedestrian and cyclist-friendly environment is an admirable goal. However, given the shortcomings of the Proposed Secondary Plan, it is unlikely that this goal will materialize.



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### **Principle 6 – Provide High Quality Open Spaces**

The Group submits that the proposed Black Creek Greenway is not considered to be an enhancement of the existing open space corridor, as suggested in the Plan. The proposed location of the Greenway is completely realigned from its existing location and the proposed 70 metre wide Black Creek Greenway is inappropriate. The Group understands that a report prepared by the MMM Group, entitled “Stormwater Management Conceptual Strategy,” has not been made available to the public. This report may prove to be helpful to stakeholders and should be released to allow for their consideration and input. As such, the Group submits that further discussion among the stakeholders is required once the MMM report is released to the public. Following these discussions, it may also be necessary for stakeholders to seek independent advice regarding the MMM report.

### **Principle 7 – Protect, Restore, and Enhance Natural and Cultural Heritage Resource**

The Group submits that further discussions on matters pertaining to natural and cultural resources should be provided for in the Draft Secondary Plan.

### **Principle 8 – Create Multi-Model Transportation Network**

The Group submits that a multi-model transportation network is another area which requires more attention in order to improve the Draft Secondary Plan. Creating a multi-model transportation network throughout the study area is a good objective if density is allocated in a manner that will be supportive. Weston Road is designated as part of the Region’s Transit Priority Network, therefore, land use and intensification should be better implemented within this corridor.

### **Principle 9 – Sustainable and Resilient**

Achieving a full range of housing types in concert with many of the other objectives discussed above can be reached if Area 3 is designated for mixed uses. Area 3 is the most suitable area to provide smaller and compact housing forms, as suggested in the plan (see policy 2.5.2). Many opportunities exist to attain a more appropriate land use designation in Area 3. Further discussions in this regard are required.

Staff and study team members have made it clear that the study process would not consider a reassignment of land use designations from the Official Plan. Nevertheless, lands at the southeast side of Jane Street and Rutherford Avenue that are presently designated for Employment Uses have been added to the planning area for the Draft Secondary Plan. These lands are proposed to be re-designated for High-Rise Mixed-Use. This is one area where the study process was





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varied, presumably for good reason. Likewise, the Group submits that Area 3 should be considered for uses beyond those shown in the Official Plan and these lands should be more appropriately designated for mixed use purposes.

Area 3 holds considerable potential to accommodate a higher and broader range of land uses than reflected by the Draft Secondary Plan and this too should be recognized. In this regard, the table located on page 41 of the Draft Secondary Plan, which provides projections for jobs, units, and population by area, does not provide any unit and population projections for Area 3. We submit that units and population should be added into the projection chart in order to accommodate residential development for Area 3 landholdings and that the table be revised to ensure the mixed use potential of Area 3 is optimized.

### **Conclusion**

In conclusion, the Group objects to the Draft Secondary Plan in its entirety and submits that further work and consultation is required to improve the opportunities for, and treatment of, Area 3.

We request the Group's input be considered by Committee members and staff. The Group asks that staff be directed to work with all stakeholders (including the Group) in order to realize the full potential of the planning area. Following this collaboration, the Group asks that staff report back to the Committee with the necessary revisions. The Group is committed to continuing to work with the City and other stakeholders.

Yours sincerely,  
**DAVIES HOWE PARTNERS LLP**

Jeffrey L. Davies  
Partner

copy Members of Council  
Diana Birchall, Director of Policy Planning  
Paul Jankowski, Commissioner of Engineering and Public Works  
Members of Landowners Group



**WESTON CONSULTING**  
planning + urban design

**LEGEND**

— LAND OWNERS GROUP

File Number: 3867  
Date Drawn: 10 JUNE 13  
Drawn By: SM  
Planner: JL  
Scale: NTS  
CAD: 3867/schecules/3867 Ownership map.dgn



Air Photograph from Google Earth Pro.  
Date of photography: August 2009

**LAND OWNERSHIP MAP**



PARENTE • BOREAN  
BARRISTERS AND SOLICITORS

February 24, 2014  
Our File No. 280218

**SENT BY FAX -905-832-8535;  
EMAIL – Jeffrey.Abrams@vaughan.ca;  
and COURIER**

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

**Attn: Mr. Jeffrey Abrams, City Clerk**

**Re: February 25, 2014 Committee of the Whole Meeting  
Response to Vaughan Mills Centre Secondary Plan (The "VMCS Plan")  
City of Vaughan Response to Public, Government and Agency Submissions  
City File #:26.1**

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This letter is submitted in response to Staff Report and Proposed VMCS as released by the City for the February 25 2014 Committee of the Whole Meeting on behalf of 2811187 Ontario Limited, and Anland Developments Inc. as represented by Parente Borean and Humphries Planning Group Inc .,respectively.

The 2811187 Ontario Limited and Anland Development lands are located within the area identified as the "Vaughan Mills Centre Business District" / Area 3 of the plan. We have provided previous comments on the proposed plan (June 10, 2013) and indicate that previous concerns still remain outstanding. These concerns include but are not limited to the following matters:

- The revised Secondary Plan continues to contain several short comings which require further review and therefore we continue object to the draft secondary plan;

- The plan continues to fail to address many fundamental land use planning issues in the absence of study information inclusive of servicing and storm water management and environmental work. Further, we have reviewed the Transportation Assessment as authored by the MMM Group Limited and have concerns respecting such.
- The proposed secondary plan as related to the Vaughan Mills Centre Business District and the Guiding Principles remain inappropriate.

The south west quadrant of Rutherford Road and Weston Road represents a unique area and circumstance. The secondary plan and policy as proposed by the City deserves further discussion and attention. The proposed land use and policy applicable to this area should be more flexible allowing additional land uses and the reassignment of additional densities.

Landowners of these lands have filed letters of objection and appeals to the Ontario Municipal Board respecting the City's Official Plan. Letters of objection have also been filed at various stages of the process of this secondary plan process. We would like to work in a cooperative manner with the City to resolve these outstanding concerns so as to avoid an adversarial position before the Ontario Municipal Board if at all possible.

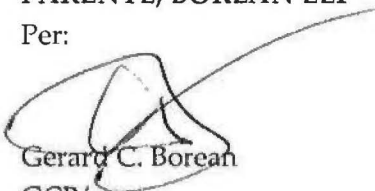
We request that the City of Vaughan defer a final decision on Area 3 of the Secondary Plan. In the interest of allowing the designations of the other areas of the plan to proceed it is requested that Area 3

be designated as a 'Study Area' subject to further review which retains its current permissions under OPA 450, until such time that the review is completed and/or is adjudicated by the OMB as may be necessary if concurrence on the issues is not achieved by the parties after the review process. Accordingly it is requested that the Commissioner of planning and appropriate staff be directed to engage in a further review process with the landowners group to receive and review updated information from the group and to share information and studies with the group and to conduct a process in dialogue and re-evaluation of the current secondary plan which is to be conducted in an effort to resolve the land use and policy issues. Further a final report by the Commissioner of planning will be submitted after the conclusion of the review process by no later than June 2014.

Yours very truly,

**PARENTE, BOREAN LLP**

Per:



Gerard C. Borean

GCB/mmu

cc: Claudia Storto

cc: Clients

# HUMPHRIES PLANNING GROUP INC.

c 7 Communication cw: Feb 25/14 Item: 5
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February 24, 2014  
HPGI File: 11263

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

Attn: Jeffrey Abrams, City Clerk

RE: February 25, 2014 Meeting of the Committee of the Whole  
Response to Draft Vaughan Mills Centre Secondary Plan  
By: Anland Developments Inc., 2811187 Ontario Limited

Further to Mr. Boreans letter dated February 24, 2014; a copy of which is attached hereto, this shall confirm that Humphries Planning Group Inc., represents Anland Developments Inc. On behalf of Anland Developments Inc., we confirm support of the position put forth by Mr. Borean on behalf of the Group as described therein and further advise that Anland Developments Inc., adopts and puts forth on its own the position as set out in Mr. Boreans correspondence.

Anland Developments Inc. continues objects to the Draft Secondary Plan in its entirety and submits that further work and consultation is required and would be most pleased to meet with the City of Vaughan and its representatives to further this study process in order to arrive at a positive solution.

If you have any questions, please do not hesitate to contact me.

Yours truly,  
HUMPHRIES PLANNING GROUP INC.

  
Rosemarie L. Humphries BA, MCIP, RPP  
President

cc: Anland Developments Inc.

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File No. 702358

June 11, 2014

**By E-Mail Only [denis.kelly@york.ca](mailto:denis.kelly@york.ca)**

Chair John Taylor and  
Members of the Committee of the Whole  
Regional Municipality of York  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

**Attention: Mr. Denis Kelly, Regional Clerk**

Dear Mr. Kelly:

**Re: Committee of the Whole Meeting, June 12, 2014  
Item F.2.3 Amendment No. 2 to the Vaughan Official Plan (2010)  
The Vaughan Mills Centre Secondary Plan (the "Secondary Plan")  
Tesmar Holdings Inc. ("Tesmar")**

We are counsel to Tesmar, which owns approximately 4.1 acres of land on the northeast corner of Jane Street and Riverock Gate, in the City of Vaughan (the "Tesmar Site").

We are in receipt of correspondence filed yesterday on behalf of Canadian National Railway ("CN") and late today on behalf of Granite Real Estate Investment Trust ("Granite") and Magna International Inc. ("Magna") regarding the above-referenced item.

Though addressed in the context of the Secondary Plan, the concerns raised in the correspondence of CN, Granite and Magna relate to the land use designation for the Tesmar Site in the Vaughan Official Plan 2010 ("VOP 2010"). We would note that although the Tesmar Site is included within the Secondary Plan Area, the Secondary Plan as adopted by Vaughan Council and being recommended for approval does not include a land use designation, maximum height or density for the Tesmar Site. Rather, these matters are to be determined through Tesmar's site-



Davies  
Howe  
Partners  
LLP

specific appeal which is before the Ontario Municipal Board to which CN, Granite and Magna are Parties and which is the subject of on-going mediation.

The matters being raised by CN, Granite and Magna were already dealt with by both City and Regional Council through the VOP 2010 process. In fact, the proposed "High Rise Mixed Use" designation for the Tesmar Site was endorsed by City Council on June 26, 2012 and by Regional Council on June 28, 2012. These resolutions by the City and the Region were informed by and made within the context of their thorough review of the VOP 2010, a municipal comprehensive review which included consideration of the City's desired urban structure, land uses throughout the City and appropriateness of employment land conversions. Tesmar supports both Councils' resolutions and the proposed designation for the Tesmar Site, and suggests that nothing in the planning context has changed since these resolutions to justify their reconsideration.

The same complaints raised in the recent correspondence from CN, Granite and Magna were also all raised prior to Regional Council's consideration of the designation for the Tesmar Site in June of 2012. Regional Council reviewed and rejected these same objections at that time.

Accordingly, Tesmar supports the Secondary Plan, as adopted by Vaughan Council, as it relates to the Tesmar Site and recommends its approval by Regional Council.

Yours sincerely,

**DAVIES HOWE PARTNERS LLP**

Meaghan McDermid

MEM

copy Mr. Alan Heisey, Papazian Heisey Myers, Barristers & Solicitors  
Mr. Steven Zakem, Aird & Berlis, LLP  
Ms. Claudia Storto, City of Vaughan  
Mr. Barry Horosko, Brattys LLP  
Mr. Jim Kennedy, M.C.I.P, R.P.P.  
Client