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THE VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN

The Planning and Economic Development Committee recommends the following:

- 1. Receipt of the communication from Patricia A. Foran, Aird & Berlis LLP, on behalf of Royal Centre, dated June 11, 2013; and**
- 2. Adoption of the recommendations contained in the following report dated May 27, 2013 from the Commissioner of Transportation and Community Planning.**

1. RECOMMENDATIONS

It is recommended that:

1. The Ontario Municipal Board be advised that Council supports the approval of the Vaughan Metropolitan Centre Secondary Plan.
2. 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 be authorized to execute Minutes of Settlement, if appropriate.
3. The Regional Clerk circulate a copy of this report to the Ontario Municipal Board and the Clerk of the City of Vaughan.

2. PURPOSE

This report has been prepared for Council's consideration of the Vaughan Metropolitan Centre Secondary Plan, and recommends Council support the approval of the Vaughan Metropolitan Centre Secondary Plan by the Ontario Municipal Board.

3. BACKGROUND

The Vaughan Official Plan (2010) responds to new and prevailing provincial and Regional policy directions of growth management

The Vaughan Official Plan (2010) brings the City's Official Plan into conformity with the York Region Official Plan (2010) and Provincial Plans, including Places to Grow (2006) and the Greenbelt Plan (2005). Volume 1 of the Vaughan Official Plan (2010)

contains the general policies that apply to the entire City of Vaughan and directs growth to 2031, and accommodates 167,300 new residents and 103,900 jobs.

Volume 1 was adopted by Vaughan Council on September 7, 2010, modified by Vaughan Council on September 27, 2011, March 20, 2012, and April 17, 2012, and was endorsed by Regional Council on June 28, 2012.

Volume 2 of the Vaughan Official Plan (2010) contains Secondary Plans, area specific policies, site specific policies carried forward from the former Official Plan, and five new Secondary Plans

Specifically, Volume 2 includes:

- Secondary Plans carried forward from the former Official Plan. For example, the Steeles West Secondary Plan, and the Highway 400 North Employment Lands Secondary Plan policies
- Area Specific Policies. For example, Kleinburg Core, and Centre Street Corridor
- Site Specific Policies. For example, the Thornhill Liberty Lands policies, and the Vaughan Healthcare Campus policies, and
- Five new Secondary Plans (the North Kleinburg-Nashville Secondary Plan, the Woodbridge Core Secondary Plan, the West Vaughan Employment Area Secondary Plan, the Yonge Steeles Corridor Secondary Plan, and the Vaughan Metropolitan Centre Secondary Plan)

The first of these five new Secondary Plans, the North Kleinburg-Nashville Secondary Plan, was endorsed by Regional Council on October 18, 2012. This Secondary Plan was approved by the Ontario Municipal Board on November 14, 2012, during the first Pre-hearing Conference for the Vaughan Official Plan (2010).

The Vaughan Metropolitan Centre Secondary Plan is the second of the five new secondary plans being reported to Regional Council. The remaining Secondary Plans are currently being reviewed and updated by Vaughan staff. Regional staff continues to work collaboratively with Vaughan staff and further modifications will progress through Vaughan Council before recommendations on the remaining Secondary Plans are presented to Regional Council for their consideration.

The Vaughan Metropolitan Centre Secondary Plan, together with the entire Vaughan Official Plan (2010), has been appealed to the Ontario Municipal Board

The Vaughan Metropolitan Centre Secondary Plan, as with the entire Vaughan Official Plan (2010), has been appealed to the Ontario Municipal Board for a lack of decision by York Region within 180 days, as prescribed by the *Planning Act*. The Ontario Municipal Board is now the approval authority. The *Planning Act* requires the Ontario Municipal Board to have regard to Councils positions.

There are currently 112 appeals to the Vaughan Official Plan (2010). Of these, 13 appeals specifically apply to the Vaughan Metropolitan Centre Secondary Plan. Issues raised in these appeals primarily deal with appropriate land uses, heights and densities, and the retention of currently permitted uses, such as “big box” retail.

The Vaughan Metropolitan Centre Secondary Plan progressed through a very thorough public and agency consultation process, which provided a number of opportunities for various interests to participate

The City of Vaughan Planning Department conducted a thorough public and agency consultative programme. The Vaughan Metropolitan Centre Secondary Plan study process started in November 2008. The City, York Region, the province, transit agencies, school boards, and the Toronto and Region Conservation Authority have been consulted throughout the secondary plan process and provided input.

Landowners were involved through a series of interviews at the beginning of the study process, and in late 2009, when structural framework and policy directions were taking shape. Two Official Plan Open Houses and four Visioning Workshops were held in 2009. A Public Information Meeting and the Statutory Public Open House were held in early 2010. The Statutory Public Meeting and a Vaughan Council Meeting was held in June 2010, to consider the Public Meeting Report.

A Special Committee of the Whole meeting was held on August 31, 2010 to address further comments received from the Statutory Public Meeting. The Vaughan Metropolitan Centre Secondary Plan was adopted by Vaughan Council on September 7, 2010.

In response to comments received from the circulation of the adopted Official Plan, modifications to the Vaughan Metropolitan Centre Secondary Plan progressed through additional public meetings, and resulted in further modifications. These modifications progressed through the Vaughan Metropolitan Centre Sub-Committee, a Committee of the Whole Public Meeting, and a Committee of the Whole meeting in late 2012.

On December 11, 2012, Vaughan Council adopts the final modification to the Secondary Plan and York Region received the modified Secondary Plan on January 14, 2013.

4. ANALYSIS AND OPTIONS

The Vaughan Metropolitan Centre Secondary Plan is centred on Highway 7, includes the provincial Urban Growth Centre, and will be the planning catalyst for ambitious growth and city building opportunities

The Vaughan Metropolitan Centre Secondary Plan area, as illustrated in Council *Attachment 1*, is centred along Highway 7, generally between Highway 400 and Creditstone Road, and Portage Parkway and Highway 407. This downtown area was reduced in size from the previous area known as the Vaughan Corporate Centre. The western boundary is now Highway 400. The area west of Highway 400, at the intersection of Weston Road and Highway 7, is now identified as a Primary Centre. The Vaughan Metropolitan Centre Secondary Plan includes the provincially defined Urban Growth Centre.

Provincial Urban Growth Centres are important areas of concentrated development. These areas should be planned to accommodate the widest range of complementary uses, built to the highest heights and densities in the municipality. The premise and rationale behind Urban Growth Centres is to encourage intensive urban development at the confluence of planned or existing major transit infrastructure.

The Vaughan Metropolitan Centre Secondary Plan area is the first Urban Growth Centre in the province, to benefit from a subway extension. The area will also be served by the Viva rapid transitway, an inter-Regional bus terminal, and excellent access to Highways 400 and 407. The approval of the Vaughan Metropolitan Centre Secondary Plan will set into motion substantial growth opportunities for the City of Vaughan, and York Region. This policy document is the foundation, and a catalyst for enabling a legacy of true city building in Vaughan.

The Vaughan Metropolitan Centre Secondary Plan area is already surrounded by a vibrant and a regionally significant employment area

The Vaughan Metropolitan Centre Secondary Plan is surrounded by a large employment area, which is anchored by the 900 acre Canadian National Railway's MacMillan Marshalling Yard, just east of Jane Street. The Vaughan Metropolitan Centre Secondary Plan will create a complete urban centre where new residents will have the opportunity to live in a more urban environment, shop and be entertained locally, and be able to work in new office buildings or in the adjacent employment areas. This synergy between Vaughan's new downtown area and the surrounding established employment area will strengthen this important Regional Centre.

The Vaughan Metropolitan Centre Secondary Plan sets out policies to create a vibrant urban downtown centre that will accommodate 25,000 residents in 12,000 residential units and 11,500 jobs by 2031, complemented by a new subway extension

This important Region Centre will be served by the extension of the Spadina Subway, currently under construction, and expected to be in full service in 2016. The Centre will also be serviced by the Viva rapid transitway, and Highways 400 and 407. This Centre is Vaughan's primary location for its most intense and diverse part of the municipality. The Vaughan Metropolitan Centre Secondary Plan will accommodate 25,000 residents in 12,000 residential units, and 11,500 jobs by 2031.

The Vaughan Metropolitan Centre Secondary Plan has been divided into four mutually supportive precinct types

The Vaughan Metropolitan Centre, supported by the Vaughan Metropolitan Centre Secondary Plan, is playing an increasingly important role in generating substantive opportunities to build a highly urbanized Regional Centre in Vaughan. Currently, as was noted in the February Centres and Corridors report to Council, there are active development applications for new 7,000 units to 77,000 square metres (approximately 80,000 square feet) of commercial space.

Attachment 2 illustrates that the Vaughan Metropolitan Centre Secondary Plans are divided into four precinct types: The Station Precinct, The South Precinct, the Neighbourhood Precincts, and the Technology/Office Precincts. These precincts prescribe the detailed land uses, heights, densities and the respective planned function of each precinct. The strength of the individual policies for each precinct, create a vibrant and intensive Regional Centre. When considered as a whole, the four precincts enable and define complementary policies that will advance the Vaughan Metropolitan Centre as a preeminent location for commerce and a sought after place to live.

The Station Precinct is planned to accommodate the greatest heights and densities

The Station Precinct is central to the new urban centre, and is planned to be the focal point of the downtown area, anchored by the new subway station. This precinct will accommodate a broad mix of uses, including office, retail, and residential. Built form includes mixed use buildings ranging in heights from 6 to 35 storeys and densities ranging from 3.5 to 6.0 times the lot area (floor space index).

The concentration of development follows the axis of the subway line and the Highway 7 rapid transitway. This strong relationship between transportation infrastructure and land use planning enables the greatest opportunity for success. Planning for the widest range of uses in the highest and most compact buildings, along these rapid transit routes is exactly what local, Regional and provincial policies are striving to accomplish.

The South Precinct is the preferred location for a post-secondary education institution

The South Precinct also includes a mix of uses: primarily for offices, retail, institutional, and residential. This precinct is Vaughan's preferred location for a post-secondary education institution. Higher building heights are planned toward the north, with lower heights toward the south. This precinct complements the overall planned urban structure of the Secondary Plan area. It prescribes a policy program that does not directly compete with the Station Precinct, but rather assists in the overall sustainability of the area, by providing a balanced approach to development.

The Neighbourhood Precincts, one in each quadrant, are primarily for residential neighbourhoods

There are four Neighbourhood Precincts, one in each quadrant of the Vaughan Metropolitan Centre. Neighbourhood Precincts are primarily for residential neighbourhoods, complemented and supported by community uses, like schools, parks, community centres, and daycare facilities. These precincts permit 3-storey townhouses and apartment towers up to 25 storeys.

Neighbourhood Precincts will support the vitality to the Regional Centre. These precincts are designed to attract families to live in this downtown area and will ultimately populate this Regional Centre with residents, workers and shoppers taking full advantage of the planned wide range of uses and services.

The Technology/Office Precincts, located on the eastern and western edges, encourage employment uses

The Technology/Office Precincts permit a mix of office, research and development, light industrial, and institutional uses. Hotels and conference centres are permitted along Highway 7. The greatest heights are permitted closest to Highway 7 (5 to 25 storeys), with lower heights (4 to 10 storeys) further away from Highway 7.

These precinct areas are dedicated to employment type uses. To enrich the centre, it will be important to maintain and protect these employment areas for their intended purposes. The Vaughan Metropolitan Centre area needs these types of areas for businesses to thrive, expand and prosper, without being compromised by unplanned potentially intrusive uses.

The Vaughan Metropolitan Centre Secondary Plan conforms to the Provincial Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan (2010)

The Vaughan Metropolitan Centre Secondary Plan area is designated as a “Regional Centre” in the York Region Official Plan (2010) and includes an “Urban Growth Centre” as identified in the provincial Growth Plan for the Greater Golden Horseshoe.

The provincial Growth Plan sets out a high level policy framework to direct compact growth, in appropriately defined intensification areas, to fully take advantage of planned and existing infrastructure. Public transit is key to the intensification that occurs while protecting the natural and cultural heritage of the municipality. A very important element of the Growth Plan is the identification of Urban Growth Centres.

As discussed at the outset of this section of the report, Urban Growth Centres are areas containing the widest range of complementary uses, built to the highest heights and densities in the municipality.

The Secondary Plan contains policies that permit the greatest mix of uses, including residential, office, retail, community services, and institutions, and at the highest building heights and densities in the City of Vaughan.

The Vaughan Metropolitan Centre Secondary Plan meets the provincial target of 200 people and jobs per hectare, as well as the York Region Official Plan density target of 2.5 floor space index. The planned building heights and densities are at the highest levels closest to the subway station. The Secondary Plan contains policies requiring a minimum 35% of new housing units to be affordable and the planned local street network is based on a fine grained street grid, incorporating sidewalks and bicycle lanes.

The Secondary Plan also contains policies that protect and enhance the natural environment. The Black Creek Remediation Strategy will restore ecological services of the riparian corridor, provide community amenity space, and improve water quality and quantity controls within and around the Vaughan Metropolitan Centre. There are also policies that anticipate and address final findings of the ongoing Vaughan Metropolitan Centre Black Creek Renewal Environmental Assessment. The Toronto and Region Conservation Authority has been involved and is satisfied with the policies dealing with the Black Creek Remediation Strategy.

The Vaughan Metropolitan Centre Secondary Plan conforms to the provincial Growth Plan and the Regional Official Plan and, and represents good planning. This Secondary Plan will be the enabling policy document that will allow the City of Vaughan, and therefore York Region, to transform this Regional Centre into a great livable and workable downtown centre. The overall planned function of the Secondary Plan is truly integrated with the planned transportation infrastructure. These two important city

building elements have come together in this Secondary Plan and will promote vibrant commerce and healthy neighbourhoods.

The Vaughan Metropolitan Centre and Surrounding Areas Transportation Study has identified a number of infrastructure improvements to complement the proposed population and job growth to 2031

Report 9, Clause 5 of the Transportation Services Committee, “Vaughan Metropolitan Centre and Surrounding Areas Transportation Study”, was adopted by Regional Council on November 15, 2012. This study was a joint study involving the City of Vaughan and York Region. The transportation infrastructure in the Vaughan Metropolitan Centre consists of complex transitways and roadways, under multiple jurisdictions: Ministry of Transportation of Ontario, York Region, and City of Vaughan. The Vaughan Metropolitan Centre will be served by the Spadina Subway extension, vivaNext rapid transit services on Highway 7, and an inter-regional bus terminal.

The joint Study identified short-term Highway 7 and Highway 400 ramp improvements. Discussions of the Memorandum of Understanding with the Ministry of Transportation, regarding the ramp improvements, are currently underway. Through the Region’s circulation of the Vaughan Metropolitan Centre Secondary Plan, Ministry of Transportation staff did not identify any issues with the policies contained in the Secondary Plan, but did indicate that future transportation improvements still require Ministerial review and approval.

The area that is affected by the ultimate Highway 400/Highway 7 ramp alignments are within “Special Study Area A” (*see Attachment 2*). Development in this special area is not permitted until the approvals for the Highway 400 connection(s) to the street network are finalized, or only if the City, the Region, and the province are satisfied that final street alignments within the Special Study Area ‘A’ will not be compromised by proposed development.

The joint transportation study also identified longer-term improvements, including the Langstaff Road and Highway 400 interchange improvements, Langstaff Road crossing of the MacMillan Marshalling Yard, and the Colossus Dr. mid-block crossing of Highway 400.

There is sufficient capacity in the Region's water supply system and wastewater system to support the planned growth of the Vaughan Metropolitan Centre to 2031

The Vaughan Metropolitan Centre is located in Pressure District 6 of the York Water System and is serviced by the Black Creek Sewage Pumping Station of the York Durham Sewage System. The planned infrastructure, as identified by the current 10-year capital plan and the 2009 Water and Wastewater Master Plan Update, will support the expected growth up to 25,000 people in the Vaughan Metropolitan Centre.

The Region is initiating a Water and Wastewater Master Plan Update in 2013 which will review and assess the infrastructure needs to service future growth in York Region, including the Vaughan Metropolitan Centre. This Update, among other things, will also review development activities outside of the Vaughan Metropolitan Centre area, but within the same sewershed and water district, and may identify warranted infrastructure improvements.

A modification to the Secondary Plan is proposed by the City of Vaughan for the Neighbourhood Precinct designation that encourages grade-related residential units in bases on apartment buildings

In order to provide a diverse range of housing built forms that cater to families with children, the City of Vaughan is proposing a policy to encourage grade-related units, such as townhouses, stacked townhouses and other multi-storey units, on the ground floor of apartment buildings.

Link to key Council-approved plans

The Vaughan Metropolitan Centre Secondary Plan conforms to and further strengthens the Region's Official Plan. The Secondary Plan provides for quality communities for a diverse population, enhances the environment, heritage, culture, promotes a vibrant economy, responds to the needs of residents, increases housing choice, manages and balances growth, and facilitates engaged and responsive communities.

Even though the Vaughan Metropolitan Centre Secondary Plan was adopted prior to the approval of the Region's Vision 2051 document, then Secondary Plan incorporates the goals of Vision 2051. The Secondary Plan enables "a place where everyone can thrive", encourages "liveable cities and complete communities", protects "a resilient natural environment", accommodates "appropriate housing for all ages and stages", promotes "an innovative economy", maintains "interconnected system for mobility", and provides policies of "living sustainably".

5. FINANCIAL IMPLICATIONS

The Region's infrastructure typically serves larger areas of the region, well beyond the boundaries of a particular secondary plan. This system-wide approach is embedded in the Development Charge Bylaw, which spreads the cost of growth-related capital investment across the region through a uniform development charge. It is therefore necessary to make assumptions to attribute a portion of the costs of these large-scale infrastructure investments to a secondary plan. The results of the fiscal impact analysis are sensitive to these assumptions. Please refer to the Fiscal Impact Analysis contained in *Attachment 3*.

6. LOCAL MUNICIPAL IMPACT

The recommendations of this report are consistent with the position of the City of Vaughan, which adopted the Secondary Plan, and endorsed modifications in December 2012.

7. CONCLUSION

The Vaughan Metropolitan Centre Secondary Plan builds upon the policies and vision of Volume 1 of the City of Vaughan Official Plan (2010). This Secondary Plan directs growth to four land use precincts and accommodates 25,000 residents and 11,500 jobs by 2031. The Vaughan Metropolitan Centre is intended to be the City of Vaughan's premiere area of civic activity. This is the area of greatest intensity of uses and built form. The area will be well served by an integrated transportation network, including roadways and transitways, specifically, by Highway 7, Highway 400, the Spadina Subway extension, vivaNext rapid transit services on Highway 7, and an inter-regional bus terminal.

Staff recommends that Council support the approval of the Vaughan Metropolitan Centre Secondary Plan by the Ontario Municipal Board. The Secondary Plan has progressed through a thorough public process, conforms to the Vaughan Official Plan (2010) and the Regional Official Plan, and represents good planning.

For more information on this report, please contact Heather Konefat, Director of Community Planning at Ext. 1502, or Augustine Ko, Senior Planner at Ext. 1524.

The Senior Management Group has reviewed this report.

(The three attachments referred to in this clause are attached to this report.)

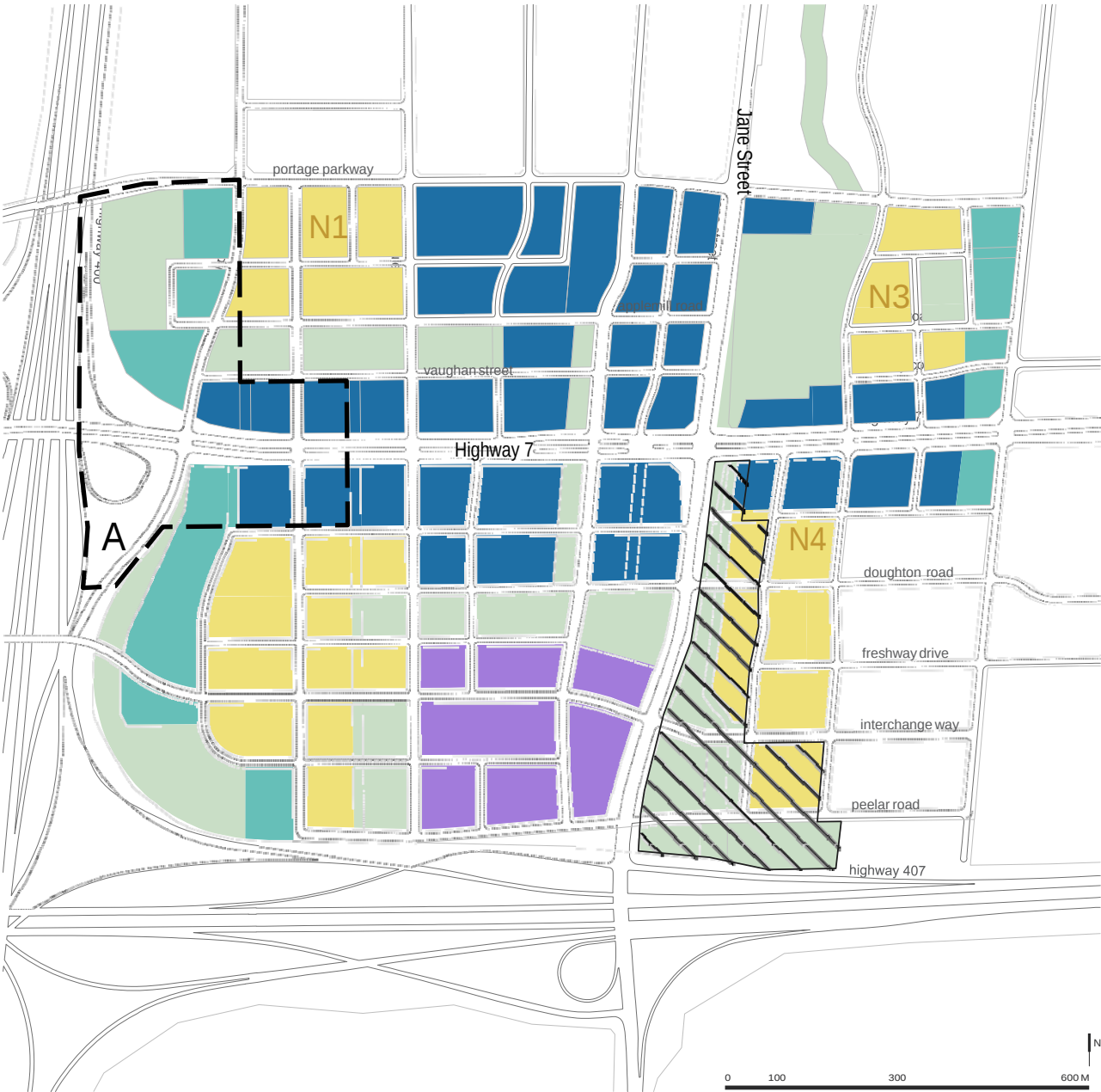


Excerpt from the Vaughan Metropolitan Centre Secondary Plan

SCHEDULE F > LAND USE PRECINCTS

LEGEND

- station precinct
- south precinct
- neighbourhood precincts
- technology / office precincts
- major parks and open spaces
- special study area A
- land use designations subject to results of the VMC Black Creek Renewal EA (Stages 3 & 4) and final results of the VMC Servicing and Stormwater Management Master Plan



Fiscal Impact Analysis
Vaughan Metropolitan Centre Secondary Plan
City of Vaughan

The Financial Growth Management Policies in the Regional Official Plan require a fiscal impact analysis for secondary plans, comprehensive plans and any other significant proposals, as determined by Council.

This fiscal impact analysis focuses on growth-related capital costs.

Residential and Employment Growth

Table 1 details the anticipated growth projections by type of development for the Vaughan Metropolitan Centre Secondary Plan area to 2031.

Table 1
Vaughan Metropolitan Centre Secondary Plan
Growth Projections to 2031

Type of Development	Apartments (units)	Office (sq.ft)	Retail (sq.ft)
Residential	12,000	-	-
Non-residential	-	1,500,000	750,000

Estimated fiscal impact of growth-related infrastructure

Table 2 provides estimates of the growth-related costs attributable to the Vaughan Metropolitan Centre Secondary Plan and the associated development charge revenue.

Table 2
Vaughan Metropolitan Centre Secondary Plan
Estimated Capital Costs and Anticipated Development Charge Revenues

Hard Services	Proportionate Share of Capital Cost¹ (\$M)	Anticipated DC Revenues² (\$M)
Roads	160.3	107.1
Transit ³	60.1	6.9
Subway	10.3	8.8
Water	31.7	80.7
Wastewater	108.4	141.5
Total⁴	370.8	345.0

Notes:

1. Capital costs are based on the current capital costs published in the DC background study, which are estimated in 2012 dollars. Some of the costs may change over time.
2. Development charges are estimated at 2012 rates and do not reflect contingency items included in the Development Charge Background Study. They therefore underestimate total Development Charge revenue.
3. Transit Development Charge revenue is below the Region's costs partly due to a 10% discount and use of historical service levels rather than future service levels, both of which are requirements of the Development Charges Act, 1997.
4. Information about the timing of development is too uncertain for an accurate net present value analysis.

Attribution of Growth-Related Capital Costs

The Region's infrastructure typically serves larger areas of the region, well beyond the boundaries of a particular secondary plan. This system-wide approach is embedded in the Development Charge Bylaw, which spreads the cost of growth-related capital investment across the region through a uniform development charge.

It is therefore necessary to make assumptions to attribute a portion of the costs of these large-scale infrastructure investments to a secondary plan. The results of the fiscal impact analysis are sensitive to these assumptions, which are described in Table 3.

Table 3
Methodology for Attribution of Capital Costs
to the Vaughan Metropolitan Centre

Service	Explanation of methodology
Roads, Transit, Subway	For each class of infrastructure, the development charge background study specifies a split of the total costs between residential and non-residential development, and further specifies a split between retail and non-retail for non-residential development. These splits (or share of costs) were then applied to the Vaughan Metropolitan Centre's share of total Regional costs for each class of infrastructure (roads, transit and subway).
Water, Wastewater	The Vaughan Metropolitan Centre's share of total serviced population in 2031 was applied to the total capital cost of the relevant class of infrastructure.

AIRD & BERLIS LLP

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June 11, 2013

Our File No. 114729

BY EMAIL

Planning and Economic Development Committee
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Attention: Denis Kelly, Regional Clerk

Dear Sirs and Mesdames:

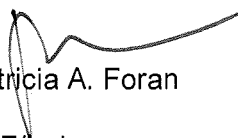
**Re: Planning and Economic Development Committee Meeting – June 12, 2013
Item #F-1 – Vaughan Metropolitan Centre (VMC) Secondary Plan; Report
of the Commissioner of Transportation and Community Planning**

We are the solicitors for 1042710 Ontario Limited (also known as Royal Centre). Our client owns the Royal Centre lands, located on the north side of Highway 7, west of Edgeley Boulevard, located on both sides of proposed Vaughan Street.

We have enclosed herewith a copy of our correspondence dated November 23, 2012 in response to changes that the City of Vaughan recommended to the Vaughan Metropolitan Centre (VMC) Secondary Plan. We have had an opportunity to review the Regional Staff report noted above and are disappointed that the report does not address or note our client's concerns. These concerns remain outstanding and have not been resolved with our client.

Yours truly,

AIRD & BERLIS LLP



Patricia A. Foran

PAF/jad
Encl.

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COPY

November 23, 2012

Our File No. 114729

BY EMAIL

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

Dear Sirs and Mesdames:

Re: Committee of the Whole Meeting – November 27, 2012

**Item #29 – Vaughan Metropolitan Centre (VMC) Secondary Plan Proposed
Modifications to Adopted Secondary Plan
File No. 25.5.12.1**

We are the solicitors for 1042710 Ontario Limited (also known as Royal Centre). Our client owns the Royal Centre lands, located on the north side of Highway 7, west of Edgeley Boulevard, located on both sides of proposed Vaughan Street. Our client's lands currently house a 9 storey office building¹ (known as the Royal Centre) and associated parking required to support the office building.

We write respecting the proposed revised Vaughan Metropolitan Centre (VMC) Secondary Plan (the "Secondary Plan") scheduled to be considered by Committee of the Whole on Tuesday, November 27, 2012. The following represent our client's initial comments on the proposed revisions to the Secondary Plan. As we are continuing to review the revised policies with our client's consulting team and representatives, we reserve the right to augment the comments contained herein.

Proposed Designation of Royal Centre Lands

Our client supports the proposal to designate its lands on Highway 7 as Station Precinct and requests that Committee and Council modify the Secondary Plan to extend this designation to the entirety of their office site. In our submission, this designation more accurately reflects the existing development, its potential for continuation within the lifetime of the Secondary Plan, as well as the potential intensification of this use under the existing in-force Official Plan policies and zoning applicable to the lands. Our client is very concerned that the Secondary Plan as presented to you continues to propose a split

¹ The Secondary Plan incorrectly references this as an 8 storey office building.

designation across our client's lands. In particular, the revised Secondary Plan continues to propose a Major Park and Open Space designation on the northerly portion of our client's lands despite its current use as the Royal Centre office development. Given that all of our client's lands are utilized and form a functional and required component of our client's current development, a consistent Station Precinct designation should be applied to the whole of the lands.

We note that under the existing Official Plan, our client's lands are designated Corporate Centre Node. This consistent designation recognizes the integration of all of our client's lands into the office development that exists today. Any future redevelopment or intensification of this office use (which is supported by the Station Precinct designation) will necessarily involve the complete landholding in a comprehensive plan. In order to adequately recognize and support the continuation of this office development under the proposed Secondary Plan, we request that Council modify the proposed Major Park and Open Space designation applicable to the northerly portion of our client's landholdings and approve a Station Precinct designation instead across all of the lands.

Designating All of the Royal Centre Lands as Station Precinct Furthers the Same Secondary Plan Goals

As part of the current Corporate Centre node, our client's lands are currently designated to permit further office development. Our client continues to be interested in utilizing all of its lands in any future development scenario for the uses currently contemplated under the in-force official plan. This clearly contributes to the Secondary Plan goal of the creation of a minimum of 5,000 new office jobs by 2031 in policy 8.1.3 (as proposed to be renumbered).

Restrictions on Utilizing Existing Permissions

The implementation policies of the Secondary Plan (in particular, 8.1.7 and 9.2.2) propose to recognize existing approved and permitted land uses, but only in a limited fashion. In the instance of the Royal Centre, all of its lands are currently utilized and are also contemplated to be intensified and used in future for office purposes or other appropriate uses.

The effect of the proposed Secondary Plan policies is to limit the utilization of existing land use permissions which our client does not support. This is of particular concern where the existing use permissions do contribute to the overall goals of the new secondary plan and, in particular, the creation of additional office jobs. We would request, therefore, that the policies be amended to permit existing designated uses to be utilized under the Secondary Plan where those uses are for office or other uses contemplated within the VMC Secondary Plan.

Policies Respecting Future Parking

Policies such as sections 6.2.4, 6.2.5 and 8.7.1 do not recognize our client's permissions for land uses that exist on its lands today. In the event that a northern portion of our client's property is ultimately designated Major Park and Open Space (which our client specifically does not support), they are concerned with the lack of assurances within the

policies that the required parking for their building will be provided for in any future development or redevelopment scenario. Given the necessity of utilizing surface parking on the property (a use which is explicitly recognized and provided for in the zoning applicable to our client's lands), we would request that Council amend the Secondary Plan policies to ensure that any use of a portion of the Royal Centre lands for park (municipal or private) purposes must first address and ensure that required parking for buildings on the balance of its lands is provided for on neighbouring lands.

Alignment of Local Streets

The schedules of the proposed Secondary Plan propose an east-west municipal road (Vaughan Street) that bisects our client's landholding. Our client wishes to ensure that the alignment of that road permits intensification or the development existing on its property today. We would request that staff be directed to meet with our client to confirm the appropriate alignment recognizing the existing circumstances. Additionally, our client retains permissions for access, use and subsurface parking under lands identified by the City for roads. These permissions are not recognized through the Secondary Plan policies and we would request that the Secondary Plan policy 4.3.5 be amended to read "the City shall permit parking, including access to parking, under or along a Local Street or Mews".

Cost-sharing

Our client supports the changes proposed to policy 10.7.1 which shall require a cost-sharing agreement prior to development applications being approved. Our client requests that the same language and timing be inserted into proposed policy 6.1.5 (as proposed to be renumbered) regarding costs associated with parkland, including private open space. We note, however, that the policies remain unclear as to whether such agreements are required on a development block basis or across the entire VMC prior to any development under the Secondary Plan policies being approved, we would request that the policies be amended to make this clear.

We would respectfully request that notice of your decision respecting the revised VMC Secondary Plan be provided to the undersigned at the address and email listed below.

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Email: pforan@airdberlis.com

November 23, 2012
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Yours truly,

AIRD & BERLIS LLP


Patricia A. Foran

PAF/jad

c. 1042710 Ontario Limited (also known as Royal Centre)
Maria Gatzios, Gatzios Planning + Development Inc.

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