

**Ontario
Municipal
Board**

655 Bay St Suite 1500
Toronto, ON M5G 1E5
Tel (416) 326-6800
Toll Free: 1-866-887-8820
Fax (416) 326-5370
www.omb.gov.on.ca

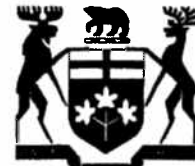
**Commission des
affaires municipales
de l'Ontario**

655 rue Bay Bureau 1500
Toronto, ON M5G 1E5
Tél (416) 326-6800
Sans Frais: 1-866-887-8820
Téléco (416) 326-5370
www.omb.gov.on.ca

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FEB 20 2008

TOWN OF MARKHAM
CLERKS DEPT.



Ontario

*original Lucy H
copy: Jim Baird
C. Conrad
R. Hutcherson*

PL070942
PL080013
PL071208
PL080017

Thornhill Village Plaza Inc. and M4 Developments Inc. have appealed to the Ontario Municipal Board under subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from a decision of the Regional Municipality of York to approve the previously deferred portion of Proposed Amendment No. 669 to the Official Plan for the City of Vaughan for the purpose of amending the Thornhill-Vaughan Community Plan (OPA 210) by re-designating the subject lands, located at 7584 and 7610 to 7616 Yonge Street from "General Commercial" to "Mixed-Use/Mid Rise" and "Heritage Main Street" which limit building heights to a maximum of 5 and 3 storeys respectively

Approval Authority File No. Vaughan OPA 669

O.M.B. Case No. PL070942

O.M.B. File No. O070170

Thornhill Village Plaza Inc. and M4 Developments Inc. have appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Vaughan to redesignate lands located on 14 Arnold Avenue and 7584 to 7616 Yonge Street from "Low Density Residential" under OPA 210 to "Mixed Residential/Commercial" on Arnold Avenue and from "General Commercial" under OPA 210 to "Mixed Residential/Commercial" on Yonge Street for the purpose of permitting the development of 9 townhouse units on Arnold Avenue and a 15-storey, 309 unit residential apartment (senior retirement residence) with a ground floor retail component

Approval Authority File No. OP.05.004

O.M.B. Case No. PL080013

O.M.B. File No. PL080013

Thornhill Village Plaza Inc. and M4 Developments Inc. have appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law No. 1-88, as amended, of the City of Vaughan to rezone lands located on 14 Arnold Avenue from "R1V Single Family Detached Dwelling" to "RM2 Block Townhouse Dwelling, Apartment Dwelling, Multiple Family Dwelling" and on lands located on 7584 to 7616 Yonge Street from "C1 Restricted Commercial" to "RA2 Apartment Dwelling" for the purpose of permitting the development of 9 townhouse units on Arnold Avenue and a 15-storey, 309 unit residential apartment (senior retirement residence) with a ground floor retail component

O.M.B. Case No. PL071208

O.M.B. File No. PL071208

Thornhill Village Plaza Inc. and M4 Developments Inc. have appealed to the Ontario Municipal Board under subsection 41(4) of the *Ontario Heritage Act*, R.S.O. 1990, c. O. 18, against By-law No. 323-2007 of the City of Vaughan, which is a By-law to adopt a revised Heritage Conservation District Plan for the Thornhill Heritage Conservation District

O.M.B. Case No. PL080017

O.M.B. File No. PL080017

NOTICE OF PREHEARING CONFERENCE

The Ontario Municipal Board will conduct a prehearing conference respecting this matter.

If you do not attend the prehearing conference, the Ontario Municipal Board may proceed in your absence and you will not be entitled to any further notice of these proceedings.

TIME AND PLACE OF PREHEARING CONFERENCE

A prehearing conference will be held

at: **10:30 A.M.**

on: **Tuesday, March 25, 2008**

at: **City of Vaughan
Municipal Building
Hearing Room
2141 Major Mackenzie Drive
Vaughan, Ontario**

The Board has set aside **one (1) day** for this conference.

PURPOSE OF PREHEARING CONFERENCE

The conference will deal with preliminary and procedural matters, including the following:

- **Identification of parties** - these persons have the right to participate throughout by presenting evidence, questioning witnesses, and making final arguments. In order for the Board to determine your status for the hearing, you or your representative should attend the prehearing conference and ask to be added as a party. Groups, whether incorporated or not, who wish to become parties should name a representative. Parties do not need to be represented by lawyers.
- **Identification of participants** - persons who do not wish to participate throughout the hearing may attend the hearing and make a statement to the Board. Such persons should also attend the prehearing conference.
- **Identification of issues.**
- **Start date of the hearing.**
- **Duration of the hearing.**
- **Directions for prefilling of witness lists, expert witness statements and written evidence.**

- **Possibility of settlement of any or all of the issues.**
- **The hearing of motions.**
- **Such further matters as the Board considers appropriate.**

Everyone present should come prepared to consider specific dates for proceedings in this matter.

EVIDENCE

Evidence or formal statements may also be heard at the prehearing conference in an attempt to settle the matters in dispute. Note that even if no settlement is reached the Board may make a final decision on the evidence it has received.

All parties or their representatives should attend the prehearing conference.

Pour recevoir des services en français, veuillez communiquer avec la Division des audiences au (416) 326-6800, au moins 20 jours civils avant la date fixée pour l'audience.

DATED at Toronto, this 7th day of February, 2008.

PATRICK HENNESSY
SECRETARY

ONTARIO MUNICIPAL BOARD RULES ON ADJOURNMENT

Comments on Adjournments of Proceedings (Rules 61 to 65 below):

The Board will not often grant adjournments (later dates) for hearings or other proceedings. Parties and the Board spend time and money in giving notice, preparing and travelling for hearing events, and this is wasted if they are cancelled at the last minute. If the request is presented at the last moment, the Board may refuse the adjournment and proceed with the hearing. If, on the other hand, settlement discussions are reasonably nearing completion, the Board may agree to a delay. The main consideration is whether an adjournment is necessary to permit a fair hearing, versus the cost of any delay for all parties. Hiring a lawyer or planner shortly before a hearing, for example, is not a reason for an adjournment.

Parties should prepare for a hearing shortly after the appeal is submitted. They should not wait until notice of hearing is sent. Performance standards required for tribunals mean that the Board is setting hearing dates earlier than in the past.

If a matter is adjourned, the Board will pick a new date for it to proceed unless there is a good reason to leave it undecided (e.g. it is dependent upon a decision of a court).

61. Hearing Dates Fixed Hearing events will take place on the date set unless the Board agrees to an adjournment (later date).

62. Requests for Adjournment if All Parties Consent If all of the parties agree, they may make a written request to postpone a hearing event. The request must include the reasons, a suggested new date and the signed consents of all parties. However, the Board may require that the parties attend in person to argue for an adjournment, even if all of the parties consent.

63. Requests for Adjournment Without Consent If a party consulted objects to an adjournment request, the party requesting the adjournment must bring a motion under Rule 34 at least 10 days before the date set for the hearing event. If the reason for an adjournment arises less than 10 days before (see Rule 64), the party must give notice of the request to the Board and to the other parties, and serve their motion materials as soon as possible. If the Board refuses to consider a request made late, any motion for adjournment must be made in person at the beginning of the hearing event.

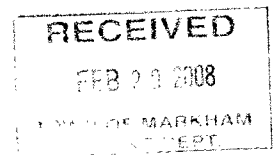
64. Emergencies Only The Board will grant last minute adjournments only for unavoidable emergencies, such as illnesses so close to the hearing date that another representative or witnesses cannot be obtained. The Board must be informed of these emergencies as soon as possible.

65. Powers of the Board upon Adjournment Request

The Board may,

- a. grant the request;
- b. grant the request and fix a new date; or where appropriate, the Board will schedule a prehearing conference about the status of the matter;
- c. grant a shorter adjournment than requested;
- d. deny the request, even if all parties have consented;
- e. direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- f. grant an indefinite adjournment, if the request is made by the applicant or proponent and is accepted by the Board as reasonable, and the Board finds no substantial prejudice to the other parties or to the Board's schedule. In this case the applicant or proponent must make a request that the hearing be rescheduled;
- g. convert the scheduled date to a mediation or prehearing conference; or make any other appropriate order.
- h. make any other appropriate order.

March 13, 2006



THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER -2008

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time:

AND WHEREAS there has been no amendment to the Official Plan adopted by Council and not approved at this time, with which the matters herein set out are not in conformity:

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

- a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto, from:
 - R1V Single Family Detached Dwelling to RA3 Apartment Dwelling; and
 - C1 Restricted Commercial to RA3 Apartment Dwelling.

All in the manner shown on the said Schedule "1".

b) Incorporating Exception 9() as follows:

"() A. Notwithstanding the provisions of:

- a) Subsection 2.93 respecting the definition for "Parking Space", Subsection 2.94 respecting the definition for "Parking Space, Handicapped", and Subsections 3.8 (a) and (c) respecting minimum parking requirements;
- b) Subsection 3.13 respecting minimum landscaping area;
- c) Subsection 4.1.6 (a) respecting minimum amenity area requirements;
- d) Subsection 4.1.8 and Schedule "A" respecting zone standards in the RA3 Apartment Residential Zone;
- e) Subsection 4.12 respecting uses permitted in the RA3 Apartment Residential Zone.

The following provisions shall apply to the subject lands shown on Schedule 1:

- ai) The lands shown as Part 1 on Schedule 1 shall be restricted to either block townhouse dwellings and semi-detached dwellings in any combination or one single detached dwelling. The total number of townhouse and semi-detached units shall not exceed nine.
- bi) In addition to the uses permitted in the RA3 Zone, the following uses also shall be permitted on the lands shown as Part 2 on Schedule 1:
 - Senior Citizens Dwelling
 - one (1) day nursery;
 - bank
 - pharmacy
 - business or professional offices
 - personal service shops
 - retail stores
 - bakery/coffee shop
 - eating establishment
 - club or health centre
- ci) Dwelling units permitted in this by-law on the lands shown as Part 2 on Schedule 1 shall be limited to a maximum of 225.
- di) The maximum building height shall be as shown on Schedule 2, except that a single detached dwelling on Part 1 may be 2 storeys. For purposes of this paragraph, building height shall exclude accessory roof construction, elevators, mechanical room, antennae, parapet wall or rooftop equipment.
- ei) The lands shown as Part 3 on Schedule 1 shall be restricted to:
 - day nursery;
 - business or professional offices;
 - personal service shops;
 - retail stores;
 - eating establishment, located in the floor area fronting Yonge Street only;

- club or health centre;
 - a maximum six (6) live-work townhouse units, a maximum 18 Senior Citizens Dwelling units, or maximum 18 apartment dwelling units. No residential use shall be permitted at grade fronting Yonge Street.
- fi) For the purposes of zoning conformity, the lands shown on Schedule 1 shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, exemption from part lot control, plan of subdivision, consent and any easements or restrictions that are given.
- gi) The minimum required parking for Residential-Multiple Family Dwelling and Apartment Dwelling uses shall be 1.1 space per dwelling unit plus 0.2 visitor space per unit. For a Senior Citizens Dwelling, the minimum required parking shall be 0.8 spaces per dwelling unit for residents, plus 0.2 spaces per dwelling unit for visitors, totaling 1.0 spaces per dwelling unit; and the minimum parking space depth for all parking shall be 5.8 metres.
- hi) The minimum landscaping requirements shall be as follows:
- a minimum four (4) metre wide strip shall be provided along the west property line;
 - a minimum three (3) metre wide landscape strip shall be provided abutting Arnold Avenue.
- ii) The required amenity area for each dwelling unit shall be a minimum of 14 square metres per dwelling unit.
- ji) The minimum setback from the front lot line to the nearest part of a building below finished grade shall be zero (0) metres, to facilitate underground parking garages.
- ki) The following zone standards shall apply:

Part 1 land shown on Schedule 1

Minimum Frontage (Arnold Ave.):	N/A
Minimum Lot Area:	N/A

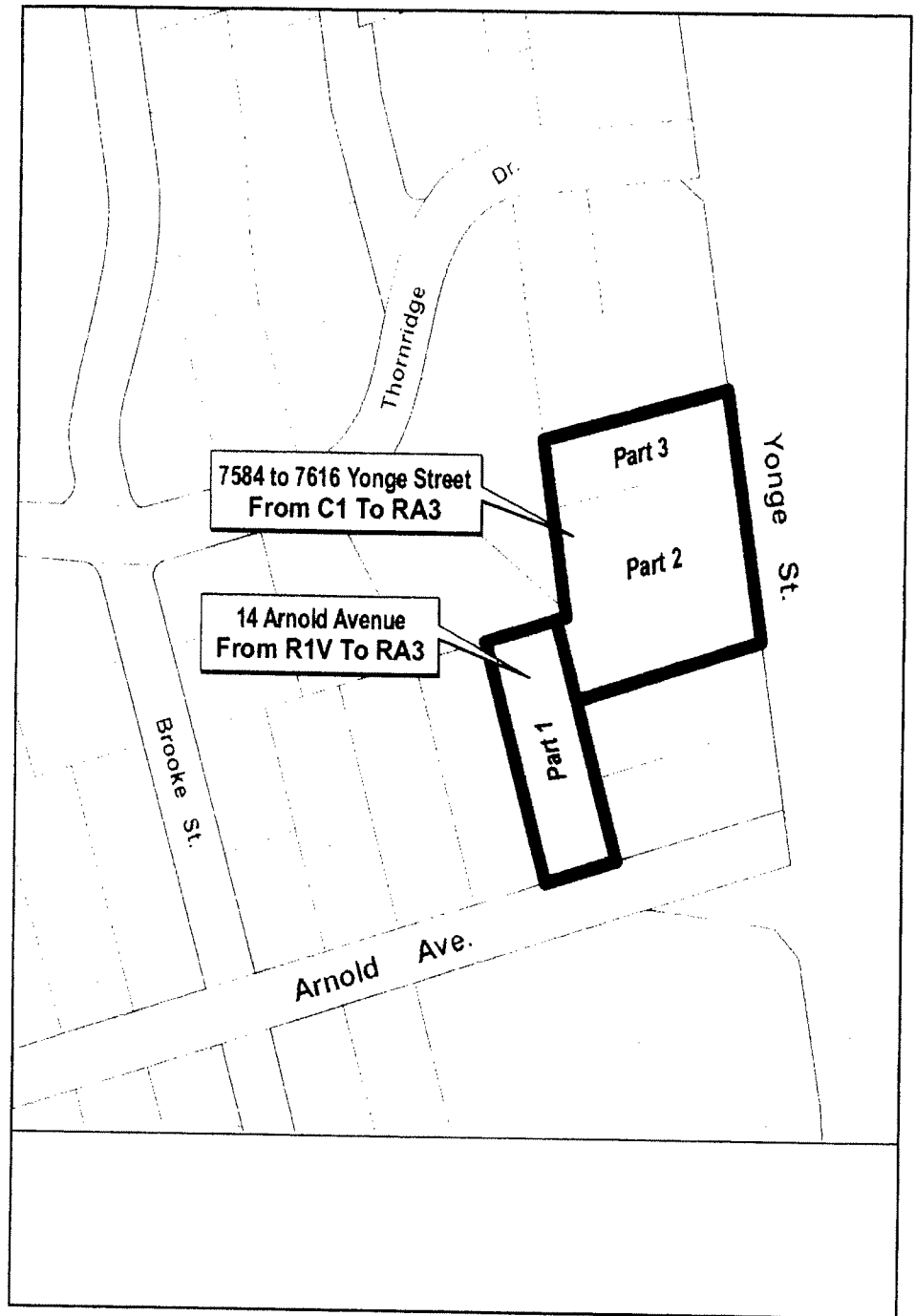
Minimum Front Yard:	3 m
Minimum Rear Yard:	25 m
Minimum West Yard:	5 m
Minimum East Yard:	12 m

Part 2 & 3 Land

Minimum Frontage (Yonge St.):	N/A
Minimum Lot Area:	N/A
Minimum Front Yard (Yonge St.):	1.8 m
Minimum West Yard:	14 m
Minimum South Yard:	2.0 m
Minimum North Yard:	1.5 m

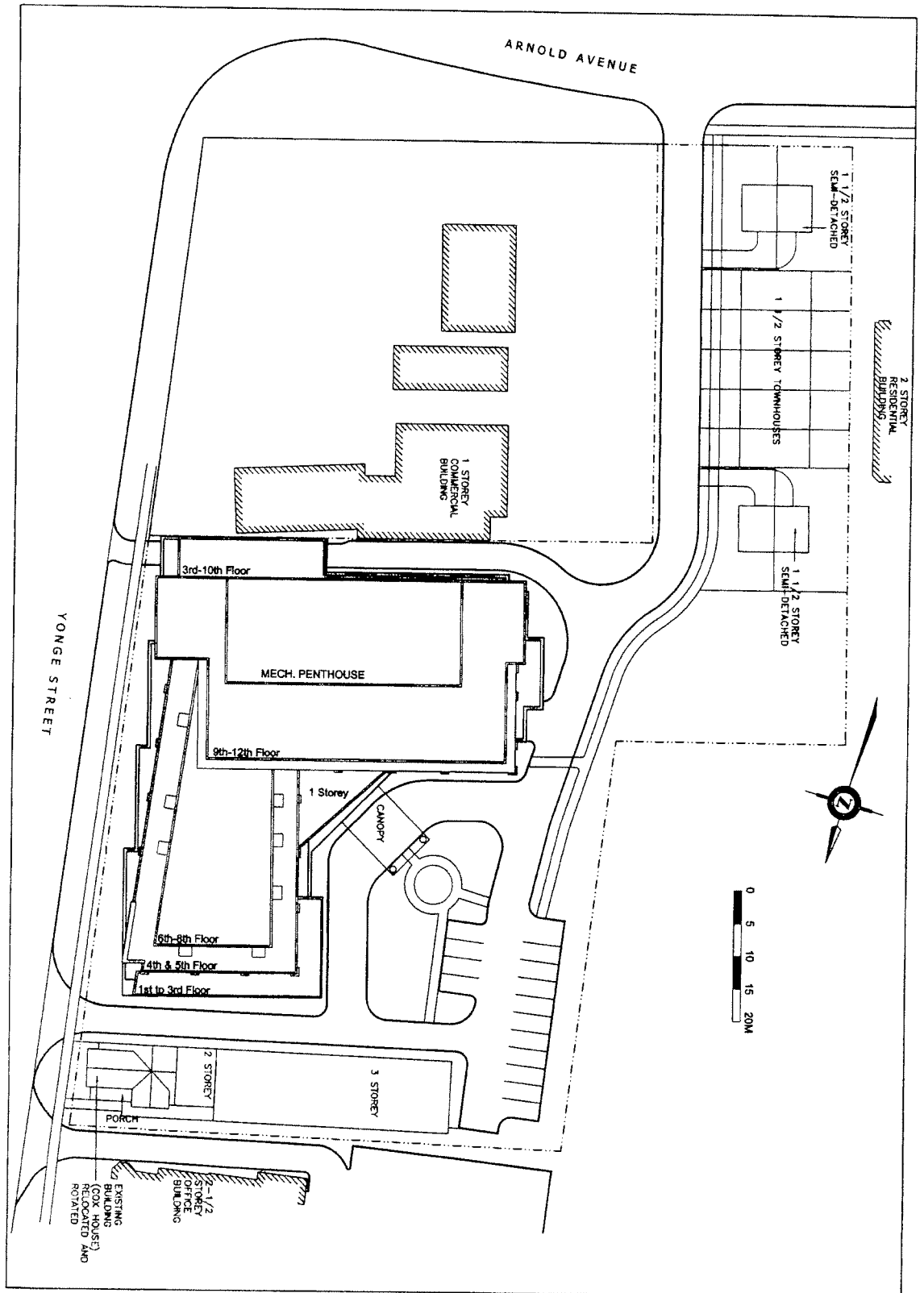
- c) Deleting Key Map 1A and substituting therefore with Key Map 1A attached hereto as Schedule "3".
- 2. Schedules "1", "2" and "3" shall be and hereby form part of this by-law.

SCHEDULE 1

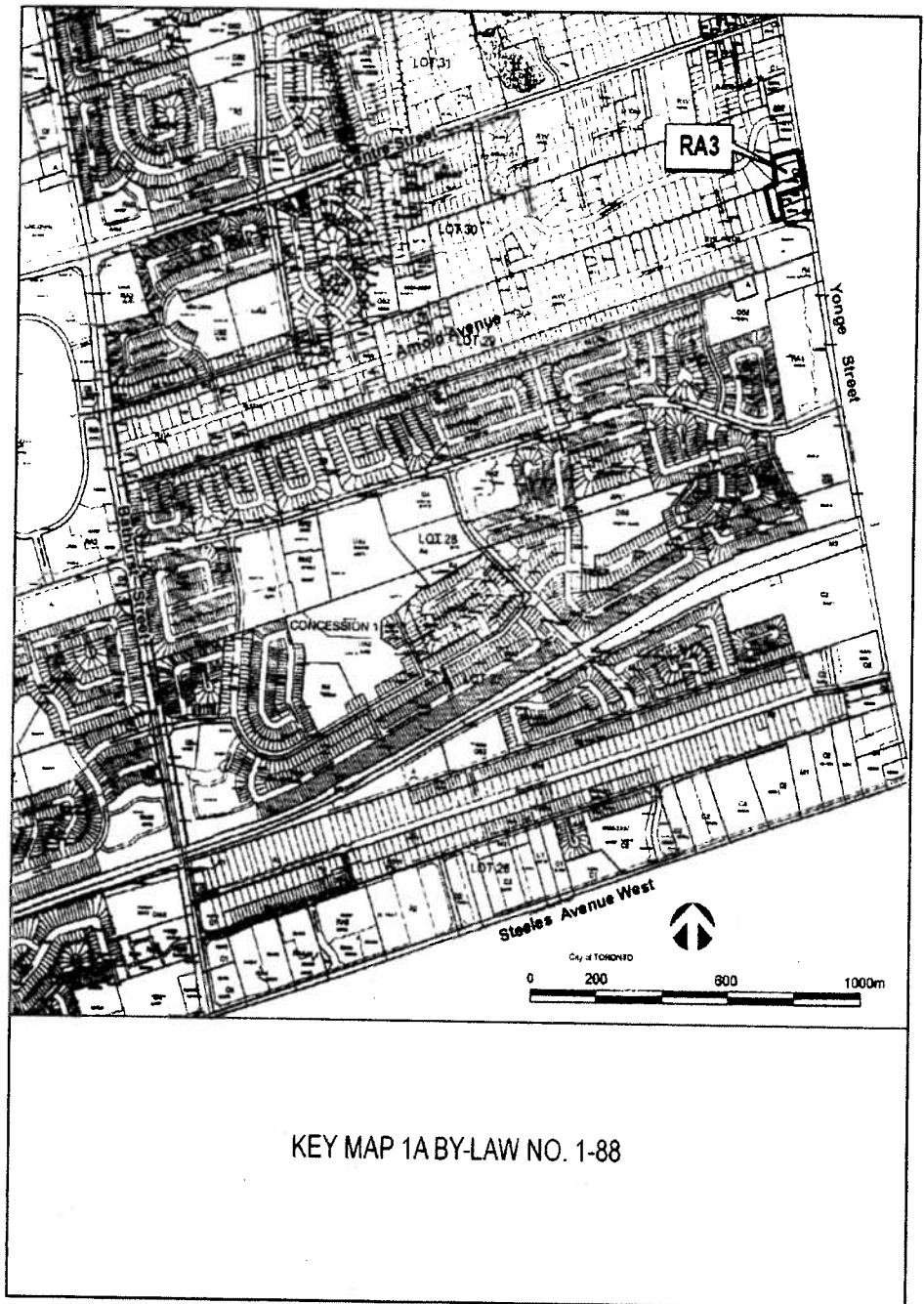


SCHEDULE 2

Scale 1:700



SCHEDULE 3



EXPLANATORY NOTE OF ZONING BY-LAW AMENDMENT

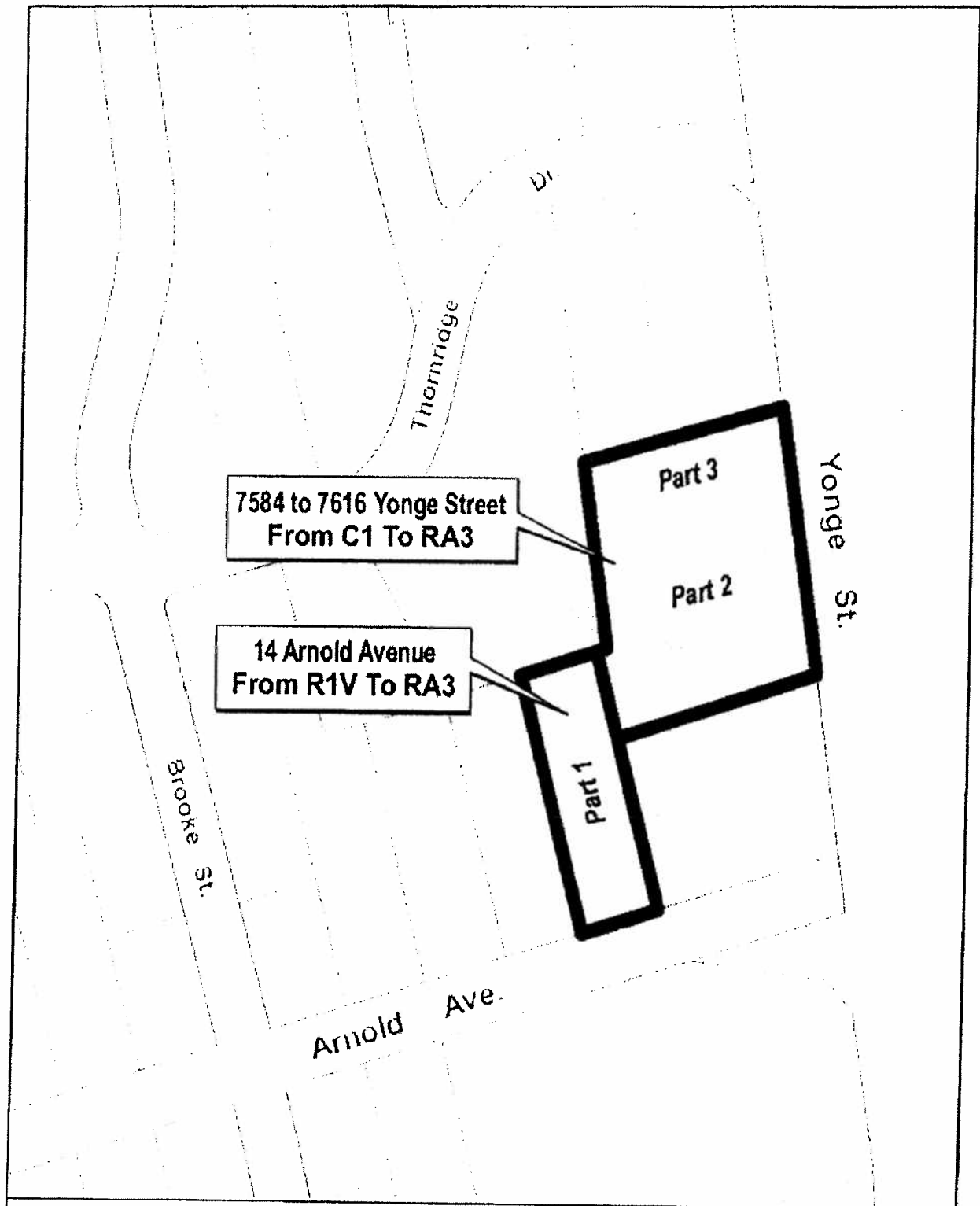
The lands subject to the zoning by-law amendment are located on the west side of Yonge Street, north of Arnold Avenue, described as Part of Lot 4, Registered Plan 2132, and Lots 66 and 67, Registrar's Compiled Plan 9834. The municipal addresses are 7584 to 7616 Yonge Street and 14 Arnold Avenue. The lands have 91 metres frontage on Yonge Street and 30 metres frontage on Arnold Avenue. The lot area is 1.002 hectares. See the attached Schedule 1.

The purpose of this by-law is to amend the City of Vaughan Comprehensive Zoning By-law 1-88. The subject lands are currently zoned R1V Old Village Residential which permits, amongst other low density-type uses, single family detached dwelling, home occupation, private home daycare and recreational uses; and C1 Restricted Commercial, which permits a variety of commercial uses, including banking or financial institution, business or professional office, eating establishment and retail store. The maximum permitted height and lot coverage for the C1 Zone are 11 metres and 50% respectively.

The current zoning is to be changed to RA3 Apartment Residential Zone, with further site specific provisions.

The effect of the by-law is to permit a mixed use residential-commercial development with single detached, semi-detached, townhouse and apartment dwelling units, and commercial uses. An apartment building would have a maximum building height of 12 storeys and the total density would be expressed as a minimum 40 square metres of lot area per dwelling unit.

SCHEDULE 1



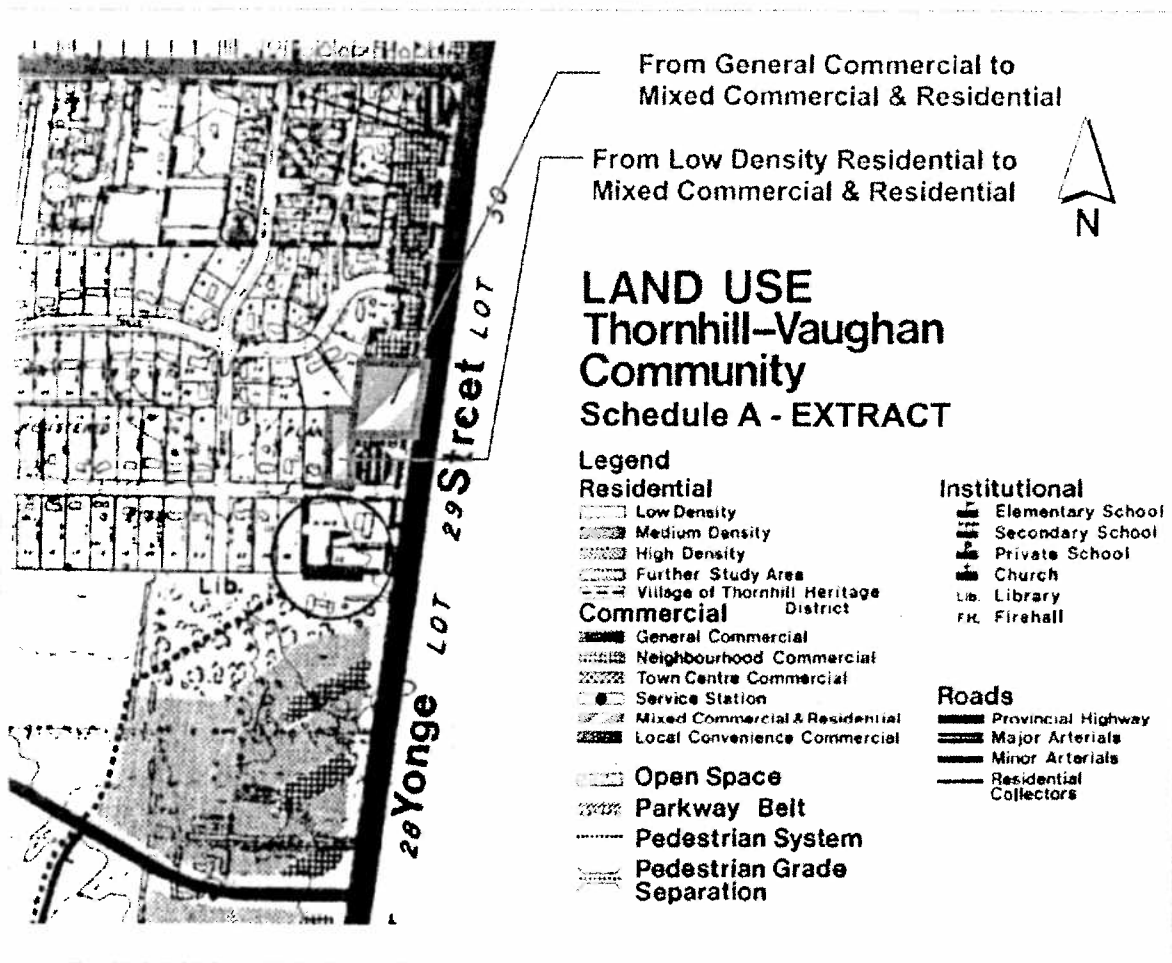
EXPLANATORY NOTE OF OFFICIAL PLAN AMENDMENT

The lands subject to the Official Plan Amendment are located on the west side of Yonge Street, north of Arnold Avenue, described as Part of Lot 4, Registered Plan 2132, and Lots 66 and 67, Registrar's Compiled Plan 9834. The municipal addresses are 7584 to 7616 Yonge Street and 14 Arnold Avenue. The lands have 91 metres frontage on Yonge Street and 30 metres frontage on Arnold Avenue. The lot area is 1.002 hectares. See the attached Schedule 1.

The purpose of the Official Plan Amendment is to amend the Official Plan of the City of Vaughan Planning Area respecting Amendment No. 210 (Thornhill-Vaughan Community Plan) by redesignating the lands municipally known as 7584 to 7616 Yonge Street and 14 Arnold Avenue from: (1) General Commercial (at the Yonge Street part, which is within the Village of Thornhill Heritage District), which permits uses such as retail, bank, restaurants and offices; and, (2) Low Density Residential (at the Arnold Avenue part), to Mixed Use Commercial/Residential Area.

The Amendment would permit a maximum of 252 residential units, predominantly apartments but also townhouses, semi-detached and detached units and live/work units at a density of 2.5 Floor Space Index (gross residential floor area divided by lot area), plus an additional 4,565 square metres of non-residential space in the ground floor of the apartment building and an expanded Robert Cox House. The apartment would have a maximum building height of 12 storeys. These permitted uses would permit the development of housing targeted to the needs of senior citizens, including associated services.

SCHEDULE 1



 Area Subject to Official Plan Amendment