

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 20, 2015

By approving the following:

By receiving Communication C3 from Ms. Roslyn Houser, Goodmans, dated January 19, 2015.

**1 OFFICIAL PLAN AMENDMENT FILE OP.12.019
ZONING BY-LAW AMENDMENT FILE Z.12.047
BAIF DEVELOPMENTS LIMITED
WARD 5 - VICINITY OF BATHURST STREET AND BEVERLEY GLEN BOULEVARD**

The Committee of the Whole recommends:

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Recommendation

The Commissioner of Planning, Director of Development Planning and Manager of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.019 (Baif Developments Limited) BE APPROVED, to amend in-effect OPA #210 (Thornhill Community Plan), specifically to:
 - a) increase the permitted density in the "High Density Residential" designation from 148 units per hectare to 569 units per hectare (thereby increasing the number of permitted apartment units on the subject lands from 208 to 797 units) with a Floor Space Index (FSI) of 4.35;
 - b) permit a maximum of 585.64 m² of ground floor area devoted to Convenience Retail Store and Retail Store uses in the "High Density Residential" designation, whereas commercial uses are not permitted; and,
 - c) permit a maximum building height of 15-storeys for Building "A", 25-storeys for Building "B", 12-storeys for Building "C", and 6-storeys for Building "D", whereas there is no maximum height identified in the "High Density Residential" designation.
2. THAT Zoning By-law Amendment File Z.12.047 (Baif Developments Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically the RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" subject to Exception 9(1034) to facilitate a mixed-use development consisting of 4 apartment buildings with a total of 797 units and 585.64 m² of ground floor commercial uses as shown on Attachments #3 to #7, together with the site-specific zoning exceptions identified in Table 1 of this report, save and except for proposed exception d), being the reduced barrier-free parking space size.
3. THAT the Holding Symbol "(H)" shall not be removed from the subject lands zoned RA3(H) Apartment Residential Zone until such time as the following conditions are addressed to the satisfaction of the City:
 - a) Vaughan Council adopt a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Protocol assigning capacity to the subject lands for the proposed 797 apartment dwelling units; and,
 - b) A Site Development Application(s) for the subject lands is approved by Vaughan Council pursuant to Section 41 of the Planning Act.
4. THAT the site-specific implementing Official Plan and Zoning By-law shall include policies and provisions respecting density bonusing, including but not limited to, public art, cash contributions for community benefits, and enhanced streetscaping that will be implemented through an executed Density Bonusing Agreement between the Owner and the City of Vaughan, in accordance with Section 37 of the Planning Act.
5. THAT the implementing Official Plan Amendment shall not be adopted and the implementing Zoning By-law shall not be enacted until an appraisal of the subject lands is undertaken by the Owner and submitted to the City in accordance with the City of Vaughan draft Density Bonusing Implementation Guidelines, to the satisfaction of the Vaughan Legal Services, Real Estate Division, to form the basis for a Density Bonusing Agreement and that the Agreement be approved and executed to the satisfaction of the City of Vaughan.

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6. THAT prior to the adoption and enactment of the implementing amendments to the Official Plan and Zoning By-law, the Owner shall resolve their appeal (Appeal #8) of Vaughan Official Plan 2010 (VOP 2010) to the Ontario Municipal Board to the satisfaction of the City Solicitor and Commissioner of Planning.

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public transit

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

- green roofs on Buildings “A”, “C”, “D” and the 6-storey podium between Buildings “A” and “B”
- bicycle parking to promote an alternative mode of transportation
- rain water harvesting for irrigation
- the use of building materials with a high recycled content
- a three-stream waste management system
- the use of Low E-glazing
- drought tolerant native landscape species
- energy efficient lighting
- high-albedo paving

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

On May 17, 2013, a Notice of Public Hearing for the June 11, 2013 meeting was circulated to all property owners located within the expanded notification area (exceeding the required 150 m) as shown on Attachment #1, and to the Beverley Glen Ratepayers Association. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Sign Notification Protocol. To date, the following written submissions have been received by the Vaughan Planning Department:

- i. J. Weinberg, Rosedale Heights Drive, respecting the increased residential density;
- ii. H. Ecker, Abbeywood Gate, respecting increased density, traffic congestion, lower parking ratio, and impacts on existing public transit, building heights, commercial uses, and lack of open space;
- iii. L. Appleby/E. Spiegel, Kingsbridge Circle, respecting the increased density, building height, impact on traffic, and parking;

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- iv. D. Schopp, Westmount area, respecting increased density, increased population, and decreased property values; and,
- v. J. Kucharczuk, Vaughan resident, respecting the increase in density and impact on traffic.

On September 11, 2013, the Ward 5 Councillor held an evening community meeting at 7:00pm at the Rosemount Community Centre to discuss the development proposal, where approximately 47 residents, the Owner and their consultants, and Vaughan Planning Staff attended the meeting. On November 20, 2013, the Owner and their consultants held an evening meeting at 7:00pm at the North Thornhill Community Centre with the immediately abutting townhouse residents directly west of the subject lands to discuss the architecture of the west elevations for proposed Buildings “C” and “D”. The meeting was attended by 5 residents, the Local Councillor, and Vaughan Planning staff.

The following issues that were raised at the Public Hearing and at two meetings with the residents are identified below and include a response to each with a more detailed response provided throughout the various sections in this report:

- i. The increase in the proposed density is excessive.

Response:

The subject lands are located on Bathurst Street, which is identified as a Regional Corridor in the Regional Official Plan. Regional corridors are planned to be served by rapid transit. This part of Bathurst Street is an important regional corridor as it connects three Regional Centres: The Vaughan Metropolitan Centre, the Richmond Hill/Langstaff Centre, and Markham Centre. Intensification along Regional Corridors is an important policy in the York Region Official Plan and the Vaughan Official Plan 2010. The proposed density is comparable to nearby recently approved development and supports intensification objectives within Provincial and Regional Official Plans. Intensification projects are necessary to accommodate growth in the Region, to support transit investment, and to reduce further expansion of the urban area into rural and farmland areas.

- ii. Building Heights

Response:

The proposed building heights have been reduced from 27-storeys to 25-storeys for Building “B” and from 7-storeys to 6-storeys for Building “D”, from the original proposal, to reduce the building mass adjacent to the existing residential townhouse development to the west. Additional building step backs have been provided for Buildings “C” and “D”, thereby, increasing the setbacks to the upper floors of these buildings from the existing residential uses to the west.

- iii. Parking

Response:

The Vaughan Development/Transportation Engineering Department has reviewed the applicant’s parking study and has no objections to the proposed parking supply of 975 spaces for the development. The City’s new Vaughan Official Plan 2010 promotes a non-auto modal split to encourage more sustainable travel. The total number of parking spaces is also considered to be in keeping with the draft parking standards contained within the City’s Draft Parking Standards study completed by the IBI Group.

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iv. Traffic Impact

Response:

The Owner submitted the Bathurst Street/Beverley Glen Boulevard Intersection Feasibility Review - Eastbound Dual Left Turn Operation report to examine the possibility of providing a dual left turn lane from Beverley Glen Boulevard onto Bathurst Street. The York Region Transportation and Community Planning Department has reviewed the report and advised that it will not permit double left turn lanes on Beverley Glen Boulevard. The implementation of double left turn lanes will require the removal of pedestrian crossings over the north portion of the intersection. York Region is intending to implement the VIVA rapidway on Bathurst Street starting in 2015. Promoting and facilitating active transportation (i.e. pedestrians and cycling) is a key component of York Region's vision for rapid transit corridors. The Region avoids implementing measures that will impede pedestrian activity or potentially put pedestrians at risk. The maximum projected traffic volumes can be accommodated by the intersection and does not require two left turn lanes.

The Vaughan Development/Transportation Engineering Department reviewed a Traffic Impact Study/Memorandum titled Bathurst Street/Beverley Glen Boulevard Proposed Mixed Use Development - Driveway Operations Review prepared by BA Group dated July 16, 2014. Based on the review of that study, the Department concluded that the proposed development comprised of 797 residential units and 585.64 m² of commercial area will theoretically generate approximately 250 vehicle trips per hour (vph) during the AM peak period (50 inbound and 200 outbound) and 285 vph (180 inbound and 105 outbound) during PM peak periods based on the Institute of Transportation Engineer Guidelines. Based on the Traffic Impact Study/Memorandum, there will be a total of 100 left turn movements (including 85 outbound and 15 inbound) at the proposed driveway during the morning peak hour, and a total of 95 left turn movements (including 40 outbound and 55 inbound) during the afternoon peak hour. The Traffic Impact Study/Memorandum also included a Gap Study, which concludes there will be sufficient gaps to accommodate inbound and outbound traffic volumes generated by the proposed development.

v. Interface with existing residential uses to the west

Response:

Following the Community Meeting held with the area residents on September 11, 2013 an additional meeting was held on November 20, 2013 with the townhouse owners directly west of the subject lands. The purpose of this meeting was to discuss the proposed building architecture and the conceptual site plan including landscape buffers along the western property line. The townhouse residents discussed reducing the height of the proposed Building D, and the width and use of the proposed west side landscape strip. In response to the townhouse resident's suggestions the owner has reduced the height of Building D from 7 storeys to 6 storeys, maintained a 15 m building setback for floors 1 – 3, have terraced floors 4 to 6 to create a 18.0 m building setback from the west property line for the 4th floor and a 20.1 m setback for floors 5 and 6. Floors 1 – 4 of Building C have a proposed building setback of 15 m, floors 5 and 6 will have an 18.0 m setback and the remaining floors will be terraced back 36.96 m from the west property line. This will ensure a minimum 45 degree angular plane from the rear lot line of the adjacent properties to the west.

Based on input provided by the townhouse residents, the owner has revised the conceptual site plan to provide a 15 m wide landscaped buffer along the west property line to be used for passive purposes, and proposes enhanced landscape planting and a walkway. Through the review of the future Site Development application(s), further discussions will take place with the residents

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directly backing onto the west property line regarding the type of landscaping to be included in the 15 m buffer. In addition, the Owner is willing to remove nuisances, such as bee hives and hornets nests, in the existing trees in the rear yards of the townhomes abutting the subject lands to the west. During the site plan process the Owner will consult with the residents of the townhomes immediately west of the subject lands regarding landscaping for the rear yards of these townhomes, including new fencing and tree planting.

vi. Construction Schedule

Response:

The Vaughan Development/Transportation Engineering Department staff inspect ongoing construction projects to ensure that traffic control measures are in place, and roads are kept clean due to mud-tracking.

Revised Applications

Following the Public Hearing, the Community Meeting, and the meeting with the neighbouring townhouse residents, the Owner has revised the applications, to respond to issues and concerns raised by the City and residents. The changes include:

- a reduced building height for Building “B” from 27 to 25-storeys, and for Building “D” from 7 to 6-storeys;
- an increased building height for Building “A” from 12 to 15-storeys;
- a reduced building setback from the west property line for levels 1-4 of Building “C” and levels 1-3 of Building “D” from 18 m to 15 m, with an increased setback on the upper levels that have been tiered as identified in the earlier response to achieve a 45° degree angular plane from the west property line;
- the setback to the upper floors has been increased to 36.96 m for Building “C” and 20.1 for Building “D” to ensure the 45 degree angular plane from the westerly property line is maintained. Therefore, the upper floors of Buildings “C” and “D” are further set back from the existing townhouse units to the west;
- the landscape buffer along the west property line has been decreased from 18 m to 15 m. However, the landscape buffer will contain various plantings and will be used for passive recreational purposes, including a walkway that will be reviewed and confirmed through the site plan approval process;
- the Owner submitted an intersection feasibility study responding to a request to improve traffic on Beverley Glen Boulevard.

The recommendation of the Committee of the Whole to receive the Public Hearing report of June 11, 2013, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on June 25, 2013.

On December 19, 2014 the Vaughan Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the applications.

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Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2, to facilitate the mixed-use development shown on Attachments #3 to #7, comprised of 4 apartment buildings with heights of 6, 12, 15 and 25 storeys, and a total of 797 units and 585.64 m² of ground floor commercial uses:

1. Official Plan Amendment File OP.12.019, to amend the policies of OPA #210 (Thornhill Community Plan), specifically the “High Density Residential” designation to:
 - a) increase the permitted density in the “High Density Residential” designation from 148 units per hectare to 569 units per hectare (thereby increasing the number of permitted apartment units from 208 to 797 units) with a Floor Space Index (FSI) of 4.35;
 - b) to permit a total of 585.64 m² of ground floor area devoted to Convenience Retail Store and Retail Stores uses, whereas commercial uses are not permitted; and,
 - c) permit a maximum building height of 15-storeys for Building “A” and 25-storeys for Building “B”, 12-storeys of Building “C”, and 6-storeys for Building “D”, whereas there is no maximum height identified in the “High Density Residential” designation.
2. Zoning By-law Amendment File Z.12.047, to amend Zoning By-law 1-88, specifically the RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, subject to Exception 9(1034), to permit the site-specific zoning exceptions identified in Table 1 of this report required to implement the proposed development shown on Attachments #3 to #7.

Background - Analysis and Options

Location

The vacant 1.41 ha site is located on the northwest corner of Bathurst Street and Beverley Glen Boulevard (2 Beverley Glen Boulevard), City of Vaughan, shown as subject lands on Attachments #1 and #2. The surrounding land uses are shown on Attachment #2.

Conceptual Site Plan

The Owner has submitted a conceptual site plan, which includes four multi-storey residential buildings, consisting of a total of 797 residential apartment units and 975 parking spaces. The heights of proposed Buildings “A” and “B” are 15 and 25-storeys, respectively, and connected by a 6-storey podium. Within the ground floor of Building “A”, there is 585.64 m² of commercial space proposed. Building “C” is 6-storeys, and Building “D” is 12-storeys, and are stand alone buildings. Terracing is proposed for all buildings. A landscaped centre courtyard provides pedestrian and vehicular access to all four buildings, drop off/loading spaces, surface parking spaces, and one common access to the underground parking garage. Access to the site is provided by two driveways, one at the north limit of the property on Bathurst Street, and one along the south property line on Beverley Glen Boulevard. A 15 m wide landscaped amenity area is proposed along the western property line. Buildings “A”, “C”, and “D” propose ground floor patios for first floor residential units.

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Land Use Policies and Planning Considerations

The Vaughan Planning Department has reviewed the Official Plan Amendment Application, as amended, in consideration of the following policies:

a) Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS 2014) includes policies that focus growth and development to “Settlement Areas”. The subject lands are located within a settlement area as defined by the PPS. The policies in the Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns - Part V, states (in part):

“1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.”

Section 1.1.3.2 states (in part):

“Land use patterns within a settlement area shall be based on densities and a mix of land uses which:

- Efficiently use land and resources;
- Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- Support active transportation where transit is planned, exists or may be developed.”

Section 1.1.3.3 and 1.13.4 states:

“Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.”

“Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety.”

Section 1.4 includes the following policies:

“1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a. Maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and if necessary, lands which are designated and available for residential development.”

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market by (in part):

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- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed; and,
- Establishing development standards for residential intensification, redevelopment and new residential development which minimizes the cost of housing and facilitates compact form, while maintaining appropriate levels of public health and safety.”

The proposed residential density and ground floor commercial use is consistent with the intent of the intensification and housing policies of the PPS, would promote the efficient use of land, and support a healthy community. The development is located on Bathurst Street, a Regional Corridor planned for intensification and deemed a Regional Rapid Transit Corridor. The subject lands are located in close proximity to existing retail, restaurant, entertainment, community service, and institutional uses. The location of the development supports alternate modes of transportation such as transit, cycling and walking. The development maximizes the use of existing infrastructure and community facilities and minimizes land consumption. The proposed apartment use also provides for a variety of housing types for the City of Vaughan thereby contributing to projected housing needs.

b) Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Provincial Growth Plan for the Greater Golden Horseshoe (Growth Plan) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Growth Plan promotes intensification of the existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built up areas encouraging the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality open spaces, and easy access to local stores and services.

In view of the above, the applications to amend to the official plan and zoning by-law to permit an increase in density in the “High Density Residential” designation and the addition of ground floor commercial uses on the subject lands is consistent with the Growth Plan by directing growth to built-up areas where the capacity exists to accommodate the expected population growth, and by promoting a transit-supportive density and a mix of residential and employment land uses.

c) Region of York Official Plan

The subject lands are designated “Urban Area” by the Region of York Official Plan (RYOP) and located on a Regional Corridor, being Bathurst Street. Section 5.4 of the RYOP outlines policies for the development of Regional Corridors encouraging compact, mixed-use, well-designed, pedestrian-friendly and transit-oriented built form. One of the housing objectives of the Regional Official Plan is to promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, housing forms and types and tenures that will satisfy the needs of the Region's residents and workers.

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The proposed residential density with commercial uses will assist in achieving these goals. The proposed development will provide apartment dwellings with a variety of unit sizes and commercial opportunities located at grade. The proposed density will result in a more efficient use of services, infrastructure and transit in the Bathurst Street and Centre Street area. The development will also provide for a compact and efficient community, through its layout and design, that encourages pedestrian activity through the buildings and open spaces.

In consideration of the above, the applications to amend the City's Official Plan and Zoning By-law to permit a residential mixed-use development are consistent with the objectives of the Regional Official Plan. The proposed residential intensification along a designated local corridor makes efficient use of land and existing services providing for compact development that promotes transit supportive densities.

York Region has no objections to the Official Plan or Zoning By-law amendments. The York Region Development Review Committee considered Official Plan Amendment File OP.12.019 and determined that the Amendment is a matter of local significance as the proposal does not adversely affect Regional interests. Pursuant to Regional Council authorization By-law A-0265-1999-017, the Official Plan Amendment application has been exempted from approval by Regional Planning Committee and Council. The Official Plan Amendment will come into effect following its adoption by Vaughan Council and the expiration of the required appeal period, if approved.

d) City of Vaughan Official Plan

The subject lands are designated "High Density Residential" by OPA #210 (Thornhill Community Plan), which permits only residential apartment uses at a maximum density of 148 units per hectare (208 units). The proposal to permit a maximum density of 569 units per hectare (797 units) and grade related retail uses does not conform to the Official Plan. Therefore, an Official Plan Amendment is required to permit the increased density, establish a maximum building height, and to add commercial uses on the lands.

In consideration of the Provincial and Regional policies encouraging a mixed-use built form along Regional Corridors, the Official Plan Amendment application can be supported by the Vaughan Planning Department.

e) Vaughan Official Plan (VOP) 2010

The subject lands are designated "Mid-Rise Residential" with a maximum density of 3.5 FSI (Floor Space Index) and a maximum building height of 12-storeys by City of Vaughan Official Plan 2010 (VOP 2010). The proposed density of 4.35 FSI and maximum building heights of 15 and 25-storeys for Buildings "A" and "B", respectively, do not conform to VOP 2010. However, as the subject applications were submitted prior to VOP 2010 coming into effect, they are being processed under the in-effect OPA #210 (Thornhill Community Plan).

Ontario Municipal Board (OMB) Appeal of VOP 2010

On February 29, 2012, the Owner appealed VOP 2010 with respect to the subject lands to the Ontario Municipal Board (identified as Appeal #8 in the City of Vaughan List of VOP 2010 Appellants), which remains outstanding. Should Vaughan Council approve the recommendations of this report, a condition of approval has been included requiring the Owner's appeal of VOP 2010 be resolved to the satisfaction of the City's Solicitor and Commissioner of Planning, prior to the adoption and enactment of the implementing amendments to the Official Plan and Zoning By-law.

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Zoning

The subject lands are zoned RA3(H) Apartment Residential Zone with the Holding Symbol “(H)”, subject to Exception 9(1034) by Zoning By-law 1-88. The following site-specific zoning exceptions to the RA3(H) Apartment Residential Zone are required to facilitate the development proposal shown on Attachments #3 to #7:

Table 1:

	By-law Standard	Zoning By-law 1-88, RA3(H) Zone, Exception 9(1034) Requirements	Proposed Exceptions to the RA3(H) Zone, Exception 9(1034) Requirements
a.	Minimum Building Setback	i. Front Yard - 7.5 m (Beverley Glen Boulevard) ii. Exterior Side Yard - (Bathurst Street) - 7.5 m iii. Rear Yard (North) - 7.5 m	i. 3.9 m (Building “A”) and 3.08 m (Building “D”) ii. 5 m iii. 6.85 m (Building “C”)
b.	Minimum Parking Requirements	797 units @ 1.5 spaces/unit = 1196 spaces + 797 units @ 0.25 visitor spaces/unit = 200 spaces + 585.64 m ² of retail GFA @ 6 spaces/ 100 m ² = 36 spaces Total Parking Required = 1,432 spaces	797 units @ 1.05 spaces/unit = 837 spaces + 797 units @ 0.15 visitor spaces/unit = 120 spaces + 585.64 m ² of commercial GFA @ 3 spaces/ 100 m ² = 18 spaces Total Parking Provided = 975 spaces
c.	Minimum Parking Space Size	2.7 m x 6.0 m	2.6 m x 5.8 m
d.	Minimum Barrier Free Parking Space Size	3.9 m x 6.0 m (stand alone) 3.2 m x 6.0 m (when adjacent to another barrier-free space)	3.9 m x 5.8 m (stand alone) 3.2 m x 5.8 m (when adjacent to another barrier-free space)
e.	Minimum Joint Ingress and Egress Driveway (Bathurst Street Driveway)	7.5 m	6 m

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	By-law Standard	Zoning By-law 1-88, RA3(H) Zone, Exception 9(1034) Requirements	Proposed Exceptions to the RA3(H) Zone, Exception 9(1034) Requirements
f.	Minimum Amenity Area/Per Unit	<p>One Bedroom - 572 units @ 20 m²/unit = 11,440 m²</p> <p>+ Two Bedroom - 225 units @ 55 m²/unit = 12,375 m²</p> <p>Total Required Amenity Area = 23,815 m²</p>	<p>Provide amenity area at a rate of 15 m² for any unit type (797 units x 15 m²)</p> <p>Total amenity area proposed = 11,955 m²</p>
g.	Minimum Lot Area Per Unit	67 m ²	The minimum lot area per unit shall not apply
h.	Maximum Building Height	<p>44 m</p> <p>Measured from the average elevation of the finished grade at the front of the building to the highest point of the roof surface, exclusive of accessory roof construction such as a mechanical room or elevator.</p>	<p>47.15 m and 15-storeys (Building "A")</p> <p>76.65 m and 25-storeys (Building "B")</p> <p>Measured from Canadian geodetic datum to the highest point of the roof surface exclusive of accessory roof construction such as a mechanical room or elevator.</p>
i.	Permitted Yard Encroachment	1.8 m	<p>Permit exterior stairways and porches/decks to encroach 3.9 m into the required front yard (Building "A" - Beverley Glen Boulevard)</p> <p>Permit exterior stairways and porches/decks to encroach 6 m into the required rear yard (north) setback (Building "C").</p>
j.	Canopies and Yard Encroachment	A canopy is not a permitted yard encroachment	Permit a canopy to encroach 2.0 m into the required exterior side yard (Bathurst Street)

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	By-law Standard	Zoning By-law 1-88, RA3(H) Zone, Exception 9(1034) Requirements	Proposed Exceptions to the RA3(H) Zone, Exception 9(1034) Requirements
k.	Minimum Landscape Strip Width along Street Line	6 m	<p>5 m (Bathurst Street)</p> <p>2.5 m (Beverley Glen Boulevard)</p> <p>0 m (at the sight triangle)</p> <p>Require a minimum 15 m landscape strip width abutting the west property line, whereas none is required.</p>
l.	Definition of a Lot	<p>“Lot” - Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.</p>	<p>“Lot” - For the purposes of zoning, the subject lands shall be deemed to be one lot regardless of the number of buildings or structures erected on the lands and regardless of any conveyances, easements, or condominiums, and whether the buildings or structures have or do not have a common basement or are or are not connected below or above finished grade.</p>
m.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Day Nursery 	<p>Permit the following additional commercial uses on the ground floor of Buildings “A” and “B” to a combined maximum of 585.64 m²</p> <ul style="list-style-type: none"> • Convenience Retail Store • Retail Store

The Vaughan Planning Department can support the proposed site-specific zoning exceptions to the RA3(H) Zone for the following reasons:

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a) Building Setback/Landscape Width/Yard Encroachment

The proposal to reduce the minimum building setbacks, minimum setback to the sight triangle, landscape strip widths and building canopy and patio encroachments will facilitate a development with a strong urban edge and attractive public realm with the tallest buildings located further away from the existing residential development to the west.

The proposed 15 m landscape buffer width along the west property line will provide a landscaped transition area between the proposed development on the subject lands and the existing residential use to the west.

b) Parking Requirements/Size/Driveway Access

The Owner submitted a Traffic Impact Study dated December 17, 2013, prepared by the BA Group updated on July 16, 2014, and a Parking Study also prepared by BA Group dated May 7, 2014. The Vaughan Development/Transportation Engineering Department has reviewed both studies and has no objection to the proposed parking supply of 975 spaces for the proposed development or the proposed reduction in parking space size from 2.7 m x 6 m to 2.6 m x 5.8m.

Furthermore, the Vaughan Development/Transportation Engineering Department has advised that the Bathurst Street VIVA Phase 2 Dedicated Transit Lane Rapidway is planned to be constructed within the centre-line median of Bathurst Street between Regional Road 7 and Centre Street and a Bus Rapid Transit (BRT) station is planned north of the subject lands on Bathurst Street at the intersection of New Westminister Drive and Atkinson Avenue, which is in walking distance from the subject lands. The reliance on vehicles and the parking supply for this site can be reduced based on the location of the subject lands to existing and planned public transit.

The proposed 6.0 m wide driveway onto Bathurst Street is proposed to function as a full moves access under interim conditions, however, this driveway would be restricted to a right-in/right-out access upon implementation of the proposed VIVA Transitway on Bathurst Street.

c) Barrier Free Parking Space Size

The proposed barrier free parking space size of 3.9 m x 5.8 m cannot be supported as the Ontario Building Code and Accessible Ontario Guidelines prevail. Therefore, the barrier free parking space size minimum of 3.9m x 6 m must be maintained.

d) Commercial Uses

The proposed at grade Convenience Retail Store and Retail Store uses can be supported as they will provide retail opportunities for the future residents within walking distance thus reducing the use of private automobiles. The commercial units are located on the ground floor of Buildings "A" and "B", fronting onto Bathurst Street.

e) Minimum Lot Area and Amenity Area/Unit

The Owner is proposing the minimum lot area per unit not apply and a reduction to the required amenity area per unit for the development. The reduction in amenity space per unit corresponds to the overall proposed increase in site density, which is supported by the Provincial and Regional policies regarding intensification, and therefore, can be supported by the Vaughan Planning Department. Similarly, eliminating the minimum lot area per unit encourages compact urban development on efficient-sized parcels of land being 1.41 ha, which can also be supported.

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f) Maximum Building Height and Density (FSI)

The Owner proposes to increase the maximum permitted building height from 44 m to 76.65 m (25-storeys) for Building “B” and 47.15 m (15-storeys) for Building “A”, respectively. The proposed building heights are consistent with the other approved development in the immediate area such as the 25 and 12-storey Liberty buildings approved at 7890 Bathurst Street with an FSI of 4.43, and the 22-storey existing building at 15 North Park Road. The proposed 797 units yields a floor space index (FSI) of 4.35. The subject lands are located within an Intensification Area and on a Regional Corridor (Bathurst Street). The increased building height and density is supported by the PPS, the Growth Plan and the Regional Official Plan, and therefore, can be supported by the Vaughan Planning Department.

g) Definition of a Lot

The proposal to amend the definition of a “Lot” is required to ensure that for zoning purposes, the subject lands are deemed as one lot. The proposed mixed-use development will consist of one or more future condominium corporations, and therefore, it is appropriate to ensure that the access driveways will be shared and that any approved zoning exceptions established through this application apply to the entire property.

h) Holding Symbol “(H)”

Should Vaughan Council approve the subject applications, the implementing Zoning By-law will maintain the Holding Symbol “(H)” on the subject lands, until water supply and sewage servicing capacity for the development has been identified and allocated and a Site Development application(s) has been approved by Vaughan Council. A condition to this effect is included in the recommendation of this report.

Density Bonusing

The Ontario Municipal Board (OMB) approved VOP 2010 policies 10.1.2.9 - 10.1.2.12 regarding bonusing for increases in height and density on September 30, 2014. In addition, draft guidelines to implement the policy have been prepared, which include a methodology for valuing a potential density bonusing agreement. In order to complete the Density Bonusing Agreement for these applications, the methodology in the draft guidelines will be applied, and the Owner will be required to provide an appraisal of the subject lands, prepared by a qualified appraiser to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division, to determine the approximate value of the lands to form the basis for a density bonusing agreement. At the time of preparation of this report negotiations on the Density Bonusing Agreement are ongoing. A condition to this effect is included in the recommendation of this report.

Vaughan Development/Transportation Engineering Department

The Official Plan and Zoning By-law Amendment applications have been reviewed by the Vaughan Development/Transportation Engineering Department and the following comments are provided:

The Owner is advised that the required future Site Development Application must include the following:

- A Photometric Lighting Plan;
- A licensed Professional Engineer's seal, signature and date must be included on all plans/drawings and reports;

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- Clearly identify and label any additional public right-of-way (ROW) and/or utility easements not shown on the plans, including any future road widening, Regional or Municipal or otherwise.

a) Stormwater Management

The Owner shall submit a Stormwater Management Report at the site plan stage indicating that there is an acceptable outlet for storm water runoff from the subject lands justifying that the allowable site release rate will not be exceeded, and showing the calculations for the roof top storage, underground storage, and surface ponding to the satisfaction of the Department, Toronto and Region Conservation Authority (TRCA) and York Region. Storm sewer servicing will be provided from a 450 mm diameter storm service connection located at the southwest corner of the site.

b) Sanitary and Water Servicing

The Owner is required to submit a revised Functional Servicing Report at the site plan stage to indicate how the subject lands will be serviced including connection points, water pressure test, fire protection, and peak hour demand, to the satisfaction of the Department.

A Site Servicing Plan shall be submitted at the site plan stage, to the satisfaction of the Development/Transportation Engineering Department. The City shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development and have been allocated thereto by Vaughan Council.

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years.

It is premature to apply servicing capacity to the application at this time based on the applications planning status, however, the City will review the status at the Site Plan stage and apply servicing allocation to the units accordingly, subject to Council approval.

Sanitary sewer service will be provided via a connection to the existing 2700 mm diameter Regional Trunk Sanitary Sewer on Bathurst Street. Water supply will be provided from an existing 300 mm diameter watermain on Beverley Glen Boulevard. Any proposed service connections within the right-of-way are subject to approval from York Region and the Vaughan Public Works Department.

c) Lot Grading

The Vaughan Site Plan Criteria Guide requires that existing grades be shown a minimum 20 m beyond the subject lands. In addition, the emergency overland flow route and drainage plans for proposed drainage conditions shall be identified.

d) Noise

The Owner shall submit a detailed noise study at the site plan stage, which shows the calculations of noise levels and attenuation measures at all floors and units.

e) Environmental

The Development/Transportation Engineering Department has reviewed the following documents submitted by the Owner:

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- Green-Tech Environmental Limited (Green-Tech) letter entitled "Letter of Reliance Environmental Site Assessment (ESA) Reports, Northwest Corner of Bathurst and Beverley Glen (Site), Vaughan Ontario" dated April 9, 2014; and
- Green-Tech letter entitled "Letter of Opinion - Record of Site Condition (RSC), Northwest Corner of Bathurst and Beverley Glen (Site), Vaughan, Ontario" dated April 14, 2014.

The City is satisfied with the Green-Tech's Letter of Reliance and the RSC opinion letter. Given that a Site Development application is required for the proposed development and that the submitted ESA documents provided no current visible signs of contamination onsite, the City will defer the requirements to revise Green-Tech's Phase 1 ESA report entitled, "Updated Phase 1 Environmental Site Assessment Report, Northwest Corner of Bathurst and Beverley Glen (Site), Vaughan, Ontario dated October 17, 2012" to the site plan stage. The Phase 1 ESA report was prepared to Canadian Standards Association (CSA) standards and must be revised to Ontario Regulation 153/04 standards. Additional information is also required regarding the sampling and analysis presented in the Phase I ESA, which will also be deferred to the site plan stage.

f) Conceptual Site Plan/Elevations

Comments provided regarding the conceptual site plan shall be addressed through the submission of a Site Development application(s).

g) Parking Study

The Department has reviewed the Parking Study submitted in support of the applications, dated May 7, 2014, prepared by BA Group and have no objection to the proposed parking supply of 975 spaces for the development.

The study supports a reduced parking supply of 975 spaces, whereas Zoning By-law 1-88 requires a minimum of 1,432 spaces. The Parking Study concludes that the proposed parking supply is sufficient for the development's specific requirements as the proposed rates have been justified by the following studies:

- Parking utilization study at 50 & 60 Disera Drive
- Detailed parking survey at 7 and 15 North Park Road
- Approved parking standards at 75, 85 and 95 North Park Road

The total recommended number of parking spaces is also considered appropriate as it is consistent with the preliminary findings of the City of Vaughan's Draft Parking Standards completed by the IBI Group.

The City of Vaughan Official Plan (VOP) 2010 promotes non-auto modal splits to encourage more sustainable travel, therefore, the Department has no objection to the reduced parking supply as recommended in the study.

h) Traffic Impact Study (TIS):

i) Site Access

Access to the subject development is proposed via two driveways. An easterly driveway onto Bathurst Street which is located 125 m from the existing signalized intersection at Bathurst Street and Beverley Glen Boulevard. It is proposed to function as a full-moves access under interim conditions, however, the intersection would be restricted to a right-in/right-out access upon implementation of the Regional VIVA Transitway on Bathurst Street.

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The other full move driveway onto Beverley Glen Boulevard shall be aligned with the opposing future driveway of the recently approved development on the south side of Beverley Glen Boulevard. This driveway is located approximately 75 m from the Bathurst Street and Beverley Glen Boulevard intersection. Both driveway locations meet York Region's minimum spacing requirement from an arterial intersection.

ii) Bathurst Street and Beverley Glen Boulevard

The signalized intersection at Bathurst Street and Beverley Glen Boulevard is generally operating at an acceptable level of service with the exception of the eastbound left-turn (EBL) movements north onto Bathurst Street. The analysis indicates that under existing traffic conditions, the EBL movement is operating with minor delay at a level of service 'E' during both peak periods. The eastbound left-turn queuing vehicles northbound onto Bathurst Street have potential to block the proposed access onto Beverley Glen Boulevard. However, as per field observations and the queuing study prepared by the BA Group, these queues were cleared on all traffic signal cycles.

To further assess the queuing situation, a Gap Survey was also conducted to determine whether gap availability was sufficient for turning vehicles accessing/egressing from the future driveways. The gap surveys were conducted on June 5, 2014, during the peak AM and PM hours. The consultant utilized the Highway Capacity Manual guidelines, which are internationally accepted guidelines for analyzing capacity and quality of service of roadways, to determine the available capacity of the study area intersections. The study observed sufficient gaps were available to accommodate existing and projected (2017) traffic volumes.

iii) Existing and Future Transit Service

The proposed development is located within an area that is well served by bus services operated by both York Region Transit (YRT) and the Toronto Transit Commission (TTC). The nearest existing transit stops are located at: Bathurst Street and Beverley Glen Boulevard immediately adjacent to the site; at New Westminster Drive and Bathurst Street, approximately 170 m north of the site; and, on Centre Street and Bathurst Street, approximately 450 m south of the subject lands. The following transit services are available in the vicinity:

1. York Region Transit Routes #3, #23, #77 and #88
2. TTC Bus Route #160
3. Viva Bus Rapid Transit - Purple Line

The Regional Road 7 Rapidway will be the key catalyst for the future development of the Centre Street corridor. It will provide significant high-order east-west transit service across York Region including to/from the Vaughan Metropolitan Centre (VMC) subway station on the Spadina subway extension and the VMC development area.

Within the TIS study area, the Rapidway will operate along Centre Street and Bathurst Street within dedicated centre lanes. There will be two Rapidway stops within the study area at Bathurst Street at New Westminster Drive/Atkinson Avenue and on Centre Street at North Promenade. The construction of the segment of Rapidway through the study area is expected to take place from 2016 to 2020.

iv) Site Traffic Distribution and Future Traffic Operation

The proposed 797 residential units plus 585.64 m² of commercial area will theoretically generate approximately 250 vehicle trips per hour (vph) during the AM period (50 inbound and 200 outbound) and 285 vph (180 inbound and 105 outbound) during the PM peak period based on the Institute of Transportation Engineer guidelines. Based on the TIS, there will be a total of 100 left

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turn movements (including 85 outbound and 15 inbound) at the proposed driveway onto Beverley Glen Boulevard during the morning peak hour, and a total of 95 left turn movements (including 40 outbound and 55 inbound) during the afternoon peak hour. Based on the Gap Study as presented in the TIS, there will be sufficient gaps to accommodate inbound and outbound traffic volumes generated by the proposed development.

v) Intersection Operation With Dual Left Turn at Beverley Glen Boulevard

In support of the applications, the Owner submitted a report to consider the implementation of a double left turn lane from Beverley Glen Boulevard to Bathurst Street. Under the sensitivity analysis scenario with the dual eastbound left turn lane for future conditions, the signalized intersection of Bathurst Street and Beverley Glen Boulevard will operate with better level of service compared to existing conditions (one eastbound left turn lane). York Region has reviewed the Report and advised that double left turn lanes onto Beverley Glen Boulevard cannot be permitted. The implementation of double left turn lanes would require the removal of existing pedestrian crossings over the north portion of the intersection. York Region is intending to implement the VIVA rapidway on Bathurst Street starting in 2015. Promoting and facilitating active transportation (e.g. pedestrians and cycling) is a key component of the vision for rapid transit corridors. York Region avoids implementing measures that will impede pedestrian activity or potentially put pedestrians at risk. The maximum projected traffic volumes can easily be accommodated by the intersection and does not require two lanes.

vi) Findings of the Transportation Impact Study

The TIS concludes traffic volumes generated by the proposed development represent a small component of total traffic passing through the intersection during the peak hours. For example, in the future total traffic scenario, there are only 100 outbound trips expected to exit the site during the peak AM hours (contributing less than 1% of the total traffic volume at Bathurst Street/Beverley Glen Boulevard). Therefore, the traffic from the proposed development is expected to have modest impact on the adjacent roadway network.

Local transit is currently available along Regional Route (RR) 7 with bus stops on the east and west sides of Bathurst Street. Once implemented, the Bus Rapid Transit (BRT) service will help improve modal splits and ultimately reduce single occupancy passenger trips. This development will benefit from the BRT, as the site is located within walking distance (<200 metres or < 5-minute walk) of the future high order transit service.

To ensure existing transit service and future improvements are taken advantage of, and single occupancy vehicle use is minimized for the proposed development, Transportation Demand Management (TDM) will play an important role. The Owner will be required to complete a TDM Plan for the development to the satisfaction of the City of Vaughan and York Region at the site plan stage.

The Vaughan Development/Transportation Engineering Department has no objection to the approval of the Official Plan and Zoning By-law amendment applications.

Vaughan Design Review Panel

The Vaughan Design Review Panel (DRP) reviewed a similar development concept on February 23, 2012. At that time, the subject applications had not been submitted to the Vaughan Planning Department. The DRP was asked to provide design advice respecting building massing and the relationship with the surrounding context.

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The DRP provided comments regarding shadow studies, amenity space, courtyard area, transition in scale from west to east, retail along Bathurst Street, elevations and building typology. The Owner addressed many of these comments through the submission of the subject Official Plan and Zoning By-law Amendment applications, which include a conceptual site plan. The project will be reviewed by the DRP through the Site Development process to further enhance the development.

Shadow Study

A preliminary shadow study was submitted by the applicant for the conceptual site plan to determine the impact of the proposed development in terms of sun and daylight access to the surrounding existing residential community.

The study provides detailed illustration and analysis for spring, summer and fall months of the year and demonstrates that the proposed building podium with point tower design will not cause undue shade in excess of three consecutive hours on any of the existing surrounding residential properties, specifically:

Spring (March 21)/Fall (September 21)

In the late afternoon and early evening, the shadow study demonstrates the conceptual point tower shadows extending into the residential properties on the east side of Bathurst Street, east of Chilmar Crescent, Rosedale Heights Drive, and briefly east of Dundurn Crescent. In the early morning, the shadow study demonstrates the point tower shadows partially extending onto the existing townhomes to the west of the subject lands.

Summer (June 21)

The shadow study demonstrates the conceptual point tower shadows partially extending onto the residential properties west of the subject lands in the early morning. In the late afternoon and early evening, the shadow study demonstrates the point tower shadows extending on the east side of Bathurst Street and east of Chilmar Crescent and Rosedale Heights Drive.

City staff have reviewed the preliminary shadow study and determined the building point towers with narrow and slim foot plates produce shadows of a period of less than three consecutive hours on any one property, which is considered acceptable by staff.

Vaughan Legal Services Department - Real Estate Division

The Legal Services Department, Real Estate Division, has advised that the Owner shall dedicate parkland equivalent to 1 ha per 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed rate per unit prior to the issuance of a Building permit, in accordance with the Planning Act and the City's cash-in-lieu Policy.

School Boards

The York Region District School Board and York Region Catholic District School Board have no objection to the approval of these applications.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the following initiatives set forth in the Vaughan Vision 2020/Strategic Plan:

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i. Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

ii. Plan and Manage Growth & Economic Well-Being

The development facilitates intensification on a designated Regional Intensification Corridor to support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

Regional Implications

The subject lands are located on a Regional Corridor and designated “Urban Area” by the York Region Official Plan (2010), which permits a wide range of residential, commercial, industrial and institutional uses. York Region supports intensification on Regional Corridors. Official Plan Amendment File OP.12.019 was considered by the York Region Development Review Committee and was exempt from approval by Regional Planning Committee and Council. This allows the Official Plan Amendment to come into effect following its adoption by Vaughan Council and the expiration of the required appeal period, if the Official Plan Amendment Application is approved.

York Region has no objections to the proposal, however, the driveway from Bathurst Street will be restricted for right-in/right-out movements only in the future, upon implementation of the proposed VIVA Transitway on Bathurst Street.

York Region has no objection to the approval of the Official Plan and Zoning By-law Amendment applications, however, reserves the right to provide technical comments at the site plan stage on matters including but not limited to road and transit requirements, noise attenuation, and vehicular access.

Conclusion

Official Plan Amendment File OP.12.019 and Zoning By-law Amendment File Z.12.047 have been reviewed in accordance with the Provincial Policy Statement (PPS), the Growth Plan, the York Region Official Plan, OPA #210 (Thornhill Vaughan Community Plan), Zoning By-law 1-88, comments from City departments and external public agencies, and the area context. The Vaughan Planning Department is satisfied that the proposed amendments to the “High Density Residential” designation of the Official Plan that increase the permitted density, permit ground floor commercial uses, and to establish maximum building heights, together with the site-specific zoning exceptions to the RA3(H) Apartment Residential Zone identified in Table 1 of this report, are appropriate in terms of the location of the subject lands on Bathurst Street and the proposed built form and density. The proposal provides a mixed-use development that promotes transit use on a major intensification corridor. Accordingly, the Vaughan Planning Department can support the approval of the Official Plan and Zoning By-law Amendment applications subject to the recommendations in this report.

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Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan
4. Conceptual East Building Elevations
5. Conceptual South Building Elevations
6. Conceptual West Building Elevations
7. Conceptual North Building Elevations

Report prepared by:

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(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.)