

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018**

Item 1, Report No. 2, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 30, 2018.

**1                    ZONING BY-LAW AMENDMENT FILE Z.15.021  
                     DRAFT PLAN OF SUBDIVISION FILE 19T-13V006  
                     SITE DEVELOPMENT FILE DA.13.021  
                     1834371 ONTARIO INC.  
                     VICINITY OF REGIONAL ROAD 7 AND JANE STREET**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and growth Management, dated January 23, 2018:

#### **Purpose**

The Owner seeks approval from the Committee of the Whole for Zoning By-law Amendment File Z.15.021 and Draft Plan of Subdivision File 19T-13V006 for the subject lands, shown on Attachments #2 and #3, and Site Development File DA.13.021 to permit Phase 1 of a proposed mixed-use development, shown on Attachments #6 to #17, which consists of:

- three 35-storey residential apartment buildings (Towers A, B, and D) having a total of 1,162 units and with at-grade retail;
- an eight-storey office building (Tower C); and
- the entire underground parking structure for the subject lands.

#### **Recommendations**

1. THAT Zoning By-law Amendment File Z.15.021 (1834371 Ontario Inc.) BE APPROVED; to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3 from C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol "(H)", subject to site-specific Exception 9(1402), as shown on Attachment #4, to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol "(H)", in the manner shown on Attachment #6, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into full force and effect to seek permission for a minor variance(s) to the in-effect zoning by-law.

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3. THAT Draft Plan of Subdivision File 19T-13V006 (1834371 Ontario Inc.) BE APPROVED; to facilitate a Draft Plan of Subdivision on the subject lands shown on Attachments #2 and #3 consisting of three mixed-use blocks, a stratified public square and stratified streets, as shown on Attachment #6, subject to the Conditions of Draft Plan of Approval set out in Attachment #1.
4. THAT Site Development File DA.13.021 (1834371 Ontario Inc.) BE APPROVED; to permit Phase 1 of the proposed development of the subject lands shown on Attachment #3 consisting of three 35-storey residential (future condominium) buildings (Towers, A, B, and D) on a 2-storey podium containing 1,162 residential units, 2,358 m<sup>2</sup> of grade-related commercial uses, and an eight-storey office building (Tower C), a stratified public square (i.e. a public square on top of an underground parking garage), associated woonerf (flex street), stratified streets, pedestrian public mews, and the entire underground parking structure for the overall development (Phases 1 and 2), as shown on Attachments #7 to #17, subject to the following conditions:
  - a) prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations, landscape cost estimate, landscape plans, sun/shadow analysis, and wayfinding and signage design;
    - ii) the Owner shall submit a final Wind Tunnel Model Analysis Study to the satisfaction of the Development Planning Department, which shall include existing and planned buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climactic conditions to the satisfaction of the City;
    - iii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report and drawings, geotechnical and hydrogeological assessment, external lighting plan, the utility coordination plan, environmental noise assessment, Transportation Impact Study, and Transportation Demand Management Plan;
    - iv) the Owner shall enter into a Development Agreement, if required, for the widening, construction, and servicing of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department;

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- v) the Owner shall pay the Development Engineering Site Plan fee for Phase 1, Blocks 1 and 2 (Towers A, B, C, and D), pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall submit an application to the City for any permanent dewatering systems that are required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- vii) the Owner shall submit to the City the final 3D digital model of the Phase 1 development with conceptual massing for Phase 2, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the 3D digital model;
- viii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner also agrees to include in all Purchase and Sale Agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will have private waste collection services;
- ix) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- x) the Owner shall satisfy all requirements of York Region;
- xi) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- xii) the Owner shall satisfy all requirements of the Canadian National Railway (CN), which includes:
  - the mitigation of noise and vibration measures substantially in accordance with the noise and vibration mitigation measures in the final approved noise study; and

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- the registration of an environmental easement on the subject lands, with postponements for any financing and/or mortgages, to the satisfaction of CN;
  - xiii) the Owner shall satisfy all requirements of Canada Post;
  - xiv) The Owner shall enter into a Site Plan Agreement with York Region, including the resolution of any necessary maintenance obligation(s) along Regional Road 7; and
  - xv) The Owner and the City shall execute a separate agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art piece.
- b) the Site Plan Agreement shall include the following clauses:
- i) "The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of the stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.

For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.

For high-density residential development, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.

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The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

- ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board, prior to the issuance of any Building Permit.”
- iii) “The Owner shall agree that the future development and site organization on the east side of Maplecrete Road shall be designed in a comprehensive manner to appropriately respond to the built form context along the western edge of Maplecrete Road, to the satisfaction of the Development Planning Department.”
- iv) “The Owner shall include clauses in the Purchase and Sale Agreements, Condominium Agreement, and Condominium Declaration and Articles of Incorporation that vehicular access will be provided for the adjacent lands (the Zzen 2 lands – 7725 Jane Street) to the west through the underground parking garage on the subject lands for the benefit of the users of the Zzen 2 lands.”
- v) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- vii) “If required, one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in

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which the telecommunication facilities are located to the street line, to the satisfaction of Bell Canada.”

- viii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required and the Owner shall reinstate the boulevard within the right-of-way, in accordance with the City’s standards and to the satisfaction of the Development Engineering Department.”
- c) the Site Plan Agreement and the future Condominium Agreement(s) and Condominium Declaration(s) and Articles of Incorporation shall include conditions which obligate the Owner to include the following Canadian National Railway Company warning clauses in all agreements of purchase and sale or lease, including agreements pertaining to resale or lease of individual units:
  - “i) That Canadian National Railway Company (CN) is the Owner of certain lands known as its MacMillan Rail Yard (the CN Lands) located within one kilometer of the Subject Lands, and that the CN Lands are now and will continue to be used for the present and future railway and trucking facilities and operations of CN and its customers on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives and trucks with the generation of diesel fumes and odours, 24 hours a day artificial lighting of the CN Lands which may illuminate the sky, the classification, loading, unloading, braking and switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same which can make wheel squeal, noise, vibration, odours, airborne particulate matter and/or dust and the operation of various processes for the maintenance of rail and truck equipment;
  - ii) That CN may in the future renovate, add to, expand or otherwise change its facilities on the CN Lands and/or expand, extend, increase, enlarge or otherwise change its operations conducted upon the CN Lands;
  - iii) Warning clause for units on the north and east facades of the buildings on the subject lands that have unenclosed balconies, patios, or terraces. Noise levels from CN’s MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment and Climate Change (“MOECC”) criteria as defined in Noise Assessment Criteria in Publication NPC-300, “Environmental

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Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning”. Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Publication NPC-300, “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning”. Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas.”

- iv) “The Owner shall execute and register on the title of the subject lands an easement(s) to protect for a reciprocal vehicular access in favour of the lands to the west (the Zzen 2 lands – 7725 Jane Street). The Owner shall register the required easement(s) at the time of registration of the condominium for Tower D, to the satisfaction of the City.”

5. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.13.021 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,162 residential units (2,568 persons equivalent).”

6. THAT Council delegate authority to the Mayor and City Clerk to enter into a Community Improvement Plan Agreement, in a form satisfactory to the City Solicitor.

#### **Report Highlights**

- The Owner proposes to develop the subject lands with a mixed-use, high-density development consisting of two phases, as shown on Attachments #6 and #7:
  - Phase 1: a three 35-storey residential apartment buildings with retail at grade, an eight-storey office building, a pedestrian public mews, a stratified public square, two stratified public roads, and an underground parking structure over the entire subject lands; and
  - Phase 2: a future hotel use serviced by an integrated above ground parking structure.
- The Development Planning Department supports the approval of the proposed development as it conforms with the Official Plan and is compatible with the existing and planned uses in the surrounding area, subject to the conditions in this report.

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#### **Background**

The subject lands are located on the southwest corner of Maplecrete Road and Regional Road 7, and are municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, shown as “Subject Lands” on Attachments #2 and #3. The 2.01 ha subject lands represent the consolidation of three former employment properties where pre-existing, multi-unit buildings were recently demolished.

#### ***The Zoning By-law Amendment and the Draft Plan of Subdivision Applications were received by Council at two separate Public Hearings***

##### The Draft Plan of Subdivision

On November 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on line as follows:

- a) City’s On-line Calendar on November 7 and November 21, 2013;
- b) On the City Page, which was posted on the City’s website on November 7, 2013;
- c) The November 2013 e-news City Update, which was emailed to over 8,000 subscribers;
- d) The City’s website at [www.vaughan.ca](http://www.vaughan.ca); and
- e) The City’s Facebook and Twitter sites leading to the December 3, 2013, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City’s Notice Signs Procedures and Protocols. At the November 26, 2013, Public Hearing, deputations and written submissions were received from the following:

- Kirkor Architects, Martin Ross Avenue, Toronto
- Loopstra Nixon LLP, Queens Plate Drive, Toronto

The major concern identified at the November 7, 2013, Public Hearing was related to an agreement with Royal 7 Developments Ltd. (“Royal 7”) and the owner of the EXPO City development located north of the subject lands, for a full cost recovery mechanism of the 400-mm and 600-mm water mains that Royal 7 front-ended and to which the Owner (“1834371 Ontario Inc.”) would connect to service the subject lands. Royal 7 and 1834371 Ontario Inc. subsequently agreed to a cost recovery and proportional cost sharing for the construction of the water mains and the matter has been resolved.

##### The Zoning By-law Amendment Application (File Z.15.021)

On December 18, 2015, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on-line as follows:



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- a) The City's On-line Calendar on December 17 and 24, 2015, and January 7, 2016;
- b) The City Page on the December 21, 2015, and January 4, 2016;
- c) The December 2015 E-news City Update (e-mailed to over 8,000 subscribers);
- d) The City's website at [www.vaughan.ca](http://www.vaughan.ca); and
- e) The City's Facebook and Twitter sites leading up to the January 12, 2016, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City's Notice Signs Procedures and Protocols. At the January 12, 2016, Public Hearing, deputations and written submissions were received from the following:

- Davies Howe Partners LLP, Spadina Avenue, Toronto
- Horosko Planning Law, North Queen Street, Toronto
- Kirkor Architects, Martin Ross Avenue, Toronto
- KLM Planning Partners, Jardin Drive, Vaughan
- MHBC Planning Limited, Weston Road, Vaughan
- Scargall Owen-King LLP, Yonge Street, Toronto

The major concern identified at the January 12, 2016, Public Hearing was the proposed location of the east-west road connection located west of Street A, as shown on Attachment #6. Specifically, the issue relates to the location of the road connection and the potential impacts on the future development of the adjacent lands to the west, currently owned by "Zzen 2" and York Region Condominium Corporation 499 ("YRCC 499"), hereinafter collectively referred to as "the stakeholders", as identified on Attachment #3. For clarity, the stakeholders had no objection, in principle, to the proposed development.

Council, at the January 12, 2016, Public Hearing, directed the Owner to arrange a meeting with the adjacent stakeholders to resolve the road connection matter. The Development Planning Department was advised that the Owner and the stakeholders met on several occasions, which has resulted in a mutually agreed upon solution for the vehicular connection, which is discussed below.

#### *i) East-West Road Connection*

On May 19, 2016, and July 27, 2016, the Owner and the stakeholders presented to City staff the mutually agreed upon vehicular connection between the Owner and Zzen 2. The parties proposed a built-form solution to address the approximate 4 m grade difference between the subject lands and the lands located to the immediate west.

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The solution involves vehicles utilizing a driveway from Jane Street that would connect to Street B, through the future underground parking garage on the Zzen 2 lands, to the proposed underground parking garage on the subject lands. The connection between the underground parking garages will involve an internal one-storey access ramp that will exit from the garage of the Owner's development, as illustrated in Attachment #7. To ensure that this future connection remains open at all times, both landowners will be required to register on title reciprocal access easements, which is discussed later in this report. The location of the driveway from Jane Street to the Zzen 2 lands is subject to review by York Region and the City of Vaughan through a future development application by Zzen 2.

YRCC 499 is an existing condominium corporation located south of the Zzen 2 lands, as shown on Attachment #3, with no immediate plans to redevelop. Through the stakeholder negotiations, YRCC 499 identified it has no objection in principle with the vehicular access arrangement negotiated between the Owner and Zzen 2.

The Development Planning Department, in consultation with the Development Engineering and the Parks Development Departments, is supportive of the design solution. The Owner has advised that an access agreement between the Owner and Zzen 2 was executed in November 2017. Furthermore, a letter dated November 1, 2017, from Zzen 2 to the Development Planning Department states that the agreement addresses access between the two sites. As a result, Zzen 2 has withdrawn its previous letter of concern and has no objection with the proposed development. The agreement and any associated easements must be reviewed and in a form approved to the satisfaction of the City. A condition to this effect is included in the recommendation of this report.

The recommendations of the Committee of the Whole to receive the Public Hearing reports of November 23, 2013, and January 12, 2016, respectively, and to forward a comprehensive technical report to a future Committee of the Whole meeting were ratified by Council on December 10, 2013 and January 19, 2016, respectively.

On January 13, 2018, a notice of this Committee of the Whole meeting was sent to all those individuals who made a deputation before Council or submitted written correspondence regarding the subject files to the City.

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#### **Previous Reports/Authority**

[December 10, 2013, Committee of the Whole Public Hearing \(Item 4, Report No. 54\)](#)

[June 24, 2014, Committee of the Whole \(Item 22, Report No. 30\)](#)

[January 19, 2016, Committee of the Whole Public Hearing \(Item 2, Report No. 3\)](#)

#### **Analysis and Options**

The overall proposed development, (hereinafter referred to as the “proposed development”) includes the Owner’s entire landholdings (the subject lands). The Owner proposes to amend the existing Zoning By-law 1-88 site-specific Exception 9(1402) for the subject lands and to facilitate the creation of three mixed-use blocks, a pedestrian public mews, a stratified public square, and stratified streets, as shown on Attachment #6.

Phase 1 of the proposed development consists of the following:

- a) three residential apartment buildings with a maximum building height of 35-stories;
- b) a maximum total of 1,162 residential dwelling units;
- c) a total Gross Floor Area (GFA) of 107,918 m<sup>2</sup> (all uses);
- d) an eight-storey office building with a maximum GFA of 13,549 m<sup>2</sup>;
- e) a total GFA of 2,358 m<sup>2</sup> of commercial uses;
- f) a maximum density (Floor Space Index - FSI) of 5.5 times the area of the lot, as approved by the Ontario Municipal Board (OMB); and
- g) 1,316 parking spaces in three levels of underground parking.

#### ***The proposed development conforms to the in-effect OPA #500, as amended, and the partially approved VMC Secondary Plan***

In 2013, the Owner appealed to the OMB the in-effect Official Plan, being Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended, and Vaughan Official Plan (VOP) 2010. The Owner cited a non-decision by the City of Vaughan on Official Plan and Zoning By-law Amendment Files OP.12.010 and Z.12.025 as they apply to the subject lands, which were subsequently approved in July 2014 by the OMB. The following Official Plan policies apply to the subject lands.

- a) OPA #500, As Amended

The subject lands are designated “Corporate Centre Node” by in-effect Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #663 (The Avenue 7 Land Use Future Study Plan), and OPA #746. The subject lands are also identified within the “Station Precinct” (2951

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Regional Road 7 and 190 Maplecrete Road) and “Neighbourhood Precincts” (180 Maplecrete Road) designations of the partially approved VMC Secondary Plan, which forms part of the Volume 2 of VOP 2010.

OPA #746 permits development on the subject lands with a maximum building height of 35-storeys, a FSI (density) of 5.5 times the area of the lot, and identifies the location of an approximately 0.25 ha public square. High density residential uses, service uses, restaurants, entertainment uses, banks and financial institutions, office commercial, and retail uses are permitted on the subject lands. The proposed development conforms to the in-effect Official Plan.

#### b) VMC Secondary Plan

The subject lands are located within the “Station Precinct” (2951 Regional Road 7 and 190 Maplecrete Road) and the “Neighbourhood Precincts” (180 Maplecrete Road) of the approved VMC Secondary Plan. A broad mix of uses are permitted in the Station Precinct designation, including residential dwellings (i.e. high-rise and mid-rise buildings), park, retail, service commercial, and public uses. In the Neighbourhood Precinct, the VMC Secondary Plan permits primarily residential uses complemented by community amenities (e.g. parks and daycare facilities) and retail and service commercial uses (including hotel), in a mix of high-rise, mid-rise, and low-rise buildings types.

***The Planning Act, permits Vaughan Council to pass a resolution to apply for future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. It also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a by-law. Should Council approve Zoning By-law Amendment File Z.15.021, the Development Planning Department has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the subject development.

***The Owner has submitted a Community Improvement Plan (CIP) application for the subject lands***

The Owner has submitted a Community Improvement Plan (CIP) application (File CIP.16.004) for VMC CIP Program eligibility, specifically for the proposed 13,549 m<sup>2</sup>

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office component within the mixed-use building, in accordance with the criteria set in the City of Vaughan CIP By-law, CIP Program Guide, and CIP Application. The construction and occupancy of the new office space would provide a mix of uses in the VMC, direct and indirect jobs, and taxable assessment growth in the long term. A condition to authorize the Mayor and City Clerk to enter into a CIP agreement, in a form satisfactory to the City Solicitor, has been included in the recommendation of this report.

#### ***Amendments to Zoning By-law 1-88 are required to permit the proposed development***

The subject lands are zoned C9 (H) Corporate Centre Zone and OS2 (H) Open Space Park Zone, both with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1402).

Site-specific Exception 9(1402) was approved by the Ontario Municipal Board (OMB) on June 16, 2015, based on the original conceptual site plan shown on Attachment #5. Since the approval of site-specific Exception 9(1402) to Zoning By-law 1-88 by the OMB, the Owner amended the original conceptual site plan as shown on Attachment #5 with the proposed site plan shown on Attachment #7, which requires the following amendments to Zoning By-law 1-88, subject to site-specific Exception 9(1402):

Table 1: Zoning By-law Amendment

	<b>Zoning By-law 1-88 Standard</b>	<b>C9 Corporate Centre Zone Requirements, Subject to Site-Specific Exception 9(1402)</b>	<b>Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1402)</b>
a)	Number of Phases	3	2
b)	Minimum Lot Area	5,000 m <sup>2</sup>	Block 2: 3,712 m <sup>2</sup> Block 3: 3,318 m <sup>2</sup>
c)	Minimum Lot Frontage	50 m	Block 2: 32 m along Regional Road 7  Block 3: 34 m along Maplecrete Road

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d)	Maximum Building Height (Phase 2 lands)	82 m	To exclude two storeys from the maximum permitted building height, provided two storeys of underground parking is included in Phase 2.
e)	Site Triangle Encroachment (Regional)	0 m	0.7 m (at the intersection of Street “A” and Regional Road 7)
f)	Minimum Building Setbacks	<p><u>Tower A</u></p> <ul style="list-style-type: none"> <li>▪ Abutting Maplecrete Road: 3 m</li> <li>▪ Abutting Street A: 3 m</li> <li>▪ Abutting Street B: 3 m</li> </ul> <p><u>Tower D</u></p> <ul style="list-style-type: none"> <li>▪ Abutting Street A: 3 m</li> <li>▪ Abutting the pedestrian public mews: 6 m</li> </ul>	<p><u>Tower A</u></p> <ul style="list-style-type: none"> <li>▪ Abutting Maplecrete Road: 2 m at second storey</li> <li>▪ Abutting Street A: 0.2m</li> <li>▪ Abutting Street B: 0.6m</li> </ul> <p><u>Tower D</u></p> <ul style="list-style-type: none"> <li>▪ Abutting Street A: 2.75 m</li> <li>▪ Abutting the pedestrian public mews: 3.5 m</li> </ul>
g)	Access and Parking Requirements for the VMC	<p><u>Access</u> Access to the subject lands shall be secured solely on the subject lands.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces</p> <p><u>Minimum Access Width</u> 7.5 m</p>	<p><u>Access</u> Permit access to the subject lands from the adjacent lands to the west (Zzen 2 lands), as shown on Attachment #7.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces where Residential Visitor Parking may be shared with non-residential parking within a mixed-use building.</p> <p><u>Minimum Access Width</u> Pedestrian public mews (as shown on Attachment #6): 6 m</p>

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h)	Permitted Uses	All uses in the C9 Corporate Centre Zone and all permitted Uses in a Commercial Zone	In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted: <ul style="list-style-type: none"> <li>▪ Retirement Residence</li> <li>▪ Nursing Home</li> <li>▪ Long Term Care Facility</li> <li>▪ Independent Living Facility</li> <li>▪ Stratified Arrangement</li> <li>▪ An Underground Parking Structure shall be permitted in a Stratified Arrangement prior to the removal of the Holding Symbol “(H)” symbol</li> </ul>
		All uses in the OS2 Open Space Park Zone	In addition to the uses permitted in the OS2 Open Space Park Zone, the following additional use shall be permitted: <ul style="list-style-type: none"> <li>▪ A building or structure for access stairs to and from the underground parking structure</li> </ul>
i)	Setbacks in an OS2 Open Space Zone	15 m (front, rear, and interior and exterior sides)	0 m to all property lines
j)	Loading Space	A loading space shall be located internally within a wholly enclosed building with access onto a local road.	Permit a loading space(s) located internally within a wholly enclosed building with access onto a public or private street.

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k)	Portions of Buildings Below Grade	The minimum setback from the front lot line (Maplecrete Road) to the nearest part of the building below finished grade shall be 0 m	No minimum setback shall be required from any property line to the nearest part of the building below finished grade
l)	Minimum Landscape Strip Width	<ul style="list-style-type: none"> <li>▪ 2m along Regional Road 7</li> </ul>	<ul style="list-style-type: none"> <li>▪ 0 m along Regional Road 7</li> </ul>
m)	Minimum Amenity Area	5 m <sup>2</sup> per apartment dwelling unit	4 m <sup>2</sup> per apartment dwelling unit
n)	Maximum Retail Gross Floor Area (GFA)	3,301 m <sup>2</sup>	3,500 m <sup>2</sup>

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis.

The proposed phasing will facilitate a development proposal in the VMC and accommodate the Owner's construction schedule. The lot area and frontage requirements recognize the creation of the development blocks that will facilitate a compact built form. The adjustment to in the retail GFAs provide flexibility that would contribute to the success of the mixed-use development, while providing a major office tenant in the VMC. The introduction of additional uses are on the site are considered compatible with the uses permitted in the C9 Corporate Centre Zone.

The proposed landscape will create a comfortable built form and pedestrian realm relationship that is appropriate in an intensification area. The landscape width along Regional Road 7 is appropriate in consideration of the additional boulevard right-of-way width that exists between the existing VivaNext rapid way and the subject lands. The minimum (private) amenity area standards of Zoning By-law 1-88 do not reflect development proposals that provide a more intensified form of development, which is intended within the VMC. The reduced per unit amenity area standard is appropriate in consideration of the proposed public square.

The proposed elimination of the below grade building setbacks, will allow for a seamless stratified title arrangement under Streets A and B, the pedestrian public mews and the



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public square, which is discussed later in this report. The reduced building setbacks will enable the construction of the proposed development and maximize the efficient use of subject lands. The encroachment into the sight triangle is for the purpose of permitting architectural elements into the building design that will add visual interest to the built form.

The Owner has demonstrated, as shown on Attachment #7, to the satisfaction of the Development Planning Department how the future Phase 2 hotel use, with an integrated above grade parking structure, will function in the context of the overall development on the subject lands. In principle, the Development Planning Department has no objection to this design approach. The exclusion of two levels of above-grade parking integrated within the building podium from the total number of storeys of the building height, where two or more levels of underground parking are provided for a mixed-use building, is consistent with the policies of the VMC Secondary Plan.

#### ***The Owner has submitted a Draft Plan of Subdivision Application to permit the proposed development***

The proposed Draft Plan of Subdivision, as shown on Attachment #6, facilitates the creation of three mixed-use blocks (Blocks 1, 2, and 3), the stratified public streets (Streets A, B, and the pedestrian public mews), and the stratified public square, as follows:

Table 2: Draft Plan of Subdivision

Land Use	Block(s)	Area (ha)
Mixed-Use	1, 2, and 3	1.2072
Stratified Public Square	4	0.2199
Road Widening	5	0.0233
Fire Route (woonerf/flex street)	6	0.0581
0.3 m Reserves	7, 8, 11, 12, 13, and 16	0.0053
Stratified Streets A and B	17 and 18	0.4386
Mews (Pedestrian and Public)	19	0.0587
Strata	9, 10, 14, 15, and 20 to 26	<u>N/A</u>
Total		2.011

Blocks 1, 2, 4, 6, 17, 18, and 19, and Blocks 20 to 26 (strata) constitute Phase 1 of the proposed development and consists of three 35-storey residential apartment buildings, an eight-storey office building, a public square, a pedestrian public mews, and Streets A and B. Block 3 will be developed as Phase 2 and is planned for a future hotel.

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The Owner proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews (Block 19), in accordance with the VMC Secondary Plan. Block 4 is planned for a stratified public square and Blocks 17 and 18 are planned for the stratified local streets (Streets A and B), and will be subject to the Owner entering into a Stratified Title Arrangement Agreement (“STAA”) with the City, prior to the registration of the Plan of Subdivision. The agreement will delineate the boundaries of the stratified elements of the proposal and establish the maintenance, liability, and responsibilities of the Owner and future condominium corporation(s) and the City. The surface rights of the public square and streets will be owned and operated by the City and the entire below grade parking structure will be under the ownership of the office building owner. The agreement will be prepared in accordance with the guiding principles of the report entitled “Stratified Title Arrangements” approved by Council on June 4, 2013, to the satisfaction of the City.

The Development Planning Department is satisfied with the proposed Draft Plan of Subdivision shown on Attachment #6, subject to the comments contained in this report, and the Conditions of Draft Plan of Approval in Attachment #1.

#### ***The Final Road Alignment, Connections and Loading have been resolved***

The proposed road alignment and the supporting Transportation Impact Assessment Update, dated February 2017, have been approved by the Development Engineering Department. The Owner also proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews located on the subject lands that is planned to link to the Black Creek Greenway, in accordance with the VMC Secondary Plan. The planned pedestrian public mews will be completed upon the development of the land holdings to the south and west.

The Owner proposes to service the mixed-use development with a main loading area located on the ground floor of Tower A with access onto Maplecrete Road. An auxiliary loading bay is also located on the ground floor of Tower B for the convenience of the residents. Both loading areas are wholly enclosed within the building.

#### ***Strata Framework Agreement has been executed by the Owner and City***

Vaughan Council on June 4, 2013, approved a report titled “Stratified Title Arrangements”, which identifies guiding principles for stratified title arrangements. The Owner proposes a major office use in Phase 1, which is the basis of one of the principles identified for considering stratified title arrangements and a City objective for the VMC. Furthermore, the proposed stratified local public streets (Streets A and B) would implement the public road network and streetscape for the southeast quadrant of

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the VMC Secondary Plan.

In October 2017, the Owner and the City entered into a Strata Framework Agreement, which outlines the access, ownership, operation, maintenance, liability, and financial responsibilities (among others) of the parties and forms the basis for the preparation of the final STAA, to be executed prior to final approval of the Plan of Subdivision.

The proposed development includes two roads and a public space that would be subject to the stratified title arrangements as follows:

a) Roads - Streets A and B

OPA #500, as amended, and the VMC Secondary Plan identify two internal local public roads that traverse the subject lands in an east-west and north-south direction, which are included in the proposed development. The Owner proposes that these roads be under public ownership, with stratified title arrangements for the proposed underground parking located under Streets A and B, which will service the mixed-use residential, office and commercial uses in the proposed development.

b) Public Square

The proposed development includes a 0.22 ha stratified public square that is flanked by two local roads, being Streets A and B. Street A will provide vehicular access from Regional Road 7 to the subject lands. Street B will provide a connection to the pedestrian public mews that is planned to link to the Black Creek Greenway, which is envisioned to be a series of public open spaces and parks.

The Parks Development Department has reviewed the development proposal and provided the following comments. The proposed public square is part of the VMC's open space and parks network. The configuration and scale of the public square will increase the diversity of open spaces envisioned for this VMC neighbourhood. The public square vision is aligned with the following VMC Secondary Plan Objectives and Parks and Open Space policies:

- i) parks and parkland that are adequate for a range of recreational activities and passive enjoyment within a walking distance for VMC residents and workers;
- ii) the VMC develops with a variety of public open spaces, including neighbourhood parks and urban squares, courtyards, gardens and naturalized spaces;

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- iii) parks and parkland that provide critical connections within the larger pedestrian and bicycle network that are designed with movement desire lines in mind and generally should accommodate pedestrian through-traffic, and where appropriate, cycling; and
- iv) Underground parking (proposed within designated parks) will generally be appropriate under parks and public squares designed predominantly for intense daily use and/or civic events and where mature trees and significant tree canopy are not envisioned.

The proposed development, if approved, will be one of the first to be built in the southeast quadrant of the VMC where other planned parks may not occur in the short term. Accordingly, the Parks Development Department is currently working with the Owner on the public square design to facilitate its timely implementation.

The planning, design and construction of the public square will be completed by the Owner in accordance with the Stratified Title Arrangement Council approved report, and the strata framework and subsequent agreements. Matters to be addressed include, but are not limited to:

- i) adequate structural design for the proposed strata condition;
- ii) services such as water, sanitary, stormwater and electrical infrastructure to be fully integrated to the parking structure;
- iii) improved facilities to a higher level of service at the Owner's cost; and
- iv) consideration for liability and insurance requirements to cover any potential issues with the underground parking operation and maintenance.

Prior to final approval of the Plan of Subdivision, the final STAA must be executed that addresses all stratified title arrangements respecting, but not limited to, access, maintenance, liability, cross section details, and monetary contributions to the satisfaction of the City. A condition to this effect is included in the recommendation and Attachment #1a of this report.

***A Site Development Application is required to permit Phase 1, which includes three 35-storey residential apartment buildings and an eight-storey office building***

The proposed site plan for Phase 1, as shown on Attachment #7, permits the first phase of the mixed-use development.

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##### a) Site Design and Access

The development of the subject lands will occur in two phases. Phase 1, subject to Site Development File DA.13.021, consists of the entire underground parking structure for the development, three 35-storey apartment buildings, a two-storey retail podium, an eight-storey office building, and the public square. Towers A and B are separated by 20 m instead of 25 m as identified in the VMC Secondary Policy. However, the Towers are offset and oriented such that the 20 m separation is limited only to the corners of Towers A and B. The above grade area for Phase 1 is limited to the area identified in Attachment #3.

The Owner has submitted a wind study and is required to submit a final wind tunnel model and sun/shadow analysis to the satisfaction of the City to confirm that the recommended mitigation measures are successfully integrated into the design and ensure favourable micro-climate conditions are met within the public realm. A condition to this effect is included in the recommendation of this report.

Phase 1 includes 1,316 parking spaces distributed over three levels of underground parking and accessed by a ramp from Street B. Access to the subject lands is from Streets A and B, which are proposed to be stratified, where the top 0.95 m of depth will be owned, operated and maintained by the City. The P1 parking level will be owned by the future office building owner (one owner) and the remaining P2 and P3 parking levels will be owned by the future Condominium Corporation(s).

##### b) Landscape Plan

The proposed landscape plan, which is comprised predominately of hard landscape, shown on Attachment #7 illustrates an enhanced urban landscape treatment for the proposed development. Hardscape treatment along Regional Road 7 will be coordinated with the installed VivaNext Bus Rapid Transit design. A proposed public square is planned at the centre of the subject lands and flanked on the south and west sides by the planned stratified local streets. The proposed woonerf (flex street) along the north and east side of the public square is planned as a pedestrian-first environment with opportunities for pick-up and drop-off. This area must be designed seamlessly from the curb to the building face to create a safe zone for users.

One exit stair from the underground parking garage is proposed within the public square, with additional exit stairs incorporated into the building design. The design and construction of the public square will be developed with the Owner

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through the Draft Plan of Subdivision File 19T-13V006, to the satisfaction of the Parks Development, Development Engineering and Development Planning Departments.

#### c) Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments #8 to #17, consists of curved and vertical glazed elements. The balconies are glazed with curved corner conditions to articulate the building elevations.

The Development Planning Department has reviewed the proposed building elevations. Staff will continue to work with the Owner to finalize the pedestrian level building elevations, particularly the west elevation of Tower A, which must be improved to incorporate the appropriate architectural and design treatments to minimize the extent of the blank wall and articulate the built form in a manner that will activate the public realm and the interface with the public square. Public art will be considered as an enhancement to the west elevation of Tower A, in accordance with the City's Public Art Program, which is a condition identified in the recommendation of this report.

#### d) Underground Parking Structure

The Owner is proposing to build the entirety of the underground parking structure for Phases 1 and 2 as part of Phase 1. The approach taken by the Owner must consider the potential built form for Phase 2. In particular, stairwell location(s) and mechanical equipment including vent shafts shall not impede the ability to achieve active uses at grade.

The Development Planning Department is satisfied with the proposed development, as shown on Attachments #6 to #17, subject to the conditions included in the recommendation of this report and identified in Attachment #1.

***The Owner will be required to provide, with the Phase 2 Site Development Application, community benefits in the form of facilities or services, pursuant to Section 37 of the Planning Act, the policies of VOP 2010, and the City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act***

Zoning By-law 1-88, as amended by site-specific Exception 9(1402), permits on the Phase 2 lands (municipally known as 180 Maplecrete Road) an increase in building height from 25 m to 82 m, subject to the Owner's contribution to community benefits to be used for the provision of services, facilities or other matters to assist in achieving municipal objectives, subject to an Agreement(s) with the City pursuant to Section 37 of

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the *Planning Act*. The identified community benefits must be reflected in the implementing Zoning By-law Amendment for the Phase 2 lands, to the satisfaction of Vaughan Council, and subject to a separate Section 37 Agreement that will be registered on title, should the future Phase 2 site development be approved.

#### ***The Owner has addressed the Vaughan Design Review Panel's comments, for Phase 1 of the development***

On September 24, 2015, and November 24, 2016, the Design Review Panel (DRP) considered the proposed development and advised that a strong and highly visible pedestrian connection to the pedestrian public mews and the Black Creek corridor, through the site to Regional Road 7, should be an integral design element. The DRP also identified that the built form should be refined to contribute to the public realm and the pedestrian experience, and that the building elevations and uses facing the public square are important to animate the square and create active edges. The DRP also provided several comments based on the following themes, including:

#### a) Site Design

- i) The design of retail frontages along Regional Road 7 should consider the pedestrian movement and transit stops;
- ii) The connection from Regional Road 7 to the public square through the built form (Block 1) should be treated as a prominent feature. A strong edge with active uses should face the public square;
- iii) To ensure pedestrian connectivity to the Black Creek and to take advantage of the City's investment in the Black Creek, coordination with adjacent land owners is essential; and
- iv) Further activation of the ground floor conditions, particularly Street A would increase pedestrian movement.

#### b) Landscape Architecture

- i) The public square layout should consider public programming needs, durability, and be open to the public realm edges.

#### c) Architecture Expression

- i) The expression of the architecture, including variation in the facades, requires improvements;
- ii) The design of the podium should engage the public realm;
- iii) The materiality of Towers C and D requires greater differentiation; and
- iv) The spatial quality of the mid-block breezeway must ensure light penetration and creation of a pedestrian friendly environment.

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Staff are satisfied that the Owner has addressed the comments by the DRP through the current proposed development, subject to the recommendations of this report.

***The Owner is required to provide a Letter of Credit to guarantee the completion of the final 3D Digital Model***

The Owner is required to submit a 3D digital model of the development including accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Development Planning Department. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the recommendation of this report.

***The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the proposed development***

Should Council approve the subject applications, the proposed condominium tenure for the development will be created through a future Draft Plan of Condominium application(s), which is subject to approval by Council. The future condominium corporation(s) will be responsible for all common elements in the development, including but not limited underground parking, landscape, and the obligations of the STAA.

***The Parks Development Department supports the proposed development subject to the finalization of the details of the public square planning, design and implementation.***

The Parks Development Department supports the proposed development, including the proposed open space configuration, as it will allow residents and office/retail workers to have access to the first public square in the VMC, which will be implemented at an enhanced level of service, at no cost to the City. The proposed public square includes a combination of raised planters and hardscape, benches, a shade structure, pedestrian lighting, bike racks and other amenities that will be available to the residents and visitors.

The Parks Development Department and the Owner have finalized the principles of the public square design, which is discussed in the Stratified Title Arrangement section of this report, and includes the design, construction, maintenance, and cost-sharing requirements that will be detailed through the Subdivision Agreement process, to the



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satisfaction of the Parks Development Department. A condition to this effect is included in Attachment #1a.

#### ***The Development Engineering Department supports the proposed development subject to the conditions in this report***

The Development Engineering Department has provided the following comments regarding the proposed development:

##### a) Road Network

The subject lands are bounded by Regional Road 7 and Maplecrete Road. The VMC Secondary Plan requires a new north/south road (Street A) and an east/west road (Street B) crossing the lands between the buildings. In accordance with the VMC Secondary Plan, Street A needs to be extended southerly to intersect with Doughton Road and Street B needs to be extended westerly to intersect with Jane Street. The proposed right-of-way widths and cross-section details are being established to the satisfaction of the City and in accordance with the VMC Secondary Plan, as follows and as shown on Attachment #6:

- i) The north/south public road (Street A) shall be designed to its ultimate configuration with a 22 m right-of-way and protected for the future extension to Doughton Road. The Street A and Regional Road 7 intersection is subject to York Region's comments and approval;
- ii) The east/west public road (Street B) shall be designed to its ultimate configuration to Street "A" with a 20 m right-of-way;
- iii) The planned pedestrian public mews shall be designed to its ultimate configuration on the Owner's portion with a 17 m right-of-way. The balance of the southerly portion of the pedestrian public mews will occur when the lands to the south redevelops. The pedestrian public mews will extend west to the urban promenade along the Black Creek channel, when development to the west proceeds; and
- iv) A widening is required on Maplecrete Road to accommodate a minimum 26 m right-of way that will flare out at the intersection of Regional Road 7 in order to satisfy turning lanes, which will support future growth in this quadrant of the VMC. To service the development, the Owner is required to design and reconstruct the west boulevard and interim turn lane at the

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new intersection. The required widening has been incorporated into the site plan and reflected in the building placement.

#### b) Noise Attenuation

The Owner submitted a preliminary noise report for Phase 1 of the development to verify the surrounding noise sources and identified the noise control measures for the subject lands. The noise analysis considered the road traffic on Regional Road 7 and Jane Street, the existing Bus Rapid Transit route, and the operations associated with the CN MacMillan yard and the Ready-Mix concrete plant. Due to the significant setback of the subject lands from the CN MacMillan yard and that the Ready-Mix concrete plant is primarily an indoor operation, including the truck loading, the noise impact assessment concluded that these noise sources are expected to be minimal, but may be audible at times.

The road traffic noise is a concern that can be mitigated by the appropriate construction of exterior walls, windows and doors in accordance with the Ministry of Environment and Climate Change (MOECC) guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as outdoor living area pursuant to the MOECC guidelines. Dwelling units that face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses must be placed in the purchase and sale agreements, and condominium agreements and declarations to make future occupants aware of the potential noise situation.

Prior to final approval of the Draft Plan of Subdivision, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval of the City, and the Owner shall agree in the Subdivision Agreement and/or Site Plan Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect is included in Attachment #1 of this report.

#### c) Municipal Servicing

The subject lands are located in the north-west quadrant of the VMC. The anticipated growth within the VMC will result in higher population densities, which will lead to an increased demand for water, wastewater production, and surface water run-off. To address this situation, the City recently completed a Municipal Servicing Master Plan that identified the preferred strategy for water, wastewater and stormwater servicing for the VMC Secondary Plan area.

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The Owner submitted a Functional Servicing and Stormwater Management Report (FSR), prepared by Valdor Engineering, dated September 2017, which confirms that the existing municipal services can be used to service the proposed development. The Development Engineering Department has reviewed the report and provided comments. The Owner is required to submit a revised FSR, to the satisfaction of the City, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report. The foregoing provides an overview of the servicing strategy for the proposed development.

i) Water Supply

The subject lands are located within Pressure District 6 (PD6) of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy for proposed development includes installation of a new water main along Maplecrete Road between Regional Road 7 and Doughton Road.

ii) Sanitary Servicing

In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy and the submitted functional servicing report recommends the installation of a new 375 mm-diameter sanitary sewer along Maplecrete Road between Regional Road 7 and Doughton Road to service the proposed development.

The proposed development is a tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). At this time, the existing sanitary infrastructure between the Maplecrete Road and Jane Street trunk sewer will be at capacity upon build-out of this proposed development. However, the available capacity of this infrastructure will require a re-evaluation when the Owner submits the future Site Development application for the Phase 2 lands.

iii) Storm Drainage

The VMC is located within the Humber River Watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy (VMCMSS) have identified the need to carry out

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improvements to the existing Black Creek channel east of Jane Street and the existing Jane Street/Regional Road 7 Storm Water Management Pond (quality, quantity and erosion protection).

The Owner is required to replace the existing storm sewer with a new connection to the proposed storm sewer on Maplecrete Road, which will lower the storm capacity and enable sewer discharge utilizing a gravity fed system. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority's (TRCA) Humber River Unit Flow Rates.

d) Area Specific Development Charge (ASDC)

The City is currently undertaking a Development Charges Update Study. The necessary infrastructure improvement works for this development are included in the Development Charge Update Study as an Area Specific Development Charge (ASDC) By-Law or within the City-wide Development Charge By-law. Accordingly, the financial requirements for construction of the infrastructure works associated with the proposed development shall be calculated as part of the DC Update. In advance of completing the DC Update Study, financial commitments for the proposed development will be secured by a Subdivision Agreement and will be based on the City's latest available cost estimate for the required infrastructure improvements.

e) Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Investigation Report for the proposed development. The Report shall recommend the ground water control measures that need to be implemented during the detailed design stage, and provide an assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development in the VMC. A condition to this effect is included in the recommendation of this report.

f) Sewer and Water Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Council, which included reservation for 800 residential apartment units for Phase 1 of the proposed development. The proposed development (Site Development File DA.13.021) seeks approval for 1,162 apartment units (2,568 persons equivalent). Therefore, a resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply

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System to the proposed development is recommended for Council approval, and is included in the recommendation of this report.

g) Development Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, for the widening and construction of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department. A condition to this effect is included in the recommendation of this report.

h) Environmental Site Assessment

Phase One and Phase Two Environmental Site Assessment (ESA) reports were submitted to the City by the Owner and identified soil impacts generally within the central portion of the site and approximately 1 to 3 m deep. The Owner developed and submitted a Remedial Action Plan (RAP) which involved the excavation and off-site disposal of approximate 5,000 m<sup>3</sup> of impacted soil. There were no groundwater impacts identified in the ESA reports.

Following the implementation of the RAP, the Owner successfully filed to the Ministry of the Environment and Climate Change (MOECC) Records of Site Condition (RSCs) (RSC# 223539 for 180 Maplecrete Road and RSC# 223724 for 2951 Regional Road 7 and 190 Maplecrete Road) which were acknowledged by the MOECC on August 2, 2017 and October 2, 2017, respectively. The RSCs confirm the subject lands meet the applicable MOECC standards for the proposed development.

***The Urban Design and Cultural Heritage Division of the Development Planning Department support the approval of the proposed development, subject to conditions***

In areas that have been cleared of concern for archaeological resources, the Owner is advised that:

- a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately; and
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York

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Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

A condition to include the above clauses in the Site Plan Agreement is included in the recommendation of this report.

#### ***Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Agreement***

The Real Estate Department has reviewed the applications and has provided the following condition for approval:

“The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City’s Cash-in-Lieu of Parkland Policy.

For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.

For high-density residential development, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City’s Cash-in-Lieu Policy.

The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

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***The Environmental Services Department, Solid Waste Management Division, has no objection to the proposed development***

The Environmental Services Department, Solid Waste Management Division has reviewed the Site Development Application, which includes a tri-sorted waste management system. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

***The Toronto and Region Conservation Authority has no objection to the proposed development, subject to the conditions identified in this report***

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and has identified that the western portion of the subject lands are part of the Humber River Watershed (Blocks 2 and 19, as shown on Attachment #6) and subject to Ontario Regulation 166/06. The property includes a portion of the Black Creek flood plain and buffer area, which has been altered through urbanization. The area of influence based on the proposed development is negligible and the TRCA has no objection to the proposed development, subject to the Conditions of Draft Approval set out in Attachment #1.

***The Canadian National Railway has no objection the proposed development subject to the conditions identified in this report.***

The subject lands are within the review area of the Canadian National (CN) Railway. The Owner has provided an Environmental Noise Feasibility Assessment, dated March 6, 2013, and any updates to the report must be reviewed to the satisfaction by CN.

CN has requested that an agreement under the *Industrial and Mining Lands Act* be entered into between the Owner of the whole of the Subject Lands and CN releasing any right now or in the future to sue CN, its customers, invitees, lessees and/or licensees for nuisance arising out of the operation of an activity at the CN Lands including any noise, vibration, light, dust, odour, particulate matter emanating there from.

In principle, CN has no objections to the Site Development application, subject to the inclusion of their warning clauses in the Site Plan Agreement and the future condominium agreement, the articles of incorporation and condominium declaration for the warning clauses identified in the recommendation of this report and in Attachment #1.

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**NavCanada and Bombardier Aerospace have no objection to the proposed development.**

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS) and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the proposed development.

***Canada Post has no objection to the development proposal***

Canada Post has reviewed the proposed development and indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility.

***The York Region District School Board has no objection to the development proposal.***

The York Region District School Board has reviewed the proposed development and has advised that they will not require a public elementary school site within the proposed development. The York Region Catholic and the French School Boards have no comments or objections to the proposed development.

***The various utilities have no objection to the proposed development***

Alectra Utilities Corporation has indicated it has no objection to the approval of the proposed development. Alectra advises that the proposed development must meet the minimum clearances from their power lines (overhead and underground electrical distribution systems). It is the Owner's responsibility to contact Alectra and discuss all aspects of the proposed development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the proposed development and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities.

Bell Canada has advised that one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line. A condition to this effect is included in the recommendation of this report.



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Rogers Communication Inc. has no objection to the proposed development.

#### **Financial Impact**

The Owner has submitted a CIP application (File CIP.16.004) to the City for evaluation in accordance with the criteria set in the City's CIP By-law and CIP Program Guide for the office component (Tower C) of the proposed development, which will provide a positive economic impact.

#### **Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has advised they have no objection to the proposed development subject to the following comments and the pre-conditions and conditions included in Attachment #1b.

- a) The Owner will be required to enter into a Site Plan Agreement with York Region, prior to an above-grade Building Permit being issued by the City of Vaughan; and
- b) The Owner has been advised not to undertake any works within the Regional Road 7 right-of-way without York Region engineering approval and the issuance of a Road Occupancy Permit from York Region.

The Owner is required to address all York Region requirements prior to the execution of the Regional Site Plan Agreement, in accordance with the recommendations of this report.

#### **Conclusion**

Zoning By-law Amendment File Z.15.021, Draft Plan of Subdivision File 19T-13V006, and Site Development File DA.13.021 have been reviewed in consideration of the policies of the Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context.

The Development Planning Department is satisfied that Phase 1 of the mixed-use proposed development consisting of three 35-storey (1,162 units) residential (future condominium) buildings, commercial uses in the 2-storey podium, an eight-storey office building, and the stratified streets and public square, is appropriate and compatible with the planned uses in the surrounding area and conforms to the Official Plan. Accordingly, the Development Planning Department supports the approval of the proposed development, subject to the conditions included in the recommendation of this report.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Stephen Lue, Senior Planner, at Extension 8210.

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#### **Attachments**

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Original Schedule to By-law 095-2014
5. Original Conceptual Site Plan
6. Proposed Draft Plan of Subdivision File 19T-13V006 and Proposed Zoning
7. Proposed Site Plan and Landscape Plan
8. Towers A & B - Proposed North Building Elevations (Along Regional Road 7)
9. Towers A & B - Proposed South Building Elevations (Along Street B)
10. Towers A & B - Proposed West Building Elevations (Along Maplecrete Road)
11. Towers A & B - Proposed East Building Elevations (Along Street A)
12. Towers C & D - Proposed East Building Elevations (Along Street A)
13. Towers C & D - Proposed North Building Elevations (Along Regional Road 7)
14. Towers C & D - Proposed South Building Elevations (Along Pedestrian Public Mews)
15. Towers C & D - Proposed West Building Elevations
16. Proposed Perspective (South View)
17. Proposed Perspective (Along Regional Road 7)

#### **Prepared by**

Stephen Lue, Senior Planner, extension 8210

(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.)