

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

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The Committee of the Whole recommends:

- ## Recommendation

1. THAT Zoning By-law Amendment File Z.15.011 (Vaughan Crossings Inc.) BE APPROVED, to remove the Holding Symbol “(H)” on a portion of the subject lands zoned C7(H) as shown on Attachment #2, thereby effectively zoning the entirety of the property C7 Service Commercial Zone.

2. THAT Site Development File DA.14.023 (Vaughan Crossings Inc.) BE APPROVED, to permit the development, of a 4-storey office building (Building "A") and 5 single-storey service commercial buildings (Buildings "B", "C", "D", "E" and "F") as shown on Attachments #3 to #8, subject to the following conditions:

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- b) the Site Plan Letter of Undertaking shall include the following provision:
- i) the Owner shall pay to the City of Vaughan, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, for the office/service commercial development, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) the requirement for a payment to the City of Vaughan for the enhanced streetscape works associated with the construction of the bus rapidway on Centre Street.

Contribution to Sustainability

The application implements the following Goals and Objectives of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031

Goal 4: To create a vibrant community where citizens, businesses and visitors thrive

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

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:

- short and long term bicycle parking
- drought-tolerant plantings and permeable hard landscaping materials
- pre-loaded Presto transit passes provided to employees
- insulated windows (low-e, double glazed) and low-flow fixtures
- white roof technology to address the "heat island" effect
- carpool parking spaces located adjacent to the main entrance

Economic Impact

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

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.14.023 to permit the development of the subject lands with a 4-storey (7,779 m²) office building (Building "A") and 5 service commercial buildings (Buildings "B", "C", "D", "E" and "F") with a combined gross floor area (GFA) of 4,381 m², as shown on Attachments #3 to #8. The total GFA proposed on the property is 12,160 m² and is supported by 426 parking spaces.

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The report also seeks approval of Zoning By-law Amendment File Z.15.011 to permit the Holding Symbol “(H)” provision to be removed from a portion of the property to effectively zone the entire site C7 Service Commercial Zone.

Background - Analysis and Options

Executive Summary

The Owner is proposing to develop the subject lands with a 4-storey office building and 5 single-storey service commercial multi-unit buildings as shown on Attachments #3 to #8. The Vaughan Planning Department supports the proposed site development application since it implements Vaughan Official Plan 2010 (VOP 2010) and is compatible with the surrounding existing and planned land uses. Accordingly, the Holding Symbol “(H)” provision can also be removed from the portion of the property zoned C7(H) as shown on Attachment #2, to rezone the entire property C7 Service Commercial Zone

Location

The vacant 3.44 ha subject lands shown on Attachments #1 and #2, are located at the northwest corner of Centre Street and Dufferin Street (7818 Dufferin Street), City of Vaughan. The surrounding land uses are shown on Attachment #2.

Application History

VOP 2010 establishes criteria for processing development applications in Required Secondary Plan Areas, which allows Vaughan Council to permit the continuance of the processing of an existing development application submitted prior to May 17, 2010, when it is demonstrated to Vaughan Council's satisfaction that the proposed development is generally compatible with the vision contemplated in the Official Plan; is significant in terms of its contribution to city-building; and that the proposal could be adversely affected because of any delay caused by having to adhere to the timing of a secondary plan process (VOP 2010, Section 10.1.1.12).

On April 5, 2011, Vaughan Council approved a recommendation from the Commissioner of Planning to allow the continued processing of Zoning By-law Amendment File Z.08.028 and Site Development File DA.11.004 for the subject lands in advance of the required Secondary Plan for Dufferin Street and Centre Street pursuant to Section 10.1.1.12 of the City of Vaughan Official Plan 2010. Zoning By-law Amendment File Z.08.028 was approved by Vaughan Council to rezone the subject lands and By-law 134-2014 was enacted on September 9, 2014 to implement the rezoning.

Site Development File DA.11.004 was approved by Vaughan Council on January 29, 2013, to permit the development of a 4-storey building and 3 service commercial buildings on the southerly portion of the subject lands as Phase 1 of the development of the property. The subject Site Development File DA.14.023 proposes a comprehensive development for the entire subject lands as shown on Attachments #3 to #8.

The subject Site Development File DA.14.023 is related to Files Z.08.028 and DA.11.004, which were in process prior to May 17, 2010 and represents a continuance of the implementation of the Zoning By-law Amendment approval.

On September 27, 2011, the subject lands were removed from the Required Secondary Plan Area for Dufferin Street and Centre Street and incorporated into VOP 2010 as an Area Specific Amendment (Volume 2 - Section 12.9).

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City of Vaughan Official Plan 2010

VOP 2010 designates the subject lands “Community Commercial Mixed-Use” with a maximum building height of 4-storeys and a maximum density of 1.0 FSI (Floor Space Index). The “Commercial Mixed-Use” designation permits office uses, hotels, retail uses and prohibits gas stations. The subject lands abut Centre Street, a Regional Intensification Corridor, thereby a minimum of 30% of the total gross floor area of all uses on the site shall consist of uses other than retail uses (VOP 2010, Section 9.2.2.8). The proposed 4-storey office building will provide 5,358 m² (44.06%) of gross floor area devoted to office uses. The 3.21 ha site is located at the intersection of two arterial roads; will be developed with permitted service commercial uses and a prominent use (4-storey office building); will not include a gas bar; and will achieve an approximate FSI of 0.35. The proposed development conforms to VOP 2010.

The property is also subject to Section 12.9, Centre Street Corridor Policies, of VOP 2010, Volume 2, which was adopted by Vaughan Council, as modified on April 23, 2013, and pending approval from the Ontario Municipal Board (OMB). The proposal is also consistent with the use, density and design policies of Section 12.9.

Zoning

The subject lands are zoned C7 Service Commercial Zone and C7(H) Service Commercial Zone with the Holding Symbol “(H)” by Zoning By-law 1-88 as shown on Attachment #2, and subject to Exception 9(1411), which permits service commercial uses including the following additional uses: office building; a medical clinic; and, a place of amusement. The proposed development complies with Zoning By-law 1-88, subject to Exception 9(1411).

Exception 9(1411) requires that prior to the removal of the Holding Symbol “(H)” from the subject lands, a Site Development Application must be approved by Vaughan Council. Through this report, Planning Staff is recommending approval of the site plan application. Should Vaughan Council concur, the Owner has submitted a Zoning By-law Amendment Application to remove the Holding Symbol “(H)” from a portion of the subject lands zoned C7(H), which Vaughan Council can also approve thereby effectively zoning the entire property C7 Service Commercial Zone.

Site Plan Review

The subject lands are currently vacant. The Owner is proposing to develop the lands with a 4-storey (7,779 m²) office building and 5 service commercial buildings with a combined GFA of 4,381 m², as shown on Attachment #3. Two access driveways as shown on Attachment #3 are proposed onto Dufferin Street to serve the development including a right-in-right-out driveway, and one full movement driveway to align with the existing signalized intersection at Dufferin Street and Beverley Glen Boulevard. The proposed building elevations are shown on Attachments #6 to #8. The Vaughan Planning Department is satisfied with the proposed site plan and building elevations.

City of Vaughan License Agreement

To facilitate access to the subject lands, a private driveway is proposed extending from the subject lands over the Infrastructure Ontario (IO) lands and City of Vaughan lands to a signalized intersection at Dufferin Street and Beverley Glenn Boulevard as shown on Attachment #4. The private driveway will result in the removal of existing parking spaces located on IO lands that are subject to a lease agreement with the City of Vaughan and serve the Patricia Kemp Community Centre and Concord Park. In order to provide additional parking, the Owner will construct at their expense a new parking area (50 spaces) located west of the Community Centre as shown on Attachment #4. The following is required in order to facilitate the necessary arrangements to provide for the proposed private driveway access and new parking area:

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- i) the Owner shall enter into a license agreement with the City of Vaughan for access over the Infrastructure Ontario lands and City of Vaughan lands located north of the subject lands to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division;
- ii) Infrastructure Ontario shall grant an easement to the City of Vaughan for vehicular and pedestrian access over the Infrastructure Ontario lands north of the subject lands.

These arrangements will be implemented through a license agreement between the City and Owner. The Legal Services Department has brought a separate report for Vaughan Council's consideration regarding these matters. A condition of approval is included requiring that prior to the execution of the Letter of Undertaking that Vaughan Council shall approve the license agreement and an easement for access over the Infrastructure Ontario and City of Vaughan lands to the satisfaction of the Legal Services Department, Real Estate Division.

Centre Street Urban Design Guidelines

The proposal has been reviewed in consideration of the City of Vaughan Centre Street Urban Design Guidelines. Enhanced streetscape improvements are proposed on the landscape plan shown on Attachment #4, in accordance with the Centre Street Urban Design Guidelines. The subject lands are located on a future bus rapidway on Centre Street. The enhanced streetscape improvements will be constructed concurrently with the rapidway facilities. Accordingly, the Owner will be required to provide payment to the satisfaction of the City of Vaughan for the costs associated with the enhanced street work. A clause to this effect will be included in the site plan Letter of Undertaking, and is identified in the recommendation of this report.

Public Agencies and City Departments

a) Ministry of Transportation (MTO)

The subject lands are located within the Ministry of Transportation (MTO) Permit Control Area. The Owner is required to obtain a Land Use Permit(s) from the MTO, prior to construction.

The MTO is protecting lands in the immediate area of the site for a future interchange at Centre Street and Highway 407ETR. The entire Centre Street frontage of the site between Dufferin Street and 407ETR is designated as a controlled-access-highway. The MTO requires a minimum 14m setback from the MTO property line, for all structures both above and below grade. The proposed site plan has been designed to respect the 14m MTO setback and to address MTO's requirement that access driveways to the site not cross the MTO owned lands along Dufferin Street and Centre Street. The MTO also requires approval of a Sign Permit for any signage visible from the 407ETR and prior to the start of construction on the site. Prior to the execution of the Site Plan Letter of Undertaking, the Owner shall address all requirements of the MTO. A condition to this effect is included in the recommendation of this report.

b) Hydro One

A Hydro One corridor is located along the west property line of the subject lands as shown on Attachment #3. Hydro One has no objection to the proposal subject to conditions respecting maintaining access and easement rights to Hydro One facilities, approval of a lot grading and drainage plan, and the cost of any noise attenuation features or relocation or revision to Hydro One facilities will be borne by the Owner. These conditions will be included in the Site Plan Letter of Undertaking. Additionally, Hydro One indicated that based on Section 188 – Proximity of the Regulations for Construction Projects in the Occupational Health and Safety Act, that during

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construction or at any other time that no object shall be brought closer than 6 m to a 500 kV conductor, 4.5 m to a 230 kV, and 3 m to a 115 kV conductor. It is the Owners responsibility to ensure that all equipment and personnel do not come closer than the distance specified in the Act.

c) Enbridge

Enbridge has no objection to the application subject to their standard conditions for service and gas meter installation.

d) Vaughan Development Engineering and Infrastructure Planning Services Department

The Functional Servicing & Stormwater Management Report (Revision 5) dated July 31, 2014, prepared by Fabian Papa & Partners, and the Traffic Impact Study (TIS) as revised, dated March 2015, prepared by LEA Consulting Engineering was reviewed by the Vaughan Development Engineering and Infrastructure Planning Services Department.

The Engineering and Infrastructure Planning Services Department concurs with the TIS report conclusions respecting the proposed parking supply of 426 spaces. The TIS concluded that the addition of the site traffic to background volumes does not significantly alter the performance of the surrounding intersections. The Engineering and Infrastructure Planning Services Department concurs with the overall study and methodology and accepts the conclusions and recommendations. The TIS is subject to review and approval from York Region as the development affects Regional roads and a Regional intersection. The Owner shall address the comments from the Department dated April 17, 2015, and May 1, 2015, respecting the site plan and Transportation Demand Management (TDM) prior to final site plan approval and a condition requiring the implementation of TDM measures.

The final site grading, servicing, stormwater management, lighting, noise and traffic/transportation plans and reports submitted in support of the Site Development Application must be to the satisfaction of the Department. A condition is included in the recommendation of this report requiring the Owner to satisfy all requirements of the Vaughan Development Engineering and Infrastructure Planning Services Department.

e) Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has indicated that the Owner will be required to 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 the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

f) Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposed driveway and parking lot north of the subject lands and requires minor changes to the access gate and access gate driveway. The Owner must provide additional grading information for the existing Patricia Kemp Concord Community Centre and Park. The Vaughan Parks Development Department comments must be addressed prior to the final approval of the site plan. A condition to this effect is provided in the recommendation of this report.

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Regional Implications

The subject lands are designated “Urban Area” in the York Region Official Plan. The Regional Roads and Transit and Infrastructure Planning – Transportation Services Department require that all road improvements related to the subject development as recommended in the Traffic Impact Study be implemented through the site plan approval process; that the Owner agree to implement a comprehensive Transportation Demand Management Program to the satisfaction of the Region of York; that the Owner agree to meet the Region’s Transit-Oriented Design Guidelines in the design of the proposed development; and, the Owner address all of the Traffic Study comments to the satisfaction of the Region of York.

York Region has advised that they will be expropriating the lands required for road widenings on Dufferin Street and Centre Street. The Owner will be required to enter into a Site Plan Agreement with York Region. Prior to execution of the Vaughan Site Plan Letter of Undertaking, the Owner shall address all comments and conditions to the satisfaction of the Region of York. A condition to this effect is included in recommendation of this report.

Relationship to Vaughan Vision 2020/Strategic Plan

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

- i) Lead and Promote Environmental Sustainability
The Owner will be incorporating the sustainable site and building features identified in this report.
- ii) Plan and Manage Growth & Economic Well Being
The proposed development implements the City’s current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010. The development facilitates intensification located on a designated Regional Intensification Corridor.

Conclusion

Site Development File DA.14.023 has been reviewed in consideration of the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Vaughan Planning Department supports the proposal for a pedestrian-friendly and transit-oriented office and service commercial development that implements both City and Region of York Official Plan policies and initiatives for the Dufferin Street and Centre Street area.

The Vaughan Planning Department is satisfied that the proposed development is appropriate and compatible with the existing and permitted uses in the surrounding area, and conforms to the Official Plan and is permitted by Zoning By-law 1-88. The Planning Department can support the approval of Site Development File DA.14.023 and Zoning By-law Amendment File Z.15.011 to remove the Holding Symbol “(H)” provision from a portion of the property to effectively zone the entire site C7 Service Commercial Zone, subject to the recommendations in this report.

Attachments

- 1. Context Location Map
- 2. Location Map
- 3. Site Plan
- 4. City of Vaughan and Infrastructure Ontario Lands
- 5. Landscape Plan
- 6. South and East Elevations - Buildings “A”, “B”, “C” and “D”
- 7. North and West Elevations - Buildings “A”, “B”, “C” and “D”
- 8. East and West Elevations - Buildings “E” and “F”

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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.)