

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

By approving the following in accordance with Communication C17, Deputy City Manager, Planning & Growth Management, dated June 23, 2017:

- 38 ZONING BY-LAW AMENDMENT FILE Z.17.005**
SITE DEVELOPMENT FILE DA.17.014
VMC RESIDENCES LIMITED PARTNERSHIP BY ITS GENERAL PARTNER: VMC
RESIDENCES GP INC.
ZONING BY-LAW AMENDMENT FILE Z.17.006
PENGUIN-CALLOWAY (VAUGHAN) INC.
WARD 4 - VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

- .../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 2

- a portion of the “Receiver Site” shown on Attachments #3 and #4, thereby zoning the entirety of the “Receiver Site” C10 Corporate District Zone, subject to Exception 9(1445);
 - iv) a total GFA of 94,006 m² (8.64 FSI) and a maximum building height of 55-storeys on the “Receiver Site” shown on Attachments #1 and #2 and as illustrated in Figure 1 of this report;
 - v) commercial paid public parking for the following uses:
 - residential visitor parking associated with the residential apartment buildings;
 - a restaurant, including an associated take-out;
 - off-site parking for “Donor Site 1”; and
 - vi) the site-specific development standards, as identified in Table 3 of this report.
- 2. THAT a separate agreement between the two Owners and the City of Vaughan shall be executed and registered on title prior to the enactment by Council of the implementing Zoning By-laws for Zoning By-law Amendment Files Z.17.005 (VMC Residences Limited Partnership by its General Partner: VMC Residences GP Inc.) for the “Receiver Site” and Z.17.006 (Penguin-Calloway (Vaughan) Inc.) for the “Donor Sites” to secure the transfer of unused density and building height.
- 3. 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 for Zoning By-law Amendment File Z.17.005 comes into effect, to permit minor adjustments to the implementing Zoning By-law, pursuant to Section 29(2) of the *Smart Growth for Our Communities Act* (Bill 73).
- 4. THAT Site Development File DA.17.014 (VMC Residences Limited Partnership by its General Partner: VMC Residences GP Inc.) BE APPROVED; to permit a development on the “Receiver Site” as shown on Attachments #1 and #2 consisting of two 55-storey residential apartment buildings, eleven grade-related townhouse dwelling units incorporated into the residential apartment building along the future Buttermill Avenue right-of-way, 7 levels of above-grade integrated parking, and a future restaurant including a take-out and an outdoor patio, as shown on Attachments #3 to #19, 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, including the grade-related townhouse building elevations, landscape cost estimate, landscape plans (including both the interim and ultimate streetscape plans), the roof-top amenity areas and green roof plan, wayfinding and signage design, and the final wind tunnel model analysis;
 - iii) the Development Engineering and Infrastructure Planning (DEIP) Department shall approve the final site servicing plan, site grading plan, erosion control plan, functional servicing and stormwater management

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 3

report and drawings, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, the utility coordination plan, environmental noise assessment, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;

- iii) the Owner shall provide the City with a demonstration plan that establishes the location of the driveway access to and from the adjacent lands to the east (YRRTC Bus Terminal lands), to the satisfaction of the City and YRRTC;
- iv) the Owner shall provide separate drawings, plan and profile, sewer and water design sheets, drainage area plan, and a draft reference plan for the ultimate road design of the future Buttermill Avenue, between Apple Mill Road and Portage Parkway, to demonstrate the road alignment, servicing and grading needs, to the satisfaction of the DEIP Department. The design shall conform to the approved VMC Servicing Strategy Master Plan Class Environmental Assessment Study and the City Design Criteria;
- v) The Owner shall provide a separate Letter of Credit to ensure the completion of the external streetscape works consisting of the enhanced streetscape treatments along the future Buttermill Avenue and Portage Parkway rights-of-way, to the satisfaction of the Development Planning Department;
- vi) the Owner shall submit to the City the final 3D digital model of the proposed development, 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 \$15,000.00 to guarantee the completion of the model;
- vii) the Owner shall agree to register a public easement or an appropriate alternative for access on the lands for the enhanced pedestrian connection ("connection"), as shown on Attachments #3 to #5, that will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title on the connection, at no cost or risk to the City, or another arrangement to ensure the connection is accessible, to the satisfaction of the Deputy City Managers of Legal and Human Resources and Planning and Growth Management. This public access requirement does not preclude the full or partial closure of the connection on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure. The Owner further agrees to provide sufficient notice to the City of any physical construction that might impact access within the connection. Clauses to this effect will be included in the Site Plan Agreement and any other legal mechanisms registerable on title;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 4

- viii) the Owner shall obtain approval of a Consent application(s) from the Committee of the Adjustment to facilitate a temporary access driveway easement on the lands to the west (Walmart lands) in favour of the subject lands. The Committee's decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee. Similarly, if required, the Owner must facilitate an access easement on the subject lands in favour of the lands to the east (YRRTC Bus Terminal lands) for a future driveway to permit bus access to Portage Parkway;
 - ix) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division;
 - x) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
 - xi) the Owner shall satisfy all requirements of York Region, as referenced in the May 26, 2017 letter, attached hereto as Attachment #20;
 - xii) the Owner shall satisfy all requirements of the Canadian National (CN) Railway; and
 - xiii) the Owner shall satisfy all requirements of Canada Post.
- b) the Site Plan Agreement shall include the following clauses:
- i) "For high-density residential development, the Owner shall convey land at the rate of 1 hectare per 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy."
 - ii) "The Owner shall pay to the City of 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) "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."
 - iv) "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 and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services."
 - v) "The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements."

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 5

- vi) “The subject lands are located adjacent to the YRRTC Bus Terminal, which operates 24 hours, 7 days a week, and 365 days of the year. The Owner shall include the appropriate warning clause(s) in all Agreements of Purchase and Sale, and the Condominium Agreement and Declaration to advise all purchasers, tenants, leasees, of the proximity to the YRRTC Bus Terminal and its associated operations and the potential for noise, dust, vibration, and emissions, to the satisfaction of the City of Vaughan.”
 - vii) “In recognition of the operating agreements with YMCA, YRRTC, and the City of Vaughan on the abutting lands to the south, the need for an enhanced pedestrian connection is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connection (“connection”), which will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the connection, at no cost or risk to the City, to the satisfaction of the Deputy City Managers of Legal and Human Resources and Planning and Growth Management. The intent of this public easement or an appropriate alternative is to provide and maintain public access, in perpetuity, over the connection. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure.”
 - viii) “The Owner agrees to provide sufficient notice to the City of any physical construction that might impact access within the connection, 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.17.014 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,121 residential units (2,487 persons equivalent).”

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 6

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

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

- a high density residential development located in close proximity to the Vaughan Metropolitan Centre (VMC) Mobility Hub, including the approved York Region Rapid Transit Corporation (YRRTC) Bus Terminal, the Toronto Transit Commission (TTC) VMC Subway Station, and the VivaNext Bus Rapid Transit (BRT) Median Station, that facilitates an urban framework where future residents will be encouraged to be less dependent on their vehicles and utilize convenient public transit options;
- pedestrian connections, transit information, including Transportation Demand Management (TDM) measures including bicycle parking;
- low flow fixtures, stormwater management and storm water re-use technology;
- the use of high efficiency mechanical equipment and systems to reduce energy consumption; including, high efficiency HVAC systems, energy efficient light fixtures and appliances, and water efficient and low maintenance planting;
- the use of light coloured paving materials, trees, native and drought tolerant vegetation, a significant green roof, and limited surface level asphalt will reduce the heat island effect for the subject lands;
- the location of the proposed development in close proximity to the YMCA community centre, public library, daycare facility, restaurants, office, retail, and transit infrastructure will contribute to the creation of a complete and diverse community; and
- use of recycled content wherever possible during construction including carpet, aluminum for curtain and window walls, and structural steel.

Economic Impact

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

Communications Plan

On April 7, 2017, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and through the following web content:

- a) City's On-line Calendar on April 6 and 20, 2017;
- b) On the City Page;
- c) The April 2017 e-news City Update, which was emailed to over 8,000 subscribers;
- d) The City's website at www.vaughan.ca; and
- e) The City's Facebook and Twitter sites leading to the December 3, 2013, Public Hearing meeting.

For the respective Zoning By-law Amendment applications (Files Z.17.005 and Z.17.006) two Notice Signs were installed on the subject lands; one on the "Receiver Site" (the lands of the proposed apartment residential development) and one on the "Donor Site 1" lands, in accordance

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 7

with the City's Notice Sign Procedures and Protocols. The "Donor Site 2" lands were included on the Notice Sign for "Donor Site 1" as "Donor Site 2" is located within the construction area of the YRRTC Bus Terminal which has no public access. To date, the Development Planning Department has not received any correspondence regarding the subject applications.

On June 13, 2017, a Notice of Intention to enact a By-law to remove the Holding Symbol "(H)" was mailed to the abutting landowners, which satisfies the requirement under Subsection 36(4) the *Planning Act*. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 2, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Council on May 16, 2017.

Purpose

The Owners are seeking approval from the Committee of the Whole for the following applications on the subject lands identified on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.17.005 (VMC Residences Limited Partnership by its General Partner: VMC Residences GP Inc.) and Zoning By-law Amendment File Z.17.006 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED; to amend Zoning By-law 1-88, on the subject lands (consisting of the "Receiver Site", "Donor Site 1" and "Donor Site 2") as shown on Attachments #1 and #2, to facilitate a development proposal consisting of two 55-storey residential apartment buildings with a Floor Space Index (FSI) of 8.64 on the "Receiver Site", as shown on Attachments #3 to #19. Specifically, the Owner proposes to amend Zoning By-law 1-88 as follows:
 - a) amend the C10 Corporate District Zone, subject to site-specific Exception 9(1445), ("Receiver Site" and "Donor Site 1") and "Donor Site 2" subject to site-specific Exception 9(959) to permit the following:
 - i) the transfer of unused density and building height representing 39,177m² of Gross Floor Area (GFA) and 26-storeys from "Donor Site 1", and 5,891 m² of GFA and 4-storeys of building height from "Donor Site 2" (both transfers are Subject to Zoning By-law Amendment File Z.17.006) to the 1.09 ha "Receiver Site", as illustrated in Figure 1 of this report;
 - ii) the corresponding reduction in the permitted density and building height on "Donor Site 1" and "Donor Site 2" as shown on Attachments #1 and #2, through Zoning By-law Amendment File Z.17.006 (Penguin-Calloway (Vaughan) Inc.), as illustrated in Figure 1 of this report;
 - iii) the removal the Holding Symbol "(H)" on:
 - the entirety of the "Donor Site 2" lands shown on Attachments #1 and #2, thereby zoning the "Donor Site 2" lands C10 Corporate District Zone, subject to site-specific Exception 9(959); and
 - a portion of the "Receiver Site" shown on Attachments #3 and #4, thereby zoning the entirety of the "Receiver Site" C10 Corporate District Zone, subject to Exception 9(1445);
 - iv) a total GFA of 94,006 m² (8.64 FSI) and a maximum building height of 55-storeys on the "Receiver Site" shown on Attachments #1 and #2 and as illustrated in Figure 1 of this report;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 8

- v) commercial paid public parking for the following uses:
 - residential visitor parking associated with the residential apartment buildings;
 - a restaurant, which includes an associated take-out;
 - off-site parking for “Donor Site 1”; and
 - vi) the site-specific development standards, as identified in Table 3 of this report.
2. Site Development File DA.17.014 (VMC Residences Limited Partnership by its General Partner: VMC Residences GP Inc.) to permit a development on the “Receiver Site” as shown on Attachments #1 and #2 consisting of two 55-storey residential apartment buildings, 1,121 units, including eleven grade-related townhouse units, a restaurant including an associated take-out and an outdoor patio, with a 7-storey above-grade integrated parking structure, an enhanced pedestrian connection (“connection”), having a total GFA of 94,006 m².

Background - Analysis and Options

Synopsis:

The Owners are proposing to amend Zoning By-law 1-88 to transfer unused density and building height from two Donor Sites to a Receiver Site together with site-specific zoning amendments to permit the development of the “Receiver Site” (as shown on Attachments #1 and #2) with two 55-storey residential apartment buildings consisting of 1,121 units, including eleven grade-related townhouse units, a restaurant (including an associated take-out and outdoor patio), a 7-storey above-grade integrated parking structure, and an enhanced pedestrian connection, as shown on Attachments #3 to #19. The Owner is also seeking Site Plan approval for the development proposal. The Development Planning Department supports the development proposal as it conforms to the Vaughan Metropolitan Centre (VMC) Secondary Plan, and facilitates a high density development in the City’s downtown area.

Locations

The subject lands consist of 3 properties that are located in the Vaughan Metropolitan Centre (VMC), as shown on Attachments #1 and #2, as follows:

a) Zoning By-law Amendment File Z.17.005 and Site Development File DA.17.014

The 1.09 ha lands subject to these applications are referred to as the “Receiver Site” (as shown on Attachments #1 and #2) and are located on the south side of Portage Parkway and west of Millway Avenue. The Receiver Site is currently used as ancillary parking for the adjacent Walmart store.

b) Zoning By-law Amendment File Z.17.006

The two sites subject to this application are referred to as “Donor Site 1” and “Donor Site 2” as shown on Attachments #1 and #2. “Donor Site 1” is located on the north side of Apple Mill Road, west of Millway Avenue and is subject to Council approved Zoning By-law Amendment and Site Development applications (Files Z.16.003 and DA.16.007). The in-effect zoning on “Donor Site 1” permits a 9-storey mixed-use building (YMCA, library,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 9

day care, community centre, and major office). “Donor Site 2” is located along the west side of Millway Avenue and north of Apple Mill Road and its configuration is the result of the land disposition required to accommodate the YRRTC Bus Terminal.

Official Plan

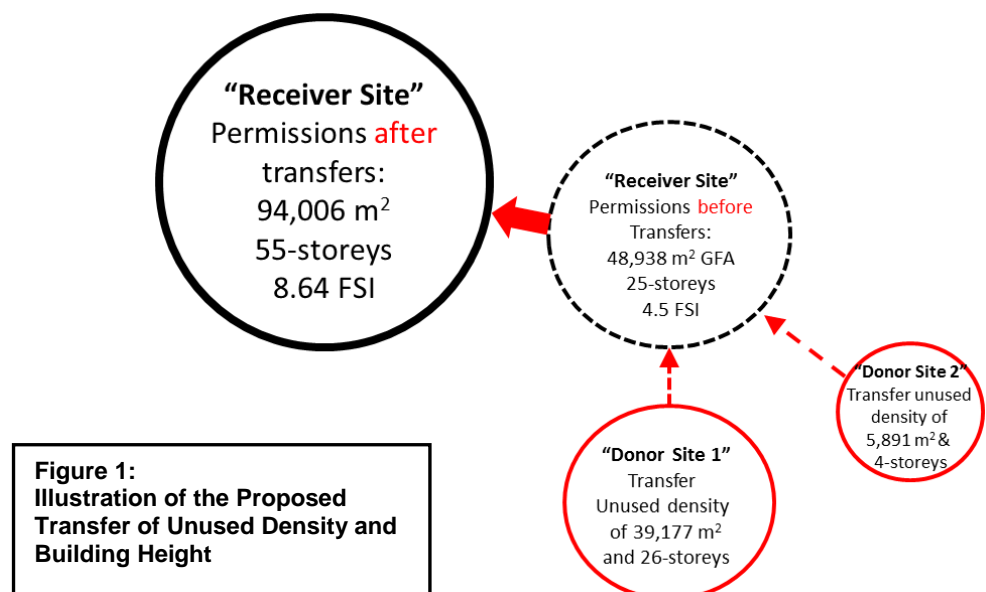
The development proposal conforms to the policies contained in the VMC secondary plan for this area, which was the subject of a partial approval motion heard by the Ontario Municipal Board (OMB) on May 11, 2017. On June 12, 2017, the OMB issued the Oral Decision and Order of the Board.

The subject lands are designated “Station Precinct” by the Vaughan Metropolitan Centre (VMC) Secondary Plan, which forms part of the Vaughan Official Plan 2010 – Volume 2. The “Station Precinct” designation permits a broad mix of uses, including residential dwellings, retail, service commercial, public uses, and policies for parking structures, and density and building height transfers. The proposed residential development with a restaurant conforms to the VMC Secondary Plan.

a) Unused Density and Building Height Transfers

The VMC Secondary Plan includes Policy 8.1.24 related to the transfer of unused density and building height. The policy permits, through the submission of Zoning By-law Amendment applications for the “Donor” and “Receiver” sites, the transfer of unused density and building height provided the transfers are within the same geographical quadrant (defined by the division of Jane Street and Regional Road 7) and subject to a formal agreement between the property Owner(s) and the City of Vaughan. Any proposed transfer(s) must be supported by technical studies demonstrating the transfer(s) will have acceptable impacts and that future development on the “Donor Site(s)” remain viable (i.e. “Donor Site 1” and “Donor Site 2”).

The Owners have submitted Zoning By-law Amendment Files Z.17.005 (“Receiver Site”) and Z.17.006 (“Donor Site 1” and “Donor Site 2”) to facilitate the transfer of unused density and building height, as illustrated in Figure 1 below:



CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 10

The Owner proposes to construct two 55-storey apartment buildings with a GFA of 94,006 m² yielding a density of 8.64 FSI. The Owners propose to transfer the unused density and building height from “Donor Site 1” and “Donor Site 2” to the “Receiver Site” shown on Attachments #1 and #2 and illustrated in Figure 1, as follows:

i) “Donor Site 1”

“Donor Site 1” is subject to approved Site Development File DA.16.007 that permits a 9-storey mixed-use building with a total GFA of 13,803 m² or 1.56 FSI. The Owner proposes to transfer all of the total unused density (GFA of 39,177m²) and building height of 26-storeys from “Donor Site 1” to the “Receiver Site” as follows:

Table 1: “Donor Site 1” Density and Building Height Permissions and Transfers	
Maximum Permitted Density and Building Height	<ul style="list-style-type: none"> • 52,980 m² • 35-storeys
Approved Mixed-use Building on “Donor Site 1”	<ul style="list-style-type: none"> • 13,803 m² • 9-storeys
Total Transfer of Unused Density and Building Height to the “Receiver Site”	<ul style="list-style-type: none"> • 39,177 m² GFA • 26-storeys
Remaining Density and Building Height on “Donor Site 1”	<ul style="list-style-type: none"> • 0 m² GFA • 0-storeys of building height

The density and building height transfer from “Donor Site 1” to the “Receiver Site” yields a total density and building height on the “Receiver Site” of 51-storeys and 88,115 m² GFA (or 8.1 FSI), which is 4-storeys and 5,891 m² of GFA short of the proposed 94,006 m² of GFA and 55-storey building height, and therefore a second donor site is required to achieve the proposed density and building height.

ii) “Donor Site 2”

To facilitate the development proposal on the “Receiver Site”, the Owner proposes to transfer unused density and building height from “Donor Site 2”, which is currently undeveloped and is identified in the VMC Secondary Plan with a split maximum density and building height of 6.0 FSI and 35-storeys on the south portion of the lands (824 m² in size), and 4.5 FSI and 25-storeys on the north portion of the lands (941 m² in size). The Owner proposes to transfer the unused density and building height from “Donor Site 2” as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 11

Table 2: “Donor Site 2” Density and Building Height Permissions and Transfers	
Maximum Permitted Density and Building Height	<ul style="list-style-type: none">• 4,944 m² GFA on the south portion• 4,235 m² GFA on the north portion• 9,179 m² Total GFA• 6-storeys¹
Total Transfer of Unused Density and Building Height to the “Receiver Site”	<ul style="list-style-type: none">• 5,891 m² GFA• 4-storeys
Remaining Density and Building Height of “Donor Site 2”	<ul style="list-style-type: none">• 3,288 m² GFA• 2-storeys of building height

¹ Pursuant to the Owner’s April 6, 2017 “Proposal for Height and Density Transfer in the VMC” and the May 31, 2017 Height and Density Transfer Calculations, it has been agreed that the minimum building height limits outlined in Schedule “I” of the VMC Secondary Plan for “Donor Site 2”, which is an irregularly shaped parcel, represent the reasonable development potential for the site.

For the purpose of this report, the Owner has agreed to use 6-storeys of unused building height. Furthermore, the Owner has requested that staff re-evaluate the development potential of “Donor Site 2” in light of their consultant’s April 6, 2017 6-storey development scenario.

The unused density and building height transfers to the “Receiver Site” and the corresponding reductions of density and building height on the “Donor Site 1” and “Donor Site 2” will be reflected in the implementing Zoning By-laws, should Council approve the applications.

Both the “Donor” and “Receiver” sites are designated “Station Precinct” in the VMC Secondary Plan and are located within the same quadrant, being the northwest quadrant of the VMC. Subject to the registration on title of the formal agreement between the two property Owners and the City prior to the enactment of the implementing Zoning By-law Amendments, the development proposal meets the intent of Policy 8.1.24 of the VMC Secondary Plan and conforms to the Vaughan Official Plan 2010 (VOP 2010). The development proposal conforms to the Official Plan.

Zoning By-law

To facilitate the development proposal, the following amendments to Zoning By-law 1-88 are required:

a) “Receiver Site”

The “Receiver Site” is zoned C10 Corporate District Zone and C10(H) Corporate District Zone with the Holding Symbol “(H)” as shown on Attachment #2, and subject to site-specific Exception 9(1445) of Zoning By-law 1-88. The Owner proposes to amend site-specific Exception 9(1445), in the manner identified in Table 3, to permit the development proposal on the “Receiver Site”.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 12

The Owner proposes to remove the Holding Symbol “(H)” from a portion of the “Receiver Site”, which may occur with the concurrent approval by Vaughan Council of the related Site Development File DA.17.014.

b) “Donor Site 1”

“Donor Site 1” is zoned C10 Corporate District Zone, subject to site-specific Exception 9(1445) by Zoning By-law 1-88, which permits a mixed-use development on the lands with site-specific development standards. Zoning By-law Amendment File Z.17.006 will facilitate the corresponding reduction of unused density and building height that is proposed to be transferred to the “Receiver Site”.

c) “Donor Site 2”

“Donor Site 2” is zoned C10(H) Corporate District Zone with the Holding Symbol “(H)”, and subject to site-specific Exception 9(959) by Zoning By-law 1-88. The Holding Symbol “(H)” is tied to a previous development application and its removal is subject to Council’s approval of a corresponding Site Development application.

To enable the transfer of the unused density and building height to the “Receiver Site”, as described in this report and illustrated in Figure 1 and Table 2, the Holding Symbol “(H)” must be removed from “Donor Site 2” and the corresponding permitted density and building height reduced on the property, which will be reflected in the implementing Zoning By-law. This Holding Symbol “(H)” can be removed from “Donor Site 2” with the concurrent approval by Vaughan Council of the corresponding Site Development File DA.17.014. Any development on “Donor Site 2” will be subject to a future Site Development application, in accordance with the City’s Site Plan Control By-law.

Table 3 below identifies the required site-specific zoning exceptions to C10 Corporate District Zone subject to Exception 9(1445):

Table 3: Zoning By-law Amendment File Z.17.005 (“Receiver Site”)			
	Zoning By-law 1-88 Standard	C10 Corporate District Zone Requirements, subject to Exception 9(1445)	Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)
a.	Permitted Uses	All uses in accordance with sections 5.1.4 and 5.11 of Zoning By-law 1-88, which exclude apartment dwelling, street townhouse dwelling, and commercial (paid) parking lot uses.	All uses in accordance with sections 5.1.4 and 5.11 of Zoning By-law 1-88, including apartment dwelling, street grade-related townhouse dwelling, and commercial (paid) parking lot uses.
b.	Definition of Amenity Area	Means a space outside a dwelling unit within or outside the building designed for the passive enjoyment or active recreational needs of the residents.	Include the gross floor area of ground floor lounges as part of the amenity area.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 13

c.	Definition of Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the <i>Planning Act</i> , R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	The subject lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted.
d.	Minimum Parking Space Size	2.7 m by 6 m	2.7 m by 5.6 m
e.	Parking Requirements	Access and parking to the subject lands shall be secured solely on the subject lands.	Permit access and parking to the subject lands from the adjacent lands to the south and west.
		Maximum width of an access driveway - 7.5 m	Maximum width of an access driveway - 12 m
		<u>Residential Minimum Parking Standards (Apartment Dwelling)</u> Bachelor/One-bedroom: 0.7 spaces/unit @ 212 units = 149 spaces Two-bedrooms: 0.9 spaces/unit @ 798 units = 719 spaces Three-bedrooms: 1 space/unit @ 111 units (including 11 townhouse units) = 111 spaces Residential Visitor: 0.15 spaces/unit @ 1,121 units = 169 spaces Restaurant: 6 spaces/100 m ² GFA @ 325 m ² = 20 spaces Restaurant, Take-out: 3 spaces/100 m ² GFA @ 158 m ² = 5 spaces Total Required Parking = 1,173 spaces	<u>Residential Minimum Parking Standards</u> 0.5 parking spaces/residential unit @ 1,121 units = 561 parking spaces + 540 parking spaces devoted to any of the following uses: - 264 parking spaces for the mixed-use building on the "Donor Site 1" lands; - residential visitor; - restaurant and the associated take-out; and - commercial paid public parking Total number of parking spaces proposed = 1,101

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 14

		<u>Bicycle Parking Standards</u> Multi-unit Residential: Short-Term - 0.1 spaces/unit @ 1,121 units = 113 spaces Long-Term - 0.5 spaces/unit @ 1,121 units = 561 spaces Restaurant: Short-Term - 6 spaces Total Short-Term = 119 spaces Total Long-Term = 562 spaces	<u>Bicycle Parking Standards</u> Total Short-Term = 50 spaces Total Long-Term = 600 spaces
f.	Maximum Yard Encroachment (Balcony Projections)	Along Front Yard (Portage Parkway) and Rear Yard (south property line) - 1.8 m	Along Front Yard (Portage Parkway) and Rear Yard (south property line) - 1.9 m
g.	Portions of Buildings Below Grade	1.8 m (along Portage Parkway)	0 m
h.	Maximum Density (FSI - Floor Space Index)	0.6 FSI	8.64 FSI
i.	Maximum Building Height	15 m	175 m (55-storeys)
j.	Minimum Amenity Area	One-bedroom Unit: 20 m ² / unit @ 212 units = 4,240 m ² Two-bedroom Unit: 55 m ² / unit @ 798 units = 43,890 m ² Three-bedroom Unit: 90 m ² / unit @ 111 units = 9,990 m ² Total Required = 58,120 m ²	For all unit types: 12.28 m ² / unit @ 1,121 units = 13,765 m ² Total Proposed Amenity Area = 13,774 m ² (including balconies, ground floor lounges, roof-top amenity, party rooms, and the townhouse roof-top terraces)
k.	Minimum Landscape Strip Width (along a street line)	3 m	Portage Parkway - 1.5 m Future Buttermill Avenue - 1.8 m

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 15

I.	Outdoor Patio	<p>Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88 includes the following provisions (in part):</p> <p>e) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audiovisual presentations, music concerts and shows, shall not be permitted in areas designated for outdoor patio use.</p>	Notwithstanding Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88, provision e) shall not apply to the Subject Lands.
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The Development Planning Department supports the proposed amendments to site-specific Zoning By-law Exception 9(1445) noted above for the following reasons:

a) Permitted Uses

The introduction of residential uses (apartment dwelling and street grade-related townhouses) and a commercial (paid) parking lot as additional uses is consistent with the policies and the permitted uses in the VMC Secondary Plan. The additional uses are considered compatible with the planned surrounding uses and would contribute to the success of the VMC.

b) Density and Building Height Transfer

The transfer of unused density (GFA) and building height from the two “Donor Sites” to the “Receiver Site”, as described in Figure 1, is consistent with the unused density and building height transfer policy described under the density and building height transfer portion of the Official Plan section of this report.

c) Definitions

i) Amenity Area

The VMC is planned to be a high density urbanized environment with compact and mixed-use development. The subject lands are located within an identified Mobility Hub and adjacent to a regional bus terminal, the VMC Subway Station, and in proximity to a bus rapid transit route. In addition, the proposed development is adjacent to a mixed-use building that consists of the YMCA, a community centre, library, and a daycare.

The Owner’s original proposal to include guest suites in the site-specific definition of amenity space cannot be supported by the Development Planning Department. Guest suites are deemed residential units that are not “designed for the passive enjoyment or active recreational needs of the residents”, pursuant to the definition of Amenity Area in Zoning By-law 1-88.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 16

However, the Owner's proposal to include the ground floor lounge area in the site-specific definition of amenity area can be supported as the lounge area can be considered as a passive use. Therefore, the exception to permit a site-specific definition of amenity area and the corresponding reduction in the amenity area standard is appropriate.

ii) Lot

The proposed zoning exception to the definition of a "lot" is required to ensure that for zoning purposes, the subject lands are deemed to be one lot regardless of future conveyances and to avoid future technical zoning amendments. In consideration of the nature of the proposed development, this exception is appropriate.

iii) Gross Floor Area

In the May 2, 2017, Public Hearing report, staff identified that the Owner was seeking a site-specific definition of Gross Floor Area (GFA) that excluded the following building elements:

- balconies;
- vertical transportation facilities (e.g. escalators);
- elevator shafts;
- mechanical rooms and facilities related thereto;
- bicycle parking areas above and below grade;
- structured parking; and
- loading docks and truck receiving and delivery facilities.

The Development Planning Department does not support the Owners' request for a site-specific definition of GFA for the following reasons:

- The VMC Secondary Plan defines GFA as "the calculation of gross floor area shall not include the floor area of underground and above-ground structured parking, bicycle parking and public transit uses, such as subway entrances and bus terminals."
- Zoning By-law 1-88 defines GFA as, "means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure."

The Development Planning Department has reviewed the Owners' proposal and concluded that the request to exclude the identified building elements from the definition of GFA cannot be supported in its entirety. The exclusion of bicycle rooms and structured parking is consistent with the Official Plan and Zoning By-law, and therefore, can be supported. The exclusion of balconies can also be supported as they are extensions beyond the exterior of the outside walls that are typically excluded from the GFA calculation.

The Development Planning Department does not support the proposed exclusion of the GFA devoted to the vertical transportation facilities, elevator shafts, mechanical rooms and facilities related thereto, loading docks and truck receiving and delivery facilities from the definition of GFA. The City's definition of GFA is established and has been consistently implemented for other developments

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 17

across the City. The proposal to exclude the identified elements from the definition of GFA will have city-wide implications to various established standards that are related to GFA calculations, including parking, determining accurate density, and Section 37 contributions under the *Planning Act*.

The Owners' proposal to exclude the GFA devoted to the identified building elements from the definition of GFA does not conform to the definition of GFA in the VMC Secondary Plan. In consideration of the above, the Development Planning Department does not support the request to amend the definition of GFA.

d) Parking, Parking Space Size, Bicycle Parking Standards

The Owner has submitted an Urban Transportation Study by BA Consulting, which has been reviewed and deemed to be acceptable by the Development Engineering and Infrastructure Planning (DEIP) Department who have advised they have no objection to the proposal to reduce the parking standards, parking space size, and the bicycle parking standards. Since the development proposal is located within an identified Mobility Hub in the VMC, these exceptions are considered to be appropriate.

e) Site-Specific Development Standards

The development standards identified in Table 3 will facilitate the development proposal and create a built form and pedestrian realm relationship that is supported in an intensification area and a Mobility Hub.

The alignment of the future Buttermill Avenue right-of-way extension will result in a pinch point of 1.8 m between the most northerly townhouse unit and the west property line and therefore, eliminate the ability to achieve a minimum landscape strip width (3 m), as required by Zoning By-law 1-88. Given that the extent of the proposed reduction in landscape strip width is limited to a small area, the Development Planning Department has no objection to this exception provided there are no encroachments into the landscape strip (e.g. stairs).

f) Outdoor Patio

The Owner is requesting relief from Zoning By-law 1-88 respecting the use of the outdoor patio, associated with the restaurant, for musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances, audiovisual presentations, concerts and shows. The outdoor patio is located along the planned enhanced pedestrian connection and adjacent to a transit hub in the VMC. The Development Planning Department supports this exception as it would encourage the activation and animation of the pedestrian connection.

Site Design

The development proposal consists of two 55-storey residential apartment buildings including a 7-storey integrated parking structure, eleven grade-related 3 ½ townhouse units along the future Buttermill Avenue right-of-way, a restaurant use fronting on Portage Parkway, and an enhanced pedestrian connection.

These components of the development proposal will provide an animated street frontage at the grade level, in accordance with the VMC Urban Design Guidelines. Staff has worked with the Owner to protect for the ability to convert the northwest corner of the future Buttermill Avenue and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 18

Portage Parkway intersection, as shown on Attachments #4, as well as the entire east elevation of the development proposal, as shown on Attachment #9, for active uses as the VMC develops. The ultimate grade-related frontages include animated condominium amenities and lobbies, grade-related townhouses, a dog area, restaurant and the ancillary outdoor patio, the enhanced pedestrian connection with a proposed green wall, and bicycle parking, as shown on Attachments #4 and #5.

The two towers are sited 77 m apart to maximize sunlight, mitigate wind, and provide views and sight lines. The Owner is proposing two residential amenity areas on the roof-top of the integrated parking structure and a green roof as shown on Attachment #6. The amenity areas will be owned by the respective future condominium corporations. The proposed grade-related townhouse unit designs incorporate roof top terraces.

Wayfinding is an integral part of a well-connected system that allows residents and visitors to make their way to key locations and access points in the VMC. The iconic expression of the architecture, the articulated building massing, and the unique balcony design will contribute to wayfinding within the Mobility Hub.

All principal building entrances and signage will be designed in compliance with the standards set by the *Accessibility for Ontarians with Disabilities Act* (AODA), and the signage design will be integrated with the architecture. Sufficient levels of illumination will be provided to ensure safety for the public. The proposed lighting and site furnishings will be designed to be coordinated with the VMC Streetscape Open Space Plan.

The Owner has submitted a wind tunnel model analysis for the development proposal. The final design must include the recommended mitigation measures to ensure that the future Buttermilk Avenue right-of-way and Portage Parkway are generally suitable for standing and that the enhanced pedestrian connection and roof-top amenity areas are suitable for sitting year round, to the satisfaction of the City.

The final site plan, including signage and lighting plan, and the final detailed wind tunnel model analysis and adjustments to the design must be approved by the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Site Access

Vehicular access to the subject lands is proposed to be phased and all servicing is consolidated internal to the parking structure, as shown on Attachments #3 and #4. Site access considerations include the following:

a) Driveway Accesses from Portage Parkway

A driveway is proposed from Portage Parkway at the east side of the “Receiver Site” for a potential access from the YRRTC Bus Terminal lands, as shown on Attachments #3 and #4. The Owner and YRRTC are actively working to resolve the final location of this access driveway. Should the final location of this driveway be established on the “Receiver Site”, as shown on Attachments #3 and #4, the driveway must be treated in a seamless manner with the enhanced pedestrian connection and reflected on the final site and landscape plans. A condition to this effect is included in the recommendation of this report.

The proposed interim condition is needed to provide access to the parking structure from Portage Parkway at the west side of the subject lands (Walmart lands), as shown on Attachment #3. Once the redevelopment of the Walmart lands is complete, the interim

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 19

access to the parking structure would be relocated south along the future Buttermill Avenue right-of-way, as shown on Attachment #4. This would occur when the adjacent Walmart store is relocated and the future Buttermill Avenue right-of-way is constructed. It would be at this stage when the eleven proposed grade-related townhouse units would be constructed. A second access to the parking structure is located at the east-west mews, as shown on Attachments #3 and #4.

Should Council approve the applications, the Owner must obtain approval of a Consent application(s) from the Committee of the Adjustment to:

- i) facilitate a temporary driveway access (for the interim condition) on the lands to the west (Walmart lands) to the “Receiver Site”; and
- ii) if required, establish an access easement on the “Receiver Site” in favour of the lands to the east (YRRTC Bus Terminal lands).

A condition to this effect is included in the recommendation of this report,

The surrounding future vehicular accesses and servicing, specifically the Owner’s parcel located north of the YRRTC Bus Terminal must be understood. As a result, the Owner shall provide the City with a demonstration plan that establishes the location of the driveway access to and from the adjacent lands, prior to the execution of the Site Plan Agreement, to the satisfaction of the City and YRRTC. A condition to this effect is included in the recommendation of this report.

b) Enhanced Pedestrian Connections and Public Access

The subject lands are deemed as a “Primary Zone” in the Metrolinx Mobility Hub Guidelines (2011) and as a “Pedestrian Priority Zone” in the VMC Streetscape and Open Space Plan, where high levels of pedestrian activity are prioritized. As a “Primary Zone”, the subject lands are recognized as a high-volume traffic area which must “prioritize high levels of pedestrian and transferring activity, while adequately balancing multiple modes of access to the station (the YRRTC Bus Terminal).”

As a transit-oriented development proposal, protecting the opportunity for strong pedestrian connections is paramount to ensuring that accessibility between key destinations, open spaces, community uses and transit infrastructure are realized as the downtown evolves. In consideration of the location of the subject lands within the core Mobility Hub, and its proximity to significant public infrastructure investments including the YRRTC Bus Terminal, TTC Subway Station and the VMC’s only planned multi-purpose community centre (Mixed Use Building), as well as key destinations such as Transit Square (the VMC’s first public square) Millway Avenue Promenade, planned retail and major office employment uses, as identified in the VMC Secondary Plan, establishing protected open access through the development block is critical to ensuring that fine grained connectivity is secured in perpetuity.

Earlier versions of the VMC Secondary Plan protected for a local road in the location of the proposed enhanced pedestrian connection, where public access would have been protected as part of the public street network. Through iterations of the VMC Secondary Plan, this local road has been removed. In its absence, the importance of protecting for a publicly accessible pedestrian connection through the development block is heightened. Mid-block connections are vital to ensuring that the pedestrian realm has appropriate access within blocks. They are especially important where a high volume of pedestrians

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 20

and cyclists are expected in the area, as these connections provide alternative routes and shortcuts for travel throughout the district.

The VMC Streetscape and Open Space Plan and VMC Urban Design Guidelines provide detailed guidance for the design of pedestrian first spaces where the intent is to provide connected, permeable, safe and universally accessible networks of pedestrian linkages to augment the public realm network of parks, open spaces, streets and transit infrastructure. These pedestrian connections must be integrated into the larger pedestrian, cycling and transit network of the VMC.

The Owner (VMC Residences Limited Partnership by its General Partner: VMC Residences GP Inc.) is proposing to retain their ownership of and to maintain:

- i) the entire proposed parking structure; and
- ii) the lands located between the perimeter of the proposed building and the property line (being the building edge of the YRRTC platform and main terminal). This includes the enhanced pedestrian connection (“connection”) between the “Receiver Site” and the YRRTC Bus Terminal.

In a high-density residential development context, these areas are typically owned and maintained by the condominium corporation(s). Specifically, the enhanced pedestrian connection is designed to visually and functionally form part of the public realm and act as a key mid-block connection between Millway Avenue and the future Buttermilk Road right-of-way.

The VMC Secondary Plan contains a number of key elements. One of these elements is to ensure that pedestrian connections are designed and maintained to be accessible to the public. City Staff have required a public easement to be conveyed for land between the future condominium building and property line. In this case, the Owner will be required to grant a public easement or an appropriate alternative mechanism because they propose to continue to own and maintain the connection and provide a high level of design and service within the lands.

Staff have committed to reviewing an approach that would establish an overall strategy and policy for public access to privately-owned, but publically accessible spaces, and the necessary legal mechanisms required to achieve the access and connectivity throughout the VMC for incorporation into the VMC Secondary Plan.

Staff require that the Owner agree to register a public easement or an appropriate alternative for access on the lands for the enhanced pedestrian connection (“connection”), as shown on Attachments #3 to #5, that will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title on the connection, at no cost or risk to the City, or another arrangement to ensure the connection is accessible, to the satisfaction of the Deputy City Managers of Legal and Human Resources and Planning and Growth Management.

This public access requirement does not preclude the full or partial closure of the connection on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure. The Owner will also be required to provide sufficient notice to the City of any physical construction that might impact access within the connection. Clauses to this effect will be included in the Site

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 21

Plan Agreement and any other legal mechanism(s) registerable on title. Accordingly, staff support the inclusion of clauses in the Site Plan Agreement and legal mechanisms registerable on title. A condition to this effect is included in the recommendation of this report:

The final site plan must be approved by the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Landscape Plan

The proposed landscape plan, as shown on Attachment #5, includes enhanced streetscape design, pedestrian connections, urban treatments, and open spaces that are seamlessly coordinated with the adjacent properties as part of the same development block (identified as the area bound by Apple Mill Road, future Buttermill Avenue right-of-way, Portage Parkway, and Millway Avenue). High quality pavement treatments, planting areas, and site furnishings are proposed to enhance the visual interest and pedestrian comfort throughout the immediate area.

The Owner shall provide a separate cost estimate for the external streetscape works (between the property line and the street curb) based on the ultimate landscape plan, identifying the enhanced streetscape treatments along the future Buttermill Avenue right-of-way and Portage Parkway. This cost estimate shall be separate from the private landscape works. The permanent streetscape requirements along Portage Parkway must be coordinated with the recently approved Portage Parkway Environmental Assessment (EA). The Owner shall be required to post a separate Letter of Credit to ensure the completion of the external streetscape works, to the satisfaction of the Development Planning Department, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

A green wall is proposed along the ground floor plane of the east building elevation abutting the enhanced pedestrian connection. The green wall will be framed and will transition to a limestone wall to create a pronounced landscape statement, as shown on Attachment #8.

Raised landscaped mounds are proposed along the east frontage of the development to provide visual and textural features to the pedestrian realm and to buffer the residential and restaurant uses from the adjacent bus terminal to create a pedestrian-first environment. Both the paved areas and landscaped areas are designed to promote stormwater infiltration.

A significant green roof is proposed atop the roof of the parking structure, as shown on Attachment #6. The green roof is proposed to be patterned with a unique motif and bordered by the two roof-top lawn features (landscape berms) and amenity areas (patio recreational uses) as shown on Attachment #6.

Prior to the construction of the eleven grade-related townhouses along the future Buttermill Avenue right-of-way, a temporary landscape condition is proposed for the area located between the existing Walmart store and the development proposal. For pedestrian safety considerations, the temporary landscape condition would restrict access to this area by pedestrians and vehicles. The final design of the temporary landscape treatment in this area must be to the satisfaction of the Development Planning Department. Any proposed fencing, screening or barriers shall be designed with the appropriate landscape treatments. The final landscape plan must be approved to the satisfaction of the Development Planning Department.

Building Elevations

The proposed building elevations and renderings, as illustrated on Attachments #7 to #19, include a signature projecting balcony design that is repeated from the grade level to the top of each tower, which provides for a strong tower articulation.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 22

The interim west building elevation at the grade level, shown on Attachment #10, is proposed to be a blank wall, which will be visually concealed by the existing Walmart building. Upon the redevelopment of the Walmart lands, this portion of the west building elevation will be developed with the proposed at-grade, three-and-one-half-storey townhouse units, as shown on Attachments #11, #18, and #19. The proposed grade-related townhouses units will make an architectural statement that will animate the future Buttermill Avenue right-of-way. However, the Development Planning Department is working with the Owner to incorporate some additional variation of the architectural expression and materiality for the proposed townhouse units.

As shown on Attachment #9, the ground floor of the east building has been designed to accommodate retail space, should a suitable market be available in the future, with the potential removal of the green wall. The flexibility of the ground floor experience would animate the enhanced pedestrian connection and contribute to the vibrancy of the space.

The exterior wall treatment of the parking structure, as shown on Attachment #8, incorporates angled metal louvers (fins) that will provide visual interest and a sense of movement. The Development Planning Department is satisfied with the proposed building elevations, subject to the finalization of the grade-related townhouse building elevations. A condition to this effect is included in the recommendation of this report.

Design Review Panel

The Design Review Panel (DRP), on February 23, 2017 and April 27, 2017, considered the development proposal and expressed appreciation of the simplicity of the site organization and variety of accesses to the building. The Panel identified the following matters as key priorities that should be considered:

a) Parking Structure Cladding

Metal louvers (fins) to clad and screen the parking structure are proposed as an approach not to over articulate the elevation and to maintain a simple and timeless elegance for the proposed development that will age well. The Owner advises this approach was thoughtfully proposed as it would not conflict with the strong architectural tower expressions. The Owner has revised the parking structure cladding to include angled fins that create a sense of movement along all the building elevations, as shown on Attachments #11 and #18.

The Development Planning Department must approve the final parking structure building elevations to address the DRP's comments, prior to the execution of the Site Plan Agreement.

b) Townhouse Architectural Expression

Eleven grade-related street townhouses are proposed along the future Buttermill Avenue right-of-way. The Panel commented that the residential language respecting the architectural expression does not appear to mesh with the contemporary design of the parking structure and tower expression. The Owner has revised the townhouse design by increasing the building height to 3 ½ with roof top terraces, as shown on Attachments #11, #18, and #19.

The Owner is proposing an architectural style for the townhouse units that include modern design elements in order to complement the townhouse expression with the rest of the development proposal. The Development Planning Department will continue to work with the Owner to finalize the proposed grade-related townhouse building elevations and materials.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 23

c) Integrated Parking Structure Roof-Top Amenity

The development proposal includes two roof-top amenity areas shown on Attachment #6. The expansive roof-top area was identified by the Panel for potential resident connectivity between the two future condominium corporations. The Panel expressed that the central area would be an opportunity to introduce active programming (e.g. running track, play area). The Owner advised such programming would have associated liability and safety implications for the future condominium corporations. In response to the Panel, the Owner has proposed a significant green roof atop the integrated parking structure, as shown on Attachment #6.

The Owner has addressed many of the DRP's comments, which are reflected in Attachments #3 to #19. The final site plan, landscape plan, and building elevations must be approved to the satisfaction of the Development Planning Department. A condition in this regard is included in the recommendation of this report.

3D Digital Model

The Owner is working towards submitting a 3D digital model of the development to the City. However, if the 3D digital model 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 \$15,000.00 to guarantee the completion of the final 3D digital model, which shall include accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Draft Plan of Condominium

Should Council approve the subject Zoning By-law Amendment and Site Development applications, the proposed condominium tenure for the development will be created through a Draft Plan of Condominium application, which is subject to approval by Council.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the development proposal and the reports and studies submitted in support of the applications. The DEIP Department has no objection to the development proposal provided the following comments are addressed prior to the execution of the Site Plan Agreement:

a) Development Engineering

- i) The Owner shall submit revisions to the Functional Servicing and Stormwater Management Report and drawings;
- ii) The Owner shall submit revisions to the Environmental Noise Assessment Report where the resulting noise exposures are predicted to comply with the Ministry of Environment and Climate Change (MOECC) noise guidelines under the NPC-300 Class II (urban) environment;
- iii) The Owner shall submit a tentative construction schedule and phasing plan demonstrating the construction schedule of the above grade parking structure, residential apartment buildings, the future Buttermilk Avenue right-of-way and the grade-related townhouse units; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 24

- iv) The Owner shall provide the Construction Logistics Plan to clarify the construction traffic direction, staging area, and signage.

- b) Environmental Site Assessment

Due to the proposed change to a more sensitive land use, the Owner has filed with the Ministry of the Environment and Climate Change (MOECC) a Record of Site Condition (RSC) on the environmental site registry on May 16, 2017, under RSC Number 223256.

- c) Road Network

The subject lands are bounded by public right-of-ways, being Portage Parkway to the north and the future Buttermill Avenue to the west.

- i) Buttermill Avenue Extension

The future Buttermill Avenue right-of-way width will be 22 m as shown on Schedule C of the VMC Secondary Plan. The Owner is required to convey to the City sufficient property for the future Buttermill Avenue extension from Apple Mill Road to Portage Parkway at no cost and free of charges and all encumbrances, upon the redevelopment of the Walmart lands.

As part of finalizing Site Development File DA.17.014 and prior to the execution of the Site Plan Agreement, the Owner shall submit a proposal regarding the land conveyance for the future Buttermill Avenue right-of-way extension. Furthermore, the Owner shall provide separate drawings (plan and profile, sewer and water design sheets and drainage area plan) for the ultimate road design between Apple Mill Road and Portage Parkway to justify the road alignment, servicing and grading needs. The design shall conform to the approved VMC Servicing Strategy Master Plan Class Environmental Assessment Study and the City Design Criteria. A condition to this effect is included in the recommendation of this report.

- ii) Portage Parkway

The Owner has confirmed that the development limits are consistent with the planned 33 m Portage Parkway right-of-way. The Owner shall maintain the minimum 8 m by 8 m sight triangle with a 0.3 m reserve at the south east corner of the future Buttermill Avenue right-of-way and Portage Parkway. A draft reference plan shall be submitted for review and comment prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

- d) Municipal Servicing

The proposed development is located within the northwest 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, and resultant 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.

The Owner submitted a Functional Servicing and Stormwater Management Report (FSR), prepared by SCS Consulting Group Ltd. and dated February 2017, which confirmed there are existing municipal services that can be used to service the proposed

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 25

development. The DEIP Department has reviewed the report and provided comments to the Owner. The Owner is required to submit a revised FSR prior to the execution of the Site Plan Agreement. A recommendation 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 Distribution and Sanitary Sewage

There were no recommended upgrades required in the VMC Servicing Strategy Master Plan Class Environmental Assessment (EA) that affect the development proposal.

ii) Storm Water Management

There are existing Special Service Area Development Charge projects that affect this site. The development proposal shall conform to the design criteria detailed in the VMC Servicing Strategy Master Plan Class EA.

e) Sewer and Water Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the development proposal is available and unrestricted.

A resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply System to the proposed development is recommended for Council approval, and is included in the recommendation of this report.

f) Geotechnical and Hydrogeological Assessment

Prior to the execution of the Site Plan Agreement, the Owner shall provide a report detailing the bedding requirements for the installation of underground services and the dewatering process that will be used for the building foundations. The analysis must identify the route of groundwater discharge and verify any impacts on downstream flooding. The report shall also include the recommended pavement structure for the future Buttermill Avenue right-of-way extension and any identified measures in the event a non-ideal condition is encountered during road construction. A condition to this effect is included in the recommendation of this report.

g) Dewatering Plan for Construction

Prior to the execution of the Site Plan Agreement, the Owner shall coordinate with the civil and geotechnical consultants to provide a detail dewatering plan for the construction of the development proposal, which shall include:

- i) the route of dewatering and the discharge point with erosion measures;
- ii) the capacity of the receiving system and any impacts on downstream flooding;
and
- iii) the contingency plan during the course of construction and during heavy rainfall events.

A condition to this effect is included in the recommendation of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 26

h) External Lighting Plan

Prior to the execution of the Site Plan Agreement, the Owner shall identify in the External Lighting Plan lighting levels in units of lux. The drawings shall bear the seal, date and signature of the Licensed Professional Engineer. A condition to this effect is included in the recommendation of this report.

i) Shoring Excavation Plan

Prior to the execution of the Site Plan Agreement, the Owner shall submit the shoring and tie-back design drawings for review and approval. No part of the shoring system shall be constructed on or within the City's lands or the public road allowance with the exception of the tie-backs. Tie-backs shall be constructed at a depth of no less than 3 metres below the ground surface on City lands to provide adequate clearance for the maintenance of underground services and utilities.

The Owner shall design the above grade structure so the tie-backs will become redundant once the permanent underground building structure is fully completed. The Owner shall also provide the City with an Engineer's certificate to this effect to the satisfaction of the City and enter into an Encroachment Agreement, if required, to satisfy all conditions, financial or otherwise, of the City with regard to construction and/or tie-back encroachment(s).

j) Transportation Engineering

The Transportation Engineering Section of the DEIP Department has reviewed the development proposal and provides the following comments, which must be addressed prior to the execution of the Site Plan Agreement:

- i) Portage Parkway is identified as an important by-pass that will help mitigate through traffic on Regional Road 7 and Jane Street. In general, vehicular access to the proposed development for parking, servicing and pick-up and drop-off shall be provided from local streets and laneways. The interim and ultimate build out of Buttermill Avenue (right-of-way, curb radii, pavement width and sight triangles) must be shown on the final site plan and exclude lay-by parking within 3 m on either side of a fire hydrant;
- ii) the Owner shall provide details of the Apple Mill Road and future Buttermill Avenue intersection and such details shall include traffic signage, pavement markings, lane configuration, curb radii and pedestrian crossing and sidewalks; and
- iii) the development includes of a total of 650 bicycle parking spaces (600 long-term and 50 short-term). The Owner shall address the provision for additional short-term bicycle parking for each residential apartment building, provide clarity on the storage location of the long-term bicycle parking spaces within the buildings, and include directional signage to direct cyclists to the cycle parking areas as part of the Pavement Markings and Signage Plan.

The Owner shall address all the comments dated April 28, 2017, to the satisfaction of the DEIP Department as they pertain to the Urban Transportation Study and the accompanying Transportation Demand Management (TDM) Plan by BA Group, dated February 22, 2017. A condition to this effect is included in the recommendation of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 27

Development Planning Department, Urban Design and Cultural Heritage Division

The Development Planning Department, Urban Design and Cultural Heritage Division have advised that they have no further concerns regarding the approval of the development proposal. 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 work must cease and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Development Planning Department, Urban Design and Cultural Heritage Division immediately; and
- b) 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 and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services.

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

The Office of the City Solicitor, Real Estate Division has advised that for high-density residential development, the Owner shall convey land at the rate of 1 hectare per 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy. A condition to this effect is included in the recommendation of this report.

Environmental Services Department, Solid Waste Management Division

The Environmental Services Department, Solid Waste Management Division has reviewed Site Development File DA.17.014, 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.

NavCanada and Bombardier Aerospace

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

Canadian National (CN) Railway

The development proposal was circulated to CN respecting noise mitigation from the CN yard. The Owner is required to fulfill all requirements of CN. A condition to this effect is included in the recommendation of this report.

Canada Post

Canada Post has reviewed the development proposal and indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 28

that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility. A condition to this effect is included in the recommendation of this report.

School Boards

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

Utilities

Alectra Utilities Corporation (formerly PowerStream Inc.) has indicated it has no objection to the approval of the development proposal. It is the Owner's responsibility to contact Alectra and discuss all aspects of the development proposal with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has reviewed the development proposal and has no objections. 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 reviewed the development proposal and has advised that the Owner contact Bell Canada during detailed design to confirm the provision of communication and telecommunication infrastructure needed to service the development proposal. The Owner must confirm that sufficient wire-line communication and telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication and telecommunication infrastructure. The Owner is required to satisfy the requirements of Bell Canada, which is included in the recommendation of this report.

Rogers Communication Inc. has advised no objection to the development proposal.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priority set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Facilitate the development of the VMC
- Improve municipal road network
- Re-establish the urban tree canopy
- Attract investment and create jobs
- Continue to develop transit, cycling and pedestrian options to get around the City

Regional Implications

The subject lands are located adjacent to the YRRTC Bus Terminal. The development proposal was circulated to York Region for comments. The York Region Community Planning and Development Services Department has advised they have no objection to the development proposal subject to the Owner addressing the comments included in Attachment #20. These comments must be addressed prior to the execution of the Site Plan Agreement and in accordance with the recommendation section of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 38, CW Report No. 26 – Page 29

Conclusion

Zoning By-law Amendment Files Z.17.005 (“Receiver Site”) and Z.17.006 (“Donor Sites”) and Site Development File DA.17.014 have been reviewed in accordance with 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 with the proposed transfer of unused density and building height to facilitate Site Development File DA.17.014 to permit the proposed development of two 55-storey (1,121 units) residential apartment (future condominiums) buildings, including a 7-storey integrated parking structure, and eleven grade-related townhouse dwelling units.

The Development Planning Department is also satisfied that the site-specific exceptions to Zoning By-law 1-88, identified in Table 3 of this report, are appropriate and will facilitate a development that is compatible with the planned uses in the surrounding area. The appropriate clauses will be included in the Site Plan Agreement requiring the Owner to provide a public access easement or other appropriate legal mechanism(s) registerable on title, to the satisfaction of the Deputy City Managers of Legal and Human Resources and Planning and Growth Management, as noted in the recommendation of this report, to maintain accessibility and connectivity over the subject lands. The development proposal also conforms to the Official Plan, specifically the Vaughan Metropolitan Centre Secondary Plan. Accordingly, the Development Planning Department supports the approval of the development proposal, subject to the conditions included in the recommendation of this report.

Attachments

1. Context Location Map
2. Location Map
3. Interim Site Plan
4. Ultimate Site Plan
5. Ultimate Landscape Plan
6. Root-Top Landscape Plan
7. North Building Elevation (Along Portage Parkway)
8. East Building Elevation (Along Enhanced pedestrian connection abutting YRRTC Bus Terminal)
9. East Building Elevation (Potential Ground Floor Retail Demonstration Plan)
10. Interim West Building Elevation (Along Existing Walmart Lands)
11. Ultimate West Building Elevation (Along Future Buttermill Avenue)
12. South Building Elevation (Along East-West Mews)
13. Perspective Rendering (Looking Northwest)
14. Perspective Rendering (North Along Enhanced pedestrian connection)
15. Perspective Rendering (At Grade Northeast - Buttermill Avenue and East-West Mews)
16. Colour Rendering (Along East-West Mews)
17. Perspective Rendering (From Portage Parkway)
18. Colour Rendering - Townhouses (Along Future Buttermill Avenue)
19. Perspective Rendering - Townhouses (Along Future Buttermill Avenue)
20. York Region Comments and Conditions of Approval

Report prepared by:

Stephen Lue, Senior Planner, ext. 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.)