

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2016.

27

**ZONING BY-LAW AMENDMENT FILE Z.16.020
SITE DEVELOPMENT FILE DA.14.022
PENGUIN-CALLOWAY (VAUGHAN) INC.
WARD 4 - VICINITY OF MILLWAY AVENUE AND APPLE MILL ROAD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated June 21, 2016, be approved; and**
- 2) That the recommendation set out in Communication C8, confidential memorandum from the City Solicitor, dated June 17, 2016, be approved.**

Recommendation

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

1. THAT Zoning By-law Amendment File Z.16.020 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically site-specific Exception 9(959), to remove the Holding Symbol "(H)" from the subject lands zoned C9 (H) Corporate Centre Zone with the Holding Symbol "(H)" as shown on Attachment #2, thereby effectively zoning the subject lands C9 Corporate Centre Zone, in the manner shown on Attachment #3.
2. THAT Site Development File DA.14.022 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED, to permit the development of the subject lands shown on Attachments #1 and #2 for the interim condition of the Vaughan Metropolitan Centre (VMC) Transit Square, as shown on Attachments #4 and #5, subject to the following:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Vaughan Development Planning Department shall approve the final site plan, landscape plan, and landscape cost estimate;
 - ii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plan, stormwater management report, and lighting plan;
 - iii) the Owner shall provide a phasing and implementation plan for the interim and ultimate conditions for Transit Square;
 - iv) the Owner shall satisfy all the requirements of the Toronto Transit Commission (TTC);
 - v) the Owner shall submit an AutoCAD site plan, grading plan, and 3D digital model in accordance with the City's Draft Submission Protocol;
 - b) that the Site Plan Agreement shall include the following conditions:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 2

- i) “The Vaughan Development Planning Department, in collaboration with the Vaughan Parks Development Department, has no objection in principle with the ultimate Vaughan Metropolitan Centre Transit Square design. The Owner shall agree to re-evaluate the ultimate design and implementation of Transit Square with the City three (3) years from the date of the execution of the Site Plan Agreement or through the planning application review process for the future building on the north portion of the subject lands, whichever occurs first. Should the City, in consultation with the Owner determine at this time, that the useability of the Transit Square is impacted by the interim condition, the Owner may be required to advance a portion of Transit Square to the ultimate design.”
 - ii) “At the time of the redevelopment of a portion of the subject lands for a future residential building, the Owner shall agree to comprehensively design the ultimate Transit Square condition to provide for appropriate interfaces with the future development and the immediate surrounding area, to the satisfaction of the Vaughan Development Planning Department.”
 - iii) “The Owner shall agree to comprehensively and seamlessly integrate, coordinate, and construct the ultimate pavement treatment design with the immediate surrounding area, being the KPMG office building lands, the boulevard areas of Apple Mill Road and New Park Place, TTC Plaza and the streetscape design along the western edge of the Millway Avenue realignment, to the satisfaction of the Vaughan Development Planning, Vaughan Development Engineering and Infrastructure Planning, and Vaughan Parks Development Departments. The elements must have consideration for the Vaughan Council approved VMC Streetscape Open Space Plan.”
 - iv) “The Owner shall agree to construct the Millway Avenue boulevard treatment between Apple Mill Road and New Park Place in accordance with York Region’s design specifications for Millway Avenue and incorporating the extended custom paving and curbing detailed on the site plan.”
 - v) “The Owner acknowledges that Cash-in-Lieu of Parkland payment in accordance with the Planning Act and City of Vaughan Policy shall be required unless otherwise agreed to in a separate agreement between the Owner and the City for the Transit Square and the TTC Plaza design and construction, to the satisfaction of the Office of the City Solicitor, Vaughan Real Estate Department.”
3. THAT the Owner shall post separate Letters of Credit with the City of Vaughan to secure all works within Transit Square (interim and ultimate conditions) and external works to the subject lands, in amounts to the satisfaction of the City. This requirement shall be included in the Site Plan Agreement.
4. THAT the Owner is authorized to finalize the interim and ultimate design and construction details of the external works to the subject lands (including City owned lands), to the satisfaction of the Vaughan Development Planning, Vaughan Development Engineering and Infrastructure Planning, and Vaughan Parks Development Departments.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 3

5. THAT the Owner shall enter into a Permission to Enter and Construct Agreement to allow access to the City owned property to be incorporated into the Transit Square development subject to the parties entering into an Agreement for the Transit Square and TTC plaza design and construction.

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

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

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage

In accordance with the goals and objectives identified above, the Owner advises that the development proposal, a flexible and multi-purpose publically accessible space, will include the following, but not limited to, sustainable site features:

- Innovative stormwater technologies
- Construction waste management and building material reuse
- Light pollution reduction
- LED lighting for all external fixtures

Economic Impact

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

Communications Plan

N/A

Purpose

To seek approval from the Committee of the Whole for the following applications:

1. Zoning By-law Amendment File Z.16.020 to amend Zoning By-law 1-88, specifically site-specific Exception 9(959), to remove the Holding Symbol “(H)” from the subject lands zoned C9(H) Corporate Centre Zone, thereby effectively zoning the subject lands C9 Corporate Centre Zone as shown on Attachment #3.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 4

2. Site Development File DA.14.022 for the subject lands shown on Attachments #1 and #2, to permit the development of the interim condition for the VMC Transit Square, as shown on Attachments #4 and #5.

Background - Analysis and Options

Synopsis:

The Owner proposes to remove the Holding Symbol “(H)” from the subject lands and to develop the 0.27 ha lands with the interim condition for Transit Square. The Vaughan Development Planning Department supports the Site Development application as a Transit Square is permitted in the Official Plan and Zoning By-law, is compatible with the existing and planned surrounding area, and will be the catalyst for future development in the Vaughan Metropolitan Centre (VMC). The Transit Square is expected to be a primary nexus for pedestrian activity that will accommodate a wide range of uses.

Location

The subject lands are bound by Apple Mill Road to the north, New Park Place to the south, the existing KPMG office building to the west, and the future TTC Plaza and Millway Realignment to the east, and shown as “Subject Lands” on Attachment #2. Currently, the site is used as the staging area for the VMC Subway Station construction. The surrounding land uses are shown on Attachment #2.

Official Plan

The subject lands are designated “Corporate Centre Node” by the in-effect OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Land Use Future Study Plan). The “Corporate Centre Node” designation permits the Transit Square use. The development proposal conforms to OPA #500, as amended.

The subject lands are designated “Major Parks and Open Spaces” by the partially approved VMC Secondary Plan, which forms part of the Volume 2 to the Vaughan Official Plan 2010 (VOP 2010). The proposed Transit Square use is permitted by the VMC Secondary Plan. Transit Square is also shown as a designation in Schedule “D”, “Major Parks and Open Space” in the VMC Secondary Plan. The development proposal conforms to the partially approved VMC Secondary Plan.

Zoning By-law 1-88

The subject lands are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)”, as shown on Attachment #2, subject to site-specific Exception 9(959) by Zoning By-law 1-88. The condition for the removal of the Holding Symbol “(H)” is Vaughan Council’s approval of Site Development File DA.14.022. The removal of the Holding Symbol “(H)” to facilitate the construction of the VMC Transit Square is appropriate and can be supported by the Vaughan Development Planning Department.

Transit Square

The City is reviewing the interim and ultimate designs for Transit Square and TTC Plaza under a separate, but parallel process, regarding broader public/open space considerations within the VMC, which will be brought forward for Vaughan Council’s consideration under a separate report. This review includes considerations related to construction, ownership, operations, maintenance and use / programming of Transit Square and TTC Plaza lands moving forward.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 5

Site Plan

The Owner is proposing to develop the interim condition for the VMC Transit Square, as shown on Attachments #4 and #5. The VMC Transit Square is proposed to be developed in two phases including the interim and ultimate conditions as follows:

a) Interim Condition

The interim condition of the VMC Transit Square is shown on Attachments #4 and #5, and includes 6 m wide paths consisting of precast concrete unit pavers arranged in diamond patterns that would create 11 m by 11 m lawn (sodded) areas that are bordered with steel edges. The main pedestrian connection, which will be defined by 2 rows of trees, bisects Transit Square to provide a direct link between the TTC Plaza lands and the VMC Subway Station with the KPMG office building. The interim condition will also include the installation of conduits and electrical requirements to accommodate services for future public events.

The Vaughan Development Planning Department has no objection to the interim condition of the development proposal. The Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and Parks Development Department have no objection to the proposed interim condition subject to finalization of the site and landscape plans. A condition to this effect is included in the recommendation of this report.

b) Future Ultimate Condition

The intent of implementing the interim condition for the VMC Transit Square is to provide a comfortable pedestrian experience for the transit users upon the opening of the VMC Subway Station in late 2017. The Owner anticipates developing a portion of the subject lands for a future building generally in the area identified on Attachment #6. It is expected that the future development of this portion of the subject lands will affect the configuration of the interim condition of the VMC Transit Square and the ultimate boundary of Transit Square as shown on Attachment #6. In addition, it is expected that with the construction of the future building, a potential underground parking garage may be built beneath Transit Square.

The Vaughan Development Planning Department, in collaboration with the Vaughan Parks Development Department, has no objection with the ultimate Transit Square design in principle, as shown on Attachments #6 and #7. In order to ensure the implementation of the ultimate Transit Square design, a condition will be included in the Site Plan Agreement requiring the Owner to re-evaluate the implementation of the ultimate design with the City either three (3) years from the date of the execution of the Site Plan Agreement or through the planning application review process for the future building on the subject lands, whichever occurs first. Should the City, in consultation with the Owner, determine at this time that the useability of the space is impacted by the interim condition, the Owner may be required to advance a portion of Transit Square to the ultimate design. The Vaughan Development Planning and Vaughan Parks Development Departments will review the ultimate Transit Square design for adequate integration with the adjacent surrounding lands.

c) Phasing and Implementation

The Owner will be required to prepare a phasing and implementation plan outlining the sequencing, implementation schedule, and timing of construction activities, including

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 6

plans for the interim and ultimate design, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report.

d) Transit Square and TTC Plaza – Draft Plan of Subdivision Conditions

The subject lands are located immediately east of the limit of approved Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.), which includes specific conditions of subdivision approval related to the subject lands and additional lands external to the subdivision as follows:

- The Owner acknowledged that the Site Development application related to the Transit Square (subject File DA.14.022) will include the design of the TTC Plaza, which is the abutting property east of the Transit Square;
- The Letter of Credit reference in the Transit Square Site Plan Agreement shall also include the external works on the TTC Plaza and the boulevard frontage on the west side of Millway Avenue; and,
- The Letter of Credit will remain in effect until the Transit Square, TTC Plaza and Millway Avenue frontage have been constructed to the satisfaction of the City.

The Owner has agreed to comprehensively design, seamlessly integrate, coordinate, and construct, the ultimate pavement treatment design with the immediate surrounding area, being the KPMG office building lands, the boulevard areas of Apple Mill Road and New Park Place, the TTC Plaza, and the western edge of the Millway Avenue realignment, to the satisfaction of the Vaughan Development Planning Department, in collaboration with the Vaughan Parks Development and the Vaughan Development Engineering and Infrastructure Planning Departments. The elements must have consideration for the Vaughan Council approved VMC Streetscape Open Space Plan. In addition, conditions of approval are included in the recommendation of this report to ensure the above-noted subdivision conditions and the interim and ultimate designs for Transit Square are implemented.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan Development Engineering and Infrastructure Planning Department has reviewed the development proposal and has no objection to the approval of the interim design for the VMC Transit Square, subject to the finalization of the site servicing and grading plan, stormwater management report, and lighting plan. A condition to this effect is included in the recommendations of this report.

Vaughan Real Estate Department

The Office of the City Solicitor, Vaughan Real Estate Department has advised that the Owner shall acknowledge that Cash-in-Lieu of Parkland payment in accordance with the Planning Act and City of Vaughan Policy may be required unless otherwise agreed to in a separate agreement between the Owner and the City for the Transit Square and the TTC Plaza design and construction, to the satisfaction of the Office of the City Solicitor, Vaughan Real Estate Department. A condition to this effect is included in the recommendation of this report.

PowerStream

PowerStream has indicated no objection to the development proposal, subject to the Owner contacting PowerStream to discuss all aspects of the project.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 7

Toronto Transit Commission (TTC)

In 2003, the Toronto Transit Commission (TTC) and the City of Toronto began initial broad-based consideration of the extension for the Spadina Subway Line, which resulted in the establishment of the Toronto York Spadina Subway Extension (TYSSE) project that supports compact urban forms and offer alternative modes of transportation to the single occupant vehicle. The development proposal is adjacent to the Spadina Subway Line extension, which is within the TTC development review zone.

The development proposal has been circulated to the TTC. The Owner will be required to satisfy all the requirements of the TTC. A condition to this effect has been included in the recommendations of this report.

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

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

- Facilitate the development of the VMC
- Invest, renew and manage infrastructure and assets
- Attract investment and create jobs
- Continue to cultivate an environmentally sustainable City
- Support and promote arts, culture, heritage and sports in the community

Regional Implications

N/A

Conclusion

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment File Z.16.020 (to remove the Holding “H” provision) and Site Development File Z.16.003 in consideration of the policies of the Official Plan, Zoning By-law 1-88, and comments received from City Departments and external public agencies, and the area context. The Vaughan Development Planning Department is satisfied that the proposal to permit the 0.27 ha Transit Square in the VMC is appropriate and will be the catalyst for future developments in the planned surrounding area.

Accordingly, the Vaughan Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development applications, subject to the recommendations of this report.

Attachments

1. Context Location Map
2. Location Map
3. Proposed Zoning – Holding Symbol “H” Removal
4. Site Plan (Interim Condition)
5. Rendering (Interim Condition)
6. Site Plan (Ultimate Condition)
7. Rendering (Ultimate Condition)

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 27, CW Report No. 27 – Page 8

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.)