

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 24, 2014

By receiving Communication C2 from Mr. Quinto M. Annibale, Loopstra Nixon, LLP, Queens Plate Drive, Toronto, dated June 17, 2014.

The Committee of the Whole recommends:

- ### Recommendation

1. THAT Official Plan Amendment File OP.12.010 (1834371 Ontario Inc. (Liberty Development Corporation)) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to extend the limits of the “Gateway Site” designation (applicable to 2951 Road 7 and 190 Maplecrete Road) to include the property municipally known as 180 Maplecrete Road, in order to apply a consistent maximum building height of 35 storeys and a density of 5.5 Floor Space Index (FSI) on the entirety of the subject lands, as shown on Attachment #2.

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2. THAT Zoning By-law Amendment File Z.12.025 (1834371 Ontario Inc. (Liberty Development Corporation)) BE APPROVED, to rezone the subject lands from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol "(H)", and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone, both with the Holding Symbol "(H)" in the manner shown on Attachment #11, together with the site-specific zoning exceptions identified in Table 2 in the zoning section of this report to implement the conceptual site plan shown on Attachment #4.
3. THAT the Holding Symbol "(H)" shall not be removed from the subject lands (or a portion thereof) zoned C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone until such time that the following conditions are addressed, to the satisfaction of the City of Vaughan:
 - a) Vaughan Council shall have approved a Site Development application for the subject lands, or a portion thereof;
 - b) the approval of a site plan for the respective development of Phases 2 and 3 on the subject lands shown on Attachment #3, shall not proceed until a building permit has been issued for the 12-storey, 20,207 m² GFA office building in Phase 1;
 - c) the water supply and sewage servicing capacity has been identified and allocated to the subject lands by Vaughan Council;
 - d) the owner shall carry out the Environmental Site Assessment clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement Form from the Ministry of Environment (MOE). The complete Environmental Site Assessment (ESA) will include the ESA Phase 2, which will then determine the requirement of an ESA Phase 3 (a Remediation Plan), and finally the subsequent Remediation Plan Implementation Report. The approval of a Site Development Application will be conditional on, if required, the review and approval of the Remediation Plan. However, the review and approval of the Remediation Plan Implementation Report and the RSC will be a condition of site plan approval of Site Development File DA.13.021 and will be required prior to the submission of any Building Permit;
 - e) the owner shall contribute to community benefits as mutually agreed to with the City of Vaughan through an executed density bonussing agreement between both parties and satisfied at the Phase 1 site development stage; and,
 - f) all strata title arrangements shall be finalized and details respecting, but not limited to, access, maintenance, liability, cross section details, and monetary contributions shall have been agreed upon by the owner with the City and all the necessary agreements shall be executed.

Contribution to Sustainability

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

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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, carpooling and public transit

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

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

In accordance with the goals and objectives identified above, the owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development in order to achieve a high level of environmental sustainability within the Vaughan Metropolitan Centre (VMC):

- public transportation access
- bicycle storage and changing rooms
- low-emitting and fuel-efficient vehicles during construction
- construction waste management including storage and collection of recyclables, recycled content, and certified wood
- low-emitting materials such as adhesives, sealants, paints, coatings, flooring systems, composite wood and agrifiber products
- low-mercury exterior lights

Additional sustainability features will be determined through the review of the Site Development application(s).

Economic Impact

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

Communications Plan

On September 21, 2012, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A Notice of the Public Hearing was also advertised as follows:

- a) City's On-line Calendar;
- b) October e-news City Update, which was emailed to over 8,000 subscribers;
- c) City's website at www.vaughan.ca;
- d) City Page On-line on September 21, 2012;
- e) City's Facebook and Twitter sites; and,
- f) Two notice signs were installed on the property.

The recommendation of the Committee of the Whole to receive the Public Hearing report of October 16, 2012, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on October 25, 2012.

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At the October 16, 2012 Public Hearing, deputations were made by Mr. Jim Kirk of Malone Given Parsons Ltd. and Mr. David Butterworth of Kirkor Architects on behalf of the owner. The deputations provided an overview of the proposed mixed-use development. The matter of mitigation due to wind tunnel effects was explained by the deputants and would be addressed prior to finalization of the future site development applications. An additional communication by Ms. June Little of the Toronto and Region Conservation Authority (TRCA) was received regarding the Black Creek Remediation Strategy. The TRCA identified that the western limits of the subject lands is situated within the Black Creek flood plain. Further details on this matter are included in the Vaughan Development/Transportation Engineering section of this report.

On June 6, 2014, a Notice of this Committee of the Whole meeting was circulated to the individuals who requested notification with respect to these applications.

Purpose

To seek approval from the Vaughan Committee of the Whole of the following applications to permit a proposed, mixed-use development, as shown on Attachments #3 to #9:

1. Official Plan Amendment File OP.12.010, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to extend the limits of the “Gateway Site” designation to include the property municipally known as 180 Maplecrete Road, in order to apply a consistent maximum building height of 35-storeys and density of 5.5 FSI on the entirety of the subject lands shown on Attachment #2.
2. Zoning By-law Amendment File Z.12.025 to rezone the subject lands from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol “(H)”, and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone, both with the Holding Symbol “(H)”, in the manner shown on Attachment #11, together with the site-specific zoning exceptions identified in Table 2, to facilitate the proposed, mixed-use development conceptually shown on Attachments #3 to #9, consisting of the following:
 - 2.1 ha site area (including a 0.25 ha urban square)
 - 3-phased development
 - total Gross Floor Area: 124,170 m² (Residential: 100,663 m²; Retail: 3,300 m²; Office: 20,207 m²)
 - up to 4 residential towers (25 to 35-storeys)
 - podium heights ranging from 4 to 10 storeys
 - 1,328 residential apartment units
 - one 12-storey office tower
 - 2,166 provided parking spaces

Background - Analysis and Options

Location

The 2.07 ha subject lands are located at the southwest corner of Maplecrete Road and Regional Road 7, municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, in part of Lot 5, Concession 4, City of Vaughan, shown on Attachments #1 and #2. The subject lands are currently occupied with existing employment uses. The surrounding land uses are shown on Attachment #2.

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Land Use Policies/Planning Considerations

The Vaughan Planning Department has reviewed the Official Plan Amendment Application to permit the extension of the “Gateway Site” designation to 180 Maplecrete Road, in consideration of the following land use policies:

a) Provincial Policy Statement (PPS)

The PPS provides a broad based policy direction on matters of Provincial interest related to land use planning and development. The PPS promotes cost-effective development standards to minimize land consumption and servicing costs, while facilitating public transit supportive developments. It supports and encourages intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses that make more efficient use of land and public infrastructure.

The proposed development includes residential, office, commercial, and open space (public square) uses that intensifies presently underutilized lands at a density higher than the existing surrounding uses. The subject lands are located within the Vaughan Metropolitan Centre (VMC), which is identified as an intensification area. The development will contribute to a range and mix of uses within the VMC while efficiently utilizing the existing municipal infrastructure, which can support future growth and employment projections, thereby making more efficient use of existing and future infrastructure investments.

The PPS also provides policies respecting the efficient use of existing and planned transportation systems infrastructure. The development proposal will take advantage of existing and planned transportation infrastructure, including the TTC Subway (VMC Station), Viva Bus Rapid Transit (BRT along Regional Road 7), and the planned future York Regional Transit bus terminal, Regional Road 7, Highway 400, Highway 407, and the existing local road network.

The development proposal will contribute to the long-term economic prosperity within the VMC as it supports economic vitality with the creation of long-term office and commercial employment. The proposed development conforms to the goals, objectives and policies of the PPS.

b) Provincial Growth Plan - Places to Grow

The policies of the Growth Plan are intended to guide the development of land in the Greater Golden Horseshoe; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. Moreover, the Growth Plan outlines opportunities to make better use of land and infrastructure by directing growth to existing urban areas, stating in part:

“This Plan envisages increasing intensification of the existing built-up areas, with a focus on urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields.”

The Growth Plan identifies the Vaughan Metropolitan Centre as an Urban Growth Centre. The Growth Plan encourages intensification throughout the built-up area and includes infill development and the development of underutilized lots. The development proposal represents a catalyst for a mix of uses within the southeast quadrant of the VMC at transit

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supportive densities that will promote reduced dependence on the automobile and encourage transit supportive, pedestrian-friendly urban environments. The development proposal will assist with increasing the modal share for transit, walking and cycling. It will also provide for convenient access to intra and inter-city transit (Viva Next Bus Rapid Transit Route (BRT), York Region Transit Terminal, and the terminus of Spadina Subway Line (VMC Station) and facilitate an urban square with convenient access to supporting ground related commercial uses. The proposed development is consistent with the goals of the Growth Plan.

c) York Region Official Plan

The York Region Official Plan designates the subject lands as being located within the “Urban Area” and as a “Regional Centre” (VMC), where it is planned to become a hub of business, cultural, government, and social activity. The Regional Official Plan encourages pedestrian scales, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Regional Plan recognizes that there is a strong relationship between transportation and urban form.

The development proposal is in close proximity to the VMC Station and the planned BRT and would support the high level of transit services that will encourage the reduction of overall parking demands and trip lengths. Furthermore, the associated urban square will enhance the public realm. The proposed development is consistent with the Regional Official Plan policies. As noted in the “Regional Implications” section of this report, the Region of York will be the approval authority for the subject Official Plan Amendment, should it be first supported by Vaughan Council as Regional exemption was not granted.

d) City of Vaughan Official Plan (In-effect)

The subject lands, which are comprised of three properties (2951 Regional Road 7, 180 and 190 Maplecrete Road) are designated “Corporate Centre Node” by the in-force OPA #500 (Corporate Centre Plan), as amended by OPA #663 (The Avenue 7 Land Use Future Study Plan), and OPA #528. In addition, 2951 Regional Road 7 and 190 Maplecrete Road are designated as a “Gateway Site”, whereby the height is unlimited.

The proposed development is permitted in the “Corporate Centre Node” designation and on the portion of the site (2951 Regional Road 7 and 190 Maplecrete Road) designated as a “Gateway Site”. The owner has submitted Official Plan Amendment File OP.12.010 to extend the “Gateway Site” designation to include 180 Maplecrete Road, as identified in Table 1 below, which currently restricts the maximum permitted building height to 25 m, in order to apply a consistent maximum building height of 35 storeys on the entirety of the subject lands.

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Table 1: Official Plan Amendment File OP.12.010		
	Official Plan Policy OPA #500, as amended by OPA #528 and OPA #663	Proposed Amendment to OPA #500, as amended by OPA #528 and OPA #663
a.	Schedule B - Transportation Plan shows a portion of the subject lands (2951 Regional Road 7 and 190 Maplecrete Road) within the "Gateway Site" designation, which permits unlimited building height. 180 Maplecrete Road is not within the "Gateway Site" designation, and is limited to a maximum building height of 25 m.	Delete Schedule B - Transportation Plan and replace with a new Schedule B - Transportation Plan, shown on Attachment #10, thereby removing the maximum 25 m building height requirement and extending the "Gateway Site" designation to the portion of the subject lands municipally known as 180 Maplecrete Road to permit unlimited building height consistent with the remainder of the property.
b.	Section 3.2.2 a) Policies (in part) respecting permitted uses within the 'Corporate Centre Node' designation: "ix) community facilities such as parks, urban squares, open spaces, pedestrian linkages, day care centres and places of worship."	In addition to Section 3.2.2 a) ix), the portion of the subject lands municipally known as 2951 Regional Road 7 and 190 Maplecrete Road, specifically the north east corner of the two internal local roads, shall be used for no other purpose than an urban square that is approximately 0.25 hectares in area. The exact limits shall be established in the implementing zoning by-law.

The conceptual plan shown on Attachment #4 identifies a future apartment development at 180 Maplecrete Road that exceeds 25 m (i.e. 25 storeys proposed, whereas 25 m is equivalent to approximately 7 or 8 storeys) and does not conform to the maximum building height policies of the Official Plan. Additionally, the owner proposes an urban square at the northeast corner of the two internal local roads. The Vaughan Planning Department recommends the official plan include additional policies to ensure the intended use and location of the urban square.

The Vaughan Planning Department has no objection to the proposed extension of the "Gateway Site" designation given that it would establish one consistent official plan designation over the entire property, provided that sufficient connections and appropriate interfaces with the surrounding area are integrated in the future development phases.

In consideration of the Provincial and Regional policies encouraging intensification and transit supportive developments that provide opportunities for mixed-uses and employment in the VMC, the Official Plan Amendment can be supported.

e) Vaughan Official Plan (VOP) 2010

The subject lands are designated "Neighbourhood Precinct (N4)" by the Vaughan Metropolitan Centre Secondary Plan (VMC Plan), which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010). The VMC Secondary Plan is currently pending approval from the Ontario Municipal Board.

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The “Neighbourhood Precinct” designation permits residential uses, community amenities, professional offices, and street-related commercial retail along the Regional Road 7 frontage. The owner proposes a mixed-use development with ground related commercial uses, which is supported by the Vaughan Planning Department. The proposed uses would conform to the Vaughan Council adopted VMC Plan.

Zoning

To facilitate the development proposal that is conceptually shown on Attachment #5, the subject lands must be rezoned from C8 Office Commercial Zone, C8(H) Office Commercial Zone with the Holding Symbol “(H)”, and EM1 Prestige Employment Area Zone to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone, both with the Holding Symbol “(H)” with site-specific exceptions identified in Table 2. The lands are also subject to By-law 016-2014, which implements ‘parking’ standards, revised definitions and bicycle parking standards in the VMC. There are four elements to the zoning by-law amendment:

a) C9(H) Corporate Centre Zone with the Holding Symbol “(H)”

The Vaughan Planning Department recommends the addition of the Holding Symbol “(H)” to the C9 Corporate Centre Zone on the subject lands to ensure the following are addressed, to the satisfaction of the City of Vaughan:

- i) Vaughan Council has approved a Site Development application for the subject lands, or a portion thereof;
- ii) the approval of a site plan for the respective development of Phases 2 and 3 on the subject lands shown on Attachment #3, shall not proceed until a building permit has been issued for the 12-storey, 20,207 m² GFA office building in Phase 1;
- iii) that Vaughan Council identify and allocate water supply and sewage servicing capacity to the subject lands;
- iv) the owner must carry out the Environmental Site Assessment clearance to completion, up to and including the satisfactory registration of the Record of Site Condition (RSC), the proof of which requires two (2) documents, a hard copy of the RSC signed by a Qualified Person and the Acknowledgement Form from the Ministry of Environment (MOE). The complete Environmental Site Assessment (ESA) will include the ESA Phase 2, which will determine the requirement for an ESA Phase 3 (a Remediation Plan), and the subsequent Remediation Plan Implementation Report. The approval of a Site Development Application will be conditional on, if required, the review and approval of the Remediation Plan. However, the review and approval of the Remediation Plan Implementation Report and the RSC is a condition of Site Plan approval and is required prior to the submission of any Building Permit; and,
- v) the establishment of the west development limits of Phase 3 shall be subject to the conclusions of the Black Creek Renewal project.

The owner has submitted Site Development File DA.13.021 for the first phase of the mixed-use development and includes the office building component, conceptually shown on Attachment #4, which will be brought forward for consideration of the Vaughan Committee of the Whole at a future meeting. The city considers the proposed Phase 1 office building component as a major office use and one of the city’s main objectives in the VMC area. The recommended phasing condition will ensure the city’s interest in this regard.

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b) OS2(H) Open Space Park Zone with the Holding Symbol “(H)”

The owner has proposed a 0.25 ha urban square to be under public ownership that will be encumbered with underground parking. To ensure the long term use of the urban square this portion of the subject lands must be zoned OS2 Open Space Park Zone.

The proposed development represents the first development in the southeast quadrant of the VMC. The Vaughan Planning and Parks Development Departments can support the owner's proposed encumbered (public) urban square provided the Vaughan Council endorsed guiding principles for strata title arrangements are maintained and the urban square is delivered to an improved character and quality standard that contributes to a compact urban form, as agreed to by the city and the owner.

As a result, the Vaughan Planning Department recommends that the Holding Symbol “(H)” be placed on the OS2 Open Space Park Zone to allow for negotiations between the City of Vaughan and the owner to take place. The Holding Symbol “(H)” will not be removed until a Site Development File DA.13.021 is approved by Vaughan Council, to address the landscape details and plan for the urban square.

c) Density Bonussing

Policies and provisions respecting density bonussing applicable to the portions of the site municipally known as 180 Maplecrete (shown on Attachment #2), where the proposed heights exceed the maximum of 25 m in the current Official Plan, will be included in the site-specific Official Plan and Zoning By-law Amendments and will be implemented through a density bonussing agreement between the owner and the City of Vaughan at the site plan stage. Density bonussing may include, but not be limited to, public art, cash contributions for community benefits, and enhanced streetscaping. A condition to this effect is included in the recommendation of this report.

d) Exceptions to the C9 Corporate Centre Zone

The following site-specific zoning exceptions to the C9 Corporate Centre Zone are necessary to implement the development proposal shown on Attachments #3 to #9.

Table 2: Proposed Zoning Exceptions File Z.12.025

	By-law Standard	By-law 1-88 Requirements (C9 Corporate Centre Zone)	Proposed Exceptions to By-law 1-88 (C9 Corporate Centre Zone)
a.	Build to Zone (along Regional Road 7)	80% of the length of Regional Road 7 (±124m of an overall ± 155m) shall have a building located within the build to zone of 0-3m	59% (±91m) of the length of Regional Road 7 shall have a building located within the build to zone of 0-5m
b.	Build to Zone (along Maplecrete Road)	50% of the length of Maplecrete Road (±50m of an overall ± 100m) shall have a building located within the build to zone of 0-3m	82% (±82m) of the length of Maplecrete Road shall have a building located within the build to zone of 0-9.2m

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c.	Minimum Rear Yard Setback (West property line)	3 m	1 m, subject to the development limits established by the Black Creek Renewal project
d.	Minimum Setback to all Site Triangles	3 m	0 m
e.	Minimum Setback from Front Lot Line to Portions of Building Below Grade (Maplecrete Road)	1.8 m	0 m
f.	Maximum Building Height (180 Maplecrete Road)	25 m	82 m
g.	Maximum Building Height (2951 Regional Road 7 and 190 Maplecrete Road)	Unlimited	35 storeys (114 m), exclusive of mechanical penthouse and roof-top architectural features
h.	Minimum Building Height	10 m	7.9 m (portion of Building 1 Podium level)
i.	Maximum Residential Density	300 residential units based on a lot area of 20,110 m ² = 67 m ² /unit	1,328 residential units based on a lot area of 20,110 m ² = 15.14 m ² /unit
j.	Minimum Parking Space Size	2.7 m by 6.0 m	2.7 m by 5.8 m
k.	Minimum Bicycle Parking Requirements - Short Term	<p>Commercial: 0.15 spaces/100 m² GFA @ 3,300 m² or 6 spaces (whichever is greater) = 6 spaces</p> <p>+ Office: 20,207 m² @ 0.1 spaces/100m² GFA = 21 spaces</p> <p>+ Residential: 1,328 units @ 0.1 spaces/unit = 133 spaces</p> <p>Total Required Short Term Bicycle Parking = 160 space</p>	<p>Commercial: 3,300 m² @ 0.1 spaces/100m² GFA = 4 spaces</p> <p>+ Office: 20,207m² @ 0.05 spaces/100m² GFA = 11 spaces</p> <p>+ Residential: 1,328 units @ 0.1 spaces/unit = 133 spaces</p> <p>Total Provided Short Term Bicycle Parking = 148 spaces</p>

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I.	Minimum Bicycle Parking Requirements - Long Term	<p>Commercial: 3,300 m² @ 0.1 spaces/100m² GFA Spaces = 4 spaces +</p> <p>Office: 20,207m² @ 0.13 spaces /100m² GFA = 27 spaces +</p> <p>Residential: 1,328 units @ 0.5 spaces /unit = 664 spaces</p> <p>Total Required Long Term Bicycle Parking = 695 spaces</p>	<p>Commercial: 3,300 m² @ 0.05 spaces/100m² GFA = 2 spaces +</p> <p>Office: 20,207m² @ 0.08/100m² GFA = 17 spaces +</p> <p>Residential: N/A</p> <p>Total Provided Long Term Bicycle Parking = 19 spaces</p>
m.	Location of Loading Spaces	Not permitted between a building and a street	Loading facilities shall be located internal to a building with access onto the east-west local road from Maplecrete Road
n.	Minimum Landscape Strip Width along a Streetline	6 m	3 m along Regional Road 7, and 4 m along Maplecrete Road
o.	Definition of a Lot	<p>“Lot” - means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.</p>	<p>“Lot” - means the subject lands 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, shall be deemed to comply with the provisions of the By-law.</p>

The Vaughan Planning Department can support the proposed site-specific zoning by-law exceptions noted above for the following reasons:

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a) Building Setbacks

Notwithstanding the Zoning By-law 1-88 requirement that the built form of the development proposal be located within the “build to zone”, which is defined as within 0m to 3 m of 80% of the street length for Regional Road 7 and 50% of the street length for Maplecrete Road, the Vaughan Planning Department recommends the building envelopes shown on Attachment #11. The building envelopes will facilitate the development and encourage a comfortable pedestrian condition along the streetlines and a better physical relationship between the pedestrian realm and the built form that is conducive with the anticipated pedestrian volumes generated in the VMC.

Exceptions to the portions of the underground parking garage below grade are required to facilitate the efficient design of the underground parking structure which has been accommodated for other similar projects in the VMC. This exception minimizes large surface parking areas, and provides opportunities for increased landscaping and provisions for other street-related uses.

b) Building Height

The owner proposes a maximum building height of 114 m (35 storeys), exclusive of mechanical penthouse and roof-top architectural features, as proposed in Site Development File DA.13.021. Further, the owner conceptually proposes to increase the maximum permitted building height for the property municipally known as 180 Maplecrete Road from 25 m to 82 m (25 storeys), as shown on Attachment #5, which is consistent with the VMC Secondary Plan but inconsistent with OPA #500 designation. In addition to the policies and principles of the PPS and the Growth Plan, more intense developments are supported in York Region’s Official Plan, which identifies the subject lands as within a “Regional Centre”. VOP 2010 further identifies the subject lands as within the VMC Secondary Plan Area where developments are at densities that are supportive of public transit. The subject lands also front onto Regional Road 7, within walking distance of transit services on Regional Road 7.

Furthermore, the decrease in minimum building height from 10 m to 7.9 m will facilitate better articulation of the podium heights along Regional Road 7 and Maplecrete Road. The Vaughan Planning Department has no objection to the proposed building heights as supported by the policies and principles of the PPS, the Growth Plan, the Region’s Official Plan, and the VMC Plan.

c) Maximum Residential Density

The proposed development includes a reduction in the maximum residential density from 67 m² per unit to 15.14 m² per unit, as illustrated in Table 2. A total of 300 residential units are permitted as-of-right on the subject lands. The development proposal contemplates a total of 1,328 residential units, which is an increase in residential density that is equivalent to 15.14 m² per unit. OPA #500 currently identifies the majority of the subject lands as a “Gateway Site” with permissions for unlimited building height. Furthermore, the proposed increase in density is supported by the Provincial and Regional policies, and therefore, can be supported by the Planning Department.

d) Bicycle Parking Requirements

The owner, on July 4, 2012, submitted Official Plan and Zoning By-law Amendment Files OP.12.010 and Z.12.025. Review of the applications has been conducted by all departments and agencies. On January 28, 2014, Zoning By-law 016-2014 came into effect and implements the parking standards for the VMC, based on the City-wide Parking Standards Review.

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The owner is seeking to reduce the bicycle parking standards of the Zoning By-law, as illustrated in Table 2. The owner's Transportation Demand Management (TDM) Plan identifies the public transit opportunities benefitted by the location of the subject lands, being in close proximity to the extension of the Spadina Subway Line (VMC Station), the planned BRT routes, and the future York Region Bus Terminal.

Through the owner's experience with mixed-use developments, the calculation of long-term bicycle parking for residential uses were excluded from the calculation as the user expectation will be to store their bicycles in their respective storage lockers for security purposes. Furthermore, the provided short-term bicycle parking spaces are expected to be shared among different land uses of the mixed-use development. The owner also proposes and has extensive experience in facilitating employment based programs, such as carpooling, flex time work hours, car-share, and transit incentive programs (distribution of pre-paid PRESTO cards). The TDM program will be administered by a qualified TDM Coordinator.

In consideration of the owner's commitment to provide the users and residents opportunities for alternative modes of transportation and the context of the transportation network in the vicinity of the subject lands in the VMC, the Vaughan Planning Department supports the reduction of the bicycle parking standards. The owner's TDM Plan concludes that the proposed bicycle parking supply can adequately accommodate the proposed mixed-use development.

e) Loading Space

The Vaughan Zoning By-law restricts loading areas from locating between a building and a street. The internal loading facilities for the office use will be by way of a separate access from the east-west local road off Maplecrete Road. The operational measure will ensure that noise and odours generated from loading and unloading will be mitigated with minimal impact to the surrounding area. The Planning Department has no objections to the location of the loading area, subject to the review and approval by the Vaughan Public Works and Building Standards Departments at the site development application stage.

f) Landscape Widths

The Vaughan Planning Department has no objection to the proposed width reductions of the landscape strips along the street lines as noted in Table 2. The landscape strip reductions are in keeping with creating an urban environment, consistent with an urban built form.

g) Lot Definition

The proposed exception to the definition of a "lot" is required to ensure that for zoning purposes, the subject lands are deemed to be one lot, and comprising a comprehensively designed development. Given the nature of the development proposal, which includes an office building, residential buildings, ground floor commercial uses, connections to underground parking, and public roads with stratified title arrangements, which will be discussed further below, this exception is appropriate.

Strata Title Arrangements

A strata title arrangement is an agreement among two or more parties that is registered on title and pertains to the determination of ownership or use of land that is divided in a vertical manner, above and/or below grade.

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In a report entitled “Stratified Title Arrangements” submitted to the Vaughan Metropolitan Centre Sub-Committee on April 11, 2013 and approved by Vaughan Council on June 4, 2013, a list of guiding principles for strata title arrangements was endorsed. The principles were intended to be an initial basis for assessing proposals for stratified title arrangements. Furthermore, the city is supportive of a stratified title arrangement in this case as the owner is providing a major office use in the Phase 1 development of the subject lands, being one of the city’s main objectives in the VMC Secondary Plan.

a) Roads

OPA #500, as amended, requires two internal local public roads that traverses the subject lands in east-west and north-south directions. The owner proposes that both local roads be under public ownership, with stratified title arrangements for the proposed underground parking to be located under each road. The east-west road from Maplecrete Road can accommodate strata title ownership beneath the full roadway, subject to the confirmation of the location of underground services. In addition, the owner proposes a strata arrangement only under the boulevards, approximately 2 m in width on each side, of the north-south road from Regional Road 7.

The proposed local roads will service the mixed-use development proposal that includes residential apartment buildings with maximum heights of 35-storeys, a 12-storey office building (consisting of 20,207 m² or 217,000 ft² of gross floor area), and commercial uses. The city has committed to review the owner’s strata arrangement proposal that will require an Under Street Strata Title Arrangement (“USSTA”), subject to the Holding Symbol “(H)”.

b) Urban Square

The Vaughan Parks Development Department has reviewed the development proposal which includes a 0.25 ha urban square that is flanked by two local roads with lay-by parking spaces. The east-west local road, running along the south edge of the urban square, would link the subject lands to the VMC Black Creek Renewal Project, which is envisioned to be a series of public open spaces and parks.

In principle, the proposed urban square would become part of the VMC’s open space and parks network. The configuration and scale may increase the diversity of open spaces envisioned for this VMC neighbourhood. The preliminary urban square vision is aligned with the VMC’s Plan Objectives and Parks and Open Space policies that ensure the following:

- parkland and other open spaces adequate for a range of recreational activities and passive enjoyment within a walking distance for VMC residents and workers
- the VMC develops with a variety of public open spaces, including neighbourhood parks and urban squares, as well as courtyards, gardens and naturalized spaces
- parks and open spaces provide critical connections within the larger pedestrian and bicycle network that are designed with movement desire lines in mind and generally should accommodate pedestrian through-traffic, and where appropriate, cycling

Acknowledging that the development proposal is one of the first to be built in the southeast quadrant of the VMC and that other planned parks/open spaces may not occur in the short term, the Vaughan Parks Development Department would consider the proposed urban square as parkland dedication upon finalization of a Site Development application.

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The Vaughan Parks Development Department has the expectation of the owner to submit a design of an urban square that will:

- allow residents and office/retail workers to have a space with a balanced mix of green/vegetated and hardscape areas that would allow for active and passive uses
- include open areas and tree-shaded areas that may compose a rich micro-climate, all done fulfilling the Design Excellence VMC Objective
- include an open space that is not heavily impacted by shadows cast by the proposed built form

Since the owner proposes to construct the ground level urban square above a parking garage, further discussions with the city are required related to design and land management of the urban square. In particular, but not limited to, the location of exit stairs and vents, confirmation of the total useable area of lands suitable for urban square purposes, servicing, liability, maintenance, parkland credit, and overall depth of the strata arrangement will be required to be agreed to, to the satisfaction of the City of Vaughan.

Similar to the strata title arrangement for the roads, the owner will require an agreement similar to an USSTA. As a result, the Holding Symbol “(H)” has been included on the OS2 Open Space Park Zone. The Holding Symbol “(H)” shall not be removed from the OS2 Open Space Park Zone until such time that a Site Development application has been approved by Vaughan Council, which has been included as a condition in the recommendation of this report.

Draft Plan of Subdivision and Site Development Applications

Should Vaughan Council approve the Official Plan and Zoning By-law Amendment applications, the subject lands will be developed through the Draft Plan of Subdivision and Site Development application processes, which is subject to approval by Vaughan Council. The owner has already submitted the following applications:

1. Draft Plan of Subdivision File 19T-13V006 to facilitate the mixed-use development blocks and the public roads.
2. Site Development File DA.13.021 to permit phase 1 of the development proposal that includes the a 12-storey office building, a 35-storey residential apartment building, ground floor commercial uses, and an urban square including the public road streetscaping.

Vaughan Design Review Panel (DRP)

On March 28, 2012, the Vaughan Design Review Panel (DRP) considered the proposed conceptual plans. The Panel provided several comments based on the following themes, including:

a. Street Network

- the proposed internal street network must link up to the planned contextual street network of the VMC Plan and street configurations aligned at intersections are preferable to T intersections
- the east-west link must ensure vehicle access to the adjacent sites and pedestrian access to the Black Creek open space system
- there is an important opportunity to create a mid-block pedestrian connection from Regional Road 7 to increase permeability onto the subject lands

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b. Black Creek

- the Panel encouraged the site organization to respond and contribute to the future planned Black Creek open space system, which has the potential for an important public open space in the VMC

c. Amenity Space

- the Panel encouraged a bolder statement with the public square as a meaningful and bold expression that is connected to the Black Creek
- in order to emphasize a pedestrian-first shared street (proposed “Woonerf” or flexible street), the Panel encourages servicing, loading, and parking are removed from the flexible street area.

The owner is encouraged to address the Panel's comments in the Site Development applications as a measure to improve on all aspects of the development on the subject lands. Future Site Development applications for the development phases will be subject to review by the Vaughan Design Review Panel.

Nav Canada and Bombardier

Nav Canada is a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS). NAV Canada co-ordinates the safe and efficient movement of aircraft in Canadian domestic airspace and international airspace assigned to Canadian control. In a letter issued in June 2014, NAV Canada has advised that they have no objection to the development proposal. NAV Canada's land use evaluation is valid for a period of 12 months of their notice and the assessment is limited to the impact of the proposed physical structure on the air navigation system and installations.

The Toronto Downsview Airport is located approximately 14 km southeast of the subject lands and is within the flight path of the airport. Bombardier Aerospace exclusively owns and operates the Toronto Downsview Airport. All development proposals within the flight path will require review by Bombardier. In a memorandum dated May 27, 2014, Bombardier Aerospace advised they have no objection to the proposed development, provided that site plans for all future phases must seek permissions from Bombardier.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has provided their comments for Official Plan and Zoning By-law Amendment Files OP.12.010 and Z.12.025, as follows:

a) Road Network/Access

Maplecrete Road is required to be widened and reconstructed to 23 m to 26 m for a full movement signalized intersection at Regional Road 7. Access for the subject lands is proposed at Regional Road 7 and Maplecrete Road. The VMC Plan requires a new north/south and an east/west local road traversing the subject lands.

The owner has proposed the two new public roads (22 m right-of-way) with an underground parking strata arrangement. The Development/Transportation Engineering Department is not opposed to the proposal in principle; however, the owner is required to provide a Strata Road Feasibility Report to justify the strata limits, and parking garage and underground utilities design for review and approval. The proposed right-of-way widths and cross-section details must be established, to the satisfaction of the city. A condition to this effect is included in the recommendation of this report.

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b) Municipal Services

The owner has submitted a Functional Servicing Report and Stormwater Management Report (Project No: 11161), dated March 2013, prepared by Valdor Engineeirng Inc. in support of the development proposal and illustrates the following servicing scheme to service the subject lands:

▪ Storm Sewer

A new storm sewer connection is proposed to the existing 525 mm diameter storm sewer on Maplecrete Road to service the subject lands.

According to the VMC Master Servicing Plan, a centralized stormwater management pond referred as the South East pond is proposed to service the entire southeast quadrant of Regional 7 and Jane Street, including the subject lands. Based on the preliminary analysis, an on-site solution will allow the development proposal to proceed in advance of the construction of the South East Pond.

▪ Sanitary Sewer

Sanitary services for the subject lands can be provided by the construction of a sanitary service connection to the existing sanitary sewer located on Maplecrete Road. The development proposal is subject to further review based on grading constraints and the required downstream sewer upgrade.

▪ Watermains

Water services for the subject lands can be provided by construction of water service connections to the existing watermain located on Maplecrete Road, which will provide domestic and fire flow demands for the proposed development.

The final functional servicing report must provide the update of the overall servicing scheme including the redevelopment of abutting properties in relation to the proposed site servicing and the approved VMC Master Servicing Strategy (TMIG 2009), to the satisfaction of the city.

c) Environmental Site Assessment (ESA)

The Vaughan Development/Transportation Engineering Department has reviewed an Environmental Site Assessment (ESA) report for the subject lands. The Holding Symbol ("H") shall be placed on the subject lands as contamination was identified and remediation is required. The owner must address all comments to the satisfaction of the city prior to the issuance of ESA clearance. The holding provision will be removed subject to the submission of a Record of Site Condition (RSC). A condition to this effect is included in the recommendation of this report.

d) Soil

The owner has submitted a preliminary soils report entitled "Preliminary Geotechnical Investigation for Proposed Condominium Building", dated May 11, 2011, prepared by Coffey Geotechnics Inc. The final report shall detail the bedding requirements for the installation of underground services and the dewatering process. The analysis shall identify the route of groundwater discharge and verify any impacts on downstream flooding.

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e) Noise Attenuation

The owner has submitted a preliminary noise report entitled “Environmental Noise Feasibility Assessment Proposed Maplecrete Development (Reference No. 12-0008)”, dated March 06, 2013 and prepared by Novus Environmental Inc. to verify the noise sources surrounding the subject lands and the noise control measures proposed for the proposed development. The noise analysis considers the road traffic on Regional Road 7 and Jane Street, Maplecrete Road, Doughton Road, Highway 407, Highway 400, CN Rail Yard, the Ready-Mix concrete plant, and the operation associated with the commercial and industrial facilities surrounding the subject lands.

Due to the significant setback of the subject lands from the CN MacMillan yard and the indoor truck loading of the Ready-Mix concrete plant operation, the noise impact assessment concludes that these noise sources are expected to be minimal and may be audible at times. However, road traffic noise is a concern, but can be mitigated by appropriate construction of exterior walls, windows, and doors, in accordance with the Ministry of Environment (MOE) guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as outdoor living area, pursuant to the MOE guidelines. Dwelling units that abut or face an arterial road shall be provided with central air conditioning units to permit the windows to remain closed. Appropriate warning clauses must be placed in occupancy agreements to make future occupants aware of the potential noise situation.

Based on the preliminary analysis, the development proposal is feasible subject to the final report confirming the applicable NPC-300 guideline limits and class designation are to be met and no adverse impacts are expected.

f) Water/Sanitary Servicing Allocation

In accordance with the City's Servicing Capacity Distribution Protocol as adopted by Vaughan Council on October 29, 2013, Vaughan Council has reserved water supply and sewage allocation for 370 units to the Phase 1 development with the requirement that the Holding Symbol (“H”) for water supply and sewage allocation be placed on the remainder of the residential phases. The subject lands will require additional servicing capacity for the full build out.

g) Black Creek

The Black Creek Optimization Study and ongoing Black Creek Renewal Class EA identify a regulatory floodplain related to the Black Creek that extends marginally onto the westerly limit of the subject lands. It is anticipated that the planned improvements to the Black Creek will ultimately remove the floodplain from the property. In addition, the VMC Master Servicing Plan identifies the need for a new storm water management pond west of Maplecrete, north of Highway 407 to service the south-east quadrant of the VMC.

The subject lands are tributary to the Black Creek and the proposed new storm water management pond. Therefore, the owner will be required to contribute its proportionate share towards the cost of these infrastructure improvements at the appropriate time through the subsequent development approval process.

Canadian National (CN) Railway

CN Railway has reviewed the noise study provided by the owner and notes that the study accounts for stationary noise sources within a radius of 500 m, whereas CN's MacMillan Yard is approximately 700 m away from the subject lands. The Federation of Canadian Municipalities

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and the Railway Association of Canada consider the zone of influence of a rail yard to be a radius of 1000 m, which given the scale and volume of the operations at the MacMillan Yard, may affect the subject lands. The findings of the noise report must account for the yard's presence, and propose mitigation as applicable. The following warning clause will be included in the future Site Plan Agreement and Condominium documents:

"All persons intending to acquire an interest in the real property by purchase or lease are advised of the proximity of Canadian National Railway's MacMillan Yard, which operates on a 24-hour basis. It is possible that the marshalling yard operations may cause disturbance and may be altered or expanded which could affect the living environment of the residents despite the inclusion of any noise and vibration attenuating measures in the design of the outdoor amenity area(s) and individual dwelling(s). Residents are advised that further mitigation cannot be expected and Canadian National Railway will not be responsible for any complaints or claims arising from use of such facilities and/or operations."

Vaughan Legal Services Department - Real Estate Division

The Vaughan Legal Services Department - Real Estate Division has provided the following condition, which will be addressed through the consideration of Site Development File DA.13.021:

For Residential Buildings: "For residential high-density development, the owner shall dedicate parkland equivalent to 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher in accordance with the Planning Act and the City's cash-in-lieu Policy."

For Commercial Buildings: "And 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The owner shall submit an appraisal of the subject lands, for the commercial component prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."

Utilities

PowerStream Inc. has reviewed the development proposal and indicated that it is the owner's responsibility to contact PowerStream and discuss all aspects of the development proposal with respect to electrical supply, transformer locations, and temporary service requirements. These requirements will be addressed at the draft plan of subdivision and site plan stages.

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. Enbridge Gas has advised that the owner is required to provide a 3 m by 3 m exclusive use location for a pressure reducing regulator station. The owner is required to grade all road allowances to final elevation, provide necessary field survey information and all approved municipal road cross sections identifying all utility locations prior to the installation of gas piping. These requirements will be addressed at the draft plan of subdivision and site plan stages.

Bell Canada has reviewed the development proposal and has advised that an easement may be required to service the subject lands, depending on further detailed review. This requirement will be addressed at the draft plan of subdivision and site plan stages.

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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 that Canada Post specifications area met. The owner is required to supply, install and maintain a centralized mailbox facility. These requirements will be addressed at the draft plan of subdivision and site plan stages.

York Region District School Board

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. Comments from the York Catholic District School Board and Conseil Secondaire de District Catholique Centre-Sud will be obtained through the draft plan of subdivision and site plan stages.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) **Manage Growth and Economic Well Being**

Creating a positive environment that encourages innovation and prosperity.

The proposed development is located within the Vaughan Metropolitan Centre (VMC) planning area, which is a designated Urban Growth Centre and a key strategic development area in the City of Vaughan that will support a high capacity subway extension and future bus rapid transit infrastructure.

ii) **Promote Community Safety, Health & Wellness**

Actively promoting healthy lifestyles to encourage a high quality of life and the well-being and safety of residents.

The proposed development includes an urban square, amenity space/walking trails to enhance the City's existing inventory of public amenity space.

Regional Implications

The subject lands are designated "Urban Area" by the in-effect York Region Official Plan, which permits a wide range of residential, commercial, industrial, and institutional uses. The subject lands are located within a Regional Centre where the widest range of land uses and densest developments are encouraged to occur.

York Region encourages the proposed development to have an integrated and innovative approach to water management, be water efficient, and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach. Another important consideration for intensification developments on Regional Corridors is the provision of TDM measures to reduce single occupancy trips. The details of this consideration should be dealt with through the site plan approval process.

The development proposal was considered by the Regional Development Review Committee and the following comments primarily pertain to site plan issues and have been provided as an early indication of issues to be addressed:

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- a. The Region is protecting a 60 m right-of-way for this section of Regional Road 7. All municipal setbacks shall be referenced from a point 30 m from the centreline of construction of Regional Road 7.
- b. To promote non-auto travel modes, the development proposal should provide good pedestrian and cycling connections and related facilities.
- c. The development proposal should identify, implement, and monitor a comprehensive TDM program.

Regional Official Plan Policy 7.2.7 speaks to the Region working with local municipalities to co-ordinate infrastructure within Regional rights-of-way. York Region has advised that the development proposal does not meet the intent of Regional Official Plan Policy 7.2.7 primarily because the VMC Secondary Plan is not yet in full force and effect. The proposed amendment to the City's in-effect Plan is considered to have an impact on Regional interests. As such, York Region has not granted exemption for File OP.12.010 and will be the approval authority for the subject Official Plan Amendment.

Conclusion

The owner has submitted Official Plan Amendment File OP.12.010 to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528 and OPA #663 (The Avenue 7 Future Land Use Study Plan), to extend the "Gateway Site" designation over the entire subject lands. The owner has submitted Zoning By-law Amendment File Z.12.025 to rezone the subject lands from C8 Office Commercial Zone, C8 (H) Office Commercial Zone with the Holding Symbol "(H)", and EM1 Prestige Employment Area Zone to C9 (H) Corporate Centre Zone and OS2 (H) Open Space Park Zone, both with the Holding Symbol "(H)", together with site-specific zoning exceptions.

The Official Plan and Zoning By-law Amendment applications propose to implement a mixed-use development that meet the objectives of the Provincial Policy Statement (PPS) and Growth Plan for the Greater Golden Horseshoe (the Growth Plan), the York Region Official Plan, and the Vaughan Council adopted VMC Plan by providing an intensified and transit-oriented mixed-use development.

The Vaughan Planning Department is satisfied that the development proposal is appropriate and compatible with the planned uses in the VMC. Accordingly, the Vaughan Planning Department can support the approval of Official Plan Amendment File OP.12.010 and Zoning By-law Amendment File Z.12.025, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Phasing Plan
4. Conceptual Site Plan
5. Conceptual East Elevations (Facing Maplecrete Road)
6. Conceptual North Elevations (Facing Regional Road 7)
7. Conceptual South Elevations
8. Conceptual West Elevations
9. Conceptual Rendering
10. Proposed Amendment to Schedule 'B' - Transportation Plan (OPA #500)
11. Proposed Zoning Schedule

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)