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- ii. the Holding Symbol “(H)” remain on Parcel “B” until such time as a Site Plan and servicing allocation have been approved by Vaughan Council;
 - iii. the owner for Parcel “C” (Thornhill Retirement Residence) shall amend their existing Site Plan Agreement to revise the site plan and relocate the driveway access from Centre Street to the north/south road (shown as Future New Road ‘2’ on Attachment #9), to the satisfaction of the Vaughan Planning and Development/Transportation Engineering Departments; and,
- b) Site Development File DA.13.014 (Blue Water Ranch Developments Inc. & Thornhill Retirement Residence L.P.) to permit 19 and 22-storey apartment buildings (Buildings “A” and “B” – future condominium tenure) with a total of 468 apartment units on Parcel ‘A’, as shown on Attachments #3 to #9, subject to the following conditions:
- i. that prior to the execution of the Site Plan Agreement:
 - 1. the owner’s appeal of Vaughan Official Plan 2010 (VOP 2010) to the Ontario Municipal Board must be resolved to the satisfaction of the City Solicitor and Commissioner of Planning;
 - 2. the Vaughan Planning Department shall approve the final site plan, building elevations, landscape plans and landscape cost estimate;
 - 3. the Vaughan Development/Transportation Engineering Department shall approve the final site grading and servicing plan, photometric lighting plan, stormwater management report and functional servicing report;
 - 4. all requirements of the Vaughan Development/Transportation Engineering and Public Works Departments shall be satisfied with regards to the driveway on the adjacent easterly land (future road connection to Disera Drive) as shown on Attachment #9;
 - 5. the owner shall enter into a Development Agreement for the “Future New Road 1” as shown on Attachment #3 and shall provide all required easements and dedications to the satisfaction of the Vaughan Development/Transportation Engineering and Public Works Departments;
 - 6. the owner shall provide for the implementation of a Transportation Demand Management (TDM) Plan to the satisfaction of the Vaughan Development/Transportation Engineering Department and York Region, including the provision of a Letter of Credit(s) to secure the TDM requirements; and,
 - 7. the owner shall satisfy all requirements of the York Region Transportation and Community Planning Department.
 - ii) the Site Plan Agreement shall include the following provisions:
 - 1. for residential high-density development, the owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of

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- 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;
2. garbage and recycling collection and snow removal for the development shall be privately administered and the responsibility of the owner or the condominium corporation(s);
 3. the owner shall satisfy all requirements with respect to noise attenuation and ensure it is in accordance with the noise attenuation features recommended by the report entitled Noise Impact Study, dated February 2014 to the satisfaction of the Vaughan Development/Transportation Engineering Department, in particular the following:
 - a) all residential dwelling units within the apartment buildings will require air conditioning;
 - b) that the following warning clauses be included in all Agreements of Purchase and Sale and or Lease:
 - "Purchasers/Tenants are advised that despite the inclusion of noise control features in the development area and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of Environment's noise criteria. This dwelling unit has been equipped with a central air conditioning system, which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of Environment's noise criteria."
 - "Purchasers/Tenants are advised that due to the close proximity of the adjacent commercial uses, noise from the commercial uses may at time be audible".
 4. the City of Vaughan and/or York Region may consider implementing the 'soft' TDM measures recommended in the TDM Plan for this development (also known as the 'Sustainable Mobility Program'), which will require a commitment from the owner to work with the City of Vaughan in coordination with York Region to implement and monitor the TDM Plan;
 5. the owner shall display a Community Plan in the sales office comprised of information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City of Vaughan, and that no Building Permit shall be issued until the Community Plan is approved by the Vaughan Planning Department. The Community Plan shall identify the following:

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- the plan for the broader area, showing the surrounding land uses, arterials, etc.;
- the location of street utilities, entrance features, sidewalks, transit stops;
- the location of parks, open space, trails, community facilities;
- the location of Institutional uses, including schools, places of worship, community facilities;
- the location and type of commercial sites;
- colour-coded identification of singles, semis, townhouses and apartment units;
- the following notes in BOLD CAPITAL TYPE on the map:

“For further information, on proposed and existing land uses, please call or visit the City of Vaughan Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1, (905)832-8585.”

“This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers.”

[in such circumstances the owner is responsible for updating the map in a timely manner and forwarding it to the City of Vaughan for verification.]; and,

6. prior to the issuance of the first building permit, the owner shall provide to the City a permanent easement for access for the 20 m east/west parcel shown as Future New Road ‘1’; and a permanent easement for the 10 m parcel on the easterly edge of the Lands, shown as Future Road ‘2’, as shown on Attachment #9 at no cost to the City and all to the satisfaction of Vaughan’s Development/Transportation Engineering Department.
2. THAT Site Development File DA.13.014 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 468 residential units (1,034 persons equivalent).
3. THAT City Staff be directed to attend the Ontario Municipal Board Hearing in support of the Zoning By-law Amendment and Site Development applications.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: 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 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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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:

- the development is physically connected to the Town Centre and all other neighbourhoods through public streets and sidewalks. Walking is encouraged through the provision of continuous sidewalks and comfortable, safe pedestrian routes. The buildings will be located 0.3 to 5 m from the streetline and will provide abundant overlook of the street space
- a high level of public transit surrounds the subject lands
- erosion and sediment control plans will be prepared to prevent the loss of soil, sedimentation and dust pollution
- bicycle parking spaces will be provided
- street and on-site tree planting will provide shade and minimize the urban heat island effect
- universal accessibility will be incorporated into the site and building design in accordance with the Ontario Building Code
- energy efficient lighting, HVAC and heating equipment and natural gas powered generators
- water consumption will be minimized through the use of drought resistant plantings
- storm water will be detained through on-site storage in accordance with Toronto and Region Conservation Authority (TRCA) guidelines
- roofing materials will have a high Solar Reflectance Index to minimize heat gain
- a green roof will be provided on the 10th-storey of Building “A” and in the amenity area that connects the apartment buildings
- exterior lighting will be designed to minimize light trespass and sky-glow
- 6 underground parking spaces will include roughed in electrical outlets for plug-in electric vehicles

Economic Impact

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

Communications Plan

On October 12, 2012, a Notice of Public Hearing was circulated to all property owners within 150m of the subject lands and to the Beverley Glen Ratepayers Association. The Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and Notice Signs installed on the property in accordance with the City's Sign Notification Protocol.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 6, 2012, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 20, 2012. On November 4, 2013, a community meeting was convened at the request of the Local Councillor. The concerns identified at the Public Hearing and at the Community Meeting are identified and discussed in the “Responses to Comments at the Public Hearing” section of this report.

On August 22, 2014, a Notice of this Committee of the Whole meeting was mailed to those individuals that appeared at the Public Hearing, Community Meeting and/or requested notice of these applications.

Purpose

To seek instructions from the Committee of the Whole on Zoning By-law Amendment File Z.08.032 and Site Development File DA.13.014, which have been appealed to the Ontario Municipal Board and are scheduled for a two day Hearing on November 27 and 28, 2014:

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1. Zoning By-law Amendment File Z.08.032 to amend Zoning By-law 1-88, specifically to rezone Parcel “A” shown on Attachments #1 and #2 from RA5(H) High Density Residential Town Centre Zone with the Holding Symbol “(H)”, subject to Exception 9(1225) to RA5 High Density Residential Town Centre Zone with the site-specific zoning exceptions identified in Table 1 of this report, to permit the development of 19 and 22-storey apartment buildings with a total of 468 units; and, to maintain the RA5(H) Zone on Parcel “B” to permit a future 6-storey, 149 suite seniors retirement and related residence, as shown on Attachments #3 to #9.
2. Site Development File DA.13.014, to permit the development of Parcel “A” with the following as shown on Attachments #3 to #9:
 - Building “A” - 19-storeys (56 m) with a 10-storey western wing consisting of 242 units;
 - Building “B” - 22-storeys (62 m) consisting of 226 units;
 - Podium – 2-storey central lobby and 1-storey central amenity space; and,
 - a total of 468 units and 562 parking spaces.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the east side of New Westminster Drive, north of Centre Street, City of Vaughan. The surrounding uses are shown on Attachment #2.

Land Use Policies and Planning Considerations

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.08.032 and Site Development File DA.13.014 and provide the following analysis:

a) In-Effect Official Plan

The subject lands are designated “High Density Residential” by OPA #210 (Thornhill Community Plan), as amended by OPA #671 (Thornhill Centre Street Plan), which permits the proposed apartment buildings. OPA #671 permits a maximum building height of between 18 to 22-storeys and a maximum Floor Space Index (FSI) of 2.7 on the subject lands, calculated on the basis of the total land area within the “High Density Residential” designation, excluding road allowances.

As shown on Attachment #3, Parcels ‘A’, ‘B’ and ‘C’ are all located within the lands designated “High Density Residential” by OPA #671, and have a total land area (excluding the road allowances) of 21,592.98 m². Development on these lands include the following:

- Parcel ‘A’ - proposed apartment buildings with a total gross floor area (GFA) of 39,185m²
- Parcel ‘B’ - proposed future senior’s retirement residence with a GFA of 11,890 m²
- Parcel ‘C’ - existing 10,178 m² senior’s retirement residence

The total GFA (existing and proposed) for Parcels ‘A’, ‘B’, and ‘C’ is 61,253 m² which yields an FSI of 2.84.

OPA #671 permits a minor variation of up to a maximum of 5% (ie. from 2.7 to 2.84 FSI) to the numerical requirements of the Official Plan including FSI and height, without amendment. The proposed FSI increase from 2.7 to 2.84 and building heights of 19 and 22-storeys conform to OPA #671. The proposed development conforms to the in-effect Official Plan.

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b) Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated “High-Rise Residential” by VOP 2010, which permits a maximum building height of between 16 to 22-storeys and a maximum FSI of 2.7 on the subject lands. The applicable VOP 2010 policies for the subject lands are in Volume 2, Area Specific Policies, Bathurst and Centre Street: Thornhill Town Centre, Section 12.12. However, the owner has appealed VOP 2010 as it pertains to the subject lands to the Ontario Municipal Board (OMB Appeal #67, Case No. PL111184).

The basis for the owner’s appeal is to ensure that Section 12.12 and the balance of VOP 2010 remains consistent with the policies of site-specific OPA #671 and that the proper transition policies apply to Zoning By-law Amendment File Z.08.032.

VOP 2010 does not include a similar policy to OPA #671 to permit the density to be calculated over the entirety of the lands designated “High-Rise Residential”. Therefore, the FSI for the proposed 19 and 22-storey apartment buildings calculated on the area of Parcel “A” yields a density of 5.6 FSI, which does not conform to VOP 2010. The proposed seniors building on Parcel “B” yields a density of 1.7 FSI, which conforms to VOP 2010.

A condition of approval is included in the recommendation requiring the owner to settle Appeal #67, Case No. PL111184, prior to the execution of the Site Plan Agreement should the OMB approve the applications.

c) Ontario Municipal Board (OMB)

On November 20, 2013, pursuant to Section 34(11) of the Planning Act, the owner appealed Zoning By-law Amendment File Z.08.032 to the OMB (File No. PL131327), citing Vaughan Council’s refusal or neglect to make a decision on the Zoning By-law Amendment application within 120 days of the making of the application.

On August 26, 2014, pursuant to Section 41(12) of the Planning Act, the owner referred Site Development File DA.13.014 to the OMB, on the basis of the failure of the City of Vaughan to approve the Site Plan Application submission within 30 days. The applicant is requesting that the OMB consolidate the Site Plan and Zoning By-law Amendment Applications so that they will be heard together.

The OMB hearing has been scheduled for November 27 and 28, 2014.

d) Zoning

The subject lands are zoned RA5(H) High Density Residential-Town Centre Zone with the Holding Symbol“(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1225). The condition to remove the Holding Symbol requires the approval of a Site Development Application by Vaughan Council. As noted above, OPA #671 includes a policy to permit the maximum density for the subject lands to be calculated over the lands designated “High Density Residential” by the Amendment. Zoning By-law 1-88 does not include a similar standard to implement this policy. The following site-specific zoning exceptions are required to permit the proposed development shown on Attachments #3 to #9:

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Table 1: Zoning Exceptions

	By-law Standard	By-law 1-88 Requirements of the RA5 High Density Residential - Town Centre Zone, subject to Exception 9(1225)	Proposed Exceptions to the RA5 High Density Residential – Town Centre Zone, Exception 9(1225)
	PARCEL 'A' (as shown on Attachment #3)		
a.	Maximum Building Height for Building "A" and Building "B"	18-storeys or 56 m (whichever is less); with corner buildings at 8-storeys or 29 m	22- storeys or 63 m for Parcel "A"
b.	Minimum/Maximum Front Yard Setback (Future New Road '1')	6 m	0.45 m min.
c.	Minimum/Maximum Exterior Side Yard Setback (New Westminster Drive)	6 m	1.7 m
d.	Minimum Interior Side Yard Setback	To be determined at site plan stage	4.8 m
e.	Maximum Residential Density-Apartment Buildings	2.7 FSI	2.84 FSI to permit the density to be calculated over the land area of Parcels "A", "B" and "C" (Attachment #3) in accordance with OPA #671
f.	Minimum Parking Space Size (Underground)	2.7 m X 6 m	2.7 m X 5.7 m
g.	Minimum Width of a Landscape Strip Along a Lot Line Abutting a Street Line in an RA5 Zone	6 m	<ul style="list-style-type: none"> • 0.45 m (abutting Future Road "1") • 1.7 m (abutting New Westminster Drive)

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h.	Minimum Landscape Strip along the North Property Line of the Subject Lands	6 m	1.6 m
i.	Minimum Setback to Portions of a Building Below Grade (abutting Future Road "1")	1.8 m	0 m
j.	Minimum Landscape Strip Width Around a Surface Parking Area	3 m	1.6 m
k.	Minimum Height of Landscape Berm (Screening Around the Surface Parking Area)	1.2 m	0 m (shall not apply)
l.	Maximum Combined Width of a Circular Driveway	9 m	11.5 m
	PARCEL B (as shown on Attachment #3)		
a.	Permitted Uses in an RA5 Zone	<ul style="list-style-type: none"> ▪ Apartment Dwellings ▪ Bank or Financial Institution* ▪ Retail Store* ▪ Business or Professional Office* ▪ Personal Service Shop* ▪ Video Store* <p>*uses shall be located at grade and shall be part of a mixed-use commercial/residential building. Ground Floor Area of these uses shall not exceed 30%.</p>	<p>Permit the following additional uses in an RA5 Zone:</p> <ul style="list-style-type: none"> ▪ Independent Living Facility ▪ Long Term Care Facility ▪ Supportive Living Facility
b.	Minimum/Maximum Front Yard Setback (Main Entrance)	6 m	3.7 m
c.	Minimum Front Yard Setback to Future New Road '1' From the Canopy	6 m	1 m

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d.	Maximum Combined Width of a Circular Driveway, With Each Driveway Not Exceeding 6 m	9 m	12 m
e.	Landscape Strip Abutting a Street Line (Main Entrance)	6 m	3.7 m

The Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88, for the following reasons:

a) Building Setbacks and Landscape Widths

The owner proposes to reduce the minimum building setbacks and landscape strip widths to facilitate a compact built form envisioned by OPA #671, including urbanized streetscapes along New Westminster Drive and Future New Road “1” conducive to pedestrian activity and that provides access to public transit and commercial activities.

b) Floor Space Index (FSI)

The proposed FSI of 2.835 is calculated based on the land area for Parcels “A”, “B” and “C”, as shown on Attachment #3, in accordance with the in-effect Official Plan. However, Zoning By-law 1-88 does not permit the FSI to be calculated using the same land area and does not permit a 5% variation. Under the Zoning By-law 1-88, the FSI is calculated on a site by site basis, thereby resulting in an FSI of 5.7 on Parcel “A”. In order to conform to the density provisions in the in-effect Official Plan and calculate density in a consistent manner, the Planning Department can support the amendment to By-law 1-88 to calculate the FSI over the land area of the 3 parcels shown on Attachment #3.

c) Maximum Building Height

The Owner proposes to increase the maximum permitted building height from 18-storeys or 56 m to 22-storeys or 63 m to facilitate proposed Building “B”. Building “A” is 18-storeys and meets the by-law requirement. Buildings “A” and “B” are connected and provide for varying heights within each building, for visual interest. For instance, the units facing New Westminster Drive and Future New Road “1” will consist of 2-storey townhouse units, and there is a podium connecting Buildings “A” and “B” with 1 and 2-storey heights. In addition the height of Building “A” at the northeast corner of New Westminster and Future New Road “1” will be 10-storeys and provide heights that are stepped back, which is less intrusive and more pedestrian friendly at street level.

In addition, the lands to the north are currently developed with 3 apartment buildings being 4, 16 and 18-storeys. The proposed building heights on the subject lands are in keeping and consistent with existing development in the community to the north.

d) Parking Space Size

The proposed underground parking space size of 2.7 m x 5.7 m complies with the Vaughan Council approved IBI Parking Study. In addition, the Vaughan Development/Transportation Engineering Department supports the reduced parking space depth of 5.7 m.

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e) Portions of Buildings Below Grade

The proposed 0 m setback to the underground structure will permit a larger underground parking garage and thereby minimize the need for surface parking area. In addition, the owner has provided an acknowledgement letter from their landscape architect indicating that this setback will not impact the proposed landscaping at grade. The Urban Design Division of the Planning Department has reviewed the acknowledgement and has no issue with this exception.

f) Circular Driveways

By-law 1-88 requires that circular driveways having two access points shall have a maximum driveway width and curb cut of 9 m. There are two accesses onto the "Future New Parcel 1" that will serve the entire development. The two accesses form part of a circular driveway that goes internal to the buildings under a covered main entrance area and has a width of 11.5m. The Vaughan Development/Transportation Engineering Department has reviewed the circular driveway location and width and supports this exception.

g) Uses

In addition to the uses permitted within the RA5 High Density Residential-Town Centre Zone, the owner is requesting an Independent Living Facility, Long Term Care Facility or a Supportive Living Facility, to be permitted in Parcel "B". The Planning Department has no objection to this request as there is an existing senior's residence located on Parcel "C". A future site development application is required for Parcel "B" to review the site in greater detail. A condition to this effect is included in the recommendation of this report.

h) Summary

In summary, the Planning Department can support the proposed site-specific zoning exceptions to the RA5 High Density Residential-Town Centre Zone for the subject lands. The proposed development is compatible with the surrounding existing and planned land use context, and conforms to the in-effect Official Plan. For the reasons discussed above, the Planning Department has no objections to the proposed site-specific exceptions to Zoning By-law 1-88.

Holding Symbol "(H)"

Should the Ontario Municipal Board approve the subject applications, the Holding Symbol "(H)" will be removed from Parcel "A" as water and sewage servicing capacity can be allocated for 468 residential units and Site Development File DA.13.014 will have been approved. A condition to this effect is included in the recommendation of this report.

The Holding Symbol "(H)" will remain on Parcel "B" (future seniors residence) until such time as water and sewage servicing capacity is identified and allocated and a Site Development application is approved by Vaughan Council.

Site Plan Review (Parcel "A")

The proposed site plan is shown on Attachment #4. Site access is via a private driveway from the Future New Road "1" (public road) connecting to New Westminster Drive on the west and to a private driveway (future municipal road) located on the adjacent property to the east, as shown on Attachment #9.

The development consists of two residential apartment buildings with a total of 468 units connected by a podium that contains a 2-storey central lobby and a 1-storey central amenity area. The ground floor contains nineteen 2-storey townhouse units both with internal access to a

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corridor and to patios facing New Westminster Drive and the Future New Road "1". These at grade units create a more animated and active streetscape. Building "A" which is located at the west side of site will be constructed to a height of 56 m at 19-storeys and Building "B" is 63 m at 22-storeys. The majority of the 562 parking spaces are located underground for residents and visitors, with 12 surface parking spaces to be provided for visitors.

The proposed landscape plan is shown on Attachment #4. Attachments #5 to #8 illustrate the proposed building elevations comprised primarily of glass and precast concrete panels.

The final site plan, landscape plan and building elevations must be approved to the satisfaction of the Vaughan Planning Department.

Future Site Plan (Parcel 'B')

The subject Site Development File DA.13.014 is for the development of Parcel 'A' only. A new Site Development Application will be required to permit development on Parcel 'B'. The Holding Symbol "(H)" will remain on Parcel 'B' until such time as a Site Development application is approved by Vaughan Council.

The Zoning By-law Amendment File Z.08.032 provides for additional uses of an Independent Living Facility, Long Term Care Facility, and Supportive Living Facility. The owner has advised that the future site development application for a senior's facility will be reviewed to ensure the coordination of amenities and parking circulation with the existing seniors facility located to the south on Parcel "C" (Attachment #3).

Urban Design and Landscaping

The owner submitted an Urban Design Brief in support of the applications. The site is organized to encourage pedestrian traffic along New Westminster Drive. The typical floor plates for the residential apartment buildings is 780 m² (above the podium), which is consistent with the policies in VOP 2010. The proposed apartment buildings are intended to form a focal landmark gateway at New Westminster Drive and Future New Road "1".

The owner took suggestions from the City's Design Review Panel and worked with Staff in changing the design to be pedestrian-friendly and have amenity areas that contain seat walls and units with at grade patios and access onto New Westminster Drive and Future Road "1". The final landscape plan and landscape cost estimate must be to the satisfaction of the Planning Department. A condition of approval in this respect is included in the recommendation of this report.

Vaughan Design Review Panel

The original development concept was considered by the Vaughan Design Review Panel (DRP) on January 26, 2012. The DRP emphasized the potential for this development to create a pedestrian-oriented streetscape in the Thornhill Town Centre and recommended an urban rather than suburban approach to the development and site organization including that the buildings and open spaces strongly frame and engage the streetscapes on New Westminster Drive, and Future New Roads "1" and "2". The DRP suggested that the fractured open spaces in Parcels "A" and "B" created a suburban rather than urban pedestrian streetscape experience and recommended that the fencing along the streetscapes be removed from the plan.

The DRP suggested that a more continuous active built form frontage for the east-west road could be created by moving the ramp to the north service area, adding residential units at grade and moving the building closer towards the street. Pedestrian entrances along New Westminster Drive were recommended and pedestrian access (permeability) through the site from New

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Westminster through Parcel “B” was recommended for the retirement residence portion of the site. The DRP noted that when the Future New Road “2” is conveyed to the City of Vaughan as a municipal road, the current Centre Street access to Parcel “C” will be eliminated and a new access from the Future New Road “2” (public street) could be built.

The owner subsequently revised the application and submitted Site Development File DA.13.014, to respond to issues and concerns raised by the DRP. The changes include the relocation of the underground garage ramp to the north service area, 19 at-grade residential townhouse units and relocating the building closer to the street. The revisions also included pedestrian entrances along New Westminster Drive and other changes to improve the site organization.

The revised proposal was considered by the DRP on May 30, 2013. The DRP was satisfied with the revised urban approach to the development and site organization. It advised that an 18m separation distance between the buildings is not enough because of the cumulative visual effect of the proposed massing. If the buildings utilize an elongated form, greater separation and/or the rotation of a tower could help mitigate this effect. In this context, Building “A” could be moved and rotated slightly to address New Westminster Drive and the new east-west street. The owner revised the site plan to relocate Building “A” 2 m west and 1 m south to increase the separation distance and reduce visual impact of the geometry. The revised separation distance between the buildings is 21 m at the closest point.

Shadow Study

The owner submitted a Shadow Study to identify the shadow impact on the surrounding properties. The Planning Department has reviewed the Shadow Study and is satisfied that the shadows cast by the proposed buildings meet the acceptable standard by the criteria established by municipalities for assessing the shadow impact of higher buildings in urban areas.

Responses to Comments at the Public Hearing

The following concerns were expressed at the Public Hearing on October 12, 2012, by Vaughan Council members and 4 residents and in a written correspondence received by the Planning Development:

1. Comment

The FSI for new development continues to increase, whereas unit sizes decrease.

Response

The proposed FSI is permitted by OPA #671 for the lands. The owner has indicated that the unit size is based on market needs and that they are willing to combine units if a potential resident wants a larger unit. Zoning By-law 1-88 does not prescribe a minimum unit size.

2. Comment

A subway has not been constructed in the area.

Response

The site is serviced by York Region Transit, including bus stops at Centre Street and New Westminster, New Westminster and Katerina Avenue and Centre Street and North Promenade, which is within walking distance of the site. York Region is planning a rapid transit route along Bathurst Street and Centre Street, which is part of the Highway 7 vivaNext Rapid Transit Line scheduled for construction in 2016.

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3. Comment

The proposal should include business, office and commercial uses, not only residential apartment units.

Response

OPA #671 permits high density apartment buildings, which may include live/work units and Zoning By-law 1-88 permits commercial uses such as a Bank or Financial Institution, Retail Store, Business or Professional Office, Personal Service Shop or a Video Store on the subject lands. The building is designed to facilitate commercial ground floor units with separate entrances and associated walkways. The owner has indicated that should a potential purchaser wish to use a ground floor unit for a permitted commercial use, they would have no objection to the request, however, the owner is not proposing commercial uses at this time.

4. Comment

Condominium apartment buildings in the area provide too much parking and buildings should be built without parking, thereby increasing the use on transit.

Response

Site-specific Zoning Exception 9(1225) provides for a reduced parking rate on the property of 1.1 parking spaces/residential unit (total of 515 parking spaces), and 0.1 visitor parking spaces/ unit (total of 47 parking spaces), whereas the standard rate in Zoning By-law 1-88 requires 1.5 parking spaces per unit plus an additional 0.25 spaces for visitor parking. The proposed development complies with the reduced site-specific parking requirements for the subject lands. In addition, the residential parking is located underground and will not be visible. Alternate means of travel are available in the area including public transit and bicycle parking is provided to encourage an alternate mode of travel.

5. Comments

- There is confusion on how density is calculated on this site.
- There is a lot of high density residential in the area
- Concerned about the proposed FSI and building height and their impact on lands to the west
- All unused FSI is being located on Parcel "A"
- The owner may change their mind with respect to the proposed development on Parcel "B"
- The density is too high in this area as a result of prior policy. A review of the traffic impact of this project must be completed and reviewed by the City and York Region.

Response

OPA #671 (Thornhill Centre Street Plan) permits the FSI to be calculated on the entirety of the lands shown on Attachment #3, as discussed earlier in this report.

This area is designated a Primary Centre within a Regional Intensification Corridor with existing high density development and mixed-uses surrounding the development which promotes the opportunity to reduce reliance on vehicles, given its location and the proximity to existing and planned public transit.

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The owner submitted a sun/shadow study which has been reviewed by the Planning Department and concluded that the shadows cast by the proposed buildings meet the acceptable standard by the criteria established by municipalities for assessing the shadow impacts of higher buildings in the urban area. A Traffic Impact Assessment was also submitted and reviewed to the satisfaction of the City of Vaughan and York Region.

With respect to Parcel “B”, the maximum permitted density on the lands is achieved through this Zoning By-law Amendment Application. Should the owner wish to develop Parcel “B” with additional density, the owner will be required to submit Official Plan and Zoning By-law Amendment applications, which will be subject to a full public review process including a new Public Hearing.

6. Concern

Very little amenity area is provided on the site.

Response

Parcel “A” contains 1,250 m² of amenity area. The buildings will include a swimming pool, change rooms with washroom, boardroom, lounge, games room, and a multi-purpose room. In addition, the subject lands are within an intensification area where there are many amenities such as parks, shopping and restaurants all within walking distance.

7. Concern

Social issues: What are the benefits? What are the improvements? How will this development fit into “social fabric” of the neighbourhood? Social impacts?

Response

The proposed development facilitates residential apartment and seniors units that will contribute to the variety and mix of housing types available in the community. The applications facilitate development that is compatible with the surrounding community. The applications have been circulated to the appropriate review departments and agencies (e.g. School Boards, Recreation and Culture Department, Parks Development Department, etc.) and no comments have been received.

The proposal contributes to the intensification of a designated Primary Centre in VOP 2010, which is intended to accommodate high density development at an intensity supportive of public transit.

Community Meeting

An evening community meeting was held on November 4, 2013, which was attended by approximately 20 to 30 people (only 15 people who signed the attendance sheet), who have been notified of this Committee of the Whole meeting. Concerns expressed at the meeting included making the development more walkable, the provision of commercial uses on the ground floor, traffic, congestion, transportation road improvements, parking, lack of landmark buildings in area, providing more stone on the buildings, and the provision of family friendly unit designs with 2 bedrooms and 2 bathrooms. These issues are addressed in this report.

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the applications and provides the following comments:

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a) Sewage and Water Allocation

The owner has proposed 468 apartment units on Parcel “A” plus 149 units which may or may not contain common kitchen type units on Parcel “B”. This will be determined when a future site plan is submitted for Parcel “B” and allocation will be allotted at that time.

Based on the City’s approved protocol, the site may be classified within the “Complex High-Rise” category, as it conforms to York Region’s “Complex High-Rise” development classification criteria.

In order to implement larger complex intensification projects and accommodate the extended period of time required for construction, York Region’s criteria allows for the release of building permits for complex high-rise developments to be advanced as noted below:

- For Complex High-Rise Developments (consisting of over 200 units and multiple levels of underground parking) – Building Permits may be released up to 36 months prior to the completion of required Regional infrastructure.

York Region has confirmed that the Southeast Collector Infrastructure works is on schedule and will be completed by the end of 2014. On April 7, 2014, York Region confirmed the timing for allocation of servicing capacity may occur in conjunction with Site Plan Approval and consistent with the release of building permits. The 468 units deemed as Complex High-Rise Development associated with the Site Development File DA.13.014 may be applied to the development application without condition.

b) Servicing Capacity Allocation

On October 29, 2013, the City’s latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed sufficient servicing capacity available to support continued urban growth in the City over the next three years. Servicing capacity is available in the York/Durham Sewage System to accommodate approximately 12,900 persons to 2017.

Availability of this capacity is subject to the construction and anticipated in-service date for the Regional Southeast Collector (SEC) Sewer expected by Q4-2014. York Region has recently confirmed completion of the SEC project remains on schedule.

Therefore, the following servicing capacity allocation excerpt applies to the development application:

“THAT Site Development Application DA.13.014 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 468 residential units (1,034 persons equivalent).”

Additional comments that apply to this application:

1. A “No Pre-Sale” agreement is not required as the Region cleared this condition on April 7, 2014.
2. A Holding Symbol “H” is not required on the zoning application for allocation.

c) Water Servicing

The site lies within Pressure District 6 (PD6), the largest pressure district area within the City of Vaughan’s boundary, and as such it is a well-connected / looped system.

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An existing 300mm diameter watermain is located along New Westminster Drive. The City-wide Water and Wastewater Master Plan Class EA considers the sites in its analysis and did not recommend any improvements to the PD6 water supply system. It is recommended that flow and pressure tests be conducted on the hydrants to assess the minimum fire requirements. A Functional Servicing Report shall be submitted and include a complete water analysis.

d) Sanitary Servicing

The site lies within the Maple Collector Area. The City-wide Water and Wastewater Master Plan Class EA considers the sites in its analysis and did not recommend any improvements to the sanitary system. A Functional Servicing Report shall be submitted and include a complete sanitary analysis.

e) Special Conditions to be included in the Site Plan Agreement for the Subject and Adjacent Lands

The City of Vaughan requires the following items be addressed through the Site Plan Agreement for the subject lands, and through any required amendments to the existing site plan agreements for the adjacent lands to the east and the south:

- A 5.0 m wide easement along the east limit of the remnant parcel of land to the south of the proposed Future New Road '1' (as shown on Attachment #9) in the Blue Water Ranch Developments Inc.;
- The Owner agrees to revise the site plan and relocate the driveway access from Centre Street to the north/south road (shown as Future New Road '2' on Attachment #9). The site plan will be revised and approved to the satisfaction of the Development/Transportation Engineering Department;
- The Owner shall convey an access/municipal services easement in favour of the City of Vaughan until the assumption of the future public right-of-way for the driveway on the adjacent land as shown on Attachment #9;
- The Owner shall provide liability insurance;
- The intersection of the north/south road (Future New Road '2' as shown on Attachment #9) shall be subject to the Region of York conditions of approval i.e sight triangle requirements, etc.; and,
- A Reference Plan and a dedication by-law shall be prepared to dedicate the north/south road as public right-of-way at the owner's expense and at no cost to the City (to be requested by the City in the Future).

It should be noted that the owner of the subject lands is currently in discussion with the owners of the adjacent lands to address the above noted issues through the necessary agreements, easements, and/ or undertakings. A condition to this effect has been included in the recommendation of this report.

f) Requirements for Public Works Approval

In order for the future road connection to Disera Drive to conform not only must the issues noted above be addressed, the Vaughan Public Works Department has indicated that the future road, noted on Attachment #9 as driveway on the adjacent lands must also provide the following:

- delineation of the public/private roadway limits via curb cut/proper signag;
- an access easement in favour of the City of Vaughan for winter maintenance vehicles and the necessary reference plan(s) and easement documents must be provided;
- liability insurance in favour of the City of Vaughan, while the private driveway is to be used, for access purposes, by City of Vaughan winter maintenance vehicles; and,
- the owner shall ensure the proposed streetlighting system on the private driveways and parking lots.

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The above requirements shall be provided to the satisfaction of the Vaughan Public Works and Development/Transportation Engineering Departments. A condition to this effect has been included in the recommendation of this report.

g) Future New Road '1'

Future New Road '1' will be a new road in front of this development, as shown on Attachment #4, and is planned to connect to an existing private driveway owned by the landowner to the east that will allow for an east/west connection from New Westminster Drive to Disera Drive, as shown on Attachment #9 to facilitate the traffic demand. In order for this to occur, the Vaughan Development/ Transportation Engineering Department will require the owner to enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City of Vaughan with regard to such matters the municipality may consider necessary including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies and to the satisfaction of the Development/Transportation Engineering Department.

Prior to the execution of the Site Plan Agreement, the Development Agreement and all required easements shall be registered with the City and the construction drawings approved. A condition to this effect has been included in the recommendation of this report.

h) Functional Servicing Report

A revised Functional Servicing Report is required to demonstrate the adequacy of the existing and proposed water, sanitary, and storm sewer services. A condition to this effect has been included in the recommendation of this report.

i) Site Servicing and Grading Plans

The site servicing and grading plans must be to the satisfaction of the Vaughan Development/Transportation Engineering Department. A condition to this effect is included in the recommendation of this report.

j) Photometric Lighting Plan

A revised photometric lighting analysis plan is required that demonstrates that all lighting must be directed downward and inward and designed to maintain zero cut-off light level distribution at the property line, to the satisfaction of the Vaughan Development/Transportation Engineering Department.

k) Noise Attenuation

The Noise Report submitted in support of the application recommends the following:

- all dwelling units within the residential buildings will require air conditioning;
- warning clauses shall be included in all Agreements of Purchase and Sale/Lease;
- all relevant plans for the building requiring noise control measures should be certified by an Acoustical Consultant, as being in conformance with the recommendations of the approved Noise Report; and,
- prior to final inspection and release for occupancy, all dwelling units shall be certified as being in compliance with the certified builder's plans and the recommendations of the approved Noise Report.

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

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l) Traffic/ Transportation

The owner has proposed underground parking space dimensions of 2.7 m by 5.7 m, which are consistent with the preliminary findings of Vaughan's Draft Parking Standards Report completed by IBI Group in 2010 and determined to be appropriate for the site by the Development/Transportation Engineering Department.

The Development/ Transportation Engineering Department has also provided comments recommending the removal of the pedestrian crossing and all way stop signs on Future New Road '1' east of Future New Road '2' as shown on redlined Attachment #9. Also indicated on Attachment #9 is the removal of the all-way stop signs at the intersection of the two future new roads.

m) Cycle Parking

The owner has provided 179 cycle parking spaces. There will be 164 owner spaces and 15 visitor spaces, which is satisfactory to the Development/ Transportation Engineering Department.

n) Transportation Demand Management (TDM) Plan

An updated TDM Plan is required prior to the execution of the Site Plan Agreement to the satisfaction of the Vaughan Development/ Transportation Engineering Department. A condition to this effect has been included in the recommendation of this report.

An External Traffic Impact Assessment was received on March 8, 2013 (dated October 2012), which included a TDM Plan. At this time, it was the Department's understanding from York Region that owners were not responsible for TDM as the York Region 2012 Development Charges (DC) By-law includes TDM funding. However, a comprehensive TDM Plan is still required by York Region (see York Region's letter dated December 13, 2013). The City of Vaughan also requires a TDM Plan for Site Plan approval (as per the Vaughan Official Plan 2010). The following comments pertain to the TDM Plan included in the External Traffic Impact Assessment (dated October 2012).

This development will be subject to York Region's 2012 Development Charges By-law, which will fund 'soft' TDM measures for residential developments (e.g. transit incentives, education and monitoring). However, the owner will be responsible for funding and implementation of 'hard' TDM measures (e.g. cycle parking and other physical measures), as well as unbundling of residential units and parking spaces.

The TDM Plan should include the modal split assumptions/targets in the External Traffic Impact Assessment, and must contribute to a transit modal split of 40% during peak periods for the City of Vaughan by 2031 (VOP 2010, Policy 4.1.1.2).

The TDM Plan should include further information regarding the following TDM measures:

- TDM information package – Specify what this information will include. Information should include all available travel options, such as walking, cycling, carpooling, car sharing and transit.
- Transit incentive package – The City recommends complimentary PRESTO fare cards with a pre-loaded value for purchasers of new condos for the first 1-2 years of occupancy, or other incentives.
- Car share vehicles – If the developer wishes to commit to a car sharing program, the relevant subsidy costs should be included in the TDM Plan if applicable.

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The recommended measures in the TDM Plan may not be sufficient to encourage/enhance use of sustainable transportation. As stated in VOP 2010, a 40% transit modal split during peak periods is targeted for all Intensification Areas by 2031. It is strongly recommended that the owner also consider one or more of the following TDM measures:

- additional incentives, materials and services to encourage transit use (e.g. screen in lobby with real-time transit information displays)
- agreement to unbundle parking space from building space
- personal travel planning (i.e. one-to-one contact and advice)
- regular sustainable transportation exhibits to distribute material, information, promote awareness, and answer questions
- exclusive bike share for residents
- subsidized CAN-BIKE cycling skills development courses offered by the City

Further information about the 'monitor program' should be included in the TDM Plan. A five year program is recommended for TDM Plans, with the baseline monitoring survey occurring within one year of occupation. Travel surveys are recommended every 2-3 years as part of the monitor program.

The TDM Plan must identify financial roles and responsibilities (VOP 2010 Policy 4.3.3.8). As such, the estimated cost for each recommended TDM measure or task should be provided as part of the TDM Plan, including the cost of monitoring, and the financial roles and responsibilities of the landowner.

The TDM Plan must outline implementation and ongoing management and operations of the TDM Plan (VOP 2010 Policy 4.3.3.8). As such, the TDM Plan should identify roles and responsibilities for all parties, including the landowner, TDM Coordinator (e.g. property management), internal and external partners (e.g. City of Vaughan and York Region). The TDM Plan should also summarize implementation of TDM measures, program of target dates, phasing of the development, and information about ongoing management of the TDM Plan.

The City of Vaughan and/or York Region may consider implementing the 'soft' TDM measures recommended in the TDM Plan for this development (also known as the 'Sustainability Mobility Program'). The City's Site Plan Letter of Undertaking or Site Plan Agreement will contain a condition regarding the sustainable mobility program, which will require a commitment from the owner to work with the City of Vaughan, in coordination with York Region on implementation and monitoring of the TDM Plan.

o) Environmental Site Assessment (ESA)

The Vaughan Development/Transportation Engineering Department is satisfied with the submitted Environmental Site Assessment (ESA) related documents. No further ESA documents are required at this time.

p) Summary

The final site grading and servicing plan, photometric lighting plan, traffic study, stormwater management report and functional servicing report, and TDM Plan, shall be approved by the Vaughan Development/Transportation Engineering Department. A condition to this effect has been included in the recommendation of this report.

Vaughan Real Estate Division

The Vaughan Real Estate Division requires that for residential high density development, the owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication

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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 of Vaughan's Cash-in-lieu Policy. A condition to this effect is included in the recommendation of this report.

Vaughan Development Finance Department

The Development Finance Department has indicated that Development Charges are applicable.

School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications.

Canada Post

Canada Post will require a centralized mail box facility to be provided internal to the buildings to Canada Post's specifications.

Enbridge Gas Distribution

Enbridge Gas Distribution has no objections to these applications.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy. The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

ii) Plan and Manage Growth & Economic Vitality

The proposed development implements the City's in-effect Official Plan.

The development facilitates intensification located within a designated Primary Centre with close proximity to a Regional Intensification Corridor, which is also identified as a Regional Rapid Transit Corridor to support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

iii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes amenity space within the building, a network of sidewalks and bicycle storage facilities that promote alternatives to vehicles to enhance health and wellness.

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Regional Implications

The York Region Transportation and Community Planning Department has reviewed Site Development File DA.13.014 and indicated that final approval of the Site Development application will not be issued until the Region issues final conditions of approval and a Regional Site Plan Agreement is fully executed.

York Region has advised the owner of the Region's requirements regarding the TDM Plan. The Region's TDM requirements will be addressed through the Region's Site Plan Agreement requirements. In addition, prior to the execution of the Site Plan Agreement, a comprehensive TDM Program/Plan, to the satisfaction of York Region, must be submitted. The TDM Plan shall include, but not be limited to the following:

- a checklist that identifies the programs/measures, associated costs, and the owner's responsibility to carry out the TDM Plan implementation;
- a drawing to illustrate the locations of the pedestrian/cycling facilities and connections to adjacent developments and roadways;
- a drawing to illustrate the proposed locations of the bicycle racks; and,
- a real time display screen in the buildings so that the residents have real time information on the transit schedule.

Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.08.032 and Site Plan Development File DA.13.014, in accordance with the Official Plan, Zoning By-law, comments from City Departments and external public agencies, and the area context. Planning staff is satisfied that the proposed residential development is appropriate for the development of the site and compatible with the surrounding area, and conforms to the in-effect Official Plan. Accordingly, the Vaughan Planning Department can recommend to Vaughan Council that it endorse Zoning By-law Amendment File Z.08.032 and Site Development File DA.13.014 for approval by the Ontario Municipal Board, subject to the conditions and comments contained in this report.

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Master Site Plan
4. Parcel "A" Site Plan
5. Parcel "A" Landscape Plan
6. Conceptual Rendering - New Westminster Drive Looking Northeast
7. Building "A" Elevations
8. Building "B" Elevations
9. Future New Roads "1" and "2" Driveway on Adjacent Lands as Red-lined on September 2, 2014

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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.)