

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, Report No. 17, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 16, 2017.

*Regional Councillor Ferri declared an interest with respect to this matter as his son is a partner of the firm that represents the applicant, and did not take part in the discussion or vote on the matter.*

**13**

**ZONING BY-LAW AMENDMENT FILE Z.16.053  
SITE DEVELOPMENT FILE DA.16.111  
ROYAL 7 DEVELOPMENTS LTD.  
WARD 4 - VICINITY OF MAPLECRETE ROAD AND REGIONAL ROAD 7**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated May 2, 2017:**

**Recommendation**

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

1. THAT Zoning By-law Amendment File Z.16.053 (Royal 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88 for the subject lands shown on Attachments #2 and #3, to facilitate the development of two 39-storey residential apartment (future condominium) buildings, as shown on Attachments #8 to #14, specifically to:
  - a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone , as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on Attachment #6;
  - b) replace the existing Schedules "E-1376" and "E-1376-A" to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with the proposed Schedules "E-1376" and "E-1376-A", in the manner shown on Attachment #6 and #7, respectively; and
  - c) permit the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT the request to permit a commercial parking lot in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park) through Zoning By-law Amendment File Z.16.053 (Royal 7 Developments Ltd.) BE DEFERRED, until such time that a Site Development Application has been submitted that takes into consideration parking requirements, vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park.
3. THAT the Owner be authorized to apply for a Minor Variance Application to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for Zoning By-law Amendment File Z.16.053 comes in to effect, to permit minor adjustments to the implementing Zoning By-law, pursuant to Section 29(2) of the *Smart Growth for Our Communities Act* (Bill 73).

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 2

4. THAT Site Development File DA.16.111 (Royal 7 Developments Ltd.) BE APPROVED, to permit the development of the subject lands shown on Attachments #2 and #3 with two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, with a total of 861 residential units and 867 m<sup>2</sup> of ground floor commercial area, as shown on Attachments #8 to #14, subject to the following conditions:
- a) that prior to the execution of the implementing Site Plan Agreement:
- i) the Development Planning Department shall approve the final site plan, building elevations, colour renderings, landscape plans, landscape cost estimate, and wayfinding / signage design. The building elevations shall demonstrate appropriate treatment and articulation of the built form to ensure activation of the public realm edges, including the interface with the private courtyard;
  - ii) the Owner shall submit updated Wind Tunnel Model and Sun/Shadow Analysis Studies to the satisfaction of the Development Planning Department. These studies should include existing and planned buildings and demonstrate the incorporation of mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm;
  - iii) the Owner shall satisfy the requirements for streetscape works identified in Attachment #1;
  - iv) the Owner shall provide a Phasing Plan and agree, acknowledge and secure for the timing of construction, streetscapes, private driveways and private amenity spaces, to the satisfaction of the City;
  - v) the Owner shall agree to design, secure for, and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type, and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan;
  - vi) The Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted in a strata condition has met the minimum requirement of 16 m<sup>3</sup> of soil per tree, or 30 m<sup>3</sup> in a shared condition to encourage the growth of large caliper shade trees, to the satisfaction of the City;
  - vii) the Development Engineering and Infrastructure Planning Department shall approve the final site servicing plan, site grading plan, stormwater management plan, storm area drainage design, erosion and sediment control plan, environmental noise report, geotechnical/soils report, Transportation Demand Management (TDM) plan, street sections, photometric lighting plan, and parking level plans;
  - viii) Prior to the issuance of any Occupancy Permit for Tower 3 or Tower 4, the Owner shall complete construction of Maplecrete Road and the extension of Barnes Court to Maplecrete Road, including the partial removal of the cul-de-sac along the south side of Barnes Court, to the satisfaction of the City;

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 3

- ix) the Owner shall enter into an Agreement of Purchase and Sale with the City on terms satisfactory to the City regarding the transfer of the surplus portions of the Barnes Court cul-de-sac, abutting the development to the north, to the Owner as shown on Attachment #8. The Owner cannot commence construction of the underground parking structure, within the surplus portion of the Barnes Court cul-de-sac, until such time as the lands are transferred to the Owner, and certain other matters including, but not limited to, the relocation and/or removal of any utilities located within such surplus portions, are completed to the satisfaction of the City;
  - x) The Owner shall design the interim Barnes Court road extension to Maplecrete Road to accommodate its future right-of way of 23 m, to the satisfaction of the City;
  - xi) the Owner shall provide construction phasing plans and a functional traffic report to clearly identify the interim solution during construction of Towers 3 and 4, with the closing of the existing Barnes Court cul-de-sac (southern portion), including temporary truck turning feasibility, with a Computer Aided Design and Drafting (CADD) based software;
  - xii) the Owner shall convey to the City free of charge and encumbrances a 5 m by 5 m daylight triangle (Blocks 27 and 28 on Plan 65M-4490) at the south-east corner of the intersection of Barnes Court and Maplecrete Road extension;
  - xiii) the Owner shall submit to the City the final 3D digital model of the final development, which shall include the accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Vaughan Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$15,000.00 to guarantee the completion of the model;
  - xiv) the Owner shall satisfy all requirements of the Environmental Services, Waste Management Department;
  - xv) the Owner shall satisfy all requirements of the Canadian National (CN) Railway;
  - xvi) the Owner shall satisfy all requirements of Canada Post;
  - xvii) the Owner shall satisfy all requirements of the TRCA; and,
  - xviii) the Owner shall satisfy all requirements of York Region.
  - b) the implementing Site Plan Agreement shall include the conditions of Site Plan Approval set out in Attachment #1.
5. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York-Durham-Peel Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol, dated December 13, 2016:

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 4

“IT IS HEREBY RESOLVED THAT Site Plan Development File DA.16.111 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 861 residential units (1,903 persons equivalent).”

6. THAT the City Clerk’s Office commence the necessary procedure to stop-up and close the southern portion of Barnes Court pursuant to the Municipal Act to facilitate the City sale of the surplus lands of the Barnes Court cul-de-sac to the Owner, at no cost to the City.

#### **Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment

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

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, carpooling and public transit

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

- high-albedo painting will be provided on portions of the roof
- stormwater will be captured in cisterns and used for irrigation
- LED lighting will be provided throughout the site
- landscaping to mitigate the heat island effect that will include native, drought tolerant shrubs, grasses and flowers
- transportation demand management measures that will encourage active and public transportation, including pedestrian-scaled corridors and amenity areas to encourage pedestrian activity during all seasons, bicycle parking facilities and storage, and education and incentives for increasing public transportation use

#### **Economic Impact**

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

#### **Communications Plan**

On March 10, 2017, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. The Notice of Public Hearing was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and the Notice Sign installed on the property in accordance with the City’s Notice Sign Procedures and Protocols. The Zoning By-law Amendment application notice was also advertised on the City’s on-line Calendar, in the March e-news City Update, which was e-mailed to over 8,000 subscribers, and posted on the City’s Facebook and Twitter sites in March 2017. The following letters were received:



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 5

1. Mr. Seminerio, Regional Road 7, Vaughan, email correspondence dated March 15, 2017, objecting to the proposed development because it will result in reduced sunlight and airflow, and create a visual obstruction to existing residents in the existing towers located on the subject lands.

Response

On September 4, 2008, the Ontario Municipal Board (OMB) approved Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 for the entire 3.47 ha landholdings to facilitate the development of five residential apartment buildings, together with a park, open space buffers, and roads, as conceptually shown on Attachment #3. This information has been widely documented in print and online media, and within the sales office, including a scaled model of the overall development. The proposed development represents Phase 2 approved by the OMB for the overall development of the subject lands. The approved Zoning By-law identified additional towers to the north of the existing development (Phase 1 - Towers 1 and 2). Wind and Sun/Shadow Studies have been submitted and are required to meet City requirements.

2. Mr. Wong, Malone Given Parsons Ltd., Renfrew Drive, Markham, on behalf of Midvale Estates Ltd. and 2117969 Ontario Inc. (Zzen Group) the Owners of 2938, 2986 and 2966 Regional Road 7 (the adjacent landowners to the west of the subject lands), with a letter dated March 31, 2017, requesting a copy of the proposed draft Zoning By-law amendment and clarification regarding coordinated access / interconnection between the subject lands and the abutting lands to the west.

Response

The draft Zoning By-law amendment prepared by the Owner was sent by the Development Planning Department to Mr. Wong on April 5, 2017. Respecting a coordinated access / interconnection between the subject lands and the abutting lands to the west, the Owner has agreed to provide a public access easement in perpetuity to the City of Vaughan in order to ensure public access from the lands to the west to the existing signalized intersection at Maplecrete Road and Regional Road 7, and is being dealt with as part of the final approvals for Phase 1 (Towers 1 and 2).

3. Mr. Roberto, email correspondence dated April 18, 2017, with questions respecting the purpose of the proposed commercial parking lot located underneath the proposed park on the northwest corner of the subject lands.

Response

The proposed commercial parking lot would primarily serve the commercial uses located in Towers 1 and 2 and proposed in Towers 3 and 4 on the subject lands; however, the Owner has demonstrated that all the required resident, visitor and commercial parking can be provided under the proposed and existing towers using the Vaughan Metropolitan Centre parking standards in Zoning By-law 1-88. The Development Planning Department is recommending that the request to permit a commercial parking lot underneath the proposed park be deferred until such time as the need for additional parking is justified through a complete proposal, as identified in Section 21.7.14 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, as further described in the Parks Development Department section of this report. A recommendation in this report has been included to address this issue.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 6

A Courtesy Notice of this Committee of the Whole Meeting was sent via mail and email on April 28, 2017, to the individuals that appeared at the Public Hearing or submitted written correspondence.

The recommendation of the Committee of the Whole to receive the Public Hearing report of April 4, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on April 19, 2017.

**Purpose**

To seek approval from the Vaughan Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.16.053, to amend Exception 9(1248) of Zoning By-law 1-88 to facilitate development of two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14:
  - a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone, as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2(H) Open Space Park Zone with the Holding Symbol “(H)”, in the manner shown on Attachment #6;
  - b) replace the existing Schedules “E-1376” and “E-1376-A” to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with proposed Schedules “E-1376” and “E-1376-A”, in the manner shown on Attachment #6 and #7, respectively;
  - c) permit the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report; and
  - d) permit a commercial parking lot in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park).
2. Site Development File DA.16.111 to permit two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14, consisting of the following:
  - 66,631 m<sup>2</sup> of residential gross floor area (GFA)
  - 861 apartment units
  - 867 m<sup>2</sup> of ground related commercial area, as permitted by the C9 Corporate Centre Zone
  - 8,785 m<sup>2</sup> of amenity area
  - a total GFA of 76,283 m<sup>2</sup>

The proposed development (Phase 2 - Towers 3 and 4) includes 889 underground parking spaces, and when combined with the existing Phase 1 (Towers 1 and 2) development, will include a total of 1,747 underground parking spaces.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

Item 13, CW Report No. 17 – Page 7

#### **Background - Analysis and Options**

##### *Synopsis:*

*The Owner is proposing to develop the subject lands shown on Attachments #2 and #3 with two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14. The proposed development represents Phase 2 of a three-phase development on the subject lands. The Development Planning Department supports the proposed zoning by-law amendments, and approval of the proposed site plan for Phase 2 (Towers 3 and 4), as it implements a development proposal that conforms to the Vaughan Official Plan (VOP 2010) and is compatible with the surrounding existing and planned land uses. The Development Planning Department recommends that the request for the proposed commercial parking lot be deferred and reviewed through a Separate Development Application until such time as work on the Edgeley Pond and Park is further advanced, and the need for additional parking is justified through a complete proposal.*

##### Location

The 3.47 ha subject lands shown on Attachments #2 and #3 are located on the north side of Regional Road 7, between Jane Street and Creditstone Road. The lands subject to Site Development File DA.16.111 consist of the 0.62 ha Phase 2 lands shown on Attachment #8, and are municipally known as 2908 and 2916 Regional Road 7. The entire landholdings are subject to Zoning By-law Amendment File Z.16.053. The surrounding land uses are shown on Attachment #3.

##### Site History and Ontario Municipal Board Decision

On September 4, 2008, the Ontario Municipal Board (OMB), approved Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 (Royal 7 Developments Ltd.) for the entire 3.47 ha landholdings to facilitate the development of five residential apartment buildings (four with ground floor commercial area), together with a park, open space buffers, and roads, as conceptually shown on Attachment #4 and #5. The site-specific zoning Exception 9(1248) approved by the OMB permits the following:

- 1,935 residential apartment units, including a maximum of 733 units in Buildings 1 and 2
- prescribed building envelopes
- a maximum GFA of 182,000 m<sup>2</sup> for the entire site
- a maximum retail commercial GFA of 4,028 m<sup>2</sup> for the entire site
- unlimited building height for the tower portion of the buildings (status as a landmark location under Zoning By-law 1-88, as amended)
- a maximum building height of 17 m for the podium portion of the buildings
- 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per unit for visitor parking
- shared residential visitor and commercial parking
- a minimum 0 m yard setback to all yards for underground parking structures
- 15 m<sup>2</sup> of amenity area per residential unit
- for the purposes of zoning conformity, the subject lands are deemed to be one lot

The Owner subsequently agreed to update Draft Plan of Subdivision File 19T-00V21 to be consistent with the road network and development blocks identified in the Vaughan Metropolitan Centre Secondary Plan. The approved Draft Plan (File 19T-00V21) was registered in 2016 as Registered Plan 65M-4490.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

#### Item 13, CW Report No. 17 – Page 8

##### Conceptual Master Plan and Phasing

The Conceptual Master Plan shown on Attachment #8 includes four residential apartment building (future condominiums) ranging in height from 37 to 39 storeys, and located on podiums ranging in height from two to six-storeys, including ground floor commercial uses. The master plan also includes a block for a future Phase 3 building. The master plan is designed to have a total of 1,935 residential units in accordance with the OMB approved Zoning By-law.

The Owner intends to develop the subject lands in three phases, as shown on Attachment #8, as follows:

- Phase 1 includes Towers 1 and 2, which were approved by Vaughan Council on September 25, 2012, through Site Development File DA.11.058, and have been constructed.
- Phase 2 represents the subject applications for Towers 3 and 4.
- Phase 3 includes a future Tower 5 and conveyance of land for a park.

Phases 1 and 2 (Towers 1 to 4 inclusive) consist of 1,565 units. The detailed design of Phase 3 on the subject lands requires the submission and review of a future Zoning By-law Amendment and Site Development Applications. A central amenity space is located in the area between Phase 1 (Towers 1 and 2) and Phase 2 (Towers 3 and 4), which has been partially constructed for Phase 1, and will be completed during construction of Phase 2 subject to detail design through the Site Development Application process.

The Owner shall provide a Phasing Plan to appropriately respond to the built form context to the west, the built form context of Phases 1 and 2 to the east, the pedestrian at grade connection to Regional Road 7, the east-west driveway, and Edgeley Pond and Park to the north, to the satisfaction of the City. The phasing plan shall include the timing of construction, streetscapes, private driveways and private amenity spaces, to the satisfaction of the City. A condition to this effect is included in Attachment #1.

##### Official Plan - Vaughan Metropolitan Centre Secondary Plan (VMC Plan)

The subject lands are designated “Station Precinct” (Towers 1, 2 and 5) and “Neighbourhood Precincts” (Towers 3 and 4 and the proposed park) by the VMC Plan, which forms part of Volume 2 of the Vaughan Official Plan 2010. The VMC Secondary Plan was partially approved by the OMB on November 18, 2015, November 18, 2016 and January 23, 2017, and is in-effect for the subject lands.

A broad mix of uses are encouraged in the Station Precinct designation, including residential dwellings (i.e. high-rise and mid-rise buildings), park, retail, service commercial, and public uses. In the Neighbourhood Precinct, the VMC Plan envisages primarily residential uses complemented by community amenities (e.g. parks and daycare facilities) and retail and service commercial uses, in a mix of high-rise, mid-rise, and low-rise buildings types (e.g. apartment dwellings and townhouses).

The development proposal includes two 39-storey apartment buildings and yields a density of 4.33 FSI (floor space index). Section 9.3.4 of the VMC Plan recognizes the OMB approved Zoning By-law 287-2008 (Exception 9(1248)) for the subject lands, together with consideration of minor variances that are in keeping with the objectives, policies and schedules of the VMC Plan.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 9

Zoning By-law 287-2008 permits a maximum gross floor area of 182,000 m<sup>2</sup> on the property, defines building envelopes, and establishes an unlimited building height for the property. Accordingly, the proposed development conforms to the VMC Plan.

Vaughan Metropolitan Centre (VMC) Culture & Public Art Framework

Chapter 3 of the VMC Culture & Public Art Framework identifies the subject lands as a private development site appropriate for public art. The public art must be distinctive and publicly accessible within the development, and must be in a prominent location such as a major entrance or setback area of the street. The intent is to create a culturally rich public realm that is both beautiful and engaging.

As part of a condition of approval for Phase 3, the Owner will be required to execute a separate agreement with the City, which will include the requirement for the Owner to submit a future Letter of Credit, to address the details to commission and install a permanent piece of public art for Phase 3 of the development as a public art contribution consistent with the principles of “Site 10 – Private Development” as outlined in the City’s VMC Culture and Public Art Framework. The Owner will also be required to develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art piece.

Zoning

The subject lands shown on Attachments #2 and #3 are zoned C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1248).

On April 10, 2014, the Committee of Adjustment approved Minor Variance Application A083/14 for Phase 1 (Towers 1 and 2) to permit variances for the towers and podiums to be partially located outside of the building envelope previously established by the OMB, a maximum podium height of 20.6 m along Regional Road 7, and a total of 858 underground parking spaces.

The Owner has submitted Zoning By-law Amendment File Z.16.053 to permit the following site-specific exceptions to Zoning By-law 1-88, to facilitate Phase 2 - Towers 3 and 4 of the development:

- a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone, as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone, in the manner shown on Attachment #6;
- b) replace existing Schedules “E-1376” and “E-1376-A” to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with proposed Schedules “E-1376” and “E-1376-A”, in the manner shown on Attachment #6 and #7, respectively;
- c) permit a commercial parking lot use in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park). The Owner has agreed to defer this request to a future Site Development Application once additional details regarding vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park; and
- d) permit the following site-specific zoning exceptions to facilitate the development of two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14:

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 10

<b>Table 1: Zoning By-law Amendment File Z.16.053</b>			
	<b>Zoning By-law 1-88 Standard</b>	<b>Requirements of the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol (“H”) subject to Exception 9(1248)</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol (“H”), subject to Exception 9(1248)</b>
a.	Boundary of Development Blocks	Identified on Schedule E-1376, as shown on Attachment #4	Delete and replace Schedule E-1376 with a new Schedule E-1376, as shown on Attachment #6, to reflect Registered Plan 65M-4490.
b.	Building Envelopes	Identified on Schedule E-1376- A, as shown on Attachment #5	Delete and replace Schedule E-1376-A with a new Schedule E-1376-A, as shown on Attachment #7, to reflect the current proposed conceptual masterplan
c.	Maximum Retail Commercial Gross Floor Area (Combined for Phases 1, 2 and 3)	4,028 m <sup>2</sup>	6,000 m <sup>2</sup>
d.	Minimum Parking Requirements (To apply to Phase 2 and future Phase 3)	<p align="center"><u>Phase 2</u></p> <p>948 spaces (861 units @ 1.1 spaces per dwelling unit)</p> <p align="center">+</p> <p>173 visitor spaces (861 units @ 0.2 spaces per dwelling unit for visitor parking)</p> <p align="center">+</p> <p>29 commercial spaces (1,427 m<sup>2</sup> of commercial floor area @ 2 spaces / 100 m<sup>2</sup>)</p> <p align="center">+</p>	<p align="center"><u>Phase 2</u></p> <p>342 spaces (488 units @ 0.7 spaces one bedroom per dwelling unit)</p> <p align="center">+</p> <p>336 spaces (373 units @ 0.9 spaces per two bedroom dwelling unit)</p> <p align="center">+</p> <p>130 visitor spaces (861 units @ 0.15 spaces per dwelling unit for visitor parking), including</p> <p align="center">+</p>

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 11

		<p>12 barrier-free parking spaces (1,153 spaces @ 1 barrier-free spaces/ 100 spaces) included in overall parking calculation</p> <p align="center">=</p> <p>Total number of Parking Spaces Required for Phase 2 - 1,150 spaces</p>	<p>29 commercial spaces (1,427 m<sup>2</sup> of commercial floor area @ 2 spaces / 100 m<sup>2</sup>)</p> <p align="center">+</p> <p>47 barrier free parking spaces (included in overall parking calculation)</p> <p align="center">=</p> <p>Total Number of Parking Spaces Proposed for Phase 2 - 837 spaces</p>
e.	Minimum Bicycle Parking Requirements (Phase 2)	<p align="center"><u>Residential:</u></p> <p>Short term - 87 spaces (861 units x 0.1 spaces / unit)</p> <p>Long term - 431 spaces (861 units x 0.5 spaces / unit)</p> <p align="center"><u>Commercial:</u></p> <p>Short term - 6 spaces (1,427 m<sup>2</sup> of commercial GFA x 0.15 spaces / 100 m<sup>2</sup>, or 6 spaces, whichever is greater)</p> <p>Long term - 2 spaces (1,427 m<sup>2</sup> of commercial GFA x 0.1 spaces / 100 m<sup>2</sup>)</p> <p>Total short-term parking = 93 spaces</p> <p>Total long-term parking = 433 spaces</p>	<p>Total long-term parking = 464 spaces</p> <p>Total short-term parking = 44 spaces</p>
f.	Minimum Amenity Area (For Phases 1, 2 and 3 )	15 m <sup>2</sup> per dwelling unit	14.5 m <sup>2</sup> per dwelling unit

The proposed site-specific zoning exceptions identified in Table 1 will facilitate the remaining 2 phases of the Expo City development. These phases consist of Phase 2, representing Towers 3 and 4 (subject to Site Development File DA.16.111) and the future Phase 3 containing Tower 5 and a future park, as shown on Attachment #8. The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.053, and provides the following comments:

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

#### Item 13, CW Report No. 17 – Page 12

##### Proposed Commercial Parking Lot and Stratified Park

The Owner is proposing a commercial parking lot use in a stratified arrangement (i.e. a parking garage underneath a public park) within the portion of the subject lands proposed to be zoned OS2 Open Space Park Zone, as shown on Attachment #6. The Owner prepared a preliminary concept plan for the commercial parking lot with three levels of underground parking, intended to serve the existing and proposed commercial uses on the subject lands.

The Phase 2 development (Towers 3 and 4) will facilitate parking in a garage underneath the proposed towers. In addition, the Edgeley Pond and Park, which includes an upgraded pond, a park and a renewed naturalized creek channel designed to a high urban design and sustainability standard, forms part of, and is adjacent to the subject lands. Coordination of design and construction with the proposed Edgeley Pond and Park and detailed plans required prior to considering the request to permit the commercial parking lot use underneath the proposed park.

Since the submission of the applications and the Public Hearing, the Owner has agreed, in a meeting on April 18, 2017, with City staff, to defer the Zoning By-law amendment for the proposed commercial parking lot, until further details are provided respecting vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park.

On this basis, the Development Planning Department recommends that the proposed commercial parking lot be reviewed through a separate Site Development Application upon justification of the need for additional parking through a complete proposal, as identified in Section 21.7.14 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, and upon further details regarding the coordination of construction with the Edgeley Pond and Park. Should the future application(s) be approved, the Owner will be required to enter into a Strata Title Agreement and possibly a Developer-Build Agreement. The Owner must adhere to the Guiding Principles for Strata Title Arrangements and Strata Principles for Public Parks within the Stratified Title Arrangements policy approved by Vaughan Council on December 10, 2013.

##### Holding Symbol “(H)”

Site-specific Zoning Exception 9(1248) identifies the conditions for removing the Holding Symbol “(H)” from the C9(H) Corporate Centre Zone with the Holding Symbol “(H)”. This includes York Region identifying and allocating servicing capacity for the development of the lands, and the approval of a Site Development Application for the entire landholdings or a portion thereof.

The Development Planning Department is satisfied with Site Development File DA.16.111, subject to the conditions discussed in this report. The Development Engineering and Infrastructure Planning (DEIP) Department has confirmed that Council can allocate available and unrestricted servicing capacity from the York Sewage Servicing / Water Supply System for a total of 861 residential units (1,903 persons equivalent). Accordingly, should Vaughan Council concur, the implementing Zoning By-law for the subject lands should include a provision to remove the Holding Symbol “(H)” from the Phase 2 (Towers 3 and 4) portion of the subject lands, subject to the Owner satisfying the conditions outlined in this report and the future implementing Zoning By-law.

##### Site-Specific Zoning Exceptions

###### a) Development Blocks

The in-effect development blocks for the entire landholdings are identified on Schedule “E-1376” of site-specific zoning Exception 9(1248), as shown on Attachment #4. The Owner is proposing to delete and replace Schedule “E-1376” with a new Schedule



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 13

“E-1376”, as shown on Attachment #6, to reflect the development blocks on Registered Plan 65M-4490. The Development Planning Department has no objections to the revised schedule shown on Attachment #6, as it reflects the street network and development blocks of the VMC Plan and Registered Plan 65M-4490, and subject to the conditions identified in this report.

b) Building Envelopes

The building envelopes for the entire landholdings are identified on Schedule “E-1376-A” of site-specific zoning Exception 9(1248), as shown on Attachment #5. The Owner is requesting to delete and replace Schedule “E-1376-A” with a new Schedule “E-1376-A”, as shown on Attachment #7. The Development Planning Department has no objections to the revised schedule shown on Attachment #7, as it reflects the current proposed conceptual masterplan for the lands.

The lands shown as Phase 3 (Tower 5) on Attachment #8 are subject to future development applications. The building footprint will be established at that time. In the interim, the new Schedule “E-1376-A”, as shown on Attachment #7, will generally reflect the building footprint that was approved through the OMB-approved Zoning By-law for the Phase 3 lands.

c) Maximum Retail Commercial Gross Floor Area (GFA)

The proposed retail commercial GFA of 6,000 m<sup>2</sup> is the result of market conditions, and will assist in providing an appropriate mixed-use development that is encouraged in the VMC Secondary Plan. The Development Planning Department has no objections to the additional retail commercial gross floor area.

d) Minimum Parking Requirements

The parking requirements for the subject lands are identified in site-specific zoning Exception 9(1248). The Development Planning Department has no objection to the reduced minimum parking requirements for Phases 2 and 3, which are consistent with the parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88. The proposed 47 barrier-free parking spaces for Towers 3 and 4 exceed the barrier-free parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88 by 35 parking spaces.

e) Minimum Bicycle Parking Requirements

The Development Planning Department has no objections to the reduced minimum bicycle parking requirements for Phase 2. The proposed long-term bicycle parking exceeds the bicycle parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88. The reduced short-term bicycle parking is justified since the site is located within the VMC, intended to be a walkable downtown, and is located in proximity to alternative modes of transportation, including the future bus rapid transit along Regional Road 7 and future Vaughan Metropolitan Centre Subway Station. Additional bicycle parking may be required for the park block, as shown on Attachment #8, as part of the review of the required future site plan.

f) Minimum Amenity Area

The Owner is seeking a reduction in the minimum amenity area requirement from 15 m<sup>2</sup> / dwelling unit to 14.5 m<sup>2</sup> / dwelling unit for the entire development (Phases 1, 2 and 3),

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

#### Item 13, CW Report No. 17 – Page 14

which is considered minor in nature. In addition, the subject lands are located adjacent to the proposed Black Creek Greenway and Edgeley Pond and Park, a linear public space proposed within the VMC, which will provide additional amenity space to future residents. The Development Planning Department has no objections to the proposed minimum amenity area standard.

#### The Smart Growth for Our Communities Act (Bill 73)

Bill 73, known as the *Smart Growth for Our Communities Act*, identifies a number of amendments to the *Planning Act*, and received Royal Assent on December 3, 2015, with all amendments in force as of July 1, 2016. Section 29(2) of Bill 73 restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. Should Council approve Zoning By-law Amendment File Z.16.053, the Development Planning Department recommends that Vaughan Council adopt a resolution to allow the Owner to submit for future Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies and/or discrepancies that may arise through the finalization and construction of the subject development. A resolution in this respect is included in the recommendation of this report.

#### Vaughan Design Review Panel

The proposed development was considered by the Vaughan Design Review Panel on September 29, 2016, and the following recommendations, but not limited to, were provided:

- In the context of the proposed density and the anticipated volumes of traffic from both within and outside of the site, the proposed central courtyard layout does not adequately address functional circulation or navigation issues for either pedestrians or vehicles.
- Re-examine the proposed window wall cladding of the towers to explore more sustainable options and add more visual interest to the elevations.
- The north-south pedestrian passageway through the building should be designed with greater prominence and consideration of the pedestrian experience through the site.
- Consideration must be paid to the allocation of space for all the various activities and functions that will happen in the central courtyard, including short term deliveries, daycare drop offs, morning and evening peak hour traffic volume, and visitor arrivals.
- The connections through the central courtyard are not clear. Further detailed drawings are needed (including sections) to clearly understand and represent the relational experience of place, the critical connections, how activity will flow at grade, relationships to amenity spaces, and how people will move through the buildings and the site.
- More generous and safe pedestrian spaces and connections are needed.
- Building elevations require more variety respecting material quality and colour to articulate the design intent.
- Active frontages of the architecture along all streets need to be strengthened.

The Owner and the Development Planning Department met on April 12, 2016, to discuss the proposal, and provided comments respecting enhancements to the public realm, improvements to the relationship and connection to the Edgeley Pond and Park, and the articulation and placement of Towers 3 and 4.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017

#### Item 13, CW Report No. 17 – Page 15

The Owner and the Development Planning Department also met on November 9, 2016, and December 6, 2016, to discuss the comments received from the Vaughan Design Review Panel, and discussed the following elements of the proposal:

- Access, circulation (pedestrian and vehicular) and ramp locations, and overall design of the east-west spine
- Tower orientation
- Sustainable alternatives to the window wall cladding system
- North-south pedestrian connectivity and entrance features

The Owner subsequently incorporated the following changes to the development:

- The commercial appearance of the podium's north elevation has been modified by introducing more solid (i.e. wood) elements in the design of the ground floor, street-related units and the residential units above.
- The amount of glazing has been reduced to unify the appearance of the podium's south elevation, extending the solid banding across the podium, removing some of the disjointed elements such as the copper, and emphasizing the frame of the glass overhang.
- The tower tops have been re-designed to add more architectural articulation to the tower mass.
- A rhythm in the balcony form, colour and/or material has been introduced as a gesture to add articulation to the design of the towers.

A future Site Development Application for Phase 3 will be subject to review by the Vaughan Design Review Panel.

#### Site Plan Review

##### a) Site Plan

The development proposal represents Phase 2 (Towers 3 and 4) of development for the subject lands, and consists of two 39-storey residential apartment (future condominium) buildings located on a podium ranging in height from two to six-storeys, as shown on Attachments #8 to #14. The proposal consists of 861 residential units and 867 m<sup>2</sup> of ground floor commercial uses. The proposed towers are located north of the Phase 1 development, as shown on Attachment #4, which consists of two 37 storey residential apartments with a two to five-storey podium fronting Regional Road 7.

##### b) Building Elevations

The proposed building elevations are shown on Attachments #10 to #14. The tower elevations have a consistent building orientation to the Phase 1 towers, and are rotated to face true north. Materials consist of clear, blue and green tinted glass with aluminum bands.

The podium is designed with loggias along the north and west elevation (recessed façades on the first storey) facing Barnes Court and Maplecrete Road, respectively.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 16

Materials for the podium consist of clear glass, brick, precast panels and brown corten steel. Grade-related units with private front yard patios are located on the north elevation (Barnes Court) of both towers, and wrap around the corner of Tower 4 facing the proposed park on the west side of Maplecrete Road.

The Owner is required to submit signage details for the proposed ground-floor commercial uses. In addition, the building elevations shall demonstrate appropriate treatment and articulation of the built form to ensure activation of the public realm edges, including the interface with the private courtyard. A condition to this effect is included in the recommendation of this report.

c) Parking, Access and Street Network

The development proposal is serviced by four levels of underground parking with 889 underground spaces, representing a surplus of 52 parking spaces from the VMC parking standard identified in Zoning By-law 1-88, and as shown on Table 1. Access to the underground parking garage is by a right-in / right out access in Tower 4 from the private road/roundabout that is partially constructed to serve Phase 1. In response to issues raised at the Public Hearing, the Development Planning Department requires that the Owner submit a detailed parking and circulation plan to identify loading and underground parking movements, way-finding, and parking areas with restricted access in order to clarify how resident, commercial, and visitor parking will function. A condition to this effect is included in Attachment #1.

A total of 464 bicycle parking spaces are provided for residents in an internal bike room, and 44 additional spaces provided at-grade for commercial and visitor use. Access to the proposed bike room shall be confirmed through the final Transportation Demand Management (TDM) Plan. A condition to this effect is included in the recommendation section of this report.

Completion of the private road/roundabout will occur with the construction of Towers 3 and 4, and consists of one-way access points from Maplecrete Road and "Street B". Access to the site is from the existing signalized intersection at Maplecrete Road and Regional Road 7.

i) "Street B"

"Street B", as shown on Attachment #8, is an existing north-south private road with secondary right-in / right-out access from Regional Road 7 for loading, and is planned to extend north and connect with Barnes Court. The Owner is required to construct Street "B" to its ultimate configuration and provide construction drawings and required stormwater management facilities. The full cost of constructing the external roadway to its ultimate configuration shall be fully secured upon the earliest of the following triggers, in accordance with Conditions 21.3.10 and 21.3.11 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21:

- Upon transfer of all or part of the ownership of the adjacent lands to the east;
- Upon the termination of the lease on the adjacent lands to the east by the current tenant;
- Upon the expiry of the current term of lease in 2022; and
- Prior to issuance of a building permit for Tower 3.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 17

ii) Maplecrete Road

Schedule “C” of the VMC Plan identifies Maplecrete Road as a north-south minor collector street from Regional Road 7 to Portage Parkway. The portion of Maplecrete Road located on the subject lands has been constructed to McCleary Court, as shown on Attachment #8. Condition 21.3.9 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21 requires the completion of the Maplecrete Road extension prior to occupancy of Towers 3 and 4. A condition to this effect is included in the recommendation of this report.

iii) Barnes Court

Schedule “C” of the VMC Plan identifies Barnes Court as an east-west minor collector street from Creditstone Road to Maplecrete Road. Condition 21.3.9 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21 requires the completion of the Barnes Court extension to Maplecrete Road prior to occupancy of Towers 3 and 4. A condition to this effect is included in the recommendation of this report.

As a result of the Barnes Court road extension to Maplecrete Road, the Owner is proposing to use the surplus lands of the Barnes Court cul-de-sac to form part of the proposed development, as shown on Attachment #8.

Pursuant to conditions in the Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, prior to final Site Plan Approval for Towers 3 and 4, the Owner shall enter into an Agreement of Purchase and Sale with the City on terms satisfactory to the City regarding the transfer of the surplus portions of the Barnes Court cul-de-sac abutting the development to the Owner. The Owner cannot commence construction of the underground parking structure within the surplus portion of Barnes Court cul-de-sac until such time as the lands are transferred to the Owner, and any utilities located within such surplus lands that have been relocated / removed to the satisfaction of the City. In addition, the Owner shall clearly identify the interim solution regarding the temporary turnaround of Barnes Court, as shown generally on Attachment #8, during the construction of Towers 3 and 4, including the temporary truck turning feasibility. A condition to this effect is included in the recommendation of this report.

The Owner is also required to make the necessary arrangements to enable the City to recommend a necessary procedure to stop-up and close the portion of Barnes Court pursuant to the Municipal Act to facilitate the City sale of the surplus portions of the Barnes Court cul-de-sac to the Owner, at no cost to the City. Conditions to this effect are included in the recommendation of this report.

d) Landscape Plan

The landscape plan shown on Attachment #9 consists of deciduous trees, shrubs, and grasses, together with concrete paving, unit pavers and impressed and coloured asphalt. As noted earlier, the southerly part of the courtyard is currently constructed to serve Phase 1 of the development. The northerly part will be constructed as part of Phase 2, with further changes required to the Phase 1 landscape required to reflect the updated landscape plan, as shown on Attachment #9. The courtyard design located between Phases 1 and 2 consist of benches and a seat wall. Raised planters are located at the entrance of the private roundabout from Maplecrete Road and “Street B”. The proposed landscaping located above the parking structure will utilize an enhanced planting strategy with soil cells to maintain tree health and longevity.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 18

e) Streetscape and Open Space Master Plan

The Owner shall design and construct the streetscape works identified in Attachment #1 in accordance with City standards, the “City-wide Streetscape Implementation Manual” and “VMC Streetscape & Open Space Plan” (collectively, the “Streetscape Guidelines”), to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the detailed design of Edgeley Pond and Park, to the satisfaction of the City.

Prior to execution of the Site Plan Agreement, the Owner shall prepare detailed streetscape and open space drawings as part of the site plan drawing package based on the Streetscape and Open Space Plan, to the satisfaction of the City. Conditions to this effect are included in Attachment #1.

f) Wind and Sun/Shadow Study

The Owner has submitted a Pedestrian Wind Assessment by RWDI dated September 19, 2016. The findings of the assessment indicate the following:

- Suitable wind conditions are expected at most entrances, sidewalk and walkways, and for the retail/commercial entrances and grade-related entrances. At two retail entrances, wind conditions were predicted to be uncomfortable and exceed the safety criterion in the winter based on the wind tunnel tests.
- Wind conditions on sidewalks and walkways around the podium of Towers 3 and 4 are predicted to be comfortable at all locations during summer and at most locations during winter. A few isolated areas are expected to be uncomfortable or even unsafe in the winter.
- Higher wind activity is expected in the areas south of the proposed towers.

The Owner has also submitted a sun/shadow study showing shadow conditions in March, June and September. The Phase 2 (Towers 3 and 4) proposal is located north of the existing Phase 1 (Towers 1 and 2) development, and therefore shows minimal shadow impact on the existing towers.

Due to the anticipated higher wind activity along the south side of the proposed towers and the unsuitable areas during the winter season identified in the Pedestrian Wind Assessment, the Development Planning Department recommends that, prior to the execution of the Site Plan Agreement, the Owner shall submit updated wind tunnel model and sun/shadow analysis to the satisfaction of the City. These studies should include existing and planned buildings and demonstrate the incorporation of mitigation measures to ensure favourable micro-climactic conditions for people sitting, standing and walking within the public realm. A condition to this effect is included in the recommendation of this report.

The Development Planning Department is satisfied with the proposed development of the subject lands as shown on Attachments #8 to #14, subject to the finalization of the site plan, building elevations, and landscape plans as discussed in this report. A condition to this effect is included in the recommendation of this report.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

#### Item 13, CW Report No. 17 – Page 19

##### Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the development proposal and supporting reports and studies. The DEIP Department has advised they have no significant concerns with the proposal as submitted, however they have noted the finalization of the site servicing plan, site grading plan, stormwater management plan, storm area drainage design, erosion and sediment control plan, environmental noise report, geotechnical/soils report, street sections, photometric lighting plan, and parking level plans.

##### Transportation Demand Management (TDM)

Prior to the execution of the Site Plan Agreement, the City requires the Owner to provide a detailed summary of the proposed Traffic Demand Management (TDM) Program for Phase 2 (Towers 3 and 4). Review of the TDM plan may result in additional requirements as a result of the recommendations of the plan. The TDM Plan must also be reviewed and approved by York Region. Conditions to this effect are included in the recommendation of this report.

Long-term bicycle parking is being proposed on parking Levels 2, 3 and 4 for Phase 2 (Towers 3 and 4). The City recommends also providing long-term bicycle parking on Level P1, as it is a more convenient location and accessible for cyclists. In addition, access to the proposed bike room shall be confirmed through the final Transportation Demand Management (TDM) Plan.

##### Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for development applications within the VMC was reserved. Should Vaughan Council approve Site Development File DA.16.111, a recommended servicing allocation resolution is included in the recommendation of this report.

##### Toronto and Region Conservation Authority (TRCA)

The applications have been circulated to the TRCA for review and comments. Prior to execution of the Site Plan Agreement, the Owner shall satisfy all requirements of the TRCA. A condition to this effect is included in the recommendation of this report.

##### 3D Digital Model

The Owner is working towards submitting their 3D digital model of the development to the City. However, if the 3D digital model has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$15,000.00 to guarantee the completion of the final 3D digital model, which shall include the accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is reflected in the recommendation of this report.

##### Black Creek

The DEIP Department advises that improvements are required to the Black Creek channel and Storm Water Management Pond in accordance with the Black Creek Optimization Study, the

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 20

VMC Master Plan Class Environmental Assessment (EA), and the VMC Black Creek Renewal Class EA in order to facilitate development in the VMC and to address a flooding risk. The Owner has appealed the Black Creek Area Specific Development Charge By-law.

Parks Development Department

The Parks Development Department has reviewed the proposal and has no objections. With respect to parkland in this development, as per Section 21.7.14 of the Executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21:

“...the Owners shall submit a proposal to the City consistent with the “Guiding Principles for Strata Title Arrangement” as adopted by Vaughan Council on June 4, 2013, or as amended by the City in the future. The strata proposal shall confirm the necessity for, and benefit of, strata development associated with parkland and provide sufficient detail and clarity related to the proposed ownership structure, design considerations and structural requirements, management and operational considerations and legal arrangements for municipal property, including cost estimates and proposed costing structure outlining the proposed Owner costs and the proposed City costs. The strata proposal shall provide a minimum planting soil depth of 1.5m.”

The consideration for a condition for a strata title agreement for the proposed stratified park will form part of a future phase of development facilitated by a separate Site Development Application.

In addition, as per Section 21.7.12 of the Executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, in lieu of parkland conveyance at an earlier phase, the Owner has committed to design, develop and maintain at no cost or liability to the City, temporary park uses on the Owner's lands and/or combination of the Owner's lands and City lands in proximity to the existing sales office located along Regional Road 7. The Parks Development Department has been working with the Owner to advance the design and development of the temporary park facility in coordination with Tower 3 and 4 construction and the Edgeley Pond and Park design and construction.

The Owner shall agree to finalize the design and development of the temporary park in parallel to the expected stratified parking proposal. A condition for a strata title agreement for the proposed stratified park will form part of a future phase of development facilitated by a separate Site Development Application.

Office of the City Solicitor - Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that for residential high-density development, the Owner shall 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 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. A condition to this effect is included in Attachment #1.

Cultural Heritage Division

The Vaughan Cultural Heritage Division of the Planning Department has reviewed the Site Development application and has indicated that the subject property has been cleared of concerns regarding archaeological resources.



## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

#### Item 13, CW Report No. 17 – Page 21

##### Environmental Services - Solid Waste Management

The proposed development will utilize a 3-stream waste management system. The Public Works Department Solid Waste Management Division has reviewed the Site Development application and provided comments to the Owner on February 6, 2017. The Owner is required to satisfy all requirements of the Public Works Department Solid Waste Management Division. A condition to this effect is included in the recommendation section of this report.

##### Canadian National Railway (CN)

CN has no objections to the Site Development application, subject to the inclusion of their warning clauses in the Site Plan Agreement and the future Condominium Agreement and Condominium Declaration identified in Attachment #1.

##### Utilities

Alectra Utilities Corporation (formerly PowerStream Inc.) has reviewed the Site Development application and has indicated that it is the Owner's responsibility to contact Alectra and discuss all aspects of the site with respect to electrical supply and the transformer location(s).

Enbridge Gas has no objection to the Site Development application and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities, as well as any possible easements. The cost for the relocation of gas mains as a result of changes in the alignment or grade of future road allowances (Barnes Court and Maplecrete Road), or for temporary gas pipe installations pertaining to a phased construction, are the responsibility of the Owner.

##### Canada Post

Canada Post has reviewed the Site Development application and has 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 are met. Canada Post acknowledges that the development proposal consists of a common entrance area and as a result, the Owner must supply, install and maintain a centralized mailbox facility for the residential portion of the development. A separate centralized mail facility may be required for the commercial portion of the development.

##### School Boards

The York Region District School Board, York Region Catholic School Board, and the French School Boards have no comments or objections to the development proposal.

##### 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.

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.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

#### **Item 13, CW Report No. 17 – Page 22**

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 January 11, 2017, Bombardier Aerospace advised they have no objection to the proposed development.

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

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

- Improve municipal road network
- Continue to develop transit, cycling and pedestrian options to get around the City
- Facilitate the development of the VMC
- Re-establish the urban tree canopy
- Continue to cultivate and environmentally sustainable City

#### **Regional Implications**

The York Region Community Planning and Development Services Department has reviewed the Site Development and Zoning By-law Amendment applications and advised that they have no objections to the proposed development, in principle.

The Owner is required to enter into a Site Plan Agreement with York Region to address issues including, but not limited to, the construction of a vehicular and pedestrian interconnection over Blocks 3 and 29 on Registered Plan 65M-4490 for the adjacent lands to the west, financial and insurance requirements, and dewatering permits. The Owner is required to address all York Region requirements prior to the execution of the Site Plan Agreement, as per the recommendation of this report.

#### **Conclusion**

Zoning By-law Amendment and Site Development Files Z.16.053 and DA.16.111 have been reviewed in accordance with the VMC Secondary Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development to permit two, 39-storey apartment building with ground floor commercial uses as Towers 3 and 4 of the Phase 2 development of the subject lands is appropriate, compatible, and consistent with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of Zoning By-law Amendment and Site Development Applications, recognizing the deferral of the request to permit a commercial parking lot use in the OS2 Open Space Park Zone lands, subject to the recommendations of this report.

#### **Attachments**

1. Conditions of Site Plan Approval
2. Context Location Map
3. Location Map
4. Existing By-law Schedule E-1376
5. Existing By-law Schedule E-1376-A
6. Proposed New By-law Schedule E-1376
7. Proposed New By-law Schedule E-1376-A
8. Conceptual Master Plan
9. Landscape Plan

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2017**

Item 13, CW Report No. 17 – Page 23

10. South Building Elevation
11. East Building Elevation
12. West Building Elevation (Facing Future Maplecrete Road Extension)
13. North Building Elevation (Facing Future Barnes Court Extension)
14. Perspective from Maplecrete Road Looking Northeast

**Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Stephen Lue, Senior Planner, ext. 8210

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

*Regional Councillor Ferri declared an interest with respect to this matter as his son is a partner of the firm that represents the applicant, and did not take part in the discussion or vote on the matter.*

**COMMITTEE OF THE WHOLE    MAY 2, 2017**

**ZONING BY-LAW AMENDMENT FILE Z.16.053**

**SITE DEVELOPMENT FILE DA.16.111**

**ROYAL 7 DEVELOPMENTS LTD.**

**WARD 4 - VICINITY OF MAPLECRETE ROAD AND REGIONAL ROAD 7**

**Recommendation**

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

1. THAT Zoning By-law Amendment File Z.16.053 (Royal 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88 for the subject lands shown on Attachments #2 and #3, to facilitate the development of two 39-storey residential apartment (future condominium) buildings, as shown on Attachments #8 to #14, specifically to:
  - a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone , as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on Attachment #6;
  - b) replace the existing Schedules "E-1376" and "E-1376-A" to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with the proposed Schedules "E-1376" and "E-1376-A", in the manner shown on Attachment #6 and #7, respectively; and
  - c) permit the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT the request to permit a commercial parking lot in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park) through Zoning By-law Amendment File Z.16.053 (Royal 7 Developments Ltd.) BE DEFERRED, until such time that a Site Development Application has been submitted that takes into consideration parking requirements, vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park.
3. THAT the Owner be authorized to apply for a Minor Variance Application to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for Zoning By-law Amendment File Z.16.053 comes in to effect, to permit minor adjustments to the implementing Zoning By-law, pursuant to Section 29(2) of the *Smart Growth for Our Communities Act* (Bill 73).
4. THAT Site Development File DA.16.111 (Royal 7 Developments Ltd.) BE APPROVED, to permit the development of the subject lands shown on Attachments #2 and #3 with two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, with a total of 861 residential units and 867 m<sup>2</sup> of ground floor commercial area, as shown on Attachments #8 to #14, subject to the following conditions:
  - a) that prior to the execution of the implementing Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations, colour renderings, landscape plans, landscape cost estimate, and wayfinding / signage design. The building elevations shall demonstrate appropriate treatment and articulation of the built form to

ensure activation of the public realm edges, including the interface with the private courtyard;

- ii) the Owner shall submit updated Wind Tunnel Model and Sun/Shadow Analysis Studies to the satisfaction of the Development Planning Department. These studies should include existing and planned buildings and demonstrate the incorporation of mitigation measures to ensure favourable micro-climactic conditions for people sitting, standing and walking within the public realm;
- iii) the Owner shall satisfy the requirements for streetscape works identified in Attachment #1;
- iv) the Owner shall provide a Phasing Plan and agree, acknowledge and secure for the timing of construction, streetscapes, private driveways and private amenity spaces, to the satisfaction of the City;
- v) the Owner shall agree to design, secure for, and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type, and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan;
- vi) The Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted in a strata condition has met the minimum requirement of 16 m<sup>3</sup> of soil per tree, or 30 m<sup>3</sup> in a shared condition to encourage the growth of large caliper shade trees, to the satisfaction of the City;
- vii) the Development Engineering and Infrastructure Planning Department shall approve the final site servicing plan, site grading plan, stormwater management plan, storm area drainage design, erosion and sediment control plan, environmental noise report, geotechnical/soils report, Transportation Demand Management (TDM) plan, street sections, photometric lighting plan, and parking level plans;
- viii) Prior to the issuance of any Occupancy Permit for Tower 3 or Tower 4, the Owner shall complete construction of Maplecrete Road and the extension of Barnes Court to Maplecrete Road, including the partial removal of the cul-de-sac along the south side of Barnes Court, to the satisfaction of the City;
- ix) the Owner shall enter into an Agreement of Purchase and Sale with the City on terms satisfactory to the City regarding the transfer of the surplus portions of the Barnes Court cul-de-sac, abutting the development to the north, to the Owner as shown on Attachment #8. The Owner cannot commence construction of the underground parking structure, within the surplus portion of the Barnes Court cul-de-sac, until such time as the lands are transferred to the Owner, and certain other matters including, but not limited to, the relocation and/or removal of any utilities located within such surplus portions, are completed to the satisfaction of the City;
- x) The Owner shall design the interim Barnes Court road extension to Maplecrete Road to accommodate its future right-of way of 23 m, to the satisfaction of the City;

- xi) the Owner shall provide construction phasing plans and a functional traffic report to clearly identify the interim solution during construction of Towers 3 and 4, with the closing of the existing Barnes Court cul-de-sac (southern portion), including temporary truck turning feasibility, with a Computer Aided Design and Drafting (CADD) based software;
  - xii) the Owner shall convey to the City free of charge and encumbrances a 5 m by 5 m daylight triangle (Blocks 27 and 28 on Plan 65M-4490) at the south-east corner of the intersection of Barnes Court and Maplecrete Road extension;
  - xiii) the Owner shall submit to the City the final 3D digital model of the final development, which shall include the accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Vaughan Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$15,000.00 to guarantee the completion of the model;
  - xiv) the Owner shall satisfy all requirements of the Environmental Services, Waste Management Department;
  - xv) the Owner shall satisfy all requirements of the Canadian National (CN) Railway;
  - xvi) the Owner shall satisfy all requirements of Canada Post;
  - xvii) the Owner shall satisfy all requirements of the TRCA; and,
  - xviii) the Owner shall satisfy all requirements of York Region.
- b) the implementing Site Plan Agreement shall include the conditions of Site Plan Approval set out in Attachment #1.
5. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York-Durham-Peel Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol, dated December 13, 2016:
- "IT IS HEREBY RESOLVED THAT Site Plan Development File DA.16.111 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 861 residential units (1,903 persons equivalent)."
6. THAT the City Clerk's Office commence the necessary procedure to stop-up and close the southern portion of Barnes Court pursuant to the Municipal Act to facilitate the City sale of the surplus lands of the Barnes Court cul-de-sac to the Owner, at no cost to the City.

### **Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment

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

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, carpooling and public transit

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

- high-albedo painting will be provided on portions of the roof
- stormwater will be captured in cisterns and used for irrigation
- LED lighting will be provided throughout the site
- landscaping to mitigate the heat island effect that will include native, drought tolerant shrubs, grasses and flowers
- transportation demand management measures that will encourage active and public transportation, including pedestrian-scaled corridors and amenity areas to encourage pedestrian activity during all seasons, bicycle parking facilities and storage, and education and incentives for increasing public transportation use

### **Economic Impact**

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

### **Communications Plan**

On March 10, 2017, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and the Notice Sign installed on the property in accordance with the City's Notice Sign Procedures and Protocols. The Zoning By-law Amendment application notice was also advertised on the City's on-line Calendar, in the March e-news City Update, which was e-mailed to over 8,000 subscribers, and posted on the City's Facebook and Twitter sites in March 2017. The following letters were received:

1. Mr. Seminerio, Regional Road 7, Vaughan, email correspondence dated March 15, 2017, objecting to the proposed development because it will result in reduced sunlight and airflow, and create a visual obstruction to existing residents in the existing towers located on the subject lands.

### **Response**

On September 4, 2008, the Ontario Municipal Board (OMB) approved Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 for the entire 3.47 ha landholdings to facilitate the development of five residential apartment buildings, together with a park, open space buffers, and roads, as conceptually shown on Attachment #3. This information has been widely documented in print and online media, and within the sales office, including a scaled model of the overall development. The proposed development represents Phase 2 approved by the OMB for the overall development of the

subject lands. The approved Zoning By-law identified additional towers to the north of the existing development (Phase 1 - Towers 1 and 2). Wind and Sun/Shadow Studies have been submitted and are required to meet City requirements.

2. Mr. Wong, Malone Given Parsons Ltd., Renfrew Drive, Markham, on behalf of Midvale Estates Ltd. and 2117969 Ontario Inc. (Zzen Group) the Owners of 2938, 2986 and 2966 Regional Road 7 (the adjacent landowners to the west of the subject lands), with a letter dated March 31, 2017, requesting a copy of the proposed draft Zoning By-law amendment and clarification regarding coordinated access / interconnection between the subject lands and the abutting lands to the west.

#### Response

The draft Zoning By-law amendment prepared by the Owner was sent by the Development Planning Department to Mr. Wong on April 5, 2017. Respecting a coordinated access / interconnection between the subject lands and the abutting lands to the west, the Owner has agreed to provide a public access easement in perpetuity to the City of Vaughan in order to ensure public access from the lands to the west to the existing signalized intersection at Maplecrete Road and Regional Road 7, and is being dealt with as part of the final approvals for Phase 1 (Towers 1 and 2).

3. Mr. Roberto, email correspondence dated April 18, 2017, with questions respecting the purpose of the proposed commercial parking lot located underneath the proposed park on the northwest corner of the subject lands.

#### Response

The proposed commercial parking lot would primarily serve the commercial uses located in Towers 1 and 2 and proposed in Towers 3 and 4 on the subject lands; however, the Owner has demonstrated that all the required resident, visitor and commercial parking can be provided under the proposed and existing towers using the Vaughan Metropolitan Centre parking standards in Zoning By-law 1-88. The Development Planning Department is recommending that the request to permit a commercial parking lot underneath the proposed park be deferred until such time as the need for additional parking is justified through a complete proposal, as identified in Section 21.7.14 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, as further described in the Parks Development Department section of this report. A recommendation in this report has been included to address this issue.

A Courtesy Notice of this Committee of the Whole Meeting was sent via mail and email on April 28, 2017, to the individuals that appeared at the Public Hearing or submitted written correspondence.

The recommendation of the Committee of the Whole to receive the Public Hearing report of April 4, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on April 19, 2017.

#### Purpose

To seek approval from the Vaughan Committee of the Whole for the following applications on the subject lands shown on Attachments #1 and #2:

1. Zoning By-law Amendment File Z.16.053, to amend Exception 9(1248) of Zoning By-law 1-88 to facilitate development of two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14:



- a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone , as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2(H) Open Space Park Zone with the Holding Symbol "(H)", in the manner shown on Attachment #6;
  - b) replace the existing Schedules "E-1376" and "E-1376-A" to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with proposed Schedules "E-1376" and "E-1376-A", in the manner shown on Attachment #6 and #7, respectively;
  - c) permit the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report; and
  - d) permit a commercial parking lot in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park).
2. Site Development File DA.16.111 to permit two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14, consisting of the following:
- 66,631 m<sup>2</sup> of residential gross floor area (GFA)
  - 861 apartment units
  - 867 m<sup>2</sup> of ground related commercial area, as permitted by the C9 Corporate Centre Zone
  - 8,785 m<sup>2</sup> of amenity area
  - a total GFA of 76,283 m<sup>2</sup>

The proposed development (Phase 2 - Towers 3 and 4) includes 889 underground parking spaces, and when combined with the existing Phase 1 (Towers 1 and 2) development, will include a total of 1,747 underground parking spaces.

### **Background - Analysis and Options**

#### *Synopsis:*

*The Owner is proposing to develop the subject lands shown on Attachments #2 and #3 with two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14. The proposed development represents Phase 2 of a three-phase development on the subject lands. The Development Planning Department supports the proposed zoning by-law amendments, and approval of the proposed site plan for Phase 2 (Towers 3 and 4), as it implements a development proposal that conforms to the Vaughan Official Plan (VOP 2010) and is compatible with the surrounding existing and planned land uses. The Development Planning Department recommends that the request for the proposed commercial parking lot be deferred and reviewed through a Separate Development Application until such time as work on the Edgeley Pond and Park is further advanced, and the need for additional parking is justified through a complete proposal.*

#### Location

The 3.47 ha subject lands shown on Attachments #2 and #3 are located on the north side of Regional Road 7, between Jane Street and Creditstone Road. The lands subject to Site Development File DA.16.111 consist of the 0.62 ha Phase 2 lands shown on Attachment #8, and are municipally known as 2908 and 2916 Regional Road 7. The entire landholdings are subject to Zoning By-law Amendment File Z.16.053. The surrounding land uses are shown on Attachment #3.

### Site History and Ontario Municipal Board Decision

On September 4, 2008, the Ontario Municipal Board (OMB), approved Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 (Royal 7 Developments Ltd.) for the entire 3.47 ha landholdings to facilitate the development of five residential apartment buildings (four with ground floor commercial area), together with a park, open space buffers, and roads, as conceptually shown on Attachment #4 and #5. The site-specific zoning Exception 9(1248) approved by the OMB permits the following:

- 1,935 residential apartment units, including a maximum of 733 units in Buildings 1 and 2
- prescribed building envelopes
- a maximum GFA of 182,000 m<sup>2</sup> for the entire site
- a maximum retail commercial GFA of 4,028 m<sup>2</sup> for the entire site
- unlimited building height for the tower portion of the buildings (status as a landmark location under Zoning By-law 1-88, as amended)
- a maximum building height of 17 m for the podium portion of the buildings
- 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per unit for visitor parking
- shared residential visitor and commercial parking
- a minimum 0 m yard setback to all yards for underground parking structures
- 15 m<sup>2</sup> of amenity area per residential unit
- for the purposes of zoning conformity, the subject lands are deemed to be one lot

The Owner subsequently agreed to update Draft Plan of Subdivision File 19T-00V21 to be consistent with the road network and development blocks identified in the Vaughan Metropolitan Centre Secondary Plan. The approved Draft Plan (File 19T-00V21) was registered in 2016 as Registered Plan 65M-4490.

### Conceptual Master Plan and Phasing

The Conceptual Master Plan shown on Attachment #8 includes four residential apartment building (future condominiums) ranging in height from 37 to 39 storeys, and located on podiums ranging in height from two to six-storeys, including ground floor commercial uses. The master plan also includes a block for a future Phase 3 building. The master plan is designed to have a total of 1,935 residential units in accordance with the OMB approved Zoning By-law.

The Owner intends to develop the subject lands in three phases, as shown on Attachment #8, as follows:

- Phase 1 includes Towers 1 and 2, which were approved by Vaughan Council on September 25, 2012, through Site Development File DA.11.058, and have been constructed.
- Phase 2 represents the subject applications for Towers 3 and 4.
- Phase 3 includes a future Tower 5 and conveyance of land for a park.

Phases 1 and 2 (Towers 1 to 4 inclusive) consist of 1,565 units. The detailed design of Phase 3 on the subject lands requires the submission and review of a future Zoning By-law Amendment and Site Development Applications. A central amenity space is located in the area between Phase 1 (Towers 1 and 2) and Phase 2 (Towers 3 and 4), which has been partially constructed for Phase 1, and will be completed during construction of Phase 2 subject to detail design through the Site Development Application process.

The Owner shall provide a Phasing Plan to appropriately respond to the built form context to the west, the built form context of Phases 1 and 2 to the east, the pedestrian at grade connection to Regional Road 7, the east-west driveway, and Edgeley Pond and Park to the north, to the satisfaction of the City. The phasing plan shall include the timing of construction, streetscapes, private driveways and private amenity spaces, to the satisfaction of the City. A condition to this effect is included in Attachment #1.

#### Official Plan - Vaughan Metropolitan Centre Secondary Plan (VMC Plan)

The subject lands are designated “Station Precinct” (Towers 1, 2 and 5) and “Neighbourhood Precincts” (Towers 3 and 4 and the proposed park) by the VMC Plan, which forms part of Volume 2 of the Vaughan Official Plan 2010. The VMC Secondary Plan was partially approved by the OMB on November 18, 2015, November 18, 2016 and January 23, 2017, and is in-effect for the subject lands.

A broad mix of uses are encouraged in the Station Precinct designation, including residential dwellings (i.e. high-rise and mid-rise buildings), park, retail, service commercial, and public uses. In the Neighbourhood Precinct, the VMC Plan envisages primarily residential uses complemented by community amenities (e.g. parks and daycare facilities) and retail and service commercial uses, in a mix of high-rise, mid-rise, and low-rise buildings types (e.g. apartment dwellings and townhouses).

The development proposal includes two 39-storey apartment buildings and yields a density of 4.33 FSI (floor space index). Section 9.3.4 of the VMC Plan recognizes the OMB approved Zoning By-law 287-2008 (Exception 9(1248)) for the subject lands, together with consideration of minor variances that are in keeping with the objectives, policies and schedules of the VMC Plan. Zoning By-law 287-2008 permits a maximum gross floor area of 182,000 m<sup>2</sup> on the property, defines building envelopes, and establishes an unlimited building height for the property. Accordingly, the proposed development conforms to the VMC Plan.

#### Vaughan Metropolitan Centre (VMC) Culture & Public Art Framework

Chapter 3 of the VMC Culture & Public Art Framework identifies the subject lands as a private development site appropriate for public art. The public art must be distinctive and publicly accessible within the development, and must be in a prominent location such as a major entrance or setback area of the street. The intent is to create a culturally rich public realm that is both beautiful and engaging.

As part of a condition of approval for Phase 3, the Owner will be required to execute a separate agreement with the City, which will include the requirement for the Owner to submit a future Letter of Credit, to address the details to commission and install a permanent piece of public art for Phase 3 of the development as a public art contribution consistent with the principles of “Site 10 – Private Development” as outlined in the City’s VMC Culture and Public Art Framework. The Owner will also be required to develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art piece.

#### Zoning

The subject lands shown on Attachments #2 and #3 are zoned C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone by Zoning By-law 1-88, subject to Exception 9(1248).

On April 10, 2014, the Committee of Adjustment approved Minor Variance Application A083/14 for Phase 1 (Towers 1 and 2) to permit variances for the towers and podiums to be partially

located outside of the building envelope previously established by the OMB, a maximum podium height of 20.6 m along Regional Road 7, and a total of 858 underground parking spaces.

The Owner has submitted Zoning By-law Amendment File Z.16.053 to permit the following site-specific exceptions to Zoning By-law 1-88, to facilitate Phase 2 - Towers 3 and 4 of the development:

- a) rezone the subject lands from C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, as shown on Attachment #4, to C9 Corporate Centre Zone, C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on Attachment #6;
- b) replace existing Schedules "E-1376" and "E-1376-A" to site-specific Exception 9(1248) of Zoning By-law 1-88, shown on Attachments #4 and #5, with proposed Schedules "E-1376" and "E-1376-A", in the manner shown on Attachment #6 and #7, respectively;
- c) permit a commercial parking lot use in the OS2 Open Space Park Zone in a stratified arrangement (i.e. a parking garage underneath a public park). The Owner has agreed to defer this request to a future Site Development Application once additional details regarding vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park; and
- d) permit the following site-specific zoning exceptions to facilitate the development of two 39-storey residential apartment (future condominium) buildings, located on a two to six-storey podium, as shown on Attachments #8 to #14:

<b>Table 1: Zoning By-law Amendment File Z.16.053</b>			
	<b>Zoning By-law 1-88 Standard</b>	<b>Requirements of the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol "(H)" subject to Exception 9(1248)</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol "(H)", subject to Exception 9(1248)</b>
a.	Boundary of Development Blocks	Identified on Schedule E-1376, as shown on Attachment #4	Delete and replace Schedule E-1376 with a new Schedule E-1376, as shown on Attachment #6, to reflect Registered Plan 65M-4490.
b.	Building Envelopes	Identified on Schedule E-1376-A, as shown on Attachment #5	Delete and replace Schedule E-1376-A with a new Schedule E-1376-A, as shown on Attachment #7, to reflect the current proposed conceptual masterplan

**Table 1: Zoning By-law Amendment File Z.16.053**

	<b>Zoning By-law 1-88 Standard</b>	<b>Requirements of the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol ("H") subject to Exception 9(1248)</b>	<b>Proposed Exceptions to the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol ("H"), subject to Exception 9(1248)</b>
c.	Maximum Retail Commercial Gross Floor Area (Combined for Phases 1, 2 and 3)	4,028 m <sup>2</sup>	6,000 m <sup>2</sup>
d.	Minimum Parking Requirements (To apply to Phase 2 and future Phase 3)	<p><u>Phase 2</u></p> <p>948 spaces (861 units @ 1.1 spaces per dwelling unit)</p> <p>+</p> <p>173 visitor spaces (861 units @ 0.2 spaces per dwelling unit for visitor parking)</p> <p>+</p> <p>29 commercial spaces (1,427 m<sup>2</sup> of commercial floor area @ 2 spaces / 100 m<sup>2</sup>)</p> <p>+</p> <p>12 barrier-free parking spaces (1,153 spaces @ 1 barrier-free spaces/ 100 spaces) included in overall parking calculation</p> <p>=</p> <p>Total number of Parking Spaces Required for Phase 2 - 1,150 spaces</p>	<p><u>Phase 2</u></p> <p>342 spaces (488 units @ 0.7 spaces one bedroom per dwelling unit)</p> <p>+</p> <p>336 spaces (373 units @ 0.9 spaces per two bedroom dwelling unit)</p> <p>+</p> <p>130 visitor spaces (861 units @ 0.15 spaces per dwelling unit for visitor parking), including</p> <p>+</p> <p>29 commercial spaces (1,427 m<sup>2</sup> of commercial floor area @ 2 spaces / 100 m<sup>2</sup>)</p> <p>+</p> <p>47 barrier free parking spaces (included in overall parking calculation)</p> <p>=</p> <p>Total Number of Parking Spaces Proposed for Phase 2 - 837 spaces</p>

Table 1: Zoning By-law Amendment File Z.16.053			
	Zoning By-law 1-88 Standard	Requirements of the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol ("H") subject to Exception 9(1248)	Proposed Exceptions to the C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol ("H"), subject to Exception 9(1248)
e.	Minimum Bicycle Parking Requirements (Phase 2)	<u>Residential:</u> Short term - 87 spaces (861 units x 0.1 spaces / unit) Long term - 431 spaces (861 units x 0.5 spaces / unit)  <u>Commercial:</u> Short term - 6 spaces (1,427 m <sup>2</sup> of commercial GFA x 0.15 spaces / 100 m <sup>2</sup> , or 6 spaces, whichever is greater) Long term - 2 spaces (1,427 m <sup>2</sup> of commercial GFA x 0.1 spaces / 100 m <sup>2</sup> ) Total short-term parking = 93 spaces Total long-term parking = 433 spaces	Total long-term parking = 464 spaces  Total short-term parking = 44 spaces
f.	Minimum Amenity Area (For Phases 1, 2 and 3 )	15 m <sup>2</sup> per dwelling unit	14.5 m <sup>2</sup> per dwelling unit

The proposed site-specific zoning exceptions identified in Table 1 will facilitate the remaining 2 phases of the Expo City development. These phases consist of Phase 2, representing Towers 3 and 4 (subject to Site Development File DA.16.111) and the future Phase 3 containing Tower 5 and a future park, as shown on Attachment #8. The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.053, and provides the following comments:

#### Proposed Commercial Parking Lot and Stratified Park

The Owner is proposing a commercial parking lot use in a stratified arrangement (i.e. a parking garage underneath a public park) within the portion of the subject lands proposed to be zoned OS2 Open Space Park Zone, as shown on Attachment #6. The Owner prepared a preliminary concept plan for the commercial parking lot with three levels of underground parking, intended to serve the existing and proposed commercial uses on the subject lands.

The Phase 2 development (Towers 3 and 4) will facilitate parking in a garage underneath the proposed towers. In addition, the Edgeley Pond and Park, which includes an upgraded pond, a park and a renewed naturalized creek channel designed to a high urban design and sustainability standard, forms part of, and is adjacent to the subject lands. Coordination of design and construction with the proposed Edgeley Pond and Park and detailed plans required prior to considering the request to permit the commercial parking lot use underneath the proposed park.

Since the submission of the applications and the Public Hearing, the Owner has agreed, in a meeting on April 18, 2017, with City staff, to defer the Zoning By-law amendment for the proposed commercial parking lot, until further details are provided respecting vehicular circulation, access, streetscape design, and the design of the Edgeley Pond and Park.

On this basis, the Development Planning Department recommends that the proposed commercial parking lot be reviewed through a separate Site Development Application upon justification of the need for additional parking through a complete proposal, as identified in Section 21.7.14 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, and upon further details regarding the coordination of construction with the Edgeley Pond and Park. Should the future application(s) be approved, the Owner will be required to enter into a Strata Title Agreement and possibly a Developer-Build Agreement. The Owner must adhere to the Guiding Principles for Strata Title Arrangements and Strata Principles for Public Parks within the Stratified Title Arrangements policy approved by Vaughan Council on December 10, 2013.

#### Holding Symbol “(H)”

Site-specific Zoning Exception 9(1248) identifies the conditions for removing the Holding Symbol “(H)” from the C9(H) Corporate Centre Zone with the Holding Symbol “(H)”. This includes York Region identifying and allocating servicing capacity for the development of the lands, and the approval of a Site Development Application for the entire landholdings or a portion thereof.

The Development Planning Department is satisfied with Site Development File DA.16.111, subject to the conditions discussed in this report. The Development Engineering and Infrastructure Planning (DEIP) Department has confirmed that Council can allocate available and unrestricted servicing capacity from the York Sewage Servicing / Water Supply System for a total of 861 residential units (1,903 persons equivalent). Accordingly, should Vaughan Council concur, the implementing Zoning By-law for the subject lands should include a provision to remove the Holding Symbol “(H)” from the Phase 2 (Towers 3 and 4) portion of the subject lands, subject to the Owner satisfying the conditions outlined in this report and the future implementing Zoning By-law.

#### Site-Specific Zoning Exceptions

##### a) Development Blocks

The in-effect development blocks for the entire landholdings are identified on Schedule “E-1376” of site-specific zoning Exception 9(1248), as shown on Attachment #4. The Owner is proposing to delete and replace Schedule “E-1376” with a new Schedule “E-1376”, as shown on Attachment #6, to reflect the development blocks on Registered Plan 65M-4490. The Development Planning Department has no objections to the revised schedule shown on Attachment #6, as it reflects the street network and development blocks of the VMC Plan and Registered Plan 65M-4490, and subject to the conditions identified in this report.

##### b) Building Envelopes

The building envelopes for the entire landholdings are identified on Schedule “E-1376-A” of site-specific zoning Exception 9(1248), as shown on Attachment #5. The Owner is

requesting to delete and replace Schedule “E-1376-A” with a new Schedule “E-1376-A”, as shown on Attachment #7. The Development Planning Department has no objections to the revised schedule shown on Attachment #7, as it reflects the current proposed conceptual masterplan for the lands.

The lands shown as Phase 3 (Tower 5) on Attachment #8 are subject to future development applications. The building footprint will be established at that time. In the interim, the new Schedule “E-1376-A”, as shown on Attachment #7, will generally reflect the building footprint that was approved through the OMB-approved Zoning By-law for the Phase 3 lands.

c) Maximum Retail Commercial Gross Floor Area (GFA)

The proposed retail commercial GFA of 6,000 m<sup>2</sup> is the result of market conditions, and will assist in providing an appropriate mixed-use development that is encouraged in the VMC Secondary Plan. The Development Planning Department has no objections to the additional retail commercial gross floor area.

d) Minimum Parking Requirements

The parking requirements for the subject lands are identified in site-specific zoning Exception 9(1248). The Development Planning Department has no objection to the reduced minimum parking requirements for Phases 2 and 3, which are consistent with the parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88. The proposed 47 barrier-free parking spaces for Towers 3 and 4 exceed the barrier-free parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88 by 35 parking spaces.

e) Minimum Bicycle Parking Requirements

The Development Planning Department has no objections to the reduced minimum bicycle parking requirements for Phase 2. The proposed long-term bicycle parking exceeds the bicycle parking standards for the Vaughan Metropolitan Centre in Zoning By-law 1-88. The reduced short-term bicycle parking is justified since the site is located within the VMC, intended to be a walkable downtown, and is located in proximity to alternative modes of transportation, including the future bus rapid transit along Regional Road 7 and future Vaughan Metropolitan Centre Subway Station. Additional bicycle parking may be required for the park block, as shown on Attachment #8, as part of the review of the required future site plan.

f) Minimum Amenity Area

The Owner is seeking a reduction in the minimum amenity area requirement from 15 m<sup>2</sup> / dwelling unit to 14.5 m<sup>2</sup> / dwelling unit for the entire development (Phases 1, 2 and 3), which is considered minor in nature. In addition, the subject lands are located adjacent to the proposed Black Creek Greenway and Edgeley Pond and Park, a linear public space proposed within the VMC, which will provide additional amenity space to future residents. The Development Planning Department has no objections to the proposed minimum amenity area standard.

The Smart Growth for Our Communities Act (Bill 73)

Bill 73, known as the *Smart Growth for Our Communities Act*, identifies a number of amendments to the *Planning Act*, and received Royal Assent on December 3, 2015, with all amendments in-force as of July 1, 2016. Section 29(2) of Bill 73 restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a



Zoning By-law comes into effect. Should Council approve Zoning By-law Amendment File Z.16.053, the Development Planning Department recommends that Vaughan Council adopt a resolution to allow the Owner to submit for future Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies and/or discrepancies that may arise through the finalization and construction of the subject development. A resolution in this respect is included in the recommendation of this report.

#### Vaughan Design Review Panel

The proposed development was considered by the Vaughan Design Review Panel on September 29, 2016, and the following recommendations, but not limited to, were provided:

- In the context of the proposed density and the anticipated volumes of traffic from both within and outside of the site, the proposed central courtyard layout does not adequately address functional circulation or navigation issues for either pedestrians or vehicles.
- Re-examine the proposed window wall cladding of the towers to explore more sustainable options and add more visual interest to the elevations.
- The north-south pedestrian passageway through the building should be designed with greater prominence and consideration of the pedestrian experience through the site.
- Consideration must be paid to the allocation of space for all the various activities and functions that will happen in the central courtyard, including short term deliveries, daycare drop offs, morning and evening peak hour traffic volume, and visitor arrivals.
- The connections through the central courtyard are not clear. Further detailed drawings are needed (including sections) to clearly understand and represent the relational experience of place, the critical connections, how activity will flow at grade, relationships to amenity spaces, and how people will move through the buildings and the site.
- More generous and safe pedestrian spaces and connections are needed.
- Building elevations require more variety respecting material quality and colour to articulate the design intent.
- Active frontages of the architecture along all streets need to be strengthened.

The Owner and the Development Planning Department met on April 12, 2016, to discuss the proposal, and provided comments respecting enhancements to the public realm, improvements to the relationship and connection to the Edgeley Pond and Park, and the articulation and placement of Towers 3 and 4.

The Owner and the Development Planning Department also met on November 9, 2016, and December 6, 2016, to discuss the comments received from the Vaughan Design Review Panel, and discussed the following elements of the proposal:

- Access, circulation (pedestrian and vehicular) and ramp locations, and overall design of the east-west spine
- Tower orientation
- Sustainable alternatives to the window wall cladding system
- North-south pedestrian connectivity and entrance features

The Owner subsequently incorporated the following changes to the development:

- The commercial appearance of the podium's north elevation has been modified by introducing more solid (i.e. wood) elements in the design of the ground floor, street-related units and the residential units above.
- The amount of glazing has been reduced to unify the appearance of the podium's south elevation, extending the solid banding across the podium, removing some of the disjointed elements such as the copper, and emphasizing the frame of the glass overhang.
- The tower tops have been re-designed to add more architectural articulation to the tower mass.
- A rhythm in the balcony form, colour and/or material has been introduced as a gesture to add articulation to the design of the towers.

A future Site Development Application for Phase 3 will be subject to review by the Vaughan Design Review Panel.

#### Site Plan Review

##### a) Site Plan

The development proposal represents Phase 2 (Towers 3 and 4) of development for the subject lands, and consists of two 39-storey residential apartment (future condominium) buildings located on a podium ranging in height from two to six-storeys, as shown on Attachments #8 to #14. The proposal consists of 861 residential units and 867 m<sup>2</sup> of ground floor commercial uses. The proposed towers are located north of the Phase 1 development, as shown on Attachment #4, which consists of two 37 storey residential apartments with a two to five-storey podium fronting Regional Road 7.

##### b) Building Elevations

The proposed building elevations are shown on Attachments #10 to #14. The tower elevations have a consistent building orientation to the Phase 1 towers, and are rotated to face true north. Materials consist of clear, blue and green tinted glass with aluminum bands.

The podium is designed with loggias along the north and west elevation (recessed façades on the first storey) facing Barnes Court and Maplecrete Road, respectively. Materials for the podium consist of clear glass, brick, precast panels and brown corten steel. Grade-related units with private front yard patios are located on the north elevation (Barnes Court) of both towers, and wrap around the corner of Tower 4 facing the proposed park on the west side of Maplecrete Road.

The Owner is required to submit signage details for the proposed ground-floor commercial uses. In addition, the building elevations shall demonstrate appropriate treatment and articulation of the built form to ensure activation of the public realm edges, including the interface with the private courtyard. A condition to this effect is included in the recommendation of this report.

c) Parking, Access and Street Network

The development proposal is serviced by four levels of underground parking with 889 underground spaces, representing a surplus of 52 parking spaces from the VMC parking standard identified in Zoning By-law 1-88, and as shown on Table 1. Access to the underground parking garage is by a right-in / right out access in Tower 4 from the private road/roundabout that is partially constructed to serve Phase 1. In response to issues raised at the Public Hearing, the Development Planning Department requires that the Owner submit a detailed parking and circulation plan to identify loading and underground parking movements, way-finding, and parking areas with restricted access in order to clarify how resident, commercial, and visitor parking will function. A condition to this effect is included in Attachment #1.

A total of 464 bicycle parking spaces are provided for residents in an internal bike room, and 44 additional spaces provided at-grade for commercial and visitor use. Access to the proposed bike room shall be confirmed through the final Transportation Demand Management (TDM) Plan. A condition to this effect is included in the recommendation section of this report.

Completion of the private road/roundabout will occur with the construction of Towers 3 and 4, and consists of one-way access points from Maplecrete Road and "Street B". Access to the site is from the existing signalized intersection at Maplecrete Road and Regional Road 7.

i) "Street B"

"Street B", as shown on Attachment #8, is an existing north-south private road with secondary right-in / right-out access from Regional Road 7 for loading, and is planned to extend north and connect with Barnes Court. The Owner is required to construct Street "B" to its ultimate configuration and provide construction drawings and required stormwater management facilities. The full cost of constructing the external roadway to its ultimate configuration shall be fully secured upon the earliest of the following triggers, in accordance with Conditions 21.3.10 and 21.3.11 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21:

- Upon transfer of all or part of the ownership of the adjacent lands to the east;
- Upon the termination of the lease on the adjacent lands to the east by the current tenant;
- Upon the expiry of the current term of lease in 2022; and
- Prior to issuance of a building permit for Tower 3.

ii) Maplecrete Road

Schedule "C" of the VMC Plan identifies Maplecrete Road as a north-south minor collector street from Regional Road 7 to Portage Parkway. The portion of Maplecrete Road located on the subject lands has been constructed to McCleary Court, as shown on Attachment #8. Condition 21.3.9 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21 requires the completion of the Maplecrete Road extension prior to occupancy of Towers 3 and 4. A condition to this effect is included in the recommendation of this report.

iii) Barnes Court

Schedule “C” of the VMC Plan identifies Barnes Court as an east-west minor collector street from Creditstone Road to Maplecrete Road. Condition 21.3.9 of the executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21 requires the completion of the Barnes Court extension to Maplecrete Road prior to occupancy of Towers 3 and 4. A condition to this effect is included in the recommendation of this report.

As a result of the Barnes Court road extension to Maplecrete Road, the Owner is proposing to use the surplus lands of the Barnes Court cul-de-sac to form part of the proposed development, as shown on Attachment #8.

Pursuant to conditions in the Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, prior to final Site Plan Approval for Towers 3 and 4, the Owner shall enter into an Agreement of Purchase and Sale with the City on terms satisfactory to the City regarding the transfer of the surplus portions of the Barnes Court cul-de-sac abutting the development to the Owner. The Owner cannot commence construction of the underground parking structure within the surplus portion of Barnes Court cul-de-sac until such time as the lands are transferred to the Owner, and any utilities located within such surplus lands that have been relocated / removed to the satisfaction of the City. In addition, the Owner shall clearly identify the interim solution regarding the temporary turnaround of Barnes Court, as shown generally on Attachment #8, during the construction of Towers 3 and 4, including the temporary truck turning feasibility. A condition to this effect is included in the recommendation of this report.

The Owner is also required to make the necessary arrangements to enable the City to recommend a necessary procedure to stop-up and close the portion of Barnes Court pursuant to the Municipal Act to facilitate the City sale of the surplus portions of the Barnes Court cul-de-sac to the Owner, at no cost to the City. Conditions to this effect are included in the recommendation of this report.

d) Landscape Plan

The landscape plan shown on Attachment #9 consists of deciduous trees, shrubs, and grasses, together with concrete paving, unit pavers and impressed and coloured asphalt. As noted earlier, the southerly part of the courtyard is currently constructed to serve Phase 1 of the development. The northerly part will be constructed as part of Phase 2, with further changes required to the Phase 1 landscape required to reflect the updated landscape plan, as shown on Attachment #9. The courtyard design located between Phases 1 and 2 consist of benches and a seat wall. Raised planters are located at the entrance of the private roundabout from Maplecrete Road and “Street B”. The proposed landscaping located above the parking structure will utilize an enhanced planting strategy with soil cells to maintain tree health and longevity.

e) Streetscape and Open Space Master Plan

The Owner shall design and construct the streetscape works identified in Attachment #1 in accordance with City standards, the “City-wide Streetscape Implementation Manual” and “VMC Streetscape & Open Space Plan” (collectively, the “Streetscape Guidelines”), to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the detailed design of Edgeley Pond and Park, to the satisfaction of the City.

Prior to execution of the Site Plan Agreement, the Owner shall prepare detailed streetscape and open space drawings as part of the site plan drawing package based on the Streetscape and Open Space Plan, to the satisfaction of the City. Conditions to this effect are included in Attachment #1.

f) Wind and Sun/Shadow Study

The Owner has submitted a Pedestrian Wind Assessment by RWDI dated September 19, 2016. The findings of the assessment indicate the following:

- Suitable wind conditions are expected at most entrances, sidewalk and walkways, and for the retail/commercial entrances and grade-related entrances. At two retail entrances, wind conditions were predicted to be uncomfortable and exceed the safety criterion in the winter based on the wind tunnel tests.
- Wind conditions on sidewalks and walkways around the podium of Towers 3 and 4 are predicted to be comfortable at all locations during summer and at most locations during winter. A few isolated areas are expected to be uncomfortable or even unsafe in the winter.
- Higher wind activity is expected in the areas south of the proposed towers.

The Owner has also submitted a sun/shadow study showing shadow conditions in March, June and September. The Phase 2 (Towers 3 and 4) proposal is located north of the existing Phase 1 (Towers 1 and 2) development, and therefore shows minimal shadow impact on the existing towers.

Due to the anticipated higher wind activity along the south side of the proposed towers and the unsuitable areas during the winter season identified in the Pedestrian Wind Assessment, the Development Planning Department recommends that, prior to the execution of the Site Plan Agreement, the Owner shall submit updated wind tunnel model and sun/shadow analysis to the satisfaction of the City. These studies should include existing and planned buildings and demonstrate the incorporation of mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm. A condition to this effect is included in the recommendation of this report.

The Development Planning Department is satisfied with the proposed development of the subject lands as shown on Attachments #8 to #14, subject to the finalization of the site plan, building elevations, and landscape plans as discussed in this report. A condition to this effect is included in the recommendation of this report.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the development proposal and supporting reports and studies. The DEIP Department has advised they have no significant concerns with the proposal as submitted, however they have noted the finalization of the site servicing plan, site grading plan, stormwater management plan, storm area drainage design, erosion and sediment control plan, environmental noise report, geotechnical/soils report, street sections, photometric lighting plan, and parking level plans.

Transportation Demand Management (TDM)

Prior to the execution of the Site Plan Agreement, the City requires the Owner to provide a detailed summary of the proposed Traffic Demand Management (TDM) Program for Phase 2 (Towers 3 and 4). Review of the TDM plan may result in additional requirements as a result of the recommendations of the plan. The TDM Plan must also be reviewed and approved by York Region. Conditions to this effect are included in the recommendation of this report.

Long-term bicycle parking is being proposed on parking Levels 2, 3 and 4 for Phase 2 (Towers 3 and 4). The City recommends also providing long-term bicycle parking on Level P1, as it is a more convenient location and accessible for cyclists. In addition, access to the proposed bike room shall be confirmed through the final Transportation Demand Management (TDM) Plan.

#### Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for development applications within the VMC was reserved. Should Vaughan Council approve Site Development File DA.16.111, a recommended servicing allocation resolution is included in the recommendation of this report.

#### Toronto and Region Conservation Authority (TRCA)

The applications have been circulated to the TRCA for review and comments. Prior to execution of the Site Plan Agreement, the Owner shall satisfy all requirements of the TRCA. A condition to this effect is included in the recommendation of this report.

#### 3D Digital Model

The Owner is working towards submitting their 3D digital model of the development to the City. However, if the 3D digital model has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$15,000.00 to guarantee the completion of the final 3D digital model, which shall include the accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is reflected in the recommendation of this report.

#### Black Creek

The DEIP Department advises that improvements are required to the Black Creek channel and Storm Water Management Pond in accordance with the Black Creek Optimization Study, the VMC Master Plan Class Environmental Assessment (EA), and the VMC Black Creek Renewal Class EA in order to facilitate development in the VMC and to address a flooding risk. The Owner has appealed the Black Creek Area Specific Development Charge By-law.

#### Parks Development Department

The Parks Development Department has reviewed the proposal and has no objections. With respect to parkland in this development, as per Section 21.7.14 of the Executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21:

“...the Owners shall submit a proposal to the City consistent with the “Guiding Principles for Strata Title Arrangement” as adopted by Vaughan Council on June 4, 2013, or as amended by the City in the future. The strata proposal shall confirm the necessity for, and benefit of, strata development associated with parkland and provide sufficient detail and clarity related to the proposed ownership structure, design considerations and structural requirements, management and operational considerations and legal arrangements for municipal property, including cost estimates and proposed costing structure outlining the proposed Owner costs and the proposed City costs. The strata proposal shall provide a minimum planting soil depth of 1.5m.”

The consideration for a condition for a strata title agreement for the proposed stratified park will form part of a future phase of development facilitated by a separate Site Development Application.

In addition, as per Section 21.7.12 of the Executed Subdivision Agreement for Draft Plan of Subdivision File 19T-00V21, in lieu of parkland conveyance at an earlier phase, the Owner has committed to design, develop and maintain at no cost or liability to the City, temporary park uses on the Owner's lands and/or combination of the Owner's lands and City lands in proximity to the existing sales office located along Regional Road 7. The Parks Development Department has been working with the Owner to advance the design and development of the temporary park facility in coordination with Tower 3 and 4 construction and the Edgeley Pond and Park design and construction.

The Owner shall agree to finalize the design and development of the temporary park in parallel to the expected stratified parking proposal. A condition for a strata title agreement for the proposed stratified park will form part of a future phase of development facilitated by a separate Site Development Application.

#### Office of the City Solicitor - Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that for residential high-density development, the Owner shall 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 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. A condition to this effect is included in Attachment #1.

#### Cultural Heritage Division

The Vaughan Cultural Heritage Division of the Planning Department has reviewed the Site Development application and has indicated that the subject property has been cleared of concerns regarding archaeological resources.

#### Environmental Services - Solid Waste Management

The proposed development will utilize a 3-stream waste management system. The Public Works Department Solid Waste Management Division has reviewed the Site Development application and provided comments to the Owner on February 6, 2017. The Owner is required to satisfy all requirements of the Public Works Department Solid Waste Management Division. A condition to this effect is included in the recommendation section of this report.

#### Canadian National Railway (CN)

CN has no objections to the Site Development application, subject to the inclusion of their warning clauses in the Site Plan Agreement and the future Condominium Agreement and Condominium Declaration identified in Attachment #1.

#### Utilities

Alectra Utilities Corporation (formerly PowerStream Inc.) has reviewed the Site Development application and has indicated that it is the Owner's responsibility to contact Alectra and discuss all aspects of the site with respect to electrical supply and the transformer location(s).

Enbridge Gas has no objection to the Site Development application and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities, as well as any possible easements. The cost for

the relocation of gas mains as a result of changes in the alignment or grade of future road allowances (Barnes Court and Maplecrete Road), or for temporary gas pipe installations pertaining to a phased construction, are the responsibility of the Owner.

#### Canada Post

Canada Post has reviewed the Site Development application and has 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 are met. Canada Post acknowledges that the development proposal consists of a common entrance area and as a result, the Owner must supply, install and maintain a centralized mailbox facility for the residential portion of the development. A separate centralized mail facility may be required for the commercial portion of the development.

#### School Boards

The York Region District School Board, York Region Catholic School Board, and the French School Boards have no comments or objections to the development proposal.

#### 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.

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 January 11, 2017, Bombardier Aerospace advised they have no objection to the proposed development.

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

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

- Improve municipal road network
- Continue to develop transit, cycling and pedestrian options to get around the City
- Facilitate the development of the VMC
- Re-establish the urban tree canopy
- Continue to cultivate and environmentally sustainable City

#### **Regional Implications**

The York Region Community Planning and Development Services Department has reviewed the Site Development and Zoning By-law Amendment applications and advised that they have no objections to the proposed development, in principle.

The Owner is required to enter into a Site Plan Agreement with York Region to address issues including, but not limited to, the construction of a vehicular and pedestrian interconnection over Blocks 3 and 29 on Registered Plan 65M-4490 for the adjacent lands to the west, financial and



insurance requirements, and dewatering permits. The Owner is required to address all York Region requirements prior to the execution of the Site Plan Agreement, as per the recommendation of this report.

### **Conclusion**

Zoning By-law Amendment and Site Development Files Z.16.053 and DA.16.111 have been reviewed in accordance with the VMC Secondary Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposed development to permit two, 39-storey apartment building with ground floor commercial uses as Towers 3 and 4 of the Phase 2 development of the subject lands is appropriate, compatible, and consistent with the existing and permitted uses in the surrounding area, and conforms to the Official Plan. Accordingly, the Development Planning Department can support the approval of Zoning By-law Amendment and Site Development Applications, recognizing the deferral of the request to permit a commercial parking lot use in the OS2 Open Space Park Zone lands, subject to the recommendations of this report.

### **Attachments**

1. Conditions of Site Plan Approval
2. Context Location Map
3. Location Map
4. Existing By-law Schedule E-1376
5. Existing By-law Schedule E-1376-A
6. Proposed New By-law Schedule E-1376
7. Proposed New By-law Schedule E-1376-A
8. Conceptual Master Plan
9. Landscape Plan
10. South Building Elevation
11. East Building Elevation
12. West Building Elevation (Facing Future Maplecrete Road Extension)
13. North Building Elevation (Facing Future Barnes Court Extension)
14. Perspective from Maplecrete Road Looking Northeast

### **Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Stephen Lue, Senior Planner, ext. 8210

Respectfully submitted,

JOHN MACKENZIE  
Deputy City Manager  
Planning & Growth Management

MAURO PEVERINI  
Director of Development Planning

BILL KIRU  
Senior Manager of Development Planning

/LG

**ATTACHMENT NO. 1**

**CONDITIONS OF SITE PLAN APPROVAL**

**SITE DEVELOPMENT FILE DA.16.111  
ROYAL 7 DEVELOPMENTS LTD. ("THE OWNER")  
PART OF LOT 6, CONCESSION 4  
CITY OF VAUGHAN ("THE CITY")**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("THE CITY") THAT SHALL BE SATISFIED THROUGH THE SITE PLAN AGREEMENT FOR SITE DEVELOPMENT FILE DA.16.111 ARE AS FOLLOWS:**

City of Vaughan

1. The Site Plan Agreement shall include the following clauses:
  - a) "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 of parkland equivalent to 5% of the value of the subject lands, prior to 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."
  - b) "The Owner shall pay to the City of Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board, prior to the issuance of any Building Permit, to the satisfaction of the Vaughan Financial Planning and Development Finance Department."
  - c) "The Owner shall submit an application to the Public Works, Environmental Services for any permanent dewatering system that is required for the building, and enter into an agreement and/or permit to discharge groundwater as required by the City."
  - d) "The Owner shall include in all purchase and sale agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will be obtaining private collection services."
  - e) "The Owner shall remove all existing accesses, curb cuts, traffic control sign, etc. along the development site frontage that are no longer required and reinstate the boulevard within the right-of-way, in accordance with City standards and to the satisfaction of the City."
  - f) "Prior to the occupancy of Tower 3 on Block 13 on Schedule "A" of the executed Subdivision Agreement (File: 19T-00V21), the Owner shall construct Street "B", to its ultimate configuration in accordance with the approved Construction Drawings."
  - g) "Prior to the occupancy of the Phase 2 development outlined in Schedule "P5" of the executed Subdivision Agreement (File: 19T-00V21), the Owner shall design and construct the southerly portion of Barnes Court extension road allowance of 11.5 m, identified as Block 11 on Schedule "A" of Subdivision Agreement (File: 19T-00V21), to the satisfaction of the City. The cul-de-sac on Barnes Court shall remain until the extension of Maplecrete Road and Barnes Court are completed, unless other arrangement are made to the satisfaction of the City."
  - h) "The Owner shall provide a Letter of Credit in amount acceptable to the City before commencing excavation of the surplus portion of Barnes Court cul-de-sac (southern

portion) abutting the development, to secure for the necessary turning movements until such time as the future Barnes Court and Maplecrete Road are constructed.”

- i) “Prior to the registration of the condominium for Tower 3 and Tower 4, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Site Plan Agreement have been included in the Offer of Purchase and Sale or Lease for such dwelling unit. Prior to the transfer of any dwelling unit, a noise consultant shall certify that the dwelling units comply with the noise control features in the approved Noise Report. The certificate shall be submitted to the Director of Building Standards.”

2. The following clauses regarding streetscape works shall be included in the Site Plan Agreement:

- a) The Owner shall agree and acknowledge in the Site Plan Agreement to design, secure for, and construct the following streetscape works in accordance with City standards, the “City-wide Streetscape Implementation Manual” and “VMC Streetscape & Open Space Plan” (collectively, the “Streetscape Guidelines”), to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the detailed design of Edgeley Pond and Park, to the satisfaction of the City.

The Owner shall design and construct:

- i) The streetscape along the east side of Maplecrete Road from the east-west private road to future Barnes Road at a standard urban level of service (the “East Maplecrete Works”) to the satisfaction of the City. The Owner acknowledges that the ultimate design of the west side of the streetscape shall be designed and constructed seamlessly with the design of Edgeley Pond and Park, to the satisfaction of the City;
- ii) The streetscape along the south side of future Barnes Road from Maplecrete Road to Street B at an enhanced level of service (the “South Barnes Road Works”) to the satisfaction of the City. The Owner shall provide plans that demonstrate the interim condition and built form interface along Barnes Road, to the satisfaction of the City.
- iii) The streetscape along the west side of Street “B” from the east-west private road to future Barnes Road at a standard urban level of service (the “West Street B Road Works”) to the satisfaction of the City.
- iv) The streetscape along the east-west private road from Maplecrete Road to Street “B” to an enhanced level of service (the “Private Road Works”) to the satisfaction of the City. The streetscape shall be designed seamlessly with the centre court landscape to create a safe and attractive pedestrian first environment, to the satisfaction of the City.

The East Maplecrete Works, South Barnes Road Works, West Street “B” Road Works, and East-West Private Road Works are collectively referred to herein as the “Streetscape Works”.

- v) The Owner shall prepare detailed streetscape and open space drawings as part of the site plan drawing package based on the Streetscape and Open Space Plan, to the satisfaction of the City. Revised streetscape cost estimates shall be submitted to the satisfaction of the City. Securities will be taken and the value calculated based on the full cost of the Streetscape Works.
- vi) In the event that there is additional work or increases in the cost of the Streetscape Works attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City

but the Owner shall not be obligated to obtain the City's consent to authorize such additional work or increase in the cost of the Streetscape Works, except for major changes that exceed ten percent (10%) of the original cost of any one item in the construction contract for the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall produce, if requested, copies of all supplementary contracts and change orders to the City for information.

- vii) Components of the Maplecrete Road and Barnes Road urbanization are included as City-wide Development Charge Projects in the 2013 Development Charges By-Law as required to service growth within the Vaughan Metropolitan Centre Secondary Plan Area. In accordance with this Section, the Owner may be entitled to a Development Charge reimbursement for a portion of its costs related to the design and construction of the East Maplecrete Road and South Barnes Road Works."
- b) When the construction of the Streetscape Works has been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:
- i) A certification from a registered consulting engineer and a registered landscape architect that confirms that the Streetscape Works have been constructed in accordance with the approved Construction Drawings, City standards and specifications, sound engineering practices, and the Streetscape Guidelines;
  - ii) A detailed breakdown of the final as-constructed costs of the Streetscape Works certified by a professional consulting engineer to the satisfaction of the City;
  - iii) A Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Streetscape Works have been paid in full and that there are no outstanding claims related to the subject works;
  - iv) A complete set of "As Constructed" Construction Drawings for the Streetscape Works to the satisfaction of the City;
  - v) Copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Streetscape Works to the satisfaction of the City; and
  - vi) Copies of all quality assurance test results, supplementary geotechnical reports and construction related reports.
- c) Upon completion of the East Maplecrete Road Works and South Barnes Road Works and receipt of final actual cost certified by the consultant, the City shall reimburse the Owner the lesser of fifty percent (50%) of the final actual certified cost of the East Maplecrete Road Works and South Barnes Road when funds for the East Maplecrete Road Works and South Barnes Road Works are available and included in an approved capital project, to an upset limit, as follows:
- East Maplecrete @ 67 m of linear frontage = \$13,704
  - South Barnes Court @ 131 m of linear frontage = \$26,795
- 
- Total DC reimbursement = \$40,499
- d) The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly by reason Streetscape Works, works in the temporary park block, or service provided under this Agreement.

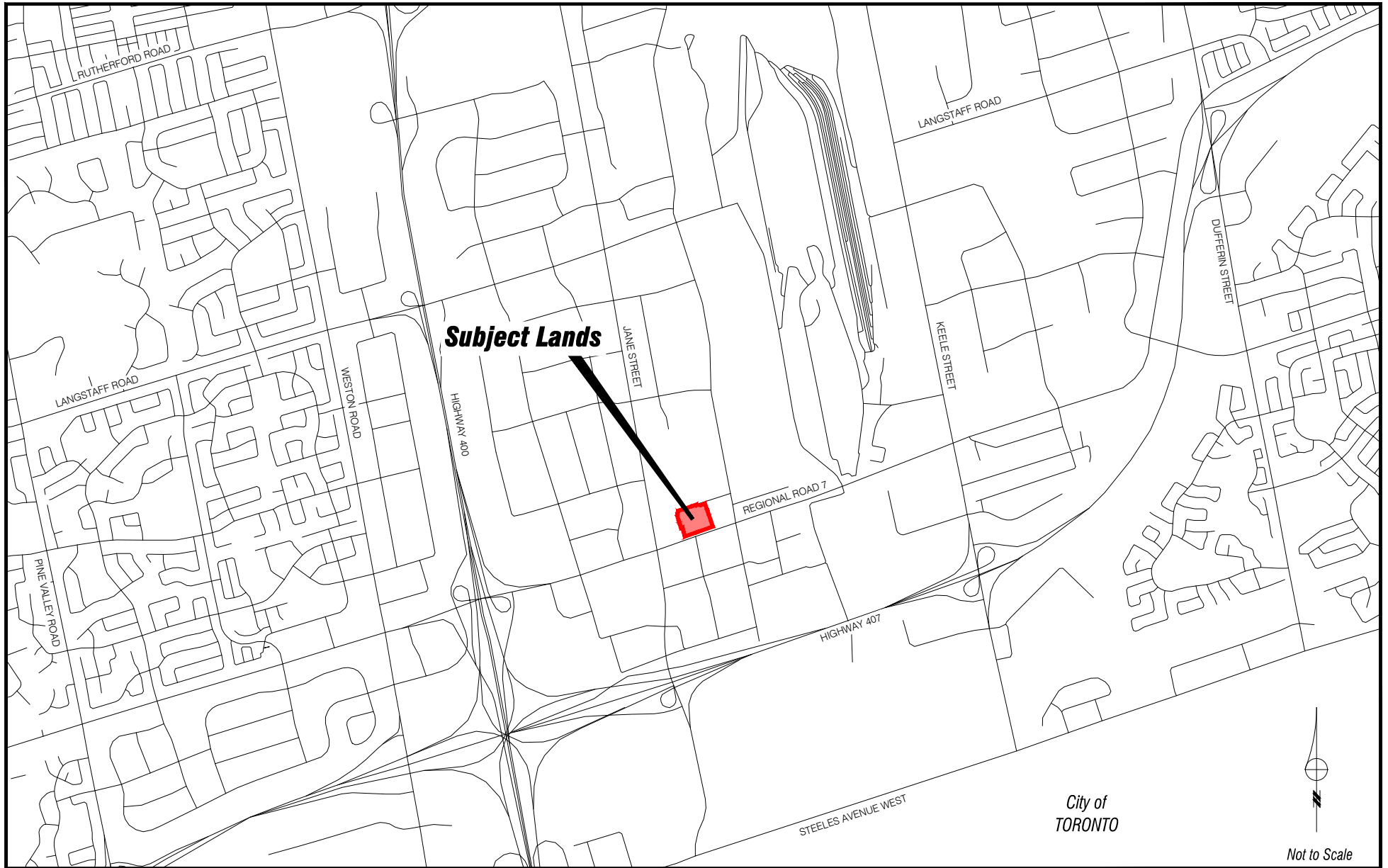
3. The Owner acknowledges that Phase 3 shall be designed comprehensively to appropriately respond to the built form context to the west, built form context of Phases 1 and 2 to the east, the pedestrian at grade connection to Regional Road 7, east-west driveway, and Edgeley Pond and Park to the north, to the satisfaction of the City.
4. The Owner shall provide a detailed parking and circulation plan to identify loading and underground parking movements, way-finding, and parking areas with restricted access in order to clarify how resident, commercial, and visitor parking will function.
5. The Owner shall provide a Phasing Plan and agree, acknowledge and secure for the timing of construction, streetscapes, private driveways and private amenity spaces, and the temporary park that is a requirement of the Subdivision Agreement for File 19T-00V21, to the satisfaction of the City.
6. The Owner shall agree and acknowledge in the Site Plan Agreement to design, secure for, and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan.
7. The Owner shall agree in the Site Plan Agreement to submit an analysis of tree soil volumes demonstrating that each tree planted in a strata condition has met the minimum requirement of 16 m<sup>3</sup> of soil per tree, of 30 m<sup>3</sup> in a shared condition to encourage the growth of large caliper shade trees, to the satisfaction of the City.
8. The Owner will be required to address the conditions listed in the Subdivision Agreement (File: 19T-00V21) that are related to the Towers 3 & 4 development, as per the executed Subdivision Agreement:
  - Noise mitigation measures – Conditions 21.2.6, 21.3.4 and 21.7.34
  - Site Access and road construction – Conditions 21.3.8, 21.3.9 and 21.7.33
  - Warning clauses – 21.4.1 and 21.5.1

#### Canadian National (CN) Railway

9. The following warning clauses shall be included in the future Condominium Agreement and Condominium Declaration:
  - a) "All persons presently having or who may in the future acquire any interest in the subject lands are hereby notified as follows:
    - i) That Canadian National Railway Company (CN) is the Owner of certain lands known as its MacMillan Rail Yard (the CN Lands) located within a kilometre of the subject lands, and that the CN Lands are now and will continue to be used for the present and future railway and trucking facilities and operations of CN and its customers on a continuous basis (24 hours each day in each year) including, without limitation, the operation and idling of diesel locomotives and trucks with the generation of diesel fumes and odours, 24 hours a day artificial lighting of the CN Lands which may illuminate the sky, the classification, loading, unloading, braking and switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same which can make wheel squeal, noise, vibration, odours, airborne particulate matter and/or dust and the operation of various processes for the maintenance of rail and truck equipment;
    - ii) That CN, its customers, invitees, lessees, and/or licensees will not be responsible for any complaints or claims by or on behalf of the owners and

occupants of the subject lands from time to time arising from or out of or in any way in connection with the operation of the CN Lands and all effects thereof upon the use and enjoyment of the subject lands or any part thereof, and whether arising from the presently existing facilities and operations of CN, its customers, invitees, lessees, or licensees, upon or from any and all future renovations, additions, expansions and other changes to such facilities and/or future expansions, extensions, increases, enlargements and other changes to such operations;

- iii) That CN shall not be required to change any of its facilities or operations upon the CN Lands as a result of or in response to any such complaints or claims;
- iv) That CN may in the future renovate, add to, expand or otherwise change its facilities on the CN Lands and/or expand, extend, increase, enlarge or otherwise change its operations conducted upon the CN Lands;
- v) That an agreement under the Industrial and Mining Lands Act has been entered into between the Owner of the whole of the subject lands and CN releasing any right you may have now or in the future to sue CN, its customers, invitees, lessees and /or licensees for nuisance arising out of the operation of an activity at the CN Lands including any noise, vibration, light, dust, odour, particulate matter emanating there from;
- vi) That for units on the north and east facades of the buildings on the subject lands that have unenclosed balconies, patios, or terraces are subject to the following noise clauses: "Noise levels from CN's MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment and Climate Change ("MOECC") criteria as defined in Noise Assessment Criteria in NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning." Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Publication NPC-300, "Environmental Noise Guidelines – Stationary and Transportation Noise Sources – Approval and Planning." Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas."



## Context Location Map

**LOCATION:**  
Part of Lot 6, Concession 4

**APPLICANT:**  
Royal 7 Developments Ltd.

N:\GIS\_Archive\Attachments\Z\z.16.053etal.dwg

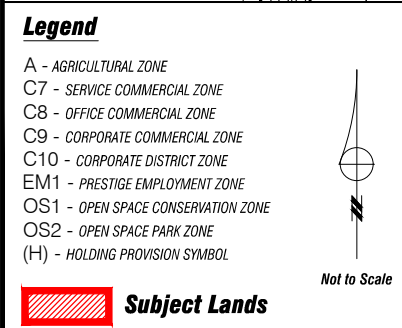


Attachment

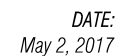
**FILES:**  
Z.16.053 & DA.16.111

**DATE:**  
May 2, 2017

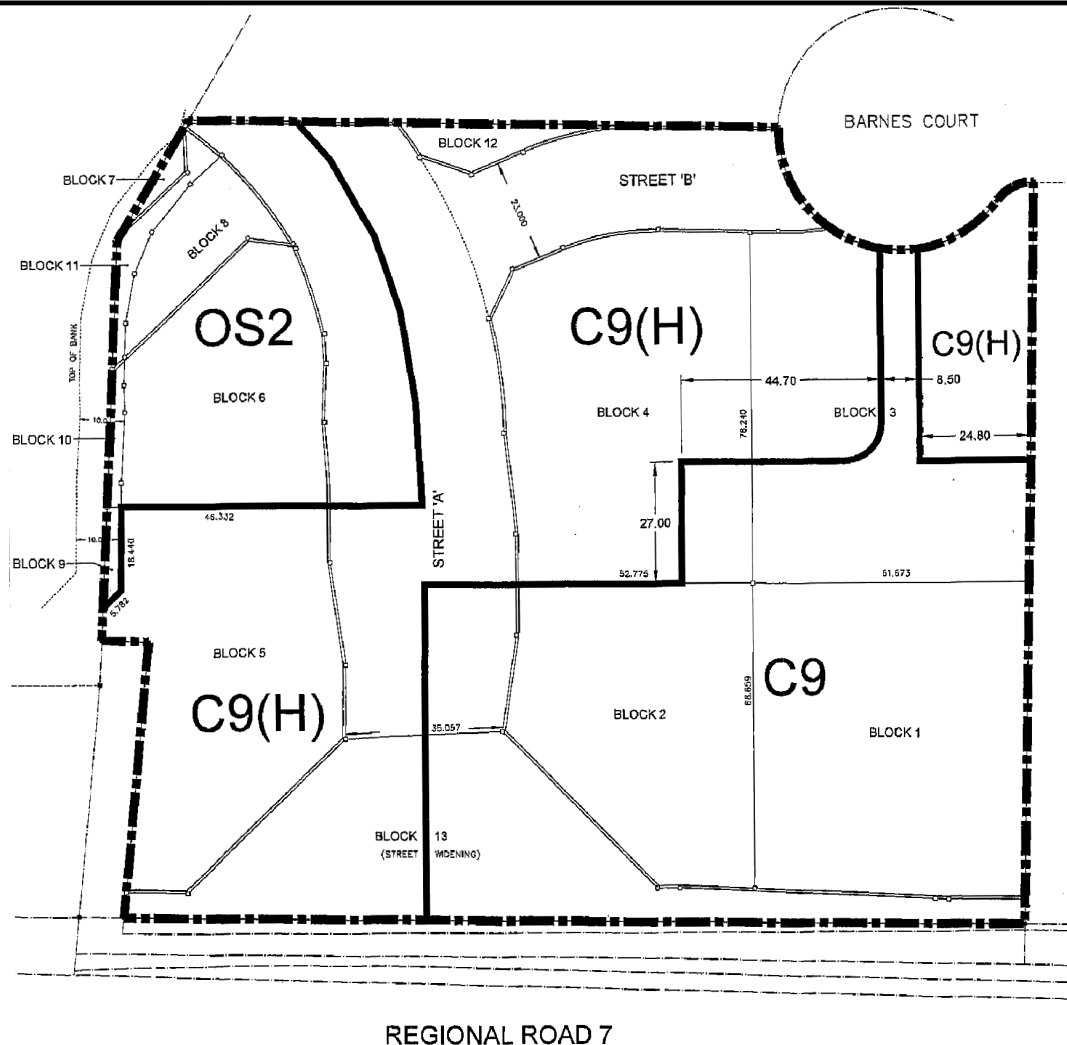
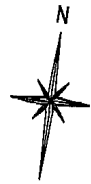
2



N:\GIS\_Archive\Attachments\Z\z.16.053etal.dwg







THIS IS SCHEDULE 'E-1376'  
TO BY-LAW 1-88, SECTION 9(1248)

---  
SUBJECT LANDS

Not to Scale

## Existing By-Law Schedule E-1376

APPLICANT: *Royal 7 Developments Ltd.*  
LOCATION: *Part of Lot 6, Concession 4*

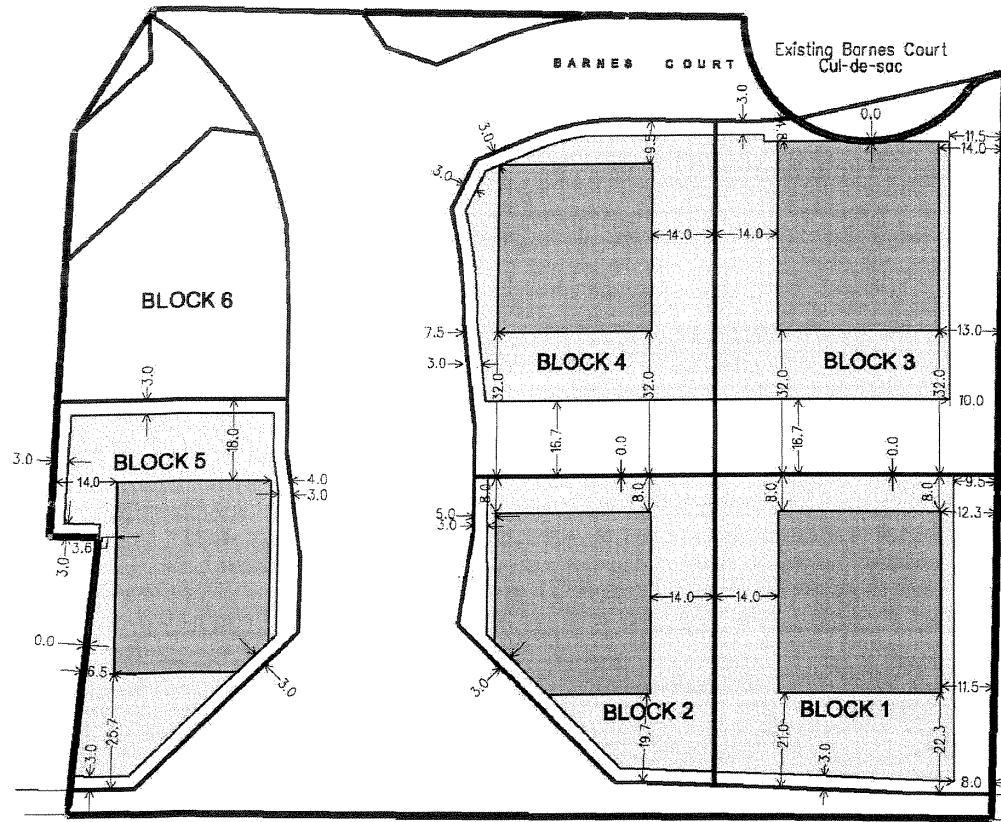


## Attachment

FILES:  
Z.16.053 & DA.16.111

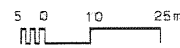
DATE:  
May 2, 2017

# 4



REGIONAL ROAD 7

SCALE



LEGEND



SUBJECT LANDS



BUILDING ENVELOPE FOR THE PORTION OF THE BUILDING  
EQUAL TO OR GREATER THAN 17.0 M IN HEIGHT



BUILDING ENVELOPE FOR THE PORTION OF THE BUILDING  
EQUAL TO OR LESS THAN 17.0 M IN HEIGHT PROVIDED THAT  
AN ENCLOSED RECREATIONAL FACILITY MAY EXCEED THIS  
MAXIMUM BY 5.0 M AND ANY NOISE ATTENUATION FEATURE BY 2.0 M



BLOCK LINE

THIS IS SCHEDULE 'E-1376-A'  
TO BY-LAW 1-88  
SECTION 9(1248)

Not to Scale

# Existing By-Law Schedule E-1376-A

APPLICANT: *Royal 7 Developments Ltd.*  
LOCATION: *Part of Lot 6, Concession 4*

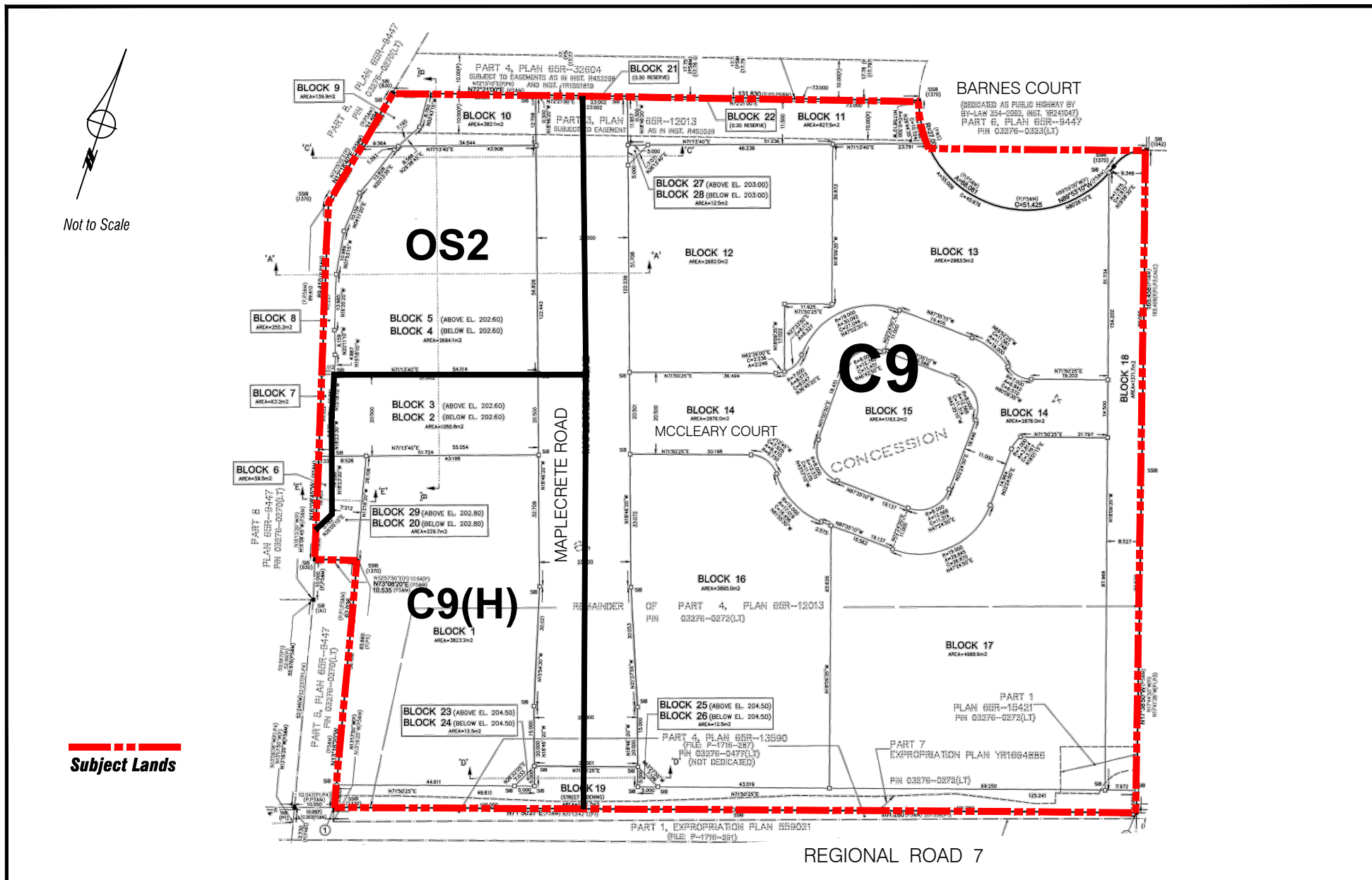


## Attachment

FILES:  
Z.16.053 & DA.16.111

DATE:  
May 2, 2017

5



# Proposed New By-Law Schedule E-1376

APPLICANT: *Royal 7 Developments Ltd.*  
LOCATION: *Part of Lot 6, Concession 4*



Attachment

FILES:  
Z.16.053 & DA.16.111

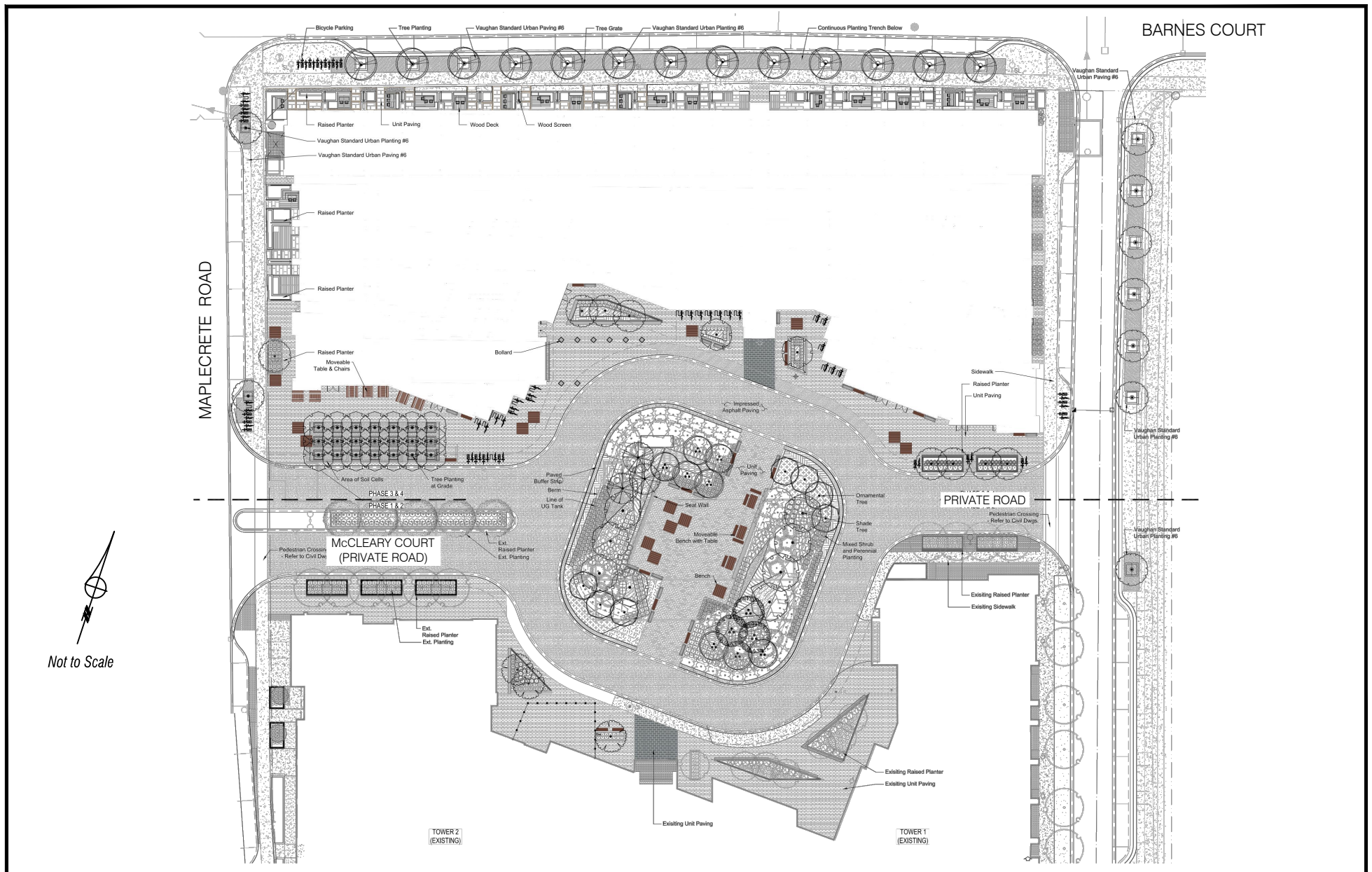
DATE:  
May 2, 2017

6









# Landscape Plan

**LOCATION:**  
Part of Lot 6, Concession 4

**APPLICANT:**  
Royal 7 Developments Ltd.

N:\GIS\_Archive\Attachments\Z\z.16.053etol.dwg

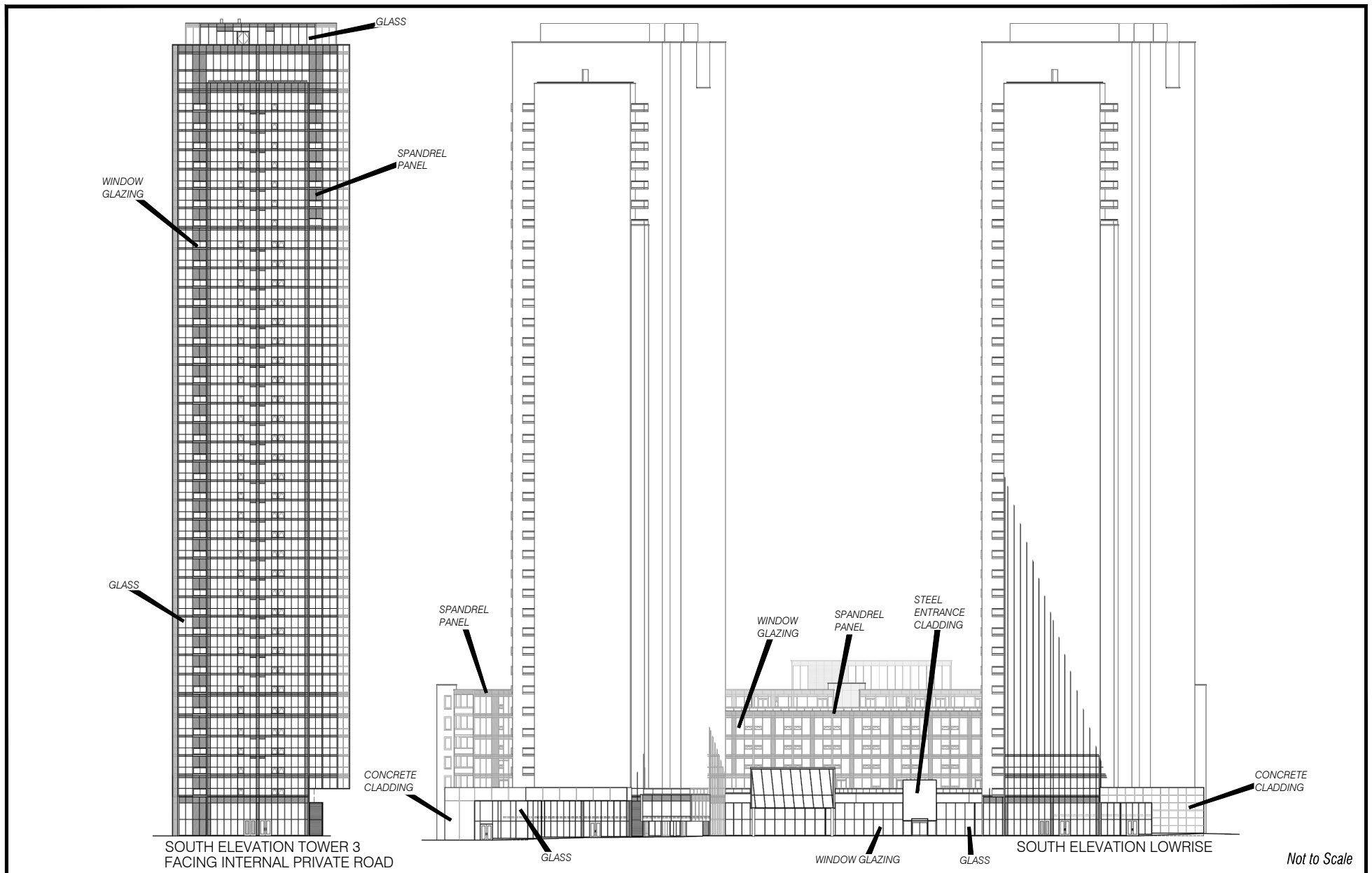


Attachment

**FILES:**  
Z.16.053 & DA.16.111

**DATE:**  
May 2, 2017

9



## South Building Elevation

LOCATION:  
Part of Lot 6, Concession 4

APPLICANT:  
Royal 7 Developments Ltd.

N:\GIS\_Archive\Attachments\Z\z.16.053etal.dwg



Attachment

FILES:  
Z.16.053 & DA.16.111

DATE:  
May 2, 2017

10

WINDOW  
GLAZING

GLASS

SPANDREL  
PANEL

EAST ELEVATION TOWER 3  
FACING PRIVATE ROAD (STREET 'B')

CONCRETE  
CLADDING

GLASS

CONCRETE  
CLADDING

BRICK

SPANDREL  
PANEL

WINDOW GLAZING

EAST ELEVATION LOWRISE

*Not to Scale*

## East Building Elevation

LOCATION:  
Part of Lot 6, Concession 4

APPLICANT:  
Royal 7 Developments Ltd.

N:\GIS\_Archive\Attachments\Z\z.16.053etal.dwg



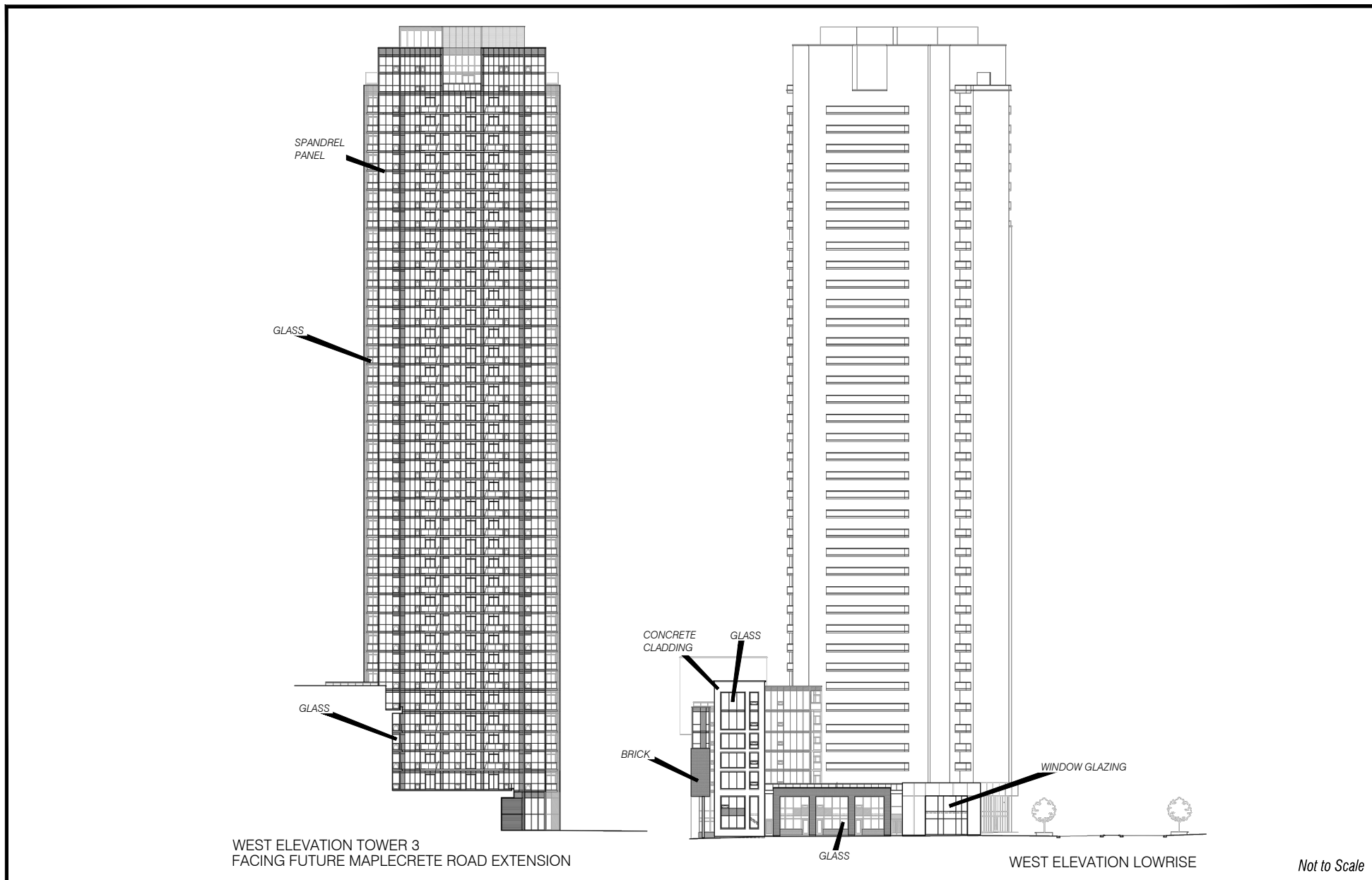
Attachment

FILES:  
Z.16.053 & DA.16.111

DATE:  
May 2, 2017

11





## West Building Elevation (Facing Future Maplecrete Road Extension)

APPLICANT: *Royal 7 Developments Ltd.*  
LOCATION: *Part of Lot 6, Concession 4*

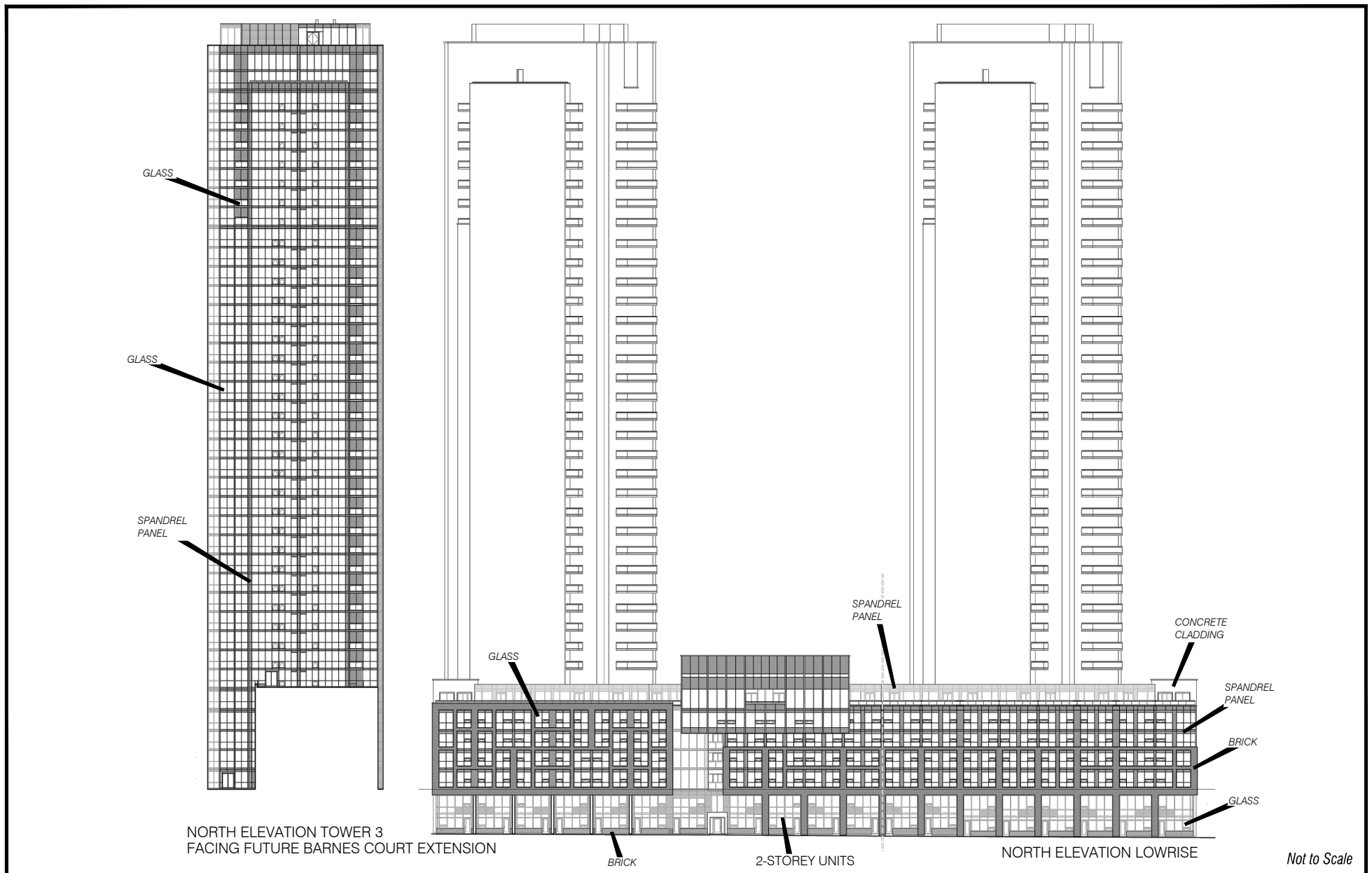


Attachment

FILES:  
Z.16.053 & DA.16.111

DATE:  
May 2, 2017

12



## North Building Elevation (Facing Future Barnes Court Extension)

APPLICANT: Royal 7 Developments Ltd.  
LOCATION: Part of Lot 6, Concession 4



Attachment  
FILES: Z.16.053 & DA.16.111  
DATE: May 2, 2017  
**13**



*Not to Scale*

## Perspective from Maplecrete Road Looking Northeast

APPLICANT: *Royal 7 Developments Ltd.* LOCATION: *Part of Lot 6, Concession 4*

N:\GIS\_Archive\Attachments\Z\z.16.053etal.dwg



Attachment

FILES:  
Z.16.053 & DA.16.111

DATE:  
May 2, 2017

14

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 048-2017**

**A By-law to amend City of Vaughan By-law 1-88.**

**WHEREAS** the matters herein set out are in conformity with the Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

**AND WHEREAS** there has been no amendment to the Vaughan Official Plan adopted by Council, but not approved at this time, with which the matters herein set out are not in conformity;

**NOW THEREFORE** the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Deleting sub-clause biv) in Exception Paragraph 9(1248) and replacing with the following:

“biv) the total combined Retail Commercial Gross Floor Area shall not exceed 6,000 m<sup>2</sup> for all buildings in the C9 Corporate Centre Zone”
  - b) Deleting sub-clause ei) in Exception Paragraph 9(1248) and replacing with the following:

“ei) the minimum parking requirement for “Building Envelope 1” and “Building Envelope 2”, as shown on Schedule “E-1376A”, shall be 753 residential parking spaces and 105 combined commercial and visitor parking spaces;

eii) the minimum parking requirement for “Building Envelope 3”, “Building Envelope 4” and “Building Envelope 5”, as shown on Schedule “E-1376A”, shall be as follows:

    - Bachelor / 1 Bedroom: 0.7 spaces / unit
    - 2 Bedroom: 0.9 spaces / unit
    - 3 Bedrooms: 1.0 space / unit
    - Visitor: 0.15 spaces / unit
    - Commercial Uses: 2 spaces / 100m<sup>2</sup>

Notwithstanding the above visitor parking requirements, residential visitor parking and commercial parking requirements of the C9 Corporate Centre Zone may be shared. The total number of residential visitor and commercial parking spaces shall be the greater of either the residential visitor parking requirement or the commercial parking requirement on the same parcel of land and/or situated within the same building or structure;”
  - c) Deleting sub-clause fi) in Exception Paragraph 9(1248) and replacing with the following:

“fi) the amenity area for each residential dwelling unit shall be provided at a rate of 14.5 m<sup>2</sup> per residential unit;”
  - d) Deleting the period (“.”) at the end of sub-clause gi) in Exception Paragraph 9(1248), and

replacing with a semi-colon (“;”).

- e) Adding the following sub-clause after sub-clause g):
  - “h) Section 3.8.2 respecting Bicycle Parking in the Vaughan Metropolitan Centre;”
- f) Adding the following sub-clause after sub-clause gi):
  - “hi) the minimum bicycle parking for “Building Envelope 3” and “Building Envelope 4”, shown on Schedule “E-1376A”, shall be 464 long-term parking spaces and 44 short- term parking spaces.”
- g) Deleting Schedule “E-1376” and substituting therefor the Schedule “E-1376” attached hereto as Schedule “2”, thereby deleting the Holding Symbol “(H)” on the lands shown as “Subject Lands” on Schedule “1”.
- h) Deleting Schedule “E-1376A” and substituting therefor the Schedule “E-1376A” attached hereto as Schedule “3”.
- i) Deleting Key Map 4B and substituting therefor the Key Map 4B attached hereto as Schedule “4”, thereby removing the Holding Symbol “(H)” on the land shown as “Subject Lands” on Schedule “1”; and effectively zoning the lands C9 Corporate Centre Zone.

2. Schedules “1”, “2”, “3” and “4” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 16<sup>th</sup> day of May, 2017.

---

Hon. Maurizio Bevilacqua, Mayor

---

Barbara A. McEwan, City Clerk

### **SUMMARY TO BY-LAW 048-2017**

The lands subject to this By-law are located at 2900, 2908, 2910, 2916 and 2920 Regional Road 7, on the north side of Region Road 7, between Jane Street and Creditstone Road, in Part of Lot 6, Concession 4, City of Vaughan.

The purpose of this By-law is to remove the Holding Symbol “(H)” from the subject lands to facilitate Phase 2 of a three-phase, high density mixed-use residential/commercial development comprised of five residential apartment buildings and a park, which are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88. The By-law also permits changes to Schedules “E-1376” and “E-1376A” to reflect the street network and development blocks of the registered subdivision (Registered Plan 65M-4490), and reductions in parking, bicycle parking and minimum amenity area, and an increase in the total permitted retail commercial gross floor area.

The subject lands were originally zoned with the Holding Symbol “(H)” by By-law 287-2008, which was approved by the Ontario Municipal Board. The Holding Symbol “(H)” can be removed upon confirmation from York Region that adequate water supply and sewage treatment capacity are available to service the subject lands, together with Vaughan Council approving a Site Development Application.

On May 16, 2017, Vaughan Council approved the allocation of water and sewage servicing capacity and approved Site Development File DA.16.111 for the Phase 2 lands. Therefore, the Holding Symbol “(H)” can be removed, effectively zoning the Phase 2 portion of the subject lands C9 Corporate Centre Zone.