

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 49, Report No. 32, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 25, as follows:

***By approving the following recommendations in accordance with Communication C14, from the Commissioner of Planning, dated June 24, 2013:***

1. ***That the recommendation from the Commissioner of Planning and the Director of Development Planning in the Committee of the Whole report dated June 18, 2013, respecting Item 49, be deleted, and replaced with the following:***
  - "1. ***THAT Official Plan Amendment File OP. 12.014 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to increase the maximum permitted building height on the subject lands from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of- way), as shown on Attachments #3 and #5.***
  2. ***THAT Zoning By-law Amendment File Z. 12.034 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to:***
    - a) ***delete the subject lands from the existing site-specific Exception 9(959), and permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;***
    - b) ***remove the Holding Symbol "(H)" from a portion of the subject lands (building and future transit square area) currently zoned C9(H) Corporate Centre Zone as shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone;***
    - c) ***add the following condition for the removal of the Holding Symbol "(H)" on the temporary surface parking area, identified on Attachment #8:***
      - i) ***A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area, will require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, access, relationship to surrounding blocks, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized, to the satisfaction of the City; and,***
    - d) ***permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol "(H)", as shown on Attachment #8.***

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- 3a) ***THAT Draft Plan of Subdivision File 19T-12V007 (Calloway REIT Sevenbridge Inc.) BE APPROVED, to facilitate seven (7) development blocks described in Table 1 of this report, illustrated on Attachment #4, and subject to the conditions of Approval set out in Attachment #1, consisting of the following:***

**Table 1: Draft Plan of Subdivision Land Use Breakdown**

Block(s)	Land Use	Area (m <sup>2</sup> )	Area (ha)
1	14-storey office building, temporary commercial surface parking lot (Phase 2 Park)	19,482.15	1.94
2, 3, 4	Apple Mill Road (27.2 m ROW) and Edgeley Boulevard (26 m ROW) road widening	1,571.97	0.15
--	22m right-of-way of future Street "A"	6,219.21	0.62
5, 6, 7	0.3m reserves	7.93	0.00079
<b>Total Area of Subdivision</b>		<b>27,281.26</b>	<b>2.7</b>

- b) ***THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.) shall include the following provision:***

***"The Owner shall dedicate parkland and/or pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."***

4. ***THAT Site Development File DA.12.085 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to permit a phased development consisting of the following, and subject to the following conditions:***

***Phase 1: a 14-storey office building, a 2-storey commercial mixed-use building, an underground pedestrian connection to the VMC (Vaughan Metropolitan Centre) Subway Station, a portion of the future transit square, and a temporary surface commercial parking area, as shown on Attachment #8; and,***

***Phase 2: the removal of the temporary surface commercial parking area to facilitate the completion of the park (ultimate build out) to occur concurrent with proposals for mixed-use (residential) developments in the northwest quadrant of the VMC, as shown on Attachment #9;***

- a) ***that prior to the execution of the Site Plan Agreement:***

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- i) *the Owner shall satisfy all requirements of the Vaughan Development Planning Department, respecting the final site plan, building elevations, landscape plans and details (Street "A" and Apple Mill Road), a materials board demonstrating the exterior finishing materials and colours, and signage plans; the plans shall include, but not be limited to, structural elements including the built form, parking area, hard and soft landscape elements, and architectural massing and elevation treatments, including commercial locations and entrances fronting the pedestrian realm along the streetscapes, transit square, park, and the east-west pedestrian passageway between the buildings;*
- ii) *the Owner shall incorporate barrier-free accessibility features within the development, in accordance with the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act, to the satisfaction of the Vaughan Building Standards and Development Planning Departments;*
- iii) *the Owner shall prepare detailed pedestrian level Wind Studies related to the proposed office building, to the satisfaction of the Vaughan Development Planning Department, which shall include existing neighbouring buildings and recommend mitigation measures to ensure favourable micro- climactic conditions at grade;*
- iv) *the final site servicing and grading plans, site illumination, storm water management report, geotechnical reports, Transportation Demand Management Plan, site access and internal traffic circulation plan, an updated Urban Transportation Consideration Report, and solid waste management plan shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;*
- v) *that all necessary cross agreement(s), public access easement(s) and maintenance agreement(s) related to the proposed underground pedestrian tunnel from the proposed office building to the Vaughan Metropolitan Centre Station shall be executed to the satisfaction of the City;*
- vi) *the Owner shall submit a full signage and details plan for all buildings and structures including directional and wayfinding signage;*
- vii) *the requirements of the City's Waste Collection Design Standards shall be approved to the satisfaction of the Vaughan Public Works Department;*
- viii) *the Owner shall satisfy all requirements of the Toronto Transit Commission (TTC), including but not limited to, the following:*

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1. *The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;*
  2. *The Owner shall continue to work with the TTC and the Toronto York Spadina Subway Extension (TYSSE) Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the TYSSE construction easement areas;*
  3. *The Owner shall respond in writing to all formal site plan comments from the TTC and the TYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/TYSSE; and,*
  4. *All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal right-of-ways (ROW) constructed as part of the TYSSE Project;*
- ix) *the Owner shall satisfy all hydro requirements of PowerStream Inc.;*
- x) *the Owner shall satisfy all requirements of Canada Post;*
- xi) *the Owner shall update NAV Canada and Bombardier Aerospace on any changes to the development proposal and shall satisfy all their requirements; and,*
- xii) *the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department;*
- b) *that the Site Plan Agreement shall include the following provisions and conditions:*
- i) *"The Owner agrees that the temporary surface commercial parking lot shall be permitted until the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east."*

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- ii) *"The Owner shall by January 31, 2014, submit a proposal that includes draft general principles for City consideration to inform future agreements related to both the development of the transit square and the westerly park from the office tower to Edgeley Boulevard, which will address the following: maintenance, construction, ownership, management, programming, any proposed strata arrangement, legal arrangements, and parkland credits.*

*City staff will expeditiously review and provide advice to Vaughan Council with the objective of reporting to a Committee of the Whole /Council meeting no later than June 2014."*

- i) *"The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.*

*The commercial surface parking lot is tended to be a temporary use, and that when other parking spaces are built in the future to replace this parking lot, a credit will be given for the cash-in- lieu paid at that time."*

- ii) *"The Owner shall submit a physical and digital model of the final approved site development, including accurately geo-referenced digital data, to the satisfaction of the Vaughan Development Planning Department. The Owner shall file a separate Letter of Credit in a format and amount satisfactory to the Vaughan Development Planning Department to guarantee the completion of the models, prior to the execution of the Site Plan Agreement."*
- iii) *"That no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed site development."*
- iv) *"Prior to issuance of a Building Permit(s), the Owner shall pay its proportionate share of the cost and/or provide financial commitments based on the City's latest available cost estimate associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City."*
- v) *"The Owner shall implement transportation demand management (TDM) measures in accordance with the recommendation of the approved Urban Transportation Consideration Report to the satisfaction of the City."*

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- vi) *"The owner shall include the following warning clause in a schedule to all Offers of Purchase and Sale or Lease.*

*Purchaser and/or tenants are advised that the surface commercial parking lot shall not exceed 340 parking spaces and is temporary and the intended use of those lands is a future park."*

5. a) *THAT the Owner shall submit a Site Development Application to comprehensively address the future transit square, respecting but not limited to, the design, configuration, size, and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square.*
- b) *THAT the Owner will make best efforts to work diligently with the City of Vaughan, TTC, TYSSE, and York Region to come to a resolution on the construction, land ownership and funding arrangements for the Transit Square. It is intended for the Transit Square to be constructed in the first phase of development, however, the City acknowledges there are existing construction easements and land ownership issues to resolve that are outside of the control of the Owner.*
6. *THAT the Owner shall submit a Site Development Application for the adjacent lands located at 3200 Regional Road 7 (existing Future Shop lands) to facilitate improvements including underground works, access and parking reconfiguration and that the site plan be approved to the satisfaction of the Vaughan Development/Transportation Engineering and Development Planning Departments."*
2. *THAT the Standard Conditions of Draft Approval being Attachment #1 in the Committee of the Whole report dated June 18, 2013, respecting Item 49, from the Commissioner of Planning and the Director of Development Planning, be deleted, and replaced with the revised Standard Conditions of Draft Approval, attached hereto, as Attachment #1 to this Communication; and*

*By receiving Communication C5 from Ms. Patricia A. Foran, Aird & Berlis LLP, Bay Street, Toronto, dated June 18, 2013.*

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OFFICIAL PLAN AMENDMENT FILE OP.12.014  
ZONING BY-LAW AMENDMENT FILE Z.12.034  
DRAFT PLAN OF SUBDIVISION FILE 19T-12V007  
SITE DEVELOPMENT FILE DA.12.085  
CALLOWAY REIT (SEVENBRIDGE) INC.

**WARD 4 - VICINITY OF REGIONAL ROAD 7 AND EDGELEY BOULEVARD**

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of June 25, 2013; and
- 2) That the coloured elevation drawings submitted by the applicant be received.

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**Recommendation**

The Commissioner of Planning and Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.014 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to increase the maximum permitted building height on the subject lands from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of-way), as shown on Attachments #3 and #5.
2. THAT Zoning By-law Amendment File Z.12.034 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
  - a) delete the subject lands from the existing site-specific Exception 9(959), and permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
  - b) remove the Holding Symbol “(H)” from a portion of the subject lands (building and future transit square area) currently zoned C9(H) Corporate Centre Zone as shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone;
  - c) add the following conditions for the removal of the Holding Symbol “(H)” on the temporary surface parking area, identified on Attachment #8:
    - i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue east. The Agreement shall address, but not be limited to, the park design, construction, north-south connectivity, programming, public art, maintenance, ownership matters, and any strata arrangements; and,
    - ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, access, relationship to surrounding blocks, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized, to the satisfaction of the City; and,
  - d) permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)”, as shown on Attachment #8.
3. THAT Draft Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to facilitate seven (7) development blocks described in Table 1 of this report, illustrated on Attachment #4, and subject to the Conditions of Approval set out in Attachment #1, consisting of the following:

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**Table 1: Draft Plan of Subdivision Land Use Breakdown**

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5, 6, 7	0.3m reserves	7.93	0.00079
<b>Total Area of Subdivision</b>		<b>27,281.26</b>	<b>2.7</b>

4. THAT Site Development File DA.12.085 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to permit a phased development consisting of the following, and subject to the following conditions:

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Phase 2: the removal of the temporary surface commercial parking area to facilitate the completion of the park (ultimate build out) to occur concurrent with proposals for mixed-use (residential) developments in the northwest quadrant of the VMC, as shown on Attachment #9;

- a) that prior to the execution of the Site Plan Agreement:

- i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, respecting the final site plan, building elevations, landscape plans and details (Street "A" and Apple Mill Road), a materials board demonstrating the exterior finishing materials and colours, and signage plans; the plans shall include, but not be limited to, structural elements including the built form, parking area, hard and soft landscape elements, and architectural massing and elevation treatments, including commercial locations and entrances fronting the pedestrian realm along the streetscapes, transit square, park, and the east-west pedestrian passageway between the buildings;
- ii) the Owner shall incorporate barrier-free accessibility features within the development, in accordance with the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act, to the satisfaction of the Vaughan Building Standards and Development Planning Departments;
- iii) the Owner shall prepare detailed pedestrian level Wind Studies, to the satisfaction of the Vaughan Development Planning Department, which shall include existing neighbouring buildings and recommend mitigation measures to ensure favourable micro-climactic conditions at grade;



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- iv) the final site servicing and grading plans, site illumination, storm water management report, geotechnical reports, Transportation Demand Management Plan, site access and internal traffic circulation plan, an updated Urban Transportation Consideration Report, and solid waste management plan shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
- v) that all necessary cross agreement(s), public access easement(s) and maintenance agreement(s) related to the proposed underground pedestrian tunnel from the proposed office building to the Vaughan Metropolitan Centre Station be executed to the satisfaction of the City;
- vi) the Owner shall submit a full signage and details plan for all buildings and structures including directional and wayfinding signage;
- vii) the requirements of the City's Waste Collection Design Standards shall be approved to the satisfaction of the Vaughan Public Works Department;
- viii) the Owner shall satisfy all requirements of the Toronto Transit Commission (TTC), including but not limited to, the following:
  - 1. The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;
  - 2. The Owner shall continue to work with the TTC and the Toronto York Spadina Subway Extension (TYSSE) Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the YYSSE construction easement areas;
  - 3. The Owner shall respond in writing to all formal site plan comments from the TTC and the YYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/YYSSE; and,
  - 4. All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal right-of-way (ROW) constructed as part of the YYSSE Project;
- ix) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
- x) the Owner shall satisfy all requirements of Canada Post;
- xi) the Owner shall update NAV Canada and Bombardier Aerospace on any changes to the development proposal and shall satisfy all their requirements; and,
- xii) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department; and,

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- b) that the Site Plan Agreement shall include the following provisions and conditions:
- i) “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”
  - ii) “The Owner shall submit a physical and digital model of the final approved site development, including accurately geo-referenced digital data, to the satisfaction of the Vaughan Development Planning Department. The Owner shall file a separate Letter of Credit in a format and amount satisfactory to the Vaughan Development Planning Department to guarantee the completion of the models, prior to the execution of the Site Plan Agreement.”
  - iii) “That no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed site development.”
  - iv) “Prior to issuance of a Building Permit(s), the Owner shall pay its proportionate share of the cost and/or provide financial commitments based on the City’s latest available cost estimate associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City.”
  - v) “The Owner shall implement transportation demand management (TDM) measures in accordance with the recommendation of the approved Urban Transportation Consideration Report to the satisfaction of the City.”
  - vi) “Prior to the issuance of the full Building Permit, the Owner shall enter into an Agreement with the City regarding the future park development and all other matters associated with the lands noted as a temporary commercial parking area, located to the west of the office building.”
  - vii) “Prior to the issuance of a full Building Permit, an Agreement between the City and the Owner shall be executed, to the satisfaction of the Vaughan Development Planning Department. The Agreement shall reflect, but not be limited to, the final transit square design, as reviewed by the TTC, and landownership and programming matters, to the satisfaction of the Vaughan Development Planning, Parks Development, and Legal Services Departments.”
  - viii) “The Owner shall include the following warning clause in a schedule to all Offers of Purchase and Sale or Lease:  
Purchaser and/or tenants are advised that the surface commercial parking lot that is comprised of a minimum of 325 parking spaces to a maximum of 340 parking spaces is temporary and the intended use of those lands is a future park.”

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5. THAT the Owner shall submit a Site Development Application to comprehensively address the future transit square and park, respecting but not limited to, the design, configuration, size, matters of land ownership and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square and park designs.
6. THAT the Owner shall submit a Site Development Application for the adjacent lands located at 3200 Regional Road 7 (existing Future Shop lands) to facilitate improvements including underground works, access and parking reconfiguration and that the site plan be approved to the satisfaction of the Vaughan Development/Transportation Engineering and Development Planning Departments.

#### **Contribution to Sustainability**

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

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate

- Objective 1.2: To promote reduction of greenhouse gas emissions in the City of Vaughan

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy 2031
- Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

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

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

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage
- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century
- Objective 4.3: To encourage the establishment of green businesses and sustainable business practices

Goal 6: To ensure a supportive system for the implementation of the Community Sustainability and Environmental Master Plan

- Objective 6.1: To fully support the implementation of Green Directions at all levels of City operations

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

- i) achieve a gold Leadership in Energy and Environmental Design (LEED) certification, consistent with the Vaughan Council endorsed VMC Secondary Plan;
- ii) public transportation access;
- iii) bicycle storage and changing rooms;
- iv) low-emitting and fuel-efficient vehicles during construction;
- v) light pollution reduction;
- vi) 20% water use reduction;
- vii) construction waste management including storage and collection of recyclables, recycled content, and certified wood;
- viii) low-emitting materials such as adhesives, sealants, paints, coatings, flooring systems, composite wood and agrifiber products;
- ix) low-mercury exterior lights; and,
- x) green housekeeping (use of products) within the building.

The City will continue to work with the Owner on implementing safeguards in the building design features for migratory birds.

#### **Economic Impact**

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

#### **Communications Plan**

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

- a) City's On-line Calendar;
- b) October e-news City Update, which was emailed to over 8,000 subscribers;
- c) City's website under the "Planning Applications" hot link;
- d) City Page On-line on September 21, 2012; and,
- e) City's Facebook and Twitter sites.

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

At the Public Hearing on October 16, 2012, deputations were made by Mr. Stephen Roberts, Bentoak Crescent, and Ms. Maria Gatzios of Gatzios Planning, Woodbine Avenue, on behalf of 1042710 Ontario Limited (Royal Centre) with the following comments discussed further in the Site Plan section of this report:

#### **i) Park Ownership**

Concern was identified with respect to the overall amount of parkland in the VMC and ownership of the proposed park. The Owner has remained steadfast from the initial application submission that the proposed park be under private ownership subject to an arrangement with the City for public access and use, as opposed to public ownership. The rationale by the Owner for this arrangement is their interest in achieving a higher level of service than current municipal park standards, notwithstanding several requests by City staff for this park to be in public ownership.

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ii) Road Pattern (Future Street “A”)

The alignment of Street “A” with the owners of the existing Royal Bank tower located at the west side of the subject lands (west of Edgeley Boulevard) in advance of an in-effect Vaughan Metropolitan Centre (VMC) Plan.

On June 10, 2013, a courtesy notice of this Committee of the Whole meeting was circulated to the individuals who requested notification with respect to these applications.

**Purpose**

The Owner has submitted the following applications for the subject lands, shown on Attachments #2 and #3:

1. Official Plan Amendment File OP.12.014, specifically to amend the “Corporate Centre Node” policies of OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), as follows:

**Table 2: Official Plan Amendment File OP.12.014**

	<b>Official Plan Policy OPA #500, as amended by OPA #528, OPA #529 and OPA #663</b>	<b>Proposed Amendment to OPA #500, as amended by OPA #528 ,OPA #529 and OPA #663</b>
a.	Section 3.2.3 d) Policies (in part):  “The maximum height of any building shall be 25 metres.”	Notwithstanding Section 3.2.3 d), the maximum building height shall be 76 metres.
b.	Schedule B - Transportation Plan shows two (2) planned north/south local roads traversing the subject lands.	Delete Schedule B - Transportation Plan and replace with a new Schedule B - Transportation Plan, shown on Attachment #5, thereby deleting the two (2) planned north/south local roads traversing the subject lands.

2. Zoning By-law Amendment File Z.12.034 (Calloway REIT (Sevenbridge) Inc.) to amend Zoning By-law 1-88, specifically to:
  - a) delete the subject lands from the existing Exception 9(959);
  - b) remove the Holding Symbol “(H)” from a portion of the subject lands (building and future transit square area), in the manner shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone, and maintaining the Holding provision on the balance of the site;
  - c) permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
  - d) add the following conditions for the removal of the Holding Symbol “(H)” on the temporary surface parking area, identified on Attachment #8:

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- i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park design, construction, north-south connectivity, programming, maintenance, ownership matters, and any strata arrangements; and,
  - ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, programming, public art, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized to the satisfaction of the City; and,
- e) permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)”, as shown on Attachment #8.
- 3. Draft Plan of Subdivision File 19T-12V007, to facilitate development blocks totaling 2.72ha, as described in Table 1 and shown on Attachment #4, subject to the Conditions of Approval set out in Attachment #1, consisting of the following:
  - a) Block 1 – 19,482.15 m<sup>2</sup> (1.94 ha), for a 14-storey office building, a 2-storey commercial mixed-use building, a temporary commercial surface parking lot, and a portion of the future transit square;
  - b) Blocks 2, 3 and 4 – 1,571.97 m<sup>2</sup> (0.15 ha) to facilitate Apple Mill Road (27.2 m right-of-way) and Edgeley Boulevard (26 m right-of-way);
  - c) 6,219.21 m<sup>2</sup> (0.62 ha) to facilitate the creation of Street “A” (22 m right-of-way); and,
  - d) Blocks 5, 6, and 7 – 7.93 m<sup>2</sup> (0.0007 ha) to facilitate 0.3 m reserves.
- 4. Site Development File DA.12.085 to facilitate a phased development on the subject lands, consisting of the following:
  - a) Phase 1, as shown on Attachment #8:
    - i) a 14-storey, 33,320 m<sup>2</sup> Gross Floor Area (GFA) office building;
    - ii) a 2-storey, 6,368 m<sup>2</sup> GFA commercial building;
    - iii) 61.3% lot coverage on building site area;
    - iv) a Floor Space Index (FSI) of 3.8, excluding temporary commercial surface parking area;
    - v) a 0.88 ha building site area;
    - vi) a 1.07 ha temporary commercial surface parking area consisting of a minimum of 325 spaces;

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- vii) an underground pedestrian connection to the VMC (Vaughan Metropolitan Centre) Station;
  - viii) a portion of the future transit square;
  - ix) a minimum 785 parking spaces (460 underground spaces, including 4 barrier-free spaces and 325 temporary surface spaces, including 2 barrier-free spaces); and,
  - x) 64 underground bicycle spaces (including 6 showers).
- b) Phase 2, as shown on Attachment #9:
- i) the removal of the temporary commercial surface parking area to facilitate the completion of the park (ultimate build out) concurrent with proposals for mixed-use (residential) development in the northwest quadrant of the VMC.

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

#### Location

The 1.95 ha subject lands are bound by Edgeley Boulevard to the west (approximately 98.5 m frontage), Apple Mill Road to the north (ultimately ±363 m frontage), Millway Avenue to the east (approximately 98.5 m frontage), and the future 22m right-of-way (ROW) Street “A” to the south (ultimately ±351 m frontage), being part of Lot 6, Concession 5, City of Vaughan, as shown on Attachments #2 and #3.

#### Land Use Policies/Planning Considerations

The Vaughan Development Planning Department has reviewed the Official Plan Amendment Application to permit an increased building height on the subject lands and the deletion of two (2) planned north/south local roads, in light of the following land use policies:

a) Provincial Policy Statement (PPS)

The PPS provides broad based policy direction on matters of Provincial interest related to land use planning and development. The PPS also promotes cost-effective development standards to minimize land consumption and servicing costs, while facilitating public transit supportive developments. It supports and encourages intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses that make more efficient use of land and public infrastructure. The proposed office building, ground related retail, transit square, and park (Phase 2) intensifies presently underutilized and vacant lands at a density higher than the existing surrounding uses. The subject lands are within the Vaughan Metropolitan Centre (VMC), which is identified as an area of major intensification within the City and Region of York. The development will contribute to a range and mix of uses within the VMC while efficiently utilizing the existing municipal infrastructure, which can support future growth and employment projections, thereby making more efficient use of existing and future infrastructure investments.

The PPS promotes healthy and active communities through public streets, spaces and facilities that are publically accessible, that meet the needs of pedestrians and facilitate pedestrian and non-motorized movement (walking and cycling). The development proposal provides for sidewalks, plazas, a transit square, paths within the park (Phase 2), and below grade access to the VMC Station that will be accessible to existing and future residents and employees of the area.

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

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

#### b) Provincial Growth Plan - Places to Grow

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

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

The Growth Plan identifies the Vaughan Metropolitan Centre as one of the 25 Urban Growth Centres in the Greater Golden Horseshoe. The Growth Plan encourages intensification throughout the built-up area and includes infill development and the development of underutilized lots. The development proposal represents a catalyst for a mix of uses within the northwest quadrant of the VMC at transit supportive densities that will promote reduced dependence on the automobile and encourage transit supportive, pedestrian-friendly urban environments. The development proposal will assist with increasing the modal share for transit, walking and cycling. It will also provide for convenient access to intra and inter-city transit (Viva Next Bus Rapid Transit Route (BRT), York Region Transit Terminal, and the terminus of Spadina Subway Line (VMC Station)) and facilitate a high quality park and transit square with easy access to local stores and services. The proposed development is consistent with the goals of the Growth Plan.

#### c) In-Effect Region of York Official Plan (June 1, 2008)

The Modified York Region Official Plan 2010 had been approved by the Ministry of Municipal Affairs and Housing on September 7, 2010 and had been appealed to the Ontario Municipal Board (OMB). Since then, the York Region Official Plan 2010 has been substantially approved by the OMB and is currently in-effect.

The Region of York Official Plan 2010 (the Regional Plan) designates the Subject Lands as being within the “Urban Area” and within a “Regional Centre”, where it is planned to become a vibrant urban place for living, working, shopping, entertainment, cultural identity and human services. The Regional Plan encourages pedestrian scales, safety, comfort and mobility, and the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Regional Plan recognizes that there is a strong relationship between transportation and urban form. The development location adjacent to the VMC Station is supportive of the higher level of transit services, which will encourage the reduction of overall parking demands and trip lengths. Furthermore, the



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associated park and transit square will enhance the public realm. The development proposal is consistent with the Regional Official Plan policies.

d) City of Vaughan Official Plans

The subject lands are designated “Corporate Centre Node” by the in-effect OPA #500 (Corporate Centre Plan) as amended by OPA #663 (The Avenue 7 Plan), OPA #528 and OPA #529. The proposed office commercial building and at-grade retail uses, park, and pedestrian linkages are permitted uses in the “Corporate Centre Node” designation.

The subject lands are designated “Station Precinct” and “Major Parks and Open Spaces” by the Vaughan Metropolitan Centre Secondary Plan (VMC Plan), which forms part of Volume 2 of Vaughan Official Plan (VOP) 2010 (not yet in-effect), and was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) and is pending approval from the Ontario Municipal Board.

i) In-effect Official Plan #500, As Amended

The development proposal does not conform to the policies of the Official Plan respecting the maximum permitted building height and the planned road network on the subject lands. The in-effect Official Plan currently permits a maximum building height of 25 m on the subject lands and two (2) planned north-south local roads (17 m to 20 m right-of-way).

The Owner has submitted an Official Plan Amendment File OP.12.014 to increase the maximum building height on the subject property from 25 m to 76 m. The Development Planning Department has no objection to the proposed maximum building height given that the lands are located adjacent to a subway station where higher densities are better suited and is permitted by the new (not yet in-effect) Vaughan Official Plan 2010, as described below.

The Owner proposes to delete two (2) planned north-south local roads, as shown on Attachment #5, in order to facilitate the construction of an office building, a temporary commercial surface parking area and ultimately a park. The planned north-south local roads in OPA #500 are intended to create a fine-grain street network that would facilitate pedestrian permeability and provide flexibility for a range of development scenarios. The Development Planning Department, at this time, has no objection to the deletion of the easterly planned north-south local road, as shown on Attachment #5, as it will facilitate construction of the proposed office building. However, the Development Planning Department raised concerns with the proposed deletion of the westerly planned north-south local road (future mews, as described in the next section) until such time as the park plan is more developed or matters currently subject to the appeals of the VMC Secondary Plan can be resolved to the satisfaction of all parties. As such, a north-south pedestrian access is being included as a requirement to be examined in the park design.

At the time of ultimate build out (Phase 2, as shown on Attachment #9), the park is intended to be a place of congregation and will attract pedestrian traffic. The nature of the park being open to Apple Mill Road, Edgeley Boulevard and Street “A” will facilitate pedestrian connections throughout this area and will essentially achieve pedestrian permeability consistent with the intent of the in-effect Official Plan. However, additional information on the nature and scale of the future adjacent developments to the north and south of the park will need to be considered.

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ii) New Vaughan Official Plan (VOP) 2010 (Not Yet In-effect)

The “Station Precinct” designation permits a mix of high-rise and mid-rise buildings with a range of uses, including corporate, professional and government offices, retail and major retail over 10,000 m<sup>2</sup>, restaurants, parks, conference facility, college and university, personal and business service, art studios, daycares, and public parking. Retail and service commercial uses are permitted below grade where it is to connect and be adjacent to the subway station. The Owner proposes the first development within the northwest quadrant in the VMC that includes a 14-storey office building, with ground related commercial uses along the transit square, which is supported by the Development Planning Department. The proposed uses conform to the VMC Plan.

The VMC Plan that was originally adopted in September 7, 2010 showed two (2) north-south local streets traversing the subject lands, which was consistent with in-effect OPA #500, as amended by OPA #s 528, 529, and 663.

On September 13, 2012, the VMC Sub-Committee considered proposed amendments to the adopted VMC Plan that would facilitate revisions to the street network in the VMC, including the provision of one north-south local road through the subject lands. A technical report by the Vaughan Policy Planning Department respecting the proposed amendments was approved at the November 27, 2012, Committee of the Whole meeting resulting in the protection of one 15 m to 17m mews through the subject lands. The Owner has appealed the issue of the location and configuration of roads to the Ontario Municipal Board (OMB).

The development proposal excludes the planned two (2) north-south local roads in the in-effect Official Plan (OPA #500, as amended by OPA #s 528, 529, and 663), as well as the one 15m to 17 m mews in the not yet in-effect Official Plan (VOP 2010, Volume 2, VMC Secondary Plan). The Development Planning Department, in consultation with the Development/Transportation Engineering Department, can support the deletion of the two (2) planned north-south local roads and the relocation of the mews to a location west of the proposed office building, as they will not have significant impacts to the existing street network given that the subject lands will be well served by local and rapid transit through a direct pedestrian connection to the subway and by being located in close proximity to the York Region Bus Terminal. However, the Development Planning Department remains concerned with the deletion of the proposed mews until there is satisfactory resolution of the park design, details of scale and future adjacent developments to the north and south of the park, and the OMB appeals.

The development proposal includes improvements to Apple Mill Road and the creation of a new local road (Street “A”) along the northern and southern boundaries of the subject lands with direct connections to both Millway Avenue and Edgeley Boulevard. The existing and proposed street network will be enhanced for transit, walking and cycling systems, making efficient use of existing and future infrastructure investments and will be an essential component of an effective and efficient VMC transportation network.

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

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#### Zoning

The subject lands are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88 and subject to Exception 9(959). The proposed office building development consists of ground related commercial uses and office uses that are permitted by the C9 Zone.

To facilitate the development proposal, the Owner has submitted a Zoning By-law Amendment application to amend Zoning By-law 1-88, specifically to:

- a) delete the subject lands from the existing site-specific Exception 9(959);
- b) remove the Holding Symbol “(H)” from a portion of the subject lands (building and future transit square area), in the manner shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone, with the balance of the site to remain with a Holding provision;
- c) permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
- d) add the following conditions for the removal of the Holding Symbol “(H)” on the temporary surface parking area, identified on Attachment #8:
  - i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park
  - ii) design, north-south connectivity, construction, programming, public art, maintenance, ownership matters, and any strata arrangements; and,
  - iii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, programming, public art, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, to the satisfaction of the City of Vaughan; and,
- e) permit only a temporary surface commercial parking use, a mews, and a future park use on the portion of the subject lands zoned C9 Corporate Centre Zone, in the manner shown on Attachment #8.

The Zoning By-law Amendment consists of three elements, including the Holding Symbol “(H)” and the conditions of its removal and the site-specific zoning exceptions to the C9 Zone as listed in Table 3.

- a) Holding Symbol “(H)”

At the latter part of the Zoning By-law Amendment File Z.12.034 review, the Owner presented the City with a proposal for a new zone category to be applied to their lands that would establish a unique urban park within the VMC, an Urban Park (UP) Zone. The Owner envisioned that the

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future park (Phase 2) would have unique provisions and standards that would permit kiosks within the park that would offer limited commercial uses, such as eating establishments and retail stores. However, in the absence of a required Public Hearing on the “Urban Park Zone” proposal and more detailed plans, the Development Planning Department cannot recommend such uses to Vaughan Council at this time. As a result, the Development Planning Department, with agreement by the Owner, is prepared to review the possibility of introducing a unique park zone in the VMC at a later date to recognize the possibility of creating unique park standards to animate this place of congregation.

The intent of the Zoning By-law Amendment File Z.12.034 is to allow the full range of uses in the C9 Corporate Centre Zone, as well as, the institutional uses permitted in Zoning By-law 1-88 for all Commercial Zones. As shown on Attachment #8, the Owner proposes a temporary commercial surface parking lot in the area west of the office building where the future park will be located, as shown on Attachment #9. Provisions to permit a temporary commercial surface parking lot with a minimum of 325 to a maximum of 340 transitional parking spaces, an access way or mews, and a park on the lands that will remain in the C9(H) Corporate Centre Zone with the Holding Symbol “(H)” will be included in the implementing Zoning By-law. The Development Planning Department recommends the following conditions to remove the Holding Symbol “(H)” from the building area and temporary surface commercial parking area:

- i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the Development Planning Department. The Agreement must contain the agreed to trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park design, programming, public art, and ownership matters, and any strata arrangements; and,
- ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, north-south connectivity, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, be finalized to the satisfaction of the City of Vaughan.

The Development Planning Department considers conditions for removal of the Holding Symbol “(H)” appropriate as it will provide the City and the Owner sufficient time to conduct a comprehensive review of the design of the future park during the transition period when commuters’ current habits, which have a heavy reliance on the automobile, will be challenged given the proximity of the subject lands to existing and approved/under construction public transit and the implementation of the Transportation Demand Management (TDM) measures by the Owner, which are discussed later in this report.

#### b) Exceptions to the C9 Zone

The following site-specific zoning exceptions to the C9 Corporate Centre Zone are necessary to implement the development proposal shown on Attachments #8 to #15:

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<b>Table 3: Zoning By-law Amendment File Z.12.034</b>			
	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of C9 Corporate Centre Zone</b>	<b>Proposed Exceptions to C9 Corporate Centre Zone</b>
a.	“Build to Zone” (along future Street “A”, approximately 351 m length)	80% or approximately 280 m of the length of Street “A” shall have a building located within the “Build to Zone” of 0-3 m	Delete the provisions of the “Build to Zone” in Schedule A2 of Zoning By-law 1-88 and permit a minimum 5 m building setback to the building columns and 2.7 m to the above ground building face along future Street “A”
b.	“Build to Zone” (along Apple Mill Road, approximately 363 m length)	50% or approximately 181 m of the length of Apple Mill Road shall have a building located within the “Build to Zone” of 0-3 m	Delete the provisions of the “Build to Zone” in Schedule A2 of Zoning By-law 1-88 and permit minimum setbacks of 5 m to the main building and 1.75 m to the exit stair projections along Apple Mill Road
c.	Portions of Buildings Below Grade	1.8 m to the front lot line (Apple Mill Road)	0.0 m to the front lot line (Apple Mill Road)
d.	Maximum Building Height	25 m	76 m, exclusive of all rooftop, mechanical HVAC, and parapets
e.	Minimum Landscape Strip Width along a Streetline	6 m	0.97 m along future Street “A” and Apple Mill Road; 0.6 m along Edgeley Boulevard; 0.2 m to any vent shafts and exit stairs from the underground parking

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f.	Minimum Parking Requirement	<p>Minimum parking requirements calculated on the basis of Gross Floor Area (GFA)</p> <p align="center"><u>Office Uses</u></p> <p>3.5 spaces / 100 m<sup>2</sup> of office Gross Floor Area (GFA) @ 26,952 m<sup>2</sup> = 944 spaces</p> <p align="center">+</p> <p align="center"><u>Retail Uses</u></p> <p>6 spaces / 100 m<sup>2</sup> of retail GFA @ 6,368 m<sup>2</sup> = 383 spaces</p> <p><b>Total Spaces Required = 1,327</b></p> <p>Per Section 3.8m), Parking Standards for Mixed-Use Developments of Zoning By-law 1-88, the maximum required parking shall be 1,202 spaces (weekly parking) and 476 spaces (Saturdays)</p>	<p>Calculate parking requirements on the basis of Commercial Floor Area (CFA)</p> <p align="center"><u>Office Uses</u></p> <p>1.5 spaces / 100 m<sup>2</sup> CFA @ 19,416 m<sup>2</sup> = 292 spaces</p> <p align="center">+</p> <p align="center"><u>Retail Uses</u></p> <p>2 spaces / 100 m<sup>2</sup> of retail CFA @ 4,640 m<sup>2</sup> = 93 spaces</p> <p align="center">+</p> <p align="center"><u>Transitional</u></p> <p>Minimum 325 to a maximum of 340 surface parking spaces</p> <p align="center">+</p> <p align="center"><u>Exemptions</u></p> <p>Respecting the two-storey commercial building, parking shall not be required for any storeys, up to a total maximum of four storeys, above the second floor</p> <p><b>Minimum Parking Spaces Required based on Proposed Standards Above = 710</b></p>
		<p>Section 3.8a) of Zoning By-law 1-88 states, "The Owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas."</p>	<p>Notwithstanding Section 3.8a) of Zoning By-law 1-88, the following shall apply to the Subject Lands:</p> <p>"The Owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas."</p>
		<p>Section 5.1.6b) of Zoning By-law 1-88 states, "the parking required for the outdoor patio shall be equal to that required for the main eating establishment use."</p>	<p>Notwithstanding Section 5.1.6b) of Zoning By-law 1-88, parking shall not be required for outdoor patios associated with eating establishments or convenience eating establishments</p>

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g.	Minimum Parking Space Size	2.7 m by 6 m	2.7 m by 5.7 m
h.	Minimum Required Barrier-Free Spaces	14 Barrier-Free Spaces	8 required Barrier-Free Spaces (6 permanent Barrier-Free Spaces and 2 surface level spaces)
i.	Minimum Parking Space Size, Barrier-Free	3.9 m by 6.0 m; If said parking space is adjacent to another barrier-free space, the minimum area may be reduced to 3.2 m by 6.0 m.	3.9 m by 5.7 m; If said parking space is adjacent to another barrier-free space, the minimum area may be reduced to 3.2 m by 5.7 m.
j.	Maximum Width of Driveway Access	7.5 m	8.0 m on Street "A"; 11 m and 11.1 m on Apple Mill Road
k.	Outdoor Patio	<p>Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88 includes the following provisions (in part):</p> <p>b) The parking required for the outdoor patio shall be equal to that required for the main eating establishment use;</p> <p>c) An outdoor patio shall not be permitted in any yard located between the building containing the main eating establishment and any Residential Zone;</p> <p>e) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or audiovisual presentations, music concerts and shows, shall not be permitted in areas designated for outdoor patio use; and,</p> <p>h) The outdoor patio shall be completely enclosed by a physical barrier with access only from the interior of the eating establishment with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.</p>	<p>Notwithstanding Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88, provisions b), c), and e) shall not apply to the Subject Lands.</p> <p>Notwithstanding Section 5.1.6h), only the outdoor patio of an eating establishment, licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.</p>

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l.	Loading Space Location	Section 3.9 d) of Zoning By-law 1-88 requires that loading spaces shall not be located between a building and a street	Notwithstanding Section 3.9 d) of Zoning By-law 1-88, loading facilities shall be wholly enclosed in a building with access onto Apple Mill Road
m.	Loading Space Requirement	Maximum of two (2) loading spaces shall be required for an office building	Maximum of five (5) loading spaces shall be provided on the subject lands and shall be wholly enclosed in a building
n.	Minimum Loading Space Dimension	9 m by 3.5 m	6.0 m by 3.5 m
o.	Definition of a Lot	“Lot” – means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent (severance) contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	“Lot” – means the subject lands be deemed to be one Lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of the By-law.
p.	Definition of Recreational Use	<p>“Recreational Use” – means:</p> <p>i) The use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, snow skiing, walking trails and all similar uses, together with necessary and accessory buildings and structures; but</p> <p>ii) does not include a track for racing animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses.</p>	<p>“Recreational Use” – means:</p> <p>i) The use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, walking trails and all similar uses, together with necessary and accessory buildings and structures; but</p> <p>ii) Does not include a track for racing animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses.</p> <p>iii) Recreational Uses may be in either public or private ownership.</p>



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q.	Definition of Commercial Parking Lot	Section 5.1.4 respecting uses in all Commercial Zones and Section 5.10 respecting uses in the C9 Corporate Centre Zone in Zoning By-law 1-88.	<p>In addition to the uses listed in Section 5.1.4 respecting permitted uses in all Commercial Zones and in Section 5.10 respecting permitted uses in the C9 Corporate Centre Zone in Zoning By-law 1-88, permit a “Commercial Parking Lot” on the subject lands as follows:</p> <p>“A building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.”</p>
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The Development Planning Department can support the proposed zoning by-law exceptions noted above for the following reasons:

a) Building Setbacks

Zoning By-law 1-88 requires that the built form of the development proposal be located within the “build to zone”, which is defined as within 0 m to 3 m of 80% of the street length for Street “A” and 50% of the street length for Apple Mill Road. To facilitate the development and to encourage a comfortable pedestrian condition around the future transit square, the Owner proposes a building setback of 5 m to the building columns (2.7m to the above ground building face) along approximately 10% of Street “A”, which does not comply with the “Build to Zone” standards. Furthermore, a building setback of 5.0 m (1.75 m to the exit stair projections) along approximately 30% of Apple Mill Road is proposed, which also does not comply with the “Build to Zone” standards. Given that the subject lands are located within an identified Mobility Hub as an anchor in Metrolinx’s “The Big Move” (The Regional Transportation Plan), the proposed increased building setbacks would promote a more comfortable and a better physical relationship between the pedestrian realm and the built form that is conducive with the anticipated high pedestrian volumes generated around the transit square. The Development Planning Department proposes to simplify the implementation of the site-specific Zoning By-law by eliminating the requirement of the “Build to Zone”, in accordance with Schedule A2 of Zoning By-law 1-88, and incorporate minimum building setbacks to Apple Mill Road and Street “A” as noted in Table 3.

Exceptions to the portions of the underground parking garage below grade are required to facilitate larger underground parking structures. This request has been accommodated for many similar mixed-use projects. This exception for underground parking helps to minimize large surface parking areas, and provides opportunities for increased landscaping and provisions for other street-related uses. The proposed street boulevards can accommodate underground utilities within the boulevards.

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The exceptions related to building setbacks can be supported by the Development Planning Department for the reasons noted above.

b) Building Height

The Owner is proposing to increase the maximum permitted building height from 25 m to 76 m (14 storeys) on the subject property, which is within the 6-storey to 35-storey range permitted by the VMC Secondary Plan. In addition to the policies and principles of the PPS and the Growth Plan, more intense developments are supported in York Region's Official Plan which identifies the subject lands as being within a "Regional Centre". VOP 2010 further identifies the subject lands as being within the VMC Secondary Plan Area where developments are at densities that are supportive of public transit.

The Development Planning Department has no objection to the proposed building height as supported by the policies and principles of the PPS, the Growth Plan, the Region's Official Plan, and the VMC Plan.

c) Landscape Widths

The Development Planning Department has no objection to the proposed width reductions of the landscape strips along the street lines from the required 6 m in Zoning By-law 1-88 to 0.97 m along future Street "A" and Apple Mill Road, and 0.6 m along Edgeley Boulevard. The landscape strip reductions are a temporary measure to permit the temporary commercial surface parking, shown on Attachment #8, in advance of the build out that will consist of a park, as shown on Attachment #9. Further reductions of landscape widths to 0.2 m from the property line to vent shafts and exit stairs ancillary to the underground parking can be supported by the Development Planning Department as the reduction is not extensive and will have minimal impact to the streetscape.

d) Parking and Access

The Owner has submitted a parking justification report, dated September 2012, and revised April 2013, by BA Group Transportation Consultants in support of the proposed parking standards for the development proposal. Table 3 shows the required and proposed parking ratio for the subject lands. The subject lands are strategically located adjacent to the VMC Station, which is currently under construction and expected to be operational in 2016. The subject lands are also located in close proximity to a future bus terminal and BRT service along Regional Road 7.

These attributes present the opportunity to reduce vehicular reliance. An excessive parking supply imposes environmental costs, contradicts community development objectives for more liveable and walkable communities, and tends to increase driving and discourages the use of alternative modes of transportation. Furthermore, the policies of OPA #500 consider opportunities for shared parking in mixed-use developments within the "Corporate Centre Node" area. The study examined shared parking spaces in order to take advantage of the different peaking characteristics of the residential, retail and office uses. The study concluded that the office peak parking demands occur during the day while the residential visitors' peak parking demands occur in the evenings and on the weekends when the office parking is not in use. Retail uses are expected to be ancillary to the development or be used extensively by those already living or working in the proposed development. The retail parking demands typically peak during the noon hour, when residential visitor parking demands are low, and during the evenings when office parking demands are low.

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Table 3 illustrates the proposed reduction in the parking ratio, which would yield 710 required parking spaces on the subject lands. The Owner proposes a total of 785 parking spaces, which exceeds the 710 parking spaces required. A minimum of 325 spaces to a maximum of 340 spaces are proposed in a temporary commercial surface parking lot for transitional purposes located adjacent to the office building and 460 spaces are proposed in a parking garage below the building, which represents the long-term parking supply for the office building and is within the range of the City's IBI Review of Parking Standards. The transitional parking supply proposes to support the immediate needs of the office tenants on a temporary basis until the users adjust to the improved access to alternative modes of transportation, in conjunction with the proposed TDM Plan, which will be discussed later in this report, and travel habits are adjusted.

The Vaughan Development/Transportation Engineering Department has reviewed the parking justification study, dated April 2013, and concurs with the findings and supports the reduced number of parking spaces. Through the review of the development applications and continued negotiations between the City and the Owner, an opportunity to increase the height of the two-storey commercial building along Apple Mill Road by a maximum of two (2) storeys for a total height of four-storeys has been identified. This opportunity is presented as conceptual and draft only on Attachments #18 to #20, inclusive as the detailed design is at an early stage. The Owner has requested that a provision(s) in the implementing Zoning By-law to provide an exemption to the parking requirements for the potential increase in building height by two (2) storeys. The Development Planning Department has no objection to this request. The Owner has provided an Addendum to their Parking Study, prepared by BA Transportation Consultants, dated May 31, 2013.

The addendum concludes that exempting the additional floor area from the parking requirements for the site will result in an effective overall parking supply rate on the site of 1.16 spaces per 100 m<sup>2</sup> CFA, consistent with the parking policies adopted by the City of Toronto, but lower than the IBI Group's Parking Standards Review. The Development Planning and Development/Transportation Engineering Departments have no objection to the conclusion of the Parking Study Addendum stating that the effective rate of 1.16 spaces per 100 m<sup>2</sup> is appropriate because the subject lands are located in a unique area from other sites in the VMC. The exemption of parking requirements for two (2) additional storeys on the commercial building subject to this report can be supported for the following reasons:

- a) the subject lands are located immediately adjacent to the VMC Station and is best suited for a minimum parking supply;
- b) the development proposal features a direct, weather protected connection to the VMC Station, York Region Transit Bus Terminal, and the planned VIVA Transit Station at Regional Road 7 and Millway Avenue;
- c) the development proposes a supply of transitional parking spaces that allow the parking demand of the building to adjust over time; and,
- d) the development proposal will be supported by a Transportation Demand Management (TDM) strategy that will promote the use of alternative modes of transportation to help reduce parking demand.

The Owner further proposes to reduce minimum parking space sizes for standard stalls from 2.7 x 6 m to 2.7 x 5.7 m and barrier-free spaces from 3.9 x 6 m (3.2 x 6 m adjacent) to 3.9 x 5.7 m (3.2 x 5.7 m adjacent), which is supported by the Development/Transportation Engineering Department.

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Zoning By-law 1-88 requires that 14 barrier-free parking spaces be provided on the subject lands based on standard parking ratios. The Owner proposes a reduced standard parking ratio, as noted in Table 3, to lower the requirement for barrier-free spaces to 8 spaces. The Owner is proposing six (6) barrier-free parking spaces on the first underground parking level and two (2) barrier-free spaces located in the temporary commercial parking lot. The two (2) surface barrier-free spaces are necessary in the interim to accommodate current accessibility needs. Upon removal of the temporary commercial parking lot, the subject lands would be deficient in two (2) barrier-free parking spaces. Given the subject lands proximity to public transit, which is fully accessible, and that all retail units and the office building have direct access to the surface level and from the VMC station tunnel, the Development Planning Department has no objection to the reduction of two (2) barrier-free spaces on the subject lands, provided that the development proposal meet all the accessibility requirements under the Ontario Building Code and the Accessibility for Ontarians with Disabilities Acts. A condition to this effect has been included in the recommendation of this report.

The Owner proposes two (2) permanent vehicular access driveways along Apple Mill Road. One is for access to the two levels of underground parking and the other is for access to loading. Zoning By-law 1-88 requires that the maximum width of the access to the parking levels shall be 7.5 m whereas 11.1 m is proposed. There are two additional driveway access points along Apple Mill Road (11 m) and Street "A" (8 m) that service the interim surface parking lot. Both access widths exceed the maximum 7.5 m width permitted by Zoning By-law 1-88. However, they are temporary measures for the surface parking lot. The increased access width from the required 7.5 m to 11.1 m to the underground parking at Apple Mill Road can be supported because it will facilitate a one lane in and two lanes out configuration to mitigate internal traffic congestion in the underground parking garage. The said increase is a necessity of internal traffic function.

#### e) Outdoor Patio

The Owner is requesting relief from four provisions of Zoning By-law 1-88 that pertain to the parking requirement, location, and use of outdoor patios on the subject lands, excluding the temporary surface commercial parking area. In particular, relief is being sought from the Zoning By-law provisions to exempt outdoor patios from the parking requirements, locate outdoor patios away from a building associated with the eating establishment and any Residential Zone, and the use of the outdoor patio for dancing, theatrical performances, presentations, concerts and shows, and the physical separation of the outdoor patio from the surrounding areas.

The fourth provision is for the requirement of a physical barrier around the outdoor patio. The Development Planning Department has no objection to an exception for the requirement of a physical barrier provided that the exception only pertains to the outdoor patio of an eating establishment that is licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario. This will not preclude outdoor patios that have no physical barriers for coffee shops or other eating establishments not licensed to serve alcohol.

Given the location of the development proposal adjacent to a transit hub and transit square, and situated within the VMC (Vaughan's Downtown) which is envisioned to be a mixture of residential, office, commercial and institutional uses, the Development Planning Department supports the relief from the noted provisions for outdoor patios, as noted in Table 3, as it would encourage street animation and pedestrian activity that will be essential to the success of the VMC.

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f) Loading and Access

The internal loading facilities for the commercial and office uses will be by way of a separate access from Apple Mill Road and located at ground level and located within the two-storey commercial mixed-use building. The Owner proposes smaller loading standards citing that the City of Vaughan's standards are not reflective of the urban mixed-use nature of the development proposal. Therefore, the Owner proposes the use of large single unit trucks and small trucks and step-vans for loading purposes, and therefore, is seeking an amendment to the loading requirements of Zoning By-law 1-88, specifically the location of loading areas, loading space requirements and dimensions.

Zoning By-law 1-88 prohibits the location of a loading area between a building and a street. Though the access to the loading facilities is currently proposed off Apple Mill Road, all proposed loading activities will be wholly enclosed in the building. The operational measure will ensure that noise and odours generated from the loading and unloading will be mitigated with minimal impact to the surrounding area.

Five (5) loading spaces are proposed to service the development that is office related, of which the smallest proposed loading space size (6 m by 3.5 m), does not comply with the minimum loading space size standard of 9 m by 3.5 m in Zoning By-law 1-88. The Owner has advised the City that their proposed method of private garbage collection is based on the loading compactor from a raised dock model where a compaction container is rolled off the dock onto a truck. A total internal ceiling height of 4.5 m is required for this model of garbage collection, whereas 5.4 m ceiling heights are provided. The City's Public Works Department has no objection to the proposed loading space size reduction or the internal ceiling heights for the proposed method of garbage collection.

The Owner has provided information, dated April 2013, by BA Group Transportation Consultants demonstrating the vehicular maneuvering turn paths of vehicles in the loading area. Prior to final approval of the site plan, the internal vehicular maneuvering turn paths must be approved to the satisfaction of the City's Public Works Department. The Owner is seeking relief from the provisions of the Zoning By-law in this respect in order to permit flexibility to accommodate the requirements of various transport companies that service private mixed-use developments, consistent with those used in other downtown cores.

The Development Planning Department has no objections to the loading requirement amendments for the reasons noted above, subject to the final vehicular maneuvering turn paths, which shall be to the satisfaction of the Vaughan Public Works Department.

g) Definitions

i) Lot

The proposed exception to the definition of a "lot" is required to ensure that for zoning purposes, the subject lands are deemed to be one lot. Given the nature of the development proposal, which includes an office building, a commercial mixed-use building, access to a temporary surface commercial parking lot and a park at the ultimate build out, access to a transit square, connections to 2-storeys of underground parking and to the subway platform, and the possibility for strata arrangements for a pedestrian tunnel beneath a public street (Street "A") and for potential encumbrances of parking under a future park, this exception is appropriate to ensure that compliance with the zoning by-law is maintained if there are any future changes in ownership or conveyance in lands.

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ii) Recreational Use

For further clarity on the definition of “recreational use”, the Owner has requested no change to the definition in Vaughan’s Zoning By-law 1-88, with the exception that “recreational uses” may be either in public or private ownership.

The City of Vaughan and the Owner are committed to continued dialogue on ownership matters of the transit square and the ultimate park. Depending on the outcome of the dialogue, the Owner is requesting additional flexibility in the definition of recreational use to include both private and public ownership.

Given the complexity of matters that are present with the creation of a new downtown including land ownership and capital costs, the Development Planning Department can support the exception at this time, until the ownership of the park and transit square are confirmed.

iii) Commercial Parking Lot

In addition to the uses in the C9 Corporate Centre Zone and the Institutional uses permitted in all Commercial Zones in Zoning By-law 1-88, the Owner is proposing a temporary surface commercial parking lot, as shown on Attachment #8, which is currently undefined in the By-law. The commercial parking lot is supported by the Development Planning Department as a temporary measure for transitional purposes as discussed above. The Policy Planning Department is currently addressing site-specific parking standards in the VMC for consideration by Vaughan Council at a future date. The draft standards introduce a definition of “Commercial Parking Lot” as such:

“Means a building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.”

The Development Planning Department has no objection to a “Commercial Parking Lot” as an additional use on the subject lands, as it would facilitate the development of the lands on an interim basis, and will be included as a definition in the site-specific implementing Zoning By-law.

#### Site Plan and Access

The Owner has proposed a phased site plan as shown on Attachment #8 (Phase 1) and Attachment #9 (Phase 2), as described below:

a) Phase 1

The proposed Phase 1 site plan, shown on Attachment #8, includes a 14-storey office tower along Street “A” and a two-storey commercial mixed-use building along Apple Mill Road. A proposed pedestrian passageway is proposed between the two buildings to provide a connection between the future transit square and the future park. The development will be serviced by surface pedestrian connections to Apple Mill Road, Street “A”, the transit square and the interim surface parking area, as shown on Attachment #8. Exit stairs from the underground parking garage are located along the periphery of the subject lands. The Development Planning Department has no objections to the building placement of the development proposal.

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The subject lands are serviced by two driveways from Apple Mill Road. One driveway provides access to the two levels of underground parking comprised of 460 parking spaces, of which 76 spaces are dedicated to transitional parking. The underground parking area servicing the development proposal encroaches below grade approximately 27 m west of the office building into the future park area. The other driveway provides access to the ground level internal loading facilities servicing the development proposal within the two-storey commercial building. On an interim basis, the temporary commercial surface parking lot will be accessed by two driveways; one onto Apple Mill Road and the second onto Street "A". There are three (3) exit stairs from the underground garage.

Recognizing that the VMC is at an early stage of development, the proposed development was modified during the review of the applications to include a temporary commercial surface parking lot in lieu of the ultimate park west of the office building. The temporary parking lot will service the immediate needs of commuters and the grade related commercial uses on an interim basis, until a critical mass of development is achieved to support full underground or structured parking in the VMC. The City acknowledges that the development proposal is a phased approach for vehicular parking and is the initial steps towards creating an urban core for the City of Vaughan. It represents an approach to parking that seeks to meet the goals of the long term VMC vision, but still maintains flexibility to address the interim needs of the first commercial tenants in the VMC. In essence, the goal is to address the interim parking needs of the site when the building is completed and occupied and to facilitate adjustments in conjunction with the City as future development occurs within the VMC area.

The Owner has submitted a Parking Study prepared by BA Group Transportation Consultants dated April 2013, which identifies the Owner's intent to provide Transportation Demand Management (TDM) strategies that include: the construction of direct connections to the VMC Subway Station and the Regional bus terminal, entitling the property manager of the office tower with the responsibility of a TDM coordinator, encourage commuters to join Smart Commute North Toronto Vaughan for carpooling, clean air commute and bike to work (64 bicycle spaces are provided along with 6 showers), and provide parking spaces for car sharing options, such as AutoShare and ZipCar. The intent, with the assistance of the TDM coordinator, is to monitor and measure the success of the TDM strategies, which can be adjusted over time to ensure the TDM goals are met.

The Vaughan Development/Transportation Engineering Department has reviewed the TDM Plan and concurs with the strategies.

#### b) Phase 2

Building on the expected success of implementing the TDM strategies and advancement of future residential and commercial mixed-use developments in this quadrant of the VMC, the use of the automobile should be less prominent as alternative modes of transportation become more available. The Owner has agreed that prior to the construction of the temporary surface commercial parking lot, a separate Agreement between the Owner and the City shall be executed to the satisfaction of the Development Planning Department. The Agreement shall contain the trigger for the removal of the said parking lot, being the construction of a total cumulative yield of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. North-south connectivity will also need to be examined. The Agreement shall satisfactorily address, but not be limited to, the park design, programming, public art, and ownership matters, to

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the satisfaction of the Vaughan Development Planning, Parks Development, and Legal Services Departments. A condition respecting this trigger and the separate Agreement between the City and Owner will be included as a special condition in the Site Plan Agreement for Site Development File DA.12.085, as noted in the recommendation of this report.

The Development Planning Department has no objection to the site plan and the phasing of the development, subject to the recommendation in this report.

#### Landscape Plans

The Owner has proposed a phased landscape plan as shown on Attachment #8 (Phase 1) and Attachment #9 (Phase 2), as described below:

##### a) Phase 1

The Phase 1 landscape plan shown on Attachment #8, consists of precast concrete unit pavers around the office building with an interim lawn planting with cast-in place 2-metre wide sidewalks in the future transit square area. The proposed hardscapes will be scaled to accommodate large numbers of pedestrians through the subject lands and patrons during programmed events. In advance of the ultimate build out of the transit square, the proposed interim lawn planting would provide an area of soft landscaping as an alternative to a park on the west side of the subject lands. In order to reduce the costs of the park at ultimate build out, as shown on Attachment #9, elements of the park are planned to be installed at the interim phase including:

- i) the proposed interim surface parking lot is edged with 100 mm caliper deciduous tree canopies along Apple Mill Road, Edgeley Boulevard and Street "A";
- ii) the ground cover at the edges of the interim surface parking area will be treated with ground cover planting, such as clover, with punctuations of concrete unit paving for pedestrian access from Apple Mill Road and Street "A";
- iii) the linear east-west pathway providing access from the transit square, through between the office building and the two-storey commercial mixed-use building and into the ultimate build out of the park will be included in the interim scenario as a pedestrian access from the parking area; and,
- iv) the concrete sidewalks at the perimeter of the subject lands will be installed along with the sidewalk curb ramps.

##### b) Phase 2 – Park

The second phase of the site plan proposes the elimination of the surface commercial parking area to facilitate the construction of the park. The park has been designed by renowned landscape architect, Claude Cormier, and proposes manicured, simple and flexible open spaces that are thoughtful and historically sensitive. Curvilinear lines create movement and visual interests, balanced with large tree canopies that lets light into the park in a play of sun and shadows.

The Owner has taken the position that the park should be privately owned and that a surface easement would permit public usage of the park as well as joint programming. This would allow the Owner full quality control over the maintenance of the park, which is seen as an amenity that would be the catalyst for future developments.



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In contrast, the City has been clear that ownership of parks in the VMC must be public and that private park systems are undesirable and could create a situation in the future that would limit or negatively impact the use and programming of parks particularly in locations of the VMC in proximity to the VMC Station and future bus terminal, where establishing a civic presence is important. Development companies and private businesses could fail, sell assets, or agreements could change under a private land ownership scenario. It would be extremely difficult to gain control or secure public benefit with private parks if the City is not the landowner or does not have firm and defined rights to the park.

A potential option may be a public and private partnership where the park is jointly programmed subject to agreements and potential legal arrangements between the Owner and the City. At the second phase, a portion of the park may be encumbered with a portion of the underground parking for the office tower. A condition to the effect that the City and the Owner confirm ownership and management of the park has been included in the recommendation section of this report.

The Development Planning Department is satisfied with the proposed interim and ultimate build landscaping of the development proposal as a catalyst for future mixed-use developments within the VMC.

#### Building Elevations

The building elevations, shown on Attachments #10 to #13, include materials that create an iridescent mosaic of blue shades. The fifteenth storey will include the roof top mechanical units, which will be completely screened from view, and integrated into the building design. One to two storeys of clear glazing windows and doors are proposed along all the ground floor facades of the proposed office building, allowing for animation on each building elevation. Clear glazing offers the benefit of views in and out of establishments, thereby making spaces more comfortable for pedestrians. The primary entrance to the office building will be along Street "A". Efforts have been made to ensure direct access occurs from the ground floor units to the public realm as a measure to activate and support pedestrian movement around the buildings.

Vehicular access will be by way of the north elevations along Apple Mill Road. The proposed vision glazing curtain wall along the north elevation will provide views into the service corridor, which is designed to evolve over time to include retail frontages along Apple Mill Road. The main entrances to the two-storey building will be on the south elevation of the building along the east west pedestrian passageway. The Owner's intent is to create a successful and animated "main street" passageway. An important element to create comfortable pedestrian realms is the inclusion of directional and wayfinding signage that are legible and appropriately designed. The Owner is required to submit a full signage and detail package for all buildings and structures, including directional and wayfinding signs, to the satisfaction of the Development Planning Department.

As noted earlier, through the review of the development applications and continued negotiations between the City and the Owner, an opportunity to increase the height of the two-storey commercial building along Apple Mill Road by another two (2) storeys for a total height of four-storeys was identified. This opportunity is presented as conceptual and draft only on Attachments #18 to #20 inclusive, as the detailed design is in the infancy stage. The draft conceptual building elevation drawings do not form part of Site Development File DA.12.085 and will be subject to a future Site Development Application when the design and building articulation will be finalized to the satisfaction of the Development Planning Department. The Development Planning Department has no objection to the proposed building elevations, subject to the conditions in the recommendation of this report.

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#### Future Transit Square

Attachment #4 illustrates the proposed Draft Plan of Subdivision and identifies a 1,799.68 m<sup>2</sup> block (ie. to the east of Block 1), "Additional Lands Owned by Applicant", that is outside the scope of draft plan approval. The lands are currently in private ownership and represent the easterly portion of the future transit square, which presently is used by TTC to facilitate the construction of the VMC Station. The area west of the lands identified as "Additional Lands Owned by Applicant" is privately owned and though it is within the future transit square area, it is outside of the scope of Site Development File DA.12.085.

In order to comprehensively design and develop the transit square, whether it is in public or private ownership or another ownership scenario, should Vaughan Council approve the applications, the Owner has agreed to submit a separate Site Development Application prior to the execution of the Site Plan Agreement for the subject development, which would address the configuration and size of the transit square, to the satisfaction of the City and the TTC, as well as, address the matter of land ownership within the future transit square. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085 to reflect any revisions resulting from the comprehensive transit square design. A condition to this effect has been included in the recommendation of this report.

#### Design Review Panel (DRP)

The Vaughan Design Review Panel consists of members who provide professional recommendations respecting development applications to the City. The Panel acts as an advisory body to the Development Planning Department.

##### a) Panel Comments - September 27, 2012

The initial development proposal, shown on Attachment #7, was considered at the September 27, 2012, DRP meeting and included a two-storey podium with a 14-storey office building between the transit square and the park. The Panel's initial comments included the following (in part):

- i) a stronger pedestrian connectivity between the park and transit square should be created;
- ii) the park and square program should be further considered to support diverse activities in the park as the community develops and to generate both daytime and evening activity; space could be provided in the square to allow for kiosks or other temporary installations that contribute to the activation of the mobility hub;
- iii) careful consideration must be made to the underground parking ramps and exit stairs and the impact on the public realm; and,
- iv) interim conditions should be depicted, phased and evaluated.

##### b) Panel Comments - April 25, 2013

As a result of the initial Design Review Panel, the Owner revisited the development proposal, as shown on Attachment #7, and presented the revision at the Panel's April 25, 2013 meeting. The Panel provided the following comments (in part):

- i) the reconfiguration of the park/parking lot, buildings, transit square and subway creates an important east-west axial line through the centre of the site. The pedestrian passageway between the two buildings should be treated and animated like a pedestrian street and as a grand gesture;

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- ii) the roof of the two-storey building is an opportunity to create a revenue-generating destination (e.g. restaurant/bar) that overlooks the park and square;
- iii) to phase the park, the Panel suggested scaling back the temporary parking area to allow for partial construction of the park to create a social space along the western edge of the buildings.

The development proposal shown on Attachment #8, addresses the comments from the Panel. In particular, access to ground floor commercial uses along the passageway and provisions for outdoor patios within this area will provide animation. The Owner is considering including roof-top activation on the 2-storey commercial building, which will be to the satisfaction of the Development Planning Department. The temporary commercial parking lot has been designed to include the initial elements of the park, as described in the Landscape Plan section of this report.

#### Nav Canada and Bombardier

Nav Canada is a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS). NAV Canada co-ordinates the safe and efficient movement of aircraft in Canadian domestic airspace and international airspace assigned to Canadian control. In a letter dated May 28, 2013, NAV Canada has advised that they have no objection to the development proposal. NAV Canada's land use evaluation is valid for a period of 12 months of their notice and the assessment is limited to the impact of the proposed physical structure on the air navigation system and installations.

The Toronto Downsview Airport is located approximately 14 km southeast of the subject lands and is within the flight path of the airport. Bombardier Aerospace exclusively owns and operates the Toronto Downsview Airport. All development proposals within the flight path will require review by Bombardier. In a memorandum dated May 21, 2013, Bombardier Aerospace advised they have no objection to the proposed development.

The Owner is required to update NAV Canada and Bombardier Aerospace on any changes to the development proposal. A condition to this effect has been included in the recommendation of this report.

#### Toronto Transit Commission (TTC)

In 2003, the Toronto Transit Commission (TTC) and the City of Toronto began initial broad based consideration of the extension for the Spadina Subway Line. The Toronto York Spadina Subway Extension (TYSSE) project was established along with the Regional Road 7 Bus Rapid Transitway (BRT) to provide higher order transit infrastructure to support compact urban forms and offer alternative modes of transportation to the single occupant vehicle. The subject lands are located northwest of the terminus of the Spadina Subway Line extension, and the VMC Station, which is within the TTC development review zone. The development proposal includes an underground connection to the subway station concourse level.

The TTC has reviewed the development proposal and provides the following conditions of site plan approval, which has been included in the recommendation of this report:

1. The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;

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2. The Owner shall continue to work with the TTC and the TYSSE Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the TYSSE construction easement areas;
3. The Owner shall respond in writing to all formal site plan comments from the TTC and the TYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/TYSSE; and,
4. All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal ROW constructed as part of the TYSSE Project.

The Owner shall satisfy all requirements of the TTC, prior to the execution of the Site Plan Agreement.

#### Vaughan Parks Development Department

The Vaughan Parks Development Department, in consultation with the City's Legal Services Department, recommends the following condition of approval to be included in the Site Plan Agreement, which has been included as a condition to be included in the Site Plan Agreement as noted in the recommendation of this report:

- a) Prior to the issuance of the full Building Permit, the Owner shall enter into an Agreement with the City regarding the conveyance, future park development and all other matters associated with the lands noted as a temporary parking lot, located to the west of the office building.

#### Subdivision Design

The 2.72 ha Draft Plan of Subdivision File 19T-12V007 will facilitate development Blocks, as described in Table 1 and shown on Attachment #4, and consists of the following:

- a) Block 1 – 19,482.15 m<sup>2</sup> (1.94 ha), for a 14-storey office building, a 2-storey commercial mixed-use building, a temporary surface parking lot, and a portion of the future transit square;
- b) Blocks 2, 3 and 4 – 1,571.97 m<sup>2</sup> (0.15 ha) to facilitate Apple Mill Road (27.2 m right-of-way) and Edgeley Boulevard (26 m right-of-way);
- c) 6,219.21 m<sup>2</sup> (0.62 ha) to facilitate the creation of Street "A" (22 m right-of-way); and,
- d) Blocks 5, 6, and 7 – 7.93 m<sup>2</sup> (0.0007 ha) to facilitate 0.3 m reserves.

The lands to facilitate the future extensions of Apple Mill Road and Street "A" to Millway Avenue are identified on Attachment #4 and are external to the scope of Draft Plan of Subdivision File 19T-12V007, but require consideration at this time. The said lands are currently owned by the TTC and represent lands that are future road works required to facilitate the completion of the road network to the future Millway Avenue realignment.

The proposed Draft Plan of Subdivision can be supported for the following reasons:

- a) the conveyance of lands for Street "A" (a public street) conforms to the Official Plan. The Street "A" right-of-way is envisioned to be a shared/flex street design that would allow for

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- b) flexibility of usage (auto and pedestrian) and will assist to frame the subject lands and optimize connectivity to future developments within the VMC while promoting walkability throughout the site;
- c) the utilities and infrastructure already exists adjacent to the subject lands and can be utilized to service the proposed development that the Draft Plan of Subdivision will implement; and,
- d) the Draft Plan of Subdivision implements a portion of the streets within the VMC. The grid network is planned to maximize mobility and movement through the VMC, thereby reducing travel need and distance for personal automobiles. The subject lands are located adjacent to the VMC Station and the York Region Bus Terminal and will be situated in close proximity to the planned Bus Rapid Transit Route along Regional Road 7. The direct proximity to the public transit system alone can warrant relief of the planned north/south local roads.

The Development Planning Department is satisfied with the proposed subdivision design. With the exception of the local north-south road deletion, as previously discussed, the draft plan is consistent with the in-effect Official Plan and the VMC Secondary Plan, subject to the Vaughan Development/Transportation Engineering Department comments noted below and the conditions of approval set out in Attachment #1. North-south connectivity will be examined as part of the future park design.

#### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has provided their comments for Draft Plan of Subdivision File 19T-12V007 and the Site Development File DA.12.085, as follows:

#### a) Draft Plan of Subdivision File 19T-12V007

##### i) Road Network

The Draft Plan is located between Edgeley Boulevard and Millway Avenue within the VMC Area. In accordance with the VMC Secondary Plan, the Owner is proposing to design and construct a new east/west local road (Street "A") at the south limit of the draft plan extending from Edgeley Boulevard to the east limit of the Draft Plan. In addition, the Owner will be required to widen and reconstruct existing Apple Mill Road between Edgeley Boulevard and Millway Avenue in conjunction with this Draft Plan in accordance with VMC Secondary Plan.

The VMC area will be the City Centre for Vaughan and highly urbanized. With the proximity of the Draft Plan to the subway station, future YRT bus terminal, Viva rapid way and proposed retail/commercial development, the surrounding roadways will be designed to promote pedestrian activity/connections and permeability. Accordingly, the Owner is proposing new cross sections for future Street "A" and existing Apple Mill Road.

##### 1) Street "A"

Street "A" will be a "Flexible Street" designed to place an emphasis on pedestrians and urban space rather than vehicular traffic. The proposed cross-section for Street "A" provides for two vehicular travel lanes, two parking lanes, mountable curbs, and wide pedestrian zones and

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enhanced streetscape/landscape treatment, as per the City's VMC Streetscape/Open Space Master Plan. Street "A" will be pedestrian friendly and include quality paving materials, pedestrian/plaza paving, and possibly raised cross-walks all to promote pedestrian crossing activity along its entire length.

2) Apple Mill Road

Apple Mill Road is a collector roadway in the VMC and will be reconstructed to provide two travel lanes, two parking lanes (which can be converted to travel lanes during peak periods when warranted in the future), a raised cycle-track on either side of the street, wide sidewalks and enhanced streetscape/landscape treatment, as per the City's Streetscape/Open Space Master Plan. The full widening and reconstruction of Apple Mill Road will likely need to be phased in over time as redevelopment occurs in the VMC. Certain components of the reconstruction of Applemill may be included in the City-wide Development Charge Background Study.

ii) Vaughan Transportation Engineering Section

- 1) The Vaughan Transportation Master Plan (approved October 2011) supports smaller curb radii, which is recommended for Street "A" as it is being designed with shared space principles, and should encourage drivers to behave more accommodatingly to pedestrians. Smaller curb radii are recommended to slow traffic, provide more pedestrian area at corners and provide shorter crosswalks. The following table from the Vaughan Transportation Master Plan (approved October 2011) presents recommendations for optimum curb radii. As smaller curb radii have not been modified in the current City Standards, deviation requires justification (i.e. sightlines and truck maneuvering/safety analysis).

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Type	Recommended	Current Vaughan
Residential Local to Residential Local	6.0 m	10
Residential Local to Minor Collector	6.0 – 7.5* m	10
Minor Collector to Minor Collector	7.5 – 9.0** m	12
Minor Collector to Major Collector	7.5 – 9.0** m	-
Local to Major Collector	7.5 – 9.0** m	12
Intersections with High Volume of Trucks (in excess of 5%) and/or Bus Turns (more than twice per hour)	10.0 – 12.0 m	-

Notes: \* The recommended width is 7.5 m or greater with a substantial volume of turning trucks and / or buses and encroachment into the opposing lane is unacceptable.  
\*\* The recommended width is 9.0 m or greater with a substantial volume of turning trucks and / or buses and encroachment into the opposing lane is unacceptable.

Figure 1: Vaughan Transportation Master Plan, 2011, p. 6-21

#### 2) Daylight Triangles or Traffic Safety Triangles on Corner Property

The daylight triangle is an area of unobstructed view formed by sightline and sight distance requirements for the vehicles approaching or departing an intersection. The intersection should have sufficient sight distance for drivers to perceive potential conflicts and take appropriate action.

The daylight triangle analysis is not included in the report. However, according to the Municipal Road Design by the Ministry of Transportation (MTO) and the Transportation Association of Canada (TAC) Guidelines, a 5 m x 5 m daylight triangle is sufficient at the following intersections:

- A) Edgeley Boulevard / Street "A"; and,
- B) Millway Avenue / Street "A".

The intersection of Edgeley Boulevard / Apple Mill Road is currently signalized with a daylight triangle of 8 m x 8 m. The City recommends maintaining the same.

#### iii) Coordination with The TTC

The proposed Draft Plan is in close proximity to the VMC station. To facilitate the VMC Station works, the TTC will be realigning Millway Avenue and the intersection of Apple Mill Road.

To service the development proposal, the Owner is required to design and reconstruct existing Apple Mill Road and future Street "A" including the connection to Millway Avenue which also will support future development growth within the VMC Area. Accordingly, it is recommended that the design and reconstruction of Apple Mill Road and construction of Street "A", and connection to Millway Avenue be coordinated between the TTC and the Owner to avoid duplication of works and throw away costs.

To service the Draft Plan, the external lands to the Draft Plan of Subdivision, identified on Attachment #4, represents future external road works on lands that are owned by the TTC. The City and the Owner, in consultation with the TTC, will finalize the construction responsibility of the future road works to complete the Apple Mill Road and Street "A" ROWs and connections to the Millway Avenue realignment in order to complete the road network as per the VMC Secondary Plan. It is acknowledged that there is more than one landowner on the external

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lands (i.e. the City, the Owner, TTC and York Region). Accordingly coordination and necessary mechanisms should be in place among the land owners to finalize the land transfer/conveyance.

iv) Municipal Servicing

The proposed development is located within the northwest quadrant of the VMC Plan. The anticipated growth within the VMC Plan will result in higher population densities, which will lead to an increased demand for water, increased wastewater production, and an increase in surface water run-off during rain events. To address this situation, the City has recently completed a Municipal Servicing Master Plan, which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth within the VMC Secondary Plan Area.

The Applicant has submitted the Functional Servicing and Stormwater Management Report (FSR), prepared by Cole Engineering, revised on April 17, 2013, which confirms that the existing municipal services can be used to service the proposed Draft Plan.

v) Water Servicing

The subject development is located within Pressure District PD-6. As per the FSR, water supply for the development can be provided by an existing watermain located on Apple Mill Road and a proposed a 300 mm diameter watermain on future Street "A". These watermains will be connected to the existing 400 mm diameter watermain on Edgeley Boulevard and existing 500 mm diameter watermain on Millway Avenue which will provide adequate supply, pressure and security (looping) for the development. All new watermains shall be designed in accordance with the VMC Servicing Master Plan.

vi) Sanitary Servicing

The subject development is a tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). As per the FSR, the subject development can be serviced by an existing sanitary sewer located on Apple Mill Road. The FSR also identified the need for a new 300 mm diameter sanitary sewer on future Street "A". Given the subsurface barrier imposed by the VMC subway station/underground tunnel structure, the proposed 300 mm diameter sanitary sewer on Street "A" will be aligned on the north side along the west side of the subway corridor limits through a servicing easement and connected to the existing 600 mm diameter sanitary sewer located on Apple Mill Road. The Owner will be required to provide the City with the necessary servicing easement for this sewer.

vii) Storm Drainage

The VMC is within the Black Creek watershed, which is tributary to the Humber River. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC Plan. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Plan have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Jane Street/Regional Road 7 Storm Water Management Pond (SWMP) (quality, quantity and erosion protection). In particular, these studies have identified the need for the following improvements:



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- 1) The retrofit (re-naturalization) and expansion of the existing Black Creek channel and associated hydraulic structures improvements for the purposes of flood protection;
- 2) Water quality improvements within the Black Creek sub-watershed;
- 3) In-stream erosion restoration measures/works within the Black Creek sub-watershed; and,
- 4) Improvements to the existing storm water management facility located at the north-east corner of Jane Street and Regional Road 7.

To provide for these drainage improvements, the City is currently undertaking a Schedule C Class EA for the necessary improvement to the Black Creek Channel. The study is expected to be completed by the first quarter, 2014, and the recommended improvements will be the subject of a future Special Area Development Charge (SAC). If development proceeds before the enactment of the SAC, the Owner will be required to post securities with the City under the terms of the Subdivision Agreement for the estimated amount of the charge and pay the SAC when it is in effect in the future.

The FSR confirms that the lands within the Draft Plan generally slopes from north to south and currently discharges via the existing storm sewer system into the stormwater management pond located north-east of Jane Street and Regional Road 7. The FSR proposes a drainage strategy for the Draft Plan to use both on-site and end-of-pipe controls. Each development parcel will be controlled for the 2 to 100 years storm event to LEED criteria, which will result in a more stringent allowable release rate compared to the recommendation of the VMC Municipal Servicing Master Plan. Quality control for the development block(s) will be provided by oil-grit separator (OGS) in addition to the quality control that will be provided by the planned retrofitting of the existing Jane Street/Regional Road 7 stormwater management pond. To control the run-off from the proposed Street "A" before the Jane Street/Regional Road 7 SWMP has been retrofitted, the drainage system on existing lands to the south, 3200 Regional Road 7 (Future Shop) will be modified to accommodate additional surface storage.

As per the FSR, the proposed storm sewer system onto Street "A" will be designed to convey the drainage from the right-of-way and the future development blocks, and outlet to the existing 1800 mm diameter storm sewer on Apple Mill Road. Given the subsurface barrier imposed by the VMC Station/underground tunnel structure, the proposed storm sewer will be aligned on the north-side of Street "A", west of the subway corridor limits through a servicing easement and connected to the existing 1800 mm diameter storm sewer on Apple Mill Road. The Owner will be required to provide the City with the necessary servicing easement for this sewer.

viii) Land Owner's Group Agreement

The implementation policies of the City's VMC Secondary Plan state that prior to approving development in the VMC, the City may require that landowners enter into an Agreement or arrangements to coordinate development and equitably distribute the cost of the shared infrastructure. The Owner in cooperation with the majority of the Owners of the northwest quadrant of the VMC area have made progress on cost sharing arrangements and are therefore fulfilling the intent of this policy.

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ix) Environmental Site Assessment (ESA)

The Owner has submitted a Phase I ESA Report dated May 2012 and a Phase II ESA Report, dated August 2012, prepared by Golder Associates in support of the subject development. The reports are acceptable subject to the submission of a Letter of Reliance to the City from the environmental consultant for the ESA reports.

x) Environmental Noise/Vibration Impact

The applicant has submitted a preliminary Environmental Noise and Vibration Impact Study, prepared by Aercoustics Engineering Limited, dated October 17, 2012, in support of the proposed office building development. The Study states that there are no ground level outdoor living areas and no terraces/balconies are proposed for the subject office building development. Accordingly, the Study concludes that no mitigation measures are required for the outdoor living areas. The Study recommends that the building exterior wall construction should meet the Ontario Building Code so indoor sound levels will conform to Ministry of the Environment (MOE) guidelines for areas such as, conference room, reading rooms, and libraries.

Prior to final approval of the plan, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval of the City, and the Owner shall agree in the Subdivision Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City.

xi) Geotechnical and Hydrogeological Report

The Owner has submitted a preliminary Geotechnical and Hydrogeological Investigation Report, prepared by Golder Associates, dated September 2012, in support of the proposed development. The report identified high ground water table within the proposed development limits and the need for active groundwater dewatering in advance and during construction excavation to maintain stability of the trench for municipal services/utilities and protect the integrity of the subgrade materials. The Report also recommends that ground water control measures need to be implemented during the detail design stage, and assessment of potential water quantity/quality effects due to dewatering activities on the proposed and existing development. The Development/Transportation Engineering Department recommends that the proposed sanitary sewer design shall consider inflow/infiltration reduction measures, as per the Region's strategy and responsibility to implement these measures by local municipalities.

xii) Street Lighting and Pedestrian Scale Lighting

As the proposed development is within the VMC and is close proximity to the subway station/YRT bus terminal, and proposed streets will be designed for shared space scheme and will promote pedestrian traffic and connectivity, enhanced street lighting/pedestrian lighting system is an important feature to service the proposed development and future developments within the VMC. Accordingly, the Owner proposes a street lighting/pedestrian lighting system to incorporate distinctive features, such as decorative poles, light fixtures and LED luminaire that are unique to the VMC, as per recommendations of the City's Streetscape/Open Space Masterplan, and will be addressed in conjunction at the detailed engineering design stage.

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xiii) Existing Services at 3200 Regional Road 7 (Future Shop)

The existing services to and within the Future Shop lands, as shown on Attachment #3, will be impacted by the construction of Street "A" in the Draft Plan. Accordingly, the Owner will be required to relocate the existing services and undertake modifications to the Future Shop lands, such as the relocation of the existing driveway access and some minor landscaping works that are necessary to accommodate the development and servicing of the Draft Plan. The existing site plan for the Future Shop must be amended to facilitate these works.

b) Site Development File DA.12.085

The Vaughan Development/Transportation Engineering Department has provided the following comments respecting the Site Development File DA.12.085, subject to the conditions in the recommendation section of this report.

i) Site Access

Vehicular access to the site is proposed via two driveways onto Apple Mill Road, which leads to underground parking and a loading area to service the development. On an interim basis, the temporary surface parking lot will be accessed by two driveways; one onto Apple Mill Road and the second onto Street "A".

ii) Municipal Servicing

The Owner has submitted the Functional Servicing and Stormwater Management Report (FSR), prepared by Cole Engineering, revised on April 17, 2013, in support of the proposed application. The report concludes that the development proposal could be serviced by connections to the existing sanitary sewer, storm sewer and watermain on Apple Mill Road.

iii) Water Servicing

As per the FSR, water supply for the development is proposed to be serviced from the existing 300 mm diameter watermain located within the north boulevard of Apple Mill Road, via a new 200 mm diameter water service connection to the property line.

iv) Sanitary Servicing

As per the FSR, the site can be serviced from the existing 600 mm diameter sanitary sewer onto Apple Mill Road, via a new 250 mm diameter sanitary service connection to the subject lands.

v) Storm Servicing

The site generally slopes from north to south and currently discharges via an existing storm sewer system located onto Apple Mill Road/Millway Avenue to the existing City-owned stormwater management pond located at the north-east corner of Jane Street and Regional Road 7, and finally discharges into the Black Creek channel. As per the FSR, storm services for the subject lands can be serviced from the existing storm sewer system located at Apple Mill Road/Millway Avenue. Furthermore, the quantity control for storm runoff during a 2 to 100

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years storm event for the office building is proposed by provisions for building roof storage and underground storage tanks. The surface ponding is proposed for the temporary commercial surface parking area to achieve allowable storm release rate, in accordance with the recommendations and conclusions of the VMC Municipal Servicing Master Plan. In accordance with the FSR, runoff from the office building roof can be considered as clean water. The oil-grit separator (OGS) is proposed for quality control measures for runoff from the office landscaped area and temporary commercial surface parking area. Additionally, quality control will be provided by the existing stormwater management pond at the north-east corner of Jane Street and Regional Road 7.

vi) Vaughan Transportation Engineering Section

The Transportation Engineering Section of the Vaughan Development / Transportation Engineering Department has provided the following comments on the Site Development File DA.12.085, based on the Urban Transportation Considerations Report, prepared by BA Group, dated April 2013:

1) Parking

The Urban Transportation Considerations Report concludes that the proposed parking supply of 785 spaces would be sufficient for the development's specific requirements, of which 325 spaces are proposed in an interim surface parking lot next to the office tower and 460 spaces are proposed in a parking garage below the building. The proposed underground parking supply of 460 spaces reflects the long-term parking supply for the building and within the minimum / maximum range that is recommended for the site specific Zoning By-law.

The 325 spaces (labeled as surplus parking spaces in the site plan) located in the adjacent surface parking lot will provide a transitional parking supply to support the immediate needs of the office tower tenants on an interim basis until people in the area adjust to the improved access to alternative modes of transportation, in conjunction with the proposed TDM Plan, and adjust their habits accordingly.

The City of Vaughan has adopted reduced parking rates in areas with high density developments and for the developments located in areas with good transit service, as good transit service reflects relatively lower parking demand. In addition, the existing and future proposed rapid transit service along the Regional Road 7 corridor and subway station at Regional Road 7 / Millway Avenue will further support the proposed parking supply.

The proposed parking supply of 785 spaces is adequate for the immediate needs of the proposed development based on supporting analysis provided in the Consultant's report. A total of 460 parking spaces as proposed in a parking garage under the building reflect the ultimate parking needs for the building. This parking supply is consistent the Vaughan's Draft Parking Standards prepared by IBI Group. The minimum 325 surface parking spaces are provided on a temporary basis, and as such a mechanism needs to be established in the implementing Zoning By-law that provides for the ultimate removal of the temporary surface parking.

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2) Roadway Design, Site Driveways and Traffic Operations

Major intersection design including lane configurations, intersection control and curb returns should be provided for the Vaughan Transportation Engineering Section review and approval.

A plan outlining the existing accesses on Apple Mill Road and Street “A” should be provided for review by the Vaughan Transportation Engineering Section. The plan should outline the interim design for the north side of Apple Mill Road and the south side of Street “A”. Both interim and future requirements should be addressed adequately.

3) Additional Comments

As per Zoning By-law 1-88, regular parking spaces should be 2.7 m x 6.0 m and 3.9 m x 6.0 m for barrier-free spaces in size (if the barrier-free spaces are adjacent to each other, width can be reduced to 3.2 m). The recommended parking space length is 5.7 m, which does not comply with Zoning By-law 1-88. Most manuals suggest that the typical stall length is 5.5 m, which is based on the length of a typical vehicle plus 150mm for bumper clearance. Based on the review of existing standards, and comparison to other jurisdictions, IBI Group recommended in the Draft Parking Standards, March 2010, that the typical stall length be 5.7 m. As the proposal is in keeping with the Draft Parking Standards, the Transportation Engineering Section has no further comments.

There are two internal ‘courtesy crossings’ proposed in the temporary commercial surface parking area. For all uncontrolled courtesy crossings, pavement markings are not recommended as they are too similar to markings used for typical controlled crossings, which would create a false sense of security on the part of pedestrians. Instead, these crossings should be enhanced through, for example, sidewalk extensions, textured pavement, or thermoplastic markings.

The presence of a marked pedestrian crossing at uncontrolled intersections could create confusion and false sense of confidence to the pedestrian who may enter the crosswalk expecting that the approaching drivers would see them and stop. However, the pedestrian crosswalk could be further examined once construction of Street “A” is completed. The pedestrian crossing should be prioritized first based on consideration of implementing supporting traffic control measures as defined in the Ontario Traffic Manual and provided that appropriate warrant and site conditions are satisfactory.

The Owner will be required to provide Rb-93 (i.e. ‘By Permit Only’) signs for the barrier free parking spaces.

4) Transportation Demand Management Plan (TDM Plan)

The proposed TDM measures will be critical to achieving a balanced transportation system in the VMC, one that provides and promotes attractive alternatives to the automobile. The following comments relate to the recommended TDM measures:

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- i) Carpool parking – All preferred carpool parking spaces and associated signage should be shown on the floor plans for approval. The TDM Plan should clarify who will administer carpool parking passes (e.g. TDM Coordinator).
- ii) Encouraging Cycling – In regard to long-term cycle parking, the TDM Plan must identify the operational roles and responsibilities for the TDM Coordinator, including operations (e.g. how access will be administered to the locked room).

The City may require a security, in the form of a Letter of Credit, for the total cost of the TDM budget (non-infrastructure elements) to ensure the TDM Plan and monitoring is completed to the City's satisfaction. The City of Vaughan will not assume responsibility, financial or otherwise, for implementing the measures outlined in the TDM Plan.

5) Toronto Transit Commission (TTC) Link (Underground Tunnel)

The Owner has proposed an underground tunnel that connects pedestrians between the southeast corners of the P1 Floor to the TTC concourse level. The TTC link crosses below future Street "A". The TTC link is also accessible via an exit to the square (located north of Street "A" and east of the proposed office building).

The TTC link is accessible to the office building via the P1 underground parking area. However, this connection requires pedestrians to walk through the parking area and two travel lanes. This connection is not pedestrian-friendly. A more direct and attractive connection to the TTC link should be explored, perhaps along the southern building line.

If a TTC link is only feasible with a pedestrian connection via the parking area, pedestrian wayfinding signage is strongly recommended. Wayfinding would assist pedestrians in navigating their way from the building's lobby and elevators to the entrance of the TTC link.

6) Cycle Parking

There is sufficient short-term cycle parking proposed for the office and retail components. However, not all proposed parking is visible from the roadway. The City recommends relocating 15 cycle parking spaces to the south side of the office tower building along Street "A". All short-term cycle parking should also be shown on the site plan for approval by the Development/Transportation Engineering Department.

There is sufficient long-term cycle parking proposed for the 'Bike Storage' on Level P01. Further detail is required about the type of bike stand or rack proposed. Common stand and rack designs are recommended in the Transport Canada Guide for Bicycle End-of-Trip Facilities. The bicycle footprints should also be outlined on the building plan for approval.

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#### Vaughan Real Estate Division

The Vaughan Legal Services Department, Real Estate Division, has provided the following condition, which will be incorporated into the Site Plan Agreement, and has been included in the recommendation section of this report:

“The Vaughan Real Estate Division has advised that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

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

#### PowerStream Inc.

PowerStream Inc. has reviewed the development proposal and indicated that it is the Owner's responsibility to contact PowerStream and discuss all aspects of the development proposal with respect to electrical supply, transformer locations, and temporary service requirements. A condition to this effect has been included in the recommendation of this report.

#### Canada Post

Canada Post has reviewed the development proposal and indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility.

#### Utilities

Enbridge Gas has reviewed the development proposal and has no objection. It is the Owner's responsibility to contact Enbridge Gas to discuss the installation and clearance requirements for service and metering facilities. The Owner is to arrange for the installation of the gas plant prior to the commencement of the asphalt paving or landscaping.

Bell Canada has reviewed the development proposal and has advised that prior to commencing any work on site, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is available to service the site. Provisions to this effect have been included in Attachment #1.

#### School Boards

The York Catholic District School Board has reviewed the development proposal and has no objection to the proposal with the understanding that it will not affect the designation of a school site satisfactory to the Board. The issue of school size in VOP 2010 will be discussed further as part of the efforts to resolve the OMB appeals. The York District School Board and the Conseil Scolaire de District Catholique Centre-Sud have no objection to the development proposal.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

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i) Lead & Promote Environmental Sustainability

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

ii) Manage Growth and Economic Well-Being

Creating a positive environment that encourages innovation and prosperity.

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

iii) Promote Community Safety, Health & Wellness

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

The proposed development includes amenity space/walking trails/bicycle storage facilities to enhance the City's existing inventory of public amenity space.

iv) Manage Corporate Assets

Continuous assessment of infrastructure requirements to ensure a sustainable future.

vii) Ensure Financial Sustainability

Using financial resources wisely by making informed decisions that take into consideration the effect on the current and future operations of the City.

#### Regional Implications

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

The Region of York has noted that in the absence of an in-effect VMC Secondary Plan, the proposed amendment to the City's in-effect Plan (OPA #500, as amended) requires careful consideration. The location, scale, and connection to the subway station are of Regional interest. As such, the Region of York has not granted exemption for File OP.12.014 and will be the approval authority for the subject Official Plan Amendment.

The Owner shall be required to satisfy all the conditions of the Region of York. A condition to this effect has been included in the recommendation of this report.



## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 49, CW Report No. 32 – Page 49

#### **Conclusion**

The Owner has submitted Official Plan Amendment File OP.12.014 to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Plan), to increase the maximum permitted building height from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of-way). The Owner has submitted Zoning By-law Amendment File Z.08.022 to rezone the a portion of the subject lands from C9(H) Corporate Centre Zone with the Holding Symbol "(H)" to C9 Corporate Centre Zone and OS2 Open Space Park Zone, thereby removing the Holding Symbol "(H)" on a portion of the subject lands, and to permit site-specific zoning exceptions. The Owner has submitted applications to implement Draft Plan of Subdivision File 19T-12V007 and Site Development File DA.12.085 to facilitate a phased development consisting of a 14-storey office building, a 2-storey commercial mixed-use building, an underground pedestrian connection to the VMC Station, a portion of the future transit square, and an interim surface parking area (future park).

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

The Development Planning Department is satisfied that the development proposal is appropriate and compatible with the planned uses in the VMC. Accordingly, the Vaughan Development Planning Department can support the approval of Official Plan Amendment File OP.12.014, Zoning By-law Amendment File Z.12.034, Draft Plan of Subdivision File 19T-12V007, and Site Development File DA.12.085, subject to the recommendations in this report and conditions of Draft Plan Approval set out in Attachment #1.

#### **Attachments**

1. Draft Plan Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V007
5. Amendment to Schedule "B" – Transportation Plan (OPA #500)
6. Amendment to Schedule "C" – Street Network (VMC Secondary Plan, As Amended)
7. Original Site Plan
8. Site Plan/Landscape Plan – Phase 1
9. Site Plan/Landscape Plan – Phase 2
10. Building Elevations – North (facing Apple Mill Road)
11. Building Elevations – South (facing Street "A")
12. Building Elevations – East (facing transit square)
13. Building Elevations – West (facing Edgeley Boulevard)
14. East Perspective – Phase 1
15. East Perspective – Phase 2
16. West Perspective – Phase 1
17. West Perspective – Phase 2
18. Conceptual (Draft Only) North Elevation (facing Apple Mill Road)
19. Conceptual (Draft Only) East Elevation (facing future Transit Square)
20. Conceptual (Draft Only) West Elevation (Edgeley Boulevard)

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 49, CW Report No. 32 – Page 50

**Report prepared by:**

Stephen Lue, Planner, ext. 8210

Christina Napoli, Senior Planner, ext. 8483

Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)

# AIRD & BERLIS LLP

Barristers and Solicitors

Patricia A. Foran  
Direct: 416.865.3425  
E-mail: pforan@airdberlis.com

June 18, 2013

Our File No. 114729

BY EMAIL

Committee of the Whole  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

C	5
Item #	49
Report No.	32 (cw)
Council - June 25/13	

Dear Sirs and Mesdames:

**Re: Committee of the Whole Meeting – June 18, 2013 – Item #49**

**Proposed Official Plan Amendment, Zoning By-law Amendment, Draft  
Plan of Subdivision, and Site Development Applications  
Calloway REIT (Sevenbridge) Inc.  
Southwest Corner of Millway Avenue and Apple Mill Road  
Part of Lot 6, Concession 5, City of Vaughan  
File Nos. OP.12.014, Z.12.034, 19T-12V007, and DA.12.085**

We are the solicitors for 1042710 Ontario Limited (also known as Royal Centre). Our client owns the Royal Centre lands, located on the north side of Highway 7, west of Edgeley Boulevard, located on both sides of proposed Vaughan Street.

Our client's land use planner, Maria Gatzios of Gatzios Planning + Development Inc., had provided our client's initial comments on this item at the public meeting last fall. As the Staff report respecting this item was only made public after close of business yesterday, we have had no opportunity to consult with our client and their consultants so as to be able to provide Committee with our client's updated comments. As such, we write to advise that we are reviewing the report and expect to be able to provide our updated comments for Council's consideration shortly.

Yours truly,

AIRD & BERLIS LLP

  
Patricia A. Foran  
PAF/jad

c. 1042710 Ontario Limited (Royal Centre)  
Maria Gatzios, Gatzios Planning + Development Inc.  
14877172.2

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**From:** Magnifico, Rose  
**Sent:** Wednesday, June 19, 2013 1:32 PM  
**To:** 'Jennifer Dieplinger'  
**Cc:** Patricia Foran; Bellisario, Adelina  
**Subject:** RE: Committee of the Whole Meeting - June 18, 2013 - Item #49 - Calloway REIT (Sevenbridge) Inc.

Dear Ms. Dieplinger,

Your letter was not provided at Committee of the Whole due to the lateness of its submission.

Item 49 will be going to the Council meeting of June 25, 2013 and your letter will be circulated to Members of Council at that time.

Thanks,

**Rose Magnifico**

*Assistant City Clerk  
City Clerk's Office  
City of Vaughan  
905 832-8585 X8030  
[rose.magnifico@vaughan.ca](mailto:rose.magnifico@vaughan.ca)*



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**From:** Jennifer Dieplinger [<mailto:jdieplinger@airdberlis.com>]  
**Sent:** Tuesday, June 18, 2013 10:24 AM  
**To:** Magnifico, Rose  
**Cc:** Patricia Foran  
**Subject:** Committee of the Whole Meeting - June 18, 2013 - Item #49 - Calloway REIT (Sevenbridge) Inc.  
**Importance:** High

Dear Ms. Magnifico,

Attached please find Ms. Foran's correspondence of today's date. Could you kindly ensure that same is forwarded to the Committee of the Whole prior to today's meeting at 11:00 a.m.?

Thank you and best regards.

---

**Jennifer Dieplinger**

Assistant to Patricia A. Foran and Christopher J. Williams

T 416.863.1500 x5110  
F 416.863.1515  
E [jdieplinger@airdberlis.com](mailto:jdieplinger@airdberlis.com)

Brookfield Place • 181 Bay Street  
Suite 1800 • Box 754

Toronto ON • M5J 2T9 • Canada  
[www.airdberlis.com](http://www.airdberlis.com)

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**AIRD & BERLIS LLP**  
Barristers and Solicitors

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Please consider the environment before printing this email.

**TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL**  
**FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING**  
**DATE: JUNE 24, 2013**  
**SUBJECT: COMMUNICATION – COUNCIL MEETING, JUNE 25, 2013**

C	<u>14</u>
Item #	<u>49</u>
Report No.	<u>32 (CW)</u>
<u>Council - June 25/13</u>	

**ITEM #49, COMMITTEE OF THE WHOLE – JUNE 18, 2013**

**OFFICIAL PLAN AMENDMENT FILE OP.12.014  
ZONING BY-LAW AMENDMENT FILE Z.12.034  
DRAFT PLAN OF SUBDIVISION FILE 19T-12V007  
SITE DEVELOPMENT FILE DA.12.085  
CALLOWAY REIT (SEVENBRIDGE) INC.  
WARD 4 – VINCINTY OF REGIONAL ROAD 7 AND EDGELEY BOULEVARD**

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Recommendation

The Commissioner of Planning recommends:

1. THAT the recommendation from the Commissioner of Planning and the Director of Development Planning in the Committee of the Whole report dated June 18, 2013, respecting Item 49, be deleted, and replaced with the following:
  - "1. THAT Official Plan Amendment File OP.12.014 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to increase the maximum permitted building height on the subject lands from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of- way), as shown on Attachments #3 and #5.
  2. THAT Zoning By-law Amendment File Z.12.034 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
    - a) delete the subject lands from the existing site-specific Exception 9(959), and permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
    - b) remove the Holding Symbol "(H)" from a portion of the subject lands (building and future transit square area) currently zoned C9(H) Corporate Centre Zone as shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone;
    - c) add the following condition for the removal of the Holding Symbol "(H)" on the temporary surface parking area, identified on Attachment #8:

- i) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area, will require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, access, relationship to surrounding blocks, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized, to the satisfaction of the City; and,
  - d) permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol "(H)", as shown on Attachment #8.
- 3. a) THAT Draft Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to facilitate seven (7) development blocks described in Table 1 of this report, illustrated on Attachment #4, and subject to the Conditions of Approval set out in Attachment #1, consisting of the following:

**Table 1: Draft Plan of Subdivision Land Use Breakdown**

Block(s)	Land Use	Area (m <sup>2</sup> )	Area (ha)
1	14-storey office building, temporary commercial surface parking lot (Phase 2 Park)	19,482.15	1.94
2, 3, 4	Apple Mill Road (27.2 m ROW) and Edgeley Boulevard (26 m ROW) road widening	1,571.97	0.15
--	22m right-of-way of future Street "A"	6,219.21	0.62
5, 6, 7	0.3m reserves	7.93	0.00079
<b>Total Area of Subdivision</b>		<b>27,281.26</b>	<b>2.7</b>

- b) THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.) shall include the following provision:

"The Owner shall dedicate parkland and/or pay to Vaughan by way of certified cheque cash-in-lieu of the dedication of parkland, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."
- 4. THAT Site Development File DA.12.085 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to permit a phased development consisting of the following, and subject to the following conditions:

Phase 1: a 14-storey office building, a 2-storey commercial mixed-use building, an underground pedestrian connection to the VMC (Vaughan Metropolitan Centre) Subway Station, a portion of the future transit square, and a temporary surface commercial parking area, as shown on Attachment #8; and,

Phase 2: the removal of the temporary surface commercial parking area to facilitate the completion of the park (ultimate build out) to occur concurrent with proposals for mixed-use (residential) developments in the northwest quadrant of the VMC, as shown on Attachment #9;

- a) that prior to the execution of the Site Plan Agreement:
- i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, respecting the final site plan, building elevations, landscape plans and details (Street "A" and Apple Mill Road), a materials board demonstrating the exterior finishing materials and colours, and signage plans; the plans shall include, but not be limited to, structural elements including the built form, parking area, hard and soft landscape elements, and architectural massing and elevation treatments, including commercial locations and entrances fronting the pedestrian realm along the streetscapes, transit square, park, and the east-west pedestrian passageway between the buildings;
  - ii) the Owner shall incorporate barrier-free accessibility features within the development, in accordance with the Ontario Building Code and the Accessibility for Ontarians with Disabilities Act, to the satisfaction of the Vaughan Building Standards and Development Planning Departments;
  - iii) the Owner shall prepare detailed pedestrian level Wind Studies related to the proposed office building, to the satisfaction of the Vaughan Development Planning Department, which shall include existing neighbouring buildings and recommend mitigation measures to ensure favourable micro-climatic conditions at grade;
  - iv) the final site servicing and grading plans, site illumination, storm water management report, geotechnical reports, Transportation Demand Management Plan, site access and internal traffic circulation plan, an updated Urban Transportation Consideration Report, and solid waste management plan shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
  - v) that all necessary cross agreement(s), public access easement(s) and maintenance agreement(s) related to the proposed underground pedestrian tunnel from the proposed office building to the Vaughan Metropolitan Centre Station shall be executed to the satisfaction of the City;
  - vi) the Owner shall submit a full signage and details plan for all buildings and structures including directional and wayfinding signage;



- vii) the requirements of the City's Waste Collection Design Standards shall be approved to the satisfaction of the Vaughan Public Works Department;
- viii) the Owner shall satisfy all requirements of the Toronto Transit Commission (TTC), including but not limited to, the following:
  - 1. The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;
  - 2. The Owner shall continue to work with the TTC and the Toronto York Spadina Subway Extension (TYSSE) Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the TYSSE construction easement areas;
  - 3. The Owner shall respond in writing to all formal site plan comments from the TTC and the TYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/TYSSE; and,
  - 4. All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal right-of-ways (ROW) constructed as part of the TYSSE Project;
- ix) the Owner shall satisfy all hydro requirements of PowerStream Inc.;
- x) the Owner shall satisfy all requirements of Canada Post;
- xi) the Owner shall update NAV Canada and Bombardier Aerospace on any changes to the development proposal and shall satisfy all their requirements; and,
- xii) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department;
- b) that the Site Plan Agreement shall include the following provisions and conditions:
  - i) "The Owner agrees that the temporary surface commercial parking lot shall be permitted until the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east."

- ii) "The Owner shall by January 31, 2014, submit a proposal that includes draft general principles for City consideration to inform future agreements related to both the development of the transit square and the westerly park from the office tower to Edgeley Boulevard, which will address the following: maintenance, construction, ownership, management, programming, any proposed strata arrangement, legal arrangements, and parkland credits.

City staff will expeditiously review and provide advice to Vaughan Council with the objective of reporting to a Committee of the Whole / Council meeting no later than June 2014."

- iii) "The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The commercial surface parking lot is tended to be a temporary use, and that when other parking spaces are built in the future to replace this parking lot, a credit will be given for the cash-in-lieu paid at that time."

- iv) "The Owner shall submit a physical and digital model of the final approved site development, including accurately geo-referenced digital data, to the satisfaction of the Vaughan Development Planning Department. The Owner shall file a separate Letter of Credit in a format and amount satisfactory to the Vaughan Development Planning Department to guarantee the completion of the models, prior to the execution of the Site Plan Agreement."
- v) "That no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed site development."
- vi) "Prior to issuance of a Building Permit(s), the Owner shall pay its proportionate share of the cost and/or provide financial commitments based on the City's latest available cost estimate associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City."
- vii) "The Owner shall implement transportation demand management (TDM) measures in accordance with the recommendation of the approved Urban Transportation Consideration Report to the satisfaction of the City."

- viii) "The Owner shall include the following warning clause in a schedule to all Offers of Purchase and Sale or Lease:

Purchaser and/or tenants are advised that the surface commercial parking lot shall not exceed 340 parking spaces and is temporary and the intended use of those lands is a future park."

5. a) THAT the Owner shall submit a Site Development Application to comprehensively address the future transit square, respecting but not limited to, the design, configuration, size, and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square.
- b) THAT the Owner will make best efforts to work diligently with the City of Vaughan, TTC, TYSSE, and York Region to come to a resolution on the construction, land ownership and funding arrangements for the Transit Square. It is intended for the Transit Square to be constructed in the first phase of development, however, the City acknowledges there are existing construction easements and land ownership issues to resolve that are outside of the control of the Owner.
6. THAT the Owner shall submit a Site Development Application for the adjacent lands located at 3200 Regional Road 7 (existing Future Shop lands) to facilitate improvements including underground works, access and parking reconfiguration and that the site plan be approved to the satisfaction of the Vaughan Development/Transportation Engineering and Development Planning Departments."
2. THAT the Standard Conditions of Draft Approval being Attachment #1 in the Committee of the Whole report dated June 18, 2013, respecting Item 49, from the Commissioner of Planning and the Director of Development Planning, be deleted, and replaced with the revised Standard Conditions of Draft Approval, attached hereto, as Attachment #1 to this Communication.

### Background

On June 18, 2013, the Committee of the Whole deferred consideration of the report from the Commissioner of Planning and the Director of Development Planning, respecting Item 49, to the Council meeting on June 25, 2013, to provide the opportunity for the Owner to meet and resolve concerns with City staff. On June 19 and June 21, 2013, representatives of the Owner met with staff from the Vaughan Development Planning, Parks Development, and Development / Transportation Engineering Departments to discuss the following matters respecting, but not limited to, the removal of the Holding provision, temporary surface parking lot, park, transit square, and cash-in-lieu of parkland dedication:

a) Removal of the Holding Symbol "(H)" on the Temporary Surface Parking Lot

In the staff report, the removal of the Holding Symbol "(H)" on the temporary surface parking lot to allow the construction of a park was dependent on the Owner and the City entering into a future Agreement to occur prior to the construction of the temporary surface parking lot to address the park design, construction, north-south connectivity, programming, public art, maintenance, ownership matters, and any strata arrangements. The trigger to develop the park was the development of 1,350 residential units within the geographic area of Regional Road 7, Portage Parkway, Edgeley Boulevard and Millway Avenue. However, this condition had the effect of binding the authority of a future Council to make independent decisions, and has been deleted. In

order for the Holding provision to be removed, the Owner is now required to submit a future Site Development Application to include the details of the park for consideration and approval by Vaughan Council as identified in Recommendation 2.c)i).

b) New Recommendation for Parkland / Cash-in-lieu of Parkland Dedication

The original staff report included a cash-in-lieu of parkland dedication provision to be included in the Site Plan Agreement. The standard provision is also required to be included into the Subdivision Agreement, and is being added as Recommendation 3.b) in this Communication.

c) Conditions to be Included in the Site Plan Agreement

A condition that was to be included in the Site Plan Agreement that the Owner and City enter into a separate Agreement for the park details has been removed, and replaced with a condition in Recommendation 4.b)i) that requires the Owner to provide for the temporary surface commercial parking lot until such time as when the development of a total of 1,350 residential units has been reached within the geographic area of Regional Road 7, Portage Parkway, Edgeley Boulevard and Millway Avenue.

A new condition to be included in the Site Plan Agreement has been introduced as Recommendation 4.b)ii), and will require the Owner by January 31, 2014, to submit a proposal that includes draft general principles for City consideration to inform future agreements related to both the development of the transit square and the westerly park from the office tower to Edgeley Boulevard, which will address the following: maintenance, construction, ownership, management, programming, any proposed strata arrangement, legal arrangements, and parkland credits. City staff will expeditiously review and provide advice to Vaughan Council with the objective of reporting to a Committee of the Whole / Council meeting no later than June 2014.

The cash-in-lieu of parkland dedication condition in Recommendation 4.b)iii) has been revised to include additional text that would have the effect of recognizing that the commercial surface parking lot is a temporary use, and that when other parking spaces are built in the future to replace this parking lot, a credit will be given for the cash-in-lieu paid at that time.

Throughout the staff report, there are references to a minimum of 325 and a maximum of 340 surface parking spaces. The condition to be included in the Site Plan Agreement in Recommendation 4.b)viii) and in the implementing Zoning By-law now reference only a maximum of 340 surface parking spaces.

d) Transit Square

Recommendation 5 (now identified as 5a)) originally included a requirement for the Owner to submit a Site Plan Application to address the transit square and park block. Reference to the park block has been removed as it is now subject to a separate recommendation. A new Recommendation 5b) has been added to address the transit square, as follows:

"The Owner will make best efforts to work diligently with the City of Vaughan, TTC, TYSSE, and York Region to come to a resolution on the construction, land ownership and funding arrangements for the Transit Square. It is intended for the Transit Square to be constructed in the first phase of development, however, the City acknowledges there are existing construction easements and land ownership issues to resolve that are outside of the control of the Owner."

e) Revised Conditions of Subdivision Approval in Attachment #1

The following Standard Conditions of Draft Approval in the June 18, 2013 report of the Commissioner of Planning and the Director of Development Planning have been amended:

- i) Condition 25 has been modified to acknowledge that the reconstruction of Apple Mill Road is within the TTC construction contract area for the VMC Station. The new condition is as follows:

"25. The Owner shall agree in the Subdivision Agreement to carry-out the design and reconstruction of Apple Mill Road between Edgeley Boulevard and the new Millway Avenue right-of-way to the satisfaction of the City. It is acknowledged that a portion of the Apple Mill Road reconstruction is within the TTC construction contract. The Owner shall make necessary arrangements with the TTC/TYSSE for any change orders required to facilitate the construction of Apple Mill Road to City standards.";

- ii) Original Conditions 30.a) and 30.b) have been deleted as the Phase Two ESA report has been approved. The requirement for a Phase Two ESA for the future park has been deferred to the future Site Development Application;
- iii) Original Condition 36 has been deleted respecting the requirement for an Environmental Assessment and Municipal Class Environmental Assessment for Apple Mill Road, Edgeley Boulevard, Street "A" and Millway Avenue, which have been approved, and therefore, this condition is no longer required;
- iv) Original Conditions 39 to 46 in the staff report referred to a future public park development, of which the issue of ownership requires future discussions between the Owner and the City. These Conditions have been replaced with the following new Conditions 37. a), b) and c):

"37. a) The Owner shall by January 31, 2014, submit a proposal which includes draft general principles for City consideration to inform future agreements related to both the development of the transit square and the westerly park from the office tower to Edgeley Boulevard, which will address the following: maintenance, construction, ownership, management, programming, any proposed strata arrangement, legal arrangements, and parkland credits.

City staff will expeditiously review and provide advice to Vaughan Council with the objective of reporting to a Committee of the Whole / Council meeting no later than June 2014;

- b) The Owner shall submit a Site Development Application to comprehensively address the future transit square, respecting but not limited to, the design, configuration, size, and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square;
- c) The Owner will make best efforts to work diligently with the City of Vaughan, TTC, TYSSE, and York Region to come to a resolution on the construction, land ownership and funding arrangements for the Transit Square. It is intended for the Transit Square to be constructed in the first phase of development, however, the City acknowledges there are existing construction easements and land ownership issues to resolve that are outside of the control of the Owner."

## Conclusion

On June 18, 2013, the Committee of the Whole deferred consideration of Item 49 from the Commissioner of Planning and the Director of Development Planning, to permit the Owner to meet with City staff to resolve concerns respecting the removal of the Holding provision, temporary surface parking lot, park, transit square, and cash-in-lieu of parkland dedication. On June 19 and 21, 2013, meetings took place involving the Owner and representatives of the Vaughan Development Planning, Parks Development, and Development / Transportation Engineering Departments, to which all concerns have now been resolved to the mutual satisfaction of all parties. As there are several text changes that need to be made to the Recommendation section and Conditions of Subdivision Approval in the staff report, it is easier to delete and replace these with the new recommendations and conditions in this Communication.

Should Vaughan Council concur, the revised recommendation section and subdivision conditions in Attachment #1 as provided in this Communication can be approved. The implementing Official Plan and Zoning By-law Amendments are also included on the Council Agenda of June 25, 2013, and can be adopted and enacted, respectively.

Respectfully submitted,



**JOHN MACKENZIE**  
**Commissioner of Planning**

SL/GU

Copy to: Barbara Cribbett, Interim City Manager  
Jeffrey A. Abrams, City Clerk  
Marlon Kallideen, Commissioner of Community Services  
Paul Jankowski, Commissioner of Engineering and Public Works  
Andrew Pearce, Director of Development / Transportation Engineering  
Heather Wilson, Director of Legal Services  
Martin Tavares, Parks Development  
Stephen Lue, Planner, Development Planning  
Grant Uyeyama, Director of Development Planning

# **ATTACHMENT NO. 1**

## **STANDARD CONDITIONS OF DRAFT APPROVAL**

### **DRAFT PLAN OF SUBDIVISION 19T-12V007 CALLOWAY REIT (SEVENBRIDGE) INC. LOT 6, CONCESSION 5, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-12V007, ARE AS FOLLOWS:**

#### **City of Vaughan Conditions**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by MHBC Planning Urban Design & Landscape Architecture, drawing #07132K, dated May 28, 2013.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
  - a) C9 – Corporate Centre Node Zone; and,
  - b) C9(H) – Corporate Centre Node Zone with the Holding Symbol “(H)”.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the applicable and in-effect Tariff of Fees By-law.
4. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; a proposed street name for Street “A” shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
5. The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said Agreement shall be registered against the lands to which it applies.
6. Prior to final approval, the Owner shall prepare preliminary pedestrian level Wind Studies for the proposed development to the satisfaction of the City. These studies should include existing neighbouring buildings where they exist and recommend mitigation measures to ensure favourable micro-climactic conditions at grade.
7. Prior to final approval, the Owner shall prepare development and infrastructure Phasing Plans for the construction of built form, temporary surface parking, underground parking, vehicle and pedestrian access points to underground parking, pedestrian access points to the subway-bus terminal tunnel from the development, transit square, park, and streets.
8. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed subdivision agreement to:
  - a) The Region of York;
  - b) York Region District School Board;
  - c) York Catholic District School Board;

- d) Canada Post;
  - e) Canadian National Railway (CN);
  - f) Municipal Property Assessment Corporation (MPAC);
  - g) PowerStream Inc.;
  - h) Enbridge Gas; and,
  - i) Bell Canada.
9. The road allowances included in this Draft Plan of Subdivision shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
10. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
11. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City.
12. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
13. The Owner shall agree in the Subdivision Agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
14. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
- a) A detailed engineering report that describes the storm drainage system for the proposed development within this Draft Plan, which report shall include:
    - i) plans illustrating how this drainage system will be tied into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
    - ii) stormwater management techniques which may be required to control minor or major flows;
    - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
    - iv) the location of description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the Lakes and Rivers Improvement Act;
    - v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction;



- vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and,
- vii) overall grading Plans for the Plan.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

- 15. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the Plan.
- 16. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
- 17. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
- 18. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
- 19. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.
- 20. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its Plant so as to permit connection to individual blocks within the Subdivision as and when each block is constructed.
- 21. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage Plan detailing the location, size, slopes stabilization methods and time period, for the review and approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site.
- 22. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the Toronto and Region Conservation Authority (TRCA) Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006, and implement a monitoring and reporting program to the satisfaction of the City.

23. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of Lots/Blocks etc.), which may be reflected in the final Plan to the satisfaction of the City.
24. Prior to final approval of the Plan, satisfactory arrangements shall be in place between the TTC, City, Region and the Owner with respect to the lands and easements necessary to complete the right-of-way of Apple Mill Road and Street "A" from the east limit of the Plan to the new Millway Avenue right-of-way to the satisfaction of the City.
25. The Owner shall agree in the Subdivision Agreement to carry-out the design and reconstruction of Apple Mill Road between Edgeley Boulevard and the new Millway Avenue right-of-way to the satisfaction of the City. It is acknowledged that a portion of the Apple Mill Road reconstruction is within the TTC construction contract. The Owner shall make the necessary arrangements with the TTC/TYSSE for any change orders required to facilitate the construction of Apple Mill Road to City standards.
26. The Owner shall agree in the Subdivision Agreement to design and construct the municipal services in the Plan in accordance with the final recommendations and conclusion of the following studies to the satisfaction of the City:
  - a) VMC Municipal Servicing Master Plan;
  - b) City-Wide Transportation Master Plan; and,
  - c) Black Creek Optimization Study.
27. The Owner shall agree in the Subdivision Agreement to pay its proportionate share of the cost associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City. The City intends on enacting a Special Area Development Charge (SAC) by-law(s) with respect to the required drainage and sewer infrastructure improvements. In advance of the enactment of this SAC(s) by-law, the Owner shall provide financial commitments via the Subdivision Agreement based on the City's latest available cost estimate for the required infrastructure improvements.
28. Prior to final approval of the Plan, the Owner shall submit a Water Supply Analysis Report for review and approval to the satisfaction of the City, which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply and fire flow demands are available for the Plan and any external lands which comprise part of proposed water distribution system.
29. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
  - a) submit a Phase One Environmental Site Assessment (ESA) report and a Phase Two ESA in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) for the lands within the Plan to the satisfaction of the City;
  - b) submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region are suitable for the intended land use and meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended); and,

- c) reimburse the City for the cost of the peer review of the ESA reports, as may be applicable.
  - 30. Prior to final approval of Plan, the Owner shall submit a detailed Noise/Vibration Impact Study for review and approval by the City. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out recommendations set out in the approved noise/vibration study to the satisfaction of the City.
  - 31. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within the Vaughan Metropolitan Centre (VMC), if required, to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within the VMC. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.
  - 32. The Owner shall agree in the Subdivision Agreement to submit detailed engineering drawings and reports that include, but are not limited to plan and profile drawings for the proposed municipal services including intersection design, grading and servicing, erosion and siltation control and street lighting as deemed necessary for review and approval to the satisfaction of the City.
  - 33. The Owner shall agree in the Subdivision Agreement to undertake the necessary modifications to the existing Future Shop lands (3200 Regional Road 7) and associated services to permit the unencumbered construction of Street "A" and associated municipal services to the satisfaction of the City.
  - 34. The Owner shall agree in the Subdivision Agreement to design and construct street lighting/pedestrian scale lighting system in the Plan to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan.
  - 35. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval a detailed Geotechnical and Hydrogeological Report, which shall address but not limited to the following:
    - a) a dewatering report/plan, necessary contingency plan, monitoring and reporting program during and after completion of the construction;
    - b) assess any impact on the existing building structures in the vicinity of the proposed development due to dewatering operation; and,
    - c) design considerations for municipal services and structures.
- The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned report to the satisfaction of the City.
- 36.
    - a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

- b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.
  - c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
37. a) The Owner shall by January 31, 2014, submit a proposal that includes draft general principles for City consideration to inform future agreements related to both the development of the transit square and the westerly park from the office tower to Edgeley Boulevard, which will address the following: maintenance, construction, ownership, management, programming, any proposed strata arrangement, legal arrangements, and parkland credits.
- City staff will expeditiously review and provide advice to Vaughan Council with the objective of reporting to a Committee of the Whole / Council meeting no later than June 2014.
- b) The Owner shall submit a Site Development Application to comprehensively address the future transit square, respecting but not limited to, the design, configuration, size, and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square.
  - c) The Owner will make best efforts to work diligently with the City of Vaughan, TTC, TYSSE, and York Region to come to a resolution on the construction, land ownership and funding arrangements for the Transit Square. It is intended for the Transit Square to be constructed in the first phase of development, however, the City acknowledges there are existing construction easements and land ownership issues to resolve that are outside of the control of the Owner.

#### Region of York Conditions

38. The Owner shall provide the following to the Region of York:
- a) a copy of the executed Subdivision Agreement; and,
  - b) a Solicitor's Certificate of Title to the Region of York Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
39. The Owner shall enter into an Agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-3-98-77.

#### Bell Canada

40. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and the one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

PowerStream Inc.

41. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a Development Agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.

Canada Post

42. The Owner shall agree to:
- a) supply, install and maintain a suitable mailbox/mailroom location to Canada Post's specifications; and,
- b) provide a copy of the executed Subdivision Agreement to Canada Post.

Other Conditions

43. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
- b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 42 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
44. The City shall advise that Conditions 1 to 37 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
45. The Region of York shall advise that Conditions 38 and 39 have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
46. Bell Canada shall advise that Condition 40 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
47. PowerStream Inc. shall advise that Condition 41 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
48. Canada Post shall advise that Condition 42 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.

**COMMITTEE OF THE WHOLE    JUNE 18, 2013**

**OFFICIAL PLAN AMENDMENT FILE OP.12.014  
ZONING BY-LAW AMENDMENT FILE Z.12.034  
DRAFT PLAN OF SUBDIVISION FILE 19T-12V007  
SITE DEVELOPMENT FILE DA.12.085  
CALLOWAY REIT (SEVENBRIDGE) INC.  
WARD 4 - VICINITY OF REGIONAL ROAD 7 AND EDGELEY BOULEVARD**

**Recommendation**

The Commissioner of Planning and Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.014 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to increase the maximum permitted building height on the subject lands from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of-way), as shown on Attachments #3 and #5.
2. THAT Zoning By-law Amendment File Z.12.034 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
  - a) delete the subject lands from the existing site-specific Exception 9(959), and permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
  - b) remove the Holding Symbol "(H)" from a portion of the subject lands (building and future transit square area) currently zoned C9(H) Corporate Centre Zone as shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone;
  - c) add the following conditions for the removal of the Holding Symbol "(H)" on the temporary surface parking area, identified on Attachment #8:
    - i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue east. The Agreement shall address, but not be limited to, the park design, construction, north-south connectivity, programming, public art, maintenance, ownership matters, and any strata arrangements; and,
    - ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, access, relationship to surrounding blocks, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized, to the satisfaction of the City; and,

- d) permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)”, as shown on Attachment #8.
3. THAT Draft Plan of Subdivision File 19T-12V007 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to facilitate seven (7) development blocks described in Table 1 of this report, illustrated on Attachment #4, and subject to the Conditions of Approval set out in Attachment #1, consisting of the following:

**Table 1: Draft Plan of Subdivision Land Use Breakdown**

Block(s)	Land Use	Area (m <sup>2</sup> )	Area (ha)
1	14-storey office building, temporary commercial surface parking lot (Phase 2 Park)	19,482.15	1.94
2, 3, 4	Apple Mill Road (27.2 m ROW) and Edgeley Boulevard (26 m ROW) road widening	1,571.97	0.15
--	22m right-of-way of future Street “A”	6,219.21	0.62
5, 6, 7	0.3m reserves	7.93	0.00079
<b>Total Area of Subdivision</b>		<b>27,281.26</b>	<b>2.7</b>

4. THAT Site Development File DA.12.085 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, to permit a phased development consisting of the following, and subject to the following conditions:

Phase 1: a 14-storey office building, a 2-storey commercial mixed-use building, an underground pedestrian connection to the VMC (Vaughan Metropolitan Centre) Subway Station, a portion of the future transit square, and a temporary surface commercial parking area, as shown on Attachment #8; and,

Phase 2: the removal of the temporary surface commercial parking area to facilitate the completion of the park (ultimate build out) to occur concurrent with proposals for mixed-use (residential) developments in the northwest quadrant of the VMC, as shown on Attachment #9;

- a) that prior to the execution of the Site Plan Agreement:
- i) the Owner shall satisfy all requirements of the Vaughan Development Planning Department, respecting the final site plan, building elevations, landscape plans and details (Street “A” and Apple Mill Road), a materials board demonstrating the exterior finishing materials and colours, and signage plans; the plans shall include, but not be limited to, structural elements including the built form, parking area, hard and soft landscape elements, and architectural massing and elevation treatments, including commercial locations and entrances fronting the pedestrian realm along the streetscapes, transit square, park, and the east-west pedestrian passageway between the buildings;
  - ii) the Owner shall incorporate barrier-free accessibility features within the development, in accordance with the Ontario Building Code and the

Accessibility for Ontarians with Disabilities Act, to the satisfaction of the Vaughan Building Standards and Development Planning Departments;

- iii) the Owner shall prepare detailed pedestrian level Wind Studies, to the satisfaction of the Vaughan Development Planning Department, which shall include existing neighbouring buildings and recommend mitigation measures to ensure favourable micro-climactic conditions at grade;
- iv) the final site servicing and grading plans, site illumination, storm water management report, geotechnical reports, Transportation Demand Management Plan, site access and internal traffic circulation plan, an updated Urban Transportation Consideration Report, and solid waste management plan shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
- v) that all necessary cross agreement(s), public access easement(s) and maintenance agreement(s) related to the proposed underground pedestrian tunnel from the proposed office building to the Vaughan Metropolitan Centre Station be executed to the satisfaction of the City;
- vi) the Owner shall submit a full signage and details plan for all buildings and structures including directional and wayfinding signage;
- vii) the requirements of the City's Waste Collection Design Standards shall be approved to the satisfaction of the Vaughan Public Works Department;
- viii) the Owner shall satisfy all requirements of the Toronto Transit Commission (TTC), including but not limited to, the following:
  - 1. The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;
  - 2. The Owner shall continue to work with the TTC and the Toronto York Spadina Subway Extension (TYSSE) Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the YYSSE construction easement areas;
  - 3. The Owner shall respond in writing to all formal site plan comments from the TTC and the YYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/YYSSE; and,
  - 4. All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal right-of-way (ROW) constructed as part of the YYSSE Project;
- ix) the Owner shall satisfy all hydro requirements of PowerStream Inc.;



- x) the Owner shall satisfy all requirements of Canada Post;
  - xi) the Owner shall update NAV Canada and Bombardier Aerospace on any changes to the development proposal and shall satisfy all their requirements; and,
  - xii) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department; and,
- b) that the Site Plan Agreement shall include the following provisions and conditions:
  - i) "The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."
  - ii) "The Owner shall submit a physical and digital model of the final approved site development, including accurately geo-referenced digital data, to the satisfaction of the Vaughan Development Planning Department. The Owner shall file a separate Letter of Credit in a format and amount satisfactory to the Vaughan Development Planning Department to guarantee the completion of the models, prior to the execution of the Site Plan Agreement."
  - iii) "That no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed site development."
  - iv) "Prior to issuance of a Building Permit(s), the Owner shall pay its proportionate share of the cost and/or provide financial commitments based on the City's latest available cost estimate associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City."
  - v) "The Owner shall implement transportation demand management (TDM) measures in accordance with the recommendation of the approved Urban Transportation Consideration Report to the satisfaction of the City."
  - vi) "Prior to the issuance of the full Building Permit, the Owner shall enter into an Agreement with the City regarding the future park development and all other matters associated with the lands noted as a temporary commercial parking area, located to the west of the office building."
  - vii) "Prior to the issuance of a full Building Permit, an Agreement between the City and the Owner shall be executed, to the satisfaction of the Vaughan Development Planning Department. The Agreement shall reflect, but not be limited to, the final transit square design, as reviewed by the TTC, and landownership and programming matters, to the

satisfaction of the Vaughan Development Planning, Parks Development, and Legal Services Departments.”

- viii) “The Owner shall include the following warning clause in a schedule to all Offers of Purchase and Sale or Lease:

Purchaser and/or tenants are advised that the surface commercial parking lot that is comprised of a minimum of 325 parking spaces to a maximum of 340 parking spaces is temporary and the intended use of those lands is a future park.”

5. THAT the Owner shall submit a Site Development Application to comprehensively address the future transit square and park, respecting but not limited to, the design, configuration, size, matters of land ownership and programming for approval by Vaughan Council. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085, to reflect any revisions resulting from the comprehensive transit square and park designs.
6. THAT the Owner shall submit a Site Development Application for the adjacent lands located at 3200 Regional Road 7 (existing Future Shop lands) to facilitate improvements including underground works, access and parking reconfiguration and that the site plan be approved to the satisfaction of the Vaughan Development/Transportation Engineering and Development Planning Departments.

#### **Contribution to Sustainability**

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

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate

- Objective 1.2: To promote reduction of greenhouse gas emissions in the City of Vaughan

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy 2031
- Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

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

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

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

- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century
- Objective 4.3: To encourage the establishment of green businesses and sustainable business practices

Goal 6: To ensure a supportive system for the implementation of the Community Sustainability and Environmental Master Plan

- Objective 6.1: To fully support the implementation of Green Directions at all levels of City operations

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

- i) achieve a gold Leadership in Energy and Environmental Design (LEED) certification, consistent with the Vaughan Council endorsed VMC Secondary Plan;
- ii) public transportation access;
- iii) bicycle storage and changing rooms;
- iv) low-emitting and fuel-efficient vehicles during construction;
- v) light pollution reduction;
- vi) 20% water use reduction;
- vii) construction waste management including storage and collection of recyclables, recycled content, and certified wood;
- viii) low-emitting materials such as adhesives, sealants, paints, coatings, flooring systems, composite wood and agrifiber products;
- ix) low-mercury exterior lights; and,
- x) green housekeeping (use of products) within the building.

The City will continue to work with the Owner on implementing safeguards in the building design features for migratory birds.

### **Economic Impact**

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

### **Communications Plan**

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

- a) City's On-line Calendar;
- b) October e-news City Update, which was emailed to over 8,000 subscribers;
- c) City's website under the "Planning Applications" hot link;
- d) City Page On-line on September 21, 2012; and,
- e) City's Facebook and Twitter sites.

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

At the Public Hearing on October 16, 2012, deputations were made by Mr. Stephen Roberts, Bentoak Crescent, and Ms. Maria Gatzios of Gatzios Planning, Woodbine Avenue, on behalf of

1042710 Ontario Limited (Royal Centre) with the following comments discussed further in the Site Plan section of this report:

i) Park Ownership

Concern was identified with respect to the overall amount of parkland in the VMC and ownership of the proposed park. The Owner has remained steadfast from the initial application submission that the proposed park be under private ownership subject to an arrangement with the City for public access and use, as opposed to public ownership. The rationale by the Owner for this arrangement is their interest in achieving a higher level of service than current municipal park standards, notwithstanding several requests by City staff for this park to be in public ownership.

ii) Road Pattern (Future Street "A")

The alignment of Street "A" with the owners of the existing Royal Bank tower located at the west side of the subject lands (west of Edgeley Boulevard) in advance of an in-effect Vaughan Metropolitan Centre (VMC) Plan.

On June 10, 2013, a courtesy notice of this Committee of the Whole meeting was circulated to the individuals who requested notification with respect to these applications.

**Purpose**

The Owner has submitted the following applications for the subject lands, shown on Attachments #2 and #3:

1. Official Plan Amendment File OP.12.014, specifically to amend the "Corporate Centre Node" policies of OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), as follows:

**Table 2: Official Plan Amendment File OP.12.014**

	<b>Official Plan Policy OPA #500, as amended by OPA #528, OPA #529 and OPA #663</b>	<b>Proposed Amendment to OPA #500, as amended by OPA #528 ,OPA #529 and OPA #663</b>
a.	Section 3.2.3 d) Policies (in part):  "The maximum height of any building shall be 25 metres."	Notwithstanding Section 3.2.3 d), the maximum building height shall be 76 metres.
b.	Schedule B - Transportation Plan shows two (2) planned north/south local roads traversing the subject lands.	Delete Schedule B - Transportation Plan and replace with a new Schedule B - Transportation Plan, shown on Attachment #5, thereby deleting the two (2) planned north/south local roads traversing the subject lands.

2. Zoning By-law Amendment File Z.12.034 (Calloway REIT (Sevenbridge) Inc.) to amend Zoning By-law 1-88, specifically to:

- a) delete the subject lands from the existing Exception 9(959);
  - b) remove the Holding Symbol “(H)” from a portion of the subject lands (building and future transit square area), in the manner shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone, and maintaining the Holding provision on the balance of the site;
  - c) permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
  - d) add the following conditions for the removal of the Holding Symbol “(H)” on the temporary surface parking area, identified on Attachment #8:
    - i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park design, construction, north-south connectivity, programming, maintenance, ownership matters, and any strata arrangements; and,
    - ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, programming, public art, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, are finalized to the satisfaction of the City; and,
  - e) permit only a temporary surface commercial parking use, mews, and a future park use on the portion of the subject lands zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)”, as shown on Attachment #8.
3. Draft Plan of Subdivision File 19T-12V007, to facilitate development blocks totaling 2.72ha, as described in Table 1 and shown on Attachment #4, subject to the Conditions of Approval set out in Attachment #1, consisting of the following:
- a) Block 1 – 19,482.15 m<sup>2</sup> (1.94 ha), for a 14-storey office building, a 2-storey commercial mixed-use building, a temporary commercial surface parking lot, and a portion of the future transit square;
  - b) Blocks 2, 3 and 4 – 1,571.97 m<sup>2</sup> (0.15 ha) to facilitate Apple Mill Road (27.2 m right-of-way) and Edgeley Boulevard (26 m right-of-way);
  - c) 6,219.21 m<sup>2</sup> (0.62 ha) to facilitate the creation of Street “A” (22 m right-of-way); and,
  - d) Blocks 5, 6, and 7 – 7.93 m<sup>2</sup> (0.0007 ha) to facilitate 0.3 m reserves.
4. Site Development File DA.12.085 to facilitate a phased development on the subject lands, consisting of the following:

- a) Phase 1, as shown on Attachment #8:
  - i) a 14-storey, 33,320 m<sup>2</sup> Gross Floor Area (GFA) office building;
  - ii) a 2-storey, 6,368 m<sup>2</sup> GFA commercial building;
  - iii) 61.3% lot coverage on building site area;
  - iv) a Floor Space Index (FSI) of 3.8, excluding temporary commercial surface parking area;
  - v) a 0.88 ha building site area;
  - vi) a 1.07 ha temporary commercial surface parking area consisting of a minimum of 325 spaces;
  - vii) an underground pedestrian connection to the VMC (Vaughan Metropolitan Centre) Station;
  - viii) a portion of the future transit square;
  - ix) a minimum 785 parking spaces (460 underground spaces, including 4 barrier-free spaces and 325 temporary surface spaces, including 2 barrier-free spaces); and,
  - x) 64 underground bicycle spaces (including 6 showers).
- b) Phase 2, as shown on Attachment #9:
  - i) the removal of the temporary commercial surface parking area to facilitate the completion of the park (ultimate build out) concurrent with proposals for mixed-use (residential) development in the northwest quadrant of the VMC.

## **Background - Analysis and Options**

### **Location**

The 1.95 ha subject lands are bound by Edgeley Boulevard to the west (approximately 98.5 m frontage), Apple Mill Road to the north (ultimately ±363 m frontage), Millway Avenue to the east (approximately 98.5 m frontage), and the future 22m right-of-way (ROW) Street "A" to the south (ultimately ±351 m frontage), being part of Lot 6, Concession 5, City of Vaughan, as shown on Attachments #2 and #3.

### **Land Use Policies/Planning Considerations**

The Vaughan Development Planning Department has reviewed the Official Plan Amendment Application to permit an increased building height on the subject lands and the deletion of two (2) planned north/south local roads, in light of the following land use policies:

#### a) Provincial Policy Statement (PPS)

The PPS provides broad based policy direction on matters of Provincial interest related to land use planning and development. The PPS also promotes cost-effective development standards to minimize land consumption and servicing costs, while facilitating public transit supportive developments. It supports and encourages intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses that make more efficient use of land and public infrastructure. The proposed office building, ground related retail, transit square, and park (Phase 2) intensifies presently underutilized and vacant lands at a density higher than the existing surrounding uses. The subject lands are within the Vaughan Metropolitan Centre (VMC), which is identified as an area of major intensification within the City and Region of York. The development will contribute to a range and mix of uses within the VMC while efficiently utilizing the existing municipal infrastructure, which can

support future growth and employment projections, thereby making more efficient use of existing and future infrastructure investments.

The PPS promotes healthy and active communities through public streets, spaces and facilities that are publically accessible, that meet the needs of pedestrians and facilitate pedestrian and non-motorized movement (walking and cycling). The development proposal provides for sidewalks, plazas, a transit square, paths within the park (Phase 2), and below grade access to the VMC Station that will be accessible to existing and future residents and employees of the area.

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

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

b) Provincial Growth Plan - Places to Grow

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

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

The Growth Plan identifies the Vaughan Metropolitan Centre as one of the 25 Urban Growth Centres in the Greater Golden Horseshoe. The Growth Plan encourages intensification throughout the built-up area and includes infill development and the development of underutilized lots. The development proposal represents a catalyst for a mix of uses within the northwest quadrant of the VMC at transit supportive densities that will promote reduced dependence on the automobile and encourage transit supportive, pedestrian-friendly urban environments. The development proposal will assist with increasing the modal share for transit, walking and cycling. It will also provide for convenient access to intra and inter-city transit (Viva Next Bus Rapid Transit Route (BRT), York Region Transit Terminal, and the terminus of Spadina Subway Line (VMC Station)) and facilitate a high quality park and transit square with easy access to local stores and services. The proposed development is consistent with the goals of the Growth Plan.

c) In-Effect Region of York Official Plan (June 1, 2008)

The Modified York Region Official Plan 2010 had been approved by the Ministry of Municipal Affairs and Housing on September 7, 2010 and had been appealed to the Ontario Municipal Board (OMB). Since then, the York Region Official Plan 2010 has been substantially approved by the OMB and is currently in-effect.

The Region of York Official Plan 2010 (the Regional Plan) designates the Subject Lands as being within the “Urban Area” and within a “Regional Centre”, where it is planned to become a vibrant urban place for living, working, shopping, entertainment, cultural identity and human services. The Regional Plan encourages pedestrian scales, safety, comfort and mobility, and the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Regional Plan recognizes that there is a strong relationship between transportation and urban form. The development location adjacent to the VMC Station is supportive of the higher level of transit services, which will encourage the reduction of overall parking demands and trip lengths. Furthermore, the associated park and transit square will enhance the public realm. The development proposal is consistent with the Regional Official Plan policies.

d) City of Vaughan Official Plans

The subject lands are designated “Corporate Centre Node” by the in-effect OPA #500 (Corporate Centre Plan) as amended by OPA #663 (The Avenue 7 Plan), OPA #528 and OPA #529. The proposed office commercial building and at-grade retail uses, park, and pedestrian linkages are permitted uses in the “Corporate Centre Node” designation.

The subject lands are designated “Station Precinct” and “Major Parks and Open Spaces” by the Vaughan Metropolitan Centre Secondary Plan (VMC Plan), which forms part of Volume 2 of Vaughan Official Plan (VOP) 2010 (not yet in-effect), and was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) and is pending approval from the Ontario Municipal Board.

i) In-effect Official Plan #500, As Amended

The development proposal does not conform to the policies of the Official Plan respecting the maximum permitted building height and the planned road network on the subject lands. The in-effect Official Plan currently permits a maximum building height of 25 m on the subject lands and two (2) planned north-south local roads (17 m to 20 m right-of-way).

The Owner has submitted an Official Plan Amendment File OP.12.014 to increase the maximum building height on the subject property from 25 m to 76 m. The Development Planning Department has no objection to the proposed maximum building height given that the lands are located adjacent to a subway station where higher densities are better suited and is permitted by the new (not yet in-effect) Vaughan Official Plan 2010, as described below.

The Owner proposes to delete two (2) planned north-south local roads, as shown on Attachment #5, in order to facilitate the construction of an office building, a temporary commercial surface parking area and ultimately a park. The planned north-south local roads in OPA #500 are intended to create a fine-grain street network that would facilitate pedestrian permeability and provide flexibility for a range of development scenarios. The Development Planning Department, at this time, has no objection to the deletion of the easterly planned north-south local road, as shown on Attachment #5, as it will facilitate construction of the proposed office building. However, the Development Planning Department raised concerns with the proposed deletion of the westerly planned north-south local road (future mews, as described in the next section) until such time as the park plan is more developed or matters currently subject to the appeals of the VMC Secondary Plan can be resolved to the satisfaction of all parties. As such, a north-south pedestrian access is being included as a requirement to be examined in the park design.



At the time of ultimate build out (Phase 2, as shown on Attachment #9), the park is intended to be a place of congregation and will attract pedestrian traffic. The nature of the park being open to Apple Mill Road, Edgeley Boulevard and Street "A" will facilitate pedestrian connections throughout this area and will essentially achieve pedestrian permeability consistent with the intent of the in-effect Official Plan. However, additional information on the nature and scale of the future adjacent developments to the north and south of the park will need to be considered.

ii) New Vaughan Official Plan (VOP) 2010 (Not Yet In-effect)

The "Station Precinct" designation permits a mix of high-rise and mid-rise buildings with a range of uses, including corporate, professional and government offices, retail and major retail over 10,000 m<sup>2</sup>, restaurants, parks, conference facility, college and university, personal and business service, art studios, daycares, and public parking. Retail and service commercial uses are permitted below grade where it is to connect and be adjacent to the subway station. The Owner proposes the first development within the northwest quadrant in the VMC that includes a 14-storey office building, with ground related commercial uses along the transit square, which is supported by the Development Planning Department. The proposed uses conform to the VMC Plan.

The VMC Plan that was originally adopted in September 7, 2010 showed two (2) north-south local streets traversing the subject lands, which was consistent with in-effect OPA #500, as amended by OPA #s 528, 529, and 663.

On September 13, 2012, the VMC Sub-Committee considered proposed amendments to the adopted VMC Plan that would facilitate revisions to the street network in the VMC, including the provision of one north-south local road through the subject lands. A technical report by the Vaughan Policy Planning Department respecting the proposed amendments was approved at the November 27, 2012, Committee of the Whole meeting resulting in the protection of one 15 m to 17m mews through the subject lands. The Owner has appealed the issue of the location and configuration of roads to the Ontario Municipal Board (OMB).

The development proposal excludes the planned two (2) north-south local roads in the in-effect Official Plan (OPA #500, as amended by OPA #s 528, 529, and 663), as well as the one 15m to 17 m mews in the not yet in-effect Official Plan (VOP 2010, Volume 2, VMC Secondary Plan). The Development Planning Department, in consultation with the Development/Transportation Engineering Department, can support the deletion of the two (2) planned north-south local roads and the relocation of the mews to a location west of the proposed office building, as they will not have significant impacts to the existing street network given that the subject lands will be well served by local and rapid transit through a direct pedestrian connection to the subway and by being located in close proximity to the York Region Bus Terminal. However, the Development Planning Department remains concerned with the deletion of the proposed mews until there is satisfactory resolution of the park design, details of scale and future adjacent developments to the north and south of the park, and the OMB appeals.

The development proposal includes improvements to Apple Mill Road and the creation of a new local road (Street "A") along the northern and southern boundaries of the subject lands with direct connections to both Millway Avenue and Edgeley Boulevard. The existing and proposed street network will be enhanced for transit, walking and cycling systems, making efficient use of

existing and future infrastructure investments and will be an essential component of an effective and efficient VMC transportation network.

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

### Zoning

The subject lands are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88 and subject to Exception 9(959). The proposed office building development consists of ground related commercial uses and office uses that are permitted by the C9 Zone.

To facilitate the development proposal, the Owner has submitted a Zoning By-law Amendment application to amend Zoning By-law 1-88, specifically to:

- a) delete the subject lands from the existing site-specific Exception 9(959);
- b) remove the Holding Symbol “(H)” from a portion of the subject lands (building and future transit square area), in the manner shown on Attachment #8, thereby rezoning these areas C9 Corporate Centre Zone, with the balance of the site to remain with a Holding provision;
- c) permit the site-specific zoning exceptions in Table 3 of this report to implement the site plan (Phases 1 and 2) shown on Attachments #8 and #9;
- d) add the following conditions for the removal of the Holding Symbol “(H)” on the temporary surface parking area, identified on Attachment #8:
  - i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the City. The Agreement shall contain a trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park design, north-south connectivity, construction, programming, public art, maintenance, ownership matters, and any strata arrangements; and,
  - ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, programming, public art, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, to the satisfaction of the City of Vaughan; and,
- e) permit only a temporary surface commercial parking use, a mews, and a future park use on the portion of the subject lands zoned C9 Corporate Centre Zone, in the manner shown on Attachment #8.

The Zoning By-law Amendment consists of three elements, including the Holding Symbol “(H)” and the conditions of its removal and the site-specific zoning exceptions to the C9 Zone as listed in Table 3.

a) Holding Symbol “(H)”

At the latter part of the Zoning By-law Amendment File Z.12.034 review, the Owner presented the City with a proposal for a new zone category to be applied to their lands that would establish a unique urban park within the VMC, an Urban Park (UP) Zone. The Owner envisioned that the future park (Phase 2) would have unique provisions and standards that would permit kiosks within the park that would offer limited commercial uses, such as eating establishments and retail stores. However, in the absence of a required Public Hearing on the “Urban Park Zone” proposal and more detailed plans, the Development Planning Department cannot recommend such uses to Vaughan Council at this time. As a result, the Development Planning Department, with agreement by the Owner, is prepared to review the possibility of introducing a unique park zone in the VMC at a later date to recognize the possibility of creating unique park standards to animate this place of congregation.

The intent of the Zoning By-law Amendment File Z.12.034 is to allow the full range of uses in the C9 Corporate Centre Zone, as well as, the institutional uses permitted in Zoning By-law 1-88 for all Commercial Zones. As shown on Attachment #8, the Owner proposes a temporary commercial surface parking lot in the area west of the office building where the future park will be located, as shown on Attachment #9. Provisions to permit a temporary commercial surface parking lot with a minimum of 325 to a maximum of 340 transitional parking spaces, an access way or mews, and a park on the lands that will remain in the C9(H) Corporate Centre Zone with the Holding Symbol “(H)” will be included in the implementing Zoning By-law. The Development Planning Department recommends the following conditions to remove the Holding Symbol “(H)” from the building area and temporary surface commercial parking area:

- i) A separate Agreement between the City and Owner shall be executed prior to the construction of the temporary surface commercial parking lot, to the satisfaction of the Development Planning Department. The Agreement must contain the agreed to trigger for the removal of the temporary surface commercial parking lot, being the development of a total of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. The Agreement shall address, but not be limited to, the park design, programming, public art, and ownership matters, and any strata arrangements; and,
- ii) A future Site Development Application, and if required, a Zoning By-law Amendment Application, to ensure the development of the planned park in the Vaughan Metropolitan Centre (VMC) area require public consultation and approval by Vaughan Council, in which details such as, but not limited to, the park design, north-south connectivity, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements, be finalized to the satisfaction of the City of Vaughan.

The Development Planning Department considers conditions for removal of the Holding Symbol “(H)” appropriate as it will provide the City and the Owner sufficient time to conduct a comprehensive review of the design of the future park during the transition period when commuters’ current habits, which have a heavy reliance on the automobile, will be challenged given the proximity of the subject lands to existing and approved/under construction public transit and the implementation of the Transportation Demand Management (TDM) measures by the Owner, which are discussed later in this report.

b) Exceptions to the C9 Zone

The following site-specific zoning exceptions to the C9 Corporate Centre Zone are necessary to implement the development proposal shown on Attachments #8 to #15:

<b>Table 3: Zoning By-law Amendment File Z.12.034</b>			
	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of C9 Corporate Centre Zone</b>	<b>Proposed Exceptions to C9 Corporate Centre Zone</b>
a.	"Build to Zone" (along future Street "A", approximately 351 m length)	80% or approximately 280 m of the length of Street "A" shall have a building located within the "Build to Zone" of 0-3 m	Delete the provisions of the "Build to Zone" in Schedule A2 of Zoning By-law 1-88 and permit a minimum 5 m building setback to the building columns and 2.7 m to the above ground building face along future Street "A"
b.	"Build to Zone" (along Apple Mill Road, approximately 363 m length)	50% or approximately 181 m of the length of Apple Mill Road shall have a building located within the "Build to Zone" of 0-3 m	Delete the provisions of the "Build to Zone" in Schedule A2 of Zoning By-law 1-88 and permit minimum setbacks of 5 m to the main building and 1.75 m to the exit stair projections along Apple Mill Road
c.	Portions of Buildings Below Grade	1.8 m to the front lot line (Apple Mill Road)	0.0 m to the front lot line (Apple Mill Road)
d.	Maximum Building Height	25 m	76 m, exclusive of all rooftop, mechanical HVAC, and parapets
e.	Minimum Landscape Strip Width along a Streetline	6 m	0.97 m along future Street "A" and Apple Mill Road; 0.6 m along Edgeley Boulevard; 0.2 m to any vent shafts and exit stairs from the underground parking

**Table 3: Zoning By-law Amendment File Z.12.034**

	By-law Standard	By-law 1-88 Requirements of C9 Corporate Centre Zone	Proposed Exceptions to C9 Corporate Centre Zone
f.	Minimum Parking Requirement	<p>Minimum parking requirements calculated on the basis of Gross Floor Area (GFA)</p> <p><u>Office Uses</u> 3.5 spaces / 100 m<sup>2</sup> of office Gross Floor Area (GFA) @ 26,952 m<sup>2</sup> = 944 spaces</p> <p>+</p> <p><u>Retail Uses</u> 6 spaces / 100 m<sup>2</sup> of retail GFA @ 6,368 m<sup>2</sup> = 383 spaces</p> <p><b>Total Spaces Required = 1,327</b></p> <p>Per Section 3.8m), Parking Standards for Mixed-Use Developments of Zoning By-law 1-88, the maximum required parking shall be 1,202 spaces (weekly parking) and 476 spaces (Saturdays)</p>	<p>Calculate parking requirements on the basis of Commercial Floor Area (CFA)</p> <p><u>Office Uses</u> 1.5 spaces / 100 m<sup>2</sup> CFA @ 19,416 m<sup>2</sup> = 292 spaces</p> <p>+</p> <p><u>Retail Uses</u> 2 spaces / 100 m<sup>2</sup> of retail CFA @ 4,640 m<sup>2</sup> = 93 spaces</p> <p>+</p> <p><u>Transitional</u> Minimum 325 to a maximum of 340 surface parking spaces</p> <p>+</p> <p><u>Exemptions</u> Respecting the two-storey commercial building, parking shall not be required for any storeys, up to a total maximum of four storeys, above the second floor</p> <p><b>Minimum Parking Spaces Required based on Proposed Standards Above = 710</b></p>
		<p>Section 3.8a) of Zoning By-law 1-88 states, "The Owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the sole use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas."</p>	<p>Notwithstanding Section 3.8a) of Zoning By-law 1-88, the following shall apply to the Subject Lands:</p> <p>"The Owner of every building or structure erected or used for any of the uses hereinafter set forth shall provide and maintain on the lot on which it is erected, for the use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas."</p>

**Table 3: Zoning By-law Amendment File Z.12.034**

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of C9 Corporate Centre Zone</b>	<b>Proposed Exceptions to C9 Corporate Centre Zone</b>
		Section 5.1.6b) of Zoning By-law 1-88 states, “the parking required for the outdoor patio shall be equal to that required for the main eating establishment use.”	Notwithstanding Section 5.1.6b) of Zoning By-law 1-88, parking shall not be required for outdoor patios associated with eating establishments or convenience eating establishments
g.	Minimum Parking Space Size	2.7 m by 6 m	2.7 m by 5.7 m
h.	Minimum Required Barrier-Free Spaces	14 Barrier-Free Spaces	8 required Barrier-Free Spaces (6 permanent Barrier-Free Spaces and 2 surface level spaces)
i.	Minimum Parking Space Size, Barrier-Free	3.9 m by 6.0 m; If said parking space is adjacent to another barrier-free space, the minimum area may be reduced to 3.2 m by 6.0 m.	3.9 m by 5.7 m; If said parking space is adjacent to another barrier-free space, the minimum area may be reduced to 3.2 m by 5.7 m.
j.	Maximum Width of Driveway Access	7.5 m	8.0 m on Street “A”; 11 m and 11.1 m on Apple Mill Road
k.	Outdoor Patio	<p>Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88 includes the following provisions (in part):</p> <p>b) The parking required for the outdoor patio shall be equal to that required for the main eating establishment use;</p> <p>c) An outdoor patio shall not be permitted in any yard located between the building containing the main eating establishment and any Residential Zone;</p> <p>e) The use of musical instruments, or other mechanical or electrical music equipment, and dancing, theatrical performances or</p>	<p>Notwithstanding Section 5.1.6, Outdoor Patio, of Zoning By-law 1-88, provisions b), c), and e) shall not apply to the Subject Lands.</p> <p>Notwithstanding Section 5.1.6h), only the outdoor patio of an eating establishment, licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.</p>

**Table 3: Zoning By-law Amendment File Z.12.034**

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements of C9 Corporate Centre Zone</b>	<b>Proposed Exceptions to C9 Corporate Centre Zone</b>
		<p>audiovisual presentations, music concerts and shows, shall not be permitted in areas designated for outdoor patio use; and,</p> <p>h) The outdoor patio shall be completely enclosed by a physical barrier with access only from the interior of the eating establishment with the exception of at least one (1) exit to be used only in cases of emergency and which is not from the interior of the main building.</p>	
I.	Loading Space Location	Section 3.9 d) of Zoning By-law 1-88 requires that loading spaces shall not be located between a building and a street	Notwithstanding Section 3.9 d) of Zoning By-law 1-88, loading facilities shall be wholly enclosed in a building with access onto Apple Mill Road
m.	Loading Space Requirement	Maximum of two (2) loading spaces shall be required for an office building	Maximum of five (5) loading spaces shall be provided on the subject lands and shall be wholly enclosed in a building
n.	Minimum Loading Space Dimension	9 m by 3.5 m	6.0 m by 3.5 m
o.	Definition of a Lot	<p>“Lot” – means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent (severance) contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.</p>	<p>“Lot” – means the subject lands be deemed to be one Lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of the By-law.</p>

Table 3: Zoning By-law Amendment File Z.12.034			
	By-law Standard	By-law 1-88 Requirements of C9 Corporate Centre Zone	Proposed Exceptions to C9 Corporate Centre Zone
p.	Definition of Recreational Use	<p>“Recreational Use” – means:</p> <p>i) The use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, snow skiing, walking trails and all similar uses, together with necessary and accessory buildings and structures; but</p> <p>ii) does not include a track for racing animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses.</p>	<p>“Recreational Use” – means:</p> <p>i) The use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, walking trails and all similar uses, together with necessary and accessory buildings and structures; but</p> <p>ii) Does not include a track for racing animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses.</p> <p>iii) Recreational Uses may be in either public or private ownership.</p>
q.	Definition of Commercial Parking Lot	Section 5.1.4 respecting uses in all Commercial Zones and Section 5.10 respecting uses in the C9 Corporate Centre Zone in Zoning By-law 1-88.	<p>In addition to the uses listed in Section 5.1.4 respecting permitted uses in all Commercial Zones and in Section 5.10 respecting permitted uses in the C9 Corporate Centre Zone in Zoning By-law 1-88, permit a “Commercial Parking Lot” on the subject lands as follows:</p> <p>“A building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.”</p>

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



a) Building Setbacks

Zoning By-law 1-88 requires that the built form of the development proposal be located within the “build to zone”, which is defined as within 0 m to 3 m of 80% of the street length for Street “A” and 50% of the street length for Apple Mill Road. To facilitate the development and to encourage a comfortable pedestrian condition around the future transit square, the Owner proposes a building setback of 5 m to the building columns (2.7m to the above ground building face) along approximately 10% of Street “A”, which does not comply with the “Build to Zone” standards. Furthermore, a building setback of 5.0 m (1.75 m to the exit stair projections) along approximately 30% of Apple Mill Road is proposed, which also does not comply with the “Build to Zone” standards. Given that the subject lands are located within an identified Mobility Hub as an anchor in Metrolinx’s “The Big Move” (The Regional Transportation Plan), the proposed increased building setbacks would promote a more comfortable and a better physical relationship between the pedestrian realm and the built form that is conducive with the anticipated high pedestrian volumes generated around the transit square. The Development Planning Department proposes to simplify the implementation of the site-specific Zoning By-law by eliminating the requirement of the “Build to Zone”, in accordance with Schedule A2 of Zoning By-law 1-88, and incorporate minimum building setbacks to Apple Mill Road and Street “A” as noted in Table 3.

Exceptions to the portions of the underground parking garage below grade are required to facilitate larger underground parking structures. This request has been accommodated for many similar mixed-use projects. This exception for underground parking helps to minimize large surface parking areas, and provides opportunities for increased landscaping and provisions for other street-related uses. The proposed street boulevards can accommodate underground utilities within the boulevards.

The exceptions related to building setbacks can be supported by the Development Planning Department for the reasons noted above.

b) Building Height

The Owner is proposing to increase the maximum permitted building height from 25 m to 76 m (14 storeys) on the subject property, which is within the 6-storey to 35-storey range permitted by the VMC Secondary Plan. In addition to the policies and principles of the PPS and the Growth Plan, more intense developments are supported in York Region’s Official Plan which identifies the subject lands as being within a “Regional Centre”. VOP 2010 further identifies the subject lands as being within the VMC Secondary Plan Area where developments are at densities that are supportive of public transit.

The Development Planning Department has no objection to the proposed building height as supported by the policies and principles of the PPS, the Growth Plan, the Region’s Official Plan, and the VMC Plan.

c) Landscape Widths

The Development Planning Department has no objection to the proposed width reductions of the landscape strips along the street lines from the required 6 m in Zoning By-law 1-88 to 0.97 m along future Street “A” and Apple Mill Road, and 0.6 m along Edgeley Boulevard. The landscape strip reductions are a temporary measure to permit the temporary commercial surface parking, shown on Attachment #8, in advance of the build out that will consist of a park, as shown on Attachment #9. Further reductions of landscape widths to 0.2 m from the property line to vent shafts and exit stairs ancillary to the underground parking can be supported by the Development Planning Department as the reduction is not extensive and will have minimal impact to the streetscape.

d) Parking and Access

The Owner has submitted a parking justification report, dated September 2012, and revised April 2013, by BA Group Transportation Consultants in support of the proposed parking standards for the development proposal. Table 3 shows the required and proposed parking ratio for the subject lands. The subject lands are strategically located adjacent to the VMC Station, which is currently under construction and expected to be operational in 2016. The subject lands are also located in close proximity to a future bus terminal and BRT service along Regional Road 7.

These attributes present the opportunity to reduce vehicular reliance. An excessive parking supply imposes environmental costs, contradicts community development objectives for more liveable and walkable communities, and tends to increase driving and discourages the use of alternative modes of transportation. Furthermore, the policies of OPA #500 consider opportunities for shared parking in mixed-use developments within the "Corporate Centre Node" area. The study examined shared parking spaces in order to take advantage of the different peaking characteristics of the residential, retail and office uses. The study concluded that the office peak parking demands occur during the day while the residential visitors' peak parking demands occur in the evenings and on the weekends when the office parking is not in use. Retail uses are expected to be ancillary to the development or be used extensively by those already living or working in the proposed development. The retail parking demands typically peak during the noon hour, when residential visitor parking demands are low, and during the evenings when office parking demands are low.

Table 3 illustrates the proposed reduction in the parking ratio, which would yield 710 required parking spaces on the subject lands. The Owner proposes a total of 785 parking spaces, which exceeds the 710 parking spaces required. A minimum of 325 spaces to a maximum of 340 spaces are proposed in a temporary commercial surface parking lot for transitional purposes located adjacent to the office building and 460 spaces are proposed in a parking garage below the building, which represents the long-term parking supply for the office building and is within the range of the City's IBI Review of Parking Standards. The transitional parking supply proposes to support the immediate needs of the office tenants on a temporary basis until the users adjust to the improved access to alternative modes of transportation, in conjunction with the proposed TDM Plan, which will be discussed later in this report, and travel habits are adjusted.

The Vaughan Development/Transportation Engineering Department has reviewed the parking justification study, dated April 2013, and concurs with the findings and supports the reduced number of parking spaces. Through the review of the development applications and continued negotiations between the City and the Owner, an opportunity to increase the height of the two-storey commercial building along Apple Mill Road by a maximum of two (2) storeys for a total height of four-storeys has been identified. This opportunity is presented as conceptual and draft only on Attachments #18 to #20, inclusive as the detailed design is at an early stage. The Owner has requested that a provision(s) in the implementing Zoning By-law to provide an exemption to the parking requirements for the potential increase in building height by two (2) storeys. The Development Planning Department has no objection to this request. The Owner has provided an Addendum to their Parking Study, prepared by BA Transportation Consultants, dated May 31, 2013.

The addendum concludes that exempting the additional floor area from the parking requirements for the site will result in an effective overall parking supply rate on the site of 1.16 spaces per 100 m<sup>2</sup> CFA, consistent with the parking policies adopted by the City of Toronto, but lower than the IBI Group's Parking Standards Review. The Development

Planning and Development/Transportation Engineering Departments have no objection to the conclusion of the Parking Study Addendum stating that the effective rate of 1.16 spaces per 100 m<sup>2</sup> is appropriate because the subject lands are located in a unique area from other sites in the VMC. The exemption of parking requirements for two (2) additional storeys on the commercial building subject to this report can be supported for the following reasons:

- a) the subject lands are located immediately adjacent to the VMC Station and is best suited for a minimum parking supply;
- b) the development proposal features a direct, weather protected connection to the VMC Station, York Region Transit Bus Terminal, and the planned VIVA Transit Station at Regional Road 7 and Millway Avenue;
- c) the development proposes a supply of transitional parking spaces that allow the parking demand of the building to adjust over time; and,
- d) the development proposal will be supported by a Transportation Demand Management (TDM) strategy that will promote the use of alternative modes of transportation to help reduce parking demand.

The Owner further proposes to reduce minimum parking space sizes for standard stalls from 2.7 x 6 m to 2.7 x 5.7 m and barrier-free spaces from 3.9 x 6 m (3.2 x 6 m adjacent) to 3.9 x 5.7 m (3.2 x 5.7 m adjacent), which is supported by the Development/Transportation Engineering Department.

Zoning By-law 1-88 requires that 14 barrier-free parking spaces be provided on the subject lands based on standard parking ratios. The Owner proposes a reduced standard parking ratio, as noted in Table 3, to lower the requirement for barrier-free spaces to 8 spaces. The Owner is proposing six (6) barrier-free parking spaces on the first underground parking level and two (2) barrier-free spaces located in the temporary commercial parking lot. The two (2) surface barrier-free spaces are necessary in the interim to accommodate current accessibility needs. Upon removal of the temporary commercial parking lot, the subject lands would be deficient in two (2) barrier-free parking spaces. Given the subject lands proximity to public transit, which is fully accessible, and that all retail units and the office building have direct access to the surface level and from the VMC station tunnel, the Development Planning Department has no objection to the reduction of two (2) barrier-free spaces on the subject lands, provided that the development proposal meet all the accessibility requirements under the Ontario Building Code and the Accessibility for Ontarians with Disabilities Acts. A condition to this effect has been included in the recommendation of this report.

The Owner proposes two (2) permanent vehicular access driveways along Apple Mill Road. One is for access to the two levels of underground parking and the other is for access to loading. Zoning By-law 1-88 requires that the maximum width of the access to the parking levels shall be 7.5 m whereas 11.1 m is proposed. There are two additional driveway access points along Apple Mill Road (11 m) and Street "A" (8 m) that service the interim surface parking lot. Both access widths exceed the maximum 7.5 m width permitted by Zoning By-law 1-88. However, they are temporary measures for the surface parking lot. The increased access width from the required 7.5 m to 11.1 m to the underground parking at Apple Mill Road can be supported because it will facilitate a one lane in and two lanes out configuration to mitigate internal traffic congestion in the underground parking garage. The said increase is a necessity of internal traffic function.

e) Outdoor Patio

The Owner is requesting relief from four provisions of Zoning By-law 1-88 that pertain to the parking requirement, location, and use of outdoor patios on the subject lands, excluding the temporary surface commercial parking area. In particular, relief is being sought from the Zoning By-law provisions to exempt outdoor patios from the parking requirements, locate outdoor patios away from a building associated with the eating establishment and any Residential Zone, and the use of the outdoor patio for dancing, theatrical performances, presentations, concerts and shows, and the physical separation of the outdoor patio from the surrounding areas.

The fourth provision is for the requirement of a physical barrier around the outdoor patio. The Development Planning Department has no objection to an exception for the requirement of a physical barrier provided that the exception only pertains to the outdoor patio of an eating establishment that is licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario. This will not preclude outdoor patios that have no physical barriers for coffee shops or other eating establishments not licensed to serve alcohol.

Given the location of the development proposal adjacent to a transit hub and transit square, and situated within the VMC (Vaughan's Downtown) which is envisioned to be a mixture of residential, office, commercial and institutional uses, the Development Planning Department supports the relief from the noted provisions for outdoor patios, as noted in Table 3, as it would encourage street animation and pedestrian activity that will be essential to the success of the VMC.

f) Loading and Access

The internal loading facilities for the commercial and office uses will be by way of a separate access from Apple Mill Road and located at ground level and located within the two-storey commercial mixed-use building. The Owner proposes smaller loading standards citing that the City of Vaughan's standards are not reflective of the urban mixed-use nature of the development proposal. Therefore, the Owner proposes the use of large single unit trucks and small trucks and step-vans for loading purposes, and therefore, is seeking an amendment to the loading requirements of Zoning By-law 1-88, specifically the location of loading areas, loading space requirements and dimensions.

Zoning By-law 1-88 prohibits the location of a loading area between a building and a street. Though the access to the loading facilities is currently proposed off Apple Mill Road, all proposed loading activities will be wholly enclosed in the building. The operational measure will ensure that noise and odours generated from the loading and unloading will be mitigated with minimal impact to the surrounding area.

Five (5) loading spaces are proposed to service the development that is office related, of which the smallest proposed loading space size (6 m by 3.5 m), does not comply with the minimum loading space size standard of 9 m by 3.5 m in Zoning By-law 1-88. The Owner has advised the City that their proposed method of private garbage collection is based on the loading compactor from a raised dock model where a compaction container is rolled off the dock onto a truck. A total internal ceiling height of 4.5 m is required for this model of garbage collection, whereas 5.4 m ceiling heights are provided. The City's Public Works Department has no objection to the proposed loading space size reduction or the internal ceiling heights for the proposed method of garbage collection.

The Owner has provided information, dated April 2013, by BA Group Transportation Consultants demonstrating the vehicular maneuvering turn paths of vehicles in the loading area. Prior to final approval of the site plan, the internal vehicular maneuvering

turn paths must be approved to the satisfaction of the City's Public Works Department. The Owner is seeking relief from the provisions of the Zoning By-law in this respect in order to permit flexibility to accommodate the requirements of various transport companies that service private mixed-use developments, consistent with those used in other downtown cores.

The Development Planning Department has no objections to the loading requirement amendments for the reasons noted above, subject to the final vehicular maneuvering turn paths, which shall be to the satisfaction of the Vaughan Public Works Department.

g) Definitions

i) Lot

The proposed exception to the definition of a "lot" is required to ensure that for zoning purposes, the subject lands are deemed to be one lot. Given the nature of the development proposal, which includes an office building, a commercial mixed-use building, access to a temporary surface commercial parking lot and a park at the ultimate build out, access to a transit square, connections to 2-storeys of underground parking and to the subway platform, and the possibility for strata arrangements for a pedestrian tunnel beneath a public street (Street "A") and for potential encumbrances of parking under a future park, this exception is appropriate to ensure that compliance with the zoning by-law is maintained if there are any future changes in ownership or conveyance in lands.

ii) Recreational Use

For further clarity on the definition of "recreational use", the Owner has requested no change to the definition in Vaughan's Zoning By-law 1-88, with the exception that "recreational uses" may be either in public or private ownership.

The City of Vaughan and the Owner are committed to continued dialogue on ownership matters of the transit square and the ultimate park. Depending on the outcome of the dialogue, the Owner is requesting additional flexibility in the definition of recreational use to include both private and public ownership.

Given the complexity of matters that are present with the creation of a new downtown including land ownership and capital costs, the Development Planning Department can support the exception at this time, until the ownership of the park and transit square are confirmed.

iii) Commercial Parking Lot

In addition to the uses in the C9 Corporate Centre Zone and the Institutional uses permitted in all Commercial Zones in Zoning By-law 1-88, the Owner is proposing a temporary surface commercial parking lot, as shown on Attachment #8, which is currently undefined in the By-law. The commercial parking lot is supported by the Development Planning Department as a temporary measure for transitional purposes as discussed above. The Policy Planning Department is currently addressing site-specific parking standards in the VMC for consideration by Vaughan Council at a future date. The draft standards introduce a definition of "Commercial Parking Lot" as such:

"Means a building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded

or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.”

The Development Planning Department has no objection to a “Commercial Parking Lot” as an additional use on the subject lands, as it would facilitate the development of the lands on an interim basis, and will be included as a definition in the site-specific implementing Zoning By-law.

#### Site Plan and Access

The Owner has proposed a phased site plan as shown on Attachment #8 (Phase 1) and Attachment #9 (Phase 2), as described below:

a) Phase 1

The proposed Phase 1 site plan, shown on Attachment #8, includes a 14-storey office tower along Street “A” and a two-storey commercial mixed-use building along Apple Mill Road. A proposed pedestrian passageway is proposed between the two buildings to provide a connection between the future transit square and the future park. The development will be serviced by surface pedestrian connections to Apple Mill Road, Street “A”, the transit square and the interim surface parking area, as shown on Attachment #8. Exit stairs from the underground parking garage are located along the periphery of the subject lands. The Development Planning Department has no objections to the building placement of the development proposal.

The subject lands are serviced by two driveways from Apple Mill Road. One driveway provides access to the two levels of underground parking comprised of 460 parking spaces, of which 76 spaces are dedicated to transitional parking. The underground parking area servicing the development proposal encroaches below grade approximately 27 m west of the office building into the future park area. The other driveway provides access to the ground level internal loading facilities servicing the development proposal within the two-storey commercial building. On an interim basis, the temporary commercial surface parking lot will be accessed by two driveways; one onto Apple Mill Road and the second onto Street “A”. There are three (3) exit stairs from the underground garage.

Recognizing that the VMC is at an early stage of development, the proposed development was modified during the review of the applications to include a temporary commercial surface parking lot in lieu of the ultimate park west of the office building. The temporary parking lot will service the immediate needs of commuters and the grade related commercial uses on an interim basis, until a critical mass of development is achieved to support full underground or structured parking in the VMC. The City acknowledges that the development proposal is a phased approach for vehicular parking and is the initial steps towards creating an urban core for the City of Vaughan. It represents an approach to parking that seeks to meet the goals of the long term VMC vision, but still maintains flexibility to address the interim needs of the first commercial tenants in the VMC. In essence, the goal is to address the interim parking needs of the site when the building is completed and occupied and to facilitate adjustments in conjunction with the City as future development occurs within the VMC area.

The Owner has submitted a Parking Study prepared by BA Group Transportation Consultants dated April 2013, which identifies the Owner's intent to provide Transportation Demand Management (TDM) strategies that include: the construction of direct connections to the VMC Subway Station and the Regional bus terminal, entitling the property manager of the office tower with the responsibility of a TDM coordinator,

encourage commuters to join Smart Commute North Toronto Vaughan for carpooling, clean air commute and bike to work (64 bicycle spaces are provided along with 6 showers), and provide parking spaces for car sharing options, such as AutoShare and ZipCar. The intent, with the assistance of the TDM coordinator, is to monitor and measure the success of the TDM strategies, which can be adjusted over time to ensure the TDM goals are met.

The Vaughan Development/Transportation Engineering Department has reviewed the TDM Plan and concurs with the strategies.

b) Phase 2

Building on the expected success of implementing the TDM strategies and advancement of future residential and commercial mixed-use developments in this quadrant of the VMC, the use of the automobile should be less prominent as alternative modes of transportation become more available. The Owner has agreed that prior to the construction of the temporary surface commercial parking lot, a separate Agreement between the Owner and the City shall be executed to the satisfaction of the Development Planning Department. The Agreement shall contain the trigger for the removal of the said parking lot, being the construction of a total cumulative yield of 1,350 residential units within the geographical limits of Regional Road 7 to the south, Portage Parkway to the north, Edgeley Boulevard to the west, and Millway Avenue to the east. North-south connectivity will also need to be examined. The Agreement shall satisfactorily address, but not be limited to, the park design, programming, public art, and ownership matters, to the satisfaction of the Vaughan Development Planning, Parks Development, and Legal Services Departments. A condition respecting this trigger and the separate Agreement between the City and Owner will be included as a special condition in the Site Plan Agreement for Site Development File DA.12.085, as noted in the recommendation of this report.

The Development Planning Department has no objection to the site plan and the phasing of the development, subject to the recommendation in this report.

Landscape Plans

The Owner has proposed a phased landscape plan as shown on Attachment #8 (Phase 1) and Attachment #9 (Phase 2), as described below:

a) Phase 1

The Phase 1 landscape plan shown on Attachment #8, consists of precast concrete unit pavers around the office building with an interim lawn planting with cast-in place 2-metre wide sidewalks in the future transit square area. The proposed hardscapes will be scaled to accommodate large numbers of pedestrians through the subject lands and patrons during programmed events. In advance of the ultimate build out of the transit square, the proposed interim lawn planting would provide an area of soft landscaping as an alternative to a park on the west side of the subject lands. In order to reduce the costs of the park at ultimate build out, as shown on Attachment #9, elements of the park are planned to be installed at the interim phase including:

- i) the proposed interim surface parking lot is edged with 100 mm caliper deciduous tree canopies along Apple Mill Road, Edgeley Boulevard and Street "A";
- ii) the ground cover at the edges of the interim surface parking area will be treated with ground cover planting, such as clover, with punctuations of concrete unit paving for pedestrian access from Apple Mill Road and Street "A";

- iii) the linear east-west pathway providing access from the transit square, through between the office building and the two-storey commercial mixed-use building and into the ultimate build out of the park will be included in the interim scenario as a pedestrian access from the parking area; and,
- iv) the concrete sidewalks at the perimeter of the subject lands will be installed along with the sidewalk curb ramps.

b) Phase 2 – Park

The second phase of the site plan proposes the elimination of the surface commercial parking area to facilitate the construction of the park. The park has been designed by renowned landscape architect, Claude Cormier, and proposes manicured, simple and flexible open spaces that are thoughtful and historically sensitive. Curvilinear lines create movement and visual interests, balanced with large tree canopies that lets light into the park in a play of sun and shadows.

The Owner has taken the position that the park should be privately owned and that a surface easement would permit public usage of the park as well as joint programming. This would allow the Owner full quality control over the maintenance of the park, which is seen as an amenity that would be the catalyst for future developments.

In contrast, the City has been clear that ownership of parks in the VMC must be public and that private park systems are undesirable and could create a situation in the future that would limit or negatively impact the use and programming of parks particularly in locations of the VMC in proximity to the VMC Station and future bus terminal, where establishing a civic presence is important. Development companies and private businesses could fail, sell assets, or agreements could change under a private land ownership scenario. It would be extremely difficult to gain control or secure public benefit with private parks if the City is not the landowner or does not have firm and defined rights to the park.

A potential option may be a public and private partnership where the park is jointly programmed subject to agreements and potential legal arrangements between the Owner and the City. At the second phase, a portion of the park may be encumbered with a portion of the underground parking for the office tower. A condition to the effect that the City and the Owner confirm ownership and management of the park has been included in the recommendation section of this report.

The Development Planning Department is satisfied with the proposed interim and ultimate build landscaping of the development proposal as a catalyst for future mixed-use developments within the VMC.

Building Elevations

The building elevations, shown on Attachments #10 to #13, include materials that create an iridescent mosaic of blue shades. The fifteenth storey will include the roof top mechanical units, which will be completely screened from view, and integrated into the building design. One to two storeys of clear glazing windows and doors are proposed along all the ground floor facades of the proposed office building, allowing for animation on each building elevation. Clear glazing offers the benefit of views in and out of establishments, thereby making spaces more comfortable for pedestrians. The primary entrance to the office building will be along Street "A". Efforts have been made to ensure direct access occurs from the ground floor units to the public realm as a measure to activate and support pedestrian movement around the buildings.



Vehicular access will be by way of the north elevations along Apple Mill Road. The proposed vision glazing curtain wall along the north elevation will provide views into the service corridor, which is designed to evolve over time to include retail frontages along Apple Mill Road. The main entrances to the two-storey building will be on the south elevation of the building along the east west pedestrian passageway. The Owner's intent is to create a successful and animated "main street" passageway. An important element to create comfortable pedestrian realms is the inclusion of directional and wayfinding signage that are legible and appropriately designed. The Owner is required to submit a full signage and detail package for all buildings and structures, including directional and wayfinding signs, to the satisfaction of the Development Planning Department.

As noted earlier, through the review of the development applications and continued negotiations between the City and the Owner, an opportunity to increase the height of the two-storey commercial building along Apple Mill Road by another two (2) storeys for a total height of four-storeys was identified. This opportunity is presented as conceptual and draft only on Attachments #18 to #20 inclusive, as the detailed design is in the infancy stage. The draft conceptual building elevation drawings do not form part of Site Development File DA.12.085 and will be subject to a future Site Development Application when the design and building articulation will be finalized to the satisfaction of the Development Planning Department. The Development Planning Department has no objection to the proposed building elevations, subject to the conditions in the recommendation of this report.

#### Future Transit Square

Attachment #4 illustrates the proposed Draft Plan of Subdivision and identifies a 1,799.68 m<sup>2</sup> block (ie. to the east of Block 1), "Additional Lands Owned by Applicant", that is outside the scope of draft plan approval. The lands are currently in private ownership and represent the easterly portion of the future transit square, which presently is used by TTC to facilitate the construction of the VMC Station. The area west of the lands identified as "Additional Lands Owned by Applicant" is privately owned and though it is within the future transit square area, it is outside of the scope of Site Development File DA.12.085.

In order to comprehensively design and develop the transit square, whether it is in public or private ownership or another ownership scenario, should Vaughan Council approve the applications, the Owner has agreed to submit a separate Site Development Application prior to the execution of the Site Plan Agreement for the subject development, which would address the configuration and size of the transit square, to the satisfaction of the City and the TTC, as well as, address the matter of land ownership within the future transit square. The Owner shall revise the landscape plan, if required, subject to Site Development File DA.12.085 to reflect any revisions resulting from the comprehensive transit square design. A condition to this effect has been included in the recommendation of this report.

#### Design Review Panel (DRP)

The Vaughan Design Review Panel consists of members who provide professional recommendations respecting development applications to the City. The Panel acts as an advisory body to the Development Planning Department.

##### a) Panel Comments - September 27, 2012

The initial development proposal, shown on Attachment #7, was considered at the September 27, 2012, DRP meeting and included a two-storey podium with a 14-storey office building between the transit square and the park. The Panel's initial comments included the following (in part):

- i) a stronger pedestrian connectivity between the park and transit square should be created;

- ii) the park and square program should be further considered to support diverse activities in the park as the community develops and to generate both daytime and evening activity; space could be provided in the square to allow for kiosks or other temporary installations that contribute to the activation of the mobility hub;
- iii) careful consideration must be made to the underground parking ramps and exit stairs and the impact on the public realm; and,
- iv) interim conditions should be depicted, phased and evaluated.

b) Panel Comments - April 25, 2013

As a result of the initial Design Review Panel, the Owner revisited the development proposal, as shown on Attachment #7, and presented the revision at the Panel's April 25, 2013 meeting. The Panel provided the following comments (in part):

- i) the reconfiguration of the park/parking lot, buildings, transit square and subway creates an important east-west axial line through the centre of the site. The pedestrian passageway between the two buildings should be treated and animated like a pedestrian street and as a grand gesture;
- ii) the roof of the two-storey building is an opportunity to create a revenue-generating destination (e.g. restaurant/bar) that overlooks the park and square;
- iii) to phase the park, the Panel suggested scaling back the temporary parking area to allow for partial construction of the park to create a social space along the western edge of the buildings.

The development proposal shown on Attachment #8, addresses the comments from the Panel. In particular, access to ground floor commercial uses along the passageway and provisions for outdoor patios within this area will provide animation. The Owner is considering including roof-top activation on the 2-storey commercial building, which will be to the satisfaction of the Development Planning Department. The temporary commercial parking lot has been designed to include the initial elements of the park, as described in the Landscape Plan section of this report.

Nav Canada and Bombardier

Nav Canada is a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS). NAV Canada co-ordinates the safe and efficient movement of aircraft in Canadian domestic airspace and international airspace assigned to Canadian control. In a letter dated May 28, 2013, NAV Canada has advised that they have no objection to the development proposal. NAV Canada's land use evaluation is valid for a period of 12 months of their notice and the assessment is limited to the impact of the proposed physical structure on the air navigation system and installations.

The Toronto Downsview Airport is located approximately 14 km southeast of the subject lands and is within the flight path of the airport. Bombardier Aerospace exclusively owns and operates the Toronto Downsview Airport. All development proposals within the flight path will require review by Bombardier. In a memorandum dated May 21, 2013, Bombardier Aerospace advised they have no objection to the proposed development.

The Owner is required to update NAV Canada and Bombardier Aerospace on any changes to the development proposal. A condition to this effect has been included in the recommendation of this report.

### Toronto Transit Commission (TTC)

In 2003, the Toronto Transit Commission (TTC) and the City of Toronto began initial broad based consideration of the extension for the Spadina Subway Line. The Toronto York Spadina Subway Extension (TYSSE) project was established along with the Regional Road 7 Bus Rapid Transitway (BRT) to provide higher order transit infrastructure to support compact urban forms and offer alternative modes of transportation to the single occupant vehicle. The subject lands are located northwest of the terminus of the Spadina Subway Line extension, and the VMC Station, which is within the TTC development review zone. The development proposal includes an underground connection to the subway station concourse level.

The TTC has reviewed the development proposal and provides the following conditions of site plan approval, which has been included in the recommendation of this report:

1. The site plan drawings shall not show any buildings, landscaping, public streets, driveways, or other improvements or alterations on the property to be owned by the TTC until and unless approved through the TTC Technical Review process, or as otherwise specifically approved in writing by the TTC;
2. The Owner shall continue to work with the TTC and the TYSSE Project on any construction areas or improvements that may affect the TTC operations in the area, including any planned permanent or temporary works on or within the property to be owned by the TTC, including the TYSSE construction easement areas;
3. The Owner shall respond in writing to all formal site plan comments from the TTC and the TYSSE Project in a timely manner, and shall submit such responses either prior or with future site plan revisions circulated to the TTC/TYSSE; and,
4. All site plan drawings illustrating the TTC property shall show existing or planned TTC facilities and other improvements accurately, including municipal ROW constructed as part of the TYSSE Project.

The Owner shall satisfy all requirements of the TTC, prior to the execution of the Site Plan Agreement.

### Vaughan Parks Development Department

The Vaughan Parks Development Department, in consultation with the City's Legal Services Department, recommends the following condition of approval to be included in the Site Plan Agreement, which has been included as a condition to be included in the Site Plan Agreement as noted in the recommendation of this report:

- a) Prior to the issuance of the full Building Permit, the Owner shall enter into an Agreement with the City regarding the conveyance, future park development and all other matters associated with the lands noted as a temporary parking lot, located to the west of the office building.

### Subdivision Design

The 2.72 ha Draft Plan of Subdivision File 19T-12V007 will facilitate development Blocks, as described in Table 1 and shown on Attachment #4, and consists of the following:

- a) Block 1 – 19,482.15 m<sup>2</sup> (1.94 ha), for a 14-storey office building, a 2-storey commercial mixed-use building, a temporary surface parking lot, and a portion of the future transit square;

- b) Blocks 2, 3 and 4 – 1,571.97 m<sup>2</sup> (0.15 ha) to facilitate Apple Mill Road (27.2 m right-of-way) and Edgeley Boulevard (26 m right-of-way);
- c) 6,219.21 m<sup>2</sup> (0.62 ha) to facilitate the creation of Street “A” (22 m right-of-way); and,
- d) Blocks 5, 6, and 7 – 7.93 m<sup>2</sup> (0.0007 ha) to facilitate 0.3 m reserves.

The lands to facilitate the future extensions of Apple Mill Road and Street “A” to Millway Avenue are identified on Attachment #4 and are external to the scope of Draft Plan of Subdivision File 19T-12V007, but require consideration at this time. The said lands are currently owned by the TTC and represent lands that are future road works required to facilitate the completion of the road network to the future Millway Avenue realignment.

The proposed Draft Plan of Subdivision can be supported for the following reasons:

- a) the conveyance of lands for Street “A” (a public street) conforms to the Official Plan. The Street “A” right-of-way is envisioned to be a shared/flex street design that would allow for flexibility of usage (auto and pedestrian) and will assist to frame the subject lands and optimize connectivity to future developments within the VMC while promoting walkability throughout the site;
- b) the utilities and infrastructure already exists adjacent to the subject lands and can be utilized to service the proposed development that the Draft Plan of Subdivision will implement; and,
- c) the Draft Plan of Subdivision implements a portion of the streets within the VMC. The grid network is planned to maximize mobility and movement through the VMC, thereby reducing travel need and distance for personal automobiles. The subject lands are located adjacent to the VMC Station and the York Region Bus Terminal and will be situated in close proximity to the planned Bus Rapid Transit Route along Regional Road 7. The direct proximity to the public transit system alone can warrant relief of the planned north/south local roads.

The Development Planning Department is satisfied with the proposed subdivision design. With the exception of the local north-south road deletion, as previously discussed, the draft plan is consistent with the in-effect Official Plan and the VMC Secondary Plan, subject to the Vaughan Development/Transportation Engineering Department comments noted below and the conditions of approval set out in Attachment #1. North-south connectivity will be examined as part of the future park design.

#### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has provided their comments for Draft Plan of Subdivision File 19T-12V007 and the Site Development File DA.12.085, as follows:

#### a) Draft Plan of Subdivision File 19T-12V007

##### i) Road Network

The Draft Plan is located between Edgeley Boulevard and Millway Avenue within the VMC Area. In accordance with the VMC Secondary Plan, the Owner is proposing to design and construct a new east/west local road (Street “A”) at the south limit of the draft plan extending from Edgeley Boulevard to the east limit of the Draft Plan. In addition, the Owner will be required to widen and reconstruct

existing Apple Mill Road between Edgeley Boulevard and Millway Avenue in conjunction with this Draft Plan in accordance with VMC Secondary Plan.

The VMC area will be the City Centre for Vaughan and highly urbanized. With the proximity of the Draft Plan to the subway station, future YRT bus terminal, Viva rapid way and proposed retail/commercial development, the surrounding roadways will be designed to promote pedestrian activity/connections and permeability. Accordingly, the Owner is proposing new cross sections for future Street "A" and existing Apple Mill Road.

1) Street "A"

Street "A" will be a "Flexible Street" designed to place an emphasis on pedestrians and urban space rather than vehicular traffic. The proposed cross-section for Street "A" provides for two vehicular travel lanes, two parking lanes, mountable curbs, and wide pedestrian zones and enhanced streetscape/landscape treatment, as per the City's VMC Streetscape/Open Space Master Plan. Street "A" will be pedestrian friendly and include quality paving materials, pedestrian/plaza paving, and possibly raised cross-walks all to promote pedestrian crossing activity along its entire length.

2) Apple Mill Road

Apple Mill Road is a collector roadway in the VMC and will be reconstructed to provide two travel lanes, two parking lanes (which can be converted to travel lanes during peak periods when warranted in the future), a raised cycle-track on either side of the street, wide sidewalks and enhanced streetscape/landscape treatment, as per the City's Streetscape/Open Space Master Plan. The full widening and reconstruction of Apple Mill Road will likely need to be phased in over time as redevelopment occurs in the VMC. Certain components of the reconstruction of Applemill may be included in the City-wide Development Charge Background Study.

ii) Vaughan Transportation Engineering Section

- 1) The Vaughan Transportation Master Plan (approved October 2011) supports smaller curb radii, which is recommended for Street "A" as it is being designed with shared space principles, and should encourage drivers to behave more accommodatingly to pedestrians. Smaller curb radii are recommended to slow traffic, provide more pedestrian area at corners and provide shorter crosswalks. The following table from the Vaughan Transportation Master Plan (approved October 2011) presents recommendations for optimum curb radii. As smaller curb radii have not been modified in the current City Standards, deviation requires justification (i.e. sightlines and truck maneuvering/safety analysis).

Type	Recommended	Current Vaughan
Residential Local to Residential Local	6.0 m	10
Residential Local to Minor Collector	6.0 – 7.5* m	10
Minor Collector to Minor Collector	7.5 – 9.0** m	12
Minor Collector to Major Collector	7.5 – 9.0** m	-
Local to Major Collector	7.5 – 9.0** m	12
Intersections with High Volume of Trucks (in excess of 5%) and/or Bus Turns (more than twice per hour)	10.0 – 12.0 m	-

Notes: \* The recommended width is 7.5 m or greater with a substantial volume of turning trucks and / or buses and encroachment into the opposing lane is unacceptable.  
 \*\* The recommended width is 9.0 m or greater with a substantial volume of turning trucks and / or buses and encroachment into the opposing lane is unacceptable.

Figure 1: Vaughan Transportation Master Plan, 2011, p. 6-21

2) Daylight Triangles or Traffic Safety Triangles on Corner Property

The daylight triangle is an area of unobstructed view formed by sightline and sight distance requirements for the vehicles approaching or departing an intersection. The intersection should have sufficient sight distance for drivers to perceive potential conflicts and take appropriate action.

The daylight triangle analysis is not included in the report. However, according to the Municipal Road Design by the Ministry of Transportation (MTO) and the Transportation Association of Canada (TAC) Guidelines, a 5 m x 5 m daylight triangle is sufficient at the following intersections:

- A) Edgeley Boulevard / Street "A"; and,
- B) Millway Avenue / Street "A".

The intersection of Edgeley Boulevard / Apple Mill Road is currently signalized with a daylight triangle of 8 m x 8 m. The City recommends maintaining the same.

iii) Coordination with The TTC

The proposed Draft Plan is in close proximity to the VMC station. To facilitate the VMC Station works, the TTC will be realigning Millway Avenue and the intersection of Apple Mill Road.

To service the development proposal, the Owner is required to design and reconstruct existing Apple Mill Road and future Street "A" including the connection to Millway Avenue which also will support future development growth within the VMC Area. Accordingly, it is recommended that the design and reconstruction of Apple Mill Road and construction of Street "A", and connection to Millway Avenue be coordinated between the TTC and the Owner to avoid duplication of works and throw away costs.

To service the Draft Plan, the external lands to the Draft Plan of Subdivision, identified on Attachment #4, represents future external road works on lands that are owned by the TTC. The City and the Owner, in consultation with the TTC, will finalize the construction responsibility of the future road works to complete the Apple Mill Road and Street "A" ROWs and connections to the Millway Avenue realignment in order to complete the road network as per the VMC Secondary Plan. It is acknowledged that there is more than one landowner on the external lands (i.e. the City, the Owner, TTC and York Region). Accordingly coordination and necessary mechanisms should be in place among the land owners to finalize the land transfer/conveyance.

iv) Municipal Servicing

The proposed development is located within the northwest quadrant of the VMC Plan. The anticipated growth within the VMC Plan will result in higher population densities, which will lead to an increased demand for water, increased wastewater production, and an increase in surface water run-off during rain events. To address this situation, the City has recently completed a Municipal Servicing Master Plan, which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth within the VMC Secondary Plan Area.

The Applicant has submitted the Functional Servicing and Stormwater Management Report (FSR), prepared by Cole Engineering, revised on April 17, 2013, which confirms that the existing municipal services can be used to service the proposed Draft Plan.

v) Water Servicing

The subject development is located within Pressure District PD-6. As per the FSR, water supply for the development can be provided by an existing watermain located on Apple Mill Road and a proposed a 300 mm diameter watermain on future Street "A". These watermains will be connected to the existing 400 mm diameter watermain on Edgeley Boulevard and existing 500 mm diameter watermain on Millway Avenue which will provide adequate supply, pressure and security (looping) for the development. All new watermains shall be designed in accordance with the VMC Servicing Master Plan.

vi) Sanitary Servicing

The subject development is a tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). As per the FSR, the subject development can be serviced by an existing sanitary sewer located on Apple Mill Road. The FSR also identified the need for a new 300 mm diameter sanitary sewer on future Street "A". Given the subsurface barrier imposed by the VMC subway station/underground tunnel structure, the proposed 300 mm diameter sanitary sewer on Street "A" will be aligned on the north side along the west side of the subway corridor limits through a servicing easement and connected to the existing 600 mm diameter sanitary sewer located on Apple Mill Road. The Owner will be required to provide the City with the necessary servicing easement for this sewer.

vii) Storm Drainage

The VMC is within the Black Creek watershed, which is tributary to the Humber River. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC Plan. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Plan have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Jane Street/Regional Road 7 Storm Water Management Pond (SWMP) (quality, quantity and erosion protection). In particular, these studies have identified the need for the following improvements:

- 1) The retrofit (re-naturalization) and expansion of the existing Black Creek channel and associated hydraulic structures improvements for the purposes of flood protection;
- 2) Water quality improvements within the Black Creek sub-watershed;
- 3) In-stream erosion restoration measures/works within the Black Creek sub-watershed; and,
- 4) Improvements to the existing storm water management facility located at the north-east corner of Jane Street and Regional Road 7.

To provide for these drainage improvements, the City is currently undertaking a Schedule C Class EA for the necessary improvement to the Black Creek Channel. The study is expected to be completed by the first quarter, 2014, and

the recommended improvements will be the subject of a future Special Area Development Charge (SAC). If development proceeds before the enactment of the SAC, the Owner will be required to post securities with the City under the terms of the Subdivision Agreement for the estimated amount of the charge and pay the SAC when it is in effect in the future.

The FSR confirms that the lands within the Draft Plan generally slopes from north to south and currently discharges via the existing storm sewer system into the stormwater management pond located north-east of Jane Street and Regional Road 7. The FSR proposes a drainage strategy for the Draft Plan to use both on-site and end-of-pipe controls. Each development parcel will be controlled for the 2 to 100 years storm event to LEED criteria, which will result in a more stringent allowable release rate compared to the recommendation of the VMC Municipal Servicing Master Plan. Quality control for the development block(s) will be provided by oil-grit separator (OGS) in addition to the quality control that will be provided by the planned retrofitting of the existing Jane Street/Regional Road 7 stormwater management pond. To control the run-off from the proposed Street "A" before the Jane Street/Regional Road 7 SWMP has been retrofitted, the drainage system on existing lands to the south, 3200 Regional Road 7 (Future Shop) will be modified to accommodate additional surface storage.

As per the FSR, the proposed storm sewer system onto Street "A" will be designed to convey the drainage from the right-of-way and the future development blocks, and outlet to the existing 1800 mm diameter storm sewer on Apple Mill Road. Given the subsurface barrier imposed by the VMC Station/underground tunnel structure, the proposed storm sewer will be aligned on the north-side of Street "A", west of the subway corridor limits through a servicing easement and connected to the existing 1800 mm diameter storm sewer on Apple Mill Road. The Owner will be required to provide the City with the necessary servicing easement for this sewer.

viii) Land Owner's Group Agreement

The implementation policies of the City's VMC Secondary Plan state that prior to approving development in the VMC, the City may require that landowners enter into an Agreement or arrangements to coordinate development and equitably distribute the cost of the shared infrastructure. The Owner in cooperation with the majority of the Owners of the northwest quadrant of the VMC area have made progress on cost sharing arrangements and are therefore fulfilling the intent of this policy.

ix) Environmental Site Assessment (ESA)

The Owner has submitted a Phase I ESA Report dated May 2012 and a Phase II ESA Report, dated August 2012, prepared by Golder Associates in support of the subject development. The reports are acceptable subject to the submission of a Letter of Reliance to the City from the environmental consultant for the ESA reports.

x) Environmental Noise/Vibration Impact

The applicant has submitted a preliminary Environmental Noise and Vibration Impact Study, prepared by Aeroustics Engineering Limited, dated October 17, 2012, in support of the proposed office building development. The Study states that there are no ground level outdoor living areas and no terraces/balconies are proposed for the subject office building development. Accordingly, the



Study concludes that no mitigation measures are required for the outdoor living areas. The Study recommends that the building exterior wall construction should meet the Ontario Building Code so indoor sound levels will conform to Ministry of the Environment (MOE) guidelines for areas such as, conference room, reading rooms, and libraries.

Prior to final approval of the plan, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval of the City, and the Owner shall agree in the Subdivision Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City.

xi) Geotechnical and Hydrogeological Report

The Owner has submitted a preliminary Geotechnical and Hydrogeological Investigation Report, prepared by Golder Associates, dated September 2012, in support of the proposed development. The report identified high ground water table within the proposed development limits and the need for active groundwater dewatering in advance and during construction excavation to maintain stability of the trench for municipal services/utilities and protect the integrity of the subgrade materials. The Report also recommends that ground water control measures need to be implemented during the detail design stage, and assessment of potential water quantity/quality effects due to dewatering activities on the proposed and existing development. The Development/Transportation Engineering Department recommends that the proposed sanitary sewer design shall consider inflow/infiltration reduction measures, as per the Region's strategy and responsibility to implement these measures by local municipalities.

xii) Street Lighting and Pedestrian Scale Lighting

As the proposed development is within the VMC and is close proximity to the subway station/YRT bus terminal, and proposed streets will be designed for shared space scheme and will promote pedestrian traffic and connectivity, enhanced street lighting/pedestrian lighting system is an important feature to service the proposed development and future developments within the VMC. Accordingly, the Owner proposes a street lighting/pedestrian lighting system to incorporate distinctive features, such as decorative poles, light fixtures and LED luminaire that are unique to the VMC, as per recommendations of the City's Streetscape/Open Space Masterplan, and will be addressed in conjunction at the detailed engineering design stage.

xiii) Existing Services at 3200 Regional Road 7 (Future Shop)

The existing services to and within the Future Shop lands, as shown on Attachment #3, will be impacted by the construction of Street "A" in the Draft Plan. Accordingly, the Owner will be required to relocate the existing services and undertake modifications to the Future Shop lands, such as the relocation of the existing driveway access and some minor landscaping works that are necessary to accommodate the development and servicing of the Draft Plan. The existing site plan for the Future Shop must be amended to facilitate these works.

b) Site Development File DA.12.085

The Vaughan Development/Transportation Engineering Department has provided the following comments respecting the Site Development File DA.12.085, subject to the conditions in the recommendation section of this report.

i) Site Access

Vehicular access to the site is proposed via two driveways onto Apple Mill Road, which leads to underground parking and a loading area to service the development. On an interim basis, the temporary surface parking lot will be accessed by two driveways; one onto Apple Mill Road and the second onto Street "A".

ii) Municipal Servicing

The Owner has submitted the Functional Servicing and Stormwater Management Report (FSR), prepared by Cole Engineering, revised on April 17, 2013, in support of the proposed application. The report concludes that the development proposal could be serviced by connections to the existing sanitary sewer, storm sewer and watermain on Apple Mill Road.

iii) Water Servicing

As per the FSR, water supply for the development is proposed to be serviced from the existing 300 mm diameter watermain located within the north boulevard of Apple Mill Road, via a new 200 mm diameter water service connection to the property line.

iv) Sanitary Servicing

As per the FSR, the site can be serviced from the existing 600 mm diameter sanitary sewer onto Apple Mill Road, via a new 250 mm diameter sanitary service connection to the subject lands.

v) Storm Servicing

The site generally slopes from north to south and currently discharges via an existing storm sewer system located onto Apple Mill Road/Millway Avenue to the existing City-owned stormwater management pond located at the north-east corner of Jane Street and Regional Road 7, and finally discharges into the Black Creek channel. As per the FSR, storm services for the subject lands can be serviced from the existing storm sewer system located at Apple Mill Road/Millway Avenue. Furthermore, the quantity control for storm runoff during a 2 to 100 years storm event for the office building is proposed by provisions for building roof storage and underground storage tanks. The surface ponding is proposed for the temporary commercial surface parking area to achieve allowable storm release rate, in accordance with the recommendations and conclusions of the VMC Municipal Servicing Master Plan. In accordance with the FSR, runoff from the office building roof can be considered as clean water. The oil-grit separator (OGS) is proposed for quality control measures for runoff from the office landscaped area and temporary commercial surface parking area. Additionally, quality control will be provided by the existing stormwater management pond at the north-east corner of Jane Street and Regional Road 7.

vi) Vaughan Transportation Engineering Section

The Transportation Engineering Section of the Vaughan Development / Transportation Engineering Department has provided the following comments on the Site Development File DA.12.085, based on the Urban Transportation Considerations Report, prepared by BA Group, dated April 2013:

1) Parking

The Urban Transportation Considerations Report concludes that the proposed parking supply of 785 spaces would be sufficient for the development's specific requirements, of which 325 spaces are proposed in an interim surface parking lot next to the office tower and 460 spaces are proposed in a parking garage below the building. The proposed underground parking supply of 460 spaces reflects the long-term parking supply for the building and within the minimum / maximum range that is recommended for the site specific Zoning By-law.

The 325 spaces (labeled as surplus parking spaces in the site plan) located in the adjacent surface parking lot will provide a transitional parking supply to support the immediate needs of the office tower tenants on an interim basis until people in the area adjust to the improved access to alternative modes of transportation, in conjunction with the proposed TDM Plan, and adjust their habits accordingly.

The City of Vaughan has adopted reduced parking rates in areas with high density developments and for the developments located in areas with good transit service, as good transit service reflects relatively lower parking demand. In addition, the existing and future proposed rapid transit service along the Regional Road 7 corridor and subway station at Regional Road 7 / Millway Avenue will further support the proposed parking supply.

The proposed parking supply of 785 spaces is adequate for the immediate needs of the proposed development based on supporting analysis provided in the Consultant's report. A total of 460 parking spaces as proposed in a parking garage under the building reflect the ultimate parking needs for the building. This parking supply is consistent the Vaughan's Draft Parking Standards prepared by IBI Group. The minimum 325 surface parking spaces are provided on a temporary basis, and as such a mechanism needs to be established in the implementing Zoning By-law that provides for the ultimate removal of the temporary surface parking.

2) Roadway Design, Site Driveways and Traffic Operations

Major intersection design including lane configurations, intersection control and curb returns should be provided for the Vaughan Transportation Engineering Section review and approval.

A plan outlining the existing accesses on Apple Mill Road and Street "A" should be provided for review by the Vaughan Transportation Engineering Section. The plan should outline the interim design for the north side of Apple Mill Road and the south side of Street "A". Both interim and future requirements should be addressed adequately.

3) Additional Comments

As per Zoning By-law 1-88, regular parking spaces should be 2.7 m x 6.0 m and 3.9 m x 6.0 m for barrier-free spaces in size (if the barrier-free spaces are adjacent to each other, width can be reduced to 3.2 m). The recommended parking space length is 5.7 m, which does not comply with Zoning By-law 1-88. Most manuals suggest that the typical stall length is 5.5 m, which is based on the length of a typical vehicle plus 150mm for bumper clearance. Based on the review of existing standards, and comparison to other jurisdictions, IBI Group recommended in the Draft Parking Standards, March 2010, that the typical stall length be 5.7 m. As the proposal is in keeping with the Draft Parking Standards, the Transportation Engineering Section has no further comments.

There are two internal 'courtesy crossings' proposed in the temporary commercial surface parking area. For all uncontrolled courtesy crossings, pavement markings are not recommended as they are too similar to markings used for typical controlled crossings, which would create a false sense of security on the part of pedestrians. Instead, these crossings should be enhanced through, for example, sidewalk extensions, textured pavement, or thermoplastic markings.

The presence of a marked pedestrian crossing at uncontrolled intersections could create confusion and false sense of confidence to the pedestrian who may enter the crosswalk expecting that the approaching drivers would see them and stop. However, the pedestrian crosswalk could be further examined once construction of Street "A" is completed. The pedestrian crossing should be prioritized first based on consideration of implementing supporting traffic control measures as defined in the Ontario Traffic Manual and provided that appropriate warrant and site conditions are satisfactory.

The Owner will be required to provide Rb-93 (i.e. 'By Permit Only') signs for the barrier free parking spaces.

4) Transportation Demand Management Plan (TDM Plan)

The proposed TDM measures will be critical to achieving a balanced transportation system in the VMC, one that provides and promotes attractive alternatives to the automobile. The following comments relate to the recommended TDM measures:

- i) Carpool parking – All preferred carpool parking spaces and associated signage should be shown on the floor plans for approval. The TDM Plan should clarify who will administer carpool parking passes (e.g. TDM Coordinator).
- ii) Encouraging Cycling – In regard to long-term cycle parking, the TDM Plan must identify the operational roles and responsibilities for the TDM Coordinator, including operations (e.g. how access will be administered to the locked room).

The City may require a security, in the form of a Letter of Credit, for the total cost of the TDM budget (non-infrastructure elements) to ensure the TDM Plan and monitoring is completed to the City's

satisfaction. The City of Vaughan will not assume responsibility, financial or otherwise, for implementing the measures outlined in the TDM Plan.

5) Toronto Transit Commission (TTC) Link (Underground Tunnel)

The Owner has proposed an underground tunnel that connects pedestrians between the southeast corners of the P1 Floor to the TTC concourse level. The TTC link crosses below future Street "A". The TTC link is also accessible via an exit to the square (located north of Street "A" and east of the proposed office building).

The TTC link is accessible to the office building via the P1 underground parking area. However, this connection requires pedestrians to walk through the parking area and two travel lanes. This connection is not pedestrian-friendly. A more direct and attractive connection to the TTC link should be explored, perhaps along the southern building line.

If a TTC link is only feasible with a pedestrian connection via the parking area, pedestrian wayfinding signage is strongly recommended. Wayfinding would assist pedestrians in navigating their way from the building's lobby and elevators to the entrance of the TTC link.

6) Cycle Parking

There is sufficient short-term cycle parking proposed for the office and retail components. However, not all proposed parking is visible from the roadway. The City recommends relocating 15 cycle parking spaces to the south side of the office tower building along Street "A". All short-term cycle parking should also be shown on the site plan for approval by the Development/Transportation Engineering Department.

There is sufficient long-term cycle parking proposed for the 'Bike Storage' on Level P01. Further detail is required about the type of bike stand or rack proposed. Common stand and rack designs are recommended in the Transport Canada Guide for Bicycle End-of-Trip Facilities. The bicycle footprints should also be outlined on the building plan for approval.

Vaughan Real Estate Division

The Vaughan Legal Services Department, Real Estate Division, has provided the following condition, which will be incorporated into the Site Plan Agreement, and has been included in the recommendation section of this report:

"The Vaughan Real Estate Division has advised that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the City of Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."

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

### PowerStream Inc.

PowerStream Inc. has reviewed the development proposal and indicated that it is the Owner's responsibility to contact PowerStream and discuss all aspects of the development proposal with respect to electrical supply, transformer locations, and temporary service requirements. A condition to this effect has been included in the recommendation of this report.

### Canada Post

Canada Post has reviewed the development proposal and indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility.

### Utilities

Enbridge Gas has reviewed the development proposal and has no objection. It is the Owner's responsibility to contact Enbridge Gas to discuss the installation and clearance requirements for service and metering facilities. The Owner is to arrange for the installation of the gas plant prior to the commencement of the asphalt paving or landscaping.

Bell Canada has reviewed the development proposal and has advised that prior to commencing any work on site, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is available to service the site. Provisions to this effect have been included in Attachment #1.

### School Boards

The York Catholic District School Board has reviewed the development proposal and has no objection to the proposal with the understanding that it will not affect the designation of a school site satisfactory to the Board. The issue of school size in VOP 2010 will be discussed further as part of the efforts to resolve the OMB appeals. The York District School Board and the Conseil Scolaire de District Catholique Centre-Sud have no objection to the development proposal.

### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

#### i) Lead & Promote Environmental Sustainability

Committed to protecting and enhancing the natural and built environments through the efficient use of resources.

The proposed development includes a three stream waste disposal system, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

The proposed landscape plan includes drought tolerant plant material to promote water efficiency.

#### ii) Manage Growth and Economic Well-Being

Creating a positive environment that encourages innovation and prosperity.

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

iii) Promote Community Safety, Health & Wellness

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

The proposed development includes amenity space/walking trails/bicycle storage facilities to enhance the City's existing inventory of public amenity space.

iv) Manage Corporate Assets

Continuous assessment of infrastructure requirements to ensure a sustainable future.

vii) Ensure Financial Sustainability

Using financial resources wisely by making informed decisions that take into consideration the effect on the current and future operations of the City.

**Regional Implications**

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

The Region of York has noted that in the absence of an in-effect VMC Secondary Plan, the proposed amendment to the City's in-effect Plan (OPA #500, as amended) requires careful consideration. The location, scale, and connection to the subway station are of Regional interest. As such, the Region of York has not granted exemption for File OP.12.014 and will be the approval authority for the subject Official Plan Amendment.

The Owner shall be required to satisfy all the conditions of the Region of York. A condition to this effect has been included in the recommendation of this report.

**Conclusion**

The Owner has submitted Official Plan Amendment File OP.12.014 to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Plan), to increase the maximum permitted building height from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of-way). The Owner has submitted Zoning By-law Amendment File Z.08.022 to rezone the a portion of the subject lands from C9(H) Corporate Centre Zone with the Holding Symbol "(H)" to C9 Corporate Centre Zone and OS2 Open Space Park Zone, thereby removing the Holding Symbol "(H)" on a portion of the subject lands, and to permit site-specific zoning exceptions. The Owner has submitted applications to implement Draft Plan of Subdivision File 19T-12V007 and Site Development File DA.12.085 to facilitate a phased development consisting of a 14-storey office building, a 2-storey commercial mixed-use building, an underground pedestrian connection to the VMC Station, a portion of the future transit square, and an interim surface parking area (future park).

The Official Plan and Zoning By-law Amendment applications propose to implement a mixed-use commercial and office development that meet the objectives of the Provincial Policy Statement

(PPS) and Growth Plan for the Greater Golden Horseshoe (the Growth Plan) by providing an intensified and transit-oriented use.

The Development Planning Department is satisfied that the development proposal is appropriate and compatible with the planned uses in the VMC. Accordingly, the Vaughan Development Planning Department can support the approval of Official Plan Amendment File OP.12.014, Zoning By-law Amendment File Z.12.034, Draft Plan of Subdivision File 19T-12V007, and Site Development File DA.12.085, subject to the recommendations in this report and conditions of Draft Plan Approval set out in Attachment #1.

### **Attachments**

1. Draft Plan Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-12V007
5. Amendment to Schedule "B" – Transportation Plan (OPA #500)
6. Amendment to Schedule "C" – Street Network (VMC Secondary Plan, As Amended)
7. Original Site Plan
8. Site Plan/Landscape Plan – Phase 1
9. Site Plan/Landscape Plan – Phase 2
10. Building Elevations – North (facing Apple Mill Road)
11. Building Elevations – South (facing Street "A")
12. Building Elevations – East (facing transit square)
13. Building Elevations – West (facing Edgeley Boulevard)
14. East Perspective – Phase 1
15. East Perspective – Phase 2
16. West Perspective – Phase 1
17. West Perspective – Phase 2
18. Conceptual (Draft Only) North Elevation (facing Apple Mill Road)
19. Conceptual (Draft Only) East Elevation (facing future Transit Square)
20. Conceptual (Draft Only) West Elevation (Edgeley Boulevard)

### **Report prepared by:**

Stephen Lue, Planner, ext. 8210  
Christina Napoli, Senior Planner, ext. 8483  
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/CM



# **ATTACHMENT NO. 1**

## **STANDARD CONDITIONS OF DRAFT APPROVAL**

### **DRAFT PLAN OF SUBDIVISION 19T-12V007 CALLOWAY REIT (SEVENBRIDGE) INC. LOT 6, CONCESSION 5, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-12V007, ARE AS FOLLOWS:**

#### **City of Vaughan Conditions**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by MHBC Planning Urban Design & Landscape Architecture, drawing #07132K, dated May 28, 2013.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:
  - a) C9 – Corporate Centre Node Zone; and,
  - b) C9(H) – Corporate Centre Node Zone with the Holding Symbol “(H)”.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the applicable and in-effect Tariff of Fees By-law.
4. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; a proposed street name for Street “A” shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
5. The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said Agreement shall be registered against the lands to which it applies.
6. Prior to final approval, the Owner shall prepare preliminary pedestrian level Wind Studies for the proposed development to the satisfaction of the City. These studies should include existing neighbouring buildings where they exist and recommend mitigation measures to ensure favourable micro-climactic conditions at grade.
7. Prior to final approval, the Owner shall prepare development and infrastructure Phasing Plans for the construction of built form, temporary surface parking, underground parking, vehicle and pedestrian access points to underground parking, pedestrian access points to the subway-bus terminal tunnel from the development, transit square, park, and streets.
8. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed subdivision agreement to:
  - a) The Region of York;
  - b) York Region District School Board;
  - c) York Catholic District School Board;

- d) Canada Post;
  - e) Canadian National Railway (CN);
  - f) Municipal Property Assessment Corporation (MPAC);
  - g) PowerStream Inc.;
  - h) Enbridge Gas; and,
  - i) Bell Canada.
9. The road allowances included in this Draft Plan of Subdivision shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
10. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
11. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City.
12. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
13. The Owner shall agree in the Subdivision Agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
14. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
- a) A detailed engineering report that describes the storm drainage system for the proposed development within this Draft Plan, which report shall include:
    - i) plans illustrating how this drainage system will be tied into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
    - ii) stormwater management techniques which may be required to control minor or major flows;
    - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
    - iv) the location of description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the Lakes and Rivers Improvement Act;

- v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction;
- vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and,
- vii) overall grading Plans for the Plan.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

15. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the Plan.
16. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
17. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
18. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
19. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.
20. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its Plant so as to permit connection to individual blocks within the Subdivision as and when each block is constructed.
21. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage Plan detailing the location, size, slopes stabilization methods and time period, for the review and approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the Park Block.
22. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for

each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the Toronto and Region Conservation Authority (TRCA) Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006, and implement a monitoring and reporting program to the satisfaction of the City.

23. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of Lots/Blocks etc.), which may be reflected in the final Plan to the satisfaction of the City.
24. Prior to final approval of the Plan, satisfactory arrangements shall be in place between the TTC, City, Region and the Owner with respect to the lands and easements necessary to complete the right-of-way of Apple Mill Road and Street "A" from the east limit of the Plan to the new Millway Avenue right-of-way to the satisfaction of the City.
25. The Owner shall agree in the Subdivision Agreement to carry-out the design and reconstruction of Apple Mill Road between Edgeley Boulevard and the new Millway Avenue right-of-way to the satisfaction of the City.
26. The Owner shall agree in the Subdivision Agreement to design and construct the municipal services in the Plan in accordance with the final recommendations and conclusion of the following studies to the satisfaction of the City:
  - a) VMC Municipal Servicing Master Plan;
  - b) City-Wide Transportation Master Plan; and,
  - c) Black Creek Optimization Study.
27. The Owner shall agree in the Subdivision Agreement to pay its proportionate share of the cost associated with implementing the infrastructure improvements identified in the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City. The City intends on enacting a Special Area Development Charge (SAC) by-law(s) with respect to the required drainage and sewer infrastructure improvements. In advance of the enactment of this SAC(s) by-law, the Owner shall provide financial commitments via the Subdivision Agreement based on the City's latest available cost estimate for the required infrastructure improvements.
28. Prior to final approval of the Plan, the Owner shall submit a Water Supply Analysis Report for review and approval to the satisfaction of the City, which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply and fire flow demands are available for the Plan and any external lands which comprise part of proposed water distribution system.
29. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
  - a) submit a Phase One Environmental Site Assessment (ESA) report and a Phase Two ESA in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) for the lands within the Plan to the satisfaction of the City;
  - b) submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region are suitable for the intended land use and meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended); and,

- c) reimburse the City for the cost of the peer review of the ESA reports, as may be applicable.
30. Prior to final approval of the Plan, with respect to the Park / Block(s) that is being conveyed to the City, the Owner shall be required to:
- a) submit a Phase Two ESA report in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) assessing all Park / Open Space Block(s) in the plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space block(s) shall be conducted only after the City has certified the rough grading of the park/open space block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City; and,
  - b) should the Phase Two ESA of the Park / Open Space Block(s) identify that remediation of the park/open space is required to meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended) for parkland property use, the Owner shall undertake the required remediation to the satisfaction of the City including the submission of an acceptable RAP, a Phase III ESA, and a new Record of Site Condition.
31. Prior to final approval of Plan, the Owner shall submit a detailed Noise/Vibration Impact Study for review and approval by the City. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out recommendations set out in the approved noise/vibration study to the satisfaction of the City.
32. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within the Vaughan Metropolitan Centre (VMC), if required, to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within the VMC. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.
33. The Owner shall agree in the Subdivision Agreement to submit detailed engineering drawings and reports that include, but are not limited to plan and profile drawings for the proposed municipal services including intersection design, grading and servicing, erosion and siltation control and street lighting as deemed necessary for review and approval to the satisfaction of the City.
34. The Owner shall agree in the Subdivision Agreement to undertake the necessary modifications to the existing Future Shop lands (3200 Regional Road 7) and associated services to permit the unencumbered construction of Street "A" and associated municipal services to the satisfaction of the City.
35. The Owner shall agree in the Subdivision Agreement to design and construct street lighting/pedestrian scale lighting system in the Plan to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan.
36. Prior to final approval of the Plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and Municipal Class Environmental Assessment for Municipal

Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters have been met.

37. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval a detailed Geotechnical and Hydrogeological Report, which shall address but not limited to the following:
- a) a dewatering report/plan, necessary contingency plan, monitoring and reporting program during and after completion of the construction;
  - b) assess any impact on the existing building structures in the vicinity of the proposed development due to dewatering operation; and,
  - c) design considerations for municipal services and structures.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned report to the satisfaction of the City.

38. a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
- b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.
- c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
39. The Owner shall provide the City a letter advising of the proposed conditions and requirements for the Transit Square lands, to the satisfaction of the Parks Development Department. Upon receipt of the letter, the review and consideration of the proposed conditions and requirements for the Transit Square landownership arrangement will be conducted. The City is requesting the following, to the satisfaction of the Parks Development Department:
- a) The Transit Square is to be developed as one comprehensive plan; and,
  - b) The Owner shall enter into an Agreement with the City for any Parkland Credits associated with the lands conveyed to the City for the Transit Square. Parkland Credits will need to be further discussed for any lands encumbered by strata title and shall be subject to any future policy that may be adopted by Vaughan Council.
40. The temporary commercial parking lot will be removed by the Owner prior to the development of the Phase 2 Park / Block(s) that is being conveyed to the City and the Owner shall be responsible for all associated costs to complete these works and bring the said Park / Block(s) to a suitable pre-development condition, including all necessary soil remediation works to the satisfaction of the City.

41. The Owner shall complete borehole investigation for the proposed Park / Block(s) that is being conveyed to the City, to the satisfaction of the Parks Development Department. Boreholes shall be taken at regular intervals along the full length of the proposed park blocks, with a minimum of 8 boreholes required per hectare of park area.
42. The Owner shall ensure that the construction of the adjacent underground parking garage does not interfere or disrupt the future development of the Phase 2 Park / Block(s), to the satisfaction of the Parks Development Department.
43. The Owner is required to identify, to the satisfaction of the Parks Development Department, the methods by which the construction / maintenance of the underground parking will take place and how the Phase 2 Park / Block(s) will not be negatively impacted during the required site works during the life span of the underground parking lot.
44. The Owner shall agree in the subdivision plan to show all proposed elevations, including but not limited to top of roof deck, bottom of footings, projections, services, and finished grades, along the full length of the property line between any proposed Phase 2 Park / Block(s) and any underground structure, to the satisfaction of the City. The Owner shall provide all necessary as built drawings completed by their consultant showing the constructed elevations of these underground structures, to the satisfaction of the City.
45. The Owner shall ensure that the Phase 2 Park / Block(s) includes adequate sized servicing connections along the main frontage of the said Park / Block(s) and must tie into a public road, including a water, storm water, sanitary and electrical servicing.
46. All proposed Park / Block(s) shall be developed to satisfy the following requirements, to the satisfaction of the City:
  - a) unencumbered by any easements required for utility services, transformer boxes, Canada post mail boxes and/or access;
  - b) unencumbered by overland flow routes from adjacent properties abutting the Park / Block(s);
  - c) graded to conform to the overall grading plan approved by the lead engineer with clean engineered fill material compacted to 95% Standard Procter Dry Density (SPDD). No fill shall be placed on existing topsoil; and,
  - d) developed to the approved conditions and plans, as per the approved Agreement between the City and the Owner.

#### Region of York Conditions

47. The Owner shall provide the following to the Region of York:
  - a) a copy of the executed Subdivision Agreement; and,
  - b) a Solicitor's Certificate of Title to the Region of York Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to The Regional Municipality of York.
48. The Owner shall enter into an Agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-3-98-77.

#### Bell Canada

49. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and the one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

#### PowerStream Inc.

50. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a Development Agreement with PowerStream Inc. which addresses the foregoing requirements.
- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.

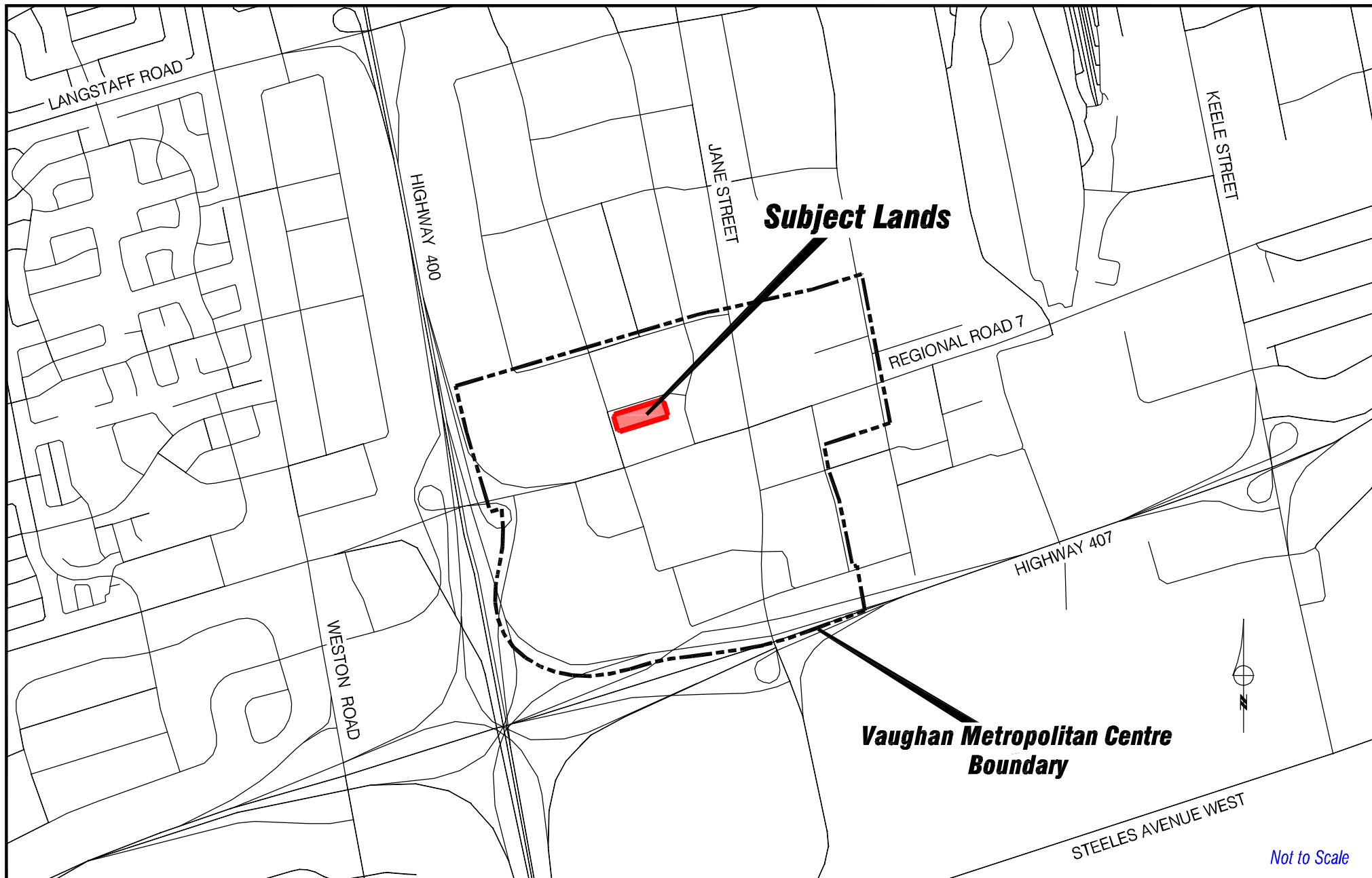
#### Canada Post

51. The Owner shall agree to:
- a) supply, install and maintain a suitable mailbox/mailroom location to Canada Post's specifications; and,
- b) provide a copy of the executed Subdivision Agreement to Canada Post.

#### Other Conditions

52. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
- b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 51 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
53. The City shall advise that Conditions 1 to 46 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
54. The Region of York shall advise that Conditions 47 and 48 have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
55. Bell Canada shall advise that Condition 49 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
56. PowerStream Inc. shall advise that Condition 50 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
57. Canada Post shall advise that Condition 51 has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.





*Not to Scale*

## Context Location Map

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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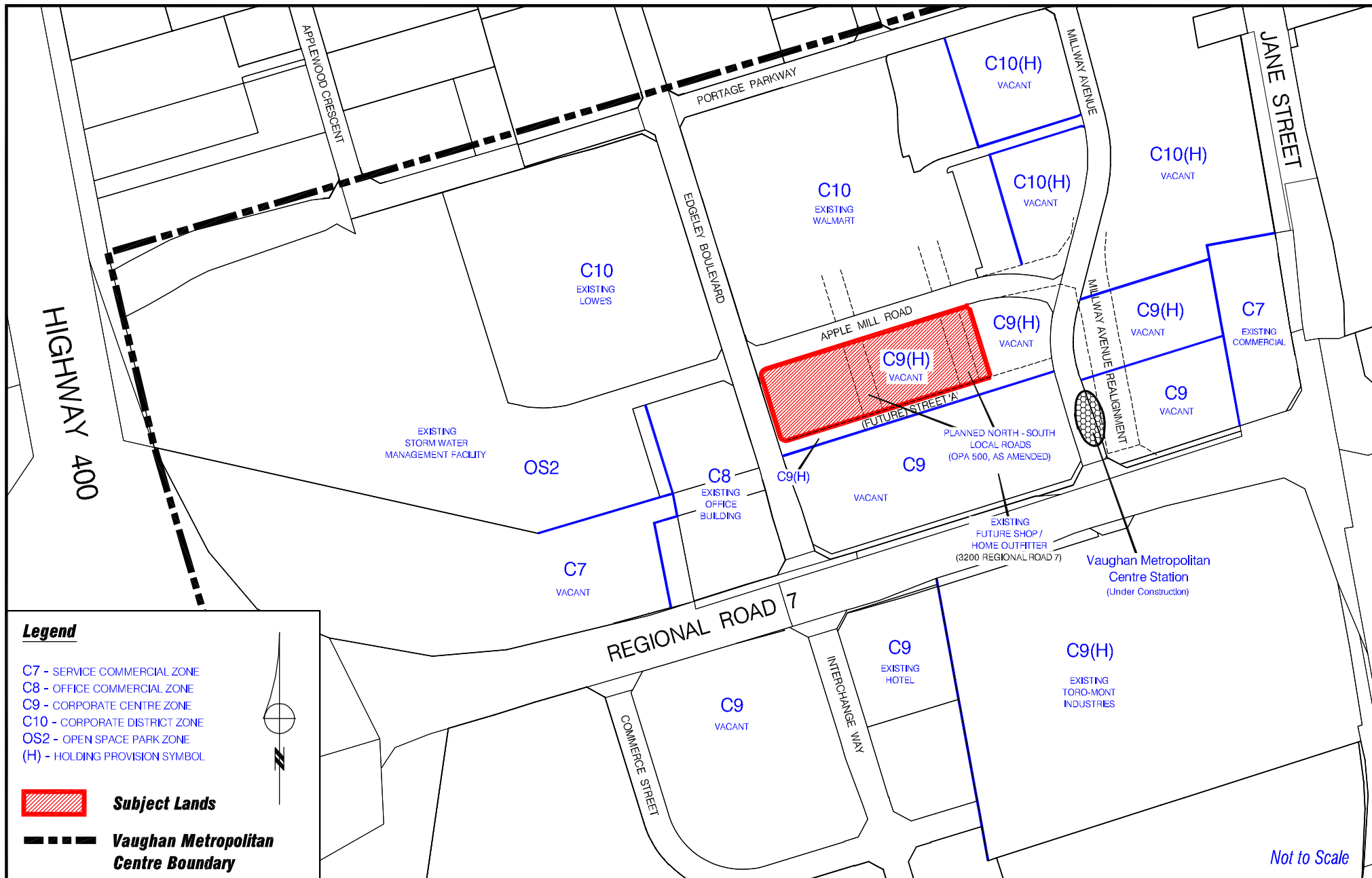


## Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

**2**



## Location Map

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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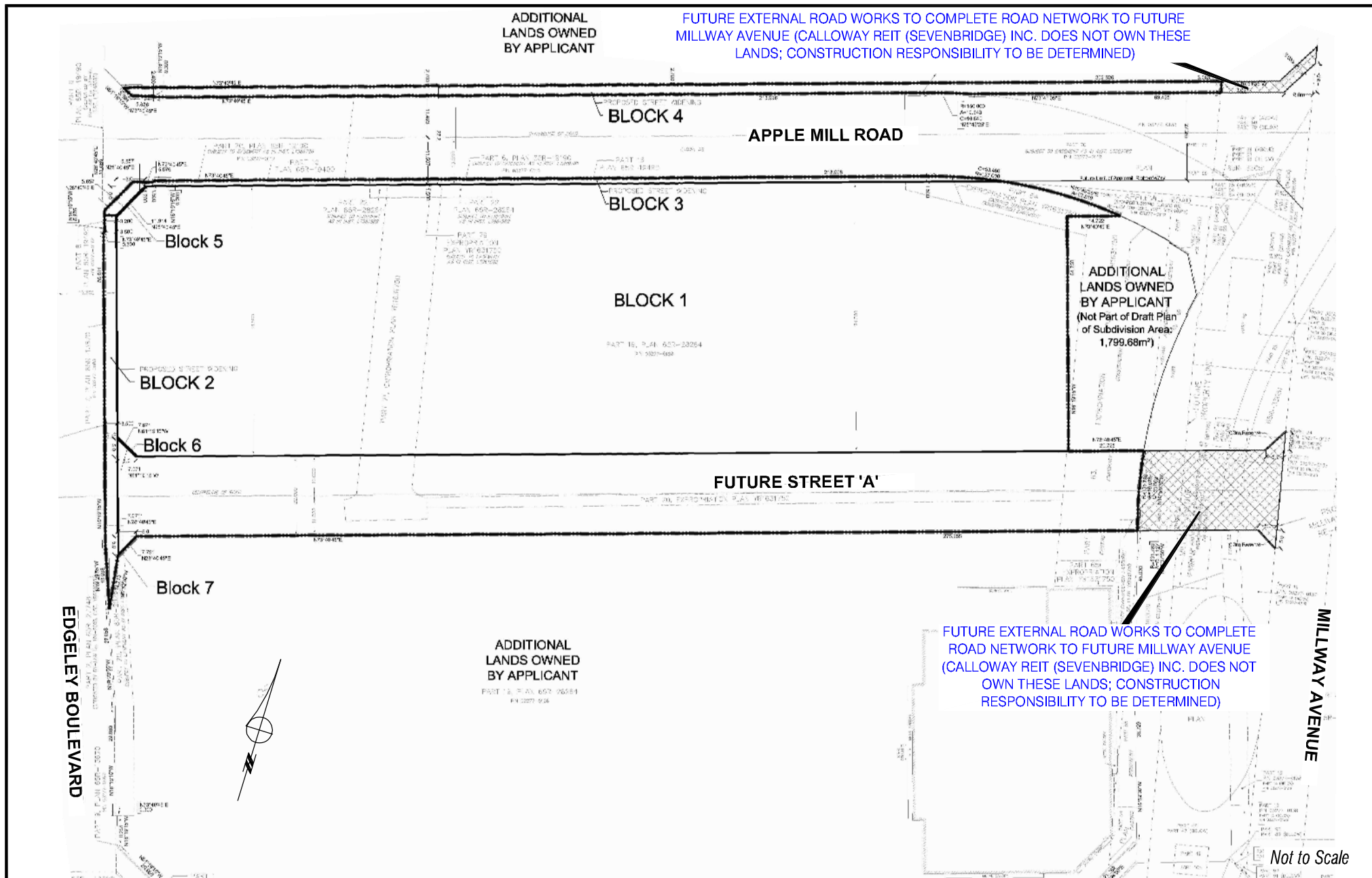


## Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

**3**



# Draft Plan of Subdivision File 19T-12V007

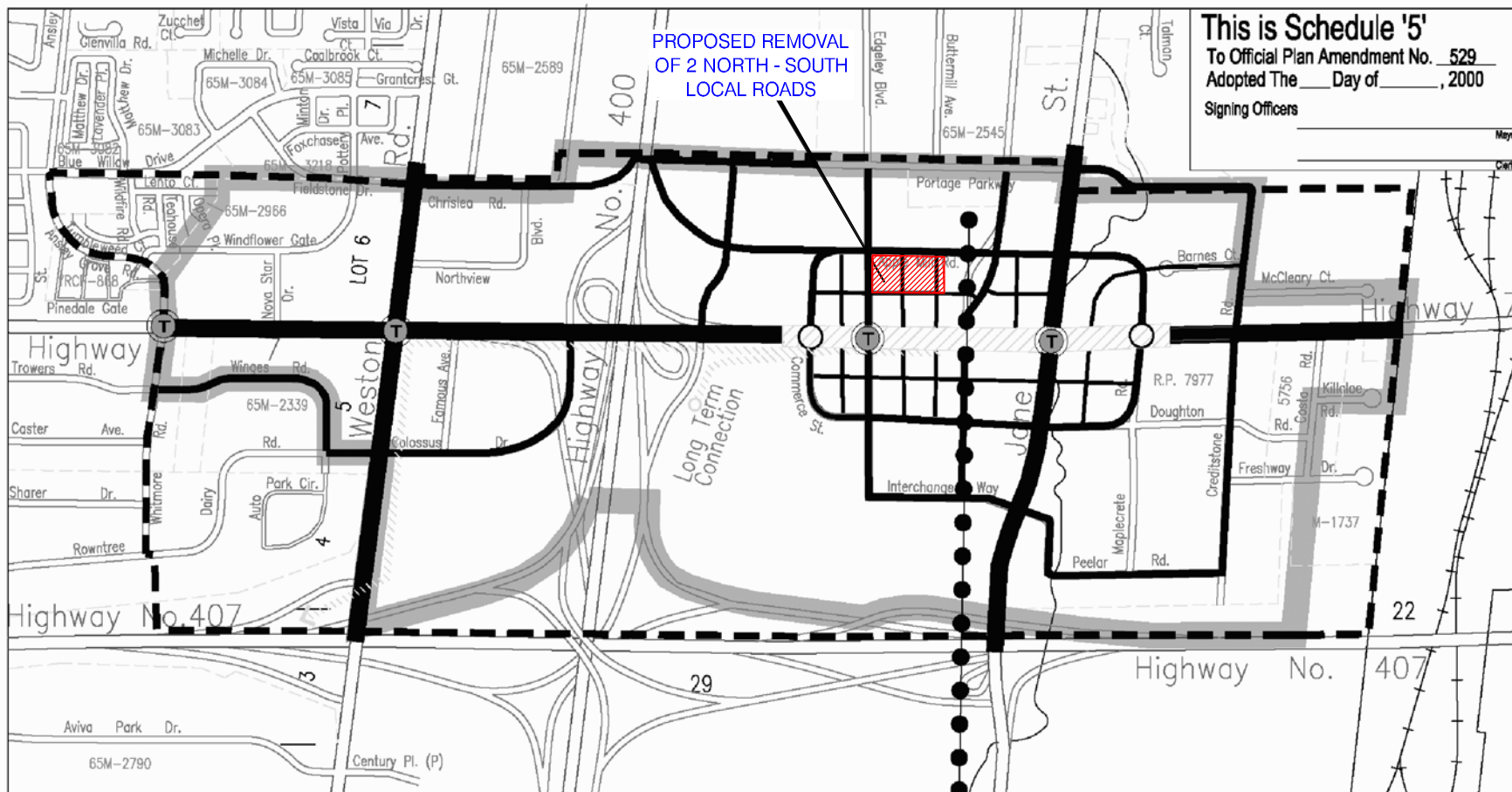
APPLICANT: CALLOWAY REIT (SEVENBRIDGE) INC. LOCATION: Part of Lot 6, Concession 5



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

**4**



## Vaughan Corporate Centre Secondary Plan Amendment No. 500

- Highway 7 / 'Avenue 7'
- Arterial Road
- Collector Road

- Local Road
- 23m Higher Order Transit Right of Way
- Inter-Regional Transitway (Potential)
- Transit Stop Centres

**Subject Lands**

- Traffic Control / Design Feature
- Vaughan Corporate Centre Secondary Plan Area Boundary
- Study Area Boundary

This is Schedule "B" to  
Amendment NO. 663

## Schedule 'B' - Transportation Plan See Schedule 'B1' For Implementing Road Width Plan

## Amendment to Schedule "B" - Transportation Plan (OPA #500)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



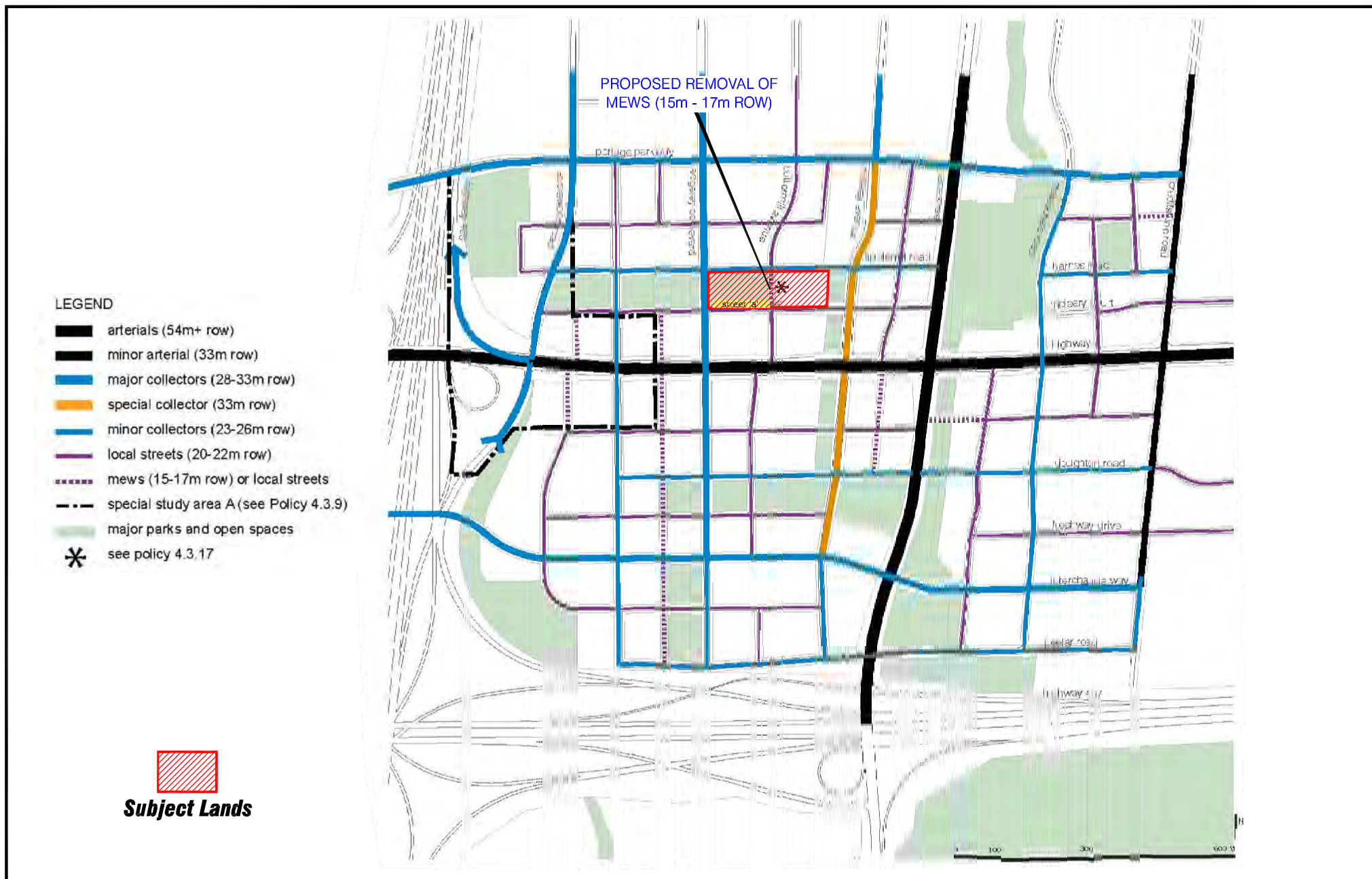
## Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

**5**





## Amendment to Schedule "C" Street Network (VMC Secondary Plan, As Amended)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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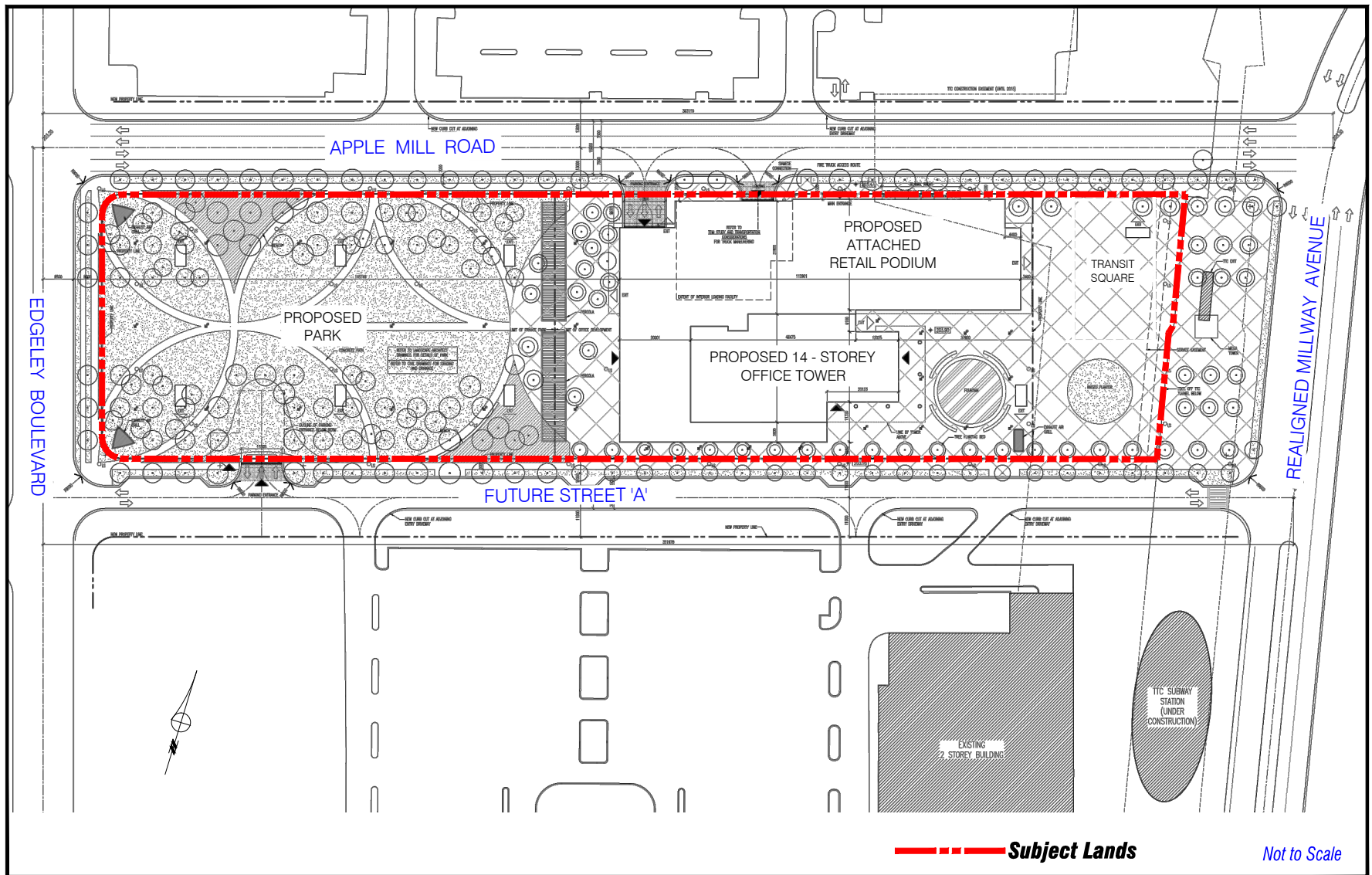


Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

6



## Original Site Plan

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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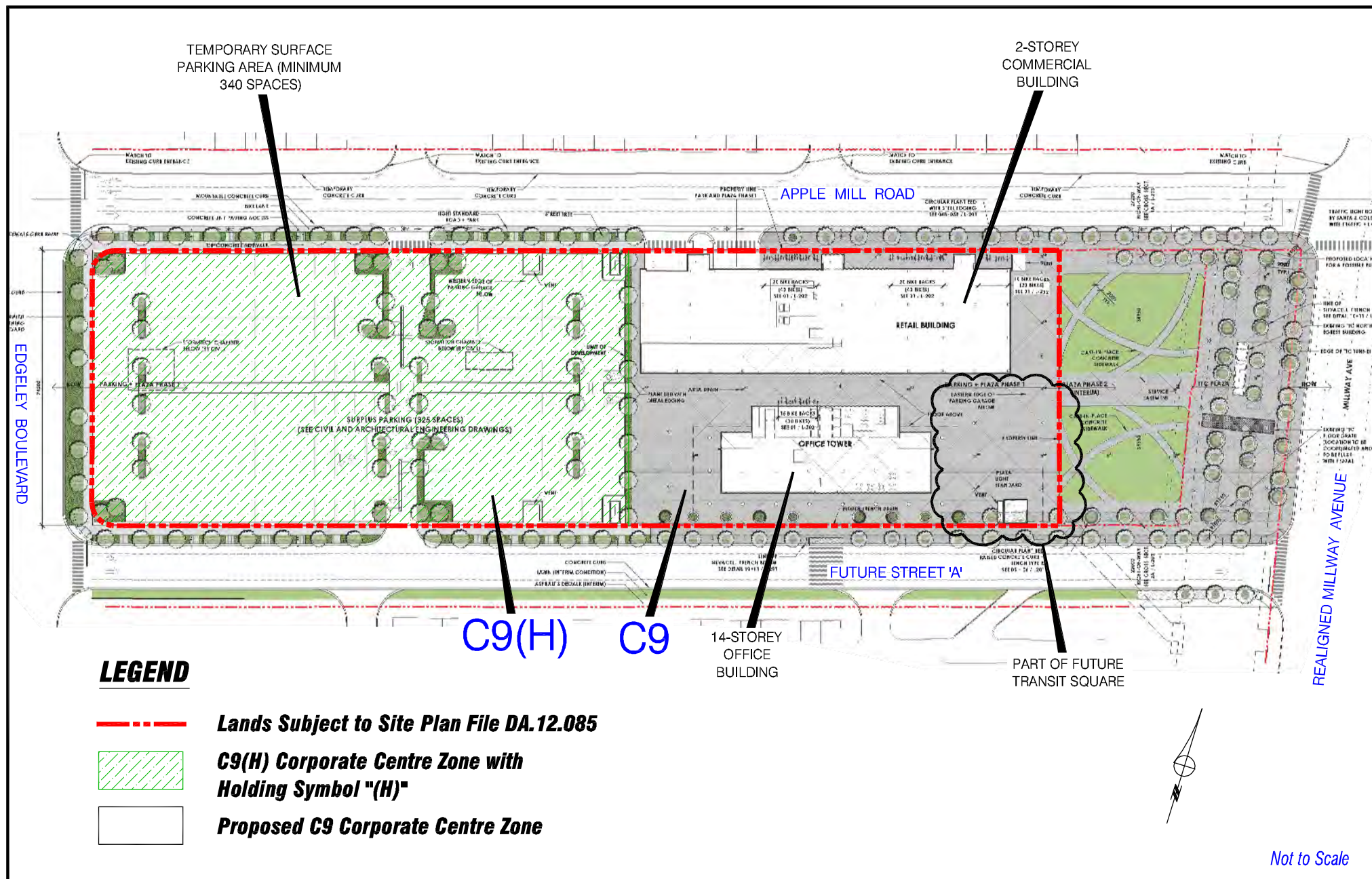
## Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

7





# Site Plan / Landscape Plan - Phase 1

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



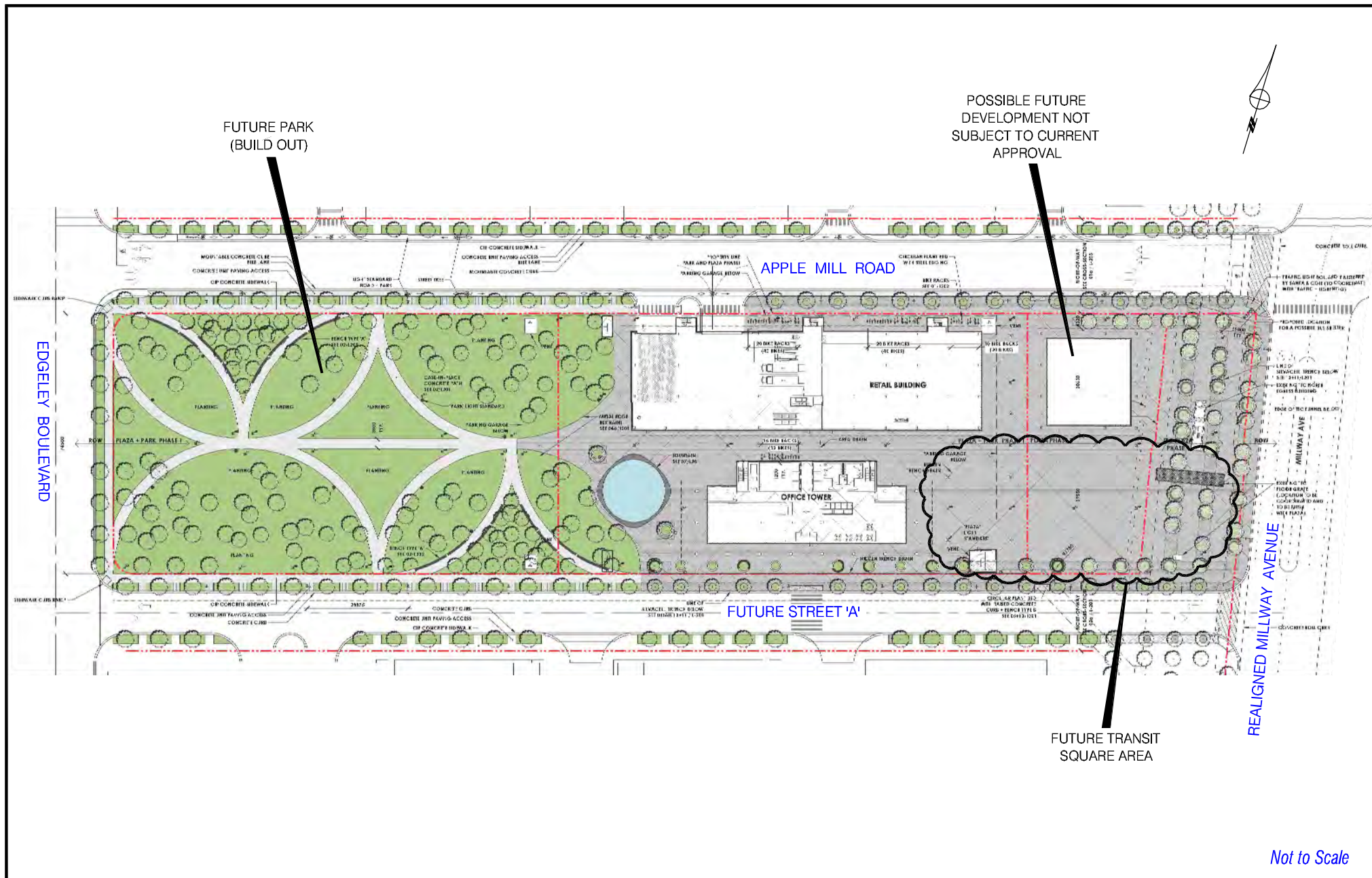
Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

8





# Site Plan / Landscape Plan - Phase 2

LOCATION: Part of Lot 6, Concession 5  
 APPLICANT: CALLOWAY REIT (SEVENBRIDGE) INC.



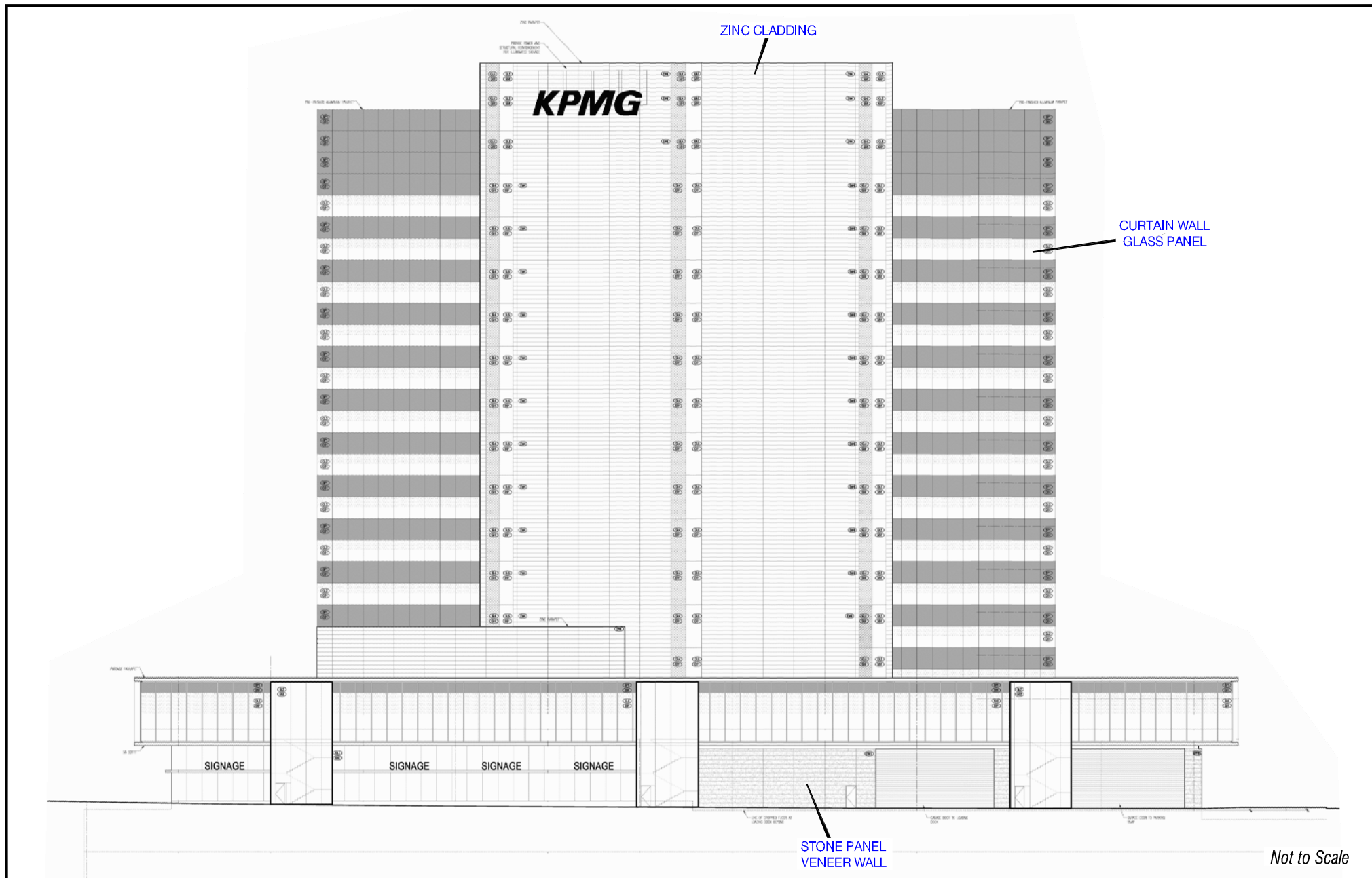
# Attachment

FILES: OP.12.014, Z.12.034, 19T-12V007, & DA.12.085

DATE: June 18, 2013

9





## Building Elevations - North (Facing Apple Mill Road)

LOCATION:  
Part of Lot 6, Concession 5

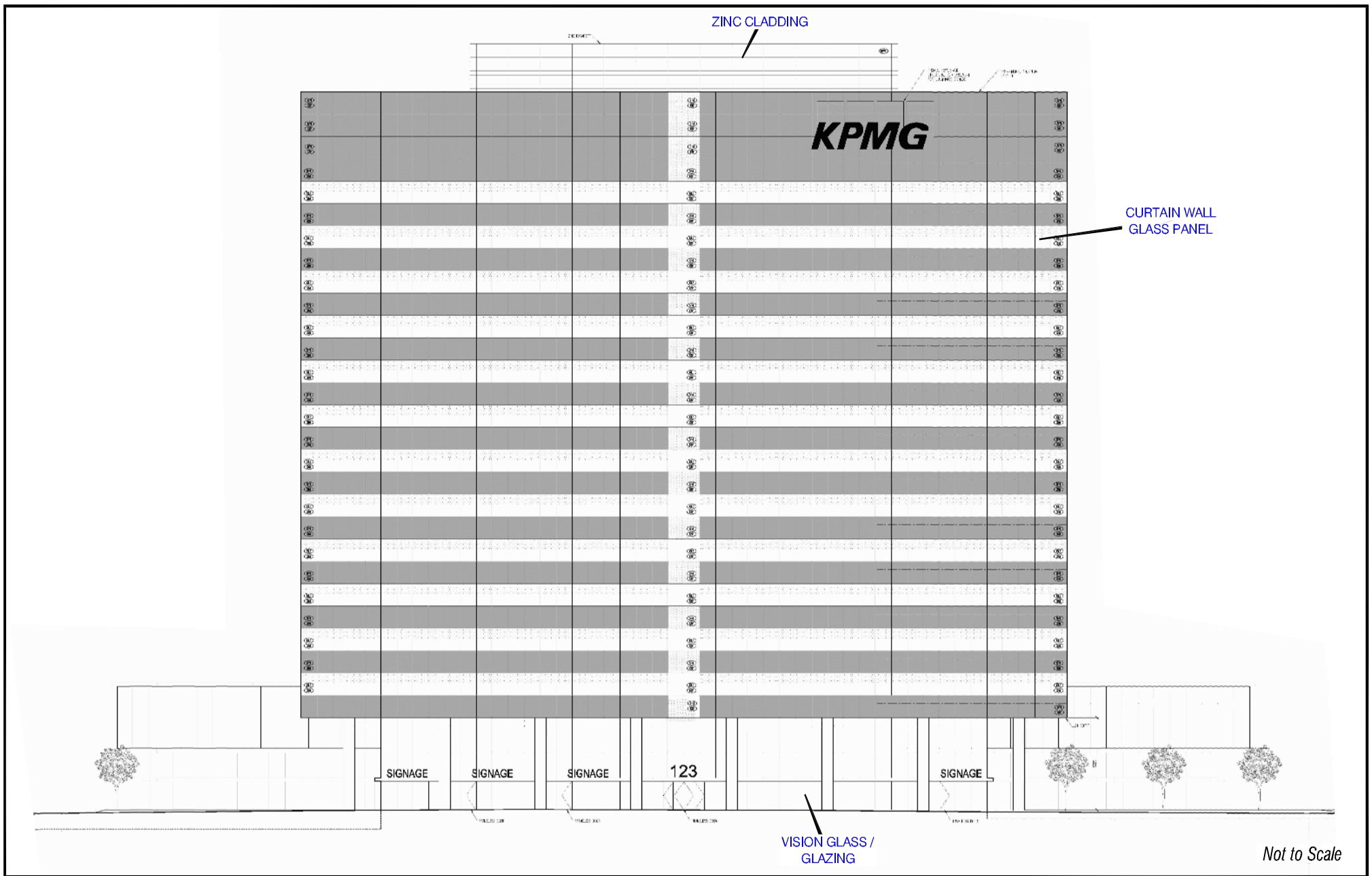
APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**10**



## Building Elevations - South (Facing Street 'A')

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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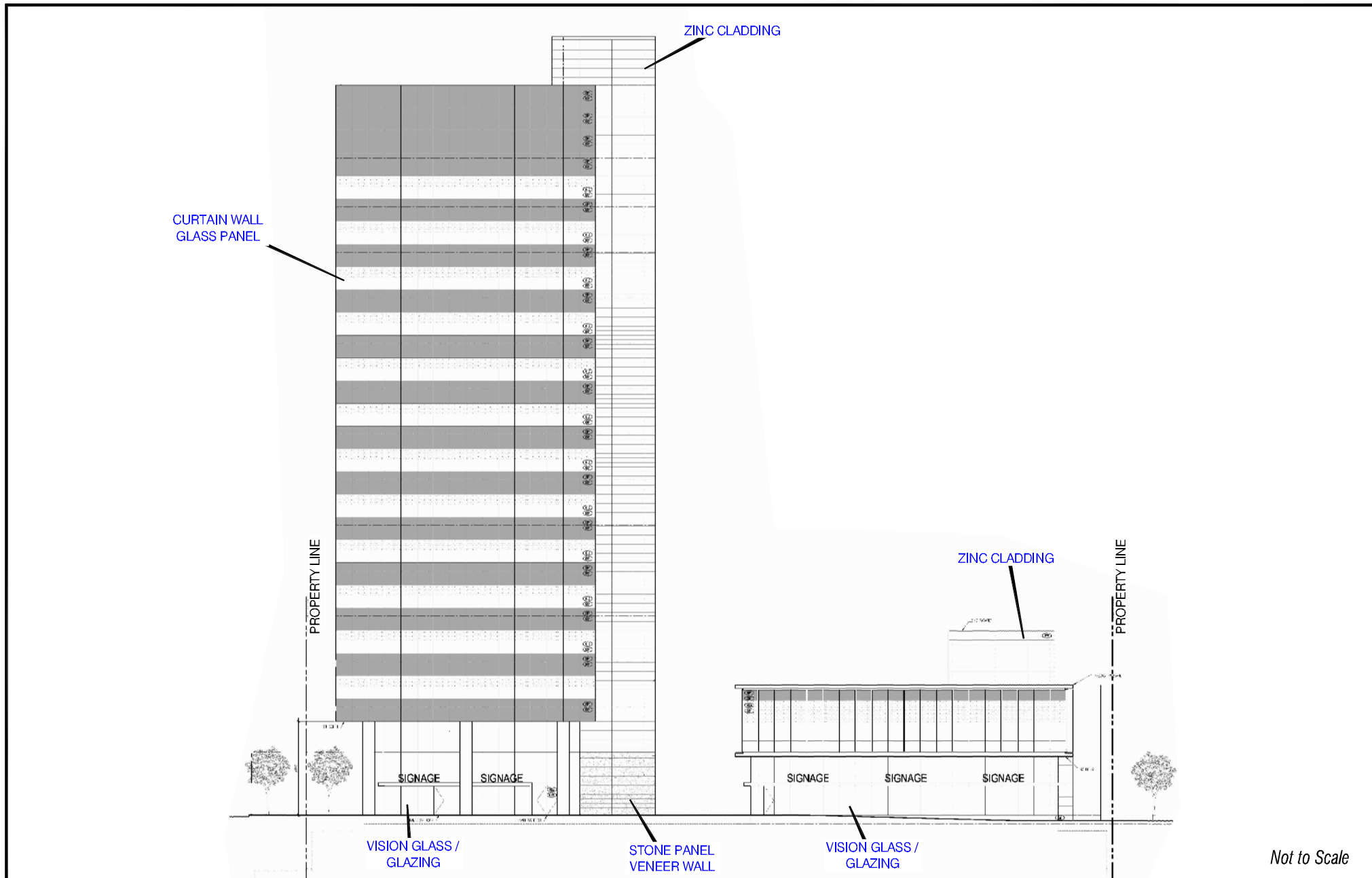


Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

11



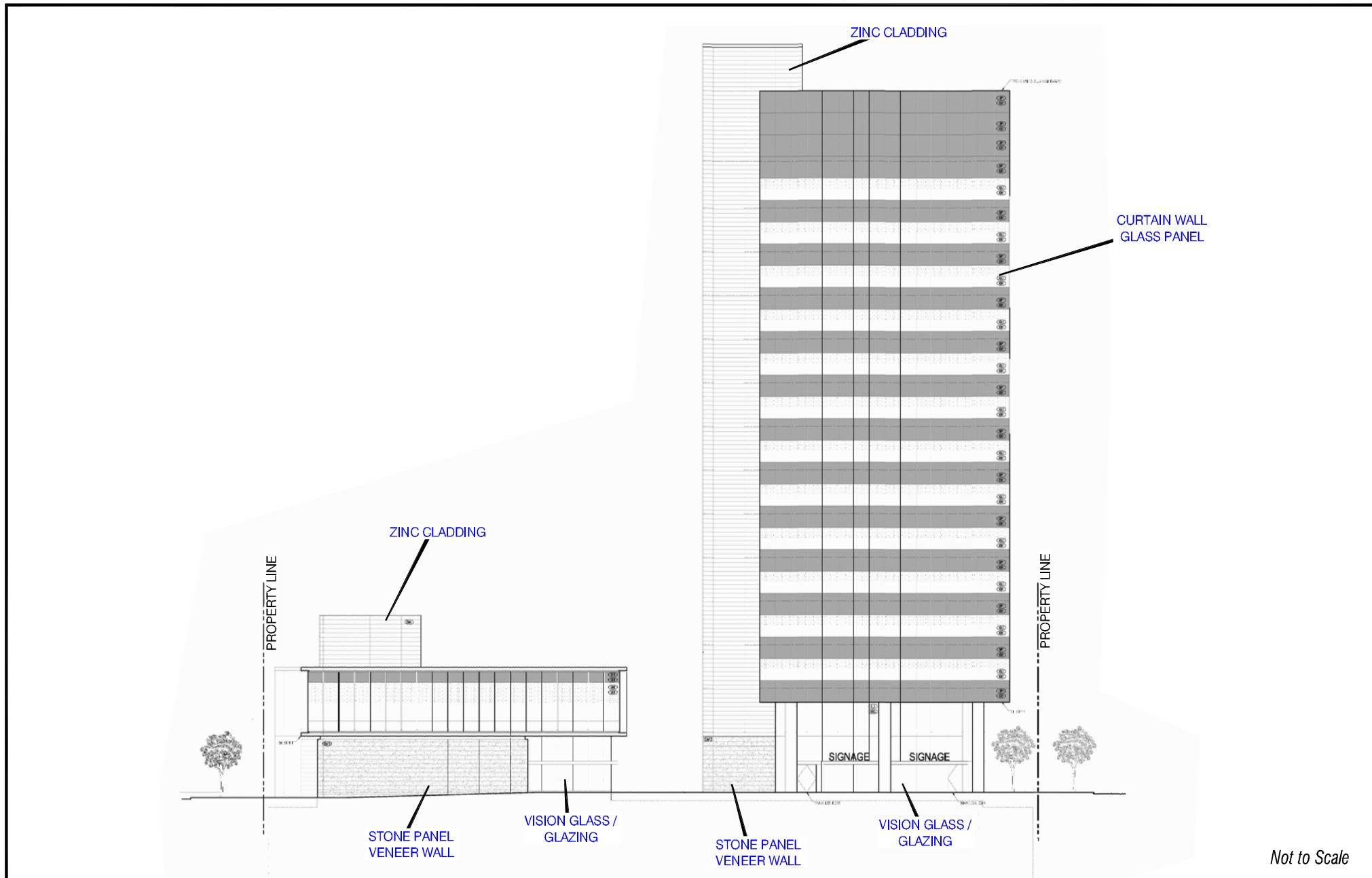
# Building Elevations - East (Facing Transit Square)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



Attachment  
12  
FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085  
DATE:  
June 18, 2013



## Building Elevations - West (Facing Edgeley Boulevard)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**13**





View Looking East

*Not to Scale*

## East Perspective - Phase 1

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**14**





View Looking East (Final Build Out)

*Not to Scale*

## East Perspective - Phase 2

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

15





View Looking West

*Not to Scale*

## West Perspective - Phase 1

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

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Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

16





View Looking West (Final Build Out)

*Not to Scale*

## West Perspective - Phase 2

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.

N:\DFT\1 ATTACHMENTS\OP\op.12.014etal.dwg



Attachment

FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

17





*Not to Scale*

## Conceptual (DRAFT ONLY) North Elevation (Facing Apple Mill Road)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**18**



*Not to Scale*

## Conceptual (DRAFT ONLY) East Elevation (Facing Future Transit Square)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**19**



*Not to Scale*

## Conceptual (DRAFT ONLY) West Elevation (Facing Edgeley Boulevard)

LOCATION:  
Part of Lot 6, Concession 5

APPLICANT:  
CALLOWAY REIT (SEVENBRIDGE) INC.



FILES: OP.12.014, Z.12.034,  
19T-12V007, & DA.12.085

DATE:  
June 18, 2013

Attachment  
**20**

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 087-2013**

**A By-law to adopt Amendment Number OPA 737 to the Official Plan of the Vaughan Planning Area.**

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

1. THAT the attached Amendment Number 737 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1” and “2” is hereby adopted.
2. AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number 737 to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

Enacted by City of Vaughan Council this 25<sup>th</sup> day of June, 2013.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

Authorized by Item No. 49 of Report No. 32  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
June 25, 2013

**AMENDMENT NUMBER 737**  
**TO THE OFFICIAL PLAN**  
**OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 737 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 737.

Also attached hereto but not constituting part of the Amendment is Appendices "I" and "II".

Authorized by Item No. 49 of Report No. 32  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
June 25, 2013

## I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment Number 500 (Vaughan Corporate Centre Plan), as amended by Amendment Numbers 528, 529, and 663 (The Avenue 7 Land Use Future Study Plan).

The subject Amendment will add a site-specific policy on the lands shown as "Area Subject to Amendment No. 737" on Schedule "1" attached hereto. OPA No. 500, as amended by OPA Nos. 528, 529, and 663 permits a maximum building height of 25 metres and identifies two (2) north / south local roads that traverse the Subject Lands. The purpose of this Amendment is to:

- i) increase the maximum building height from 25 metres to 76 metres;
- ii) delete Schedule B – Transportation Plan in OPA No. 500, as amended by OPA Nos. 528, 529, and 663, and substitute therefor Schedule B – Transportation Plan as shown on Schedule "2" attached hereto, thereby deleting the two (2) planned north / south local roads that traverse the Subject Lands.

## II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands") are shown on Schedules "1" and "2" attached hereto as "Area Subject to Amendment No. 737". The Subject Lands are bound by Edgeley Boulevard to the west, Millway Avenue to the east, Apple Mill Road to the north, and Street "A" (future municipal road) to the south, being part of Lot 6, Concession 5, City of Vaughan.

## III BASIS

The decision to amend the Official Plan to permit a maximum building height of 76 metres on the Subject Lands and to delete two (2) planned north / south local roads that traverse the Subject Lands is based on the following considerations:

1. The Provincial Policy Statement (PPS) provides broad based policy direction on matters of Provincial interest related to land use planning and development. The PPS also promotes cost-effective development standards to minimize land consumption and servicing costs, while facilitating development that is transit supportive. The PPS supports and encourages intensification and redevelopment to accommodate an appropriate range and mix of employment opportunities, housing and other land uses that make more efficient use of land and public infrastructure. The 14-storey (76 metres) office building with ground related retail would result in the intensification of presently underutilized and vacant lands. The Subject



Lands are located within the Vaughan Metropolitan Centre (VMC), which is identified as an Urban Growth Centre where intensification is appropriate. The development will contribute to a range and mix of uses within the VMC while efficiently utilizing the existing and planned municipal infrastructure.

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

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

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

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

The Growth Plan identifies the VMC as an Urban Growth Centre. The Growth Plan encourages intensification throughout the built-up area and includes infill development and the development of underutilized lots. The office development represents a catalyst for a planned mix of uses within the northwest quadrant of the VMC at transit supportive densities that will promote reduced dependence on the automobile and encourage transit supportive, pedestrian-friendly urban environments. The development is conveniently located with access to intra and inter-city transit (Viva Next Bus Rapid Transit Route (BRT), York Region Transit Terminal, the terminus of Spadina Subway Line (VMC Station), and to local stores and services. The development is consistent with the goals of the Growth Plan.

3. The modified Region of York Official Plan 2010 (the Regional Plan) designates the Subject Lands as being located within the “Urban Area” and within a “Regional Centre”, which is planned to become a vibrant urban place for living, working, shopping, entertainment, cultural identity and human services. The Regional Plan encourages pedestrian scales, safety, comfort and mobility, the enrichment of the existing area with attractive building, landscaping and public streetscapes. The Regional Plan recognizes that there is a strong relationship between transportation and urban form. The location of the development adjacent to the VMC Station is supportive of the higher level of transit services, which will encourage the reduction of overall parking demands and trip lengths. The development is consistent with the Regional Official Plan policies.
  
4. The Subject Lands are designated “Corporate Centre Node” by OPA No. 500 (Corporate Centre Plan), as amended by OPA Nos. 528, 529, 663 (The Avenue 7 Land Use Future Study Plan). This Amendment implements an office building with a maximum building height of 76 metres and facilitates the deletion of two (2) planned north/south local roads that traverse the Subject Lands. The development facilitated by this Amendment is supported by Provincial and Regional policies that encourage intensification of existing built-up areas with a focus on urban growth centres and major transit station areas, as well as the more efficient use of land and infrastructure.
  
5. Having received a statutory Public Hearing held on October 16, 2012, on June 25, 2013, Vaughan Council approved Official Plan Amendment Application File OP.12.014 to increase the maximum building height from 25 metres to 76 metres and delete Schedule B – Transportation Plan in OPA No. 500, as amended by OPA Nos. 528, 529, and 663, and replace it with a new Schedule B – Transportation Plan, thereby deleting the two (2) planned north / south local roads traversing the Subject Lands, under Amendment No. 737.

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 500, as amended by OPA Nos. 528, 529, and 663 to the Official Plan of the Vaughan Planning Area is hereby further amended by:

1. Adding the following Paragraph to Section 3.2.3 Policies, after Section 3.2.3 i):
 

“(737) j) Notwithstanding Section 3.2.3 d), the maximum building height on the Subject Lands bound by Edgeley Boulevard to the west, Apple Mill Road to the north, Millway Avenue to the east, and Street “A” (future municipal road) to the south may be



increased from 25 metres to a maximum of 76 metres, subject to the provisions in the implementing Zoning By-law. (737)”

2. Deleting Schedule “B” – Transportation Plan in OPA No. 500, as amended by OPA Nos. 528, 529, and 663, and substituting therefor Schedule “B” – Transportation Plan, attached hereto as Schedule “2”, thereby deleting the two (2) planned north / south local roads that traverse the Subject Lands.

## V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the Vaughan Zoning By-law, Draft Plan of Subdivision, and Site Plan approval, pursuant to the Planning Act.

## VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

## **APPENDIX I**

The Subject Lands are bound by Edgeley Boulevard to the west, Apple Mill Road to the north, Millway Avenue to the east, and Street "A" to the south, in Lot 6, Concession 5, City of Vaughan.

On June 25, 2013, Vaughan Council considered applications to amend the Official Plan, Zoning By-law and for Draft Plan of Subdivision and Site Development approval, and resolved the following (in part), with respect to the Official Plan Amendment application:

"The Commissioner of Planning and Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.014 (Calloway REIT (Sevenbridge) Inc.) BE APPROVED, specifically to amend OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #529 and OPA #663 (The Avenue 7 Land Use Future Study Plan), to increase the maximum permitted building height on the subject lands from 25 m to 76 m and to delete two (2) planned north-south local roads (17 m - 20 m right-of-way), as shown on Attachments #3 and #5."

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 088-2013**

**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 an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out 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) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from C9 (H) Corporate Centre Zone with the Holding Symbol “(H)” to C9 Corporate Centre Zone and C9 (H) Corporate Centre Zone with the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”, thereby removing the Holding Symbol “(H)” on a portion of the Subject Lands.
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:
    - (1389) A) The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” on Schedule “E-1516”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(4) of the Planning Act, R.S.O 1990:
      - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a surface commercial parking lot, mews, a future park, and a portion of an underground parking garage, as of the date of the enactment of By-law 088-2013;
      - ii) A By-law to remove the Holding Symbol “(H)” from Area “A” of the “Subject Lands” shall not be enacted until a Site Development Application, in accordance with Section 41 of the Planning Act, and, if required, a future Zoning By-law Amendment Application, in accordance with Section 34 of the Planning Act, for the development of the planned park in the Vaughan Metropolitan Centre (VMC) area be approved by Vaughan Council, in which details such as, but not limited to, the park design, programming, ownership and maintenance, construction and timing, inclusion of site-specific uses, provisions for kiosks and/or buildings, and any strata arrangements be finalized, to the satisfaction of the City of Vaughan.
    - B) Notwithstanding the provisions of:

- a) Subsection 2.0 respecting the definitions of Lot, Parking Space and Parking Space – Barrier-Free, Commercial Parking Lot, Mews, Park, and Recreational Use;
- b) Subsection 3.8a), d) and g) respecting Parking Requirements;
- c) Subsection 3.9 respecting Loading Space Requirements;
- d) Subsection 3.17 respecting Portions of Buildings Below Grade;
- e) Subsection 5.1.1 respecting Landscaping Area;
- f) Subsection 5.1.4 respecting Uses Permitted, All Commercial Zones and 5.10 respecting Permitted Uses to the C9 Corporate Centre Zone;
- g) Subsection 5.1.5 respecting Commercial Zone Requirements and Schedule “A2” respecting the Zone Requirements in the C9 Corporate Centre Zone;
- h) Subsection 5.1.6 respecting Outdoor Patio;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1516”:

- ai) For the purposes of this Exception Paragraph:
  - i) The Subject Lands be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and / or lots by way of plan of condominium, consent, or other permissions, and any easements, registrations or strata arrangements that are granted, shall be deemed to comply with the provisions of the By-law;
  - ii) the minimum dimension for a Parking Space shall be 2.7 metres by 5.7 metres;
  - iii) the minimum dimension for a Barrier-Free Parking Space shall be 3.9 metres by 5.7 metres. If a Barrier-Free Parking Space is adjacent to another Barrier-Free Space, the minimum size of the parking space may be reduced to 3.2 metres by 5.7 metres;
  - iv) A Commercial Parking Lot shall mean a building, part of a building or parcel of land other than a street or lane, used for the temporary parking of motor vehicles for compensation, but shall not include the storing of impounded or damaged motor vehicles or a salvage yard. A commercial parking lot shall include ten (10) or more parking spaces along with parking aisles and with the principle access to a street.

- v) Mews shall mean an extended pedestrian walkway connecting Future Street “A” and Apple Mill Road.
- vi) Park shall mean an area of open space provided for Recreational Uses.
- vii) Recreational Uses shall mean the use of land for parks, playgrounds, racquet courts, lawn bowling greens, skating and curling rinks, athletic fields, picnic areas, swimming pools, day camps, community centres, walking trails and all similar uses, together with necessary and accessory buildings and structures; but does not include a track for the racing of animals, motor vehicles, snowmobiles, motorcycles, golf driving ranges, miniature golf courses, or golf courses. Furthermore, Recreational Uses may be in either public or private ownership or a combination of both.
- bi) the parking on the Subject Lands may be for the use of the owner, occupant, or other persons entering upon or making use of the said premises from time to time, parking spaces and areas;
- bii) the minimum parking standard(s) shall be calculated based on the Commercial Floor Area (CFA) as follows:
  - i) Office – 1.5 spaces / 100 m<sup>2</sup> CFA;
  - ii) Retail – 2 spaces / 100 m<sup>2</sup> CFA;
- biii) a maximum of 340 parking spaces shall be permitted on Area “A” for the purpose of a commercial parking lot and subject to the conditions for removal of the Holding Symbol “(H)”;
- biv) notwithstanding paragraph bii), parking requirements shall not apply to the third and fourth storeys of Building “A”, identified in Schedule “1” of this By-law nor shall it apply to an outdoor patio use;
- bv) a minimum of six (6) permanent Barrier-Free Parking Spaces and two (2) temporary surface level Barrier-Free Parking Spaces shall be provided;
- bvi) the maximum width of a driveway access to a parking area shall be as follows:
  - i) 8.0 metres on Future Street “A”;
  - ii) 11.0 metres and 11.1 metres on Apple Mill Road;
- ci) a loading area shall be located wholly enclosed in a building with access onto Apple Mill Road;
- cii) a maximum of five (5) loading spaces shall be permitted and shall be wholly enclosed in a building;
- ciii) a minimum loading space size shall be 6.0 metres long and 3.0 metres wide;

- di) the minimum setback from Apple Mill Road to the nearest part of a building below finished grade shall be 0.0 metres;
  - ei) the following minimum landscape strip width measured from the street line shall apply abutting the following street lines:
      - i) Future Street “A” – 0.7 metres;
      - ii) Apple Mill Road – 0.7 metres;
      - iii) Edgeley Boulevard – 0.6 metres;
    - eii) notwithstanding paragraph ei), the minimum landscape strip width from a street line to any vent shaft and exit stairs associated with the underground parking garage shall be 0.2 metres;
    - fi) only the following uses shall be permitted in “Area A”:
        - i) a commercial parking lot;
        - ii) a park; and,
        - iii) a mews;
      - fii) Outdoor Patio uses shall only be permitted in “Area B”;
      - gi) the minimum building setback along Future Street “A” shall be 5.0 metres to the building columns and 2.7 metres to the above-ground building wall;
      - gii) the minimum building setback along Apple Mill Road shall be 5.0 metres to the main building, 3.5 metres to the above-ground building wall, and 0.9 metres to the exit stair projections;
      - giii) notwithstanding paragraph gi) and gii), the minimum setback to any vent shaft and exit stairs associated with the underground parking garage shall be 0.2 metres;
      - giv) the maximum building height shall be 76 metres, exclusive of all rooftop mechanical equipment and parapets;
      - hi) subsection 5.1.6 b), c), and e) shall not apply;
      - hii) for the purposes of this Exception Paragraph, only the outdoor patio of an eating establishment, licensed to serve alcohol in accordance with approvals from the Alcohol and Gaming Commission of Ontario, shall be completely enclosed by a physical barrier with access only from the interior of the said eating establishment, with the exception of at least one (1) exit to be used only in case of emergency and which is not from the interior of the main building.”
  - c) Adding Schedule “E-1516” attached hereto as Schedule “1”.
  - d) Deleting Schedule “E-1044” and substituting therefor Schedules “E-1044”, attached hereto as Schedules “2”.
  - e) Deleting Schedule “E-1044A” and substituting therefor Schedule “E-1044A”, attached hereto as Schedule “3”.

- f) Deleting Key Map 5B and substituting therefor the Key Map 5B attached hereto as Schedule “4”.

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

Enacted by City of Vaughan Council this 25<sup>th</sup> day of June, 2013.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

### **SUMMARY TO BY-LAW 088-2013**

The lands subject to this By-law are located at the southeast corner of Edgeley Boulevard and Apple Mill Road through to the future Street "A", in Lot 6, Concession 5, City of Vaughan.

The purpose of this by-law is to rezone from C9(H) Corporate Centre Zone with the Holding Symbol "(H)" to C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the Holding Symbol "(H)" and permit the following zoning exceptions to facilitate the development of a 14-storey office building and a 2-storey commercial building:

- a) reduced parking space dimensions;
- b) definitions of lot, commercial parking lot, mews, park, and recreational use;
- c) reduced parking requirements and exemptions from parking requirements for outdoor patios and the third and fourth floors of the commercial building;
- d) reduced setbacks to buildings below grade;
- e) reduced landscape widths;
- f) permitting a commercial parking lot as a new site-specific use that is temporary upon the conditions of removal of the Holding Symbol "(H)";
- g) reduced building setbacks; and,
- h) 76 metre maximum building height.