

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 16, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 27, 2017.

16

**SITE DEVELOPMENT FILE DA.16.088
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V007
KEELE-407 DEVELOPMENT CORP.
WARD 4 - VICINITY OF KEELE STREET AND HIGHWAY 407**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated June 20, 2017:

Recommendation

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

1. That Site Development File DA.16.088 (Keele-407 Development Corp.) BE APPROVED, to permit the development of two, 2-storey multi-unit (condominium) office buildings and five multi-unit employment (condominium) buildings having a total Gross Floor Area of 16,636 m², on the subject lands shown on Attachments #2 and #3, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations and all signage (building and site) details;
 - ii) the Development Engineering and Infrastructure Planning Department shall approve the final site plan, site servicing and grading plan; storm water management report, and Traffic Impact Study;
 - iii) the Owner shall satisfy all requirements of Canada Post;
 - iv) the Owner shall satisfy all requirements of York Region;
 - v) the Owner shall satisfy all requirements of the Ministry of Transportation (MTO), including the provision of financial securities, respecting:
 - the submission of a revised Traffic Impact Study, which shall be prepared by a Registering Appraisal & Qualification System (RAQS) qualified consultant and stamped and signed by a Professional Engineer of Ontario;
 - the submission of updated plans to MTO showing the required fencing on the adjacent Infrastructure Ontario (IO) property for the 407 Transitway;
 - obtaining the required approvals from IO to permit the Owner to undertake grading/servicing within the MTO setback and to construct fencing on the adjacent IO property for the 407 Transitway;

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- obtaining MTO Building and Land Use Permits from the MTO Central Region Highway Corridor Management Section, prior to the commencement of any construction/works on the subject lands;
 - obtaining an MTO Encroachment Permit(s) from the MTO Central Region Highway Corridor Management Section and IO prior to the commencement of any construction or work on the lands designated as a Controlled-Access Highway; and
 - obtaining the required MTO Sign Permits for signage on the subject lands designated as Controlled-Access Highway.
- b) the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
- c) That the Site Plan Agreement shall include the following clauses:
- i) "Prior to the issuance of a Building Permit, the Owner shall pay to the City the appropriate Development Charges, in accordance with the Development Charge By-Laws of the City of Vaughan, York Region, York Region District School Board, and the York Region Catholic District School Board";
 - ii) "Should archaeological resources be found on the property during construction activities, all work must cease and the Owner must notify both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Urban Design and Cultural Heritage Division immediately"; and
 - iii) "In the event human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Registration Unit of the Ministry of Consumer Services".
- d) Prior to the issuance of a Building Permit:
- 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, in accordance with Section 42 of the *Planning Act*, for the office component of the proposed development;
 - ii) if required, the Owner shall pay to the City of Vaughan, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act*, for the industrial component of the development. The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.
2. That Draft Plan of Condominium (Standard) File 19CDM-16V007 (Keele-407 Development Corp.), BE APPROVED, as shown on Attachment #8, to establish the

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condominium ownership tenure of the office and employment buildings, subject to the Conditions of Approval set out in Attachment #1:

- a) Prior to final approval of the Draft Plan of Condominium (Standard):
- i) the Owner shall confirm to the Development Planning Department that all outstanding taxes levied, all additional municipal levies if applicable, development charges and all financial requirements as may be required by the Financial Planning and Development Finance Department, have been paid;
 - ii) the Owner shall also certify acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Condominium Agreement, if required, until each unit covered by the said Agreement is separately assessed;
 - iii) the Owner shall provide the necessary blanket easements in favour of Bell for any required communication and telecommunication infrastructure;
 - iv) the Owner shall satisfy the requirements of Canada Post. The Condominium Agreement shall include a clause stating that the Condominium Corporation will be responsible for maintenance associated with the Community Mail box;
 - v) the Owner shall arrange to decommission the existing sanitary sewer and watermain service connections located in the vicinity of the south-west corner of the site, in accordance with the City of Vaughan Development Engineering and Infrastructure Planning Department standards; and
 - vi) the Owner shall satisfy all requirements MTO for on-site illumination levels at the MTO Controlled Access Highway. If light trespass/glare from the on-site lighting is determined to adversely affect the travelling public, the Owner, or the future Condominium Corporation as the Owner of the subject lands, shall address the situation at their expenses, and to the satisfaction of MTO, and the Condominium Agreement shall include a clause stating that;

“Should the Ministry of Transportation Ontario (MTO) determine that light trespass/glare from the on-site lighting adversely affects the travelling public, the Condominium Corporation as the future Owner of the site, shall be responsible for resolving the light trespass/glare issue to the satisfaction of the MTO, and at the Condominium Corporation’s expense”.

Prior to final approval of the proposed Site Plan, MTO must be satisfied that the site servicing, site grading, sediment control, illumination plans and the TIS, all meet the MTO requirements.”

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

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Goal 2: to ensure sustainable development and redevelopment

- Objective 2.3 To create a City with sustainable built form

In accordance with the goal and objective 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:

- Bicycle racks to promote an alternative mode of transportation
- Exterior LED lighting
- Heat reducing roof materials
- Native and drought tolerant plant and tree species

Economic Impact

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

Communications Plan

N/A

Purpose

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

- a) Site Development File DA.16.088 to permit the development of the subject lands shown on Attachments #2 and #3, with a multi-unit employment (condominium) development comprised of two, 2-storey multi-unit office buildings containing 41 office units, and five multi-unit buildings containing 51 employment units and 3 office units, and surface parking spaces, as shown on Attachments #4 to #7.
- b) Draft Plan of Condominium (Standard) File 19CDM-16V007 to establish the condominium tenure for the development and the common elements (to be managed by a future condominium corporation(s) including the surface parking areas, driveways and landscaping as shown on Attachment #8.

Background - Analysis and Options

Synopsis:

The Owner is proposing to construct a multi-unit office and employment condominium development comprised of two, 2-storey office buildings containing 41 units, and five multi-unit employment buildings containing 51 employment units and 3 office units. The Development Planning Department supports the approval of the proposed Site Development and Draft Plan of Condominium (Standard) applications, as the proposed development conforms to the Official Plan, the uses are permitted by Zoning By-law 1-88 and are compatible and appropriate with the existing and planned land uses in the area.

Location

The vacant 3.65 ha subject lands are located at the northeast corner of Keele Street and Great Gulf Drive, in the vicinity of Keele Street and Highway 407, as shown on Attachments #2 and #3. The surrounding land uses are identified on Attachment #3. Although the property is located outside of the Parkway Belt West Plan, it abuts the future 407-Transitway, which is within the

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Parkway Belt West Plan. The subject lands are also located in the MTO Permit Control Area and designated as a Controlled Access Highway (CAH), by the MTO, as shown on Attachment #4.

Official Plan

The subject lands are designated "Prestige Employment" by Vaughan Official Plan 2010 (VOP 2010), which permits the proposed business and professional office, and employment uses. The proposed development conforms to the VOP 2010.

Zoning

The subject lands are zoned EM1 Prestige Employment Area by Zoning By-law 1-88, subject to site-specific Exception 9(1380), which restricts driveway access to Great Gulf Drive, limits uses, regulates setbacks, and provides for the 407 Transitway driveway access adjacent to the east property line. The proposed business and professional office and multi-unit employment development complies with the uses permitted within the EM1 Prestige Employment Area Zone. The proposed site plan and Draft Plan of Condominium (Standard) Plan do not comply with the EM1 Zone Requirements of Zoning By-law 1-88 as identified on Table 1.

Table 1:

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 Requirement of the EM1 Prestige Employment Area Zone, Subject to Exception 9(1380)	Proposed Exceptions to the EM1 Prestige Employment Area Zone, Subject to Exception 9(1380)
a.	Minimum Rear Yard Setback (from Building "B" to north property line)	14 m	8 m
b.	Minimum Parking Requirements	5,608 m ² office @ 3.5 spaces per 100 m ² = 197 51 employment units @ 4 spaces/unit = 204 <u>Total Parking Required</u> 401 spaces	5,608 m ² office @ 3.1 spaces per 100 m ² =174 51 employment units @ 3.98 spaces/unit = 203 <u>Total Parking Provided</u> 377 spaces
c.	Minimum Loading Space Requirements	Building "A" - 1 loading space Building "B" - 1 loading space	Buildings "A" and "B" - 0 loading spaces

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d.	Minimum Unit Size in a Multi-Unit Building (Buildings “C” to “G” inclusive)	274 m ²	138.9 m ²
e.	Minimum Width of a Landscape Strip abutting MTO lands	9 m	8 m along the north property line and 4 m along the east property line

Should Council approve Site Development File DA.16.088, the Owner shall successfully obtain approval of a Minor Variance application for the required exceptions to Zoning By-law 1-88, identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed the Committee prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendations section of this report.

The Owner is aware and acknowledges that variances are required to facilitate the development proposed by this application, and intends to submit a Minor Variance application to the Committee of Adjustment. The Development Planning Department has reviewed and supports the proposed variances to the EM1 Zone identified in Table 1:

a) Minimum Building Setbacks and Encroachments

Zoning By-law 1-88 subject to site-specific Exception 9(1380) requires a minimum 14 m setback on the east and north property lines abutting the CAH lands (shown on Attachment #4). The MTO typically does not allow elements of a proposed development to be located within this setback. An 8 m rear yard setback to Building “B” is proposed from the northerly property line. The MTO has advised they have no objection to the proposed 8 m rear yard setback to Building “B”. Accordingly, the Development Planning Department is satisfied the 8 m setback is sufficient, and an appropriate area remains on the site to provide landscaping and drive aisles.

b) Parking

A total of 377 parking spaces are proposed according to the parking ratios listed in Table 1. The mezzanine areas identified on the site plan within each employment unit were not included in the parking calculations. The difference between the minimum number of required parking spaces by Zoning By-law 1-88 and the proposed number of parking spaces is approximately 6% and considered minor in nature and can therefore be supported by the Development Planning Department.

c) Loading Space

Zoning By-Law 1-88 requires a loading space for each office building, whereas, no loading spaces are proposed as a part of the subject development. The proposed office buildings will be divided into 41 units. Given the size of the individual units (200 m² or less), it is anticipated that the future purchasers of the office units would not require dedicated loading spaces. Zoning By-law 1-88 also identifies that loading spaces are not required for buildings that are 500 m² or less in size. The Development Planning Department has no objection to the development of Buildings “A” and “B” without the loading spaces required by Zoning By-law 1-88.

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d) Minimum Unit Size (Employment Use Buildings)

Zoning By-law 1-88 requires a minimum unit size of 274 m² within employment use buildings whereas the proposed employment units range in size from 138.9 m² to 239.6 m². A variance is required to permit a minimum employment unit size of 138.91m² within employment Buildings “C” to “G” inclusive. The Owner has requested smaller unit sizes to accommodate the market demand for smaller units to accommodate the needs of certain employment use businesses. The smaller unit sizes can be supported by the Development Planning Department.

e) Minimum Landscape Strip Width Abutting MTO

Zoning By-law 1-88 requires a 9 m wide landscape strip abutting the MTO Controlled Access Highway lands, whereas the landscape strips proposed along the north property and east property lines are 8 m and 4 m wide, respectively.

Infrastructure Ontario (IO) owns the adjacent land abutting the north and east property lines, which will be used for the future 407-Transitway. The MTO requires the Owner to provide written confirmation from IO, that it has no objection to the following matters:

- i) reduced 8 m MTO setback on the north property line;
- ii) reduced 4 m MTO setback on the east property line; and
- iii) that IO agrees to allow servicing and grading within this setback and the required fencing to be located on the IO property (ie. 407 Transitway).

Site Plan Review

The Owner proposes to develop the property with two, 2-storey multi-unit buildings containing 41 business and professional office condominium units, and five multi-unit employment buildings containing 51 condominium employment units, as shown on Attachments #4 to #7. Building “C” is primarily an employment use building, however three units (Units C18 to C20) are intended for office use.

The proposed buildings are specifically sited to accommodate the existing grade changes across the subject site. A total of 377 parking spaces are provided and a loading space is provided at the back of each employment unit (except Units C18 to C20) in Buildings “C” to “G” inclusive. Parking for the office buildings is located in a centralized lot and along the north edge of the property. Parking for the employment units is located adjacent to the buildings. The related Draft Plan of Condominium identifies the employment unit parking spaces, which will be assigned to the corresponding units through the Condominium approval.

The proposed site plan (as shown on Attachment #4) includes five driveways from Great Gulf Drive for access and on-site circulation. To reduce potential pedestrian/vehicle conflicts and conflicts with driveway on the south side of Great Gulf Drive, two driveways shall be restricted as exit only access to Great Gulf Drive and the three main driveways shall be full moves access as shown on Attachment #4. The Development Engineering and Infrastructure Planning (DEIP) Development have no objection to five proposed driveways provided inbound and outbound traffic movements are limited, as shown on Attachment #4.

Landscape Plan

The Keele Street frontage of the site is identified as a “Buffer Area” within the Concord West Urban Design Framework and Streetscape Plan area. However, this street frontage is MTO Controlled Access Highway (CAH) restricted and abuts the on-ramp to Highway 407. The MTO

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staff have advised they will not permit the features (ie. bio-swales) recommended in the Streetscape Plan. The proposed landscaping shown on Attachment #5 for the site triangle at Keele Street and Great Gulf Drive, and the Keele Street frontage meets with MTO requirements.

The arborist report and tree preservation plan submitted in support of the subject applications has identified no significant on-site tree species requiring protection. Landscaped areas will be provided within the MTO setback along the north, east and west edges of the site in accordance with the Landscape Plan, shown on Attachment #5.

The proposed landscape treatment will be used to screen the on-site parking areas. There are strategically placed trees and drought tolerant plantings that will provide an attractive streetscape along Great Gulf Drive within the 6 m landscape strip. The most westerly driveway has been designed as the main entrance to the proposed development. Enhanced landscape features are proposed to screen the parking area between the office buildings and the employment units. The south walls of Buildings “C” to “G” inclusive, incorporate screen walls, as shown on Attachments #4 and #7 that are designed to conceal the loading areas at the rear of these buildings.

The final landscape plan and landscape cost estimate must be approved by the Development Planning Department. The landscaping for the westerly site entrance must provide adequate screening of the central parking area and the proposed hydro transformers within the 6 m landscape strip along Great Gulf Drive must be appropriately screened. A condition to this effect is included in the recommendations of this report.

Building Elevations

All building elevations are subject to final approval by the Development Planning Department. Further approvals for the wall signs shown on the building elevations will be required in accordance with the City of Vaughan's Sign By-Law since there is insufficient information regarding the sign sizes, locations and type of lettering. In addition to the municipal approvals for signs, MTO Sign Permits are required, since the site is within the MTO Permit Control Area and permits to be applied for shall include the pylon sign and directional ground signs proposed on Great Gulf Drive.

The Development Planning Department is generally satisfied with the proposed site layout, building elevations and landscaping for the development proposal shown on Attachments #4 to #7, subject to the conditions outlined in this report. All final landscape plans, landscape cost estimates, building elevations, and the lighting plans are subject to final approval by the Development Planning Department.

Draft Plan of Condominium

The proposed Draft Plan of Condominium (Standard) File 19CDM-16V007 is required to create the condominium tenure for the individual office and employment units, and for the site's common areas, which include private roads, walkways, common parking areas, driveways, and landscaped areas, which will be managed by a future Condominium Corporation(s). The proposed Draft Plan of Condominium is shown on Attachment #8.

The Development Planning Department has reviewed the Draft Plan of Condominium (Standard) application concurrently with the Site Plan application. Prior to final approval of the proposed Draft Plan of Condominium, the draft plan must comply with Zoning By-law 1-88 and the approved Site Plan.

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Cultural Heritage Division

A Stage 1 and 2 Archaeological Assessment Report was prepared by Golder Associates in support of the development proposal. The report was accepted into the Register of Archaeological Reports, as noted in a communication from the Ministry of Tourism, Culture and Sport dated November 13, 2012. The report concluded that the archaeological assessment did not result in the identification of any archaeological resources of cultural heritage value or interest and that no further archaeological assessment was recommended. The recommendations of the report contained standard clauses that apply in areas that have been cleared of archaeological concern. Accordingly, the following standard clauses apply, which will be included in the Site Plan Letter of Undertaking:

- i. Should archaeological resources be found on the property during construction activities, all work must cease and the Owner shall notify both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division immediately.
- ii. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services".

Development Engineering and Infrastructure Planning (DEIP) Department

a) Servicing

The site servicing, grading and stormwater management plans must be approved by the DEIP Department prior to final Site Plan approval. As discussed in the Zoning Section of this report, the MTO Central Region Highway Corridor Management Office has requested that the DEIP Department and the adjacent property owner (IO), provide written confirmation that they have no objection to allowing servicing/grading and fencing on the lands intended for use by the 407-Transitway and within the CAH area of the subject lands. These elements of the proposed site plan may require an agreement between the Owner, IO and 407 ETR, since they are essential site elements for the proposed development to be located within the MTO Controlled Access Highway (CAH) designation. Conditions to this affect are included on the recommendations of this report.

Prior to final approval of the site plan, the servicing and grading plans must be to the satisfaction of the DEIP Department and MTO.

The DEIP Department has requested a condition of Draft Plan of Condominium (Standard) approval requiring the Owner to decommission the existing sanitary sewer and watermain service connections located in the vicinity of the southwest corner of the site. A condition to this effect has been added to the recommendations of this report.

The Owner shall address all outstanding issues to the satisfaction of the DEIP Department. A condition to this effect is included in this report

b) Traffic and Site Access

The DEIP Department is generally satisfied with the Traffic Impact Study (TIS). Prior to final Site Plan Approval, the additional TIS information requested by MTO shall be submitted to the satisfaction of the DEIP Department, MTO and York Region.

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c) Snow Storage

The Owner has acknowledged that snow will not be stored on site. Snow removal will be the responsibility of the future Condominium Corporation and administered through a private agreement arranged and administered by the future Condominium Corporation(s). A condition to this effect is included in the Draft Plan of Condominium (Standards) Conditions in Attachment #1, and will be included in the Condominium Agreement and Declaration.

d) Parking

The proposed number of parking spaces (377 parking spaces) does not comply with Zoning By-law 1-88 (400 parking spaces). A variance is required for relief from the parking standards. The difference between the required and the proposed parking is approximately 6%, and therefore minor in nature and does not require a Parking Study. The proposed parking reduction for the site shall be subject of Vaughan Committee of Adjustment approval and conditions to address final approval of the plans and the Committee of Adjustment approvals for parking have been included in the recommendations of this report.

Environmental Services Department - Solid Waste Management Division

Each building has an internal garbage room. Buildings "A" and "B" will utilize the area between buildings for garbage staging during pick-up. The staging area shall be screened from view from Keele Street. The future Condominium Corporation(s) will be responsible for private garbage pick-up. The Owner must satisfy all requirements of the Solid Waste Management Division. A condition to this effect has been added to the recommendations section of this report to acknowledge this responsibility.

Office of the City Solicitor, Vaughan Real Estate Department

The Vaughan Real Estate Department has indicated that the office component of the development will be subject to a 2% cash-in-lieu of the dedication of parkland in accordance with Section 42 of the *Planning Act*.

The industrial component will be subject of cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act*. The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the current Council Policy waiving such payment remains in effect for industrial land. A condition to this effect is included in the recommendation of this report.

Ministry of Transportation (MTO)

Since the subject lands are located adjacent to the 407-Transitway and designated Controlled Access Highway, the MTO has provided preliminary comments on the proposed site plan regarding the Traffic Impact Study, the illumination plan, site servicing and stormwater management, fencing requirements along the north and east property lines within the CAH designated land, and the requirements for encroachment agreements, the MTO permits construction/site works, and signage, as discussed earlier in this report.

MTO has advised that they have no objection to the proposed development. Prior to final Site Plan approval, MTO requires the Owner to update the Transportation Impact Study (TIS) to include the following:

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- a) Highway 407 ramps in the TIS study area;
- b) Other developments that may impact the study area;
- c) 5 and 10-year study horizons; and
- d) Verify trip generation information.

The revised TIS shall be prepared by a RAQS qualified consultant and stamped and signed by a Professional Engineer of Ontario, and the final TIS must be accepted by the MTO.

MTO typically does not permit required elements of the development to be located within the required minimum 14 m setback to MTO CAH designated lands. As noted above, the MTO has no objection to the 8 m setback along the north property and the 4 m setback along the east property line, which will be used for landscaping, as shown on Attachment #3 and #4 and subject to the required site-specific zoning exceptions identified in Table 1.

As discussed above, the MTO requires the following: written confirmation from IO, verifying that IO has no concerns with the proposed servicing/grading and fencing shown on the final plans; all final plans shall be updated to show the required fence to be located on the adjacent IO property, 0.3 m from the property line; and, that the Owner provide the MTO with the appropriate approvals from IO regarding the locations of the proposed fencing and servicing and grading.

The Owner will be required to obtain all required MTO Building and Land Use Permits, Encroachment Permit and Sign Permits from the MTO Central Region Highway Corridor Office, for any construction or work located on the lands designated as Controlled-Access Highway.

The on-site illumination levels proposed for the development meets the MTO design standard of zero light trespass onto the CAH and/or the MTO property. However, MTO will include a condition in the MTO Building and Land Use Permit indicating that if light trespass/glare from the on-site lighting is determined to adversely affect the travelling public, the Owner (407-Keele Development Corp.) will be required to address the situation, at their expense and to the satisfaction of MTO. Since this property is subject of a Draft Plan of Condominium (Standard), the condition in MTO's Building and Land Use Permit should indicate that this will also be the responsibility of the Condominium Corporation as the future owners of the property.

Prior to final approval of the proposed Site Plan, the MTO must be satisfied that the site servicing, site grading, sediment control, illumination plans and the TIS, all meet MTO requirements. This is included in the recommendations of this report.

Canada Post

Canada Post has no objection to the approval of the proposed development subject to the Owner satisfying their requirements as a condition of Draft Plan Condominium (Standard) application approval. The Condominium Corporation will be responsible for maintenance associated with the Community Mail box and a clause to this effect shall be included in the Condominium Agreement and Declaration.

Bell

A blanket easement was requested by Bell for any required communication and telecommunication infrastructure. A condition has been added to the recommendations of this report.

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Enbridge Gas

Enbridge has no objection to the proposed development and has advised that the Owner must contact Enbridge prior to any site construction activity.

Alectra Utilities Corporation

Alectra Utilities Corporation (formerly PowerStream Inc.) has no objection to the proposed development and has advised that the Owner must contact Alectra prior to any construction activity taking place.

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

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

- Continue to cultivate an environmentally sustainable city.
- Attract Investment and create jobs

Regional Implications

York Region has no objection to the approval of the proposed Site Plan. York Region has acknowledged that this section of Keele Street is under the jurisdiction of the MTO and that approval for any site works within the Keele Street right-of-way (ROW) must be provided by the MTO. Prior to the commencement of any construction, the Owner must satisfy York Region's requirements regarding fill material used on or adjacent to the York Region right-of-way (ROW), including soil testing. Prior to final approval of the Site Plan, the Owner shall address all technical conditions required by York Region and all financial requirements and securities related to the Region's approval of the subject applications.

York Region has no objection to the approval of the Draft Plan of Condominium (Standard). Prior to final approval of the Draft Plan of Condominium (Standard), the Owner shall provide written confirmation that the Region's conditions of site plan approval have been satisfied. The Owner shall execute all Regional Agreements and obtain the necessary Regional permits and confirm that works within the Region's right-of-way have been completed, the required securities have been posted, and all transfers of obligations have been completed.

York Region's conditions of approval are included in the recommendations of this report.

Conclusion

Site Development File DA.16.088 and Draft Plan of Condominium (Standard) File 19CDM-16V007, facilitate the development of office buildings and employment use buildings. These applications have been reviewed in accordance with Vaughan Official Plan 2010, the Concord West Urban Design Framework and Landscape Plan, Zoning By-law 1-88; the comments from City Departments, external public agencies, and, the area context.

The Development Planning Department is satisfied that the proposed development is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development and Draft Plan of Condominium pending Committee of Adjustment approval of the required Minor Variances listed in Table 1, and subject to the conditions in the recommendation of this report.

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Should the Site Plan be approved, the Vaughan Development Planning Department is satisfied that proposed Draft Plan of Condominium for the subject lands is appropriate and has no objection to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Plan of Condominium
2. Context Location Map
3. Location Map
4. Site Plan
5. Landscape Plan
6. Elevations - Typical Office Building
7. Elevations - Typical Employment Building
8. Draft Plan of Condominium
9. Perspective

Report prepared by:

Laura Janotta, Planner, ext. 8634
Stephen Lue, Senior Planner, ext. 8210

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

COMMITTEE OF THE WHOLE JUNE 20, 2017

**SITE DEVELOPMENT FILE DA.16.088
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-16V007
KEELE-407 DEVELOPMENT CORP.
WARD 4 - VICINITY OF KEELE STREET AND HIGHWAY 407**

Recommendation

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

1. That Site Development File DA.16.088 (Keele-407 Development Corp.) BE APPROVED, to permit the development of two, 2-storey multi-unit (condominium) office buildings and five multi-unit employment (condominium) buildings having a total Gross Floor Area of 16,636 m², on the subject lands shown on Attachments #2 and #3, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations and all signage (building and site) details;
 - ii) the Development Engineering and Infrastructure Planning Department shall approve the final site plan, site servicing and grading plan; storm water management report, and Traffic Impact Study;
 - iii) the Owner shall satisfy all requirements of Canada Post;
 - iv) the Owner shall satisfy all requirements of York Region;
 - v) the Owner shall satisfy all requirements of the Ministry of Transportation (MTO), including the provision of financial securities, respecting:
 - the submission of a revised Traffic Impact Study, which shall be prepared by a Registering Appraisal & Qualification System (RAQS) qualified consultant and stamped and signed by a Professional Engineer of Ontario;
 - the submission of updated plans to MTO showing the required fencing on the adjacent Infrastructure Ontario (IO) property for the 407 Transitway;
 - obtaining the required approvals from IO to permit the Owner to undertake grading/servicing within the MTO setback and to construct fencing on the adjacent IO property for the 407 Transitway;
 - obtaining MTO Building and Land Use Permits from the MTO Central Region Highway Corridor Management Section, prior to the commencement of any construction/works on the subject lands;
 - obtaining an MTO Encroachment Permit(s) from the MTO Central Region Highway Corridor Management Section and IO prior to the

commencement of any construction or work on the lands designated as a Controlled-Access Highway; and

- obtaining the required MTO Sign Permits for signage on the subject lands designated as Controlled-Access Highway.
- b) the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
- c) That the Site Plan Agreement shall include the following clauses:
- i) "Prior to the issuance of a Building Permit, the Owner shall pay to the City the appropriate Development Charges, in accordance with the Development Charge By-Laws of the City of Vaughan, York Region, York Region District School Board, and the York Region Catholic District School Board";
 - ii) "Should archaeological resources be found on the property during construction activities, all work must cease and the Owner must notify both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Urban Design and Cultural Heritage Division immediately"; and
 - iii) "In the event human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Registration Unit of the Ministry of Consumer Services".
- d) Prior to the issuance of a Building Permit:
- 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, in accordance with Section 42 of the *Planning Act*, for the office component of the proposed development;
 - ii) if required, the Owner shall pay to the City of Vaughan, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act*, for the industrial component of the development. The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the Council Policy waiving such payment remains in effect for industrial land.
2. That Draft Plan of Condominium (Standard) File 19CDM-16V007 (Keele-407 Development Corp.), BE APPROVED, as shown on Attachment #8, to establish the condominium ownership tenure of the office and employment buildings, subject to the Conditions of Approval set out in Attachment #1:
- a) Prior to final approval of the Draft Plan of Condominium (Standard):
- i) the Owner shall confirm to the Development Planning Department that all outstanding taxes levied, all additional municipal levies if applicable, development charges and all financial requirements as may be required

by the Financial Planning and Development Finance Department, have been paid;

- ii) the Owner shall also certify acknowledgement of responsibility for the payment of all taxes levied to date, both interim and final, and all taxes levied upon the land after execution of the Condominium Agreement, if required, until each unit covered by the said Agreement is separately assessed;
- iii) the Owner shall provide the necessary blanket easements in favour of Bell for any required communication and telecommunication infrastructure;
- iv) the Owner shall satisfy the requirements of Canada Post. The Condominium Agreement shall include a clause stating that the Condominium Corporation will be responsible for maintenance associated with the Community Mail box;
- v) the Owner shall arrange to decommission the existing sanitary sewer and watermain service connections located in the vicinity of the south-west corner of the site, in accordance with the City of Vaughan Development Engineering and Infrastructure Planning Department standards; and
- vi) the Owner shall satisfy all requirements MTO for on-site illumination levels at the MTO Controlled Access Highway. If light trespass/glare from the on-site lighting is determined to adversely affect the travelling public, the Owner, or the future Condominium Corporation as the Owner of the subject lands, shall address the situation at their expenses, and to the satisfaction of MTO, and the Condominium Agreement shall include a clause stating that;

“ Should the Ministry of Transportation Ontario (MTO) determine that light trespass/glare from the on-site lighting adversely affects the travelling public, the Condominium Corporation as the future Owner of the site, shall be responsible for resolving the light trespass/glare issue to the satisfaction of the MTO, and at the Condominium Corporation's expense”.

Prior to final approval of the proposed Site Plan, MTO must be satisfied that the site servicing, site grading, sediment control, illumination plans and the TIS, all meet the MTO requirements.”

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: to ensure sustainable development and redevelopment

- Objective 2.3 To create a City with sustainable built form

In accordance with the goal and objective 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:

- Bicycle racks to promote an alternative mode of transportation
- Exterior LED lighting
- Heat reducing roof materials
- Native and drought tolerant plant and tree species

Economic Impact

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

Communications Plan

N/A

Purpose

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

- a) Site Development File DA.16.088 to permit the development of the subject lands shown on Attachments #2 and #3, with a multi-unit employment (condominium) development comprised of two, 2-storey multi-unit office buildings containing 41 office units, and five multi-unit buildings containing 51 employment units and 3 office units, and surface parking spaces, as shown on Attachments #4 to #7.
- b) Draft Plan of Condominium (Standard) File 19CDM-16V007 to establish the condominium tenure for the development and the common elements (to be managed by a future condominium corporation(s) including the surface parking areas, driveways and landscaping as shown on Attachment #8.

Background - Analysis and Options

Synopsis:

The Owner is proposing to construct a multi-unit office and employment condominium development comprised of two, 2-storey office buildings containing 41 units, and five multi-unit employment buildings containing 51 employment units and 3 office units. The Development Planning Department supports the approval of the proposed Site Development and Draft Plan of Condominium (Standard) applications, as the proposed development conforms to the Official Plan, the uses are permitted by Zoning By-law 1-88 and are compatible and appropriate with the existing and planned land uses in the area.

Location

The vacant 3.65 ha subject lands are located at the northeast corner of Keele Street and Great Gulf Drive, in the vicinity of Keele Street and Highway 407, as shown on Attachments #2 and #3. The surrounding land uses are identified on Attachment #3. Although the property is located outside of the Parkway Belt West Plan, it abuts the future 407-Transitway, which is within the Parkway Belt West Plan. The subject lands are also located in the MTO Permit Control Area and designated as a Controlled Access Highway (CAH), by the MTO, as shown on Attachment #4.

Official Plan

The subject lands are designated "Prestige Employment" by Vaughan Official Plan 2010 (VOP 2010), which permits the proposed business and professional office, and employment uses. The proposed development conforms to the VOP 2010.

Zoning

The subject lands are zoned EM1 Prestige Employment Area by Zoning By-law 1-88, subject to site-specific Exception 9(1380), which restricts driveway access to Great Gulf Drive, limits uses, regulates setbacks, and provides for the 407 Transitway driveway access adjacent to the east property line. The proposed business and professional office and multi-unit employment development complies with the uses permitted within the EM1 Prestige Employment Area Zone. The proposed site plan and Draft Plan of Condominium (Standard) Plan do not comply with the EM1 Zone Requirements of Zoning By-law 1-88 as identified on Table 1.

Table 1:

	Zoning By-law 1-88 Standard	Zoning By-law 1-88 Requirement of the EM1 Prestige Employment Area Zone, Subject to Exception 9(1380)	Proposed Exceptions to the EM1 Prestige Employment Area Zone, Subject to Exception 9(1380)
a.	Minimum Rear Yard Setback (from Building "B" to north property line)	14 m	8 m
b.	Minimum Parking Requirements	5,608 m ² office @ 3.5 spaces per 100 m ² = 197 51 employment units @ 4 spaces/unit = 204 <u>Total Parking Required</u> 401 spaces	5,608 m ² office @ 3.1 spaces per 100 m ² =174 51 employment units @ 3.98 spaces/unit = 203 <u>Total Parking Provided</u> 377 spaces
c.	Minimum Loading Space Requirements	Building "A" - 1 loading space Building "B" - 1 loading space	Buildings "A" and "B" - 0 loading spaces
d.	Minimum Unit Size in a Multi-Unit Building (Buildings "C" to "G" inclusive)	274 m ²	138.9 m ²
e.	Minimum Width of a Landscape Strip abutting MTO lands	9 m	8 m along the north property line and 4 m along the east property line

Should Council approve Site Development File DA.16.088, the Owner shall successfully obtain approval of a Minor Variance application for the required exceptions to Zoning By-law 1-88, identified in Table 1 of this report, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed

the Committee prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendations section of this report.

The Owner is aware and acknowledges that variances are required to facilitate the development proposed by this application, and intends to submit a Minor Variance application to the Committee of Adjustment. The Development Planning Department has reviewed and supports the proposed variances to the EM1 Zone identified in Table 1:

a) Minimum Building Setbacks and Encroachments

Zoning By-law 1-88 subject to site-specific Exception 9(1380) requires a minimum 14 m setback on the east and north property lines abutting the CAH lands (shown on Attachment #4). The MTO typically does not allow elements of a proposed development to be located within this setback. An 8 m rear yard setback to Building "B" is proposed from the northerly property line. The MTO has advised they have no objection to the proposed 8 m rear yard setback to Building "B". Accordingly, the Development Planning Department is satisfied the 8 m setback is sufficient, and an appropriate area remains on the site to provide landscaping and drive aisles.

b) Parking

A total of 377 parking spaces are proposed according to the parking ratios listed in Table 1. The mezzanine areas identified on the site plan within each employment unit were not included in the parking calculations. The difference between the minimum number of required parking spaces by Zoning By-law 1-88 and the proposed number of parking spaces is approximately 6% and considered minor in nature and can therefore be supported by the Development Planning Department.

c) Loading Space

Zoning By-Law 1-88 requires a loading space for each office building, whereas, no loading spaces are proposed as a part of the subject development. The proposed office buildings will be divided into 41 units. Given the size of the individual units (200 m² or less), it is anticipated that the future purchasers of the office units would not require dedicated loading spaces. Zoning By-law 1-88 also identifies that loading spaces are not required for buildings that are 500 m² or less in size. The Development Planning Department has no objection to the development of Buildings "A" and "B" without the loading spaces required by Zoning By-law 1-88.

d) Minimum Unit Size (Employment Use Buildings)

Zoning By-law 1-88 requires a minimum unit size of 274 m² within employment use buildings whereas the proposed employment units range in size from 138.9 m² to 239.6 m². A variance is required to permit a minimum employment unit size of 138.91m² within employment Buildings "C" to "G" inclusive. The Owner has requested smaller unit sizes to accommodate the market demand for smaller units to accommodate the needs of certain employment use businesses. The smaller unit sizes can be supported by the Development Planning Department.

e) Minimum Landscape Strip Width Abutting MTO

Zoning By-law 1-88 requires a 9 m wide landscape strip abutting the MTO Controlled Access Highway lands, whereas the landscape strips proposed along the north property and east property lines are 8 m and 4 m wide, respectively.

Infrastructure Ontario (IO) owns the adjacent land abutting the north and east property lines, which will be used for the future 407-Transitway. The MTO requires the Owner to provide written confirmation from IO, that it has no objection to the following matters:

- i) reduced 8 m MTO setback on the north property line;
- ii) reduced 4 m MTO setback on the east property line; and
- iii) that IO agrees to allow servicing and grading within this setback and the required fencing to be located on the IO property (ie. 407 Transitway).

Site Plan Review

The Owner proposes to develop the property with two, 2-storey multi-unit buildings containing 41 business and professional office condominium units, and five multi-unit employment buildings containing 51 condominium employment units, as shown on Attachments #4 to #7. Building "C" is primarily an employment use building, however three units (Units C18 to C20) are intended for office use.

The proposed buildings are specifically sited to accommodate the existing grade changes across the subject site. A total of 377 parking spaces are provided and a loading space is provided at the back of each employment unit (except Units C18 to C20) in Buildings "C" to "G" inclusive. Parking for the office buildings is located in a centralized lot and along the north edge of the property. Parking for the employment units is located adjacent to the buildings. The related Draft Plan of Condominium identifies the employment unit parking spaces, which will be assigned to the corresponding units through the Condominium approval.

The proposed site plan (as shown on Attachment #4) includes five driveways from Great Gulf Drive for access and on-site circulation. To reduce potential pedestrian/vehicle conflicts and conflicts with driveway on the south side of Great Gulf Drive, two driveways shall be restricted as exit only access to Great Gulf Drive and the three main driveways shall be full moves access as shown on Attachment #4. The Development Engineering and Infrastructure Planning (DEIP) Development have no objection to five proposed driveways provided inbound and outbound traffic movements are limited, as shown on Attachment #4.

Landscape Plan

The Keele Street frontage of the site is identified as a "Buffer Area" within the Concord West Urban Design Framework and Streetscape Plan area. However, this street frontage is MTO Controlled Access Highway (CAH) restricted and abuts the on-ramp to Highway 407. The MTO staff have advised they will not permit the features (ie. bio-swailes) recommended in the Streetscape Plan. The proposed landscaping shown on Attachment #5 for the site triangle at Keele Street and Great Gulf Drive, and the Keele Street frontage meets with MTO requirements.

The arborist report and tree preservation plan submitted in support of the subject applications has identified no significant on-site tree species requiring protection. Landscaped areas will be provided within the MTO setback along the north, east and west edges of the site in accordance with the Landscape Plan, shown on Attachment #5.

The proposed landscape treatment will be used to screen the on-site parking areas. There are strategically placed trees and drought tolerant plantings that will provide an attractive streetscape along Great Gulf Drive within the 6 m landscape strip. The most westerly driveway has been designed as the main entrance to the proposed development. Enhanced landscape features are proposed to screen the parking area between the office buildings and the employment units. The south walls of Buildings "C" to "G" inclusive, incorporate screen walls, as shown on Attachments #4 and #7 that are designed to conceal the loading areas at the rear of these buildings.

The final landscape plan and landscape cost estimate must be approved by the Development Planning Department. The landscaping for the westerly site entrance must provide adequate screening of the central parking area and the proposed hydro transformers within the 6 m

landscape strip along Great Gulf Drive must be appropriately screened. A condition to this effect is included in the recommendations of this report.

Building Elevations

All building elevations are subject to final approval by the Development Planning Department. Further approvals for the wall signs shown on the building elevations will be required in accordance with the City of Vaughan's Sign By-Law since there is insufficient information regarding the sign sizes, locations and type of lettering. In addition to the municipal approvals for signs, MTO Sign Permits are required, since the site is within the MTO Permit Control Area and permits to be applied for shall include the pylon sign and directional ground signs proposed on Great Gulf Drive.

The Development Planning Department is generally satisfied with the proposed site layout, building elevations and landscaping for the development proposal shown on Attachments #4 to #7, subject to the conditions outlined in this report. All final landscape plans, landscape cost estimates, building elevations, and the lighting plans are subject to final approval by the Development Planning Department.

Draft Plan of Condominium

The proposed Draft Plan of Condominium (Standard) File 19CDM-16V007 is required to create the condominium tenure for the individual office and employment units, and for the site's common areas, which include private roads, walkways, common parking areas, driveways, and landscaped areas, which will be managed by a future Condominium Corporation(s). The purposed Draft Plan of Condominium is shown on Attachment #8.

The Development Planning Department has reviewed the Draft Plan of Condominium (Standard) application concurrently with the Site Plan application. Prior to final approval of the proposed Draft Plan of Condominium, the draft plan must comply with Zoning By-law 1-88 and the approved Site Plan.

Cultural Heritage Division

A Stage 1 and 2 Archaeological Assessment Report was prepared by Golder Associates in support of the development proposal. The report was accepted into the Register of Archaeological Reports, as noted in a communication from the Ministry of Tourism, Culture and Sport dated November 13, 2012. The report concluded that the archaeological assessment did not result in the identification of any archaeological resources of cultural heritage value or interest and that no further archaeological assessment was recommended. The recommendations of the report contained standard clauses that apply in areas that have been cleared of archaeological concern. Accordingly, the following standard clauses apply, which will be included in the Site Plan Letter of Undertaking:

- i. Should archaeological resources be found on the property during construction activities, all work must cease and the Owner shall notify both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division immediately.
- ii. In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services".

Development Engineering and Infrastructure Planning (DEIP) Department

a) Servicing

The site servicing, grading and stormwater management plans must be approved by the DEIP Department prior to final Site Plan approval. As discussed in the Zoning Section of this report, the MTO Central Region Highway Corridor Management Office has requested that the DEIP Department and the adjacent property owner (IO), provide written confirmation that they have no objection to allowing servicing/grading and fencing on the lands intended for use by the 407-Transitway and within the CAH area of the subject lands. These elements of the proposed site plan may require an agreement between the Owner, IO and 407 ETR, since they are essential site elements for the proposed development to be located within the MTO Controlled Access Highway (CAH) designation. Conditions to this effect are included on the recommendations of this report.

Prior to final approval of the site plan, the servicing and grading plans must be to the satisfaction of the DEIP Department and MTO.

The DEIP Department has requested a condition of Draft Plan of Condominium (Standard) approval requiring the Owner to decommission the existing sanitary sewer and watermain service connections located in the vicinity of the southwest corner of the site. A condition to this effect has been added to the recommendations of this report.

The Owner shall address all outstanding issues to the satisfaction of the DEIP Department. A condition to this effect is included in this report

b) Traffic and Site Access

The DEIP Department is generally satisfied with the Traffic Impact Study (TIS). Prior to final Site Plan Approval, the additional TIS information requested by MTO shall be submitted to the satisfaction of the DEIP Department, MTO and York Region.

c) Snow Storage

The Owner has acknowledged that snow will not be stored on site. Snow removal will be the responsibility of the future Condominium Corporation and administered through a private agreement arranged and administered by the future Condominium Corporation(s). A condition to this effect is included in the Draft Plan of Condominium (Standards) Conditions in Attachment #1, and will be included in the Condominium Agreement and Declaration.

d) Parking

The proposed number of parking spaces (377 parking spaces) does not comply with Zoning By-law 1-88 (400 parking spaces). A variance is required for relief from the parking standards. The difference between the required and the proposed parking is approximately 6%, and therefore minor in nature and does not require a Parking Study. The proposed parking reduction for the site shall be subject of Vaughan Committee of Adjustment approval and conditions to address final approval of the plans and the Committee of Adjustment approvals for parking have been included in the recommendations of this report.

Environmental Services Department - Solid Waste Management Division

Each building has an internal garbage room. Buildings "A" and "B" will utilize the area between buildings for garbage staging during pick-up. The staging area shall be screened from view from

Keele Street. The future Condominium Corporation(s) will be responsible for private garbage pick-up. The Owner must satisfy all requirements of the Solid Waste Management Division. A condition to this effect has been added to the recommendations section of this report to acknowledge this responsibility.

Office of the City Solicitor, Vaughan Real Estate Department

The Vaughan Real Estate Department has indicated that the office component of the development will be subject to a 2% cash-in-lieu of the dedication of parkland in accordance with Section 42 of the *Planning Act*.

The industrial component will be subject of cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, in accordance with Section 51 of the *Planning Act*. The cash-in-lieu payment in accordance with Section 42 of the *Planning Act* will not be required as long as the current Council Policy waiving such payment remains in effect for industrial land. A condition to this effect is included in the recommendation of this report.

Ministry of Transportation (MTO)

Since the subject lands are located adjacent to the 407-Transitway and designated Controlled Access Highway, the MTO has provided preliminary comments on the proposed site plan regarding the Traffic Impact Study, the illumination plan, site servicing and stormwater management, fencing requirements along the north and east property lines within the CAH designated land, and the requirements for encroachment agreements, the MTO permits construction/site works, and signage, as discussed earlier in this report.

MTO has advised that they have no objection to the proposed development. Prior to final Site Plan approval, MTO requires the Owner to update the Transportation Impact Study (TIS) to include the following:

- a) Highway 407 ramps in the TIS study area;
- b) Other developments that may impact the study area;
- c) 5 and 10-year study horizons; and
- d) Verify trip generation information.

The revised TIS shall be prepared by a RAQS qualified consultant and stamped and signed by a Professional Engineer of Ontario, and the final TIS must be accepted by the MTO.

MTO typically does not permit required elements of the development to be located within the required minimum 14 m setback to MTO CAH designated lands. As noted above, the MTO has no objection to the 8 m setback along the north property and the 4 m setback along the east property line, which will be used for landscaping, as shown on Attachment #3 and #4 and subject to the required site-specific zoning exceptions identified in Table 1.

As discussed above, the MTO requires the following: written confirmation from IO, verifying that IO has no concerns with the proposed servicing/grading and fencing shown on the final plans; all final plans shall be updated to show the required fence to be located on the adjacent IO property, 0.3 m from the property line; and, that the Owner provide the MTO with the appropriate approvals from IO regarding the locations of the proposed fencing and servicing and grading.

The Owner will be required to obtain all required MTO Building and Land Use Permits, Encroachment Permit and Sign Permits from the MTO Central Region Highway Corridor Office, for any construction or work located on the lands designated as Controlled-Access Highway.

The on-site illumination levels proposed for the development meets the MTO design standard of zero light trespass onto the CAH and/or the MTO property. However, MTO will include a

condition in the MTO Building and Land Use Permit indicating that if light trespass/glare from the on-site lighting is determined to adversely affect the travelling public, the Owner (407-Keele Development Corp.) will be required to address the situation, at their expense and to the satisfaction of MTO. Since this property is subject of a Draft Plan of Condominium (Standard), the condition in MTO's Building and Land Use Permit should indicate that this will also be the responsibility of the Condominium Corporation as the future owners of the property.

Prior to final approval of the proposed Site Plan, the MTO must be satisfied that the site servicing, site grading, sediment control, illumination plans and the TIS, all meet MTO requirements. This is included in the recommendations of this report.

Canada Post

Canada Post has no objection to the approval of the proposed development subject to the Owner satisfying their requirements as a condition of Draft Plan Condominium (Standard) application approval. The Condominium Corporation will be responsible for maintenance associated with the Community Mail box and a clause to this effect shall be included in the Condominium Agreement and Declaration.

Bell

A blanket easement was requested by Bell for any required communication and telecommunication infrastructure. A condition has been added to the recommendations of this report.

Enbridge Gas

Enbridge has no objection to the proposed development and has advised that the Owner must contact Enbridge prior to any site construction activity.

Alectra Utilities Corporation

Alectra Utilities Corporation (formerly PowerStream Inc.) has no objection to the proposed development and has advised that the Owner must contact Alectra prior to any construction activity taking place.

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

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

- Continue to cultivate an environmentally sustainable city.
- Attract Investment and create jobs

Regional Implications

York Region has no objection to the approval of the proposed Site Plan. York Region has acknowledged that this section of Keele Street is under the jurisdiction of the MTO and that approval for any site works within the Keele Street right-of-way (ROW) must be provided by the MTO. Prior to the commencement of any construction, the Owner must satisfy York Region's requirements regarding fill material used on or adjacent to the York Region right-of-way (ROW), including soil testing. Prior to final approval of the Site Plan, the Owner shall address all technical conditions required by York Region and all financial requirements and securities related to the Region's approval of the subject applications.

York Region has no objection to the approval of the Draft Plan of Condominium (Standard). Prior to final approval of the Draft Plan of Condominium (Standard), the Owner shall provide written confirmation that the Region's conditions of site plan approval have been satisfied. The Owner shall execute all Regional Agreements and obtain the necessary Regional permits and confirm that works within the Region's right-of-way have been completed, the required securities have been posted, and all transfers of obligations have been completed.

York Region's conditions of approval are included in the recommendations of this report.

Conclusion

Site Development File DA.16.088 and Draft Plan of Condominium (Standard) File 19CDM-16V007, facilitate the development of office buildings and employment use buildings. These applications have been reviewed in accordance with Vaughan Official Plan 2010, the Concord West Urban Design Framework and Landscape Plan, Zoning By-law 1-88; the comments from City Departments, external public agencies, and, the area context.

The Development Planning Department is satisfied that the proposed development is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of the Site Development and Draft Plan of Condominium pending Committee of Adjustment approval of the required Minor Variances listed in Table 1, and subject to the conditions in the recommendation of this report. Should the Site Plan be approved, the Vaughan Development Planning Department is satisfied that proposed Draft Plan of Condominium for the subject lands is appropriate and has no objection to the approval of the Draft Plan of Condominium, subject to the conditions set out in Attachment #1.

Attachments

1. Conditions of Draft Plan of Condominium
2. Context Location Map
3. Location Map
4. Site Plan
5. Landscape Plan
6. Elevations - Typical Office Building
7. Elevations - Typical Employment Building
8. Draft Plan of Condominium
9. Perspective

Report prepared by:

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Respectfully submitted,

JOHN MACKENZIE
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Planning & Growth Management

MAURO PEVERINI
Director of Development Planning

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Senior Manager of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-16V007 ("THE PLAN")
KEELE-407 DEVELOPMENT CORP. ("THE OWNER")
PARTS 6 AND 7, PLAN 65R-33852
PART OF LOT 3, CONCESSION 3, CITY OF VAUGHAN ("THE CITY")**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (STANDARD) FILE 19CDM-16V007, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to a Draft Plan of Condominium (Standard), prepared by Weston Consulting, drawing #DPC1, dated March 2, 2017.
2. Prior to the execution of the Condominium Agreement, the Owner shall submit a pre-registered Plan of Condominium to the Development Planning Department, and the related Site Plan Agreement shall have been registered on title, or if the requirement for a Site Plan Agreement is not applicable, then a building permit shall have been issued.
3. The Owner shall enter into a Condominium Agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary, which may be outstanding from the Site Plan approval process (File DA.16.088).
4. The following provisions shall be included in the Condominium Agreement:
 - a) the Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
 - b) snow removal and clearing, and garbage and recycling pick-up shall be privately administered and shall be the responsibility of the Condominium Corporation; and
 - c) the maintenance of common elements comprised of access driveways, parking, walkways, community mailboxes, and landscape areas, shall be the responsibility of the Condominium Corporation.
5. The Condominium Agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Building Standards Department.
7. Prior to final approval, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
8. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Financial Planning Department.

Canada Post Conditions

9. Prior to final approval, the Owner shall address the following conditions of Canada Post:
 - a) The Owner shall include in all Offers of Purchase and Sale, a statement which advises the prospective purchaser that mail delivery has been provided from a designated Community Mailbox.
 - b) The Owner will be responsible for notifying the purchaser of the exact location of the Community Mailbox prior to the closing of any unit sale.
 - c) The Owner agrees to provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - i) An appropriately sized sidewalk section (concrete pad) as per municipal standards to place the Community Mailboxes onto;
 - ii) Any required walkway across the private road, as per municipal standards; and
 - iii) Any required curb depressions for wheelchair access.
 - d) The Owner shall agree to determine and provide a suitable and safe temporary site for a Community Mailbox location(s), which may be utilized by Canada Post until the permanent Community Mailbox pad(s) is installed.

Bell Canada Conditions

10. Prior to final approval, the Owner shall agree to grant Bell Canada any easement that may be required, which may include a blanket easement for communication/telecommunication infrastructure. In the event of any conflict with existing facilities or easements, the Owner shall be responsible for relocation of such facilities or easements.

York Region Conditions

11. Prior to final approval, the Owner shall provide confirmation that all of the conditions of the Site Plan Approval issued under Regional File No. SP-V-108-16, have been satisfied.
12. Prior to final approval, the Owner shall execute all Regional Agreements and obtain all of the necessary permits required as part of the Site Plan Approval for the subject property issued under Regional File No.-V-108-16.
13. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of York Region or that York Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
14. Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional Agreements require responsibility to change from the Owner to the Condominium Corporation.

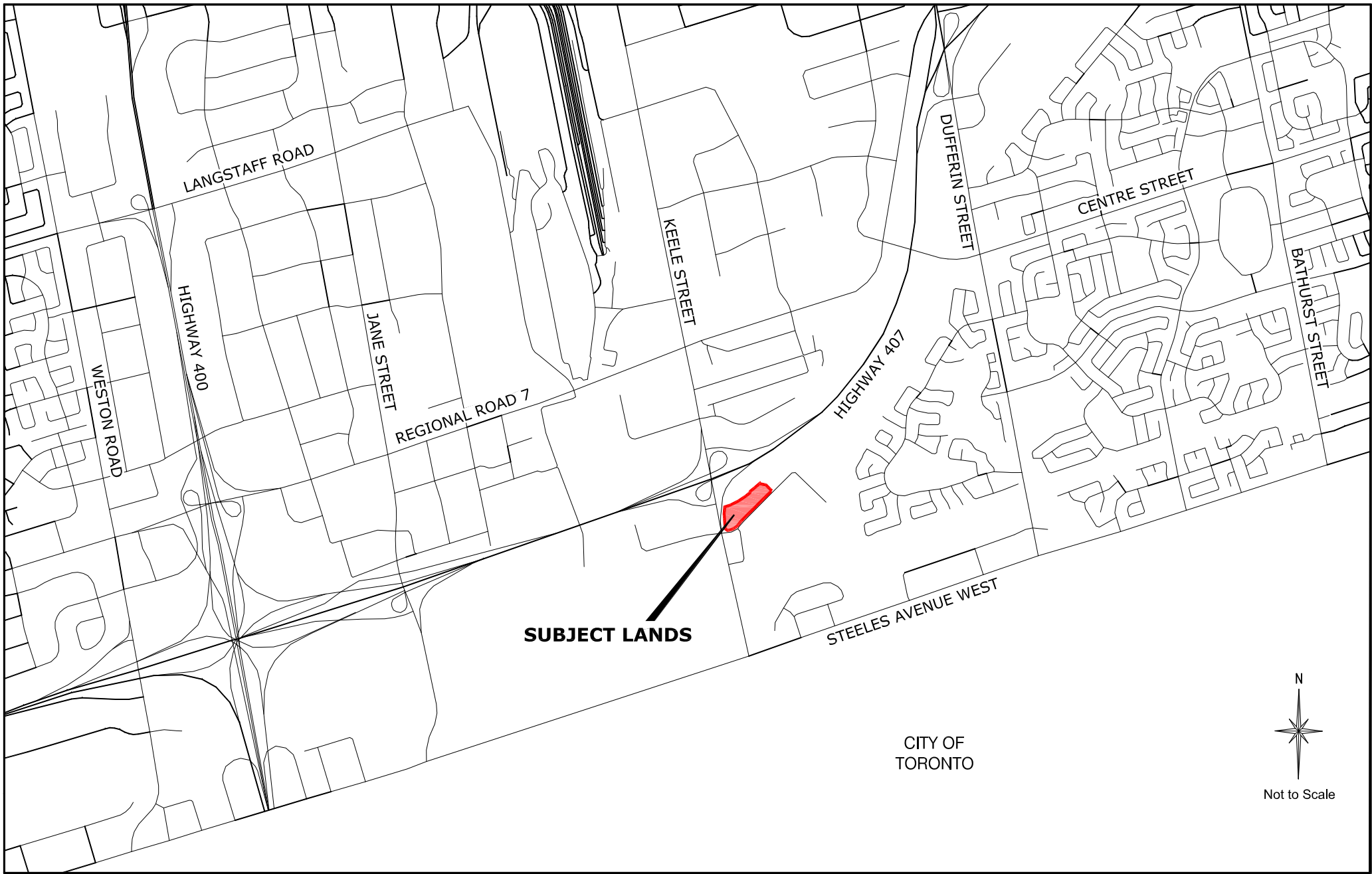
Ministry Of Transportation Conditions

15. Prior to final approval, the Traffic Impact Study shall be cleared by the MTO Traffic Office.
16. Prior to final approval, the MTO requires the City and Owner to confirm to MTO's satisfaction that there are no conflicts with the easterly driveway access and the future emergency access to the 407-Transitway.

17. All plans shall be updated to show the required fencing located on the Infrastructure Ontario owned property and written confirmation from Infrastructure Ontario shall be provided to MTO permitting the site servicing/grading and fencing to be located on the Infrastructure Ontario property.
18. Prior to commencement of any construction/work located on the lands designated as Controlled-Access Highway, an MTO encroachment Permit must be obtained from the MTO Central Region Highway Corridor Management Section.
19. The Owner is required to submit a copy of the Condominium Plan to MTO's Highway Corridor Management Section once the Draft Plan of Condominium (Standard) is registered.

Clearances

20. The City shall advise that Conditions 1 to 8 have been satisfied.
21. Canada Post Corporation shall advise the Development Planning Department in writing that Condition 9 has been satisfied.
22. Bell Canada shall advise the Development Planning Department in writing that Condition 10 has been satisfied.
23. York Region shall advise the Development Planning Department in writing that Conditions 11-14 have been satisfied.
23. The Ministry of Transportation Ontario shall advise the Development Planning Department in writing that Conditions 15 -19 have been satisfied.



Context Location Map

Location: Part of Lot 3,
Concession 3

Applicant:
Keele-407 Development Corp.

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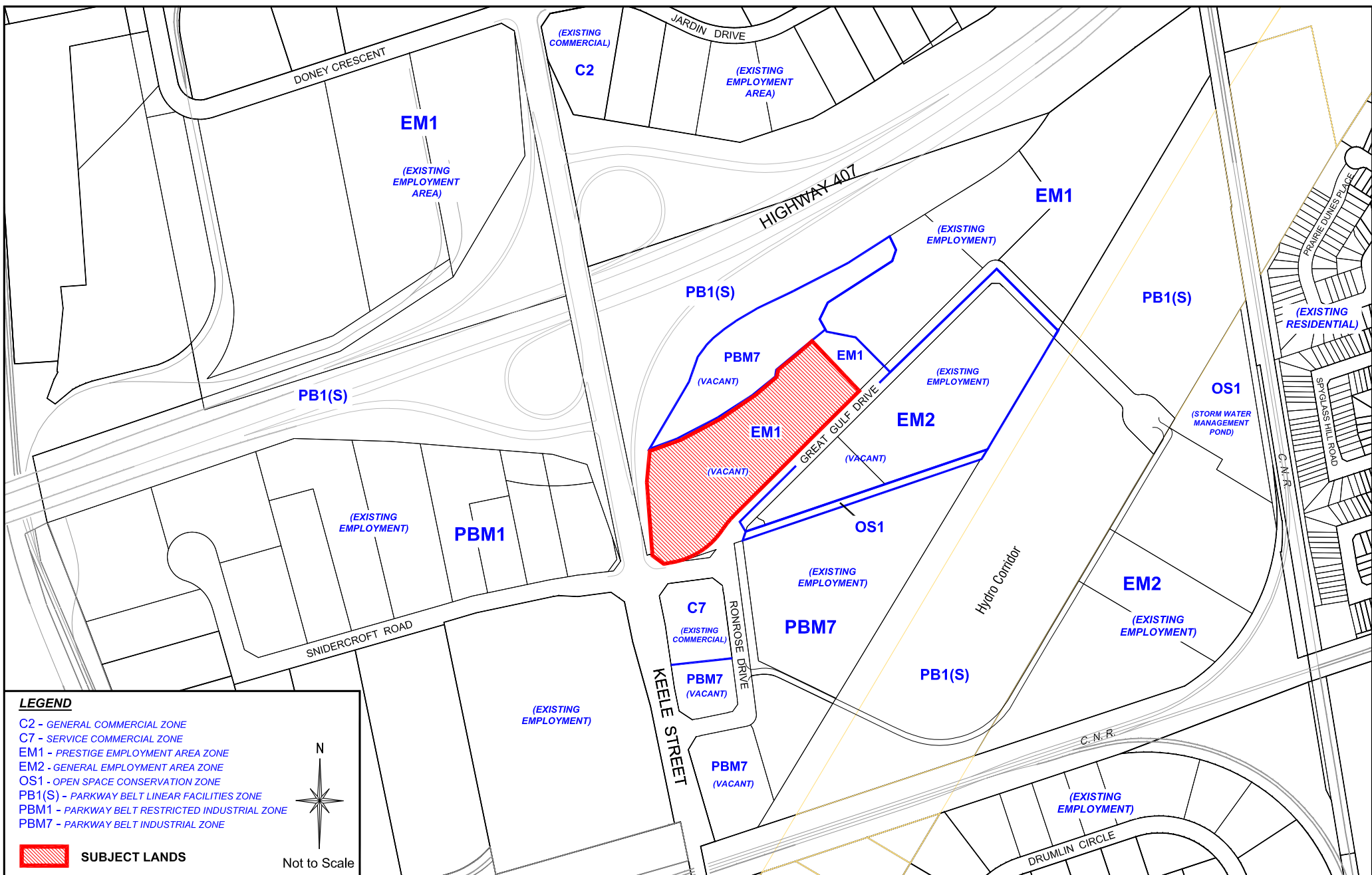


Attachment

Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

2



Location Map

Location: Part of Lot 3,
Concession 3

Applicant:
Keele-407 Development Corp.

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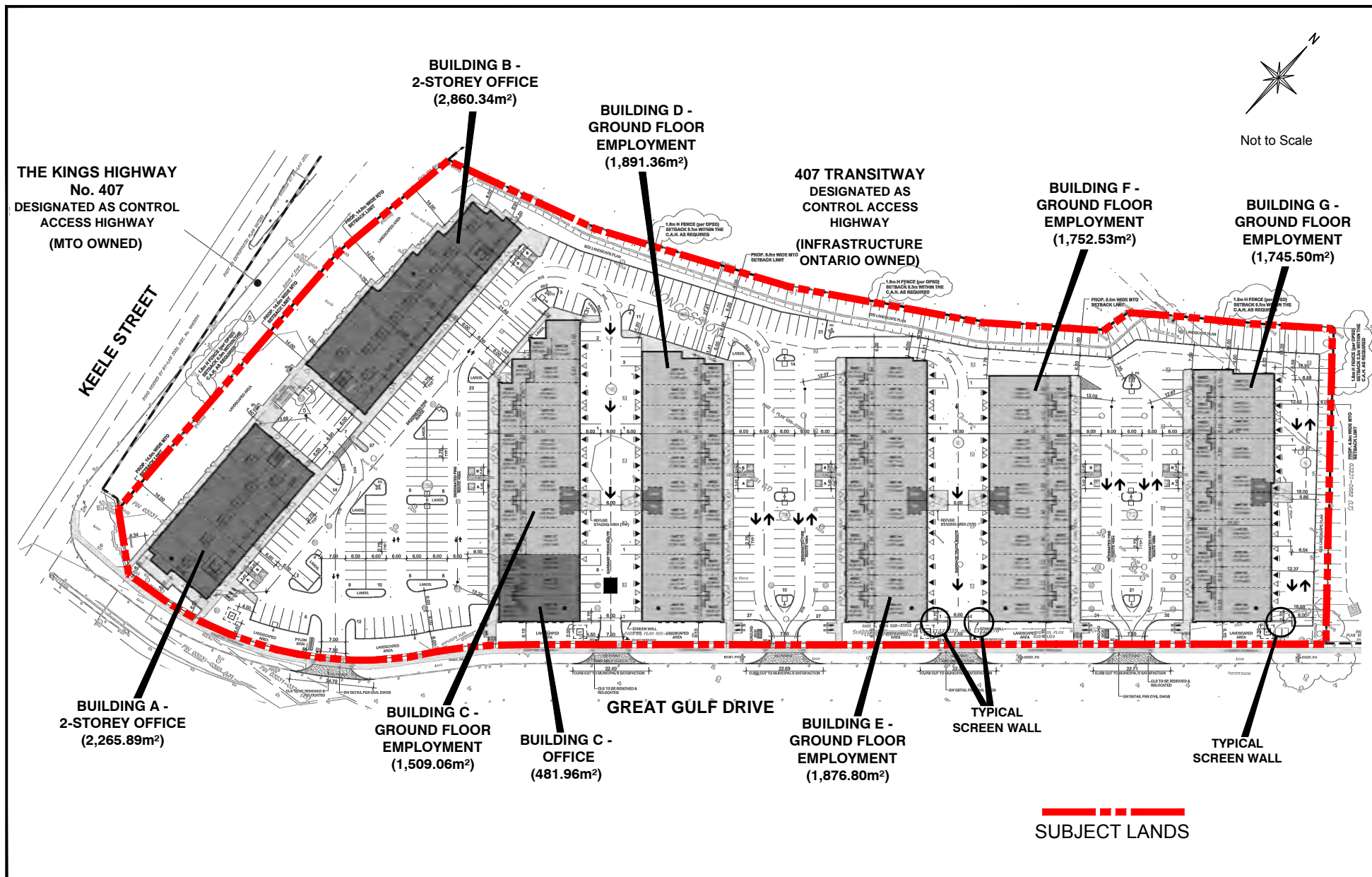


Attachment

Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

3



Site Plan

Location: Part of Lot 3,
Concession 3

Applicant:
Keele-407 Development Corp.

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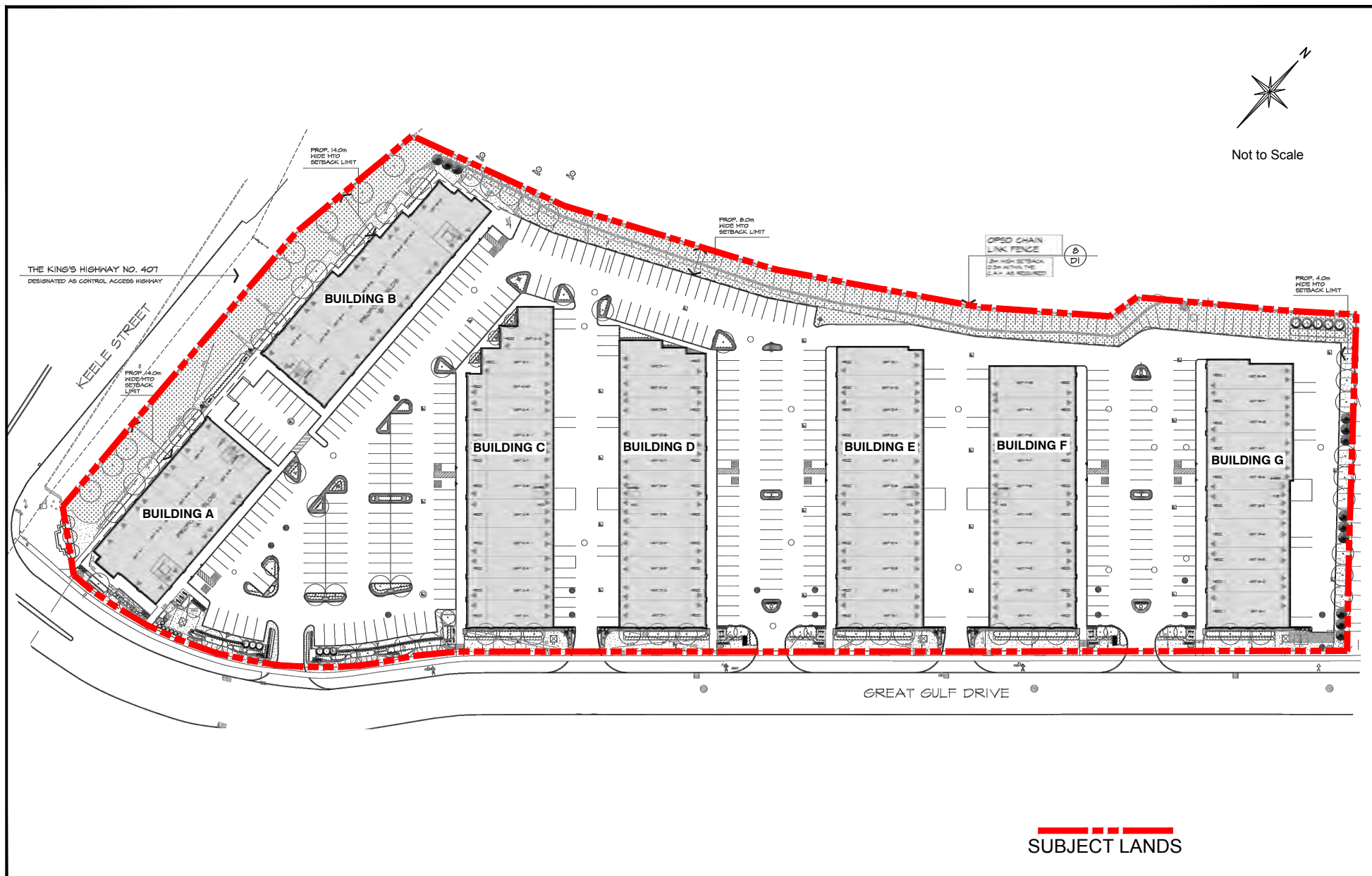


Attachment

Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

4



Landscape Plan

Location: Part of Lot 3,
Concession 3

Applicant:
Keele-407 Development Corp.

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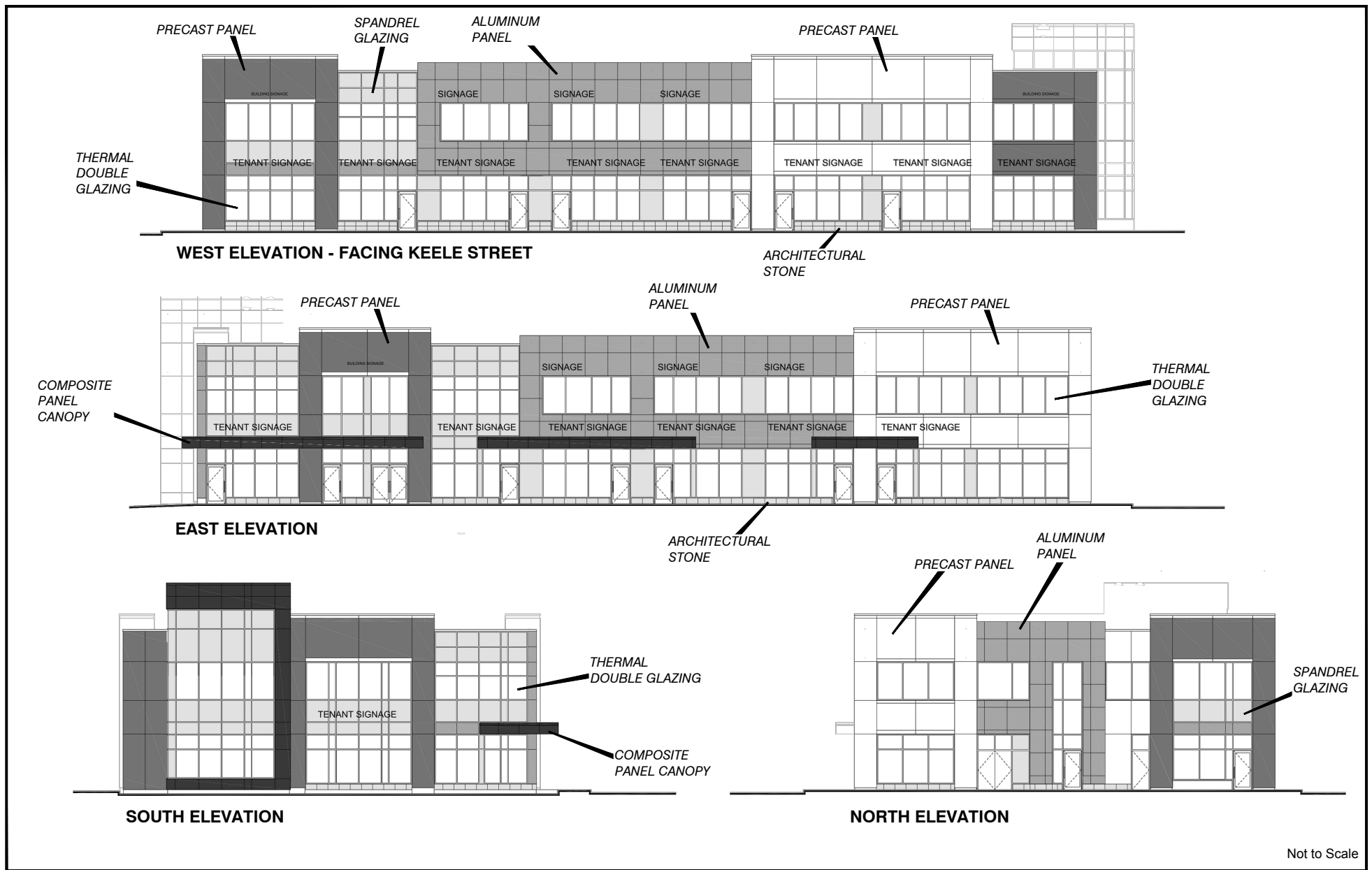


Attachment

Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

5



Elevations - Typical Office Building

Applicant: Keele-407 Development Corp. Location: Part of Lot 3, Concession 3

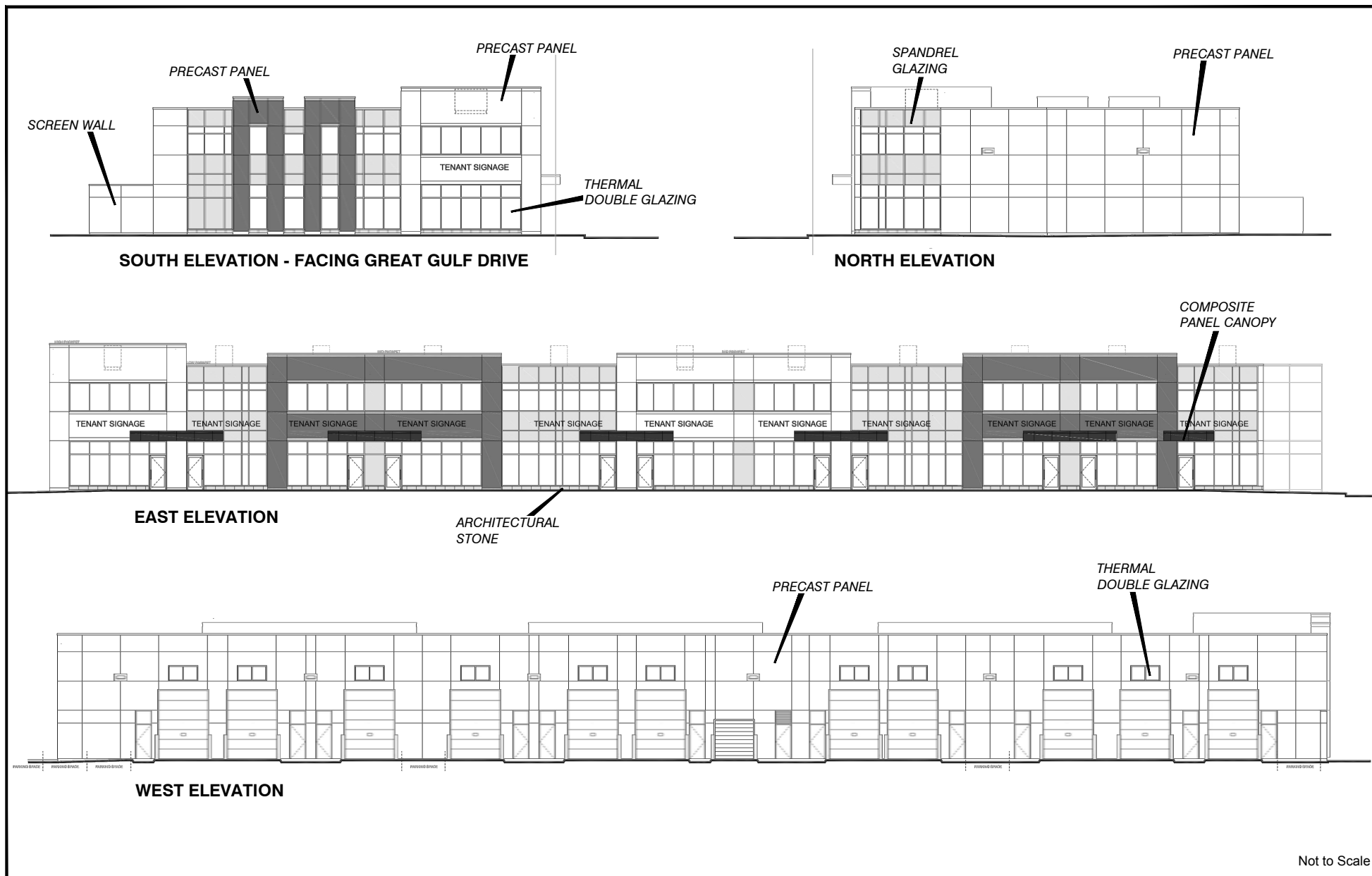


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Files: DA.16.088 & 19CDM-16V007

Date: June 20, 2017

6



Elevations - Typical Employment Building

Applicant:
Keele-407 Development Corp.

Location: Part of Lot 3,
Concession 3

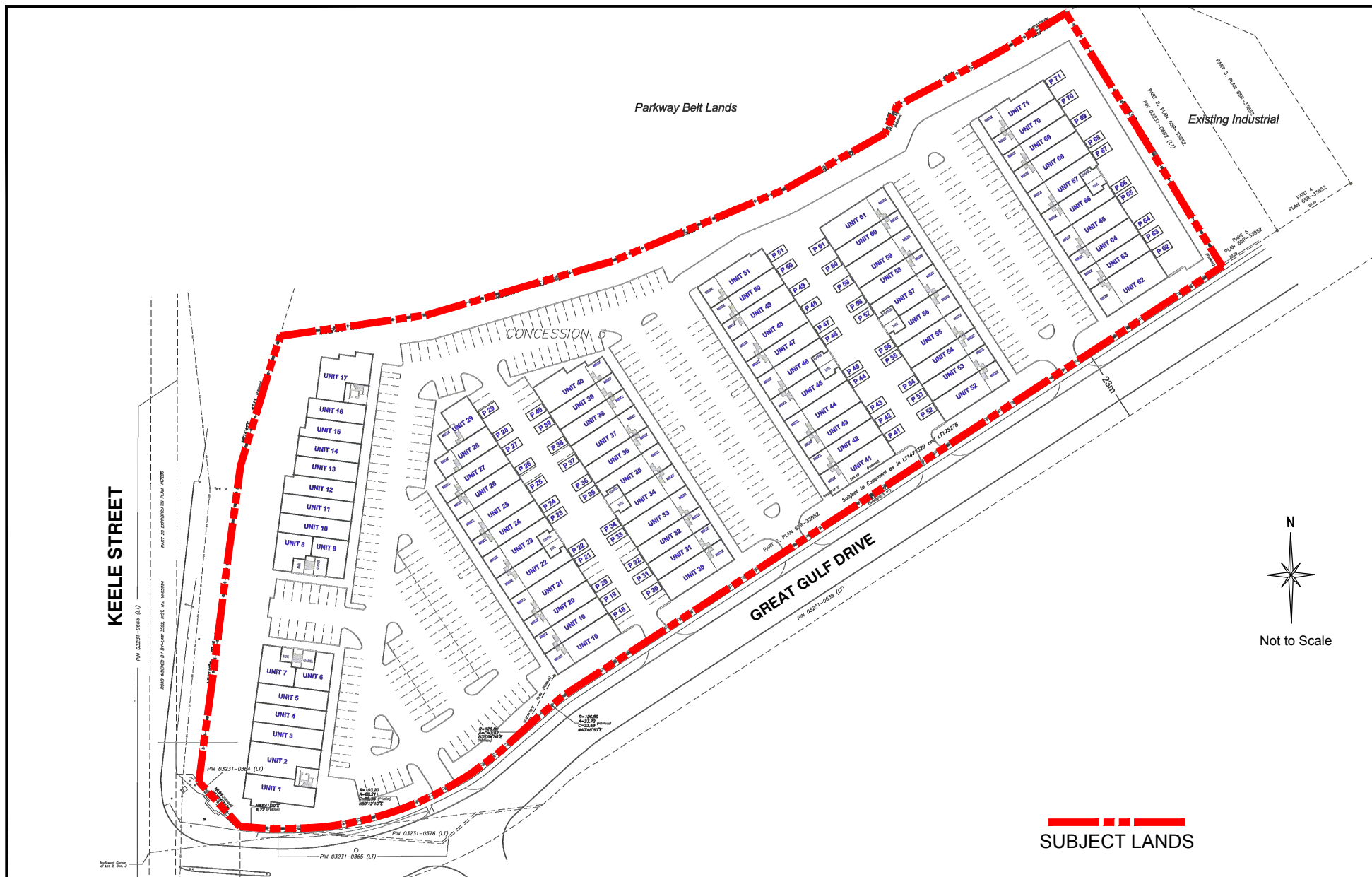


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Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

7



Draft Plan of Condominium *File 19CDM-16V007*

Applicant: Keele-407 Development Corp. Location: Part of Lot 3, Concession 3



Attachment

Files: DA.16.088 & 19CDM-16V007

Date: June 20, 2017

8



VIEW LOOKING NORTH EAST - FACING KEELE STREET AND GREAT GULF DRIVE

Not to Scale

Perspective Renderings

Location: Part of Lot 3,
Concession 3

Applicant:
Keele-407 Development Corp.

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Attachment

Files: DA.16.088 &
19CDM-16V007

Date:
June 20, 2017

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