

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012**

Item 45, Report No. 33, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 25, 2012.

**45**

**ZONING BY-LAW AMENDMENT FILE Z.12.032  
SITE DEVELOPMENT FILE DA.11.058  
ROYAL 7 DEVELOPMENTS LTD.  
WARD 4 - VICINITY OF JANE STREET AND REGIONAL ROAD 7**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated September 4, 2012, be approved;**
- 2) That the deputation of Mr. Alan Heisey, Papazian Heisey, King Street West, Toronto, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.032 (Royal 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88, specifically to remove the "(H)" Holding Symbol from the portion of the subject lands shown on Attachment #3, thereby effectively zoning the lands C9 Corporate Centre Zone.
2. THAT Site Development File DA.11.058 (Royal 7 Developments Ltd.) BE APPROVED, to permit the development of a 37-storey residential apartment (future condominium) building, located on a podium ranging in height from one to five storeys, consisting of 353 residential units and 1,620 m<sup>2</sup> of ground floor commercial area, as shown on Attachments #7 to #14, subject to the following conditions:
  - a) that prior to the execution of the implementing Site Plan Agreement:
    - i) the final site plan, landscape plans, building elevations, signage plans, street sections, photometric lighting plan, wind study, and shadow study, shall be approved by the Vaughan Development Planning Department;
    - ii) the Owner shall submit a Minor Variance Application to permit the variances identified in Table 1 of this report, which shall be approved by the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding;
    - iii) a zoning by-law shall have been enacted to remove the "(H)" Holding Symbol from the portion of the lands shown on Attachment #3;
    - iv) the final site plan, street sections, site servicing plan, site grading plan, stormwater management plan, erosion and sediment control plan, environmental noise study, geotechnical/soils report, external lighting plan, wind study, utility location plan, mechanical plan, traffic impact study, and transportation demand management plan shall be approved by the Vaughan Development/Transportation Engineering Department;



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- v) the final waste management plan and waste collection design standards submission shall be approved to the satisfaction of the Vaughan Public Works Department - Solid Waste Management;
  - vi) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department, including all conditions required to implement the Site Development Application, as shown on Attachment #17; and,
  - vii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- b) that the Site Plan Agreement include the following provision:
- (i) “The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to issuance of a Building Permit, or a fixed rate per unit, whichever is higher, in accordance with the Planning Act and the City’s Cash-in-lieu Policy; and, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands for the commercial component, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”
- c) that in addition to the City’s standard conditions, the implementing Site Plan Agreement include the conditions set out in Attachment #1, including all appropriate legal instruments and agreements required to implement the development, to the satisfaction of the City Solicitor.

#### **Contribution to Sustainability**

The applicant has advised that the site and building design will incorporate the following sustainable features:

- i) green roofs will comprise 14.1% of the entire roof coverage, including:
  - an extensive (lighter) green roof over the five-storey podium, which will absorb storm water and solar heat; and
  - an intensive (thicker) green roof on portions of the one and two-storey podium, which will also provide outdoor amenity space for residents;
- ii) high-albedo painting on portions of the roof;
- iii) permeable paving on select areas of the site;
- iv) stormwater will be captured in cisterns located beneath the public square, and used for irrigating plants;
- v) LED lighting throughout the site.
- vi) landscaping to mitigate the heat island effect, including native, drought tolerant shrubs, grasses and flowers;
- vii) transportation demand management measures to encourage active and public transportation, including:
  - pedestrian-scaled corridors and amenity areas to encourage pedestrian activity during all seasons;
  - bicycle parking facilities and storage; and
  - education and incentives for increasing public transportation use.



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A condition with respect to sustainability features is included in Attachment #1. As the Development Planning Department is currently undertaking a Sustainable Development Guidelines study, with anticipated completion in 2013, subsequent phases of development may require additional sustainability measures to be incorporated into the site and building design and construction.

Accordingly, the Development Planning Department encourages the Owner to adopt sustainability as a guiding principle for subsequent phases of development. Additional sustainable development opportunities include, but are not limited to: implementing an affordable housing strategy, connections to the Black Creek open space system, maximizing solar gains, facilitating on-site renewable energy systems, providing plug-ins for electric vehicles, utilizing local and/or sustainable building materials, enhancing air quality, providing a high-level of energy efficiency and water consumption, reducing and diverting construction waste, and providing community facilities for the residents.

#### **Economic Impact**

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

#### **Communications Plan**

On June 30, 2011, a courtesy notice of the Site Development Application was circulated to the East Woodbridge Homeowners' Association and the Concord West Ratepayers' Association.

On July 21, 2011, the Development Planning Department received a letter from the Concord West Ratepayers' Association objecting to the proposed building height of 37 storeys, and recommending a maximum height of 20 storeys. The Development Planning Department provided the Concord West Ratepayer's Association with the Ontario Municipal Board approved Zoning By-law for this site, which grants unlimited height for the tower due to its status as a landmark location in Zoning By-law 1-88, subject to maximum densities and prescribed building envelopes. Further details with respect to the zoning requirements are discussed in the Site History section of this report.

On August 21, 2012, a courtesy notice of this Committee of the Whole meeting was circulated to all individuals who requested notification with respect to this application.

#### **Purpose**

The Owner has submitted Zoning By-law Amendment File Z.12.032 to amend Zoning By-law 1-88, specifically to remove the "(H)" Holding Symbol from the portion of the subject lands shown on Attachment #3, thereby effectively zoning the lands C9 Corporate Centre Zone.

The Owner has also submitted Site Development File DA.11.058 to permit development of a 37-storey residential apartment (future condominium) building, located on a podium ranging in height from one to five storeys, as shown on Attachments #7 to #14. The development consists of 34,303 m<sup>2</sup> of residential gross floor area (353 units), 1,620 m<sup>2</sup> of ground floor commercial area, and 2,917 m<sup>2</sup> of service and amenity area, for a total gross floor area of 38,840 m<sup>2</sup>. The total amenity area, including indoor and outdoor space, is 6,506 m<sup>2</sup>. The development is served by 503 parking spaces, located on three levels of underground parking.

The proposed development constitutes Phase I of a comprehensive plan for the subject lands known as "Expo City," which includes five mixed-use residential towers with ground-floor commercial. The Conceptual Master Plan is shown on Attachment #5.



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

##### Location

The vacant 3.48 ha subject lands are located at 2900 Regional Road 7, on the north side of Regional Road 7, between Jane Street and Creditstone Road, as shown on Attachments #2 and #3. The lands are located east of the proposed VMC subway station, on the east side of Black Creek. The surrounding land uses are shown on Attachment #3 and the proposed VMC Transit Network Plan is shown on Attachment #4.

##### Site History/Ontario Municipal Board Decision

Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 for the subject lands (formerly owned by Royal Empress Gardens Ltd.) were approved through a settlement at the Ontario Municipal Board on September 4, 2008. The applications were approved to facilitate development of five high-rise residential buildings (four with ground floor commercial), together with park, buffer, and road blocks.

The site-specific zoning approved at the Ontario Municipal Board permits the following over the entire Royal 7 Developments Ltd. holdings:

- i) 1,935 residential units, including a maximum of 733 units for Buildings 1 and 2;
- ii) prescribed building envelopes;
- iii) a maximum Gross Floor Area of 182,000 m<sup>2</sup> for the entire site;
- iv) a maximum retail commercial Gross Floor Area of 4,028 m<sup>2</sup> for the entire site;
- v) unlimited building height for the tower portion of the buildings (status as a landmark location under Zoning By-law 1-88);
- vi) a maximum building height of 17.0 m for the podium portion of the buildings;
- vii) 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per unit for visitor parking;
- viii) shared residential visitor and commercial parking, with the total requirement being whichever is greater;
- ix) a minimum 0 m yard setback for underground parking structures;
- x) 15 m<sup>2</sup> of amenity area per residential unit; and,
- xi) for the purposes of zoning conformity, the subject lands shall be deemed to be one lot.

Official Plan Amendment File OP.06.019, which proposed to delete the planned extension of Barnes Court, was withdrawn by the former Owner as part of the settlement.

##### Land Use Policies

###### a) Provincial Policy Context

The Provincial Policy Statement (PPS) provides broad policy direction on matters of provincial interest related to land use and development. The PPS promotes intensification and redevelopment that optimizes the use of existing infrastructure and accommodates a range of employment, residential, commercial, and civic uses.

The Provincial Growth Plan (Places to Grow) identifies the Vaughan Metropolitan Centre (VMC) as one of 25 Urban Growth Centres, which are intended to be a focal point for growth and intensification to support major transit infrastructure. Urban Growth Centres like the VMC are planned to achieve a density target of 200 people and jobs per hectare by 2031.



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Metrolinx's Regional Transportation Plan (The Big Move) identifies the VMC as an Anchor Mobility Hub, due to the convergence of two rapid transit lines: the Spadina subway extension and the VIVA Rapidway along Regional Road 7. The Big Move recommends transit-supportive densities of 200-400 people and jobs per hectare.

b) York Region Official Plan

The York Region Official Plan identifies the VMC as one of four Regional Centres, which are intended to be developed with the most intensive and greatest mix of uses in accordance with the provincial policies outlined above.

c) City of Vaughan Official Plan (In-Effect)

The subject lands are designated "Corporate Centre Node" by OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (Avenue Seven Plan), which permits a range of uses, including medium and high density residential, commercial, office, retail, institutional uses, and community facilities. At-grade retail uses are required in all developments fronting onto Regional Road 7, with primary entrances oriented to the street, and connected to the public sidewalk.

The Official Plan intends to achieve an average Floor Space Index (FSI) of 5.0 throughout the Corporate Centre Node; however, there is no Floor Space Index limit on any individual site. The Official Plan permits a maximum building height of 25 m within the "Corporate Centre Node," except for development blocks identified as "Gateway Sites," which have no maximum building height. The subject lands, specifically the intersection of Regional Road 7 and Maplecrete Road (future extension, as shown on Attachments #4 & #5) is recognized as a "Gateway Site," where high rise landmark buildings are encouraged to be located with no height restrictions.

The proposed Phase I site development conforms to the in-effect City of Vaughan Official Plan, and supports the Provincial and Regional policies for intensification and transit-supportive densities within the Vaughan Metropolitan Centre.

d) Vaughan Metropolitan Centre Plan

The subject lands are designated "Neighbourhood Precinct (N3)" by the Vaughan Metropolitan Centre (VMC) Plan, which forms part of Volume 2 of the Vaughan Official Plan 2010. VOP 2010 was adopted by Vaughan Council on September 7, 2010, and is pending approval from the Ontario Municipal Board.

The "Neighbourhood Precinct" designation permits residential uses, community amenities, professional offices, and street-related commercial retail along the Regional Road 7 frontage. The VMC Plan recognizes the Ontario Municipal Board approved Zoning By-law for the site, together with minor variances that are in keeping with the objectives, policies and schedules of the VMC Plan. Accordingly, the proposed site development conforms to the VMC Plan.

While the subject lands have an OMB approved Zoning By-law and the VMC Plan is not yet in effect, the Owner is strongly encouraged to design future phases of the site in accordance with the spirit and intent of the VMC Plan. Additional policies to be considered include, but are not limited to: adjacent land uses and requirements, built form and urban design guidelines, retail locations, sustainable development, and providing affordable housing units.



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#### Zoning

The subject lands (Phase 1 of the comprehensive development) are zoned C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the “(H)” Holding Symbol by Zoning By-law 1-88, subject to Exception 9(1248), as shown on Attachment #3.

The parking supply consists of 405 residential parking spaces, and 98 shared residential visitor and commercial parking spaces, for a total of 503 parking spaces, which complies with Zoning By-law 1-88. The proposed amenity area of 6,506 m<sup>2</sup> also complies with Zoning By-law 1-88.

The following variances from Zoning By-law 1-88, Exception 9(1248) are required to facilitate the proposed development:

Table 1: Proposed Exceptions to Zoning By-law 1-88			
	By-law Standard	By-law 1-88 Requirements, C9 Zone, Exception 9(1248)	Proposed Exceptions to By-law 1-88, C9 Zone, Exception 9(1248)
a.	Location of Building 1 (Tower and Podium)	The tower and podium must be located within the building envelope and in accordance with the setbacks shown on Schedule “E-1376-A”	Permit the tower and podium location as shown on Attachment #7, which is partially outside of the building envelope shown on Schedule “E-1376-A”
b.	Maximum Height for Building 1 (Podium along Regional Road 7)	17.0 m	20.4 m (five-storeys, as shown on Attachment #9)
c.	Encroachment of Canopy Beyond Building Face	0.5 m	2.5 m (at main entrance abutting Regional Road 7)

The Development Planning Department supports the above-noted variances, which are minor in nature, and meet the intent of the Official Plan and Zoning By-law. The proposed site development for Phase I is generally in keeping with the building envelopes and setbacks in the OMB approved Zoning By-law. Minor changes are required to facilitate a different building design than originally approved at the OMB. The increased building height for the podium facing Regional Road 7 and the canopy encroachment at the main entrance are also considered appropriate, as they create a strong street presence along Regional Road 7.

Prior to the execution of the Site Plan Agreement, the Owner must submit a Minor Variance Application for the above-noted variances, which must be approved by the Vaughan Committee of Adjustment, and the Committee’s decision shall be final and binding. A condition to this effect is included in the recommendation of this report.



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Holding Symbol “(H)”

A portion of the proposed Phase I podium, temporary access road, and underground parking (shown on Attachment #3) are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H).” The Owner has submitted Zoning By-law Amendment File Z.12.032 to remove the Holding Symbol from this portion of the lands, which is required to facilitate the Phase I development. The OMB Approved Zoning By-law states that the Holding Symbol can be removed upon confirmation from the Region of York that adequate water supply and sewage treatment capacity are available to service the subject lands, together with Council approval of a Site Development Application(s).

Servicing allocation is not required to lift the Holding Symbol for the portion of Phase I located within the C9(H) Zone, as only commercial uses, a temporary access road, and underground parking are proposed on this part of the site. Should Vaughan Council approve the subject Site Development Application, the conditions for removing the Holding Symbol will be satisfied and the implementing Zoning By-law to remove the Holding Symbol will be forwarded to a subsequent Council meeting for enactment, prior to the execution of the Site Plan Agreement.

Revised Draft Plan of Subdivision File 19T-00V21

The Owner has submitted revisions to the OMB approved Draft Plan of Subdivision File 19T-00V21 to facilitate a new comprehensive development for the subject lands. The OMB approved Draft Plan of Subdivision was based on the street network in OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (Avenue Seven Plan), including a collector ring road network. The revised Draft Plan of Subdivision is generally in keeping with the street network in the VMC Plan, including a finer grain of collector and local streets.

The VMC transit network plan, including the new street network, is shown on Attachment #4. The extension of Maplecrete Road and Barnes Road, as well as the park block on the northwest corner of the subject lands (shown on Attachments #5 and #6) will be conveyed to the City through the related Draft Plan of Subdivision process. Through discussions with the Owner and in light of the OMB decision that grants a 0 m setback from underground parking structures, Street “B” will be a public street above privately held lands and subsurface parking, while McCleary Court will be a private street with a public access easement.

The revised Draft Plan of Subdivision is currently under review by the City and external public agencies. A technical report with revised conditions of draft plan approval will be brought forward to a future Committee of the Whole meeting for Council’s consideration. The Draft Plan of Subdivision must be registered prior to approval of any subsequent phases of development on the subject lands. The City expects that a Landowners Group Agreement will be executed to secure equitable cost sharing of infrastructure required for the VMC. A Community Services and Facilities Impact Study will also be required to assist in identifying current and required levels of social infrastructure to support future residents.

In recognition of the OMB Approved Draft Plan of Subdivision and the anticipated completion of the Toronto-York Spadina Subway Extension to the VMC in 2015, the subject Site Development Application for Phase I has been reviewed concurrently with the revised Draft Plan of Subdivision. To facilitate approval of Phase I in advance of the revised Draft Plan of Subdivision, the conditions in Attachment #1 are required to secure matters such as street conveyances, easements, cost sharing, etc.



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#### Site Plan Review

##### a) Site Plan

The Phase I site plan shown on Attachment #7 consists of a 37-storey residential apartment building (future condominium) with ground floor commercial. The tower is situated on a one-storey podium, which tiers up to two storeys on the westerly side of the building, and five-storeys adjacent to Regional Road 7.

##### b) Access and Street Network

Access to the site for Phase I is provided by a temporary driveway from Barnes Court, which is proposed to run south to Building 1. No direct access will be provided from Street “B” (north/south road on the easterly limit of the property) to Regional Road 7 at this time. In the interim, Street “B” will consist of a 5.75 m boulevard (sidewalk, landscaping and curb) and a minimum 3 m temporary driveway to serve the loading area on the east side of Building 1.

Through negotiations with the Owner and in light of the previous OMB decision which grants a 0 m setback to underground parking structures, Street “B” will be a public street located over privately held lands and subsurface parking. For the Phase I site development, the Owner is required to convey the westerly portion of Street “B” to the City, as it extends from Regional Road 7 to Barnes Court, and above the stratified parking. A condition to this effect is included in Attachment #1.

Future access from Street “B” to Regional Road 7 is dependent on conditions outlined in Attachment #1, and will ensure that Street “B” is constructed to its ultimate condition (shown on Attachment #13) in a timely manner. The ultimate condition must conform to the Figure “J” typology in the VMC Plan for Local Streets with a 20 m right-of-way.

When Street “B” is constructed to its ultimate configuration, the City will be responsible for its maintenance and operations. The Owner (or future Condominium Corporation) will be responsible for maintaining stratified parking beneath the street, subject to required legal agreements, which are described in Attachment #1. As the Owner of the subject lands (Royal 7 Developments Ltd.) has a stake in the ownership of the adjacent lands to the east, Royal 7 Developments Ltd. is willing to make a commitment on behalf of the adjacent landowners with respect to the ultimate construction of Street “B.”

McCleary Road, which runs east/west through the site, will be a private street with a public access easement. The Owner is required to convey a portion of the easement for the Phase I lands, as per a condition in Attachment #1. McCleary will be reconfigured during later phases of development, and additional easements for public access will be secured through the Draft Plan of Subdivision process.

##### c) Landscape Plans

The ground floor landscape plan shown on Attachment #8 consists of deciduous trees, shrubs and grasses, together with a variety of paving materials, including granite and concrete. As the proposed street trees on the west side of Street “B” are located above a parking structure, an enhanced planting strategy such as soil cells is required to maintain tree health and longevity.



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Green roofs are proposed on select areas of the podium, including an extensive green roof on the five-storey loggia fronting onto Regional Road 7, and an intensive green roof or roof garden on portions of the one and two storey podium, as shown on Attachment #7. A galleria is proposed to provide internal north/south pedestrian connection through the westerly portion of the Phase I building.

d) Streetscape and Open Space Master Plan

The City, together with consultant EDA Collaborative Inc., is currently undertaking a VMC Streetscape and Open Space Master Plan to provide a green infrastructure framework for the VMC public realm, including parks, open spaces, public squares, and streets. As part of the study, EDA Collaborative Inc. is working with the City, VMC landowners, PowerStream, and York Region to examine the feasibility of undergrounding utilities along Regional Road 7.

A typical cross-section for Regional Road 7 from the Draft VMC Open Space and Streetscape Master Plan is shown on Attachment #15. Detailed landscape design and materials for the Regional Road 7 streetscape must comply with the Council approved VMC Streetscape and Open Space Master Plan, which is anticipated for completion in the second quarter of 2013. A condition to this effect is included in Attachment #1.

e) Building Elevations

The proposed building elevations are shown on Attachments #9 to #12. The tower elevations are rotated 17 degrees with a “wave” design, and comprised of clear, green tinted, and spandrel glass with aluminum bands and metal louvers. The podiums are designed with loggias along the major frontages (recessed facades on the first storey), and comprised primarily of clear glass and precast concrete, with aluminum bands, metal roofing, and glass/steel canopies. A temporary Exterior Insulation Finish System wall will be constructed on the west podium elevation until construction of Phase II.

f) Wind and Shadow Studies

The Owner has provided Wind and Shadow Studies in support of the Phase I development, which have been reviewed by the Development Planning Department. The final plans must include wind mitigation strategies at the northwest entrance of Building 1. Wind and Shadow Studies for the remainder of the proposed development will be reviewed through the related Draft Plan of Subdivision process.

g) Signage Plans

The Owner has submitted signage plans for the commercial units of the buildings facing Regional Road 7 and Street “B,” as well as the entry features on the north and south building elevations. The proposed signage for the commercial units consists of both wall and projected signs, as shown on Attachment #13. The final signage plans, including materials and illumination, are subject to approval from the Development Planning Department.

The Development Planning Department is generally satisfied with the site plan, landscape plans, building elevations, signage plans, cross-section for Street “B”, photometric lighting plan, wind study, and shadow study, and will continue to work with the applicant to finalize the drawings and studies. A condition to this effect is included in the recommendation of this report.



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The Owner is required to submit a physical and digital model of the final approved site development in support of the City's initiative for 3D modeling of the VMC area. The digital model must be accurately geo-referenced to the satisfaction of the Vaughan Development Planning Department. To guarantee the completion of such works, the Owner shall file a Letter of Credit in an amount and format satisfactory to the Vaughan Development Planning Department, as per the condition in Attachment #1.

#### Conceptual Master Plan/Phasing

The Conceptual Master Plan is shown on Attachment #5 and the Conceptual Landscape Master Plan is shown on Attachment #6. Full build-out of the site includes five residential apartment buildings (future condominiums) ranging in height from 37 to 39 storeys, and located on podiums ranging in height from one to five storeys, including ground floor commercial. The Master Plan is designed to have a total of 1,935 residential units in accordance with the OMB approved Zoning By-law.

The Owner anticipates that the subject lands will be developed in five phases (one tower per phase), as shown on Attachment #5. Detailed design of subsequent development on the subject lands requires the submission and review of future Site Development Applications. The future extension of Maplecrete Road and Barnes Court is required for development of Phase II in order to provide sufficient pedestrian and vehicular access to the site.

A public square is located in the central area between Buildings 1 to 4, which will be partially constructed for Building 2, and fully constructed for Building 3. Detailed design for the public square will be confirmed through the Draft Plan of Subdivision Process.

#### Vaughan Design Review Panel

The Site Development Application was considered by the Design Review Panel at its inaugural meeting on October 27, 2011, with the understanding that the proposed site development was already at an advanced stage of review. The Panel made several recommendations to activate and engage the public realm, including, but not limited to:

- i) strengthening the site's function as a gateway for the VMC, particularly the southwest tower (Building 5), which should engage the street grid;
- ii) minimizing the visual impact of the towers by reducing the floorplate to 750 m<sup>2</sup> in accordance with the VMC Plan, and utilizing clear, rather than tinted glazing;
- iii) increasing permeability between the building face on the ground floor and the pedestrian realm, particularly along the Regional Road 7 frontage;
- iv) providing residential townhouse units at grade (with potential flexibility for converting some units to retail in the future);
- v) ensuring that the central public square is fronted by buildings greater than one-storey in height, with animated uses;
- vi) strengthening the east/west and north/south pedestrian connections through the site, including the galleria, Maplecrete, and connections to Black Creek; and
- vii) continuing to incorporate sustainability into the design with respect to landscape architecture, Black Creek, and responding to localized environmental conditions.

Future site development applications for the remaining phases will be subject to review by the Design Review Panel.



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#### District Energy

Discussions are ongoing between the Owner and the City with respect to participating in the District Energy system (centralized heating and cooling system) planned for the Vaughan Metropolitan Centre. A condition is included in Attachment #1 to ensure that the mechanical systems for Building 1 can accommodate future connections to a District Energy system.

#### Servicing Allocation

On November 14, 2005, Vaughan Council allocated servicing capacity for 446 residential apartment units for the related Draft Plan of Subdivision File 19T-00V21. The current Site Development Application for Phase 1 has 353 residential units, and will be serviced through this amount.

#### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the drawings and reports submitted in support of the application, as follows:

a) Phase I Environmental Site Assessment

The Phase I Environmental Site Assessment submitted in support of the application, including acknowledgement from the Ministry of the Environment and a Record of Site Condition, was approved by the Vaughan Development/Transportation Engineering Department through the original Draft Plan of Subdivision File 19T-00V21, and Zoning By-law Amendment File Z.06.051.

b) Site Servicing, Grading, Stormwater Management, Noise, Geotechnical/Soils, Wind Study, External Lighting, Utility Coordination, and Mechanical Plans

The first phase of the Expo City site development will consist of one condominium tower with a proposed interim access from existing Barnes Court. Phase I will be serviced by storm sewers, sanitary sewers and watermain that are proposed to be constructed within the future right-of-way of the Maplecrete Road extension. These services will be constructed initially as private services to municipal standards. Once the Draft Plan of Subdivision proceeds, these services will be transferred to municipal ownership through the subdivision agreement.

The Owner is required to convey to the City and Region of York the lands and/or easements required for interim and permanent site access and servicing. Conditions to this effect are included in Attachment #1.

The final site servicing, grading, stormwater management, noise, geotechnical/soils, wind study, external lighting, utility coordination, and mechanical plans and reports must be approved to the satisfaction of the Development/Transportation Engineering Department, prior to execution of the Site Plan Agreement, as identified in the recommendation of this report.

c) VMC Infrastructure Improvements

As the subject lands are within the northeast quadrant of the VMC Secondary Plan, the following key municipal infrastructure improvements/retrofit works are required to support full build-out of the plan based on the conclusions and recommendations of the Black Creek Stormwater Optimization Master Plan Class Environmental Assessment Study and the Vaughan Corporate Centre Master Servicing Strategy Master Plan:



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- i) the retrofit (re-naturalization) and expansion of the existing Black Creek channel and associated structure improvements;
- ii) the retrofit and expansion of the existing Jane St./Hwy 7 SWM pond;
- iii) in-stream erosion restoration measures/ works within the Black Creek sub-watershed; and
- iv) sanitary sewer enlargement.

The aforementioned SWM infrastructure improvements will not be in place in advance of the Expo Phase I development, so the developer is proposing interim on-site stormwater management controls including low impact development (LID) practices, rooftop storage, subsurface vault storage and temporary underground superpipe storage to control the Phase 1 site according to the criteria established in the master plans to the greatest extent practically possible. The Owner is required to pay its proportionate share of the cost of the broader infrastructure improvements to support full build-out of the Vaughan Metropolitan Centre according to the master servicing plans. Conditions to this effect are included in Attachment #1.

#### d) Traffic Impact Study

The Development/Transportation Engineering Department has reviewed the Phase I Traffic Impact Study submitted in support of the Expo City development, dated August 2012 and prepared by Mark Engineering.

Phase I of the development will incorporate the apartment building in the southeast corner of the site. Direct access to Highway 7 has been deferred to later stages along with any direct connection through the site to the east. Access to Creditstone will be via a temporary access to Barnes Court. Based on the submitted analysis, the intersection of Barnes Court and Creditstone Road will operate at a good level of service. Phase I of the development will generate a modest amount of traffic compared to the traffic already on the road system; therefore the proposed first phase of development will not have a significant impact on the current road system.

As a result of discussions between the City, the Owner, and York Region, the intersection of Maplecreek Road and Regional Road 7 will be developed as a signalized, full movement intersection. The Traffic Impact Study for the remainder of the subject lands will be reviewed through the Draft Plan of Subdivision process.

#### e) Transportation Demand Management

The Development/Transportation Engineering Department has reviewed the Phase I Transportation Demand Management (TDM) Plan submitted in support of the application. The TDM Plan must be revised to include: improved pedestrian crossings, additional short and long-term bicycle parking, and education, promotion, outreach, and transit incentive measures to help achieve the City's goal of a 50% transit modal split by 2031 in the VMC.

The final TDM Plan must be approved to the satisfaction of the Development/Transportation Engineering Department prior to execution of the Site Plan Agreement, as per the recommendation of this report. Upon approval, the Owner is required to post an additional Letter of Credit with York Region to ensure implementation and monitoring of the TDM Plan, as discussed in the Regional Implications section of this report.



## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012**

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##### Vaughan Parks Development Department

The Parks Development Department has provided comments with respect to the proposed park block on the northwest portion of the site (shown on Attachment #6), which include, but are not limited to: parkland dedication totals, proposed amenities and planting, confirmation of the top of bank and flood lines, landscape details, etc. The Owner is required to address these comments and convey the park to the City through the related Draft Plan of Subdivision process (File 19T-00V21).

##### Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that for residential high-density development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy; and, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands for the commercial component, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in Attachment #1.

##### Vaughan Cultural Services Division

The Vaughan Cultural Services Division has reviewed the Site Development Application and has indicated that the subject property has been cleared of concerns regarding archaeological resources.

##### Vaughan Public Works Department - Solid Waste Management

The Vaughan Public Works Department - Solid Waste Management Division has reviewed the Site Development Application and provided comments to the Owner. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Public Works Department - Solid Waste Management, in accordance with the recommendation of this report.

##### Canadian National Railway (CN)

CN has reviewed the application, and is satisfied with the Phase I Noise Report submitted in support of the proposal. CN has no objections to the Site Development Application, subject to conditions of approval which were previously negotiated through the Draft Plan of Subdivision process and OMB approval. Conditions to this effect are included in Attachment #1.

##### Utilities

PowerStream Inc. has reviewed the Site Development Application and indicated that it is the Owner's responsibility to contact PowerStream and discuss all aspects of the site with respect to electrical supply, the potential relocation of hydro poles, and the relocation of the PowerStream owned plant and cable near Barnes Court. A provision to this effect will be included within the Site Plan Agreement.

Enbridge Gas has reviewed the Site Development Application and has no objections. It is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities, as well as any possible easements.



## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012**

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Bell Canada has reviewed the Site Development Application, 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 will be included in the Site Plan Agreement.

#### **Canada Post**

Canada Post has reviewed the Site Development Application 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 must supply, install and maintain a centralized mailbox facility for the residential portion of the development, while a separate centralized mail facility may be required for the commercial portion of the development.

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

The TRCA has reviewed the application, and provided conditions of approval for inclusion within the Site Plan Agreement with respect to protecting ground and surface water. The conditions require stormwater quantity control on site, appropriate stormwater rooftop storage, stormwater quality treatment facilities, erosion and sediment control plans, a dewatering assessment, details of the proposed shoring system and construction schedule, and obtaining a permit prior to any site works taking place. Conditions to this effect are included in the recommendation of this report and in Attachment #1.

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

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

#### **Regional Implications**

The York Region Transportation and Community Planning Department has reviewed the Site Development Application and advised that they have no objections to the proposed development, in principle. The Owner is required to enter into a Site Plan Agreement with York Region to address issues including, but not limited to: financial and insurance requirements, land conveyances, easement, and encroachment requirements, as identified on Attachment #17. Prior to receiving final approval from the Region, and prior to the issuance of final building permits by the City of Vaughan, the Owner must address all detailed comments provided by York Region, which can be summarized as follows:

##### **a) Rapid Transit**

The Owner is required to convey a portion of their lands fronting onto Regional Road 7 to York Region, in order to achieve a 30 m setback from the centreline of construction and accommodate the future VIVA Rapidway along Regional Road 7. The Region also requires the Owner to convey up to 10 m by 10 m daylighting triangles at the northeast and northwest corners of the future Maplecrete Road extension.

Proposed landscaping or streetscaping adjacent to or within the Regional Road 7 boulevard must be coordinated with York Region's Bus Rapidway design for Regional Road 7. In the interim, the Owner is required to provide sidewalks and pedestrian connections for streets with transit services, including illumination, in accordance with the City of Vaughan standards. The Owner must also accommodate continuous flow-through circulation for York Region Transit's Mobility Plus specialized vehicles.



## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012**

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b) Access and Easements

The Region of York has advised that the Owner must provide a vehicular and pedestrian interconnection to the adjacent lands to the west (owned by ZZEN Developments Ltd. and Midvale Estates Ltd), including provision of necessary easements in favour of the landowners to the west. This condition is required as part of the site plan application. Should the Draft Plan of Subdivision be draft approved prior to final approval of the site plan application, this condition will be addressed through the subdivision process instead.

Future access from Street “B” to Regional Road 7 will be restricted to right in/right out movements only.

c) Traffic Impact Study

York Region has provided comments on the Traffic Impact Study submitted in support of the application, which must be revised to their satisfaction. Transportation planning for the Phase I development must be coordinated with a comprehensive study for the proposed build-out of the site in order to address issues such as access requirements and phasing impacts.

d) Transportation Demand Management (TDM)

York Region has indicated that the TDM Plan submitted in support of the application does not meet their requirements. The Owner is required to revise the TDM Plan to the satisfaction of York Region and address all comments including, but not limited to: providing direct pedestrian and cycling connections and facilities, budget and funding, transit incentives, implementation, and monitoring. Upon approval, the Owner is required to submit a Letter of Credit to York Region to ensure implementation and monitoring of the TDM Plan.

The Owner is required address all York Region requirements prior to execution of the Site Plan Agreement, as per the recommendation of this report. York Region comments and conditions, which are subject to change prior to final approval, are included in Attachment #17.

### **Conclusion**

Zoning By-law Amendment File Z.12.032 and Site Development File DA.11.058 have been reviewed in accordance with OPA #500, OPA #663, the Vaughan Metropolitan Centre Plan, Zoning By-law 1-88, the Ontario Municipal Board decision, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposal to remove the Holding Symbol “(H)” on a portion of the subject lands, and permit development of a 37-storey, 353 unit residential apartment building, situated on a podium ranging in height from one to five storeys, including ground floor commercial, is appropriate and compatible with the existing, permitted and future uses in the VMC and surrounding area. Accordingly, the Development Planning Department can support approval of the Site Development Application, subject to the recommendations of this report.



**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 25, 2012**

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**Attachments**

1. Conditions of Site Plan Approval
2. Context Location Map
3. Location Map
4. Vaughan Metropolitan Centre: Proposed Transit Network Plan
5. Conceptual Master Plan
6. Conceptual Landscape Master Plan
7. Site Plan: Phase I
8. Landscape Plan: Ground Floor
9. South Building Elevation (Facing Regional Road 7)
10. North Building Elevation (Facing Barnes Court)
11. East Building Elevation (Facing Street "B")
12. West Building Elevation (Facing Future Maplecrete Road Extension)
13. Signage: Regional Road 7
14. Cross Section: Street "B" (Ultimate Condition)
15. Typical Cross-Section: Regional Road 7
16. Rendered Southeast Elevation
17. York Region Comments and Conditions of Approval

**Report prepared by:**

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Mauro Peverini, Manager of Development Planning, ext. 8407

/CM

(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 SEPTEMBER 4, 2012**

**ZONING BY-LAW AMENDMENT FILE Z.12.032  
SITE DEVELOPMENT FILE DA.11.058  
ROYAL 7 DEVELOPMENTS LTD.  
WARD 4 - VICINITY OF JANE STREET AND REGIONAL ROAD 7**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.032 (Royal 7 Developments Ltd.) BE APPROVED, to amend Zoning By-law 1-88, specifically to remove the "(H)" Holding Symbol from the portion of the subject lands shown on Attachment #3, thereby effectively zoning the lands C9 Corporate Centre Zone.
2. THAT Site Development File DA.11.058 (Royal 7 Developments Ltd.) BE APPROVED, to permit the development of a 37-storey residential apartment (future condominium) building, located on a podium ranging in height from one to five storeys, consisting of 353 residential units and 1,620 m<sup>2</sup> of ground floor commercial area, as shown on Attachments #7 to #14, subject to the following conditions:
  - a) that prior to the execution of the implementing Site Plan Agreement:
    - i) the final site plan, landscape plans, building elevations, signage plans, street sections, photometric lighting plan, wind study, and shadow study, shall be approved by the Vaughan Development Planning Department;
    - ii) the Owner shall submit a Minor Variance Application to permit the variances identified in Table 1 of this report, which shall be approved by the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding;
    - iii) a zoning by-law shall have been enacted to remove the "(H)" Holding Symbol from the portion of the lands shown on Attachment #3;
    - iv) the final site plan, street sections, site servicing plan, site grading plan, stormwater management plan, erosion and sediment control plan, environmental noise study, geotechnical/soils report, external lighting plan, wind study, utility location plan, mechanical plan, traffic impact study, and transportation demand management plan shall be approved by the Vaughan Development/Transportation Engineering Department;
    - v) the final waste management plan and waste collection design standards submission shall be approved to the satisfaction of the Vaughan Public Works Department - Solid Waste Management;
    - vi) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department, including all conditions required to implement the Site Development Application, as shown on Attachment #17; and,
    - vii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
  - b) that the Site Plan Agreement include the following provision:



- (i) "The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to issuance of a Building Permit, or a fixed rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy; and, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands for the commercial component, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment."
- c) that in addition to the City's standard conditions, the implementing Site Plan Agreement include the conditions set out in Attachment #1, including all appropriate legal instruments and agreements required to implement the development, to the satisfaction of the City Solicitor.

### **Contribution to Sustainability**

The applicant has advised that the site and building design will incorporate the following sustainable features:

- i) green roofs will comprise 14.1% of the entire roof coverage, including:
  - an extensive (lighter) green roof over the five-storey podium, which will absorb storm water and solar heat; and
  - an intensive (thicker) green roof on portions of the one and two-storey podium, which will also provide outdoor amenity space for residents;
- ii) high-albedo painting on portions of the roof;
- iii) permeable paving on select areas of the site;
- iv) stormwater will be captured in cisterns located beneath the public square, and used for irrigating plants;
- v) LED lighting throughout the site.
- vi) landscaping to mitigate the heat island effect, including native, drought tolerant shrubs, grasses and flowers;
- vii) transportation demand management measures to encourage active and public transportation, including:
  - pedestrian-scaled corridors and amenity areas to encourage pedestrian activity during all seasons;
  - bicycle parking facilities and storage; and
  - education and incentives for increasing public transportation use.

A condition with respect to sustainability features is included in Attachment #1. As the Development Planning Department is currently undertaking a Sustainable Development Guidelines study, with anticipated completion in 2013, subsequent phases of development may require additional sustainability measures to be incorporated into the site and building design and construction.

Accordingly, the Development Planning Department encourages the Owner to adopt sustainability as a guiding principle for subsequent phases of development. Additional sustainable development opportunities include, but are not limited to: implementing an affordable housing strategy, connections to the Black Creek open space system, maximizing solar gains, facilitating on-site renewable energy systems, providing plug-ins for electric vehicles, utilizing local and/or sustainable building materials, enhancing air quality, providing a high-level of energy efficiency and water consumption, reducing and diverting construction waste, and providing community facilities for the residents.



## **Economic Impact**

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

## **Communications Plan**

On June 30, 2011, a courtesy notice of the Site Development Application was circulated to the East Woodbridge Homeowners' Association and the Concord West Ratepayers' Association.

On July 21, 2011, the Development Planning Department received a letter from the Concord West Ratepayers' Association objecting to the proposed building height of 37 storeys, and recommending a maximum height of 20 storeys. The Development Planning Department provided the Concord West Ratepayer's Association with the Ontario Municipal Board approved Zoning By-law for this site, which grants unlimited height for the tower due to its status as a landmark location in Zoning By-law 1-88, subject to maximum densities and prescribed building envelopes. Further details with respect to the zoning requirements are discussed in the Site History section of this report.

On August 21, 2012, a courtesy notice of this Committee of the Whole meeting was circulated to all individuals who requested notification with respect to this application.

## **Purpose**

The Owner has submitted Zoning By-law Amendment File Z.12.032 to amend Zoning By-law 1-88, specifically to remove the "(H)" Holding Symbol from the portion of the subject lands shown on Attachment #3, thereby effectively zoning the lands C9 Corporate Centre Zone.

The Owner has also submitted Site Development File DA.11.058 to permit development of a 37-storey residential apartment (future condominium) building, located on a podium ranging in height from one to five storeys, as shown on Attachments #7 to #14. The development consists of 34,303 m<sup>2</sup> of residential gross floor area (353 units), 1,620 m<sup>2</sup> of ground floor commercial area, and 2,917 m<sup>2</sup> of service and amenity area, for a total gross floor area of 38,840 m<sup>2</sup>. The total amenity area, including indoor and outdoor space, is 6,506 m<sup>2</sup>. The development is served by 503 parking spaces, located on three levels of underground parking.

The proposed development constitutes Phase I of a comprehensive plan for the subject lands known as "Expo City," which includes five mixed-use residential towers with ground-floor commercial. The Conceptual Master Plan is shown on Attachment #5.

## **Background - Analysis and Options**

### **Location**

The vacant 3.48 ha subject lands are located at 2900 Regional Road 7, on the north side of Regional Road 7, between Jane Street and Creditstone Road, as shown on Attachments #2 and #3. The lands are located east of the proposed VMC subway station, on the east side of Black Creek. The surrounding land uses are shown on Attachment #3 and the proposed VMC Transit Network Plan is shown on Attachment #4.

### **Site History/Ontario Municipal Board Decision**

Zoning By-law Amendment File Z.06.051 and Draft Plan of Subdivision File 19T-00V21 for the subject lands (formerly owned by Royal Empress Gardens Ltd.) were approved through a settlement at the Ontario Municipal Board on September 4, 2008. The applications were



approved to facilitate development of five high-rise residential buildings (four with ground floor commercial), together with park, buffer, and road blocks.

The site-specific zoning approved at the Ontario Municipal Board permits the following over the entire Royal 7 Developments Ltd. holdings:

- i) 1,935 residential units, including a maximum of 733 units for Buildings 1 and 2;
- ii) prescribed building envelopes;
- iii) a maximum Gross Floor Area of 182,000 m<sup>2</sup> for the entire site;
- iv) a maximum retail commercial Gross Floor Area of 4,028 m<sup>2</sup> for the entire site;
- v) unlimited building height for the tower portion of the buildings (status as a landmark location under Zoning By-law 1-88);
- vi) a maximum building height of 17.0 m for the podium portion of the buildings;
- vii) 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per unit for visitor parking;
- viii) shared residential visitor and commercial parking, with the total requirement being whichever is greater;
- ix) a minimum 0 m yard setback for underground parking structures;
- x) 15 m<sup>2</sup> of amenity area per residential unit; and,
- xi) for the purposes of zoning conformity, the subject lands shall be deemed to be one lot.

Official Plan Amendment File OP.06.019, which proposed to delete the planned extension of Barnes Court, was withdrawn by the former Owner as part of the settlement.

#### Land Use Policies

##### a) Provincial Policy Context

The Provincial Policy Statement (PPS) provides broad policy direction on matters of provincial interest related to land use and development. The PPS promotes intensification and redevelopment that optimizes the use of existing infrastructure and accommodates a range of employment, residential, commercial, and civic uses.

The Provincial Growth Plan (Places to Grow) identifies the Vaughan Metropolitan Centre (VMC) as one of 25 Urban Growth Centres, which are intended to be a focal point for growth and intensification to support major transit infrastructure. Urban Growth Centres like the VMC are planned to achieve a density target of 200 people and jobs per hectare by 2031.

Metrolinx's Regional Transportation Plan (The Big Move) identifies the VMC as an Anchor Mobility Hub, due to the convergence of two rapid transit lines: the Spadina subway extension and the VIVA Rapidway along Regional Road 7. The Big Move recommends transit-supportive densities of 200-400 people and jobs per hectare.

##### b) York Region Official Plan

The York Region Official Plan identifies the VMC as one of four Regional Centres, which are intended to be developed with the most intensive and greatest mix of uses in accordance with the provincial policies outlined above.

##### c) City of Vaughan Official Plan (In-Effect)

The subject lands are designated "Corporate Centre Node" by OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (Avenue Seven Plan), which permits a range of uses, including medium and high density residential, commercial, office, retail,



institutional uses, and community facilities. At-grade retail uses are required in all developments fronting onto Regional Road 7, with primary entrances oriented to the street, and connected to the public sidewalk.

The Official Plan intends to achieve an average Floor Space Index (FSI) of 5.0 throughout the Corporate Centre Node; however, there is no Floor Space Index limit on any individual site. The Official Plan permits a maximum building height of 25 m within the "Corporate Centre Node," except for development blocks identified as "Gateway Sites," which have no maximum building height. The subject lands, specifically the intersection of Regional Road 7 and Maplecrete Road (future extension, as shown on Attachments #4 & #5) is recognized as a "Gateway Site," where high rise landmark buildings are encouraged to be located with no height restrictions.

The proposed Phase I site development conforms to the in-effect City of Vaughan Official Plan, and supports the Provincial and Regional policies for intensification and transit-supportive densities within the Vaughan Metropolitan Centre.

d) Vaughan Metropolitan Centre Plan

The subject lands are designated "Neighbourhood Precinct (N3)" by the Vaughan Metropolitan Centre (VMC) Plan, which forms part of Volume 2 of the Vaughan Official Plan 2010. VOP 2010 was adopted by Vaughan Council on September 7, 2010, and is pending approval from the Ontario Municipal Board.

The "Neighbourhood Precinct" designation permits residential uses, community amenities, professional offices, and street-related commercial retail along the Regional Road 7 frontage. The VMC Plan recognizes the Ontario Municipal Board approved Zoning By-law for the site, together with minor variances that are in keeping with the objectives, policies and schedules of the VMC Plan. Accordingly, the proposed site development conforms to the VMC Plan.

While the subject lands have an OMB approved Zoning By-law and the VMC Plan is not yet in effect, the Owner is strongly encouraged to design future phases of the site in accordance with the spirit and intent of the VMC Plan. Additional policies to be considered include, but are not limited to: adjacent land uses and requirements, built form and urban design guidelines, retail locations, sustainable development, and providing affordable housing units.

Zoning

The subject lands (Phase 1 of the comprehensive development) are zoned C9 Corporate Centre Zone and C9(H) Corporate Centre Zone with the "(H)" Holding Symbol by Zoning By-law 1-88, subject to Exception 9(1248), as shown on Attachment #3.

The parking supply consists of 405 residential parking spaces, and 98 shared residential visitor and commercial parking spaces, for a total of 503 parking spaces, which complies with Zoning By-law 1-88. The proposed amenity area of 6,506 m<sup>2</sup> also complies with Zoning By-law 1-88.

The following variances from Zoning By-law 1-88, Exception 9(1248) are required to facilitate the proposed development:



**Table 1: Proposed Exceptions to Zoning By-law 1-88**

	<b>By-law Standard</b>	<b>By-law 1-88 Requirements, C9 Zone, Exception 9(1248)</b>	<b>Proposed Exceptions to By-law 1-88, C9 Zone, Exception 9(1248)</b>
a.	Location of Building 1 (Tower and Podium)	The tower and podium must be located within the building envelope and in accordance with the setbacks shown on Schedule "E-1376-A"	Permit the tower and podium location as shown on Attachment #7, which is partially outside of the building envelope shown on Schedule "E-1376-A"
b.	Maximum Height for Building 1 (Podium along Regional Road 7)	17.0 m	20.4 m (five-storeys, as shown on Attachment #9)
c.	Encroachment of Canopy Beyond Building Face	0.5 m	2.5 m (at main entrance abutting Regional Road 7)

The Development Planning Department supports the above-noted variances, which are minor in nature, and meet the intent of the Official Plan and Zoning By-law. The proposed site development for Phase I is generally in keeping with the building envelopes and setbacks in the OMB approved Zoning By-law. Minor changes are required to facilitate a different building design than originally approved at the OMB. The increased building height for the podium facing Regional Road 7 and the canopy encroachment at the main entrance are also considered appropriate, as they create a strong street presence along Regional Road 7.

Prior to the execution of the Site Plan Agreement, the Owner must submit a Minor Variance Application for the above-noted variances, which must be approved by the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding. A condition to this effect is included in the recommendation of this report.

#### Holding Symbol "(H)"

A portion of the proposed Phase I podium, temporary access road, and underground parking (shown on Attachment #3) are zoned C9(H) Corporate Centre Zone with the Holding Symbol "(H)." The Owner has submitted Zoning By-law Amendment File Z.12.032 to remove the Holding Symbol from this portion of the lands, which is required to facilitate the Phase I development. The OMB Approved Zoning By-law states that the Holding Symbol can be removed upon confirmation from the Region of York that adequate water supply and sewage treatment capacity are available to service the subject lands, together with Council approval of a Site Development Application(s).

Servicing allocation is not required to lift the Holding Symbol for the portion of Phase I located within the C9(H) Zone, as only commercial uses, a temporary access road, and underground parking are proposed on this part of the site. Should Vaughan Council approve the subject Site Development Application, the conditions for removing the Holding Symbol will be satisfied and the implementing Zoning By-law to remove the Holding Symbol will be forwarded to a subsequent Council meeting for enactment, prior to the execution of the Site Plan Agreement.



## Revised Draft Plan of Subdivision File 19T-00V21

The Owner has submitted revisions to the OMB approved Draft Plan of Subdivision File 19T-00V21 to facilitate a new comprehensive development for the subject lands. The OMB approved Draft Plan of Subdivision was based on the street network in OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (Avenue Seven Plan), including a collector ring road network. The revised Draft Plan of Subdivision is generally in keeping with the street network in the VMC Plan, including a finer grain of collector and local streets.

The VMC transit network plan, including the new street network, is shown on Attachment #4. The extension of Maplecrete Road and Barnes Road, as well as the park block on the northwest corner of the subject lands (shown on Attachments #5 and #6) will be conveyed to the City through the related Draft Plan of Subdivision process. Through discussions with the Owner and in light of the OMB decision that grants a 0 m setback from underground parking structures, Street "B" will be a public street above privately held lands and subsurface parking, while McCleary Court will be a private street with a public access easement.

The revised Draft Plan of Subdivision is currently under review by the City and external public agencies. A technical report with revised conditions of draft plan approval will be brought forward to a future Committee of the Whole meeting for Council's consideration. The Draft Plan of Subdivision must be registered prior to approval of any subsequent phases of development on the subject lands. The City expects that a Landowners Group Agreement will be executed to secure equitable cost sharing of infrastructure required for the VMC. A Community Services and Facilities Impact Study will also be required to assist in identifying current and required levels of social infrastructure to support future residents.

In recognition of the OMB Approved Draft Plan of Subdivision and the anticipated completion of the Toronto-York Spadina Subway Extension to the VMC in 2015, the subject Site Development Application for Phase I has been reviewed concurrently with the revised Draft Plan of Subdivision. To facilitate approval of Phase I in advance of the revised Draft Plan of Subdivision, the conditions in Attachment #1 are required to secure matters such as street conveyances, easements, cost sharing, etc.

### Site Plan Review

#### a) Site Plan

The Phase I site plan shown on Attachment #7 consists of a 37-storey residential apartment building (future condominium) with ground floor commercial. The tower is situated on a one-storey podium, which tiers up to two storeys on the westerly side of the building, and five-storeys adjacent to Regional Road 7.

#### b) Access and Street Network

Access to the site for Phase I is provided by a temporary driveway from Barnes Court, which is proposed to run south to Building 1. No direct access will be provided from Street "B" (north/south road on the easterly limit of the property) to Regional Road 7 at this time. In the interim, Street "B" will consist of a 5.75 m boulevard (sidewalk, landscaping and curb) and a minimum 3 m temporary driveway to serve the loading area on the east side of Building 1.

Through negotiations with the Owner and in light of the previous OMB decision which grants a 0 m setback to underground parking structures, Street "B" will be a public street located over privately held lands and subsurface parking. For the Phase I site development, the Owner is required to convey the westerly portion of Street "B" to the



City, as it extends from Regional Road 7 to Barnes Court, and above the stratified parking. A condition to this effect is included in Attachment #1.

Future access from Street "B" to Regional Road 7 is dependent on conditions outlined in Attachment #1, and will ensure that Street "B" is constructed to its ultimate condition (shown on Attachment #13) in a timely manner. The ultimate condition must conform to the Figure "J" typology in the VMC Plan for Local Streets with a 20 m right-of-way.

When Street "B" is constructed to its ultimate configuration, the City will be responsible for its maintenance and operations. The Owner (or future Condominium Corporation) will be responsible for maintaining stratified parking beneath the street, subject to required legal agreements, which are described in Attachment #1. As the Owner of the subject lands (Royal 7 Developments Ltd.) has a stake in the ownership of the adjacent lands to the east, Royal 7 Developments Ltd. is willing to make a commitment on behalf of the adjacent landowners with respect to the ultimate construction of Street "B."

McCleary Road, which runs east/west through the site, will be a private street with a public access easement. The Owner is required to convey a portion of the easement for the Phase I lands, as per a condition in Attachment #1. McCleary will be reconfigured during later phases of development, and additional easements for public access will be secured through the Draft Plan of Subdivision process.

c) Landscape Plans

The ground floor landscape plan shown on Attachment #8 consists of deciduous trees, shrubs and grasses, together with a variety of paving materials, including granite and concrete. As the proposed street trees on the west side of Street "B" are located above a parking structure, an enhanced planting strategy such as soil cells is required to maintain tree health and longevity.

Green roofs are proposed on select areas of the podium, including an extensive green roof on the five-storey loggia fronting onto Regional Road 7, and an intensive green roof or roof garden on portions of the one and two storey podium, as shown on Attachment #7. A galleria is proposed to provide internal north/south pedestrian connection through the westerly portion of the Phase I building.

d) Streetscape and Open Space Master Plan

The City, together with consultant EDA Collaborative Inc., is currently undertaking a VMC Streetscape and Open Space Master Plan to provide a green infrastructure framework for the VMC public realm, including parks, open spaces, public squares, and streets. As part of the study, EDA Collaborative Inc. is working with the City, VMC landowners, PowerStream, and York Region to examine the feasibility of undergrounding utilities along Regional Road 7.

A typical cross-section for Regional Road 7 from the Draft VMC Open Space and Streetscape Master Plan is shown on Attachment #15. Detailed landscape design and materials for the Regional Road 7 streetscape must comply with the Council approved VMC Streetscape and Open Space Master Plan, which is anticipated for completion in the second quarter of 2013. A condition to this effect is included in Attachment #1.

e) Building Elevations

The proposed building elevations are shown on Attachments #9 to #12. The tower elevations are rotated 17 degrees with a "wave" design, and comprised of clear, green tinted, and spandrel glass with aluminum bands and metal louvres. The podiums are



designed with loggias along the major frontages (recessed facades on the first storey), and comprised primarily of clear glass and precast concrete, with aluminum bands, metal roofing, and glass/steel canopies. A temporary Exterior Insulation Finish System wall will be constructed on the west podium elevation until construction of Phase II.

f) Wind and Shadow Studies

The Owner has provided Wind and Shadow Studies in support of the Phase I development, which have been reviewed by the Development Planning Department. The final plans must include wind mitigation strategies at the northwest entrance of Building 1. Wind and Shadow Studies for the remainder of the proposed development will be reviewed through the related Draft Plan of Subdivision process.

g) Signage Plans

The Owner has submitted signage plans for the commercial units of the buildings facing Regional Road 7 and Street "B," as well as the entry features on the north and south building elevations. The proposed signage for the commercial units consists of both wall and projected signs, as shown on Attachment #13. The final signage plans, including materials and illumination, are subject to approval from the Development Planning Department.

The Development Planning Department is generally satisfied with the site plan, landscape plans, building elevations, signage plans, cross-section for Street "B", photometric lighting plan, wind study, and shadow study, and will continue to work with the applicant to finalize the drawings and studies. A condition to this effect is included in the recommendation of this report.

The Owner is required to submit a physical and digital model of the final approved site development in support of the City's initiative for 3D modeling of the VMC area. The digital model must be accurately geo-referenced to the satisfaction of the Vaughan Development Planning Department. To guarantee the completion of such works, the Owner shall file a Letter of Credit in an amount and format satisfactory to the Vaughan Development Planning Department, as per the condition in Attachment #1.

Conceptual Master Plan/Phasing

The Conceptual Master Plan is shown on Attachment #5 and the Conceptual Landscape Master Plan is shown on Attachment #6. Full build-out of the site includes five residential apartment buildings (future condominiums) ranging in height from 37 to 39 storeys, and located on podiums ranging in height from one to five storeys, including ground floor commercial. The Master Plan is designed to have a total of 1,935 residential units in accordance with the OMB approved Zoning By-law.

The Owner anticipates that the subject lands will be developed in five phases (one tower per phase), as shown on Attachment #5. Detailed design of subsequent development on the subject lands requires the submission and review of future Site Development Applications. The future extension of Maplecrete Road and Barnes Court is required for development of Phase II in order to provide sufficient pedestrian and vehicular access to the site.

A public square is located in the central area between Buildings 1 to 4, which will be partially constructed for Building 2, and fully constructed for Building 3. Detailed design for the public square will be confirmed through the Draft Plan of Subdivision Process.



### Vaughan Design Review Panel

The Site Development Application was considered by the Design Review Panel at its inaugural meeting on October 27, 2011, with the understanding that the proposed site development was already at an advanced stage of review. The Panel made several recommendations to activate and engage the public realm, including, but not limited to:

- i) strengthening the site's function as a gateway for the VMC, particularly the southwest tower (Building 5), which should engage the street grid;
- ii) minimizing the visual impact of the towers by reducing the floorplate to 750 m<sup>2</sup> in accordance with the VMC Plan, and utilizing clear, rather than tinted glazing;
- iii) increasing permeability between the building face on the ground floor and the pedestrian realm, particularly along the Regional Road 7 frontage;
- iv) providing residential townhouse units at grade (with potential flexibility for converting some units to retail in the future);
- v) ensuring that the central public square is fronted by buildings greater than one-storey in height, with animated uses;
- vi) strengthening the east/west and north/south pedestrian connections through the site, including the galleria, Maplecrete, and connections to Black Creek; and
- vii) continuing to incorporate sustainability into the design with respect to landscape architecture, Black Creek, and responding to localized environmental conditions.

Future site development applications for the remaining phases will be subject to review by the Design Review Panel.

### District Energy

Discussions are ongoing between the Owner and the City with respect to participating in the District Energy system (centralized heating and cooling system) planned for the Vaughan Metropolitan Centre. A condition is included in Attachment #1 to ensure that the mechanical systems for Building 1 can accommodate future connections to a District Energy system.

### Servicing Allocation

On November 14, 2005, Vaughan Council allocated servicing capacity for 446 residential apartment units for the related Draft Plan of Subdivision File 19T-00V21. The current Site Development Application for Phase 1 has 353 residential units, and will be serviced through this amount.

### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the drawings and reports submitted in support of the application, as follows:

#### a) Phase I Environmental Site Assessment

The Phase I Environmental Site Assessment submitted in support of the application, including acknowledgement from the Ministry of the Environment and a Record of Site Condition, was approved by the Vaughan Development/Transportation Engineering Department through the original Draft Plan of Subdivision File 19T-00V21, and Zoning By-law Amendment File Z.06.051.



b) Site Servicing, Grading, Stormwater Management, Noise, Geotechnical/Soils, Wind Study, External Lighting, Utility Coordination, and Mechanical Plans

The first phase of the Expo City site development will consist of one condominium tower with a proposed interim access from existing Barnes Court. Phase I will be serviced by storm sewers, sanitary sewers and watermain that are proposed to be constructed within the future right-of-way of the Maplecrete Road extension. These services will be constructed initially as private services to municipal standards. Once the Draft Plan of Subdivision proceeds, these services will be transferred to municipal ownership through the subdivision agreement.

The Owner is required to convey to the City and Region of York the lands and/or easements required for interim and permanent site access and servicing. Conditions to this effect are included in Attachment #1.

The final site servicing, grading, stormwater management, noise, geotechnical/soils, wind study, external lighting, utility coordination, and mechanical plans and reports must be approved to the satisfaction of the Development/Transportation Engineering Department, prior to execution of the Site Plan Agreement, as identified in the recommendation of this report.

c) VMC Infrastructure Improvements

As the subject lands are within the northeast quadrant of the VMC Secondary Plan, the following key municipal infrastructure improvements/retrofit works are required to support full build-out of the plan based on the conclusions and recommendations of the Black Creek Stormwater Optimization Master Plan Class Environmental Assessment Study and the Vaughan Corporate Centre Master Servicing Strategy Master Plan:

- i) the retrofit (re-naturalization) and expansion of the existing Black Creek channel and associated structure improvements;
- ii) the retrofit and expansion of the existing Jane St./Hwy 7 SWM pond;
- iii) in-stream erosion restoration measures/ works within the Black Creek sub-watershed; and
- iv) sanitary sewer enlargement.

The aforementioned SWM infrastructure improvements will not be in place in advance of the Expo Phase I development, so the developer is proposing interim on-site stormwater management controls including low impact development (LID) practices, rooftop storage, subsurface vault storage and temporary underground superpipe storage to control the Phase 1 site according to the criteria established in the master plans to the greatest extent practically possible. The Owner is required to pay its proportionate share of the cost of the broader infrastructure improvements to support full build-out of the Vaughan Metropolitan Centre according to the master servicing plans. Conditions to this effect are included in Attachment #1.

d) Traffic Impact Study

The Development/Transportation Engineering Department has reviewed the Phase I Traffic Impact Study submitted in support of the Expo City development, dated August 2012 and prepared by Mark Engineering.

Phase I of the development will incorporate the apartment building in the southeast corner of the site. Direct access to Highway 7 has been deferred to later stages along with any direct connection through the site to the east. Access to Creditstone will be via a temporary access to Barnes Court. Based on the submitted analysis, the intersection of



Barnes Court and Creditstone Road will operate at a good level of service. Phase I of the development will generate a modest amount of traffic compared to the traffic already on the road system; therefore the proposed first phase of development will not have a significant impact on the current road system.

As a result of discussions between the City, the Owner, and York Region, the intersection of Maplecrete Road and Regional Road 7 will be developed as a signalized, full movement intersection. The Traffic Impact Study for the remainder of the subject lands will be reviewed through the Draft Plan of Subdivision process.

e) Transportation Demand Management

The Development/Transportation Engineering Department has reviewed the Phase I Transportation Demand Management (TDM) Plan submitted in support of the application. The TDM Plan must be revised to include: improved pedestrian crossings, additional short and long-term bicycle parking, and education, promotion, outreach, and transit incentive measures to help achieve the City's goal of a 50% transit modal split by 2031 in the VMC.

The final TDM Plan must be approved to the satisfaction of the Development/Transportation Engineering Department prior to execution of the Site Plan Agreement, as per the recommendation of this report. Upon approval, the Owner is required to post an additional Letter of Credit with York Region to ensure implementation and monitoring of the TDM Plan, as discussed in the Regional Implications section of this report.

Vaughan Parks Development Department

The Parks Development Department has provided comments with respect to the proposed park block on the northwest portion of the site (shown on Attachment #6), which include, but are not limited to: parkland dedication totals, proposed amenities and planting, confirmation of the top of bank and flood lines, landscape details, etc. The Owner is required to address these comments and convey the park to the City through the related Draft Plan of Subdivision process (File 19T-00V21).

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that for residential high-density development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy; and, 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the subject lands for the commercial component, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in Attachment #1.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has reviewed the Site Development Application and has indicated that the subject property has been cleared of concerns regarding archaeological resources.

Vaughan Public Works Department - Solid Waste Management

The Vaughan Public Works Department - Solid Waste Management Division has reviewed the Site Development Application and provided comments to the Owner. The final waste



management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Public Works Department - Solid Waste Management, in accordance with the recommendation of this report.

#### Canadian National Railway (CN)

CN has reviewed the application, and is satisfied with the Phase I Noise Report submitted in support of the proposal. CN has no objections to the Site Development Application, subject to conditions of approval which were previously negotiated through the Draft Plan of Subdivision process and OMB approval. Conditions to this effect are included in Attachment #1.

#### Utilities

PowerStream Inc. has reviewed the Site Development Application and indicated that it is the Owner's responsibility to contact PowerStream and discuss all aspects of the site with respect to electrical supply, the potential relocation of hydro poles, and the relocation of the PowerStream owned plant and cable near Barnes Court. A provision to this effect will be included within the Site Plan Agreement.

Enbridge Gas has reviewed the Site Development Application and has no objections. It is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities, as well as any possible easements.

Bell Canada has reviewed the Site Development Application, 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 will be included in the Site Plan Agreement.

#### Canada Post

Canada Post has reviewed the Site Development Application 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 must supply, install and maintain a centralized mailbox facility for the residential portion of the development, while a separate centralized mail facility may be required for the commercial portion of the development.

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

The TRCA has reviewed the application, and provided conditions of approval for inclusion within the Site Plan Agreement with respect to protecting ground and surface water. The conditions require stormwater quantity control on site, appropriate stormwater rooftop storage, stormwater quality treatment facilities, erosion and sediment control plans, a dewatering assessment, details of the proposed shoring system and construction schedule, and obtaining a permit prior to any site works taking place. Conditions to this effect are included in the recommendation of this report and in Attachment #1.

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

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Manage Growth & Economic Well-being".

#### Regional Implications

The York Region Transportation and Community Planning Department has reviewed the Site Development Application and advised that they have no objections to the proposed development, in principle. The Owner is required to enter into a Site Plan Agreement with York Region to



address issues including, but not limited to: financial and insurance requirements, land conveyances, easement, and encroachment requirements, as identified on Attachment #17. Prior to receiving final approval from the Region, and prior to the issuance of final building permits by the City of Vaughan, the Owner must address all detailed comments provided by York Region, which can be summarized as follows:

a) Rapid Transit

The Owner is required to convey a portion of their lands fronting onto Regional Road 7 to York Region, in order to achieve a 30 m setback from the centreline of construction and accommodate the future VIVA Rapidway along Regional Road 7. The Region also requires the Owner to convey up to 10 m by 10 m daylighting triangles at the northeast and northwest corners of the future Maplecrete Road extension.

Proposed landscaping or streetscaping adjacent to or within the Regional Road 7 boulevard must be coordinated with York Region's Bus Rapidway design for Regional Road 7. In the interim, the Owner is required to provide sidewalks and pedestrian connections for streets with transit services, including illumination, in accordance with the City of Vaughan standards. The Owner must also accommodate continuous flow-through circulation for York Region Transit's Mobility Plus specialized vehicles.

b) Access and Easements

The Region of York has advised that the Owner must provide a vehicular and pedestrian interconnection to the adjacent lands to the west (owned by ZZEN Developments Ltd. and Midvale Estates Ltd), including provision of necessary easements in favour of the landowners to the west. This condition is required as part of the site plan application. Should the Draft Plan of Subdivision be draft approved prior to final approval of the site plan application, this condition will be addressed through the subdivision process instead.

Future access from Street "B" to Regional Road 7 will be restricted to right in/right out movements only.

c) Traffic Impact Study

York Region has provided comments on the Traffic Impact Study submitted in support of the application, which must be revised to their satisfaction. Transportation planning for the Phase I development must be coordinated with a comprehensive study for the proposed build-out of the site in order to address issues such as access requirements and phasing impacts.

d) Transportation Demand Management (TDM)

York Region has indicated that the TDM Plan submitted in support of the application does not meet their requirements. The Owner is required to revise the TDM Plan to the satisfaction of York Region and address all comments including, but not limited to: providing direct pedestrian and cycling connections and facilities, budget and funding, transit incentives, implementation, and monitoring. Upon approval, the Owner is required to submit a Letter of Credit to York Region to ensure implementation and monitoring of the TDM Plan.

The Owner is required address all York Region requirements prior to execution of the Site Plan Agreement, as per the recommendation of this report. York Region comments and conditions, which are subject to change prior to final approval, are included in Attachment #17.



## **Conclusion**

Zoning By-law Amendment File Z.12.032 and Site Development File DA.11.058 have been reviewed in accordance with OPA #500, OPA #663, the Vaughan Metropolitan Centre Plan, Zoning By-law 1-88, the Ontario Municipal Board decision, comments from City Departments and external public agencies, and the area context. The Development Planning Department is satisfied that the proposal to remove the Holding Symbol "(H)" on a portion of the subject lands, and permit development of a 37-storey, 353 unit residential apartment building, situated on a podium ranging in height from one to five storeys, including ground floor commercial, is appropriate and compatible with the existing, permitted and future uses in the VMC and surrounding area. Accordingly, the Development Planning Department can support approval of the Site Development Application, subject to the recommendations of this report.

## **Attachments**

1. Conditions of Site Plan Approval
2. Context Location Map
3. Location Map
4. Vaughan Metropolitan Centre: Proposed Transit Network Plan
5. Conceptual Master Plan
6. Conceptual Landscape Master Plan
7. Site Plan: Phase I
8. Landscape Plan: Ground Floor
9. South Building Elevation (Facing Regional Road 7)
10. North Building Elevation (Facing Barnes Court)
11. East Building Elevation (Facing Street "B")
12. West Building Elevation (Facing Future Maplecrete Road Extension)
13. Signage: Regional Road 7
14. Cross Section: Street "B" (Ultimate Condition)
15. Typical Cross-Section: Regional Road 7
16. Rendered Southeast Elevation
17. York Region Comments and Conditions of Approval

## **Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/CM



## **ATTACHMENT NO. 1**

### **CONDITIONS OF SITE PLAN APPROVAL**

**SITE DEVELOPMENT FILE DA.11.058  
ROYAL 7 DEVELOPMENTS LTD.  
PART OF LOT 6, CONCESSION 4, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED THROUGH THE SITE PLAN AGREEMENT FOR SITE DEVELOPMENT FILE DA.11.058 ARE AS FOLLOWS:**

#### **City of Vaughan**

1. The Owner shall prepare detailed landscape plans and undertake landscape works, including connections to and around the upgraded Stormwater Management Pond, in accordance with the Vaughan Metropolitan Centre Streetscape and Open Space Master Plan, which is currently underway with anticipated completion in 2013. The Owner shall submit a Letter of Credit in an amount satisfactory to the Vaughan Development Planning Department to guarantee the completion of the streetscape works, prior to the execution of the Site Plan Agreement.
2. The Owner shall enter into an agreement with the City, Region, and utility companies, including Powerstream, with respect to undergrounding utilities along Regional Road 7, if required, to the satisfaction of the City.
3. 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.
4. The Owner agrees to incorporate the following environmental sustainability measures into the design and construction of Phase I, to the satisfaction of the City of Vaughan:
  - Extensive and intensive green roofs;
  - Transportation demand management plan, subject to approval by the City and Region of York, including enhanced pedestrian connections, short and long-term bicycle parking facilities, education and transit incentive measures, and payment of any necessary costs to the Region of York to ensure implementation and monitoring;
  - Features to reduce the heat island effect, minimize storm water run-off, increase infiltration, provide for rainwater harvesting, permeable paving, drought-tolerant landscaping, energy efficiency, water conservation, and LED lighting; and,
  - Connections to a District Energy system, if available.

The Owner acknowledges that the City of Vaughan will be implementing Sustainable Development Guidelines in 2013, and that subsequent phases of development may require additional sustainability measures to be incorporated into the site and building design and construction.

5. The Owner shall design the mechanical systems for Building 1 in a manner that facilitates future connections to a District Energy system.



6. The Owner shall:
- a) convey the westerly portion of Street "B" to the City of Vaughan, from Regional Road 7 to Barnes Court, in a form satisfactory to the City, and enter into an agreement with the City for the purposes of constructing a public street over privately owned lands and subsurface parking, which addresses issues including, but not limited to maintenance, continuing indemnity, reconstruction of the road, costs, etc., prior to the registration of the condominium corporation;
  - b) enter into an agreement for the construction of and provide securities to the City for the full cost of constructing Street "B" to its ultimate configuration prior to the registration of the condominium corporation;
  - c) make arrangements for the conveyance of the easterly portion of Street "B" to the City of Vaughan, from Regional Road 7 to Barnes Court, and enter into an agreement with the City and the adjacent landowner to the east to allow for completion of Street "B" to its ultimate configuration, which addresses issues including, but not limited to maintenance, reconstruction of the road, costs, etc., and that the full cost of constructing Street "B" to its ultimate configuration be fully secured prior to the issuance of a building permit; and,
  - d) construct Street "B" to its ultimate configuration upon the earliest of the following triggers:
    - i) upon transfer of all or part of the ownership of the adjacent lands to the east;
    - ii) upon the termination of the lease on the adjacent lands by the current tenant;
    - iii) upon the expiry of the current term of the lease (excluding extensions) in 2022;
    - iv) upon site plan approval of Tower 3 (the northeast tower) on the Royal 7 Developments Ltd. lands.
7. The Owner shall convey a public access easement in favour of the City of Vaughan over the portion of the internal east/west road (McCleary Road extension) constructed in Phase I in a form satisfactory to the City, prior to the registration of the condominium corporation.
8. The Owner shall design and construct the Water Supply, Storm and Sanitary Servicing for the site plan in accordance with the final recommendations and conclusions of the approved Vaughan Corporate Centre Master Servicing Strategy and the Black Creek Optimization Study to the satisfaction of the City.
9. The Owner shall agree in the site plan agreement to pay its proportionate share of the cost associated with implementing the recommendations of the approved Vaughan Metropolitan Centre Master Servicing Plan and the Black Creek Optimization Study to the satisfaction of the City.
10. The Owner shall agree in the site plan agreement to pay its proportionate share of the cost of any external municipal services that have been designed and oversized to accommodate the development.
11. Prior to the execution of the site plan agreement, the Owner shall submit an environmental noise impact study to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the site plan agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
12. The Owner shall agree in the site plan agreement to convey easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority (ies), free of all charge and encumbrance to the satisfaction of the City.



13. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for dwelling units on the site plan:
- a) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction and building activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
  - b) "Purchasers and/or tenants are advised that Barnes Court and Maplecrete Road will be extended in the future in accordance with the Vaughan Metropolitan Centre Secondary Plan to facilitate development of adjacent lands without further notice."
  - c) "Purchasers and/or tenants are advised that access to the Phase I building will be from Barnes Court on an interim basis until Barnes Court and Maplecrete Road are extended."
  - d) "Purchasers and/or tenants are advised that a public street will be constructed in the future along the east side of the site between Highway 7 and Barnes Court in accordance with the VMC Secondary Plan and will be designed to function as a public road."
14. Prior to final approval of the site plan or any phase thereof and prior to the initiation of any grading or any phase thereof, the Owner shall submit for review and approval of the City and the Toronto and Region Conservation Authority (TRCA) the following:
- a) A detailed engineering report that describes how the storm drainage system (quality and quantity) for the proposed development within the Plan. This 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;
    - vii) overall grading plans for the site; and
  - b) The Owner shall agree in the site plan agreement to implement the recommendation noted in the aforementioned and approved report(s) to the satisfaction of the City and TRCA.
15. The Owner shall fulfill the requirements of Canada Post.

Toronto and Region Conservation Authority (TRCA)

16. That prior to grading, servicing, or the issuance of a foundation or building permit for construction of all or a portion of the Phase 1 building, the following shall be completed by the Owner to the satisfaction of the Toronto and Region Conservation Authority:



- the provision of stormwater quantity control on site in accordance with the requirements of the Toronto and Region Conservation Authority;
- the provision of 15mm x rooftop storage using feasible storage methods and rainwater re-use;
- erosion and sediment control plans in accordance with TRCA requirements;
- a dewatering assessment, details of the proposed shoring system installation and construction schedule that minimizes pumping duration and rates along with a dewatering plan, necessary calculations and water quality; and
- a permit for the proposed development in accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) prior to any of the works taking place.

#### Canadian National Railway

17. The Owner agrees to enter into with CN and register against title to the Lands an agreement under the Industrial and Mining Lands Act, and to require installation and maintenance of the noise and vibration mitigation measures required by CN. The agreement shall be in CN's standard form and include the following provision:

#### OUTDOOR LIVING AREAS

4A. The Owner agrees that as the open balconies, terraces, patios, etc. may not meet the Ministry of the Environment ("MOE") criteria and have not been designed to be used as Outdoor Living Areas as defined in the Noise Assessment Criteria in Land Use Planning Publication LU-131 of the MOTE dated October 1997, which definition reads as follows:

'Outdoor Living Area' is the part of an outdoor area easily accessible from the building and designed for the quiet enjoyment of the outdoor environment. Outdoor Living Areas include, but are not limited to, the following:

- Backyards or front yards or gardens or terraces or patios;
- Balconies, provided they are the only Outdoor Living Areas for the occupant and meet the following conditions:
  - a) minimum depth of 4 m;
  - b) outside the exterior building façade;
  - c) unenclosed;
- Common Outdoor Living Areas associated with multi-storey apartment buildings or condominiums; and,
- Passive recreational areas such as parks if identified by the municipality.

18. The Owner shall provide the necessary postponement agreement(s) postponing all mortgages and encumbrances to this agreement.
19. The Owner shall implement in the design and construction of the development of the site the recommendations of the Noise and Vibration Study of Valcoustics dated June 6, 2011 subject to the following additional requirements:
  - i) No private open terraces, balconies or rooftop patios/terraces outdoor areas to be located on the north and east facades of Building 1 other than terraces, balconies, grade level patios or rooftop patios/terraces/common outdoor areas within the top storeys of the building above a height of approximately 79.1 metres (28<sup>th</sup> floor) of Building 1.



- ii) Any other terraces, balconies or rooftop patios shall be fully screened by the proposed development, as currently provided by the general building siting and massing of the remainder of the development.
- iii) All buildings shall be constructed of brick veneer or masonry equivalent or materials of acoustical equivalency;
- iv) No portion of any of the buildings or podiums shall be constructed of curtain wall construction except for spandrel panels which may be used where constructed to the following specifications:
  - *Minimum 6 mm glazing;*
  - *Minimum 125 mm insulation;*
  - *Minimum 18 gauge sheet metal liner panel;*
  - *92 mm studs with batt insulation;*
  - *Two layers 16 mm gypsum board;*

At residential suites and habitable areas, the spandrel panel shall not exceed 16% of the associated floor area and must have a minimum Transmission Loss (TL) of 32 dB at 63 Hz and 29 dB at 125 Hz;

- v) Upgraded windows/exterior doors shall be provided having an STC 37 rating or higher on the north and east facades of Building 1;
- vi) Proposed windows/doors including frames shall be tested and results provided to CN for review;
- vii) CN to review and provide comments regarding the architectural drawings and proposed construction prior to application of building permits to ensure that terms of agreement are implemented. CN to provide comments within 2 weeks of receipt of completed drawings;
- viii) Proponent's/builder's acoustical consultant to inspect the as constructed buildings and confirm that all required mitigation measures, as agreed upon, in the agreement have been implemented. Confirmation letter to be provided to CN prior to occupancy (or other appropriate milestone). CN to confirm in writing that the conditions have been satisfied.

20. Warning clauses will be required to be included in the condominium declarations and required by the condominium or site plan agreement(s) with the City of Vaughan as agreed to by CN and the Owner to ensure all persons presently having or who may in the future acquire any interest in the lands which are the subject matter of this [Agreement/document] (the Subject Lands) are hereby notified as follows:

- a) That Canadian National Railway Company (CN) is the owner of certain lands known as its MacMillan Rail Yard (the CN Lands) located within a kilometre of the Subject Lands, and that the CN Lands are now and will continue to be used for the present and future railway and trucking facilities and operations of CN and its customers on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives and trucks with the generation of diesel fumes and odours, 24 hours a day artificial lighting of the CN Lands which may illuminate the sky, the classification, loading, unloading, braking and switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same which can make wheel squeal, noise, vibration, odours, airborne particulate matter and/or dust and the operation of various processes for the maintenance of rail and truck equipment;



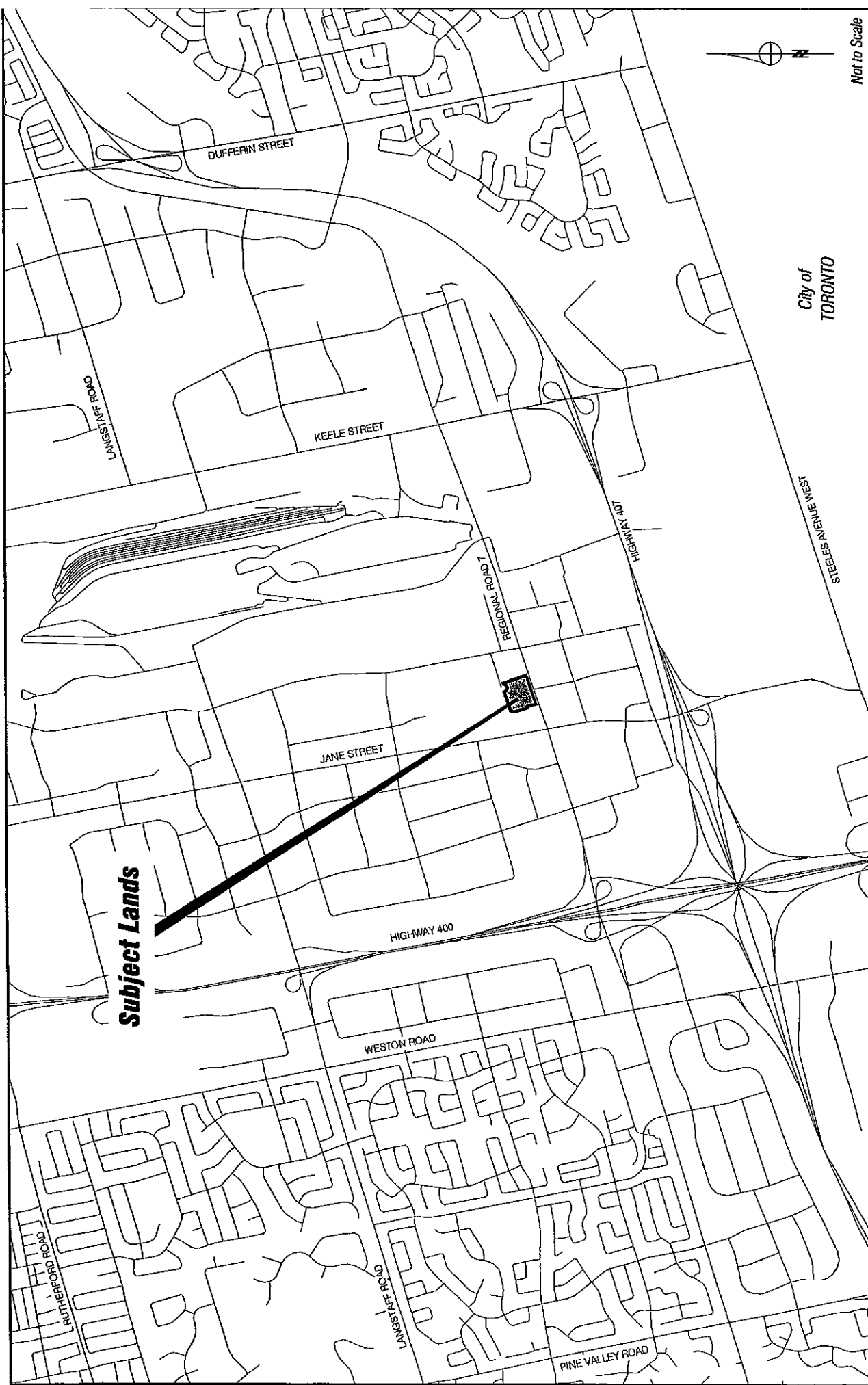
- b) That CN, its customers, invitees, lessees and/or licensees will not be responsible for any complaints or claims by or on behalf of the owners and occupant of the Subject Lands from time to time arising from or out of or in any way in connection with the operation of the CN Lands and all effects thereof upon the use and enjoyment of the Subject Lands or any part thereof, and whether arising from the presently existing facilities and operations of CN, its customers, invitees, lessees or licensees, upon or from any and all future renovations, additions, expansions and other changes to such facilities and/or future expansions, extensions, increases, enlargements and other changes to such operations;
- c) That CN shall not be required to change any of its facilities or operations upon the CN Lands as a result of or in response to any such complaints or claims;
- d) That CN may in the future renovate, add to, expand or otherwise change its facilities on the CN Lands and/or expand, extend, increase, enlarge or otherwise change its operations conducted upon the CN Lands;
- e) That an agreement under the Industrial and Mining Lands Act has been entered into between the owner of the whole of the Subject Lands and CN releasing any right you may have now or in the future to sue CN, its customers, invitees, lessees and/or licensees for nuisance arising out of the operation of an activity at the CN Lands including any noise, vibration, light, dust, odour, particulate matter emanating there from.
- f) Warning clause for units on the north and east facades of buildings on the site that have unenclosed balconies, patios or terraces. Noise levels from CN's MacMillan Rail Yard may not meet the maximum noise limits of Ministry of the Environment ("MOE") criteria as defined in Noise Assessment Criteria in Land Use Planning Publication LU-131 of the MOE dated October 1997 in the outdoor areas accessible from your unit. Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Noise Assessment Criteria in Land Use Planning Publication LU-131 of the MOE dated October 1997. Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas.

21. The Owner shall pay CN its reasonable costs of reviewing the application and conditions of approval.

Bell Canada

22. 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 one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.
23. If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.





## Context Location Map

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

**APPLICANT:**  
Royal 7 Developments Ltd.

N:\DFT\1 ATTACHMENTS\DA\da.11.058a.dwg



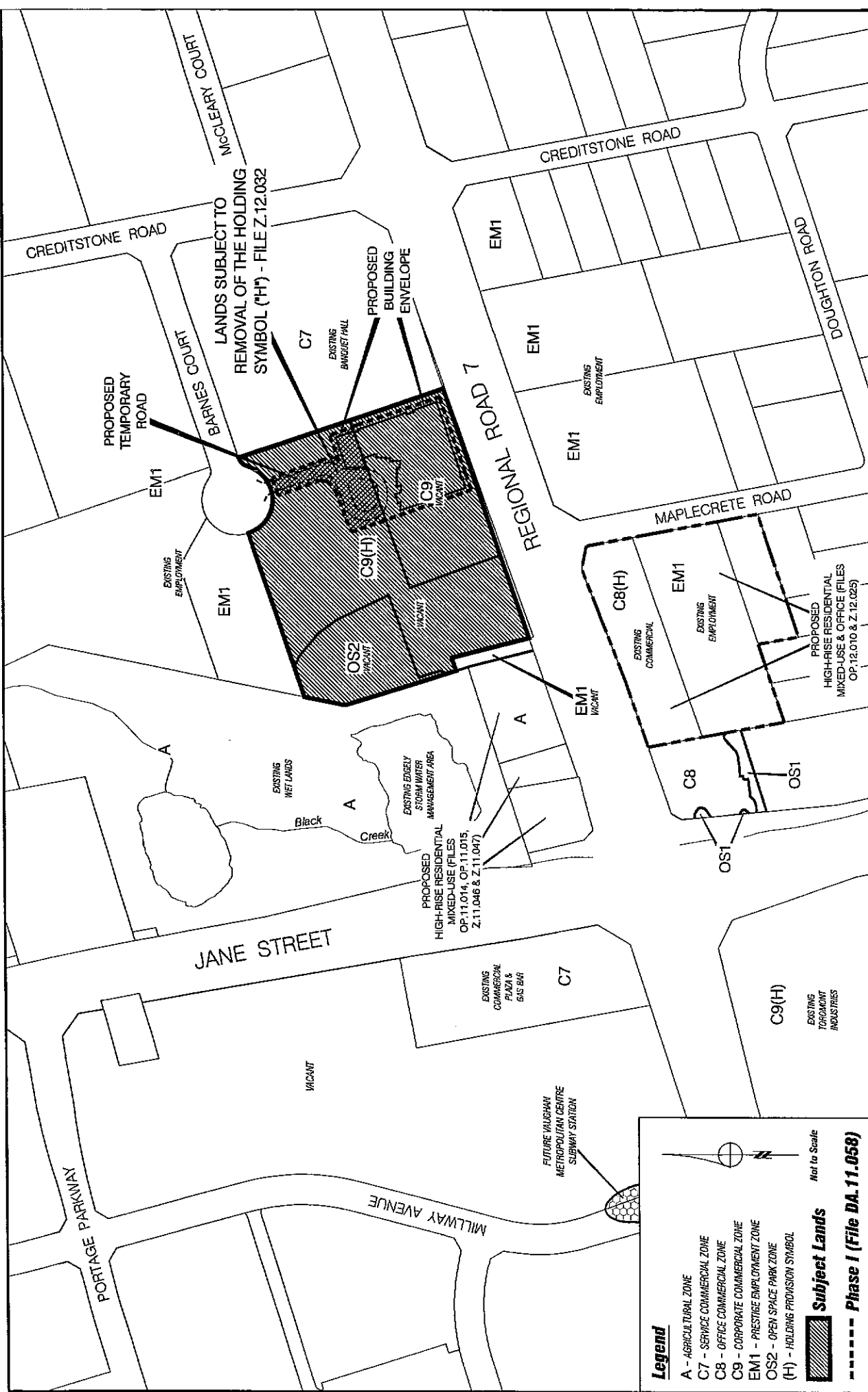
## Attachment

FILE: DA.11.058  
RELATED FILES: 19T-00V21,  
OP.06.019, & Z.06.051

DATE: August 14, 2012

# 2





## Location Map

LOCATION:  
Part of Lot 6, Concession 4

APPLICANT:  
Royal 7 Developments Ltd.

N:\OFT\1 ATTACHMENTS\DA\da.11.058a.dwg

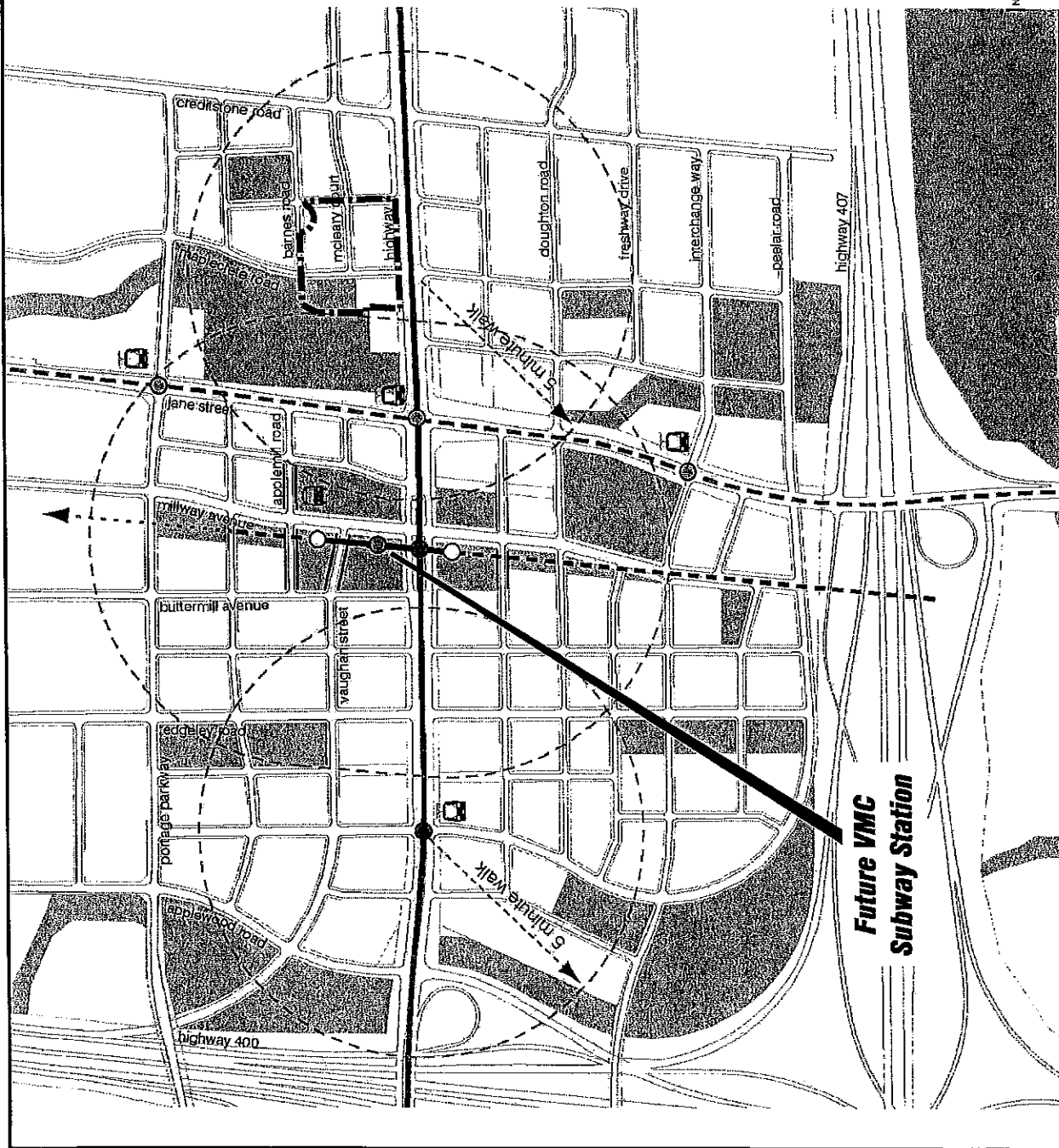


## Attachment

FILE: DA.11.058  
RELATED FILES: 197-00V21,  
OP.06.019, & Z.06.051  
DATE: August 14, 2012

3





# LEGEND

- subway entrances
- future subway entrances
- potential Hwy 7 rapidway stations
- potential Jane Street rapidway stations
- 5 minute walking radii
- ▬ blocks adjacent to subway
- ▬ on-street passenger pick-up and drop-off (long term)
- ▬ spadina subway alignment
- ▬ future spadina subway extension
- ▬ spadina subway station box
- ▬ highway 7 rapidway
- ▬ potential Jane street rapidway
- ▬ station block
- ▬ potential viva stations
- ▬ major parks and open spaces
- ▬ subject lands

## Vaughan Metropolitan Centre - Proposed Transit Network Plan

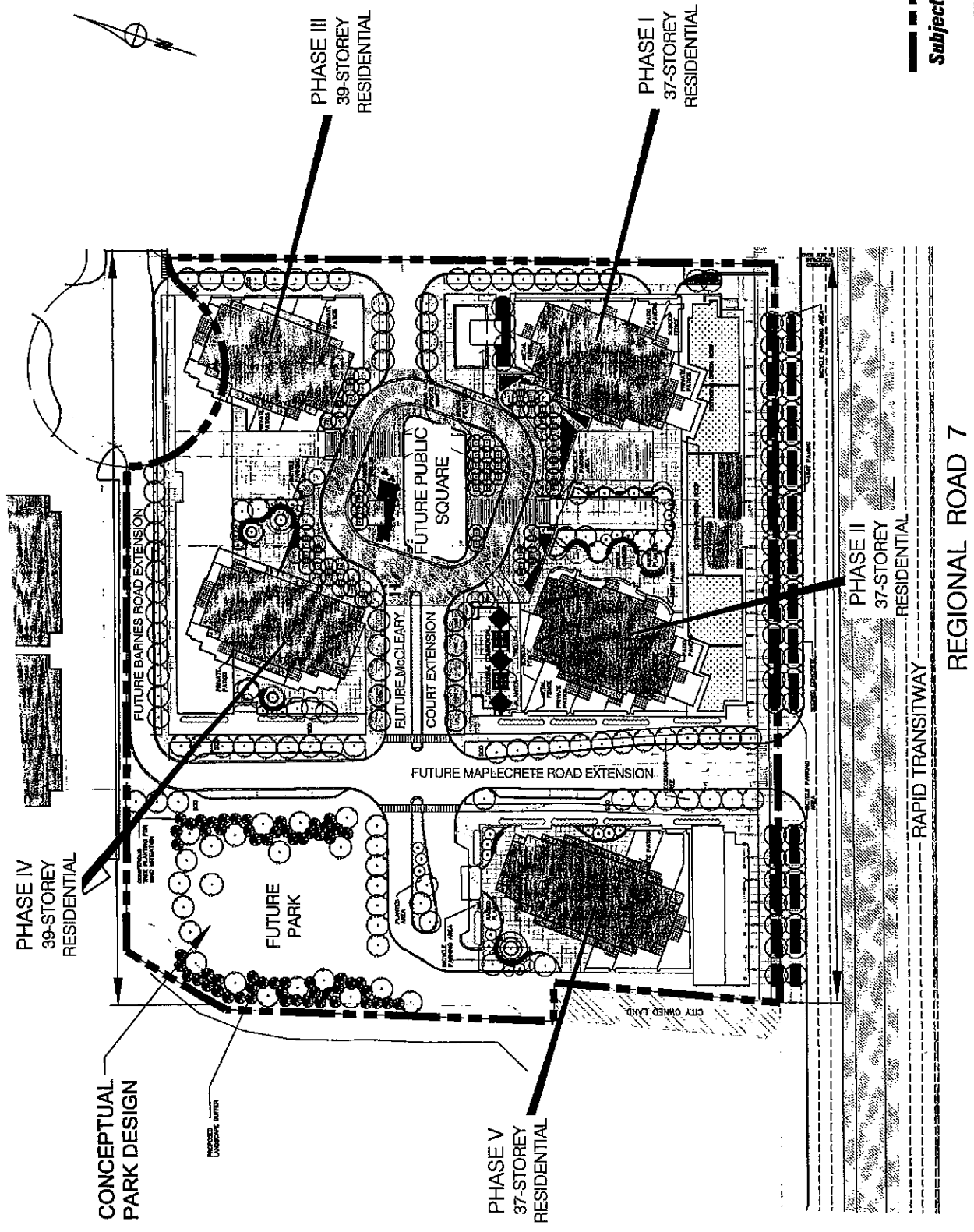


APPLICANT: Royal 7 Developments Ltd.  
LOCATION: Part of Lot 6, Concession 4  
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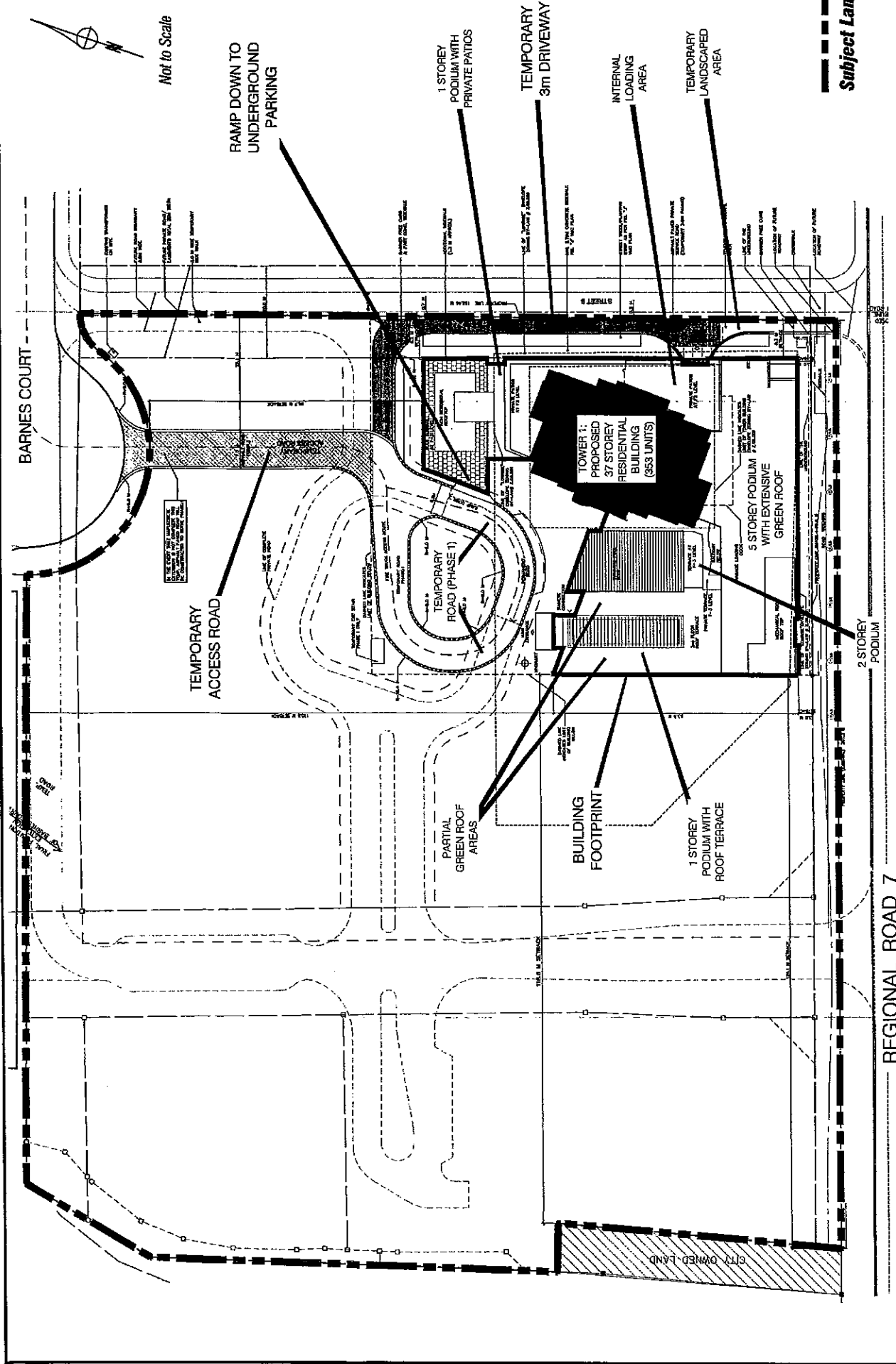




# Conceptual Landscape Master Plan







# Site Plan: Phase I

LOCATION:  
Part of Lot 6, Concession 4

APPLICANT:  
Royal 7 Developments Ltd.

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# Attachment

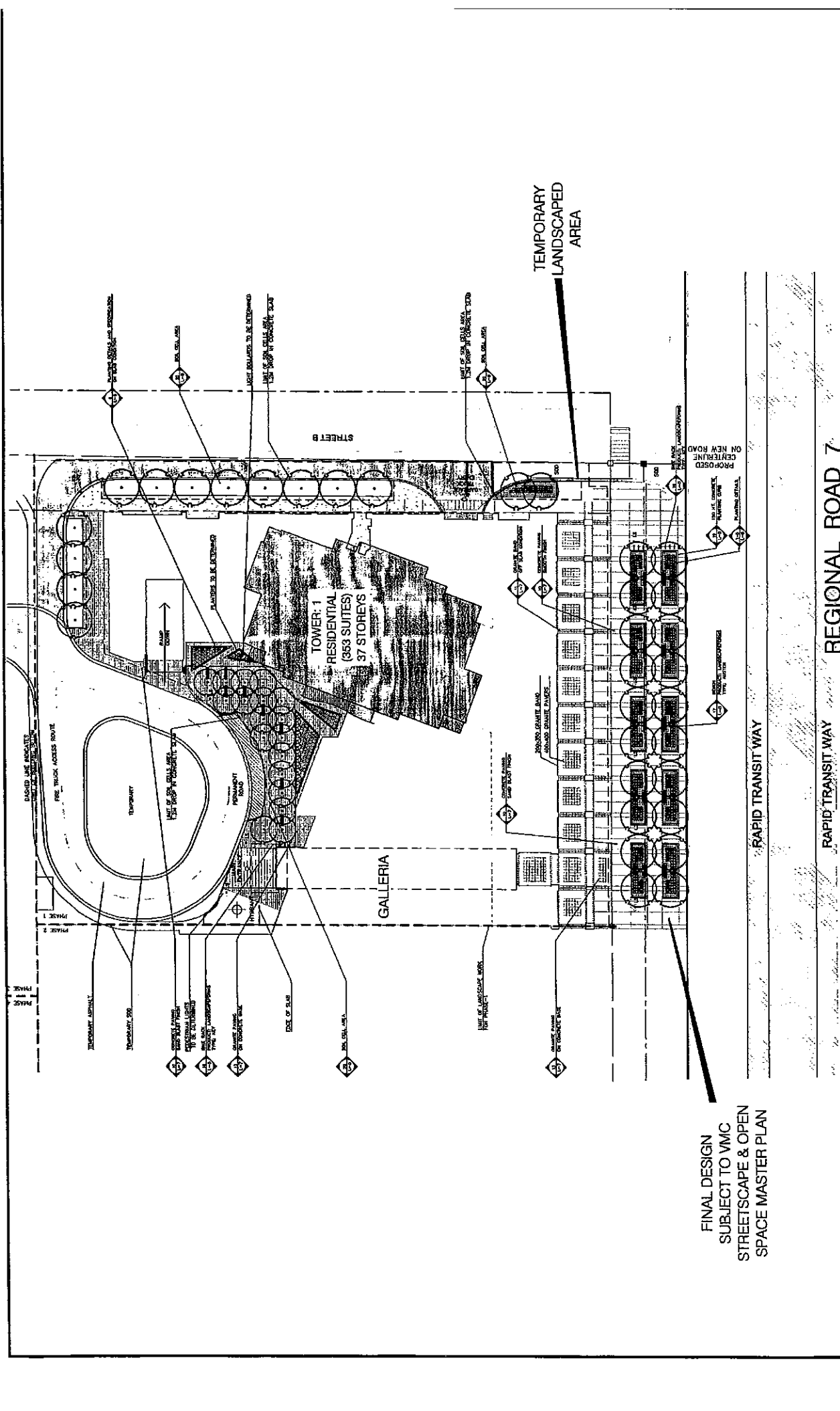
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RELATED FILES: 19T-00V21,  
OP.06.019, & Z.06.051

DATE: August 14, 2012

7

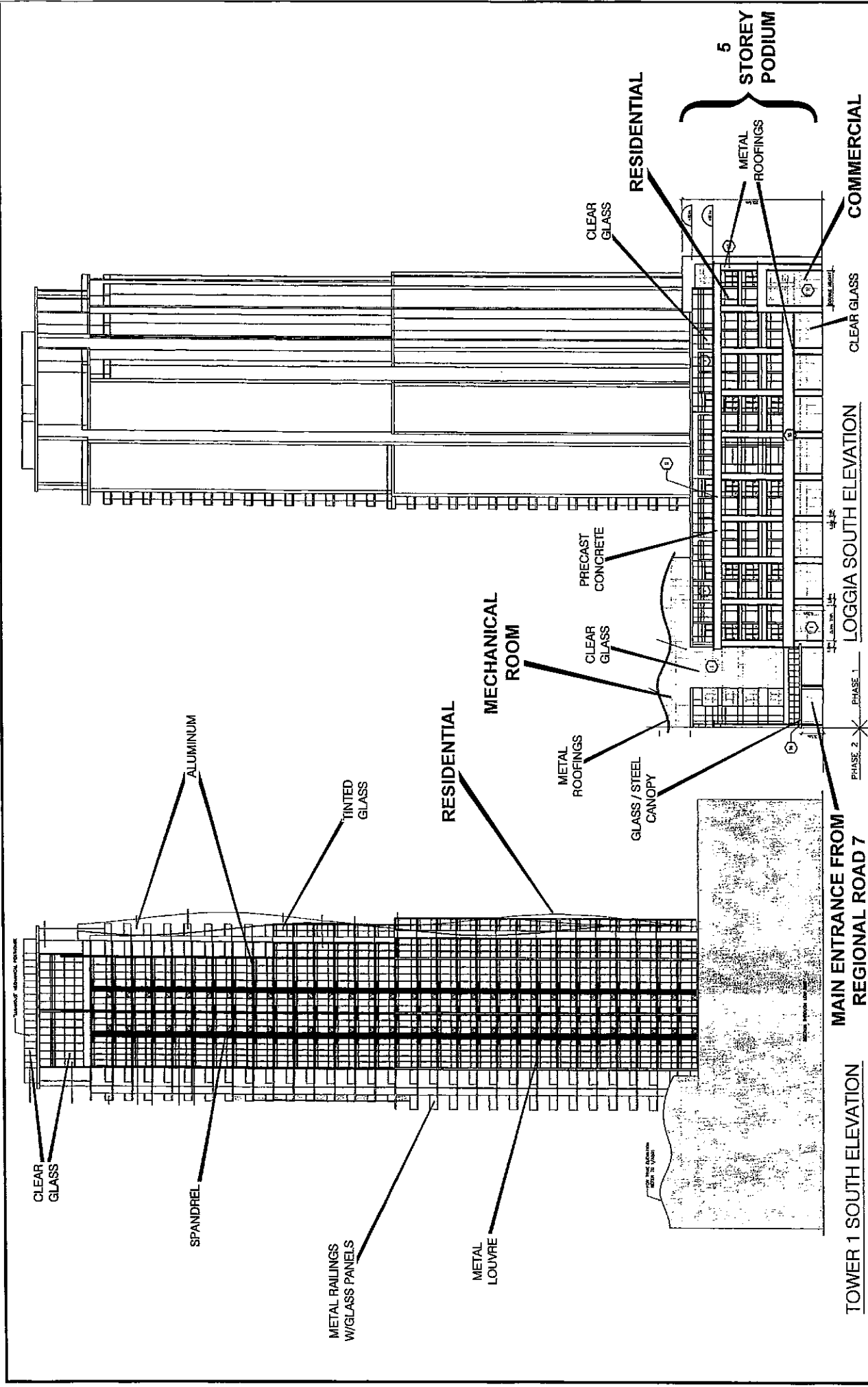


# Attachment

Developmental Planning  
Department

FINAL DESIGN  
SUBJECT TO VMC  
STREETSCAPE & OPEN  
SPACE MASTER PLAN





# South Building Elevation (Facing Regional Road 7)



APPLICANT: Royal 7 Developments Ltd.  
LOCATION: Part of Lot 6, Concession 4  
N:\DFT\1 ATTACHMENTS\DA\da\_11.058a.dwg

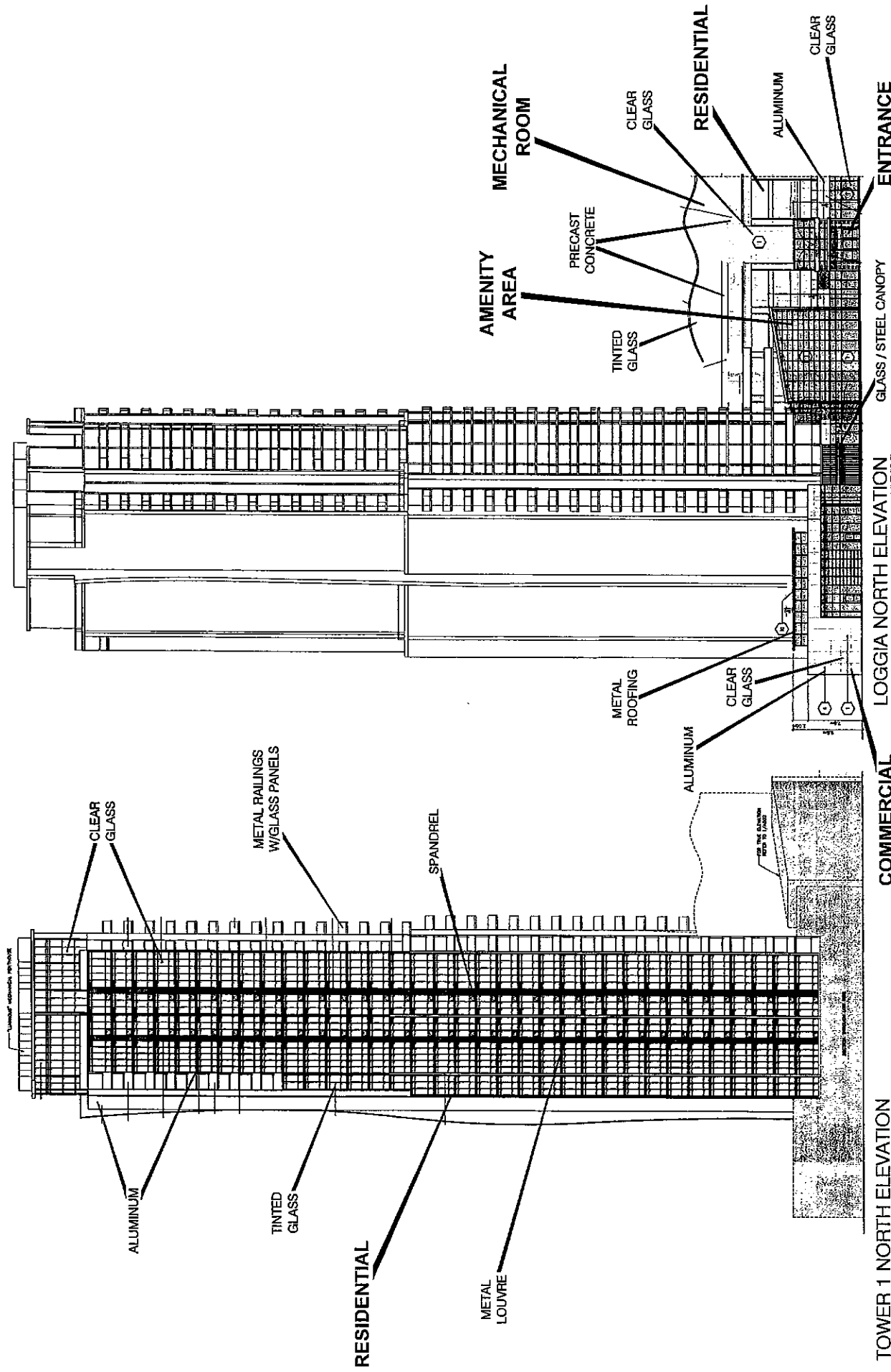
Attachment

FILE: DA.11.058  
RELATED FILES: 19T-00V21,  
CP.06.019, & Z.06.051

DATE: August 14, 2012

9





# North Building Elevation (Facing Barnes Road)

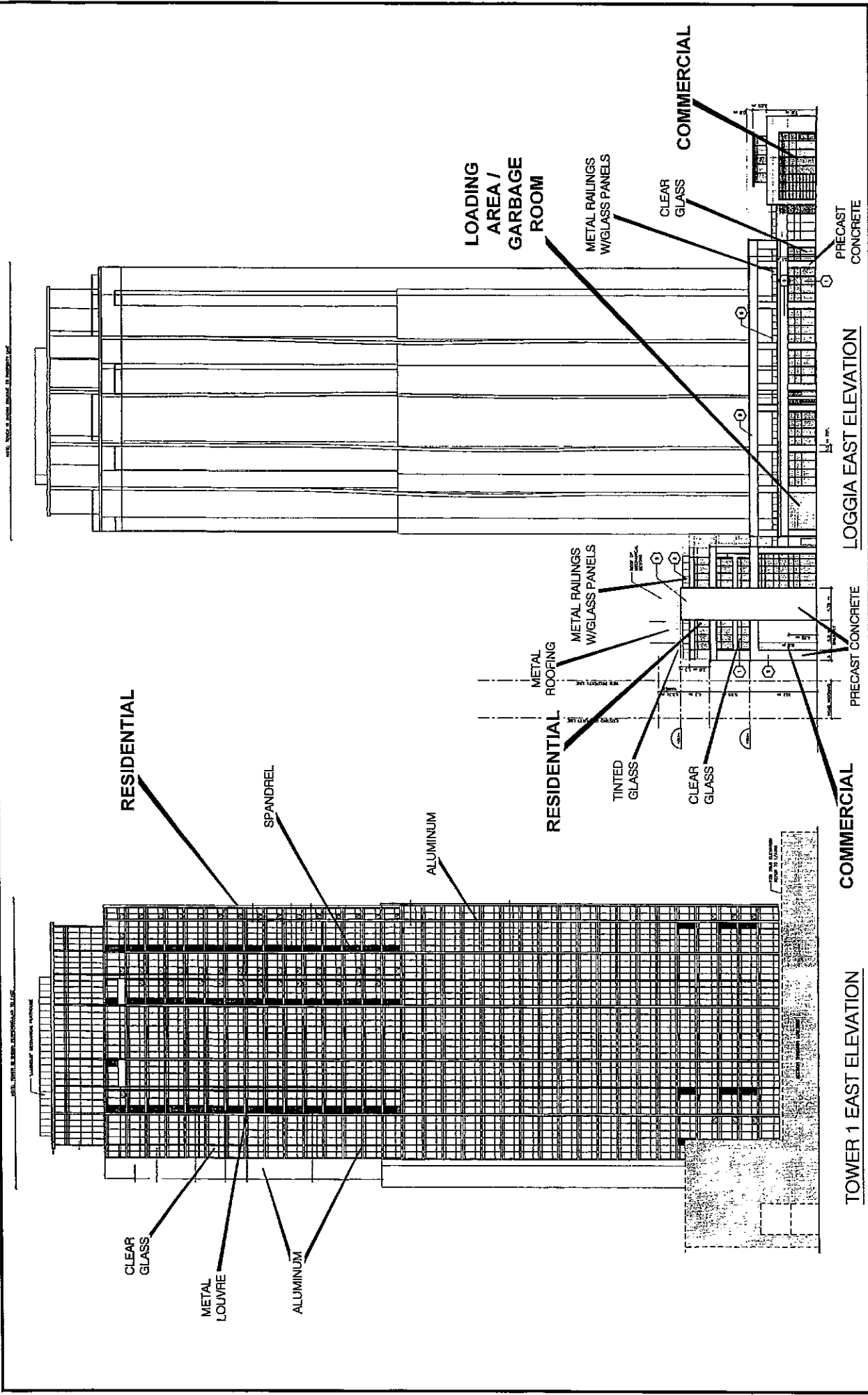
**VAUGHAN**  
Development Planning  
Department

**Attachment 10**

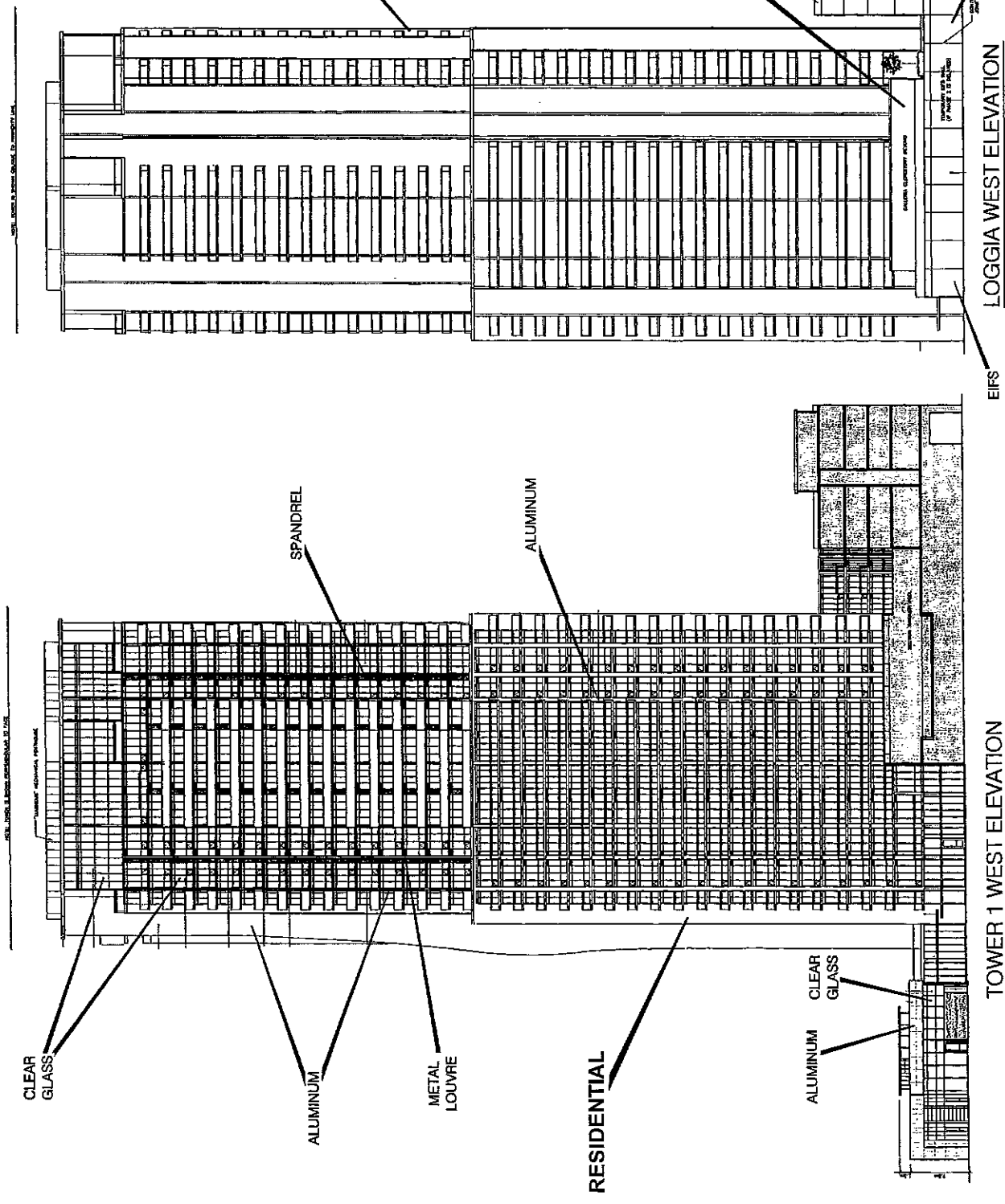
FILE: DA 11.058  
RELATED FILES: 19T-00V21,  
OP.06.019, & Z.06.051  
DATE: August 14, 2012

APPLICANT:  
Royal 7 Developments Ltd.  
LOCATION:  
Part of Lot 6, Concession 4  
N:\DFT\1 ATTACHMENTS\DA\da.11.058a.dwg







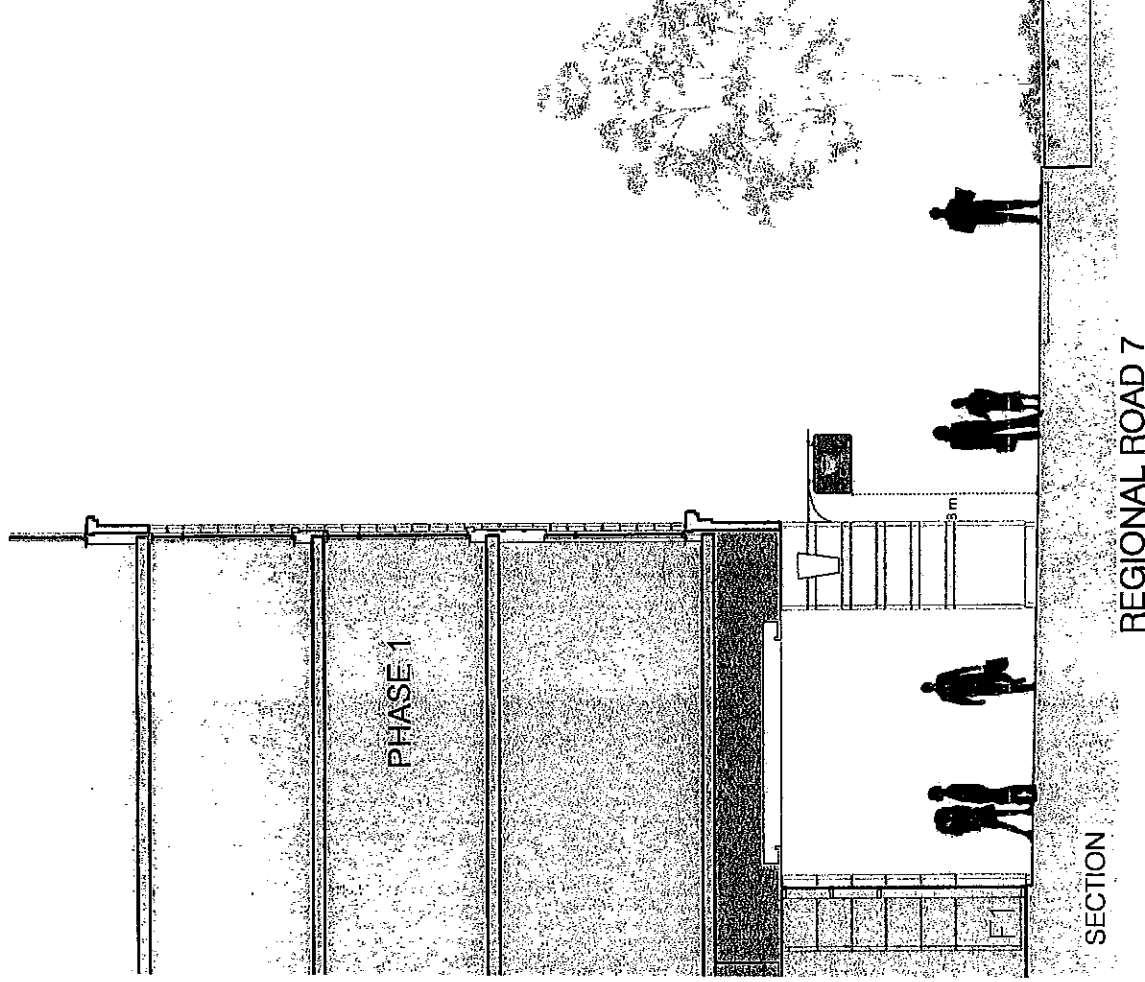
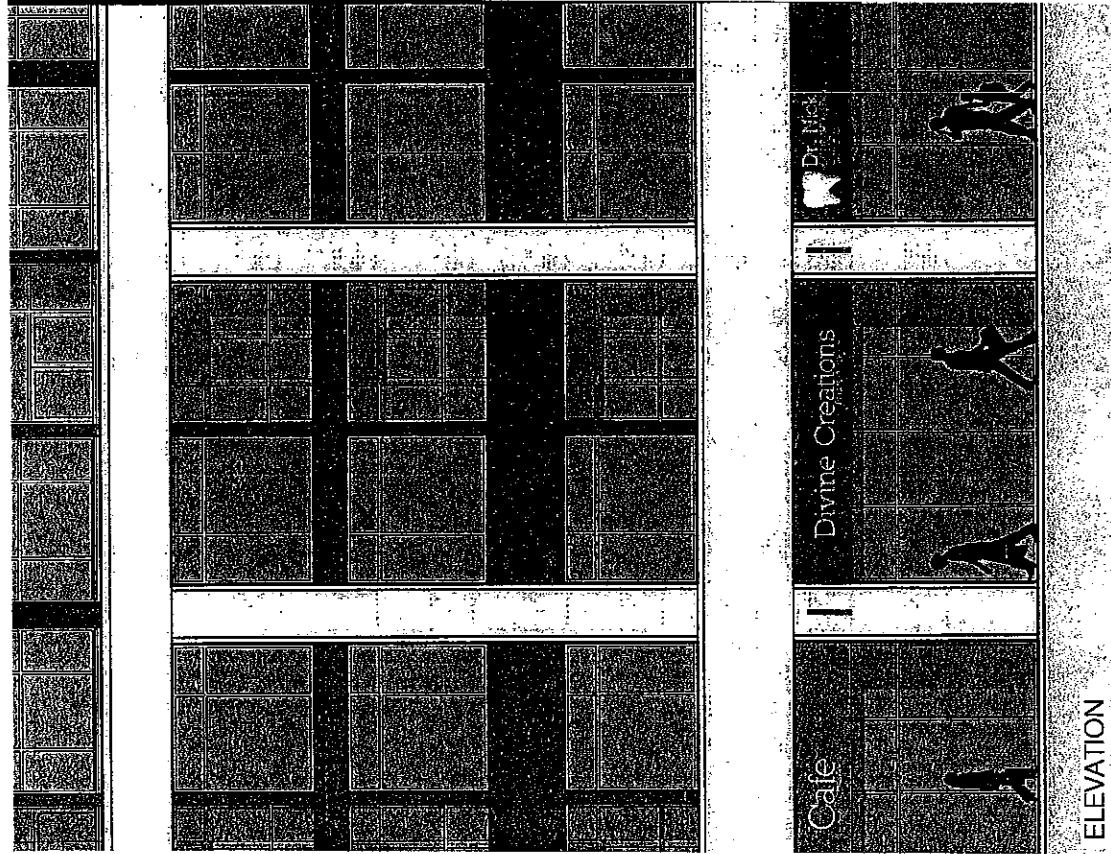


# West Building Elevation (Facing Future Maplecrete Road Extension)

APPLICANT: Royal 7 Developments Ltd.  
 LOCATION: Part of Lot 6, Concession 4  
 N:\DPT\1 ATTACHMENTS\DA\da.11.058c.dwg







# Signage: Regional Road 7

APPLICANT:  
Royal 7 Developments Ltd.

LOCATION:  
Part of Lot 6, Concession 4

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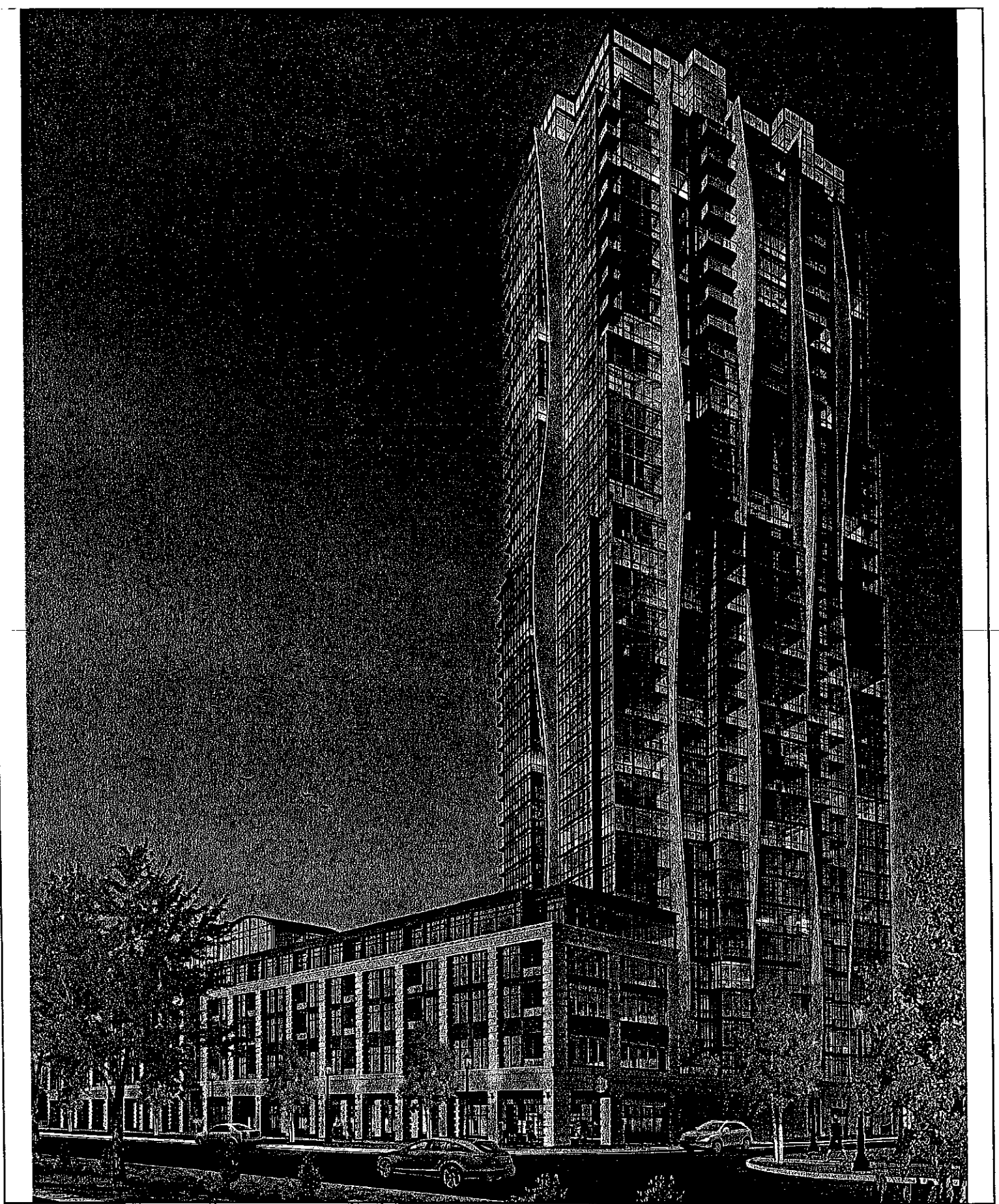












# Rendered South - East Elevation

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



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Attachment

FILE: 0A.11.058  
RELATED FILES: 197-00V21,  
0P.06.019, & Z.06.051

DATE: August 14, 2012

16





Transportation Services

Roads Branch  
Fax: 905-836-4590

August 22, 2012

Ms. Erika Ivanic, Planner  
Development Planning Department  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan ON L6A 1T1

Dear Ms. Ivanic:

**Re: Site Plan Approval  
EXPO City Condominiums – Phase 1  
2900 Highway 7  
Part Lot 6, Concession 4, City of Vaughan  
Region File No. SP-V-013-11**

**Please note this is a preliminary letter, and does not constitute a final approval from the Regional Municipality of York.**

York Region has reviewed a site plan drawing A-102, Revision 2, prepared by AJ Tregebov Architect, revision date May 29, 2012 with respect to the above noted development and has no objection to the proposal, **in principle**.

However, prior to receiving final approval from the Region, and prior to the issuance of final building permits by the City of Vaughan, the Owner must satisfy the requirements listed below.

**Technical Requirements**

The Owner is required to submit an updated engineering submission to the satisfaction of the Region in support of the above noted site plan. This submission must address any outstanding comments provided by the Region to the City of Vaughan in two separate correspondences dated on May 4, 2012, and August 15, 2012, and should include, but is not limited to, the following revised drawings:

- site plan
- revised site servicing plan
- revised grading plan
- revised engineering drawings, including a plan showing the Maplecrete Road watermain connection
- revised traffic impact study/travel demand management plan
- revised landscape drawings



- revised draft reference plan
- traffic management plan
- crane swing drawings
- hoarding plans

### **Site Plan Agreement Requirements**

Please be advised that York Region will require that the Owner enter into a site plan agreement for this application. **The agreement must be fully executed, prior to the issuance of final building permits by the City of Vaughan.**

Attached is a draft Schedule of Site Plan Conditions for your reference. **These conditions may be subject to change prior to final approval and the execution of the site plan agreement. Please note all of the conditions that must be satisfied prior to the execution of the site plan agreement.**

A final Schedule of Site Plan Conditions will be forthcoming from the Region's legal department in the form of an executable site plan agreement, once all other outstanding requirements have been satisfied.

The site plan agreement will be executed on behalf of York Region, by the Commissioner of Transportation and Community Planning.

### **Financial and Insurance Requirements**

The Owner is required to deposit the following financial and insurance requirements to the Region as part of this site plan application:

1. A security deposit in the amount sufficient to cover the cost of any works proposed in the Highway 7 right-of-way. This security will also be held to ensure the conveyance of lands, the execution of an amended encroachment agreement, as well as the installation of approved transit facilities, TDM measures, and noise attenuation features.
2. A development review fee in the amount of 7% of the cost of the above noted works.
3. A certificate of insurance on the Region's form, completed to the satisfaction of the Region's Manager of Insurance and Risk.

Details regarding these financial and insurance requirements are included in the draft Schedule of Site Plan conditions.



**Property Requirements**

The Owner is required to convey property as part of this site plan application. The detailed property and submission requirements are identified in the attached draft Schedule of Site Plan Conditions. **Please note the conditions that must be satisfied prior to the conveyance of property to the Region as well as any conditions that must be satisfied prior to the execution of a site plan agreement.**

**Easement Requirements**

The Owner is required to provide an interconnection to the adjacent property to the west as part of this site plan application. Details regarding this interconnection are included in the draft Schedule of Site Plan conditions. Should the sub-division plan related to this development be draft approved prior to the final approval of this site plan application, this condition will be addressed through the sub-division process instead.

**Encroachment Requirements**

Temporary and permanent encroachments within the Regional right-of-way have been identified as part of this development proposal. The Owner is required to enter into an encroachment agreement with the Region, prior to the execution of the site plan agreement. Details with respect to these encroachments and encroachment agreements are included in the draft Schedule of Site Plan conditions. (An existing encroachment agreement with respect to tie-backs has already been executed. This agreement will require amendment to include all encroachments.)

Please feel free to contact Bob Spencer at Extension 5221, should you have any questions regarding this application.

Sincerely,

Dan Terzievski, P. Eng.  
Manager, Development Approvals

DT/RES/ch

Copy to: Luka Kot, Cortel Group, (e-mail) + Standard Forms + Drawings  
Colin Kong, Legal Services, York Region (e-mail)  
Vick Bilkhu, Development Approvals York Region (e-mail)

G:\Development\D09 - Site Plans\D09 - Site Plans Approvals\SP-V-013-11\120785.doc



## Regional Municipality of York Conditions

The following drawings form part of this approval for **SP-V-013-11** and are on file with the Commissioner of Transportation and Community Planning:

- INSERT DRAWING
- INSERT DRAWING
- INSERT DRAWING
- INSERT DRAWING
- INSERT DRAWING

Regional approval extends only to the above listed drawings and is subject to the following conditions:

1. The Owner acknowledges and agrees that access to **Highway 7** will be restricted to right-in, right-out movements only.
2. **Prior to the execution of the site plan agreement**, the Owner shall provide, to the satisfaction of the Region, a vehicular and pedestrian interconnection (the "Interconnection") to and from the Subject Lands and the adjacent property to the west. A road shall be constructed from the Interconnection across the Subject Lands to the extension of Maplecrete Road to the east (the "Proposed Road"). The Owner acknowledges and agrees that the Interconnection and Proposed Road shall accommodate of bi-directional traffic, be free of obstructions, and open to public traffic.

The Interconnection and Proposed Road shall accommodate at least one lane of motorized vehicle traffic in each direction, and shall be designed to the specifications of the City of Vaughan in consultation of the Region. The construction of Interconnection and Proposed Road, and any costs related thereto, shall be the sole responsibility of the Owner. Ownership of the Interconnection and Proposed Road will not be assumed by the Region and the Region shall not be responsible for any construction, operation or maintenance, or any costs related thereto.

3. Please be advised York Region is protecting a **60.0** metre right-of-way for this section of **Highway 7**. As such, the Owner shall convey the following lands, along the entire frontage of the site adjacent to **Highway 7** to The Regional Municipality of York, free of all costs and encumbrances sufficient property to achieve a **30.0** metre setback from the centreline of construction of **Highway 7**.
4. Should the approval of the this site plan be required before this property is subdivided, the Region will also require the conveyance of up to **10.0** metre by **10.0** metre daylighting triangles at the northeast and northwest corners of the future Maplecrete Road extension. The final size of these daylight triangles will be determined through the design of the intersection of Maplecrete Road and Highway 7 by YRRTC.



5. **Prior to the execution of the site plan agreement**, the Region requires the Owner to submit to it, in accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 *Records of Site Condition Part XV.1 of the Act* (as amended), a Phase I environmental site assessment prepared and signed by a qualified professional, of the Owner's lands and more specifically of the lands to be conveyed to the Region (the "Assessment"). Based on the findings and results of the Assessment, the Region may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required. The Assessment and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands to be conveyed must to be addressed to the Region, contain wording to the effect that the Region shall be entitled to rely on such reports or documentation in their entirety, and such reports or documentation shall be satisfactory to the Region.

The Owner shall also certify, **prior to the execution of the site plan agreement**, in wording satisfactory to the Regional Transportation and Community Planning Department, that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under all lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at a level or concentration that exceeds the *Environmental Protection Act* O. Reg. 153/04 full depth generic site condition standards applicable to the intended use that such lands will be put by the Region at the time of conveyance or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or emanating from such lands in such a way, that would result in liability under applicable environmental laws. The Assessment, any subsequent environmental reports or other documentation and the Owner's certification shall be done at no cost to the Region.

6. **Prior to the execution of the site plan agreement**, the Owner will be required to provide a solicitor's certificate of title in a form satisfactory to the Regional Solicitor, at no cost to the Region, with respect to the conveyance of these lands to York Region.
7. **Prior to the execution of the site plan agreement**, the Owner shall submit to the Transportation and Community Planning Department for review and approval, an estimate of all works to be undertaken within the Regional right-of-way. Upon approval by the Transportation and Community Planning Department, the Owner shall submit to York Region a *Certified Cheque or Letter of Credit* in an amount sufficient to cover the costs of all proposed works within the Regional right-of-way to the satisfaction of the Department.
8. This application is subject to payment of the Region's development review fees identified in By-law No. A-0380-2006-049. The fee for site plan application review is \$1,200 minimum or 7% of the estimated cost of works on the York Region road allowance, whichever is greater. This fee must be submitted, **prior to the execution of the site plan agreement**. Please forward a **certified cheque** in the amount of \$\_\_\_\_\_ to the Transportation and Community Planning Department, Development Approvals Section, payable to "The Regional Municipality of York".



9. **Prior to the execution of the site plan agreement**, the Owner shall deposit to the Regional Transportation and Community Planning Department, Development Approvals Section, payable to The Regional Municipality of York, security in the form of a Certified Cheque or Letter of Credit to the satisfaction of the Regional Commissioner of Finance *in the amount of* \$\_\_\_\_\_ to cover the costs of the required works within the right-of-way of Highway 7, and to secure the transfer of land, the execution of the encroachment agreement and to ensure the provision of noise attenuation and transit related features on private property, and the TDM program. This security shall be from the Owner and will be retained as a guarantee of good workmanship on the Regional right-of-way, to ensure timely progress and completion of construction, to rectify any construction damages, to satisfy liens, claims, fees and to ensure that the road surface and ditches are kept clear of dust, mud and refuse.
- i. The security shall specify York Region File Number **SP-V -013-11**, location of the site and the name and address of the owner.
  - ii. Reductions in Letters of Credit, to a minimum of \$\_\_\_\_\_, may be authorized after an inspection has been carried out **and after any land requirements have been conveyed to the Region and the solicitor's certificate of title for the conveyance submitted to the Region and the encroachment agreement executed**. The reduced balance will then be retained for a period of two years for maintenance and lien claim purposes. Prior to releasing any securities, the Region will require the Owner to provide a statutory declaration of payment of all outstanding invoices, and where noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines. Also, prior to releasing any securities, the Region must conduct a final inspection. If the Region issues to the Owner a deficiency list after the final inspection, then the Owner shall rectify the deficiencies within a maximum period of ninety (90) days of non-winter weather. If the Owner fails to rectify the deficiencies within this period, then the Region may draw upon any or all of the remaining securities, once this period has passed.
  - iii. The Owner acknowledges that York Region will carry out any work deemed necessary at the Owner's expense if such requirements are not carried out within 24 hours of notice being given to the Owner, Consulting Engineer or Owner or without any notice if, in the opinion of the Regional Commissioner of Transportation and Community Planning, it is required immediately. **In the event that the Region must rectify any deficiencies, make any remedies or must carry out the cleanup of roads from mud, dust, refuse or debris, the Owner acknowledges that the Region shall charge the Owner, for each occurrence, a minimum of \$1,000.00 or twice the actual cost to perform the work, whichever is greater.**
  - iv. Owners who elect to submit a Letter of Credit as their guarantee, shall advise their lending institution that **YORK REGION'S STANDARD DOCUMENTATION FOR LETTERS OF CREDIT, SHALL BE USED.**



10. **Prior to the execution of the site plan agreement**, the Owner shall submit to the Regional Transportation and Community Planning Department, Development Approvals Section, York Region's certificate of insurance, completed to the satisfaction of the Regions Manager of Insurance and Risk, naming The Regional Municipality of York as an additional insured with respect to the Commercial General Liability policy. The Owner shall maintain the insurance in effect until all site works have been completed and accepted by the Region, for a liability insurance amount of not less than \$5,000,000 per occurrence. Further the Owner shall indemnify the Region, against and hold the Region harmless from any and all liability for damages on account of injury to persons or damage to property resulting from or arising out of or in any way connected with the presence of the Owner, its servants, agents or employees, and persons duly authorized by the Owner, on the site or right-of-way and shall reimburse the Region for all costs, expenses and any loss incurred by it in consequence of any claims, demands and causes of action which may be brought against it arising out of the presence of the Owner, its servants, agents or employees, and persons duly authorized by the Owner, on the site or right-of-way. The certificate of insurance will also confirm Non-Owned Automobile Liability and Owned Automobile Liability Insurance for limits of not less than \$2,000,000 per occurrence for each.

This certificate of insurance shall specify the Region's File Number **SP-V-013-11**, the location of the site and the name and address of the Owner. The name, address and telephone number of the issuing company and/or agent must be shown on the certificate. In addition, a clause shall be added such that this policy shall be automatically extended in one year increments, until all site works have been completed and accepted by the Region, and that 30 days written notification be given to the Region by registered mail if this policy is to be cancelled or if coverage is reduced.

11. **Prior to the execution of the site plan agreement**, a design of the proposed Maplecrete Road watermain connection shall be provided which indicates the depth of the proposed watermain, the location and depth of all utilities, the location and depth of existing sanitary and storm sewers and manholes, and the location of all sub-drains.
12. **Prior to the commencement of any construction**, the Owner agrees to submit to the Region a certificate from the Owner's qualified consultant, identifying the source of any fill material that will be used on and/or adjacent to the Region's existing and proposed right of way, including a soil testing certificate of analysis indicating that the fill material is free of any contamination and in accordance with all applicable Ontario standards, guidelines and regulations. If during the course of construction the source of fill is to be changed, then the Owner hereby agrees to ensure that the above certification is submitted to the Region for any new source of fill.



13. The Owner must obtain a Road Occupancy Permit from the Regional Transportation and Community Planning Department **prior to commencing any work on the Regional right-of-way**. The Road Occupancy Permit will be issued once the Owner has supplied proof that the Regional Finance Department is in receipt of securities and the certificate of insurance required above. The completed Road Occupancy Permit is to be returned to the Roads Operations Group of the Regional Transportation and Community Planning Department. Please contact Darlene Robertson-Bootsma at extension 5207 in this regard.
14. The Owner shall notify the Roads Branch of the Regional Transportation and Community Planning Department **48 hours in advance of any work commencing** on the site or right-of-way and shall provide, in writing, 24 hour emergency telephone numbers for the Contractors, the Consulting Engineer and Owner.

Any notice to be delivered to the Region shall be delivered to the following address:

Office of the Commissioner of Transportation and Community Planning  
York Region  
17250 Yonge Street, Box 147  
Newmarket, ON L3Y 6Z1

Attention:                      Bob Smith - Development Construction Co-ordinator  
   Frank Badinski – Asset Management Co-ordinator

15. The Owner hereby agrees that the work(s) authorized by the Region within the Regional right-of-way pursuant to this site plan approval shall be carried out in accordance with the approved drawings, terms and conditions as set out by the Regional Commissioner of Transportation and Community Planning. The Owner also agrees that it shall be solely responsible for all aspects of such work(s), including without limitation, responsibility for obtaining and complying with all permits, approvals and licences required from applicable governmental agencies (e.g., ministries, conservation authorities, the Region and the local municipality) in respect of the construction of such work(s).
16. The Roads Branch of the Regional Transportation and Community Planning Department has no objection to the location of the temporary entrance on Barnes Court as shown on the enclosed approved plan.
17. All works within the Regional right(s)-of-way shall comply with York Region Standard Construction Practices for Work on York Region Roads.
18. All curb and gutter within the Regional right-of-way shall be constructed to O.P.S.D. 600.04 with provision for dropped curbs at the locations of all pedestrian crossings. Concrete curb O.P.S.D. 600.11 shall be used in private entrances.
19. All boulevards disturbed during construction shall be restored to their original or better condition with minimum 100-mm of topsoil and sod.



20. The **Highway 7** right-of-way shall be free of all visibility obstructions of any sort including earth berms, landscaping and utility structures, construction equipment, vehicles and materials not immediately required for the construction of site works.
21. The Owner agrees to satisfy all other conditions and requirements of the Regional Transportation and Community Planning Department, pertaining to property, works within or adjacent to the Regional right-of-way and financial matters, prior to the Region releasing securities.
22. The Owner shall, **prior to the execution of the site plan agreement**, deliver to the Legal Services Branch of the Region a certified cheque in the sum of \$730.00 made payable to The Regional Municipality of York, towards the legal and administrative expenses of the Region in the preparation and processing of this Agreement.
23. The Owner agrees to construct/implement the noise attenuation features recommended by the approved noise study, to the satisfaction of the Transportation and Community Planning Department.
24. The Owner acknowledges and agrees that any required noise attenuation features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the Region's Noise Policy.
25. The Owners acknowledges and agrees that purchasers are to be advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants as per the warning clause below:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".
26. If this site requires any service installation, connection or relocation, including hydro, telecommunications, gas, cable, water, sewers, etc. within the Regional right-of-way, the Owner must inform the affected utility company of the requirement to obtain approval from the Regional Transportation and Community Planning Department. The Owner must, also, contact Steve Murphy, Utilities Coordinator at extension 5784.
27. The Owner shall be responsible for determining the location of all utility plants within the Regional right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.



28. **Prior to the execution of the site plan agreement for this application**, the applicant must provide to the Region, written confirmation from the **City of Vaughan** that water and wastewater servicing capacity has been allocated to this application.
29. Although Water Resources has no significant concerns with respect to the impact of the development on the quality or quantity of the municipal groundwater supply in the area, as the site is not within a wellhead protection area (WHPA). Through specific York Region projects, high groundwater levels have been identified in the general vicinity of the site, in the area of Jane Street and Hwy 7 in Vaughan. The Ontario Ministry of the Environment (MOE) has requested that where York Region has seen evidence of such a condition, that we communicate the condition to the applicant through our comments back to the City.
30. The streetscape along this section of Highway 7 will be designed and constructed as part of the Region's VIVA Next Rapid Transit project. **Prior to the execution of the site plan agreement**, the Owner must provide the Region with a streetscape drawing that integrates the proposed streetscaping from the VIVA Next project. Any additional streetscaping requested within the Regional boulevard shall match the existing/proposed VIVA Next streetscape.
31. The Owner acknowledges and agrees that no portion of the shoring system shall be allowed to encroach in the Regional right-of-way, with the exception of tie-backs which may be permitted provided that they do not impact the Regional right-of-way and infrastructure. Any encroaching tie-backs will require an encroachment agreement between York Region and the Owner. This agreement must be executed **prior to the execution of the site plan agreement**.
32. The Owner acknowledges and agrees that any hoarding, fencing, or crane swing within or over the Regional right of way will require an encroachment agreement between York Region and the owner. This agreement must be executed **prior to the execution of the site plan agreement**.
33. A detailed Traffic Management Plan shall be prepared by the Consultant and submitted to the Roads Branch for review and approval, **prior to commencing any work**. If traffic conditions are severe, the Traffic Management Plan and the requirements below may need to be revised to mitigate the impact. Please note the following requirements of working within the Regional right-of-way:
- a) no lane closures are permitted on weekdays between the hours of 7:00-9:30 A.M. and 3:30-6:00 P.M.;
  - b) any lane closures or lane encroachments that occur must be signed in accordance with the Ontario Traffic Manual (OTM) Book 7 "Temporary Conditions";
  - c) Safe pedestrian access must be maintained at all times by the Owner's contractors. As such, safe passage for all pedestrians, including pedestrians with disabilities (blind, hearing impaired, on wheelchairs, etc.), must be ensured by the Owner's contractors.



- d) a 24-hour contact must be available throughout the duration of the project;
  - e) the characteristic and placement of all signs and traffic control or management shall conform to the standards of the Ontario Traffic Manual (OTM) Book 7 "Temporary Conditions" and as per the Occupational Health and Safety Act;
  - f) The manufacture and the erection of all signs for the Traffic Management Plan shall be the responsibility of the Contractor.
34. The Owner acknowledges and agrees, at their cost and to the satisfaction of York Region, to provide sufficient protection for vehicular traffic and pedestrians, in accordance with the applicable legislation and regulations, for the duration of construction for this development.
35. York Region Rapid Transit Corporation (the "YRRTC") will be implementing the VIVA Next- Transitway (the "Project") in the vicinity of the subject lands. The proposed project is an at-grade bus rapid transit facility located in the centre median area of Highway 7 and within an exclusive right-of-way.
36. The Owner acknowledges and agrees that any construction within the Regional right-of-way by the Owner, prior to the completion of the Project, are temporary in nature and are throw-away costs and shall be the sole responsibility of the Owner.
37. If the Owner has commenced or elects to construct any or all of the development related works in the Regional right-of-way on its own, and there is a co-ordination conflict with the Highway 7 VIVA Next- Transitway, the Owner shall co-ordinate construction of the road and access improvements with YRRTC and its contractors in accordance with the requirements of the Occupational Health and Safety Act.
38. The Owner acknowledges and agrees that the YRRTC, through York Region, may need to construct some or all of the development related works within the Regional right-of-way of Highway 7, on behalf of the Owner, as a result of constructor coordination issues within the Regional right-of-way.
39. The Owner acknowledges and agrees that the costs associated with the development related works, are the sole responsibility of the Owner. The Owner shall provide securities to the Region to cover the costs of the construction. Should these works be undertaken by the YRRTC, the Region shall invoice the Owner for the actual costs of construction based on the Region's contract price plus an administration fee.
40. Should a conflict arise, resulting in work stoppage or delays or any losses suffered by the Owner, the Owner agrees that it shall not initiate any suit or action against the Region arising from such delay, including, but not limited to, delays, injurious affection, or business losses.



41. Construction of the proposed access cannot occur simultaneously with the Regional **Highway 7** Reconstruction Project, unless constructed by the Region's Contractor. The applicant is advised to contact **Praveen Johns** at 416-389-0443 to co-ordinate the construction of the proposed driveway with the Highway 7 works.
42. These conditions of approval are applicable for a **maximum period of eighteen months from \_\_\_\_\_**. Any extension to this approval period requires the consent of the Region and must be requested in writing by the applicant. Furthermore, all construction activities, on the Regional right-of-way, including but not limited to, final restoration works, must be completed within a **maximum period of three months from the date of commencement of construction**. Any requests for extension of this timeline, requires the consent of the Region and must be requested in writing by the applicant.
43. The Owner agrees to indemnify and hold harmless York Region, its elected and appointed officials, employees, contractors and agents against any and all actions, causes of action, suits, orders, proceedings, claims, demands and damages whatsoever which may arise either directly or indirectly by reason of any of the work undertaken by or on behalf of the Owner with respect to this development proposal, including without limitation, any work undertaken within the Regional right-of-way.
44. The Owner shall be responsible for compliance with all applicable statutes and regulations, including without limitation, the *Construction Lien Act*, the *Occupational Health and Safety Act*, the *Fisheries Act* (Canada), the *Environmental Protection Act*, and the *Ontario Water Resources Act*. The Owner, for the purposes of the *Occupational Health and Safety Act*, shall be designated as a Constructor and shall assume all of the responsibilities of the Constructor, as set out in that Act and its regulations. The Owner shall carry out or cause to be carried out all construction work in accordance with the requirements of the Act and regulations for construction projects. **In the event of a construction safety violation the Region shall charge the Owner, for each occurrence, a construction safety inspection violation fee of \$1,000.00.**
45. The Owner agrees that all approved accesses onto the Regional right-of-way shall not be opened up to public traffic until all works are fully completed to the satisfaction of the Region, including but not limited to any final restoration works.
46. Before the financial security deposit is released, "As-Built" digital files, "As-Built" drawings and a certification letter shall be provided by the Consultant's Professional Engineer. The certification letter shall specifically confirm that the works authorized pursuant to this site plan approval, including works within the Regional right-of-way, have been constructed in accordance with the final approved drawings and the terms and conditions of all permits, approvals and licences required for the works



47. The Region, in connection with this approval, has reviewed the technical submission, including but not limited to the engineering drawings submitted therewith. **The Region makes no guarantees, warranties or representations as to the completeness and/or accuracy of the submission, and specifically does not certify the completeness or accuracy of any aspect or component of the submission.** The professional engineer who stamped, signed and dated the submission is responsible for all aspects of its quality, completeness and accuracy.
48. **No building permit shall be issued by the Area Municipality prior to the execution of the site plan agreement or without prior consent from the Region.**

DT/res/ch

Copy to: Bob Smith, Construction Coordinator, York Region (E-mail + approved plan)  
Tom Liu, Dean Burrows, Finance Department, York Region (E-mail)  
Permits, Roads Operations, York Region (E-mail)  
Anna Tzimas, Legal Department, York Region (E-mail)  
Vick Bilkhu, Development Approvals York Region, (E-mail)  
City of Vaughan Planning Department (no enclosure)

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# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 139-2012**

**A By-law to amend City of Vaughan By-law 1-88 as amended by By-law 287-2008.**

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

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

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Deleting Key Map 4B and substituting therefor the Key Map 4B attached hereto as Schedule “3”, thereby removing the Holding Symbol “(H)” on the lands shown as “Subject Lands” on Schedule “1”; and effectively zoning the subject lands C9 Corporate Centre Zone.
  - b) Deleting Schedule “E-1376” and substituting therefor the Schedule “E-1376” attached hereto as Schedule “2”, thereby deleting the Holding Symbol “(H)” on the lands shown as “Subject Lands” on Schedule “1”.
2. Schedules “1”, “2” and “3” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 25<sup>th</sup> day of September, 2012.

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Regional Councillor Gino Rosati,  
Deputy Mayor

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Jeffrey A. Abrams, City Clerk



### **SUMMARY TO BY-LAW 139-2012**

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

The purpose of this by-law is to remove the Holding Symbol “(H)” from the subject lands, which are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88, to permit a temporary road, underground parking, and commercial uses as part of Site Development File DA.11.058 (Royal 7 Developments Ltd.), which constitutes Phase I of a comprehensive high-density development for the subject lands known as “Expo City”.

The subject lands were original zoned with the Holding Symbol “(H)” by By-law No. 287-2008, which was approved by the Ontario Municipal Board. The “(H)” Holding Symbol “(H)” can be removed upon confirmation from the Region of York that adequate water supply and sewage treatment capacity are available to service the subject lands, together with Vaughan Council approval of a Site Development Application(s).

Servicing allocation is not required to lift the Holding Symbol “(H)” for the portion of Phase I, the lands subject to this By-law, as only commercial uses, a temporary road, and underground parking are proposed on this part of the site. Council approved Site Development File DA.11.058 on September 4, 2012 for Phase I and therefore, the conditions for removing the Holding Symbol “(H)” have been satisfied.