

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018

Item 1, Report No. 2, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 30, 2018.

**1 ZONING BY-LAW AMENDMENT FILE Z.15.021
 DRAFT PLAN OF SUBDIVISION FILE 19T-13V006
 SITE DEVELOPMENT FILE DA.13.021
 1834371 ONTARIO INC.
 VICINITY OF REGIONAL ROAD 7 AND JANE STREET**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and growth Management, dated January 23, 2018:

Purpose

The Owner seeks approval from the Committee of the Whole for Zoning By-law Amendment File Z.15.021 and Draft Plan of Subdivision File 19T-13V006 for the subject lands, shown on Attachments #2 and #3, and Site Development File DA.13.021 to permit Phase 1 of a proposed mixed-use development, shown on Attachments #6 to #17, which consists of:

- three 35-storey residential apartment buildings (Towers A, B, and D) having a total of 1,162 units and with at-grade retail;
- an eight-storey office building (Tower C); and
- the entire underground parking structure for the subject lands.

Recommendations

1. THAT Zoning By-law Amendment File Z.15.021 (1834371 Ontario Inc.) BE APPROVED; to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3 from C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol "(H)", subject to site-specific Exception 9(1402), as shown on Attachment #4, to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol "(H)", in the manner shown on Attachment #6, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into full force and effect to seek permission for a minor variance(s) to the in-effect zoning by-law.

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3. THAT Draft Plan of Subdivision File 19T-13V006 (1834371 Ontario Inc.) BE APPROVED; to facilitate a Draft Plan of Subdivision on the subject lands shown on Attachments #2 and #3 consisting of three mixed-use blocks, a stratified public square and stratified streets, as shown on Attachment #6, subject to the Conditions of Draft Plan of Approval set out in Attachment #1.
4. THAT Site Development File DA.13.021 (1834371 Ontario Inc.) BE APPROVED; to permit Phase 1 of the proposed development of the subject lands shown on Attachment #3 consisting of three 35-storey residential (future condominium) buildings (Towers, A, B, and D) on a 2-storey podium containing 1,162 residential units, 2,358 m² of grade-related commercial uses, and an eight-storey office building (Tower C), a stratified public square (i.e. a public square on top of an underground parking garage), associated woonerf (flex street), stratified streets, pedestrian public mews, and the entire underground parking structure for the overall development (Phases 1 and 2), as shown on Attachments #7 to #17, subject to the following conditions:
 - a) prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape cost estimate, landscape plans, sun/shadow analysis, and wayfinding and signage design;
 - ii) the Owner shall submit a final Wind Tunnel Model Analysis Study to the satisfaction of the Development Planning Department, which shall include existing and planned buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climactic conditions to the satisfaction of the City;
 - iii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report and drawings, geotechnical and hydrogeological assessment, external lighting plan, the utility coordination plan, environmental noise assessment, Transportation Impact Study, and Transportation Demand Management Plan;
 - iv) the Owner shall enter into a Development Agreement, if required, for the widening, construction, and servicing of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department;

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- v) the Owner shall pay the Development Engineering Site Plan fee for Phase 1, Blocks 1 and 2 (Towers A, B, C, and D), pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall submit an application to the City for any permanent dewatering systems that are required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- vii) the Owner shall submit to the City the final 3D digital model of the Phase 1 development with conceptual massing for Phase 2, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the 3D digital model;
- viii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner also agrees to include in all Purchase and Sale Agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will have private waste collection services;
- ix) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- x) the Owner shall satisfy all requirements of York Region;
- xi) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- xii) the Owner shall satisfy all requirements of the Canadian National Railway (CN), which includes:
 - the mitigation of noise and vibration measures substantially in accordance with the noise and vibration mitigation measures in the final approved noise study; and

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- the registration of an environmental easement on the subject lands, with postponements for any financing and/or mortgages, to the satisfaction of CN;
 - xiii) the Owner shall satisfy all requirements of Canada Post;
 - xiv) The Owner shall enter into a Site Plan Agreement with York Region, including the resolution of any necessary maintenance obligation(s) along Regional Road 7; and
 - xv) The Owner and the City shall execute a separate agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art piece.
- b) the Site Plan Agreement shall include the following clauses:
- i) "The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of the stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.
- For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.
- For high-density residential development, the Owner shall convey land and/or 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 unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.

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The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

- ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board, prior to the issuance of any Building Permit.”
- iii) “The Owner shall agree that the future development and site organization on the east side of Maplecrete Road shall be designed in a comprehensive manner to appropriately respond to the built form context along the western edge of Maplecrete Road, to the satisfaction of the Development Planning Department.”
- iv) “The Owner shall include clauses in the Purchase and Sale Agreements, Condominium Agreement, and Condominium Declaration and Articles of Incorporation that vehicular access will be provided for the adjacent lands (the Zzen 2 lands – 7725 Jane Street) to the west through the underground parking garage on the subject lands for the benefit of the users of the Zzen 2 lands.”
- v) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- vii) “If required, 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

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which the telecommunication facilities are located to the street line, to the satisfaction of Bell Canada.”

- viii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required and the Owner shall reinstate the boulevard within the right-of-way, in accordance with the City’s standards and to the satisfaction of the Development Engineering Department.”
- c) the Site Plan Agreement and the future Condominium Agreement(s) and Condominium Declaration(s) and Articles of Incorporation shall include conditions which obligate the Owner to include the following Canadian National Railway Company warning clauses in all agreements of purchase and sale or lease, including agreements pertaining to resale or lease of individual units:
 - “i) That Canadian National Railway Company (CN) is the Owner of certain lands known as its MacMillan Rail Yard (the CN Lands) located within one kilometer 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;
 - ii) 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;
 - iii) Warning clause for units on the north and east facades of the buildings on the subject lands that have unenclosed balconies, patios, or terraces. Noise levels from CN’s MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment and Climate Change (“MOECC”) criteria as defined in Noise Assessment Criteria in Publication NPC-300, “Environmental

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Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning”. Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Publication NPC-300, “Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning”. Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas.”

- iv) “The Owner shall execute and register on the title of the subject lands an easement(s) to protect for a reciprocal vehicular access in favour of the lands to the west (the Zzen 2 lands – 7725 Jane Street). The Owner shall register the required easement(s) at the time of registration of the condominium for Tower D, to the satisfaction of the City.”

5. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.13.021 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,162 residential units (2,568 persons equivalent).”

6. THAT Council delegate authority to the Mayor and City Clerk to enter into a Community Improvement Plan Agreement, in a form satisfactory to the City Solicitor.

Report Highlights

- The Owner proposes to develop the subject lands with a mixed-use, high-density development consisting of two phases, as shown on Attachments #6 and #7:
 - Phase 1: a three 35-storey residential apartment buildings with retail at grade, an eight-storey office building, a pedestrian public mews, a stratified public square, two stratified public roads, and an underground parking structure over the entire subject lands; and
 - Phase 2: a future hotel use serviced by an integrated above ground parking structure.
- The Development Planning Department supports the approval of the proposed development as it conforms with the Official Plan and is compatible with the existing and planned uses in the surrounding area, subject to the conditions in this report.

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Background

The subject lands are located on the southwest corner of Maplecrete Road and Regional Road 7, and are municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, shown as “Subject Lands” on Attachments #2 and #3. The 2.01 ha subject lands represent the consolidation of three former employment properties where pre-existing, multi-unit buildings were recently demolished.

The Zoning By-law Amendment and the Draft Plan of Subdivision Applications were received by Council at two separate Public Hearings

The Draft Plan of Subdivision

On November 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on line as follows:

- a) City’s On-line Calendar on November 7 and November 21, 2013;
- b) On the City Page, which was posted on the City’s website on November 7, 2013;
- c) The November 2013 e-news City Update, which was emailed to over 8,000 subscribers;
- d) The City’s website at www.vaughan.ca; and
- e) The City’s Facebook and Twitter sites leading to the December 3, 2013, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City’s Notice Signs Procedures and Protocols. At the November 26, 2013, Public Hearing, deputations and written submissions were received from the following:

- Kirkor Architects, Martin Ross Avenue, Toronto
- Loopstra Nixon LLP, Queens Plate Drive, Toronto

The major concern identified at the November 7, 2013, Public Hearing was related to an agreement with Royal 7 Developments Ltd. (“Royal 7”) and the owner of the EXPO City development located north of the subject lands, for a full cost recovery mechanism of the 400-mm and 600-mm water mains that Royal 7 front-ended and to which the Owner (“1834371 Ontario Inc.”) would connect to service the subject lands. Royal 7 and 1834371 Ontario Inc. subsequently agreed to a cost recovery and proportional cost sharing for the construction of the water mains and the matter has been resolved.

The Zoning By-law Amendment Application (File Z.15.021)

On December 18, 2015, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on-line as follows:

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- a) The City's On-line Calendar on December 17 and 24, 2015, and January 7, 2016;
- b) The City Page on the December 21, 2015, and January 4, 2016;
- c) The December 2015 E-news City Update (e-mailed to over 8,000 subscribers);
- d) The City's website at www.vaughan.ca; and
- e) The City's Facebook and Twitter sites leading up to the January 12, 2016, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City's Notice Signs Procedures and Protocols. At the January 12, 2016, Public Hearing, deputations and written submissions were received from the following:

- Davies Howe Partners LLP, Spadina Avenue, Toronto
- Horosko Planning Law, North Queen Street, Toronto
- Kirkor Architects, Martin Ross Avenue, Toronto
- KLM Planning Partners, Jardin Drive, Vaughan
- MHBC Planning Limited, Weston Road, Vaughan
- Scargall Owen-King LLP, Yonge Street, Toronto

The major concern identified at the January 12, 2016, Public Hearing was the proposed location of the east-west road connection located west of Street A, as shown on Attachment #6. Specifically, the issue relates to the location of the road connection and the potential impacts on the future development of the adjacent lands to the west, currently owned by "Zzen 2" and York Region Condominium Corporation 499 ("YRCC 499"), hereinafter collectively referred to as "the stakeholders", as identified on Attachment #3. For clarity, the stakeholders had no objection, in principle, to the proposed development.

Council, at the January 12, 2016, Public Hearing, directed the Owner to arrange a meeting with the adjacent stakeholders to resolve the road connection matter. The Development Planning Department was advised that the Owner and the stakeholders met on several occasions, which has resulted in a mutually agreed upon solution for the vehicular connection, which is discussed below.

i) East-West Road Connection

On May 19, 2016, and July 27, 2016, the Owner and the stakeholders presented to City staff the mutually agreed upon vehicular connection between the Owner and Zzen 2. The parties proposed a built-form solution to address the approximate 4 m grade difference between the subject lands and the lands located to the immediate west.

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The solution involves vehicles utilizing a driveway from Jane Street that would connect to Street B, through the future underground parking garage on the Zzen 2 lands, to the proposed underground parking garage on the subject lands. The connection between the underground parking garages will involve an internal one-storey access ramp that will exit from the garage of the Owner's development, as illustrated in Attachment #7. To ensure that this future connection remains open at all times, both landowners will be required to register on title reciprocal access easements, which is discussed later in this report. The location of the driveway from Jane Street to the Zzen 2 lands is subject to review by York Region and the City of Vaughan through a future development application by Zzen 2.

YRCC 499 is an existing condominium corporation located south of the Zzen 2 lands, as shown on Attachment #3, with no immediate plans to redevelop. Through the stakeholder negotiations, YRCC 499 identified it has no objection in principle with the vehicular access arrangement negotiated between the Owner and Zzen 2.

The Development Planning Department, in consultation with the Development Engineering and the Parks Development Departments, is supportive of the design solution. The Owner has advised that an access agreement between the Owner and Zzen 2 was executed in November 2017. Furthermore, a letter dated November 1, 2017, from Zzen 2 to the Development Planning Department states that the agreement addresses access between the two sites. As a result, Zzen 2 has withdrawn its previous letter of concern and has no objection with the proposed development. The agreement and any associated easements must be reviewed and in a form approved to the satisfaction of the City. A condition to this effect is included in the recommendation of this report.

The recommendations of the Committee of the Whole to receive the Public Hearing reports of November 23, 2013, and January 12, 2016, respectively, and to forward a comprehensive technical report to a future Committee of the Whole meeting were ratified by Council on December 10, 2013 and January 19, 2016, respectively.

On January 13, 2018, a notice of this Committee of the Whole meeting was sent to all those individuals who made a deputation before Council or submitted written correspondence regarding the subject files to the City.

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Previous Reports/Authority

[December 10, 2013, Committee of the Whole Public Hearing \(Item 4, Report No. 54\)](#)

[June 24, 2014, Committee of the Whole \(Item 22, Report No. 30\)](#)

[January 19, 2016, Committee of the Whole Public Hearing \(Item 2, Report No. 3\)](#)

Analysis and Options

The overall proposed development, (hereinafter referred to as the “proposed development”) includes the Owner’s entire landholdings (the subject lands). The Owner proposes to amend the existing Zoning By-law 1-88 site-specific Exception 9(1402) for the subject lands and to facilitate the creation of three mixed-use blocks, a pedestrian public mews, a stratified public square, and stratified streets, as shown on Attachment #6.

Phase 1 of the proposed development consists of the following:

- a) three residential apartment buildings with a maximum building height of 35-storeys;
- b) a maximum total of 1,162 residential dwelling units;
- c) a total Gross Floor Area (GFA) of 107,918 m² (all uses);
- d) an eight-storey office building with a maximum GFA of 13,549 m²;
- e) a total GFA of 2,358 m² of commercial uses;
- f) a maximum density (Floor Space Index - FSI) of 5.5 times the area of the lot, as approved by the Ontario Municipal Board (OMB); and
- g) 1,316 parking spaces in three levels of underground parking.

The proposed development conforms to the in-effect OPA #500, as amended, and the partially approved VMC Secondary Plan

In 2013, the Owner appealed to the OMB the in-effect Official Plan, being Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended, and Vaughan Official Plan (VOP) 2010. The Owner cited a non-decision by the City of Vaughan on Official Plan and Zoning By-law Amendment Files OP.12.010 and Z.12.025 as they apply to the subject lands, which were subsequently approved in July 2014 by the OMB. The following Official Plan policies apply to the subject lands.

- a) OPA #500, As Amended

The subject lands are designated “Corporate Centre Node” by in-effect Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #663 (The Avenue 7 Land Use Future Study Plan), and OPA #746. The subject lands are also identified within the “Station Precinct” (2951

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Regional Road 7 and 190 Maplecrete Road) and “Neighbourhood Precincts” (180 Maplecrete Road) designations of the partially approved VMC Secondary Plan, which forms part of the Volume 2 of VOP 2010.

OPA #746 permits development on the subject lands with a maximum building height of 35-storeys, a FSI (density) of 5.5 times the area of the lot, and identifies the location of an approximately 0.25 ha public square. High density residential uses, service uses, restaurants, entertainment uses, banks and financial institutions, office commercial, and retail uses are permitted on the subject lands. The proposed development conforms to the in-effect Official Plan.

b) VMC Secondary Plan

The subject lands are located within the “Station Precinct” (2951 Regional Road 7 and 190 Maplecrete Road) and the “Neighbourhood Precincts” (180 Maplecrete Road) of the approved VMC Secondary Plan. A broad mix of uses are permitted in the Station Precinct designation, including residential dwellings (i.e. high-rise and mid-rise buildings), park, retail, service commercial, and public uses. In the Neighbourhood Precinct, the VMC Secondary Plan permits primarily residential uses complemented by community amenities (e.g. parks and daycare facilities) and retail and service commercial uses (including hotel), in a mix of high-rise, mid-rise, and low-rise buildings types.

The Planning Act, permits Vaughan Council to pass a resolution to apply for future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. It also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a by-law. Should Council approve Zoning By-law Amendment File Z.15.021, the Development Planning Department has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the subject development.

The Owner has submitted a Community Improvement Plan (CIP) application for the subject lands

The Owner has submitted a Community Improvement Plan (CIP) application (File CIP.16.004) for VMC CIP Program eligibility, specifically for the proposed 13,549 m²

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office component within the mixed-use building, in accordance with the criteria set in the City of Vaughan CIP By-law, CIP Program Guide, and CIP Application. The construction and occupancy of the new office space would provide a mix of uses in the VMC, direct and indirect jobs, and taxable assessment growth in the long term. A condition to authorize the Mayor and City Clerk to enter into a CIP agreement, in a form satisfactory to the City Solicitor, has been included in the recommendation of this report.

Amendments to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned C9 (H) Corporate Centre Zone and OS2 (H) Open Space Park Zone, both with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1402).

Site-specific Exception 9(1402) was approved by the Ontario Municipal Board (OMB) on June 16, 2015, based on the original conceptual site plan shown on Attachment #5. Since the approval of site-specific Exception 9(1402) to Zoning By-law 1-88 by the OMB, the Owner amended the original conceptual site plan as shown on Attachment #5 with the proposed site plan shown on Attachment #7, which requires the following amendments to Zoning By-law 1-88, subject to site-specific Exception 9(1402):

Table 1: Zoning By-law Amendment

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements, Subject to Site-Specific Exception 9(1402)	Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1402)
a)	Number of Phases	3	2
b)	Minimum Lot Area	5,000 m ²	Block 2: 3,712 m ² Block 3: 3,318 m ²
c)	Minimum Lot Frontage	50 m	Block 2: 32 m along Regional Road 7 Block 3: 34 m along Maplecrete Road

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d)	Maximum Building Height (Phase 2 lands)	82 m	To exclude two storeys from the maximum permitted building height, provided two storeys of underground parking is included in Phase 2.
e)	Site Triangle Encroachment (Regional)	0 m	0.7 m (at the intersection of Street “A” and Regional Road 7)
f)	Minimum Building Setbacks	<p><u>Tower A</u></p> <ul style="list-style-type: none"> ▪ Abutting Maplecrete Road: 3 m ▪ Abutting Street A: 3 m ▪ Abutting Street B: 3 m <p><u>Tower D</u></p> <ul style="list-style-type: none"> ▪ Abutting Street A: 3 m ▪ Abutting the pedestrian public mews: 6 m 	<p><u>Tower A</u></p> <ul style="list-style-type: none"> ▪ Abutting Maplecrete Road: 2 m at second storey ▪ Abutting Street A: 0.2m ▪ Abutting Street B: 0.6m <p><u>Tower D</u></p> <ul style="list-style-type: none"> ▪ Abutting Street A: 2.75 m ▪ Abutting the pedestrian public mews: 3.5 m
g)	Access and Parking Requirements for the VMC	<p><u>Access</u> Access to the subject lands shall be secured solely on the subject lands.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces</p> <p><u>Minimum Access Width</u> 7.5 m</p>	<p><u>Access</u> Permit access to the subject lands from the adjacent lands to the west (Zzen 2 lands), as shown on Attachment #7.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces where Residential Visitor Parking may be shared with non-residential parking within a mixed-use building.</p> <p><u>Minimum Access Width</u> Pedestrian public mews (as shown on Attachment #6): 6 m</p>

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h)	Permitted Uses	All uses in the C9 Corporate Centre Zone and all permitted Uses in a Commercial Zone	In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted: <ul style="list-style-type: none"> ▪ Retirement Residence ▪ Nursing Home ▪ Long Term Care Facility ▪ Independent Living Facility ▪ Stratified Arrangement ▪ An Underground Parking Structure shall be permitted in a Stratified Arrangement prior to the removal of the Holding Symbol “(H)” symbol
		All uses in the OS2 Open Space Park Zone	In addition to the uses permitted in the OS2 Open Space Park Zone, the following additional use shall be permitted: <ul style="list-style-type: none"> ▪ A building or structure for access stairs to and from the underground parking structure
i)	Setbacks in an OS2 Open Space Zone	15 m (front, rear, and interior and exterior sides)	0 m to all property lines
j)	Loading Space	A loading space shall be located internally within a wholly enclosed building with access onto a local road.	Permit a loading space(s) located internally within a wholly enclosed building with access onto a public or private street.

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k)	Portions of Buildings Below Grade	The minimum setback from the front lot line (Maplecrete Road) to the nearest part of the building below finished grade shall be 0 m	No minimum setback shall be required from any property line to the nearest part of the building below finished grade
l)	Minimum Landscape Strip Width	<ul style="list-style-type: none"> ▪ 2m along Regional Road 7 	<ul style="list-style-type: none"> ▪ 0 m along Regional Road 7
m)	Minimum Amenity Area	5 m ² per apartment dwelling unit	4 m ² per apartment dwelling unit
n)	Maximum Retail Gross Floor Area (GFA)	3,301 m ²	3,500 m ²

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis.

The proposed phasing will facilitate a development proposal in the VMC and accommodate the Owner's construction schedule. The lot area and frontage requirements recognize the creation of the development blocks that will facilitate a compact built form. The adjustment to in the retail GFAs provide flexibility that would contribute to the success of the mixed-use development, while providing a major office tenant in the VMC. The introduction of additional uses are on the site are considered compatible with the uses permitted in the C9 Corporate Centre Zone.

The proposed landscape will create a comfortable built form and pedestrian realm relationship that is appropriate in an intensification area. The landscape width along Regional Road 7 is appropriate in consideration of the additional boulevard right-of-way width that exists between the existing VivaNext rapid way and the subject lands. The minimum (private) amenity area standards of Zoning By-law 1-88 do not reflect development proposals that provide a more intensified form of development, which is intended within the VMC. The reduced per unit amenity area standard is appropriate in consideration of the proposed public square.

The proposed elimination of the below grade building setbacks, will allow for a seamless stratified title arrangement under Streets A and B, the pedestrian public mews and the

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public square, which is discussed later in this report. The reduced building setbacks will enable the construction of the proposed development and maximize the efficient use of subject lands. The encroachment into the sight triangle is for the purpose of permitting architectural elements into the building design that will add visual interest to the built form.

The Owner has demonstrated, as shown on Attachment #7, to the satisfaction of the Development Planning Department how the future Phase 2 hotel use, with an integrated above grade parking structure, will function in the context of the overall development on the subject lands. In principle, the Development Planning Department has no objection to this design approach. The exclusion of two levels of above-grade parking integrated within the building podium from the total number of storeys of the building height, where two or more levels of underground parking are provided for a mixed-use building, is consistent with the policies of the VMC Secondary Plan.

The Owner has submitted a Draft Plan of Subdivision Application to permit the proposed development

The proposed Draft Plan of Subdivision, as shown on Attachment #6, facilitates the creation of three mixed-use blocks (Blocks 1, 2, and 3), the stratified public streets (Streets A, B, and the pedestrian public mews), and the stratified public square, as follows:

Table 2: Draft Plan of Subdivision

Land Use	Block(s)	Area (ha)
Mixed-Use	1, 2, and 3	1.2072
Stratified Public Square	4	0.2199
Road Widening	5	0.0233
Fire Route (woonerf/flex street)	6	0.0581
0.3 m Reserves	7, 8, 11, 12, 13, and 16	0.0053
Stratified Streets A and B	17 and 18	0.4386
Mews (Pedestrian and Public)	19	0.0587
Strata	9, 10, 14, 15, and 20 to 26	<u>N/A</u>
Total		2.011

Blocks 1, 2, 4, 6, 17, 18, and 19, and Blocks 20 to 26 (strata) constitute Phase 1 of the proposed development and consists of three 35-storey residential apartment buildings, an eight-storey office building, a public square, a pedestrian public mews, and Streets A and B. Block 3 will be developed as Phase 2 and is planned for a future hotel.

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The Owner proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews (Block 19), in accordance with the VMC Secondary Plan. Block 4 is planned for a stratified public square and Blocks 17 and 18 are planned for the stratified local streets (Streets A and B), and will be subject to the Owner entering into a Stratified Title Arrangement Agreement (“STAA”) with the City, prior to the registration of the Plan of Subdivision. The agreement will delineate the boundaries of the stratified elements of the proposal and establish the maintenance, liability, and responsibilities of the Owner and future condominium corporation(s) and the City. The surface rights of the public square and streets will be owned and operated by the City and the entire below grade parking structure will be under the ownership of the office building owner. The agreement will be prepared in accordance with the guiding principles of the report entitled “Stratified Title Arrangements” approved by Council on June 4, 2013, to the satisfaction of the City.

The Development Planning Department is satisfied with the proposed Draft Plan of Subdivision shown on Attachment #6, subject to the comments contained in this report, and the Conditions of Draft Plan of Approval in Attachment #1.

The Final Road Alignment, Connections and Loading have been resolved

The proposed road alignment and the supporting Transportation Impact Assessment Update, dated February 2017, have been approved by the Development Engineering Department. The Owner also proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews located on the subject lands that is planned to link to the Black Creek Greenway, in accordance with the VMC Secondary Plan. The planned pedestrian public mews will be completed upon the development of the land holdings to the south and west.

The Owner proposes to service the mixed-use development with a main loading area located on the ground floor of Tower A with access onto Maplecrete Road. An auxiliary loading bay is also located on the ground floor of Tower B for the convenience of the residents. Both loading areas are wholly enclosed within the building.

Strata Framework Agreement has been executed by the Owner and City

Vaughan Council on June 4, 2013, approved a report titled “Stratified Title Arrangements”, which identifies guiding principles for stratified title arrangements. The Owner proposes a major office use in Phase 1, which is the basis of one of the principles identified for considering stratified title arrangements and a City objective for the VMC. Furthermore, the proposed stratified local public streets (Streets A and B) would implement the public road network and streetscape for the southeast quadrant of

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the VMC Secondary Plan.

In October 2017, the Owner and the City entered into a Strata Framework Agreement, which outlines the access, ownership, operation, maintenance, liability, and financial responsibilities (among others) of the parties and forms the basis for the preparation of the final STAA, to be executed prior to final approval of the Plan of Subdivision.

The proposed development includes two roads and a public space that would be subject to the stratified title arrangements as follows:

a) Roads - Streets A and B

OPA #500, as amended, and the VMC Secondary Plan identify two internal local public roads that traverse the subject lands in an east-west and north-south direction, which are included in the proposed development. The Owner proposes that these roads be under public ownership, with stratified title arrangements for the proposed underground parking located under Streets A and B, which will service the mixed-use residential, office and commercial uses in the proposed development.

b) Public Square

The proposed development includes a 0.22 ha stratified public square that is flanked by two local roads, being Streets A and B. Street A will provide vehicular access from Regional Road 7 to the subject lands. Street B will provide a connection to the pedestrian public mews that is planned to link to the Black Creek Greenway, which is envisioned to be a series of public open spaces and parks.

The Parks Development Department has reviewed the development proposal and provided the following comments. The proposed public square is part of the VMC's open space and parks network. The configuration and scale of the public square will increase the diversity of open spaces envisioned for this VMC neighbourhood. The public square vision is aligned with the following VMC Secondary Plan Objectives and Parks and Open Space policies:

- i) parks and parkland that are adequate for a range of recreational activities and passive enjoyment within a walking distance for VMC residents and workers;
- ii) the VMC develops with a variety of public open spaces, including neighbourhood parks and urban squares, courtyards, gardens and naturalized spaces;

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- iii) parks and parkland that provide critical connections within the larger pedestrian and bicycle network that are designed with movement desire lines in mind and generally should accommodate pedestrian through-traffic, and where appropriate, cycling; and
- iv) Underground parking (proposed within designated parks) will generally be appropriate under parks and public squares designed predominantly for intense daily use and/or civic events and where mature trees and significant tree canopy are not envisioned.

The proposed development, if approved, will be one of the first to be built in the southeast quadrant of the VMC where other planned parks may not occur in the short term. Accordingly, the Parks Development Department is currently working with the Owner on the public square design to facilitate its timely implementation.

The planning, design and construction of the public square will be completed by the Owner in accordance with the Stratified Title Arrangement Council approved report, and the strata framework and subsequent agreements. Matters to be addressed include, but are not limited to:

- i) adequate structural design for the proposed strata condition;
- ii) services such as water, sanitary, stormwater and electrical infrastructure to be fully integrated to the parking structure;
- iii) improved facilities to a higher level of service at the Owner's cost; and
- iv) consideration for liability and insurance requirements to cover any potential issues with the underground parking operation and maintenance.

Prior to final approval of the Plan of Subdivision, the final STAA must be executed that addresses all stratified title arrangements respecting, but not limited to, access, maintenance, liability, cross section details, and monetary contributions to the satisfaction of the City. A condition to this effect is included in the recommendation and Attachment #1a of this report.

A Site Development Application is required to permit Phase 1, which includes three 35-storey residential apartment buildings and an eight-storey office building

The proposed site plan for Phase 1, as shown on Attachment #7, permits the first phase of the mixed-use development.

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a) Site Design and Access

The development of the subject lands will occur in two phases. Phase 1, subject to Site Development File DA.13.021, consists of the entire underground parking structure for the development, three 35-storey apartment buildings, a two-storey retail podium, an eight-storey office building, and the public square. Towers A and B are separated by 20 m instead of 25 m as identified in the VMC Secondary Policy. However, the Towers are offset and oriented such that the 20 m separation is limited only to the corners of Towers A and B. The above grade area for Phase 1 is limited to the area identified in Attachment #3.

The Owner has submitted a wind study and is required to submit a final wind tunnel model and sun/shadow analysis to the satisfaction of the City to confirm that the recommended mitigation measures are successfully integrated into the design and ensure favourable micro-climate conditions are met within the public realm. A condition to this effect is included in the recommendation of this report.

Phase 1 includes 1,316 parking spaces distributed over three levels of underground parking and accessed by a ramp from Street B. Access to the subject lands is from Streets A and B, which are proposed to be stratified, where the top 0.95 m of depth will be owned, operated and maintained by the City. The P1 parking level will be owned by the future office building owner (one owner) and the remaining P2 and P3 parking levels will be owned by the future Condominium Corporation(s).

b) Landscape Plan

The proposed landscape plan, which is comprised predominately of hard landscape, shown on Attachment #7 illustrates an enhanced urban landscape treatment for the proposed development. Hardscape treatment along Regional Road 7 will be coordinated with the installed VivaNext Bus Rapid Transit design. A proposed public square is planned at the centre of the subject lands and flanked on the south and west sides by the planned stratified local streets. The proposed woonerf (flex street) along the north and east side of the public square is planned as a pedestrian-first environment with opportunities for pick-up and drop-off. This area must be designed seamlessly from the curb to the building face to create a safe zone for users.

One exit stair from the underground parking garage is proposed within the public square, with additional exit stairs incorporated into the building design. The design and construction of the public square will be developed with the Owner

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through the Draft Plan of Subdivision File 19T-13V006, to the satisfaction of the Parks Development, Development Engineering and Development Planning Departments.

c) Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments #8 to #17, consists of curved and vertical glazed elements. The balconies are glazed with curved corner conditions to articulate the building elevations.

The Development Planning Department has reviewed the proposed building elevations. Staff will continue to work with the Owner to finalize the pedestrian level building elevations, particularly the west elevation of Tower A, which must be improved to incorporate the appropriate architectural and design treatments to minimize the extent of the blank wall and articulate the built form in a manner that will activate the public realm and the interface with the public square. Public art will be considered as an enhancement to the west elevation of Tower A, in accordance with the City's Public Art Program, which is a condition identified in the recommendation of this report.

d) Underground Parking Structure

The Owner is proposing to build the entirety of the underground parking structure for Phases 1 and 2 as part of Phase 1. The approach taken by the Owner must consider the potential built form for Phase 2. In particular, stairwell location(s) and mechanical equipment including vent shafts shall not impede the ability to achieve active uses at grade.

The Development Planning Department is satisfied with the proposed development, as shown on Attachments #6 to #17, subject to the conditions included in the recommendation of this report and identified in Attachment #1.

The Owner will be required to provide, with the Phase 2 Site Development Application, community benefits in the form of facilities or services, pursuant to Section 37 of the Planning Act, the policies of VOP 2010, and the City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act

Zoning By-law 1-88, as amended by site-specific Exception 9(1402), permits on the Phase 2 lands (municipally known as 180 Maplecrete Road) an increase in building height from 25 m to 82 m, subject to the Owner's contribution to community benefits to be used for the provision of services, facilities or other matters to assist in achieving municipal objectives, subject to an Agreement(s) with the City pursuant to Section 37 of

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the *Planning Act*. The identified community benefits must be reflected in the implementing Zoning By-law Amendment for the Phase 2 lands, to the satisfaction of Vaughan Council, and subject to a separate Section 37 Agreement that will be registered on title, should the future Phase 2 site development be approved.

The Owner has addressed the Vaughan Design Review Panel's comments, for Phase 1 of the development

On September 24, 2015, and November 24, 2016, the Design Review Panel (DRP) considered the proposed development and advised that a strong and highly visible pedestrian connection to the pedestrian public mews and the Black Creek corridor, through the site to Regional Road 7, should be an integral design element. The DRP also identified that the built form should be refined to contribute to the public realm and the pedestrian experience, and that the building elevations and uses facing the public square are important to animate the square and create active edges. The DRP also provided several comments based on the following themes, including:

a) Site Design

- i) The design of retail frontages along Regional Road 7 should consider the pedestrian movement and transit stops;
- ii) The connection from Regional Road 7 to the public square through the built form (Block 1) should be treated as a prominent feature. A strong edge with active uses should face the public square;
- iii) To ensure pedestrian connectivity to the Black Creek and to take advantage of the City's investment in the Black Creek, coordination with adjacent land owners is essential; and
- iv) Further activation of the ground floor conditions, particularly Street A would increase pedestrian movement.

b) Landscape Architecture

- i) The public square layout should consider public programming needs, durability, and be open to the public realm edges.

c) Architecture Expression

- i) The expression of the architecture, including variation in the facades, requires improvements;
- ii) The design of the podium should engage the public realm;
- iii) The materiality of Towers C and D requires greater differentiation; and
- iv) The spatial quality of the mid-block breezeway must ensure light penetration and creation of a pedestrian friendly environment.

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Staff are satisfied that the Owner has addressed the comments by the DRP through the current proposed development, subject to the recommendations of this report.

The Owner is required to provide a Letter of Credit to guarantee the completion of the final 3D Digital Model

The Owner is required to submit a 3D digital model of the development including accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Development Planning Department. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the recommendation of this report.

The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the proposed development

Should Council approve the subject applications, the proposed condominium tenure for the development will be created through a future Draft Plan of Condominium application(s), which is subject to approval by Council. The future condominium corporation(s) will be responsible for all common elements in the development, including but not limited underground parking, landscape, and the obligations of the STAA.

The Parks Development Department supports the proposed development subject to the finalization of the details of the public square planning, design and implementation.

The Parks Development Department supports the proposed development, including the proposed open space configuration, as it will allow residents and office/retail workers to have access to the first public square in the VMC, which will be implemented at an enhanced level of service, at no cost to the City. The proposed public square includes a combination of raised planters and hardscape, benches, a shade structure, pedestrian lighting, bike racks and other amenities that will be available to the residents and visitors.

The Parks Development Department and the Owner have finalized the principles of the public square design, which is discussed in the Stratified Title Arrangement section of this report, and includes the design, construction, maintenance, and cost-sharing requirements that will be detailed through the Subdivision Agreement process, to the

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satisfaction of the Parks Development Department. A condition to this effect is included in Attachment #1a.

The Development Engineering Department supports the proposed development subject to the conditions in this report

The Development Engineering Department has provided the following comments regarding the proposed development:

a) Road Network

The subject lands are bounded by Regional Road 7 and Maplecrete Road. The VMC Secondary Plan requires a new north/south road (Street A) and an east/west road (Street B) crossing the lands between the buildings. In accordance with the VMC Secondary Plan, Street A needs to be extended southerly to intersect with Doughton Road and Street B needs to be extended westerly to intersect with Jane Street. The proposed right-of-way widths and cross-section details are being established to the satisfaction of the City and in accordance with the VMC Secondary Plan, as follows and as shown on Attachment #6:

- i) The north/south public road (Street A) shall be designed to its ultimate configuration with a 22 m right-of-way and protected for the future extension to Doughton Road. The Street A and Regional Road 7 intersection is subject to York Region's comments and approval;
- ii) The east/west public road (Street B) shall be designed to its ultimate configuration to Street "A" with a 20 m right-of-way;
- iii) The planned pedestrian public mews shall be designed to its ultimate configuration on the Owner's portion with a 17 m right-of-way. The balance of the southerly portion of the pedestrian public mews will occur when the lands to the south redevelops. The pedestrian public mews will extend west to the urban promenade along the Black Creek channel, when development to the west proceeds; and
- iv) A widening is required on Maplecrete Road to accommodate a minimum 26 m right-of way that will flare out at the intersection of Regional Road 7 in order to satisfy turning lanes, which will support future growth in this quadrant of the VMC. To service the development, the Owner is required to design and reconstruct the west boulevard and interim turn lane at the

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new intersection. The required widening has been incorporated into the site plan and reflected in the building placement.

b) Noise Attenuation

The Owner submitted a preliminary noise report for Phase 1 of the development to verify the surrounding noise sources and identified the noise control measures for the subject lands. The noise analysis considered the road traffic on Regional Road 7 and Jane Street, the existing Bus Rapid Transit route, and the operations associated with the CN MacMillan yard and the Ready-Mix concrete plant. Due to the significant setback of the subject lands from the CN MacMillan yard and that the Ready-Mix concrete plant is primarily an indoor operation, including the truck loading, the noise impact assessment concluded that these noise sources are expected to be minimal, but may be audible at times.

The road traffic noise is a concern that can be mitigated by the appropriate construction of exterior walls, windows and doors in accordance with the Ministry of Environment and Climate Change (MOECC) guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as outdoor living area pursuant to the MOECC guidelines. Dwelling units that face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses must be placed in the purchase and sale agreements, and condominium agreements and declarations to make future occupants aware of the potential noise situation.

Prior to final approval of the Draft Plan of Subdivision, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval of the City, and the Owner shall agree in the Subdivision Agreement and/or Site Plan Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect is included in Attachment #1 of this report.

c) Municipal Servicing

The subject lands are located in the north-west quadrant of the VMC. The anticipated growth within the VMC will result in higher population densities, which will lead to an increased demand for water, wastewater production, and surface water run-off. To address this situation, the City recently completed a Municipal Servicing Master Plan that identified the preferred strategy for water, wastewater and stormwater servicing for the VMC Secondary Plan area.

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The Owner submitted a Functional Servicing and Stormwater Management Report (FSR), prepared by Valdor Engineering, dated September 2017, which confirms that the existing municipal services can be used to service the proposed development. The Development Engineering Department has reviewed the report and provided comments. The Owner is required to submit a revised FSR, to the satisfaction of the City, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report. The foregoing provides an overview of the servicing strategy for the proposed development.

i) Water Supply

The subject lands are located within Pressure District 6 (PD6) of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy for proposed development includes installation of a new water main along Maplecrete Road between Regional Road 7 and Doughton Road.

ii) Sanitary Servicing

In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy and the submitted functional servicing report recommends the installation of a new 375 mm-diameter sanitary sewer along Maplecrete Road between Regional Road 7 and Doughton Road to service the proposed development.

The proposed development is a tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). At this time, the existing sanitary infrastructure between the Maplecrete Road and Jane Street trunk sewer will be at capacity upon build-out of this proposed development. However, the available capacity of this infrastructure will require a re-evaluation when the Owner submits the future Site Development application for the Phase 2 lands.

iii) Storm Drainage

The VMC is located within the Humber River Watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy (VMCMSS) have identified the need to carry out

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improvements to the existing Black Creek channel east of Jane Street and the existing Jane Street/Regional Road 7 Storm Water Management Pond (quality, quantity and erosion protection).

The Owner is required to replace the existing storm sewer with a new connection to the proposed storm sewer on Maplecrete Road, which will lower the storm capacity and enable sewer discharge utilizing a gravity fed system. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority's (TRCA) Humber River Unit Flow Rates.

d) Area Specific Development Charge (ASDC)

The City is currently undertaking a Development Charges Update Study. The necessary infrastructure improvement works for this development are included in the Development Charge Update Study as an Area Specific Development Charge (ASDC) By-Law or within the City-wide Development Charge By-law. Accordingly, the financial requirements for construction of the infrastructure works associated with the proposed development shall be calculated as part of the DC Update. In advance of completing the DC Update Study, financial commitments for the proposed development will be secured by a Subdivision Agreement and will be based on the City's latest available cost estimate for the required infrastructure improvements.

e) Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Investigation Report for the proposed development. The Report shall recommend the ground water control measures that need to be implemented during the detailed design stage, and provide an assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development in the VMC. A condition to this effect is included in the recommendation of this report.

f) Sewer and Water Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Council, which included reservation for 800 residential apartment units for Phase 1 of the proposed development. The proposed development (Site Development File DA.13.021) seeks approval for 1,162 apartment units (2,568 persons equivalent). Therefore, a resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply

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System to the proposed development is recommended for Council approval, and is included in the recommendation of this report.

g) Development Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, for the widening and construction of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department. A condition to this effect is included in the recommendation of this report.

h) Environmental Site Assessment

Phase One and Phase Two Environmental Site Assessment (ESA) reports were submitted to the City by the Owner and identified soil impacts generally within the central portion of the site and approximately 1 to 3 m deep. The Owner developed and submitted a Remedial Action Plan (RAP) which involved the excavation and off-site disposal of approximate 5,000 m³ of impacted soil. There were no groundwater impacts identified in the ESA reports.

Following the implementation of the RAP, the Owner successfully filed to the Ministry of the Environment and Climate Change (MOECC) Records of Site Condition (RSCs) (RSC# 223539 for 180 Maplecrete Road and RSC# 223724 for 2951 Regional Road 7 and 190 Maplecrete Road) which were acknowledged by the MOECC on August 2, 2017 and October 2, 2017, respectively. The RSCs confirm the subject lands meet the applicable MOECC standards for the proposed development.

The Urban Design and Cultural Heritage Division of the Development Planning Department support the approval of the proposed development, subject to conditions

In areas that have been cleared of concern for archaeological resources, the Owner is advised that:

- a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately; and
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York

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Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

A condition to include the above clauses in the Site Plan Agreement is included in the recommendation of this report.

Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Agreement

The Real Estate Department has reviewed the applications and has provided the following condition for approval:

“The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City’s Cash-in-Lieu of Parkland Policy.

For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.

For high-density residential development, the Owner shall convey land and/or 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 unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City’s Cash-in-Lieu Policy.

The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

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The Environmental Services Department, Solid Waste Management Division, has no objection to the proposed development

The Environmental Services Department, Solid Waste Management Division has reviewed the Site Development Application, which includes a tri-sorted waste management system. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

The Toronto and Region Conservation Authority has no objection to the proposed development, subject to the conditions identified in this report

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and has identified that the western portion of the subject lands are part of the Humber River Watershed (Blocks 2 and 19, as shown on Attachment #6) and subject to Ontario Regulation 166/06. The property includes a portion of the Black Creek flood plain and buffer area, which has been altered through urbanization. The area of influence based on the proposed development is negligible and the TRCA has no objection to the proposed development, subject to the Conditions of Draft Approval set out in Attachment #1.

The Canadian National Railway has no objection the proposed development subject to the conditions identified in this report.

The subject lands are within the review area of the Canadian National (CN) Railway. The Owner has provided an Environmental Noise Feasibility Assessment, dated March 6, 2013, and any updates to the report must be reviewed to the satisfaction by CN.

CN has requested that an agreement under the *Industrial and Mining Lands Act* be entered into between the Owner of the whole of the Subject Lands and CN releasing any right 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.

In principle, CN has no objections to the Site Development application, subject to the inclusion of their warning clauses in the Site Plan Agreement and the future condominium agreement, the articles of incorporation and condominium declaration for the warning clauses identified in the recommendation of this report and in Attachment #1.

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NavCanada and Bombardier Aerospace have no objection to the proposed development.

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS) and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the proposed development.

Canada Post has no objection to the development proposal

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

The York Region District School Board has no objection to the development proposal.

The York Region District School Board has reviewed the proposed development and has advised that they will not require a public elementary school site within the proposed development. The York Region Catholic and the French School Boards have no comments or objections to the proposed development.

The various utilities have no objection to the proposed development

Alectra Utilities Corporation has indicated it has no objection to the approval of the proposed development. Alectra advises that the proposed development must meet the minimum clearances from their power lines (overhead and underground electrical distribution systems). It is the Owner's responsibility to contact Alectra and discuss all aspects of the proposed development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the proposed development and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities.

Bell Canada has advised that 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. A condition to this effect is included in the recommendation of this report.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018

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Rogers Communication Inc. has no objection to the proposed development.

Financial Impact

The Owner has submitted a CIP application (File CIP.16.004) to the City for evaluation in accordance with the criteria set in the City's CIP By-law and CIP Program Guide for the office component (Tower C) of the proposed development, which will provide a positive economic impact.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has advised they have no objection to the proposed development subject to the following comments and the pre-conditions and conditions included in Attachment #1b.

- a) The Owner will be required to enter into a Site Plan Agreement with York Region, prior to an above-grade Building Permit being issued by the City of Vaughan; and
- b) The Owner has been advised not to undertake any works within the Regional Road 7 right-of-way without York Region engineering approval and the issuance of a Road Occupancy Permit from York Region.

The Owner is required to address all York Region requirements prior to the execution of the Regional Site Plan Agreement, in accordance with the recommendations of this report.

Conclusion

Zoning By-law Amendment File Z.15.021, Draft Plan of Subdivision File 19T-13V006, and Site Development File DA.13.021 have been reviewed in consideration of the policies of the Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context.

The Development Planning Department is satisfied that Phase 1 of the mixed-use proposed development consisting of three 35-storey (1,162 units) residential (future condominium) buildings, commercial uses in the 2-storey podium, an eight-storey office building, and the stratified streets and public square, is appropriate and compatible with the planned uses in the surrounding area and conforms to the Official Plan. Accordingly, the Development Planning Department supports the approval of the proposed development, subject to the conditions included in the recommendation of this report.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Stephen Lue, Senior Planner, at Extension 8210.

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EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 30, 2018

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Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Original Schedule to By-law 095-2014
5. Original Conceptual Site Plan
6. Proposed Draft Plan of Subdivision File 19T-13V006 and Proposed Zoning
7. Proposed Site Plan and Landscape Plan
8. Towers A & B - Proposed North Building Elevations (Along Regional Road 7)
9. Towers A & B - Proposed South Building Elevations (Along Street B)
10. Towers A & B - Proposed West Building Elevations (Along Maplecrete Road)
11. Towers A & B - Proposed East Building Elevations (Along Street A)
12. Towers C & D - Proposed East Building Elevations (Along Street A)
13. Towers C & D - Proposed North Building Elevations (Along Regional Road 7)
14. Towers C & D - Proposed South Building Elevations (Along Pedestrian Public Mews)
15. Towers C & D - Proposed West Building Elevations
16. Proposed Perspective (South View)
17. Proposed Perspective (Along Regional Road 7)

Prepared by

Stephen Lue, Senior Planner, extension 8210

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

Item:



Committee of the Whole Report

DATE: Tuesday, January 23, 2018

WARD: 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.15.021
DRAFT PLAN OF SUBDIVISION FILE 19T-13V006
SITE DEVELOPMENT FILE DA.13.021
1834371 ONTARIO INC.
VICINITY OF REGIONAL ROAD 7 AND JANE STREET**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

The Owner seeks approval from the Committee of the Whole for Zoning By-law Amendment File Z.15.021 and Draft Plan of Subdivision File 19T-13V006 for the subject lands, shown on Attachments #2 and #3, and Site Development File DA.13.021 to permit Phase 1 of a proposed mixed-use development, shown on Attachments #6 to #17, which consists of:

- three 35-storey residential apartment buildings (Towers A, B, and D) having a total of 1,162 units and with at-grade retail;
- an eight-storey office building (Tower C); and
- the entire underground parking structure for the subject lands.

Recommendations

1. THAT Zoning By-law Amendment File Z.15.021 (1834371 Ontario Inc.) BE APPROVED; to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3 from C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol "(H)", subject to site-specific

Exception 9(1402), as shown on Attachment #4, to C9(H) Corporate Centre Zone and OS2(H) Open Space Park Zone both with the Holding Symbol “(H)”, in the manner shown on Attachment #6, together with the site-specific zoning exceptions identified in Table 1 of this report.

2. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into full force and effect to seek permission for a minor variance(s) to the in-effect zoning by-law.
3. THAT Draft Plan of Subdivision File 19T-13V006 (1834371 Ontario Inc.) BE APPROVED; to facilitate a Draft Plan of Subdivision on the subject lands shown on Attachments #2 and #3 consisting of three mixed-use blocks, a stratified public square and stratified streets, as shown on Attachment #6, subject to the Conditions of Draft Plan of Approval set out in Attachment #1.
4. THAT Site Development File DA.13.021 (1834371 Ontario Inc.) BE APPROVED; to permit Phase 1 of the proposed development of the subject lands shown on Attachment #3 consisting of three 35-storey residential (future condominium) buildings (Towers, A, B, and D) on a 2-storey podium containing 1,162 residential units, 2,358 m² of grade-related commercial uses, and an eight-storey office building (Tower C), a stratified public square (i.e. a public square on top of an underground parking garage), associated woonerf (flex street), stratified streets, pedestrian public mews, and the entire underground parking structure for the overall development (Phases 1 and 2), as shown on Attachments #7 to #17, subject to the following conditions:
 - a) prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape cost estimate, landscape plans, sun/shadow analysis, and wayfinding and signage design;
 - ii) the Owner shall submit a final Wind Tunnel Model Analysis Study to the satisfaction of the Development Planning Department, which shall include existing and planned buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climactic conditions to the satisfaction of the City;
 - iii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report and drawings, geotechnical and hydrogeological assessment, external lighting plan, the utility coordination plan, environmental noise assessment, Transportation Impact Study, and Transportation Demand Management Plan;

- iv) the Owner shall enter into a Development Agreement, if required, for the widening, construction, and servicing of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department;
- v) the Owner shall pay the Development Engineering Site Plan fee for Phase 1, Blocks 1 and 2 (Towers A, B, C, and D), pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall submit an application to the City for any permanent dewatering systems that are required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- vii) the Owner shall submit to the City the final 3D digital model of the Phase 1 development with conceptual massing for Phase 2, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the 3D digital model;
- viii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner also agrees to include in all Purchase and Sale Agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will have private waste collection services;
- ix) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- x) the Owner shall satisfy all requirements of York Region;
- xi) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- xii) the Owner shall satisfy all requirements of the Canadian National Railway (CN), which includes:
 - the mitigation of noise and vibration measures substantially in accordance with the noise and vibration mitigation measures in the final approved noise study; and

- the registration of an environmental easement on the subject lands, with postponements for any financing and/or mortgages, to the satisfaction of CN;

- xiii) the Owner shall satisfy all requirements of Canada Post;
- xiv) The Owner shall enter into a Site Plan Agreement with York Region, including the resolution of any necessary maintenance obligation(s) along Regional Road 7; and
- xv) The Owner and the City shall execute a separate agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art piece.

b) the Site Plan Agreement shall include the following clauses:

- i) "The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of the stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.

For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.

For high-density residential development, the Owner shall convey land and/or 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 unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu of Parkland Policy.

The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor,

Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

- ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board, prior to the issuance of any Building Permit.”
- iii) “The Owner shall agree that the future development and site organization on the east side of Maplecrete Road shall be designed in a comprehensive manner to appropriately respond to the built form context along the western edge of Maplecrete Road, to the satisfaction of the Development Planning Department.”
- iv) “The Owner shall include clauses in the Purchase and Sale Agreements, Condominium Agreement, and Condominium Declaration and Articles of Incorporation that vehicular access will be provided for the adjacent lands (the Zzen 2 lands – 7725 Jane Street) to the west through the underground parking garage on the subject lands for the benefit of the users of the Zzen 2 lands.”
- v) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- vii) “If required, 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, to the satisfaction of Bell Canada.”
- viii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required and the Owner shall reinstate the boulevard

within the right-of-way, in accordance with the City's standards and to the satisfaction of the Development Engineering Department."

- c) the Site Plan Agreement and the future Condominium Agreement(s) and Condominium Declaration(s) and Articles of Incorporation shall include conditions which obligate the Owner to include the following Canadian National Railway Company warning clauses in all agreements of purchase and sale or lease, including agreements pertaining to resale or lease of individual units:
- "i) That Canadian National Railway Company (CN) is the Owner of certain lands known as its MacMillan Rail Yard (the CN Lands) located within one kilometer 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;
 - ii) 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;
 - iii) Warning clause for units on the north and east facades of the buildings on the subject lands that have unenclosed balconies, patios, or terraces. Noise levels from CN's MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment and Climate Change ("MOECC") criteria as defined in Noise Assessment Criteria in Publication NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning". Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Publication NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning". Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas."

- iv) “The Owner shall execute and register on the title of the subject lands an easement(s) to protect for a reciprocal vehicular access in favour of the lands to the west (the Zzen 2 lands – 7725 Jane Street). The Owner shall register the required easement(s) at the time of registration of the condominium for Tower D, to the satisfaction of the City.”
- 5. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.13.021 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,162 residential units (2,568 persons equivalent).”
- 6. THAT Council delegate authority to the Mayor and City Clerk to enter into a Community Improvement Plan Agreement, in a form satisfactory to the City Solicitor.

Report Highlights

- The Owner proposes to develop the subject lands with a mixed-use, high-density development consisting of two phases, as shown on Attachments #6 and #7:
 - Phase 1: a three 35-storey residential apartment buildings with retail at grade, an eight-storey office building, a pedestrian public mews, a stratified public square, two stratified public roads, and an underground parking structure over the entire subject lands; and
 - Phase 2: a future hotel use serviced by an integrated above ground parking structure.
- The Development Planning Department supports the approval of the proposed development as it conforms with the Official Plan and is compatible with the existing and planned uses in the surrounding area, subject to the conditions in this report.

Background

The subject lands are located on the southwest corner of Maplecrete Road and Regional Road 7, and are municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, shown as “Subject Lands” on Attachments #2 and #3. The 2.01 ha subject lands represent the consolidation of three former employment properties where pre-existing, multi-unit buildings were recently demolished.

The Zoning By-law Amendment and the Draft Plan of Subdivision Applications were received by Council at two separate Public Hearings

The Draft Plan of Subdivision

On November 1, 2013, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on line as follows:

- a) City's On-line Calendar on November 7 and November 21, 2013;
- b) On the City Page, which was posted on the City's website on November 7, 2013;
- c) The November 2013 e-news City Update, which was emailed to over 8,000 subscribers;
- d) The City's website at www.vaughan.ca; and
- e) The City's Facebook and Twitter sites leading to the December 3, 2013, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City's Notice Signs Procedures and Protocols. At the November 26, 2013, Public Hearing, deputations and written submissions were received from the following:

- Kirkor Architects, Martin Ross Avenue, Toronto
- Loopstra Nixon LLP, Queens Plate Drive, Toronto

The major concern identified at the November 7, 2013, Public Hearing was related to an agreement with Royal 7 Developments Ltd. ("Royal 7") and the owner of the EXPO City development located north of the subject lands, for a full cost recovery mechanism of the 400-mm and 600-mm water mains that Royal 7 front-ended and to which the Owner ("1834371 Ontario Inc.") would connect to service the subject lands. Royal 7 and 1834371 Ontario Inc. subsequently agreed to a cost recovery and proportional cost sharing for the construction of the water mains and the matter has been resolved.

The Zoning By-law Amendment Application (File Z.15.021)

On December 18, 2015, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and on-line as follows:

- a) The City's On-line Calendar on December 17 and 24, 2015, and January 7, 2016;
- b) The City Page on the December 21, 2015, and January 4, 2016;
- c) The December 2015 E-news City Update (e-mailed to over 8,000 subscribers);
- d) The City's website at www.vaughan.ca; and
- e) The City's Facebook and Twitter sites leading up to the January 12, 2016, Public Hearing meeting.

Two Notice Signs were also installed on the subject lands in accordance with the City's Notice Signs Procedures and Protocols. At the January 12, 2016, Public Hearing, deputations and written submissions were received from the following:

- Davies Howe Partners LLP, Spadina Avenue, Toronto
- Horosko Planning Law, North Queen Street, Toronto
- Kirkor Architects, Martin Ross Avenue, Toronto
- KLM Planning Partners, Jardin Drive, Vaughan
- MHBC Planning Limited, Weston Road, Vaughan
- Scargall Owen-King LLP, Yonge Street, Toronto

The major concern identified at the January 12, 2016, Public Hearing was the proposed location of the east-west road connection located west of Street A, as shown on Attachment #6. Specifically, the issue relates to the location of the road connection and the potential impacts on the future development of the adjacent lands to the west, currently owned by “Zzen 2” and York Region Condominium Corporation 499 (“YRCC 499”), hereinafter collectively referred to as “the stakeholders”, as identified on Attachment #3. For clarity, the stakeholders had no objection, in principle, to the proposed development.

Council, at the January 12, 2016, Public Hearing, directed the Owner to arrange a meeting with the adjacent stakeholders to resolve the road connection matter. The Development Planning Department was advised that the Owner and the stakeholders met on several occasions, which has resulted in a mutually agreed upon solution for the vehicular connection, which is discussed below.

i) East-West Road Connection

On May 19, 2016, and July 27, 2016, the Owner and the stakeholders presented to City staff the mutually agreed upon vehicular connection between the Owner and Zzen 2. The parties proposed a built-form solution to address the approximate 4 m grade difference between the subject lands and the lands located to the immediate west.

The solution involves vehicles utilizing a driveway from Jane Street that would connect to Street B, through the future underground parking garage on the Zzen 2 lands, to the proposed underground parking garage on the subject lands. The connection between the underground parking garages will involve an internal one-storey access ramp that will exit from the garage of the Owner’s development, as illustrated in Attachment #7. To ensure that this future connection remains open at all times, both landowners will be required to register on title reciprocal access easements, which is discussed later in this report. The location of the driveway from Jane Street to the Zzen 2 lands is subject to review by York Region and the City of Vaughan through a future development application by Zzen 2.

YRCC 499 is an existing condominium corporation located south of the Zzen 2 lands, as shown on Attachment #3, with no immediate plans to redevelop.

Through the stakeholder negotiations, YRCC 499 identified it has no objection in principle with the vehicular access arrangement negotiated between the Owner and Zzen 2.

The Development Planning Department, in consultation with the Development Engineering and the Parks Development Departments, is supportive of the design solution. The Owner has advised that an access agreement between the Owner and Zzen 2 was executed in November 2017. Furthermore, a letter dated November 1, 2017, from Zzen 2 to the Development Planning Department states that the agreement addresses access between the two sites. As a result, Zzen 2 has withdrawn its previous letter of concern and has no objection with the proposed development. The agreement and any associated easements must be reviewed and in a form approved to the satisfaction of the City. A condition to this effect is included in the recommendation of this report.

The recommendations of the Committee of the Whole to receive the Public Hearing reports of November 23, 2013, and January 12, 2016, respectively, and to forward a comprehensive technical report to a future Committee of the Whole meeting were ratified by Council on December 10, 2013 and January 19, 2016, respectively.

On January 13, 2018, a notice of this Committee of the Whole meeting was sent to all those individuals who made a deputation before Council or submitted written correspondence regarding the subject files to the City.

Previous Reports/Authority

[December 10, 2013, Committee of the Whole Public Hearing \(Item 4, Report No. 54\)](#)

[June 24, 2014, Committee of the Whole \(Item 22, Report No. 30\)](#)

[January 19, 2016, Committee of the Whole Public Hearing \(Item 2, Report No. 3\)](#)

Analysis and Options

The overall proposed development, (hereinafter referred to as the “proposed development”) includes the Owner’s entire landholdings (the subject lands). The Owner proposes to amend the existing Zoning By-law 1-88 site-specific Exception 9(1402) for the subject lands and to facilitate the creation of three mixed-use blocks, a pedestrian public mews, a stratified public square, and stratified streets, as shown on Attachment #6.

Phase 1 of the proposed development consists of the following:

- a) three residential apartment buildings with a maximum building height of 35-stories;
- b) a maximum total of 1,162 residential dwelling units;
- c) a total Gross Floor Area (GFA) of 107,918 m² (all uses);

- d) an eight-storey office building with a maximum GFA of 13,549 m²;
- e) a total GFA of 2,358 m² of commercial uses;
- f) a maximum density (Floor Space Index - FSI) of 5.5 times the area of the lot, as approved by the Ontario Municipal Board (OMB); and
- g) 1,316 parking spaces in three levels of underground parking.

The proposed development conforms to the in-effect OPA #500, as amended, and the partially approved VMC Secondary Plan

In 2013, the Owner appealed to the OMB the in-effect Official Plan, being Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended, and Vaughan Official Plan (VOP) 2010. The Owner cited a non-decision by the City of Vaughan on Official Plan and Zoning By-law Amendment Files OP.12.010 and Z.12.025 as they apply to the subject lands, which were subsequently approved in July 2014 by the OMB. The following Official Plan policies apply to the subject lands.

a) OPA #500, As Amended

The subject lands are designated “Corporate Centre Node” by in-effect Official Plan Amendment (OPA) #500 (Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #663 (The Avenue 7 Land Use Future Study Plan), and OPA #746. The subject lands are also identified within the “Station Precinct” (2951 Regional Road 7 and 190 Maplecrete Road) and “Neighbourhood Precincts” (180 Maplecrete Road) designations of the partially approved VMC Secondary Plan, which forms part of the Volume 2 of VOP 2010.

OPA #746 permits development on the subject lands with a maximum building height of 35-storeys, a FSI (density) of 5.5 times the area of the lot, and identifies the location of an approximately 0.25 ha public square. High density residential uses, service uses, restaurants, entertainment uses, banks and financial institutions, office commercial, and retail uses are permitted on the subject lands. The proposed development conforms to the in-effect Official Plan.

b) VMC Secondary Plan

The subject lands are located within the “Station Precinct” (2951 Regional Road 7 and 190 Maplecrete Road) and the “Neighbourhood Precincts” (180 Maplecrete Road) of the approved VMC Secondary Plan. A broad mix of uses are permitted in the Station Precinct designation, including residential dwellings (i.e. high-rise and mid-rise buildings), park, retail, service commercial, and public uses. In the Neighbourhood Precinct, the VMC Secondary Plan permits primarily residential uses complemented by community amenities (e.g. parks and daycare facilities) and retail and service commercial uses (including hotel), in a mix of high-rise, mid-rise, and low-rise buildings types.

The Planning Act, permits Vaughan Council to pass a resolution to apply for future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law comes into effect. It also permits Council to pass a resolution to allow an applicant to apply for a minor variance(s) within 2 years of the passing of a by-law. Should Council approve Zoning By-law Amendment File Z.15.021, the Development Planning Department has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the subject development.

The Owner has submitted a Community Improvement Plan (CIP) application for the subject lands

The Owner has submitted a Community Improvement Plan (CIP) application (File CIP.16.004) for VMC CIP Program eligibility, specifically for the proposed 13,549 m² office component within the mixed-use building, in accordance with the criteria set in the City of Vaughan CIP By-law, CIP Program Guide, and CIP Application. The construction and occupancy of the new office space would provide a mix of uses in the VMC, direct and indirect jobs, and taxable assessment growth in the long term. A condition to authorize the Mayor and City Clerk to enter into a CIP agreement, in a form satisfactory to the City Solicitor, has been included in the recommendation of this report.

Amendments to Zoning By-law 1-88 are required to permit the proposed development

The subject lands are zoned C9 (H) Corporate Centre Zone and OS2 (H) Open Space Park Zone, both with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1402).

Site-specific Exception 9(1402) was approved by the Ontario Municipal Board (OMB) on June 16, 2015, based on the original conceptual site plan shown on Attachment #5. Since the approval of site-specific Exception 9(1402) to Zoning By-law 1-88 by the OMB, the Owner amended the original conceptual site plan as shown on Attachment #5 with the proposed site plan shown on Attachment #7, which requires the following amendments to Zoning By-law 1-88, subject to site-specific Exception 9(1402):

Table 1: Zoning By-law Amendment

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements, Subject to Site-Specific Exception 9(1402)	Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1402)
a)	Number of Phases	3	2
b)	Minimum Lot Area	5,000 m ²	Block 2: 3,712 m ² Block 3: 3,318 m ²
c)	Minimum Lot Frontage	50 m	Block 2: 32 m along Regional Road 7 Block 3: 34 m along Maplecrete Road
d)	Maximum Building Height (Phase 2 lands)	82 m	To exclude two storeys from the maximum permitted building height, provided two storeys of underground parking is included in Phase 2.
e)	Site Triangle Encroachment (Regional)	0 m	0.7 m (at the intersection of Street "A" and Regional Road 7)
f)	Minimum Building Setbacks	<u>Tower A</u> <ul style="list-style-type: none"> ▪ Abutting Maplecrete Road: 3 m ▪ Abutting Street A: 3 m ▪ Abutting Street B: 3 m <u>Tower D</u> <ul style="list-style-type: none"> ▪ Abutting Street A: 3 m ▪ Abutting the pedestrian public mews: 6 m 	<u>Tower A</u> <ul style="list-style-type: none"> ▪ Abutting Maplecrete Road: 2 m at second storey ▪ Abutting Street A: 0.2m ▪ Abutting Street B: 0.6m <u>Tower D</u> <ul style="list-style-type: none"> ▪ Abutting Street A: 2.75 m ▪ Abutting the pedestrian public mews: 3.5 m

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements, Subject to Site-Specific Exception 9(1402)	Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1402)
g)	Access and Parking Requirements for the VMC	<p><u>Access</u> Access to the subject lands shall be secured solely on the subject lands.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces</p> <p><u>Minimum Access Width</u> 7.5 m</p>	<p><u>Access</u> Permit access to the subject lands from the adjacent lands to the west (Zzen 2 lands), as shown on Attachment #7.</p> <p><u>Residential Visitor Parking</u> 1,162 units @ 0.15 visitor parking spaces / unit = 175 parking spaces where Residential Visitor Parking may be shared with non-residential parking within a mixed-use building.</p> <p><u>Minimum Access Width</u> Pedestrian public mews (as shown on Attachment #6): 6 m</p>
h)	Permitted Uses	<p>All uses in the C9 Corporate Centre Zone and all permitted Uses in a Commercial Zone</p> <p>All uses in the OS2 Open Space Park Zone</p>	<p>In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted:</p> <ul style="list-style-type: none"> ▪ Retirement Residence ▪ Nursing Home ▪ Long Term Care Facility ▪ Independent Living Facility ▪ Stratified Arrangement ▪ An Underground Parking Structure shall be permitted in a Stratified Arrangement prior to the removal of the Holding Symbol “(H)” symbol <p>In addition to the uses permitted in the OS2 Open</p>

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements, Subject to Site-Specific Exception 9(1402)	Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1402)
			<p>Space Park Zone, the following additional use shall be permitted:</p> <ul style="list-style-type: none"> ▪ A building or structure for access stairs to and from the underground parking structure
i)	Setbacks in an OS2 Open Space Zone	15 m (front, rear, and interior and exterior sides)	0 m to all property lines
j)	Loading Space	A loading space shall be located internally within a wholly enclosed building with access onto a local road.	Permit a loading space(s) located internally within a wholly enclosed building with access onto a public or private street.
k)	Portions of Buildings Below Grade	The minimum setback from the front lot line (Maplecrete Road) to the nearest part of the building below finished grade shall be 0 m	No minimum setback shall be required from any property line to the nearest part of the building below finished grade
l)	Minimum Landscape Strip Width	<ul style="list-style-type: none"> ▪ 2m along Regional Road 7 	<ul style="list-style-type: none"> ▪ 0 m along Regional Road 7
m)	Minimum Amenity Area	5 m ² per apartment dwelling unit	4 m ² per apartment dwelling unit
n)	Maximum Retail Gross Floor Area (GFA)	3,301 m ²	3,500 m ²

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis.

The proposed phasing will facilitate a development proposal in the VMC and accommodate the Owner's construction schedule. The lot area and frontage requirements recognize the creation of the development blocks that will facilitate a compact built form. The adjustment to in the retail GFAs provide flexibility that would contribute to the success of the mixed-use development, while providing a major office tenant in the VMC. The introduction of additional uses on the site are considered compatible with the uses permitted in the C9 Corporate Centre Zone.

The proposed landscape will create a comfortable built form and pedestrian realm relationship that is appropriate in an intensification area. The landscape width along Regional Road 7 is appropriate in consideration of the additional boulevard right-of-way width that exists between the existing VivaNext rapid way and the subject lands. The minimum (private) amenity area standards of Zoning By-law 1-88 do not reflect development proposals that provide a more intensified form of development, which is intended within the VMC. The reduced per unit amenity area standard is appropriate in consideration of the proposed public square.

The proposed elimination of the below grade building setbacks, will allow for a seamless stratified title arrangement under Streets A and B, the pedestrian public mews and the public square, which is discussed later in this report. The reduced building setbacks will enable the construction of the proposed development and maximize the efficient use of subject lands. The encroachment into the sight triangle is for the purpose of permitting architectural elements into the building design that will add visual interest to the built form.

The Owner has demonstrated, as shown on Attachment #7, to the satisfaction of the Development Planning Department how the future Phase 2 hotel use, with an integrated above grade parking structure, will function in the context of the overall development on the subject lands. In principle, the Development Planning Department has no objection to this design approach. The exclusion of two levels of above-grade parking integrated within the building podium from the total number of storeys of the building height, where two or more levels of underground parking are provided for a mixed-use building, is consistent with the policies of the VMC Secondary Plan.

The Owner has submitted a Draft Plan of Subdivision Application to permit the proposed development

The proposed Draft Plan of Subdivision, as shown on Attachment #6, facilitates the creation of three mixed-use blocks (Blocks 1, 2, and 3), the stratified public streets (Streets A, B, and the pedestrian public mews), and the stratified public square, as follows:

Table 2: Draft Plan of Subdivision

Land Use	Block(s)	Area (ha)
Mixed-Use	1, 2, and 3	1.2072
Stratified Public Square	4	0.2199
Road Widening	5	0.0233
Fire Route (woonerf/flex street)	6	0.0581
0.3 m Reserves	7, 8, 11, 12, 13, and 16	0.0053
Stratified Streets A and B	17 and 18	0.4386
Mews (Pedestrian and Public)	19	0.0587
Strata	9, 10, 14, 15, and 20 to 26	<u>N/A</u>
Total		2.011

Blocks 1, 2, 4, 6, 17, 18, and 19, and Blocks 20 to 26 (strata) constitute Phase 1 of the proposed development and consists of three 35-storey residential apartment buildings, an eight-storey office building, a public square, a pedestrian public mews, and Streets A and B. Block 3 will be developed as Phase 2 and is planned for a future hotel.

The Owner proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews (Block 19), in accordance with the VMC Secondary Plan. Block 4 is planned for a stratified public square and Blocks 17 and 18 are planned for the stratified local streets (Streets A and B), and will be subject to the Owner entering into a Stratified Title Arrangement Agreement (“STAA”) with the City, prior to the registration of the Plan of Subdivision. The agreement will delineate the boundaries of the stratified elements of the proposal and establish the maintenance, liability, and responsibilities of the Owner and future condominium corporation(s) and the City. The surface rights of the public square and streets will be owned and operated by the City and the entire below grade parking structure will be under the ownership of the office building owner. The agreement will be prepared in accordance with the guiding principles of the report entitled “Stratified Title Arrangements” approved by Council on June 4, 2013, to the satisfaction of the City.

The Development Planning Department is satisfied with the proposed Draft Plan of Subdivision shown on Attachment #6, subject to the comments contained in this report, and the Conditions of Draft Plan of Approval in Attachment #1.

The Final Road Alignment, Connections and Loading have been resolved

The proposed road alignment and the supporting Transportation Impact Assessment Update, dated February 2017, have been approved by the Development Engineering Department. The Owner also proposes to construct the portion of the planned 15 m to 17 m wide pedestrian public mews located on the subject lands that is planned to link to the Black Creek Greenway, in accordance with the VMC Secondary Plan. The planned

pedestrian public mews will be completed upon the development of the land holdings to the south and west.

The Owner proposes to service the mixed-use development with a main loading area located on the ground floor of Tower A with access onto Maplecrete Road. An auxiliary loading bay is also located on the ground floor of Tower B for the convenience of the residents. Both loading areas are wholly enclosed within the building.

Strata Framework Agreement has been executed by the Owner and City

Vaughan Council on June 4, 2013, approved a report titled “Stratified Title Arrangements”, which identifies guiding principles for stratified title arrangements. The Owner proposes a major office use in Phase 1, which is the basis of one of the principles identified for considering stratified title arrangements and a City objective for the VMC. Furthermore, the proposed stratified local public streets (Streets A and B) would implement the public road network and streetscape for the southeast quadrant of the VMC Secondary Plan.

In October 2017, the Owner and the City entered into a Strata Framework Agreement, which outlines the access, ownership, operation, maintenance, liability, and financial responsibilities (among others) of the parties and forms the basis for the preparation of the final STAA, to be executed prior to final approval of the Plan of Subdivision.

The proposed development includes two roads and a public space that would be subject to the stratified title arrangements as follows:

a) Roads - Streets A and B

OPA #500, as amended, and the VMC Secondary Plan identify two internal local public roads that traverse the subject lands in an east-west and north-south direction, which are included in the proposed development. The Owner proposes that these roads be under public ownership, with stratified title arrangements for the proposed underground parking located under Streets A and B, which will service the mixed-use residential, office and commercial uses in the proposed development.

b) Public Square

The proposed development includes a 0.22 ha stratified public square that is flanked by two local roads, being Streets A and B. Street A will provide vehicular access from Regional Road 7 to the subject lands. Street B will provide a connection to the pedestrian public mews that is planned to link to the Black Creek Greenway, which is envisioned to be a series of public open spaces and parks.

The Parks Development Department has reviewed the development proposal and provided the following comments. The proposed public square is part of the VMC's open space and parks network. The configuration and scale of the public square will increase the diversity of open spaces envisioned for this VMC neighbourhood. The public square vision is aligned with the following VMC Secondary Plan Objectives and Parks and Open Space policies:

- i) parks and parkland that are adequate for a range of recreational activities and passive enjoyment within a walking distance for VMC residents and workers;
- ii) the VMC develops with a variety of public open spaces, including neighbourhood parks and urban squares, courtyards, gardens and naturalized spaces;
- iii) parks and parkland that provide critical connections within the larger pedestrian and bicycle network that are designed with movement desire lines in mind and generally should accommodate pedestrian through-traffic, and where appropriate, cycling; and
- iv) Underground parking (proposed within designated parks) will generally be appropriate under parks and public squares designed predominantly for intense daily use and/or civic events and where mature trees and significant tree canopy are not envisioned.

The proposed development, if approved, will be one of the first to be built in the southeast quadrant of the VMC where other planned parks may not occur in the short term. Accordingly, the Parks Development Department is currently working with the Owner on the public square design to facilitate its timely implementation.

The planning, design and construction of the public square will be completed by the Owner in accordance with the Stratified Title Arrangement Council approved report, and the strata framework and subsequent agreements. Matters to be addressed include, but are not limited to:

- i) adequate structural design for the proposed strata condition;
- ii) services such as water, sanitary, stormwater and electrical infrastructure to be fully integrated to the parking structure;
- iii) improved facilities to a higher level of service at the Owner's cost; and
- iv) consideration for liability and insurance requirements to cover any potential issues with the underground parking operation and maintenance.

Prior to final approval of the Plan of Subdivision, the final STAA must be executed that addresses all stratified title arrangements respecting, but not limited to, access,

maintenance, liability, cross section details, and monetary contributions to the satisfaction of the City. A condition to this effect is included in the recommendation and Attachment #1a of this report.

A Site Development Application is required to permit Phase 1, which includes three 35-storey residential apartment buildings and an eight-storey office building

The proposed site plan for Phase 1, as shown on Attachment #7, permits the first phase of the mixed-use development.

a) Site Design and Access

The development of the subject lands will occur in two phases. Phase 1, subject to Site Development File DA.13.021, consists of the entire underground parking structure for the development, three 35-storey apartment buildings, a two-storey retail podium, an eight-storey office building, and the public square. Towers A and B are separated by 20 m instead of 25 m as identified in the VMC Secondary Policy. However, the Towers are offset and oriented such that the 20 m separation is limited only to the corners of Towers A and B. The above grade area for Phase 1 is limited to the area identified in Attachment #3.

The Owner has submitted a wind study and is required to submit a final wind tunnel model and sun/shadow analysis to the satisfaction of the City to confirm that the recommended mitigation measures are successfully integrated into the design and ensure favourable micro-climate conditions are met within the public realm. A condition to this effect is included in the recommendation of this report.

Phase 1 includes 1,316 parking spaces distributed over three levels of underground parking and accessed by a ramp from Street B. Access to the subject lands is from Streets A and B, which are proposed to be stratified, where the top 0.95 m of depth will be owned, operated and maintained by the City. The P1 parking level will be owned by the future office building owner (one owner) and the remaining P2 and P3 parking levels will be owned by the future Condominium Corporation(s).

b) Landscape Plan

The proposed landscape plan, which is comprised predominately of hard landscape, shown on Attachment #7 illustrates an enhanced urban landscape treatment for the proposed development. Hardscape treatment along Regional Road 7 will be coordinated with the installed VivaNext Bus Rapid Transit design. A proposed public square is planned at the centre of the subject lands and flanked on the south and west sides by the planned stratified local streets. The proposed woonerf (flex street) along the north and east side of the public square is planned as a pedestrian-first environment with opportunities for pick-up and

drop-off. This area must be designed seamlessly from the curb to the building face to create a safe zone for users.

One exit stair from the underground parking garage is proposed within the public square, with additional exit stairs incorporated into the building design. The design and construction of the public square will be developed with the Owner through the Draft Plan of Subdivision File 19T-13V006, to the satisfaction of the Parks Development, Development Engineering and Development Planning Departments.

c) Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments #8 to #17, consists of curved and vertical glazed elements. The balconies are glazed with curved corner conditions to articulate the building elevations.

The Development Planning Department has reviewed the proposed building elevations. Staff will continue to work with the Owner to finalize the pedestrian level building elevations, particularly the west elevation of Tower A, which must be improved to incorporate the appropriate architectural and design treatments to minimize the extent of the blank wall and articulate the built form in a manner that will activate the public realm and the interface with the public square. Public art will be considered as an enhancement to the west elevation of Tower A, in accordance with the City's Public Art Program, which is a condition identified in the recommendation of this report.

d) Underground Parking Structure

The Owner is proposing to build the entirety of the underground parking structure for Phases 1 and 2 as part of Phase 1. The approach taken by the Owner must consider the potential built form for Phase 2. In particular, stairwell location(s) and mechanical equipment including vent shafts shall not impede the ability to achieve active uses at grade.

The Development Planning Department is satisfied with the proposed development, as shown on Attachments #6 to #17, subject to the conditions included in the recommendation of this report and identified in Attachment #1.

The Owner will be required to provide, with the Phase 2 Site Development Application, community benefits in the form of facilities or services, pursuant to Section 37 of the Planning Act, the policies of VOP 2010, and the City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act

Zoning By-law 1-88, as amended by site-specific Exception 9(1402), permits on the Phase 2 lands (municipally known as 180 Maplecrete Road) an increase in building height from 25 m to 82 m, subject to the Owner's contribution to community benefits to

be used for the provision of services, facilities or other matters to assist in achieving municipal objectives, subject to an Agreement(s) with the City pursuant to Section 37 of the *Planning Act*. The identified community benefits must be reflected in the implementing Zoning By-law Amendment for the Phase 2 lands, to the satisfaction of Vaughan Council, and subject to a separate Section 37 Agreement that will be registered on title, should the future Phase 2 site development be approved.

The Owner has addressed the Vaughan Design Review Panel's comments, for Phase 1 of the development

On September 24, 2015, and November 24, 2016, the Design Review Panel (DRP) considered the proposed development and advised that a strong and highly visible pedestrian connection to the pedestrian public mews and the Black Creek corridor, through the site to Regional Road 7, should be an integral design element. The DRP also identified that the built form should be refined to contribute to the public realm and the pedestrian experience, and that the building elevations and uses facing the public square are important to animate the square and create active edges. The DRP also provided several comments based on the following themes, including:

a) Site Design

- i) The design of retail frontages along Regional Road 7 should consider the pedestrian movement and transit stops;
- ii) The connection from Regional Road 7 to the public square through the built form (Block 1) should be treated as a prominent feature. A strong edge with active uses should face the public square;
- iii) To ensure pedestrian connectivity to the Black Creek and to take advantage of the City's investment in the Black Creek, coordination with adjacent land owners is essential; and
- iv) Further activation of the ground floor conditions, particularly Street A would increase pedestrian movement.

b) Landscape Architecture

- i) The public square layout should consider public programming needs, durability, and be open to the public realm edges.

c) Architecture Expression

- i) The expression of the architecture, including variation in the facades, requires improvements;
- ii) The design of the podium should engage the public realm;
- iii) The materiality of Towers C and D requires greater differentiation; and
- iv) The spatial quality of the mid-block breezeway must ensure light penetration and creation of a pedestrian friendly environment.

Staff are satisfied that the Owner has addressed the comments by the DRP through the current proposed development, subject to the recommendations of this report.

The Owner is required to provide a Letter of Credit to guarantee the completion of the final 3D Digital Model

The Owner is required to submit a 3D digital model of the development including accurately geo-referenced digital data, as outlined in the Final VMC Submission Protocol, to the satisfaction of the Development Planning Department. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$20,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the recommendation of this report.

The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the proposed development

Should Council approve the subject applications, the proposed condominium tenure for the development will be created through a future Draft Plan of Condominium application(s), which is subject to approval by Council. The future condominium corporation(s) will be responsible for all common elements in the development, including but not limited to underground parking, landscape, and the obligations of the STAA.

The Parks Development Department supports the proposed development subject to the finalization of the details of the public square planning, design and implementation.

The Parks Development Department supports the proposed development, including the proposed open space configuration, as it will allow residents and office/retail workers to have access to the first public square in the VMC, which will be implemented at an enhanced level of service, at no cost to the City. The proposed public square includes a combination of raised planters and hardscape, benches, a shade structure, pedestrian lighting, bike racks and other amenities that will be available to the residents and visitors.

The Parks Development Department and the Owner have finalized the principles of the public square design, which is discussed in the Stratified Title Arrangement section of this report, and includes the design, construction, maintenance, and cost-sharing requirements that will be detailed through the Subdivision Agreement process, to the satisfaction of the Parks Development Department. A condition to this effect is included in Attachment #1a.

The Development Engineering Department supports the proposed development subject to the conditions in this report

The Development Engineering Department has provided the following comments regarding the proposed development:

a) Road Network

The subject lands are bounded by Regional Road 7 and Maplecrete Road. The VMC Secondary Plan requires a new north/south road (Street A) and an east/west road (Street B) crossing the lands between the buildings. In accordance with the VMC Secondary Plan, Street A needs to be extended southerly to intersect with Doughton Road and Street B needs to be extended westerly to intersect with Jane Street. The proposed right-of-way widths and cross-section details are being established to the satisfaction of the City and in accordance with the VMC Secondary Plan, as follows and as shown on Attachment #6:

- i) The north/south public road (Street A) shall be designed to its ultimate configuration with a 22 m right-of-way and protected for the future extension to Doughton Road. The Street A and Regional Road 7 intersection is subject to York Region's comments and approval;
- ii) The east/west public road (Street B) shall be designed to its ultimate configuration to Street "A" with a 20 m right-of-way;
- iii) The planned pedestrian public mews shall be designed to its ultimate configuration on the Owner's portion with a 17 m right-of-way. The balance of the southerly portion of the pedestrian public mews will occur when the lands to the south redevelops. The pedestrian public mews will extend west to the urban promenade along the Black Creek channel, when development to the west proceeds; and
- iv) A widening is required on Maplecrete Road to accommodate a minimum 26 m right-of way that will flare out at the intersection of Regional Road 7 in order to satisfy turning lanes, which will support future growth in this quadrant of the VMC. To service the development, the Owner is required to design and reconstruct the west boulevard and interim turn lane at the new intersection. The required widening has been incorporated into the site plan and reflected in the building placement.

b) Noise Attenuation

The Owner submitted a preliminary noise report for Phase 1 of the development to verify the surrounding noise sources and identified the noise control measures for the subject lands. The noise analysis considered the road traffic on Regional

Road 7 and Jane Street, the existing Bus Rapid Transit route, and the operations associated with the CN MacMillan yard and the Ready-Mix concrete plant. Due to the significant setback of the subject lands from the CN MacMillan yard and that the Ready-Mix concrete plant is primarily an indoor operation, including the truck loading, the noise impact assessment concluded that these noise sources are expected to be minimal, but may be audible at times.

The road traffic noise is a concern that can be mitigated by the appropriate construction of exterior walls, windows and doors in accordance with the Ministry of Environment and Climate Change (MOECC) guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as outdoor living area pursuant to the MOECC guidelines. Dwelling units that face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses must be placed in the purchase and sale agreements, and condominium agreements and declarations to make future occupants aware of the potential noise situation.

Prior to final approval of the Draft Plan of Subdivision, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval of the City, and the Owner shall agree in the Subdivision Agreement and/or Site Plan Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect is included in Attachment #1 of this report.

c) Municipal Servicing

The subject lands are located in the north-west quadrant of the VMC. The anticipated growth within the VMC will result in higher population densities, which will lead to an increased demand for water, wastewater production, and surface water run-off. To address this situation, the City recently completed a Municipal Servicing Master Plan that identified the preferred strategy for water, wastewater and stormwater servicing for the VMC Secondary Plan area.

The Owner submitted a Functional Servicing and Stormwater Management Report (FSR), prepared by Valdor Engineering, dated September 2017, which confirms that the existing municipal services can be used to service the proposed development. The Development Engineering Department has reviewed the report and provided comments. The Owner is required to submit a revised FSR, to the satisfaction of the City, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the recommendation of this report. The foregoing provides an overview of the servicing strategy for the proposed development.

i) Water Supply

The subject lands are located within Pressure District 6 (PD6) of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy for proposed development includes installation of a new water main along Maplecrete Road between Regional Road 7 and Doughton Road.

ii) Sanitary Servicing

In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy and the submitted functional servicing report recommends the installation of a new 375 mm-diameter sanitary sewer along Maplecrete Road between Regional Road 7 and Doughton Road to service the proposed development.

The proposed development is a tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). At this time, the existing sanitary infrastructure between the Maplecrete Road and Jane Street trunk sewer will be at capacity upon build-out of this proposed development. However, the available capacity of this infrastructure will require a re-evaluation when the Owner submits the future Site Development application for the Phase 2 lands.

iii) Storm Drainage

The VMC is located within the Humber River Watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy (VMCMSS) have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Jane Street/Regional Road 7 Storm Water Management Pond (quality, quantity and erosion protection).

The Owner is required to replace the existing storm sewer with a new connection to the proposed storm sewer on Maplecrete Road, which will lower the storm capacity and enable sewer discharge utilizing a gravity fed system. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority's (TRCA) Humber River Unit Flow Rates.

d) Area Specific Development Charge (ASDC)

The City is currently undertaking a Development Charges Update Study. The necessary infrastructure improvement works for this development are included in

the Development Charge Update Study as an Area Specific Development Charge (ASDC) By-Law or within the City-wide Development Charge By-law. Accordingly, the financial requirements for construction of the infrastructure works associated with the proposed development shall be calculated as part of the DC Update. In advance of completing the DC Update Study, financial commitments for the proposed development will be secured by a Subdivision Agreement and will be based on the City's latest available cost estimate for the required infrastructure improvements.

e) Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Investigation Report for the proposed development. The Report shall recommend the ground water control measures that need to be implemented during the detailed design stage, and provide an assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development in the VMC. A condition to this effect is included in the recommendation of this report.

f) Sewer and Water Servicing Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Council, which included reservation for 800 residential apartment units for Phase 1 of the proposed development. The proposed development (Site Development File DA.13.021) seeks approval for 1,162 apartment units (2,568 persons equivalent). Therefore, a resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply System to the proposed development is recommended for Council approval, and is included in the recommendation of this report.

g) Development Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, for the widening and construction of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department. A condition to this effect is included in the recommendation of this report.

h) Environmental Site Assessment

Phase One and Phase Two Environmental Site Assessment (ESA) reports were submitted to the City by the Owner and identified soil impacts generally within the central portion of the site and approximately 1 to 3 m deep. The Owner developed and submitted a Remedial Action Plan (RAP) which involved the excavation and off-site disposal of approximate 5,000 m³ of impacted soil. There were no groundwater impacts identified in the ESA reports.

Following the implementation of the RAP, the Owner successfully filed to the Ministry of the Environment and Climate Change (MOECC) Records of Site Condition (RSCs) (RSC# 223539 for 180 Maplecrete Road and RSC# 223724 for 2951 Regional Road 7 and 190 Maplecrete Road) which were acknowledged by the MOECC on August 2, 2017 and October 2, 2017, respectively. The RSCs confirm the subject lands meet the applicable MOECC standards for the proposed development.

The Urban Design and Cultural Heritage Division of the Development Planning Department support the approval of the proposed development, subject to conditions

In areas that have been cleared of concern for archaeological resources, the Owner is advised that:

- a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately; and
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

A condition to include the above clauses in the Site Plan Agreement is included in the recommendation of this report.

Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Agreement

The Real Estate Department has reviewed the applications and has provided the following condition for approval:

“The Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1ha per 300 units of the value of the subject lands, and subject to any additional considerations arising out of stratified arrangements, if any, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City’s Cash-in-Lieu of Parkland Policy.

For commercial uses, the Owner shall convey land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland

equivalent to 2% of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*.

For high-density residential development, the Owner shall convey land and/or 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 unit rate per unit, whichever is higher in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu Policy.

The Owner shall submit an appraisal of the subject land, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."

The Environmental Services Department, Solid Waste Management Division, has no objection to the proposed development

The Environmental Services Department, Solid Waste Management Division has reviewed the Site Development Application, which includes a tri-sorted waste management system. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

The Toronto and Region Conservation Authority has no objection to the proposed development, subject to the conditions identified in this report

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and has identified that the western portion of the subject lands are part of the Humber River Watershed (Blocks 2 and 19, as shown on Attachment #6) and subject to Ontario Regulation 166/06. The property includes a portion of the Black Creek flood plain and buffer area, which has been altered through urbanization. The area of influence based on the proposed development is negligible and the TRCA has no objection to the proposed development, subject to the Conditions of Draft Approval set out in Attachment #1.

The Canadian National Railway has no objection the proposed development subject to the conditions identified in this report.

The subject lands are within the review area of the Canadian National (CN) Railway. The Owner has provided an Environmental Noise Feasibility Assessment, dated March 6, 2013, and any updates to the report must be reviewed to the satisfaction by CN.

CN has requested that an agreement under the *Industrial and Mining Lands Act* be entered into between the Owner of the whole of the Subject Lands and CN releasing any right 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.

In principle, CN has no objections to the Site Development application, subject to the inclusion of their warning clauses in the Site Plan Agreement and the future condominium agreement, the articles of incorporation and condominium declaration for the warning clauses identified in the recommendation of this report and in Attachment #1.

NavCanada and Bombardier Aerospace have no objection to the proposed development.

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service (ANS) and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the proposed development.

Canada Post has no objection to the development proposal

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

The York Region District School Board has no objection to the development proposal.

The York Region District School Board has reviewed the proposed development and has advised that they will not require a public elementary school site within the proposed development. The York Region Catholic and the French School Boards have no comments or objections to the proposed development.

The various utilities have no objection to the proposed development

Alectra Utilities Corporation has indicated it has no objection to the approval of the proposed development. Alectra advises that the proposed development must meet the minimum clearances from their power lines (overhead and underground electrical distribution systems). It is the Owner's responsibility to contact Alectra and discuss all aspects of the proposed development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the proposed development and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to installation and clearance requirements for service and metering facilities.

Bell Canada has advised that 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. A condition to this effect is included in the recommendation of this report.

Rogers Communication Inc. has no objection to the proposed development.

Financial Impact

The Owner has submitted a CIP application (File CIP.16.004) to the City for evaluation in accordance with the criteria set in the City's CIP By-law and CIP Program Guide for the office component (Tower C) of the proposed development, which will provide a positive economic impact.

Broader Regional Impacts/Considerations

The York Region Community Planning and Development Services Department has advised they have no objection to the proposed development subject to the following comments and the pre-conditions and conditions included in Attachment #1b.

- a) The Owner will be required to enter into a Site Plan Agreement with York Region, prior to an above-grade Building Permit being issued by the City of Vaughan; and
- b) The Owner has been advised not to undertake any works within the Regional Road 7 right-of-way without York Region engineering approval and the issuance of a Road Occupancy Permit from York Region.

The Owner is required to address all York Region requirements prior to the execution of the Regional Site Plan Agreement, in accordance with the recommendations of this report.

Conclusion

Zoning By-law Amendment File Z.15.021, Draft Plan of Subdivision File 19T-13V006, and Site Development File DA.13.021 have been reviewed in consideration of the policies of the Official Plan, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context.

The Development Planning Department is satisfied that Phase 1 of the mixed-use proposed development consisting of three 35-storey (1,162 units) residential (future condominium) buildings, commercial uses in the 2-storey podium, an eight-storey office building, and the stratified streets and public square, is appropriate and compatible with the planned uses in the surrounding area and conforms to the Official Plan. Accordingly,

the Development Planning Department supports the approval of the proposed development, subject to the conditions included in the recommendation of this report.

This report was prepared in consultation with the Director of Development Planning and the Senior Manager of Development Planning. For more information, please contact: Stephen Lue, Senior Planner, at Extension 8210.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Original Schedule to By-law 095-2014
5. Original Conceptual Site Plan
6. Proposed Draft Plan of Subdivision File 19T-13V006 and Proposed Zoning
7. Proposed Site Plan and Landscape Plan
8. Towers A & B - Proposed North Building Elevations (Along Regional Road 7)
9. Towers A & B - Proposed South Building Elevations (Along Street B)
10. Towers A & B - Proposed West Building Elevations (Along Maplecrete Road)
11. Towers A & B - Proposed East Building Elevations (Along Street A)
12. Towers C & D - Proposed East Building Elevations (Along Street A)
13. Towers C & D - Proposed North Building Elevations (Along Regional Road 7)
14. Towers C & D - Proposed South Building Elevations (Along Pedestrian Public Mews)
15. Towers C & D - Proposed West Building Elevations
16. Proposed Perspective (South View)
17. Proposed Perspective (Along Regional Road 7)

Prepared by

Stephen Lue, Senior Planner, extension 8210

/CM

ATTACHMENT #1

CONDITIONS OF DRAFT APPROVAL DRAFT PLAN OF SUBDIVISION 19T-13V006 ("THE PLAN") 1834371 ONTARIO INC. ("THE OWNER") PART OF LOT 5, CONCESSION 5, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("THE CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-13V006 (THE PLAN), ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment #1a.
2. The Pre-Conditions and Conditions of Approval of York Region set out on Attachment #1b and dated June 2017.
3. The Conditions of Approval of the Toronto and Region Conservation Authority (TRCA) as set out on Attachment #1c and dated November 24, 2017.
4. The Conditions of Approval of Canadian National (CN) Railway as set out on Attachment #1d and dated March 31, 2017.

Clearances

1. The City shall advise that the Conditions on Attachment #1a have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise that the Conditions on Attachment #1b have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. The Toronto and Region Conservation Authority shall advise that the Conditions on Attachment #1c have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
4. Canadian National Railway shall advise that the Conditions on Attachment #1d have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT #1A

CITY OF VAUGHAN

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by MHBC Planning Urban Design & Landscape Architecture, File No. 1512 E, and dated June 6, 2017.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including the payment of development levies, the provision of roads and municipal services, and landscaping and fencing. The said Agreement shall be registered against the lands to which it applies.
5. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration, subject to the details of the Stratified Title Agreement.
6. The road allowances included within this Draft Plan of Subdivision shall be named to the satisfaction of the City and York Region.
7. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves, as required. The pattern of streets and the layout of blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
8. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
9. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City.
10. 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.

11. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
12. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
13. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the Plan. The City agrees to utilize its reasonable efforts to recover the Owner's costs of any external municipal services that have been designed and oversized by the Owner to accommodate any benefitting owners.
14. Prior to final approval, the Owner shall submit an environmental noise impact study, prepared in accordance with MOECC NPC-300 for review and approval by the City. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report and include the necessary warning clauses in all Offers of Purchase and Sale or Lease, to the satisfaction of the City.
15. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan:
 - a) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants."
 - b) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

16. Prior to final approval of the Plan, the Owner shall prepare construction drawings for review and approval, details of the sewer and water system, plan and profile drawings within and along the development limit, intersection of Street A / Street B / Mews / Maplecrete Road / Regional Road 7. The Owner agrees to adjust the Block and road property limits on the final Draft Plan of Subdivision based on the approved road alignment and right-of-way width, to the satisfaction of the City.
17. Prior to earlier of the initiation of any grading or registration of the Plan of Subdivision, the Owner shall submit to the City for review and approval a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
 - a) plans to illustrate how this drainage system will tie 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;
 - b) the location and description of all outlets and other facilities;
 - c) storm water management techniques, which may be required to control minor or major flows; and
 - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
18. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
19. The Owner shall relocate or decommission any existing municipal infrastructure or utilities, whether internal or external to the Plan to facilitate the Plan, at its own expense, to the satisfaction of the City.
20. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided in accordance with the VMC requirements, to the satisfaction of the City.
21. The Owner shall agree in the Subdivision Agreement that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.

22. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
23. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed Subdivision Agreement to:
 - a) Toronto and Region Conservation Authority (TRCA);
 - b) York Region District School Board;
 - c) York Catholic District School Board;
 - d) Canada Post;
 - e) Canadian National Railway (CN);
 - f) Municipal Property Assessment Corporation (MPAC);
 - g) Alectra Utilities Corporation;
 - h) Enbridge Gas;
 - i) the appropriate telecommunication provider;
 - j) NavCanada;
 - k) Bombardier Aerospace; and
 - l) York Region.
24. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Block areas, frontages and depths in accordance with the approved Zoning By-law for all Blocks within the Plan.
25. The Owner shall enter into an Agreement with the City, York Region, and utility companies, including Alectra Utilities Corporation, with respect to undergrounding utilities along Regional Road 7, if required, to the satisfaction of the City.
26. The Owner shall dedicate all roads, daylight triangles, and road widenings shown on the plan, to the satisfaction of the City.
27. The Owner shall convey all necessary easements to the City for support and access required for the City Facilities, prior to final approval of the Plan, to the satisfaction of the City. For clarity, City Facilities are defined as the public square, the pedestrian public mews, Street A, and Street B.
28. The Owner shall carry out, at their expense, any temporary or permanent, drainage works that may be necessary to eliminate ponding or erosion caused by design or

construction within the Plan, to the satisfaction of the Development Engineering Department.

29. Prior to final approval of the Plan, the Owner's Consultant shall certify that the roads and municipal services within the Plan have been designed to comply with the approved Functional Servicing Report, Master Servicing Strategy Study for the VMC and the Black Creek Optimization Study and Transportation Master Plan.
30. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval, a revised Functional Servicing Report prepared by the Owner's consultant that addresses all outstanding concerns, to the satisfaction of the Development Engineering Department.
31. The Owner shall agree in the Subdivision Agreement to design and construct the intersection of Maplecrete Road and Regional Road 7, to the satisfaction of the Development Engineering Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization.
32. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider(s) to provide their services, and if required within the municipal right-of-way at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider(s).
33. Prior to final approval of the Plan, the Owner shall submit the revised noise report, vibration study, geotechnical report and hydrogeological report to the City for review and approval. The Owner shall agree in the Subdivision Agreement to implement the recommendations of these reports in the Plan, to the satisfaction of the City.
34. Prior to final approval of the Plan, the Owner shall satisfy the following:
 - a) Provide a functional road/intersection analysis/design to address the right-of-way under the ultimate development conditions. The required road allowances shall be designed in accordance with the City and York Region's standards for road and intersection design;
 - b) Provide a phasing and implementation plan, which includes details concerning such matters as the ultimate and interim traffic and transportation system, storm water management, and servicing to the satisfaction of the City and York Region and it shall specify the required infrastructure improvements and development triggers to support the development of the subject lands;

- c) Submit an updated Traffic Impact Study addressing all the transportation related comments as detailed below:
- i) Include Synchro analysis of Maplecrete Road and Regional Road 7;
 - ii) Detailed storage and queuing analysis is required to review any impacts of potential queuing vehicles onto Maplecrete Road and Regional Road 7 and site access. The site access and roadway intersections shall include ample storage on site to store all the queued vehicles during the busiest peak hours. Furthermore, existing queuing information of Maplecrete Road and Regional Road 7 shall also be included in the report for comparison purposes with the future traffic conditions; and
 - iii) The study should include complete parking breakdown and details, as per the standards in Zoning By-law 1-88.
- d) Prior to final approval of the Plan, the Owner shall prepare a comprehensive Transportation Demand Management (TDM) to achieving a balanced transportation system in the VMC provides and promotes attractive alternatives to the automobile. The TDM Plan shall consider co-ordination with the streetscape design along the Regional Road 7 VivaNext Bus Rapid Transit (BRT), and the streetscape plan. In addition, the Owner shall retain a qualified consultant to provide an updated report on TDM that describes facilities and programs intended to discourage single-occupancy vehicle trips, minimize parking and promote transit use, cycling, car sharing, and carpooling.
- The TDM Plan shall identify the objectives, outcomes, targets, measures, monitoring, and management plan, including roles and responsibilities of the Owners. In addition, the TDM Plan shall include a budget for the full cost of implementing the TDM measures, including operational financial consideration. All TDM Plans shall be completed in accordance with Section 4.3.3 of the Vaughan Official Plan 2010, to the satisfaction of the City and York Region.
- e) Provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including but not limited to, pedestrian and cycling facilities and amenities, transit routes, carpooling and park-and-ride facilities (if applicable), to the satisfaction of the Development Engineering Department;
 - f) Provide an enhanced pedestrian and cycling network within the Plan that enables direct, convenient, and comfortable pedestrian and cycling

connections to the existing and forecasted regional and local active transportation and transit networks and adjacent developments, and supports facilities on the Plan (including, but not limited to, convenient and secure long-term bike racks for residents and short-term bike racks for visitors (close to main entrance(s)) to promote the usage of non-auto travel modes. The City and York Region will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections/facilities, to the satisfaction of the Development Engineering Department;

- g) Provide short and long-term bicycle parking in accordance with Zoning By-law 1-88, to the satisfaction of the Development Engineering Department;
 - h) Provide a conceptual Pedestrian and Cyclist Site Access and Circulation Plan, to the satisfaction of the Development Engineering department, that demonstrates safe, accessible and convenient pedestrian and cycling connections within the Plan (both interior and exterior flows) as well as to and from surrounding destinations. The Pedestrian and Cyclist Site Access and Circulation Plan should show the location of building entrances, walkways, crossings, as well as access to key areas including short-term surface bicycle parking and interior long-term bicycle parking; and
 - i) Submit drawings showing, as applicable, all sidewalk locations and YRT/Viva standing area and shelter pad subject to YRT/Viva approval, to the satisfaction of the City and York Region.
35. The Owner shall agree in the Subdivision Agreement to pay its proportionate share of the cost associated with implementing the recommendations of the approved VMC Master Servicing Plan and the Black Creek improvements to the satisfaction of the City. Financial commitments will be secured based on the City's latest available cost estimates for the required infrastructure improvements.
36. The Owner shall design and construct at its own cost the municipal services for the Plan in accordance with the final recommendations and conclusions of the approved VMC Master Servicing Strategy, to the satisfaction of the City.
37. Prior to the earlier of either the final approval of the Plan, or the conveyance of land, or any initiation of grading or construction, the Owner shall implement the following, to the satisfaction of the City:
- a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) for the lands within the Plan. The sampling

and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.

- b) For the public square block that is being conveyed to the City, the Owner shall submit a Phase Two ESA report in accordance with O.Reg. 153/04 (as amended) assessing the public square block in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the public square space block(s) shall be conducted only after the City has certified the rough grading of the public square block, but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
 - c) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the MOECC document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all the lands within the Plan.
 - d) Submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and York Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act", as amended.
 - e) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
38. The following warning clauses shall be included in all Offers of Purchase and Sale or Lease for Lots and Blocks on the Plan.
- a) "Purchasers and/or tenants are advised that Street A and Street B will be extended in the future in accordance with VMC Secondary Plan to facilitate development of adjacent lands without further notice."

- b) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within this development area and within the building units, CN Rail MacMillan Yard, Concrete Batching Plant and commercial sound levels from increasing road traffic on Regional Road 7 and/or Maplecrete Road may continue to be of concern, occasionally interfering with some activities of the dwelling occupants as the sound level exceeds the City's and the Ministry of Environment and Climate Change's noise criteria.
39. The following warning clauses shall be included in the Agreement of Purchase and Sale, condominium declarations, condominium agreement and subdivision agreement:
- a) "Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment and Climate Change."
 - b) "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment and Climate Change."
 - c) "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment and Climate Change."
 - d) "This dwelling unit has been supplied with a central air conditioning system which will allow windows closed and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment and Climate Change."
 - e) "Purchasers/tenants are advised that due to the proximity of the adjacent industries and commercial facilities, sound levels from the industries may at times be audible."
40. Prior to final approval of the Plan, all lands beyond Phase 1 (Phase 1 is defined as the Land subject to Site Development Files DA.13.021) shall be subject to the Holding Symbol "(H)", to be removed once the York Region confirms that adequate water supply and sewage treatment capacity are available and the City has

allocated same and the Traffic Impact Study address phasing and implementation of the development.

41. Prior to earlier of the initiation of any grading or construction within the Plan, the Owner shall install an erosion and sediment control within the property. The erosion and sediment control shall be designed and maintained in place until sufficient grass cover is established within the site to the satisfaction of the City.
42. Prior to final approval of the Plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Works as they may apply to the proposed primary roads and related infrastructure matters have been met.
43. The Owner shall agree in the subdivision agreement to convey, immediately following the registration of the plan of condominium for Tower D within Block 2, a vehicle access easement over the driveway and parking ramp of Tower D from Street A, through the pedestrian public mews (Block 19), to the adjacent property to the west, in accordance with the executed access agreement between the Owner and Zzen 2 (7725 Jane Street), to the satisfaction of the City.
44. The Owner shall agree to design the municipal services in the Plan with provisions to the future installation of a District Energy network to facilitate future connection, to the satisfaction of the City.
45. The Owner shall design, purchase materials, and install a buried hydro distribution system for the LED street lighting system within the Plan, to the satisfaction of the City.
46. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval a detailed geotechnical and hydrogeological report, to the satisfaction of the Development Engineering Department, which shall address but not limited to the following:
 - a) a dewatering report/plan, necessary contingency plan, monitoring and reporting program during and after completion of the construction;
 - b) assessment of the potential for impact to the existing building structures in vicinity of the proposed development due to dewatering operation; and,
 - c) design considerations for municipal services and structures.
47. Prior to final approval of the Plan, the Owner shall enter into a strata agreement with the City in accordance with the Strata Framework Agreement, dated October 25, 2017, between the City and the Owner, to the satisfaction of the City.

48. The Owner shall agree to design and construct, at no cost to the City, Street A, Street B, the pedestrian public mews, and the associated services, to the satisfaction of the City.
49. The Owner shall agree in the subdivision agreement to design, and construct improvements to the sanitary and storm sewers on Maplecrete Road and Doughton Road, the water supply system improvements along Maplecrete Road from Regional Road 7 to Doughton Road, and the necessary road improvements to Maplecrete Road, to service the Plan, in accordance to VMC Master Servicing Plan, all to the satisfaction of the City. If these services are built for the benefit of others, the City may consider upon the Owner's request to include cost recovery provisions in the Subdivision Agreement.
50. The Owner shall design and construct the following streetscape works in accordance with City standards, the "City-wide Streetscape Implementation Manual" and "VMC Streetscape & Open Space Plan" (collectively, the "Streetscape Guidelines"), to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the design and construction of the enhanced boulevard works installed along Regional Road 7, to the satisfaction of the City and York Region. The Owner shall design and construct:
 - a) The streetscape along the south side of Regional Road 7 to the limit of the completed works by vivaNext from the westerly limits of the property to Maplecrete Road at an enhanced level of service to the satisfaction of the City (the "South Regional Road 7 Works");
 - b) The streetscape along the west side of Maplecrete Road from Regional Road 7 to the southern limits of the property at a standard urban level of service to the satisfaction of the City (the "West Maplecrete Road Works"). The Owner acknowledges that the ultimate design of the east side of the streetscape shall be designed and constructed at a standard urban level of service upon the redevelopment of the adjacent parcel;
 - c) The streetscape along Street A from Regional Road 7 to the southern limits of the property to an enhanced level of service to the satisfaction of the City (the "Street A Works"). The Owner shall provide a seamlessly designed streetscape that is coordinated with the adjacent public square, pedestrian public mews, private woonerf, Phase 1 built form and future built form related to Phase 2;
 - d) The streetscape along Street B from Street A to Maplecrete Road to an enhanced level of service to the satisfaction of the City (the "Street B

Works"). The Owner shall provide a seamlessly designed streetscape that is coordinated with the adjacent public square, pedestrian public mews, private woonerf, Phase 1 built form and future built form related to Phase 2; and

- e) The streetscape within the pedestrian public mews from the westerly limits of the property to Street A to an enhanced level of service, to the satisfaction of the City (the "Mews Works"). The design shall accommodate an appropriate future public connection and extension of the mews west through adjacent properties in order to provide a complete pedestrian linkage to the future Black Creek Urban Promenade, in accordance with the VMC Secondary Plan.

The South Regional Road 7 Works, West Maplecrete Road Works, Street A Works, Street B Works, and Mews Works are collectively referred to herein as the "Streetscape Works".

- 51. The Owner agrees that the design of the underground parking structure will not adversely impact the ability of the above grade built form to meet the policies and vision of the VMC Secondary Plan.
- 52. The Owner shall design and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape and Open Space Plan. The public square lighting will be determined through the developer-build agreement, to the satisfaction of the Vaughan Parks Development Department.
- 53. Prior to final approval of the Plan, the Owner shall prepare detailed streetscape and open space construction drawings as part of the subdivision construction drawing package based on the Streetscape and Open Space Plan, to the satisfaction of the City. Streetscape cost estimates shall be submitted to the satisfaction of the City. Securities will be taken and the value calculated based on the full cost of the Streetscape Works.
- 54. In the event that there is additional work or increases in the cost of the Streetscape Works attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City, but the Owner shall not be obligated to obtain the City's consent to authorize such additional work or increase in the cost of the Streetscape Works, except for major changes that exceed ten percent (10%) of the original cost of any one item in the construction contract for the project, in which case the City's consent shall be required. As

construction proceeds, the Owner shall produce, if requested, copies of all supplementary contracts and change orders to the City for information.

55. Components of the Maplecrete Road urbanization are included as City-wide Development Charge Projects in the 2013 Development Charges By-Law as required to service growth within the VMC Secondary Plan Area. In accordance with this Section, the Owner may be entitled to a Development Charge reimbursement for a portion of its costs related to the design and construction of the West Maplecrete Road Works, as described as Area "C" in Schedule "P4".
56. When the construction of the Streetscape Works has been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:
 - a) A certification from a registered consulting engineer and a registered landscape architect that confirms that the Streetscape Works have been constructed in accordance with the approved Construction Drawings, City standards and specifications, sound engineering practices, and the Streetscape Guidelines;
 - b) A detailed breakdown of the final as-constructed costs of the Streetscape Works certified by a professional consulting engineer, to the satisfaction of the City;
 - c) A Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Streetscape Works have been paid in full and that there are no outstanding claims related to the subject works;
 - d) A complete set of "As Constructed" Construction Drawings for the Streetscape Works, to the satisfaction of the City;
 - e) Copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Streetscape Works, to the satisfaction of the City; and
 - f) Copies of all quality assurance test results, supplementary geotechnical reports, and construction related reports.
57. Upon completion of the West Maplecrete Road Works and receipt of final actual cost certified by the consultant, the City shall reimburse the Owner the lesser of fifty percent (50%) of the final actual certified cost of the West Maplecrete Works or \$30,600.00 when funds for the Maplecrete Works are available and included in an approved capital project.

58. The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever, which may arise directly or indirectly by reason Streetscape Works or service provided under this Agreement.
59. Prior to final approval of the Plan, the Owner shall prepare a Master Plan that shows the comprehensive design and relationship between built form for Phases 1 and 2, private amenity spaces, streetscapes, pedestrian public mews, the public square, and public open space, to the satisfaction of the City. The Master Plan shall also demonstrate the interim design of the pedestrian public mews, intersection of Street A and Street B, and streetscape south of Street B.
60. Prior to final approval of the Plan, the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted in a strata condition has met the minimum requirement of 16 m³ of soil per tree, of 30 m³ in a shared condition to encourage the growth of large caliper shade trees, to the satisfaction of the City.
61. Prior to final approval of the Plan, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.
62. Prior to final approval of the Plan, the Owner shall agree to plan, design and construct the public square to the satisfaction of the City, in accordance with the City's Developer Build Parks Policy No.07.2.05.
63. The Owner shall agree to convey the public square to the City through the registration of the Plan.
64. The Owner shall modify the Plan to create a block for the purposes of an emergency exit stairwell located in the public square. The block shall include the stairwell structure and the portion of land immediately adjacent to the west, resulting in a block that connects the stairwell to Street A.
65. The Owner shall advise the City of any easements required to service the fire route, light standards illuminating the driveway that are currently within Block 4 of the Plan (the public square), and any other infrastructure.
66. The Owner shall provide an access and maintenance easement in favour of City for Block 6 (Fire route / driveway) to allow for public access along all boundaries of the public square.
67. Minimum depth of soil coverage on the public square shall be 1.2 m (excluding granular warning layer, drainage layer and waterproofing membrane).

68. The proposed public square grading must not negatively impact adjacent properties with overland flow routes. The public square cannot be encumbered by overland flow routes from adjacent properties.
69. Adequate servicing requirements shall be met to the satisfaction of the City. The public square shall be provided with separate sanitary storm, water and hydro servicing and an exclusive easement over a dedicated meter room provided within the structure, with suitable easement access to the satisfaction of the City.
70. The location and design of the stairwell structure that extend into the public square will be determined through detailed design and subject to the City's approval.
71. The Owner acknowledges that the Block 4 (public square) elevation currently shown on the Plan as "Above 202 m" is only an approximation, and that the depth limit of the public square strata ownership shall be the top of the granular warning layer, drainage layer, and water proofing membrane. The final strata ownership elevation shall be determined prior to finalization of the Plan.
72. Prior to the execution of a Site Plan Agreement, the Owner shall finalize the design, tender and construction documents for the public square (including Issued for Construction drawings and specifications certified by Landscape Architect, Certified Irrigation Designer, Civil, Structural and Mechanical and Electrical Engineers, as needed), to the satisfaction of the City. The construction documents, among all typical best practices requirements, shall also include details of the public square loading schedule in respect of such portion of the parking garage and the adjacent strata roads. The structural loading schedule shall consider live and dead loads as required by the *Building Code Act*, with allowances for loading such as, but not limited to, construction vehicles, playground structures, water fountains, mature trees' biomass, shrubs, ground cover, growing medium, public use, landscape features, planters, small structures for utilities or public washrooms and public art.
73. The Owner and City shall agree to determine the strata public square construction budget, to the satisfaction of the City. The final budget shall include a 15% contingency and a budget allocation for all required inspections and testing on materials and municipal services (e.g. cast-in-place concrete, compaction, water line pressure, sanitary sewer and stormwater sewer testing, underground parking waterproofing system, etc.).
74. The Owner's consultant shall design, tender a construction contract, and be the Contract Administrator for all works related to the construction of the public square, to the satisfaction of the City. Periodic construction progress reports and site meeting minutes shall be submitted for City's review.

75. The Owner shall obtain all approvals and permits required to construct the public square, to the satisfaction of the City.
76. Prior to the execution of a Site Plan Agreement, the Owner shall provide the City with a public square construction schedule.
77. Upon completion of the construction of the public square, the Owner shall submit a certificate prepared by a qualified professional engineer and landscape architect to the City to verify that the works have been installed in accordance with the approved public square and adjacent streetscape construction documents. As-built drawings (AutoCAD digital files and hard copies), warranty management plan, and all closeout documents and manuals for the public square and supporting parking structure shall be prepared to the satisfaction of the City.
78. The Owner shall be in charge for the operation and maintenance of the public square, at no cost to the City, for the warranty period of all construction works performed including labour and materials (first 24 months after substantial completion). Any suitable securities shall be held for the duration of the warranty period.
79. The City may require entering into an Operations and Maintenance Agreement with the Residential and/or Commercial Condo Corporation(s), to the satisfaction of the City.
80. The Owner shall be entitled to Parks Development Charge (DC) credits to the standard average DC level of service, as defined in the City's prevailing approved City DC Background Study.
81. The Owner shall be entitled to a Cash-in-Lieu of Parkland credit valuation and the amount of such credit shall not exceed 33% of the standard fee simple credit for the area of parkland (public square) to be conveyed to the City in respect of the development, with no credit being granted for driveway, vents, stairwells, encumbrances and easements.
82. Cash-in-Lieu of Parkland shall be required to be provided by the Owner, in accordance with the City's Policies and Procedures.
83. The following warning clauses will be included in the Condominium Declarations, the Condominium and Site Plan Agreements with the City, and in all Offers of Purchase and Sale or Lease all the development blocks included in the Plan (Blocks 1, 2 and 3):

"Purchasers and/or tenants are advised of the proposed adjacent public square and the noise and lighting that may be experienced daily and due to

standard maintenance tasks or special events and activation that may take place therein.”

“Purchasers and/or tenants are advised that the public square may be closed from time to time to undergo routine operation and maintenance and to any associated facility.”

84. Prior to final approval of the Plan, the Owner shall post a Letter of Credit for 50% of the construction value of the public square. The Letter of Credit shall be held until a Reserve Fund and Emergency Repair Funds are in place for all the strata City Facilities (e.g. strata roads and strata park).



Attachment #1b
Pre-Conditions and
Conditions of York Region

Corporate Services

October 26, 2015

File No.: 19T-13V06

Mr. Grant Uyeyama
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Stephen Lue, Senior Planner.

Dear Mr. Uyeyama:

**Re: Draft Plan of Subdivision 19T-13V06
Part of Lots 1 and 2, Registered Plan No. 7977
Highway No. 7, 190 & 180 Maplecrete
183437 Ontario Inc. (Liberty Development Corporation)
City of Vaughan**

Thank you for the opportunity to review and provide comments on the most recent revision to the above noted draft plan prepared by MHBC Planning, Urban Design & Landscape Architecture., File No. 1512E, dated August 13, 2015.

Based on our review of the revised plan, comments and conditions of draft approval provided to the City of Vaughan dated February 9, 2015 remain applicable and unchanged. However, additional technical comments dated October 23, 2015, from the Region's Transportation Services staff on the applicant's Traffic Impact Study (attached) should be addressed in a revised Traffic Study.

Should the draft plan be approved, we request a copy of the notice of decision, draft approved plan and the conditions of draft approval. Please feel free to contact Janai De Lima, Associate Planner with any questions or concerns at extension 71516 or electronically at janai.delima@york.ca.

Yours truly,

Duncan MacAskill, MCIP, RPP
Manager, Development Planning

JD/

Attachments (2) Regional Condition Letter (February 9, 2015)
Technical Comments (October 23, 2015)



Corporate Services

File No.: 19T-13V06

February 09, 2015

Mr. Grant Uyeyama
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Stephen Lue, Senior Planner

**Re: Draft Plan of Subdivision 19T-13V06
Part of Lots 1 and 2, Registered Plan 7977
(Liberty Development Corporation)
City of Vaughan**

The Regional Municipality of York has now completed its review of the above noted draft plan of subdivision prepared by Malone Given Parsons Ltd., Project No. 12-2127, dated October 02, 2013. The proposed development is located on the south side of Highway 7, east of Jane Street in the City of Vaughan. The draft plan will facilitate the development of 3 blocks of mixed-use development and blocks for streets within a 2.011 ha site.

Water Resources

Water Resources has no significant concerns with respect to the impact of the development on the quality and quantity of the municipal groundwater supply in the area. The site is not within a Wellhead Protection Area (WHPA) but high groundwater levels have been identified in the general vicinity of Highway 7 and Jane Street, through specific York Region projects.

At the request of the Ontario Ministry of the Environment (MOE), the above-noted area of concern conditions are to be identified to the area Municipality and applicant.

Transportation Planning

Transportation Planning staff have reviewed the Transportation Assessment report and Parking Study and Transportation Demand Management (TDM) plan dated June, 2012 prepared by Cole Engineering. Technical comments are attached to hereto.

Sanitary Sewage and Water Supply

This development is within the Black Creek Wastewater Service Area and will be serviced from Water Pressure District PD 6.

It is our understanding that this development will receive servicing allocation from the City of Vaughan in the short term from current Town allocation. If the City does not grant this development

allocation from the existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- Leslie Street Pumping Station Upgrades – Q1 2015 expected commissioning
- Duffin Creek WPCP Outfall – 2017 expected completion
- Duffin Creek WPCP Stages 1 and 2 Upgrades – 2017 expected completion
- Other projects as may be identified in future Master Plan Update and/or studies

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, staff are requesting that all residential lands be subject to various restrictions (i.e., Holding 'H' zone) to ensure that the water and wastewater servicing are available prior to occupancy. These restrictions are found within the requested schedule of conditions below. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.


According to the Functional Servicing Report by Valdor Engineering Inc. dated June 2012, it is our understanding that the 150mm diameter municipal watermain on Maplecrete Road is to be upgraded to a 400mm diameter municipal watermain with a connection to the 750mm diameter Regional watermain on Highway 7. A drawing dated October 18, 2013 by Valdor's office for the development known as Expo City shows a 400mm diameter watermain crossing on the east side of Maplecrete Road with a plug provided on the south side of Highway 7 for the future upgrade of the municipal watermain on Maplecrete Road. As a result of this configuration, additional connections to the Regional 750mm watermain are not warranted. Site servicing plan(s) for the blocks in the draft plan are to be submitted to the Infrastructure Asset Management branch for review and approval prior to construction.

Summary

York Region has no objection to draft plan approval of the plan of subdivision subject to the attached Schedule of Pre-Conditions and Schedule of Conditions. We request a copy of the notice of decision, draft approved plan, and the conditions of draft approval should the plan be approved.

Should you have any questions regarding the above, please contact Asif Abbas, Associate Planner, at extension 77271 or through electronic mail at asif.abbas@york.ca.

Yours truly,



Duncan MacAskill, M.C.I.P., R.P.P.
Manager, Development Planning

AA/
Attachments (3)

Schedule of Pre-Conditions
Schedule of Conditions
Technical Comments

Schedule of Pre-Conditions
19T-13V06
Part of Lots 1 and 2, Registered Plan 7977
(Liberty Development Corporation)
City of Vaughan

Re: Malone Given Parsons Ltd., Project No. 12-2127 dated October 02, 2013.

1. Prior to or concurrent with draft plan approval for any residential units, the owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the owner to:
 - A. Not enter into any agreements of purchase and sale with end users (*) for the subject lands until such time as:
 - a. i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
 - ii. York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 12 months) to permit presales;

or

 - b. The City approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;

or

 - c. The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City allocates the capacity to this development.
 - AND
 - B. Not enter into any agreements of purchase and sale with non end users for the subject lands unless the agreement of purchase and sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate agreement with the City. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.
2. Prior to draft plan approval for any residential units, the owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of Plan of Subdivision 19T-13V06, or any phase thereof, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being

available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

(*) the term 'end users', for the purpose of the above-noted pre-conditions, is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

Schedule of Conditions
19T-13V06
Part of Lots 1 and 2, Registered Plan 7977
(Liberty Development Corporation)
City of Vaughan

Re: Malone Given Parsons Ltd., Project No. 12-2127 dated October 02, 2013.

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region
2. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
3. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
4. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review and record.
5. For all lands, the Holding (H) provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
 - The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,
 - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
6. Prior to final approval, the Owner shall agree to provide a basic 60 metre right-of-way for this section of Highway 7. As such, all municipal setbacks shall be referenced from a point 30 metre from the centerline of construction of Highway 7. Any additional lands required for

turn lanes at the intersections will also be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor.

7. Prior to final approval, the Owner shall agree to provide direct pedestrian and cycling connections to boundary roadways and adjacent developments, as well as facilities on the site (e.g. convenient and secure bike racks near entrances) to promote the usage of non-auto travel modes. York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections/facilities.
8. Prior to final approval, the Owner shall provide an updated Transportation Assessment report and Parking Study and Transportation Demand Management (TDM) plan to the satisfaction of York Region.
9. Prior to final approval, the Owner shall demonstrate, to the satisfaction the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto the roadway that has transit services.

Existing YRT/Viva transit services operate on the following roadway in the vicinity of the subject lands:

- Highway 7

10. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation Services Department and the area municipality that the services to be installed by the Owner within or in conjunction with the Plan will provide a concrete pedestrian access connection from the internal roadway to the Regional roadway as follows:

- From "Street A" to "Highway 7"

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

11. The Owner shall agree in the subdivision agreement to convey lands to the local municipality to provide for such pedestrian access connection referred to in Condition 10 above.
12. The Owner shall satisfy the Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide the passenger standing area/shelter pad identified below and shall be installed to the satisfaction of the local municipality and York Region Transit. The Region confirms that all such passenger standing areas/shelter pads shall be owned and maintained by the Region and that the local municipality shall have no responsibility for those, notwithstanding that they may be included in the subdivision agreement.

Subject to approval by YRT/Viva, a passenger standing area and shelter pad shall be provided at the following location:

ON Street	AT Street	Location	Standard	Traffic Signal Request
Highway 7	Maplecrete Road	SW corner	YRT-1.03 (preferred) or YRT-1.02 if space is restricted	

The passenger standing area/shelter pad shall be provided at no cost to York Region and shall be provided concurrently with construction of necessary sidewalks. The Owner may apply for a development charge credit, in accordance with the York Region - Road Works development charge credit guideline for passenger standing areas and shelter pads.

Landscaping should not interfere with the bus stop, passenger standing area, shelter or corner sightlines. If the bus stop is located in front of employment areas it shall be incorporated into the landscape design.

The bus stop location determined during the design phase is subject to change. Prior to construction of the passenger standing area/shelter pad, the Owner/consultant shall confirm with YRT/Viva the final bus stop location/requirements. The Owner/consultant is to contact YRT/Viva Facilities Supervisor (tel. 905- 830-4444 x 75637) to confirm final details.

13. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk location, concrete pedestrian access, passenger standing area and shelter pad to the satisfaction of York Region.
14. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing and future introduction of transit services in this development as identified in Condition 9. This includes current and potential transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT/Viva route maps and the Future Plan maps are available from YRT/Viva upon request.
15. The Owner shall demonstrate, to the satisfaction of Regional Municipality of York Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop locations.

16. Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:
 - a) A widening across the full frontage of the site where it abuts Highway 7 of sufficient width to provide a 30 metres from the centreline of construction of Highway 7, and
17. Prior to final approval, in order to determine the property dedications (if any) required to achieve the ultimate right-of-way width of Highway 7 abutting the subject site, the applicant shall submit a recent plan of survey for the property that illustrates the existing centre line of construction of Highway 7.
18. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
19. The Region requires the Owner to submit, in general 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) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.
20. The Owner shall also provide the Region's Development Engineering Section of Corporate Department with a certified written statement from the Owner or the Owner's authorized representative 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 lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the

time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region 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 state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to the Region.

21. The Owner shall agree, prior to the development approval of Block 1, that direct vehicle access to Block 1 from Highway 7 will not be permitted.
22. The Owner shall agree, that access to Block 11 from/to Highway 7 shall be restricted to right-in, right-out movements only.
23. The Owner shall agree, prior to the development approval of Block 2, that direct vehicle access to Block 2 from Highway 7 will not be permitted. Access must be obtained through the internal road network.
24. Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Community Planning and Development Services Branch, outlining all requirements of the Community Planning and Development Services Branch.
25. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.
26. The Regional Community Planning and Development Services Branch shall advise that Conditions 1 to 25 inclusive, have been satisfied.

Transportation Services Department
Transportation Planning
Fax No. 905-895-0191

MEMORANDUM

TO: Asif Abbas, Community Planning

FROM: Shahid Matloob, Transportation Planning

DATE: February 2015

RE: Draft Plan of Subdivision 19T-13V06
Part of Lots 1 and 2, Registered Plan 7977
(Liberty Development Corporation)
City of Vaughan

As requested, Transportation Planning staff have reviewed the above captioned application, along with the Transportation Assessment report and Parking Study and TDM plan dated June, 2012 prepared by Cole Engineering. The proposed development consists of three development phases for a total of 1,314 residential units, 24,231 m² of office space and 2,952 m² of retail space. The subject site is located in the City of Vaughan at the south-west quadrant of Highway 7 and Maplecrete Road intersection.

- 1) To address all transportation related comments, as detailed below, pertaining to the aforementioned Transportation Assessment report.
 - a) The study area shall extend far enough from the development to contain all roadways/intersections that will be noticeably affected by the traffic generated by the proposed development. At a minimum, the study area shall be bounded by Highway 7 on the north, Interchange way on the south, Jane Street on the west and Creditstone Road on the east. All existing and future intersections located in the recommended area shall be evaluated as part of the study.
 - b) The study shall assess the horizon years of anticipated opening year assuming full build-out and occupancy and 5 years after build-out and occupancy.
 - c) The 2021 traffic volumes forecast are low. The study shows 1,360 vehicles travelling eastbound on Highway 7 in 2021 as compared to 1,990 vehicles in 2009 during AM peak hour. The study also assumes 30% reduction in auto trips due to transit share in 2021. This implies that almost no new auto trips will be generated on Highway 7 due to VMC developments. The future background traffic volume shall be estimated using a combination of build-up and trend /growth rate methods and shall be consistent with other TIS studies conducted in the area (Expo City).

- d) York Region's Travel Demand Forecasting Model (EMME/2) is an area wide strategic model. Caution shall be exercised when interpreting the results as traffic volumes on each link may not be representative of what may actually occur. Therefore, individual link volumes may not be used as actual values, sound professional judgement should be applied.
- e) Highway 7 is a planned rapid transitway corridor. The Region will only support a public road access to Highway 7 that can be shared with other developments in the area.
- f) It is not clear whether the 2006 TTS trip data is used for trip distribution in Section 6.3 (Trip Distribution). Clarification is required to confirm this.
- g) The study shall also look into measures that would reduce vehicle emissions such as electric charging stations available for vehicles that run on electric power. The conduits could be installed during construction and the charging units installed as needed
- h) As part of the Parking Study and TDM plan, the study has examined a Transportation Demand Management (TDM) program to support the proposed development. The TDM plan shall also include but not limited to the following measures:
 - o A check list that identifies the programs/measures, associated costs, the applicant's responsibility and specific actions to carry out the TDM implementation and monitoring;
 - o A drawing shall be provided to illustrate the locations of the pedestrian/cycling facilities and connections to adjacent developments and roadways;
 - o Illustrate the proposed locations of the bicycle racks on the site plan or a concept plan should be added to the study;
 - o Provide a real time display screen in the building so that the residents have real time information on the transit schedule;
 - o A detailed monitoring program;
 - o Develop a community map highlighting transit stops, walking and biking paths, retail destinations and schools, and distribute the new map to all new residents;
 - o Provide carefully planned, safe, illuminated and convenient pedestrian walkways and sidewalks linking the building to bus stops and transit stations/ terminals;
 - o Where appropriate, install adequate signage for pedestrians, including directions to nearest transit stops and terminals;

- Provide high quality pedestrian amenities such as benches and garbage receptacles;
- Contact Smart Commute North Toronto Vaughan and enter into an agreement with them to service the office component of the site. Smart Commute can provide carpool parking implementation support, information material, on site outreach and events, promotion, and ongoing monitoring.

The TDM Program must identify the roles and responsibilities of the landowner regarding the operational and financial elements. York Region and the local municipality will not assume any financial responsibility for the program development, implementation, ongoing management and operations, and monitoring of the TDM Program.

MEMORANDUM

TO: Janai De Lima, Development Engineering
FROM: Shahid Matloob, Transportation Planning
DATE: October 23, 2015
RE: **19T-13V06**
Traffic Impact Study
1834371 Ontario Inc. (Liberty Development Corporation)
2591 Highway 7 West, 180 and 190 Maplecrete Road
City of Vaughan

As requested, Transportation Planning staff have reviewed the Transportation Assessment report and Parking Study and TDM plan dated June, 2012 prepared by Cole Engineering to support the above captioned application. The proposed development consists of three development phases for a total of 1,314 residential units, 24,231 m² of office space and 2,952 m² of retail space. The subject site is located in the City of Vaughan at the south-west quadrant of Highway 7 and Maplecrete Road intersection.

Further to our internal discussion, the TIS should be revised to address the following areas of concern:

1. The Study should be consistent with the VMC Study with respect to the assumptions and future finer grid road network. Following is the link to the report.

https://www.vaughan.ca/projects/projects_and_studies/transportation_master_plan/General%20Documents/Appendix%20A1%20-%20Vaughan%20Metropolitan%20Centre.pdf
2. The Study should analyze all the accesses and implications to the Regional road network.
3. The Study should address previous comments dated December 1, 2010 provided on the OP application **OP.12.10**, where applicable.
4. A comprehensive TDM Plan should be part of the Study. The TDM plan shall include but not limited to the following measures:
 - Pedestrians and cycling connections to the municipal pedestrian/cycling infrastructure;
 - Dedicated and secure bicycle parking areas and outdoor bike repair station located adjacent to the bicycle parking area;
 - On site shower facilities and change rooms (if applicable for the office component of the development);

- Preferred carpool parking and physical rideshare notice board for employees;
- Provide carefully planned, safe, illuminated and convenient pedestrian walkways and sidewalks linking the buildings to bus stops and transit stations/terminals;
- Provide transit maps pamphlets near employee entrances and in employee assembly areas;
- Provide high quality pedestrian amenities such as benches and garbage receptacles, where appropriate;
- Become a member of the North Toronto Vaughan Smart Commute (NTV) and enroll in the programs that NTV Smart Commute currently offers.
- TDM plan shall include a check list that identifies the programs/measures, associated costs, the applicant's responsibility and specific actions to carry out the TDM implementation; and
- Illustrate locations of the pedestrian/cycling connections and facilities on the site plan or a concept plan and include in the TDM Plan.
- Include a TDM communication strategy, as part of the TDM, to communicate and notify the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded Presto Cards to the residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded Presto Cards.

ATTACHMENT #1C

TORONTO AND REGION CONSERVATION AUTHORITY

Toronto and Region Conservation Authority (TRCA) Conditions (November 24, 2017)

TRCA respectfully requests that the following conditions be included within the City's decision:

1. These conditions relate to the Draft Plan of Subdivision prepared by MHBC dated June 6, 2017.
2. That prior to the initiation of grading and prior to the registration of this plan or any phase thereof, the owner shall submit a detailed report for the review and approval of the TRCA that describes the storm drainage system to the satisfaction of TRCA. This report shall include:
 - a) Description of the storm drainage system (quality, quantity and erosion) for the proposed development;
 - b) Plans to illustrate how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme? How will external flows be accommodated? What is the capacity of the receiving system or feature;
 - c) Stormwater management techniques which may be required to control minor or major flows;
 - d) Appropriate Stormwater Management Practices (SWMPs) to be used to treat/manage stormwater, to mitigate the impacts of development on the quality, quantity and erosion of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;
 - e) Proposed methods and plan for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - f) Location and description and impact analysis of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation;
 - g) Overall grading plans for the subject lands;
 - h) Overall grading and stormwater management system plans demonstrating that the proposal is consistent with the Black Creek Renewal and VMC Master Servicing Environmental Assessments;

- i) A detailed Grading Plan be submitted that demonstrates stability along the west edge and provides for the development of the Black Creek and stormwater systems as described in the Black Creek Renewal and VMC Master Servicing Environmental Assessments;
 - j) Detailed functional servicing report;
 - k) Detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
 - l) A subsurface investigation (including assessment of groundwater levels) at the locations of the stormwater management facilities and for the final design of site grading and underground structure elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans; and
 - m) An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements.
3. That the Plan be subject to red-line revisions to meet the requirements of the TRCA.
4. That prior to grading or site alteration of Block 2, the Owner shall demonstrate, to the satisfaction of TRCA, that the flood plain, the 10 m buffer, and/or any appropriate measures to accommodate Black Creek and or its renewal have been completed or accommodated.
5. That the implementing Zoning By-law zones Block 2 with a Holding Symbol ("H") that prohibits development until it has been determined that the flood hazard has been appropriately addressed, to the satisfaction of the TRCA.
6. That the Owner in the subdivision agreement, in wording acceptable to the TRCA:
- a) Carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports referenced in these conditions;
 - b) To maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;

- c) To obtain all necessary permits pursuant to Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourse) from the TRCA;
 - d) To comply with all Permits approved under Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA;
- 7. That the Owner successfully obtains all necessary permits pursuant to Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) from the TRCA for site grading and development.
- 8. That the Owner submit a copy of the approved implementing Zoning By-law, the fully executed Subdivision Agreement a letter outlining how the conditions of draft approval have been fulfilled and the required clearance fees to the TRCA, in order to obtain clearance of the Conditions of Draft Approval.

ATTACHMENT #1D

CONDITIONS OF APPROVAL OF CANADIAN NATIONAL (CN) RAILWAY

Canadian National Railway (CN) Conditions (March 31, 2017)

1. 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 provisions:

OUTDOOR LIVING AREAS

The Owner agrees that as the open balconies, terraces, patios etc. may not meet the Ministry of the Environment and Climate Change ("MOECC") 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, 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.
2. The Owner will provide the necessary postponement agreement(s) postponing all mortgages and encumbrances to this agreement.
 3. The Owner will implement in the design and construction of the development of the site the recommendations of a Noise and Vibration Study 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 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 m (28th floor) for Phase 1;

- ii) Any other terraces, balconies or rooftop patios 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 to be constructed of brick veneer or masonry equivalent or materials of acoustical equivalency;
- iv) No portion of any of the buildings or podiums to 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*

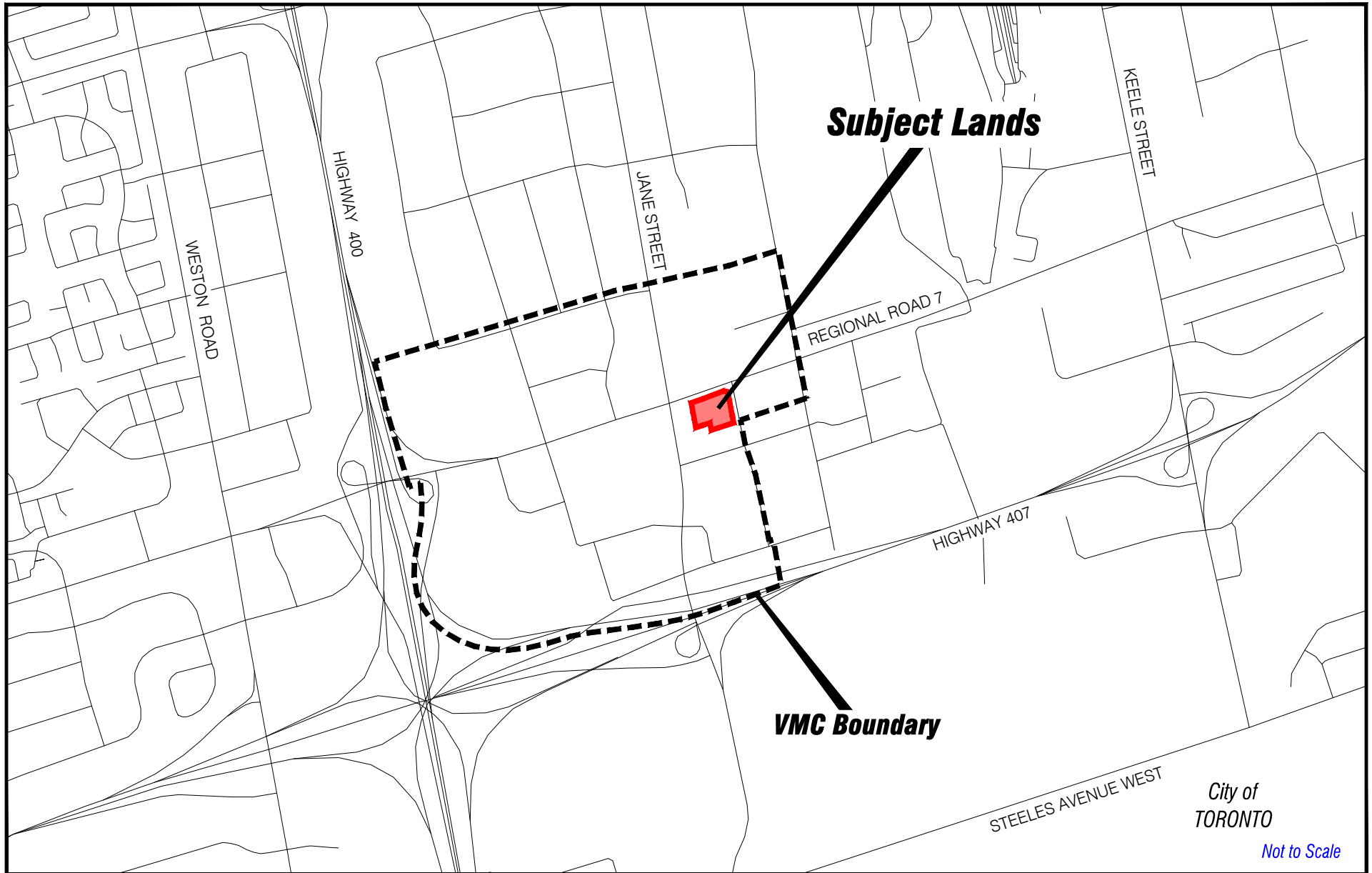
At residential suites and habitable areas, the spandrel panel must not exceed 16% of the associated floor area and must have a minimum Transmission Loss (TL) of 32 dB at 63Hz and 29 dB at 125 Hz;

- v) Upgraded windows/exterior doors to be provided having an Sound Transmission Class (STC) 37 rating or higher on the north and east facades of Buildings 1 and 2;
 - vi) Proposed windows/doors including frames to 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) Owner'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. A confirmation letter shall be provided to CN prior to occupancy (or another appropriate milestone). CN to confirm in writing that the conditions have been satisfied.
4. 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 the 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 kilometer 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 the buildings on the subject lands that have unenclosed balconies, patios, or terraces. Noise levels from CN's MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment and Climate Change ("MOECC") criteria as defined in Noise Assessment Criteria in Publication NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning". Such outdoor areas have not been designed to be used as Outdoor Living Areas as defined in Publication NPC-300, "Environmental Noise Guideline – Stationary and Transportation Noise Sources – Approval and Planning". Noise levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in these outdoor areas.
- 5. The Owner will pay CN its reasonable costs of reviewing the application and conditions of approval.



Context Location Map

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

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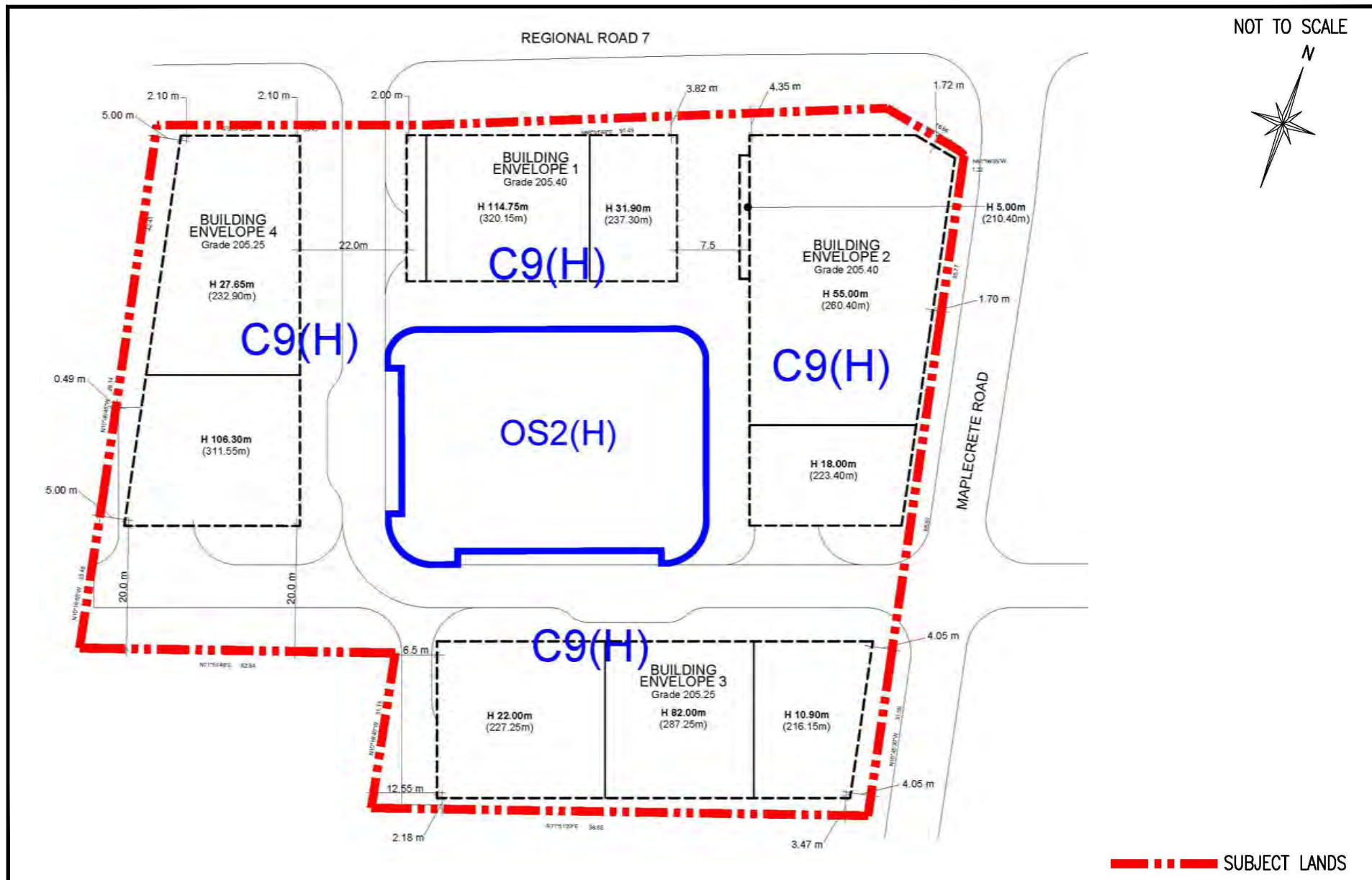


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

2



Original Schedule to By-Law 095-2014

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

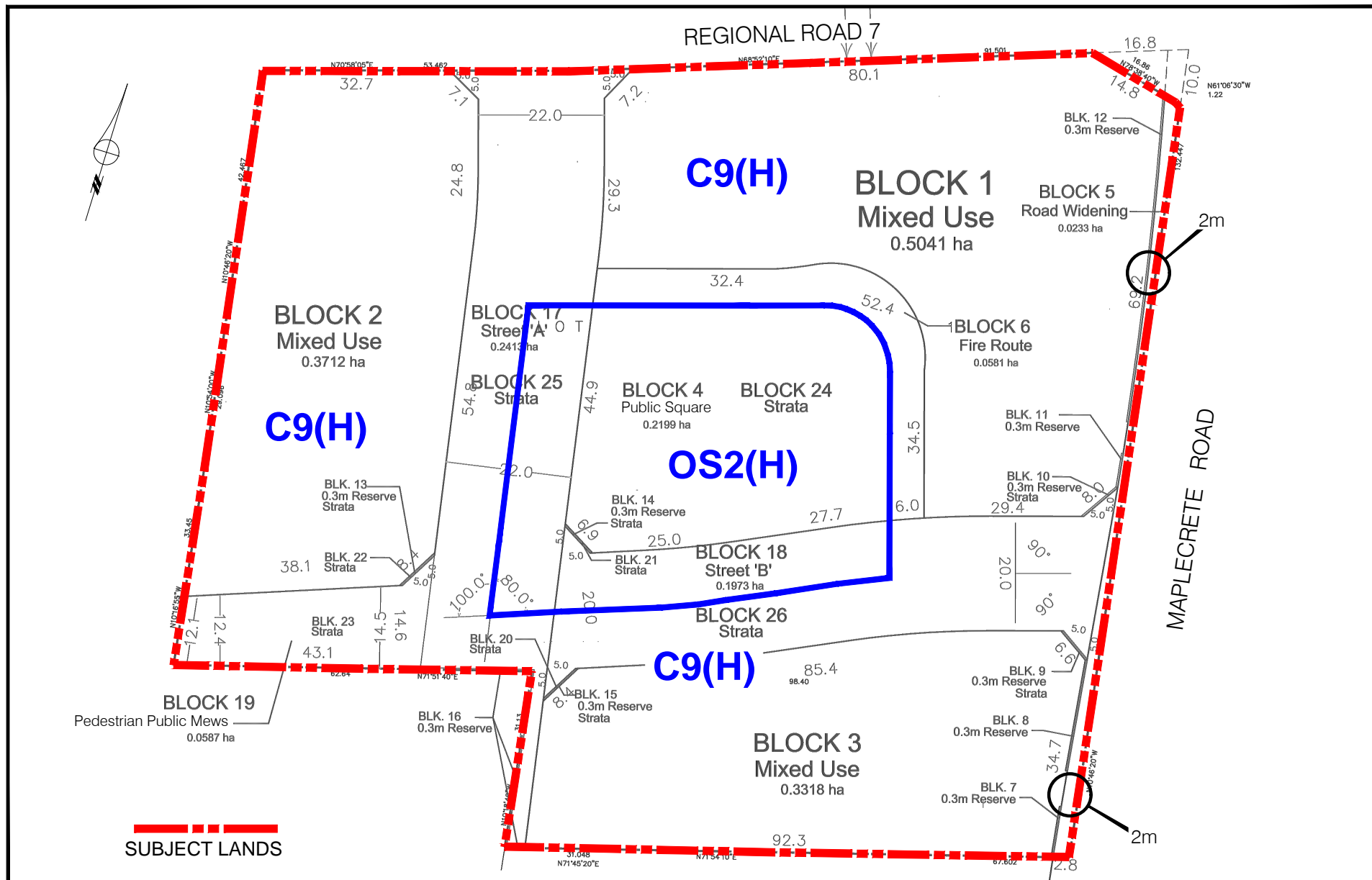


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

4



Proposed Draft Plan of Subdivision File 19T-13V006 and Proposed Zoning

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

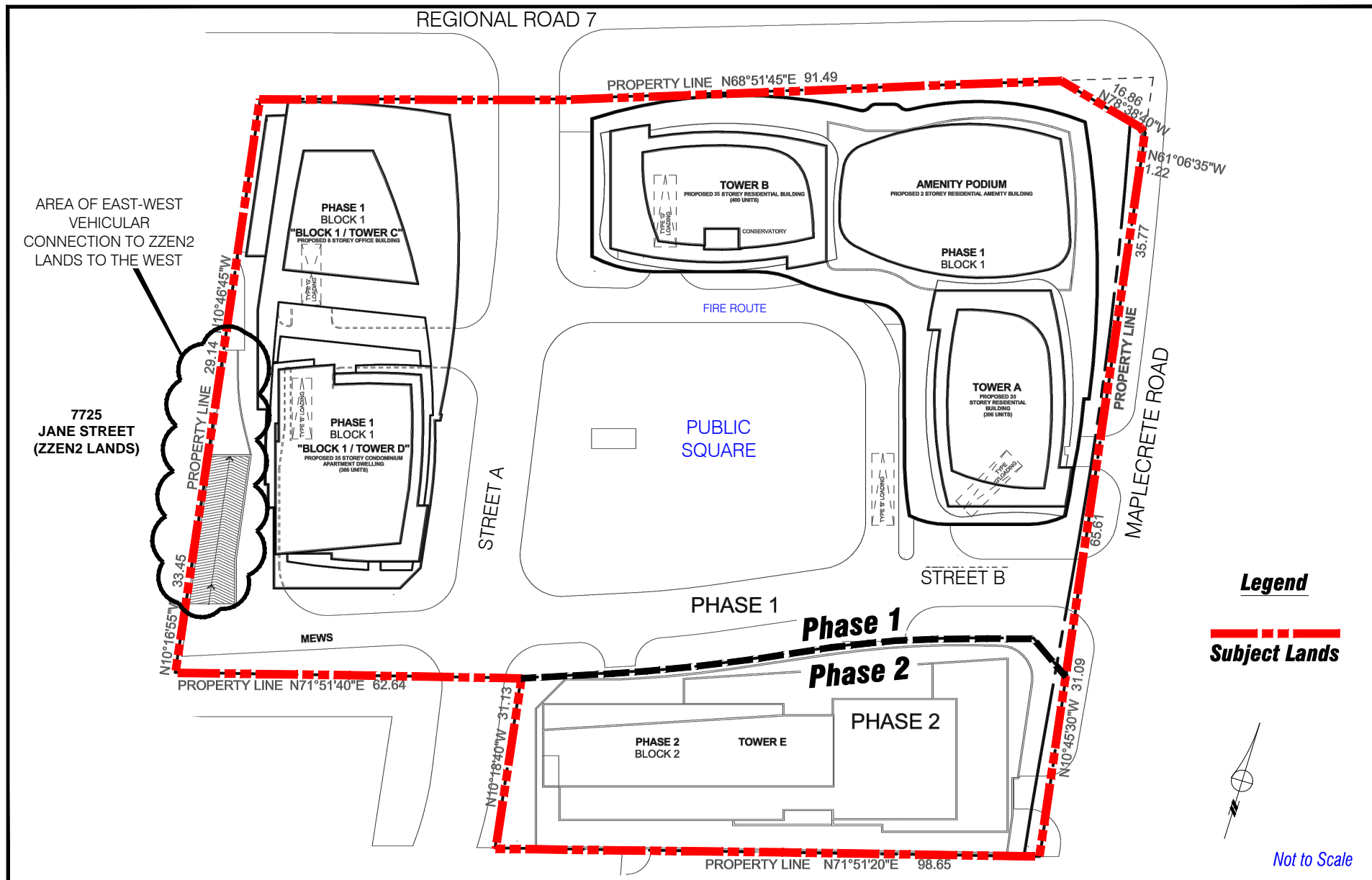


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

6



Proposed Site Plan and Landscape Plan

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

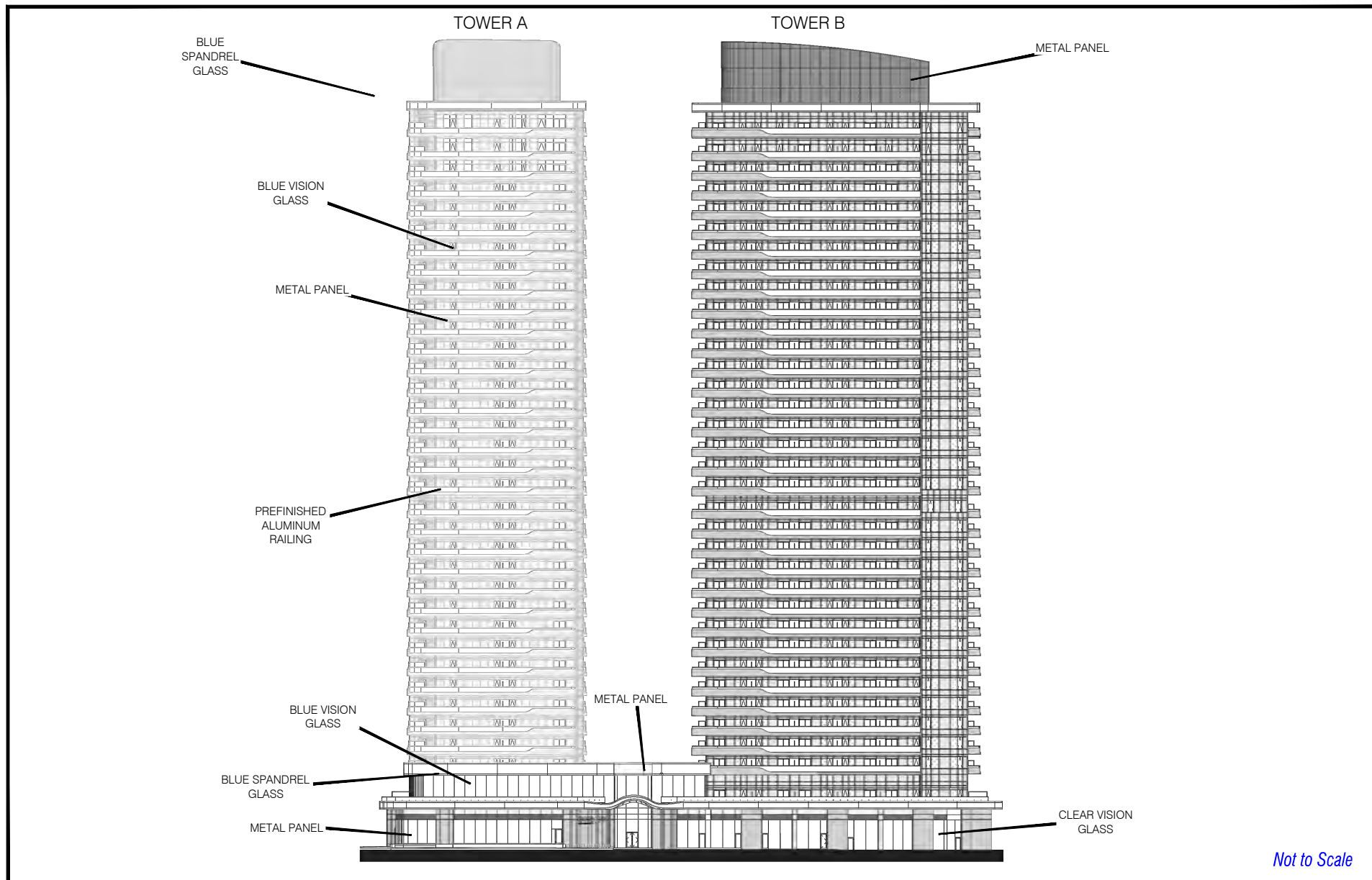


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

7



Towers A & B - Proposed North Building Elevations (Along Regional Road 7)

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

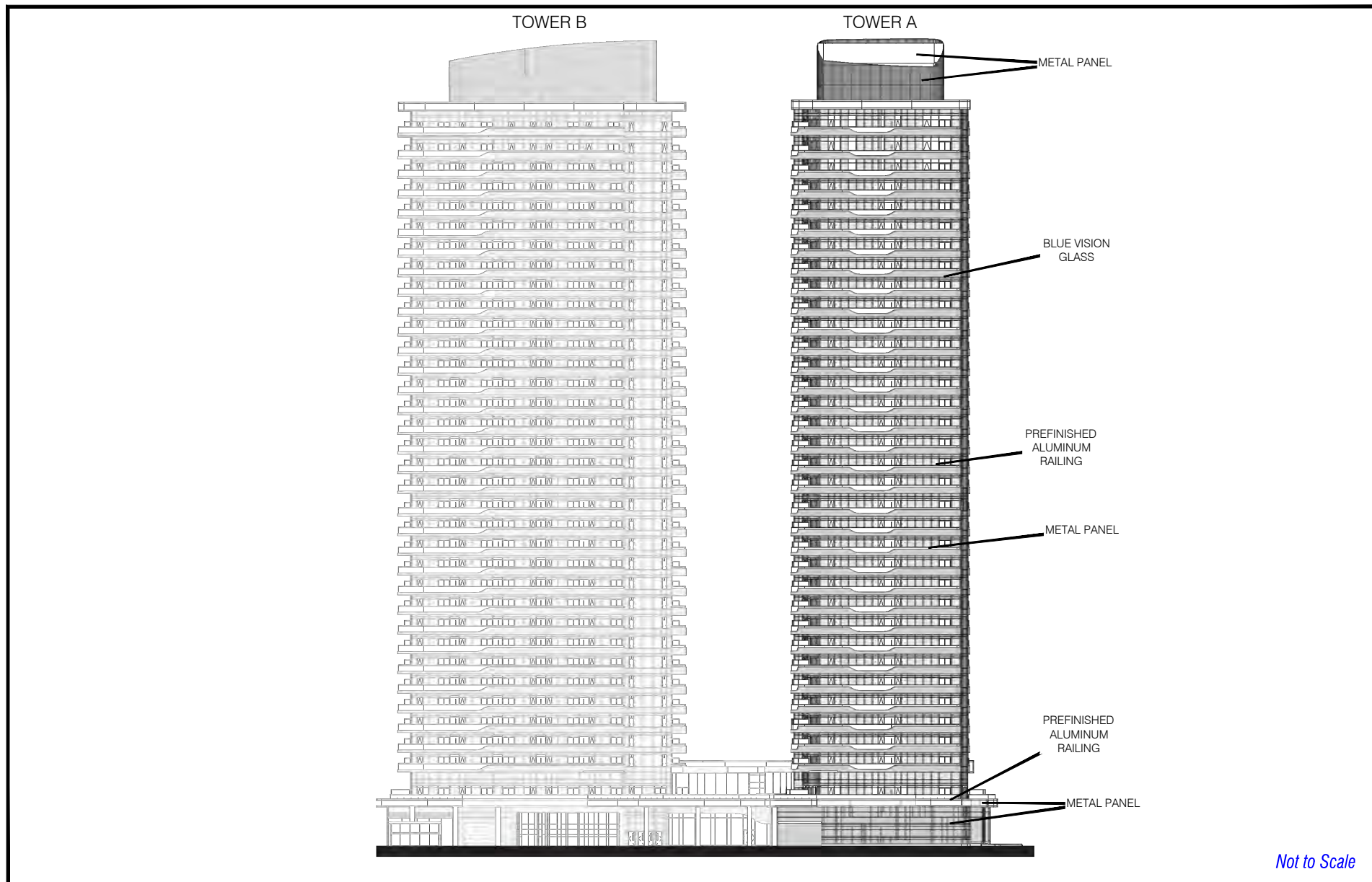


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

8



Towers A & B - Proposed South Building Elevations (Along Street "B")

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

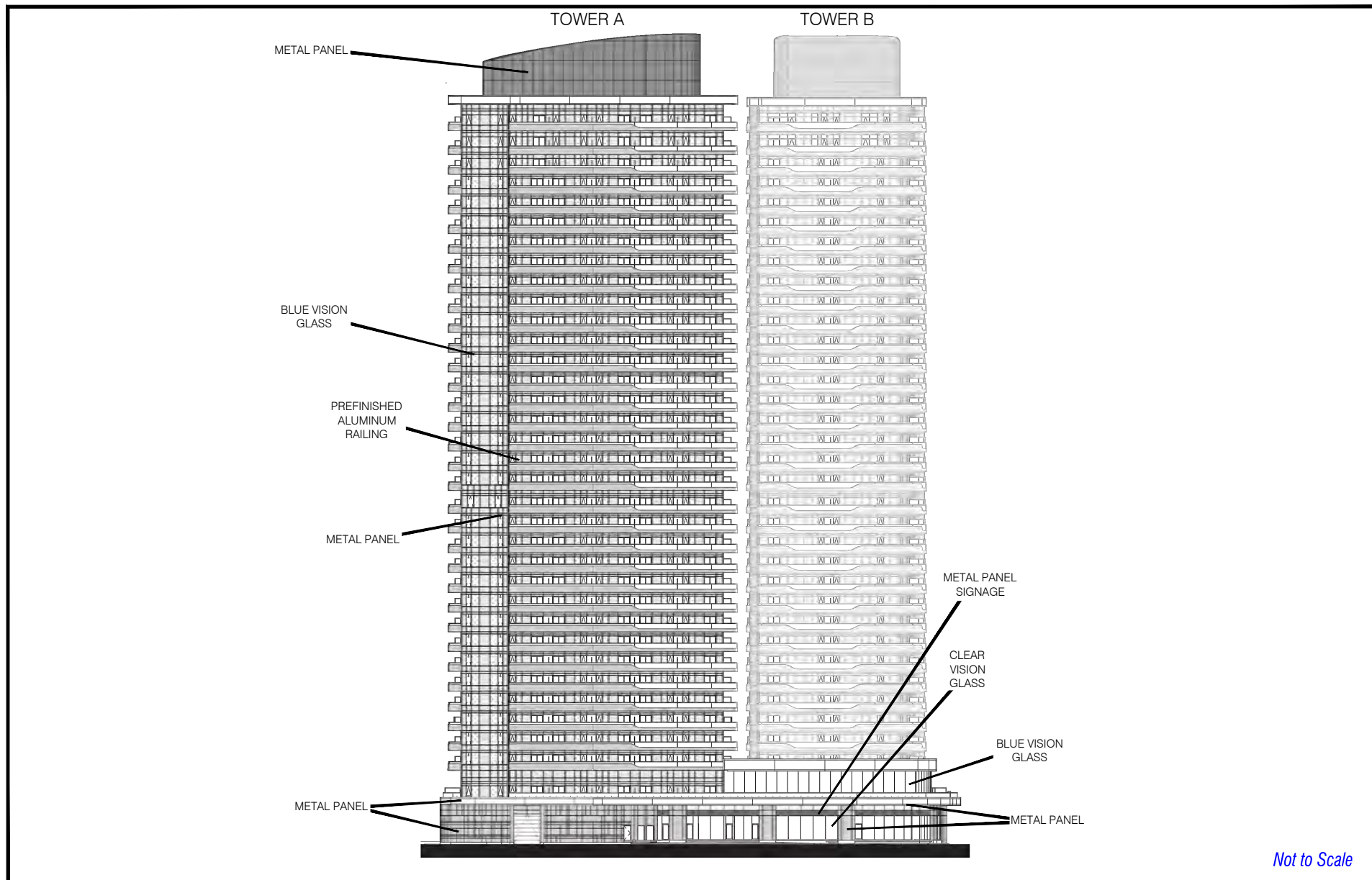


Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

9



Towers A & B - Proposed West Building Elevations (Along Maplecrete Road)

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

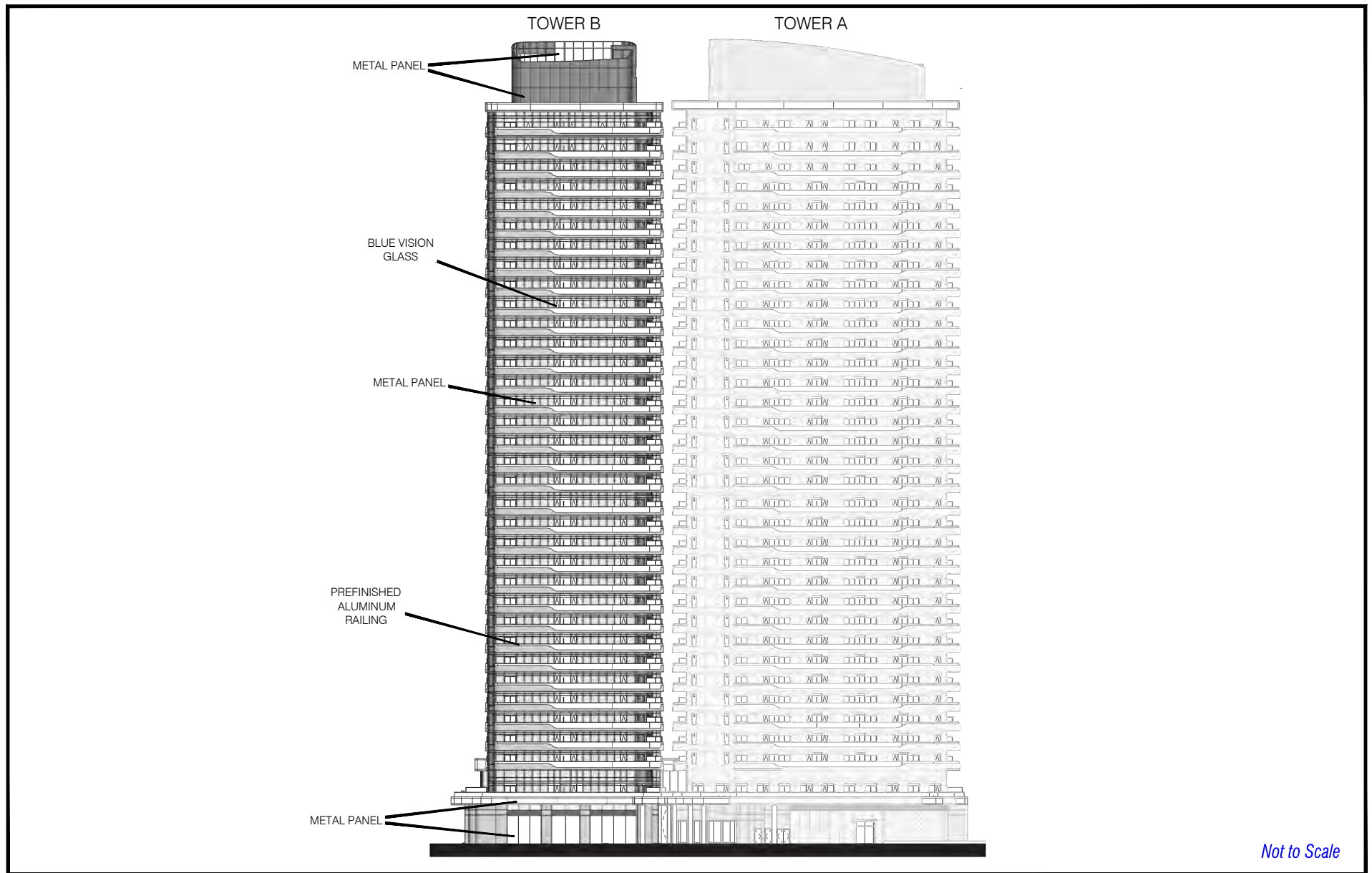


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FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

10



Towers A & B - Proposed East Building Elevations (Along Street "A")

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

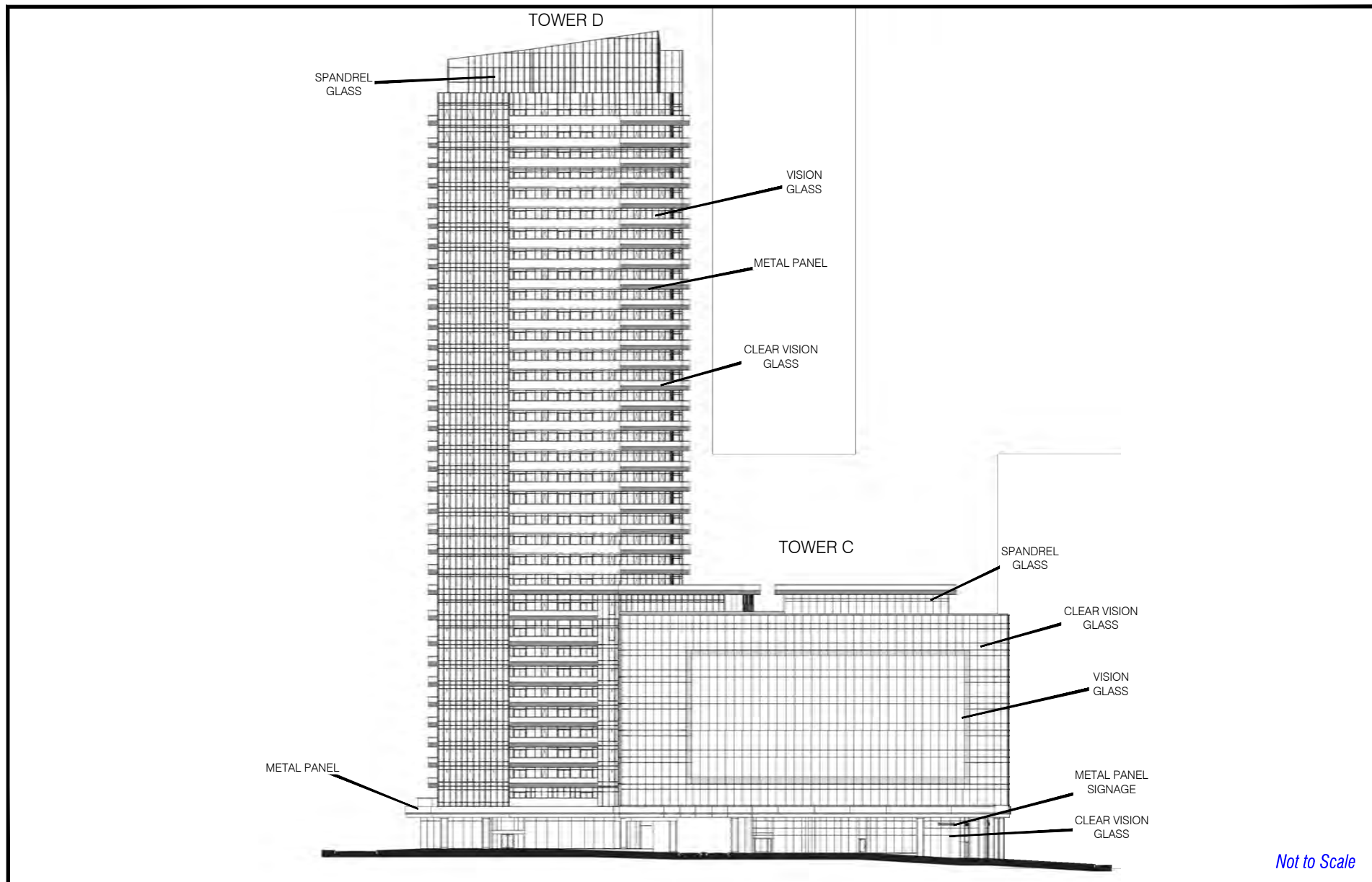


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FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

11



Towers C & D - Proposed East Building Elevations (Along Street "A")

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

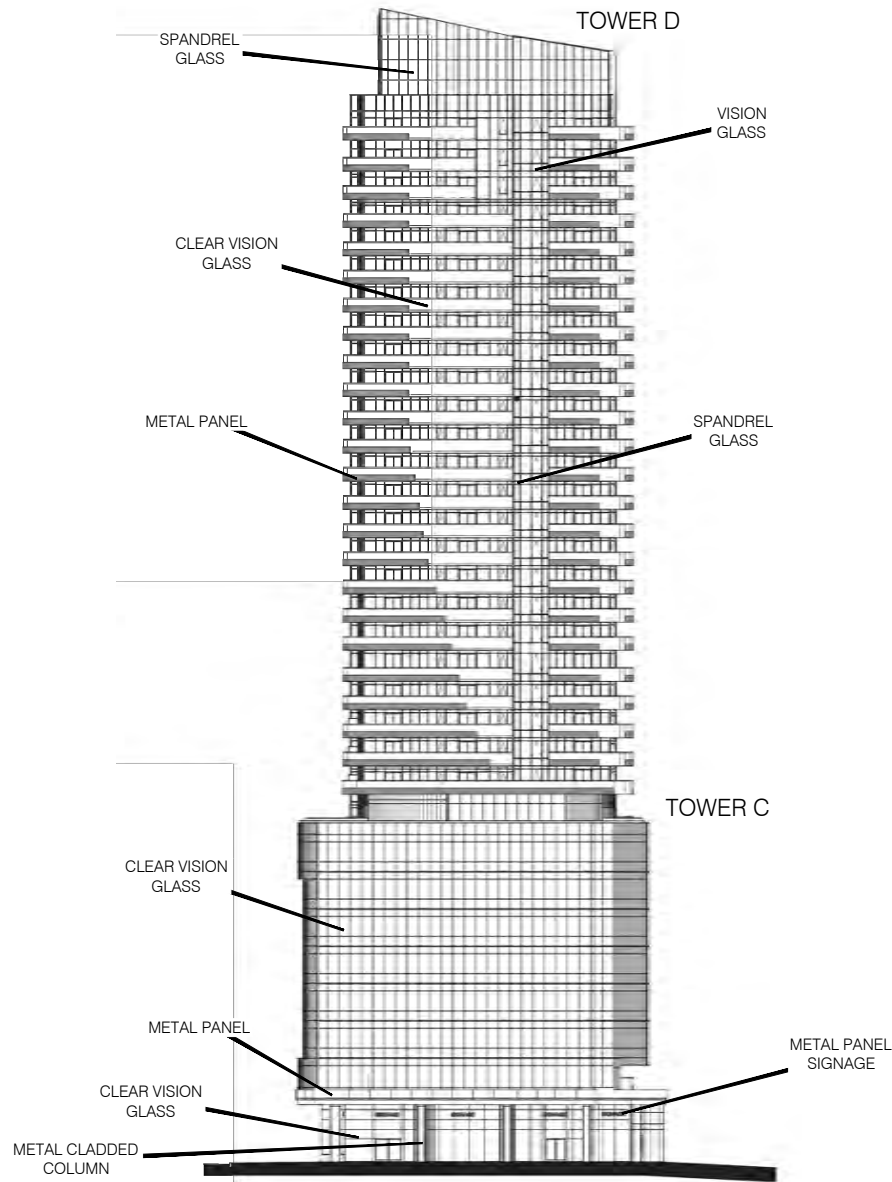


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FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

12



Not to Scale

Towers C & D - Proposed North Building Elevations (Along Regional Road 7)



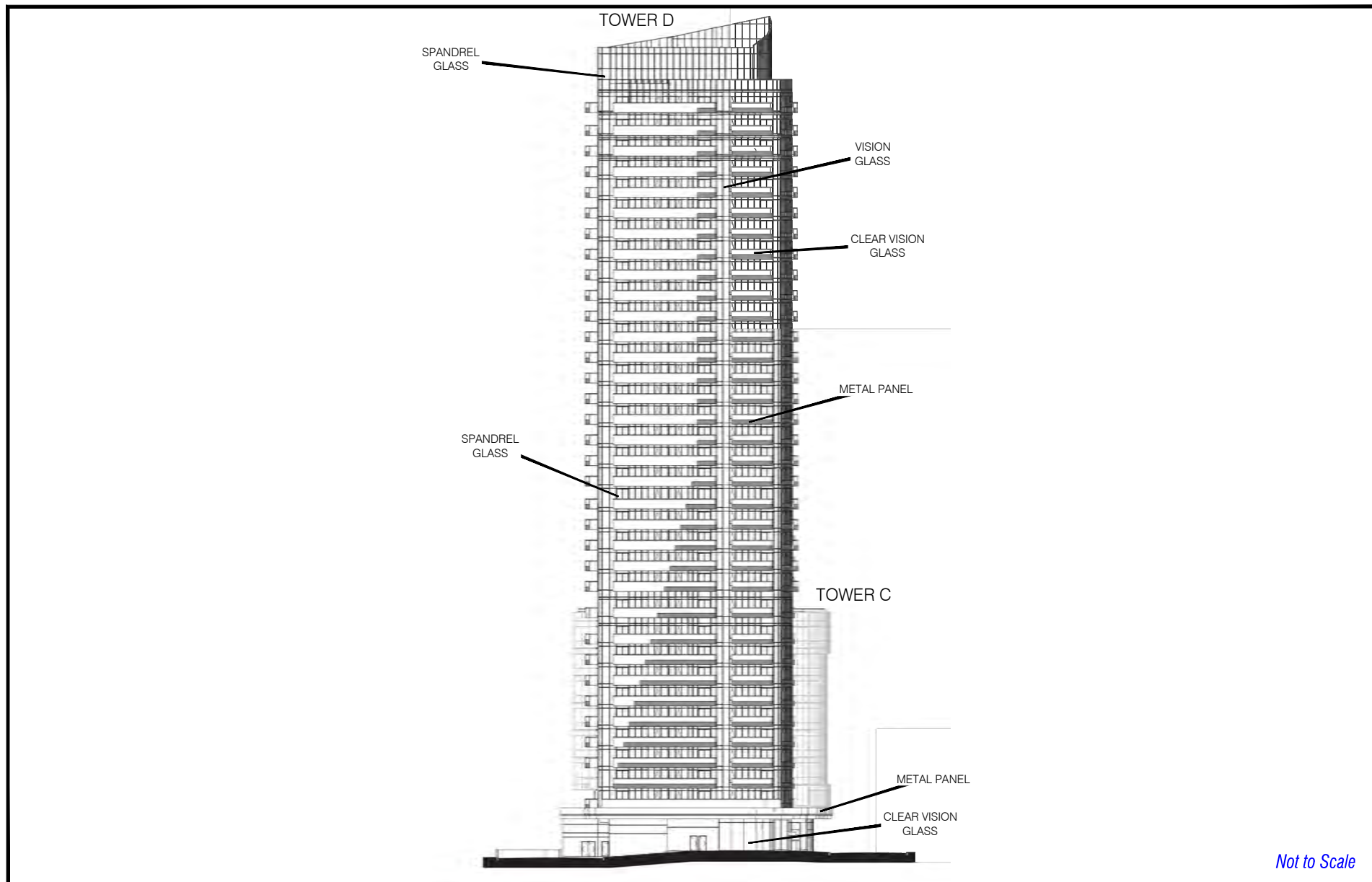
LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

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Attachment
FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025
DATE: January 23, 2018

13



Towers C & D - Proposed South Building Elevations (Along Pedestrian Public Mews)

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.

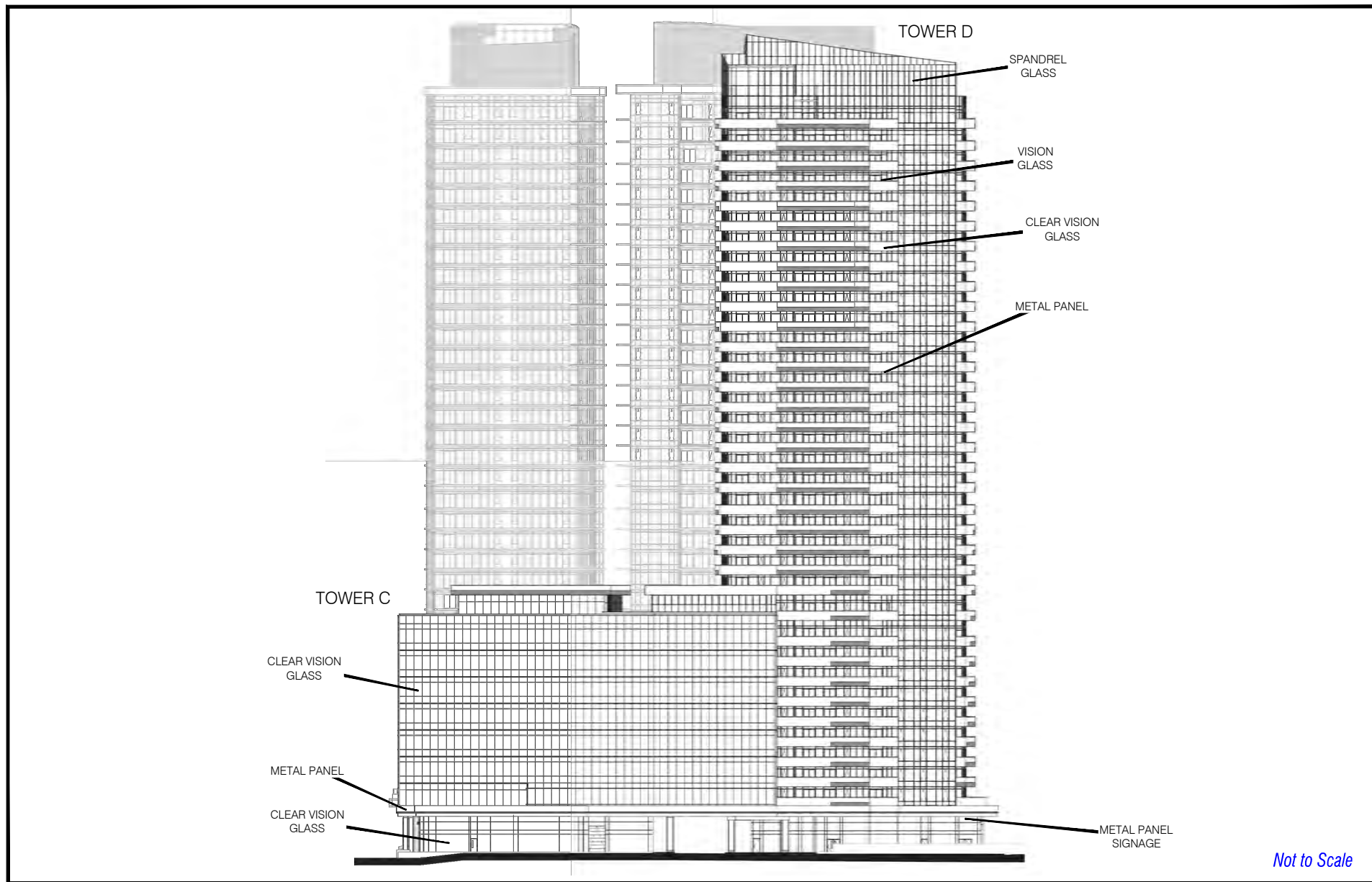


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FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

14



Towers C & D - Proposed West Building Elevations

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.



Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

15



Regional Road 7

Proposed Perspective (South View)

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.



Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

16



Proposed Perspective (Along Regional Road 7)

LOCATION:
Part of Lot 5, Concession 4

APPLICANT:
1834371 Ontario Inc.



Attachment

FILES: Z.15.021,
19T-13V006, & DA.13.021
RELATED FILES: OP.12.010 & Z.12.025

DATE: January 23, 2018

17

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 014-2018

A By-law to amend City of Vaughan By-law 1-88, as amended by By-law 095-2014 (Site-Specific Exception 9(1402)).

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 Schedule “1” and substituting therefor the Schedule “1” attached hereto.
 - b) Deleting Schedule “E-1529” and substituting therefor the Schedule “E-1529” attached hereto as Schedule “2” for the lands shown as “Subject Lands” on Schedule “1”.
 - c) Deleting Key Map 4A and substituting therefor the Key Map 4A attached hereto as Schedule “4”.
 - d) Deleting clause 1.(b)(i) and replacing with the following new clause 1.(b)(i):
 - “i) An Underground Parking Structure shall be permitted prior to the removal of the Holding “(H)” Symbol;”
 - e) Deleting clause 1.(b)(ii) and replacing with the following new clause 1.(b)(ii):
 - “ii) A By-law to remove the Holding Symbol “(H)” from the Phase 1 lands shall not be enacted until the following conditions are satisfied:”
 - f) Deleting clause 1.(b)(ii)(b) and replacing with the following new clause 1.(b)(ii)(b):
 - “b) The approval of the Site Development Application for Phase 2 on the Subject lands shall not proceed until a Building Permit has been issued for the eight-storey, minimum 13,549 m² office building in Phase 1;”
 - g) Adding the following new clauses 1.(b)(iii) and 1.(b)(iii)(a) after clause 1.(b)(ii) as follows:
 - “iii) A By-law to remove the Holding Symbol “(H)” from the Phase 2 lands shall not be enacted until the following condition is satisfied:
 - a) The owner shall contribute, if required, to community benefits as mutually agreed to with the City of Vaughan subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the *Planning Act* prior to the finalization of the Phase 2 Site Development application, to the satisfaction

of the City of Vaughan;”

- h) Deleting clause 1.(b)(ii)(c), 1.(b)(ii)(d), and 1.(b)(ii)(e) in its entirety and replacing with the word “DELETED.”
- i) Deleting clauses B.(a) and (b) and replacing with the following new clauses B.(a) and (b):
 - “a) Subsections 2.0 and 2.2 respecting the definitions of Lot, Parking Space, Underground Parking Structure, and Building Height;
 - b) Subsection 3.8.1 respecting Parking Requirements for the Vaughan Metropolitan Centre and Subsection 3.8.2 respecting Bicycle Parking in the Vaughan Metropolitan Centre;”
- j) Deleting clause B.(ai)(i) and replacing with the following new clause B.(ai)(i):
 - “i) The Subject Lands are deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots and/or blocks by way of a plan of subdivision, plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of this By-law;”
- k) Adding the following new clauses (iii) and (iv) after clause B.(ai)(ii):
 - “iii) An Underground Parking Structure shall mean a building or structure constructed below finished grade used for the temporary parking of motor vehicles and shall not include the storage of impounded or derelict motor vehicles;
 - iv) The definition of Building Height shall exclude accessory roof construction, elevator(s), mechanical room, antennae, parapet wall, canopies, landscape features, roof-top equipment, or roof-top architectural features and/or accessory amenity areas, including, but not limited to observatories. Where two or more levels of underground parking are provided for a residential, office or mixed-use development, two levels of above-grade parking integrated within the podium of the building may be excluded from the calculation of the total height of the building, and the Gross Floor Area of the parking area may be excluded from the calculation of the total density of the building;”
- l) Adding the following new clause after the second bullet in clause (bi)(ii):
 - “▪ Multi-Unit Residential – 0.5 spaces per unit;”
- m) Adding the following new clauses (biii), (biv), and (bv) after clause (bii):
 - “biii) The Minimum Width for the pedestrian public mews (and driveway) shall be 6 m;
 - biv) Access may be permitted to the Subject Lands from the adjacent lands to the west (7725 Jane Street);

- bv) Residential Visitor Parking may be shared with non-residential parking within a mixed-use building;”
- n) Deleting clause (ci) and replacing with the following new clause (ci):
 - “ci) Loading space(s) shall be located wholly enclosed in a building with access onto a public or private street;”
- o) Adding the following new clause (dii) after clause (di) as follows:
 - “dii) No minimum setbacks shall be required from any property line to the nearest part of a building below finished grade;”
- p) Deleting “2.0 m” in clause (ei)(i) and replacing with “0 m”.
- q) Deleting clause (fi) and replacing with the following new clause (fi):
 - “fi) Save and except exit stairs and vents ancillary to an underground parking area, all buildings or structures erected on the lands shown as “Subject Lands” on Schedule “E-1529” shall be located within the areas described as “Phase 1” and “Phase 2”;”
- r) Adding the “and/or accessory amenity areas, including, but not limited to observatories;” after the word “features” in clause (fiv).
- s) Deleting the reference to “Building Envelope 1” in clause (fv) and replacing it with “Phase 1”.
- t) Deleting clause (fvi) and replacing it with the following new clause (fvi):
 - “fvi) The maximum building height for “Phase 2” shall be 82 m, and if required, shall be subject to the owner’s contribution to community benefits to be used for the provision of services, facilities or other matters to assist in achieving municipal objectives, particularly to benefit the areas where the bonus is to be granted, subject to an Agreement(s) with the City of Vaughan pursuant to Section 37 of the *Planning Act*;”
- u) Deleting clause (fvii) and replacing it with the following new clause (fvii):
 - “fvii) For clarity, the following standards shall apply:
 - i) Minimum Lot Area shall be:
 - Block 2: 3,712 m²;
 - Block 3: 3,318 m²;
 - ii) The Minimum Lot Frontage shall be:
 - Block 2: 32 m (Regional Road 7);
 - Block 3: 34 m (Maplecrete Road);
 - iii) An architectural element may encroach 0.7 m into the site triangle located at the intersection of Street A and Regional Road 7;
 - iv) The Minimum Building Setbacks for Tower A shall be:
 - Abutting Maplecrete Road: 2 m at the second storey;
 - Abutting Street B: 0.6 m;

- v) The Minimum Building Setbacks abutting Street A for Tower B shall be 0.2m;
 - vi) The Minimum Building Setbacks for Tower D shall be:
 - Abutting Street A: 0 m;
 - Abutting the pedestrian public mews: 1 m;”
- v) Deleting clauses (gi), (gii), and (giii) and replacing with the following new clauses (gi), (gii), and (giii):
 - “gi) A minimum of 4 m² per apartment dwelling unit shall be provided as amenity area;
 - gii) The total combined retail gross floor area shall be a maximum 3,500 m²;
 - giii) The total combined office building gross floor area shall be a minimum of 13,549m²,”
- w) Adding the following new clause (giv) after clause (giii):
 - “giv) In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted:
 - i) Independent Living Facility;
 - ii) Supportive Living Facility;
 - iii) Long Term Care Facility;
 - iv) Underground Parking Structure;”
- x) Adding the following new clauses (h), (i), and (j) after clause B.(g):
 - “h) Subsection 7.1.1 respecting Open Space Zone Requirements and Schedule “A” respecting the zone standards in the OS2 Open Space Park Zone;
 - i) Subsections 7.1.2 and 7.3 respecting Uses Permitted in the OS2 Open Space Park Zone;
 - j) Subsection 3.8.1 respecting Parking Requirements for the Vaughan Metropolitan Centre;”
- y) Adding the following new clauses (hi), (ii), and (ji) after clause (giii):
 - “hi) The minimum setbacks within the OS2 Open Space Park Zone shall be 0 m;
 - ii) A building or structure for access stairs to and from the underground parking structure may be permitted in addition to the uses permitted in the OS2 Open Space Park Zone; and
 - ji) The required commercial and office parking may be used for required visitor parking associated with residential uses in a mixed-use building.”

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

Enacted by City of Vaughan Council this 30th day of January, 2018.

Hon. Maurizio Bevilacqua, Mayor

Barbara A. McEwan, City Clerk

Authorized by Item No. 1 of Report No. 2
of the Committee of the Whole
Adopted by Vaughan City Council on
January 30, 2018.

SUMMARY TO BY-LAW 014-2018

The lands subject to this By-law are located at the southwest corner of Maplecrete Road and Regional Road 7, municipally known as 2951 Regional Road 7 and 180 and 190 Maplecrete Road, being part of Lot 5, Concession 4, City of Vaughan.

The purpose of this By-law is to amend the original site-specific Zoning By-law Exception 9(1402), Zoning By-law 095-2014, to permit the following amendments:

- a) reduction of development phases from 3 to 2;
- b) consistent with the Vaughan Metropolitan Centre (VMC) Secondary Plan, permit the exclusion of two storeys from the calculation of maximum permitted building height provided that two storeys of underground parking is included – for Phase 1 only;
- c) notwithstanding the definition of lot and for clarity purposes, reductions to lot area, lot frontage, and building setbacks after the creation of Streets A and B and the pedestrian public mews;
- d) permission for site triangle encroachments at Street A and Regional Road 7;
- e) access protection in favour of the lands to the west (7725 Jane Street);
- f) permission for shared non-residential and residential visitor parking in a mixed-use building;
- g) a reduction of access with along the pedestrian public mews;
- h) inclusion of additional uses in the C9 Corporate Centre Zone (Independent Living Facility, Supportive Living Facility, Long Term Care Facility, and Underground Parking Structure, as site-specifically defined in this By-law);
- i) permit a building or structure for access stairs to and from the underground parking structure in the OS2 Open Space Park Zone with 0 m setback to all property lines;
- j) permit loading spaces to have access onto public or private streets;
- k) permit no minimum setbacks from any property line to the nearest part of the building below finished grade;
- l) permit 0 m landscape strip widths along Regional Road 7;
- m) further reduction of minimum amenity area to 4 m² per apartment dwelling unit;
- n) increase in maximum retail gross floor area to 3,500 m²; and
- o) exclude an observatory from the definition of building height.

On June 16, 2015, the Ontario Municipal Board approved By-law 095-2014 which effectively zoned the subject lands with the Holding Symbol “(H)”, until such time that the identified conditions are fulfilled.

Specifically, the condition that water supply and sewage servicing capacity has been identified and allocated to the Subject Lands by Vaughan Council has been fulfilled with the inclusion of the recommendation in the Committee of the Whole report, dated January 23, 2018, which was approved by Vaughan Council on January 30, 2018, that 1,162 residential units have been allocated servicing capacity from the York Sewage Servicing/Water Supply System.

The condition that the Record of Site Condition (RSC) be registered and signed by a Qualified Person and the Acknowledgment Form from the Ministry of Environment and Climate Change (MOECC) has been fulfilled with the registration of RCS #223539 and #223724.

Despite the above fulfilment of conditions, the Holding Symbol “(H)” shall remain in Site-Specific Exception 9(1402) until the remaining conditions are fulfilled.