

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 23, 2018**

Item 26, Report No. 18, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on May 23, 2018.

**26 OPA FILE OP.17.003 ZONING BY-LAW AMENDMENT FILE Z.17.028  
SITE DEVELOPMENT FILE DA.17.062 VMC RESIDENCES III GP INC.  
AS A GENERAL PARTNER AND ON BEHALF OF VMC RESIDENCES  
III LIMITED PARTNERSHIP VICINITY OF MILLWAY AVENUE AND  
PORTAGE PARKWAY**

**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 May 8, 2018:**

**Recommendations**

1. THAT Official Plan Amendment File OP.17.003 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED to amend Volume 2 of Vaughan Official Plan 2010, (the "Vaughan Metropolitan Centre Secondary Plan"), on the Subject Lands shown on Attachments #1 and #2, to:
  - a) increase the permitted building height from 25 to 55-storeys; and
  - b) increase the permitted density (Floor Space Index - "FSI") from 4.5 to 12.7 times the area of the Subject Lands shown on Attachments #1 and #2.
2. THAT the Mayor and the City Clerk be authorized to execute a Section 37 Density Bonus Agreement (the "Section 37 Agreement"), pursuant to Section 37 of the Planning Act, for the implementation of the community benefits identified in Recommendation #3.
3. THAT Zoning By-law Amendment File Z.17.028 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED; to:
  - a) amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments #1 and #2 from C10(H) Corporate District Zone with the Holding Symbol "(H)", subject to site-specific Exception 9(959), as shown on Attachment #2, to C10 Corporate District Zone, in the manner shown on Attachment #4, subject to site-specific Exception 9(1445), and thereby removing the Holding Symbol "(H)" on the entirety of the Subject lands, together with the site-specific development standards identified in Table 1 of this report; and

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- b) permit the bonussing for increased building height and density for the Development shown on Attachments #3 to #15 in return for the following community benefits, 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:
    - i) A \$1 million contribution towards an off-site community benefit regarding the first iconic pedestrian bridge within the City's Edgeley Pond and Park; and
    - ii) A \$3.5 million contribution towards an on-site public art budget for the creation of a public art piece that is integrated with the architecture of the building, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City;
- 4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the Planning Act, for the payment of \$1 million towards the pedestrian bridge within the City's Edgeley Pond and Park and \$3.5 million towards public art. The Section 37 benefits will be implemented through an agreement (the "Section 37 Agreement") between the Owner and the City of Vaughan to be executed prior to the enactment of the Official Plan and Zoning By-law Amendments. The Section 37 amount, in the form of a \$1 million payment (off-site contribution) and a \$3.5 million Letter of Credit (on-site contribution), shall occur prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$3.5 million Letter of Credit shall be applied to the Public Art Agreement, identified in Condition #5. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
- 5. THAT prior to March 31, 2019, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of a permanent piece of public art that is integrated with the architecture of the south, six-storey podium façade of the building as a public art contribution with a budget of \$3.5 million, secured through the \$3.5 million Letter of Credit identified in the Section 37 Agreement, 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 Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art program requirements; the Owner and City responsibilities; accounting requirements; and

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copyright and maintenance. 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 and shall enter into a maintenance agreement with the City.

6. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
7. THAT Site Development File DA.17.062 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to permit a 55-storey residential apartment building with 631 residential units, an integrated six-storey above-ground parking structure (212 parking spaces) with active uses in the podium, and 570 m<sup>2</sup> of ground floor commercial uses:
  - a) prior to the execution of the Site Plan Agreement:
    - i) the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a driveway access easement on the Subject Lands, in favour of the YRT Bus Terminal lands, for a future driveway bus access to Portage Parkway. The Committee's decisions shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee;
    - ii) the Development Planning Department shall approve the final site plan, building elevations, landscape plans and cost estimate, the roof-top amenity area and green roof plan, wayfinding and signage design, and wind tunnel model analysis. Prior to final approval, the Owner shall provide detailed south and west building elevations that must include the appropriate level of animation between the building and the enhanced pedestrian connections and corridors within the development block, to the satisfaction of the City;
    - iii) The Owner shall work with the adjacent landowner to achieve a minimum two-metre wide pedestrian connection within an easement, or a suitable alternative, along the south frontage of the Development, between the building and the YRT Bus Terminal lands, to the satisfaction of the City;

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- iv) 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, dewatering plan, external lighting plan, the utility coordination plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- v) the Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;
- vii) the Owner shall apply to the City for any permanent dewatering system(s) that is required for the Development, and enter into an agreement and/or obtain a permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- vii) The Owner shall convey to the City the necessary land for the widening of Millway Avenue and Portage Parkway and the necessary land and easement for the 10 x 10 metre sight triangle at the southwest corner of the intersection of Millway Avenue and Portage Parkway, at no cost to the City. The Owner shall also enter into an encroachment agreement with the City to permit the encroachment of the balconies on the upper storeys of the building into the City's sight triangle, all to the satisfaction of the Development Engineering Department.



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- ix) the Owner shall submit a separate Landscape Cost Estimate based on the ultimate design of the external streetscape works consisting of the enhanced streetscape treatments along the Millway Avenue and Portage Parkway rights-of-way to be provided in a separate Letter of Credit to ensure the completion of the external works, to the satisfaction of the Development Planning Department;
- x) the Owner shall submit to the City the final 3D digital model of the Development, 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 \$15,000.00 to guarantee the completion of the model;
- xi) In recognition of the operating agreements with the YMCA, YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the “Connections”) on the west and south sides of the Subject Lands, which will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easement or appropriate alternative is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure. Clauses to this effect will be included in the Site Plan Agreement and any other legal mechanisms registered on title;

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- xii) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
  - xiii) the Owner shall satisfy all requirements and conditions of the York Region Community Planning and Development Services Department, included in their letters dated November 3, 2017, and March 13, 2018, letters, attached hereto as Attachment #17;
  - xiv) the Owner shall satisfy all requirements of the Toronto Transit Commission (the “TTC”);
  - xv) the Owner shall obtain a Building and Land Use Permit from the Ministry of Transportation Ontario (the “MTO”); and
  - xvi) the Owner shall satisfy all requirements of Canada Post.
- b) the Site Plan Agreement shall include the following clauses:
- i) “The Owner shall enter into the required legal agreement(s) with the Condominium Corporations for Transit City Towers 1 and 2 and this Development for parking, access, operations, and maintenance of the Transit City Towers 1 and 2 above-ground integrated parking structure. The agreement(s) shall be registered on title, if required, to the satisfaction of the City.”
  - ii) “For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 500 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City’s Cash-in- Lieu Policy.”
  - iii) “The Owner shall pay to the City of Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region and York Catholic District School Boards, prior to the issuance of any Building Permit.”
  - iv) “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.”
  - v) “If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police

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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.”

- vi) “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- vii) “The Subject Lands are located adjacent to the York Region Transit (the “YRT”) Bus Terminal, which operates 24 hours, 7 days a week, and 365 days of the year. The Owner shall include the appropriate warning clause(s) in all Agreements of Purchase and Sale, and the Condominium Agreement and Declaration and Articles of Incorporation to advise all purchasers, tenants, leasees, of the proximity to the YRT Bus Terminal and its associated operations and the potential for noise, dust, vibration, and emissions, to the satisfaction of the City of Vaughan and the YRT.”
- viii) “In recognition of the operating agreements with the YMCA, the YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the “Connections”) on the west and south frontages, which will require the City to provide consent should the Owner transfer ownerships of the connections to a nonaffiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easements or appropriate alternatives is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure.”

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- ix) “The Owner agrees to provide sufficient notice to the City of any physical construction that might impact access within the connection, to the satisfaction of the City.”
- x) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the registration of a Draft Plan of Condominium, the Owner’s noise consultant shall certify that the noise attenuation measures identified in the approved environmental noise report have been incorporated into the building, all to the satisfaction of the Development Engineering Department.”
- xi) “On or before January 1, 2020, the planning and design of the future park on Park Block 1, including any strata elements, must commence. The Urban Park design must respond to the City’s guidelines and policies, including, but not limited to the Strata Title Arrangement and the Strata Principles for Public Parks and the VMC Streetscape and Open Space Plan, and be finalized to the satisfaction of the City. The design process shall include a public engagement element with Vaughan’s citizens, relevant stakeholders, and public agencies.”
- xii) “On or before the date that the approved Transit City Tower 1 and 2 above-ground integrated parking structure (Site Development File DA.17.014) is open and in operation, which is scheduled for March 31, 2021, the existing temporary surface commercial parking lot on Park Block 1 shall be closed to facilitate construction of the Urban Park.”
- xiii) “On or before thirty (30) days after the approved Transit City Tower 1 and 2 above-ground integrated parking structure is opened and in operation, which is scheduled for March 31, 2021, construction of the Urban Park on Park Block 1 will commence, including the removal of the existing temporary surface commercial parking lot and development of any strata elements, and must be completed within two (2) years of the start of construction (with strata) or within one (1) year of the start of construction (with no strata).”
- xiv) “The Owner shall agree to include the necessary warning clauses in the agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations, including, but not limited to the following:

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- This dwelling unit has been equipped with an air conditioning system which allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of Environment and Climate Change noise criteria – NPC-300.
  - Purchasers and/or tenants are advised that this development is in proximity to the York Region Rapid Transit Bus Terminal, and that sound levels may at times be audible.
  - Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic may on occasion interfere with some activities of the dwelling occupants.”
8. THAT a Development Charge credit be granted to the Owner that is equivalent to the amount paid per parking space, based on 82 parking spaces, for the Transit City Towers 1 and 2 lands to a maximum of \$151,473.96 on the residential visitor parking requirements for the Development on the Subject Lands to be located off-site on the Transit City Towers 1 and 2 lands, subject to the approval of the Development.
9. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:
- “THAT Site Plan Development File DA.17.062 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 631 residential units (1,395 persons equivalent).”

(A copy of the attachments referred to in the following report 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

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**DATE:** Tuesday, May 08, 2018

**WARD:** 4

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.17.003  
ZONING BY-LAW AMENDMENT FILE Z.17.028  
SITE DEVELOPMENT FILE DA.17.062  
VMC RESIDENCES III GP INC. AS A GENERAL PARTNER AND  
ON BEHALF OF VMC RESIDENCES III LIMITED PARTNERSHIP  
VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole to permit a 55-storey residential apartment building with 631 units and 570 m<sup>2</sup> of ground floor commercial uses in the Vaughan Metropolitan Centre ("VMC"), as shown on Attachments #3 to #16.

### **Report Highlights**

- The Owner proposes to develop the Subject Lands with a 55-storey residential apartment building at a density (Floor Space Index - "FSI") of 12.7 times the area of the lot, as shown on Attachments #3 to #16, which consists of:
- 631 apartment units and 570 m<sup>2</sup> of ground floor commercial uses; and

### **Report Highlights (Continued)**

- An integrated six-storey above-ground parking structure (212 spaces) with active uses in the podium and 95 off-site visitor (shared) parking spaces in the adjacent Transit City Towers 1 and 2 above ground parking garage.
- The Owner has requested an increase to the permitted building height and density in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, including:
  - \$3.5 million towards a public art piece that is integrated with the architecture of the building; and
  - \$1 million towards the first iconic pedestrian bridge in the Edgeley Pond and Park.
- The Development Planning Department supports the approval of the Development as it is compatible with the existing and planned uses in the Mobility Hub and the surrounding area, subject to the conditions in this report.

### **Recommendations**

1. THAT Official Plan Amendment File OP.17.003 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED to amend Volume 2 of Vaughan Official Plan 2010, (the “Vaughan Metropolitan Centre Secondary Plan”), on the Subject Lands shown on Attachments #1 and #2, to:
  - a) increase the permitted building height from 25 to 55-storeys; and
  - b) increase the permitted density (Floor Space Index - “FSI”) from 4.5 to 12.7 times the area of the Subject Lands shown on Attachments #1 and #2.
2. THAT the Mayor and the City Clerk be authorized to execute a Section 37 Density Bonus Agreement (the “Section 37 Agreement”), pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation #3.
3. THAT Zoning By-law Amendment File Z.17.028 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED; to:
  - a) amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments #1 and #2 from C10(H) Corporate District Zone with the Holding Symbol “(H)”, subject to site-specific Exception 9(959), as shown on Attachment #2, to C10 Corporate District Zone, in the manner shown on Attachment #4, subject to site-specific Exception 9(1445), and thereby removing the Holding Symbol “(H)” on the entirety of the Subject lands,

together with the site-specific development standards identified in Table 1 of this report; and

- b) permit the bonussing for increased building height and density for the Development shown on Attachments #3 to #15 in return for the following community benefits, 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*.
  - i) A \$1 million contribution towards an off-site community benefit regarding the first iconic pedestrian bridge within the City's Edgeley Pond and Park; and
  - ii) A \$3.5 million contribution towards an on-site public art budget for the creation of a public art piece that is integrated with the architecture of the building, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City;
- 4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$1 million towards the pedestrian bridge within the City's Edgeley Pond and Park and \$3.5 million towards public art. The Section 37 benefits will be implemented through an agreement (the "Section 37 Agreement") between the Owner and the City of Vaughan to be executed prior to the enactment of the Official Plan and Zoning By-law Amendments. The Section 37 amount, in the form of a \$1 million payment (off-site contribution) and a \$3.5 million Letter of Credit (on-site contribution), shall occur prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$3.5 million Letter of Credit shall be applied to the Public Art Agreement, identified in Condition #5. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
- 5. THAT prior to March 31, 2019, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of a permanent piece of public art that is integrated with the architecture of the south, six-storey podium façade of the building as a public art contribution with a budget of \$3.5 million, secured through the \$3.5 million Letter of Credit identified in the Section 37 Agreement, 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 Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. 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 and shall enter into a maintenance agreement with the City.

6. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
7. THAT Site Development File DA.17.062 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to permit a 55-storey residential apartment building with 631 residential units, an integrated six-storey above-ground parking structure (212 parking spaces) with active uses in the podium, and 570 m<sup>2</sup> of ground floor commercial uses:
  - a) prior to the execution of the Site Plan Agreement:
    - i) the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a driveway access easement on the Subject Lands, in favour of the YRT Bus Terminal lands, for a future driveway bus access to Portage Parkway. The Committee's decisions shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee;
    - ii) the Development Planning Department shall approve the final site plan, building elevations, landscape plans and cost estimate, the roof-top amenity area and green roof plan, wayfinding and signage design, and wind tunnel model analysis. Prior to final approval, the Owner shall provide detailed south and west building elevations that must include the appropriate level of animation between the building and the enhanced pedestrian connections and corridors within the development block, to the satisfaction of the City;
    - iii) The Owner shall work with the adjacent landowner to achieve a minimum two-metre wide pedestrian connection within an easement, or a suitable alternative, along the south frontage of the Development, between the building and the YRT Bus Terminal lands, to the satisfaction of the City;

- iv) 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, dewatering plan, external lighting plan, the utility coordination plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- v) the Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;
- vii) the Owner shall apply to the City for any permanent dewatering system(s) that is required for the Development, and enter into an agreement and/or obtain a permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- viii) The Owner shall convey to the City the necessary land for the widening of Millway Avenue and Portage Parkway and the necessary land and easement for the 10 x 10 metre sight triangle at the southwest corner of the intersection of Millway Avenue and Portage Parkway, at no cost to the City. The Owner shall also enter into an encroachment agreement with the City to permit the encroachment of the balconies on the upper storeys of the building into the City's sight triangle, all to the satisfaction of the Development Engineering Department.
- ix) the Owner shall submit a separate Landscape Cost Estimate based on the ultimate design of the external streetscape works consisting

of the enhanced streetscape treatments along the Millway Avenue and Portage Parkway rights-of-way to be provided in a separate Letter of Credit to ensure the completion of the external works, to the satisfaction of the Development Planning Department;

- x) the Owner shall submit to the City the final 3D digital model of the Development, 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 \$15,000.00 to guarantee the completion of the model;
- xi) In recognition of the operating agreements with the YMCA, YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the "Connections") on the west and south sides of the Subject Lands, which will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easement or appropriate alternative is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure. Clauses to this effect will be included in the Site Plan Agreement and any other legal mechanisms registered on title;
- xii) the Owner shall satisfy all requirements of Alectra Utilities Corporation;

- xiii) the Owner shall satisfy all requirements and conditions of the York Region Community Planning and Development Services Department, included in their letters dated November 3, 2017, and March 13, 2018, letters, attached hereto as Attachment #17;
  - xiv) the Owner shall satisfy all requirements of the Toronto Transit Commission (the "TTC");
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- b) the Site Plan Agreement shall include the following clauses:
- i) "The Owner shall enter into the required legal agreement(s) with the Condominium Corporations for Transit City Towers 1 and 2 and this Development for parking, access, operations, and maintenance of the Transit City Towers 1 and 2 above-ground integrated parking structure. The agreement(s) shall be registered on title, if required, to the satisfaction of the City."
  - ii) "For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 500 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy."
  - iii) "The Owner shall pay to the City of Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region and York Catholic District School Boards, prior to the issuance of any Building Permit."
  - iv) "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."
  - v) "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.”

- vi) “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- vii) “The Subject Lands are located adjacent to the York Region Transit (the “YRT”) Bus Terminal, which operates 24 hours, 7 days a week, and 365 days of the year. The Owner shall include the appropriate warning clause(s) in all Agreements of Purchase and Sale, and the Condominium Agreement and Declaration and Articles of Incorporation to advise all purchasers, tenants, leasees, of the proximity to the YRT Bus Terminal and its associated operations and the potential for noise, dust, vibration, and emissions, to the satisfaction of the City of Vaughan and the YRT.”
- viii) “In recognition of the operating agreements with the YMCA, the YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the “Connections”) on the west and south frontages, which will require the City to provide consent should the Owner transfer ownerships of the connections to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easements or appropriate alternatives is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure.”

- ix) “The Owner agrees to provide sufficient notice to the City of any physical construction that might impact access within the connection, to the satisfaction of the City.”
- x) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the registration of a Draft Plan of Condominium, the Owner’s noise consultant shall certify that the noise attenuation measures identified in the approved environmental noise report have been incorporated into the building, all to the satisfaction of the Development Engineering Department.”
- xi) “On or before January 1, 2020, the planning and design of the future park on Park Block 1, including any strata elements, must commence. The Urban Park design must respond to the City’s guidelines and policies, including, but not limited to the Strata Title Arrangement and the Strata Principles for Public Parks and the VMC Streetscape and Open Space Plan, and be finalized to the satisfaction of the City. The design process shall include a public engagement element with Vaughan’s citizens, relevant stakeholders, and public agencies.”
- xii) “On or before the date that the approved Transit City Tower 1 and 2 above-ground integrated parking structure (Site Development File DA.17.014) is open and in operation, which is scheduled for March 31, 2021, the existing temporary surface commercial parking lot on Park Block 1 shall be closed to facilitate construction of the Urban Park.”
- xiii) “On or before thirty (30) days after the approved Transit City Tower 1 and 2 above-ground integrated parking structure is opened and in operation, which is scheduled for March 31, 2021, construction of the Urban Park on Park Block 1 will commence, including the removal of the existing temporary surface commercial parking lot and development of any strata elements, and must be completed within two (2) years of the start of construction (with strata) or within one (1) year of the start of construction (with no strata).”
- xiv) “The Owner shall agree to include the necessary warning clauses in the agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations, including, but not limited to the following:

- This dwelling unit has been equipped with an air conditioning system which allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of Environment and Climate Change noise criteria – NPC-300.
  - Purchasers and/or tenants are advised that this development is in proximity to the York Region Rapid Transit Bus Terminal, and that sound levels may at times be audible.
  - Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic may on occasion interfere with some activities of the dwelling occupants.”
8. THAT a Development Charge credit be granted to the Owner that is equivalent to the amount paid per parking space, based on 82 parking spaces, for the Transit City Towers 1 and 2 lands to a maximum of \$151,473.96 on the residential visitor parking requirements for the Development on the Subject Lands to be located off-site on the Transit City Towers 1 and 2 lands, subject to the approval of the Development.
9. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:
- “THAT Site Plan Development File DA.17.062 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 631 residential units (1,395 persons equivalent).”

## **Background**

The 0.39 ha Subject Lands (the “Subject Lands”) are located on the southwest corner of Millway Avenue and Portage Parkway, shown as Subject Lands on Attachments #1 and #2.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol and the Official Plan Amendment and Zoning By-law Amendment Applications were considered by the Committee of the Whole at two separate Public Hearings***

On October 16, 2017 (Zoning By-law Amendment File Z.17.028), and on November 13, 2017 (Official Plan Amendment File OP.17.003), Notices of Public Hearing were circulated to all property owners within 150 m of the Subject Lands and posted online as follows:

- a) the City's Online Calendar;
- b) On the City Page; and
- c) the City's Facebook and Twitter sites.

As Millway Avenue was under reconstruction at the time, one Notice Sign was installed for each file on the Subject Lands along Portage Parkway, in accordance with the City's Notice Signs Procedures and Protocols. At the November 7, 2017, and the December 5, 2017, Public Hearings, no deputations or written submissions were received.

The Recommendations of the Committee of the Whole to receive the Public Hearing reports of November 7, 2017, and December 5, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting were ratified by Council on November 21, 2107, and December 11, 2017, respectively.

### **Previous Reports/Authority**

June 8, 2013, Committee of the Whole (Item 49, Report No. 32)

December 6, 2016, Committee of the Whole (Item 32, Report No. 43)

June 20, 2017, Committee of the Whole (Item 38, Report No. 26)

November 7, 2017, Committee of the Whole Public Hearing (Item 1, Report No. 40)

December 5, 2017, Committee of the Whole Public Hearing (Item 3, Report No. 45)

### **Analysis and Options**

The Owner has submitted Official Plan and Zoning By-law Amendment Files OP.17.003 and Z.17.028 and Site Development File DA.17.062 (the "Applications") to amend Volume 2 of the Vaughan Official Plan 2010, specifically Schedule "I" of the Vaughan Metropolitan Centre (VMC) Secondary Plan, as shown on Attachment #3, to increase the maximum permitted building height and density (FSI) from 25 to 55-storeys and from 4.5 to 12.7 times the area of the lot, respectively, for the Subject Lands, as shown on Attachments #1 and #2.

The Owner proposes to rezone the Subject Lands from C10(H) Corporate District Zone with the Holding Symbol "(H)", subject to site-specific Exception 9(959) to C10 Corporate District Zone, subject to site-specific Exception 9(1445), thereby removing the Holding Symbol "(H)" on the entirety of the Subject lands, and to permit the site-specific Development standards in Table 1 of this report. The Owner also proposes to permit the bonusing for the increased density and building height in return for community benefits, pursuant to Section 37 of the *Planning Act*.

The proposed development (the "Development") consists of the following:

- a) one residential apartment (future condominium) building with a building height of 55-storeys;
- b) 631 residential dwelling units;



- c) a Gross Floor Area (“GFA”) of 50,194 m<sup>2</sup> (all uses);
- d) 212 parking spaces in a six-storey integrated above-ground parking structure;
- e) 570 m<sup>2</sup> of commercial uses;
- f) 656 bicycle parking spaces;
- g) a total 95 off-site residential visitor shared parking spaces to be provided in the approved Transit City Towers 1 and 2 integrated parking structure (Site Development File DA.17.014), and
- h) a maximum density (Floor Space Index - FSI) of 12.7 times the area of the lot.

***The Development is consistent with the Provincial Policy Statement***

The *Provincial Policy Statement* (the “PPS”) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean, safe, liveable, and healthy environment. Part V – “Policies” of the PPS states (in part) the following:

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

*1.1.1 Healthy, liveable and safe communities are sustained by (in part):*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding Development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *promoting cost-effective Development patterns and standards to minimize land consumption and servicing costs;*
- e) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and*
- f) *ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.*

The Development is consistent with the policies of the PPS and contributes to a healthy, liveable and safe community in the following manner:

- the Development would intensify the existing underutilized site in a designated settlement area at a higher density than the existing surrounding land uses and contributes to the overall range of housing options that would meet Vaughan's housing needs;
- the proposed intensification utilizes the Subject Lands more efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing costs; the Development will be designed in compliance with the standards set by the Accessibility for Ontarians with Disabilities Act ("AODA") providing for accessibility for residents and visitors; and
- the future residents of the Development will have the opportunity to participate in an incentive program, where every unit owner would be provided with a membership to the YMCA (the "YMCA") fitness facility as part of the planned YMCA community centre to encourage an active and healthy lifestyle.

#### 1.1.3.2 Settlement Areas

*The vitality of settlement areas is critical to the long term economic prosperity of communities. It is in the interest of all communities to use land and resources efficiently, to promote efficient Development patterns, protect resources, and ensure effective use of infrastructure.*

**1.1.3.2**      *Land use patterns within settlement areas shall be based on:*

- a)      *densities and a mix of land uses which:*
  - i)      *efficiently use land and resources;*
  - ii)     *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - iii)    *support active transportation;*
  - iv)    *are transit-supportive, where transit is planned, exists or may be developed; and*
- b)      *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

**1.1.3.3**      *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas,*

*including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

- 1.1.3.4 Appropriate Development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*
- 1.1.3.6 New Development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure that specific targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.*

The Development is consistent with the settlement area policies of the PPS as follows:

- the Development is located in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density within a designated Urban Growth Centre (a “UGC”) and a Mobility Hub that would support the surrounding higher-order transit investments;
- the intensification of the site provides opportunities to reduce the negative impact of climate change by promoting active transportation through reduced parking ratios and the proximity to public transportation, pedestrian and bicycle friendly environments that encourage walking and cycling;
- the VMC is an identified intensification area where municipal services are available and planned to accommodate high density development that supports population and employment growth projections in the City. The Subject Lands are currently vacant and the Development contributes to the efficient utilization of the existing and planned infrastructure; and
- maximum density targets have been established in the VMC Secondary Plan that are achieved by the Development. Through the Section 37

provisions of the *Planning Act*, which is discussed later in this report, the Owner proposes a density and building height that exceeds the maximum targets set out in the Plan in exchange for community benefits.

#### Housing (in part)

1.4.3. *planning authorities shall provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents of the regional market area by:*

- c) *directing the Development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

The Development is consistent with the housing policies of the PPS as it includes 631 residential units that consists of one, two and three-bedroom units within a residential apartment building at a density that efficiently uses land, infrastructure and services. The Development density at this location in the VMC Mobility Hub is transit-supportive and would promote active transportation.

#### Public Spaces, Recreation, Parks, Trails and Open Space (in part)

1.5.1.a) *Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.*

The Development is consistent with the public spaces, recreation, parks, trails and open space policies as follows:

- the Development forms part of a development block (Attachment #5) bound by Portage Parkway, Millway Avenue, Apple Mill Road, and Buttermill Road (the “development block”) that includes grade related pedestrian connections within the block that would be protected for public access. These connections would seamlessly direct pedestrians through the YRT Bus Terminal, the VMC Subway Station, the community centre, the surrounding public streets, Transit Square, and the surrounding planned amenities in a safe environment that encourages social interaction;

- Residents of the Development would have opportunities to access the community centre (the “YMCA”) where healthy and active lifestyles would be promoted. Long and short-term bicycle parking and storage facilities are proposed to encourage healthy and active travel options; and
- The Owner proposes a public art piece that would be integrated into the architecture of the south building elevation. This public art piece would be a focal point in the VMC and would attract social interaction in the community.

#### Infrastructure and Public Service Facilities (in part)

*1.6.3 Before consideration is given to development of new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized.*

The Development is consistent with the Infrastructure and Public Service Facilities policies as it is located in close proximity to significant existing transit infrastructure and the YMCA, which would support the new community library. The Owner proposes to contribute an off-site community benefit, being the first iconic pedestrian bridge within the City’s Edgeley Pond and Park, which will begin construction in the summer of 2018, and will become a focal point for pedestrian connectivity in the park.

#### Long-Term Economic Prosperity (in part)

- 1.7.1 Long-term economic prosperity should be supported by:*
- a) promoting opportunities for economic Development and community investment-readiness;*
  - b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;*
  - c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; and*
  - d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.*

The Development is consistent with the long-term economic prosperity policies of the PPS as the VMC is the City’s new downtown and the Development represents a significant investment in the VMC, which supports the economic prosperity of the VMC. A range of residential unit types in an urban environment is offered that would

accommodate additional population within the VMC that would support the retail, office and cultural uses. The Development represents the intensification of the Subject Lands that would contribute to the urban environment and the long-term economic prosperity of the VMC.

The Development is consistent with the policies of the PPS, which promotes the efficient use of land, housing options, social interaction, long-term economic prosperity, and supports a healthy community. The Subject Lands are located within a Mobility Hub where public investment in higher-order transit is located. The Development supports alternate modes of transportation such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption.

***The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) (the “Growth Plan”)***

The *Provincial Growth Plan for the Greater Golden Horseshoe* (the “Growth Plan”) is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

**Managing Growth**

*Policies 2.2.1.1 and 2.2.1.2 of the Growth Plan state that the forecasted population and employment growth identified will be used for planning and managing growth to the horizon of the Growth Plan, and the forecasted growth will be allocated based on the following:*

- a) *the vast majority of growth will be directed to settlement areas that:*
  - i) *have a delineated built boundary;*
  - ii) *have existing or planned municipal water and wastewater systems;*  
*and*
  - iii) *can support the achievement of complete communities;*
- b) *growth will be limited in the settlement areas that:*
  - i) *are undelineated built-up areas;*
  - ii) *are not serviced by existing or planned municipal water and wastewater systems; or*
  - iii) *are in the Greenbelt Area;*

- c) *within settlement areas, growth will be focused in:*
  - i) *delineated built-up areas;*
  - ii) *strategic growth areas;*
  - iii) *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) *areas with existing or planned public service facilities;*
- d) *development will be directed to the settlement areas, except where the policies of the Growth Plan permit otherwise; and*
- e) *development will be generally directed away from hazardous lands.*

*Policy 2.2.1.4 further states that the Growth Plan will support the achievement of complete communities that:*

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i) *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii) *public service facilities, co-located and integrated in community hubs;*
  - iii) *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv) *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development.*

The Development includes a mix of residential and at-grade retail uses, which would assist in achieving the population targets set out in the Growth Plan within City's urban boundary. The Development would benefit from the existing and planned infrastructure. The Development focuses new growth through the intensification on an underutilized site that provides a mixed-use, pedestrian-friendly environment located adjacent to higher-order transit, being the YRT Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit along Regional Road 7 (the "higher-order transit").

The Development would contribute to achieving a complete community by providing a range of residential apartment unit types with at-grade retail uses that are convenient and accessible to the residents of the VMC. High-quality building design and streetscape would promote a high-quality of life where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which would reduce greenhouse gas emissions, and promote walkability and other forms of transportation.

#### Delineated Built-up Areas

*Policy 2.2.2.1 states that by 2031, and for each year thereafter, a minimum of 60% of all residential development occurring annually within York Region will be within a delineated built-up area.*

The regional and municipal official plan policies currently do not conform to the Growth Plan policies respecting the Growth Plan intensification target of 60% within built-up areas. The York Region's conformity exercise has begun, with the City's conformity exercise to begin shortly after the completion of York Region's. In the interim, the Development would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans, which are based on the 40% intensification target identified in the Growth Plan (2006), by proposing a total of 631 residential units within an UGC.

#### Urban Growth Centres

*Policy 2.2.3.1 states that Urban Growth Centres will be planned:*

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and*
- d) to accommodate significant population and employment growth.*



The Development is located within the VMC, the City's planned downtown and a designated UGC. The Development supports the UGC designation by providing residential uses in the VMC that are adjacent to higher-order transit facilities. The residents of the Development would be well-served by a full range of uses, including office, retail and community facilities within walking distance, thereby reducing the need of vehicles.

#### Transit Corridors and Station Areas

*Policy 2.2.4.6 states that within Major Transit Station Areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited. Policy 2.2.4.8 states that all Major Transit Station Areas will be planned and designed to be transit supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:*

- a) connections to local and regional transit services to support transit service integration;*
- b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
- c) commuter pick-up/drop-off areas.*

*Policy 2.2.4.9 further states that within all Major Transit Station Areas, development will be supported, where appropriate, by:*

- a) planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels;*
- b) fostering collaboration between public and private sectors, such as joint development projects;*
- c) providing alternative development standards, such as reduced parking standards; and*
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*

The Development is located immediately north of the YRT Bus Terminal and is within a 10-minute walk or 500 m distance to higher-order transit (VMC Subway Station), within a Major Transit Station Area, and it would contribute to achieving the minimum density target for this area. To support the function of the adjacent YRT Bus Terminal, an access driveway on the Subject Lands is proposed to allow for effective circulation around the YRT Bus Terminal. The location of the Subject Lands within a Major Transit Station Area encourages and supports the use of alternative modes of transit, reduces

the need for parking, and promotes alternative mode of transportation options such as cycling through the provision of bicycle parking facilities within the Development and planned bicycle lanes within the roadways in the VMC.

The policies of the Growth Plan require the achievement of complete communities that feature a diverse mix of land uses, improved social equity and overall quality of life, provide a diverse range and mix of housing options, access to a range of transportation options, mitigation of climate change impacts and reduced greenhouse gas emissions, and ensure the development of compact built form with an attractive and vibrant public realm.

The Development provides a housing option within the VMC that is serviced with grade-related commercial uses that are conveniently accessible. The proximity to higher-order transit facilities, the YMCA and the City's library would offer transportation options and promote an active and healthy quality of life for the residents and visitors to the VMC.

The Development conforms with the policy framework of the Growth Plan as it makes more efficient use of the Subject Lands and existing infrastructure, is located adjacent to existing and under construction/planned higher-order transit and provides housing options at a density that supports the transportation investments in the VMC.

***The Development conforms to the York Region Official Plan***

The Subject Lands are designated "Urban Area" by the York Region Official Plan (the "YROP") and located within a "Regional Centre."

Objective: To promote an appropriate mix and range of acceptable housing to meet the needs of residents and workers

*Policy 3.5.4 of the YROP requires the local municipal Official Plans and Zoning By-law permit a mix and range of housing types, unit sizes and levels of affordability with the mix and range of housing being consistent with the Regional forecasts, intensification and density requirements. Furthermore, Policy 3.5.20 encourages the construction of new residential units with a full mix and range of unit sizes, including family-sized and smaller units.*

The Development consists of 631 residential apartment units that range from one-bedroom to three-bedroom unit sizes that contribute to a diverse housing stock in the Region. The Development supports the Regional objective regarding the provision of a mix and range of housing.

Objective: To support Regional Centres and Corridors as a focus of economic activity and culture in York Region

*Policy 4.2.4 requires a mixed-use pedestrian environment in Regional Centres and Corridors that promote transit use and enhances these areas as destinations for business, entertainment and recreation.*

The Development provides a mix of residential uses immediately adjacent to existing and planned employment, retail, open space, and community facilities. The Subject Lands are located adjacent to higher-order transit, which would promote the use of the public transit by the residents of the Development. The combination of the enhanced streetscape and the introduction of the residential apartment units would complement the existing and planned surrounding commercial, office, retail, and community facility uses in proximity of the Subject Lands, thereby contributing to the success of the VMC as a complete community.

Objective: To create high-quality, sustainable communities

*Policy 5.2.5 of the YROP encourages a balance of residential and employment uses to promote working and living in close proximity.*

The Development includes residential uses in proximity to existing and planned commercial, office, retail, employment and open space uses and community facilities, which would provide live-work opportunities for the residents in the VMC.

Objective: To create vibrant and sustainable urban areas

*Policy 5.3.4 of the YROP states that the distance to a transit stop in the Urban Areas is within 500 m for 90% of residents and no more than 200 m for 50% of residents.*

The Development is located immediately adjacent to higher-order transit, which would provide transit opportunities and choices (i.e. subway, bus terminal, and rapid transit along Regional Road 7) for the future residents to meet their mobility needs.

Objective: To achieve an urban, integrated and connected system of Regional Centres and Corridors

*Policy 5.4.5 states that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cycle-friendly, and transit supportive. Policy 5.4.9 states that all new buildings shall front onto streets with main entrances designed to face a public street and provide a pedestrian-friendly urban form. Furthermore, Policy 5.4.16 requires the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage and lockers.*

The Development is urban and compact in form. The building oriented and designed to include the main entrances with access to Portage Parkway and Millway Avenue, which

would provide a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development incorporates a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation.

Objective: To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections

*Policy 5.4.19 states that the Regional Centres will contain a wide range of uses and activities, and be the primary focal points for intensive development, that concentrates residential, employment, live-work, mobility, investment, and cultural and government functions. Policy 5.4.20 further identifies that the planning and implementation of Regional Centres will provide the following:*

- a) the greatest intensity of development within the Region;*
- b) a diverse mix of uses and built form, to create vibrant and complete communities including living, working, shopping, and entertainment opportunities; and*
- c) mobility choices and associated facilities for all residents and employees for walking, cycling, transit, and carpooling, which shall be supported through the preparation of a mobility plan.*

*Policies 5.4.23 and 8.2.3 (Implementation) state that Regional Centres contain the highest development densities and greatest mix of uses in the Region, and shall achieve a minimum density of 3.5 FSI per development block, at and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension.*

The Development contributes to the mix of uses planned in the VMC. It would deliver a built form that supports the existing surrounding employment and commercial uses, encourages and optimizes the uses of higher-order transit, and facilitates the success of the planned cultural functions (e.g. community facilities) of the VMC. The retail proposed at-grade would help meet the needs of the residents of the Development.

The Development conforms to the YROP as it includes a mix of unit types and contributes to a range of housing choices in the City to meet the needs of residents and workers of York Region. It would also support and achieve an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture, and contribute to a high-quality and sustainable community in the VMC.

***The Development Planning Department supports the proposed amendments to the Vaughan Official Plan and the Vaughan Metropolitan Centre Secondary Plan***

The Subject Lands are identified as an area subject to a secondary plan by the Vaughan Official Plan 2010 (the “VOP 2010”). The Subject Lands are designated

“Station Precinct” within the Vaughan Metropolitan Centre (the “VMC”) by the Vaughan Metropolitan Centre Secondary Plan (the “VMC Secondary Plan”), which forms Volume 2 of VOP 2010.

*Section 1.5 of the VOP 2010, The Vision for Transformation: Goals for the Official Plan, identified the VMC as a provincially designated UGC, given the location along Regional Road 7 and the terminus of the Toronto-York Subway Extension. The VMC is envisioned to become Vaughan’s downtown with the highest density node in the City and a focus for civic activities, business, shopping, entertainment, and living. Policy 2.1.3.2 addresses Vaughan’s main land use planning challenges and the management of future growth by directing a minimum of 29,300 residential units through intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and providing a diversity of housing opportunities. Policy 2.2.5, Intensification Areas, identifies the VMC as the City’s downtown that consists of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan.*

The Subject Lands are located within a Mobility Hub with access to higher-order transit, which can support the density being proposed. The proposed unit mix would provide housing opportunities at a density target within the VMC that would support public transit and housing diversity in the City.

The “Station Precinct” designation of the VMC Secondary Plan permits a broad mix of uses, including residential dwellings, retail, service commercial, public uses, and includes policies and design guidelines for integrated parking structures with appropriate design treatments. The Development includes residential and retail uses, which conforms to the VMC Secondary Plan.

*The VMC Secondary Plan provides the following objectives for the VMC:*

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people*
- 3.2 Establish complete neighbourhoods containing a variety of housing*
- 3.5 Optimize existing and planned investments in rapid transit*
- 3.10 Ensure all development exhibits a high-quality of urbanity, materials and design*

The VMC Secondary Plan permits a maximum building height of 25-storeys and a maximum density (FSI) of 4.5 times the area of the lot on the Subject Lands. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. The Subject Lands are located within an identified Mobility Hub with direct access to higher-order transit, as shown on Attachment #2. Specifically, the development block has been seamlessly designed to capitalize on the public

infrastructure and higher-order transit investments within the Mobility Hub with uses that would support a complete neighbourhood (e.g. residential, retail, office, community facilities, and public transit). The Development satisfies the objectives of the VMC Secondary Plan.

*Policies 4.1.1, 4.1.2, and 4.1.3, General Policies, of the VMC Secondary Plan prioritizes the pedestrian realm as enhanced pedestrian connections to the VMC Subway Station. Policies 4.4.1 to 4.4.7, Streetscaping, complement the VMC Streetscape and Open Space Plan regarding street furnishing, lighting, paving, and trees.*

The Subject Lands are located within the Mobility Hub with connections to higher-order transit. The development block consists of at-grade and underground pedestrian connections to the VMC Subway Station that offers a comfortable and coordinated enhanced pedestrian network.

*Policy 4.2.3 of the VMC Secondary Plan protects for a future subway extension where development is proposed within and adjacent to the subway right-of-way. The Development is located over the future alignment of the extension of the subway right-of-way.*

The Owner has submitted a Future Tunnel Extension Impact Study, prepared by HATCH, dated July 31, 2017, that adequately demonstrates that the Development is designed to protect for a future subway right-of-way extension. The Development Engineering Department has reviewed the Study and is satisfied with its conclusions. The Subject Lands are located within the Toronto Transit Commission's ("TTC") 60 m zone of influence. The Owner will be required to continue to work with the TTC on the technical review of the Development. A condition to this effect is included in the Recommendations of this report.

*Policy 4.6.3 states that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel.*

Section 3.8.1 of Zoning By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development.

*Policy 8.1.2 states that the VMC is intended to accommodate a minimum of 1,500 new retail and service jobs by 2031 as street-related uses on the ground floors of mixed-use buildings. Policies 8.1.3 and 8.1.4 state that the VMC is intended to accommodate a minimum of 12,000 residential units to contribute to the projected population growth to 2031. The policies also encourage a diverse housing mix, including a significant number of households with children.*

The Development would accommodate for the planned residential population growth in the VMC with 631 new residential apartment units of varying sizes. At-grade existing and planned retail within the Development and the surrounding areas, and the adjacency to a community facility would support varying households, including those with children.

*Section 8.7, Built Form, of the VMC Secondary Plan includes policies for building setbacks, ground floors, building height, massing, and building exteriors. The policies, specifically Policies 8.7.1 to 8.7.25, relate to building design that promotes pedestrian comfort through building façade treatments, lobby frontages, podium and tower designs, and building materiality.*

The Development includes an above ground integrated parking structure. The Owner and the City have made significant effort to ensure the building façade of the Development would be well activated with a comfortable pedestrian realm along all frontages of the Subject Lands. This entails a well-articulated podium expression and tower massing, and the specific placement of the building entrances at the ground level with high-quality streetscape treatments.

A varied skyline is planned as part of the overall masterplan of the northwest quadrant of the VMC. Building setbacks, glazing treatments, architectural features (canopies and awnings), and pavement design have been utilized to encourage a comfortable streetscape, varied street walls, and a pedestrian-first experience.

***The Development represents good planning. The Owner will provide community benefits in exchange for increased density and building height, pursuant to Section 37 of the Planning Act***

To facilitate the Development, the Owner proposes to amend the VMC Secondary Plan to increase the permitted building height from 25 to 55-storeys and increase the permitted density (FSI) from 4.5 to 12.7 times the area of the Subject Lands. Pursuant to Section 37 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*”, Vaughan Council may authorize an increase in building height and density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased density and building height.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies to permit bonusing for increased building height and density in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are met:

a) Good Planning

The Development must represent good planning, be consistent with the other objectives of VOP 2010 and the VMC Secondary Plan and consistent with applicable built form and neighbourhood compatibility objectives.

The Development is located in the VMC Mobility Hub, which reflects the VMC's locational advantage, being the convergence of the regional bus network (the YRT Bus Terminal and the VivaNext Bus Rapid Transit) with the Spadina Subway extension into the VMC. This Mobility Hub is envisioned as an anchor where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations, which is vital in the creation of a high-quality downtown.

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and the York Region Official Plan. Unlike the approval of Transit City Towers 1 and 2, which benefited from the policies in the VMC Secondary Plan that enabled the transfer of unused density and building heights within the northwest quadrant of the VMC, the increase in the maximum density and building height reflected in this Development is proposed through Section 37 of the *Planning Act*. Several iterations of design development were required to ensure that the amount of intensification met the policies of the VMC Secondary Plan, in order to be supported as good planning.

In Section 3 of the City's *Guidelines for the Implementation of Section 37 of the Planning Act*, "good planning" includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments #3 to #16, is determined to represent good planning. The Development is aligned with the following objectives contained in the VMC Secondary Plan:

- i) A downtown: "to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people".
  - A critical objective of the VMC Plan is to concentrate Development around the defined centre of the downtown. The Development would contribute to achieving the required critical mass that would develop a strong identity and sense of place in the Mobility Hub and a population to support the investments in the transit infrastructure and the land uses (i.e. retail, office, etc.) that would contribute to the diversity of land uses required to create a successful downtown.



- ii) High transit usage: “optimize existing and planned investments in rapid transit”.
  - The proximity of the Development to high order transit makes the creation of a high-density downtown possible. The short walking distances to the YRT Bus Terminal, the VMC BRT Station, and the VMC Subway Station through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.
- iii) Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design”.
  - The Development incorporates high quality architecture that frames and addresses the streets. Connectivity has been integrated into the design of the development block with enhanced pedestrian connections.

The Development forms part of an overall block that includes an approved mixed-use building (library, major office, community centre, retail, and daycare), a high-density residential development (apartment and townhouses) with ground-related commercial uses (restaurant and retail), and the YRT Bus Terminal. The Development is considered good planning in consideration of the overall context of the Development block. Therefore, the proposed increase in the maximum building height and density in return for the provision of community benefits, is appropriate.

b) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and density of the Development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of Development otherwise permitted in Schedule I of the VMC Secondary Plan, in return for the provision of community benefits in the VMC. The Official Plan identifies community benefits that may qualify, including:

- Public art contributions;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City’s standard levels of service or facilities; and

- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated in the City's standard levels of service.

In accordance with the City's "Guidelines for the Implementation of Section 37 of the *Planning Act*", the City and the Owner have agreed to the following community benefits:

i) Public Art (On-Site Benefit)

Public art improves the public realm and contributes to the creation of a sense of place. The Owner and the City have comprehensively reviewed the public art component at the development block level and agreed to a six-storey high public art piece, integrated into the south building elevation of the Development as shown on Attachment #13.

The value of the on-site public art piece is equivalent to a \$3.5 million contribution towards a public art budget for the creation of a public art piece that is integrated with the architecture of the building, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City. The Integration of the public art into the south facade of the parking podium would provide a unique architectural installation on a contemporary structure that would create a landmark for the VMC and activate the Mobility Hub as a destination and view terminus.

The public art piece will be owned and maintained by the Owner, not the future residential condominium corporation. The programming of the piece will involve the City for special events, which would require the City and the Owner to enter into a separate agreement that will detail the maintenance, themes, and frequency of City use that will be finalized through the Public Art commissioning process. A condition to this effect is included in the Recommendations of this report.

ii) Edgeley Pond and Park (Off-Site Benefit)

Community benefits may include specific capital facilities that benefit the area where the development is located. The increased density for the Development would result in higher numbers of people who place higher demands on community amenities, such as open spaces, which is intended to maintain or improve existing community livability and the quality of life in the area with the higher density.

The development of social infrastructure (e.g. schools, parks, emergency services, places of worship, etc.) is as important as the development of buildings as a contributor to place making that would significantly enhance

the character and identity in the VMC and ensure that the community is well supported by these necessary amenities and facilities.

“The City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*” identifies that a reasonable planning relationship between the community benefit and the Development refers to geographic proximity. The highest priority would be for community benefits in the immediate vicinity of the Subject Lands, and then within the local area.

The development block, once built, would accommodate over 1,700 residential units and 4,000 people. Open space and parkland will be required to service the population within the Development block. The VMC Secondary Plan currently includes an Urban Park in the northwest quadrant of the VMC. However, the lands for the future Urban Park are currently encumbered with temporary surface parking that, during the initial development of the VMC, are being used by visitors to the VMC.

Therefore, the off-site contribution as part of this Development is being prioritized for facilities in the City’s first publicly-owned open space in the downtown, the Edgeley Pond and Park. This is within the nexus (2 urban blocks) of the Subject Lands. The Owner has agreed to contribute \$1 million towards an off-site community benefit regarding the first iconic pedestrian bridge within the City’s Edgeley Pond and Park, which is expected to open by 2020, in time for the first residents of the development block. The first iconic pedestrian bridge, which is currently underfunded and has consequently been pushed out to later phases of the park development, provides support for active transportation and connectivity in the VMC. This contribution would advance this critical and high priority park feature and would benefit the community and its emerging social infrastructure.

c) Adequate Infrastructure

It is the City’s intent to deliver the planned and orderly development of the VMC through the provisions for adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the existing regional bus network, the recently opened Spadina Subway extension, and the YRT Bus Terminal and the VivaNext BRT that are currently built or under construction, are all infrastructure improvements that would support the Development.

The Owner’s Section 37 contribution to the Edgeley Pond and Park would benefit the future residents of the Development and the visitors to the VMC. The City’s goal is to achieve a true mixed-use downtown.

Should the Applications be approved, the Owner and the City shall execute a Section 37 Density Agreement to permit an increase in the maximum permitted density and building height, prior to the enactment of the implementing site-specific Official Plan and Zoning By-law. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications. A condition to this effect is included in the Recommendations of this report.

***The Planning Act enables a municipality to pass a resolution to permit a landowner to apply for future Zoning By-law Amendment or 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 Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an applicant to apply for a Zoning By-law Amendment or Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium. Should Council approve Zoning By-law Amendment File Z.17.028, the Development Planning Department, in recognition of the complexity of this Development, has included a Recommendation to permit the Owner to apply for a Zoning By-law Amendment application(s) or a Minor Variance application(s) to address deficiencies that may arise through the final design and construction of the Development.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned C10(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(959), as shown on Attachment #2. The Holding Symbol “(H)” is historically tied to a previous development application for the Owner’s entire land holdings and its removal is subject to Council’s approval of a corresponding Site Development application.

To permit the Development, the Subject Lands are proposed to be rezoned to C10 Corporate District Zone, subject to site-specific Exception 9(1445). The Owner proposes to remove the Holding Symbol “(H)” from the Subject Lands, which may occur with the approval by Vaughan Council of Site Development File DA.17.062. The following zoning exceptions to Zoning By-law 1-88 are required to implement the Development:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
a.	Permitted Uses	The C10 Zone does not permit an apartment building.	Permit an apartment building in the C10 Zone.
b.	Definition of Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	The Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted.
c.	Maximum Density (FSI - Floor Space Index)	0.6 FSI	12.7 FSI
d.	Maximum Building Height	15 m	182 m (55-storeys), exclusive of all mechanical equipment and architectural features.

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
e.	Minimum Lot Area	5,000 m <sup>2</sup>	3,122 m <sup>2</sup>
f.	Minimum Parking Space Size	2.7 m x 6 m	2.7 m x 5.7 m
g.	Minimum Rear Yard Setback (West Property Line)	3 m	1.2 m (to the portion of the building overhang above the ground floor)
h.	Minimum Landscape Strip Width (Portage Parkway and Millway Avenue)	6 m	0 m
i.	Minimum Setback to Portions of Buildings Below Grade	1.8 m (along Portage Parkway and Millway Avenue)	0 m (along Portage Parkway, Millway Avenue, and the sight triangle)
j.	Maximum Projection	<u>Canopy</u> 0.5 m into and beyond the sight triangle	Canopy 5.5 m beyond the site triangle @ 7 m above grade

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
			(Millway Avenue and Portage Parkway)  2.5 m beyond the exterior side yard @ 4.5 m above grade (along Portage Parkway);
		<u>Balcony</u>  1.8 m into the sight triangle	<u>Balcony</u>  2 m into the sight triangle above the second storey (Millway Avenue and Portage Parkway)
k.	Maximum Driveway Access Width  (West Driveway)	7.5 m	10.17 m
l.	Minimum Parking Requirements	<u>Bachelor/One-bedroom</u>  153 units @ 0.7 spaces/unit = 108 spaces + <u>Two-bedrooms</u> 476 units @ 0.9 spaces/unit = 429 spaces + <u>Three-bedrooms</u> 2 unit @ 1 spaces/unit = 2 spaces + 	<u>Residential</u>  631 units @ 0.33 parking spaces/unit = 209 parking spaces (provided 212 on-site parking spaces)  <u>Residential Visitor</u> 631 units @ 0.15 spaces/unit = 95 residential visitor shared parking spaces to be located off-site in the area shown as

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
		<u>Residential Visitor</u> 631 units @ 0.15 spaces/unit = 95 spaces + <u>Retail</u> 570 m <sup>2</sup> @ 2 spaces/100 m <sup>2</sup> Commercial GFA = 12 spaces  <u>Total Required Parking</u> = 646 spaces	“Building Area 2” on Attachment #4  <u>Retail</u> 570 m <sup>2</sup> GFA @ 0 spaces/100 m <sup>2</sup> GFA = 0 parking spaces  <u>Total Proposed Parking</u> = 212 spaces on-site = 95 spaces off-site (shared)
m.	Access	Access and parking to the Subject Lands shall be secured solely on the Subject Lands.	Permit an egress driveway from the lands to the south through the Subject Lands and connecting to Portage Parkway.
n.	Minimum Amenity Area	Bachelor: 98 units @ 15 m <sup>2</sup> /unit = 1,470 m <sup>2</sup> + One-bedroom: 54 units @ 20 m <sup>2</sup> /unit = 1,080 m <sup>2</sup> + Two-bedrooms: 477 units @ 55 m <sup>2</sup> /unit = 26,235 m <sup>2</sup> + Three-bedrooms: 1 unit @ 90 m <sup>2</sup> /unit =	The minimum amenity area shall be 1 m <sup>2</sup> /unit @ 631 units = 631 m <sup>2</sup>



Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
		90 m <sup>2</sup> Total Required Minimum Amenity Area = 28,875 m <sup>2</sup>	

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

a) Permitted Use

The introduction of the residential use (apartment dwelling) as an additional use is consistent with the policies and the permitted uses in the VMC Secondary Plan. The residential use is considered compatible with the planned surrounding uses and implements the VMC Secondary Plan.

b) Definition of Lot

The proposed zoning exception to the definition of a “lot” is required to ensure that for zoning purposes, the Subject Lands are deemed to be one lot regardless of future conveyances and to avoid future technical zoning amendments.

c) Parking Space Size, Parking Standards and Access

The Owner has submitted an Urban Transportation Study prepared by BA Consulting. The Development Engineering (DE) Department has reviewed the study and advise they have no objection to the proposed parking space size and parking standards.

Site-specific Exception 9(1445) currently permits parking for “Building Area 1” (the approved mixed-use building through Site Development File DA.16.007) to be located and allocated off-site in “Building Area 2” (the integrated above-ground parking structure for the approved Transit City Towers 1 and 2 through Site Development File DA.17.014). Similarly, the residential visitor parking for the Development, which complies with the parking requirements of Zoning By-law 1-88, is proposed to be located off-site in “Building Area 2”. The Subject Lands and “Building Area 2” are located within the same development block and are not separated by a street, as shown on Attachment #5.

Zoning By-law 1-88 permits a shared parking calculation for a mixed-use development. With the inclusion of the residential visitor parking for the Development, the maximum required parking in the integrated above-ground parking structure for Transit City Towers 1 and 2 would be 1,033 spaces (weekday shared) and 951 spaces (weekend shared). A total of 1,100 parking spaces have been approved through Site Development File DA.17.014. Therefore, excess parking is provided within the development block.

The Owner advised that it will maintain ownership of the Transit City Towers 1 and 2 integrated above-ground parking structure. To ensure the availability of the required parking spaces in the shared parking structure, the Owner will enter into the required legal agreement(s) with the Condominium Corporations for Transit City Towers 1 and 2 and this Development. The agreement(s), which will be registered on title to the satisfaction of the City, if required, will manage the parking, access, operations, and maintenance for the integrated parking structure. A condition to this effect is included in the Recommendations of this report.

The proposed retail parking ratio of 0 spaces per 100 m<sup>2</sup> GFA can be supported as the retail area (570 m<sup>2</sup>) is intended to serve the local community and those walking from the YRT Bus Terminal or the VMC Subway Station.

An additional discussion regarding the proposed parking supply is discussed later in the “Parking Supply” section of this report.

The DE Department and YRT support the permission to allow an egress driveway from the YRT Bus Terminal lands through the Subject Lands to connect with Portage Parkway. To implement the required access easement, the Owner will be required to successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a temporary driveway access easement on the Subject Lands, in favour of the YRT Bus Terminal lands, for a future driveway bus access to Portage Parkway. The Committee’s decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee. A condition to this effect is included in the Recommendations of this report.

d) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a built form and pedestrian realm relationship that is supported in an intensification area and a Mobility Hub. The reduced minimum lot area of the Subject Lands is the result of the parcel creation for the YRT Bus Terminal, which is an integral part of the Mobility Hub in the VMC. The site-specific

development standards are consistent with the approved development standards related to the Transit City Towers 1 and 2.

***The Development Planning Department supports the Site Development Application***

a) Site Design

The proposed interim and ultimate site plans, as shown on Attachments #6 and #7, respectively, include a 55-storey residential apartment building (including a six-storey above-ground parking structure) and ground floor commercial uses.

The Development builds upon the recently approved two 55-storey residential apartment buildings located west of the Subject Lands, through Site Development File DA.17.014 (Transit City Towers 1 and 2), as shown on Attachment #2. Combined with the approved Transit City Towers 1 and 2, the Development would activate the street frontage at the grade level, as set out in the VMC Urban Design Guidelines, and provide building elevations that are well articulated. Staff has worked with the Owner to animate the Portage Parkway frontage with the inclusion of residential units lining the above-ground parking structure and the activation of the south building façade with an integrated public art installation.

A roof-top residential amenity area and a green roof are included above the integrated parking structure, as shown on Attachment #10, which will be owned by the future condominium corporation.

The tower has been designed to be off-set closer to the Millway Avenue and Portage Parkway intersection to not encumber the potential future subway extension, which is discussed later in this report.

Wayfinding is an integral part of a well-connected system that allows residents and visitors to make their way to key locations and access points in the VMC. The iconic expression of the architecture with the unique balcony design has been carried over from Transit City Towers 1 and 2 to the articulated building massing of the Development that would contribute to wayfinding within the Mobility Hub.

All principal building entrances and signage will be designed in compliance with the standards set by the *Accessibility for Ontarians with Disabilities Act* ("AODA"), and the signage design will be integrated with the building architecture.

The Owner has submitted a wind tunnel model analysis for the Development. The final design must include confirmation that the recommended mitigation measures are appropriately incorporated into the building design to ensure

suitable pedestrian conditions at grade level and for the roof-top amenity area, to the satisfaction of the City.

The final site plan, including the signage and lighting plans, and the final detailed wind tunnel model analysis and adjustments to the design, if required, must be approved by the Development Planning Department. Conditions to this effect are included in the Recommendations of this report.

b) Site Access

Vehicular access for the residents of the Subject Lands is proposed from a right-in only driveway along Portage Parkway, as shown on Attachments #6 and #7, directly into the parking garage of the Development. Vehicles will exit the Subject Lands via an access driveway (breezeway) along the west property line. The west driveway will be shared with the YRT Bus Terminal for right-in and right-out bus access along Portage Parkway. An easement in favour of YRT will be required, as discussed in this report.

In addition to the direct vehicular accesses from Portage Parkway, the Development incorporates pedestrian porosity into the development block in response to its proximity to the YRT Bus Terminal. Municipal sidewalks along Portage Parkway and Millway Avenue provide connectivity through the development block. A pedestrian connection lined with commercial uses is proposed along the south side of the building that connects Millway Avenue to the enhanced pedestrian connection that was approved in the Transit City Towers 1 and 2 project. The Owner continues to work with the YRT to explore the potential to remove the lay-by parking spaces on the bus terminal lands to maximize the width and enhance the design of the pedestrian connection and landscape interface between the YRT lands, the Development, and the adjacent uses within the larger development block. At minimum, a two-metre wide pedestrian connection to support accessibility in the form of an easement for public access, or suitable alternative, is required. A condition to this effect is included in the Recommendations of this report.

c) Landscape Plan

The proposed interim and ultimate landscape plans shown on Attachments #8 and #9, illustrate a temporary sod condition and the ultimate enhanced urban landscape (hardscape) treatment for the Development. Sufficient levels of illumination will be provided to ensure safety for the public. The proposed lighting and site furnishings will be designed to be coordinated with the VMC Streetscape Open Space Plan.

d) Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments #11 to #15, include a signature projecting balcony design that is repeated from the grade level to the top of each tower, which provides for a strong tower articulation. A vertical grey reveal has been incorporated to distinguish the building design from the Transit City Towers 1 and 2.

A fundamental design requirement of this Development is the inclusion of an enclosed facade system that is lined with active uses to screen the above grade parking. The Portage Parkway elevation will be activated with residential units for the entire extent of the street wall, the Millway Avenue frontage includes the residential lobby with apartment units above, and the south facade includes at-grade retail uses and will be undergoing further design refinements through development of a public art installation for the remaining floors above the retail use. The west building elevation includes a breezeway that facilitates access to Portage Parkway and further design development is required to minimize the extent of blank wall along this frontage that would enhance this elevation. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department is satisfied with the Development, as shown on Attachments #3 to #16, subject to the conditions included in the Recommendations of this report.

***The Owner has addressed the Vaughan Design Review Panel's comments***

The Design Review Panel (the "DRP"), on July 27, 2017, and November 30, 2017, considered the Development and raised concerns with the approach to parking and density, tower configuration, expression of scale, and the allocation of residential within a broader mix of uses. The DRP reiterated their first comments of July 27, 2017, at the November 30, 2017 meeting, and provided several comments based on the following themes, including:

a) Site Organization

- i) the magnitude of the Development results in the challenge to resolve parking;
- ii) the DRP was concerned that the approach to the ground floor use would not generate the animation it should;
- iii) the Development had not mitigated the visual impact and presence of the above ground parking structure; and
- iv) the pedestrian connection to the south is too narrow to be meaningful and should be reconsidered to create a welcoming environment.

The Owner has responded to the DRP's comments by reducing the parking supply ratio from 0.5 spaces per unit to 0.335 spaces per unit; increasing the Gross Floor Area (the "GFA") dedicated to the retail ground floor from 347 m<sup>2</sup> to 570 m<sup>2</sup>, including retail space along the ground floor of the south side of the building, being a connection expected to be heavily used by pedestrians; introducing an integrated public art installation with the architecture of the building facing the YRT Bus Terminal; the inclusion of residential apartment units on the entire north façade of the parking structure; and the landscape and pedestrian connection to the south.

b) Architecture

The DRP identified that the architectural language and approach for the Development is too uniform with the previously approved Transit City Towers 1 and 2 within the same development block. More variance in cladding, character and meaning was encouraged.

The Owner revised the proposed elevation design by including a vertical reveal along the south building elevation to distinguish the architectural language from Transit City Towers 1 and 2. Pursuant to Policy 8.8.1, Parking and Servicing Facilities, of the VMC Secondary Plan, additional residential units have been added along the full face of the parking garage along the Portage Parkway frontage and at-grade retail units have been added to the south building elevation to further animate the ground floor area and minimize the impact of the above ground parking structure.

Following a series of design workshops to prioritize design matters raised by both DRP and Staff, the Department is satisfied that the Owner has addressed the comments of the DRP through refinements in the proposed Development, subject to the Recommendations in this report.

***The Parks Development Department requires conditions to be included in the Site Plan Agreement***

The Parks and Open Space Schedule "D" of the VMC Secondary Plan, includes a 3.5ha urban park ("Urban Park") in the northwest quadrant of the VMC that extends from the existing KPMG office building ("KPMG") west to Applewood Road, as shown on Attachments #2 and #3.

The vision for the Urban Park was presented to the VMC Sub-Committee on June 27, 2016, and identified the design and development of a major destination public open space with unique urban park facilities and amenities for the City of Vaughan and the Greater Toronto Area. The City and the Owner have been working collaboratively to establish an exciting vision for the Urban Park and explore options related to its planning, design, implementation, ownership, programming, maintenance, and

management. The vision, based on the Owner's proposal submitted in January 2014, includes a for higher level of service amenities and programs to activate and animate the VMC, including a vision to create a special place for children's playgrounds, outdoor concerts, community festivals, temporary art installations, iconic pavilions for park services and food concessions, corporate events, and many other activities. These considerations and other details are planned to be included in an "Urban Park Framework" document that will be presented to Council for consideration.

Following several years of discussions, and in preparation for the opening of the subway in 2017, the City and the Owner entered into an agreement for the development of the Transit Square and TTC Plaza shown on Attachment #2, which was constructed and substantially completed on December 17, 2017. As part of this agreement, the City and the Owner committed to work towards finalizing a framework for the Urban Park proposal by December 31, 2018.

Previous City approvals for KPMG and the related development blocks, roads, and servicing, identified and established the parcel of land for the first phase of the Urban Park, located immediately west of KPMG to Edgeley Boulevard ("Park Block 1"), as shown on Attachment #2. At the time of the KPMG approvals, the VMC was in the early stages of development and, on a temporary basis, the use of Park Block 1 for a temporary surface commercial parking lot was approved with conditions. Additionally, the Transit Square and TTC Plaza open spaces, located between KPMG and Millway Avenue, have also been related to the KPMG development review process and the City's Urban Park vision.

Together with the approved Transit City Towers 1 and 2, this Development would result in over 1,700 residential units within this development block. The residents in these towers will need parkland as envisaged by the VMC Secondary Plan. This requires the temporary use of Park Block 1 for the existing surface commercial parking lot to cease. Accordingly, a transition plan is required with the approval for this Development to convert the existing temporary surface commercial parking lot into parkland, to the satisfaction of the Parks Development Department. Conditions to this effect are included in the Recommendations of this report.

***The Development Engineering Department supports the Development, subject to the conditions in this report***

The Development Engineering ("DE") Department has provided the following comments regarding the Development:

Site Access

The Subject Lands are located at the southwest corner of the signalized intersection of Millway Avenue and Portage Parkway. In consideration of the configuration of the Subject Lands and its proximity to the intersection, a full move vehicular access to the

Development is not feasible. Vehicular access for the residents of the Subject Lands is proposed from a right-in/right-out only driveway along Portage Parkway, as shown on Attachments #6 and #7, directly into the above-ground parking structure of the Development. Vehicles would exit the Subject Lands via a right-out access driveway (breezeway) along the west property line.

To provide a second access to the YRT Bus Terminal, the west driveway would also serve as a right-in and right-out for buses only along Portage Parkway, which must be facilitated by a required easement in favour of the YRT. The YRT has requested the City to consider permitting additional bus movement (left-in and left-out) at the west driveway along Portage Parkway. However, given the proximity to the intersection and the available traffic information, the DE Department cannot support this request at this time. Staff will reconsider the request for additional bus movements at the west driveway, in consultation with the YRT, during the detail design stage of the Portage Parkway widening.

#### Portage Parkway Improvements and Site Triangles

In 2017, the City completed a Class Environmental Assessment (the “Class EA”) for the widening and reconstruction of Portage Parkway, between Jane Street and Applewood Crescent. The Class EA recommended that Portage Parkway be widened to four lanes within a 33 metre right-of-way, together with intersection improvements. The proposed site design and organization has been coordinated with the recommendations of the Class EA. As a condition of approval, the Owner will be required to convey to the City, at no cost to the City, the necessary land for the widening of Millway Avenue and Portage Parkway.

In consideration of the configuration of the Subject Lands, a standard 10 x 10 metre sight triangle could not be established at the southwest corner of the intersection of Millway Avenue and Portage Parkway without impacting the Development. Accordingly, Staff recommend the Owner convey to the City a combination of an 8 x 8 metre sight triangle and an easement to effectively provide a sight line triangle that is equivalent to City standards. In addition, a small corner of the balconies on the upper storeys of the building encroach into the City’s sight triangle. The Owner will require an encroachment agreement with the City to permit this encroachment. A condition to this effect is included in the Recommendations of this report.

#### Parking Supply

The Development is based on a parking supply that is lower than the requirements of Zoning By-Law 1-88, as summarized in the table below:



<b>Parking Supply vs. Zoning By-law 1-88 Requirements</b>			
<b>Parking Use</b>	<b>Zoning By-law 1-88</b>	<b>Proposed Parking Supply</b>	<b>Variance</b>
Residential	539	212	327
Visitor	95	95*	0
<b>Total</b>	<b>634</b>	<b>307</b>	<b>327</b>

\* Note: Parking located in Transit City Towers 1 and 2 above-ground parking structure

The parking structure in Tower 3 is proposed to accommodate resident parking only. Residential visitor parking will be provided in the Transit City Towers 1 and 2 above-ground parking structure located adjacent to the Subject Lands. The Owner has confirmed that a Reciprocal Easement and Operations Agreement (“REOA”) with the future Condominium Corporations for Transit City Towers 1 and 2 and this Development, will be entered for parking, access, operations, and maintenance of the Transit City Towers 1 and 2 above-ground integrated parking structure. This will ensure that the 95 visitor shared parking spaces for the Development be secured, in perpetuity. A condition to this effect is included in the Recommendations of this report.

The proposed residential parking ratio was supported by a Parking Study prepared by BA Group, dated March 6, 2018. Given the Subject Land’s proximity and availability to higher-order transit options, the Study concludes that the proposed residential parking supply ratio of 0.33 spaces/unit would be adequate for the Development, based on the following contributing factors:

- the Subject Lands offer a direct connection to higher-order transit services;
- lower parking ratios have been applied to the similar developments in downtown Toronto;
- cycling facilities are available on Millway Avenue and Apple Mill Road, which ultimately provides for city-wide cycling connections;
- the Owner will provide opportunities for car-sharing programs;
- an information center will be managed by the Condominium Corporation, in partnership with the YRT, to provide the transit information to the residents; and
- the Owner could make available the surplus parking spaces within the Transit City Towers 1 and 2 above-ground parking structure to the residents of the Development.

The proposed parking strategy is adequate, based on the supporting analysis in the consultant’s report. The Development Engineering Department has no objection with the proposed parking supply.

### Protecting for a Future Subway Extension

Policy 4.2.3 of the VMC Secondary Plan identifies the need to protect for a future extension of the subway beyond the VMC. The Development has been oriented and designed to facilitate the extension of the subway through the placement of the above-ground parking structure to the west side of the Subject Lands and with shallow strip footings to leave an unencumbered corridor beneath the Development for the possible future northerly extension of the subway, as shown on Attachment #16.

The Owner engaged HATCH to review the available data to determine whether a future extension is feasible based on the location of the Development. The future tunnels are assumed to be twin-bored tunnels, which would pass directly beneath the six-storey above-ground parking structure. The physical separation between the footings and the future tunnels have been reviewed, based on the tunnel clearance elsewhere within the Toronto Transit Commission (the “TTC”) network.

By implementing a compliant railway geometry and assumed orientation from the end of the current subway alignment, HATCH confirmed that the Development will still protect for a future subway extension. In addition, the Owner retained Aercooustic Engineering Ltd. to conduct a theoretical noise and vibration study to assess the potential ground borne noise and vibration impacts on the Development if the subway was extended in the future. Aercooustic concluded that a future extension of the subway beneath the Development would have minimal noise and vibration impact, assuming the subway was designed to industry standards.

### Noise Attenuation

The Owner submitted a noise report, “Environmental Noise Report Project: 17016.02, Proposed Residential Development, Vaughan Metropolitan Centre – Transit City Tower 3, Portage Parkway and Millway Avenue, City of Vaughan, prepared by Aercoustics, dated July 21, 2017”, which was updated on February 27, 2018 (the “Noise Report”). The Noise Report assessed the existing and future noise environments in proximity to the Subject Lands, including the adjacent YRT Bus Terminal and the existing surrounding employment uses, and evaluated its impact on the living environments of the Development, in accordance with the Ministry of Environment and Climate Change (the “MOECC”) environmental noise guidelines under the NPC-300. The results of the Noise Report indicate that upgraded windows are required on certain building facades and the Development must be equipped with central air conditioning. In addition, the appropriate noise warning statements will be required in all Offers of Purchase and Sale.

The Owner is required to incorporate the recommendations of the Noise Report into the design and construction of the building. The final Noise Report shall be to the

satisfaction of the Development Engineering Department. Conditions to this effect are included in the Recommendations of this report.

#### Geotechnical and Hydrogeological Report

The Owner submitted a geotechnical report, “Geohydrology Assessment, Proposed Residential Development, Transit City – Tower 3, Vaughan, Ontario, Report No. G5166 dated September 2017, prepared by McClymont & RAK Engineers Inc.” (the “Geotechnical Report”), which includes calculations and recommendations for pavement design, slope stability, soil corrosivity, and bedding requirements for the installation of underground services and the dewatering requirements for the building foundation and the parking structure.

The Owner shall ensure that adequate field inspection is provided to validate and incorporate the recommendations contained in the Geotechnical Report. The final Geotechnical Report shall be to the satisfaction of the Development Engineering Department. A condition to this effect is included in the Recommendations of this report.

#### Water and Wastewater Servicing

The Subject Lands will be serviced from the existing watermain and sanitary sewer on Portage Parkway. New service connections will be required to be installed at the Owner’s expense. Pursuant to the VMC Servicing Strategy Master Plan Class EA, there are no water or wastewater upgrades needed at this time to service the Subject Lands.

#### Stormwater Management (“SWM”)

The Owner proposes to implement on-site SWM measures, including underground cisterns, to conform to the SWM criteria prescribed in the VMC Servicing Strategy Master Plan. The Subject Lands are tributary to Edgeley SWM Pond (the “Edgeley Pond and Park”), which is proposed to be retrofitted by the City starting in 2018.

#### Environmental Site Assessment

Due to the proposed change to a more sensitive land use, the Owner filed with the MOECC a Record of Site Condition (the “RSC”) on the environmental site registry on May 16, 2017, under RSC Number 223256.

#### Sewer and Water Servicing Allocation

On February 21, 2018, Vaughan Council endorsed the City’s latest annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City. The Development was reserved with a capacity for 631 apartment units (1,395 persons equivalent). Accordingly, servicing capacity for the Development is available.

A resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply System to the Development is recommended for Council approval, and is included in the Recommendations of this report.

***The Financial Planning and Development Finance Department supports a Development Charge credit on the residential visitor parking space requirements for the Development***

The Financial Planning and Development Finance Department assessed Development Charges in the amount of \$151,473.96 (2,638 m<sup>2</sup> @ \$57.42 / m<sup>2</sup>) for 82 commercial paid parking spaces included in Building Permit 17-3187 for the Transit City Towers 1 and 2, pursuant to the Vaughan City-Wide Development Charges By-law 045-2013.

The 82 spaces will form part of the off-site residential visitor parking requirements for the Development. It is, therefore, appropriate to provide a Development Charge credit for the number of parking spaces paid under Building Permit 17-3187, subject to approval of the Development. A condition to this effect is included in the Recommendations of this report.

***The Owner is required to provide a 3D Digital Model of the Development***

The Owner is required to submit a 3D digital model of the Development including accurately geo-referenced digital data, as outlined in the 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 \$15,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the Recommendations of this report.

***The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the Development***

Should Council approve the 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 parking and all landscape elements.

***The Urban Design and Cultural Heritage Division of the Development Planning Department supports the approval of the 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 Recommendations 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 provided the following condition of approval:

“For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 500 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy.”

***The Environmental Services Department, Solid Waste Management Division, has no objection to the Development***

The Environmental Services Department, Solid Waste Management Division has advised that upon a successfully completed application, site inspection and executed agreement as determined by the Vaughan Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or chose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation. A condition to this effect is included in the Recommendations of this report.

***NavCanada and Bombardier Aerospace have no objection to the 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 Development.

***The Owner is required to satisfy the Toronto Transit Commission conditions of approval for the Development***

The Subject Lands are located within the Toronto Transit Commission (the “TTC”) 60 m zone of influence. The TTC has provided the draft comments, Notice of Approval Conditions (“NOAC”), and the pre-approval NOAC for the Development, dated April 23, 2018. The Owner shall be required to continue to work with the TTC on the technical review of the Development to satisfy all the requirements of TTC. A condition to this effect is included in the Recommendations of this report.

***The Ministry of Transportation Ontario has no objection to the Development***

The Ministry of Transportation Ontario (the “MTO”) has indicated no objection to the Development subject to the Owner obtaining a Building and Land Use Permit from the MTO. A condition to this effect is included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has indicated that it is the Owner’s responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. 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***

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

***The various utilities have no objection to the Development***

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development and that the Development must meet the minimum clearances from their underground electrical distribution systems. It is the Owner’s responsibility to contact Alectra and discuss all aspects of the Development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the Development and has advised that it is the Owner’s responsibility to contact Enbridge Gas with respect to the 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 Recommendations of this report.

Rogers Communication Inc. has no objection to the Development.

### **Financial Impact**

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

### **Broader Regional Impacts/Considerations**

#### ***York Region Community Planning and Development Services has no objection to the Development***

The York Region Official Plan 2010 (YROP 2010) designates the Subject Lands as “Urban Area” and located within a “Regional Centre” by Map 1 – “Regional Structure”. York Region has advised, in the letter dated March 13, 2018, that the amendments to VOP 2010 are of local significance and in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

York Region has indicated they have no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment #17. These comments must be addressed prior the execution of the Site Plan Agreement and in accordance with the Recommendations of this report.

#### ***York Region Transit approves the Development in principle***

In the letter dated March 8, 2018, the YRT provided approval in principle of the secondary bus access through the Subject Lands provided that the Owner resolve and come to agreement with YRT on the location and the construction of the said access to the bus terminal. The Owner must satisfy YRT’s comments and conditions, which are included in the Recommendations of this report.

### **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.17.003 and Z.17.028 and Site Development File DA.17.062 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010 policies, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the VMC Secondary Plan.

The Development Planning Department is satisfied that the Development shown on Attachments #3 to #15, is compatible with the existing and permitted uses in the surrounding area. The Development Planning Department is also satisfied that the Development represents good planning for the reasons identified in this report, and that

the Owner's contribution of community benefits is appropriate. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions included in the Recommendations of this report.

For more information, please contact Stephen Lue, Senior Planner, Extension 8210.

### **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Amendment to Schedule "I", Height and Density Parameters (VMC Secondary Plan)
4. Proposed Amendment to Schedule "E-1575" of Site-Specific Exception 9(1445) to Zoning By-law 1-88
5. Proposed Context Development Block
6. Site Plan - Interim
7. Site Plan - Ultimate
8. Landscape Plan - Interim
9. Landscape Plan - Ultimate
10. Landscape Plan - Roof-top Amenity
11. Building Elevations - North and East
12. Building Elevations - South and West
13. Colour Perspective - South
14. Colour Perspective - Along Portage Parkway
15. Colour Perspective - Development Block
16. Future Subway Extension Assumption
17. York Region Comments and Conditions of Approval

### **Prepared by**

Stephen Lue, Senior Planner, extension 8210

Carmela Marrelli, Interim Senior Manager of Development Planning, extension 8791

Mauro Peverini, Director of Development Planning, extension 8407

/CM



Item:



## Committee of the Whole Report

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**DATE:** Tuesday, May 08, 2018

**WARD:** 4

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.17.003  
ZONING BY-LAW AMENDMENT FILE Z.17.028  
SITE DEVELOPMENT FILE DA.17.062  
VMC RESIDENCES III GP INC. AS A GENERAL PARTNER AND  
ON BEHALF OF VMC RESIDENCES III LIMITED PARTNERSHIP  
VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole to permit a 55-storey residential apartment building with 631 units and 570 m<sup>2</sup> of ground floor commercial uses in the Vaughan Metropolitan Centre ("VMC"), as shown on Attachments #3 to #16.

### **Report Highlights**

- The Owner proposes to develop the Subject Lands with a 55-storey residential apartment building at a density (Floor Space Index - "FSI") of 12.7 times the area of the lot, as shown on Attachments #3 to #16, which consists of:
- 631 apartment units and 570 m<sup>2</sup> of ground floor commercial uses; and

### **Report Highlights (Continued)**

- An integrated six-storey above-ground parking structure (212 spaces) with active uses in the podium and 95 off-site visitor (shared) parking spaces in the adjacent Transit City Towers 1 and 2 above ground parking garage.
- The Owner has requested an increase to the permitted building height and density in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, including:
  - \$3.5 million towards a public art piece that is integrated with the architecture of the building; and
  - \$1 million towards the first iconic pedestrian bridge in the Edgeley Pond and Park.
- The Development Planning Department supports the approval of the Development as it is compatible with the existing and planned uses in the Mobility Hub and the surrounding area, subject to the conditions in this report.

### **Recommendations**

1. THAT Official Plan Amendment File OP.17.003 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED to amend Volume 2 of Vaughan Official Plan 2010, (the “Vaughan Metropolitan Centre Secondary Plan”), on the Subject Lands shown on Attachments #1 and #2, to:
  - a) increase the permitted building height from 25 to 55-storeys; and
  - b) increase the permitted density (Floor Space Index - “FSI”) from 4.5 to 12.7 times the area of the Subject Lands shown on Attachments #1 and #2.
2. THAT the Mayor and the City Clerk be authorized to execute a Section 37 Density Bonus Agreement (the “Section 37 Agreement”), pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation #3.
3. THAT Zoning By-law Amendment File Z.17.028 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED; to:
  - a) amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments #1 and #2 from C10(H) Corporate District Zone with the Holding Symbol “(H)”, subject to site-specific Exception 9(959), as shown on Attachment #2, to C10 Corporate District Zone, in the manner shown on Attachment #4, subject to site-specific Exception 9(1445), and thereby removing the Holding Symbol “(H)” on the entirety of the Subject lands,

together with the site-specific development standards identified in Table 1 of this report; and

- b) permit the bonussing for increased building height and density for the Development shown on Attachments #3 to #15 in return for the following community benefits, 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*.
  - i) A \$1 million contribution towards an off-site community benefit regarding the first iconic pedestrian bridge within the City's Edgeley Pond and Park; and
  - ii) A \$3.5 million contribution towards an on-site public art budget for the creation of a public art piece that is integrated with the architecture of the building, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City;
- 4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$1 million towards the pedestrian bridge within the City's Edgeley Pond and Park and \$3.5 million towards public art. The Section 37 benefits will be implemented through an agreement (the "Section 37 Agreement") between the Owner and the City of Vaughan to be executed prior to the enactment of the Official Plan and Zoning By-law Amendments. The Section 37 amount, in the form of a \$1 million payment (off-site contribution) and a \$3.5 million Letter of Credit (on-site contribution), shall occur prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$3.5 million Letter of Credit shall be applied to the Public Art Agreement, identified in Condition #5. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
- 5. THAT prior to March 31, 2019, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of a permanent piece of public art that is integrated with the architecture of the south, six-storey podium façade of the building as a public art contribution with a budget of \$3.5 million, secured through the \$3.5 million Letter of Credit identified in the Section 37 Agreement, 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 Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. 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 and shall enter into a maintenance agreement with the City.

6. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
7. THAT Site Development File DA.17.062 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership), BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to permit a 55-storey residential apartment building with 631 residential units, an integrated six-storey above-ground parking structure (212 parking spaces) with active uses in the podium, and 570 m<sup>2</sup> of ground floor commercial uses:
  - a) prior to the execution of the Site Plan Agreement:
    - i) the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a driveway access easement on the Subject Lands, in favour of the YRT Bus Terminal lands, for a future driveway bus access to Portage Parkway. The Committee's decisions shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee;
    - ii) the Development Planning Department shall approve the final site plan, building elevations, landscape plans and cost estimate, the roof-top amenity area and green roof plan, wayfinding and signage design, and wind tunnel model analysis. Prior to final approval, the Owner shall provide detailed south and west building elevations that must include the appropriate level of animation between the building and the enhanced pedestrian connections and corridors within the development block, to the satisfaction of the City;
    - iii) The Owner shall work with the adjacent landowner to achieve a minimum two-metre wide pedestrian connection within an easement, or a suitable alternative, along the south frontage of the Development, between the building and the YRT Bus Terminal lands, to the satisfaction of the City;

- iv) 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, dewatering plan, external lighting plan, the utility coordination plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- v) the Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;
- vii) the Owner shall apply to the City for any permanent dewatering system(s) that is required for the Development, and enter into an agreement and/or obtain a permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- viii) The Owner shall convey to the City the necessary land for the widening of Millway Avenue and Portage Parkway and the necessary land and easement for the 10 x 10 metre sight triangle at the southwest corner of the intersection of Millway Avenue and Portage Parkway, at no cost to the City. The Owner shall also enter into an encroachment agreement with the City to permit the encroachment of the balconies on the upper storeys of the building into the City's sight triangle, all to the satisfaction of the Development Engineering Department.
- ix) the Owner shall submit a separate Landscape Cost Estimate based on the ultimate design of the external streetscape works consisting

of the enhanced streetscape treatments along the Millway Avenue and Portage Parkway rights-of-way to be provided in a separate Letter of Credit to ensure the completion of the external works, to the satisfaction of the Development Planning Department;

- x) the Owner shall submit to the City the final 3D digital model of the Development, 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 \$15,000.00 to guarantee the completion of the model;
- xi) In recognition of the operating agreements with the YMCA, YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the "Connections") on the west and south sides of the Subject Lands, which will require the City to provide consent should the Owner transfer ownership of the connection to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easement or appropriate alternative is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure. Clauses to this effect will be included in the Site Plan Agreement and any other legal mechanisms registered on title;
- xii) the Owner shall satisfy all requirements of Alectra Utilities Corporation;

- xiii) the Owner shall satisfy all requirements and conditions of the York Region Community Planning and Development Services Department, included in their letters dated November 3, 2017, and March 13, 2018, letters, attached hereto as Attachment #17;
  - xiv) the Owner shall satisfy all requirements of the Toronto Transit Commission (the "TTC");
  - xv) the Owner shall obtain a Building and Land Use Permit from the Ministry of Transportation Ontario (the "MTO"); and
  - xvi) the Owner shall satisfy all requirements of Canada Post.
- b) the Site Plan Agreement shall include the following clauses:
- i) "The Owner shall enter into the required legal agreement(s) with the Condominium Corporations for Transit City Towers 1 and 2 and this Development for parking, access, operations, and maintenance of the Transit City Towers 1 and 2 above-ground integrated parking structure. The agreement(s) shall be registered on title, if required, to the satisfaction of the City."
  - ii) "For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 500 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy."
  - iii) "The Owner shall pay to the City of Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region and York Catholic District School Boards, prior to the issuance of any Building Permit."
  - iv) "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."
  - v) "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.”

- vi) “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- vii) “The Subject Lands are located adjacent to the York Region Transit (the “YRT”) Bus Terminal, which operates 24 hours, 7 days a week, and 365 days of the year. The Owner shall include the appropriate warning clause(s) in all Agreements of Purchase and Sale, and the Condominium Agreement and Declaration and Articles of Incorporation to advise all purchasers, tenants, leasees, of the proximity to the YRT Bus Terminal and its associated operations and the potential for noise, dust, vibration, and emissions, to the satisfaction of the City of Vaughan and the YRT.”
- viii) “In recognition of the operating agreements with the YMCA, the YRT, and the City of Vaughan on the abutting lands to the south and west of the Subject Lands, the need for an enhanced pedestrian connection along the west and south frontages is necessary to maintain porosity and connectivity in this area of the VMC. Therefore, the Owner shall agree to register a public easement or an appropriate alternative on the lands for the enhanced pedestrian connections (the “Connections”) on the west and south frontages, which will require the City to provide consent should the Owner transfer ownerships of the connections to a non-affiliated entity. The consent from the City shall be subject to the Owner registering a public easement on title or another appropriate arrangement on the Connections, at no cost or risk to the City, to the satisfaction of the City Solicitor and the Deputy City Manager of Planning and Growth Management. The intent of this public easements or appropriate alternatives is to provide and maintain public access, in perpetuity, over the Connections. This public access requirement does not preclude the full or partial closure of these areas on a temporary basis for private activities / uses, maintenance or construction activities provided the City has approved the temporary closure.”



- ix) “The Owner agrees to provide sufficient notice to the City of any physical construction that might impact access within the connection, to the satisfaction of the City.”
- x) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the registration of a Draft Plan of Condominium, the Owner’s noise consultant shall certify that the noise attenuation measures identified in the approved environmental noise report have been incorporated into the building, all to the satisfaction of the Development Engineering Department.”
- xi) “On or before January 1, 2020, the planning and design of the future park on Park Block 1, including any strata elements, must commence. The Urban Park design must respond to the City’s guidelines and policies, including, but not limited to the Strata Title Arrangement and the Strata Principles for Public Parks and the VMC Streetscape and Open Space Plan, and be finalized to the satisfaction of the City. The design process shall include a public engagement element with Vaughan’s citizens, relevant stakeholders, and public agencies.”
- xii) “On or before the date that the approved Transit City Tower 1 and 2 above-ground integrated parking structure (Site Development File DA.17.014) is open and in operation, which is scheduled for March 31, 2021, the existing temporary surface commercial parking lot on Park Block 1 shall be closed to facilitate construction of the Urban Park.”
- xiii) “On or before thirty (30) days after the approved Transit City Tower 1 and 2 above-ground integrated parking structure is opened and in operation, which is scheduled for March 31, 2021, construction of the Urban Park on Park Block 1 will commence, including the removal of the existing temporary surface commercial parking lot and development of any strata elements, and must be completed within two (2) years of the start of construction (with strata) or within one (1) year of the start of construction (with no strata).”
- xiv) “The Owner shall agree to include the necessary warning clauses in the agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations, including, but not limited to the following:

- This dwelling unit has been equipped with an air conditioning system which allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of Environment and Climate Change noise criteria – NPC-300.
  - Purchasers and/or tenants are advised that this development is in proximity to the York Region Rapid Transit Bus Terminal, and that sound levels may at times be audible.
  - Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic may on occasion interfere with some activities of the dwelling occupants.”
8. THAT a Development Charge credit be granted to the Owner that is equivalent to the amount paid per parking space, based on 82 parking spaces, for the Transit City Towers 1 and 2 lands to a maximum of \$151,473.96 on the residential visitor parking requirements for the Development on the Subject Lands to be located off-site on the Transit City Towers 1 and 2 lands, subject to the approval of the Development.
9. THAT Council adopt the following resolution for the allocation of water and sewage servicing capacity:
- “THAT Site Plan Development File DA.17.062 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 631 residential units (1,395 persons equivalent).”

## **Background**

The 0.39 ha Subject Lands (the “Subject Lands”) are located on the southwest corner of Millway Avenue and Portage Parkway, shown as Subject Lands on Attachments #1 and #2.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol and the Official Plan Amendment and Zoning By-law Amendment Applications were considered by the Committee of the Whole at two separate Public Hearings***

On October 16, 2017 (Zoning By-law Amendment File Z.17.028), and on November 13, 2017 (Official Plan Amendment File OP.17.003), Notices of Public Hearing were circulated to all property owners within 150 m of the Subject Lands and posted online as follows:

- a) the City's Online Calendar;
- b) On the City Page; and
- c) the City's Facebook and Twitter sites.

As Millway Avenue was under reconstruction at the time, one Notice Sign was installed for each file on the Subject Lands along Portage Parkway, in accordance with the City's Notice Signs Procedures and Protocols. At the November 7, 2017, and the December 5, 2017, Public Hearings, no deputations or written submissions were received.

The Recommendations of the Committee of the Whole to receive the Public Hearing reports of November 7, 2017, and December 5, 2017, and to forward a comprehensive technical report to a future Committee of the Whole meeting were ratified by Council on November 21, 2107, and December 11, 2017, respectively.

### **Previous Reports/Authority**

June 8, 2013, Committee of the Whole (Item 49, Report No. 32)

December 6, 2016, Committee of the Whole (Item 32, Report No. 43)

June 20, 2017, Committee of the Whole (Item 38, Report No. 26)

November 7, 2017, Committee of the Whole Public Hearing (Item 1, Report No. 40)

December 5, 2017, Committee of the Whole Public Hearing (Item 3, Report No. 45)

### **Analysis and Options**

The Owner has submitted Official Plan and Zoning By-law Amendment Files OP.17.003 and Z.17.028 and Site Development File DA.17.062 (the "Applications") to amend Volume 2 of the Vaughan Official Plan 2010, specifically Schedule "I" of the Vaughan Metropolitan Centre (VMC) Secondary Plan, as shown on Attachment #3, to increase the maximum permitted building height and density (FSI) from 25 to 55-storeys and from 4.5 to 12.7 times the area of the lot, respectively, for the Subject Lands, as shown on Attachments #1 and #2.

The Owner proposes to rezone the Subject Lands from C10(H) Corporate District Zone with the Holding Symbol "(H)", subject to site-specific Exception 9(959) to C10 Corporate District Zone, subject to site-specific Exception 9(1445), thereby removing the Holding Symbol "(H)" on the entirety of the Subject lands, and to permit the site-specific Development standards in Table 1 of this report. The Owner also proposes to permit the bonusing for the increased density and building height in return for community benefits, pursuant to Section 37 of the *Planning Act*.

The proposed development (the "Development") consists of the following:

- a) one residential apartment (future condominium) building with a building height of 55-storeys;
- b) 631 residential dwelling units;

- c) a Gross Floor Area (“GFA”) of 50,194 m<sup>2</sup> (all uses);
- d) 212 parking spaces in a six-storey integrated above-ground parking structure;
- e) 570 m<sup>2</sup> of commercial uses;
- f) 656 bicycle parking spaces;
- g) a total 95 off-site residential visitor shared parking spaces to be provided in the approved Transit City Towers 1 and 2 integrated parking structure (Site Development File DA.17.014), and
- h) a maximum density (Floor Space Index - FSI) of 12.7 times the area of the lot.

***The Development is consistent with the Provincial Policy Statement***

The *Provincial Policy Statement* (the “PPS”) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean, safe, liveable, and healthy environment. Part V – “Policies” of the PPS states (in part) the following:

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

*1.1.1 Healthy, liveable and safe communities are sustained by (in part):*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding Development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *promoting cost-effective Development patterns and standards to minimize land consumption and servicing costs;*
- e) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and*
- f) *ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.*

The Development is consistent with the policies of the PPS and contributes to a healthy, liveable and safe community in the following manner:

- the Development would intensify the existing underutilized site in a designated settlement area at a higher density than the existing surrounding land uses and contributes to the overall range of housing options that would meet Vaughan’s housing needs;
- the proposed intensification utilizes the Subject Lands more efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing costs; the Development will be designed in compliance with the standards set by the Accessibility for Ontarians with Disabilities Act (“AODA”) providing for accessibility for residents and visitors; and
- the future residents of the Development will have the opportunity to participate in an incentive program, where every unit owner would be provided with a membership to the YMCA (the “YMCA”) fitness facility as part of the planned YMCA community centre to encourage an active and healthy lifestyle.

#### 1.1.3.2 Settlement Areas

*The vitality of settlement areas is critical to the long term economic prosperity of communities. It is in the interest of all communities to use land and resources efficiently, to promote efficient Development patterns, protect resources, and ensure effective use of infrastructure.*

1.1.3.2      *Land use patterns within settlement areas shall be based on:*

- a)      *densities and a mix of land uses which:*
  - i)      *efficiently use land and resources;*
  - ii)     *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - iii)    *support active transportation;*
  - iv)    *are transit-supportive, where transit is planned, exists or may be developed; and*
- b)      *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

1.1.3.3      *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas,*

*including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

- 1.1.3.4 *Appropriate Development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*
- 1.1.3.6 *New Development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*
- 1.1.3.7 *Planning authorities shall establish and implement phasing policies to ensure that specific targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.*

The Development is consistent with the settlement area policies of the PPS as follows:

- the Development is located in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density within a designated Urban Growth Centre (a “UGC”) and a Mobility Hub that would support the surrounding higher-order transit investments;
- the intensification of the site provides opportunities to reduce the negative impact of climate change by promoting active transportation through reduced parking ratios and the proximity to public transportation, pedestrian and bicycle friendly environments that encourage walking and cycling;
- the VMC is an identified intensification area where municipal services are available and planned to accommodate high density development that supports population and employment growth projections in the City. The Subject Lands are currently vacant and the Development contributes to the efficient utilization of the existing and planned infrastructure; and
- maximum density targets have been established in the VMC Secondary Plan that are achieved by the Development. Through the Section 37

provisions of the *Planning Act*, which is discussed later in this report, the Owner proposes a density and building height that exceeds the maximum targets set out in the Plan in exchange for community benefits.

#### Housing (in part)

1.4.3. *planning authorities shall provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents of the regional market area by:*

- c) *directing the Development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

The Development is consistent with the housing policies of the PPS as it includes 631 residential units that consists of one, two and three-bedroom units within a residential apartment building at a density that efficiently uses land, infrastructure and services. The Development density at this location in the VMC Mobility Hub is transit-supportive and would promote active transportation.

#### Public Spaces, Recreation, Parks, Trails and Open Space (in part)

1.5.1.a) *Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.*

The Development is consistent with the public spaces, recreation, parks, trails and open space policies as follows:

- the Development forms part of a development block (Attachment #5) bound by Portage Parkway, Millway Avenue, Apple Mill Road, and Buttermill Road (the “development block”) that includes grade related pedestrian connections within the block that would be protected for public access. These connections would seamlessly direct pedestrians through the YRT Bus Terminal, the VMC Subway Station, the community centre, the surrounding public streets, Transit Square, and the surrounding planned amenities in a safe environment that encourages social interaction;

- Residents of the Development would have opportunities to access the community centre (the “YMCA”) where healthy and active lifestyles would be promoted. Long and short-term bicycle parking and storage facilities are proposed to encourage healthy and active travel options; and
- The Owner proposes a public art piece that would be integrated into the architecture of the south building elevation. This public art piece would be a focal point in the VMC and would attract social interaction in the community.

#### Infrastructure and Public Service Facilities (in part)

*1.6.3 Before consideration is given to development of new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized.*

The Development is consistent with the Infrastructure and Public Service Facilities policies as it is located in close proximity to significant existing transit infrastructure and the YMCA, which would support the new community library. The Owner proposes to contribute an off-site community benefit, being the first iconic pedestrian bridge within the City’s Edgeley Pond and Park, which will begin construction in the summer of 2018, and will become a focal point for pedestrian connectivity in the park.

#### Long-Term Economic Prosperity (in part)

- 1.7.1 Long-term economic prosperity should be supported by:*
- a) promoting opportunities for economic Development and community investment-readiness;*
  - b) optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;*
  - c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; and*
  - d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.*

The Development is consistent with the long-term economic prosperity policies of the PPS as the VMC is the City’s new downtown and the Development represents a significant investment in the VMC, which supports the economic prosperity of the VMC. A range of residential unit types in an urban environment is offered that would



accommodate additional population within the VMC that would support the retail, office and cultural uses. The Development represents the intensification of the Subject Lands that would contribute to the urban environment and the long-term economic prosperity of the VMC.

The Development is consistent with the policies of the PPS, which promotes the efficient use of land, housing options, social interaction, long-term economic prosperity, and supports a healthy community. The Subject Lands are located within a Mobility Hub where public investment in higher-order transit is located. The Development supports alternate modes of transportation such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption.

***The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) (the “Growth Plan”)***

The *Provincial Growth Plan for the Greater Golden Horseshoe* (the “Growth Plan”) is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

**Managing Growth**

*Policies 2.2.1.1 and 2.2.1.2 of the Growth Plan state that the forecasted population and employment growth identified will be used for planning and managing growth to the horizon of the Growth Plan, and the forecasted growth will be allocated based on the following:*

- a) *the vast majority of growth will be directed to settlement areas that:*
  - i) *have a delineated built boundary;*
  - ii) *have existing or planned municipal water and wastewater systems;*  
*and*
  - iii) *can support the achievement of complete communities;*
- b) *growth will be limited in the settlement areas that:*
  - i) *are undelineated built-up areas;*
  - ii) *are not serviced by existing or planned municipal water and wastewater systems; or*
  - iii) *are in the Greenbelt Area;*

- c) *within settlement areas, growth will be focused in:*
  - i) *delineated built-up areas;*
  - ii) *strategic growth areas;*
  - iii) *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) *areas with existing or planned public service facilities;*
- d) *development will be directed to the settlement areas, except where the policies of the Growth Plan permit otherwise; and*
- e) *development will be generally directed away from hazardous lands.*

*Policy 2.2.1.4 further states that the Growth Plan will support the achievement of complete communities that:*

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i) *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii) *public service facilities, co-located and integrated in community hubs;*
  - iii) *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv) *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development.*

The Development includes a mix of residential and at-grade retail uses, which would assist in achieving the population targets set out in the Growth Plan within City's urban boundary. The Development would benefit from the existing and planned infrastructure. The Development focuses new growth through the intensification on an underutilized site that provides a mixed-use, pedestrian-friendly environment located adjacent to higher-order transit, being the YRT Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit along Regional Road 7 (the "higher-order transit").

The Development would contribute to achieving a complete community by providing a range of residential apartment unit types with at-grade retail uses that are convenient and accessible to the residents of the VMC. High-quality building design and streetscape would promote a high-quality of life where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which would reduce greenhouse gas emissions, and promote walkability and other forms of transportation.

#### Delineated Built-up Areas

*Policy 2.2.2.1 states that by 2031, and for each year thereafter, a minimum of 60% of all residential development occurring annually within York Region will be within a delineated built-up area.*

The regional and municipal official plan policies currently do not conform to the Growth Plan policies respecting the Growth Plan intensification target of 60% within built-up areas. The York Region's conformity exercise has begun, with the City's conformity exercise to begin shortly after the completion of York Region's. In the interim, the Development would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans, which are based on the 40% intensification target identified in the Growth Plan (2006), by proposing a total of 631 residential units within an UGC.

#### Urban Growth Centres

*Policy 2.2.3.1 states that Urban Growth Centres will be planned:*

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and*
- d) to accommodate significant population and employment growth.*

The Development is located within the VMC, the City's planned downtown and a designated UGC. The Development supports the UGC designation by providing residential uses in the VMC that are adjacent to higher-order transit facilities. The residents of the Development would be well-served by a full range of uses, including office, retail and community facilities within walking distance, thereby reducing the need of vehicles.

#### Transit Corridors and Station Areas

*Policy 2.2.4.6 states that within Major Transit Station Areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited. Policy 2.2.4.8 states that all Major Transit Station Areas will be planned and designed to be transit supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:*

- a) connections to local and regional transit services to support transit service integration;*
- b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
- c) commuter pick-up/drop-off areas.*

*Policy 2.2.4.9 further states that within all Major Transit Station Areas, development will be supported, where appropriate, by:*

- a) planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels;*
- b) fostering collaboration between public and private sectors, such as joint development projects;*
- c) providing alternative development standards, such as reduced parking standards; and*
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*

The Development is located immediately north of the YRT Bus Terminal and is within a 10-minute walk or 500 m distance to higher-order transit (VMC Subway Station), within a Major Transit Station Area, and it would contribute to achieving the minimum density target for this area. To support the function of the adjacent YRT Bus Terminal, an access driveway on the Subject Lands is proposed to allow for effective circulation around the YRT Bus Terminal. The location of the Subject Lands within a Major Transit Station Area encourages and supports the use of alternative modes of transit, reduces

the need for parking, and promotes alternative mode of transportation options such as cycling through the provision of bicycle parking facilities within the Development and planned bicycle lanes within the roadways in the VMC.

The policies of the Growth Plan require the achievement of complete communities that feature a diverse mix of land uses, improved social equity and overall quality of life, provide a diverse range and mix of housing options, access to a range of transportation options, mitigation of climate change impacts and reduced greenhouse gas emissions, and ensure the development of compact built form with an attractive and vibrant public realm.

The Development provides a housing option within the VMC that is serviced with grade-related commercial uses that are conveniently accessible. The proximity to higher-order transit facilities, the YMCA and the City's library would offer transportation options and promote an active and healthy quality of life for the residents and visitors to the VMC.

The Development conforms with the policy framework of the Growth Plan as it makes more efficient use of the Subject Lands and existing infrastructure, is located adjacent to existing and under construction/planned higher-order transit and provides housing options at a density that supports the transportation investments in the VMC.

***The Development conforms to the York Region Official Plan***

The Subject Lands are designated "Urban Area" by the York Region Official Plan (the "YROP") and located within a "Regional Centre."

Objective: To promote an appropriate mix and range of acceptable housing to meet the needs of residents and workers

*Policy 3.5.4 of the YROP requires the local municipal Official Plans and Zoning By-law permit a mix and range of housing types, unit sizes and levels of affordability with the mix and range of housing being consistent with the Regional forecasts, intensification and density requirements. Furthermore, Policy 3.5.20 encourages the construction of new residential units with a full mix and range of unit sizes, including family-sized and smaller units.*

The Development consists of 631 residential apartment units that range from one-bedroom to three-bedroom unit sizes that contribute to a diverse housing stock in the Region. The Development supports the Regional objective regarding the provision of a mix and range of housing.

Objective: To support Regional Centres and Corridors as a focus of economic activity and culture in York Region

*Policy 4.2.4 requires a mixed-use pedestrian environment in Regional Centres and Corridors that promote transit use and enhances these areas as destinations for business, entertainment and recreation.*

The Development provides a mix of residential uses immediately adjacent to existing and planned employment, retail, open space, and community facilities. The Subject Lands are located adjacent to higher-order transit, which would promote the use of the public transit by the residents of the Development. The combination of the enhanced streetscape and the introduction of the residential apartment units would complement the existing and planned surrounding commercial, office, retail, and community facility uses in proximity of the Subject Lands, thereby contributing to the success of the VMC as a complete community.

Objective: To create high-quality, sustainable communities

*Policy 5.2.5 of the YROP encourages a balance of residential and employment uses to promote working and living in close proximity.*

The Development includes residential uses in proximity to existing and planned commercial, office, retail, employment and open space uses and community facilities, which would provide live-work opportunities for the residents in the VMC.

Objective: To create vibrant and sustainable urban areas

*Policy 5.3.4 of the YROP states that the distance to a transit stop in the Urban Areas is within 500 m for 90% of residents and no more than 200 m for 50% of residents.*

The Development is located immediately adjacent to higher-order transit, which would provide transit opportunities and choices (i.e. subway, bus terminal, and rapid transit along Regional Road 7) for the future residents to meet their mobility needs.

Objective: To achieve an urban, integrated and connected system of Regional Centres and Corridors

*Policy 5.4.5 states that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cycle-friendly, and transit supportive. Policy 5.4.9 states that all new buildings shall front onto streets with main entrances designed to face a public street and provide a pedestrian-friendly urban form. Furthermore, Policy 5.4.16 requires the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage and lockers.*

The Development is urban and compact in form. The building oriented and designed to include the main entrances with access to Portage Parkway and Millway Avenue, which

would provide a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development incorporates a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation.

Objective: To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections

*Policy 5.4.19 states that the Regional Centres will contain a wide range of uses and activities, and be the primary focal points for intensive development, that concentrates residential, employment, live-work, mobility, investment, and cultural and government functions. Policy 5.4.20 further identifies that the planning and implementation of Regional Centres will provide the following:*

- a) the greatest intensity of development within the Region;*
- b) a diverse mix of uses and built form, to create vibrant and complete communities including living, working, shopping, and entertainment opportunities; and*
- c) mobility choices and associated facilities for all residents and employees for walking, cycling, transit, and carpooling, which shall be supported through the preparation of a mobility plan.*

*Policies 5.4.23 and 8.2.3 (Implementation) state that Regional Centres contain the highest development densities and greatest mix of uses in the Region, and shall achieve a minimum density of 3.5 FSI per development block, at and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension.*

The Development contributes to the mix of uses planned in the VMC. It would deliver a built form that supports the existing surrounding employment and commercial uses, encourages and optimizes the uses of higher-order transit, and facilitates the success of the planned cultural functions (e.g. community facilities) of the VMC. The retail proposed at-grade would help meet the needs of the residents of the Development.

The Development conforms to the YROP as it includes a mix of unit types and contributes to a range of housing choices in the City to meet the needs of residents and workers of York Region. It would also support and achieve an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture, and contribute to a high-quality and sustainable community in the VMC.

***The Development Planning Department supports the proposed amendments to the Vaughan Official Plan and the Vaughan Metropolitan Centre Secondary Plan***

The Subject Lands are identified as an area subject to a secondary plan by the Vaughan Official Plan 2010 (the “VOP 2010”). The Subject Lands are designated

“Station Precinct” within the Vaughan Metropolitan Centre (the “VMC”) by the Vaughan Metropolitan Centre Secondary Plan (the “VMC Secondary Plan”), which forms Volume 2 of VOP 2010.

*Section 1.5 of the VOP 2010, The Vision for Transformation: Goals for the Official Plan, identified the VMC as a provincially designated UGC, given the location along Regional Road 7 and the terminus of the Toronto-York Subway Extension. The VMC is envisioned to become Vaughan’s downtown with the highest density node in the City and a focus for civic activities, business, shopping, entertainment, and living. Policy 2.1.3.2 addresses Vaughan’s main land use planning challenges and the management of future growth by directing a minimum of 29,300 residential units through intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and providing a diversity of housing opportunities. Policy 2.2.5, Intensification Areas, identifies the VMC as the City’s downtown that consists of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan.*

The Subject Lands are located within a Mobility Hub with access to higher-order transit, which can support the density being proposed. The proposed unit mix would provide housing opportunities at a density target within the VMC that would support public transit and housing diversity in the City.

The “Station Precinct” designation of the VMC Secondary Plan permits a broad mix of uses, including residential dwellings, retail, service commercial, public uses, and includes policies and design guidelines for integrated parking structures with appropriate design treatments. The Development includes residential and retail uses, which conforms to the VMC Secondary Plan.

*The VMC Secondary Plan provides the following objectives for the VMC:*

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people*
- 3.2 Establish complete neighbourhoods containing a variety of housing*
- 3.5 Optimize existing and planned investments in rapid transit*
- 3.10 Ensure all development exhibits a high-quality of urbanity, materials and design*

The VMC Secondary Plan permits a maximum building height of 25-storeys and a maximum density (FSI) of 4.5 times the area of the lot on the Subject Lands. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. The Subject Lands are located within an identified Mobility Hub with direct access to higher-order transit, as shown on Attachment #2. Specifically, the development block has been seamlessly designed to capitalize on the public



infrastructure and higher-order transit investments within the Mobility Hub with uses that would support a complete neighbourhood (e.g. residential, retail, office, community facilities, and public transit). The Development satisfies the objectives of the VMC Secondary Plan.

*Policies 4.1.1, 4.1.2, and 4.1.3, General Policies, of the VMC Secondary Plan prioritizes the pedestrian realm as enhanced pedestrian connections to the VMC Subway Station. Policies 4.4.1 to 4.4.7, Streetscaping, complement the VMC Streetscape and Open Space Plan regarding street furnishing, lighting, paving, and trees.*

The Subject Lands are located within the Mobility Hub with connections to higher-order transit. The development block consists of at-grade and underground pedestrian connections to the VMC Subway Station that offers a comfortable and coordinated enhanced pedestrian network.

*Policy 4.2.3 of the VMC Secondary Plan protects for a future subway extension where development is proposed within and adjacent to the subway right-of-way. The Development is located over the future alignment of the extension of the subway right-of-way.*

The Owner has submitted a Future Tunnel Extension Impact Study, prepared by HATCH, dated July 31, 2017, that adequately demonstrates that the Development is designed to protect for a future subway right-of-way extension. The Development Engineering Department has reviewed the Study and is satisfied with its conclusions. The Subject Lands are located within the Toronto Transit Commission's ("TTC") 60 m zone of influence. The Owner will be required to continue to work with the TTC on the technical review of the Development. A condition to this effect is included in the Recommendations of this report.

*Policy 4.6.3 states that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel.*

Section 3.8.1 of Zoning By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development.

*Policy 8.1.2 states that the VMC is intended to accommodate a minimum of 1,500 new retail and service jobs by 2031 as street-related uses on the ground floors of mixed-use buildings. Policies 8.1.3 and 8.1.4 state that the VMC is intended to accommodate a minimum of 12,000 residential units to contribute to the projected population growth to 2031. The policies also encourage a diverse housing mix, including a significant number of households with children.*

The Development would accommodate for the planned residential population growth in the VMC with 631 new residential apartment units of varying sizes. At-grade existing and planned retail within the Development and the surrounding areas, and the adjacency to a community facility would support varying households, including those with children.

*Section 8.7, Built Form, of the VMC Secondary Plan includes policies for building setbacks, ground floors, building height, massing, and building exteriors. The policies, specifically Policies 8.7.1 to 8.7.25, relate to building design that promotes pedestrian comfort through building façade treatments, lobby frontages, podium and tower designs, and building materiality.*

The Development includes an above ground integrated parking structure. The Owner and the City have made significant effort to ensure the building façade of the Development would be well activated with a comfortable pedestrian realm along all frontages of the Subject Lands. This entails a well-articulated podium expression and tower massing, and the specific placement of the building entrances at the ground level with high-quality streetscape treatments.

A varied skyline is planned as part of the overall masterplan of the northwest quadrant of the VMC. Building setbacks, glazing treatments, architectural features (canopies and awnings), and pavement design have been utilized to encourage a comfortable streetscape, varied street walls, and a pedestrian-first experience.

***The Development represents good planning. The Owner will provide community benefits in exchange for increased density and building height, pursuant to Section 37 of the Planning Act***

To facilitate the Development, the Owner proposes to amend the VMC Secondary Plan to increase the permitted building height from 25 to 55-storeys and increase the permitted density (FSI) from 4.5 to 12.7 times the area of the Subject Lands. Pursuant to Section 37 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*”, Vaughan Council may authorize an increase in building height and density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased density and building height.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies to permit bonusing for increased building height and density in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are met:

a) Good Planning

The Development must represent good planning, be consistent with the other objectives of VOP 2010 and the VMC Secondary Plan and consistent with applicable built form and neighbourhood compatibility objectives.

The Development is located in the VMC Mobility Hub, which reflects the VMC's locational advantage, being the convergence of the regional bus network (the YRT Bus Terminal and the VivaNext Bus Rapid Transit) with the Spadina Subway extension into the VMC. This Mobility Hub is envisioned as an anchor where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations, which is vital in the creation of a high-quality downtown.

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and the York Region Official Plan. Unlike the approval of Transit City Towers 1 and 2, which benefited from the policies in the VMC Secondary Plan that enabled the transfer of unused density and building heights within the northwest quadrant of the VMC, the increase in the maximum density and building height reflected in this Development is proposed through Section 37 of the *Planning Act*. Several iterations of design development were required to ensure that the amount of intensification met the policies of the VMC Secondary Plan, in order to be supported as good planning.

In Section 3 of the City's *Guidelines for the Implementation of Section 37 of the Planning Act*, "good planning" includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments #3 to #16, is determined to represent good planning. The Development is aligned with the following objectives contained in the VMC Secondary Plan:

- i) A downtown: "to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people".
  - A critical objective of the VMC Plan is to concentrate Development around the defined centre of the downtown. The Development would contribute to achieving the required critical mass that would develop a strong identity and sense of place in the Mobility Hub and a population to support the investments in the transit infrastructure and the land uses (i.e. retail, office, etc.) that would contribute to the diversity of land uses required to create a successful downtown.

- ii) High transit usage: “optimize existing and planned investments in rapid transit”.
  - The proximity of the Development to high order transit makes the creation of a high-density downtown possible. The short walking distances to the YRT Bus Terminal, the VMC BRT Station, and the VMC Subway Station through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.
- iii) Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design”.
  - The Development incorporates high quality architecture that frames and addresses the streets. Connectivity has been integrated into the design of the development block with enhanced pedestrian connections.

The Development forms part of an overall block that includes an approved mixed-use building (library, major office, community centre, retail, and daycare), a high-density residential development (apartment and townhouses) with ground-related commercial uses (restaurant and retail), and the YRT Bus Terminal. The Development is considered good planning in consideration of the overall context of the Development block. Therefore, the proposed increase in the maximum building height and density in return for the provision of community benefits, is appropriate.

b) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and density of the Development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of Development otherwise permitted in Schedule I of the VMC Secondary Plan, in return for the provision of community benefits in the VMC. The Official Plan identifies community benefits that may qualify, including:

- Public art contributions;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City’s standard levels of service or facilities; and

- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated in the City's standard levels of service.

In accordance with the City's "Guidelines for the Implementation of Section 37 of the *Planning Act*", the City and the Owner have agreed to the following community benefits:

i) Public Art (On-Site Benefit)

Public art improves the public realm and contributes to the creation of a sense of place. The Owner and the City have comprehensively reviewed the public art component at the development block level and agreed to a six-storey high public art piece, integrated into the south building elevation of the Development as shown on Attachment #13.

The value of the on-site public art piece is equivalent to a \$3.5 million contribution towards a public art budget for the creation of a public art piece that is integrated with the architecture of the building, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City. The Integration of the public art into the south facade of the parking podium would provide a unique architectural installation on a contemporary structure that would create a landmark for the VMC and activate the Mobility Hub as a destination and view terminus.

The public art piece will be owned and maintained by the Owner, not the future residential condominium corporation. The programming of the piece will involve the City for special events, which would require the City and the Owner to enter into a separate agreement that will detail the maintenance, themes, and frequency of City use that will be finalized through the Public Art commissioning process. A condition to this effect is included in the Recommendations of this report.

ii) Edgeley Pond and Park (Off-Site Benefit)

Community benefits may include specific capital facilities that benefit the area where the development is located. The increased density for the Development would result in higher numbers of people who place higher demands on community amenities, such as open spaces, which is intended to maintain or improve existing community livability and the quality of life in the area with the higher density.

The development of social infrastructure (e.g. schools, parks, emergency services, places of worship, etc.) is as important as the development of buildings as a contributor to place making that would significantly enhance

the character and identity in the VMC and ensure that the community is well supported by these necessary amenities and facilities.

“The City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*” identifies that a reasonable planning relationship between the community benefit and the Development refers to geographic proximity. The highest priority would be for community benefits in the immediate vicinity of the Subject Lands, and then within the local area.

The development block, once built, would accommodate over 1,700 residential units and 4,000 people. Open space and parkland will be required to service the population within the Development block. The VMC Secondary Plan currently includes an Urban Park in the northwest quadrant of the VMC. However, the lands for the future Urban Park are currently encumbered with temporary surface parking that, during the initial development of the VMC, are being used by visitors to the VMC.

Therefore, the off-site contribution as part of this Development is being prioritized for facilities in the City’s first publicly-owned open space in the downtown, the Edgeley Pond and Park. This is within the nexus (2 urban blocks) of the Subject Lands. The Owner has agreed to contribute \$1 million towards an off-site community benefit regarding the first iconic pedestrian bridge within the City’s Edgeley Pond and Park, which is expected to open by 2020, in time for the first residents of the development block. The first iconic pedestrian bridge, which is currently underfunded and has consequently been pushed out to later phases of the park development, provides support for active transportation and connectivity in the VMC. This contribution would advance this critical and high priority park feature and would benefit the community and its emerging social infrastructure.

c) Adequate Infrastructure

It is the City’s intent to deliver the planned and orderly development of the VMC through the provisions for adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the existing regional bus network, the recently opened Spadina Subway extension, and the YRT Bus Terminal and the VivaNext BRT that are currently built or under construction, are all infrastructure improvements that would support the Development.

The Owner’s Section 37 contribution to the Edgeley Pond and Park would benefit the future residents of the Development and the visitors to the VMC. The City’s goal is to achieve a true mixed-use downtown.

Should the Applications be approved, the Owner and the City shall execute a Section 37 Density Agreement to permit an increase in the maximum permitted density and building height, prior to the enactment of the implementing site-specific Official Plan and Zoning By-law. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications. A condition to this effect is included in the Recommendations of this report.

***The Planning Act enables a municipality to pass a resolution to permit a landowner to apply for future Zoning By-law Amendment or 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 Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an applicant to apply for a Zoning By-law Amendment or Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium. Should Council approve Zoning By-law Amendment File Z.17.028, the Development Planning Department, in recognition of the complexity of this Development, has included a Recommendation to permit the Owner to apply for a Zoning By-law Amendment application(s) or a Minor Variance application(s) to address deficiencies that may arise through the final design and construction of the Development.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned C10(H) Corporate Centre Zone with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(959), as shown on Attachment #2. The Holding Symbol “(H)” is historically tied to a previous development application for the Owner’s entire land holdings and its removal is subject to Council’s approval of a corresponding Site Development application.

To permit the Development, the Subject Lands are proposed to be rezoned to C10 Corporate District Zone, subject to site-specific Exception 9(1445). The Owner proposes to remove the Holding Symbol “(H)” from the Subject Lands, which may occur with the approval by Vaughan Council of Site Development File DA.17.062. The following zoning exceptions to Zoning By-law 1-88 are required to implement the Development:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
a.	Permitted Uses	The C10 Zone does not permit an apartment building.	Permit an apartment building in the C10 Zone.
b.	Definition of Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	The Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted.
c.	Maximum Density (FSI - Floor Space Index)	0.6 FSI	12.7 FSI
d.	Maximum Building Height	15 m	182 m (55-storeys), exclusive of all mechanical equipment and architectural features.



Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
e.	Minimum Lot Area	5,000 m <sup>2</sup>	3,122 m <sup>2</sup>
f.	Minimum Parking Space Size	2.7 m x 6 m	2.7 m x 5.7 m
g.	Minimum Rear Yard Setback (West Property Line)	3 m	1.2 m (to the portion of the building overhang above the ground floor)
h.	Minimum Landscape Strip Width (Portage Parkway and Millway Avenue)	6 m	0 m
i.	Minimum Setback to Portions of Buildings Below Grade	1.8 m (along Portage Parkway and Millway Avenue)	0 m (along Portage Parkway, Millway Avenue, and the sight triangle)
j.	Maximum Projection	<u>Canopy</u> 0.5 m into and beyond the sight triangle	Canopy 5.5 m beyond the site triangle @ 7 m above grade

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
			(Millway Avenue and Portage Parkway)  2.5 m beyond the exterior side yard @ 4.5 m above grade (along Portage Parkway);
		<u>Balcony</u>  1.8 m into the sight triangle	<u>Balcony</u>  2 m into the sight triangle above the second storey (Millway Avenue and Portage Parkway)
k.	Maximum Driveway Access Width  (West Driveway)	7.5 m	10.17 m
l.	Minimum Parking Requirements	<u>Bachelor/One-bedroom</u>  153 units @ 0.7 spaces/unit = 108 spaces + <u>Two-bedrooms</u> 476 units @ 0.9 spaces/unit = 429 spaces + <u>Three-bedrooms</u> 2 unit @ 1 spaces/unit = 2 spaces + 	<u>Residential</u>  631 units @ 0.33 parking spaces/unit = 209 parking spaces (provided 212 on-site parking spaces)  <u>Residential Visitor</u> 631 units @ 0.15 spaces/unit = 95 residential visitor shared parking spaces to be located off-site in the area shown as

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
		<u>Residential Visitor</u> 631 units @ 0.15 spaces/unit = 95 spaces + <u>Retail</u> 570 m <sup>2</sup> @ 2 spaces/100 m <sup>2</sup> Commercial GFA = 12 spaces  <u>Total Required Parking</u> = 646 spaces	“Building Area 2” on Attachment #4  <u>Retail</u> 570 m <sup>2</sup> GFA @ 0 spaces/100 m <sup>2</sup> GFA = 0 parking spaces  <u>Total Proposed Parking</u> = 212 spaces on-site = 95 spaces off-site (shared)
m.	Access	Access and parking to the Subject Lands shall be secured solely on the Subject Lands.	Permit an egress driveway from the lands to the south through the Subject Lands and connecting to Portage Parkway.
n.	Minimum Amenity Area	Bachelor: 98 units @ 15 m <sup>2</sup> /unit = 1,470 m <sup>2</sup> + One-bedroom: 54 units @ 20 m <sup>2</sup> /unit = 1,080 m <sup>2</sup> + Two-bedrooms: 477 units @ 55 m <sup>2</sup> /unit = 26,235 m <sup>2</sup> + Three-bedrooms: 1 unit @ 90 m <sup>2</sup> /unit =	The minimum amenity area shall be 1 m <sup>2</sup> /unit @ 631 units = 631 m <sup>2</sup>

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirement, subject to Exception 9(1445)</b>	<b>Proposed Exceptions to the C10 Corporate District Zone, subject to Exception 9(1445)</b>
		90 m <sup>2</sup> Total Required Minimum Amenity Area = 28,875 m <sup>2</sup>	

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

a) Permitted Use

The introduction of the residential use (apartment dwelling) as an additional use is consistent with the policies and the permitted uses in the VMC Secondary Plan. The residential use is considered compatible with the planned surrounding uses and implements the VMC Secondary Plan.

b) Definition of Lot

The proposed zoning exception to the definition of a “lot” is required to ensure that for zoning purposes, the Subject Lands are deemed to be one lot regardless of future conveyances and to avoid future technical zoning amendments.

c) Parking Space Size, Parking Standards and Access

The Owner has submitted an Urban Transportation Study prepared by BA Consulting. The Development Engineering (DE) Department has reviewed the study and advise they have no objection to the proposed parking space size and parking standards.

Site-specific Exception 9(1445) currently permits parking for “Building Area 1” (the approved mixed-use building through Site Development File DA.16.007) to be located and allocated off-site in “Building Area 2” (the integrated above-ground parking structure for the approved Transit City Towers 1 and 2 through Site Development File DA.17.014). Similarly, the residential visitor parking for the Development, which complies with the parking requirements of Zoning By-law 1-88, is proposed to be located off-site in “Building Area 2”. The Subject Lands and “Building Area 2” are located within the same development block and are not separated by a street, as shown on Attachment #5.

Zoning By-law 1-88 permits a shared parking calculation for a mixed-use development. With the inclusion of the residential visitor parking for the Development, the maximum required parking in the integrated above-ground parking structure for Transit City Towers 1 and 2 would be 1,033 spaces (weekday shared) and 951 spaces (weekend shared). A total of 1,100 parking spaces have been approved through Site Development File DA.17.014. Therefore, excess parking is provided within the development block.

The Owner advised that it will maintain ownership of the Transit City Towers 1 and 2 integrated above-ground parking structure. To ensure the availability of the required parking spaces in the shared parking structure, the Owner will enter into the required legal agreement(s) with the Condominium Corporations for Transit City Towers 1 and 2 and this Development. The agreement(s), which will be registered on title to the satisfaction of the City, if required, will manage the parking, access, operations, and maintenance for the integrated parking structure. A condition to this effect is included in the Recommendations of this report.

The proposed retail parking ratio of 0 spaces per 100 m<sup>2</sup> GFA can be supported as the retail area (570 m<sup>2</sup>) is intended to serve the local community and those walking from the YRT Bus Terminal or the VMC Subway Station.

An additional discussion regarding the proposed parking supply is discussed later in the “Parking Supply” section of this report.

The DE Department and YRT support the permission to allow an egress driveway from the YRT Bus Terminal lands through the Subject Lands to connect with Portage Parkway. To implement the required access easement, the Owner will be required to successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a temporary driveway access easement on the Subject Lands, in favour of the YRT Bus Terminal lands, for a future driveway bus access to Portage Parkway. The Committee’s decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee. A condition to this effect is included in the Recommendations of this report.

d) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a built form and pedestrian realm relationship that is supported in an intensification area and a Mobility Hub. The reduced minimum lot area of the Subject Lands is the result of the parcel creation for the YRT Bus Terminal, which is an integral part of the Mobility Hub in the VMC. The site-specific

development standards are consistent with the approved development standards related to the Transit City Towers 1 and 2.

***The Development Planning Department supports the Site Development Application***

a) Site Design

The proposed interim and ultimate site plans, as shown on Attachments #6 and #7, respectively, include a 55-storey residential apartment building (including a six-storey above-ground parking structure) and ground floor commercial uses.

The Development builds upon the recently approved two 55-storey residential apartment buildings located west of the Subject Lands, through Site Development File DA.17.014 (Transit City Towers 1 and 2), as shown on Attachment #2. Combined with the approved Transit City Towers 1 and 2, the Development would activate the street frontage at the grade level, as set out in the VMC Urban Design Guidelines, and provide building elevations that are well articulated. Staff has worked with the Owner to animate the Portage Parkway frontage with the inclusion of residential units lining the above-ground parking structure and the activation of the south building façade with an integrated public art installation.

A roof-top residential amenity area and a green roof are included above the integrated parking structure, as shown on Attachment #10, which will be owned by the future condominium corporation.

The tower has been designed to be off-set closer to the Millway Avenue and Portage Parkway intersection to not encumber the potential future subway extension, which is discussed later in this report.

Wayfinding is an integral part of a well-connected system that allows residents and visitors to make their way to key locations and access points in the VMC. The iconic expression of the architecture with the unique balcony design has been carried over from Transit City Towers 1 and 2 to the articulated building massing of the Development that would contribute to wayfinding within the Mobility Hub.

All principal building entrances and signage will be designed in compliance with the standards set by the *Accessibility for Ontarians with Disabilities Act* ("AODA"), and the signage design will be integrated with the building architecture.

The Owner has submitted a wind tunnel model analysis for the Development. The final design must include confirmation that the recommended mitigation measures are appropriately incorporated into the building design to ensure

suitable pedestrian conditions at grade level and for the roof-top amenity area, to the satisfaction of the City.

The final site plan, including the signage and lighting plans, and the final detailed wind tunnel model analysis and adjustments to the design, if required, must be approved by the Development Planning Department. Conditions to this effect are included in the Recommendations of this report.

b) Site Access

Vehicular access for the residents of the Subject Lands is proposed from a right-in only driveway along Portage Parkway, as shown on Attachments #6 and #7, directly into the parking garage of the Development. Vehicles will exit the Subject Lands via an access driveway (breezeway) along the west property line. The west driveway will be shared with the YRT Bus Terminal for right-in and right-out bus access along Portage Parkway. An easement in favour of YRT will be required, as discussed in this report.

In addition to the direct vehicular accesses from Portage Parkway, the Development incorporates pedestrian porosity into the development block in response to its proximity to the YRT Bus Terminal. Municipal sidewalks along Portage Parkway and Millway Avenue provide connectivity through the development block. A pedestrian connection lined with commercial uses is proposed along the south side of the building that connects Millway Avenue to the enhanced pedestrian connection that was approved in the Transit City Towers 1 and 2 project. The Owner continues to work with the YRT to explore the potential to remove the lay-by parking spaces on the bus terminal lands to maximize the width and enhance the design of the pedestrian connection and landscape interface between the YRT lands, the Development, and the adjacent uses within the larger development block. At minimum, a two-metre wide pedestrian connection to support accessibility in the form of an easement for public access, or suitable alternative, is required. A condition to this effect is included in the Recommendations of this report.

c) Landscape Plan

The proposed interim and ultimate landscape plans shown on Attachments #8 and #9, illustrate a temporary sod condition and the ultimate enhanced urban landscape (hardscape) treatment for the Development. Sufficient levels of illumination will be provided to ensure safety for the public. The proposed lighting and site furnishings will be designed to be coordinated with the VMC Streetscape Open Space Plan.

d) Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments #11 to #15, include a signature projecting balcony design that is repeated from the grade level to the top of each tower, which provides for a strong tower articulation. A vertical grey reveal has been incorporated to distinguish the building design from the Transit City Towers 1 and 2.

A fundamental design requirement of this Development is the inclusion of an enclosed facade system that is lined with active uses to screen the above grade parking. The Portage Parkway elevation will be activated with residential units for the entire extent of the street wall, the Millway Avenue frontage includes the residential lobby with apartment units above, and the south facade includes at-grade retail uses and will be undergoing further design refinements through development of a public art installation for the remaining floors above the retail use. The west building elevation includes a breezeway that facilitates access to Portage Parkway and further design development is required to minimize the extent of blank wall along this frontage that would enhance this elevation. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department is satisfied with the Development, as shown on Attachments #3 to #16, subject to the conditions included in the Recommendations of this report.

***The Owner has addressed the Vaughan Design Review Panel's comments***

The Design Review Panel (the "DRP"), on July 27, 2017, and November 30, 2017, considered the Development and raised concerns with the approach to parking and density, tower configuration, expression of scale, and the allocation of residential within a broader mix of uses. The DRP reiterated their first comments of July 27, 2017, at the November 30, 2017 meeting, and provided several comments based on the following themes, including:

a) Site Organization

- i) the magnitude of the Development results in the challenge to resolve parking;
- ii) the DRP was concerned that the approach to the ground floor use would not generate the animation it should;
- iii) the Development had not mitigated the visual impact and presence of the above ground parking structure; and
- iv) the pedestrian connection to the south is too narrow to be meaningful and should be reconsidered to create a welcoming environment.



The Owner has responded to the DRP's comments by reducing the parking supply ratio from 0.5 spaces per unit to 0.335 spaces per unit; increasing the Gross Floor Area (the "GFA") dedicated to the retail ground floor from 347 m<sup>2</sup> to 570 m<sup>2</sup>, including retail space along the ground floor of the south side of the building, being a connection expected to be heavily used by pedestrians; introducing an integrated public art installation with the architecture of the building facing the YRT Bus Terminal; the inclusion of residential apartment units on the entire north façade of the parking structure; and the landscape and pedestrian connection to the south.

b) Architecture

The DRP identified that the architectural language and approach for the Development is too uniform with the previously approved Transit City Towers 1 and 2 within the same development block. More variance in cladding, character and meaning was encouraged.

The Owner revised the proposed elevation design by including a vertical reveal along the south building elevation to distinguish the architectural language from Transit City Towers 1 and 2. Pursuant to Policy 8.8.1, Parking and Servicing Facilities, of the VMC Secondary Plan, additional residential units have been added along the full face of the parking garage along the Portage Parkway frontage and at-grade retail units have been added to the south building elevation to further animate the ground floor area and minimize the impact of the above ground parking structure.

Following a series of design workshops to prioritize design matters raised by both DRP and Staff, the Department is satisfied that the Owner has addressed the comments of the DRP through refinements in the proposed Development, subject to the Recommendations in this report.

***The Parks Development Department requires conditions to be included in the Site Plan Agreement***

The Parks and Open Space Schedule "D" of the VMC Secondary Plan, includes a 3.5ha urban park ("Urban Park") in the northwest quadrant of the VMC that extends from the existing KPMG office building ("KPMG") west to Applewood Road, as shown on Attachments #2 and #3.

The vision for the Urban Park was presented to the VMC Sub-Committee on June 27, 2016, and identified the design and development of a major destination public open space with unique urban park facilities and amenities for the City of Vaughan and the Greater Toronto Area. The City and the Owner have been working collaboratively to establish an exciting vision for the Urban Park and explore options related to its planning, design, implementation, ownership, programming, maintenance, and

management. The vision, based on the Owner's proposal submitted in January 2014, includes a for higher level of service amenities and programs to activate and animate the VMC, including a vision to create a special place for children's playgrounds, outdoor concerts, community festivals, temporary art installations, iconic pavilions for park services and food concessions, corporate events, and many other activities. These considerations and other details are planned to be included in an "Urban Park Framework" document that will be presented to Council for consideration.

Following several years of discussions, and in preparation for the opening of the subway in 2017, the City and the Owner entered into an agreement for the development of the Transit Square and TTC Plaza shown on Attachment #2, which was constructed and substantially completed on December 17, 2017. As part of this agreement, the City and the Owner committed to work towards finalizing a framework for the Urban Park proposal by December 31, 2018.

Previous City approvals for KPMG and the related development blocks, roads, and servicing, identified and established the parcel of land for the first phase of the Urban Park, located immediately west of KPMG to Edgeley Boulevard ("Park Block 1"), as shown on Attachment #2. At the time of the KPMG approvals, the VMC was in the early stages of development and, on a temporary basis, the use of Park Block 1 for a temporary surface commercial parking lot was approved with conditions. Additionally, the Transit Square and TTC Plaza open spaces, located between KPMG and Millway Avenue, have also been related to the KPMG development review process and the City's Urban Park vision.

Together with the approved Transit City Towers 1 and 2, this Development would result in over 1,700 residential units within this development block. The residents in these towers will need parkland as envisaged by the VMC Secondary Plan. This requires the temporary use of Park Block 1 for the existing surface commercial parking lot to cease. Accordingly, a transition plan is required with the approval for this Development to convert the existing temporary surface commercial parking lot into parkland, to the satisfaction of the Parks Development Department. Conditions to this effect are included in the Recommendations of this report.

***The Development Engineering Department supports the Development, subject to the conditions in this report***

The Development Engineering ("DE") Department has provided the following comments regarding the Development:

Site Access

The Subject Lands are located at the southwest corner of the signalized intersection of Millway Avenue and Portage Parkway. In consideration of the configuration of the Subject Lands and its proximity to the intersection, a full move vehicular access to the

Development is not feasible. Vehicular access for the residents of the Subject Lands is proposed from a right-in/right-out only driveway along Portage Parkway, as shown on Attachments #6 and #7, directly into the above-ground parking structure of the Development. Vehicles would exit the Subject Lands via a right-out access driveway (breezeway) along the west property line.

To provide a second access to the YRT Bus Terminal, the west driveway would also serve as a right-in and right-out for buses only along Portage Parkway, which must be facilitated by a required easement in favour of the YRT. The YRT has requested the City to consider permitting additional bus movement (left-in and left-out) at the west driveway along Portage Parkway. However, given the proximity to the intersection and the available traffic information, the DE Department cannot support this request at this time. Staff will reconsider the request for additional bus movements at the west driveway, in consultation with the YRT, during the detail design stage of the Portage Parkway widening.

#### Portage Parkway Improvements and Site Triangles

In 2017, the City completed a Class Environmental Assessment (the “Class EA”) for the widening and reconstruction of Portage Parkway, between Jane Street and Applewood Crescent. The Class EA recommended that Portage Parkway be widened to four lanes within a 33 metre right-of-way, together with intersection improvements. The proposed site design and organization has been coordinated with the recommendations of the Class EA. As a condition of approval, the Owner will be required to convey to the City, at no cost to the City, the necessary land for the widening of Millway Avenue and Portage Parkway.

In consideration of the configuration of the Subject Lands, a standard 10 x 10 metre sight triangle could not be established at the southwest corner of the intersection of Millway Avenue and Portage Parkway without impacting the Development. Accordingly, Staff recommend the Owner convey to the City a combination of an 8 x 8 metre sight triangle and an easement to effectively provide a sight line triangle that is equivalent to City standards. In addition, a small corner of the balconies on the upper storeys of the building encroach into the City’s sight triangle. The Owner will require an encroachment agreement with the City to permit this encroachment. A condition to this effect is included in the Recommendations of this report.

#### Parking Supply

The Development is based on a parking supply that is lower than the requirements of Zoning By-Law 1-88, as summarized in the table below:

<b>Parking Supply vs. Zoning By-law 1-88 Requirements</b>			
<b>Parking Use</b>	<b>Zoning By-law 1-88</b>	<b>Proposed Parking Supply</b>	<b>Variance</b>
Residential	539	212	327
Visitor	95	95*	0
<b>Total</b>	<b>634</b>	<b>307</b>	<b>327</b>

\* Note: Parking located in Transit City Towers 1 and 2 above-ground parking structure

The parking structure in Tower 3 is proposed to accommodate resident parking only. Residential visitor parking will be provided in the Transit City Towers 1 and 2 above-ground parking structure located adjacent to the Subject Lands. The Owner has confirmed that a Reciprocal Easement and Operations Agreement (“REOA”) with the future Condominium Corporations for Transit City Towers 1 and 2 and this Development, will be entered for parking, access, operations, and maintenance of the Transit City Towers 1 and 2 above-ground integrated parking structure. This will ensure that the 95 visitor shared parking spaces for the Development be secured, in perpetuity. A condition to this effect is included in the Recommendations of this report.

The proposed residential parking ratio was supported by a Parking Study prepared by BA Group, dated March 6, 2018. Given the Subject Land’s proximity and availability to higher-order transit options, the Study concludes that the proposed residential parking supply ratio of 0.33 spaces/unit would be adequate for the Development, based on the following contributing factors:

- the Subject Lands offer a direct connection to higher-order transit services;
- lower parking ratios have been applied to the similar developments in downtown Toronto;
- cycling facilities are available on Millway Avenue and Apple Mill Road, which ultimately provides for city-wide cycling connections;
- the Owner will provide opportunities for car-sharing programs;
- an information center will be managed by the Condominium Corporation, in partnership with the YRT, to provide the transit information to the residents; and
- the Owner could make available the surplus parking spaces within the Transit City Towers 1 and 2 above-ground parking structure to the residents of the Development.

The proposed parking strategy is adequate, based on the supporting analysis in the consultant’s report. The Development Engineering Department has no objection with the proposed parking supply.

### Protecting for a Future Subway Extension

Policy 4.2.3 of the VMC Secondary Plan identifies the need to protect for a future extension of the subway beyond the VMC. The Development has been oriented and designed to facilitate the extension of the subway through the placement of the above-ground parking structure to the west side of the Subject Lands and with shallow strip footings to leave an unencumbered corridor beneath the Development for the possible future northerly extension of the subway, as shown on Attachment #16.

The Owner engaged HATCH to review the available data to determine whether a future extension is feasible based on the location of the Development. The future tunnels are assumed to be twin-bored tunnels, which would pass directly beneath the six-storey above-ground parking structure. The physical separation between the footings and the future tunnels have been reviewed, based on the tunnel clearance elsewhere within the Toronto Transit Commission (the “TTC”) network.

By implementing a compliant railway geometry and assumed orientation from the end of the current subway alignment, HATCH confirmed that the Development will still protect for a future subway extension. In addition, the Owner retained Aercooustic Engineering Ltd. to conduct a theoretical noise and vibration study to assess the potential ground borne noise and vibration impacts on the Development if the subway was extended in the future. Aercooustic concluded that a future extension of the subway beneath the Development would have minimal noise and vibration impact, assuming the subway was designed to industry standards.

### Noise Attenuation

The Owner submitted a noise report, “Environmental Noise Report Project: 17016.02, Proposed Residential Development, Vaughan Metropolitan Centre – Transit City Tower 3, Portage Parkway and Millway Avenue, City of Vaughan, prepared by Aercoustics, dated July 21, 2017”, which was updated on February 27, 2018 (the “Noise Report”). The Noise Report assessed the existing and future noise environments in proximity to the Subject Lands, including the adjacent YRT Bus Terminal and the existing surrounding employment uses, and evaluated its impact on the living environments of the Development, in accordance with the Ministry of Environment and Climate Change (the “MOECC”) environmental noise guidelines under the NPC-300. The results of the Noise Report indicate that upgraded windows are required on certain building facades and the Development must be equipped with central air conditioning. In addition, the appropriate noise warning statements will be required in all Offers of Purchase and Sale.

The Owner is required to incorporate the recommendations of the Noise Report into the design and construction of the building. The final Noise Report shall be to the

satisfaction of the Development Engineering Department. Conditions to this effect are included in the Recommendations of this report.

#### Geotechnical and Hydrogeological Report

The Owner submitted a geotechnical report, “Geohydrology Assessment, Proposed Residential Development, Transit City – Tower 3, Vaughan, Ontario, Report No. G5166 dated September 2017, prepared by McClymont & RAK Engineers Inc.” (the “Geotechnical Report”), which includes calculations and recommendations for pavement design, slope stability, soil corrosivity, and bedding requirements for the installation of underground services and the dewatering requirements for the building foundation and the parking structure.

The Owner shall ensure that adequate field inspection is provided to validate and incorporate the recommendations contained in the Geotechnical Report. The final Geotechnical Report shall be to the satisfaction of the Development Engineering Department. A condition to this effect is included in the Recommendations of this report.

#### Water and Wastewater Servicing

The Subject Lands will be serviced from the existing watermain and sanitary sewer on Portage Parkway. New service connections will be required to be installed at the Owner’s expense. Pursuant to the VMC Servicing Strategy Master Plan Class EA, there are no water or wastewater upgrades needed at this time to service the Subject Lands.

#### Stormwater Management (“SWM”)

The Owner proposes to implement on-site SWM measures, including underground cisterns, to conform to the SWM criteria prescribed in the VMC Servicing Strategy Master Plan. The Subject Lands are tributary to Edgeley SWM Pond (the “Edgeley Pond and Park”), which is proposed to be retrofitted by the City starting in 2018.

#### Environmental Site Assessment

Due to the proposed change to a more sensitive land use, the Owner filed with the MOECC a Record of Site Condition (the “RSC”) on the environmental site registry on May 16, 2017, under RSC Number 223256.

#### Sewer and Water Servicing Allocation

On February 21, 2018, Vaughan Council endorsed the City’s latest annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City. The Development was reserved with a capacity for 631 apartment units (1,395 persons equivalent). Accordingly, servicing capacity for the Development is available.

A resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply System to the Development is recommended for Council approval, and is included in the Recommendations of this report.

***The Financial Planning and Development Finance Department supports a Development Charge credit on the residential visitor parking space requirements for the Development***

The Financial Planning and Development Finance Department assessed Development Charges in the amount of \$151,473.96 (2,638 m<sup>2</sup> @ \$57.42 / m<sup>2</sup>) for 82 commercial paid parking spaces included in Building Permit 17-3187 for the Transit City Towers 1 and 2, pursuant to the Vaughan City-Wide Development Charges By-law 045-2013.

The 82 spaces will form part of the off-site residential visitor parking requirements for the Development. It is, therefore, appropriate to provide a Development Charge credit for the number of parking spaces paid under Building Permit 17-3187, subject to approval of the Development. A condition to this effect is included in the Recommendations of this report.

***The Owner is required to provide a 3D Digital Model of the Development***

The Owner is required to submit a 3D digital model of the Development including accurately geo-referenced digital data, as outlined in the 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 \$15,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the Recommendations of this report.

***The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the Development***

Should Council approve the 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 parking and all landscape elements.

***The Urban Design and Cultural Heritage Division of the Development Planning Department supports the approval of the 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 Recommendations 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 provided the following condition of approval:

“For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 500 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy.”

***The Environmental Services Department, Solid Waste Management Division, has no objection to the Development***

The Environmental Services Department, Solid Waste Management Division has advised that upon a successfully completed application, site inspection and executed agreement as determined by the Vaughan Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or chose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation. A condition to this effect is included in the Recommendations of this report.

***NavCanada and Bombardier Aerospace have no objection to the 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 Development.



***The Owner is required to satisfy the Toronto Transit Commission conditions of approval for the Development***

The Subject Lands are located within the Toronto Transit Commission (the “TTC”) 60 m zone of influence. The TTC has provided the draft comments, Notice of Approval Conditions (“NOAC”), and the pre-approval NOAC for the Development, dated April 23, 2018. The Owner shall be required to continue to work with the TTC on the technical review of the Development to satisfy all the requirements of TTC. A condition to this effect is included in the Recommendations of this report.

***The Ministry of Transportation Ontario has no objection to the Development***

The Ministry of Transportation Ontario (the “MTO”) has indicated no objection to the Development subject to the Owner obtaining a Building and Land Use Permit from the MTO. A condition to this effect is included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has indicated that it is the Owner’s responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. 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***

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

***The various utilities have no objection to the Development***

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development and that the Development must meet the minimum clearances from their underground electrical distribution systems. It is the Owner’s responsibility to contact Alectra and discuss all aspects of the Development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the Development and has advised that it is the Owner’s responsibility to contact Enbridge Gas with respect to the 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 Recommendations of this report.

Rogers Communication Inc. has no objection to the Development.

### **Financial Impact**

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

### **Broader Regional Impacts/Considerations**

#### ***York Region Community Planning and Development Services has no objection to the Development***

The York Region Official Plan 2010 (YROP 2010) designates the Subject Lands as “Urban Area” and located within a “Regional Centre” by Map 1 – “Regional Structure”. York Region has advised, in the letter dated March 13, 2018, that the amendments to VOP 2010 are of local significance and in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

York Region has indicated they have no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment #17. These comments must be addressed prior the execution of the Site Plan Agreement and in accordance with the Recommendations of this report.

#### ***York Region Transit approves the Development in principle***

In the letter dated March 8, 2018, the YRT provided approval in principle of the secondary bus access through the Subject Lands provided that the Owner resolve and come to agreement with YRT on the location and the construction of the said access to the bus terminal. The Owner must satisfy YRT’s comments and conditions, which are included in the Recommendations of this report.

### **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.17.003 and Z.17.028 and Site Development File DA.17.062 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010 policies, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the VMC Secondary Plan.

The Development Planning Department is satisfied that the Development shown on Attachments #3 to #15, is compatible with the existing and permitted uses in the surrounding area. The Development Planning Department is also satisfied that the Development represents good planning for the reasons identified in this report, and that

the Owner's contribution of community benefits is appropriate. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions included in the Recommendations of this report.

For more information, please contact Stephen Lue, Senior Planner, Extension 8210.

## **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Amendment to Schedule "I", Height and Density Parameters (VMC Secondary Plan)
4. Proposed Amendment to Schedule "E-1575" of Site-Specific Exception 9(1445) to Zoning By-law 1-88
5. Proposed Context Development Block
6. Site Plan - Interim
7. Site Plan - Ultimate
8. Landscape Plan - Interim
9. Landscape Plan - Ultimate
10. Landscape Plan - Roof-top Amenity
11. Building Elevations - North and East
12. Building Elevations - South and West
13. Colour Perspective - South
14. Colour Perspective - Along Portage Parkway
15. Colour Perspective - Development Block
16. Future Subway Extension Assumption
17. York Region Comments and Conditions of Approval

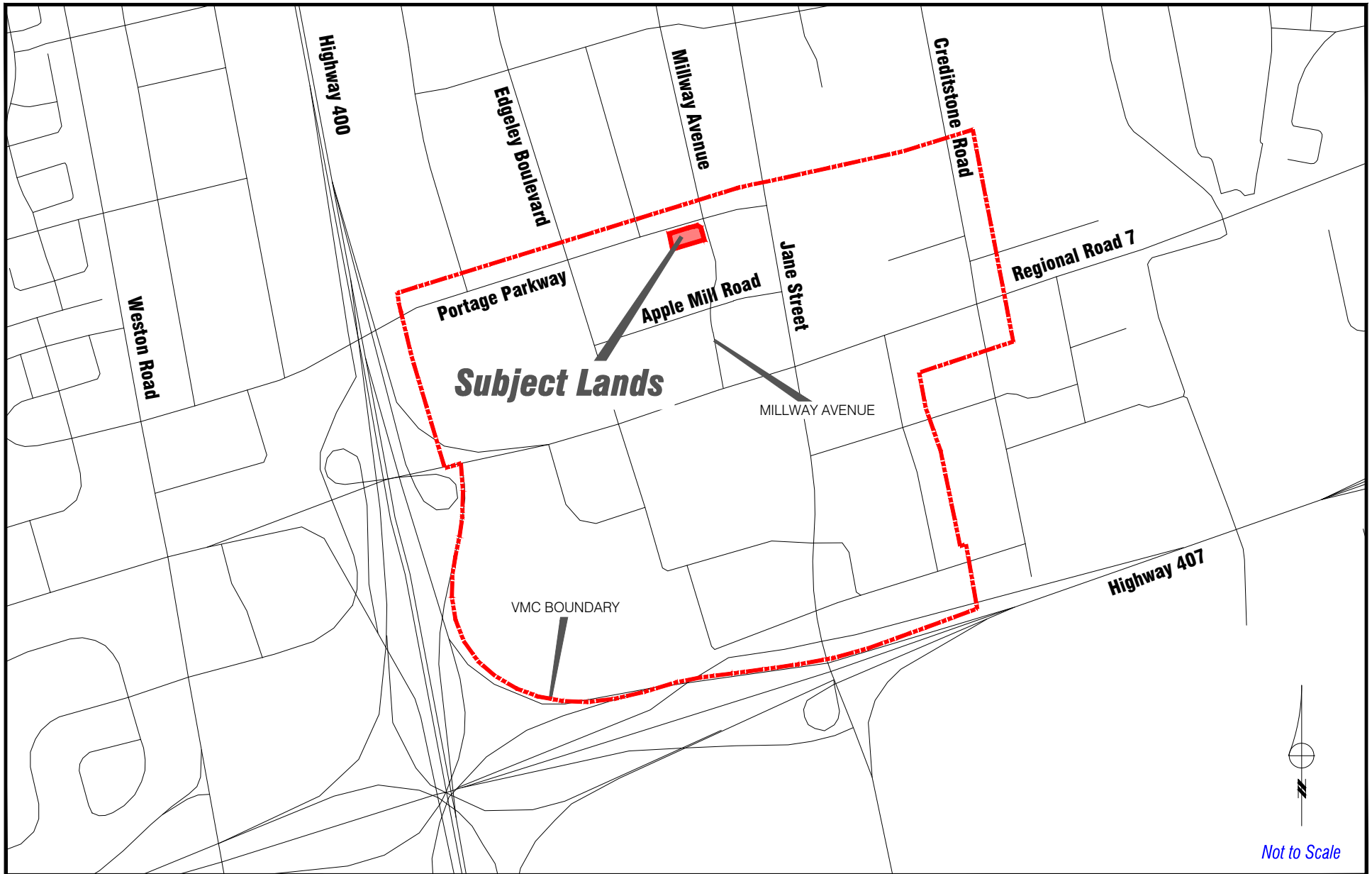
## **Prepared by**

Stephen Lue, Senior Planner, extension 8210

Carmela Marrelli, Interim Senior Manager of Development Planning, extension 8791

Mauro Peverini, Director of Development Planning, extension 8407

/CM



## Context Location Map

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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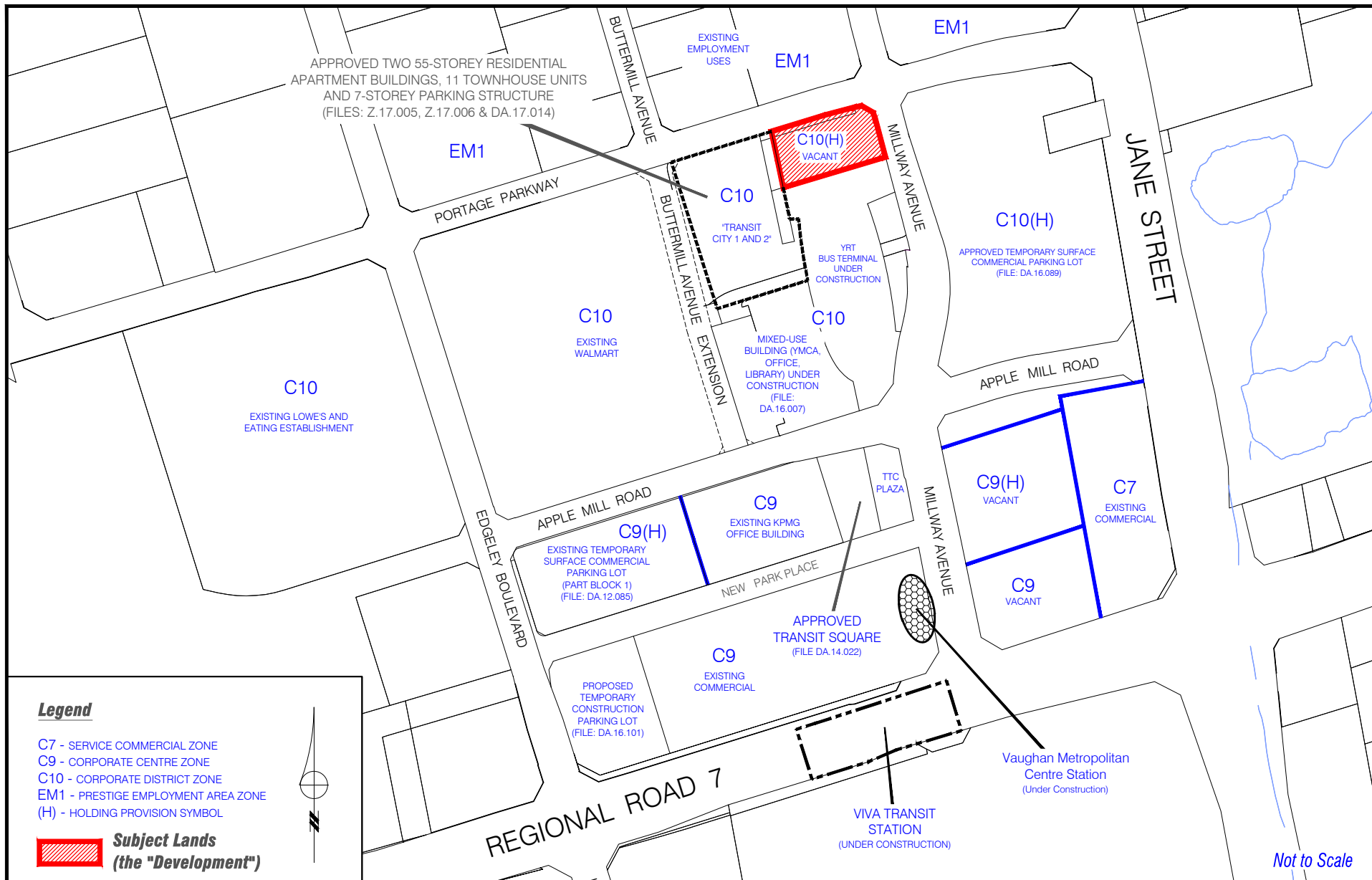


## Attachment

FILES: OP.17.003,  
Z.17.028, & DA.17.062

DATE:  
May 8, 2018

1



## Location Map

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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Attachment  
FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

2

## SCHEDULE I > HEIGHT AND DENSITY PARAMETERS

### LEGEND

- |  |  |
|--|--|
| <span style="display: inline-block; width: 15px; height: 10px; background-color: red; border: 1px solid black;"></span> H 6 storey minimum - 35 storey maximum<br>D 3.5 minimum FSI - 6.0 maximum FSI  | <span style="display: inline-block; width: 15px; height: 10px; background-color: lightgrey; border: 1px solid black;"></span> major parks and open spaces      |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: orange; border: 1px solid black;"></span> H 5 storey minimum - 30 storey maximum<br>D 2.5 minimum FSI - 5.0 maximum FSI   | <span style="display: inline-block; width: 10px; height: 10px; background-color: black; border: 1px solid black; border-radius: 50%;"></span> see policy 6.3.2 |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black;"></span> H 5 storey minimum - 25 storey maximum<br>D 2.5 minimum FSI - 4.5 maximum FSI   |  |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: lightyellow; border: 1px solid black;"></span> H 3 storey minimum - 10 storey maximum (up to 15 storeys may be permitted subject to policy 8.7.11)<br>D 1.5 minimum FSI - 3.0 maximum FSI |  |



## Proposed Amendment to Schedule "I", Height and Density Parameters (VMC Secondary Plan)

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

LOCATION:  
Part of Lot 7, Concession 5

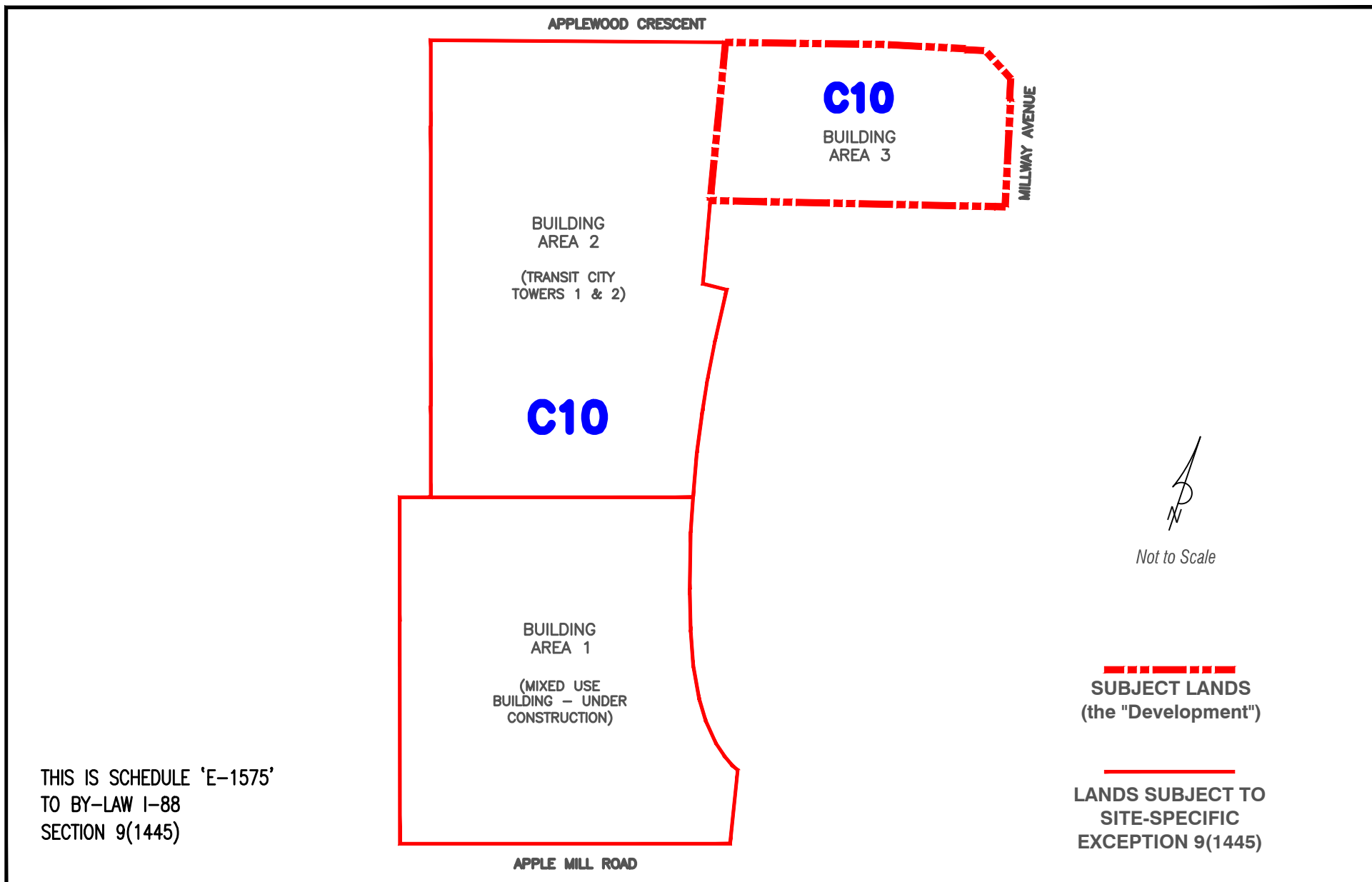


## Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

# 3



Proposed Amendment to Schedule  
"E-1575" of Site-Specific Exception 9(1445)  
to Zoning By-Law 1-88

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

LOCATION:  
Part of Lot 7, Concession 5

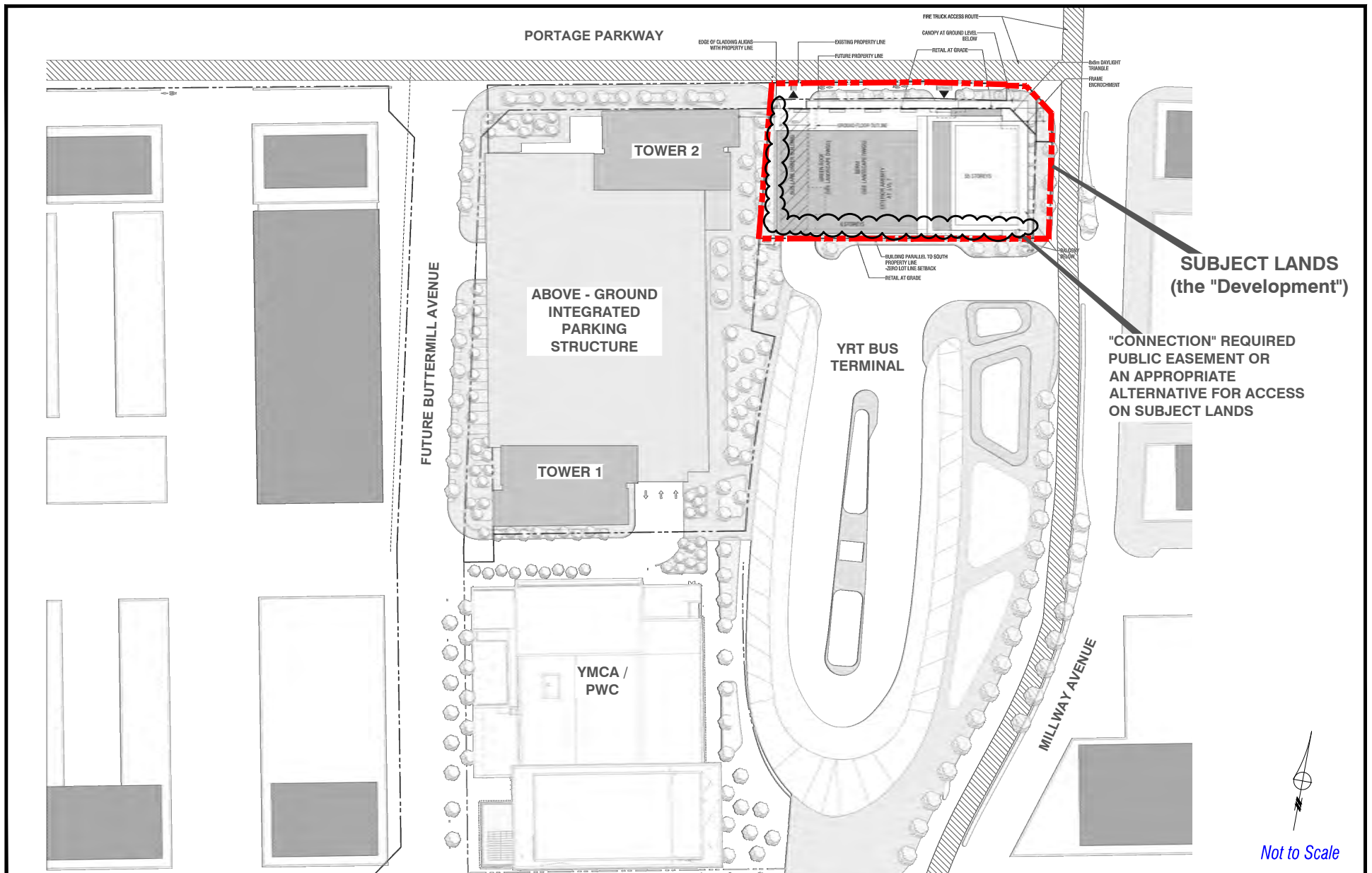


Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

4



## Proposed Context Development Block

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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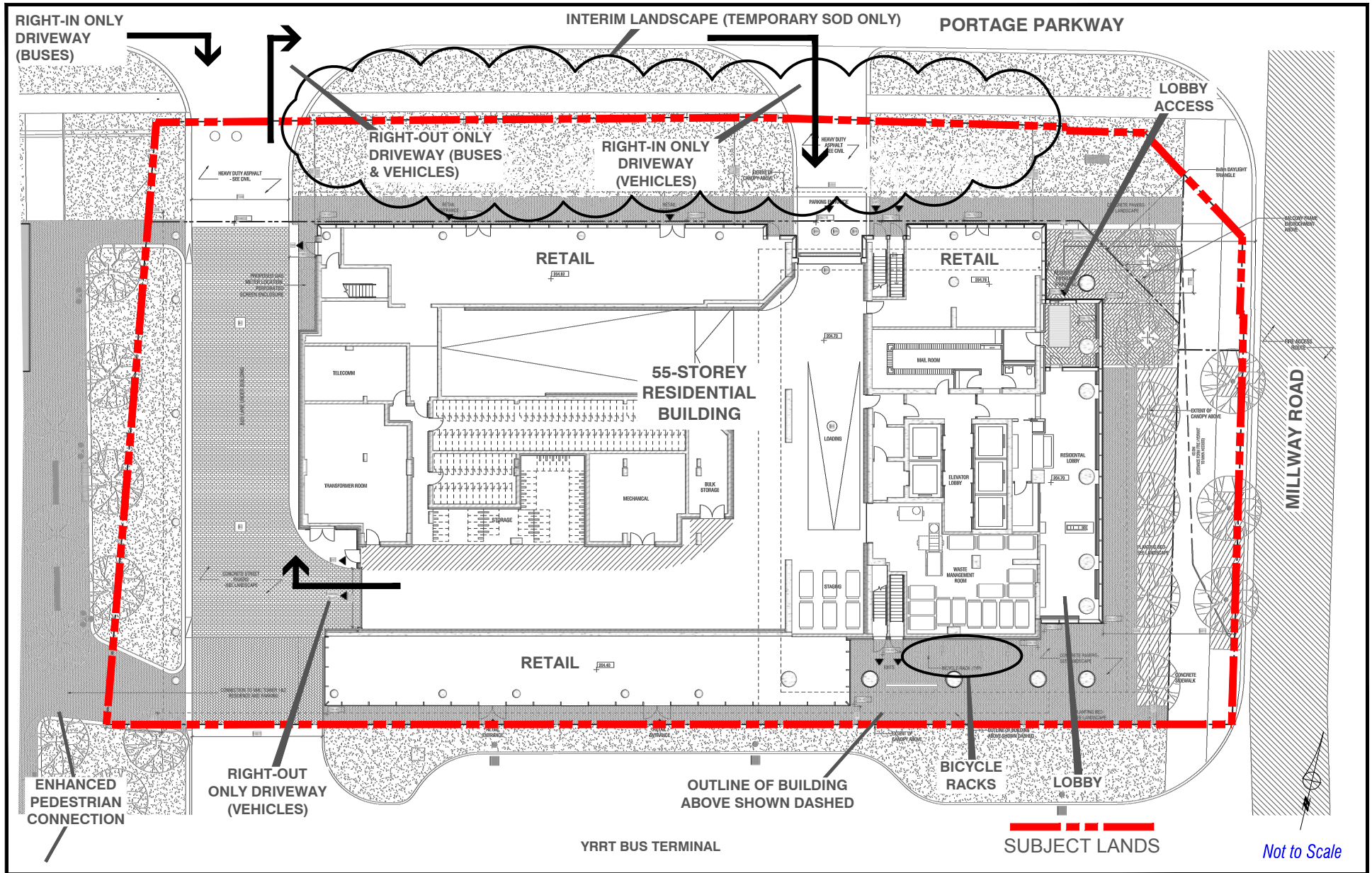
## Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

# 5





## Site Plan - Interim

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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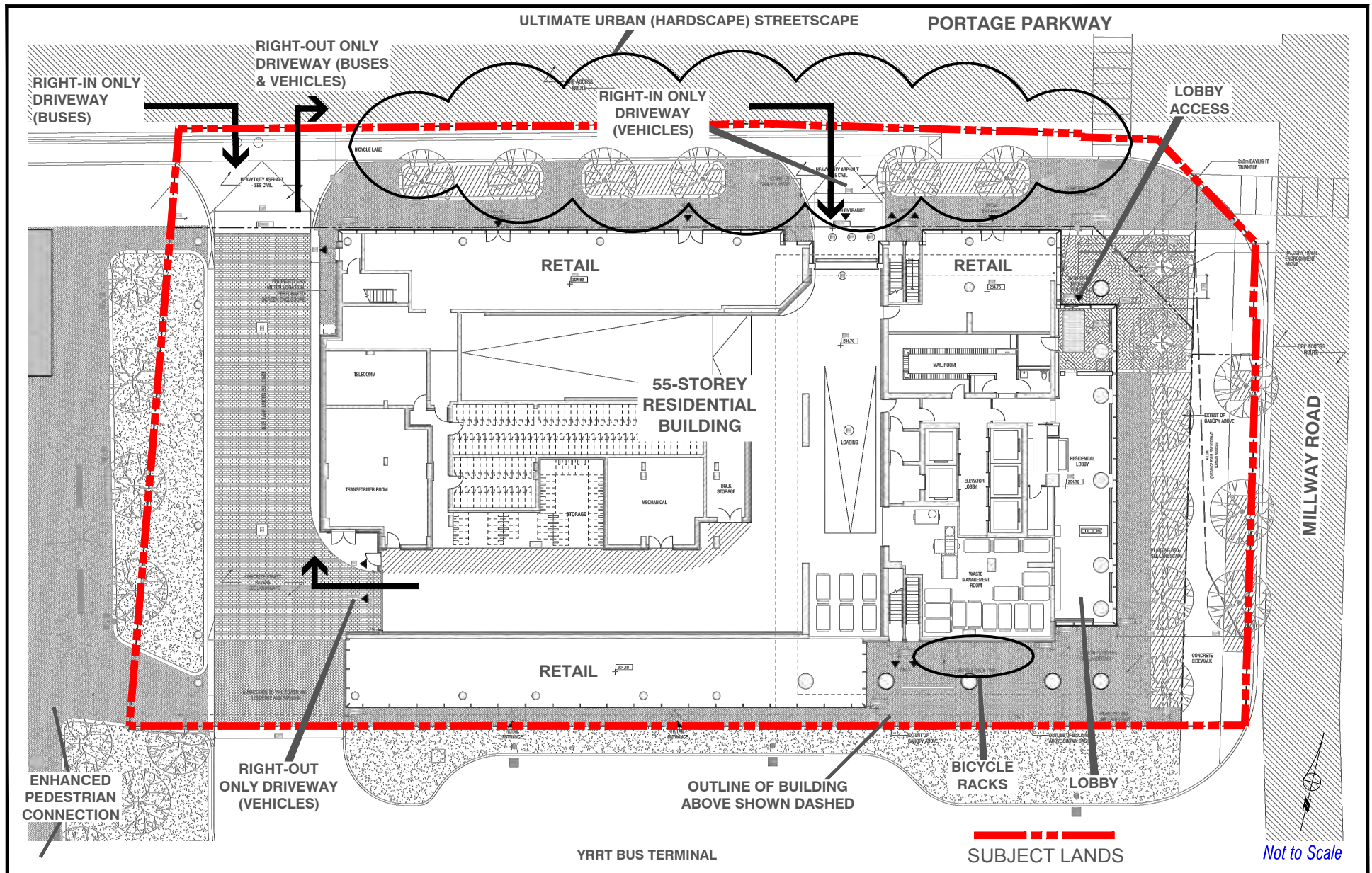
## Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

6





## Site Plan - Ultimate

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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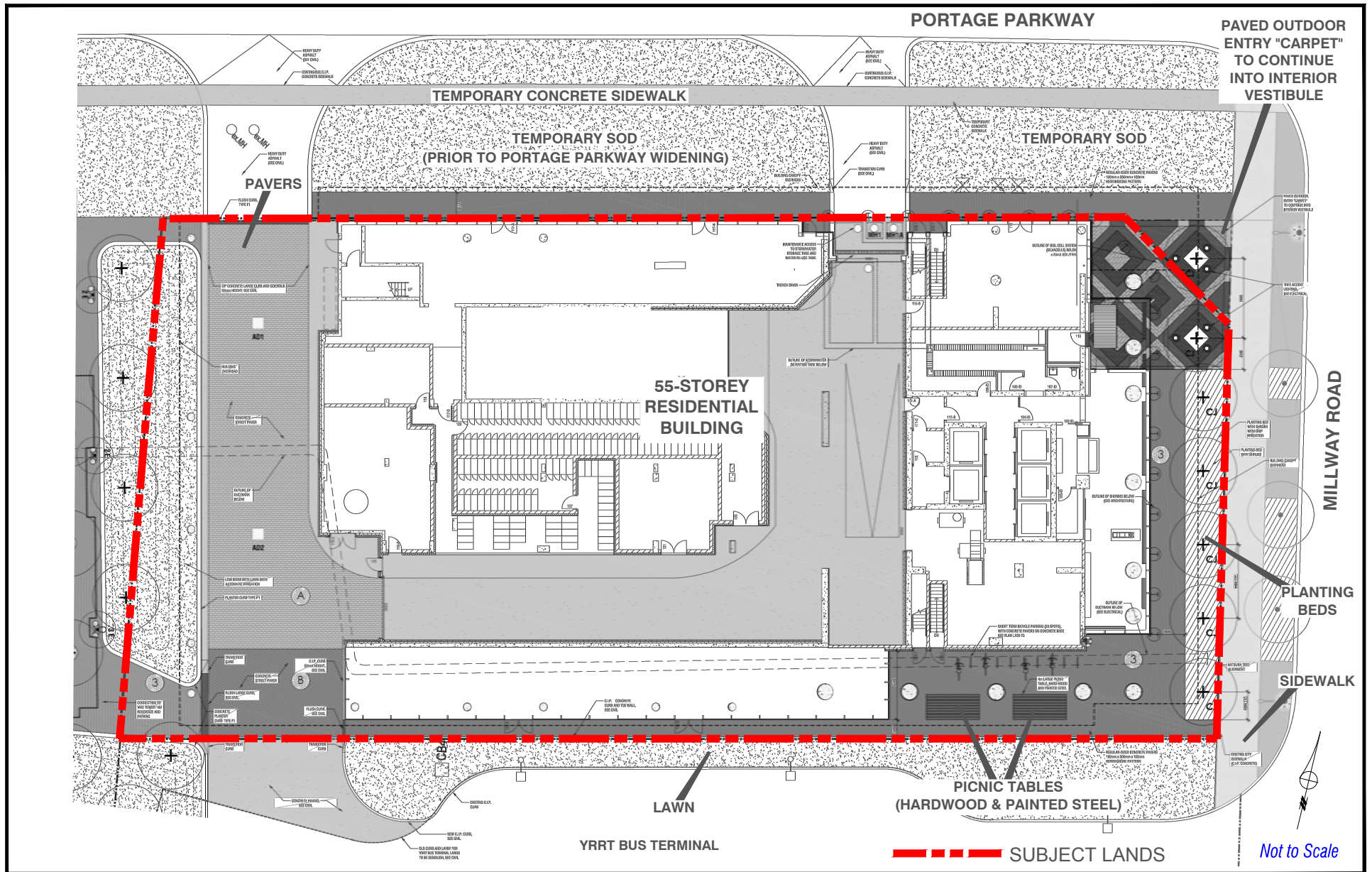
## Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

7





## Landscape Plan - Interim

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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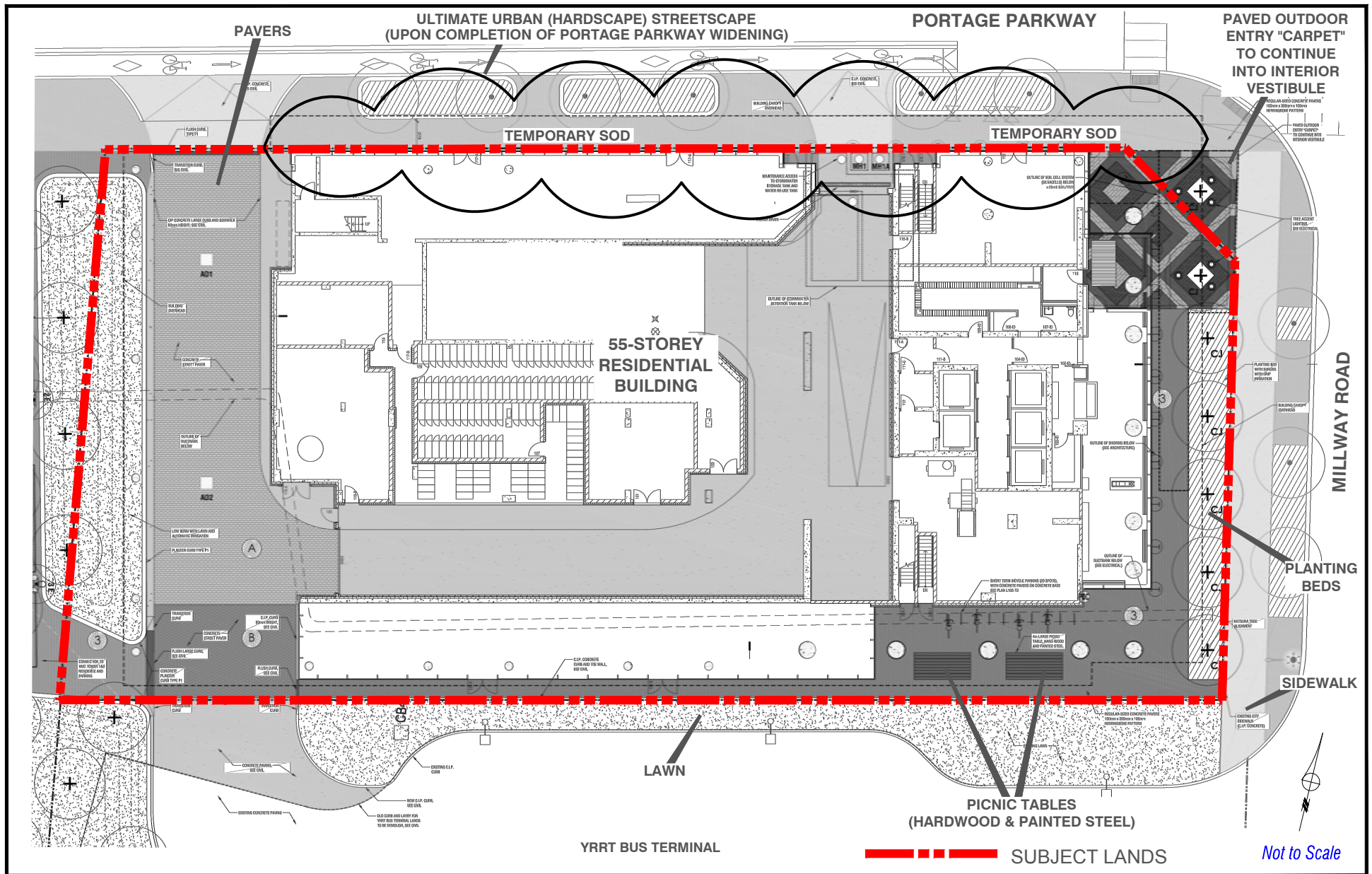


Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

8



# Landscape Plan - Ultimate

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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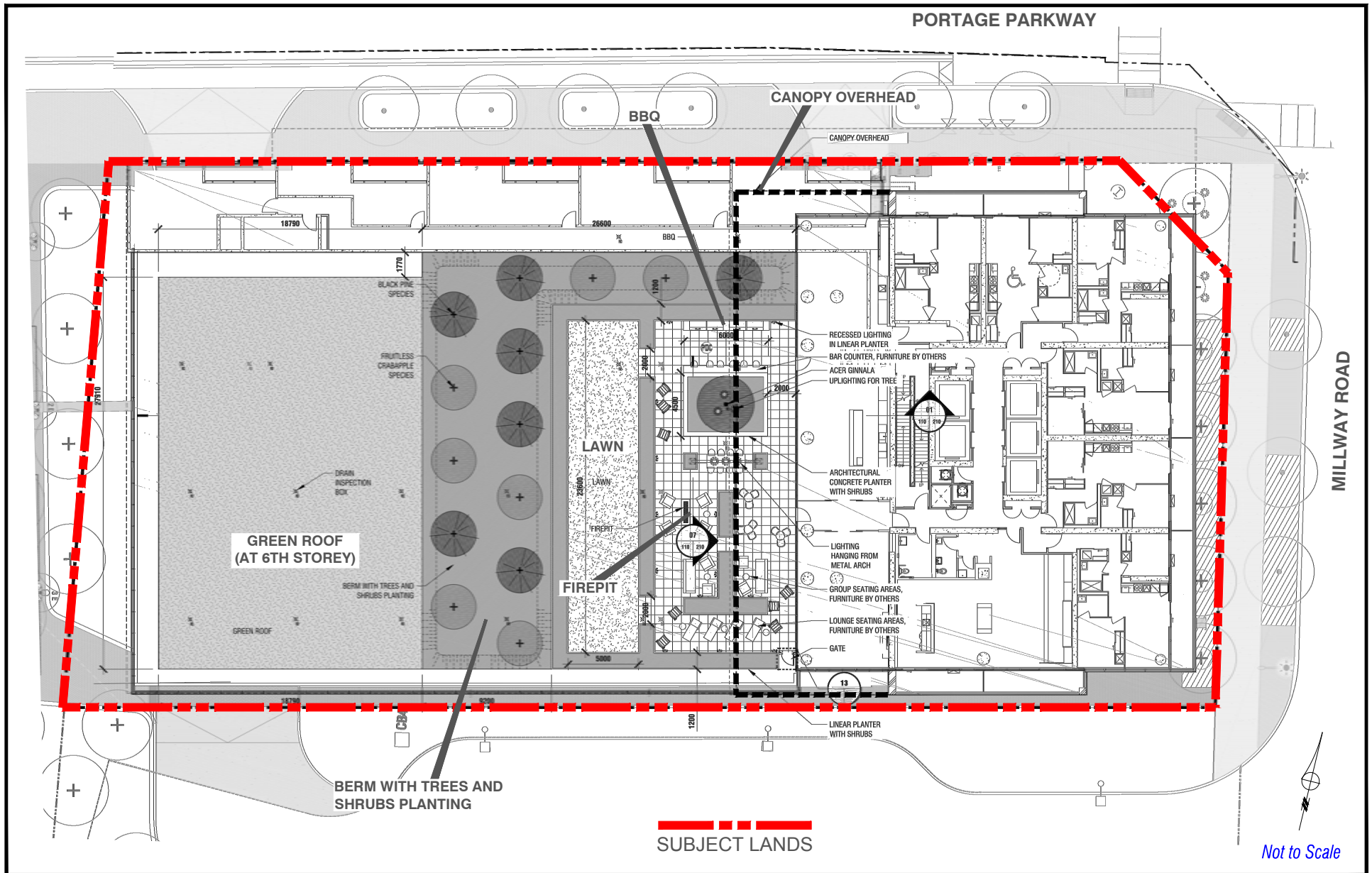
## Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

9





## Landscape Plan - Roof-top Amenity

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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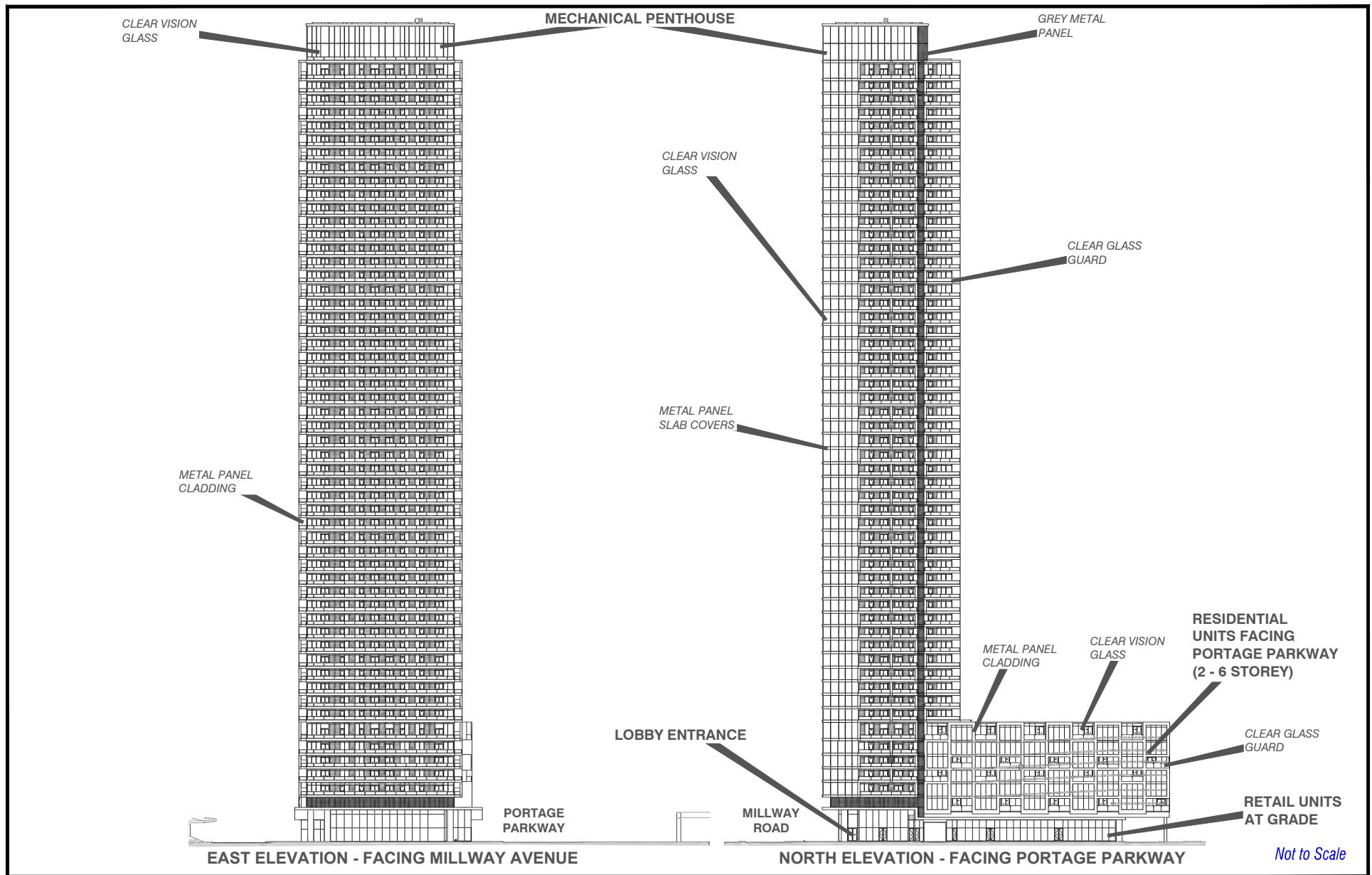


Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

10



## Building Elevations - North & East

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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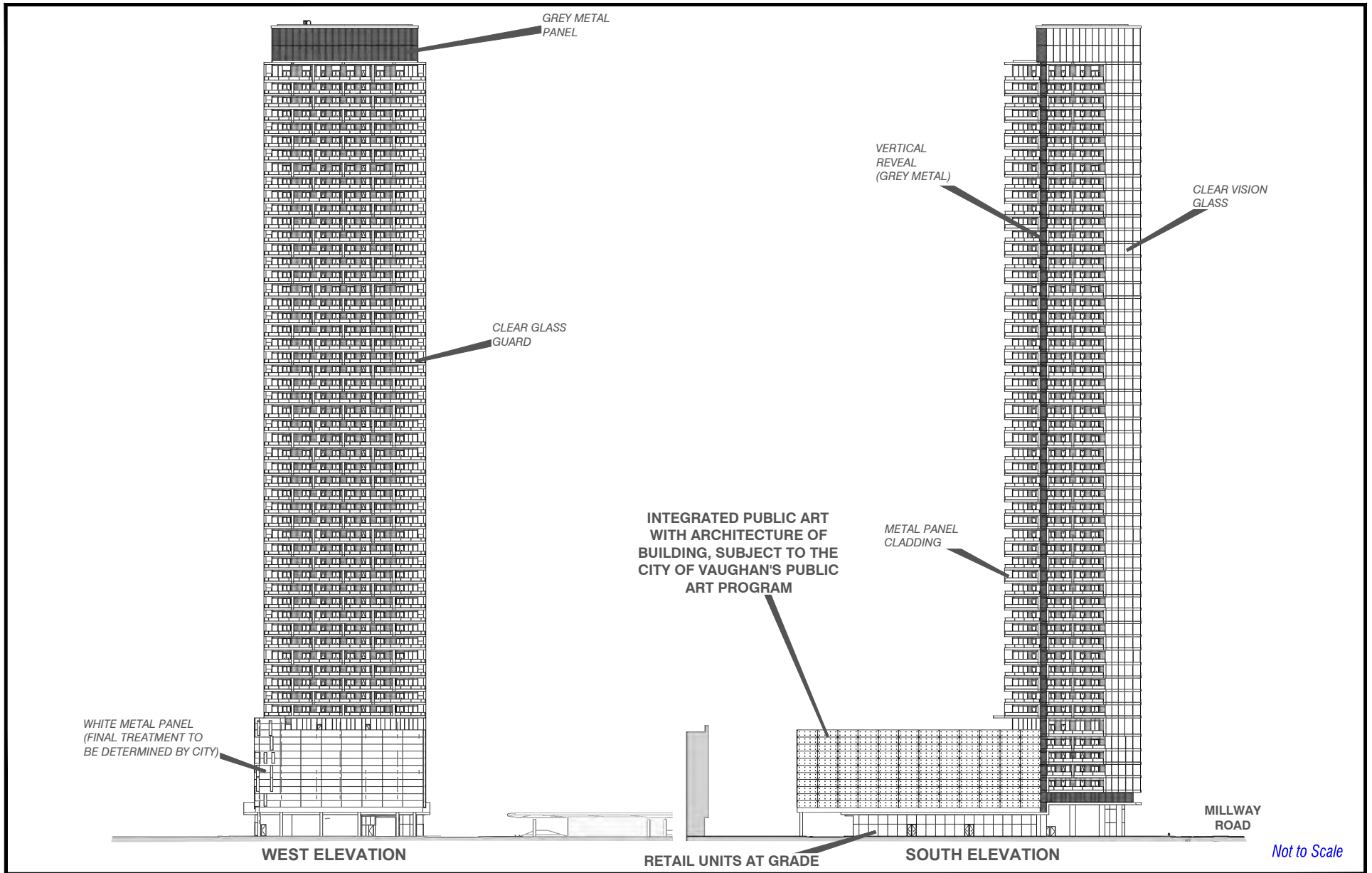


Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

11



## Building Elevations - South & West

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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Attachment  
FILES: OP.17.003,  
Z.17.028 & DA.17.062  
DATE:  
May 8, 2018  
**12**



INTEGRATED PUBLIC ART WITH  
ARCHITECTURE OF BUILDING,  
SUBJECT TO THE CITY OF  
VAUGHAN'S PUBLIC ART PROGRAM



## Colour Perspective - South

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership



Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

13





## Colour Perspective - Along Portage Parkway

APPLICANT: VMC Residences III GP Inc. LOCATION:  
as a General Partner and on behalf of VMC Part of Lot 7, Concession 5  
Residences III Limited Partnership

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Attachment  
FILES: OP.17.003,  
Z.17.028 & DA.17.062  
DATE:  
May 8, 2018  
**14**



## Colour Perspective - Development Block

APPLICANT: VMC Residences III GP Inc.  
as a General Partner and on behalf of VMC  
Residences III Limited Partnership

LOCATION:  
Part of Lot 7, Concession 5



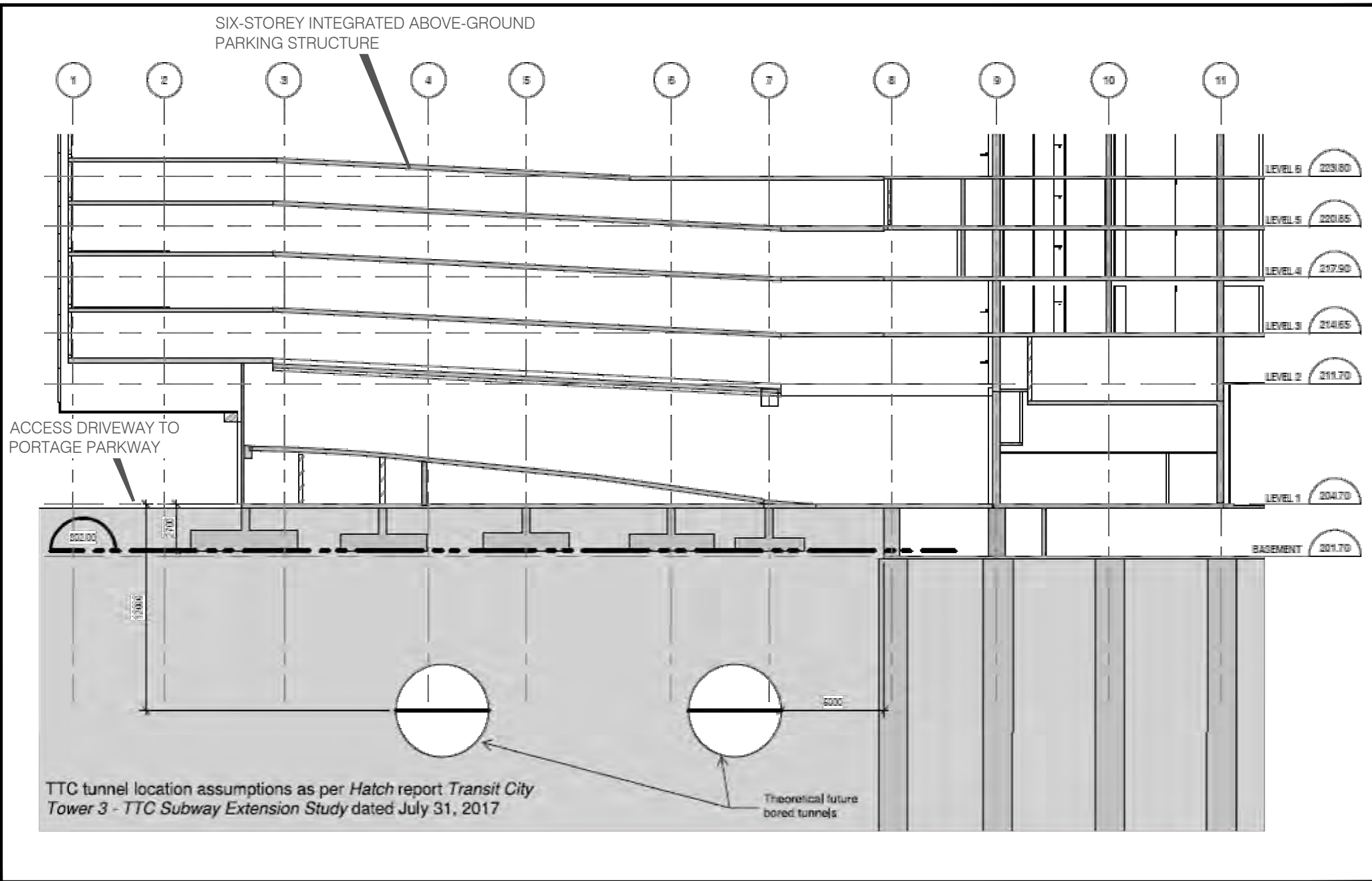
Attachment

FILES: OP.17.003,  
Z.17.028 & DA.17.062

DATE:  
May 8, 2018

15





# Future Subway Extension Assumption

LOCATION:  
Part of Lot 7, Concession 5

APPLICANT: VMC Residences III GP Inc. as a General Partner and  
on behalf of VMC Residences III Limited Partnership

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Corporate Services

March 13, 2018

Mr. Mauro Peverini  
Director of Development Planning  
Planning Department  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

Attn: Stephen Lue

Dear Mr. Peverini,

**Re: Proposed Official Plan Amendment  
VMC Residences III GP Inc.  
City of Vaughan  
File: OP.17.003, Z.17.028 and DA.17.062**

This is in response to your request for comments and exemption from Regional approval of the above-captioned Official Plan Amendment (OPA) application, and request for comments for the Zoning By-law Amendment and site plan applications. The subject site is located on the southwest corner of Millway Avenue and Portage Parkway, within the Vaughan Metropolitan Centre Secondary Plan area. The proposed development consists of a 606 unit 55-storey apartment building with an overall density of 12.1 FSI.

Regional staff do not have any comments on the site specific rezoning application.

**Purpose and Effect of the Proposed Amendment**

The subject lands are designated "Station Precinct" by the Vaughan Metropolitan Centre Secondary Plan, which permits a broad range of retail commercial and residential uses. This designation sets the maximum building height at 25 storeys and maximum density at 4.5 FSI. The Amendment proposes to increase the permitted height to 55 storeys, and increase the permitted density to 12.1 FSI.

**York Region Official Plan**

The subject lands are designated "Urban Area" by the York Region Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses. The proposed Amendment generally conforms to the Regional Official Plan, as it will enable a development project that: will assist in ensuring that by the year 2015 and for each year thereafter, a minimum of 40% of all residential development will occur within the built-up area as defined by the Province's Built Boundary in Places to Grow: Growth Plan for the Greater Golden Horseshoe (Policy 5.3.1). It is in an urban form and design that is compact, oriented to the street, pedestrian and cyclist-friendly, and transit supportive (Policy 5.4.5).

Regional staff encourages the proposed development to have an integrated and innovative approach to water management, be water efficient, and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach (Policy 5.2.11). We would also recommend the development be designed to achieve energy efficiency levels that exceed the Ontario Building Code (Policy 5.2.20); to achieve 10% greater water efficiency than the Ontario Building Code (Policy 5.2.22); be designed to maximize solar gains, be constructed in a manner that facilitates future solar installations (i.e. solar ready) (Policy 5.2.26); and, incorporate green building standards, such as LEED®, ENERGY STAR®, or other emerging technologies (Policy 7.5.12).

**Transportation:**

Transportation Planning staff have no objections with the proposed Official Plan Amendment application. However, they offer the following preliminary comments on the site plan application:

A comprehensive Transportation Demand Management Plan (TDM) consistent with Region Transportation Mobility Plan Guidelines needs to be provided to the satisfaction of York Region. The TDM Plan shall include a TDM checklist that summarizes the programs and measures, estimated costs and responsibility of the applicant to implement TDM recommendations. Estimated costs for any items that are provided by the Region or the Municipality shall be identified as “TBD” (To be determined).

The TDM Plan shall include a TDM communication strategy, to assist the Region and the City of Vaughan to effectively deliver the Information Packages and pre-loaded PRESTO Cards to residents. This strategy shall also include a physical location for distribution of the Information Packages and pre-loaded PRESTO Cards. The applicant is responsible for the coordination and for providing a venue for the distribution of PRESTO cards. Each event, approximately 2 hours of staff time, can serve approximately 50 residential units. The applicant shall coordinate specific event details with York Region/York Region Transit Staff allowing a minimum of 2 months notice.

Considering the subject development is within the 60m “zone of influence” to the Toronto York Spadina Subway Extension (TYSSE), TTC should be circulated to ensure they have no concerns for the protection of the future right-of-way of the subway alignment.

With the proposed substantial increase in building height, we are concerned about the impact on micro-climate particularly at pedestrian level around the building. It is generally known that tall buildings have major impacts on the wind conditions in their surrounding context, whereby they can intercept strong winds at high elevations and redirect them downwards towards the ground level. This can create uncomfortable and sometimes dangerous conditions for pedestrians. Considering the high and constant pedestrian traffic and activities at the YRT Bus Terminal, which is located south of Tower 3, ensuring pedestrian comfort and safety is essential. A Qualitative Pedestrian Level Wind Assessment has been completed which notes that “the expected pedestrian experience conditions are acceptable” at the YRT Bus Terminal. The report indicated that a more detailed pedestrian wind study will be performed during the Site Plan Application for more specific locations. We request all the areas south of the building by YRT



Bus Terminal be included in this study so that any negative impacts to pedestrian comfort are mitigated through site and building designs.

A Sun Shadow Study prepared by Diamond Schmitt Architects demonstrates limited impact of shadows on the YRT Bus Terminal. We are satisfied with the outcome of this study especially recognizing that the Bus Terminal is located on the sunward (south) side of Tower 3.

The latest revised set of plans (November 2017) based on City of Vaughan's Design Review Panel's recommendation show additional retail space south of Tower 3 facing YRT Bus Terminal. This results in further reduced building setback from 2m to less than 1.5m, thereby pushing the sidewalk serving the retail space to be primarily on YR land. Although we support the additional retail to help animate the public space fronting onto the Bus Terminal, we are concerned about the conflict of high pedestrian traffic with the bus traffic along this zone. In order to better define pedestrian circulation, crossings and walkways, special attention should be paid to their design, landscaping and markings. These pedestrian facilities will also need to meet all accessibility (AODA) requirements. The area should also be well-lit and have appropriate way finding measures to ensure CPTED principles are met.

The revised latest set of plans also shows the elimination of 4 parking spaces on York Region land along the landscape buffer south of Tower 3. These parking spaces may be required for YRT operations and maintenance vehicles. This parking requirement should be confirmed by YRT.

The landscape buffer south of Tower 3 that is part of YRT Bus Terminal may also be required for snow loading and storage prior to the snow being transported off site. This maintenance requirement should be confirmed by YRT.

Amendments to limiting distance between buildings and building setbacks are currently being discussed with the applicant and appropriate changes will be incorporated into the revised site design plans.

The south building elevation facing the YRT Bus Terminal will be the most prominent "view terminus" for all transit users coming into the Terminal, therefore the south building façade should have enhanced visual interest, including high-quality materials, building articulation, and material variation to break up the extensive wall.

Regional conditions for site plan approval include the following:

- 1) The development shall protect and implement the Transit and Street Network in Schedules B and C of the Vaughan Metropolitan Centre Secondary Plan.
- 2) Provide direct pedestrian and cycling connections to the 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. Provide drawings showing the pedestrian and cycling connections and facilities.
- 3) Provide a comprehensive Transportation Demand Management Plan consistent with the Region Transportation Mobility Plan Guidelines to the satisfaction of York Region.

- 4) Address all comments as provided in the Comments Section above.

**Water and Wastewater Servicing:**

Residential development requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, then the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2021 pending the outcome of the Class EA currently underway
- Other projects as may be identified in future 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.

Water and wastewater servicing to the proposed development shall be consistent with the servicing strategies as identified in the Vaughan Metropolitan Centre Municipal Servicing Class EA Master Plan, City of Vaughan dated November 2012 and prepared by TMIG.

**Community Planning and Development Services**

Based on our review and assessment, the proposed Amendment appears to be a routine matter of local significance. In accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests. Local Planning staff typically determines built form compatibility with adjacent structures and land uses. Regional planning staff is of the opinion that local planning staff are best able to determine the appropriate building height and density.

Pursuant to Council authorization specified in By-law A-0265-1999-017, this Amendment is hereby exempt from Regional Council approval. This allows the Amendment to come into full force and effect, following its adoption by the City of Vaughan Council and the expiration of the required appeal period. We respectfully request a copy of the Notice of Decision be forwarded to this office.

York Region staff may provide further comments on the second submission of the site plan application. Please contact Augustine Ko, Senior Planner, at 1-877-464-9675 ext. 71524 should you have any questions or require further information.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P  
Director of Community Planning and Development Services



March 8, 2018

Paula Bustard,  
Senior VP, Development  
SmartCentres REIT  
700 Applewood Crescent  
Vaughan, ON L4K 5X3

**RE: Secondary access from SmartCentres Place VMC Bus Terminal through SmartREIT property**

Dear Ms. Bustard,

Thank you for your letter and attachments dated February 5, 2018 regarding the secondary bus access through the SmartREIT property (Tower 3), York Region Development File SP-V-066017.

I wish to confirm that this letter provides approval in principle of the following York Region site plan comment:

3. *Prior to Final Approval the Owner shall resolve and come to agreement with the YRRTC and YRT on the location and the construction of the additional access to the VMC bus terminal.*

Please note that SmartREIT will have to enter into specific agreements with York Region and City of Vaughan, in order to satisfy the following comments.

In support of the approval in principle confirmation above, we have reviewed your responses to our comments of October 18, 2017 and are in general agreement with the bus terminal secondary access location and design. Please see a summary of our comments below and also the detailed comments on **Attachment 1**. For ease of reading, the italicized font represents the content of the SmartREIT response letter of February 5, 2018:

1. *The overhead clearance into the bus terminal (structural) and while travelling through (duct work, hanging signs, utilities, etc.) should be designed to accommodate a double decker bus.*

*Overhead clearance of the Bus Lane is being detailed with the input of the architects and structural engineers. The minimum clearance to be provided will be 5.3m. As YRT does not have any design standards, a comparable bus terminal was reviewed. The (currently under construction) GO Bus terminal at 81 Bay Street in downtown Toronto has a vertical clearance of 5.3m. This was determined to be the minimum height required to hoist a double decker bus and tow it out of the terminal. The 5.3m clearance is more than adequate to accommodate a double decker bus.*

**YRRTC/YRT Response: No further design comments.**



2. *The bus terminal entrance shows a width of 7.50m (x2 3.75m lanes). However, it does not show any pedestrian facilities or protection/delineation between the roadway and pedestrians. Considering the access points shown on the drawings, it is likely that pedestrians will use this entrance. Appropriate measures should be considered to minimise the risk of bus and pedestrian conflicts.*

*North-south pedestrian facilities are proposed west of the vehicular entrance/exit to address people travelling north and south from Portage Parkway. There are no pedestrian exits (emergency or otherwise) into the drive aisle, with the northwest exit stair relocated to face north within a recessed area clear of manoeuvring vehicles. The building itself is located at the east end of the site, which is where people inside the garage will be travelling after parking their cars, as the parking is reserved for residents only. Therefore, the likelihood of anyone using the emergency exit stairs to reach the ground floor in a non-emergency situation is very low.*

**YRRTC/YRT Response:** No further design comments. To be finalized as part of Bus Terminal Agreement.

3. *For the shared outbound land, are the controls that can be put in place to limit queuing of vehicles?*

*Parking within the Tower 3 garage is limited to resident vehicles only. There are no visitor or retail parking spaces within the garage. Outbound traffic from the garage into the bus driveway will be stop controlled, with bus traffic having the right of way, allowing busses priority to the outbound lane.*

*There are no significant queues anticipated at the shared bus/passenger vehicle exit. Based upon BA Group's analysis of the outbound driveway operations, the outbound traffic, which runs unopposed, would operate with a level of service B during the morning and afternoon peak hours. The average delay will be between 10 and 15 seconds during these periods. It should be noted that in response to comments from the Design Review Panel the number of parking spaces within the garage is decreasing, resulting in less passenger traffic at this driveway.*

**YRRTC/YRT Response:** Confirmation of bus turning movements to Portage Parkway to be confirmed by SmartREIT and City of Vaughan in conjunction with YRRTC/YRT. See Attachment 1 for further clarity. To be finalized as part of Bus Terminal Agreement.

4. *Is the inbound lane dedicated to transit only? If so, appropriate signage and deterrents should be in place.*

*A separate and dedicated access for Tower 3 users is located east of the Bus Lane. The inbound lane at the bus driveway is inbound for buses only. Appropriate signage will be installed on Portage*

*Parkway and on the building entrance to illustrate this. The Bus Lane is designed to accommodate two-way (inbound and outbound) traffic for YRT vehicles, and outbound only of Tower 3 users.*

**YRRTC/YRT Response:** Final line markings, signage, mirrors, warning/flashing lights to be coordinated to the satisfaction of YRT. See Attachment 1 for further clarity.

**5. Who is responsible for the operations and maintenance of the terminal entrance and roadway?**

*Penguin-Calloway (Vaughan) Inc. will retain ownership of the Bus Lane, and will therefore enter into an Operations and Maintenance Agreement with YRRTC/YRT.*

**YRRTC/YRT Response:** To be finalized as part of Bus Terminal Agreement.

**6. Will we have to worry about parked vehicles along the entrance?**

*Proposed mitigation and enforcement measures include: cameras, signage, convex mirrors, and parking enforcement. These mitigation measures were discussed at the meeting and the approach was agreed upon by both parties.*

**YRRTC/YRT Response:** Final line markings, signage, mirrors, warning/flashing lights to be coordinated to the satisfaction of YRT. To be finalized as part of Bus Terminal Agreement.

**7. Are we permitting pedestrian connection along the north boundary of the terminal to the terminal itself? If so, sightlines and wayfinding should be considered.**

*Currently the direct connections to the terminal are along the western boundary (accessible from the north at Portage via the pedestrian mews along the side of the Tower 1,2 building) and along the west side of Millway Avenue via the sidewalk. An additional east-west crossing of the Portage Parkway bus driveway is under development with the architecture, landscape, and transportation teams which will be provided to YRRTC for review and comment to reflect the addition of retail space to the Tower 3 southern boundary.*

**YRRTC/YRT Response:** Need to ensure that pedestrians are prohibited from crossing into the bus terminal except at designated locations and that pedestrian desire lines are considered. Need to ensure bus stopping locations (at stop signs on bus driveway) don't have the bus blocking the pedestrian crossings. See Attachment 1 for further clarity.

**8. If the expectation is for YRT to maintain the landscaping than the proposed landscape buffer should be coordinated with YRRTC and YR Forestry to ensure appropriate species are being planted. We also do not maintain landscaping on private property.**

*Further discussion with YRRTC is required before finalizing the plant species.*

**YRRTC/YRT Response: Please submit. To be reviewed when available. To be finalized as part of Bus Terminal Agreement.**

- 9. *Sight distance calculations are to be provided for the buses exiting the terminal through the access. Is there enough sight distance for buses to clearly observe residents exiting just north of the buses? Area is covered with Landscaping and trees right up to the curb.***

*The driveway exits the building envelope at a location beyond the property line, set back 7.7m from the travel curb lane of Portage Parkway. The sidewalk is located adjacent to Tower 3's north face. There are clear zones on both the east and west sides of the shared egress driveway. The west side of the driveway structure is open except for columns, providing additional sight distance. Available sight lines are illustrated in the attached figures for both turning traffic (vehicular sightlines) and pedestrian traffic (along the sidewalk).*

**YRRTC/YRT Response: No further comments. To be finalized as part of Bus Terminal Agreement.**

- 10. *Construction of the access is to be prioritized and timelines to be confirmed. In case of long lead, temporary access to the terminal is to be considered for construction.***

*Noted. Multiplex (site constructor) to provide construction schedule and phasing plans for Bus Lane.*

**YRRTC/YRT Response: Please submit. To be reviewed when available.**

- 11. *Operation and maintenance requirements and responsibilities of the access are to be confirmed with YRT.***

*YRRTC/YRT to circulate draft of Operations and Maintenance agreement.*

**YRRTC/YRT Response: YRT provided draft agreement and call held between YRRTC, YRT, SmartREIT on January 26, 2018. It was agreed that the draft Agreement needed to be expanded to capture all obligations of the parties in the Transfer Agreement plus interfaces between York Region and SmartREIT's Tower 1, 2, 3 developments. The agreement will be called the Bus Terminal Agreement to be consistent with the Transfer Agreement language.**



We look forward to continuing to work with you on the refinements to the design for the bus driveway and pedestrian/landscape interfaces of Tower 3 with you. YRT will continue to be the lead on the Bus Terminal Agreement which will document the operational and maintenance obligations between YRT and SmartREIT. Should you have any questions, please do not hesitate to contact me directly.

Regards,

A handwritten signature in blue ink that reads "Balraj Mohabeer".

Balraj Mohabeer,  
Design Chief, Infrastructure and Development  
York Region Rapid Transit Corporation

Cc: Vincci Wilson, SmartREIT  
Mary-Frances Turner, YRRTC  
Stephen Hollinger, YRRTC  
Fabrizio Guzzo, YRT  
Kyle Catney, YRT  
Calvin Mollett, York Region



# ATTACHMENT 1: Summary of YRRTC/YRT Comments March 1, 2018

