

COMMUNICATIONS

	<u>Item</u>
<u>Distributed April 1, 2022</u>	
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Please note there may be further Communications.

**COMMUNICATION C1.
ITEM NO. 3
COMMITTEE OF THE WHOLE
(WORKING SESSION)
April 6, 2022**

Stratified Title Arrangements Update

Committee of the Whole – Working Session

April 6, 2022

Presentation Agenda

- What is Strata
- VMC Secondary Plan Policy
- Guiding Principles of Strata for Roads and Parks
- Current Strata Proposals
- Jurisdictional Review
- Interdepartmental Workshop
- Next Steps

What is Strata?

When arrangements consider accommodating infrastructure such as parks, boulevards, roads, services and sidewalk above other infrastructure such as a parking garages, these situations are called Strata because of the ownership above or below grade.

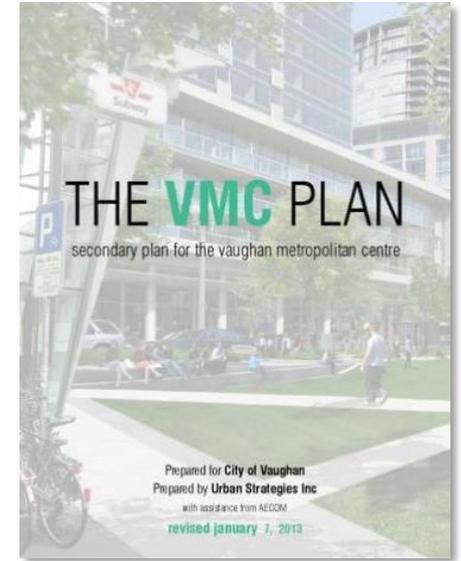
VMC Secondary Plan Policy

Street Network policy 4.3.6

- Office component of greater than 10,000 sqm
- City strata ownership of the public street/mews over the privately owned underground structure
- Limited to under the boulevards of the new street/mews or within entire road width depending on significant infrastructure.

Parks policy 6.2.10

- Only be considered where the parkland is provided at grade, is publicly accessible.
- The park, together with the air rights above it, shall be in public ownership as dedicated parkland.
- The City will retain sole and unencumbered control of the surface lands above the strata title.
- All surface strata to be conveyed to the City for use as public parkland should be free and unencumbered.
- All other park policies apply.



Council Approved Guiding Principles and Next Steps

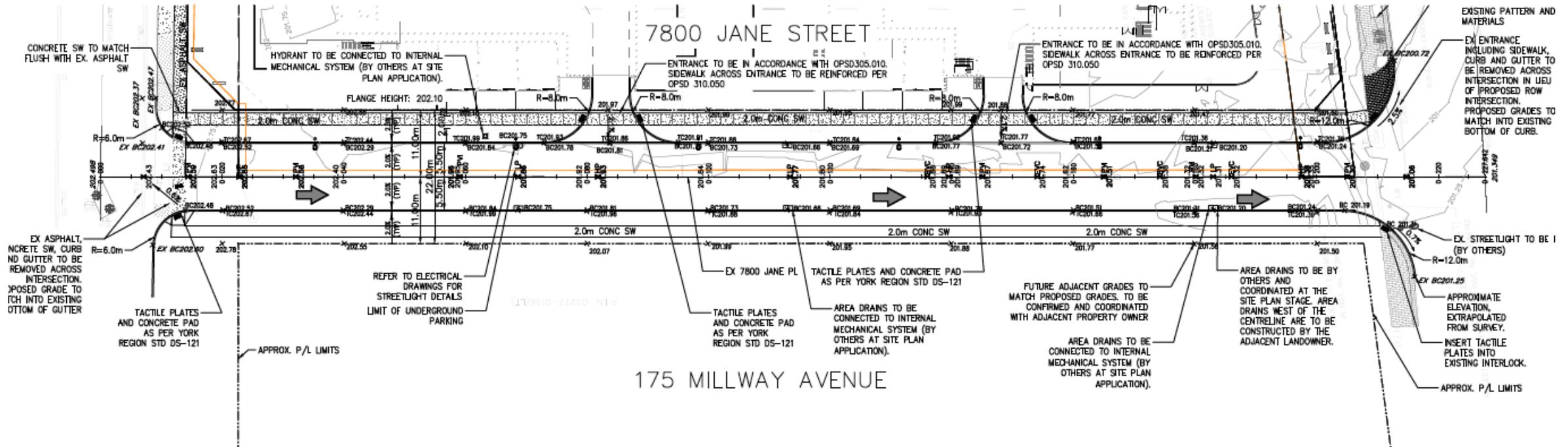
**Presented at VMC Sub-Committee on April 11, 2013
and Council approved on June 4, 2013**

- Reviewed on a case-by-case basis
- City/Applicant enter in legally binding agreement or reciprocal operating agreement
- City should not be responsible or liable for any present or future costs associated with maintenance and remediation
- Applicant should be financially responsible for incremental capital, maintenance, life cycle and renewal costs associated with municipal infrastructure based on a 20 year time frame
- Achieved through one time monetary payment and/or annual recurring monetary payment to the City into a dedicated reserve fund
- The City should avoid multiple Strata Title Arrangements across a single property and only be conducted with one partner at a time

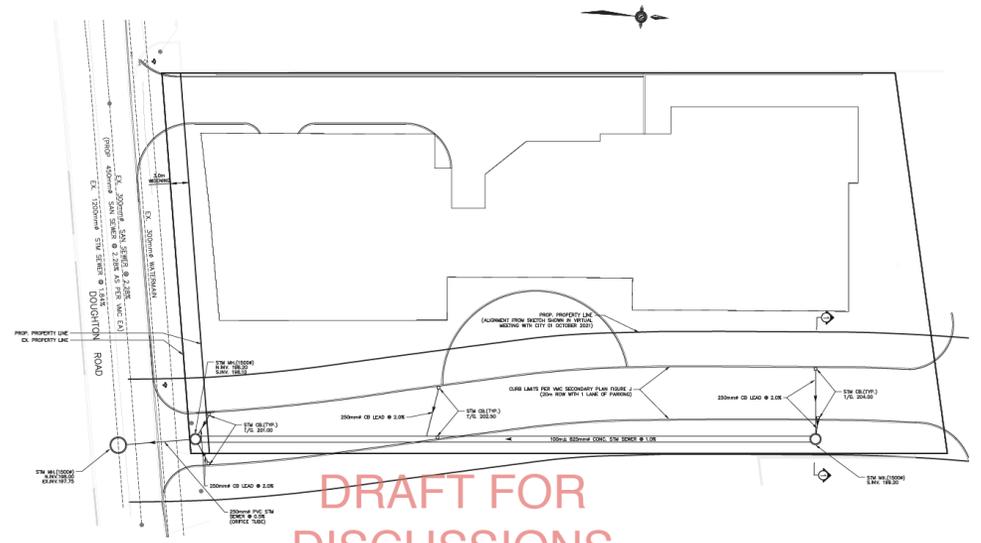
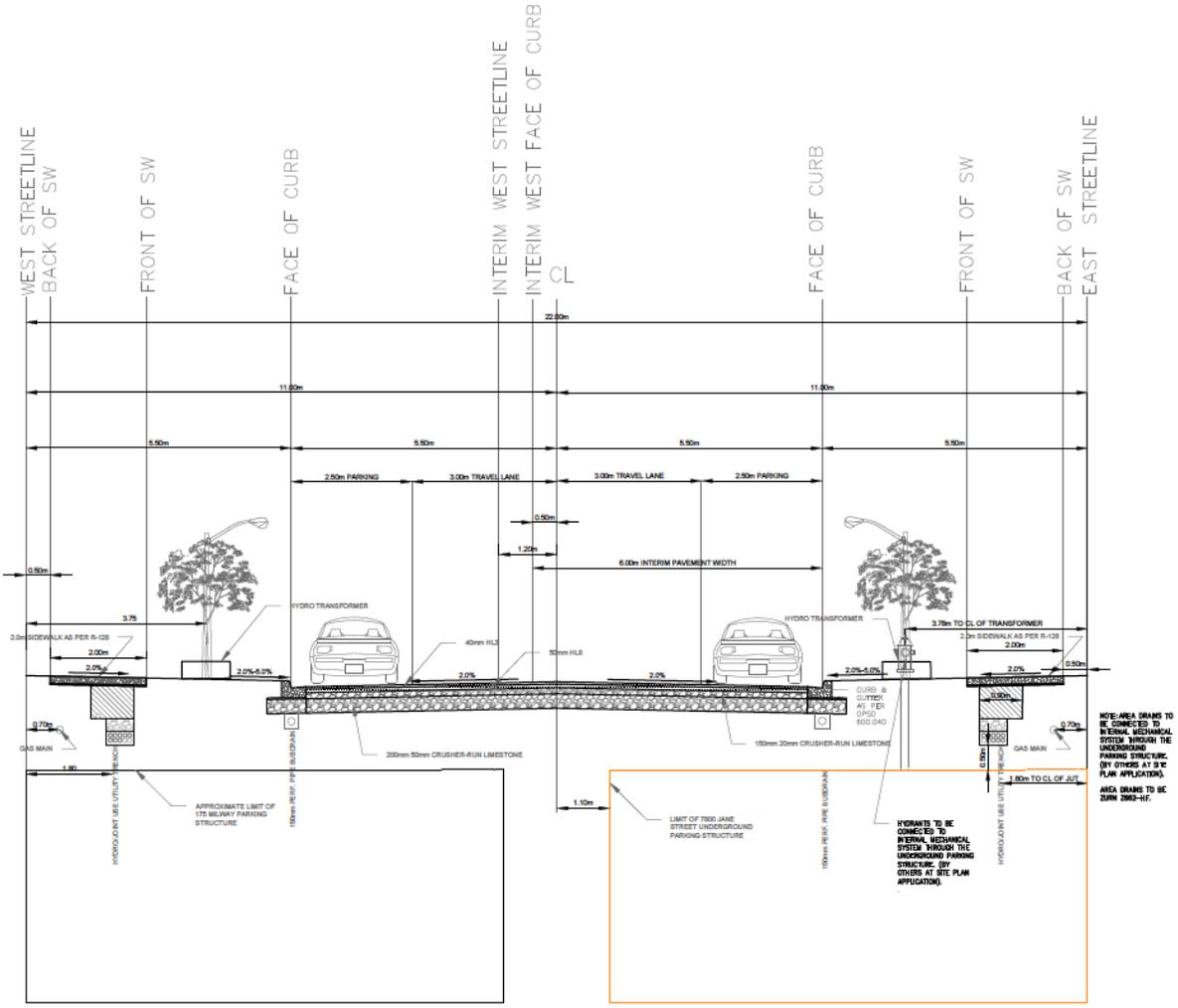
Council Approved Guiding Principles and Next Steps

- Feasibility
- Risks and Benefits
- Implementation Guidelines and Processes
- Landowner Contributions
- Establish Policies
- Agreements
- Alternative Options

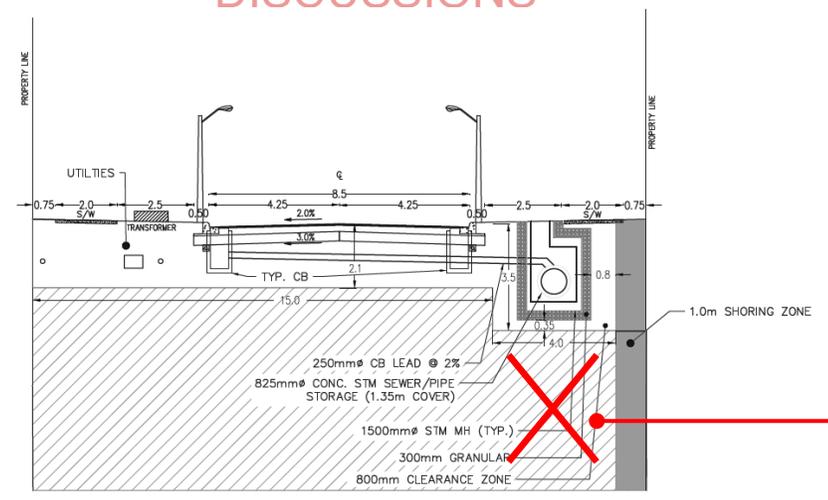
Current Strata Proposals (DRAFT)



Current Strata Proposals (DRAFT)



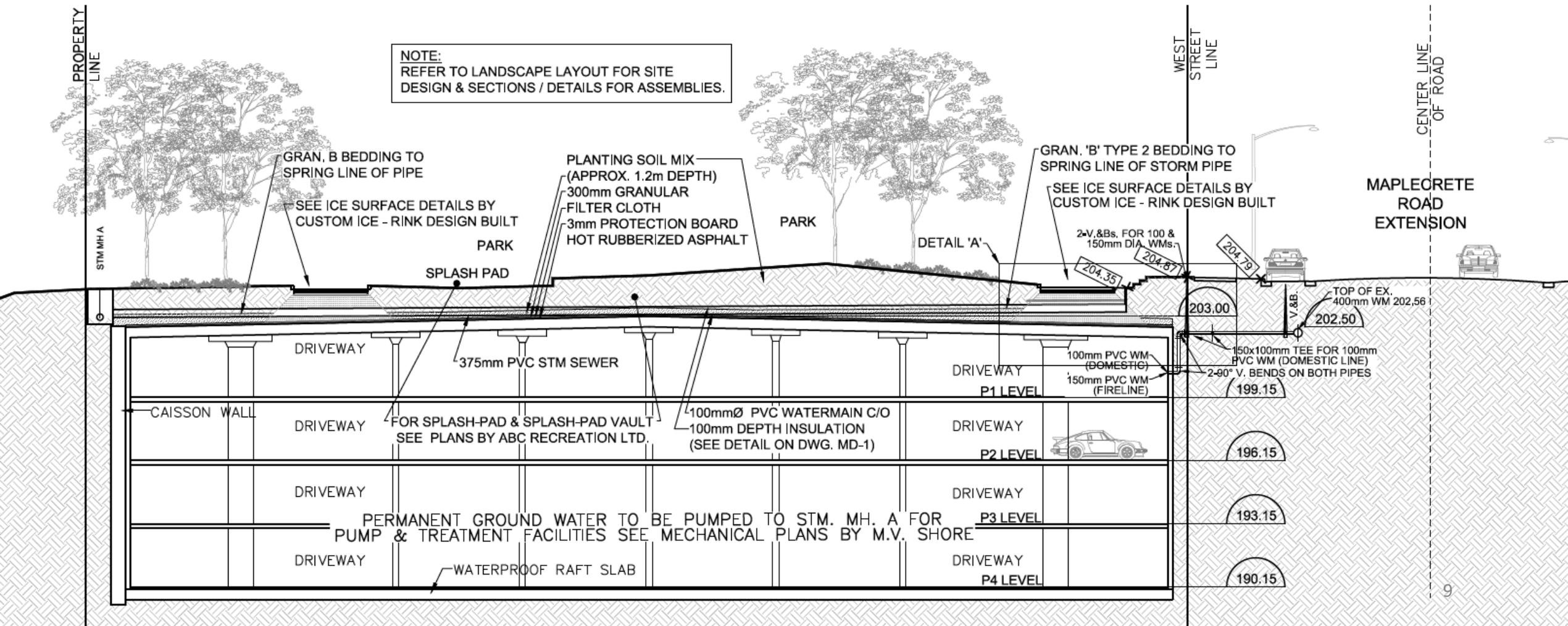
DRAFT FOR DISCUSSIONS



No strata proposed under boulevard

1-1 CONCEPTUAL 20.0m R.O.W.
FUTURE ROAD
1:100

Current Strata Proposals (DRAFT)



Jurisdictional Review

City of Toronto

- Complete control above and below streets to ensure no limitations when replacing services and infrastructure
- Encourage transit use and active transportation by reducing parking
- Does not permit stratified title arrangements for public roads
- Permit the use of pedestrian tunnels underneath roads connecting to subway or walkways through License Agreements or Encroachment Agreements
- Developers save money by constructing less levels of U/G parking, City can benefit from these savings
- Underground parking garages don't last forever, linear membrane has limited life. Repairs/leaks cost a lot of money and if condo corps. lobby the City to intervene it could be troublesome
- Toronto mostly has parks that are unencumbered by strata or easements.

Jurisdictional Review

City of Richmond Hill

- Started study end of 2019, project team consisted of Legal, Parks, Policy Planning, and Engineering staff
- Alternative Ownership Arrangement / Stratification and Public Easement Study.
- Site by site basis using an intake evaluation matrix
 - Does application conform to OP and policies?
 - Can a traditional method be provided to the City?
 - Is application within the Yonge Street intensification area?
 - Is there only one corporation of ownership?
- Four categories
 - Full or partial strata
 - Public access easement
 - POPs
 - Private encroachment – permanent or temporary
- Next step is to engage a Legal firm

Jurisdictional Review

Other Municipalities

- City of Mississauga – not permitted, no policies
- City of Ottawa – land registry office refused to register strata agreements on title, has a team to track and monitor strata applications
- City of Markham – not permitted
- City of Pickering – has strata policy on parkland only
- Town of Newmarket – exploring strata early stages
- No other municipalities have any formal policy

Interdepartmental Workshop

Focus on **opportunities** and **challenges** from various departments when planning, approving, implementing, and maintaining potential strata roads and parks.

The following departments were consulted:

- Development Engineering
- Infrastructure Delivery
- Public Works
- Legal Services
- Planning and Urban Design
- Policy Planning
- Parks Development

Interdepartmental Workshop

Opportunities	Challenges
Flexibility for land use to provide a better design and more parking supply if needed	Risks and liabilities associated with private/public shared ownerships
City road ownership and maintain public assets	Private U/G garage membranes are susceptible to leaks causing water damage
Protect for public parking spaces in private U/G garages	Hinders City's abilities for upgrading or maintenance of underground servicing
Potential to accommodate U/G walking connections and/or retail	Requires complex Legal Agreements and Strata Title Agreements
Provides possible solutions for providing U/G parking where a site is limited by high groundwater restricting the number of parking levels.	Green Infrastructure might not be possible where strata arrangements exist (loading tolerance on U/G structure, does sufficient soil volume exist above the structure to support the planting of trees)
	Multiple condo ownerships and registering Agreements on title

Next Steps

THAT Council approve staff to further evaluate the use of Strata in the City and determine the financial obligations to retain an external consultant to obtain expert advice associated with Strata Title Arrangements

Thank you



DOWNTOWN

vaughan

METROPOLITAN CENTRE



COMMUNICATION C2.

ITEM NO. 2

**COMMITTEE OF THE WHOLE
(WORKING SESSION)**

April 6, 2022



**City of Vaughan
Core Maple HCD Plan**

City of Vaughan
Committee of the
Whole
Presentation



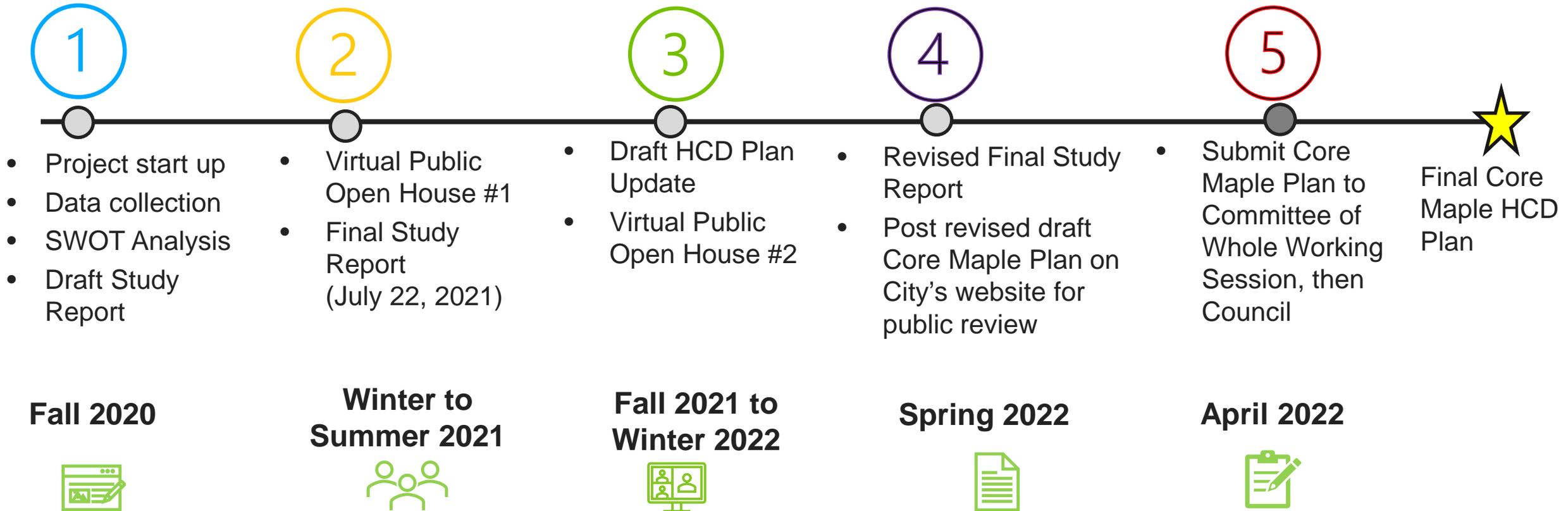
Agenda

1. Project Recap
2. SWOT Report
3. Proposed Core Maple HCD Plan
4. Implementation of Core Maple HCD Plan
5. Questions

Core Maple HCD Plan

Project Recap

Project Timeline



Core Maple HCD Plan

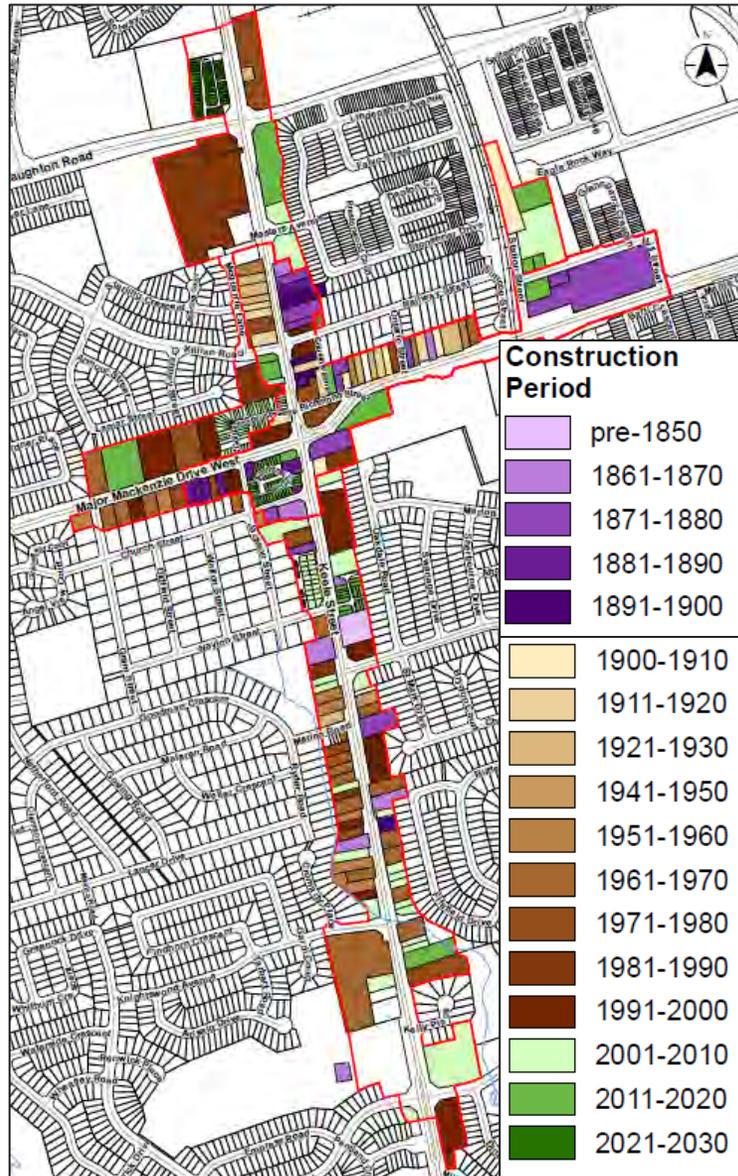
Strengths, Opportunities, Weaknesses, and Threats (SWOT) Report

SWOT Report and Public Input

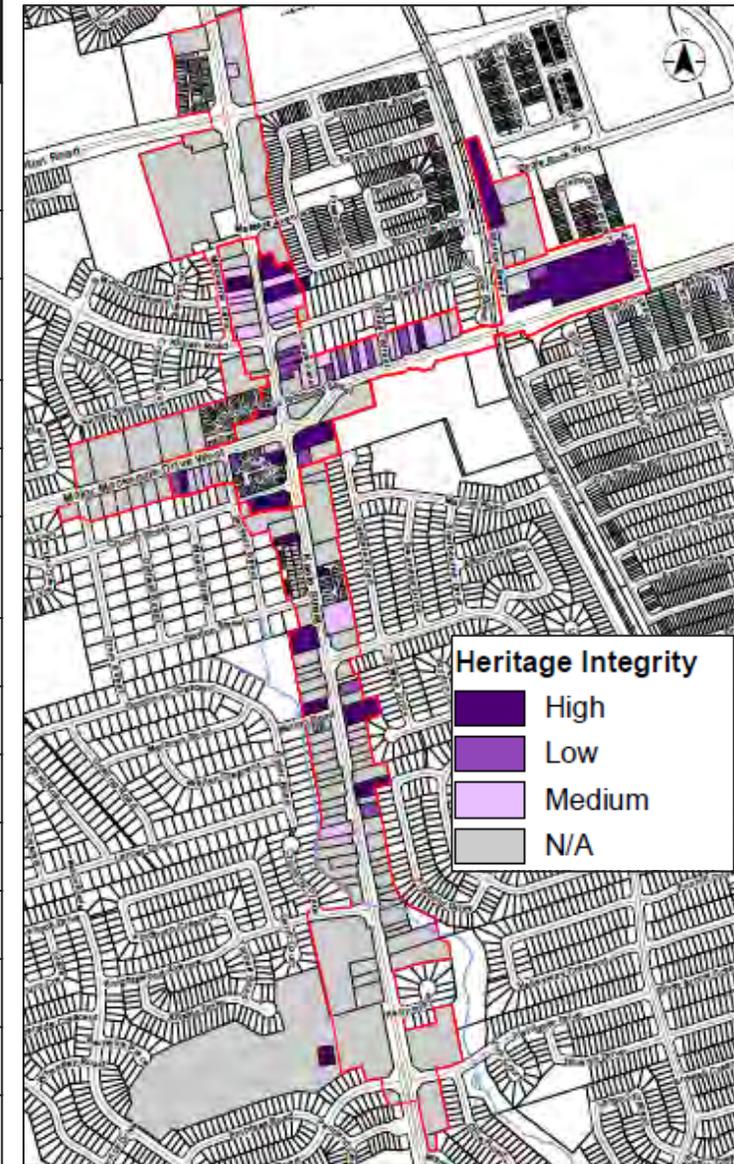
- PIC 1 was held virtually on January 26, 2021. It included a presentation followed by a Question & Answer period.
- The project website was updated with links to the project survey and an interactive map.
- The project survey was active from January 27th to March 1st 2021.
- In all, 124 surveys were received by the project team.
- Concerns focused on the increasing traffic and development in the area
- Strong preference for more strict controls over heritage properties to conserve the history of Maple
- Respondents were split over whether the HCD was achieving its objectives
- Similarly split over boundary changes, although of those that indicated changes should occur, the vast majority wanted a larger HCD
- It was clear that conservation and enhancement of the low-rise residential and commercial character of the area, including enhancement of the public realm and streetscape quality, was paramount



SWOT Analysis



SWOT Category	HCD Component
Strengths	Limited alteration of many heritage properties
	Regulation of new development
	Restoration of heritage buildings
Weaknesses	Heritage Attributes
	Inventory
	Lack of dominant architectural styles
Opportunities	OHA Amendments
	HCD Heritage Attributes
	Mid-century Heritage resources
	Signage and public art
	Financial incentives
Threats	Development pressures
	New development
	Transportation and infrastructure projects



SWOT Report Findings

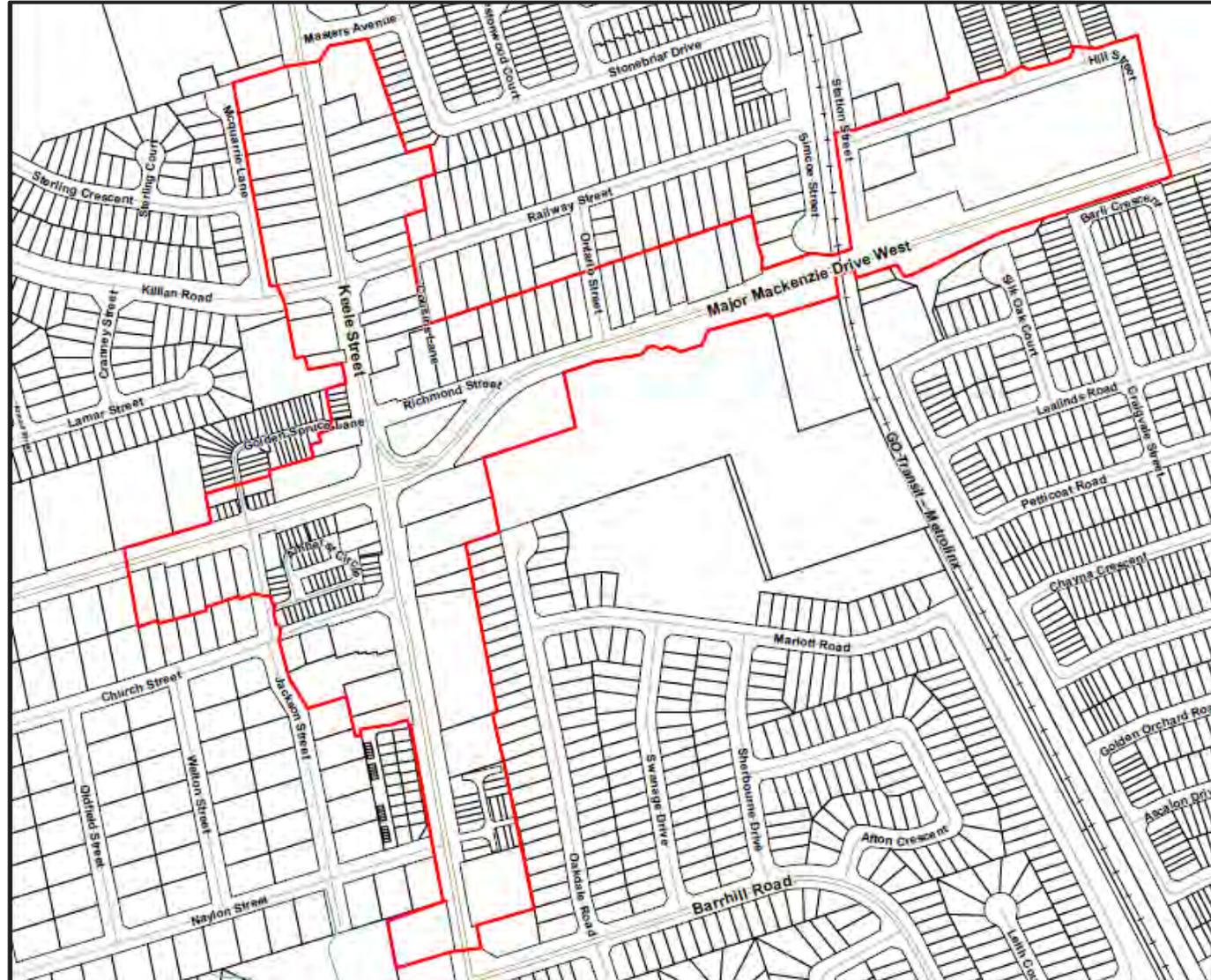
- Qualitative and quantitative analysis completed to understand the existing character of the HCD
- Primary function of the HCD has been to direct new development, not enhance the existing character
- The historic resources of the Maple HCD reflect a small community comprising vernacular residential dwellings, places of worship, cemeteries, and commercial establishments
- New construction, while using building materials that are common to the vernacular character and low-rise in form, present a denser and more urban character, with commercial plazas and tightly spaced townhouse-style dwellings
- New development has started to overwhelm the original buildings within the framework that is meant to preserve them
- The resulting boundary and collective character are not robust and require updating
- Three tools recommended:
 1. Reduced boundary
 2. Community Planning Permit System Program (Development Permit System)
 3. Individual designation and listing



Core Maple HCD Proposed Boundary

Typical HCD Characteristics:

- Concentration of heritage resources
- Framework of structured elements
- Sense of visual coherence
- Distinctiveness



 Proposed boundary

Core Maple HCD Proposed Contributing and Non-Contributing Properties



- Legend
- Core Maple HCD Boundary
 - Contributing Property
 - Non-Contributing Property

Community Planning Permit System (CPPS) Program

- New planning framework under the City's Official Plan
- Individual properties that have heritage value will be listed on the City's heritage register or designated under Part IV of the *Ontario Heritage Act* to protect their cultural heritage value or interest
- CPPS is a tool permitted under the *Planning Act* that combines aspects of zoning, site plan, and variance approvals under a single process
- CPPS will be a separate planning tool from the Core Maple HCD Plan, but will work in tandem with the HCD Plan



Community Planning Permit System

1. Official Plan Amendment

- The City must first amend its official plan by adopting policies for the area where the CPPS will be used.

2. Community Planning Permit By-Law

- The City must pass a CPPS by-law
- It would contain a list of permitted uses and development standards, such as height and density specifications

3. Issuing Permits

- Once the CPPS is in effect, the City can issue permits to allow development to occur if an application meets the standards set out in the CPPS by-law

Key benefits:

- Streamline process (one application)
- Flexible system
- Building communities
- Community participation

Learn more at: <https://www.ontario.ca/page/community-planning-permit-system>

Properties Recommended for Designation and Listing

Multiple layers of designation are not necessarily required, as the objectives, policies, and guidelines of an HCD Plan should typically manage change in a manner that respects heritage character of the individual resources. However, given the policy changes recommended for the Maple area, it is recommended that the City update their municipal register to list and designate properties of cultural heritage value or interest outside of the area recommended for the HCD Plan Update.

Consideration for Designation	Consideration for Listing	
Log Cabin at Frank Robson Park, 9470 Keele Street	9600 Keele Street	1 Naylor Street
9715 Keele Street	9611 Keele Street	10275 Keele Street
9796 Keele Street	9643 Keele Street	2377 Major Mackenzie Drive
9773 Keele Street	9746 Keele Street	2365 Major Mackenzie Drive
9891 Keele Street	9275 Keele Street	1 Gram Street
9920 Keele Street	9754 Keele Street	2 Gram Street
2339 Major Mackenzie Drive	9926 Keele Street	
2291 Major Mackenzie Drive		

Core Maple HCD Plan

Proposed Core Maple HCD Plan

Core Maple HCD Plan Goals and Objectives Summarized



Goals:

- Provide a framework for decision making
- Manage change compatible with the heritage character

Objectives:

- Maintain and enhance the low-rise character of the contributing properties from the mid-19th and early 20th centuries
- Maintain and enhance the historic materials and individual characteristics of contributing properties
- Replace unsympathetic additions or alterations to contributing properties with compatible replacements
- Retain heritage building fabric, building profiles, and traditional façade arrangements
- Support the existing use or adaptive re-use of contributing properties within the Core Maple HCD
- Avoid the loss or demolition of heritage attributes or heritage fabric within the Core Maple HCD
- Collaborate with owners to encourage and provide incentives for conservation, restoration, and maintenance
- Follow a unified, sympathetic streetscaping approach for the Core Maple HCD on City-owned lands and those subject to redevelopment proposals that enhances the character of the Core Maple HCD
- Promote the history and local community through compatible public art, commemorative/ interpretative devices, or local tours
- Collaborate with owners to maintain a progressive and competitive business environment while conserving heritage attributes



Core Maple HCD Principles

- Preserve the historic context
- Maintain and repair
- Find a viable social or economic use
- Preserve traditional setting
- Preserve original decoration and fittings
- Restore to authentic limits
- Employ traditional repair methods
- Respect historic accumulations
- Make new replacements distinguishable
- Understand the value of a historic place
- Respect documentary evidence
- Design alterations with reversibility in mind



HCD Plan Policies and Guidelines

The *Ontario Heritage Act* requires that a district plan include a statement of policies. A statement of policies provides the framework for consistent decision making by Council and the City.

- Policies clearly explain what changes and alterations are appropriate and likely to be approved in an HCD, and typically have more ‘teeth’ using words like ‘shall’, ‘must’ or ‘will’

i.e., “New additions must not obscure, radically change, or have a negative impact on contributing heritage resources, heritage elements, forms, use, or exterior configuration.”

- Guidelines may be used where there are various alternatives that help to support a policy. Such as recommended materials.

i.e., “Consider neutral colours (grey, black, brown) for roof pitches visible from the street.”



HCD Plan Policies and Guidelines – Alterations

Alterations

- Roofs, façade pattern, exterior materials, external paint, windows, doors and entrances, porches and storefronts, signage and lighting

Contributing Properties:

- Conserve, maintain, and restore character defining features
- Repair based on historical evidence or replace in kind with sympathetic materials
- Maintain the original size and location of historic window and door openings
- Avoid covering up original façades and elements

Non-Contributing Properties:

- Maintain original roof shape
- Maintain the overall proportions and façade pattern
- Cladding that complements the character of the HCD
- Use of contemporary materials (i.e., shingles, windows, doors)



HCD Plan Policies and Guidelines – Additions

Additions

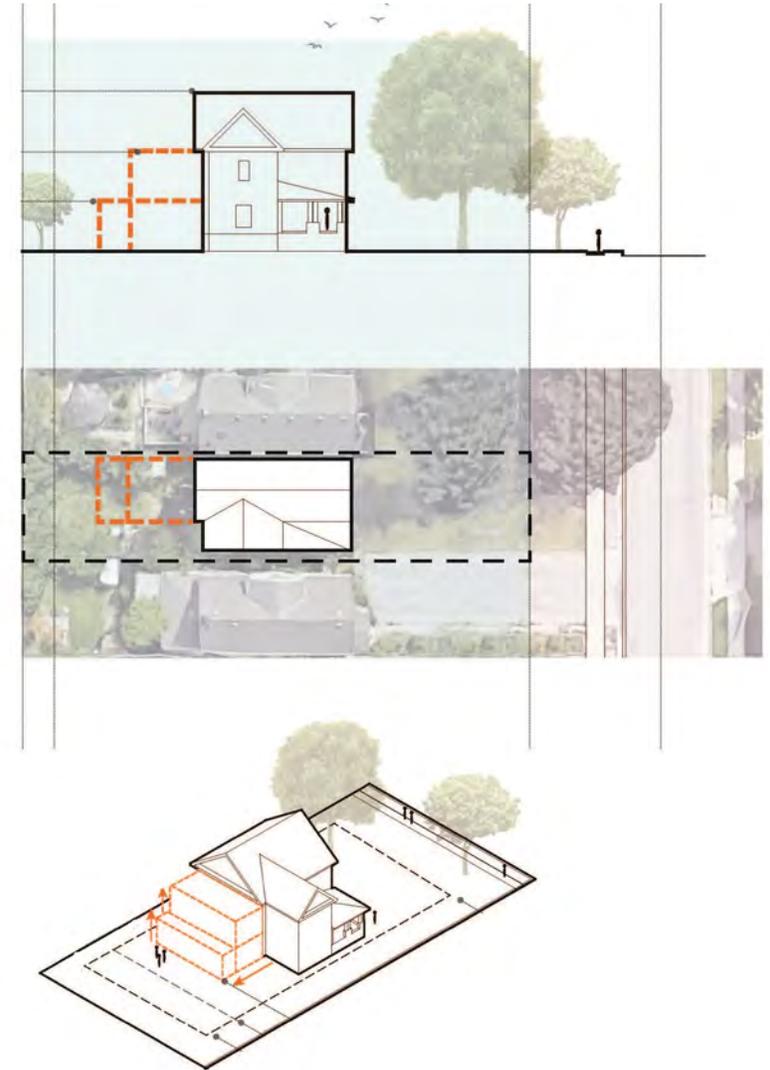
- Location, height, and massing, architectural style, roofs, materials, windows, doors and entrances, signage and lighting

Contributing Properties:

- New additions must not obscure, radically change, or have a negative impact on the contributing heritage resources or elements
- Any additions considered must first document the contributing resource(s) impacted
- Additions to contributing resources should be reversible
- Design additions to an appropriate height, less than the existing height
- Design additions to be subordinate to the existing structure
- Locate additions to the back or side of the building
- Use complementary materials

Non-Contributing Properties:

- Additions should be no taller than the existing building
- Rear additions may contain additional storeys, to a max of three storey
- Rear additions are preferred
- Use complementary materials



HCD Plan Policies and Guidelines – New Construction & Development

New Construction and Development

- Infill or new development due to loss of a building
- New development that is recognizable as a product of its own time and that does attempt to replicate historical architectural styles
- New development that is sympathetic and compatible to the historic character of the district regarding form, massing, materials, façade organization
- Site Plan Control: appropriate sitting, massing, and scale of proposed development and site alteration
- Policies and guidelines: Height, massing, and setbacks, roofs, façade pattern, exterior materials, windows, doors and entrances, architectural style and details



HCD Plan and Guidelines – Streetscape & Landscaping

Streetscaping and Landscaping

- Public realm: street trees, boulevards, parks and open spaces, lighting and street furniture
 - Use of banners, public art, signage or landscaping at gateways to HCD area
 - Lighting and street furniture that is sensitive to the heritage character of the streetscape but does not create a false sense of heritage
 - Tree species that maintain the visual character of the streetscape, that are hardy and drought, disease, and salt spray tolerant
- Private realm: Trees, gardens, driveways, and pathways
 - Balance between softscaping and hardscaping
 - Historically sympathetic plant materials



HCD Plan and Guidelines – Accessibility and Sustainability

Accessibility

- Barrier-free design in all new construction, streetscape, and landscape elements
- Wayfinding materials and signage that meets AODA guidelines

Sustainability and Alternative Energy

- Allow for the installation of solar panels on roofs
- Allow for the use of ‘green’ building materials and techniques on new construction
- Encourage property owners to source materials from local suppliers and manufacturers



Core Maple HCD Plan

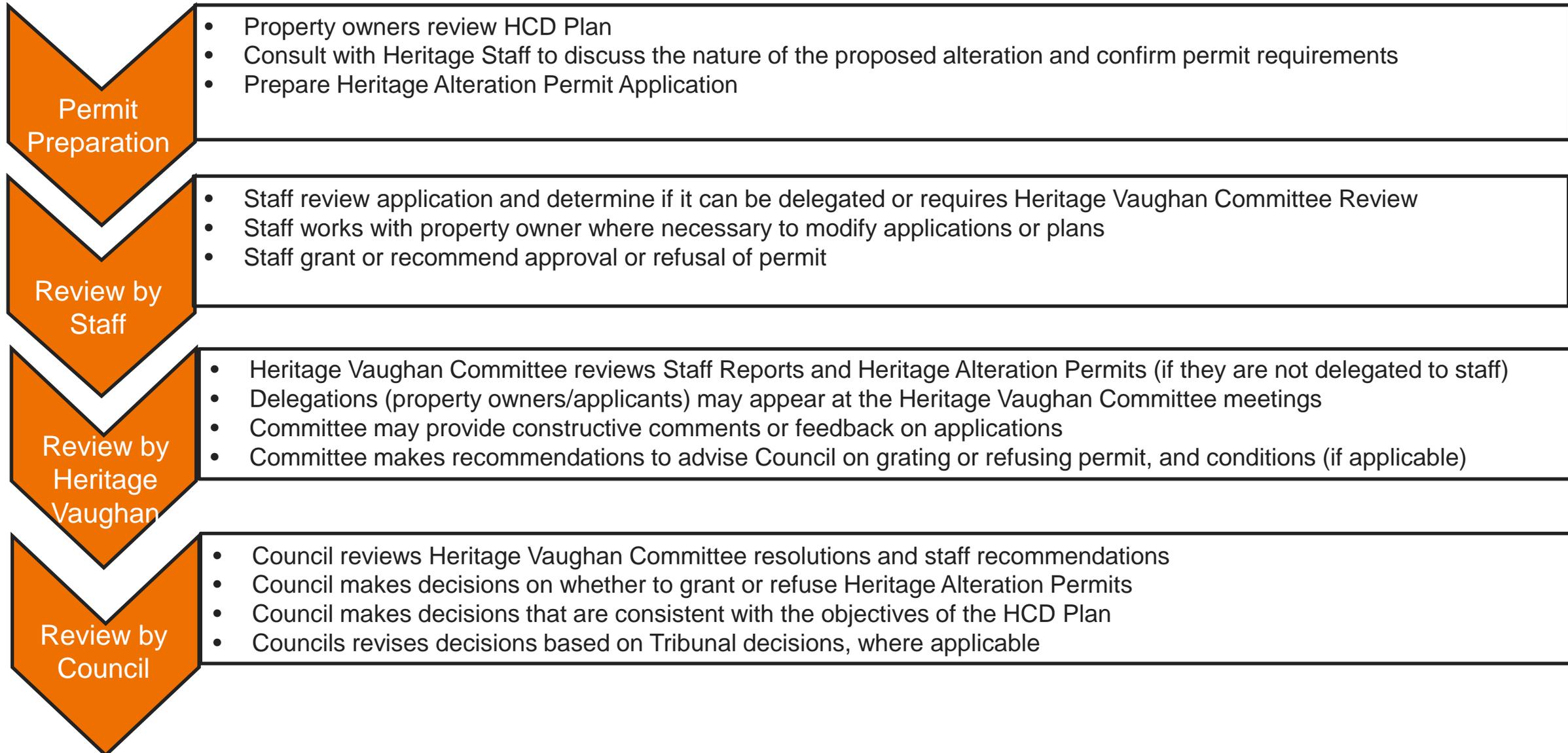
Implementation of HCD Plan

Recommendations for HCD Plan Implementation

- City should adopt a new by-law designating the Core Maple area as an HCD
- Outside the Core Maple area, the 2007 Maple HCD will remain in effect until a Community Planning Permit System is established
- Heritage permit process managed by City Heritage Planning staff, the Heritage Vaughan Committee, and Council
- The HCD Plan also applies to City and Regional public works



HCD Plan Implementation – Roles and Responsibilities





**Thank you for the opportunity
to present the Core Maple
HCD Plan.**

Questions?