

Committee of the Whole (1) Report

DATE: Tuesday, June 7, 2022

WARD: 4

**TITLE: OFFICIAL PLAN AMENDMENT OP.21.007
ZONING BY-LAW AMENDMENT Z.21.010
DRAFT PLAN OF SUBDIVISION 19T-18V005
1930328 ONTARIO INC.
2871 HIGHWAY 7
VICINITY OF HIGHWAY 7 AND MAPLECRETE ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole to amend the previously Council-approved mixed-use development (OP.18.005, Z.18.009, 19T-18V005 and DA.18.037) in the Vaughan Metropolitan Centre (VMC) to increase the maximum building height and density of the residential towers and reduce the width of the east-west public road.

Official Plan and Zoning By-law Amendment Files OP.21.007 and Z.21.010, along with requested amendments to the Draft Plan of Subdivision File 19T-18V005 and Site Development File DA.18.037, would have the effect of permitting a mixed-use development consisting of two, 49 and 45 storey high-rise residential towers with 785.16 m² of ground floor commercial and community uses, while maintaining the previously approved 7-storey mid-rise building, at a maximum Floor Space Index (FSI) of 6.97 with a 20 m public east-west road, as shown on Attachments 3 to 11.

Report Highlights

- The Owner is seeking to amend permissions for a 2019 Council-approved mixed-use development consisting of 935 residential units and ground floor commercial uses within 40, 34 and 7-storey buildings at a maximum FSI of 5.66, and a 22 m east-west public road to allow for a mixed-use development consisting of 1,257 residential units with ground floor commercial and community uses within 49, 45 and 7-storey residential buildings at a maximum FSI of 6.97, with a 20 m east-west public road.
- Subject to Council's approval, Section 37 contributions are required in exchange for an increase in building height and density in the amount of \$3,786,587.15 million, which is to be allocated towards the City's use, programming and interior fit-out of 162.85 m² of community space located on the ground floor of Building A.
- The VMC Program Division of the Policy Planning and Special Programs Department supports the approval of the revised proposed development as it is compatible with the existing and planned uses of the surrounding area, subject to the conditions of this report.

Recommendations

1. THAT Official Plan Amendment File OP.21.007 BE APPROVED; to amend Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to replace the site-specific policies applicable to the lands identified as "Area F" on Schedule K – Site Specific Policy Areas with the following:
 - a. Maximum building heights of 49-storeys (Building A) and 45-storeys (Building B);
 - b. Notwithstanding Schedule I – Height and Density Parameters, Building C shall not exceed 7-storeys in height;
 - c. A maximum permitted density FSI of 6.97 times the area of the Subject Lands;
 - d. Notwithstanding Policy 8.7.18, the maximum tower floor plate size shall not exceed 853 m² from levels 8-47 and 804 m² on level 48 (Building A) and 853 m² from levels 8-43 and 804 m² on level 44 (Building B);
2. THAT Zoning By-law Amendment File Z.21.010 BE APPROVED to:
 - a) amend Zoning By-law 1-88, as amended, to rezone the Subject Lands from "C9(H) Corporate Centre Zone" with the Holding Symbol "(H)", subject to Exception 1473, to "C9 Corporate Centre Zone" with the Holding Symbol "(H)" in the manner shown on Table 1, together with the site-specific zoning exceptions identified in the Zoning section of this report;
 - b) permit the bonussing for increased building height and density for the development shown on Attachments 3 to 11 in return for the following

provision of community benefits, pursuant to the *Planning Act*, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*.

- i. 162.85² of community space located on the ground floor of Building A, with an appraisal report to follow which will determine the value of the ownership arrangement (long term lease versus freehold) and contribution for interior fit-out and programming using the remaining funds within the \$3,786,587.15 contribution envelope.
3. THAT the Holding Symbol “(H)”, as shown on Attachment 2, shall not be removed from the Subject Lands, or any portion thereof, until the Owner:
 - a. Provide a Remedial Action Plan (RAP) to the satisfaction of the City;
 - b. Obtain and file for a Record of Site Condition (RSC) on the Environmental Site Registry with the Ministry of the Environment, Conservation and Parks for the Subject Lands or for all portions thereof as identified on Attachment 14. The “H” may be removed from the Subject Lands in a phased manner as generally shown on Attachment 14 to the satisfaction of the City;
 4. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation 2 b). The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 194-2020 for the Planning Applications, prior to the execution of the Section 37 Agreement;
 5. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing Zoning By-law;
 6. THAT the revisions to Draft Plan of Subdivision File 19T-18V005 BE APPROVED to permit a reduced east-west public road (Street B – future “White Elm Road”) width from 22 m to 20 m and subject to the revised Conditions of Draft Plan Approval set out in Attachment 12, as follows:

Blocks	Proposed Uses	Area (ha)
Block 1	Mixed-Use Development Block	0.8357
Block 6	Residential Development Block	0.3452
Blocks 2, 4, 5, 7, 9	0.3 m Reserves	0.0086
Blocks 3, 8, 10	Road Widening	0.0367

Street 'B' (future "White Elm Road")	20 m Public Street	0.2228
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7. THAT Recommendation 9, Item 2, CW Report 11 dated March 19, 2019, be amended and Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:
- a) "THAT Site Plan Development Application DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,257 residential apartment units (2,778 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months."

Background

The 'Subject Lands', known municipally as 2871 Highway 7, are located at the southeast corner of Highway 7 and Maplecrete Road. Surrounding land uses are shown on Attachment 1. Currently, the site is vacant.

Application History

In 2019, Vaughan Council approved a mixed-use development on the Subject Lands consisting of three 40, 34, and 7-storey apartment buildings with ground-floor commercial uses.

In March 2018, the Owner submitted Official Plan and Zoning By-law Amendment Files OP.18.005 and Z.18.009, Draft Plan of Subdivision File 19T-18V005 and Site Development File DA.18.037 to permit a mixed-use development consisting of 962 residential units within 39, 33, and 7-storey buildings and including ground floor commercial uses.

On March 19, 2019, Vaughan Council approved the site-specific implementing Official Plan and Zoning By-law Files OP.18.005 and Z.18.009 to permit a total of 935 residential units within 40, 34, and 7-storey buildings with a maximum FSI of 5.66, 762 m² of commercial uses, and a 22 m local east-west public road. The related Draft Plan of Subdivision and Site Development Files 19T-18V005 and DA.18.037 were also draft-approved by Council subject to conditions which have not been satisfied to date.

The following link provides information related to the technical report that was ratified by Council associated with these Applications:

[Item 2, Report No. 11 of the Committee of the Whole, which was adopted without amendments by Vaughan Council on March 19, 2019](#)

In 2021, the Applicant submitted a revised mixed-use development proposal on the Subject Lands consisting of three 49, 45, and 22-storey apartment buildings with ground-floor commercial uses.

In March 2021, the Owner submitted Official Plan and Zoning By-law Amendment Files OP.21.007 and Z.21.010 to amend the 2019 Council-approved mixed-use development. The proposed development included an increase in the maximum building heights from 40 to 49-storeys (Building A), 34 to 45-storeys (Building B), and 7 to 22-storeys (Building C), as well as an increase in the maximum permitted FSI from 5.66 to 7.5. The proposal also included changes to the tenure of the required east-west public local road to a private road with a reduced width from 22.0 to 20.0 m.

The Official Plan, Zoning By-law Amendment, and Draft Plan of Subdivision were received by Council at the June 1, 2021 Public Meeting.

On May 7, 2021, a Notice of Public Meeting was circulated to all property owners within 150 m of the Subject Lands and expanded to include residents and landowners within the occupied buildings in the Expanded Polling Area (see Attachment 1) and on-line at www.vaughan.ca as follows:

- a. City's On-line Calendar on May 7, 2021
- b. On the City Page, which was posted on the City's website in May 2021

Two Notice Signs were also installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols. The Owner and agent attended the June 1, 2021, Public Meeting, and two (2) written submissions were received for the Applications, as summarized below:

- Hon Wai Chong, Resident – Buttermill Avenue ("Transit City 2" condos), email dated May 26, 2021
 - The resident expressed concerns that the Development will alter the initial master plan for the area and impact the views.
- Silvio Guglietti, Owner – GB (Vaughan Seven) Limited Partnership, email dated May 25, 2021
 - The adjacent landowner to the east will continue to work cooperatively with the property owners to address "minor issues" related to the Development, in particular the reduction of the road width for Street B from 22 m to 20 m, provided it does not impact the proposed development on the neighbouring lands.

The recommendation of the Committee of the Whole to receive the June 1, 2021 Public Meeting report and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Council on June 19, 2021.

Additional Revisions to the Proposed Development (Current Proposal)

Following discussions with VMC Program staff, modifications to the proposed development (the “Development”) have been made by the Applicant since the statutory public meeting was held for the subject applications on June 1, 2021. As part of the revised proposal that is the subject of this report, Building C will be maintained at a height of 7-storeys, resulting in a decrease in the overall proposed density of the Development from an FSI of 7.5 to 6.97, and the tenure of the east-west road (Street B) will be maintained as public.

Policy 10.1.4.1 of VOP 2010 requires that a new public meeting for a planning application(s) shall automatically be required when an application(s) has been significantly amended, such as an increase to proposed density and/or building height, beyond what was proposed and considered by Council at a previous meeting. In this instance, the modifications to the proposal have resulted in a decrease to the overall proposed density, as well as a decrease in the proposed building height for Building C. As a result, a new public meeting is not required.

As noted above, the original development proposal received by Council at the June 1, 2021, Public Meeting included 49-storey, 45-storey and 22-storey residential buildings at a density (FSI) 7.5 times the area of the lot. The current Development has since been refined to address staff’s comments and concerns, as shown on Attachments 3 to 11, and consists of the following:

- a) Two development blocks separated by a new 20 m-wide east-west public street (Street B);
- b) Two mixed-use apartment buildings with building heights of 49-storeys (Building A) and 45-storeys (Building B), along with a 7-storey mid-rise apartment building (Building C);
- c) 1,257 residential dwelling units (1,108 units within Buildings A and B and 149 units within Building C);
- d) A total Gross Floor Area (‘GFA’) of 101,153.22 m² (all uses), consisting of 100,368.06 m² residential use GFA, 622.31 m² commercial use GFA (Buildings A and B) and 162.85 m² of community use GFA;
- e) A maximum density of 6.97 FSI;
- f) A total indoor and outdoor amenity space of 5,420 m² (4,756 m² for Buildings A and B and 664 m² for Building C);
- g) 996 parking spaces provided in two to four levels of underground (832 spaces provided for Buildings A and B and 143 spaces for Building C) and 27 surface parking spaces; and
- h) 768 bicycle parking spaces.

Previous Reports/Authority

[March 05, 2019, Committee of the Whole Report](#)

[June 1, 2021, Committee of the Whole \(Public Meeting\)](#)

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent with” the Provincial Policy Statement, 2020 (the ‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. The *Planning Act* requires Vaughan Council’s planning decisions to be consistent with the PPS.

The Development is consistent with the following policies of the PPS:

- Section 1.1.1 by contributing to healthy, liveable and safe communities
- Section 1.1.3.2 by focusing growth and development on settlement areas and promoting a density and mix of land uses that are transit supportive
- Section 1.1.3.6 by allowing new development within designated growth areas having a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public services facilities
- Section 1.4.1 and 1.4.2 by providing an appropriate range and mix of housing options and densities required to meet project requirements of current and future residents of the regional area
- Section 1.5.1 by promoting a healthy and active community by planning public streets and spaces to be safe, meeting the needs of pedestrians, fostering social interaction and facilitating active transportation and community connectivity
- Section 1.6.3 by optimizing existing infrastructure and public service facilities
- Section 1.7.1 by supporting the long-term economic prosperity, providing necessary housing supply and range of housing options for a diverse workforce, enhancing the vitality of the downtown and encouraging a sense of place by promoting well-designed built form and cultural planning

The Subject Lands are located in the VMC, the City’s downtown, which is designated as a Settlement Area by the PPS as a focus of growth and development. The Development provides a compact and mixed use built-form and proposes a density that is transit-supportive and would contribute to the overall range of housing options and unit typologies within the VMC to support a healthy and livable community. The Development promotes the efficient use of the lands, while reducing land consumption and servicing costs. The design and built form of the proposal, including the height of the podiums and inclusion of retail at grade, provides a comfortable pedestrian scale which fosters active transportation and enhances the vitality of the downtown.

The Development utilizes municipal infrastructure that is existing, under construction, and/or planned. The Development would efficiently utilize resources at a density in a designated growth area that would support the surrounding transit investments including the SmartVMC Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit ('BRT') along Highway 7 (the 'higher order transit').

The Development is within a 5-minute walking distance to both the Black Creek Renewal Corridor in the southeast quadrant and the Edgeley Pond and Park in the northeast quadrant and is also within a 10-minute walking distance of the future Urban Park in the northwest and southwest quadrants.

Therefore, the proposal is consistent with the policies of the PPS.

The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2019)

"A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2019" (the "Growth Plan") is intended to guide the development of the land; encourage a compact built form; transit-supportive communities; diverse land uses; a range of housing types; and, direct growth to settlement areas that offer municipal and water and wastewater systems. The Growth Plan states that a focus on 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. The Development conforms to the following policies of the Growth Plan:

- Sections 2.2.1.1 and 2.2.1.2 respecting managing population
- Section 2.2.1.4 respecting the achievement of complete communities
- Section 2.2.2.1 respecting intensification targets of 50% within a delineated built-up area
- Section 2.2.4.6 respecting the requirement for land uses and built forms to be transit-supportive and meet minimum density requirements within Major Transit Station Areas

The Development conforms to the policy framework of the Growth Plan as it makes efficient use of the Subject Lands and existing infrastructure. It is located near existing and operational higher-order transit and provides housing options at a density that supports the transit investments in the VMC. The Development focuses new growth through the intensification of an underutilized site that provides a mixed-use development with a pedestrian-friendly environment.

The Development contributes to a complete community by introducing a mix of land uses, unit types and amenity spaces in the VMC that would improve social equity, meet the means of various users and contribute to the betterment of human health. The Development represents a high-quality form where vehicle-demand is reduced, promoting walkability and other modes of transportation which reduces greenhouse gas emissions.

The regional and municipal Official Plans currently do not conform to the Growth Plan policies with respect to the now updated intensification target of 50% (revisions through *Bill 108, More Homes More Choice Act, 2019*) within built-up areas. While a conformity exercise will be undertaken by York Region and the City, the Development in the interim would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans.

The Development also meets the mobility objectives of development within the downtown by providing access to higher-order transit facilities, thereby reducing vehicular demand within the VMC. The Development is also located within a Major Transit Station Area ('MTSA') which would encourage, support and promote alternative modes of transportation, such as walking and cycling, through the provision of cycling facilities and amenities in the VMC.

Therefore, the proposal conforms to the policies of the Growth Plan.

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 1,257 residential apartment units that range from one-bedroom to three-bedroom unit sizes in both high-rise and mid-rise building forms to contribute to a diverse housing stock in York 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, commercial and community uses immediately adjacent to existing and planned employment, commercial, open space,

and community facilities. The Subject Lands are near higher-order transit, which would promote the use of the public transit by the residents of the Development. The combination of the enhanced streetscape along the development frontages and the introduction of the residential apartment units would complement the existing and planned surrounding commercial, office, retail and community facility uses, 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 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 near higher-order transit (within a 5 to 10-minute walk or 400 to 800 m distance), which would provide transit opportunities and choice (i.e. subway, bus terminal, and rapid transit along Highway 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 buildings are oriented and designed to include the main entrances facing a public street, being Highway 7, Maplecrete Road and Street B (future White Elm Road), with a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development includes a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation. The Development includes dedicated cycling facilities along Maplecrete Road that provide connection to the planned cycling network in the downtown.

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 shall 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 density 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 commercial and community uses 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.

Amendments to Volume 2 of Vaughan Official Plan 2010 (the VMC Secondary Plan) are required to permit the Development

The Subject Lands are designated “Station Precinct” by the VMC Secondary Plan, which forms part of Volume 2 of VOP 2010. The designation permits a broad mix of uses, including residential dwellings, retail and service commercial. The Development includes residential, commercial, and community uses, which conform to the VMC Secondary Plan.

While the VMC Secondary Plan permits a maximum building height of 30-storeys and a maximum density of 5 FSI on the Subject Lands, the Development was approved by

Council in 2019 to permit a 5.66 FSI with buildings heights ranging from 40, 34 and 7 storeys.

The revised Development exceeds the maximum building height and density permissions. Therefore, the Development does not conform to the Official Plan and an amendment to VOP 2010, specifically the VMC Secondary Plan is required to replace the site-specific policies applicable to the lands identified as “Area F” on Schedule K – Site Specific Policy Areas.

***The VMC Program Division of the Policy Planning and Special Programs
Department supports the proposed amendments to the Vaughan Official Plan
2010 and the VMC Secondary Plan***

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 Highway 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 have access to higher-order transit, which help to 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. Additionally, the proposed commercial and community uses and mix in built form typologies help to achieve a balanced development.

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

- 1.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people*
- 1.2 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 Development is designed to capitalize on the public infrastructure and higher-order transit investments within the UGC with uses that would support and contribute to a complete neighbourhood (e.g. residential, commercial, community facilities and public transit). The Development satisfies the objectives of the VMC Secondary Plan.

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 proposed parking rate of 0.624 spaces per unit (residential), 0.155 spaces per unit (visitor) and 2 spaces per 100 m² (commercial) capitalizes on the existing infrastructure that has the capacity to accommodate the Development and is supported by Transportation staff and.

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 1,257 new residential apartment units of varying sizes, from 1-Bedroom to 3-Bedroom units, in both high-rise and mid-rise building forms. At-grade commercial and community uses within the Development, along with the surrounding planned parks and adjacency to community facilities (e.g. VMC Centre of Community, Edgeley Pond and Park, Black Creek Channel) would support the needs of 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 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. However, further refinements will be required along the public realm edges, specifically where the built form interfaces the amenity area. A condition to this effect was included in the conditions of site plan for site development file DA.18.037.

The Development will contribute to a varied skyline within the VMC and introduces a mid-rise form to improve the transition in building heights and introduction of a different building typology. Building setbacks, material treatments, architectural features, and public realm design have been utilized to encourage a comfortable streetscape and varied streetwall. The proposed amendments to the residential tower height maintain the architectural expression and materiality as approved by Council.

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 40-storeys to 49-storeys (Building A) and 34-storeys to 45-storeys (Building B) and to increase the permitted density from 5.66 to 6.97 FSI. 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 ensure consistency with applicable built form and neighbourhood compatibility objectives.

The Development capitalizes on the VMC’s locational advantage, being the convergence of the regional bus network (the SmartCentres Place Bus Terminal and the VivaNext BRT) with the Spadina Subway extension into the VMC. The proximity of the Subject Lands to higher-order transit and community facilities is vital in the creation of a high-quality downtown where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations.

The Development is consistent with the PPS and conforms to the Growth Plan and the YROP. The increase in the maximum density and building height reflected in this Development is proposed through Section 37 of the *Planning Act*. Introduction of supporting community uses and reintegration of the previously approved mid-rise building were prioritized to ensure that the form of development proposed met the policies of the VMC Secondary Plan, 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 meetings with the Owner to ensure that the above objectives were met, the Development as shown on Attachments 3 to 11, 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.”
- ii) High transit usage: “optimize existing and planned investments in rapid transit.”
- iii) Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design.”

The Development is considered good planning in consideration of the overall existing and planned area context. 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:

- 162.85 m² of community space located on the ground floor of Building A, with an appraisal report to follow which will determine the ownership value (long term lease versus freehold) and contribution for interior fit-out and programming using the remaining funds within the \$3,786,587.15 Section 37 contribution envelope.

- The use of the community space is intended to be for arts and economic development related programming. This contribution is supported by the objectives of the VMCSPP and would directly benefit and service social infrastructure needs of the population and workers in this quadrant of the VMC and is in keeping with the vision of attracting people from across the City and Region by establishing a unique arts and cultural identity for the VMC.

Should the Applications be approved, the Owner and the City shall amend the existing registered Section 37 Density Bonus 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.

c. Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of the VMC through the provisions of adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the nearby higher-order transit facilities that are built and operational, are all infrastructure improvements that support the Development. The Owner's previous Section 37 contribution to the Edgeley Park and Pond, along with the proposed new Section 37 community space contribution would benefit the future residents of the Development and the visitors to the VMC. The City's goal is to achieve a complete community within a true mixed-use downtown.

In addition, servicing allocation for water and sewage capacity for the proposed 1,257 residential units have been recommended for approval as per the Recommendations of this report.

Amendments to Zoning By-law 001-2021 are not required to permit the Development

On October 20, 2021, Council enacted By-law 001-2021 as the new Comprehensive Zoning By-law. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended.

In accordance with section 1.6.3.3 of By-law 039-2022, the requirements of Zoning By-law 001-2021 do not apply to prevent the approval of an application to amend Zoning By-law 1-88 as amended if the application was filed and deemed complete in accordance with the City of Vaughan Official Plan, 2010 on or before October 20, 2021, and complies with all requirements of the *Planning Act*. As the current applications were filed and deemed complete prior to October 20, 2021, compliance with Zoning By-law 001-2021 is not determinative of the outcome of this report.

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

Zoning By-law 1-88

The Subject Lands are zoned “C9 (H) Corporate Centre” with the Holding Symbol (“H”), subject to Exception 1473 by Zoning By-law 1-88, as amended. The existing Zone allows for a total of 935 residential units within three 40, 34, and 7-storey mixed-use apartment buildings with a maximum FSI of 5.66, in addition to the site-specific zoning exceptions shown on Attachment 13.

The Holding Symbol “(H)”, shall not be removed from the Subject Lands, or any portion thereof, until the Owner submit a RAP and obtain and file for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (“RSC”) that is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, which is included in the Recommendations of this report.

The Owner is proposing to amend Zoning By-law 1-88 by deleting the existing site-specific zoning exceptions (Exception 1473) and replacing it with the following site-specific zoning exceptions to permit the Development shown on Attachments 3 to 11:

Table 1. Existing and Proposed Site-Specific Exceptions

	Zoning By-law 1-88 Standards	C9 Corporate Centre Zone Requirements, subject to Site-Specific Exception 9(1473)	Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1473)
a.	Definition of Lot	The subject lands shall be 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 agreements, or other permissions, and any easements or registrations that are granted.	No change
b.	Permitted Uses	In addition to the uses permitted in the C9 Corporate Centre Zone,	In addition to the uses permitted in the C9 Corporate Centre Zone,

		<p>the following uses shall be permitted:</p> <ul style="list-style-type: none"> a) Long term care facility; b) Independent living facility; c) Public Garage, which shall be restricted only to hand washing and detailing of cars, with no mechanical repairs, and shall only be located within a below grade parking garage 	<p>the following uses shall be permitted only if they are carried on within a wholly enclosed building with no open storage:</p> <ul style="list-style-type: none"> a) *Arts Studio; b) Long term care facility; c) Independent living facility; d) Public Garage, which shall be restricted only to hand washing and detailing of cars, with no mechanical repairs, and shall only be located within a below grade parking garage
c.	Minimum Lot Frontage (Block 4)	27 m (Maplecrete Road)	No change
d.	Minimum Lot Area (Block 4)	3,290 m ²	No change
e.	Minimum Rear Yard Setback (Block 1)	2.0 m (Street B)	No change
f.	Minimum Exterior Side Yard Setback	<p>Block 1: 2.5 m (Maplecrete Road)</p> <p>3.0 m (east property line) (<i>Schedule A, By-law 1-88a.a.</i>)</p> <p>Block 4: 2.0 m (Street B)</p>	<p>Block 1: No change (Maplecrete Road)</p> <p>Block 1: 2.8 m (east property line)</p> <p>No change (block 4)</p>
g.	Minimum Setback to all Site Triangles	0 m	*0 m at the localized pinch point where the corner of the building intersects with the regional daylight site triangle
h.	Build-to-Zone	Permit the reduced building setbacks, as identified in this table	No change

i.	Minimum Setback to Portions of Buildings Below Grade	1.8 m (or the minimum required setback, whichever is lesser) from the front lot line and the exterior lot line to the nearest part of a building below finished grade (<i>Section 3.17, By-law 1-88</i>)	0.50 m (from Regional Road 7, Maplecrete Road and Street B)
j.	Maximum Balcony Projection	3.6 m into the sight triangle above the third storey (Maplecrete Road and Regional Road 7)	Deleted
k.	Maximum Exterior Side Yard Encroachment	2.2 m (Block 1) for exterior stairs, landscape planters and outdoor patios	No change
l.	Minimum Landscape Strip Width	2.4 m (Maplecrete Road) 2.0 m (Street B) 0.6 m (East property line) 0 m adjacent to daylight triangles	2.2 m to Maplecrete Road No change to Street B and east property line *0.0 m at the localized pinch point where the corner of the building intersects with the regional daylight site triangle
m.	Minimum Commercial Gross Floor Area (GFA) at the Ground Floor Level with Individual External At-Grade Pedestrian Access	60%	20%
n.	Maximum Building Height (Excluding Mechanical Equipment and Architectural Features)	40-storeys (Building A) 34-storeys (Building B)	49-storeys (153.5 m - Building A) 45-storeys (141 m - Building B)
o.	Maximum Gross Floor Area (GFA)	82,050 m ² (5.66 FSI)	101,200 m ²

			(100,400 m ² residential; 800 m ² non-residential) (6.97 FSI)
p.	Minimum Parking Space Size	2.6 m by 5.7 m	No change
q.	Minimum Accessible Parking Space Size	6.0 m (length) (<i>Section 3.8(d)(i), By-law 1-88</i>)	5.7 m (length)
r.	Maximum Driveway Width for Loading	22 m (Street B to service Block 6)	Deleted
s.	Minimum Loading Space Size	4.5 m (width) (<i>Section 3.9, By-law 1-88</i>)	4.0 m (width)
t.	Minimum Parking Rate - VMC	<u>Residential</u> <u>Bachelor/One-Bedroom:</u> 0.7 spaces/unit <u>Two-Bedroom:</u> 0.9 spaces/unit <u>Three-Bedroom:</u> 1 space/unit <u>Visitor</u> 0.15 spaces/unit <u>Non-Residential</u> 2 spaces/100 m ² (<i>Section 3.8.1., By-law 1-88</i>)	<u>Residential</u> 0.624 spaces/unit x 1,257 units = 785 spaces <u>Visitor</u> 0.155 spaces/unit x 1,257 units = 195 spaces <u>Non-Residential</u> 2 spaces/100 m ² x 785.16 m ² = 16 spaces <u>Total Parking Required:</u> 996 spaces

* Proposed staff clarifications

In addition to zoning exceptions in Table 1, the following site-specific zoning provisions, among others, will also be included to ensure that the site development proposal for the Block 1 lands reflect an urban built form and public realm:

- Maximum GFA shall not exceed 101,200 m², subject to payment of the associated Section 37 contribution;
- Minimum combined commercial/community use GFA shall be 785.2 m²;
- Minimum combined common amenity area (both indoor and outdoor) shall be 5,420 m²;
- Minimum podium height for Buildings A and B shall be 7.2 m;

- Minimum Tower setback from podium along each ROW (public and private) – shall be 1.5 m;
- Minimum Tower separation distance between Buildings A and B shall be 27.8 m;
- Minimum Tower separation distance between Buildings B and C shall be 38.1 m.

The VMC Program supports the zoning exceptions in Table 1 along with these additional site-specific provisions noted above on the following basis:

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 with access to higher-order transit.

The reduced minimum lot area (Block 6) and lot frontage of the Subject Lands is the result of the extension of Street B that is in accordance with the planned street network of the VMC Secondary Plan.

The site-specific development standards (setbacks, projections, encroachments, landscape strip widths) are consistent with the approved development standards related to other high-density developments in the VMC and will enable the built form that is supported by the VMC Program Division of the Policy Planning and Special Programs Department.

Reduced Parking Rate

The VMCSPP 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 By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes parking rates which capitalizes on the existing transit infrastructure and which is also consistent with and higher than other recently approved parking ratios in the VMC.

The proposed parking rates have the capacity to accommodate the Development and are supported by the City's Transportation staff.

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

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Vaughan Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) within two years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.21.010, the VMC Program, in recognition of the complexity of this Development, has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

Revisions to Draft Plan of Subdivision File 19T-18V005 are required

Draft Plan of Subdivision File 19T-18V005 was conditionally approved by Council in March 2019. The Draft Plan of Subdivision, as shown on Attachment 2, facilitates the creation of a mixed-use (Block 1) and residential block (Block 6), as well as an east-west public road (Street B). As part of this application, the Owner is requesting to reduce the width of the east-west road from 22 m to 20 m, resulting in the removal of approximately six (6) on-street parking spaces. In order to compensate for the loss of six (6) on-street parking spaces, the Owner will provide a surplus of six (6) parking spaces in the underground parking garage to further supplement the non-residential/visitor parking supply, as reflected in the parking rate shown on Table 1 (above). The VMC Program staff are supportive of the requested reduction in road width, subject to the revised Conditions of Draft Plan of Subdivision Approval included in Attachment 12.

The original site plan included an interim site plan condition showing a temporary turning circle at the east terminus of Street B and the ultimate condition is shown to align with the future easterly extension of Street B. Through discussions held between Development Engineering staff and the Applicant, it was determined that the temporary turning circle at the end of Street B would no longer be required, as the ultimate road would be delivered. As such, the corresponding condition has been removed from the list of Conditions of Draft Plan of Subdivision Approval.

Refinements to the Site Development File DA.18.037 are required and conditions remain outstanding

Site Development File DA.18.037 was conditionally approved by Council in March 2019. The site plan originally consisted of two, 40 and 34-storey residential buildings (Buildings A and B) on a shared 7-storey podium and a 7-storey mid-rise residential apartment building (Building C), collectively containing 935 residential units and 781 m² of grade-related commercial uses.

The following outlines the proposed revisions to the site plan as well as outstanding comments from the VMC Program, Urban Design Section, as shown on Attachment 3:

Site Design

- The Development includes three residential apartment buildings with building heights of 49, 45 and 7-storeys. The applicant is maintaining the architectural expression and materiality of the buildings as approved by Council, while increasing the height of the residential towers. Given that the site organization and architecture remained as approved, the Development was not required to proceed to a third Design Review Panel.
- The final building elevations shall demonstrate the appropriate façade treatment and building articulation to ensure the public realm edges are sufficiently activated, specifically resolving the built form interface with the outdoor amenity area across the driveways south of Building A and east of Building B, and the 7-storey mid-rise building elevations to the satisfaction of the VMC Program Division;
- The Owner shall submit a revised final detailed wind tunnel model and sun/shadow analysis, to the satisfaction of the VMC Program Division, which shall include existing and planned neighbouring buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable microclimatic conditions for people sitting, standing and walking within the public realm;
- The Owner shall relocate the transformer from the proposed location adjacent to Maplecrete Road at the south-west corner of Building C underground or hidden within the built form elsewhere to address outstanding Urban Design comments dating from the original 2019 Approval, as redlined on Attachment 3.

The VMC Program staff are satisfied with the Development, as shown on Attachments 3 to 11, subject to the Owner satisfying all outstanding Site Plan conditions and comments.

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

The VMC Program Development Engineering Department has provided the following comments regarding the Development:

Road Network

Maplecrete Road and Highway 7 will be required to accommodate turning lanes for a full movement signalized intersection. The existing Maplecrete Road is required to be widened to accommodate a minimum 26 m ROW that would support future development growth within the VMC Area. To service the Development, the Owner must design and reconstruct a portion of the existing Maplecrete Road. The road improvements extend past the south limits of the Subject Lands and then will taper back to the existing Maplecrete Road condition.

The proposed Street B, named White Elm Road as approved by Council through the neighbouring application, conforms with the street network in the VMC Secondary Plan and is planned to ultimately connect to Creditstone Road. The ultimate Street B cross-section and 20 m ROW width shall be designed to protect for its future extension to Creditstone Road, to the satisfaction of the City, and in accordance with the VMC Secondary Plan.

Noise Attenuation

The Owner submitted the Environmental Noise Assessment, dated February 2021, and prepared by SLR, which identified the noise control measures for the Development. The analysis considered the road traffic on Highway 7 (including Viva BRT), Jane Street, Maplecrete Road, Doughton Road, 407 ETR, Highway 400, and the operation associated with the CN MacMillan rail yard. Due to the significant setback of the Subject Lands to the CN MacMillan rail yard, the analysis concluded that these noise sources are expected to be minimal and may be audible at times.

The analysis concluded that road traffic noise is a concern but can be mitigated by appropriate construction of exterior walls, windows and doors, in accordance with the MECP guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as an outdoor living area pursuant to the MECP guidelines. Dwelling units that abut or face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses shall be in the purchase and sale agreements to advise the future occupants of the potential noise situation. The Owner shall ensure that the recommendations contained in the assessment are incorporated in the building design and that an adequate field inspection is provided to validate the requirements during construction at the time of Building Permit review, to the satisfaction of the City.

A condition to this effect will be reflected in the future Subdivision Agreement as shown on Attachment 12.

Municipal Servicing

The Development is located within the southeast quadrant of VMC Area. The anticipated growth within the VMC Area result in higher population densities, which lead to an increased demand for water, wastewater production and surface water run-off during rain events. To address this situation, the City has completed a Municipal Servicing Master Plan Update, which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth within VMC.

In response, the Owner submitted a Functional Servicing and Stormwater Management Report ("FSR"), dated February 2021, and prepared by Schaeffers Consulting Engineers. The FSR confirmed that the existing municipal services can be used to service the Development. The Owner is required to submit a revised FSR for review by

VMC Program Development Engineering staff that addresses the comments provided. The following provides an overview of the servicing strategy for the Development:

a) Water Supply

The Development is located within Pressure District 6 of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan Update (“SSMP”), the servicing strategy for the Development includes installation of a new 400 mm diameter watermain along Maplecrete Road Highway 7 and Doughton Road.

b) Sanitary Servicing

In accordance with the VMC SSMP Update, the servicing strategy and the Owner’s submitted FSR recommended the installation of a new upgraded sanitary sewer along Maplecrete Road between Highway 7 and Doughton Road and along Doughton Road between Maplecrete Road and Jane Street to service the Development.

c) Storm Drainage

The VMC is within the Humber River watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy Update have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Edgeley Pond (quality, quantity and erosion protection).

The Development will be serviced by a new connection to the proposed upgraded 1200 mm diameter storm sewer on Maplecrete Road. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority Humber River Unit Flow Rates.

Sewage and Water Allocation

On December 10, 2021, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The intention is to provide Council its next update in December 2022. Accordingly, servicing capacity to Site Development File DA.18.037 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

“THAT Site Plan Development Application DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,257 residential apartment units (2,778 persons equivalent). The allocation of

said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months."

A condition to this effect is included in the Recommendations of this report.

Environmental Site Assessment ("ESA")

Phase One and Two Environmental Site Assessment (ESA) reports were submitted and reviewed by the Development Engineering Department. The findings of the ESA reports identified petroleum hydrocarbon impacts in the soils and groundwater on the Subject Lands that require remediation. The Owner is required to submit a Remedial Action Plan ("RAP") or Risk Assessment ("RA") to the satisfaction of the City.

Therefore, in accordance with the City's contaminated sites policy, the Holding Symbol ("H") shall be applied to the Subject Lands in the Zoning By-law amendment and the Holding Symbol shall not be removed until the Owner:

- Submit a RAP or RA to the satisfaction of the City; and
- Complete the remediation work, obtain and file for a MECP RSC that is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands or for all portions thereof as identified on Attachment 14.

A condition to this effect is included in the Recommendation of this report.

Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Report for the Development. The Report shall recommend the ground water control measures that need to be implemented during the detailed design stage, and assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development. A condition to this effect has been included in Attachment 12 of this report.

Subdivision Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Subdivision Agreement, which will include the widening and construction of the Maplecrete Road Right-of-Way and Street B, to the satisfaction of the Policy Planning and Special Programs Department. A condition to this effect has been included in Attachment 12 of this report.

Energy Infrastructure

Policy 5.2 of the VMC Secondary Plan includes the provision for the implementation of a district energy system to serve public and public developments. This initiative and the infrastructure to support it have not been successfully pursued in the VMC. Therefore, the Owner has not proposed this energy infrastructure, which is acknowledged by the Policy Planning and Special Programs Department.

The Financial Planning and Development Finance Department requires the Owner to pay the applicable Development Charges

The Financial Planning and Development Finance Department assessed the Development and advised that the Owner is required to pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect is included in Attachment 12 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 \$12,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

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:

- e) 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

- 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 this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

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 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or a fixed rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy.”

A condition to this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

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(s) will be eligible for municipal waste collection services. Should the future condominium corporation(s) 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(s).

A condition to this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

The Canadian National Railway Comments are to be Addressed by the Owner

The Subject Lands are located within 1,000 m of the Canadian National (“CN”) Railway rail yards. In a letter dated April 8, 2021, CN cited concerns of developing/densifying sensitive uses in proximity of the railway right-of-way.

As previously noted in this report, the Environmental Noise Assessment dated February 2021 and prepared by SLR concluded that railway noise sources are expected to be minimal and may be audible at times. Per the recommendations of the Noise Assessment, appropriate warning clauses shall be in the purchase and sale agreements to advise the future occupants of the potential noise situation. The Noise Assessment and warning clauses shall be reviewed to the satisfaction of CN.

A condition to this effect will be reflected in the future Subdivision Agreement as shown on Attachment 12.

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 and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the Development. The Owner is to provide Bombardier with a crane plan prior to construction. A condition to this effect has been included as a condition of Draft Plan Approval as shown on Attachment 12.

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 was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

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. A condition to this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

Bell Canada has no objection to the Development provided a condition is included in the Site Plan Agreement

Bell Canada (“Bell”) has advised the Owner contact Bell during detailed design to confirm the provision of communication/telecommunication infrastructure needed to

service the Development and that the following condition be included in the Site Plan Agreement:

“The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or 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.”

A condition to this effect was included in the Recommendations of the previous Council-approved report dated March 9, 2019.

School Board Comments are to be Addressed by the Owner

As a condition of Draft Plan Approval, shown on Attachment 12, the Owner is required to satisfy all requirements of the School Board.

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.

Rogers Communication Inc. has no objection to the Development.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services has not granted Regional Exemption for OP.21.007

York Region has reviewed the applications and has no objection to the Development in-principle and retains the approval authority of Official Plan Amendment File OP.21.007. York Region has advised in their letter dated August 21, 2021, that the proposed OPA application does not satisfy all criteria obtained in the Regional Official Plan policy 8.3.8. in light of the trend of developments that significantly increases densities on a site-by-site basis in the absence of an updated comprehensive planning document. Increases in potential population, above and beyond planned growth, has a direct impact on

wastewater and wastewater servicing. Due to many recent development proposals, the cumulative effect of additional growth in the VMC needs to be reassessed. A master plan level detailed analysis of the entire YDSS trunk system may be required to properly assess the impact of additional growth beyond what is currently approved or the area. Accordingly, the Regional Exemption has not been granted at this time. The Owner will be required to address York Region's outstanding comments.

Site Plan

Prior to site plan approval, the Owner is required to address York Region Comments dated May 21, 2021. The Owner is also required to enter into a Site Plan Agreement with York Region. York Region's comments and conditions must be addressed prior the execution of the Site Plan Agreement and in accordance with the Recommendations of the previous Council-approved report dated March 9, 2019.

Conclusion

The VMC Program Division of the Policy Planning and Special Programs Department has reviewed Official Plan and Zoning By-law Amendment Files OP.21.007 and Z.21.010 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region and City Official Plan policies, the requirements of By-law 1-88, comments from City Departments, external public agencies, the public 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 VMCSPP.

The VMC Program Division of the Policy Planning and Special Programs Department is 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 VMC Program Division of the Policy Planning and Special Programs Department supports the approval of the Applications, subject to the Recommendations of this Report.

Attachments

1. Context and Location Map
2. Draft Plan of Subdivision File 19T-18V005 & Proposed Zoning
3. Site Plan
4. Landscape Plan
5. North Building Elevations – Building A (Along Highway 7)
6. West Building Elevations – Buildings B and C (Along Maplecrete Road)
7. South Building Elevations – Building B (Along Street B)
8. East Building Elevations – Buildings A and C (East Property Line)
9. North and South Building Elevations – Building C (Along Street B & South Property Line)
10. Colour Perspective – Buildings A and B (Along Highway 7)

- 11. Colour Perspective – Building C (Along South Property Line)
- 12. Conditions of Draft Plan Approval
- 13. By-law 039-19
- 14. RSC Phasing Schedule (Holding Provision)

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