

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

Item 10, Report No. 27, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 28, 2022, as follows:

***By approving the recommendation contained in the report Deputy City Manager, Planning and Growth Management, dated June 7, 2022, subject to approving the following in accordance with Communication C34, memorandum from the Deputy City Manager, Planning & Growth Management, dated June 24, 2022, as follows:***

***That the staff report for Official Plan Amendment File OP.21.007, Zoning By-law Amendment File Z.21.010 and Plan of Subdivision File 19T-18V005 (1930328 ONTARIO INC.) be amended as follows:***

1. ***THAT the following be included under Recommendation 2. b) i.:***
  2. ***b) ii. In accordance with the previous Council approval of March 19, 2019, a contribution in the amount of \$1,300,000 shall go towards improvements to the Edgeley Pond and Park Features, including but not limited to the first iconic pedestrian bridge.***
2. ***THAT Recommendation 9, as noted in Communication C8 dated June 7, 2022, be revised and added to the report, as follows:***
  9. ***THAT the implementing Zoning By-law Amendment be brought forward to a Vaughan Council meeting in accordance with section 24(2) of the Planning Act.***

---

**10. 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**

**The Committee of the Whole recommends:**

- 1) **That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated June 7, 2022, be approved;**
- 2) **That the following be approved in accordance with Communication C8, memorandum from the Deputy City Manager, Planning and Growth Management, dated June 6, 2022:**
  1. **THAT Recommendation 1a. and 1d. of the report be deleted and replaced as follows:**

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022

#### Item 10, CW Report 27 – Page 2

- a. Maximum building heights of 49-storeys or 153.5 metres (Building A) and 45-storeys or 141.3 metres (Building B);
  - d. Notwithstanding Policy 8.7.18, the maximum tower floor plate size shall not exceed 859 square metres (Buildings A and B)
2. THAT Recommendation 6 of the report be deleted and replaced as follows:

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	0.8371
Block 4	Residential Development Block	0.3452
Blocks 2, 3, 5, 7	0.3 m Reserves	0.0086
Blocks 6 and 8	Road Widenings	0.0367
Street ‘B’ (future “White Elm Road”)	20 m Public Street	0.2228

3. THAT the following changes be made to Table 1:
- a. all references to “Block 4” in Table 1 of the report be deleted and replaced with “Block 6”;
  - b. The maximum building height shall be 141.3 metres (Building B)
4. THAT the site statistics provided on page 6 of the report be revised to show 826 underground parking spaces for Buildings A and B;
5. THAT the Recommendations section be updated to include the following conditions:

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

Item 10, CW Report 27 – Page 3

- “8. THAT the implementing Official Plan Amendment be brought forward to York Region for approval;**
- 9. THAT the implementing Zoning By-law Amendment be brought forward to a future Vaughan Council meeting in accordance with section 24(2) of the Planning Act;”**
- 6. THAT the Conditions of Draft Approval (Attachment 12) section be updated to amend condition #40 as per below:**
  - “40. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the sanitary sewer improvements along Maplecrete Road from Highway 7 to Doughton Road, and along Doughton Road (existing ASDC By-Law – VMC SE Doughton Sanitary Sewer Improvements) from Maplecrete Road to Jane Street to service the Plan, in accordance to the VMC Master Servicing Strategy (as updated), all to the satisfaction of the City.**

**Should the City determine that the Maplecrete Road sanitary sewer improvements are to be included as a future Area Specific Development Charge (ASDC) project in the next scheduled Development Charge Background Study and subject to no outstanding Local Planning Appeal Tribunal appeals, the City shall reimburse the Owner , less the Owner’s proportionate share of the costs, when funds are available.”**

**Should an ASDC not be enacted, then the City shall use its reasonable efforts to collect the proportionate costs, as determined by the City, for the sanitary sewer improvements from benefiting landowners; and**
- 3) That Communication C14 from Mr. Grant Uyeyama, Principal Planner, KLM Planning Partners INC., Jardin Drive, Concord, dated June 6, 2022, be received.**

#### **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:**

.../4

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

#### Item 10, CW Report 27 – Page 4

- 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 m<sup>2</sup> from levels 8-47 and 804 m<sup>2</sup> on level 48 (Building A) and 853 m<sup>2</sup> from levels 8-43 and 804 m<sup>2</sup> 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. 162.85<sup>2</sup> 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



## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

#### Item 10, CW Report 27 – Page 5

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 Block 6	Mixed-Use Development Block Residential Development Block	0.83570.3452
Blocks 2, 4, 5, 7, 9	0.3 m Reserves	0.0086
Blocks 3, 8, 10	Road Widenings	0.0367
Street ‘B’ (future “White Elm Road”)	20 m Public Street	0.2228

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:

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022**

#### Item 10, CW Report 27 – Page 6

- 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.”

## 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 m<sup>2</sup> 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 m<sup>2</sup> 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 m<sup>2</sup> from levels 8-47 and 804 m<sup>2</sup> on level 48 (Building A) and 853 m<sup>2</sup> from levels 8-43 and 804 m<sup>2</sup> 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. 162.85<sup>2</sup> 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:

<b>Blocks</b>	<b>Proposed Uses</b>	<b>Area (ha)</b>
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 Widenings	0.0367

Street 'B' (future "White Elm Road")	20 m Public Street	0.2228
---	--------------------	--------

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 m<sup>2</sup> 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](http://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 – Buttermilk 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 m<sup>2</sup> (all uses), consisting of 100,368.06 m<sup>2</sup> residential use GFA, 622.31 m<sup>2</sup> commercial use GFA (Buildings A and B) and 162.85 m<sup>2</sup> of community use GFA;
- e) A maximum density of 6.97 FSI;
- f) A total indoor and outdoor amenity space of 5,420 m<sup>2</sup> (4,756 m<sup>2</sup> for Buildings A and B and 664 m<sup>2</sup> 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 m<sup>2</sup> (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 m<sup>2</sup> 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**

	<b>Zoning By-law 1-88 Standards</b>	<b>C9 Corporate Centre Zone Requirements, subject to Site-Specific Exception 9(1473)</b>	<b>Proposed Exception to the C9 Corporate Centre Zone, subject to Site-Specific Exception 9(1473)</b>
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"> <li>a) Long term care facility;</li> <li>b) Independent living facility;</li> <li>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</li> </ul>	<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"> <li>a) *Arts Studio;</li> <li>b) Long term care facility;</li> <li>c) Independent living facility;</li> <li>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</li> </ul>
c.	Minimum Lot Frontage (Block 4)	27 m (Maplecrete Road)	No change
d.	Minimum Lot Area (Block 4)	3,290 m <sup>2</sup>	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 <sup>2</sup> (5.66 FSI)	101,200 m <sup>2</sup>

			(100,400 m <sup>2</sup> residential; 800 m <sup>2</sup> 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 <sup>2</sup>  ( <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 <sup>2</sup> x 785.16 m <sup>2</sup> = 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 m<sup>2</sup>, subject to payment of the associated Section 37 contribution;
- Minimum combined commercial/community use GFA shall be 785.2 m<sup>2</sup>;
- Minimum combined common amenity area (both indoor and outdoor) shall be 5,420 m<sup>2</sup>;
- Minimum podium height for Buildings A and B shall be 7.2 m;

- Minimum Tower stepback 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 m<sup>2</sup> 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 VM CSP.

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)

**Prepared by**

Monica Wu, Planner – VMC Program, ext. 8161

Amy Roots, Senior Manager, VMC Program – Policy Planning & Special Programs  
Department, ext. 8035

Christina Bruce, Director of Policy Planning & Special Programs Department, ext. 8231

**Approved by**

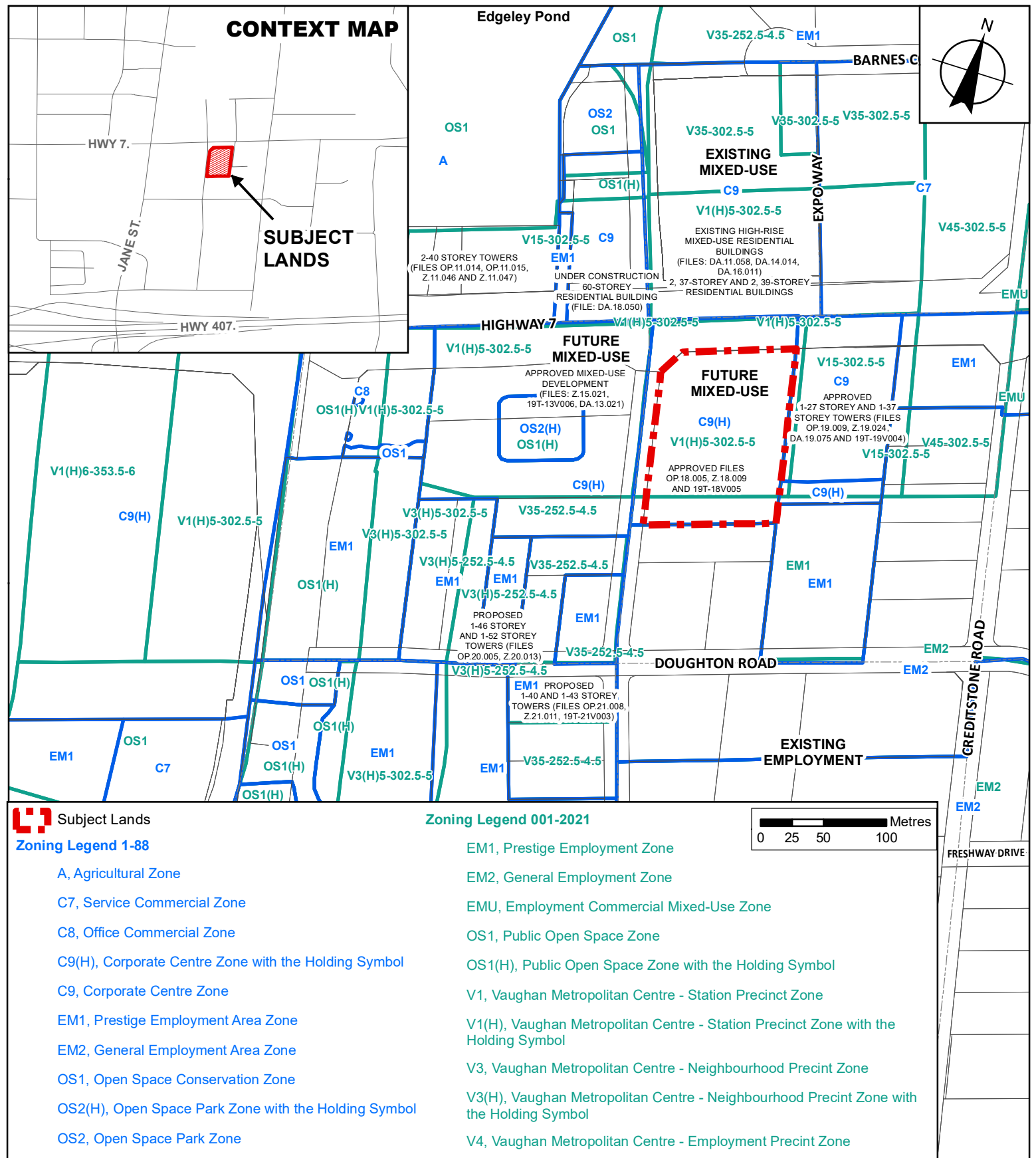


Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

**Reviewed by**



Nick Spensieri, City Manager



## Context & Location Map

### LOCATION:

Part of Lot 5, Concession 4  
 Lot 3 Plan 7977, 2871 Highway 7

### APPLICANT:

1930328 Ontario Inc.



## Attachment

### FILE:

OP.21.007, Z.21.010, and 19T-18V005

### RELATED FILES:

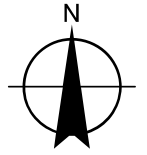
DA.18.037

### DATE:

June 7, 2022

1

HIGHWAY 7



**BLOCK '1'**  
MIXED USE  
(0.8371 ha/2.068 ac)

**C9(H)**

**BLOCK '8'**  
ROAD WIDENING  
(0.0271 ha/0.0669 ac)

**BLOCK '2'**  
0.3 m RESERVE  
(0.0015 ha/0.0038 ac)

**BLOCK '7'**  
0.3 m RESERVE  
(0.0034 ha/0.0083 ac)

**PUBLIC STREET 'B'**

**BLOCK '3'**  
0.3 m RESERVE  
(0.0004 ha/0.0010 ac)

**BLOCK '4'**  
MIXED USE  
(0.3452 ha/0.8531 ac)

**BLOCK '6'**  
ROAD WIDENING  
(0.0096 ha/0.0237 ac)

**BLOCK '5'**  
0.3 m RESERVE  
(0.0033 ha/0.0082 ac)

MAPLECRETE ROAD



Subject Lands

C9(H), Corporate Centre  
Zone with the Holding  
Symbol

## Draft Plan of Subdivision File 19T-18V005 & Proposed Zoning

### LOCATION:

Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

### APPLICANT:

1930328 Ontario Inc.



## Attachment

### FILES:

OP.21.007, Z.21.010, and 19T-18V005

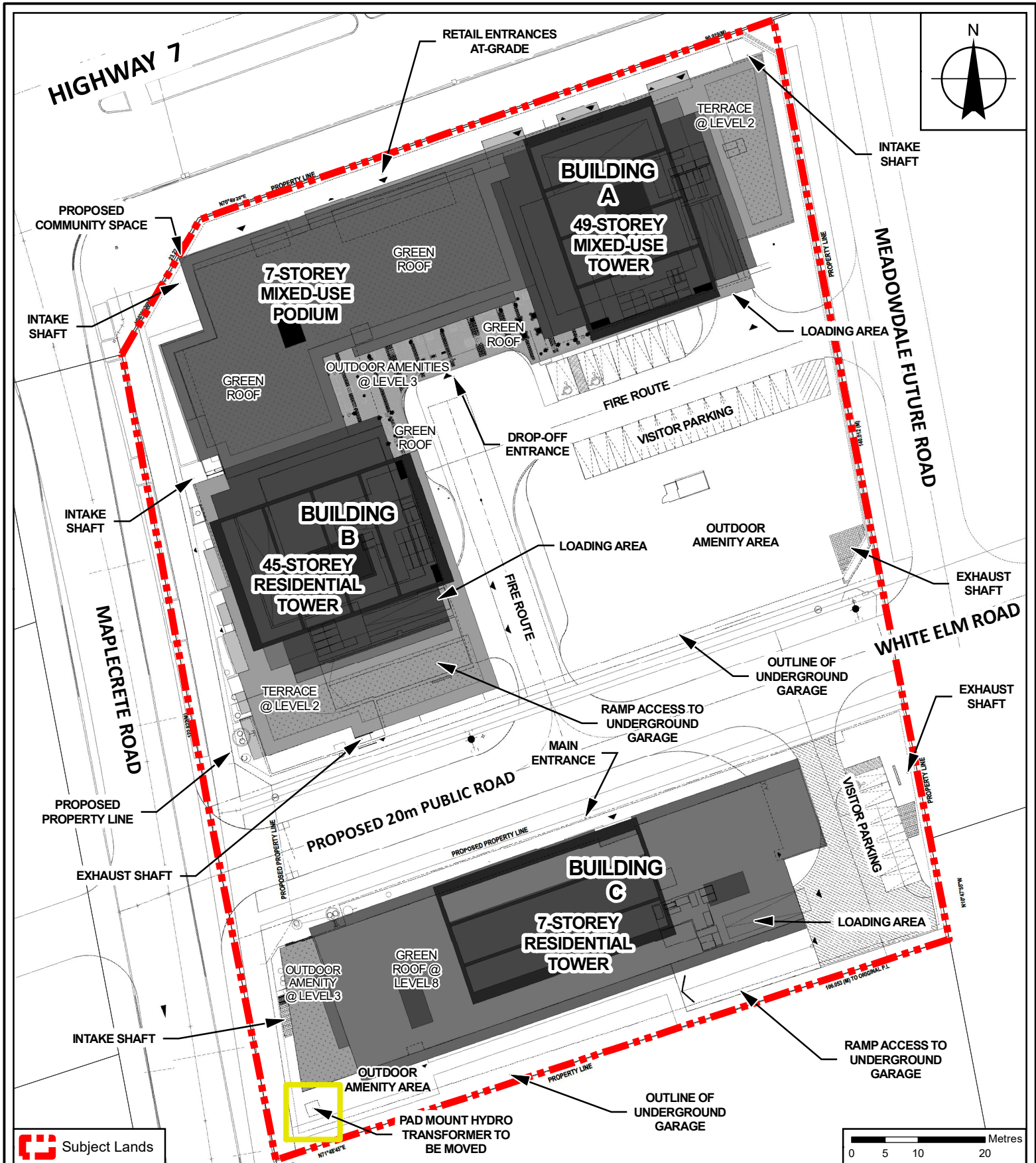
### RELATED FILE:

DA.18.037

### DATE:

June 7, 2022

2



## Site Plan

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.

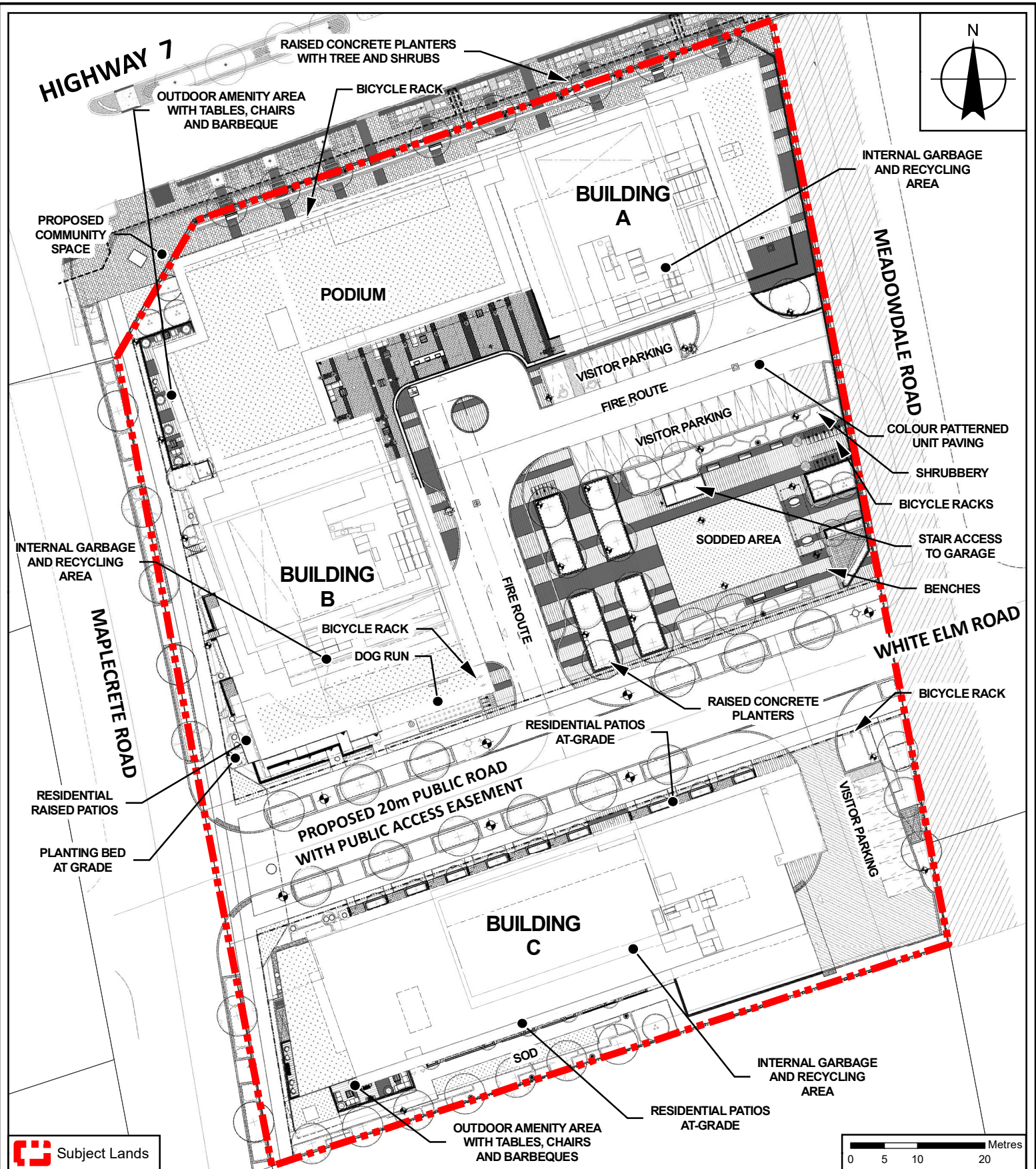


## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

3





# Landscape Plan

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

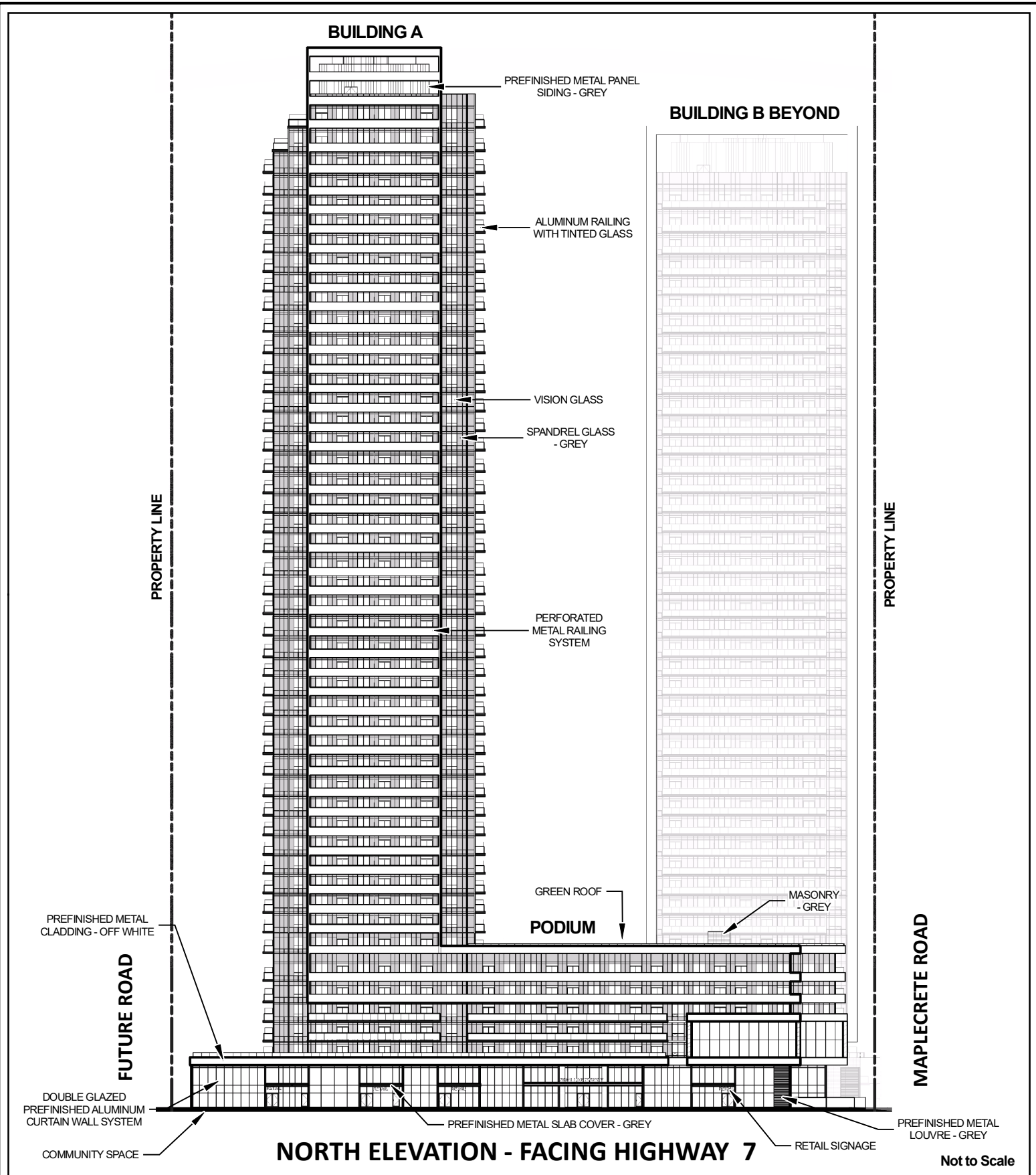
**APPLICANT:**  
1930328 Ontario Inc.



# Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

**4**



# North Building Elevations - Building A

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.



## Attachment

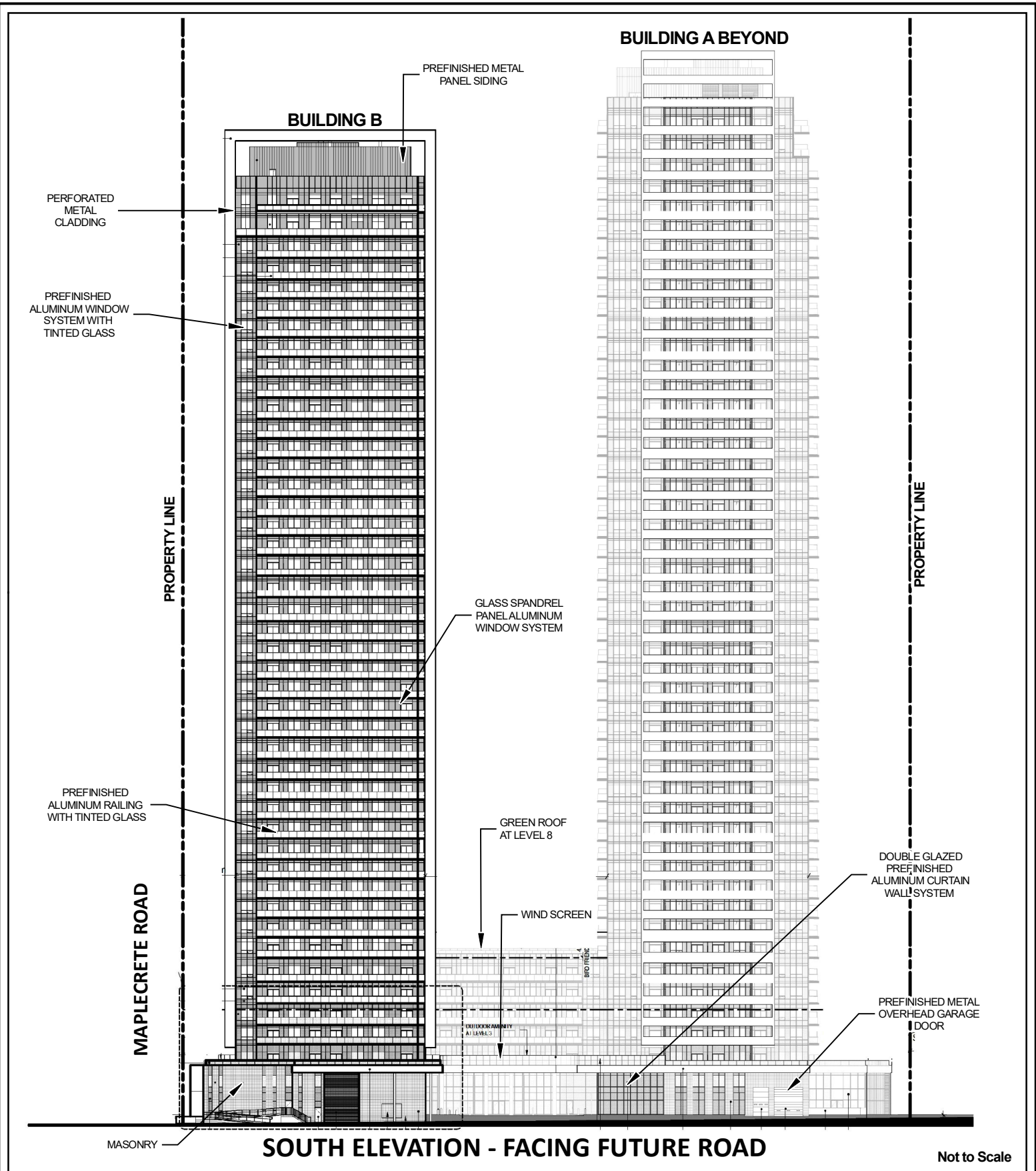
**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

**5**









## South Building Elevations - Building B

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

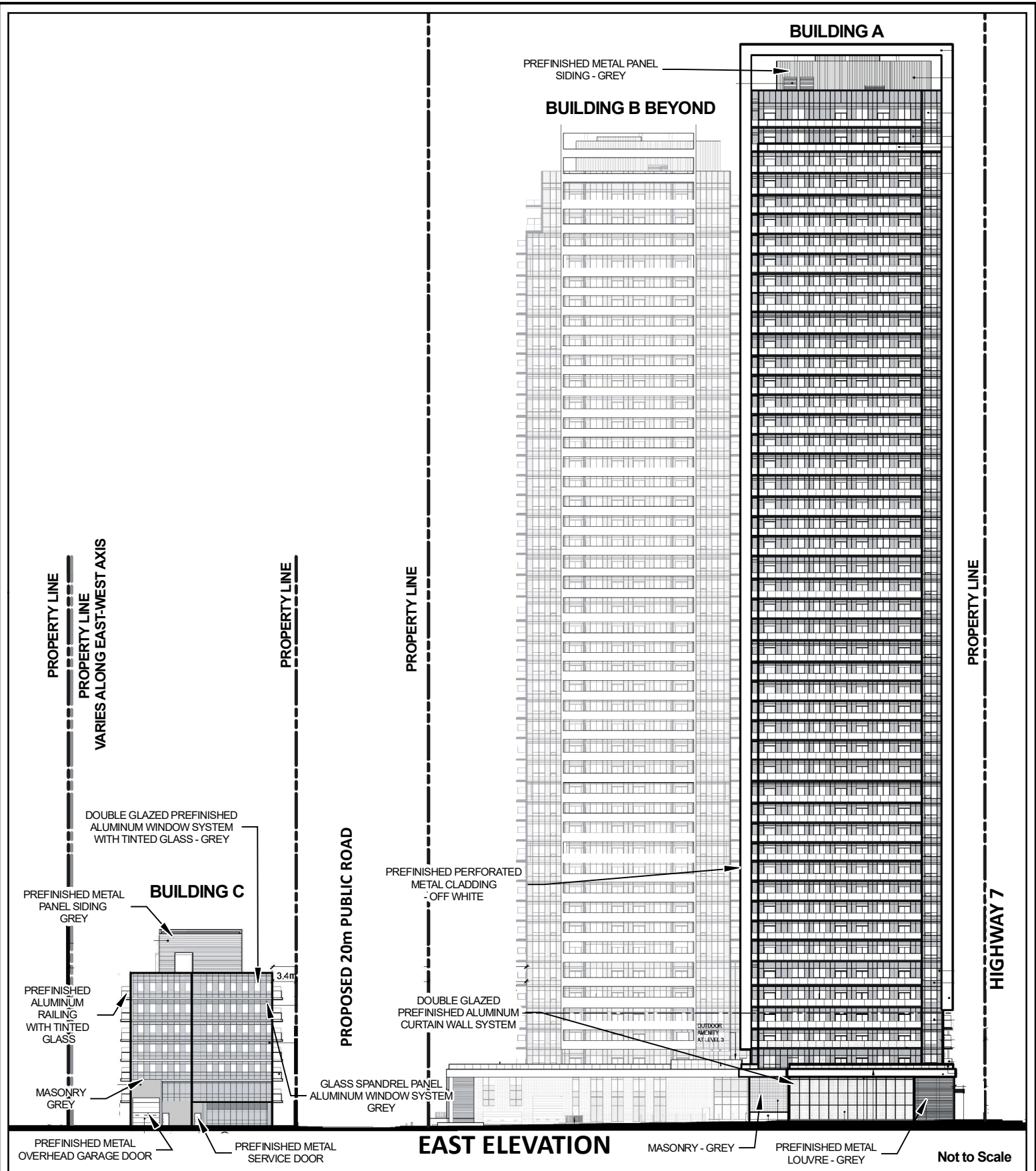
**APPLICANT:**  
1930328 Ontario Inc.



## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

**7**



## East Building Elevations - Buildings A and C

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

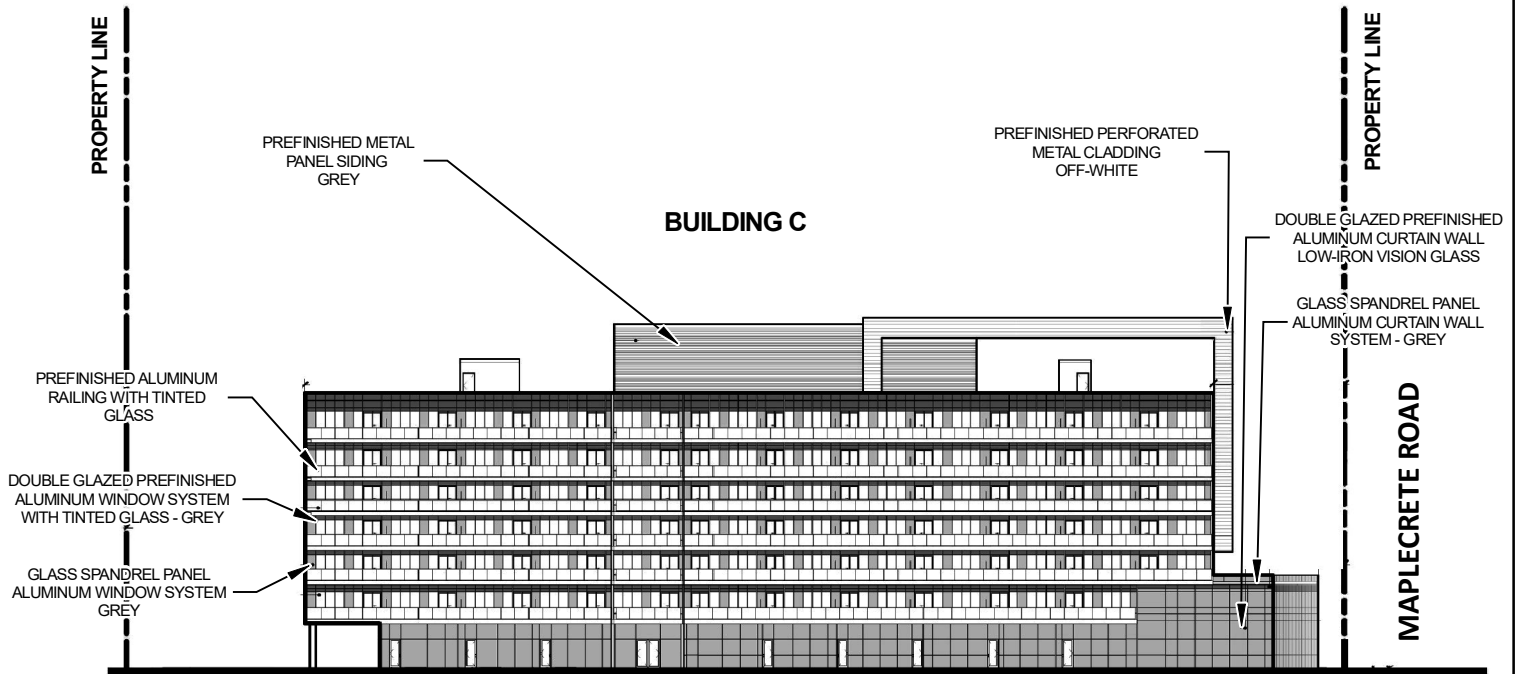
**APPLICANT:**  
1930328 Ontario Inc.



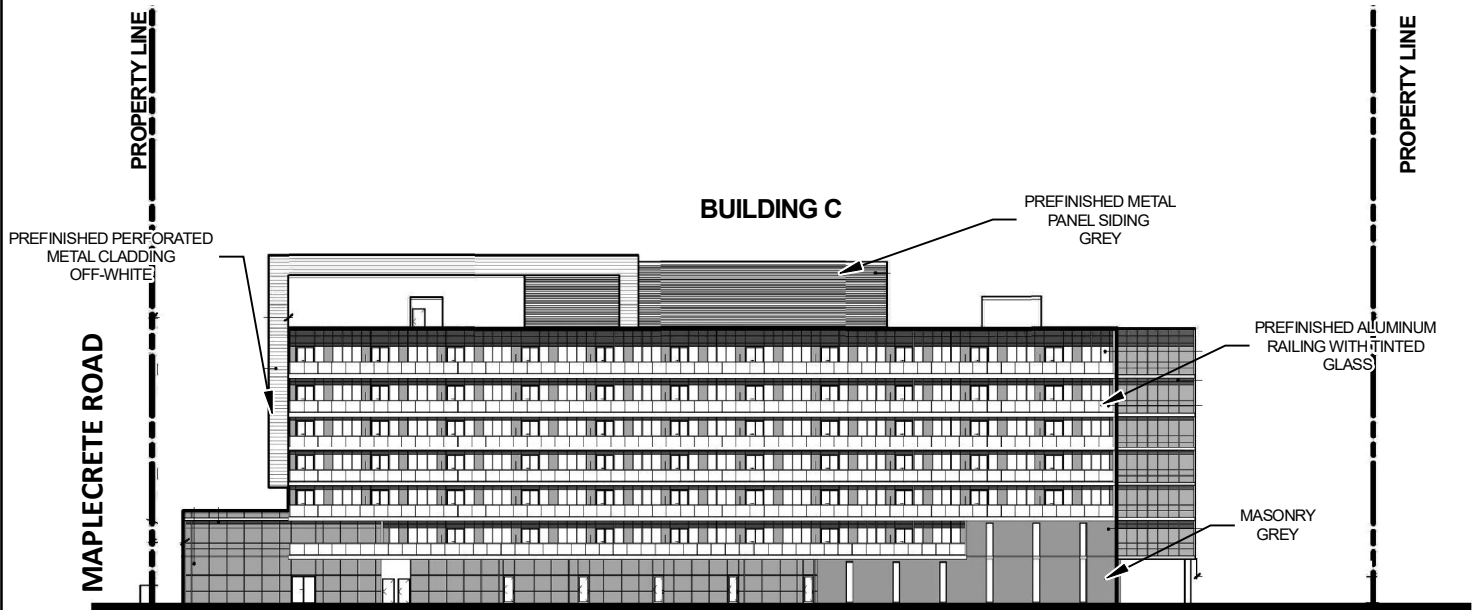
## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

**8**



**NORTH ELEVATION - FACING PUBLIC ROAD**



**SOUTH ELEVATION**

Not to Scale

## North and South Building Elevations - Building C

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.



**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005

**RELATED FILE:**  
DA.18.037

**DATE:**  
June 7, 2022

**9**



BUILDING A

BUILDING B



VIEW FROM NORTH WEST

PROPOSED COMMUNITY  
SPACE

## Colour Perspectives (Highway 7)

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.



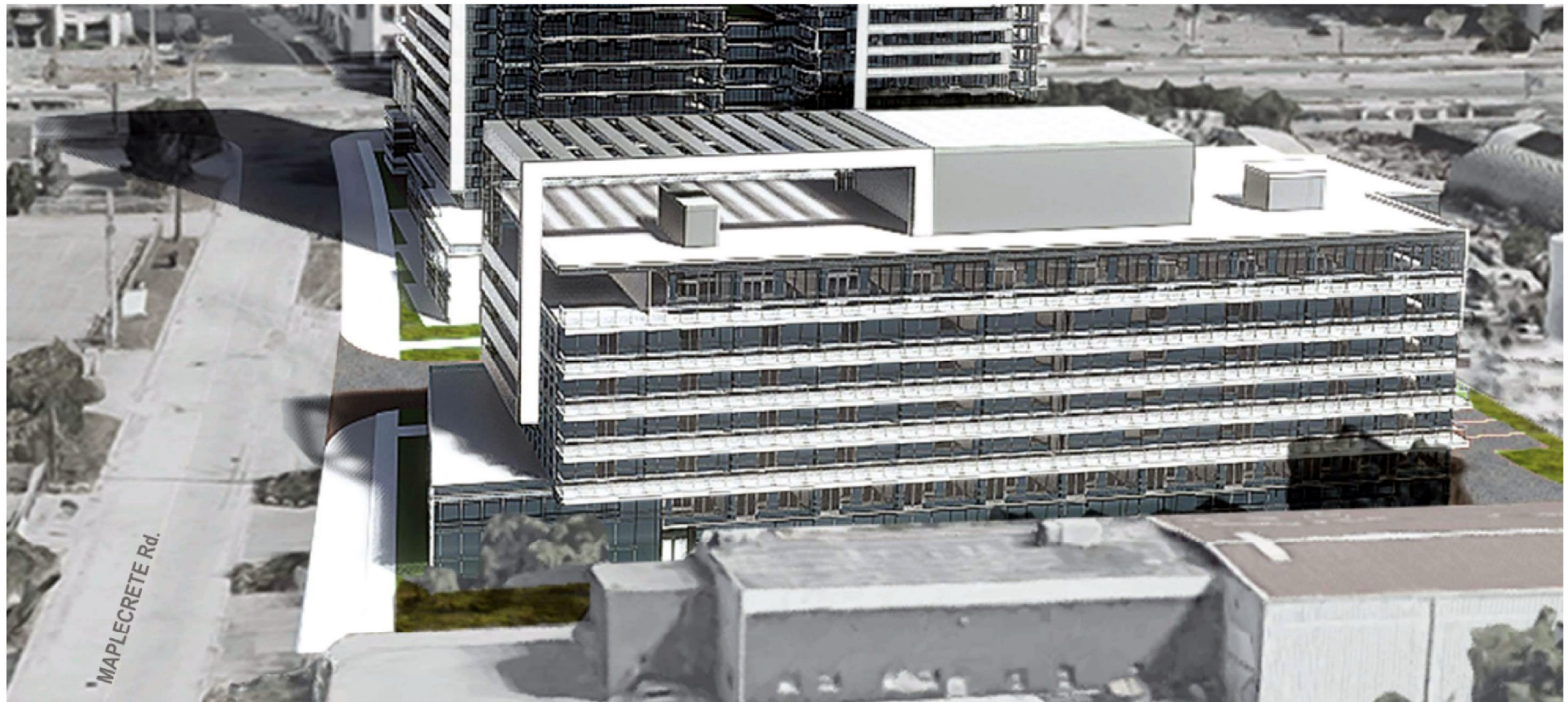
## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

# 10



BUILDING C



VIEW FROM SOUTH WEST

## Colour Perspectives (South Property Line)

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.



## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

11

## **ATTACHMENT 12**

**CONDITIONS OF DRAFT APPROVAL  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 ('THE PLAN')  
1930328 ONTARIO INC. ('THE OWNER')  
PART OF LOT 5, CONCESSION 4, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('THE CITY')  
THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF  
THE PLAN, ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment 12a.
2. The Conditions of Approval of York Region set out on Attachment 12b.
3. The Conditions of Approval of Bombardier as set out in Attachment 12c.
4. The Conditions of Approval of CN as set out in Attachment 12d.

Clearances

1. The City shall advise that the Conditions on Attachment 12a have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise that the Conditions on Attachment 12b have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. Bombardier shall advise that the Conditions on Attachment 12c have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
4. CN shall advise that the Conditions on Attachment 12d have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

**ATTACHMENT 12A**  
**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 ('THE PLAN')  
1930328 ONTARIO INC. ('THE OWNER')  
PART OF LOT 5, CONCESSION 4, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('CITY') THAT  
SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF THE  
PLAN ARE AS FOLLOWS:**

**City of Vaughan Conditions**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by MHBC Planning Urban Design & Landscape Architecture, File No. 1512 D, and dated May 19, 2022.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay all outstanding application fees to the City's Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, regarding such matters as the City may consider necessary, including the payment of development levies, the provision of roads and municipal services, and landscape and fencing. The said Agreement shall be registered against the lands to which it applies.
5. The road allowance included within the Plan shall be dedicated as public highways without monetary consideration.
6. The road allowance included in the Plan shall be named to the satisfaction of the City and York Region.
7. The road allowance included in the Plan shall be designed in accordance with the City's standards for road and intersection design, daylighting triangles, and 0.3 m reserves, as required. The pattern of the street and the layout of blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
8. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
9. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City. Construction staging

- areas, staging and construction vehicle parking plans shall be approved by the City.
10. Prior to final approval of the Plan, the Owner shall convey all necessary easements as may be required for utility, drainage or construction purposes, and to facilitate the hydro undergrounding on Highway 7 to the appropriate authority(ies), free of all charge and encumbrance.
  11. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval a detailed geotechnical report, hydrogeological report, and dewatering report, to the satisfaction of the Development Engineering Department, which shall address the following, but not limited to:
    - a) a dewatering report/plan, necessary contingency plan, monitoring and reporting program during and after completion of the construction
    - b) assessment of the potential for impact to the existing building structures in vicinity of the Development due to dewatering operations
    - c) design considerations for municipal services and structures.
  12. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions, to the satisfaction of the City.
  13. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the Development.
  14. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the Development. The City agrees to utilize its reasonable efforts to recover the Owner's costs of any external municipal services that have been designed and oversized by the Owner to accommodate any benefitting owners.
  15. Prior to final approval of the Plan, the Owner shall submit a revised environmental noise assessment, prepared in accordance with MECP NPC-300 for review and approval by the City. The preparation of the revised environmental noise assessment shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved revised environmental noise assessment and include the necessary warning clauses in all Offers of Purchase and Sale or Lease, to the satisfaction of the City.
  16. Prior to final approval of the Plan, the Owner shall prepare construction drawings for review and approval, details of the sewer and water system, plan and profile drawings within and along the development limit, intersection of



Street B / Maplecrete Road / Highway 7. The Owner agrees to adjust the Block and road property limits on the final Plan based on the approved road alignment and right-of-way width, to the satisfaction of the City.

17. Prior to earlier of the initiation of any grading or registration of the Plan, the Owner shall submit to the City for review and approval a detailed engineering report that conforms with the VMC Master Servicing Strategy Study (as updated) and the final Black Creek Renewal Class Environmental Assessment Study. The detailed engineering report shall describe the storm drainage system for the Development within this Plan, and the report shall include:
  - a) plans to illustrate how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system
  - b) the location and description of all outlets and other facilities
  - c) storm water management techniques, which may be required to control minor or major flows
  - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
18. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports, to the satisfaction of the City.
19. The Owner shall relocate or decommission any existing municipal infrastructure or utilities, whether internal or external to the Plan to facilitate the Plan, at its own expense, to the satisfaction of the City.
20. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a buried hydro distribution system for the LED streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided in accordance with the VMC requirements, to the satisfaction of the City.
21. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until determined by the City or until assumption of the Plan. To maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
22. Prior to final approval of the Plan, the Owner shall provide a copy of the fully

executed Subdivision Agreement to:

1. York Region District School Board
  2. York Catholic District School Board
  3. Canada Post
  4. Canadian National Railway ("CN")
  5. Municipal Property Assessment Corporation ("MPAC")
  6. Alectra Utilities Corporation
  7. Enbridge Gas
  8. the appropriate telecommunication provider
  9. NavCanada
  10. Bombardier Aerospace
  11. York Region.
23. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Block areas, frontages and depths in accordance with the approved Zoning By-law for all Blocks within the Plan.
24. The Owner shall dedicate all roads, daylight triangles and road widenings shown on the Plan, to the satisfaction of the City.
25. Prior to final approval of the Plan, the Owner's consultant shall certify that the roads and municipal services within the Plan have been designed to comply with the approved Functional Servicing Report, the VMC Master Servicing Strategy Study (as updated), the Black Creek Optimization Study, the final Black Creek Renewal Class Environmental Assessment Study and Transportation Master Plan (as updated).
26. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider(s) to provide services, and if required within the municipal ROW at the approved locations, to the satisfaction of the City.
27. Prior to final approval of the Plan, the Owner shall satisfy the following:
- a) provide a functional road/intersection analysis/design to address the ROW under ultimate development conditions. The required road allowances shall be designed in accordance with the City and York Region's standards for road and intersection design
  - b) provide a phasing and implementation plan, which includes details concerning such matters as the ultimate and interim traffic and transportation system, to the satisfaction of the City and York Region, and the specific required infrastructure improvements and development triggers to support the Development
  - c) submit an updated detailed traffic impact study addressing all the transportation related comments as detailed below to inform the

detailed design of Maplecrete Road and Street B, including:

- i) the Synchro analysis of Maplecrete Road and Highway 7 for the design input
    - ii) the required detailed storage and queuing analysis to review any impacts of potential queuing vehicles onto Maplecrete Road, Highway 7 and the Subject Lands. The site access and roadway intersections shall include ample storage on site to store all the queued vehicles during the busiest peak hours. The existing queuing information of Maplecrete Road and Highway 7 shall also be included in the study for comparison purposes with the future traffic conditions
  - d) submit engineering plans showing, as applicable, all sidewalk locations and YRT/ VivaNext standing areas and shelter pads subject to YRT/ VivaNext approval, to the satisfaction of the City and York Region.
28. The Owner shall agree in the Subdivision Agreement to pay its proportionate share of the costs associated with implementing the recommendations of the approved VMC Master Servicing Strategy (as updated), to the satisfaction of the City. Financial commitments will be secured based on the City's latest available cost estimates for the required infrastructure improvements.
29. The Owner shall agree in the Subdivision Agreement to design and construct at its own cost the municipal services for the Plan, in accordance with the final recommendations and conclusions of the approved VMC Master Servicing Strategy (as updated), to the satisfaction of the City.
30. The Owner shall agree in the Subdivision Agreement to design and construct at no cost to the City the storm water drainage infrastructure for the Plan, in accordance with the final recommendations and conclusions of the approved VMC Master Servicing Strategy (as updated), the final Black Creek Renewal Class Environmental Assessment Study and City standards, to the satisfaction of the City.
31. Prior to the earlier of either the final approval of the Plan, or the conveyance of land, or any initiation of grading or construction, the Owner shall implement the following, to the satisfaction of the City:
- a) submit a Phase One Environmental Site Assessment ("ESA") report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan ("RAP"), Phase Three ESA report in accordance with Ontario Regulation (O.Reg.) 153/04, as amended, for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation

with the City, implemented, and completed to the satisfaction of the City

- b) should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*", as amended. The Owner shall submit a complete copy of the satisfactory registration of the Record(s) of Site Condition ("RSC"s) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan
  - c) submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and York Region were remediated in accordance with O. Reg. 153/04, as amended, and the accepted RAP, if applicable, are suitable for the intended land use, and meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*", as amended
  - d) reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
32. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots and Blocks on the Plan:
- a) "Purchasers and/or tenants are advised that Street B will be extended easterly in the future in accordance with VMC Secondary Plan to facilitate development of adjacent lands without further notice."
33. The following warning clauses shall be included in the Agreements of Purchase and Sale, Condominium Declarations, Condominium Agreement(s) and Subdivision Agreement:
- a) "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks."
  - b) "This dwelling unit has been supplied with a central air conditioning system which will allow windows closed and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the

Environment, Conservation, and Parks.”

- c) "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road and rail traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels may exceed the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
- d) "Purchasers/tenants are advised that due to the proximity of the adjacent industrial and commercial facilities, sound levels from these facilities may at times be audible."
- e) "That Canadian National Railway Company ("CN") is the owner of certain lands known as its MacMillan Rail Yard (the 'CN Lands') located within a kilometer of the Subject Lands, and that the CN Lands are now and will continue to be used for the present and future railway and trucking facilities and operations of CN and its customers on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives and trucks with the generation of diesel fumes and odours, 24 hours a day artificial lighting of the CN Lands which may illuminate the sky, the classification, loading, unloading, braking and switching of rail cards containing bulk and other commodities including hazardous substances and/or goods containing the same which can make wheel squeal, noise, vibration, odours, airborne particulate matter and/or dust and the operation of various processes for the maintenance of rail and truck equipment."
- f) "That CN, its customers, invitees, lessees and/or licensees will not be responsible for any complaints or claims by or on behalf of the owners and occupant of the Subject Lands from time to time arising from or out of or in any way in connection with the operation of the CN Lands and all effects thereof upon the use and enjoyment of the Subject Lands or any part thereof, and whether arising from the presently existing facilities and operations of CN, its customers, invitees, lessees or licensees, upon or from any and all future renovations, additions, expansions and other changes to such facilities and/or future expansions, extensions, increases, enlargements and other changes to such operations."
- g) "That CN shall not be required to change any of its facilities or operations upon the CN Lands as a result of or in response to any such complaints or claims."
- h) "That CN may be in the future renovate, add to, expand or otherwise change its facilities on the CN Lands and/or expand, extend, increase,

enlarge or otherwise change its operations conducted upon the CN Lands.”

- i) “That an agreement under the Industrial and Mining Lands Compensation Act has been entered into between the Owner of the whole of the Subject Lands and CN releasing any right you may have or in the future to sue CN, its customers, invitees, lessees and/or licensees for nuisance arising out of the operation of an activity at the CN lands, include any noise, vibration, light, dust, odour, particulate matter emanating therefrom.”
  - j) “Purchasers and/or tenants are advised that the Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 1,000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of way.”
  - k) All units on north and east facades - “Noise levels from CN’s MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment, Conservation and Parks criteria, as defined in Noise Assessment Criteria in Publication NPC-300, “Environmental Noise Guideline – Stationary and Transportation Noise Sources - Approval and Planning”. Noise Levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in outdoor areas.”
  - l) “The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.”
  - m) “The Owner shall advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.”
  - n) “The Owner shall agree that no development works will be undertaken on Blocks 1 & 6 without appropriate site plan approvals and Encroachment Permits from the Region.”
34. Prior to earlier of the initiation of any grading or construction on the Subject

Lands, the Owner shall install erosion and sediment controls. The Erosion and Sediment Control Plan shall be designed and approved to the satisfaction of the City.

35. Prior to earlier of the registration of the Plan of Subdivision or commencement of construction on the Subject Lands, the Owner shall provide plans and designs for the grading of the lands, the roads and municipal services, to the satisfaction of the City.
36. Prior to commencement of construction, the Owner shall obtain the necessary approvals from the MECP for all sewage works that service the Development including, but not limited, to proposed stormwater management facilities (sewers, underground storm tank and oil and grit separator), sanitary sewers and watermain.
37. The Owner shall agree in the Subdivision Agreement to design and construct, at no cost to the City, Street B and the associated services, to the satisfaction of the City.
38. The Owner shall agree in the Subdivision Agreement to design, and construct the improvements to the sanitary and storm sewers on Maplecrete Road and Doughton Road, the water supply system improvements along Maplecrete Road from Highway 7 to Doughton Road, and the necessary road and Low Impact Development ("LID") improvements to Maplecrete Road, to service the Plan, in accordance to VMC Master Servicing Plan (as updated) and the Black Creek Renewal Class Environmental Assessment Study, all to the satisfaction of the City. Some of these works are considered growth related and included in the current City's background study.
39. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the water supply system improvements along Maplecrete Road from Highway 7 to Doughton Road to service the Plan, in accordance to the VMC Master Servicing Strategy (as updated), all to the satisfaction of the City.
40. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the sanitary sewer improvements along Maplecrete Road from Highway 7 to Doughton Road, and along Doughton Road from Maplecrete Road to Jane Street to service the Plan, in accordance to the VMC Master Servicing Strategy (as updated), all to the satisfaction of the City.
41. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the storm sewer improvements along Maplecrete Road from Highway 7 to Doughton Road to service the Plan, in accordance to the VMC Master Servicing Strategy (as updated) and the final Black Creek Renewal Class Environmental

Assessment Study, all to the satisfaction of the City.

42. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the necessary road and LID improvements along Street B and Maplecrete Road from Highway 7 to the south limits of the Plan, all to the satisfaction of the City.
43. The Owner shall design and construct the following streetscape works in accordance with City standards, the "City-wide Streetscape Implementation Manual" and "VMC Streetscape & Open Space Plan" (collectively, the 'Streetscape Guidelines') to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the design and construction of the enhanced boulevard works installed along Highway 7, to the satisfaction of the City and York Region. The Owner shall design and construct:
  - a) The streetscape along the south side of Highway 7 to the limit of the completed works by VivaNext from Maplecrete Road to the easterly limits of the Subject Lands at an enhanced level of service to the satisfaction of the City (the 'South Highway 7 Works')
  - b) The streetscape along the east side of Maplecrete Road from Highway 7 to the southern limits of the Subject Lands at a standard urban level of service to the satisfaction of the City (the 'East Maplecrete Road Works'). The Owner acknowledges that the ultimate design of the west side of the streetscape shall be updated to reflect the revised landscape concept for the Maplecrete Road boulevard
  - c) The streetscape along Street B to an enhanced level of service to the satisfaction of the City (the 'Street B Works').The South Highway 7 Works, East Maplecrete Road Works and Street B Works are collectively referred to herein as the 'Streetscape Works.'
44. The Owner shall design and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape & Open Space Plan.
45. Prior to final approval of the Plan, the Owner shall prepare detailed streetscape and open space construction drawings as part of the subdivision construction drawing package based on the Streetscape & Open Space Plan, to the satisfaction of the City. Streetscape cost estimates shall be submitted to the satisfaction of the City. Securities will be taken, and the value calculated based on the full cost of the Streetscape Works. The Owner shall provide securities for the streetscape implementation, to the satisfaction of the City.



46. In the event that there is additional work or increases in the cost of the Streetscape Works attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City, but the Owner shall not be obligated to obtain the City's consent to authorize such additional work or increase in the cost of the Streetscape Works, except for major changes that exceed ten percent (10%) of the original cost of any one item in the construction contract for the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall produce, if requested, copies of all supplementary contracts and change orders to the City for information.
47. When the construction of the Streetscape Works has been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:
- a) a certification from a registered consulting engineer and a registered landscape architect that confirms the Streetscape Works have been constructed in accordance with the approved Construction Drawings, City standards and specifications, sound engineering practices, and the Streetscape Guidelines
  - b) a detailed breakdown of the final as-constructed costs of the Streetscape Works certified by a professional consulting engineer, to the satisfaction of the City
  - c) a Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Streetscape Works have been paid in full and that there are no outstanding claims related to the subject works
  - d) a complete set of "As-Constructed" Construction Drawings for the Streetscape Works, to the satisfaction of the City
  - e) copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Streetscape Works, to the satisfaction of the City
  - f) copies of all quality assurance test results, supplementary geotechnical reports and construction related reports.
48. Upon completion of the East Maplecrete Road Works and receipt of final actual cost certified by the consultant, the City shall reimburse the Owner the lesser of fifty percent (50%) of the final actual certified cost of the East Maplecrete Works or \$63,074.00 when funds for the Maplecrete Works are available and included in an approved capital project.
49. The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever, which may arise directly or indirectly by reason Streetscape

Works or service provided under the Subdivision Agreement.

50. The Owner shall obtain approval from the Vaughan Committee of Adjustment for a Consent Application to facilitate a reciprocal access easement over the north-south road on the abutting lands to the east in favour of the Subject Lands for unencumbered vehicular and pedestrian access, in the event the neighbouring development does not proceed in advance of these Applications. Should the adjacent development to the east be advanced and a public access easement that is registered on-title be secured by the City, the requirement for a reciprocal access easement will not be warranted by the City. Alternately, should the Owner demonstrate that a secondary access is not required for the site through a formal addendum to the TIS, and to the satisfaction of the City, this condition may be considered satisfied.
51. Prior to final approval of the Plan, the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted has met the minimum requirement of 20 m<sup>3</sup> of growing medium in a shared tree pit or 30 m<sup>3</sup> of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the City.
52. Prior to final approval of the Plan, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.
53. Prior to registration, the Owner is required to enter into a Tree Protection Agreement which includes a security for trees to be preserved and protected in accordance with the approved Tree Preservation Study. The value of the security associated with the City's Tree Protection Agreement is determined through the following:
  - Tree compensation formula provided in the Arborist Report based on the City Tree Replacement Requirement.
  - The costs associated with tree protection measures (i.e. tree protection fencing, silt barriers etc.)
  - The costs associated with actual tree removals.
54. Prior to final approval of the Plan, the Owner shall address all School Board requirements/comments.



## ATTACHMENT 12b

Corporate Services

May 24, 2022

Monica Wu, MCIP, RPP  
Planner, VMC  
Planning and Growth Management Portfolio  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON, L6A 1T1

Dear Monica Wu,

**RE: Official Plan Amendment LOPA.21.V.0026 (OP.21.007)  
Zoning By-law Amendment ZBA.21.V.0049 (Z.21.010)  
Draft Plan of Subdivision SUBP.18.V.0019 (19T-18V005)  
2901 Highway 7  
(1930328 Ontario Inc.)  
City of Vaughan**

This is in response to your second circulation of the above captioned Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and draft plan of subdivision applications.

The 1.45 hectare subject site is located on the southeast quadrant of Highway 7 and Maplecrete Road, within the Vaughan Metropolitan Centre Secondary Plan area. The current proposed development is for 1,318 residential units in two 45 and 49-storey towers, 794.17 m<sup>2</sup> of at-grade retail served by 939 vehicular and 800 bicycle parking spaces within four levels of underground parking in the northern block and on the ground level and within three levels of underground parking in the southern block. The overall density is 7.5 FSI.

Regional staff do not have any comments on the site-specific ZBA application. The ZBA will permit the proposed mix of uses and prescribe site-specific development standards. Comments on the associated site plan application SP.18.V.0148 (DA.18.037) will continue to be provided through the Region's Development Engineering group.

### **Purpose and Effect of the Proposed Amendment**

According to the draft Official Plan Amendment, the Amendment will:

- permit maximum building heights of 22-storeys, 45-storeys, and 49-storeys,
- permit a maximum density of 7.0 FSI,
- permit a maximum floor plate of 778 m<sup>2</sup>, and

- permit a private street with public accessibility provided through a public easement registered on title.

### **Development Planning Comments**

Our planning comments in regard to conformity with the Regional Official Plan and provided in our letter dated August 3, 2021, continue to apply. We also confirm that York Region retains the approval authority of this OPA application.

The City is currently undertaking a process to update the Vaughan Metropolitan Centre (VMC) Secondary Plan, which will identify preferred land use, the appropriate level of development, and the required hard and soft services needed to accommodate new growth. The approval of this and other site-specific developments, with significant density increases, have incremental and cumulative impact on the Region's transportation and water and wastewater servicing networks.

We look forward to completing the VMC Secondary Plan update, specifically to ensure adequate infrastructure is identified to accommodate the planned growth of this Regional Centre.

### **Technical Comments**

Below is a summary of technical comments received from Regional Departments.

#### Transportation and Infrastructure Planning

The applicant is advised that the following outstanding comment can be addressed/incorporated at the subsequent stages of the proposed development to the satisfaction of York Region:

- Promotion of public transit and other modes is recognized as a key driver to influence travel behaviour change in conjunction with infrastructure interventions. While the reduction of available parking spaces is supportive of these aims, additional "above and beyond" initiatives in response to higher density and height, will normalize sustainable travel habits by everyone especially for shorter trips, as the regional road network are operating at and near capacity levels. As indicated in our earlier comments, the applicant shall provide one adult YRT Monthly Pass PRESTO card for each residential unit, for a 3-month period. The estimated cost is \$154/pass/month. However, this comment can be addressed at the site plan stage of the proposed development.

#### Development Engineering

The Region no longer requires the 5 metre by 5 metre daylight triangle to be a road widening, but a permanent easement. This permanent easement shall be conveyed prior to the execution of the Site Plan Agreement for future development of Block 1. A reserve will not be required by the Region.

#### Water and Wastewater Servicing

Infrastructure Asset Management (IAM) has reviewed the resubmitted OPA application in conjunction with the Functional Servicing and Stormwater Management Report, prepared by

Schaeffers Consulting Engineers, dated February 2021 and the Servicing Letter for 2901 Highway 7, prepared by Crozier Consulting Engineers, dated April 13, 2022.

Further to the Region's prior comments regarding the unknown potential impact of significantly higher than planned intensification in the VMC area on the Regional infrastructure system, the Region's current infrastructure plans have not considered the level of intensification proposed on the subject lands. At this time, the Region's servicing capacity commitment remains within the limits of currently assigned capacity to the City of Vaughan. It is in the City's jurisdiction to allocate the Region assigned capacity to individual developments based on the City's growth priorities.

### **Draft Plan of Subdivision**

Regional staff have reviewed the draft plan of subdivision prepared by MHBC Planning, File No. 1512D, Revision 6, dated May 18, 2021. The draft plan of subdivision will facilitate the creation of two future mixed-use development blocks, and blocks for road widening, reserves and a street. The draft plan of subdivision should await direction from the City regarding the VMC Secondary Plan Update.

### **Summary**

The OPA application proposes to amend the VMC Secondary Plan to permit a mixed use residential and commercial/retail development. Regional staff supports the nature of the proposed mixed-use development but highlight the trend of proposed 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 water 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 for the area. We look forward to continuing to work with Vaughan staff in completing the update to the VMC Secondary Plan as well as other intensification area Secondary Plans.

In the event that the draft plan of subdivision dated May 18, 2021 is approved by the City of Vaughan, the plan is subject to the attached Schedule of Clauses/Conditions. We request a copy of the notice of decision, draft approved plan, and the conditions of draft approval should the plan be approved.

Should you have any questions regarding the above, please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at [Justin.Wong@york.ca](mailto:Justin.Wong@york.ca), should you require further assistance.

Sincerely,



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

JW/

Attachment (1):                      Schedule of Clauses/Conditions

YORK-#13919066-v2-  
LOPA\_21\_V\_0026\_(OP\_21\_007)\_\_\_SUBP\_18\_V\_0019\_(19T18V005)\_&\_ZBA\_21\_V\_0049\_(Z\_21\_010)\_-  
\_YR\_Comments

**Schedule of Clauses/Conditions**  
**SUBP.18.V.0019 (19T-18V005)**  
**2901 Highway 7**  
**(1930328 Ontario Inc.)**  
**City of Vaughan**

Re: MHBC Planning, File No. 1512D, Revision 6, dated May 18, 2021

**Clauses to be Included in the Subdivision Agreement**

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall advise all potential purchasers of the existing and future introduction of transit services. The Owner/consultant is to contact YRT Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.
3. The Owner shall agree that no development works will be undertaken on Blocks 1 & 6 without appropriate site plan approvals and Encroachment Permits from the Region.

**Conditions to be Satisfied Prior to Final Approval**

4. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
5. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:
  - a) A copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof, and
  - b) A copy of an email confirmation by a City of Vaughan staff member stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
6. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
7. For any applications (Site Plan or Zoning By-law Amendment) completed after January 1, 2020, the Owner shall enter into a Development Charge Rate Freezing Agreement with York Region to freeze/lock in the Development Charge rate at the time the site plan application or Zoning By-law Amendment is deemed complete submission, satisfy all conditions, financial

and otherwise, and confirm the date at which Regional development charge rates are frozen; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable. Please contact Fabrizio Filippazzo, Manager, Development Financing Administration to initiate a Development Charge Agreement with York Region.

8. The Regional Corporate Services Department shall advise that Conditions 1 to 7 inclusive, have been satisfied.



# ATTACHMENT 12c

**Haagsma, Andrew**

---

**From:** Stephen Tinker <stephen.tinker@aero.bombardier.com>  
**Sent:** Monday, April 19, 2021 12:19 PM  
**To:** Kwan, Jessica  
**Cc:** Haagsma, Andrew  
**Subject:** [External] RE: Request for Comments - OP.21.007, Z.21.010, 19T-18V005 & DA.18.037 - 1st Submission for 2901 Highway 7 (Liberty Cement)

Hello Jessica,

Bombardier has no objection to the project as proposed. However, the cranes may be an issue depending on the height. I will need to be contacted with a crane plan prior to construction.

Best Regards

**Stephen Tinker**

Chief, Airport Operations, Flight Ops  
Bombardier Aviation

T: +1 416.373.7955  
M: +1 416.272.2309  
[stephen.tinker@aero.bombardier.com](mailto:stephen.tinker@aero.bombardier.com)  
123 Garratt Blvd | Toronto | Ontario/M3K-1Y5 | Canada |

## BOMBARDIER



**CONFIDENTIALITY NOTICE** - This email and any attachment hereto may contain confidential and/or privileged information. If you are not the intended recipient, you are hereby advised that any use, review, retransmission, distribution, reproduction or any action taken in reliance upon this email or any attachment hereto are strictly prohibited. If you received this in error, contact the sender and delete the email and any attachment hereto immediately from all computers or devices.

---

**From:** Haagsma, Andrew <Andrew.Haagsma@vaughan.ca>  
**Sent:** Thursday, April 08, 2021 1:56 PM  
**To:** 'proximity@cn.ca' <proximity@cn.ca>; 'Luk, Gilbert' <gilbert.luk@yrdsb.ca>; 'Adam McDonald' <adam.mcdonald@ycdsb.ca>; 'aaazouz@cscmonavenir.ca' <aaazouz@cscmonavenir.ca>; 'municipalplanning@enbridge.com' <municipalplanning@enbridge.com>; 'Engineering Admin' <engineeringadmin@powerstream.ca>; 'mahsa.javadi@powerstream.ca' <mahsa.javadi@powerstream.ca>; 'lorraine.farquharson@canadapost.postescanada.ca' <lorraine.farquharson@canadapost.postescanada.ca>; 'planninganddevelopment' <planninganddevelopment@bell.ca>; 'circulations@wsp.com' <circulations@wsp.com>; 'yorkcirculations@rci.rogers.com' <yorkcirculations@rci.rogers.com>; 'landuseplanning@hydroone.com' <landuseplanning@hydroone.com>; 'Land Use' <LandUse@navcanada.ca>; 'richard.martin@navcanada.ca' <richard.martin@navcanada.ca>; Stephen Tinker <stephen.tinker@aero.bombardier.com>; 'executivevp.lawanddevelopment@opg.com' <executivevp.lawanddevelopment@opg.com>  
**Cc:** Kwan, Jessica <Jessica.Kwan@vaughan.ca>

**Subject:** Request for Comments - OP.21.007, Z.21.010, 19T-18V005 & DA.18.037 - 1st Submission for 2901 Highway 7 (Liberty Cement)

**ATTENTION/CAUTION/ACHTUNG:** Message externe - ouvrez uniquement les liens ou les pièces jointes fiables // External message - only open trustworthy links or attachments // Externe Nachricht – öffnen Sie nur vertrauenswürdige Links oder Anhänge.

Hello,

This is a request for comment on City of Vaughan - VMC Development Applications (1<sup>st</sup> Submission – OP.21.007 & Z.21.010 and revisions to DA.18.037 & 19T-18V005) for 2901 Highway 7 (Liberty Cement).

**Within five business days of receiving this electronic circulation, please advise if your application requirements have been met.** Please note that formalized comments are due **3 weeks from today** (April 29, 2021). Should an extension be required, please kindly let me know.

The electronic drawings and documents can be accessed through [OneDrive](#).

Please forward your comments and questions to **Jessica Kwan** ([Jessica.Kwan@vaughan.ca](mailto:Jessica.Kwan@vaughan.ca)).

All the best,

**Andrew Haagsma**, BA, MPI (he/him)  
**Planner 1, VMC**  
[Andrew.Haagsma@vaughan.ca](mailto:Andrew.Haagsma@vaughan.ca)

**City of Vaughan | Planning and Growth Management Portfolio**  
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1  
[myVMC.ca](http://myVMC.ca)



This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

This e-mail message, and any attachments, may contain information that is confidential and/or privileged. They are intended for the exclusive use of the addressee. Any other person is strictly prohibited from disclosure, distribution or reproduction. No waiver whatsoever is intended by sending this e-mail. If you receive this e-mail in error please immediately inform the sender by return e-mail and delete this e-mail message along with all the attachments and destroy all copies.

# ATTACHMENT 12D

**Haagsma, Andrew**

---

**From:** Ashkan Matlabi <Ashkan.Matlabi@cn.ca> on behalf of Proximity <proximity@cn.ca>  
**Sent:** Thursday, April 8, 2021 3:11 PM  
**To:** Haagsma, Andrew  
**Subject:** [External] FW: Request for Comments - OP.21.007, Z.21.010, 19T-18V005 & DA.18.037 - 1st Submission for 2901 Highway 7 (Liberty Cement)  
**Attachments:** Request for Comments - 1st Circulation (Apr-08-21).pdf

Hello Andrew,

Thank you for consulting CN proximity on the subject application. It is noted that the subject site is located within 1000 metres of CN's rail yards. CN has concerns of developing/densifying sensitive uses in proximity our railway right-of-way. Development of sensitive uses in proximity to railway operations cultivates an environment in which land use incompatibility issues are exacerbated. CN's guidelines reinforce the safety and well-being of any existing and future occupants of the area.

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

- All residential development and other sensitive land uses located between 300m and 1000 metres of a rail yard will be required to undertake noise and vibration studies, to the satisfaction of CN railway, to support its feasibility of development and, if feasible, shall undertake appropriate measures to mitigate any adverse effects from noise and vibration that were identified.
- The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 1000m of the railway right-of-way:

"Purchasers and/or tenants are advised that the Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 1,000 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of way."

- The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the noise and vibration mitigation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.

CN will be reviewing the N&V study for this proposed project and will communicate our feedback in the next few weeks.

Thank you and don't hesitate to contact me for any questions.

Regards

**Ashkan Matlabi**, Urb. OUQ.

Urbaniste sénior / Senior Planner (CN Proximity)



E : [proximity@cn.ca](mailto:proximity@cn.ca)  
T : 1-438-459-9190  
1600, René-Lévesque Ouest, 11e étage  
Montréal (Québec)  
H3H 1P9 CANADA  
[wsp.com](http://wsp.com)

---

**From:** Haagsma, Andrew <Andrew.Haagsma@vaughan.ca>  
**Sent:** Thursday, April 08, 2021 1:56 PM  
**To:** Proximity <[proximity@cn.ca](mailto:proximity@cn.ca)>; 'Luk, Gilbert' <[gilbert.luk@yrdsb.ca](mailto:gilbert.luk@yrdsb.ca)>; 'Adam McDonald' <[adam.mcdonald@ycdsb.ca](mailto:adam.mcdonald@ycdsb.ca)>; 'aaazouz@cscmonavenir.ca' <[aaazouz@cscmonavenir.ca](mailto:aaazouz@cscmonavenir.ca)>; 'municipalplanning@enbridge.com' <[municipalplanning@enbridge.com](mailto:municipalplanning@enbridge.com)>; 'Engineering Admin' <[engineeringadmin@powerstream.ca](mailto:engineeringadmin@powerstream.ca)>; 'mahsa.javadi@powerstream.ca' <[mahsa.javadi@powerstream.ca](mailto:mahsa.javadi@powerstream.ca)>; 'lorraine.farquharson@canadapost.postescanada.ca' <[lorraine.farquharson@canadapost.postescanada.ca](mailto:lorraine.farquharson@canadapost.postescanada.ca)>; 'planninganddevelopment' <[planninganddevelopment@bell.ca](mailto:planninganddevelopment@bell.ca)>; 'circulations@wsp.com' <[circulations@wsp.com](mailto:circulations@wsp.com)>; 'yorkcirculations@rci.rogers.com' <[yorkcirculations@rci.rogers.com](mailto:yorkcirculations@rci.rogers.com)>; 'landuseplanning@hydroone.com' <[landuseplanning@hydroone.com](mailto:landuseplanning@hydroone.com)>; 'Land Use' <[LandUse@navcanada.ca](mailto:LandUse@navcanada.ca)>; 'richard.martin@navcanada.ca' <[richard.martin@navcanada.ca](mailto:richard.martin@navcanada.ca)>; 'stephen.tinker@aero.bombardier.com' <[stephen.tinker@aero.bombardier.com](mailto:stephen.tinker@aero.bombardier.com)>; 'executivevp.lawanddevelopment@opg.com' <[executivevp.lawanddevelopment@opg.com](mailto:executivevp.lawanddevelopment@opg.com)>  
**Cc:** Kwan, Jessica <[Jessica.Kwan@vaughan.ca](mailto:Jessica.Kwan@vaughan.ca)>  
**Subject:** Request for Comments - OP.21.007, Z.21.010, 19T-18V005 & DA.18.037 - 1st Submission for 2901 Highway 7 (Liberty Cement)

**CAUTION: This email originated from outside CN: DO NOT click links or open attachments unless you recognize the sender AND KNOW the content is safe.**

**AVERTISSEMENT : ce courriel provient d'une source externe au CN : NE CLIQUEZ SUR AUCUN lien ou pièce jointe à moins de reconnaître l'expéditeur et d**

Hello,

This is a request for comment on City of Vaughan - VMC Development Applications (1<sup>st</sup> Submission – OP.21.007 & Z.21.010 and revisions to DA.18.037 & 19T-18V005) for 2901 Highway 7 (Liberty Cement).

**Within five business days of receiving this electronic circulation, please advise if your application requirements have been met.** Please note that formalized comments are due **3 weeks from today** (April 29, 2021). Should an extension be required, please kindly let me know.

The electronic drawings and documents can be accessed through [OneDrive](#).

Please forward your comments and questions to **Jessica Kwan** ([Jessica.Kwan@vaughan.ca](mailto:Jessica.Kwan@vaughan.ca)).

All the best,

**Andrew Haagsma**, BA, MPI (he/him)

**Planner 1, VMC**

[Andrew.Haagsma@vaughan.ca](mailto:Andrew.Haagsma@vaughan.ca)

**City of Vaughan | Planning and Growth Management Portfolio**

2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1

[myVMC.ca](http://myVMC.ca)



This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.

# ATTACHMENT 13

1930328 ONTARIO INC.

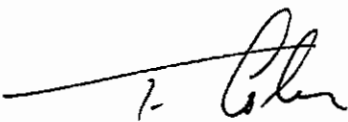
## THE CORPORATION OF THE CITY OF VAUGHAN

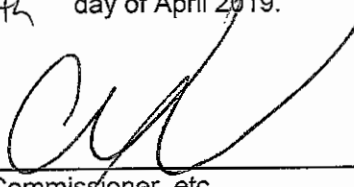
IN THE MATTER OF Section 34,  
Subsections (18) and (19) of  
the Planning Act, R.S.O. 1990, c.P.13

I, **TODD COLES**, of the Township of King City, make oath and say:

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** By-law Number 039-2019 was passed by the Council of the Corporation of the City of Vaughan on the 19th day of March 2019, and written notice was given on the 27<sup>th</sup> day of March 2019, in the manner and form and to the persons prescribed in Regulation 199/96.
3. **THAT** no notice of appeal setting out an objection to By-law 039-2019 was filed with me within twenty (20) days from the date of written notice of the passing of the by-law.
4. **THAT** By-law Number 039-2019 is deemed to have come into effect on the 16th day of April 2019.

**SWORN BEFORE ME** in the City  
of Vaughan, in the Regional  
Municipality of York, this  
16<sup>th</sup> day of April 2019.

  
\_\_\_\_\_  
TODD COLES

  
\_\_\_\_\_  
A Commissioner, etc.

Christine Marie Montague Vigneault,  
a Commissioner, etc.,  
Province of Ontario, for  
The Corporation of the City of Vaughan.  
Expires July 5, 2020.

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 039-2019**

**A By-law to amend City of Vaughan By-law 1-88.**

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

**AND WHEREAS** there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are in conformity;

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Rezoning the lands shown as "Subject Lands" on Schedule "1" attached hereto from "EM1 Prestige Employment Area Zone" to "C9 (H) Corporate Centre Zone" with the Holding Symbol ("H"), in the manner shown on the said Schedule "1".
  - b) Adding the following Paragraph to Section 9.0 "EXCEPTIONS":

"(1473) A. The following provisions shall apply to all lands zoned with the Holding Symbol "(H)" as shown on Schedule "E-1604", until the Holding Symbol "(H)" is removed from the Subject Lands, or any portion thereof, pursuant to Subsection 36(3) or (4) of the *Planning Act* and the following:

    - a) Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of Bylaw 039-2019;
    - b) A Record(s) of Site Condition (RSC(s)) is obtained and filed with the Ministry of Environment, Conservation and Parks (MECP) and the said RSC(s) is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, to the satisfaction of the City of Vaughan;
- B. Notwithstanding the provisions of:
  - a) Subsection 2.0 respecting Definitions of Lot and Parking Space;
  - b) Subsection 3.9 respecting Loading Space Requirements;
  - c) Subsection 3.14 respecting Permitted Yard Encroachments and Restrictions;
  - d) Subsection 3.17 respecting Portions of Buildings Below Grade;
  - e) Subsection 5.1.1 respecting Landscaping Area;
  - f) Subsections 5.1.4 and 5.10 respecting Uses Permitted;

- g) Subsection 5.1.5 and Schedule "A2" respecting the zone standards in the C9 Corporate Centre Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-1473":

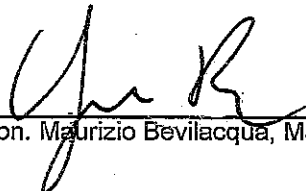
- ai) For the purpose of this Exception Paragraph:
- i) the Subject Lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted;
  - ii) the minimum dimensions of a Parking Space are 2.6 m by 5.7 m;
- bi) a maximum width of the driveway along Street B to service Block 6 shall be 22 m;
- ci) the maximum exterior side yard encroachment shall be 2.2 m within Block 1 for exterior stairs, landscape planters and outdoor patios;
- cii) the maximum projection into the sight triangle at Maplecrete Road and Regional Road 7 above the third-floor shall be 3.6 m;
- di) the minimum setback from Regional Road 7, Maplecrete Road and Street B to the nearest part of the building below finished grade shall be 0 m;
- ei) the minimum widths of landscape strips shall be as follows:
- i) 2.4 m along Maplecrete Road;
  - ii) 2 m along Street B;
  - iii) 0.6 m along the east property line;
- fi) in addition to the uses permitted in all Commercial Zones and in the C9 Corporate Centre Zone, the following uses shall be permitted only if they are carried on within a wholly enclosed building with no open storage:
- i) Long Term Care Facility;
  - ii) Independent Living Facility;
  - iii) 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;
- fii) a minimum of 20% of the gross floor area at the ground floor level shall be composed of commercial uses which provide individual external at-grade pedestrian access to such use;
- gi) the minimum lot frontage for Block 6 shall be 27 m (Maplecrete Road);
- gii) the minimum lot area for Block 6 shall be 3,290 m<sup>2</sup>;
- giii) the minimum rear yard setback for Block 1 shall be 2 m (Street B);

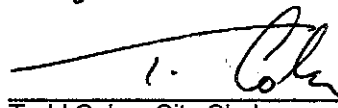


- giv) the minimum exterior yard setback shall be as follows:
  - i) Block 1 - 2.5 m (Maplecrete Road);
  - ii) Block 6 - 2.0 m (Street B);
- gv) the minimum setback to all sight triangles shall be 0 m;
- gvi) the build-to-zone requirements shall not apply; and
- gvii) the maximum building height and maximum density shall be 40-storeys for Building A and 34-storeys for Building B, exclusive of all mechanical equipment and architectural features, and 82,050 m<sup>2</sup> Gross Floor Area (5.66 Floor Space Index - "FSI"), which shall be conditional until such time as the Owner pays to the City a section 37 contribution in the amount of \$1.3 million prior to the issuance of the first Building Permit for any above grade structure(s) to the satisfaction of the City and in accordance with the executed section 37 agreement between the City and the Owner dated March 19, 2019."
- c) Adding Schedule "E-1604" attached hereto as Schedule "1".
- d) Deleting Key Map 4A and substituting therefor the Key Map 4A attached hereto as Schedule "2".

2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 19<sup>th</sup> day of March 2019.

  
Hon. Maurizio Bevilacqua, Mayor

  
Todd Coles, City Clerk

REGIONAL ROAD 7



MAPLECRETE ROAD

Block '1'

**C9(H)**

STREET "B"

Block '6'

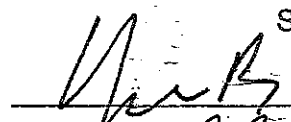
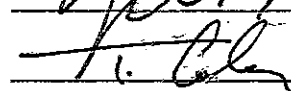
This is Schedule 'E-1604 '  
To By-Law 1-88  
Section 9(1473)

0 5 10 20 Metres

This is Schedule '1'  
To By-Law 039-2019  
Passed the 19th Day of March, 2019

File: Z.18.009  
Related Files: OP.18.005, 19T-18V005, DA.18.037  
Location: Part of Lot 5, Concession 4  
Applicant: 1930328 Ontario Inc.  
City of Vaughan

Signing Officers

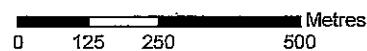
  


Mayor

Clerk



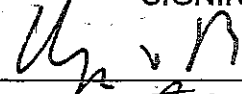
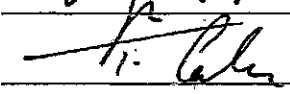
KEY MAP 4A  
BY-LAW NO. 1-88



THIS IS SCHEDULE '2'  
TO BY-LAW 039-2019  
PASSED THE 19TH DAY OF MARCH, 2019

FILE: Z.18.009  
RELATED FILES: OP.18.005, 19T-18V005, DA.18.037  
LOCATION: PART OF LOT 5, CONCESSION 4  
APPLICANT: 1930328 ONTARIO INC.  
CITY OF VAUGHAN

SIGNING OFFICERS

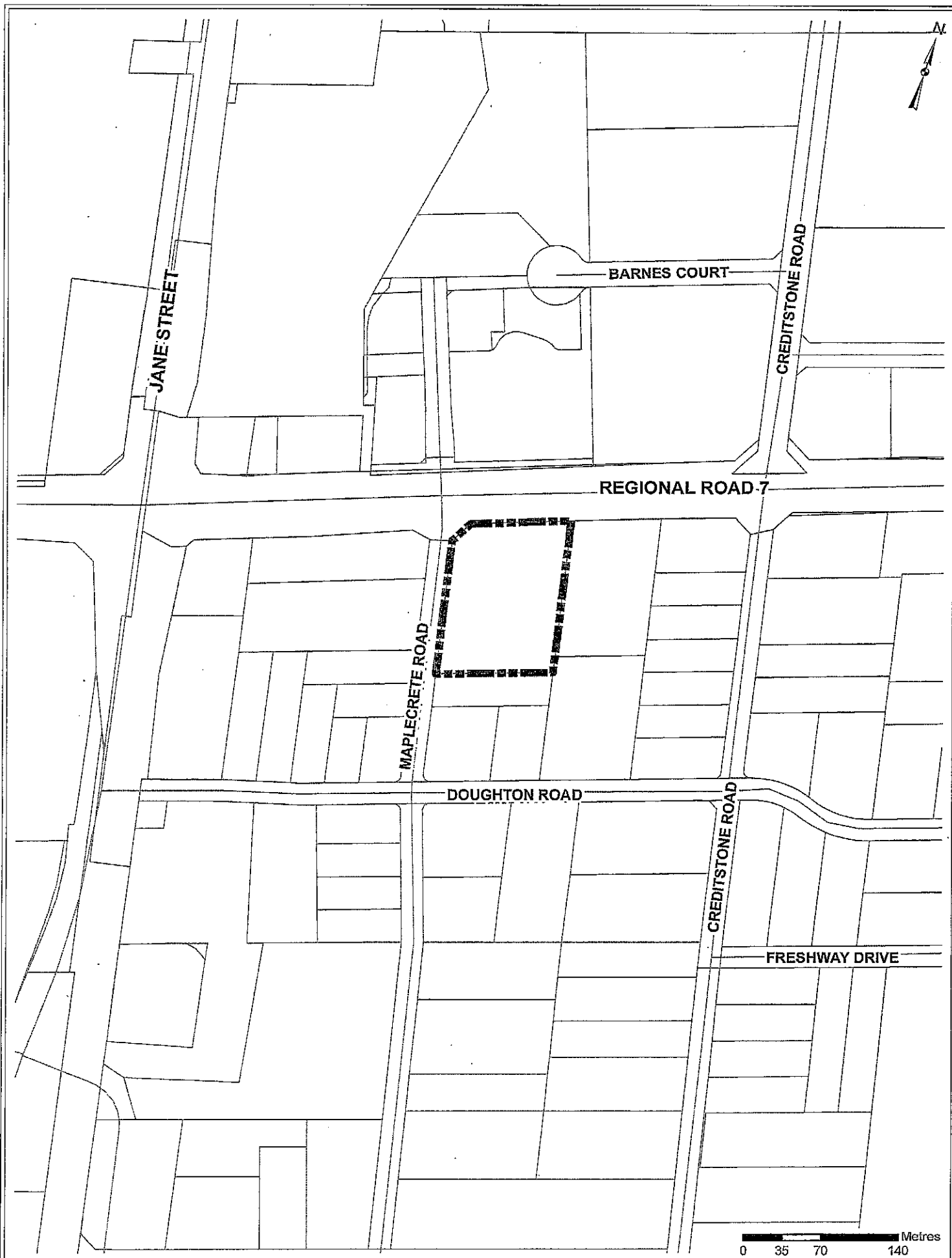
  
MAYOR  
  
CLERK

### **SUMMARY TO BY-LAW 039-2019**

The lands subject to this By-law are located at the southeast corner of Maplecrete Road and Regional Road 7 (within the Vaughan Metropolitan Centre), being Part of Lot 5, Concession 4, City of Vaughan.

The purpose of this By-law is to rezone the Subject Lands to this By-law from "EM1 Prestige Employment Area Zone" to "C9 (H) Corporate Centre Zone" with the Holding Symbol ("H"). The removal of the Holding Symbol "(H)" is conditioned upon a Record(s) of Site Condition (RSC(s)) is obtained and filed with the Ministry of Environment, Conservation and Parks (MECP) and the said RSC(s) is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, to the satisfaction of the City of Vaughan. This By-law creates a new exception and schedules and includes the following site-specific zoning exceptions:

- a) site-specific definitions of "lot" and "parking space";
- b) loading space requirements;
- c) yard encroachments and projections;
- d) reduction of setbacks for portions of buildings below grade;
- e) reduction landscaping area;
- f) introduction of additional uses;
- g) site-specific development standards; and,
- h) provisions for the increase in the maximum building height and density, pursuant to Section 37 of the *Planning Act*, to be applied within the VMC.



## Location Map To By-Law 039-2019

**File:** Z.18.009

**Related Files:** OP.18.005, 19T-18V005, DA.18.037

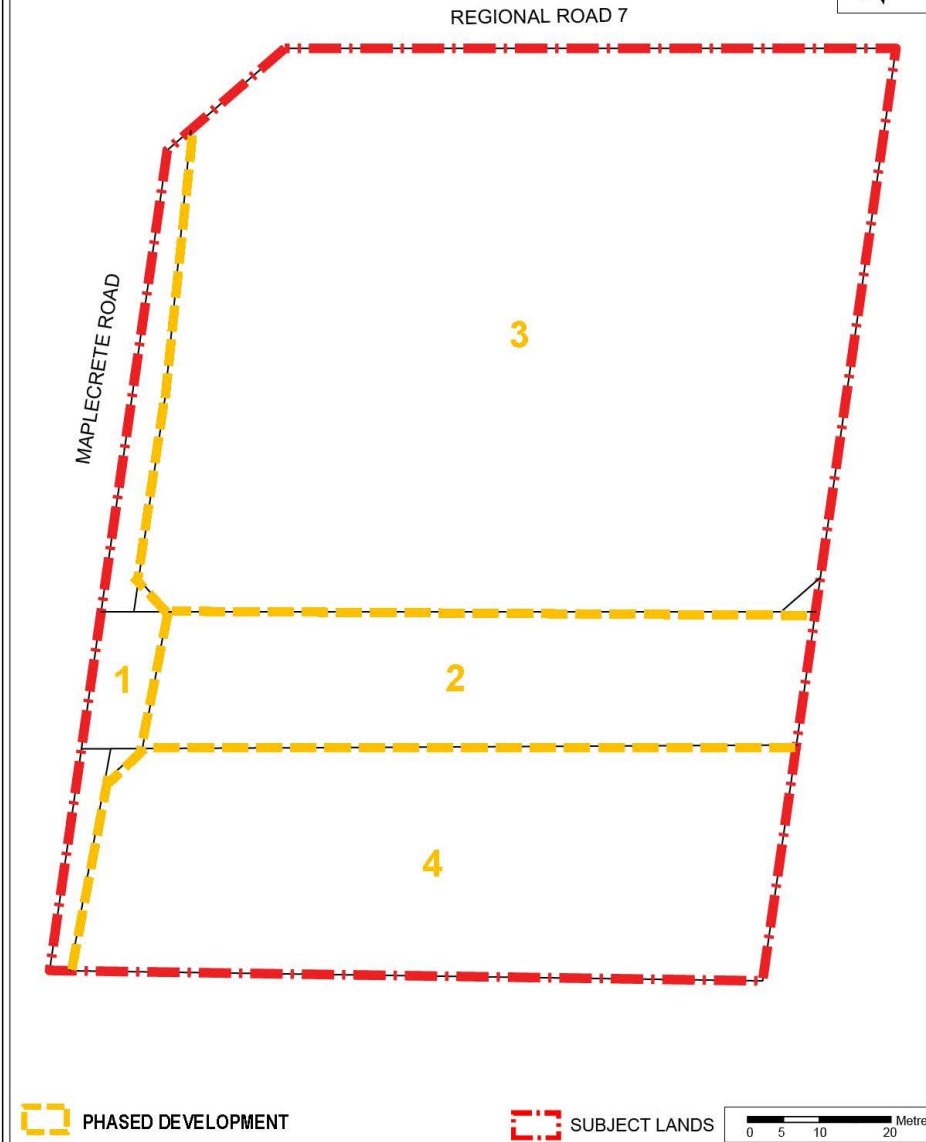
**Location:** Part of Lot 5, Concession 4

**Applicant:** 1930328 Ontario Inc.

**City of Vaughan**

 Subject Lands

\*Illustration is shown for phasing purposes only



## RSC Phasing Schedule (H Provision)

**LOCATION:**  
Part of Lot 5, Concession 4  
Lot 3 Plan 7977, 2871 Highway 7

**APPLICANT:**  
1930328 Ontario Inc.



## Attachment

**FILES:**  
OP.21.007, Z.21.010, and 19T-18V005  
**RELATED FILE:**  
DA.18.037  
**DATE:**  
June 7, 2022

# 14