

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2022

Item 49, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2022.

49. PENGUIN-CALLOWAY (VAUGHAN) INC. (BLOCK A5 – PHASE 1) SITE DEVELOPMENT FILE DA.20.052 - 101 EDGELEY BOULEVARD VICINITY OF BUTTERMILL AVENUE AND APPLE MILL ROAD

The Committee of the Whole recommends approval of the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated June 21, 2022:

Recommendations

1. THAT Site Development File DA.20.052 BE DRAFT-APPROVED subject to the conditions set out in Attachment 11.
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Plan Development File DA.20.052 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 629 residential apartment units (1,390 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 (2) Report

DATE: Tuesday, June 21, 2022

WARD: 4

**TITLE: PENGUIN-CALLOWAY (VAUGHAN) INC.
(BLOCK A5 – PHASE 1)
SITE DEVELOPMENT FILE DA.20.052
101 EDGELEY BOULEVARD
VICINITY OF BUTTERMILL AVENUE AND APPLE MILL ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek draft-approval from the Committee of the Whole for Site Development File DA.20.052 to permit a mixed-use development in the Vaughan Metropolitan Centre (VMC) consisting of 38 and 18-storey residential towers on a shared podium, a 7-storey building with ground floor retail, a standalone 4-storey commercial building, a mid-block pedestrian connection and a privately-owned, publicly accessible courtyard, as shown on Attachments 2-9.

Report Highlights

- Site Development File DA.20.052 proposes a mixed-use development consisting of 4 buildings ranging in height from 4 to 38-storeys containing 629 residential units and ground-related commercial uses.
- Applications to amend the Official Plan and Zoning By-law Files OP.20.013 & Z.20.029 were approved by Council on September 27, 2021 through implementing By-laws 124-2021 and 125-2021 (OPA 72) to permit the mixed-use development.
- The VMC Program Division of the Policy Planning and Special Programs Department supports the draft-approval of the Site Development application subject to conditions as it facilitates the Council-approved Official Plan and Zoning By-law applications and represents good planning.

Recommendations

1. THAT Site Development File DA.20.052 BE DRAFT-APPROVED subject to the conditions set out in Attachment 11.
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Plan Development File DA.20.052 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 629 residential apartment units (1,390 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 (the ‘Subject Lands’) are located in the VMC on the northwest corner of Apple Mill Road and Buttermilk Avenue and are municipally known as 101 Edgeley Boulevard, as shown on Attachment 1. Specifically, the Subject Lands encompass only the southeast quadrant of the existing surface parking lot which was used to serve the decommissioned Walmart store and represents the first development phase of the larger block. The remainder of the Walmart lands are not proposed for redevelopment at this time. The surrounding uses are also shown on Attachment 1.

Proposed Development

The proposed mixed-use development (the ‘Development’) is shown on Attachments 2 to 9 and consists of the following:

- a) Two residential apartment buildings with heights of 38 storeys (Tower A) and 18-storeys (Tower B) located on a shared podium varying in height from 2-3 storeys, a 7-storey (Tower C) residential apartment building with commercial uses at-grade and a 4-storey standalone commercial building (Tower D)
- b) 629 residential units
- c) Gross Floor Area (‘GFA’) of 53,641 m² consisting of 52,114 m² of residential and 1,527 m² of commercial uses
- d) 212 parking spaces in 1 level of underground parking, of which 118 spaces are allocated for residential uses and 94 spaces are allocated for residential visitors
- e) 385 bicycle parking spaces (315 long-term and 70 short-term)
- f) 1,374 m² of common amenity area (745 m² indoor and 629 m² outdoor)
- g) 2,483 m² central privately-owned, publicly accessible space (POPS)
- h) 19 m wide mid-block pedestrian connection

The Committee of the Whole, at its March 8, 2022 Meeting, deferred further consideration of the Applications at the request of the Applicant respecting parkland dedication

The Committee of the Whole on March 8, 2022 recommended the following (in part):

“1. That in accordance with Communication C4., Memorandum from the Deputy City Manager, Planning and Growth Management, dated March 7, 2022, consideration of this matter be deferred to a future Committee of the Whole meeting;”

Prior to the March 8, 2022 Committee of the Whole meeting, the Applicant requested a deferral of the item to a later date to allow more time for discussion between the City and the Applicant with regard to parkland dedication, which has since been resolved. The Owner will satisfy its parkland dedication requirements to the City’s satisfaction, in which the City will require a cash-in-lieu contribution. A condition to this effect is included in Attachment 11 of this report.

Previous Reports/Authority

The following link provides information related to the corresponding Council-approved Official Plan and Zoning By-law Amendment Applications (Files OP.20.013 and Z.20.029)

[Item 7, Report No. 39 of the Committee of the Whole \(1\), which was adopted without amendment by Vaughan Council on September 27, 2021.](#)

[Item 5, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 22, 2022.](#)

Analysis and Options

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 projected needs of current and future residents of the regional area
- 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, with a mix of building types that would contribute to the overall range of housing options within the VMC to support a healthy and livable community. The Development promotes the efficient use of the land and reduces land consumption and servicing costs. The design proposal, including the height of the podium, scale of the lower buildings and inclusion of commercial uses at grade, provides a comfortable pedestrian environment which fosters walkability 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 adjacent to the future VMC Urban Park and its amenities (Attachment 10). The approval of the Official Plan and Zoning By-law Files OP.20.013 & Z.20.029 included a requirement for a contribution to off-site community benefits related to Jane Street streetscape improvements which will contribute to the creation of a high-quality urban landscape and pedestrian-oriented downtown environment.

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

The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2020)

“A Place to Grow – Growth Plan for the Greater Golden Horseshoe, 2020” (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 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 adjacent to existing and operational higher-order transit and provides housing options at a planned 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 located near higher order transit.

The Development contributes to the creation of a complete community and optimizes infrastructure by introducing a compact built form and vibrant public realm with a mix of land uses, building and unit types and amenity spaces. The Development represents a high-quality form that is focused on a neighborhood scale 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 the downtown by providing a compact built form that leverages the site’s proximity to higher-order transit facilities, thereby optimizing the use of transit and reducing vehicular demand within the VMC. The Development is located within a Major Transit Station Area (‘MTSA’) which would encourage, support and promote alternative modes of transportation, such as walking

through a design that is focused on pedestrian experience and safety. 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”. The Development conforms to the following policies of the YROP:

- Sections 3.5.4 and 3.5.20 by providing a mix and range of housing and smaller unit types, and meeting density and intensification requirements
- Section 4.2.4 by providing mixed-use pedestrian environments
- Section 5.3.4 respecting locations of transit stops
- Sections 5.4.5, 5.4.9 and 5.4.16 by providing designs that are urban, compact, pedestrian and cycle friendly and transit-supportive
- Sections 5.4.19, 5.4.20, 5.4.23 and 8.2.3 respecting mixed-use developments within Regional Centres

The Development is urban and compact in form, with 629 residential units ranging in size from bachelor suites to three-bedroom units, with a mix of low-rise, mid-rise and high-rise built forms that would contribute to the range of housing choices in the City to meet the needs of residents and workers within York Region. Family-sized units are considered those with 2 or more bedrooms. The Development proposes 310 two-bedroom and 26 three-bedroom units which represents over 53% of the total unit count.

The Development contributes to a mix of uses planned in the VMC and would deliver a density to support the existing employment and commercial uses that encourages and optimizes the uses of higher-order transit.

The Development provides an urban streetscape that complements the adjacent existing and planned employment and commercial uses and is in proximity and accessible to higher-order transit. The proposed building and streetscape designs are high quality, pedestrian-friendly and will encourage active modes of transportation.

The Development supports and achieves an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture and contributes to a high-quality and sustainable community in the VMC. Therefore, the proposal conforms to the policies of the York Region Official Plan.

The VMC Program Division of the Policy Planning and Special Programs Department supports the Development

Conforms to the VMCSPP

The Subject Lands are designated Station Precinct by the VMCSPP, which forms part of Volume 2 of VOP 2010 and are subject to site-specific policy 9.3.16 (Area N) which were approved through OPA 72 and By-law 125-2021 at the September 27, 2021 Council and stipulate the following:

- i. the maximum permitted density Floor Space Index (FSI) shall not exceed 5.09 times the area of the lands
- ii. the maximum permitted building heights shall not exceed: 38-storeys identified as Building A, 18-storeys identified as Building B, 7-storeys identified as Building C and 4-storeys as identified as Building D as provided in the site-specific Zoning By-law.
- iii. the minimum residential tower separation distance shall be 21.3 metres between the northwest corner of tower component of Building A and the southeast corner of the tower component of Building B.

The Development conforms to the VMCSPP as the proposal implements site-specific policy 9.3.16 and other policies as described in the approval report for the corresponding Official Plan and Zoning By-law Applications.

Compliance to Zoning By-law 1-88, as amended

Through By-law 124-2021 that was enacted by Council at the September 27, 2021 meeting, site-specific zoning standards were developed to specifically facilitate the Development as shown on Attachments 2-9. Prior to the execution of the site plan agreement, the architectural drawings must be approved by the VMC Program which will require full zoning compliance. A condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Zoning By-law 001-2021, has been appealed

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. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

Site Design

The Development shown on the proposed site plan features 38 and 18-storey residential towers on a shared podium, along with a 7-storey mid-rise building with ground floor retail, a standalone 4-storey commercial building, a 2,483 m² POPS consisting of a centralized courtyard, and a 19 m mid-block pedestrian connection (1,664 m²). As a condition of approval, a public access easement over the POPS and pedestrian connection will be required prior to the execution of the Site Plan Agreement.

A Condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Ground floor retail/commercial uses with direct pedestrian access are proposed along Apple Mill Road, along with residential ground floor units with entrances flanking both Buttermill Avenue and the future east-west local street activating the streetscapes. A total of 1,374 m² of private amenity space (745 m² of indoor and 629 m² of outdoor amenity) are proposed on the ground floor and a 3rd floor of the shared podium of Towers A and B.

This site represents the first phase of a larger development block. To advance this Development, the Subject Lands are required to be severed through a Consent to Sever application at the Vaughan Committee of Adjustment from the larger landholdings, prior to the execution of the Site Plan Agreement. A Condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Site Access

Vehicular access to the underground parking garage and loading areas are proposed via Buttermill Avenue. Both the underground parking garage and loading areas are situated away from public view.

Access for pedestrians and cyclists are provided through direct lobby connections and ground floor front entrances flanking onto sidewalks along Buttermill Avenue, Apple Mill Road and the future east-west local street. Pedestrian connections into the site are also provided at the southeast corner of the Development between Building C and D and Buildings A and D, and along the publicly accessible 19 m mid-block connection along the western portion of the Subject Lands.

Landscape

High-quality streetscape design is proposed throughout the Development as shown on Attachment 3. All public frontages (Buttermill Avenue, Apple Mill Road, and the future east-west local road) will have urban boulevards to reflect the pedestrian oriented vision for the downtown. Prior to the execution of the Site Plan Agreement, the landscape plans will need to be revised to include an interim landscape condition along the north property line where the future east-west public road is to be situated, to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Both Buttermill Avenue and Apple Mill Road will be required to be designed and constructed to an enhanced level of service, while the future east-west road will be required to be designed and constructed at a standard level of service. A condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Building Elevations

The building elevations are comprised of materials such as brick, masonry, precast concrete panels, glass, steel, and concrete and are proposed to be distinguished and articulated through high-quality designs, as shown on Attachments 4-7. All primary lobby entrances and individual residential ground floor unit entrances are located at-grade and are clearly visible and accessible to the public realm to activate street frontages and promote vibrant and pedestrian friendly environments. Commercial uses are proposed at-grade with entrances along Apple Mill Road, further activating the streetscape and the adjacent future Urban Park.

Urban Design and Planning Staff of the VMC Program Division have reviewed the Development as shown on Attachments 2 to 9 and are found to be satisfactory in-principle to advance to draft-approval. The final site plan, building elevations, interim and ultimate landscape plans, landscape cost estimate, wind tunnel model, sun/shadow analysis, 3D digital model, wayfinding/signage design plan, and photometric lighting plan must be approved prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

Cash-in-Lieu of trees to be removed is required in accordance with the Tree Protection Protocol

Vaughan Council on March 20, 2018, enacted Tree By-law 052-2018 and Tree Protection Protocol 2018, which requires the City and the Owner to enter into a Tree Protection Agreement for the preservation and protection of private and public trees, prior to the execution of the Site Plan Agreement as follows:

The Owner is required to enter into a Tree Protection Agreement, prior to the execution of the Site Plan Agreement which includes a security for trees to be preserved and protected in accordance with the approved Arborist Report. 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

The Owner has submitted a Tree Inventory and Preservation Report which documents that out of the 8 trees on-site, 5 trees are required to be removed to allow for construction of the Development. Should the Applications be approved, compensation/cash-in-lieu will be required for tree removals in accordance with the

City's Tree Protection Protocol. A condition to this effect is included in the Recommendations of this report as shown on Attachment 11.

The Owner is required to submit 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 Planning and Growth Management Portfolio, VMC Program. 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 is included in the Recommendations of this report as shown on Attachment 11.

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

The Design Review Panel (the 'Panel'), on November 26, 2020, considered the Development. The Panel complimented the proposal and its ambition, particularly the variety in scale of built form and the character and function within the outdoor open space and public realm network.

The Panel praised the Development's strategy of internalizing and locating some of the services underground in a compact manner. However, the location of the service access near the northeast corner of the site generated a blind corner which does not contribute to the activation of a healthy public realm.

The Panel recommended that the proposed vehicular drop-off be further studied to determine whether it was justified at that location and whether it contributed to the vision and character of Buttermill Avenue.

With respect to Building D, the Panel commented that the uses be further explored to be more independent and less connected to the larger development.

The Panel commented on the misalignment of the future east-west local road and suggested that it be aligned to be contiguous with the driveway to the east that services the Centre of Community and that the alignment should be consistent throughout the master plan.

The Development has since been modified to remove the vehicular drop-off to provide a stronger pedestrian experience along Buttermill Avenue. The main walls of the buildings have also been revised to be appropriately setback by a minimum of 2 m from the street lines to create a more prominent street wall condition and to provide appropriate transition between privately-owned and public spaces. Furthermore, the building footprint of Buildings A and B have been further setback to protect for the future

delivery of a 22m east-west right-of-way that will be conveyed through a future development application as part of the next phase of development.

The Owner has indicated that the function of Building D will contain uses/activities that will be publicly accessible or community focused in nature to add interest to the area.

Following a series of design workshops to prioritize design matters raised by the Panel and Staff, VMC Program Staff are satisfied that the Owner has addressed the main comments of the Panel through refinements in the Development subject to the Recommendations in this report as shown on Attachment 11.

The Cultural Heritage Division of the Development Planning Department supports the approval of the Development, subject to conditions

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

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

A condition to include the above clauses in the Site Plan Agreement is included in the Recommendations of this report as shown on Attachment 11.

The Development Engineering Staff, VMC Program Division of the Policy Planning and Special Programs Department has no objection to the Applications

The VMC Program Division of the Policy Planning and Special Programs Department has reviewed the Applications and have no objection to the Applications in-principle. Final engineering plans and reports including the grading, servicing, erosion sediment control plans, Functional Servicing Report (FSR), Stormwater Management Report (SWM), Geotechnical and Hydrogeological Investigation Report, Noise Impact Study, Traffic Impact Study and Transportation Demand Management Plan must be approved to the satisfaction of the VMC Program Division of the Policy Planning and Special Programs Department, along with any outstanding review fees that must be paid prior to execution of the Site Plan Agreement. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

Water Supply

The subject lands are located within the City of Vaughan Pressure District 6 (PD6). There is a municipal watermain (300mm diameter) adjacent to the Subject Lands on Apple Mill Road and Buttermill Avenue, which can provide domestic and fire flow demands for the proposed Development.

Sanitary Sewer

The FSR recommends a servicing connection for sanitary drainage from the proposed site to the existing municipal sanitary sewer (600mm diameter) on Apple Mill Road. The existing system and proposed site drainage area are both tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). It is anticipated that a future surcharge condition will occur at the trunk system along Jane Street near Highway 407. The City is currently undertaking an update to the servicing strategy master plan which will identify the trigger and the preferred options for the downstream sewer upgrade.

Storm Sewer

The FSR & SWM report demonstrates that the post-development flows for the subject site will be controlled to the target release rate by proposing underground tanks and orifice controls. The Development is proposed to connect directly to the existing municipal storm sewers on Buttermill Avenue, which drains to the existing Edgeley Pond located east of Jane Street and north of Highway 7. The design of the quantity control measure for the site has taken into consideration the hydraulic grade line within the storm sewer system, which is impacted by the pond water level. The proposed storage tank for quantity control and rainwater harvesting along with the proposed retrofit of the Edgeley Pond will provide the stormwater management controls and treatment required for the proposed Development.

Transportation

Road Widening

The ultimate right-of-way of Apple Mill Road at this location is 27.2m. A land dedication of approximately 2.7m along the north side of Apple Mill Road will be required prior to the execution of the Site Plan Agreement. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

Active Transportation

Pedestrian infrastructure improvements are proposed as part of this Development. 2m sidewalks are proposed on both sides of surrounding streets including the new east-west local street, Buttermill Avenue and Apple Mill Road. Dedicated uni-directional cycling facilities will be extended on Apple Mill Road adjacent to the site to provide greater connectivity to the existing City and Regional cycling networks. A total of 385 bicycle parking spaces are proposed on-site, including 315 long-term spaces in the form

of secure bicycle lockers and 70 short-term spaces in the form of bicycle rings. The proposed bicycle parking supply meets the minimum requirements of the City of Vaughan By-law 1-88.

Parking

To serve the Development, a total of 212 vehicular parking spaces are proposed in one-level of underground parking, of which at least 94 spaces will be allocated to residential visitors.

The Owner has indicated that the 94 parking spaces allocated to residential visitors will not form part of the future condominium corporation common elements and will instead be retained by the Owner. To ensure that these 94 parking spaces are available in perpetuity for the exclusive use to the residential visitors, the Site Plan Agreement will include a clause that advises the Owner that an exclusive easement shall be conveyed to the future condominium corporation through a future draft plan of condominium application. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

Environmental Noise and Vibration Impact Study

The Owner submitted an Environmental Noise Study, prepared by Gradient Wind Engineers and Scientists dated March 8, 2021, to identify the noise sources surrounding the proposed Development, which also identified the noise control measures for the development itself. The analysis considered the traffic on Portage Parkway, Millway Avenue, Apple Mill Road, Edgeley Boulevard, Highway 7, and the surrounding employment, commercial and industrial uses.

The Owner shall incorporate the recommended noise attenuation measures from the approved noise report into the design and construction of the proposed buildings within the site including, but not limited to, upgraded façade windows.

Prior to the execution of the Site Plan Agreement, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval by the City and shall agree in the Site Plan Agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

Environmental Site Assessment

The Owner submitted a Phase One and Phase Two Environmental Site Assessment (ESA) report and Reliance Letter which are currently under review by the Development Engineering department. Prior to the execution of the Site Plan Agreement, a Phase Two ESA shall be approved by the Development Engineering Department and a Record of Site Condition shall be provided to the satisfaction of the City. A condition to this

effect has been added to the Recommendations of this report as shown on Attachment 11.

Geotechnical and Hydrogeological Report

Prior to the execution of the Site Plan Agreement, the Owner shall update the final Geotechnical and Hydrogeological Investigation Report for the Development. The Report shall recommend the ground water control measures that need to be implemented during the design and construction of the buildings and municipal services, and assessment of potential water quantity/quality effects due to dewatering activities on the proposed and existing development. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

Area Specific Development Charge (ASDC)

The City completed a Development Charges ('DC') Update Study in 2018. Elements of the infrastructure improvements work may be included in the DC Update Study as an Area Specific Development Charge ('ASDC') By-Law or within the City-Wide DC By-Law.

The ASDCs applicable to this Development are:

- a) Edgeley Pond – Map 2 (By-Law 106-2021) – charged on a per hectare basis
- b) Black Creek Channel Works – Map 3 (By-Law 106-2021) – charged on a per hectare basis

Parks Planning Staff, VMC Program Division of the Policy Planning and Special Programs Department have no objection to the Application

Parks Planning Staff has reviewed the Application and has no objection to the proposal, subject to the recommendations of this report to satisfy its parkland dedication requirements to the City's satisfaction. A condition to this effect has been added to the Recommendations of this report as shown on Attachment 11.

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) may 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).

The Financial Planning and Development Finance Department has no objection to the Development

The Owner shall pay to the City the 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 will be included as part of a future Site Plan Agreement.

Office of the City Solicitor, Real Estate Department has provided comments

The Legal Services, Real Estate Department has advised that parkland shall be dedicated in accordance with By-law 139-90, as amended by By-law 205-2012 and the policies outlined in Section 7.3.3 of VOP 2010 Parkland Dedication. The Owner will be required to dedicate parkland and/or pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at 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. Parkland credit calculation will be affected by any existing and/or proposed land encumbrances. The Real Estate Department will assess the credits based on any present easements and/or other types of encumbrances. A condition to this effect will be included in the future Site Plan Agreement.

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 in a letter dated November 19, 2020, of no objection to the Development.

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 will be included in the future Site Plan Agreement.

The School Boards have no objection to the Development

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

The various utilities have no objection to the Development

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development. 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 Inc. has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge Gas Inc. with respect to the installation and clearance requirements for service and metering facilities. These conditions will be included in the future Site Plan Agreement.

Bell Canada ('Bell') has no objections the Development. The Owner is required to contact Bell prior to commencing any work to confirm that sufficient wire-line communication/telecommunication infrastructure is available. If such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. The Owner is also required to grant any requirement easements to Bell Canada for communication/telecommunication infrastructure. Conditions to this effect will be included in the future Site Plan Agreement

Rogers Communication Inc. has no objection to the Development.

Financial Impact

There are no requirements for new funding associated with these Applications.

Broader Regional Impacts/Considerations

York Region has advised, in their letter dated December 18, 2020, that they have no objection to the Development, in principle, subject to addressing York Region's outstanding comments.

Prior to site plan approval, the Owner is required to address York Region Comments dated May 6, 2021. The Owner is also required to enter into a Site Plan Agreement with York Region.

Conclusion

The VMC Program Division of the Policy Planning and Special Programs Department has reviewed Site Development File DA.20.052 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 and By-law 001-2021, 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, implements the VMCSPP and the recently approved By-laws 124-2021 and 125-2021 (OPA 72).

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. Accordingly, the VMC Program Division of the Po Planning and Special Programs Department supports the draft-approval of the Site Development Application, subject to the Recommendations of this Report.

For more information, please contact Christina Bruce, Director, Policy Planning and Special Programs at extension 8231

Attachments

1. Context and Location Map
2. Site Plan
3. Landscape Plan
4. South Elevation (Facing Apple Mill Road)
5. East Elevation (Facing Future Buttermilk Avenue)
6. North Elevation
7. West Elevation
8. Perspectives
9. Building Separation Distance
10. Future North Urban Park Plan
11. Conditions of Site Plan Approval Revised

Prepared by

Amy Roots, VMC Senior Manager, ext. 8035

Christina Bruce, Director, Policy Planning and Special Programs, ext. 8231

Approved by

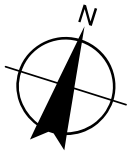


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

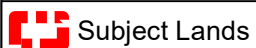
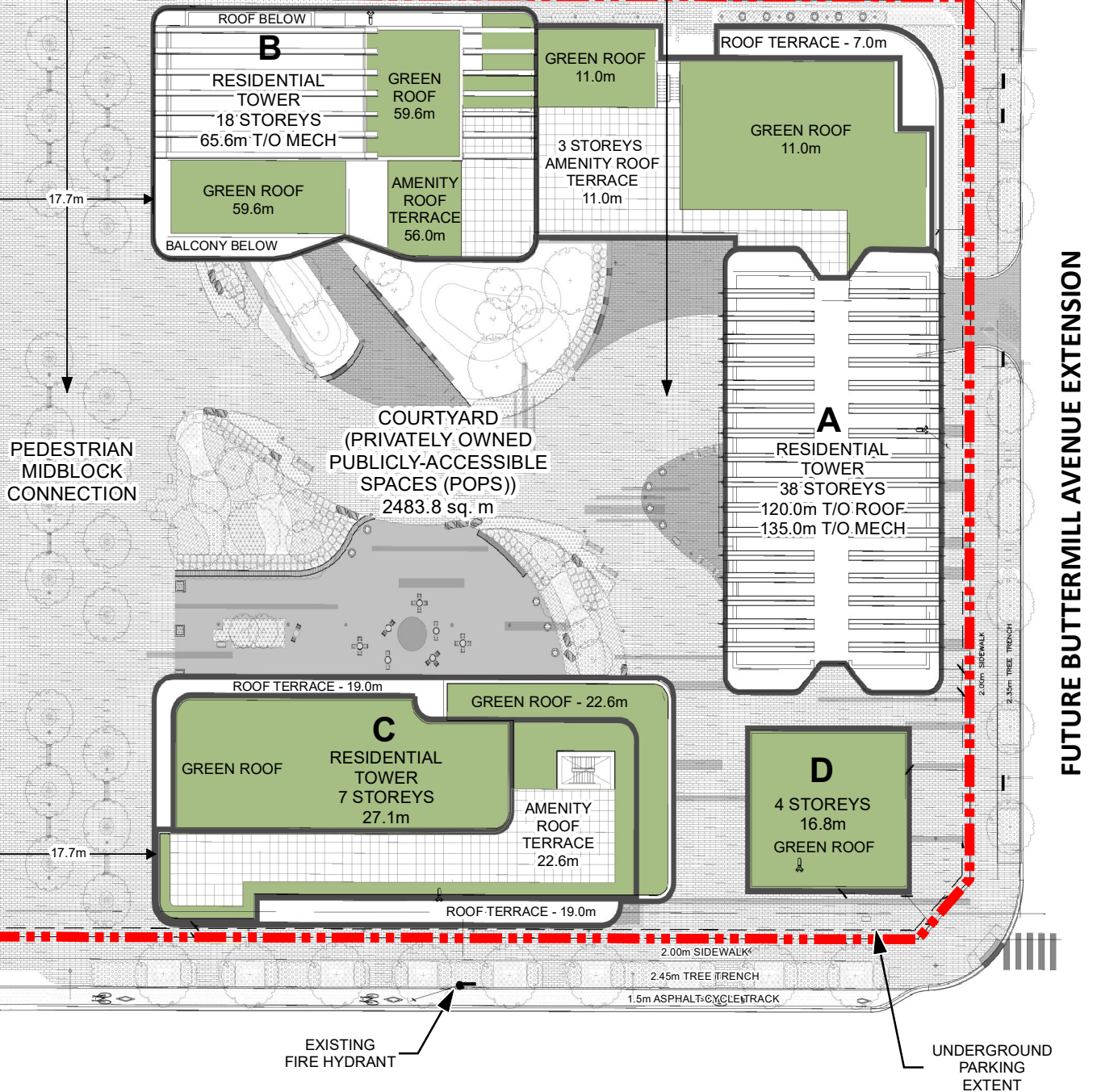
Reviewed by



Nick Spensieri, City Manager



SUBJECT TO A PUBLIC ACCESS EASEMENT FOR UNENCUMBERED
ACCESS TO BE MAINTAINED BY THE OWNER



Site Plan

LOCATION:
Part of Lot 6, Concession 5; 101 Edgeley Boulevard

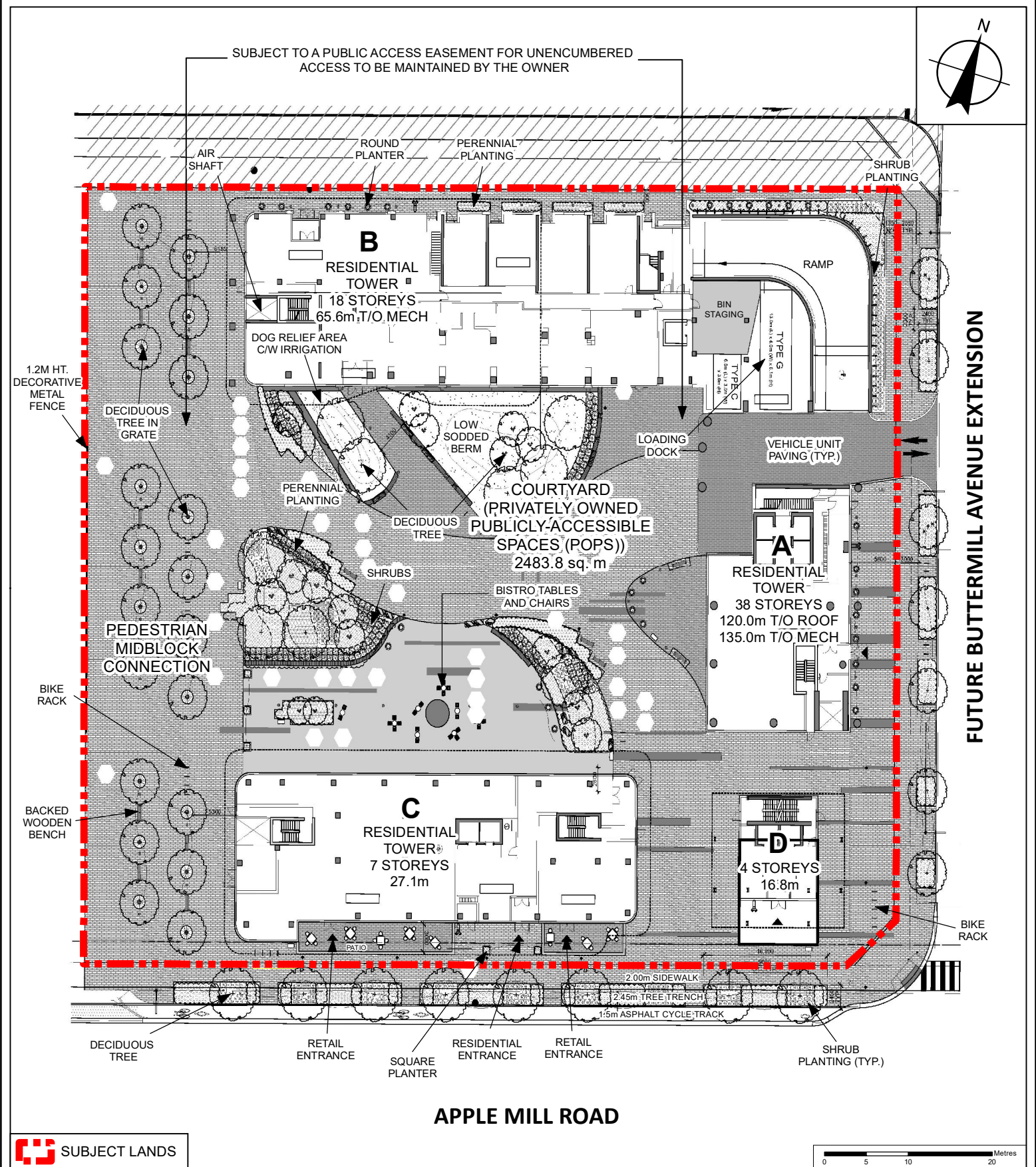
APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.20.052
RELATED FILE:
OP.20.013 and Z.20.029
DATE: June 21, 2022

2



Landscape Plan

LOCATION:
Part of Lot 6, Concession 5; 101 Edgeley Boulevard

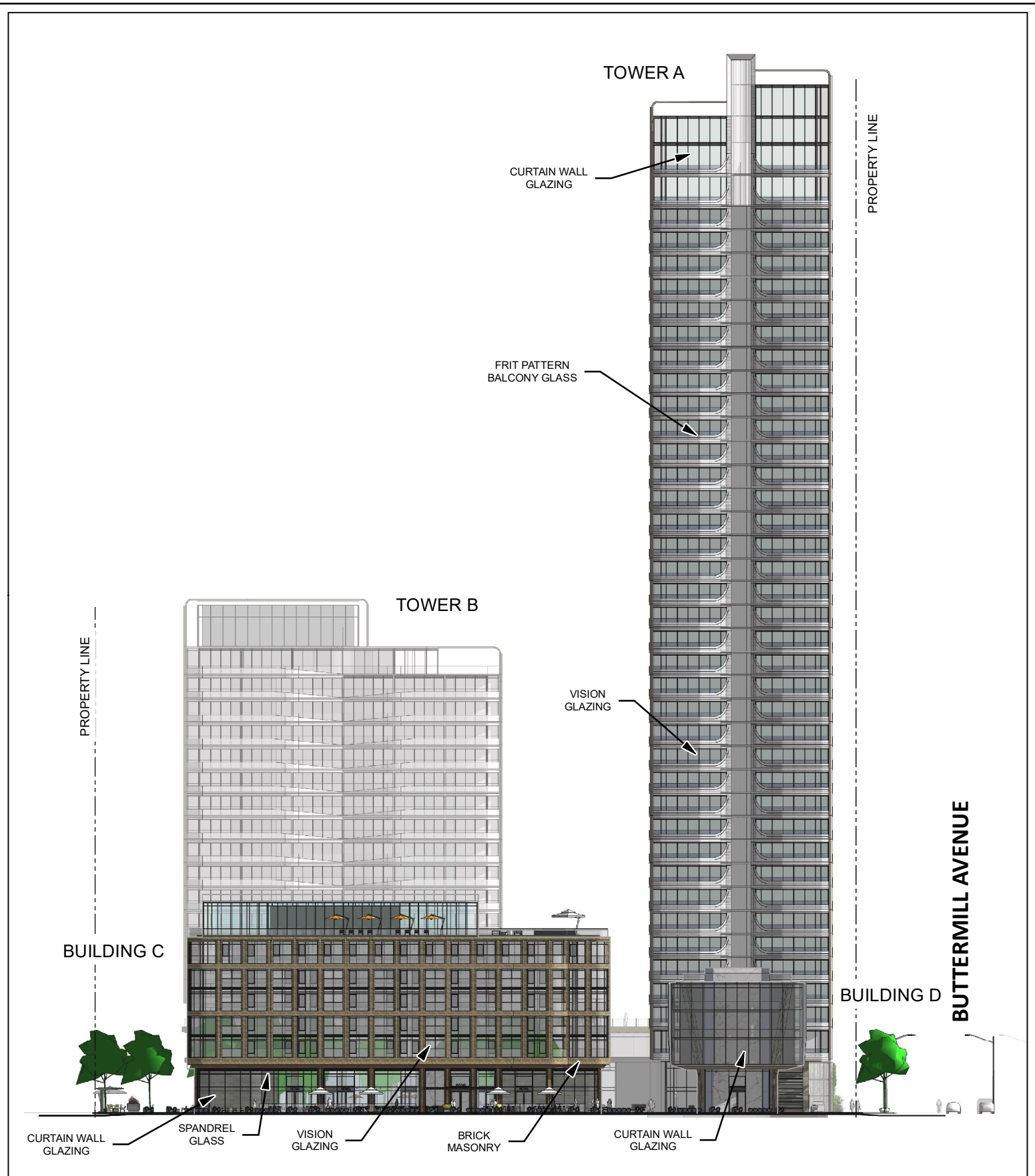
APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.20.052
RELATED FILES:
OP.20.013 and Z.20.029
DATE: June 21, 2022

3



South Elevation (Facing Apple Mill Road)

LOCATION: Part of Lot 6, Concession 5;
101 Edgeley Boulevard

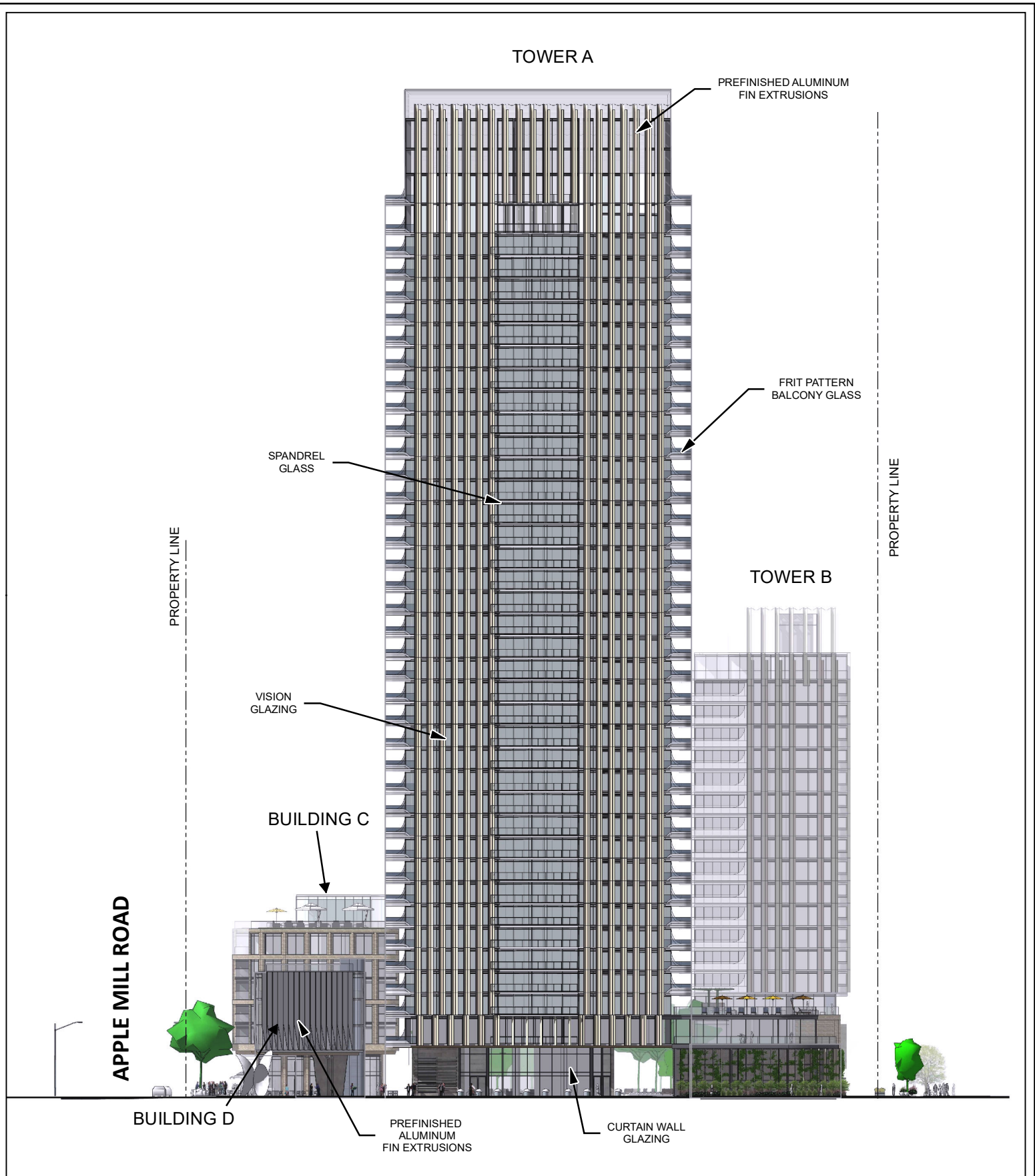
APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.20.052
RELATED FILES:
OP.20.013 and Z.20.029
DATE: June 21, 2022

4



East Elevation (Facing Future Buttermill Avenue)

LOCATION: Part of Lot 6, Concession 5;
101 Edgeley Boulevard

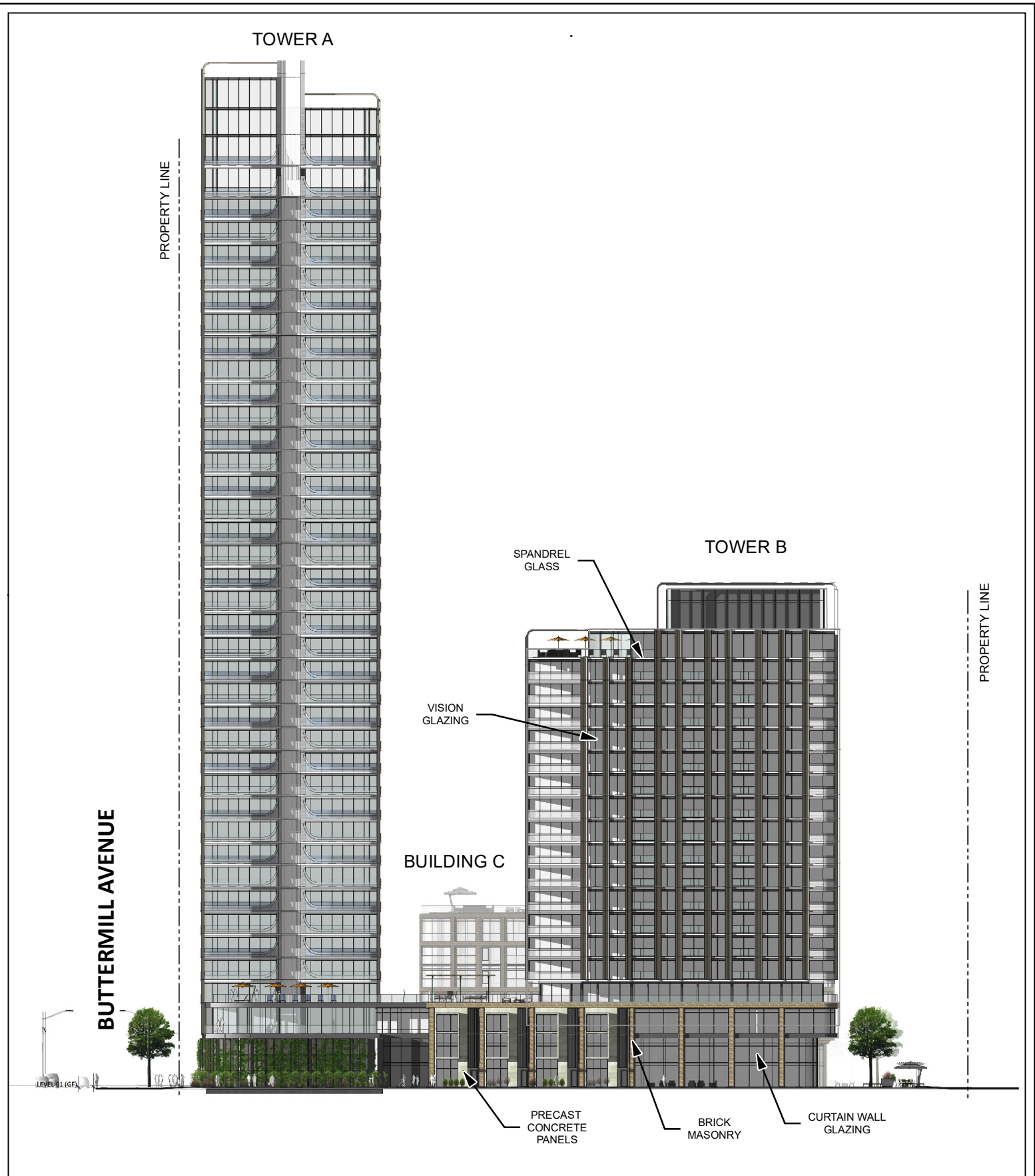
APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.20.052
RELATED FILES:
OP.20.013 and Z.20.029
DATE: June 21, 2022

5



North Elevation

LOCATION:

Part of Lot 6, Concession 5; 101 Edgeley Boulevard

APPLICANT:

Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:

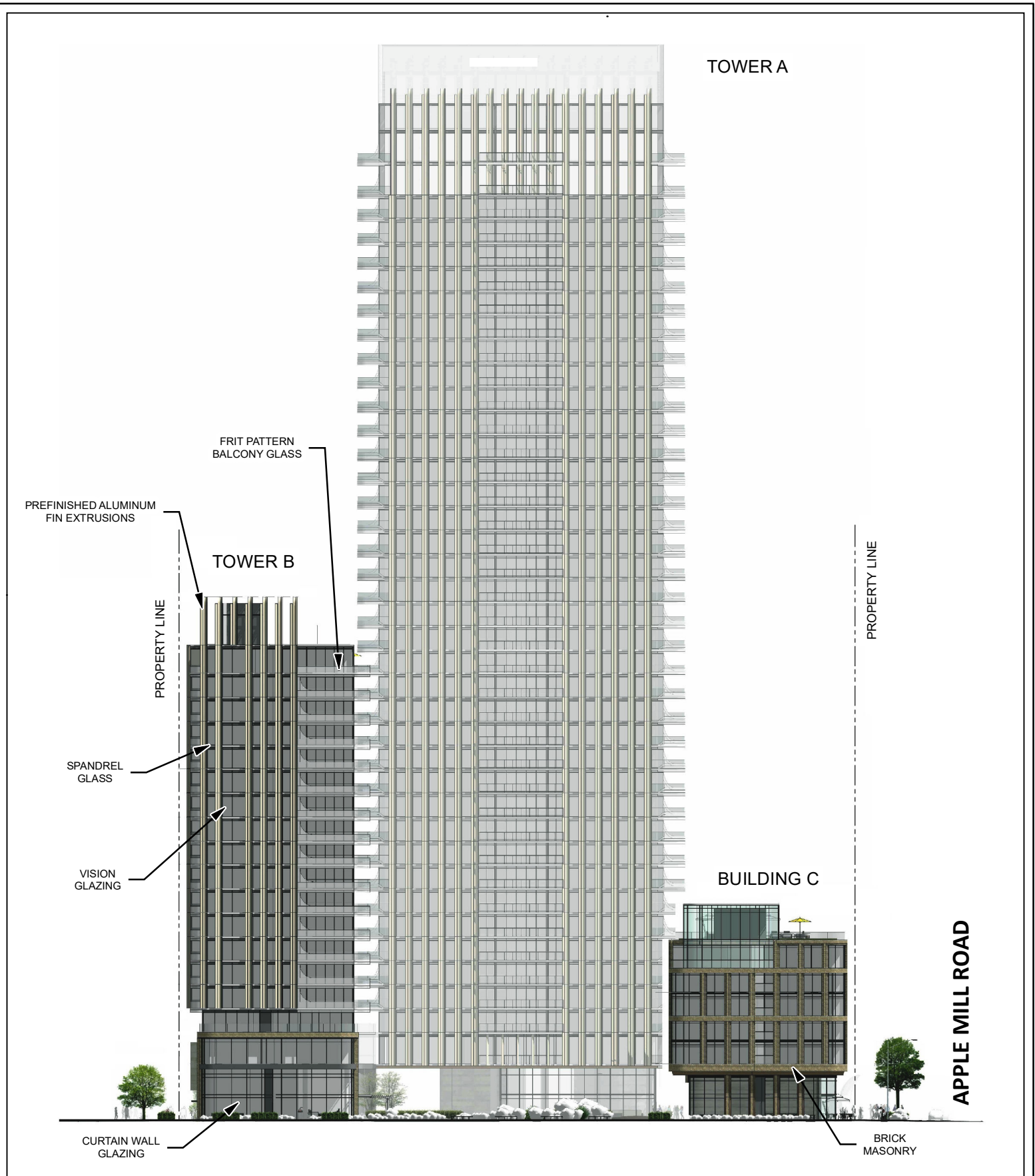
DA.20.052

RELATED FILES:

OP.20.013 and Z.20.029

DATE: June 21, 2022

6



West Elevation

LOCATION:
Part of Lot 6, Concession 5; 101 Edgeley Boulevard

APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.20.052
RELATED FILES:
OP.20.013 and Z.20.029
DATE: June 21, 2022

7



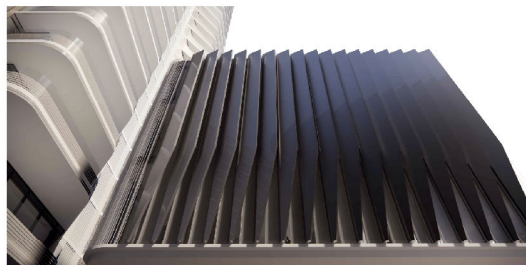
BIRDS EYE VIEW LOOKING NORTH WEST FROM APPLE MILL ROAD AND BUTTERMILL AVENUE



VIEW LOOKING EAST FACING FUTURE BUTTERMILL AVENUE



VIEW LOOKING SOUTH FROM COURTYARD



VIEW LOOKING WEST



VIEW LOOKING SOUTH FACING APPLE MILL ROAD

Perspectives

LOCATION:

Part of Lot 6, Concession 5; 101 Edgeley Boulevard

APPLICANT:

Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:

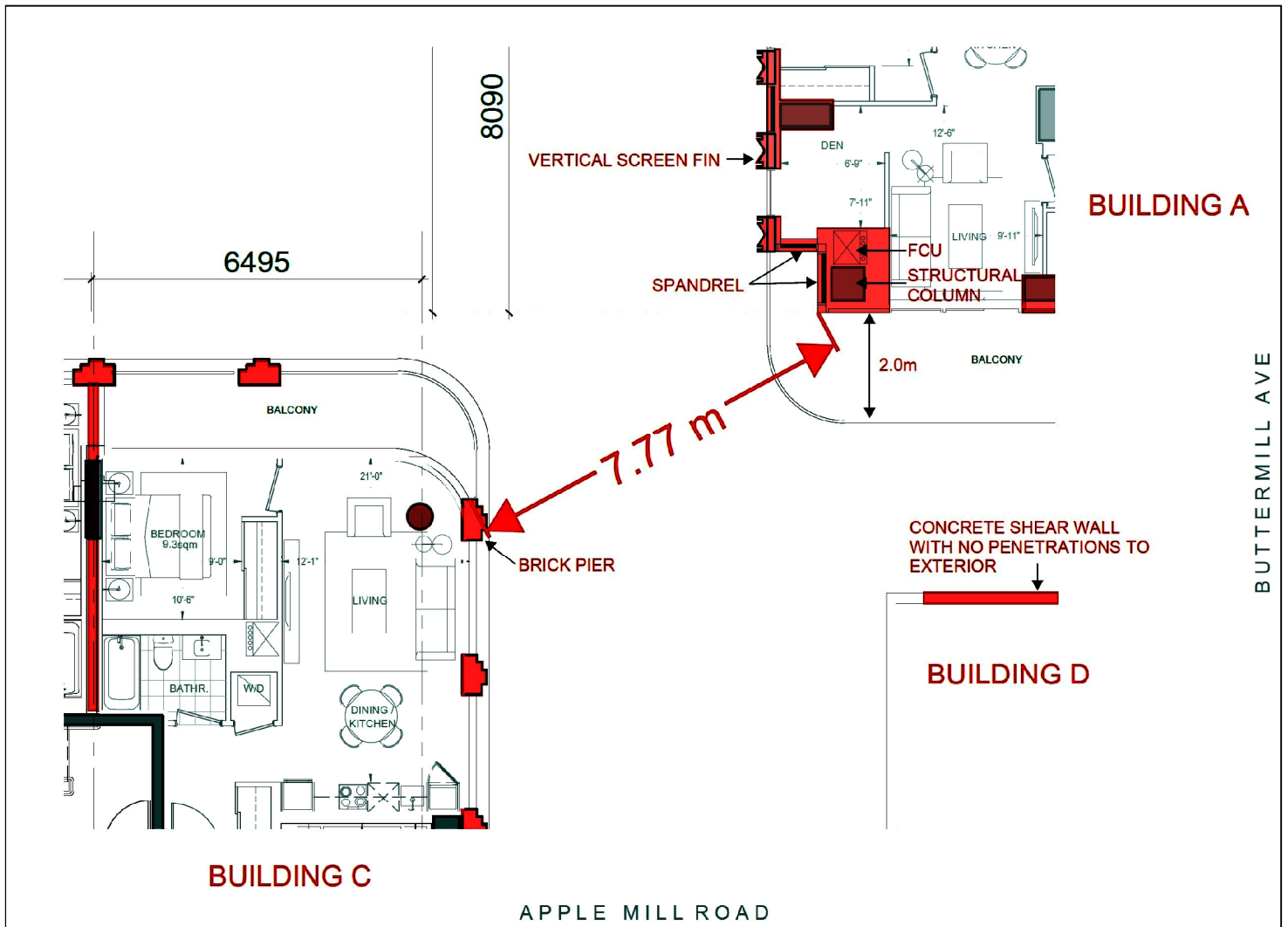
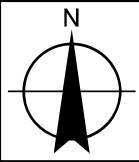
DA.20.052

RELATED FILES:

OP.20.013 and Z.20.029

DATE: June 21, 2022

8



Not to Scale

Building Separation Distance

LOCATION:

Part of Lot 6, Concession 5; 101 Edgeley Boulevard

APPLICANT: Penguin-Calloway (Vaughan) Inc.



Attachment

FILES:

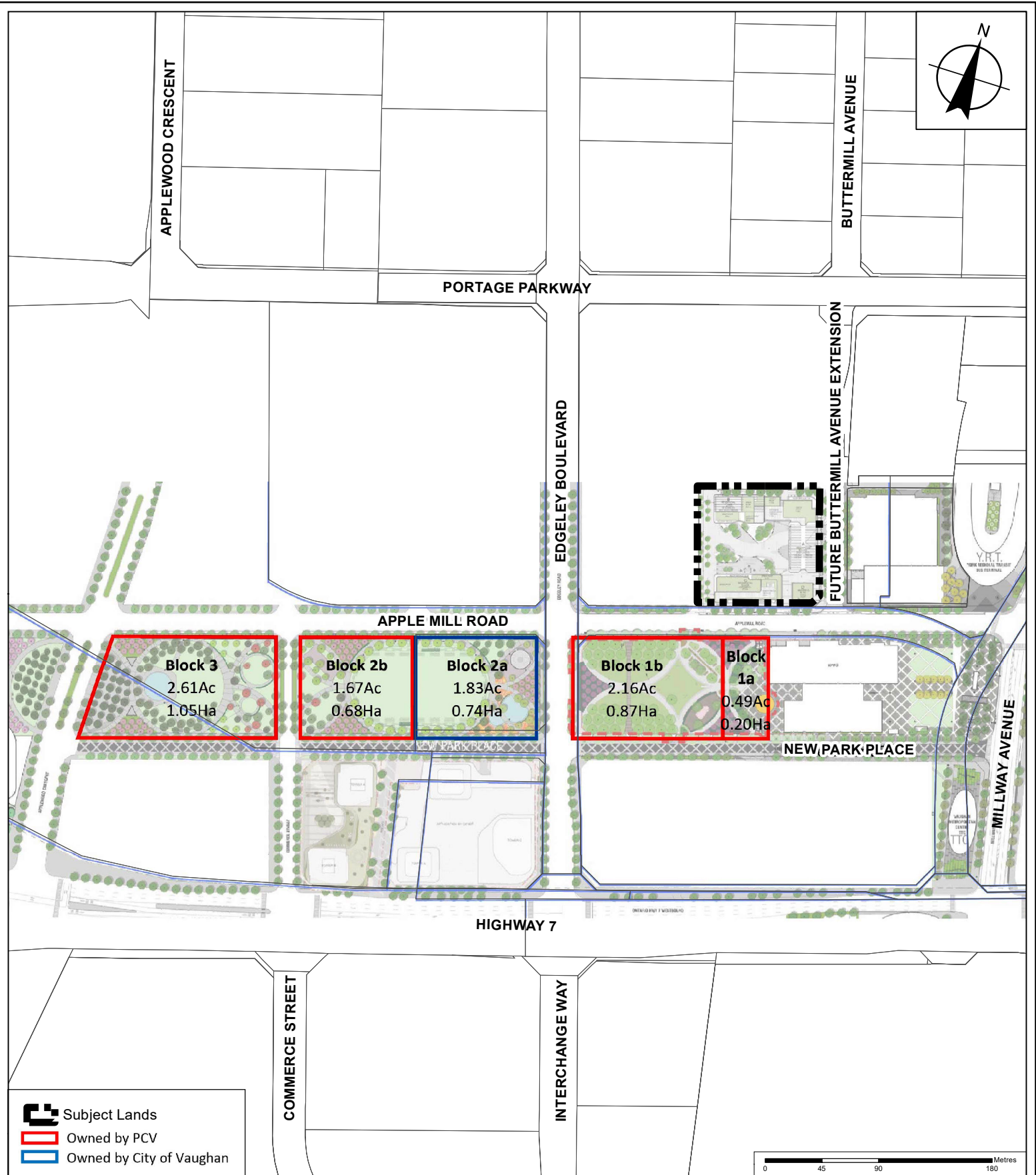
DA.20.052

RELATED FILES:

OP.20.013 and Z.20.029

DATE: June 21, 2022

9



Future North Urban Park Plan

LOCATION:

Part of Lot 6, Concession 5; 101 Edgeley Boulevard

APPLICANT: Penguin-Calloway (Vaughan) Inc.



Attachment

FILES:

DA.20.052

RELATED FILES:

OP.20.013 and Z.20.029

DATE: June 21, 2022

10

Attachment 11 – Conditions of Site Plan Approval (City of Vaughan)

Site Development File DA.20.052

Penguin-Calloway (Vaughan) Inc. ('The Owner')

Conditions of Site Plan Approval:

1. THAT prior to the execution of the Site Plan Agreement:

- a. The VMC Program shall approve the final site plan, building elevations, landscape cost estimate, landscape and streetscape plans, detailed wind tunnel model, sun/shadow analysis and wayfinding / signage design. The elevations should demonstrate appropriate treatment and articulation of the built form to ensure activation of the public realm edges. The wind and sun/shadow analysis should include existing and planned neighbouring buildings and demonstrate the incorporation of mitigation measures to ensure favourable micro-climactic conditions for people sitting, standing and walking within the public realm. An interim and ultimate landscape plan shall be provided for the north side of Apple Mill Road along the frontage of the Subject Lands, along with the related interim and ultimate cost estimates for streetscape works;
- b. The Owner shall submit a detailed exterior photometric lighting plan to the satisfaction of the City. This plan should include the location of each current and/or proposed outdoor lighting fixture with projected hours of use measured in lux and the area of the lighting dispersed by each lighting fixture to suit the intended uses;
- c. 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 Arborist Report. 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
- d. The Owner shall submit to the City the final 3D digital model of the development, which shall include the accurately geo-referenced digital data, as outlined in the Draft VMC Submission Protocol, to the satisfaction of the Vaughan Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the model;
- e. The Owner shall provide public access easements to the City free of costs and encumbrances that are registered on title over the centralized courtyard and the

pedestrian midblock connection located along the westerly limit of the site as shown on Attachment 2 to the satisfaction of the City. 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 of the courtyard and pedestrian walkway;

- f. The Owner shall seek approval from the City of Vaughan Committee of Adjustment to sever the Subject Lands from the remainder of the larger landholdings and provide evidence of an issued Certificate of Official by the Office of the City Clerk, along with the new legal description of the Subject Lands, all to the satisfaction of the VMC Program;
- g. The Development Agreement for the Buttermill Avenue extension shall be entered into and executed with the City of Vaughan to satisfy all conditions, financial or otherwise, with regard to such matters as the City may consider necessary, including but not limited to payment of the development levies, financial securities, cost sharing, the provision of roads and municipal services, utilities, and landscape, which include the ultimate landscape condition on the west side of Buttermill Avenue along the frontage of the Subject Lands;
- h. The Owner shall construct and dedicate the right-of-way for Buttermill Avenue in accordance with the executed Development Agreement for the Buttermill Avenue extension as a public highway to the City without monetary consideration and free of all encumbrances;
- i. The Owner shall convey a 2.7 m wide road widening on the north side of Apple Mill Road along the frontage of the Subject Lands and a 5 x 5 m daylight triangle required at the northeast corner of the site to the City free of costs and encumbrances, to the satisfaction of Development Engineering Staff, Policy Planning and Special Programs Department;
- j. Prior to the conveyance of the road widening and daylight triangle, the Owner shall implement the following to the satisfaction of the City:
 - i. 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, including reliance on the report(s) from the environmental consultant to the City;
 - ii. If remediation of any portions of the conveyance block(s) is required to meet the applicable Standards set out in the Ministry of the Environment, Conservation, and Parks (MECP) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the Record(s) of Site Condition ('RSC's) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the entire conveyance block(s) following remediation;

- iii. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the conveyance block(s); and
- iv. Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
- k. The Owner shall provide the City with a copy of the Ministry of the Environment, Conservation, and Parks (MECP) Record of Site Condition (RSC) acknowledged and registered on the Environmental Site Registry for the entire Subject Property. Copies of all Environmental Site Assessment (ESA) reports relied upon for the filing of the RSC, including reliance from the consultant, shall also be provided to the satisfaction of the City;
- l. The Development Engineering Staff, Policy Planning and Special Programs Department shall approve the final site servicing and grading plan, erosion control plan, functional servicing and storm water management reports and drawings, site illumination plan, utility coordination plan, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, construction parking management plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- m. The Owner shall submit to the City a detailed environmental noise and vibration impact study for the proposed development on the lands prepared in accordance with Ministry of the Environment, Conservation, and Parks (MECP) noise assessment criteria as defined in Publication NPC-300, "Environmental Noise Guideline-Stationary and Transportation Noise Sources", to satisfaction of the City;
- n. The Owner shall pay the Development Engineering Complex Site Plan fee, pursuant to the Fees and Charges By-law 195-2020, as amended, to the satisfaction of Development Engineering Staff, Policy Planning and Special Programs Department;
- o. The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;
- p. The Owner shall submit an application to Public Works, Environmental Services Department to obtain an approval for permanent ground water discharge required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City;

- q. The Owner shall satisfy all required of York Region;
 - r. The Owner shall satisfy all requirements of Alectra Utilities Corporation, Bell Canada, Canada Post and Enbridge Gas.
2. THAT prior to the execution of the Site Plan Agreement or the issuance of the first building permit, whichever occurs first:
- a. In accordance with Section 42 of the *Planning Act*, the VOP 2010, and By-Law 139-90, as amended by 205-2012, the Owner shall satisfy its parkland dedication requirements to the City's satisfaction. The City will require a cash-in-lieu contribution.
3. THAT the implementing Site Plan Agreement shall include the following clauses:
- a. Prior to the registration of a future plan of condominium(s) on the Lands, an easement shall be conveyed in favour of to the future condominium corporation(s) over the Lands comprising the required number of residential visitor parking spaces to serve the development File DA.20.052. The Owner shall agree to include a condition to this effect as a condition of draft approval of plan of condominium.
 - b. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the lands and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City.
 - c. The Owner shall agree that prior to the registration of a future plan of condominium, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features must be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final Noise Report and be submitted to the Director of Policy Planning and Special Programs Department;
 - d. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the lands, and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City. The Owner shall reimburse the City for the cost of the peer review of the Noise Report, as may be applicable;
 - e. The Owner shall agree to implement all traffic control measures on-site as outlined in the Transportation Impact Study, including the implementation of the pavement marking and signage plan, traffic control systems such as flashing beacons, as provided in the Transportation Impact Study by BA Group dated March 2021 (as revised) for all internal and external areas of the site, including interim and ultimate conditions.
 - f. The Owner shall agree to follow the TDM Plan as provided in the Transportation Impact Study by BA Group, March 2021 (as revised), including

the funding and implementation of TDM measures, on-going management and operation, monitoring and review of the TDM Plan. The Owner shall submit TDM Plan Updates, after conducting transportation surveys, to the satisfaction of the City of Vaughan Development Engineering Department and Policy Planning and Special Programs Department;

- g. The Owner shall agree to pay its proportionate share of the cost associated with implementing the recommendations of the approved VMC Master Servicing Plan Update to the satisfaction of the City. Financial commitments will be secured based on the City's latest available cost estimate for the required infrastructure improvements.
- h. The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:
 - "Purchasers and/or tenants are advised that the parkland may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City."
 - "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 in low, medium and high-density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
 - "Purchasers/tenants are advised that sound levels due to the increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
 - "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act, the Innovation, Science and Economic Development Canada ('ISED') and the Canadian Radio-television and Telecommunications Commission ('CRTC') authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- i. The Owner shall agree to make the necessary arrangements with the City's Environmental Services Department for the supply of potable water for construction purposes and implement a water flushing program to maintain the water quality.
- j. The Owner agrees that prior to the discharge of any water originating from a

source other than Vaughan's water supply, including water originating from groundwater accumulating or collected on private lands ("Private Groundwater Discharge") to Vaughan's storm sewer system, the Owner shall obtain a Discharge Approval for permanent ground water discharge ("Discharge Approval") from Vaughan prior to the release of Site Plan Approval, if required by Vaughan. The following terms and conditions within this section and sections l, m and n are subject to Vaughan requiring a Discharge Approval, if applicable.

- i. The Owner shall agree to install all works to carry out the Private Groundwater Discharge ("Discharge and Related Works") in accordance with the terms and conditions of the Discharge Approval, all to Vaughan's satisfaction. Furthermore, the Owner shall ensure that all Discharge and Related Works are in good standing with the Discharge Approval.
 - ii. The Owner shall agree that prior to registration of the condominium on the Lands, the Owner shall ensure that the Discharge Approval is in full force and effect and that the Discharge and Related Works are in good standing in accordance with the terms and conditions of the Discharge Approval and operating to Vaughan's satisfaction.
 - iii. The Owner shall agree that prior to registration of the condominium on the Lands, the Owner (which shall then be the condominium corporation) shall apply for and obtain a renewal of the Discharge Approval within thirty (30) days of registration or prior to the expiry date on the Discharge Approval, whichever occurs first, such that the Owner (condominium corporation) shall assume and become responsible for the Discharge Approval and the Discharge Related Works.
- k. The Owner shall agree that post-development flow rates discharged to Vaughan's storm sewer system from the Lands, including Private Groundwater Discharge, shall not exceed the pre-development flow rates discharged to Vaughan's storm sewer system as approved by Development Engineering and per the Discharge Approval. The Owner may be required to add or modify the Discharge and Related Works to Vaughan's satisfaction, all at their sole cost and expense. Where the Private Groundwater Discharge flow rates are exceeded, causing the post-development flow rates discharged to the Vaughan's storm sewer system to exceed the pre-development flow rates discharged to Vaughan's storm sewer system, Council Approval for Discharge Approval will be required.
- l. The Owner's right to Private Groundwater Discharge from its Lands into Vaughan's sewer system is subject to all terms and conditions of the Site Plan Agreement, the Discharge Approval, if required, the Vaughan's Sewer Use By-Law 087-2016, as amended, and all applicable laws and regulations.
- m. The Owner shall agree that in the event the Owner fails to comply with any of the terms and conditions set out in sections k, l and m, Vaughan may immediately suspend, terminate or revoke, at Vaughan's sole discretion, any discharge privileges granted under this Agreement and the Discharge

Approval, if applicable.

- n. The Owner will be required to pay applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.
- o. For high-density residential development, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy.
- p. Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.
- q. 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.
- r. The Owner/Developer will provide the building with its own centralized mail receiving facility. This lock-box assembly must be rear-loaded, adjacent to the main entrance and maintained by the owner/developer in order for Canada Post to provide mail service to the tenants/residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.
- s. The Owner/Developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retrofitted with a Canada Post deadbolt cylinder.
- t. The Owner/Development is advised to contact Canada Post to verify new postal codes for the proposed development and to contact Canada Post during the design stage of the proposed development to discuss a suitable mailbox/mailroom location.
- u. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
- v. The Owner agrees that should any conflict arise with existing Bell Canada

facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

- w. The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.
- x. The Owner is advised that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.
- y. The Owner shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
- z. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
- aa. Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost.
- bb. In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department.
- cc. The owner, or agent, of this proposed plan is required to contact Alectra and discuss all aspects of the above project. The standard electrical supply to Industrial, Commercial, Institutional and High-Rise Condominium projects is via a pad mounted transformer or where deemed appropriate, integrated within the built form to the satisfaction of the City of Vaughan. The proposed transformer shall meet Alectra's Clearance Standards, the transformer must also be located within 3-4.5m of a parking area, driveway or hard surface for access by service vehicles. The access must be from within the customer's property, not from a local roadway or adjacent properties, and must provide adequate access for a line truck. Primary voltage duct bank standards and the transformer base and grounding standards will be provided to the customer once the primary supply point(s) have been established by Alectra, and the customer's main service size has been established by their Consultant.

- dd. All proposed billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.
- ee. The transformer precast base cannot be located over parking structures or over an underground parking garage. Where the transformer is to be situated on a graded slope, a notched-out area must be established for the transformer base to be installed, with adequate space to accommodate the grounding requirements and guard post/bollards if required.
- ff. Alectra will require one architectural site plan showing the proposed transformer location, one electrical site plan, and an electrical single-line drawing, both in hard copy (PDF file, P.Eng. approved version) and electronic AutoCAD (latest version). Additionally, a complete building elevation drawing (including subsurface excavations) is required to ensure the project is not in conflict with any existing overhead or underground components of the electrical distribution system. Alectra also requires a letter from the owner, or the agent, stating that the proposed building-to-existing electrical distribution system clearances have been checked and are in compliance with the current requirements of the applicable standards, acts and codes referenced below.
- gg. In the event that the building commences construction, and the clearance between any component of the building structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.
- hh. In the event the building is completed, and the clearance between the building and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.
- ii. Once Alectra has received all proposed details and are satisfied with the design, Alectra will provide the customer with an Offer to Connect which will specify all the details and the responsibilities of each party. Once the Offer is signed and full payment received by Alectra, Alectra will start the final design and state and/or obtain the required approvals from the Local Municipality.