

Committee of the Whole (2) Report

DATE: Tuesday, June 21, 2022

WARD: 4

**TITLE: FIRST VAUGHAN INVESTMENTS LIMITED
OFFICIAL PLAN AMENDMENT FILE OP.20.015
ZONING BY-LAW AMENDMENT FILE Z.20.042
VICINITY OF HIGHWAY 7 AND COMMERCE STREET**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan Amendment and Zoning By-law Amendment Files OP.20.015 and Z.20.042 (First Vaughan Investments Limited) for the Subject Lands shown on Attachment 1, to permit a high-rise mixed-use development with 1,113 residential units consisting of the following:

- Two (2), 48 (Tower A) and 56-storey (Tower B) residential apartment buildings with 1,113 residential units
- A 2 to 3-storey shared podium integrated with ground floor retail uses, 4 at-grade live-work units and amenity space
- A publicly-accessible courtyard
- Three (3) levels of underground parking with access from the future north-south publicly accessible private mews connecting from New Park Place to Highway 7
- A future low-rise retail building to be located on the north-east corner of the Subject Lands, east of the north-south mews
- A total Gross Floor Area ('GFA') of 91,637 m²
- A total residential GFA of 89,634 m² (includes 1,113 m² indoor amenity area)
- A total retail GFA of 2,003 m²
- A 580 m² outdoor (rooftop) amenity area
- A maximum Floor Space Index ('FSI') of 8.43 times the area of the lot

Report Highlights

- The Owner proposes a high-rise mixed-use development consisting of two (2), 48 (Tower A) and 56-storey (Tower B) residential apartment buildings with 1,113 residential units, a shared 2 to 3-storey podium integrated with ground floor retail, 4 live-work units, and amenity areas, serviced by 3 levels of underground parking accessed from the future north-south mews connecting future New Park Place to Highway 7, with a future retail building to be proposed at the north-east corner of the Subject Lands
- The Owner proposes an increase to the maximum building height and density in return for the following community benefits in the form of a \$8,276,082.00 cash contribution pursuant to Section 37 of the *Planning Act* towards urban park enhancements in the northwest quadrant of the VMC.
- Details related to the corresponding Site Development application File DA.20.067 is currently under review by VMC Program staff and will be considered at a future Committee of the Whole meeting
- The Planning and Growth Management Portfolio, the VMC Program supports the approval of the proposed development as it is compatible with the existing and planned uses of the surrounding area, subject to conditions of this report

Recommendations

1. THAT Official Plan Amendment OP.20.015 BE APPROVED; to amend Vaughan Official Plan 2010 ('VOP 2010') and Volume 2 of VOP 2010, specifically the VMCSPP, to:
 - a) Modify Schedule "K", Site-Specific Policy Areas, to:
 - i. Identify the Subject Lands located at the north-east corner of Commerce Street and Highway 7 as Area "S"
 - ii. Permit the proposed maximum building heights of 48 (Tower A) and 56-storeys (Tower B) for the residential towers with a maximum density of 8.43 times the area of the lot (Floor Space Index – 'FSI'), whereas a maximum building height of 30-storeys and density of 5.0 FSI is permitted
 - iii. Permit a minimum podium height ranging between 2 and 3-storeys; whereas, a minimum of 6-storeys is required
 - iv. Permit an increase to the maximum tower floor plate size from 750 m² to 815 m² as follows:

Tower A (48-storeys)

 - 761 m² to 799 m² (Between Levels 4 to 7)
 - 802.5 m² (Between Levels 8 to 42)
 - 747 m² to 700.5 m² (Between Levels 43 to 48)

Tower B (56-storeys)

- 770 m² to 807 m² (Between Levels 4 to 8)
- 812 m² (Between Levels 9 to 50)
- 746 m² to 810 m² (Between Levels 51 to 56)

2. THAT Zoning By-law Amendment File Z.20.042 BE APPROVED to:
 - a) Amend By-law 1-88, as amended, to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9 Corporate Centre Zone”) generally in the manner shown on Attachment 3, together with site-specific exceptions generally identified in Table 1 of this report;
 - b) Permit the bonusing for increased height and density for the proposed Development as shown on Attachments 2 to 7 in return for the provision of community benefits totaling a cash contribution of \$8,276,082.00 pursuant to the policies of VOP 2010 and VM CSP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* for off-site urban park enhancements in the northwest quadrant of the VMC;
3. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 for the community benefits identified in Recommendation 2b), which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$8,276,082.00 towards urban park enhancements within the northwest quadrant of the VMC shall be provided as a cash contribution prior to the enactment of the Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement Surcharge Fee, in accordance with the Tariff of Fees for Planning Applications, prior to the execution of the Section 37 Agreement;
4. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and City Clerk be authorized to execute the Section 37 Density Bonusing Agreement, pursuant to the Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation 3;
5. THAT the implementing Official Plan Amendment be forwarded to York Region for approval;
6. 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*; and,
7. 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.

Background

The subject lands (the ‘Subject Lands’) are located in the Vaughan Metropolitan Centre (the ‘VMC’) at the north-east corner of Highway 7 and Commerce Street, with currently

no fixed municipal address. The Subject Lands are currently vacant. The surrounding uses are shown on Attachments 1 and 2.

A Public Meeting was held on May 4, 2021 to consider the Applications and Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

The City on April 9, 2021 mailed a Notice of Public Meeting which was circulated to all property owners within 150 m of the Subject Lands, and included the expanded polling area as shown on Attachment 1 and 2, and posted the Notice online as follows:

- a) The City's Online Calendar in March and April 2021
- b) On the City Page, which was posted on the City's website at www.vaughan.ca in April 2021

Two Notice Signs were installed along the Highway 7 and Commerce Street frontages, in accordance with the City's Notice Signs Procedures and Protocols. No deputations or written submissions were received at the May 4, 2021 Public Meeting.

Official Plan and Zoning By-law Amendment, and Site Development Applications (the 'Applications') have been submitted to permit the Development

First Vaughan Investments Limited (the 'Owner') has submitted the following Applications to permit a mixed-use development consisting of two (2), 48 (Tower A) and 56-storey (Tower B) residential towers for a total of 1,113 residential units (the 'Development') as shown on Attachments 2 to 7:

1. Official Plan Amendment File OP.20.015 to amend the VMCSPP to modify Schedule "K" Site-Specific Policy Areas to identify the site-specific Amendment Area "S" to permit the following:
 - a) maximum building heights of 48 and 56-storeys for the residential towers;
 - b) a maximum Floor Space Index ('FSI') of 8.43 times the area of the lot;
 - c) a minimum podium height ranging between 2 to 3-storeys;
 - d) a maximum residential tower floor plate size of 815 m² in the following manner:

Tower A (48-storeys)	761 m ² to 799 m ² (Between Levels 4 to 7)
	802.5 m ² (Between Levels 8 to 42)
	747 m ² to 810 m ² (Between Levels 51 to 56)
Tower B (56-storeys)	770 m ² to 807 m ² (Between Levels 4 to 8)
	812 m ² (Between Levels 9 to 50)
	746 m ² to 810 m ² (Between Levels 51 to 56)

2. Zoning By-law Amendment File Z.20.042 to amend Zoning By-law 1-88 to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9 Corporate Centre Zone” in the manner shown on Attachment 3 to permit residential uses, together with site-specific zoning exceptions identified in Table 1 of this Report.
3. Site Development File DA.20.067 to facilitate the development of the high-rise mixed-use development which is not subject to this report nor recommended for approval at this time.

Previous Reports/Authority

[Item 1, Report No. 24, of the Committee of the Whole \(Public Meeting\), OP.20.015 and Z.20.042 adopted by Vaughan Council May 18, 2021](#)

Analysis and Options

The VMC Program supports the Development based on the following:

The Development is consistent with the Provincial Policy Statement, 2020

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 within the VMC to support a healthy and livable community.

The Development promotes the efficient use of the lands, reduces land consumption and servicing costs. The design and built form of the proposal, inclusion of integrated retail, future retail in the corner notch, and live-work units 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 10-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 immediately south of the future North Urban Park in the northwest quadrant. The Owner proposes to provide community benefits to North Urban Park enhancements in support of the increased height and density, which would contribute to the planned parkland network within the VMC, contributing to VMC's sense of place and identity. 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, 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 with 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 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 ('MTSA')

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 located near higher order transit.

The Development contributes to a complete community by introducing a mix of land uses 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 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 affordable housing and smaller unit types, and meeting density and intensification requirements
- Section 4.2.4 and 4.4.1 by providing mixed-use pedestrian environments and ensuring walkable, transit-supportive, and high-quality design for integrated retail uses
- Section 5.2.5 respecting the balance of residential and employment uses within close proximity
- 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 built form with 1,113 residential units ranging from 1 bedroom to 2-bedroom units, with one, 3-bedroom unit in a high rise built-form that would contribute to the housing choices in the City to meet the needs of residents and workers in York Region. Family sized units are considered those with 2 or more bedrooms. The Development includes 356, 2 and 3-bedroom units, including 4 live-work units (2-bedroom units), which represents approximately 32% of the total unit count.

The Development contributes to a mix of uses planned in the VMC and would deliver a density that encourages and optimizes the uses of higher-order transit. The proposed retail uses in the both the podium and future building in the northeast corner of the Subject Lands would help to support the needs of the community.

The Development provides an urban streetscape that complements the adjacent existing and planned employment and commercial uses and provides for accessibility to higher-order transit. The proposed buildings 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.

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

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

Schedule C – Street Network identifies a local street (20-22 m), future New Park Place, immediately to the north abutting the limits of the Subject Lands. The Owner is currently working with the City to prepare revised engineering drawings to facilitate the development of New Park Place as a 22m public road through a separate development agreement. Once completed, this local street will connect Commerce Street through to Edgeley Boulevard. A 15-17 m wide pedestrian mews is also identified by the VMCSP to the east of the Subject Lands. Per the VMCSP, mews may be designed and built as a Local Street or a Mews, and may be privately owned, but shall be fully publicly accessible via an easement agreement.

The VMCSP permits a building height range between a 5-storey minimum to a 30-storey maximum and a density (FSI) range between a 2.5 minimum to 5 maximum times the area of the Subject Lands by Schedule H – Height and Density Parameters of the VMCSP.

Policy 8.7.17 permits podiums within the VMC generally with a minimum height of 3-storeys; however, high-rise building podiums along Highway 7 shall be 6-storeys.

Policy 8.7.18 permits a maximum tower floor plate size of 750 m². Amendments to permit increases to the tower floor plate size up to a maximum of 815 m² is proposed and outlined further below.

The following amendments to VOP 2010, Volume 2, specifically the VMCSP, are required to add a new Site-Specific Policy Area for the Subject Lands on Schedule “K” to permit the following:

- a) Further to the permissions outlined in Policy 8.7.12, an increase in the maximum building heights for Towers A and B from 30-storeys to 48-storeys (Tower A) and 56-storeys (Tower B), subject to the registration of a Section 37 Agreement and payment of a Section 37 Contribution

- b) An increase to the maximum permitted density (Floor Space Index 'FSI') from 5.0 times the area of the lot to an FSI of 8.43 times the area of the lot, subject to the registration of a Section 37 Agreement and payment of a Section 37 Contribution
- c) To permit a minimum podium height of 2 to 3-storeys; whereas, a minimum of 6-storeys is required
- d) An increase to the tower floor plate size from 750 m² to the following:
 - Tower A (48-storeys)
 - 761 m² to 799 m² (Between Levels 4 to 7)
 - 802.5 m² (Between Levels 8 to 42)
 - 747 m² to 700.5 m² (Between Levels 43 to 48)
 - Tower B (56-storeys)
 - 770 m² to 807 m² (Between Levels 4 to 8)
 - 812 m² (Between Levels 9 to 50)
 - 746 m² to 810 m² (Between Levels 51 to 56)

Other proposed amendments include identifying a maximum residential GFA of 89,643 m²; and a required minimum of 2,003 m² GFA of the overall development to consist of non-residential uses.

The VMC Program supports the proposed amendments to VOP 2010 and the VMCS

Section 1.5 of VOP 2010, The Vision for Transformation: Goals for the Official Plan, identifies the VMC as a provincially designated Urban Growth Centre (UGC), given its location along Highway 7 and the terminus of the Toronto-York Spadina Subway Extension. The VMC is Vaughan's downtown with the highest density node in the City and a focus for civic activity, business, shopping, entertainment, and living. Policy 2.1.3.2, Defining Vaughan's Transformation: Key Planning Objectives, 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 proposed density, unit mix and retail uses provide increased housing and employment opportunities and the Subject Lands have access to higher-order transit, which can support the intensification being proposed.

The VMCSPP provides several objectives for the VMC, including the following:

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people
- 3.5 Optimize existing and planned investments in rapid transit
- 3.6 Establish a hierarchical, fine-grain grid network of streets and pathways linked rationally to the larger road system
- 3.7 Develop a generous and remarkable open space system
- 3.9 Ensure development incorporates green infrastructure and green building technologies
- 3.10 Ensure all development exhibits a high-quality of urbanity, materials, and design

The Subject Lands are designated “Station Precinct”, which provides a broad mix of uses to support the highest densities within the downtown due to close proximity to the VMC Subway Station and higher-order transit facilities. The Development is highly accessible, optimizes and encourages the use of existing transit infrastructure. The proposed density contributes to the density targets of 200 people and jobs per hectare by 2031 in the VMC UGC and will support the establishment of a complete community. The Development satisfies these objectives of the VMCSPP.

The Development is located within close proximity to higher-order transit, building on the vision of the VMC to provide a walkable, accessible, diverse, vibrant, green development that is compact

The Development is located immediately south of the future North Urban Park and is within a 10-minute walking distance to the Edgeley Pond and Park. While the site has been optimally designed to provide a compact development, the Development includes generous outdoor (rooftop) amenities, a courtyard, indoor amenity areas, and private balconies to service its residents.

The Development is located along Highway 7 and Commerce Street and will be bound to the north by future New Park Place and the publicly accessible mews to the east, which will offer generous public frontages. The building design offers active frontage uses which include retail at-grade, double-height podium lobby spaces for the residential uses, and live-work units along the eastern edge abutting the publicly accessible mews. These active uses will animate these frontages on Highway 7, Commerce Street and future New Park Place.

The Development’s access is contingent upon the construction of future New Pak Place which runs east-west to the north of the Subject Lands. As identified in Schedule C – Transportation Network, this critical connection will provide access from the westerly

limit of Applewood Road through to Millway Avenue to the east. Schedule C also identifies the requirement for a 15-17 m wide pedestrian mews which runs north-south along the eastern edge of the Subject Lands. Presently, the proposal only includes providing the proportionate half of the north-south mews, which includes up to a maximum of 8.5 m wide roadway (including 2.5 m for layby parking spaces, with a 6 m wide road) with a 2.5 m wide boulevard, and a 2.0 m wide sidewalk within the private realm. In order to ensure access at all times, a public access easement will be sought over the roadway, boulevard and sidewalk portions below Level 2. The balance of the mews will be provided by the adjacent development to the east (Official Plan Amendment Files OP.19.010 and Z.19.025 – 1042710 Ontario Limited) which will deliver the ultimate 17 m wide mews.

The Development would also have the effect of dedicating the future local road (New Park Place) through a Development Agreement with the City to facilitate the construction, installation and dedication of this east-west local road to contribute to the finer grid of connectivity in the VMC, promoting multiple modes of transportation, including the use of public transit. An urbanized streetscape design along this local road, together with those of Commerce Street and Highway 7 which includes a double rows of street trees will in time be a beautifying and defining feature of the downtown and contribute to beautiful and comfortable streetscapes. The mews and ultimate build-out of New Park Place will also provide access to the north-east corner notch for the future development of a retail building. While the details of the retail building are not considered as part of this proposal at this time, the Owner proposes to zone this portion of the lands to permit retail uses within this corner. A future Site Development Application will be filed with the City to facilitate the development of this corner notch.

The Development conforms with the retail, built-form, setback and building exterior policies of the VM CSP

Policies 8.7.1 to 8.7.25 of the VM CSP relate to building design that promotes pedestrian comfort through building façade treatments, lobby frontages, podium and tower designs and building materiality. This entails a well-articulated podium expression, tower massing and the specific placement of the building entrances at the ground level with high-quality landscape treatments. The Development proposes a 2 to 3-storey podium which provides a height that addresses and frames the surrounding context and provides a stronger street frontage, at a more human-scale and streetwall. The podium is generally 3-storeys in height; however, is 2-storeys along the New Park Place frontage facing north (Attachment 6) for retail uses.

Policy 8.7.2 requires that the location, massing and design of buildings contribute to human-scaled streetwalls, attractive streetscapes, a varied skyline, and an active

pedestrian public realm. The Development meets the intent of Policy 8.7.12 respecting building height by providing a varied, interesting skyline with the 48 and 56-storey towers. The built form scale and streetscape relationship also meets the intent of this policy by providing beautiful streetscapes, built form design and massing that is comfortable for and inviting to pedestrians.

Policy 8.7.18 as it relates to *Massing* further requires tower elements of high-rise buildings to be slender and spaced apart from one another to minimize shadow impacts and the loss of sky views, maintain privacy and contribute to an interesting skyline. The maximum tower floor plate shall be 750 m², which would allow for limited shadow impacts on the streetscape and skyline. The Development proposes an 812 m² maximum tower floor plate within Tower A, and a maximum tower floorplate of 810 m² within Tower B; however, the amendment proposes up to a maximum 815 m² to accommodate minor adjustments.

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

To facilitate the Development, amendments to the VMCSP are required to allow an increase to the maximum permitted FSI from 5.0 times the area of the lot to 8.43 and to permit a maximum building height of 48 and 56-storeys for the residential towers. Pursuant to Section 37 of the *Planning Act*, the policies of the VMCSP and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*”, Vaughan Council may authorize any increase in building height and/or density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased building height and density. Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMCSP 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 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 VMCSP and ensure consistency with applicable built form and neighbourhood compatibility objectives. The Development is consistent with the PPS and conforms to the Growth Plan and the YROP. The increase in the maximum building height and density reflected in the Development is proposed through Section 37 of the *Planning Act*. In Section 3 of the City’s Guidelines for the Implementation of Section 37 of the *Planning Act*, “good planning” includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the

Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments 2 to 7, staff have determined it represents good planning.

The Development is aligned with the following objectives contained in the VMCSP:

- i. A downtown: “to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people.”
 - A critical objective of the VMCSP is to concentrate new development in the downtown and to achieve a vibrant mixed use urban centre. The Development would contribute to achieving the required critical mass to support the investments in the transit infrastructure, while also helping to develop a strong identity and sense of place required to create a successful downtown.
- ii. High transit usage: “optimize existing and planned investments in rapid transit.”
 - The Development capitalizes on the VMC’s locational advantage, being the convergence of the regional bus network (the SmartVMC 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 short walking distances to the higher-order transit through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.
- iii. Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design.”
 - The Development incorporates an architectural form that frames and addresses the surrounding streets and provides a courtyard to serve residents and future retail uses, with additional retail to be located within the corner-notch to complement the future park uses. The Development has also been revised through staff and DRP guidance to improve the site organization, massing and design of the podium. The VMC Program is generally satisfied with these revisions and with the overall built form proposed for the Development. Subject to the Recommendations of this report, the final site plan, building elevations and

landscape plan shall be submitted and approved to the satisfaction of VMC Program staff.

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 VMCSPP, in return for the provision of community benefits in the VMC. VOP 2010 identifies community benefits that may qualify, including:

- Public art contributions
- 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
- 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 increase in building height and density in return for a community benefit, pursuant to Section 37 of the Planning Act. The contribution is equivalent to a \$8,276,082.00 cash contribution towards urban park enhancements in the northwest quadrant of the VMC. This contribution is supported by the objectives of the VMCSPP and would directly benefit and service the parkland and 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 identity and civic role for the VMC.

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 Section 37 contribution to the urban park enhancements within the northwest quadrant benefit the future residents of the Development and the visitors to the VMC, given it is immediately adjacent to this future park. The City's goal is to achieve a complete community within a true mixed-use downtown. Should the

Applications be approved, the Owner and the City shall execute a Section 37 Density Agreement to permit an increase in the maximum permitted building height and density, prior to the enactment of the implementing site-specific Official Plan Amendment and Zoning By-law Amendment. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law for Planning Applications. A condition to this effect is included in the Recommendations of this report. In addition, servicing allocation for water and sewage capacity for the proposed 1,113 residential units have been recommended for approval as per the Recommendations of this Report.

Amendments to Zoning By-law 1-88 are required to permit the Development. The Applications are subject to By-law 1-88 under the Transition Provisions “1.6.3.3 Other Approvals” of the new Comprehensive Zoning By-law (the ‘CZBL’)

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. On March 1, 2022, the Development Planning Department brought forward a Committee of the Whole Report to amend the transition provisions of Zoning By-law 001-2021, which includes allowing Council decisions on development applications that were made prior to the passing of Zoning By-law 001-2021, to be recognized. The revised transition provisions of Zoning By-law 001-2021 were ratified and enacted by Council on March 22, 2022. The revised transition provision of Section 1.6.2.6 of Zoning By-law 001-2021 will allow the Council approval under Zoning By-law Amendment File Z.20.042 to be recognized.

The Subject Lands are zoned “C7 Service Commercial Zone” by Zoning By-law 1-88, as amended, which does not permit the mixed-use development. The Owner proposes to amend By-law 1-88 by rezoning the Subject Lands from the “C7 Service Commercial Zone” to the “C9 Corporate Centre Zone” to permit the mixed-use permissions, together with the following site-specific zoning exceptions to permit the Development as shown on Attachments 2 to 7:

Table 1:

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
a.	Definition - “Lot”	LOT - Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, c. P. 13. would not be required	LOT - Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O. 1990, c. P. 13. would not be required for its conveyance. For the purpose of this

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9 Corporate Centre Zone Requirements
		for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot. This shall include lands such as mews, which provides driveway access to the development, and includes northeast corner notch (commercial). For the purposes of this by-law, the Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of Zoning By-law 1-88.
b.	Permitted Uses	<u>Commercial</u> The following uses shall be permitted with no open storage or display: - Office Building - LCBO Outlet - Brewers Retail Outlet - Business and Professional Office - Hotel, Motel, Convention Centre - Banquet Hall, including an eating establishment provided that said eating establishment does not exceed 20% of the GFA of the banquet hall - Car Rental Service - Club or Health Centre - Eating Establishment with or without Outdoor Patio - Eating Establishment, Convenience with or without Outdoor Patio - Eating Establishment, Take-out	To permit the following uses: Apartment Dwelling (Podium Townhouse Units) Live-Work Units

	Zoning By-law 1-88 Standards	- C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
		- Tavern - Bank or Financial Institution - Mixed Use Development - Personal Service Shop - Pharmacy - Photography Studio - Print Shop - Place of Entertainment including a multi-screen cinema complex - Retail Store with a gross floor area of less than 9,290 sq.m - Supermarket with a gross floor area of less than 9,290 sq.m - Retail Warehouse with a gross floor area of less than 9,290 sq.m - Apartment Dwelling - Block Townhouse Dwelling - Place of Amusement - Technical School - Video Store - Veterinary Clinic - Recreational Uses as defined in Section 2 - Service or Repair Shop with a maximum gross floor area of 600 sq.m or less - Office and Stationery Supply, Sales, Service and Rental	
c.	Minimum Lot Frontage	50 m	35 m
d.	Minimum Yard Requirements	Front Yard – 3 m (Highway 7) Rear Yard – 6 m (abutting residential) and 3 m (abutting non-residential) for New Park Place	<u>Ground Floor Setbacks</u> 2 m (New Park Place) 2 m (Commerce Street) 2 m (Highway 7) 2.9 m (Mews) <u>Tower Setbacks</u> 1 m (New Park Place and Mews)

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
		Exterior Side Yard – 3 m (Commerce Street and Mews)	1 m (Highway 7)
e.	Minimum Build-To Zone Requirements	80% of the length of the street line abutting all streets, shall have buildings located within the build-to-zone (Commerce Street) 50% of the length of the street-line shall be occupied by buildings within the build-to-zone of 0-3 m and 3-6 m for residential uses (Highway 7 and New Park Place)	20% of the length of the street line abutting all streets, shall have buildings located within the build-to-zone (Commerce Street) 45% of the length of the street line abutting a major street shall be occupied by buildings located within the required build-to-zone of 0 to 5 m for non-residential and 0 to 5 m for residential uses (Highway 7 and New Park Place)
f.	Maximum Building Height	25-storeys (Schedule A2 By-law 1-88 and By-law 144-2009)	Notwithstanding Schedule A2 of By-law 1-88, and By-law 144-2009, the following provisions for maximum building height shall apply: Tower A – 160 m (46 storeys) Tower B – 185 m (56 storeys) For clarity, the maximum building height shall be exclusive of the mechanical penthouse, and architectural features.

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
			A Minimum ground floor height of 5.0 m for non-residential uses shall apply.
g.	Minimum GFA of Commercial Uses at-grade	60%	34%
h.	Minimum Landscape Requirement	Areas of land for no purpose other than landscaping and driveway access shall be located adjacent to street lines A minimum of 2.4 m of landscaping is required	Soft Landscape Requirement: For the purpose of clarity, a soft landscape strip width is not required. Hard Landscape Requirement:
		abutting an OS2 Zone (5.1.1 a))	6 m (abutting Highway 7 and Commerce Street) 3 m (abutting New Park Place) An air intake shaft shall be permitted within the landscape strip. The provisions of 5.1.1 a) shall not apply.
i.	Minimum Building Setbacks (Below-Grade)	1.8 m	0 m to the underground parking garage
j.	Maximum Residential Density	67 m ² /dwelling unit	The provision of Section 5.1.5 as it relates to minimum

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
			density in Schedule A2 shall not apply. For purposes of clarity, Floor Space Index ('FSI') shall be calculated based on the ratio of gross floor area (GFA) to the land area. For clarity, the land area shall include all road conveyance and road widenings. Overall FSI of 8.43 times the area of the lot
k.	Minimum Parking Space Requirements	<u>Retail Uses</u> Min: $2003 \text{ m}^2 \times 2.0 \text{ spaces}/100 \text{ m}^2 = 41 \text{ spaces}$ <u>Residential Uses</u> 1BR/Bach: $757 @ 0.7/\text{unit} = 530$ 2BR: $355 @ 0.9/\text{unit} = 320$ 3BR: $1 @ 1.0/\text{unit} = 1$ Total Residential = 851 <u>Visitor Spaces</u> $1,113 @ 0.15/\text{unit} = 167$ Overall Total Required Parking = 1,069	<u>Retail Uses</u> $2,003 \text{ m}^2 \times 0.7 \text{ spaces}/100 \text{ m}^2$ <u>Residential Uses</u> $1,113 \times 0.18 \text{ spaces}/\text{unit}$ <u>Visitor Spaces</u> $1,113 \times 0.15/\text{unit} = 167$ A total of 412 parking spaces will be provided, where 201 parking spaces are devoted to residential uses and 211 spaces shall be provided as shared parking between visitor parking and commercial parking spaces

	Zoning By-law 1-88 Standards	C7 Service Commercial Zone Requirements	Proposed Exceptions and rezoning to the C9Corporate Centre Zone Requirements
I.	Minimum Loading Space Requirements	<u>Loading Space Dimensions</u> 9 m (l) x 3.5 m (w)	A small loading space shall be dimensioned as the following: 6.5 m (l) x 3.5 m (w) x 3.0 (h)
m.	Minimum Drive Aisle Width	6 m	5.2 m for a regular loading space 4.0 m for a small loading space
n.	Minimum Parking Space Lengths and Accessible Parking	2.7 m (w) x 6.0 (l) Type A: 3.4 m (w) x 6.0 (l) Type B: 2.4 (w) x 6.0 (l)	2.7 m (w) x 5.7 (l) Accessible Spaces: Type A: 3.4 m (w) x 5.7 (l) Type B: 2.4 (w) x 5.7 (l)

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 Subject Lands reflects an urban built form and public realm:

- Maximum Overall GFA shall not exceed 91,637 m², subject to payment of the associated Section 37 contribution
- Maximum residential GFA shall be 91,637,000 m²
- A minimum non-residential GFA shall be 2,003 m²
- A minimum ground floor height for retail shall be 5 m
- Minimum Tower stepback from the podium along each ROW shall be 3 m
- A minimum distance between any building portion above the first 9.5 m of Towers A and B shall be 25 m
- Minimum common amenity area (indoor and outdoor combined) shall be 1.52 m²/unit

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

a) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a compact built form and pedestrian realm relationship that is supported in a downtown environment with access to higher-order transit to promote active transportation. The site-specific development standards (setbacks, landscape strip widths, maximum GFA, building heights, and drive aisle widths, loading space and parking, and bicycle parking space requirements, minimum commercial requirements at-grade- and build-to-zone requirements etc.) can be supported as it would enable a compact and urban built form that represents good planning. The proposed apartment dwelling and live-work units are supported. The reduced building setbacks and landscape strips provide for a compact development. The proposed building heights are appropriate in context and provide a high-rise compact built form and pedestrian realm relationship that is supported by a downtown environment with access to higher-order transit. The site-specific development standards are reflective of the submitted site plan and would facilitate the development proposal as shown on Attachments 2 to 7.

b) Parking and Loading Space Requirements

The VM CSP 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 are considered appropriate to encourage non-automobile travel and reflective of standards to support high-density developments in a transit-oriented area. The parking rates as proposed have the capacity to accommodate the Development and are supported by the City's Transportation staff. The proposed amendments to the loading space requirements are also supported by staff as these amendments will accommodate compact loading vehicles (i.e. mini vans and loading trucks) and will not impact the loading/unloading operations given the required number of loading spaces (residential uses) has been maintained. Accordingly, staff can support the amendments as proposed.

Residential visitor parking shall be provided at the minimum bylaw requirement of 0.15 spaces per residential unit. Retail parking shall be provided at the minimum by-law requirement of 0.7 spaces/100 m² of GFA, which is consistent with the parking requirement within By-law 001-2021. Parking supply reductions can be considered as shared parking, and is permitted in the by-law between compatible land-uses. Should

the Applicant require future reductions to this rate, a Parking Justification Study must be conducted in accordance with the City's Parking Study Guidelines and submitted for City review demonstrating a combination of on-site and off-site private parking supply is available and can be dedicated to accommodate the needs of the development. Should further parking reductions be justifiable to the satisfaction of the VMC Program, and deemed to be minor subject to Section 45(1) of *Planning Act*, a Minor Variance Application may be filed with the City through the Vaughan Committee of Adjustment to permit relief to the parking requirements. All parking requirements must comply with the provisions of By-law 1-88, and By-law 001-2021 (if applicable) and shall be resolved prior to execution of the future Site Plan Agreement.

A Consent Application is required to sever the Subject Lands from the entirety of the landholdings

The Subject Lands are currently part of the larger Owner's larger landholdings which consists of 3.2 hectares of land as shown on Attachment 1. Upon the West Spine Roads Agreement being executed and completed with the City, the Subject Lands will be bound to the west by Commerce Street, and to the north by Apple Mill Road, which are inclusive of the lands designated within the urban park. Prior to final approval of the Site Development File DA.20.067, the Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to sever the Subject Lands (the 'Development') from the entirety of the landholdings as shown on Attachment 1. The Committee's decision regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

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.20.042, 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 to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

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
- 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.

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

The VMC Program, Development Engineering Division of the Policy Planning and Special Programs Department has reviewed the Applications and has 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, shoring excavation plans, photometric exterior lighting plans, dewatering plans, must be approved to the satisfaction of the VMC Program, Development Engineering Division of the Policy Planning and Special Programs Department, along with any outstanding review fees that must be paid prior to final approval of the related Site Development Application.

Road Network

The Subject Lands are bounded on the north by the future New Park Place extension (22 m ROW), on the south by Highway 7, to the east by a publicly accessible mews (17 m wide) and to the west by Commerce Street. New Park Place shall be extended from Edgeley Boulevard westerly to intersect with Commerce Street with the north-south pedestrian mews crossing lands between the adjacent property to the east. The proposed road ROW and cross-section details shall be established to the satisfaction of the City:

- New Park Place shall be designed to its ultimate configuration with a 22 m ROW and protected for future extension to Edgeley Boulevard
- Private mews with a public access easement shall be designed to its ultimate configuration with a 17 m road width and connect to New Park Place

The following conditions of approval shall be satisfied prior to final approval of the related Site Development Application DA.20.067, are summarized below:

- Prior to final Site Plan Approval:
 - The New Park Place extension shall be designed to the satisfaction of the VMC Program with any permanent and/or interim works including drainage design, grading adjustment and illumination.
 - The Owner shall enter into a Development Agreement with the City to advance the design, construction, installation and dedication of the New Park Place extension and associated municipal services, at the sole cost of the Owner, with provisions for future connection in accordance with the local servicing policy, to the satisfaction of the City.
 - The Owner shall submit a MECP Record of Site Condition (RSC), to the satisfaction of the VMC Program;
 - The Owner shall coordinate with the adjacent landowner to the east to complete the design and construction of the New Park Place extension (Commerce Street to Edgeley Boulevard), to the north-south private mews to the satisfaction of the City.
 - The Owner and/or the adjoining neighbour to the east, shall deliver the New Park Place extension from Edgeley Boulevard to Commerce Street, and storm servicing from Commerce Street to Applewood Crescent to the satisfaction of the City.
 - The Owner shall make the necessary arrangements to enter into an agreement with the adjacent landowner to the east to allow for completion and construction of the private north-south mews to its ultimate configuration. The agreements shall address, but are not limited to, liability, land-title, cost sharing, the timing and costs associated with the construction of the interconnection and obligations and costs of ongoing maintenance be fully secured and constructed prior to the occupancy of any residential units approved as part of this application.
 - The Owner shall also register on title and carry out at no cost to the City, any temporary or permanent easement, access and drainage works that may be necessary to support the Development in the interim condition to the satisfaction of the City.

- The Owner shall convey an easement to the City and Region in perpetuity for the purpose of permitting uninterrupted and unobstructed public pedestrian and vehicular ingress, egress, access, use and enjoyment in, on, across, over and upon the private mews. The easements shall also be registered on title and shall form part of the condominium declaration.

Noise Attenuation

The Owner has submitted a Noise Report to verify the noise sources surrounding the proposed development, which also identified the noise control measures for the proposed development. The noise analysis considers the road traffic on Highway 7, Commerce Street, Edgeley Boulevard, Apple Mill Road and Hwy 400 and the operation associated with the subway station, surrounding commercial facilities and office buildings. Due to the significant setback of the Subject Lands and intervening shielding, the noise impact assessment concludes that the noise sources from nearby facilities are expected to be minimal and acoustically insignificant. However, road traffic noise is a concern but it can be mitigated by appropriate construction of exterior walls, windows and doors in accordance with the MOE guidelines. Dwelling units that abut or face an arterial road shall be provided with central A/C to permit the windows to remain closed. Appropriate warning clauses should be placed in occupancy agreements to inform future occupants of the potential noise situation. The proposed development can meet the Class 1 designation for the urban environment. The Owner shall agree to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City through the related Site Development File DA.20.67.

Municipal Servicing

The Subject Lands are located within the northwest quadrant of the VMC. The anticipated growth within the VMC will result in higher population densities, which will lead to an increased demand for water, increased wastewater production, and an increase in surface water run-off during rain events. The Owner has submitted the Functional Servicing Report (FSR), prepared by SCS Consulting Group Ltd., dated March 2022. Staff reviewed the report and provided comments, which shall be revised upon a resubmission to the City. The foregoing provides an overview of the servicing strategy for the proposed development:

Storm Drainage

The proposed development will direct controlled storm drainage from the site via a storage tank and pump with back-up flow controls to the existing 525mm dia. storm sewer connecting to the existing 600mm dia. storm sewer portion of the existing Commerce Street superpipe. The flows from the existing Commerce

Street superpipe are further controlled and ultimately outlets to the Humber River through the existing storm sewers on Highway 7.

Water Supply

The development lies within Pressure District 6 (PD6) of the York Water Supply System. The site will be serviced by the watermains on Commerce Street and the proposed New Park Place extension, which can provide domestic and fire flow demands for the proposed development.

Sanitary Servicing

In accordance with the VMC Servicing Strategy Master Plan, the servicing strategy recommended the installation of a new sanitary sewer on Edgeley Blvd crossing Highway 7. The new sewer will be tributary to the existing 900mm diameter sanitary sewer south of Highway 7 along Interchange Way to service this development.

Should the Development proceed in advance of the new sanitary sewers on Edgeley Boulevard and New Park Place extension, a connection can be made to the existing sanitary sewers along Commerce Street subject to the confirmation of sufficient residual capacity in the downstream sanitary sewers.

The existing system and the future system are both tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). It is anticipated future surcharge condition occurs at the trunk system along Jane Street near the Highway 407. The City is currently undertaking the servicing strategy master plan update which will identify the trigger and the preferred options for the downstream sewer upgrade.

The construction of New Park Place extension including the associated servicing shall be constructed in order for the Development to proceed.

Environmental Site Assessment (ESA)

Phase One and Two Environmental Site Assessment (ESA) reports were submitted for review. The Phase Two ESA identified shallow soil impacts likely associated with the former orchard area. The impacts were vertically and horizontally delineated and were remediated by the Owner between 2018 and 2019 through excavation and offsite removal. Given that impacts were identified requiring remediation, as per the City's contaminated sites policy, the Owner shall submit a MECP Record of Site Condition (RSC) registered on the Environmental Site Registry covering the Subject Property, to the satisfaction of the VMC Program prior to final site plan approval.

Grading

The Owner will be required to provide the Development Engineering Site Grading Inspection Fee of \$412.00 Prior to final approval of the related Site Development File DA.20.067.

Geotechnical and Hydrogeological Assessment

The Owner has submitted a Geotechnical and Hydrogeological Investigation Report for review and approval by the City. The Report recommended the ground water control measures that need to be implemented during the construction, and assessment of the long-term dewatering activities required on the Subject Lands.

Water/Sanitary Servicing Allocation

Servicing application is available and will be recommended for allocation at the Site Development approval stage through Site Development File DA.20.067, for a total of 1,113 residential apartment units (2,460 persons equivalent) at a future Committee of the Whole meeting.

Area Specific Development Charge (ASDC)

The Owner shall contribute its share of the cost of infrastructure works and/or undertake necessary improvement works associated with implementing the municipal servicing improvements for the ultimate build-out of the VM CSP area based on the recommendations of the on-going Integrated Urban Water Master Plan EA and latest VMC FSSR Update to the satisfaction of the City. Financial commitments may be secured via the development agreement and will be based on the City's latest available cost estimate for the required infrastructure improvements. The Area Specific Development Charge (ASDC) - VMC West Interchange Sanitary Sewer will be applicable prior to issuance of building permit as determined by the Development Finance Department.

Parking

The Owner has submitted a revised Transportation Impact Study and Visitor Parking Justification, dated March 2022, prepared by BA Group in response to comments by the Transportation Division. The alignment for the north-south mews between the adjoining neighbours has been resolved; as a condition of approval the Owner will be required to provide written confirmation of this agreement with SmartCentres. The Owner shall also address the flaring of the north-south mews as 7 m is proposed; whereas York Region staff require a minimum of 8 m throat width at other locations. The Owner will also be required to comply with all internal and external pavement marking and signage in accordance with the TIS. A final TIS shall be approved by the Transportation Division as a condition of approval.

The Owner proposes to provide 412 parking spaces within the 3 levels of underground parking garage to serve all uses within the Development. Approximately 211 spaces will be dispersed amongst retail and visitor parking spaces, which must include a minimum visitor parking rate of 0.15 spaces per unit, for a 167 visitor parking spaces. Accordingly, the Owner shall provide a minimum 0.15 visitor parking rate in accordance with the Zoning By-law requirements, and provide a minimum 0.7 retail parking rate in accordance with Zoning By-law 001-2021 requirements.

Bicycle parking spaces are provided within the Development for short and long-term parking within the parking garage and within level 2 of the podium. Staff recommend that the short-term parking spaces be located at-grade. North-bound cycle tracks (east side of Commerce Street) is to be provided from Highway 7 to future New Park Place. The Owner shall also provide Transportation Demand Measures (TDM) on-site including provision of PRESTO cards and car-share opportunities. A Letter of Credit in the amount of \$5,000.00 is required by the City to secure for two (2) follow-up travel surveys following the baseline survey, as a future condition of Site Plan approval. The final Transportation Impact Study and Transportation Demand Management Plan must be approved to the satisfaction of the City Prior to final approval of the related Site Development File DA.20.067.

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.

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

The Owner shall enter into Development and Site Plan Agreements with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including development charges. 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.

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 clause will be included in the implementing Site Plan Agreement. A condition this effect is included in the Recommendations of this report.

NavCanada and Bombardier Aerospace have no objection to the Development

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service and Bombardier Aerospace, Owner, and operator of the Toronto Downsview Airport, has advised in a letter dated March 5, 2021 and December 3, 2021 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 Site Plan Agreement.

The School Boards are integral stakeholders as part of the VMCSPP update and have provided preliminary comments respecting requirements for future school site designation requirements in the VMC

The York Region District School Board ('YRDSB') and York Catholic District School Boards ('YCDSB') are important stakeholders in implementing the VMC Secondary Plan and continue to be active participants and stakeholders as part of the ongoing VMCSPP update. The current VMCSPP protects for 4 school sites within the VMCSPP area to serve the planned population. The YCDSB has advised in their letters dated March 31, 2021, updated April 13, 2022 that the subject application is not in proximity to a proposed future school site. The YRDSB has indicated in their letter dated March 15, 2022 that the proposal is premature until such time as the suitable elementary school sites are secured as part of the VMCSPP process. As part of the recalibration exercise through the VMCSPP update, options will be considered by Q3 of 2022 to address impact of additional density on requirements for additional community facilities and schools to ensure a complete community is achieved. The School Boards are working closely with City staff to address the inadequate school site designations relative to the proposed and approved densities to-date in the VMC. The School Boards have expressed some preliminary concerns about inadequate student accommodation relative to proposed

and previously anticipated densities initially envisioned for the area. The City acknowledges these concerns and will continue to work with the School Boards to ensure that their concerns are adequately addressed.

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 reviewed the Applications and have no objection to the Development in-principle, and retains the approval authority of the Official Plan Amendment File OP.20.015. The Owner is required to address all of York Region's comments in their letters dated May 4, 2022 and April 21, 2022. York Region has advised in their letter that 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. Conditions to this effect are included in the Recommendations of this report to forward the implementing Official Plan Amendment to York Region for approval, and that the

implementing Zoning By-law be approved subject to Section 24(2) of the *Planning Act*. The Owner will be required to address York Region's outstanding comments.

Transportation

Transportation Planning staff has reviewed the revised Transportation Impact Study ('TIS'), and notes that the TIS does not assess the increased height and density as anticipated in the VMC. In light of the VMCSPP update, the Transportation Division recommends that the Study be completed once the impacts of the anticipated growth in the area has been fully analyzed. Accordingly, the decision on the OPA approval has been deferred to the Community Planning division. TDM measures including provisions of PRESTO cards is recommended.

Waste and Wastewater Servicing

The FSR and SWM Management reports have been reviewed by York Region and Infrastructure Asset Management has no objection to the OPA application.

Site Plan

The Owner is required to convey the widening across the full frontage of the site abutting Highway 7, along with all required daylight triangles and daylight trapezoids by Commerce Street and Highway 7 and by the pedestrian mews.

The Owner is required to address York Region comments dated April 21, 2022 through the related Site Development File DA.20.067 enter into a Site Plan Agreement with York Region.

Conclusion

The VMC Program has reviewed Official Plan and Zoning By-law Amendment Files OP.20.015, Z.20.042, and Site Development File DA.20.067 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region and City Official Plan policies, the requirements of By-law 1-88, comments from City Departments, external public agencies, the public and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the VMCSPP. The VMC Program 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 supports the approval and draft approval of the Applications, subject to the conditions included in the Recommendations of this report.

For more information, please contact: Natalie Wong, Senior Planner VMC, Extension 8866.

Attachments

1. Context and Location Map
2. Location Map and Zoning
3. Site Plan and Proposed Zoning
4. Landscape Plan
- 4a. Green Rooftop and Amenity Terraces
5. Building Elevations - North and East
6. Building Elevations - South and West
7. Perspective Renderings

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