

## Committee of the Whole (2) Report

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**DATE:** Tuesday, September 20, 2022

**WARD:** 4

**TITLE:** FIRST VAUGHAN INVESTMENTS LIMITED AND SMARTVMC  
WEST INC.  
SITE DEVELOPMENT FILE DA.20.067  
PART OF LOT 6, CONCESSION 5  
VICINITY OF COMMERCE STREET AND HIGHWAY 7

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek draft-approval from the Committee of the Whole for Site Development File DA.20.067 to permit a mixed-use development in the Vaughan Metropolitan Centre (VMC) consisting of 48 and 56-storey residential towers on a shared 2 to 3-storey podium, with of at-grade retail, live-work units, a stand-alone 3-storey retail building, a privately owned publicly accessible open space (POPS) courtyard, as shown on Attachments 1 to 11.

**Report Highlights**

- Site Development File DA.20.067 proposes a high-rise mixed-use development consisting of two residential towers (48 and 56-storeys) containing 1,107 residential units with ground-related retail uses and live-work units.
- Applications to amend the Official Plan and Zoning By-law Files OP.20.015 and Z.20.042 were approved by Vaughan Council on June 28, 2022 through implementing By-laws 151-2021 and 152-2022 (OPA 79) 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.20.067 BE DRAFT-APPROVED subject to the conditions set out in Attachment 9; and
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Plan Development File DA.20.067 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 1,107 residential apartment units (2,768 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 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.

## ***Proposed Development***

The proposed mixed-use development (the ‘Development’) is shown on Attachments 2 to 8 and consists of the following:

- a) Two residential apartment buildings with building heights of 48 and 56-storeys located on a shared podium varying in heights between 2 to 3-storeys, with at-grade retail uses and an interim landscape area to be proposed at the north-east corner notch and a future 3-storey standalone retail building, subject to a separate Site Development Application;
- b) 1,107 residential units
- c) Gross Floor Area (‘GFA’) of 91,432 m<sup>2</sup> consisting of 89,532 m<sup>2</sup> of residential and 1,900 m<sup>2</sup> of retail uses
- d) 387 parking spaces within 3 levels of underground parking of which 167 spaces are devoted to residential visitor, and are accessed via the future north-south privately-owned, publicly accessible mews connecting New Park Place to Highway 7
- e) 2,264 m<sup>2</sup> of common amenity area (1,684 m<sup>2</sup> indoor and 580 m<sup>2</sup> outdoor) including the central courtyard POPS

- f) 8.5 m wide proportionate half of the north-south privately-owned, publicly accessible mews

### **Previous Reports/Authority**

The following link provides information related to the corresponding Council-approved Official Plan and Zoning By-law Amendment Applications (Files OP.20.015 and Z.20.042).

[Item 1, Report No. 24 of the Committee of the Whole \(Public Meeting\), adopted without amendment by Vaughan Council May 18, 2021](#)

[Item 16, Report No. 30 of the Committee of the Whole \(2\), which was adopted without amendment by Vaughan Council on June 28, 2022](#)

### **Analysis and Options**

***The Development is consistent with the Provincial Policy Statement, 2020; and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe, 2020 and the York Region Official Plan, 2010***

Since Council approval for the Official Plan Amendment Application (OP.20.015) and Zoning By-law Amendment Application (Z.20.042) on June 28, 2022, only minor revisions to the architecture and site statistics have been contemplated. VMC Staff are supportive of the architectural updates (subject to conditions in Attachment 7) and are of the opinion that the updated site statistics are consistent with the Council-adopted Official Plan Amendment and Zoning By-law Amendment instruments.

As such, Staff remain satisfied that the proposed Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe and the York Region Official Plan, in accordance with the analysis put forth in the June 21, 2022, Committee of the Whole (2) Report (Item 13, Report No. 30) as identified in the section above.

***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 9.3.21 (Area S), which were approved through OPA 79 and By-law 152-2022 at the June 28, 2022 Council and stipulate the following:

- i. The maximum permitted density Floor Space Index (FSI) shall not exceed 8.43 times the area of the lot
- ii. The maximum permitted building heights shall not exceed 48 and 56-storeys as identified as Towers A and B as provided in the site-specific Zoning By-law;
- iii. The minimum podium height of 2 to 3-storeys is permitted;
- iv. The maximum residential tower floor plate shall not exceed 815 m<sup>2</sup>;
- v. The maximum residential gross floor area (GFA) shall not exceed 89,634 m<sup>2</sup>;
- vi. The minimum non-residential GFA shall be 1,900 m<sup>2</sup> or 2.1% GFA of the overall development, including a minimum of 645 m<sup>2</sup> of non-residential uses within the north-east corner notch of the Subject Lands

The Development conforms to the VMCSF as the proposal implements the site-specific policy 9.3.21 and other policies as described in the approval report for the corresponding Official Plan and Zoning By-law Applications.

***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.

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

Through By-law 151-2022 that was enacted by Vaughan Council at the June 28, 2022 meeting, site-specific zoning standards were developed to specifically facilitate the Development as shown on Attachments 2 to 8. 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 9.

Appeal #75 has been filed to Zoning By-law 001-2021

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. The Owner has filed a site-specific appeal to Comprehensive Zoning By-law 001-2021 which includes the entirety of their landholdings in the VMC (Appeal #75). The City will be working with the Owner to resolve and address any outstanding matters related to Appeal #75.

***The Planning and Growth Management Portfolio, VMC Program supports the Site Development Application***

a) Site Plan

The proposed Site Plan as shown on Attachment 3, includes two, 48 (Tower A) and 56-storey (Tower B) residential towers, with a shared podium ranging between 2 to 3-storeys and consisting of 1,900 m<sup>2</sup> of retail, including 645 m<sup>2</sup> devoted exclusively to the future stand-alone, low-rise retail building located on the north-east corner notch, and 4, live-work units at-grade. A POPS, in the form of a courtyard has been proposed to activate the at-grade retail located within the podium of the Development. It is not anticipated that the Development will be phased.

The Development includes 2,264 m<sup>2</sup> of combined indoor and outdoor amenity areas which are comprised of common areas, private terraces, roof top amenity terraces, balconies, and the POPS (courtyard). Towers A and B are connected by the 2 to 3-storey podium which provides access to the shared common amenity areas.

The Site Plan includes an 8.5 m wide north-south vehicular mews to be delivered as part of this Development, which is representative of the proportionate half of the 17 m wide north-south mews to the easterly limit of the Subject Lands. The POPS (courtyard) is located at the north-west corner of the Development which will be integrated with the future retail uses and with the surrounding pedestrian realm around Commerce Street, future New Park Place, and features decorative paved surfaces, trees, and raised planters as shown on Attachment 4.

b) Site Access

The Development proposes the construction of a new east-west public local street, being future New Park Place to the north of the Subject Lands, to be constructed at the full right-of-way (ROW) width of 22 m. This street will connect to the 17 m wide north-south mews further connecting to Highway 7, and ultimately providing access to the primary driveway and into the Development. The Development will be served by 3 levels of underground parking with 387 parking spaces to serve the overall uses, which include the residential and visitor parking spaces.

The servicing and loading areas (loading/unloading and waste collection) are internally located and centralized towards the south of the Development. There are bicycle facilities located at-grade (bike racks) and 554 long-term bicycle parking spaces located within the mezzanine level of the podium.

c) Landscape

The Development will be surrounded by 4 active street frontages which provide the opportunity for enhanced landscape treatments and transitions between the private and public realms. The proposed future New Park Place and future mews will support a fine grain street network in the VMC and provide connectivity to the surrounding planned open spaces and community facilities in the quadrant. These linkages are critical to provide access throughout the site and will direct the residents to various open space and amenity areas.

A courtyard is proposed at the north-west corner of the Development. This courtyard is intended to serve as a POPS which will be animated by the future retail uses located at the podium of the Development. The City will require a public-access easement to be registered in-perpetuity over the courtyard to ensure the space is accessible. A condition to this effect is included in the Conditions of Draft Approval of this report. The courtyard includes furnishings, landscape elements, architectural elements (trellis), lighting and is adjacent and accessible to the municipal walkway along Commerce Street, thereby providing connectivity northwest of the site. An underground parking ventilation shaft is proposed at the north-west corner of the site; however, as a condition of approval, the Owner shall replace the pavers around the shaft frontage facing the public ROW with concrete and relocate the proposed concrete seat wall and top of the wall bench to the private realm as a condition of approval, as shown on Attachment 4.

Prior to the future retail development of the north-east corner notch located east of the north-south mews, the Owner has agreed to provide as an interim condition, an interim landscape area, as shown on Attachments 3 and 4. As a condition of Draft Approval, the Owner will be required to update their landscape plans and provide the details and concepts of the interim landscape area. The Owner will be required to submit a separate Site Development Application to facilitate any future commercial uses, which will be subject to approval by the City.

The Owner is also required to provide a viable schematic option that locates the future hydro undergrounding trench within the public ROW and clearly denotes this on all relevant plans and section drawings along Highway 7. Staff has recommended that the hydro undergrounding be located within the pedestrian realm, between the two proposed rows of trees and separated from other underground services.

The Owner will be required to provide updated streetscape and open space construction drawings for an ultimate design following the City's level of service requirements prior to final approval of the required Development Agreement for future New Park Place (standard urban level of service) and Commerce Street. The final photometrics and exterior lighting plans, rooftop amenity plans, landscape plans, landscape cross sections, pedestrian wind analysis, arborist report, landscape cost estimates, final signage plans must be approved to the satisfaction of the VMC Program. A condition to this effect is included in the Conditions of Draft Approval.

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

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 issuance of Building Permits. Conditions of approval respecting these requirements will be included in the Recommendations of this report.

d) Building Elevations

The proposed buildings are comprised of high-quality materials as shown on Attachments 7 and 8. Terracotta screens wrap around the podium base to connect vertically to the towers above, where the material clads the slices in the tower massing, offering visual interest in the skyline. Vision glazing is proposed to improve the building's overall energy efficiency. The Development provides a 2

to 3-storey podium with retail, common amenity areas and 4 townhouse/live-work units at-grade. The podium is stepped back from the tower and overlooks onto the POPS (courtyard), mews and public streets, creating active frontages and encouraging a safe urban environment. A combination of glass curtainwall glazing, precast concrete panels and a terracotta cladding system will assist to create a fine-grain articulation of the façade.

The primary lobby entrances located at-grade are clearly visible and accessible to the public realm (along Highway 7 and New Park Place), to activate street frontages and promote vibrant and pedestrian friendly environments. A minimum height of 5 m where retail uses are present is proposed to animate the ground floor spaces and to accommodate changing users over time. The westerly portion of the podium is articulated with a retail component to animate and enhance the site while complementing the future urban park uses to the north.

***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.

***The Development has addressed the Vaughan Design Review Panel's Comments***

The Design Review Panel (the 'Panel'), on February 26, 2021 and November 25, 2021, considered the Development. The City sought the Panel's advice on matters of overall site organization and podium massing, including ground floor land use distribution, circulation, loading and servicing access in relation to the functionality and character of the public realm and mews.

At the February 26, 2021 meeting, the Panel provided advice on matters related to podium massing, location of ground floor uses relative to the POPS, the neighbouring urban park to the north, the mews design and servicing; including consideration for consolidation of the accesses to improve the character of the mews. The Panel requested further details respecting the development of the north-east corner notch.



At the November 25, 2021 meeting, the Panel commended the Applicant for incorporating many of the suggestions made from the first review. The Panel noted the relationship between the ground floor uses and the POPS as the most intriguing and challenging component of the design, and commented that its activations will be key to a successful project. The Panel suggested locating a common residential lobby in the central part of the podium and separating or locating the retail space towards the north and south ends of the development to allow for more suitable programming of the POPS in relation to the immediate retail and/or residential context. The Panel suggested that development of a broader VMC retail strategy would assist with lining up future retail tenants, helping to define the success of the ground floor. Should a retail strategy not work in this location, the Panel recommended a flexible plan to provide alternate active uses, such as a community space for VMC residents.

The Panel commented on the successful consolidation of the loading and services to the south end of the Development, creating room for townhouses to occur along the mews, but encouraged relocating most of the loading/service activities to the basement level as this could potentially allow for the reintroduction of the mid-block pedestrian link to the mews. The Panel commended the Applicant for integrating townhouses which greatly improved the intimate pedestrian quality of the mews but noted that the townhouse scale, materiality, relation to the street and separation from the loading/service areas needed to be better resolved. The townhouse units are now proposed as live work units to further activate the pedestrian experience along the mews. Although the loading/servicing activities remain at-grade, a generous setback with a 2 m wide pedestrian sidewalk provides separation between loading/services uses.

The Panel expressed concern regarding the north-east corner notch, east of the mews, being taken out of the proposal given it is a small parcel that might not generate enough economic interest in the future to develop on its own, and thus could remain unbuilt for a long time. The Panel mentioned that its' prominent location merits its inclusion in the overall design and delivery of this proposal. The Development now includes an approximate 645 m<sup>2</sup> standalone low-rise retail building within the north-east corner notch. Site plan level details respecting this building will be reviewed under a separate Site Development Application, which shall be approved to the satisfaction of the City. In the interim, the Owner has proposed to provide an interim landscape area which will be reviewed and approved to the satisfaction of the City, prior to final approval of the Site Plan.

The Panel commented on the architecture and massing of the Development, expressed appreciation for the interesting expression, materiality and aesthetics throughout the project and made recommendations to address the podium façade.

Overall, the Development has satisfactorily addressed most of the Panel's comments. While the location of the courtyard, and servicing and loading areas along the mews remains unchanged, a generous setback of 3 m within the private realm adjacent to the townhouse/live-work units provides frontages to accommodate access stairs and buffering from the pedestrian realm. The podium along the live-work units is well articulated to provide material variety, and the Development has addressed the north-east corner notch by identifying an interim landscaped area for recreational uses, to be constructed in its ultimate condition for a future retail building on that parcel. This corner notch will be subject to a future Site Development Application which shall be approved to the satisfaction of the City. While the proposed uses within the ground floor adjacent to the courtyard continues to be maintained as retail, should such uses change, the Owner will be required to provide a non-residential component on-site, in accordance with site-specific policies under OPA 79. Accordingly, 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.

***The Development achieves a performance level of Silver, to meet the minimum Silver Sustainability Metrics Threshold Scores for Development in the VMC***

The Development achieves an Overall Application Score of 47 points which meets the minimum Silver Threshold Score towards the City's Sustainability Metrics Program for projects in the VMC. The Development satisfies goals related to Mobility as the development is located along Highway 7, which is accessible to higher-order transit and is located within close proximity to the SmartVMC Bus Terminal and VMC Subway Station. Generous sidewalks are provided along all active frontages of the Development, including along the mews. The Development provides water conservation methods by utilizing water conserving fixtures, energy conservation lighting and provides storage and collection of recycling and organic waste storage facilities internal to the building. Tree plantings are proposed along the development frontages which, over time, will beautify the streetscape. A number of bicycle parking spaces are provided within the Development and cycle tracks are planned along Commerce Street to promote alternate methods of transportation.

***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 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 Division of the Policy Planning and Special Programs Department has reviewed the Application and has no objection to the Application in-principle. Final engineering plans and reports including 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, construction management plan, utility coordination plan, exterior street and site lighting plans, watering plans 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. The Owner shall also address all engineering comments dated August 31, 2022 to the satisfaction of the Development Engineering Division. Conditions to this effect are included in the Conditions of Draft Approval (Attachment 9) of this report.

The following conditions of approval shall be satisfied prior to final approval of Site Development Application DA.20.067:

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 construct and dedicate the right-of-way (ROW) for New Park Place in accordance with the Development Agreement for New Park Place as a public highway to the City without monetary consideration and free of all encumbrances.
- The Owner shall convey sufficient property for the local road (22 m ROW) along the north limit of the Subject Lands at no cost and free of charges and encumbrances to the City. A minimum of 8.0 x 8.0 m sight triangle and 3.0 m return with a 3.0 m reserve at the intersection of Commerce Street shall be maintained.
- The Owner shall carry out, at no cost to the City, any temporary or permanent access and drainage works for the storm sewer construction between Commerce Street and Applewood Crescent that is necessary to support the development under the interim condition 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) and the north-south private mews in its ultimate configuration 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 (1042710 Ontario Limited – 3300 Highway 7) to allow for completion and construction of the private north-south mews to its ultimate configuration. The agreement shall address, but is 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 easements, access and drainage works that may be necessary to support the Development in the interim and ultimate conditions, as applicable, to the satisfaction of the City.
- The Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the Development.
- The Owner shall pay its proportionate share of the cost associated with the implementing proposed Area Specific Development Charge (ASDC) for the VMC West Interchange Sanitary Sewer.

The following comments are provided by Development Engineering below, which shall be addressed prior to final approval:

#### Road Network

The Subject Lands are bounded by the future New Park Place extension (22 m ROW) to the north, to the south by Highway 7, to the east by the privately-owned 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 and the north-south mews crossing lands between the adjacent property to the east from Highway 7 northerly to New Park Place. The Owner shall design New Park Place and the mews to their ultimate configurations. The Owner and the adjacent landowner to the east (1042710 Ontario Limited – 3300 Highway 7) will be required to coordinate and deliver the ultimate or interim cross-section of the north-south mews, particularly along the New Park Place development frontage. The Owner will be required to provide a public-access easement over the mews, to the satisfaction of the City.

#### Noise Attenuation

An Environmental Noise Assessment, dated September 10, 2021, has been reviewed by the City to identify noise control measures. The findings of the study conclude that the noise sources from nearby facilities are expected to be minimal and acoustically insignificant, and although road traffic noise is present, noise mitigation can be provided, such as appropriate construction of exterior walls, windows and doors in accordance with MOE guidelines. Dwelling units abutting an arterial road will be provided with central A/C to permit windows to remain closed. Appropriate warning clauses will be included in all implementing agreements to inform future occupants of

the potential noise situations. The Owner shall agree to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect is included in the Conditions of Draft Approval of this report.

### Municipal Servicing

The anticipated growth in the VMC is resulting in higher population densities than planned, 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. An overview of the servicing strategy for the proposed development is provided below:

#### Storm Drainage

The Development will direct controlled storm drainage from the site via a storage tank and pump with back-up flow controls to the existing 525mm diameter storm sewer connecting to the existing 600mm diameter 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 watermain 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 Boulevard 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 the 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 the 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 1,107 residential apartment units (2,768 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. Staff are satisfied with the design of the north-south mews; however, the Owner will be required to obtain written confirmation from the adjacent landowner (1042710 Ontario Limited – 3300 Highway 7) that they are also satisfied with the interim and ultimate design of the mews. 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 387 parking spaces within the 3 levels of the underground parking garage to serve all uses within the Development. A total of 167 parking spaces will be dispersed amongst retail and visitor parking spaces, which is to be maintained at a minimum visitor parking rate of 0.15 spaces per unit.

Bicycle parking spaces are provided within the Development for short and long-term parking within the public realm within the mezzanine level of the podium. Staff recommend that the short-term parking spaces be located at-grade. North-bound cycle tracks (east side of Commerce Street) are 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. The final Transportation Impact Study and Transportation Demand Management Plan, including any traffic control, pavement marking and signage plans must be approved to the satisfaction of the City prior to final approval of the related Site Development File DA.20.067. A condition to this effect is included in Attachment 9.



***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.

***Ministry of Transportation Ontario (MTO) requires a Building and Land Use Permit***

The Ministry of Transportation Ontario (the 'MTO') has indicated no objection to the Application. The Development is located within the MTO Permit control area, and therefore the Public Transportation and Highway Improvement Act regulations apply. The MTO requires that any new buildings or structures, including internal roads and detention ponds, above and below ground, be setback a minimum distance of 14 m from the Highway 407 property line. MTO permits are required for all buildings, infrastructures and roads located within 46 m from the Highway 407 property line and a radius of 396 m from the centerline of Highway 407 and Jane Street, prior to any construction being undertaken. The Owner must satisfy all requirements and obtain a

Building and Land Use Permit from the MTO. A condition to 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 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 are integral stakeholders as part of the VMCS 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 VMCS update. The current VMCS protects for 4 school sites within the VMCS 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 VMCS process. As part of the recalibration exercise through the VMCS 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 financial impacts associated with this Application.

### **Broader Regional Impacts/Considerations**

York Region has advised in their letter dated April 21, 2022, that they have no objection to the Development, in principle, subject to addressing York Region's outstanding comments. The related OPA 79 (By-law 152-2022) is subject to York Region's approval, and must be approved prior to final approval of the Site Plan. A condition to this effect is included in Attachment 9. Prior to final site plan approval, the Owner is required to address all York Region comments dated April 21, 2022 and submit all required plans and materials to complete their review. The Owner will be 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.20.067 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 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 151-2022 and 152-2022 (OPA 79). 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 Policy 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 Natalie Wong, Senior Planner, VMC Program, Planning and Special Programs, extension 8866.

### **Attachments**

1. Context and Polling Area Map
2. Location Map and Zoning
3. Site Plan
4. Landscape Plan
5. Green Rooftop and Amenity Terraces
6. Building Elevations – North and East
7. Building Elevations – South and West
8. Perspective Renderings
9. Conditions of Draft Approval

### **Prepared by**

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### **Approved by**



Haiqing Xu, Deputy City Manager,  
Planning and Growth Management

### **Reviewed by**



Nick Spensieri, City Manager