

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 28, 2022

Item 9, Report No. 36, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 28, 2022.

9. 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

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated September 20, 2022, be approved; and
- 2) That the following be approved in accordance with Communication C4, Memorandum from the Deputy City Manager, Planning and Growth Management, dated September 19, 2022:

1. THAT Recommendation 2. of the report be deleted and replaced as follows:

“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 (2,447 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”;

2. THAT the first paragraph on Page 1, under “Purpose” be deleted in its entirety and replaced with the following:

“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 at-grade retail, live-work units and a privately-owned courtyard, as shown on Attachments 1 to 9.”;

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3. **THAT all references on Pages 2, 5, 6, 8 and 9 respecting privately-owned and publicly accessible open spaces referred to as “POPS”, “POPS courtyard”, “central courtyard POPS” and “POPS (courtyard)” be deleted and replaced with the word “privately-owned courtyard”;**
4. **THAT the second paragraph under “c) Landscape” on Page 6 be deleted in its entirety and replaced with the following:**

“A privately-owned courtyard (the ‘courtyard’) is proposed at the north-west corner of the Development. This courtyard will be animated by the future retail uses located at the podium of the Development. 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”;
5. **THAT the reference of “2,768 persons equivalent” on Page 15 under “Geotechnical and Hydrogeological Assessment be deleted and replaced with the number and words “(2,447 persons equivalent)”;** and
6. **THAT Attachment 9 – DA.20.067 – Conditions of Draft Approval be deleted in its entirety and be replaced with “Attachment 9 – DA.20.067 – Conditions of Draft Approval - Revised, as attached to this Communication as Appendix 1.**

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:**

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“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.”

Committee of the Whole (2) Report

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

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 m² consisting of 89,532 m² of residential and 1,900 m² 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 m² of common amenity area (1,684 m² indoor and 580 m² 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 m²;
- v. The maximum residential gross floor area (GFA) shall not exceed 89,634 m²;
- vi. The minimum non-residential GFA shall be 1,900 m² or 2.1% GFA of the overall development, including a minimum of 645 m² of non-residential uses within the north-east corner notch of the Subject Lands

The Development conforms to the VMCSPP 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 m² of retail, including 645 m² 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 m² 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 m² 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

Natalie Wong, VMC Senior Planner, extension 8866.

Amy Roots, Senior Manager, VMC, extension 8035.

Christina Bruce, Director, Policy Planning and Special Programs, extension 8231

Approved by

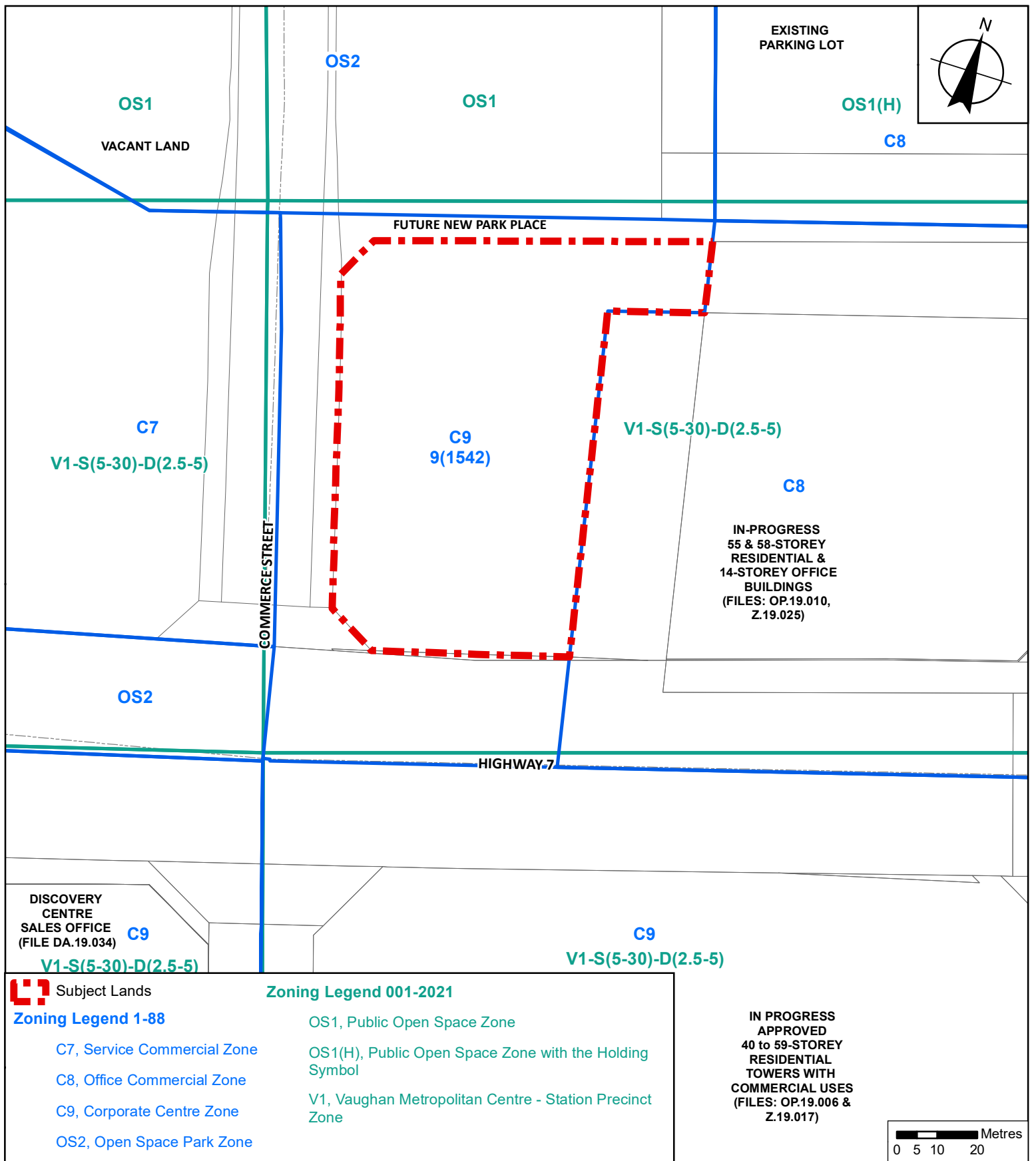


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager



Location Map and Zoning

LOCATION:
Part of Lots 6 and 7, Concession 5

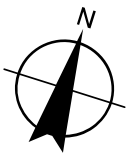
APPLICANT:
First Vaughan Investments Limited



Attachment

FILES:
DA.20.067
RELATED FILE:
OP.20.015 and Z.20.042
DATE:
September 20, 2022

2



NEW PARK PLACE

EXTENT OF
UNDERGROUND
PARKING GARAGE

PROPOSED
3-STORY
RETAIL BUILDING

TOWER A -
NORTH TOWER
(48-STOREYS)

ROOF
(COOLING
TOWER)

C9(H)
9(1542)

V1-S(5-30)-D(2.5-5)

COURTYARD

OUTDOOR
AMENITY
TERRACE
(2ND FLOOR)

GREEN ROOF
(3RD FLOOR)

TOWER B -
SOUTH TOWER
(56-STOREYS)

ROOF
(COOLING
TOWER)

GREEN ROOF
(4TH FLOOR)

SIDEWALK

TREES

VEHICULAR LAY-BY

An interim condition
including a landscaped
area or recreational
uses to be proposed.

MEWS

VEHICULAR LAY-BY

FUTURE PROPERTY
LINE

HIGHWAY 7

 Subject Lands
Zoning Legend 1-88

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

Zoning Legend 001-2021

V1, Vaughan Metropolitan Centre -
Station Precinct Zone

0 5 10 20 Metres

Site Plan

LOCATION:
Part of Lots 6 and 7, Concession 5

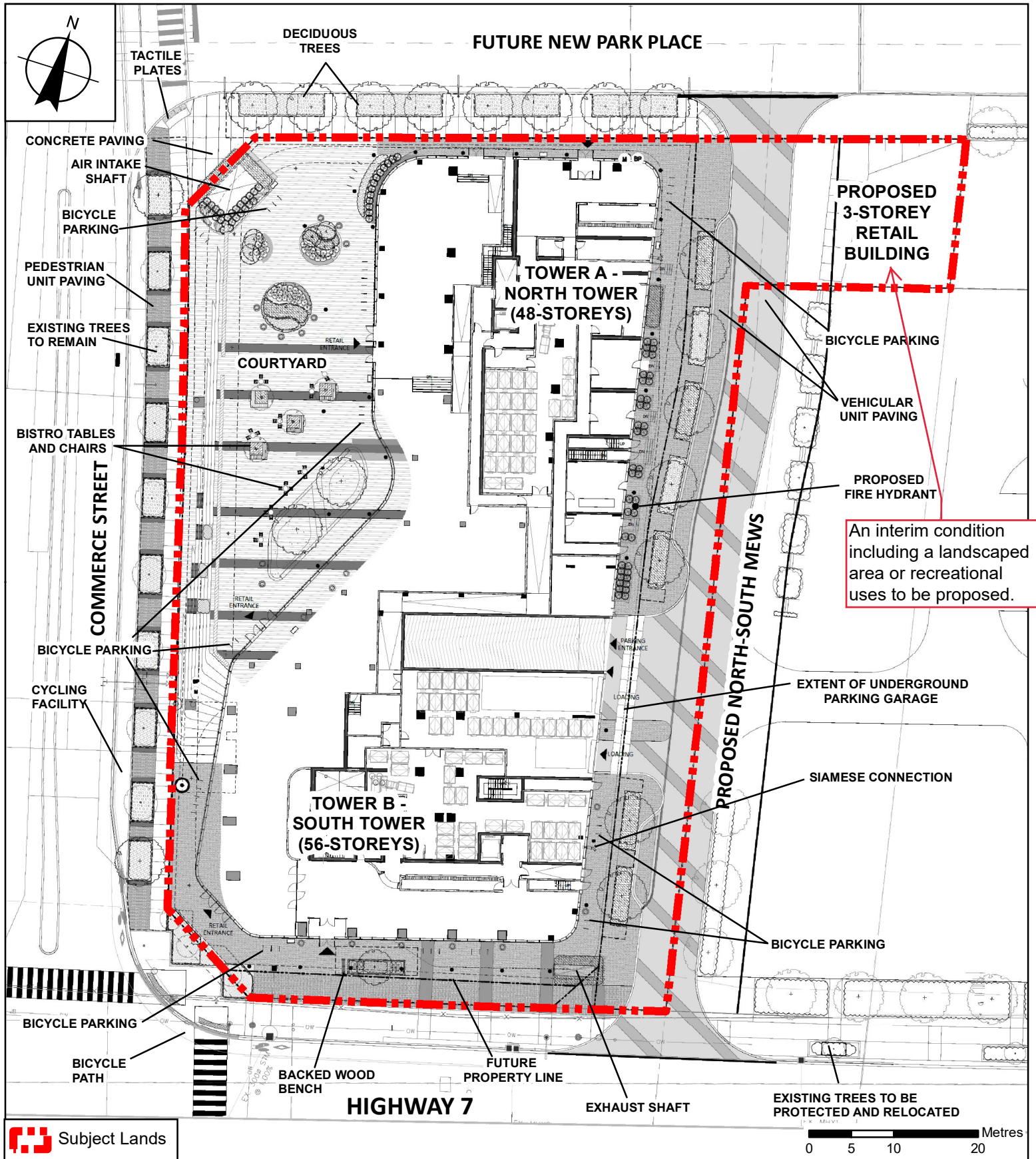
APPLICANT:
First Vaughan Investments Limited



Attachment

FILES:
DA.20.067
RELATED FILE:
OP.20.015 and Z.20.042
DATE:
September 20, 2022

3



Landscape Plan

LOCATION:
Part of Lots 6 and 7, Concession 5

APPLICANT:
First Vaughan Investments Limited



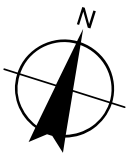
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FILES:
DA.20.067

RELATED FILE:
OP.20.015 and Z.20.042

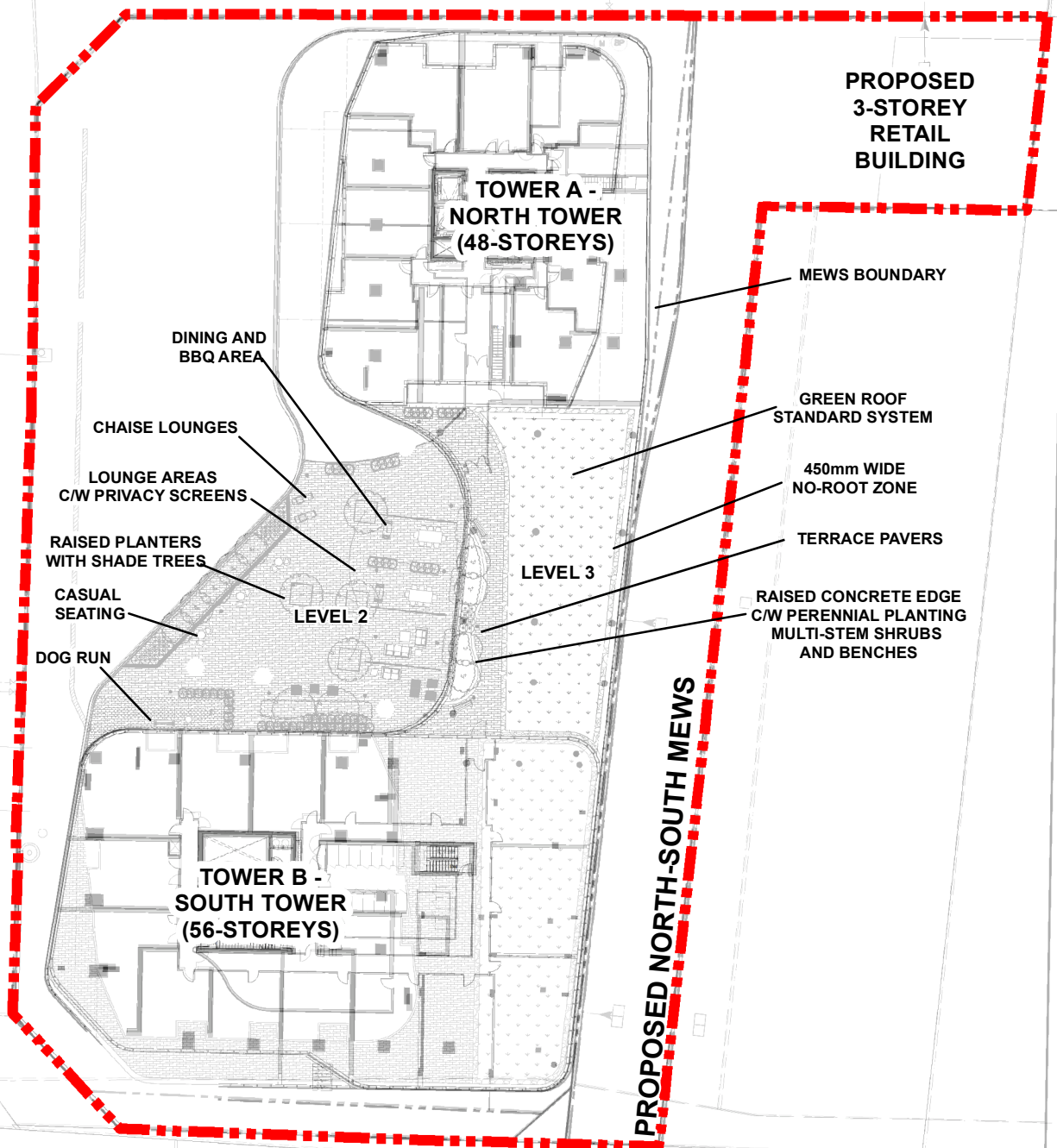
DATE:
September 20, 2022

4



FUTURE NEW PARK PLACE

COMMERCE STREET



PROPOSED
3-STOREY
RETAIL
BUILDING

TOWER A -
NORTH TOWER
(48-STOREYS)

MEWS BOUNDARY

DINING AND
BBQ AREA

GREEN ROOF
STANDARD SYSTEM

CHAISE LOUNGES

LOUNGE AREAS
C/W PRIVACY SCREENS

450mm WIDE
NO-ROOT ZONE

RAISED PLANTERS
WITH SHADE TREES

TERRACE PAVERS

CASUAL
SEATING

LEVEL 2

LEVEL 3

DOG RUN

RAISED CONCRETE EDGE
C/W PERENNIAL PLANTING
MULTI-STEM SHRUBS
AND BENCHES

TOWER B -
SOUTH TOWER
(56-STOREYS)

PROPOSED NORTH-SOUTH MEWS

HIGHWAY 7



Subject Lands

0 5 10 20 Metres

Green Rooftop and Amenity Terraces

LOCATION:
Part of Lots 6 and 7, Concession 5

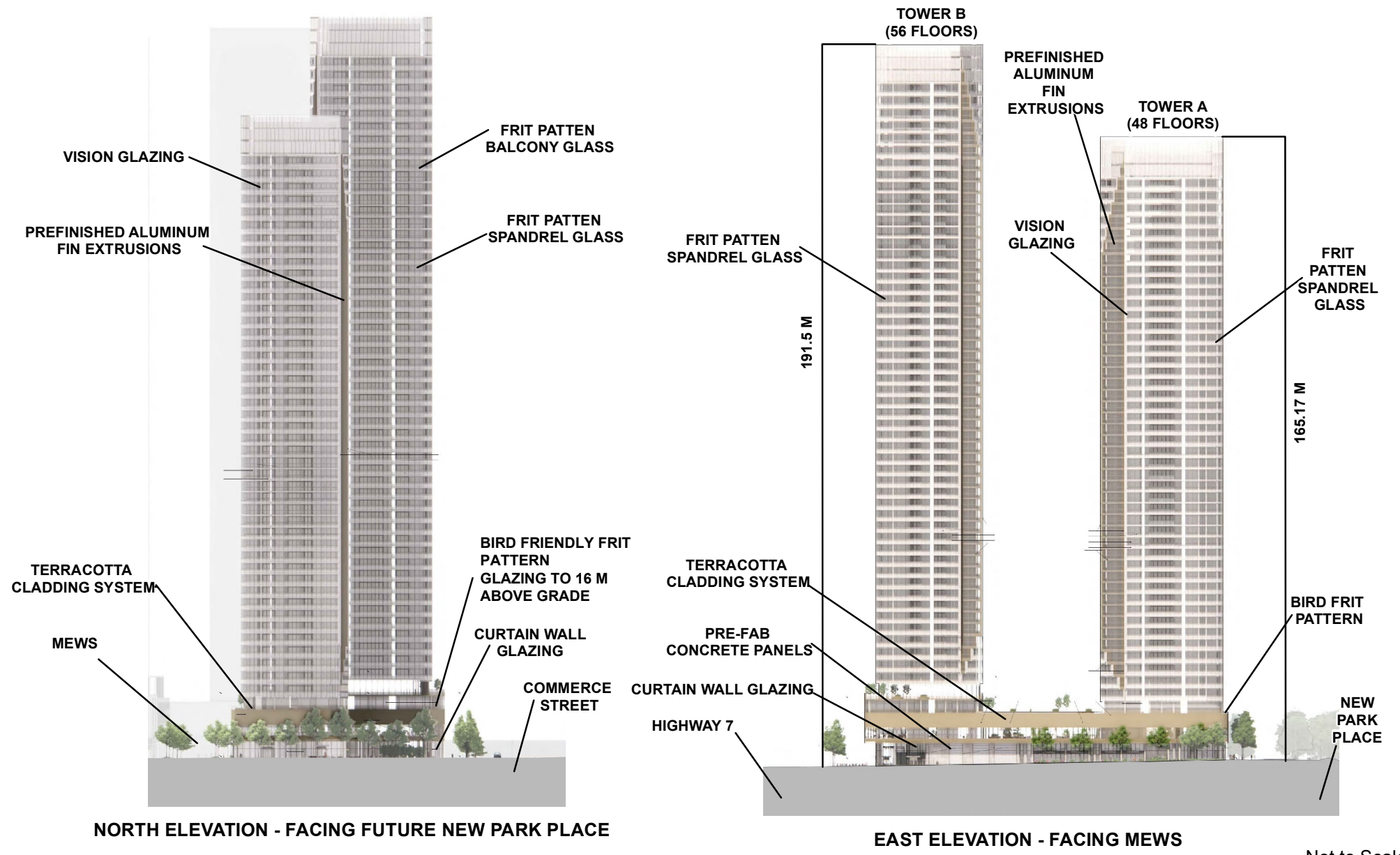
APPLICANT:
First Vaughan Investments Limited



Attachment

FILES:
DA.20.067
RELATED FILE:
OP.20.015 and Z.20.042
DATE:
September 20, 2022

5



Building Elevations - North and East

LOCATION:
Part of Lots 6 and 7, Concession 5

APPLICANT:
First Vaughan Investments Limited



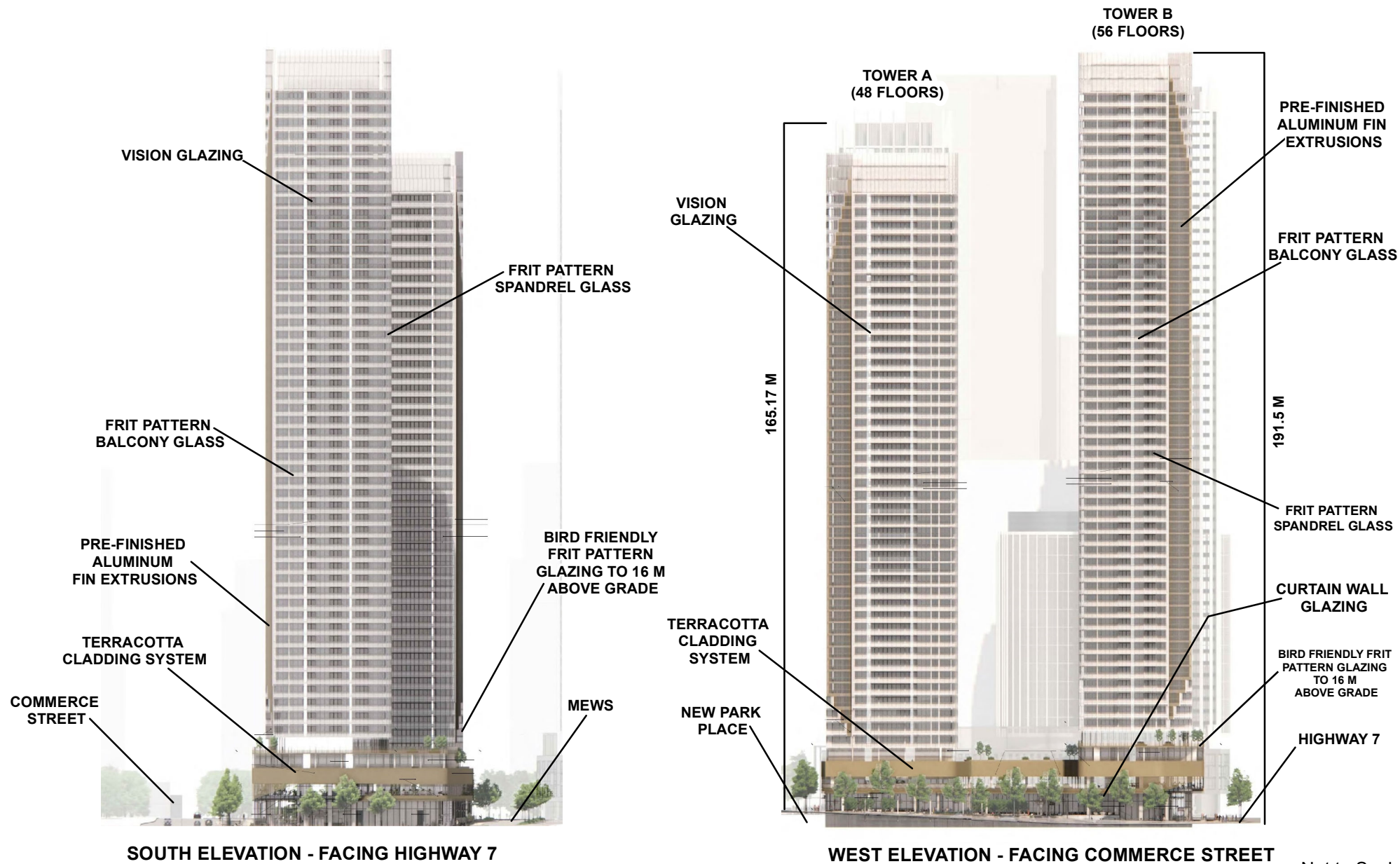
Attachment

FILES:
DA.20.067

RELATED FILE:
OP.20.015 and Z.20.042

DATE:
September 20, 2022

6



Not to Scale

Building Elevations - South and West

LOCATION:
Part of Lots 6 and 7, Concession 5

APPLICANT:
First Vaughan Investments Limited



Attachment

FILES:
DA.20.067

RELATED FILE:
OP.20.015 and Z.20.042

DATE:
September 20, 2022

7



VIEW LOOKING EAST FROM COMMERCE STREET



**VIEW LOOKING NORTH EAST FROM
COMMERCE STREET AND HIGHWAY 7**



VIEW LOOKING WEST ALONG NEW PARK PLACE



AERIAL VIEW LOOKING SOUTH EAST



VIEW LOOKING SOUTH EAST FROM NEW PARK PLACE

Not to Scale

Perspective Renderings

LOCATION:
Part of Lots 6 and 7, Concession 5

APPLICANT:
First Vaughan Investments Limited



Attachment

FILES:
DA.20.067
RELATED FILE:
OP.20.015 and Z.20.042
DATE:
September 20, 2022

8

ATTACHMENT 9 – Conditions of Site Plan Approval (City of Vaughan)

Site Development File DA.20.067

First Vaughan Investments Limited and SmartVMC West Inc. ('The Owner')

Conditions of Site Plan Approval:

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

- a. The Lands shall be appropriately designated by an amendment to the Official Plan (By-law 152-2022), and appropriately zoned by a Zoning By-law (151-2022), that have come into effect in accordance with the provisions of the *Planning Act*, R.S.O 1990, c.P.13, as amended (the '*Planning Act*');
- b. The final site plan, building elevations, landscape cost estimate, landscape and streetscape drawings, detailed wind tunnel model, photometric lighting plans sun/shadow analysis and wayfinding / signage design will be to the satisfaction of the City prior to final approval by the VMC Program. The wind and sun/shadow analysis must include existing and planned neighbouring buildings; and final design must demonstrate the incorporation of mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm, all privately owned publicly accessible areas and private rooftop exterior amenity terraces;
- c. The Owner shall submit a revised Landscape Plan to illustrate an interim works condition for the north-east corner notch as shown on Attachment 4. The submission shall include the concept and details for an interim landscape area in advance of the ultimate works to facilitate a future commercial use;
- d. 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;
- e. The Owner shall submit a detailed exterior photometric lighting plan to the satisfaction of the City. This plan shall include the location of each current and/or proposed outdoor lighting fixture in the public and private realms with projected hours of use measured in lux and the area of the lighting dispersed by each lighting fixture to suit the intended uses;
- f. The Owner is required to enter into a Tree Protection Agreement which includes a security for trees to be preserved and protected in accordance with the approved Arborist Report. The value of the security associated with the City's

Tree Protection Agreement is determined through the following:

- Tree compensation formula provided in the Arborist Report based on the City Tree Replacement Requirement
- The costs associated with tree protection measures (i.e. tree protection fencing, silt barriers etc.)
- The costs associated with actual tree removals

The Owner shall also pay to the City the Tree Protection Agreement fee in accordance with the City's Fee By-law 158-2021;

- g. The Owner shall submit to the City final 3D digital massing and detail models of the development, which shall include the accurately geo-referenced digital data, as outlined in the Draft VMC Submission Protocol, to the satisfaction of the VMC Program. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the model;
- h. The Owner shall demonstrate that the tree soil volumes for each tree planted will meet or exceed the minimum requirement of 20 cubic metres of growing medium in a shared tree pit or 30 cubic metres of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the City;
- i. The Owner shall submit and provide a detailed design of the Commerce Street north-bound raised in-boulevard asphalt cycling facility (east of Commerce Street) adjacent to the Subject Lands, at a minimum from Highway 7 to Apple Mill Road, to the satisfaction of the City. The cycling facility shall be delivered through the ongoing design and ultimate construction of this development, in accordance with the ultimate engineering drawings;
- j. 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. The Owner shall construct the necessary servicing on New Park Place extension between Edgeley Boulevard and Applewood Crescent, and road extension including utilities and landscape on New Park Place from Commerce Street to the east terminus of the property frontage and provisions for the future road extension to Edgeley Boulevard. The Agreement may include but not be limited to the requirement for front-end financing, cost-sharing, land conveyance, detailed design and construction of all facilities as identified in accordance with the approved Construction Drawings. The New Park Place extension shall be designed to the satisfaction of the VMC Program Division of the Policy Planning and Special Programs Department with any permanent and/or interim works including drainage design, grading adjustment and illumination;

- k. 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;
- l. Prior to final approval, the Owner shall construct and dedicate the right-of-way 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;
- m. The Owner shall enter into a Development Agreement to advance the ultimate design and construction of the Commerce Street northbound asphalt pedestrian cycling facility from Highway 7 to Apple Mill Road and the enhanced level of service on the pedestrian boulevard along the development frontage on Commerce Street as identified in accordance with the approved Construction Drawings as part of the subject development's ultimate boulevard works. The Owner may be eligible for some cost recoveries through the City's Development Charges fund, to the satisfaction of the VMC Program Division of the Policy Planning and Special Programs Department;
- n. Prior to final Site Plan approval, the Applicant shall address the engineering comments dated August 31, 2022, to the satisfaction of the Policy Planning & Special Programs (VMC Development Engineering);
- o. The Owner shall submit the final site servicing and grading plan, sediment control plan, utility coordination plan, hydrogeological report, geotechnical report, noise and vibration feasibility study, transportation impact study, functional servicing and stormwater management report, exterior street and site lighting plan, and watering plan to the satisfaction of the City;
- p. The Owner shall submit the construction management plan that identifies matters such as staging, phasing, building material storage, contractor parking and construction access, and the Owner shall enter into an Encroachment Agreement with the City;
- q. The Owner shall convey sufficient property for the local road (22 m R.O.W) along the north limit of the Subject Lands at no cost and free of charges and encumbrances to the City. A minimum 8.0 m x 8.0 m sight triangle and 3.0 m return with 3.0 m reserve at the intersection with Commerce Street shall be maintained. The requirements for the widening along Highway 7 will be subject to York Region's review and approval, as applicable;
- r. The Owner shall pay its proportionate share of the cost associated with the implementing proposed Area Specific Development Charges (ASDC) for the VMC West Interchange Sanitary Sewer;
- s. 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;

- t. 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 agreements shall address, but are not limited to, liability, land-title, cost sharing, the timing and costs of ongoing maintenance be fully secured and constructed prior to the occupancy of any residential units approved as part of this application;
- u. 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;
- v. 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;
- w. Prior to final approval, 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;
- x. Prior to the conveyance of the road widening and daylight triangle, the Owner shall implement the following to the satisfaction of the City:
 - i. Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan, including reliance on the report(s) from the environmental consultant to the City;
 - ii. If remediation of any portions of the conveyance block(s) is required to meet the applicable Standards set out in the Ministry of the Environment, Conservation, and Parks (MECP) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the Record(s) of Site Condition ('RSC's) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the entire conveyance block(s) following remediation;
 - iii. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the conveyance block(s); and
 - iv. Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.

- y. The Owner shall demonstrate to the satisfaction of the Fire Department and VMC Program (Development Engineering), that the development is in compliance with all regulations requiring access to/from the Plan. Should the development not meet applicable regulations in effect at the time of execution of the site plan agreement for Fire Department access, the Owner shall provide an emergency access to/from the Plan to address applicable regulations and to the satisfaction of the City. Any required municipal access easements as a result of the proposed emergency access shall be conveyed to the City to allow unencumbered access. The precise limits of the municipal easement are to be determined to the satisfaction of the City VMC Program;
- z. The Owner shall provide the City with a copy of the Ministry of the Environment, Conservation, and Parks (MECP) Record of Site Condition (RSC) acknowledged and registered on the Environmental Site Registry for the entire Subject Property. Copies of all Environmental Site Assessment (ESA) reports relied upon for the filing of the RSC, including reliance from the consultant, shall also be provided to the satisfaction of the City;
- aa. The Development Engineering Staff, VMC Program Division, Policy Planning and Special Programs Department shall approve the revised site plan drawings, final site servicing and grading plan, engineering drawings, erosion control plan, strata feasibility report, functional servicing and storm water management reports and drawings, site illumination plan, utility coordination plan, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, construction parking management plan, traffic impact study update, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- bb. The Owner shall submit to the City a detailed environmental noise and vibration impact study for the proposed development on the lands prepared in accordance with Ministry of the Environment, Conservation, and Parks (MECP) noise assessment criteria as defined in Publication NPC-300, "Environmental Noise Guideline-Stationary and Transportation Noise Sources", to satisfaction of the City;
- cc. The Owner shall implement as part of the site construction all internal and external pavement marking and signage as proposed in the Transportation Impact Study Response Letter APPENDIX C: Pavement Markings and Signage Plans dated March 2022, including the warning signs and flashing beacon systems;
- dd. The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation may be eligible for municipal waste collection services. Should the future condominium

corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;

- ee. Prior to initiation of any construction, the Owner shall submit an application to Public Works, Environmental Services Department to obtain an approval for permanent ground water discharge required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City;
 - ff. If Permanent (Long-Term) Private Water Discharge (as defined in By-law 130-2022) to the City's municipal sewer system is required for any Private Water Drainage System (as defined in By-law 130-2022), the Owner shall:
 - a) Submit an application to Public Works, Environmental Services Department to obtain an approval for permanent discharge ("Permanent Discharge Approval"), required for the proposed development to discharge groundwater or any Private Water Drainage System discharge to the City's municipal storm sewer system. Discharge Approval Application shall ensure post-development flow rates discharged to the Vaughan's storm sewer system from the Lands, including Private Water Drainage System (as defined in By-law 130-2022), shall not exceed the allowable flow rates discharged to the Vaughan's storm sewer system as approved by Development Engineering.
 - gg. The Owner shall satisfy all requirements of York Region Community Planning and Development Services Department;
 - hh. The Owner shall satisfy all requirements of the Ministry of Transportation Ontario ('MTO'); and,
 - ii. The Owner shall satisfy all requirements of Alectra Utilities Corporation, Bell Canada, Canada Post and Enbridge Gas;
2. THAT prior to the execution of the Site Plan Agreement or the issuance of the first building permit, whichever occurs first:
- a. In accordance with Section 42 of the *Planning Act*, the VOP 2010, and By-Law 139-90, as amended by 205-2012, the Owner shall fulfill its parkland dedication requirements to the City's satisfaction. The City will require a cash-in-lieu contribution.
3. THAT the implementing Site Plan Agreement shall include the following clauses:
- a. Prior to final approval of the future Draft Plan of Condominium(s), the Owner shall provide a public access easement to the City free of costs and encumbrances that are registered on title over the courtyard, and along the north-south mews and an additional 2m-wide uninterrupted north-south

pedestrian walkway directly west of the mews as shown on Attachment 4 to the satisfaction of the City. The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever which may arise directly or indirectly by reason of the said mews and pedestrian connection;

- b. The Owner shall agree to keep free and clear of any obstructions including fencing, enclosures, and encumbrances on the north-east corner notch while being maintained in its interim landscape condition;
- c. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the lands and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City.
- d. The Owner shall provide a Letter of Credit in the amount of \$5,000.00 to secure for two (2) follow-up travel surveys following the baseline survey, in accordance with the Transportation Impact Study;
- e. The Owner shall agree that prior to the registration of a future plan of condominium, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features must be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final Noise Report and be submitted to the Director of Policy Planning and Special Programs Department;
- f. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the lands, and include all necessary warning statements on all agreements of purchase and sale or lease of individual units, all to the satisfaction of the City. The Owner shall reimburse the City for the cost of the peer review of the Noise Report, as may be applicable;
- g. The Owner shall agree to implement all traffic control measures on-site as outlined in the Transportation Impact Study, including the implementation of the pavement marking and signage plan, traffic control systems such as flashing beacons, as provided in the Transportation Impact Study by BA Group dated March 2022 (as revised) for all internal and external areas of the site, including interim and ultimate conditions;
- h. The Owner shall agree to follow the TDM Plan as provided in the Transportation Impact Study by BA Group, March 2022 (as revised), including the funding and implementation of TDM measures, on-going management and operation, monitoring and review of the TDM Plan. The Owner shall submit TDM Plan Updates, after conducting transportation surveys, to the satisfaction of the City of Vaughan Development Engineering Department and Policy Planning and Special Programs Department;

- i. The Owner shall implement all physical and programmatic Transportation Demand Management measures as approved in the TDM plan of the Final TIS prepared by BA Group;
- j. Prior to initiation of any construction, the Owner shall submit an application to Environmental Services Department for any dewatering system that is required for the construction, and enter into a permit to discharge ground water as required by the City;
- k. The Owner agrees that prior to the registration of a future plan of condominium, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report, to the satisfaction of the VMC Program. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features be certified by a Professional Engineer at the City's request;
- l. The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:
 - "Purchasers and/or tenants are advised that the parkland may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City."
 - "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring the indoor sound levels are within the sound level limits of the City and the Ministry of Environment, Conservation and Parks."
 - "Purchasers/tenants are advised that sound levels due to the increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
 - "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act, the Innovation, Science and Economic Development Canada ('ISED') and the Canadian Radio-television and Telecommunications Commission ('CRTC') authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
 - "Purchasers/tenants are advised that this development is in proximity to various commercial developments including York Region Rapid

Bus Terminal, and that sound levels may at times be audible.”

- m. The Owner shall agree to make the necessary arrangements with the City’s Environmental Services Department for the supply of potable water for construction purposes and implement a water flushing program to maintain the water quality;
- n. Prior to the discharge of any water originating from a source other than Vaughan’s water supply, including water originating from groundwater accumulating or collected on private lands (“Private Groundwater Discharge”) to Vaughan’s storm sewer system, the Owner/Condominium Corporation shall obtain a discharge approval for permanent dewatering (“Permanent Discharge Approval”) from Vaughan prior to the release of Site Plan Approval, if required by Vaughan. The following terms and conditions within this section and sections l, m and n are subject to Vaughan requiring a Discharge Approval, if applicable.
 - i. The Owner shall agree to install all works to carry out the Private Water Discharge (“Discharge and Related Works”) in accordance with the terms and conditions of the Permanent Discharge Approval, all to Vaughan’s satisfaction. Furthermore, the Owner shall ensure that all Discharge and Related Works are in good standing with the Discharge Approval.
 - ii. Prior to registration of the condominium on the Lands, the Owner shall ensure that the Discharge Approval is in full force and effect and that the Discharge and Related Works are in good standing in accordance with the terms and conditions of the Discharge Approval and operating to Vaughan’s satisfaction.
 - iii. Upon registration of the condominium on the Lands, the Owner (which shall then be the condominium corporation) shall apply for and obtain a renewal of the discharge approval within thirty (30) days of registration or prior to the expiry date on the discharge approval, whichever occurs first, such that the Owner (condominium corporation) shall assume and become responsible for the discharge approval and the Discharge Related Works.
 - iv. Fees related to Discharge Approval renewals shall apply in accordance with the City’s Sewer Use By-law 130-2022, as amended or replaced.
 - v. Upon the Owner’s application to renew the Discharge Approval in accordance with section 1(iii), the Owner shall provide a report prepared and sealed by a licensed professional geoscientist, in the province of Ontario, attesting that all Private Water Discharge comply with the requirements of the Permanent Discharge Approval issued by Vaughan.
- o. That the Owner agrees that post-development flow rates discharged to

Vaughan's storm sewer system from the Lands, including Private Groundwater Discharge, shall not exceed the pre-development flow rates discharged to Vaughan's storm sewer system as approved by Development Engineering and per the Discharge Approval. The Owner may be required to add or modify the Discharge and Related Works to Vaughan's satisfaction, all at the Owner's sole cost and expense. Where the Private Groundwater Discharge flow rates are exceeded, causing the post-development flow rates discharged to the Vaughan's storm sewer system to exceed the allowable flow rates discharged to Vaughan's storm sewer system, Council approval for Discharge Approval an increase in allowable flow will be required;

- p. The Owner's right to Private Groundwater Discharge from its Lands into the Vaughan's sewer system is subject to all terms and conditions of this Agreement, the Discharge Approval, if required, the Vaughan's Sewer Use By-Law 130-2022, as amended or replaced, and all applicable laws and regulations;
- q. The Owner shall agree that in the event the Owner fails to comply with any of the terms and conditions set out in sections m,n and o, Vaughan may immediately suspend, terminate or revoke, at Vaughan's sole discretion, any discharge privileges granted under this Agreement and/or the Permanent Discharge Approval, if applicable;
- r. The Owner will be required to pay applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board;
- s. For high-density residential development, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy;
- t. Parkland shall be dedicated in accordance with By-law 139-90, as amended by By-law 205-201 and the policies outlined in Section 7.3.3 of VOP 2010, Parkland Dedication, to the satisfaction of the City;
- u. Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division;
- v. If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division;

- w. The Owner/Developer will provide the building with its own centralized mail receiving facility. This lock-box assembly must be rear-loaded, adjacent to the main entrance and maintained by the owner/developer in order for Canada Post to provide mail service to the tenants/residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided;
- x. The Owner/Developer agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retrofitted with a Canada Post deadbolt cylinder;
- y. The Owner/Development is advised to contact Canada Post to verify new postal codes for the proposed development and to contact Canada Post during the design stage of the proposed development to discuss a suitable mailbox/mailroom location;
- z. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada;
- aa. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost;
- bb. The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development;
- cc. The Owner is advised that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure. If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development;
- dd. The Owner shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving;

- ee. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant;
- ff. In the event, easement(s) are required to service this development and any future adjacent developments. The applicant will provide all easement(s) to Enbridge Gas Distribution at no cost;
- gg. In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department;
- hh. If applicable, the owner, or agent, of this proposed plan is required to contact Alectra and discuss all aspects of the above project. The standard electrical supply to Industrial, Commercial, Institutional and High-Rise Condominium projects is via a pad mounted transformer or where deemed appropriate, integrated within the built form to the satisfaction of the City of Vaughan. The proposed transformer shall meet Alectra's Clearance Standards, the transformer must also be located within 3-4.5m of a parking area, driveway or hard surface for access by service vehicles. The access must be from within the customer's property, not from a local roadway or adjacent properties, and must provide adequate access for a line truck. Primary voltage duct bank standards and the transformer base and grounding standards will be provided to the customer once the primary supply point(s) have been established by Alectra, and the customer's main service size has been established by their Consultant;
- ii. All proposed billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced;
- jj. The transformer precast base cannot be located over parking structures or over an underground parking garage. Where the transformer is to be situated on a graded slope, a notched-out area must be established for the transformer base to be installed, with adequate space to accommodate the grounding requirements and guard post/bollards if required;
- kk. Alectra will require one architectural site plan showing the proposed transformer location, one electrical site plan, and an electrical single-line drawing, both in hard copy (PDF file, P.Eng. approved version) and electronic AutoCAD (latest version). Additionally, a complete building elevation drawing (including subsurface excavations) is required to ensure the project is not in conflict with any existing overhead or underground components of the electrical distribution system. Alectra also requires a letter from the owner, or the agent, stating that the proposed building-to-existing electrical distribution

system clearances have been checked and are in compliance with the current requirements of the applicable standards, acts and codes referenced below;

- ll. In the event that the building commences construction, and the clearance between any component of the building structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established;
- mm. In the event the building is completed, and the clearance between the building and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work; and,
- nn. Once Alectra has received all proposed details and are satisfied with the design, Alectra will provide the customer with an Offer to Connect which will specify all the details and the responsibilities of each party. Once the Offer is signed and full payment received by Alectra, Alectra will start the final design and state and/or obtain the required approvals from the Local Municipality.