

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 28, 2022

Item 10, 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.

10. RP B3S HOLDINGS INC. (BLOCK 3S) SITE DEVELOPMENT FILE DA.21.031 SOUTH SIDE OF CELEBRATION DRIVE, BETWEEN COMMERCE STREET & INTERCHANGE WAY VICINITY OF INTERCHANGE WAY AND COMMERCE STREET

The Committee of the Whole recommends approval of the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated September 20, 2022.

Recommendations

1. THAT Site Development File DA.21.031 BE DRAFT-APPROVED subject to the conditions set out in Attachment 7; and
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:
 - a. “THAT Site Plan Development Application DA.21.031 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,022 residential apartment units (2,259 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Allocation of Servicing Capacity Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”; and
 - b. “THAT Site Plan Development Application DA.21.031 (Phase 2) be reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 535 residential apartment units (1,182 persons equivalent). At the discretion of the City, this reservation shall automatically be revoked after a period of twelve (12) months in accordance with the City’s Allocation of Servicing Capacity Policy.”

Committee of the Whole (2) Report

DATE: Tuesday, September 20, 2022

WARD: 4

TITLE: RP B3S HOLDINGS INC. (BLOCK 3S)
SITE DEVELOPMENT FILE DA.21.031
SOUTH SIDE OF CELEBRATION DRIVE, BETWEEN
COMMERCE STREET & INTERCHANGE WAY
VICINITY OF INTERCHANGE WAY AND COMMERCE STREET

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.21.031 to permit a mixed-use development in the Vaughan Metropolitan Centre (VMC) consisting of 1,557 residential units within three 30, 50 and 40-storey towers on podiums up to 6-storeys in height, a one-storey standalone retail building, a north-south pedestrian mews, a privately owned-publicly accessible open space ('POPS'), and 6,122.7 m² of retail uses as shown on Attachments 3 to 6.

Report Highlights

- Site Development File DA.21.031 proposes a high-rise mixed-use development consisting of three residential towers (30, 40 and 50-storeys) containing 1,557 residential dwelling units, up to 6-storey building podiums integrated with retail, residential units, lobby and amenity areas, a one-storey standalone retail building, a north-south pedestrian mews, a privately owned-publicly accessible space ('POPS'), and two levels of underground parking.
- Applications to amend the Official Plan and Zoning By-law Files OP.21.016 and Z.21.027 were approved by Vaughan Council on June 28, 2022 through implementing By-laws 148-2022 (OPA 78) and 147-2022 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.21.031 BE DRAFT-APPROVED subject to the conditions set out in Attachment 7; and
2. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:
 - a. "THAT Site Plan Development Application DA.21.031 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,022 residential apartment units (2,259 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Allocation of Servicing Capacity Policy if the development does not proceed to registration and/or building permit issuance within 36 months."; and
 - b. "THAT Site Plan Development Application DA.21.031 (Phase 2) be reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 535 residential apartment units (1,182 persons equivalent). At the discretion of the City, this reservation shall automatically be revoked after a period of twelve (12) months in accordance with the City's Allocation of Servicing Capacity Policy."

Background

The subject lands (the 'Subject Lands') are in the Vaughan Metropolitan Centre ('VMC') south of Celebration Avenue, between Commerce Street and Interchange Way. The Subject Lands are currently vacant, and previously developed with a surface parking lot. Surrounding land uses are shown on Attachment 1.

Proposed Development

The proposed development (the 'Development') is shown on Attachments 3 to 6 and consists of the following:

- a) Three (3) towers with building heights of 30-storeys (Tower A), 50-storeys (Tower B) and 40-storeys (Tower C) located on podiums generally up to 6-storeys in height, consisting of residential uses, amenity spaces, and retail uses (at grade and on level 2 of Tower A and B's shared podium)
- b) A one-storey stand-alone retail building
- c) 1,557 residential dwelling units
- d) Total GFA of 109,907.4 m² (103,784.7 m² residential, and 6,122.7 m² retail uses)
- e) 828 parking spaces (810 within in two levels of underground parking, and 18 at-grade within Tower A's podium)
- f) 1,094 bicycle spaces (178 short-term and 916 long-term)
- g) 4,898 m² of amenity area (2,674 m² indoor and 2,224 m² outdoor)
- h) A 15 m wide (with 12 m pinch points) north-south pedestrian mews, subject to a public access easement
- i) A POPS, subject to a public access easement

Previous Reports/Authority

The following links provide information related to the corresponding Council-approved Official Plan and Zoning By-law Amendment Applications (OP.21.016 and Z.21.027):

[Item 21, Report No. 30, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2022](#)

[Public Meeting Report for Block 3S - Item 2, Report No. 50 of Committee of the Whole, which was ratified by Vaughan Council on November 16, 2021](#)

[Authority to Enter into a Servicing Agreement - Commerce Street – Vaughan Metropolitan Centre](#)

[Authorization for Agency Status - City Owned Lands - Item 11, Report No. 32 of Committee of the Whole \(2\) which was ratified by Vaughan Council on June 22, 2021](#)

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.21.016) and Zoning By-law Amendment Application (Z.21.027) 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 21, Report No. 30) as identified in the section above.

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

Conforms to the VMCS

The Subject Lands are designated “Station Precinct” by the VMCS, which forms part of Volume 2 of VOP 2010 and are subject to site-specific Policy 9.3.20 (Area R), which was approved through OPA 78 and By-law 148-2022 at the June 28, 2022, Council Meeting and stipulates the following:

- i. Permit a maximum building envelope not exceeding 50-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
- ii. Permit a 1-storey (6.5 m) standalone retail building.
- iii. Permit a maximum Floor Space Index (“FSI”) of 6.8 times the area of the lot.
- iv. Permit a maximum floor plate size of 778 m².
- v. Permit a publicly accessible pedestrian mews with localized pinch points of 12.0 m, whereas the balance of the mews shall have a width of at least 15 m.
- vi. Permit a minimum height of 3.0 m for the first storey of a residential building for residential and residential-related uses.
- vii. Permit a maximum residential gross floor area (‘GFA’) of 112,000 m².
- viii. A minimum of 6,000 m² GFA of the overall development must consist of non-residential uses.

The Development conforms to the VM CSP as the proposal implements the site-specific policy 9.3.20 and other policies as described in the approval report for the corresponding Official Plan and Zoning By-law Applications. OPA 78 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 7.

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

Through By-law 147-2022 that was enacted by Vaughan Council at the June 28, 2022, meeting, site-specific zoning standards were developed to specifically facilitate the Development. 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 Attachment 7.

Appeal #24 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. A transition provision under By-law 001-2021 applies, and as such, the Owner is only required to demonstrate conformity with Zoning By-law 1-88, as amended. 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 #24). The City will be working with the Owner to resolve and address any outstanding matters related to Appeal #24.

Site Design

The proposed Site Plan as shown on Attachment 3 includes three residential towers being 30 (Tower A), 50 (Tower B) and 40 (Tower C) storeys in height atop podiums up to 6-storeys, a north-south pedestrian mews, and 6,122.7 m² of retail space. A POPS, is proposed at the southeast corner of the Development.

The proposed building heights will contribute to a varied skyline in the VMC. The Development includes 4,898 m² of combined indoor and outdoor amenity areas which are comprised of common areas, private terraces, green roof amenity terraces, and the POPS.

A 15 m (with 12 m pinch-points) wide north-south pedestrian mews bisects the Subject Lands to align with the pedestrian mews approved as part of the Festival Development to the north, to connect to Highway 7. The mews is flanked by retail uses, provides direct access to the POPS, and protects for a continued pedestrian connection southward.

The POPS is integrated with the future one-storey standalone retail pavilion, a co-work amenity area in the podium of Tower C, and the surrounding pedestrian realm which includes frontage onto Interchange Way and the future east-west extension of Doughton Road. The POPS contains a playground, an urban grove, decorative paved surface, and site furnishings, as shown on Attachment 4.

Phasing

The proposed development is intended to proceed in two phases. Generally, phase 1 will be the lands west of the proposed pedestrian mews and phase 2 will be the lands located to the east.

Construction of phase 1 will include the western portion of the underground parking structure, Towers A and B, the pedestrian mews, and boulevard improvements to portions of Celebration Avenue. Additionally, municipal servicing, road upgrades and road realignment of Commerce Street, and the future extension of Doughton Road will occur in Phase 1.

Phase 2 of the proposed development will include construction of the remaining portion of the underground parking structure, Tower C, Interchange Way upgrades, and boulevard improvements to the future Doughton Road extension and the remaining portion of Celebration Avenue.

Site Access

The Development has two driveway accesses along Celebration Avenue (north property line) and one driveway access along the future Doughton Road extension (south property line). The Development is serviced by two levels of underground parking with a total of 828 parking spaces (753 residential and 75 non-residential); and 1,094 bicycle parking spaces. Servicing and loading areas are located internal to the Development. A pedestrian mews bisects the Subject Lands, providing a direct pedestrian connection northward to Highway 7 through the Festival Development.

Landscape

The pedestrian mews supports a fine-grain street network in the VMC and provides connectivity to the surrounding future developments in the southwest quadrant. Schedule C – Street Network of the VMCSPP envisions that this mews extends from north of Highway 7, continuing along the entire stretch of the southwest quadrant ending at Exchange Avenue to the south. The proposed mews and POPS, which includes an urban grove and playground area, offers a generous pedestrian zone which will anchor retail pavilions, enhanced feature landscape elements, and site furnishings to provide amenities and gathering space.

High-quality streetscape design is proposed throughout the Development as shown on Attachment 4. All public frontages (Commerce Street, Interchange Way, Celebration Avenue, and the future Doughton Road extension) will have urban boulevards to reflect the pedestrian-oriented vision for the downtown. Celebration Avenue and the future Doughton Road extension will have Premium levels of service along the entrance of the mews. The final landscape plans, photometric analysis drawings and wayfinding/signage design must be approved by the VMC Program Division. A condition to this effect is included in Attachment 7.

Elevations

Building elevations are comprised of materials such as brick, precast concrete panels, metal, and glass, and are proposed to be distinguished and articulated through high-quality designs, as shown on Attachments 5 and 6. All primary lobby entrances and individual residential ground floor unit entrances are located at-grade and are clearly visible and accessible to the public realm to activate street frontages and promote vibrant and pedestrian friendly environments. Commercial uses are proposed at-grade, and within the second level of Tower A's podium, with entrances along Commerce Street, Celebration Avenue and the pedestrian mews, further activating the streetscape.

Urban Design and Planning Staff of the VMC Program Division have reviewed the Development and are supportive in-principle to advance to draft-approval, subject to conditions included in Attachment 7. The final site plan, building elevations, interim and ultimate landscape plans, landscape cost estimate, wind tunnel model, sun/shadow analysis, 3D digital model, wayfinding/signage design plan, and photometric lighting plan must be approved prior to the execution of the Site Plan Agreement.

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

The Design Review Panel (the 'Panel') on June 24, 2021 and February 24, 2022 considered the Development. The City sought the Panel's advice on how the architectural massing, scale and expression could be improved to convey the vision of the VMCSPP and Urban Design Guidelines for a complete and diverse community; how the architectural massing could improve potential microclimate impacts to the immediate and larger context; and how the ground floor public realm strategy could successfully contribute to the larger contextual design vision and intended uses of the future development to the north, and park / open space network to the south.

At the June 24, 2021, meeting, the Panel provided the following analysis:

- **Tower Transition, Massing, and Heights** – The tower design is not providing adequate transitions from the high-rise development at the north to the future midrise developments and urban park to the south.

- **Architectural Expression** – The original conceptual vision has become challenging and probably unachievable as the water lily idea is not transferring to the architecture and will require more complex design / detailing to achieve.
- **Podium Massing** – The podiums would benefit from more openings, breaks, porosity, and animation to provide variety along the longer elevations.
- **Site Organization** – The general organization of the plan and public realm, demonstrates a successful circulation strategy which allows for permeability and uninterrupted movement throughout the site.

At the February 24, 2022 meeting, the Panel acknowledged improvements from the previous presentation and that essential elements for a good project were present, however, some refinements were warranted. The following comments were provided:

- **Site Plan, Ground Floor Uses and the Public Realm** – The mews experience at the pedestrian level is critical to the success of the project, as active open spaces are crucial to a healthy public realm. Create a strong and viable retail strategy with attractive and animated windows and frontages along the corridor. Carefully review the south connection between the mews and the POPS. At the north end of the mews, the narrow mouth [entrance] and the bridge above it are working against the idea of creating a welcoming gesture for pedestrians. Design a mid-block pedestrian crossing at the north end of the mews similarly to what has been proposed to the south.
- **POPS** – The interaction of the POPS with its edges will be critical to its success. This is particularly important along the vehicular turn around and the proposed amenity space to the north where there should be continuous active uses that animate the POPS throughout the day. Panel recommended relocating the residential lobby entrance and adding other related lounge or café seating areas that are constantly animated and do not rely on temporary bookings or programming for activation.
- **Massing and Materiality** – The architectural expression of the podiums and towers should focus on material richness, tactility and warmth to help achieve a more meaningful and special project that is not only unique but warmer, more welcoming and sustainably responsible. The design of the 50-storey tower should be analyzed very carefully from top to bottom to ensure that its landmark perception is consistent with the expected high quality of design which will be perceived from different vantage points, distances and scales. From its overall design and materiality, to how it lands and interacts with the ground floor at the entrance of the mews.
- **Loading and Service Areas** – Panel recommended looking at reducing the size of the internal service and vehicular turnaround spaces to increase the size of the public realm and other active frontages throughout the site.

- **Sustainability and Microclimate** – Consider how sustainable design influences the language of these buildings by designing each façade differently depending on orientation to address climatic differences throughout the year, and by determining important aspects such as optimal window to wall ratios, quality of window systems, where and how balconies are provided, etc. Microclimate will be very important in the public realm and rooftop terraces to allow for the comfort of pedestrians throughout the year.

Following resubmissions and discussions to prioritize design matters raised by the Panel and Staff, VMC Program is generally satisfied that the Owner has addressed the main comments of the Panel, subject to the Recommendations in Attachment 7.

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 Attachment 7.

The Development meets the minimum Silver Sustainability Metrics Threshold Scores for Development in the VMC

The Development achieves 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 proximal to Highway 7, higher-order transit, the SmartVMC Bus Terminal and VMC Subway Station. Generous sidewalks are provided along all active frontages of the Development, and the development includes a pedestrian mews. The Development provides water conservation methods, green roofs, energy conservation lighting, and provides storage and collection of recycling and organic waste storage facilities internal to the building. Bicycle parking spaces are included within the development, and cycle tracks are provided surrounding the development to promote alternative 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 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 7.

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 Culture Heritage Division immediately; and
- b) If human remains are encountered during construction activities, the Owner must cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

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

Development Engineering Staff have no objection to the Application in principle. Final engineering plans and reports including grading, servicing, erosion and sediment control plans, Functional Servicing Report, Stormwater Management Report, Geotechnical and Hydrogeological Investigation Report, Noise Impact Study, Traffic Impact Study and Transportation Demand Management Plan must be approved to the satisfaction of the VMC Program, along with any outstanding review fees that must be paid prior to execution of the Site Plan Agreement.

Servicing and Land Exchange Agreements

Schedule C – Street Network of the VMCSPP envisions the realignment and extension of Commerce Street to create a fine-grain grid network of streets. The realignment of Commerce Street surrounding the Subject Lands requires a Servicing Agreement between the City and the Developer to outline contractual details related to the planning, design, construction, land acquisition for nominal consideration, delivery, repair and maintenance of the new Commerce Street as envisioned in the VMCSPP and the decommissioning of the existing Commerce Street, all at the sole cost of the Developer, net eligible Development Charge reimbursements.

On February 15, 2022, Council approved the authority to enter into a Servicing Agreement for Commerce Street between the Owner and the City; and By-Law 034-2022 for the land exchange with 2748355 Canada Inc. and RP B3S Holdings Inc. for Commerce Street. A Land Exchange Agreement is currently underway. Reports pertaining to the Commerce Street realignment are included in the “Previous Reports/Authority” section of this Report.

As the Development is contingent on Servicing and Land Exchange Agreements, prior to execution of a Site Plan Agreement, the Owner shall satisfy the following conditions to the satisfaction of the City:

- The Servicing Agreement must be executed between the Owner and the City for the realigned Commerce Street and Doughton Road
- Commerce Street and Doughton Road must be fully constructed and operational
- The Land Exchange Agreement must be executed between the Owner and the City including satisfying all closing/land swap conditions

Water Supply

The subject lands are located within the City of Vaughan Pressure District 6 (PD6). There are municipal watermain (400mm, 300mm diameter) adjacent to the site on realigned Commerce Street and Doughton Road/Celebration Avenue respectively, which can provide domestic and fire flow demands for the proposed development.

Sanitary Sewer

The Functional Servicing Report recommends a servicing connection for sanitary drainage from the proposed site to the new municipal sanitary sewer (450mm diameter) on Doughton Road. To accommodate the Development, and in accordance with the VMC Functional Servicing Strategy Report (FSSR), the existing sanitary sewer on Doughton Road (old Commerce Street) will require upsizing to a 450mm sanitary sewer. The existing system and proposed site drainage area are both tributary to the Jane Collector Sanitary Trunk Sewer within the York Durham Sewage System (YDSS). It is anticipated 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.

Stormwater Management and Storm Sewer

Stormwater management for the Development includes quantity and quality controls and volume retention. Quantity control will be achieved through storage tanks within the underground parking garages, and orifice tubes within the maintenance holes to control runoff from the Lands to the allowable release rate. The storage tanks were also sized

to provide 15mm on-site retention volume, which will be used for irrigation and/or mechanical uses. The existing downstream stormwater management pond (Interchange Pond) will continue to provide normal level (70%) of total suspended solids ('TSS') removal. Controlled runoff from the site will discharge to a new 525mm storm sewer on the extension of Doughton Road and then to the existing 1200mm diameter storm sewer via municipal easement, which drains southwest and outlets to the Interchange Pond.

The City via Civica is currently preparing the VMC Functional Servicing Strategy Report (FSSR), which is an update to the City's Municipal Servicing Master Plan (TMIG, 2012). The VMC FSSR will include a retrofit to the existing Interchange Pond within the southwest quadrant to achieve current stormwater management criteria including enhanced level (80%) of TSS removal. The VMC FSSR is anticipated to be completed by Q1 2023.

Transportation

Road Network

The Subject Lands are bounded by future realigned Commerce Street, Doughton Road extension, future Celebration Avenue, and Interchange Way. The VMCSPP requires existing Commerce Street to be realigned to form new Commerce Street extension north-south and Doughton Road extension east-west surrounding the subject site. The realigned Commerce Street and Doughton Road extensions adjacent to the site are to be delivered through a Servicing Agreement between the Owner and the City. Commerce Street and Doughton Road shall be designed to the minor collector of 26 m right-of-way cross-section width per the VMCSPP. An interim road condition along the south and west boulevards is proposed for the realigned Commerce Street and Doughton Road. The interim condition, like the ultimate condition, will accommodate the safe and efficient movement of all road users, including pedestrians, cyclists, motorists as well as maintenance and emergency vehicles. These interim conditions will remain in place until lands to the west and south are developed. A total of three accesses are proposed to serve the site, two accesses on Celebration Avenue to the north and one access on Doughton Avenue extension to the south.

Active Transportation

Pedestrian infrastructure improvements are proposed as part of this Development. In the ultimate condition, wide 2 m sidewalks are proposed on both sides of all surrounding streets including the new Commerce Street realignment and Doughton Road extension. Dedicated uni-directional cycling facilities will be extended on both sides of Commerce Street and Doughton Road adjacent to the site to provide greater connectivity to the existing City and Regional cycling networks. A total of 1,094 bicycle parking spaces are

proposed on-site, including 916 long-term spaces and 178 short-term spaces in the form of bicycle rings. The proposed bicycle parking supply meets the minimum zoning requirements.

Parking

A total of 828 vehicular parking spaces are proposed primarily in two-levels of underground parking. Adequate parking justification has been provided in the Transportation Impact Study to support this reduction. Parking reductions are not sought for the residential visitor parking which will be provided at the City's existing and draft comprehensive Zoning By-law requirements (0.15 spaces per unit).

Environmental Noise and Vibration Impact Study

A Noise Impact Study and Addendum, prepared by HGC Engineering dated July 28, 2022, identified surrounding noise sources and noise control measures for the Development. The analysis considered the traffic along the future Doughton Road extension, Commerce Street, future Celebration Avenue, Jane Street, Highway 7, Interchange Way, Highway 400, and Highway 407, and the numerous surrounding employment, commercial and industrial uses.

Prior to execution of the Site Plan Agreement, the Owner shall provide a final Noise and Vibration Feasibility Study for review and approval by the City and agree in the Site Plan Agreement to implement the recommended noise attenuation measures from the approved noise report into the design and construction of the proposed buildings.

Environmental Site Assessment

The Owner submitted a Phase One and Two Environmental Site Assessment ('ESA') report which was reviewed by the Development Engineering department. The Owner provided a reliance letter dated May 13, 2022 in conformity with the template for the two ESA reports. The Subject Lands are transitioning from a commercial land use to a more sensitive land use of residential, and therefore a Record of Site Condition ('RSC') in accordance with Ontario Regulation 153/04, as amended (O.Reg.153/04) is required to be filed with the Ministry of the Environment, Conservation and Parks ('MECP'). The Phase Two ESA report indicates that the southwest portion of the property is currently owned by the City and that an RSC cannot be filed for that portion under O.Reg.153/04. Prior to the execution of a site plan agreement, the proponent is requested to file for the RSC once the transfer of ownership for the development lands has taken place.

Geotechnical and Hydrogeological Report

The Owner shall update the final Geotechnical and Hydrogeological Investigation Report for the Development. The Report shall recommend the ground water control

measures that need to be implemented during the design and construction of the buildings and municipal services, and assessment of potential water quantity/quality effects due to dewatering activities on the proposed and existing development.

Area Specific Development Charge (ASDC)

The City completed a Development Charges ('DC') Update Study in 2022. Elements of the infrastructure improvements work may be included in the DC Update Study as an Area Specific Development Charge ('ASDC') By-Law or within the City-Wide DC By-Law. The ASDCs applicable to this development are:

- a) VMC Interchange Storm Water Management Works – (By-Law 115-2022) – charged on a per unit basis
- b) VMC West – Interchange Sanitary Sewer Improvements (By-Law 107-2021) – charged on a per unit basis
- c) VMC Jane Street Sanitary Trunk Sewer Improvements – (By-Law 120-2022) – charged on a per unit basis

The Owner shall enter/participate into the Interchange Way trunk sanitary sewer spine services cost-sharing agreement.

Integrated Urban Water Master Plan (IUW-MP) Class Environmental Assessment (EA) Study

Site servicing (Water, Wastewater & SWM) shall conform to the conclusions and recommendations of the City's ongoing IUW-MP Class EA, specifically the Functional Servicing Strategy Report (FSSR) for the Vaughan Metropolitan Centre.

Sewage and Water Allocation

On December 10, 2021, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The intention is to provide Council its next update in December 2022. Accordingly, servicing capacity to Site Plan DA.21.031 (Phase 1) is currently available and unrestricted. Servicing capacity for DA.21.031 (Phase 2) will be reserved in conjunction with site plan approval. Per the Policy, a reservation automatically expires after 1-year or at the City's discretion may be extended. Therefore, to better align reservation to DA.21.031 with reporting, the Owner shall formally request an extension, in writing, at least three (3) months prior to the City's anticipated annual update (typically in December of every year). Moving forward, prior to Phase 2 approval and amending the Site Plan Agreement, the Owner shall request formal servicing capacity (to allocate) from the City. As typical, the City will assess the availability of servicing capacity for the site and will formally allocate servicing capacity accordingly.

Therefore, the following resolution to allocate servicing capacity to DA.21.031 (Phase 1) and reserve servicing capacity to DA.21.031 (Phase 2) of the subject development may be recommended for Council approval:

“THAT Site Plan Development Application DA.21.031 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,022 residential apartment units (2,259 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Allocation of Servicing Capacity Policy if the development does not proceed to registration and/or building permit issuance within 36 months.” and

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The Environmental Services Department, Solid Waste Management Division, has no objection to the Development

The Environmental Services Department, Solid Waste Management Division has advised that upon a successfully completed application, site inspection and executed agreement as determined by the Vaughan Environmental Services Department, Solid Waste Management Division, the future condominium corporation(s) may be eligible for municipal waste collection services. Should the future condominium corporation(s) be deemed ineligible by the City or chose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation(s).

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

The Owner shall pay to the City the applicable development charges, in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect will be included as part of a future Site Plan Agreement.

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

The Legal Services, Real Estate Department has advised that parkland shall be dedicated in accordance with By-law 139-90, as amended by By-law 205-2012 and the policies outlined in Section 7.3.3 of VOP 2010 Parkland Dedication. The Owner will be

required to dedicate parkland and/or pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. Parkland credit calculation will be affected by any existing and/or proposed land encumbrances. The Real Estate Department will assess the credits based on any present easements and/or other types of encumbrances. A condition to this effect will be included in the future Site Plan Agreement.

NavCanada and Bombardier Aerospace have no objection to the Development

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service and Bombardier Aerospace, Owner, and operator of the Toronto Downsview Airport, has advised 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 will be included in a future Site Plan Agreement.

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

The York Region District School Board ('YRDSB') and York Catholic District School Boards ('YCDSB') are important stakeholders in implementing the VMCSPP and continue to be active participants and stakeholders as part of the ongoing VMCSPP update. The current VMCSPP protects for 4 school sites within the VMCSPP area to serve the planned population. As part of the recalibration exercise through the VMCSPP update, options will be considered by Q3 of 2022 to address impact of additional density on requirements for additional community facilities and schools to ensure a complete community is achieved. The School Boards are working closely with City staff to address the inadequate school site designations relative to the proposed and approved densities to-date in the VMC. The School Boards have expressed 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. In accordance with the VMCSPP Schedule E – Community Services and Cultural Facilities, a school site (S3) is identified on the adjacent block south of the Subject Lands, which is a part of the Owner's overall land holdings. The Owner will be required to work with the City and the respective School Boards to resolve their comments as part of development applications OP.22.011, Z.22.020 and DA.22.032 which were filed with the City in June 2022.

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 June 16, 2022, that they have no objection to the Development, in principle, subject to addressing York Region's outstanding comments. Prior to final site plan approval, the Owner is required to address all York Region comments dated June 16, 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.21.031 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region and City Official Plan policies, the requirements of By-law 1-88, comments from City Departments, external public agencies, the public and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York

Region Official Plan, implements the VMCSPP and the recently approved By-laws 148-2022 (OPA 78) and 147-2022. Staff 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: Matthew Peverini, Senior Planner – VMC, Policy Planning and Special Programs, extension 3636.

Attachments

1. Context and Location Map
2. Location Map and Zoning
3. Site Plan and Proposed Zoning
4. Landscape Plan
- 5a. Elevations (East and West)
- 5b. Elevations (North)
- 5c. Elevations (South)
6. Perspective Renderings
7. Conditions of Site Plan Approval

Prepared by

Matthew Peverini, VMC Senior Planner, extension 3636.

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

Approved by

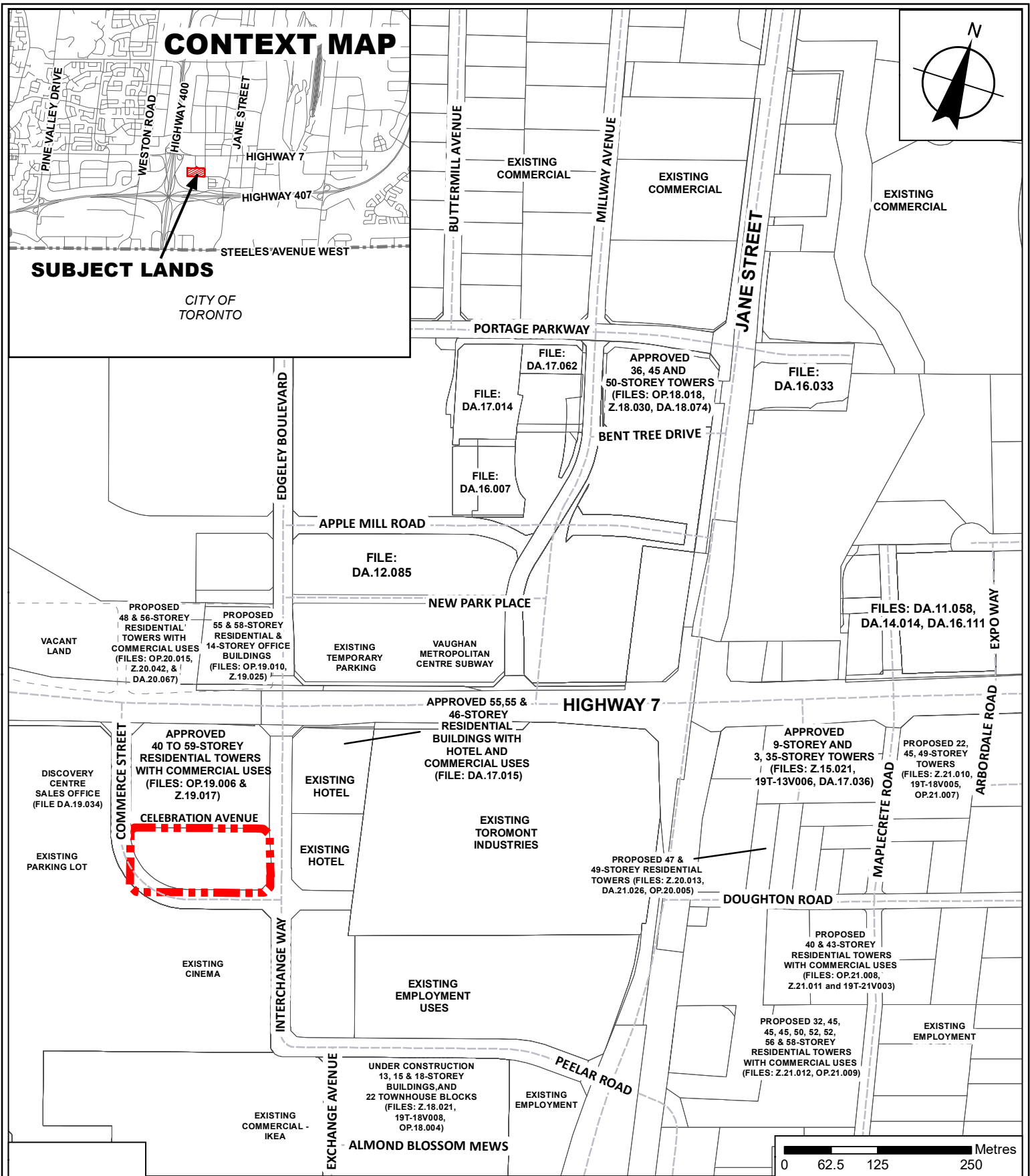


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager



Context and Location Map

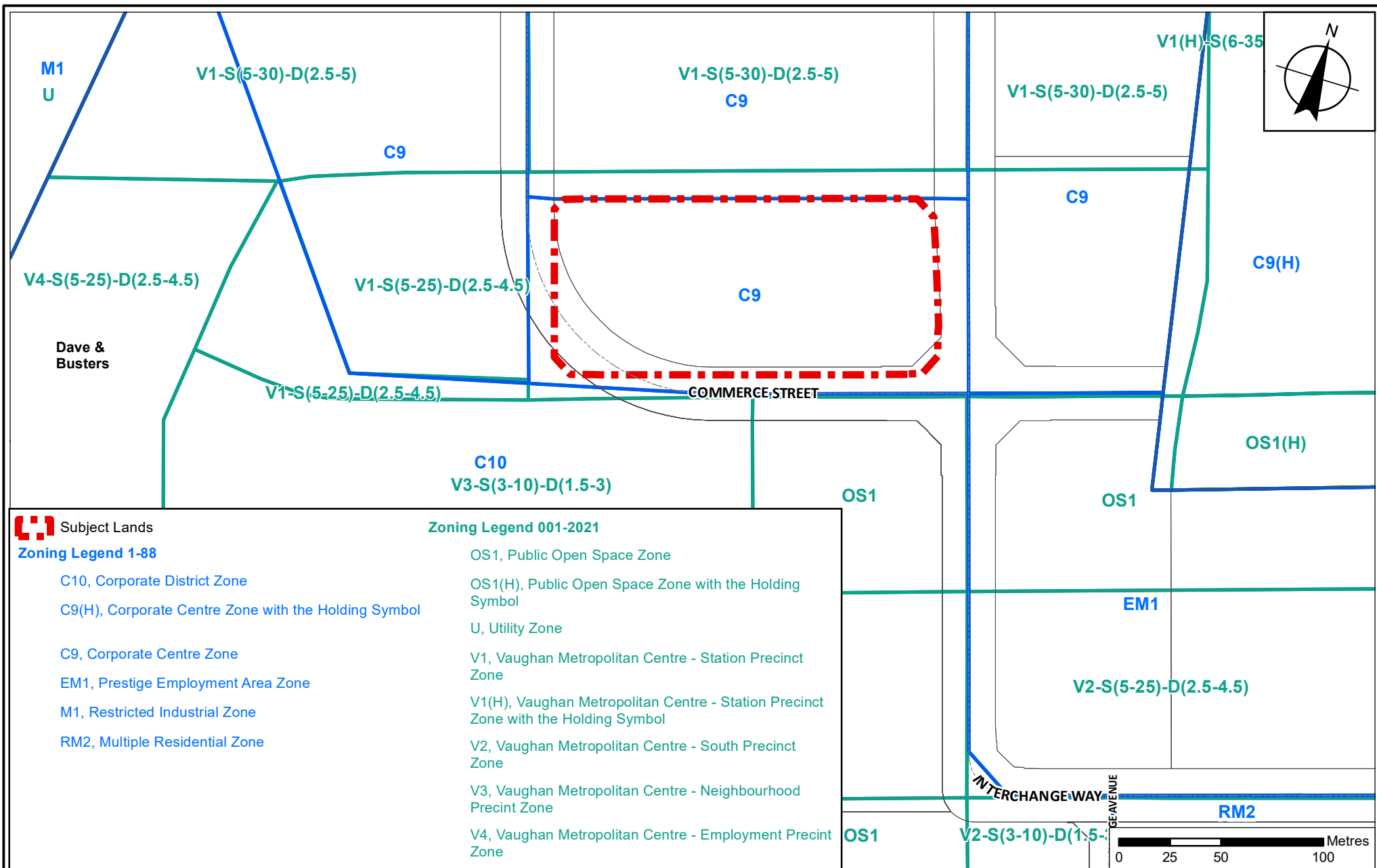
LOCATION:
SOUTH SIDE OF CELEBRATION AVE,
BETWEEN COMMERCE STREET
AND INTERCHANGE WAY
Part of Lot 5, Concession 5

APPLICANT:
RP B3S HOLDINGS INC.



FILES:
DA.21.031, OP.21.016, Z.21.027
DATE:
September 20, 2022

1



Location Map and Zoning

LOCATION:
SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

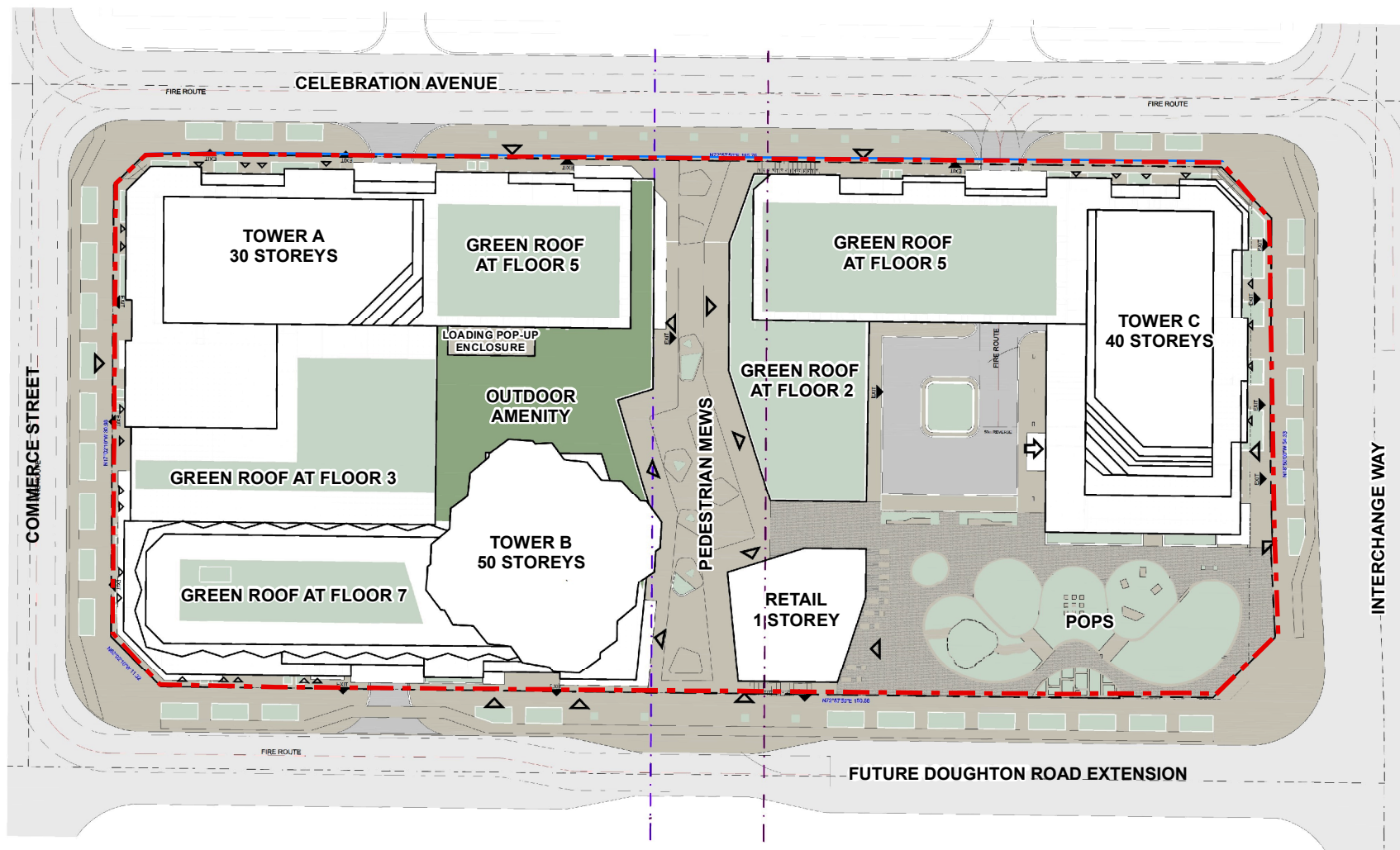
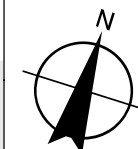
APPLICANT:
RP B3S HOLDINGS INC.



Attachment

FILE:
DA.21.031
RELATED FILES:
OP.21.016, Z.21.027
DATE:
September 20, 2022

2

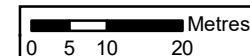


Zoning Legend 1-88

C9, Corporate Centre Zone

Zoning Legend 001-2021

V1, Vaughan Metropolitan Centre -
Station Precinct Zone



Site Plan and Proposed Zoning

LOCATION:

SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

APPLICANT:

RP B3S HOLDINGS INC.



Attachment

FILE:

DA.21.031

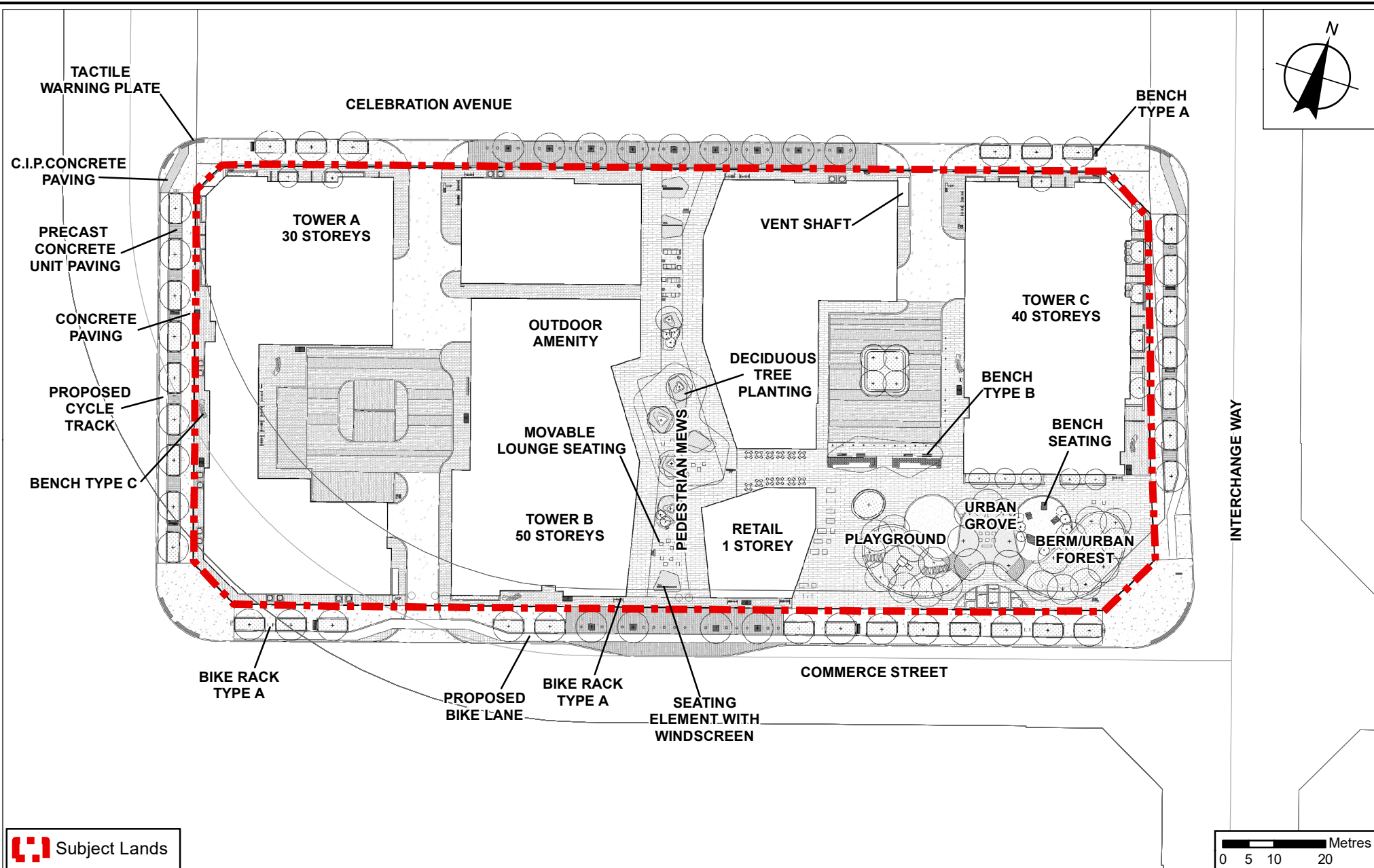
RELATED FILES:

OP.21.016, Z.21.027

DATE:

September 20, 2022

3



Landscape Plan

LOCATION:
SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

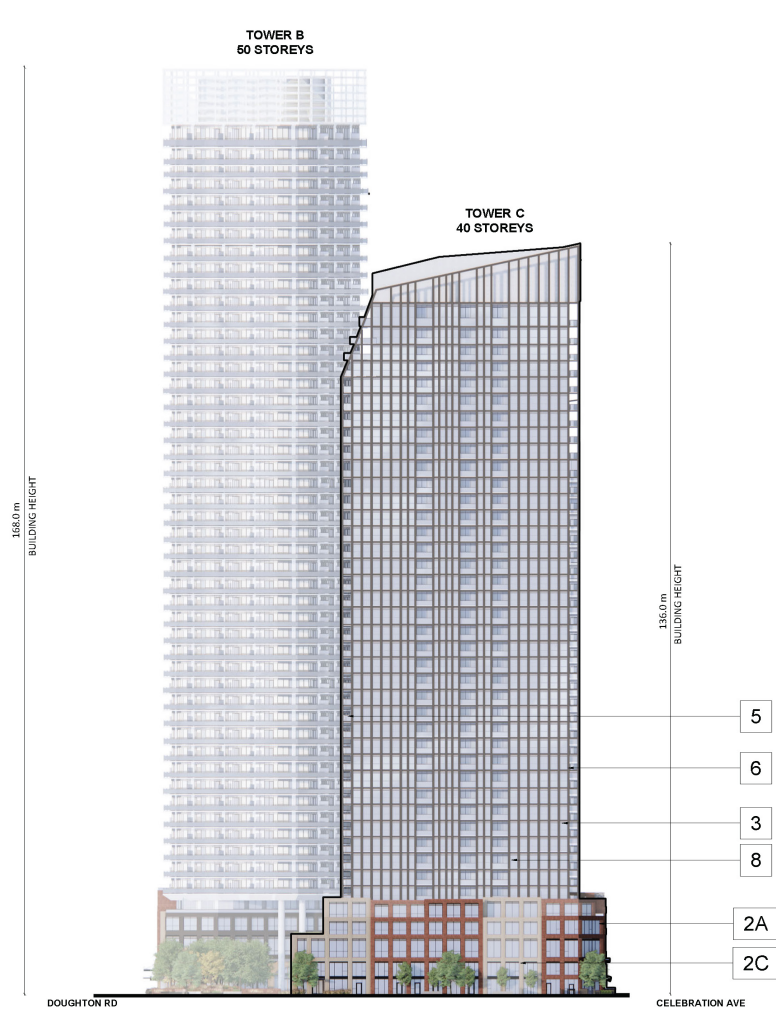
APPLICANT:
RP B3S HOLDINGS INC.



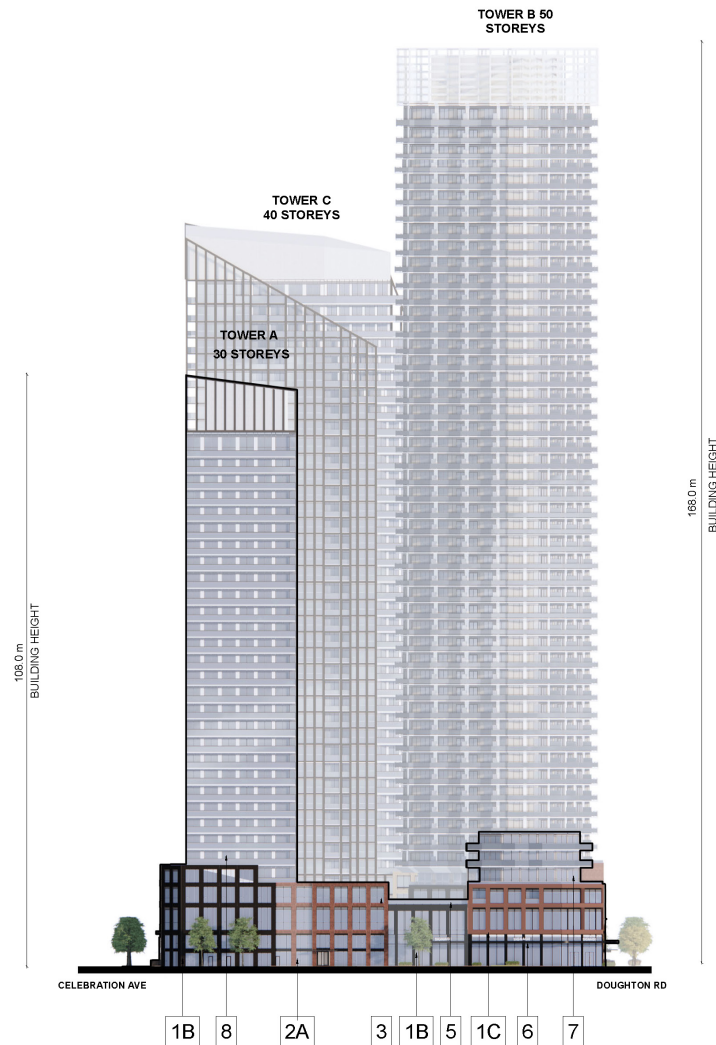
Attachment

FILE:
DA.21.031
RELATED FILES:
OP.21.016, Z.21.027
DATE:
September 20, 2022

4



EAST ELEVATION



WEST ELEVATION

EXTERIOR FINISHES LEGEND	
1A	PRECAST CONCRETE - WHITE W/FORMLINER
1B	PRECAST CONCRETE / BRICK - BLACK
1C	PRECAST CONCRETE - RED
2A	BRICK - RED #1
2B	BRICK - RED #2
2C	BRICK - GREY
2D	BRICK - WHITE & GREY
2E	BRICK - YELLOW
3	CLEAR GLAZING
4	SPANDREL GLASS - GREY
5	BALCONY GLASS - CLEAR W/ CERAMIC FRIT
6	METAL PANEL - BLACK
7	METAL PANEL - WHITE
8	MULLION - GREY
9	MULLION - BRASS
10	METAL PANEL - MIRROR

Elevations (East and West)

LOCATION:

SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

APPLICANT:

RP B3S HOLDINGS INC.



Attachment

FILE:

DA.21.031

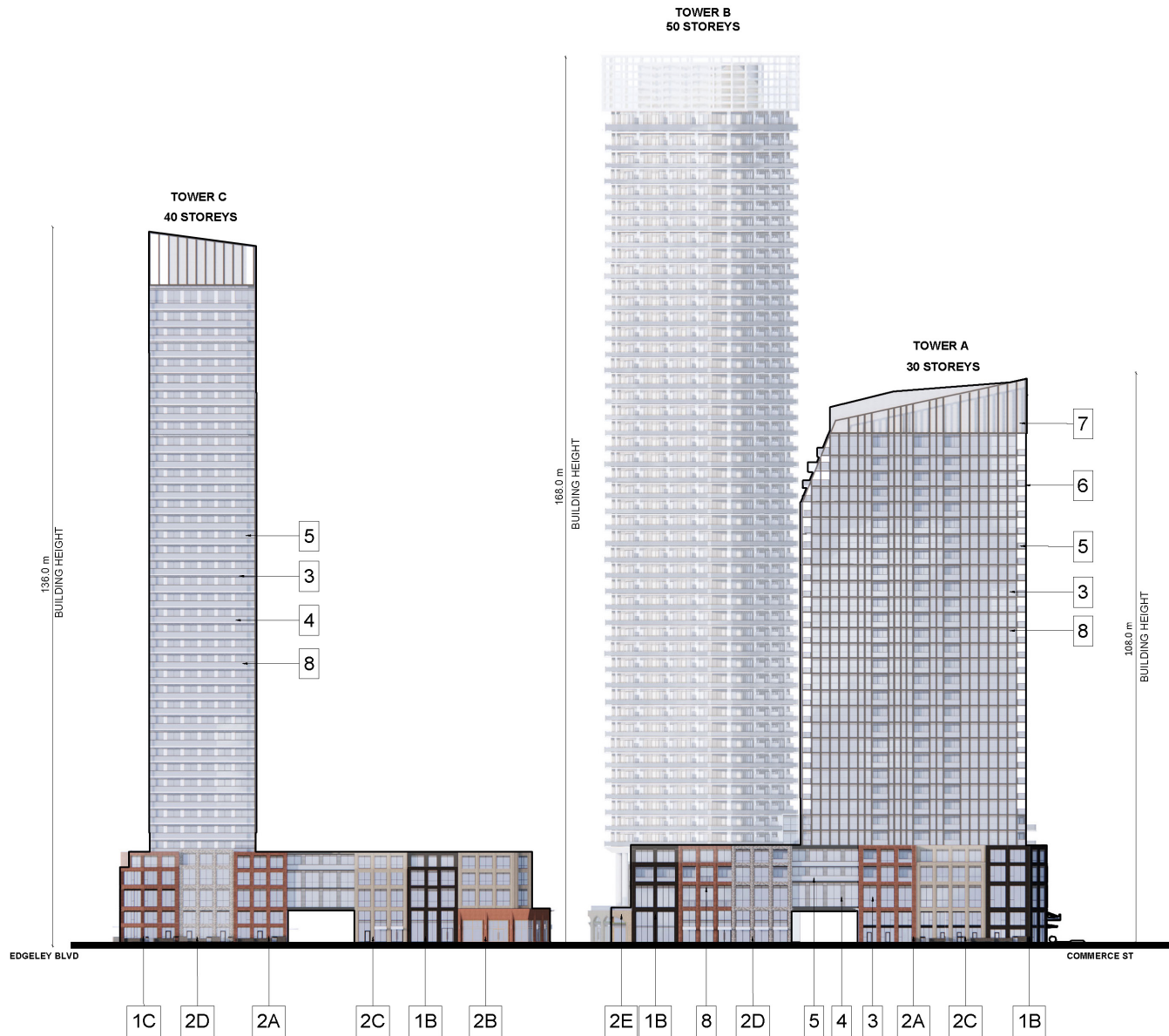
RELATED FILES:

OP.21.016, Z.21.027

DATE:

September 20, 2022

5a



EXTERIOR FINISHES LEGEND	
1A	PRECAST CONCRETE - WHITE W/ FORMLINER
1B	PRECAST CONCRETE / BRICK - BLACK
1C	PRECAST CONCRETE - RED
2A	BRICK - RED #1
2B	BRICK - RED #2
2C	BRICK - GREY
2D	BRICK - WHITE & GREY
2E	BRICK - YELLOW
3	CLEAR CLAZING
4	SPANDREL GLASS - GREY
5	BALCONY GLASS - CLEAR W/ CERAMIC FRIT
6	METAL PANEL - BLACK
7	METAL PANEL - WHITE
8	MULLION - GREY
9	MULLION - BRASS
10	METAL PANEL - MIRROR

Elevations (North)

LOCATION:
SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

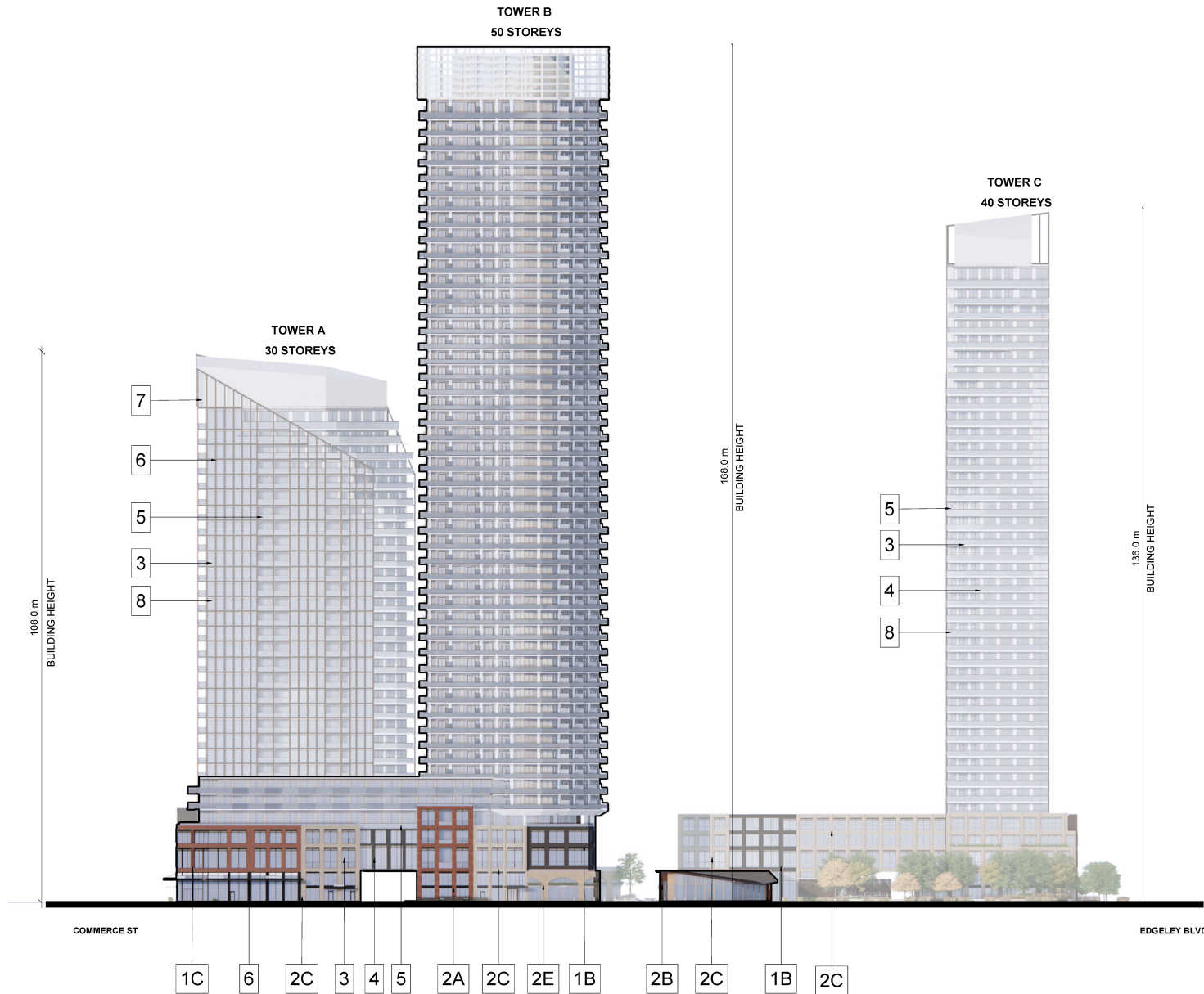
APPLICANT:
RP B3S HOLDINGS INC.



Attachment

FILE:
DA.21.031
RELATED FILES:
OP.21.016, Z.21.027
DATE:
September 20, 2022

5b



EXTERIOR FINISHES LEGEND	
1A	PRECAST CONCRETE - WHITE W/ FORMLINER
1B	PRECAST CONCRETE / BRICK - BLACK
1C	PRECAST CONCRETE - RED
2A	BRICK - RED #1
2B	BRICK - RED #2
2C	BRICK - GREY
2D	BRICK - WHITE & GREY
2E	BRICK - YELLOW
3	CLEAR CLAZING
4	SPANDREL GLASS - GREY
5	BALCONY GLASS - CLEAR W/ CERAMIC FRIT
6	METAL PANEL - BLACK
7	METAL PANEL - WHITE
8	MULLION - GREY
9	MULLION - BRASS
10	METAL PANEL - MIRROR

Elevations (South)

LOCATION:
SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

APPLICANT:
RP B3S HOLDINGS INC.



Attachment

FILE:
DA.21.031
RELATED FILES:
OP.21.016, Z.21.027
DATE:
September 20, 2022

5c



NORTH VIEW LOOKING SOUTH



POPS VIEWS AT MEWS



SOUTH VIEW AT MEWS LOOKING NORTHEAST



NORTH VIEW LOOKING SOUTH

Perspective Renderings

LOCATION:

SOUTH SIDE OF CELEBRATION AVENUE,
BETWEEN COMMERCE STREET & INTERCHANGE WAY
Part of Lot 5, Concession 5

APPLICANT:

RP B3S HOLDINGS INC.



Attachment

FILE:

DA.21.031

RELATED FILES:

OP.21.016, Z.21.027

DATE:

September 20, 2022

6

Attachment 7 – Conditions of Site Plan Approval (City of Vaughan)

Site Development File DA.21.031 (RP B3S HOLDINGS INC.)

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 148-2022), and appropriately zoned by a Zoning By-law (147-2022), 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*') to the satisfaction of the City;
- b) Should a Minor Variance application be required, the Owner shall successfully obtain approval of a Minor Variance Application for the required exceptions to Zoning By-law 1-88, as amended, from the Committee of Adjustment. The Committee's decision for the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee to the satisfaction of the City.
- c) 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.
- d) The tree soil volumes for each tree planted must 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.
- e) The Owner shall submit a detailed exterior photometric lighting plan to the satisfaction of the City. This plan should include the location, specifications and details of each current and/or proposed outdoor lighting fixture with projected hours of use measured in lux and the area of the lighting dispersed by each lighting fixture to suit the intended uses.
- f) The Owner shall demonstrate to the satisfaction of the Fire Department and VMC Program (Development Engineering), that the development complies 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.

- 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 Vaughan Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the model;
- h) The Development Engineering Staff, VMC Program shall approve the final site servicing and grading plan, erosion control plan, functional servicing and storm water management reports and drawings, site illumination plan, utility coordination plan, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, construction parking management plan, Urban Transportation Study, Transportation Demand Management Plan, and Pavement Markings and Signage Plan;
- i) 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. The Owner shall agree in the site plan agreement 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.
- j) The Owner shall implement all traffic control measures on-site as outlined in the Transportation Impact Study, including the implementation of all pavement marking, signage and traffic control devices to ensure pedestrians and cyclists safety especially as it relates to the underground parking ramp access on Interchange Way.
- k) The Owner shall agree to follow the approved TDM Plan (as outlined in the Transportation Impact Study), including funding and implementation of all

physical and programmatic 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 Staff, VMC Program.

- l) The Owner shall pay the Development Engineering Complex Site Plan fee, pursuant to the Fees and Charges By-law 158-2021, as amended, to the satisfaction of Development Engineering Staff, VMC Program;
- m) The Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and the Owner is advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation;
- n) 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) on the Lands, the Owner shall:
 - i. Submit an application to Public Works, Environmental Services Department to obtain an approval for the discharge ("Permanent Discharge Approval"). The Permanent Discharge Approval application shall ensure post-development flow rates discharged to the City of Vaughan's storm sewer system on the Lands, including groundwater and discharge from Private Water Drainage System (as defined in 130-2022), shall not exceed the flow rates approved by Development engineering
- o) The Owner shall enter into a Servicing Agreement and Land Exchange Agreement, with the City of Vaughan to satisfy all conditions, financial or otherwise, of the City with regard to such matters as the City may consider necessary including payment of the development levies, financial securities, cost sharing, the provision of roads and municipal services, utilities, and landscape. The said agreements shall be registered against the lands to which it applies and to the satisfaction of Development Engineering Staff, VMC Program. Further, Commerce Street and Doughton Road shall be fully constructed and operational prior to the execution of a Site Plan Agreement.
- p) The Owner shall convey road widening on Edgeley Boulevard South / Interchange Way and associated daylight triangles to the City free of costs and

encumbrances to the satisfaction of Development Engineering Staff, VMC Program;

- q) Prior to the conveyance of lands to the City, and/or any initiation of grading or construction on the lands, 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), Risk Evaluation, Risk Assessment report(s) in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) or its intent, for the lands. Reliance on the report(s) from the Owner's environmental consultant shall be provided to the City.
 - ii. Should there be a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands 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 (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands.
 - iii. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the lands to be conveyed to the City.
 - iv. Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
- r) For Phase 2, the Owner shall formally request servicing capacity (allocation) from the City's Development Engineering Department, and that the allocation for servicing capacity be approved by City Council for a total of 535 units;
- s) The Owner shall satisfy all requirements of York Region;
- t) The Owner shall satisfy all requirements of the Ministry of Transportation Ontario ('MTO'); and,
- u) The Owner shall satisfy all requirements of Alectra Utilities Corporation, Bell Canada, and Canada Post.

2. THAT the implementing Site Plan Agreement shall include the following clauses:

- a) 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.

- b) Prior to occupancy of each unit, 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 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 City's Chief Building Official and the Director of Policy Planning and Special Programs (VMC Program).
- c) 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:
 - i. "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."
 - ii. "Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels may exceed the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
 - iii. "This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the City and the Ministry of the Environment, Conservation, and Parks."
 - iv. "Purchasers/tenants are advised that due to the proximity of nearby commercial/office/retail facilities, sound from those facilities may at times be audible."
 - v. "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."

- d) Prior to occupancy of each dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements and condominium declarations.
- e) The Owner shall make the necessary arrangements with the City's Environmental Services Department for the supply of potable water for construction purpose and implement a water flushing program to maintain the water quality
- f) 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 Water 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 g, h and i are subject to Vaughan requiring a Permanent 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, licensed in the province of Ontario, attesting that all Private Groundwater Discharge comply with the requirements of the Permanent Discharge Approval issued by Vaughan.
- g) The Owner agrees that post-development flow rates discharged to Vaughan's storm sewer system from the Lands, including Private Water 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 Water Discharge flow rates are exceeded, causing the post-development flow rates discharged to Vaughan's storm sewer system, Council approval for increase in allowable flow will be required.
- h) 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.
- i) The Owner shall agree that in the event the Owner fails to comply with any of the terms and conditions set out in sections f, g and h, 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.
- j) Design and construct the Edgeley Boulevard South / Interchange Way road widening, including the necessary improvements to the boulevard and streetscape, and install the necessary municipal services and utilities all to the satisfaction of Development Engineering Staff, VMC Program;
- k) The Edgeley Boulevard South / Interchange Way road alignment adjacent to the subject site (Block 3S) shall continue to follow the approved alignment/ centreline from the Block 3N development site immediate to the north and not sway eastward towards the south end as proposed;
- l) Design and construct the ultimate streetscape along the east side of Commerce Street from Celebration Avenue to Doughton Road at an enhanced level of service to the satisfaction of the City;

- m) Design and construct the streetscape along the west side of Edgeley Boulevard South / Interchange Way from Celebration Avenue to Doughton Road at an enhanced level of service to the satisfaction of the City;
- n) Design and construct the ultimate streetscape along the south side of Celebration Avenue from Commerce Street to Edgeley Boulevard South / Interchange Way to a standard urban level of service to the satisfaction of the City, except along the north entrance of the mews where it shall have a premium level of service between the two proposed vehicular access driveways to the east and west;
- o) Design and construct the ultimate streetscape along the north side of Doughton Road from Commerce Street to Edgeley Boulevard South / Interchange Way to a standard urban level of service to the satisfaction of the City, except along the south entrance of the mews where it shall have a premium level of service along the width of the proposed bump out crossing;
- p) The Owner shall convey a public access easement to the City free of costs and encumbrances that are registered on title over the pedestrian mews and privately-owned public space ('POPS') in perpetuity, 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 these pedestrian connections.
- q) 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.
- r) 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.
- s) 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.
- t) 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.
- u) 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.

- v) 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.
- w) 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.
- x) 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.
- y) 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.
- z) 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.
- aa) 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.
- bb) 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.

- cc) 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.
- dd) 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.
- ee) 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.
- ff) 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.
- gg) 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.
- hh) 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.
- ii) If applicable, 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.

- jj) 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.
- kk) 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.
- ll) 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.
- mm) 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.