

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018**

Item 32, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

#### **32     SITE DEVELOPMENT FILE DA.17.015 ICONA HOSPITALITY INC. VICINITY OF REGIONAL ROAD 7 AND INTERCHANGE WAY**

**The Committee of the Whole recommends:**

- 1)     That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated June 5, 2018, be approved; and**
- 2)     That the coloured elevations submitted by the applicant be received.**

#### **Recommendations**

1.     THAT Site Development File DA.17.015 (Icona Hospitality Inc.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the City, to permit two 55-storey residential towers (1264 units), a 46-storey mixed-use building including 17-storeys for a hotel and 29-storeys (385 units) for residential uses and a convention centre, as shown on Attachments #3 to #12:
  - a)     that prior to the execution of the Site Plan Agreement and final approval of the site plan drawings to be attached thereto:
    - i)     the Development Planning Department shall approve the final site plan, building elevations, landscape plan and cost estimate, signage design sun/shadow study; and wind tunnel model analysis;
    - ii)    the Owner shall successfully obtain approval from the Vaughan Committee of Adjustment and/or the Local Planning Appeal Tribunal, to:
      - a)     vary Zoning By-law 1-88 to permit the development of the Subject Lands, together with the site-specific development exceptions identified in Tables 1 and 2 of this report, including the increase in building height for the South Tower, which approval shall be subject to conditions of approval in relation to Section 37 community benefits pursuant to subsection 45(9) of the Planning Act; and
      - b)     permit the bonussing for increased building height in return for the following community benefits, pursuant to Section 37 of the Planning Act, the policies of VOP

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2010, and the City of Vaughan's "Guidelines for the Implementation of Section 37 of the Planning Act":

- i. a \$391,000 contribution towards an off-site community benefit regarding the first iconic pedestrian bridge in the Edgeley Pond and Park; and
- ii. a \$1.2 million contribution towards an on-site public art budget for the creation of a public art piece consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework;
- iii) the Owner shall enter into a Section 37 Density Bonusing Agreement (the "Section 37 Agreement") with the City as a condition of minor variance and/or Local Planning Appeal Tribunal approval, if the increase in building height for the South Tower described in Condition a) ii) a) above is approved. The Section 37 Agreement will be executed by the Mayor and the City Clerk, pursuant to Section 37 of the Planning Act, to permit the bonussing for increased building height for the South Tower shown on Attachments #3 to #12 in return for the following community benefits, pursuant to Section 37 of the Planning Act, the policies of VOP 2010, and Guidelines for the Implementation of Section 37 of the Planning Act:
  - a) an on-site public art contribution with a budget of \$1.2 million consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City; and
  - b) \$391,000 contribution towards an off-site community benefit regarding the first iconic pedestrian bridge in the Edgeley Pond and Park, to the satisfaction of the City.

Payment of the Section 37 amount, in the form of \$391,000 (offsite contribution) and \$1.2 million (on-site contribution) shall occur prior to the execution of the implementing Site Plan Agreement. The \$1.2 million Letter of Credit shall be transferred to the agreement identified in Condition iv) below (the "Public Art Agreement") upon the execution of the Public Art Agreement. Furthermore, the Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning

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Applications for the preparation of the Section 37 Agreement;

- iv) the Owner and the City shall execute a Public Art Agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution with a budget of \$1.2 million consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Public Art Agreement shall also include a requirement that the Owner shall own and maintain the public art piece(s);
- v) the Owner shall submit to the City the final 3D digital model of the Development, which shall include accurate geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the 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 in the amount of \$20,000.00 to guarantee the completion of the 3D digital model;
- vi) the Development Engineering Department shall approve the final site servicing and grading plan, sediment control plan, utility plan, geohydrology assessment, air quality study, geotechnical report, noise and vibration feasibility study, transportation impact study, functional servicing and stormwater management report, exterior street and site lighting plan, and dewatering plan;
- vii) the Development Engineering Department shall approve the final construction management plan that identifies such matters as staging, phasing, building material storage, contractor parking and construction access, and the Owner shall enter into an Encroachment Agreement with the City;
- viii) the Owner shall enter into a Development Agreement, if required, to advance the necessary servicing, road improvements on Interchange Way from Regional Road

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7 to the terminus point at Interchange Way and provisions for the future east-west and north-south roads. The Agreement may include but not be limited to the requirement for front-end financing, cost-sharing, land acquisition, detailed design and construction of all facilities as identified in the ultimate road cross section of the VMC Secondary Plan. The Owner may be eligible for some cost recoveries through the City's Development Charges fund, to the satisfaction of the City;

- ix) the Owner shall satisfy all the requirements of the Environmental Services Department, Solid Waste Management Division. Upon a successfully completed Application, site inspection and executed Agreement as determined by the City, the future Condominium Corporation will be eligible for municipal waste collection services. Should the 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;
- x) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- xi) the Owner shall satisfy all requirements of York Region;
- xii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- xiii) the Owner shall satisfy all requirements of the Ministry of Transportation; and
- xiv) the Owner shall satisfy all requirements of Canada Post;
- b) that the implementing Site Plan Agreement shall include the following provisions:
  - i) The Owner shall pay to Vaughan, by way of certified cheque, cash-in-lieu of the dedication of parkland for high-density residential at a fixed rate per unit in accordance with the Planning Act and the City's Cash-in-Lieu Policy and 2% shall be paid for the commercial component in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the Subject Lands, for the commercial component prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved

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appraisal shall form the basis of the cash-in-lieu payment;

- ii) The Owner shall pay to Vaughan all 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, prior to the issuance of any Vaughan Building Permit;
  - iii) Should archeological resources be found on the property during construction, the Owner must 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;
  - iv) In the event human remains are encountered during construction, the Owner must cease all construction activities and 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 submission of an Record of Site Condition acknowledged by the Ministry of the Environment and Climate Change shall be required prior to the issuance of a Building Permit;
2. THAT prior to the issuance of any Vaughan Building Permit(s) the Owner shall pay or post securities to the City for the applicable Area Specific Charges related to the VMC West Interchange Sanitary Sewer Improvements, VMC SE Doughton Sanitary Sewer Improvements, and the VMC-Interchange SWM Pond Retrofit Works to the satisfaction of the City.
3. THAT Vaughan Council adopt the following resolution for allocation of water and sewage servicing capacity:
- “IT IS HERBY RESOLVED THAT Site Plan Development File DA.17.015 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,649 residential units (3,658 persons equivalent).”
4. THAT prior to the execution of the Site Plan Agreement, the Owner shall agree to resolve their appeal (Appeal #164) to Vaughan Official Plan 2010, to the satisfaction of the City Solicitor.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD:** 4

**TITLE: SITE DEVELOPMENT FILE DA.17.015  
ICONA HOSPITALITY INC.  
VICINITY OF REGIONAL ROAD 7 AND INTERCHANGE WAY**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.17.015 for the Subject Lands shown on Attachments #1 and #2 to permit the development shown on Attachments #3 to #12 consisting of the following:

- East and West Towers: 2 residential buildings (1,256 units), 55-storeys, connected by a 5-storey podium with ground floor retail, amenity area and 8 at-grade 2-storey townhouse units; and,
- South Tower: 46-storey mixed-use building comprised of 8 at-grade 2-storey townhouse units, 17-storeys for a hotel (260 rooms), a convention centre and 29-storeys for residential uses (377 apartment units).

**Report Highlights**

- The Owner proposes to develop the Subject Lands with a high-rise mixed-use development including 1649 residential units, a hotel and a convention centre all served by 6 levels of underground parking in the Vaughan Metropolitan Centre ("VMC").
- Minor Variances are required to permit the development.
- The Development Planning Department is satisfied that the proposed land uses conform to the Official Plan and that the Development is appropriate and compatible with the existing and permitted uses in the VMC.
- The Owner has requested an increase in the permitted building height (for the south portion of the site) in return for community benefits, pursuant to Section 37 of the *Planning Act*, including \$1.2 million towards public art; and \$391,000 towards the first iconic pedestrian bridge in the Edgeley Pond and Park.

## **Recommendation**

1. THAT Site Development File DA.17.015 (Icona Hospitality Inc.) BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the City, to permit two 55-storey residential towers (1264 units), a 46-storey mixed-use building including 17-storeys for a hotel and 29-storeys (385 units) for residential uses and a convention centre, as shown on Attachments #3 to #12:
  - a) that prior to the execution of the Site Plan Agreement and final approval of the site plan drawings to be attached thereto:
    - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan and cost estimate, signage design sun/shadow study; and wind tunnel model analysis;
    - ii) the Owner shall successfully obtain approval from the Vaughan Committee of Adjustment and/or the Local Planning Appeal Tribunal, to:
      - a). vary Zoning By-law 1-88 to permit the development of the Subject Lands, together with the site-specific development exceptions identified in Tables 1 and 2 of this report, including the increase in building height for the South Tower, which approval shall be subject to conditions of approval in relation to Section 37 community benefits pursuant to subsection 45(9) of the *Planning Act*; and
      - b). permit the bonussing for increased building height in return for the following community benefits, pursuant to Section 37 of the *Planning Act*, the policies of VOP 2010, and the City of Vaughan's "Guidelines for the Implementation of Section 37 of the Planning Act":
        - i. a \$391,000 contribution towards an off-site community benefit regarding the first iconic pedestrian bridge in the Edgeley Pond and Park; and
        - ii. a \$1.2 million contribution towards an on-site public art budget for the creation of a public art piece consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework;
    - iii) the Owner shall enter into a Section 37 Density Bonusing Agreement (the "Section 37 Agreement") with the City as a condition of minor variance and/or Local Planning Appeal Tribunal approval, if the increase in building height for the South

Tower described in Condition a) ii) a) above is approved. The Section 37 Agreement will be executed by the Mayor and the City Clerk, pursuant to Section 37 of the *Planning Act*, to permit the bonussing for increased building height for the South Tower shown on Attachments #3 to #12 in return for the following community benefits, pursuant to Section 37 of the *Planning Act*, the policies of VOP 2010, and Guidelines for the Implementation of Section 37 of the *Planning Act*:

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Payment of the Section 37 amount, in the form of \$391,000 (off-site contribution) and \$1.2 million (on-site contribution) shall occur prior to the execution of the implementing Site Plan Agreement. The \$1.2 million Letter of Credit shall be transferred to the agreement identified in Condition iv) below (the "Public Art Agreement") upon the execution of the Public Art Agreement. Furthermore, the Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications for the preparation of the Section 37 Agreement;

- iv) the Owner and the City shall execute a Public Art Agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution with a budget of \$1.2 million consistent with the principles of Site 10 - Private Development, as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Public Art Agreement shall also include a requirement that the Owner shall own and maintain the public art piece(s);
- v) the Owner shall submit to the City the final 3D digital model of the Development, which shall include accurate geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the 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 in the amount of \$20,000.00 to guarantee the completion of the 3D digital model;

- vi) the Development Engineering Department shall approve the final site servicing and grading plan, sediment control plan, utility plan, geohydrology assessment, air quality study, geotechnical report, noise and vibration feasibility study, transportation impact study, functional servicing and stormwater management report, exterior street and site lighting plan, and dewatering plan;
- vii) the Development Engineering Department shall approve the final construction management plan that identifies such matters as staging, phasing, building material storage, contractor parking and construction access, and the Owner shall enter into an Encroachment Agreement with the City;
- viii) the Owner shall enter into a Development Agreement, if required, to advance the necessary servicing, road improvements on Interchange Way from Regional Road 7 to the terminus point at Interchange Way and provisions for the future east-west and north-south roads. The Agreement may include but not be limited to the requirement for front-end financing, cost-sharing, land acquisition, detailed design and construction of all facilities as identified in the ultimate road cross section of the VMC Secondary Plan. The Owner may be eligible for some cost recoveries through the City's Development Charges fund, to the satisfaction of the City;
- ix) the Owner shall satisfy all the requirements of the Environmental Services Department, Solid Waste Management Division. Upon a successfully completed Application, site inspection and executed Agreement as determined by the City, the future Condominium Corporation will be eligible for municipal waste collection services. Should the 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;
- x) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
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  - b) that the implementing Site Plan Agreement shall include the following provisions:
    - i) The Owner shall pay to Vaughan, by way of certified cheque, cash-in-lieu of the dedication of parkland for high-density residential at a fixed rate per unit in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy and 2% shall be paid for the commercial component in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands, for the commercial component prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment;
    - ii) The Owner shall pay to Vaughan all 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, prior to the issuance of any Vaughan Building Permit;
    - iii) Should archeological resources be found on the property during construction, the Owner must 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;
    - iv) In the event human remains are encountered during construction, the Owner must cease all construction activities and 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 submission of a Record of Site Condition acknowledged by the Ministry of the Environment and Climate Change shall be required prior to the issuance of a Building Permit;
- 2. THAT prior to the issuance of any Vaughan Building Permit(s) the Owner shall pay or post securities to the City for the applicable Area Specific Charges related to the VMC West Interchange Sanitary Sewer Improvements, VMC SE Doughton

Sanitary Sewer Improvements, and the VMC-Interchange SWM Pond Retrofit Works to the satisfaction of the City.

3. THAT Vaughan Council adopt the following resolution for allocation of water and sewage servicing capacity:

“IT IS HERBY RESOLVED THAT Site Plan Development File DA.17.015 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,649 residential units (3,658 persons equivalent).”

4. THAT prior to the execution of the Site Plan Agreement, the Owner shall agree to resolve their appeal (Appeal #164) to Vaughan Official Plan 2010, to the satisfaction of the City Solicitor.

### **Background**

The 1.17 ha Subject Lands (“the Subject Lands”) are located at the southeast corner of Regional Road 7 and Interchange Way (3201 Regional Road 7) as shown on Attachments #1 and #2, and are developed with a 6-storey hotel (Hilton Garden Inn).

***The Owner has appealed Vaughan Official Plan 2010 (“VOP 2010”) as it applies to the Subject Lands and therefore, OPA #500 (Vaughan Corporate Centre Plan, as amended), is in-effect on the Subject Lands.***

The Owner on September 7, 2016, submitted an Appeal (File No. 111184) to the then Ontario Municipal Board (“OMB”), now the Local Planning Appeal Tribunal (the “LPAT”), pursuant to Section 17 (40) of the Ontario *Planning Act* for the Approval Authority’s (York Region) failure to make a decision within 180 days on the Vaughan Official Plan 2010 (“VOP 2010”), specifically the Vaughan Metropolitan Centre Secondary Plan (the “VMC Secondary Plan”) regarding the Subject Lands. The appeal has not been resolved to date, as such the Application is subject to the in-effect policies of OPA #500 (Vaughan Corporate Centre Plan), as amended by OPA #663 (The Avenue 7 Plan).

Should Council approve the Application, the Owner is required to resolve their Appeal #164 to VOP 2010 regarding the Subject Lands to the satisfaction of the City Solicitor. A condition of approval is included in the Recommendations to this effect.

### ***A Site Development Application has been submitted to permit the Development***

The Owner has submitted Site Development File DA.17.015 (“the Application”) on the Subject Lands shown on Attachments #1 and #2 to permit the Development (“the Development”) shown on Attachments #3 to #12 consisting of the following:

- East and West Towers: 2 residential buildings (1256 units), 55-storeys, connected by a 5-storey podium with ground floor retail, amenity area and 8 at-grade 2-storey townhouse units; and,

- South Tower: 46-storey mixed-use building comprised of 8 at-grade 2-storey townhouse units, 17-storeys for a hotel (260 rooms), a convention centre and 29-storeys for residential uses (377 apartment units).

## **Previous Reports/Authority**

N/A

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement (2014)***

The Provincial Policy Statement (the “PPS”) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean, safe, liveable, and healthy environment. Part V – “Policies” of the PPS states (in part) the following:

1.1.1 Healthy, liveable and safe communities are sustained by (in part):

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs; and*
- d) *promoting cost-effective Development patterns and standards to minimize land consumption and servicing costs.*

1.1.3.1 Settlement Areas (in part):

*The vitality of settlement areas is critical to the long term economic prosperity of communities. It is in the interest of all communities to use land and resources efficiently, to promote efficient Development patterns, protect resources, and ensure effective use of infrastructure.*

1.1.3.1 *Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*

1.1.3.2 *Land use patterns within settlement areas shall be based on:*

- a) *densities and a mix of land uses which:*
  - i) *efficiently use land and resources;*

- ii) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- iii) *support active transportation;*
- iv) *are transit-supportive, where transit is planned, exists or may be developed; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

**1.1.3.3** *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

#### *Housing (in part)*

- 1.4.3.** *planning authorities shall provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents of the regional market area by:*
- c) *directing the Development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
  - d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

The Development is located in the VMC, an identified intensification area where municipal services are available and planned to accommodate high density development that supports population and employment growth projections in the City. The Development includes 1649 residential units that consists of one, two and three-bedroom units and townhouses within residential apartment buildings at a density that efficiently uses land, infrastructure and services and contributes to the overall range of housing options that would meet Vaughan's housing needs. The Development utilizes the Subject Lands more efficiently, takes advantage of existing and protects for planned infrastructure within the built-up area, and reduces land consumption and servicing costs and efficiently utilizes land and resources within a designated Urban Growth

Centre (a “UGC”) that supports surrounding higher-order transit investments. The Development is consistent with the policies of the PPS and contributes to a healthy, livable and safe community.

***The Development conforms with the Growth Plan for the Greater Golden Horseshoe (2017)***

The *Provincial Growth Plan for the Greater Golden Horseshoe* (the “Growth Plan”) is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

*Managing Growth (in part)*

*Policies 2.2.1.1 and 2.2.1.2 of the Growth Plan state that the forecasted population and employment growth identified will be used for planning and managing growth to the horizon of the Growth Plan, and the forecasted growth will be allocated based on the following (in part):*

- c) within settlement areas, growth will be focused in:*
  - i) delineated built-up areas;*
  - ii) strategic growth areas;*
  - iii) locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) areas with existing or planned public service facilities;*

*Policy 2.2.1.4 further states that the Growth Plan will support the achievement of complete communities that (in part):*

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards; and*

- g) integrate green infrastructure and low impact development.*

Urban Growth Centres (in part)

*Policy 2.2.3.1 states that Urban Growth Centres will be planned:*

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter-and intra-regional transit;*
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and*
- d) to accommodate significant population and employment growth.*

The Development is located within the VMC, the City's planned downtown and a designated UGC. The Development supports the UGC designation by providing a mix of uses that are located adjacent to Bus Rapid Transit on Regional Road 7 and approximately 185 m from the VMC Subway Station. The residents of the Development would be well-served by a full range of uses, including retail, hotel, convention centre and an eating establishment.

The Development would contribute to achieving a complete community by providing a range of residential apartment unit types with at-grade retail uses that are convenient and accessible to the residents of the VMC. High-quality building design and streetscape would promote a high-quality of life where the demand of vehicles is reduced because of the proximity of the Subject Lands to higher-order transit and existing and planned land uses.

The Development conforms with the Growth Plan as it makes more efficient use of the Subject Lands and existing infrastructure, is located adjacent to existing higher-order transit and provides housing options and commercial/retail uses that support the transportation investments in the VMC.

***The Development conforms to the York Region Official Plan 2010***

The Subject Lands are designated "Urban Area" by the York Region Official Plan 2010 (the "YROP") and located within a "Regional Centre."

*Policy 5.4.5 states that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cycle-friendly, and transit supportive. Policy 5.4.9 states that all new buildings shall front onto streets with main entrances designed to face a public street and provide a pedestrian-friendly urban form.*

*Policy 5.4.19 states that the Regional Centres will contain a wide range of uses and activities, and be the primary focal points for intensive development, that concentrates residential, employment, live-work, mobility, investment, and cultural and government functions. Policy 5.4.20 further identifies that the planning and implementation of Regional Centres will provide the following:*

- a) the greatest intensity of development within the Region;*
- b) a diverse mix of uses and built form, to create vibrant and complete communities including living, working, shopping, and entertainment opportunities; and*
- c) mobility choices and associated facilities for all residents and employees for walking, cycling, transit, and carpooling, which shall be supported through the preparation of a mobility plan.*

The Development consists of 1,649 residential units that range from one to three-bedrooms and includes 16 townhouses which contribute to a diverse housing stock in the Region. The Development is located immediately adjacent to higher-order transit, which would provide transit opportunities and choices (i.e. subway, bus stop, and rapid transit along Regional Road 7) for the future residents to meet their mobility needs. The Development is urban and compact in form. The buildings are oriented and designed to include the main entrances with access to Regional Road 7, to provide a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape.

The Development conforms to the YROP as it includes a mix of residential unit types and contributes to a range of housing choices in the City and commercial/retail uses. It also supports an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture, and contributes to a high-quality and sustainable community in the VMC.

***The Development conforms to the in-effect Official Plan, being OPA #500 (the “Vaughan Corporate Centre Plan”), as amended***

- a) Vaughan Corporate Centre Plan (OPA #500), as amended

The Subject Lands are designated “Corporate Centre Node” and are identified as a “Gateway Site” by in-effect OPA #500 (Vaughan Corporate Centre Plan) as amended by OPA #663 (Avenue 7 Plan). This designation permits hotels, convention centres, civic uses, all types of retail, medium and high density residential uses and townhouse and apartment dwelling units, together with unlimited building height at a “Gateway Site” and no Floor Space Index (“FSI”) limit on any individual site.



The Vaughan Corporate Centre Plan envisions a 100 m x 100 m road and block pattern within the Corporate Centre Node, identifies Interchange Way as a minimum 26 m wide collector road and protects for two future 17 m to 20 m wide local roads along the south and east property lines of the Subject Lands. Retail uses are encouraged within all developments within the Corporate Centre Node and buildings shall be designed so that all elevations facing a street present “a front” elevation.

The Development conforms to the use, height, density and design policies of the Official Plan and protects for a 33 m wide right-of-way for Interchange Way and two future 22 m wide local roads along the south property line (east-west) and along the east property line (north-south), as shown on Attachments #3 to #6.

b) Vaughan Official Plan 2010, Volume 2, Section 11.12 Vaughan Metropolitan Centre Secondary Plan

The Subject Lands are designated Station Precinct with a maximum Floor Space Index (“FSI”) of 5.0 times the area of the lot and a maximum building height of 30-storeys by the VMC Secondary Plan, which was partially approved by the then OMB in June 2017. The Station Precinct permits hotels, conference facilities, all types of retail, service commercial, public uses and residential dwellings.

The VMC Secondary Plan identifies Interchange Way as a 28-33 m major collector street and protects for two future 20-22 m wide local roads along the south and east property lines. All streets in the Plan shall be built with pedestrian zones (including sidewalks) on both sides, street trees and vehicular and pedestrian scale lighting. The VMC Secondary Plan encourages, but does not require retail along Interchange Way and the future east-west road.

Public Art is encouraged and considered an important element of the public realm, adding culture, beauty and interest. The VMC Secondary Plan enables increases in building height and or density in accordance with Section 37 of the *Planning Act* in return for the provisions of community benefits.

High-rise buildings are most appropriate in the Station Precinct and may contain a range of uses. High-rise buildings generally shall take a podium (3-6 storey maximum) and tower form with minimum of 25 m distance between towers. All buildings in the VMC should be finished with high quality materials, incorporate green roofs, include internal loading and services areas and underground parking.

The Development shown on Attachments #3 to #12, contains a range of permitted uses in a podium and tower built form including apartment and townhouse residential dwelling units; at-grade retail along Regional Road 7; and a hotel and convention centre with a lounge, restaurant and an at-grade patio on Interchange Way and the future east-west road. The podium is 5-storeys and the towers are spaced greater than 25 m apart and are designed with high quality materials and green roofs.

The Development protects for the widening of Interchange Way to 33 m and the two future 22 m wide local roads which are designed with pedestrian zones, trees and street lighting. The Development will be served by internal loading and service areas and 6 levels of underground parking. The Owner has retained a Public Art Consultant to develop a Public Art Program with a budget of \$1.2 million and will enter into a Section 37 Agreement with the City to secure community benefits.

Although, the Owner has submitted an appeal to the LPAT respecting the VMC Secondary Plan policies as they apply to the Subject Lands and the Application is being reviewed under the Official Plan policies of OPA #500, as amended, the Development has considerable regard for and conforms to the use, street network, streetscape, public art, built form, massing, tower setback, design and parking policies of the VMC Secondary Plan.

***A Minor Variance Application(s) for site-specific zoning exceptions to the C9 Corporate Centre Zone standards is required to permit the Development***

The Subject Lands are zoned C9 Corporate Centre Zone by Zoning By-law 1-88 and further subject to site-specific Exception 9(957). The Subject Lands are identified as a “Landmark Location” along the full frontage (Regional Road 7) and up to 50m along the flankage (Interchange Way) by the C9 Corporate Centre Zone, which does not place a cap on the maximum building height and permits a full range of residential and commercial uses, including apartment dwelling units, townhouse units, hotel and convention centre and mixed-use buildings. The Subject Lands are also subject to the provisions of By-law 144-2009, which establishes a minimum building height of 16.5 m for most properties on the north and south sides of Regional Road 7 between the CN Railway Classification Yard and Ansley Grove Road. The following exceptions to the C9 Corporate Centre Zone standards (Table 1) and By-law 144-2009 (Table 2) are required to facilitate the Development:

Table 1

	<b>By-law Standard</b>	<b>C9 Corporate Centre Zone, Exception 9(957) Requirement</b>	<b>Proposed Exception to C9 Corporate Centre Zone, Exception 9(957)</b>
a.	Minimum Gross Floor Area (“GFA”) at the Ground Floor Level Devoted to Commercial Uses for Buildings Fronting onto Regional Road 7	60% of the total GFA	19% of the total GFA

	<b>By-law Standard</b>	<b>C9 Corporate Centre Zone, Exception 9(957) Requirement</b>	<b>Proposed Exception to C9 Corporate Centre Zone, Exception 9(957)</b>
b.	Maximum Building Height for Residential and Non-Residential Uses Located Outside of a Landmark Location	25 m	152.2 m south tower
c.	Minimum Parking Space Dimension	2.7 m x 6 m	2.6 m x 5.7 m
d.	Minimum Parking Requirements	<p>761 units (1 bedroom) @ 0.7 space/unit = 533 parking spaces</p> <p>737 units (2 bedroom) @ 0.9 space/unit = 664 parking spaces</p> <p>135 units (3 bedroom) @ 1 space/unit = 135 parking spaces</p> <p>16 Townhouse units @ 1 space/unit = 16 parking spaces</p> <p>Visitor Parking @ 0.15 space/unit (1,649) = 248 parking spaces</p> <p>260 Hotel Rooms @ 0.75 space/room = 195 parking spaces</p> <p>375 m<sup>2</sup> Eating Establishment @ 6 spaces/100m<sup>2</sup> = 23 parking spaces</p>	<p>Total Residential Parking Proposed:</p> <p>1649 units @ 0.82 spaces/unit = 1353 parking spaces</p> <p>Total Residential Visitor 1649 units @ 0.15 spaces/unit = 248 parking spaces</p> <p>Total Residential Hotel 260 Rooms @ 0.75 spaces/unit = 195 parking spaces</p>

	By-law Standard	C9 Corporate Centre Zone, Exception 9(957) Requirement	Proposed Exception to C9 Corporate Centre Zone, Exception 9(957)
		<p>1,074m<sup>2</sup> Banquet Area @ 3 spaces/100m<sup>2</sup> = 33 parking spaces</p> <p>1,043m<sup>2</sup> Retail Area @ 2 spaces/100m<sup>2</sup> = 21 parking spaces</p> <p>3,230m<sup>2</sup> Convention Centre @ 3 spaces/100m<sup>2</sup> = 97 Parking Spaces</p> <p>Total Parking Required = 1,965</p>	Total Parking Provided = 1796 spaces
e.	Minimum Number of Loading Spaces	9	4
f.	Minimum Loading Space Dimension	3.5 m x 9 m with a vertical clearance of 4.2 m	3.5 m x 9 m with a vertical clearance of 4 m (only 1 of 4 proposed loading spaces)
g.	Minimum Front and Exterior Side Yard Setbacks to Below Grade Structure	1.8 m	<ul style="list-style-type: none"> <li>▪ Front - Regional Road 7 - 0 m</li> <li>▪ Exterior Side Yard - 0 m (Interchange Way and the future north-south road)</li> </ul>
h.	Minimum Landscape Strip Width	3 m	<ul style="list-style-type: none"> <li>▪ 2.1 m (Regional Road 7)</li> <li>▪ 2.4 m (future North-South Road)</li> </ul>
i.	Location of Non-Residential Uses	0 - 3 m maximum from major streets and other streets	<ul style="list-style-type: none"> <li>▪ 3.7 m - West Tower (Interchange Way)</li> </ul>

	<b>By-law Standard</b>	<b>C9 Corporate Centre Zone, Exception 9(957) Requirement</b>	<b>Proposed Exception to C9 Corporate Centre Zone, Exception 9(957)</b>
	<p>Within the Build-to-Zone Measured from the Street line(s) to the Podium</p> <p>Location of Non-Residential Uses Within the Build-to-Zone Measured from the Street line(s) to the Tower(s)</p>	0 - 3 m maximum from major streets and other streets	<ul style="list-style-type: none"> <li>▪ 3.7 m - West Tower (Regional Road 7)</li> <li>▪ 5.4 m - South Tower (Interchange Way)</li> <li>▪ 4.2 m - South Tower (future east-west road)</li> </ul>
j.	<p>Location of Residential Uses Within the Build-to-Zone Measured from the Street line(s) to the Podium</p> <p>Location of Residential Uses Within the Build-to-Zone Measured from the Street line(s) to the Tower(s)</p>	<p>3 - 6 m maximum from major streets and other streets</p> <p>3 - 6 m maximum from major streets and other streets</p>	<ul style="list-style-type: none"> <li>▪ 2.6 m - East Tower Townhouses (future north-south road)</li> <li>▪ 2.2 m - East Tower (future north-south road)</li> <li>▪ 2.4 m - South Tower Townhouses (future east-west road)</li> <li>▪ 2.5 m - South Tower Townhouses (future north-south road)</li> </ul>

Table 2

	<b>By-law 1-88 Standard</b>	<b>By-law 144-2009 Requirement</b>	<b>Proposed Exception to By-law 144-2009 Requirement</b>
a.	Minimum Building Height	16.5 m	<ul style="list-style-type: none"> <li>▪ 6.5 m (west townhouses)</li> <li>▪ 7.8 m (east townhouses)</li> </ul>

***The Development Planning Department supports the proposed site-specific zoning exceptions in Table 1 and 2***

The Owner has submitted a Transportation Impact Study prepared by BA Group in support of the proposed parking supply, the dimensions of a parking and loading spaces, reduced setback to the below grade parking area and the location of the surface parking spaces. The Development Engineering Department has reviewed the study and concurs with its recommendations and analysis. Accordingly, the Development Planning Department can support these zoning exceptions.

The proposed landscape strip widths and the various increases and the site-specific building setbacks of the podium and tower locations within the build-to-zone implements the streetscape and public realm policies of OPA #500, as amended, and the VMC Secondary Plan to create pedestrian zones.

The Subject Lands are identified as a "Landmark Location" along the full frontage of Regional Road 7 and up to 50m along the Interchange Way flankage by the C9 Corporate Centre Zone. The south tower (46 storey / 152.2 m) does not comply with the C9 Corporate Centre Zone maximum residential building height requirement of 25 m, as it is located outside of the "Landmark Location" as shown on Schedule A2 of Zoning By-law 1-88.

The proposed building height for the south tower can be supported by the Development Planning Department as it implements the in-effect policies of OPA #500, as amended by OPA #663, which identifies the whole of Subject Lands as a "Gateway Site", and which permits unlimited building height. In addition, OPA #500, as amended, establishes a block and road pattern of 100 m x 100 m streets, and permits the City to consider variations to the grid if the development proposal satisfies the overall objectives of the Plan. The Subject Lands have a 106 m frontage along Regional Road 7 and a 123 m flankage along Interchange Way, which enables a transit oriented mixed-

use development that conforms to the objectives of OPA #500, as amended, and has regard for the VMC Secondary Plan.

As mentioned above, in-effect OPA #500, as amended, permits unlimited building height at “Gateway Sites”, whereas the VMC Secondary Plan permits a maximum building height of 30-storeys on the Subject Lands. The Owner will be required to provide community benefits pursuant to Section 37 of the *Planning Act* in return for the increase in building height for the south tower to the satisfaction of the City, as discussed in this report as a condition of approval to the pending Minor Variance Application.

The Owner shall successfully obtain approval of a Minor Variance Application(s) for the required exceptions to Zoning By-law 1-88 as identified in Tables 1 and 2 of this report, and the increase in building height for the South Tower, which will enable the Section 37 policies of VOP 2010 to be employed as a condition of any approval for the increase in building height, from the Vaughan Committee of Adjustment. A condition to this effect is included in the Recommendation of this report.

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

To permit the Development, the Owner proposes to vary the C9 Zone standards to increase the permitted building height for the south tower from 25 m to 152.2 m.

Pursuant to Section 37 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the Guidelines for the Implementation of Section 37 of the *Planning Act*, an increase in building height may be authorized in return for the provision of community benefits. The City supports the minor variances identified in Tables 1 and 2 of this report, including the increase in building height for the South Tower, provided that certain conditions are attached to the variances. One such condition provides that any increase in height above 25 metres for the South Tower will be subject to a \$391,000 cash payment, and a \$1.2 million Letter of Credit in the form of Section 37 community benefits. The Owner has agreed to provide these community benefits in exchange for the increased building height, and the Vaughan Committee of Adjustment and the LPAT have the jurisdiction to impose such a condition pursuant to Subsection 45(9) of the *Planning Act*.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies to permit bonusing for increased building height in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are met:

a) Good Planning

The Development must represent good planning by addressing the policies of Provincial Plans and the City and Region Official Plans respecting but not limited to urban design, public realm, infrastructure and built form.

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and the York Region Official Plan. The Development conforms to the use, height, density and design policies of the in-effect OPA 500, as amended, and protects for a 33 m wide right-of-way for Interchange Way and two future 22 m wide local roads along the south property line (east-west) and along the east property line (north-south).

The Development contains a range of permitted uses in a podium and tower form including: apartment and townhouse residential dwelling units; at-grade retail along Regional Road 7; and a hotel and convention centre with a lounge, restaurant and an at-grade patio on Interchange Way and the future east-west road. The podium is 5-storeys and the towers are spaced greater than 25 m apart and are designed with high quality materials and green roof(s).

The Development protects for the widening of Interchange Way to 33 m and the two future 22 m wide local roads which are designed with enhanced pedestrian zones, trees and street lighting. The Development will be served by internal loading and service areas and 6 levels of underground parking. The Development has considerable regard for and conforms to the use, street network, streetscape, public art, built form, tower setback and parking policies of the VMC Secondary Plan.

Therefore, in consideration of the above, the Development represents good planning.

b) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in the building height of the Development. The Official Plan identifies many benefits that may qualify, including:

- Public art contributions;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City's standard levels of service or facilities; and
- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated in the City's standard levels of service.

In accordance with the City's "Guidelines for the Implementation of Section 37 of the *Planning Act*", the City and the Owner have agreed to the following community benefits:



i) Public Art (On-Site Benefit)

Public art improves the public realm and contributes to the creation of a sense of place. The Owner has retained a Public Art Consultant to develop a Public Art Program for the Development with a budget of \$1.2 million which will identify potential locations, scale, site lines, prominence, safety, ownership and maintenance of the public art. The Public Art Program will be brought forward to a future Design Review Panel meeting and subsequently to Vaughan Council for their consideration.

In accordance with the policies of the VMC Public Art Framework ("PAF") the Owner will be required to execute a separate Agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution consistent with the principles of Site 10 - Private Development, as outlined in the VMC PAF to the satisfaction of the City. The Owner shall develop a Public Art Program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Agreement will include a requirement for the Owner to own and maintain the public art piece.

ii) Edgeley Pond and Park (Off-Site Benefit)

Community benefits may include specific capital facilities that benefit the area where the development is located such as open spaces, which are intended to maintain or improve quality of life in the area.

The development of social infrastructure (e.g. schools, parks, emergency services, places of worship, etc.) is as important as the development of buildings as a contributor to place making to enhance the character and identity of the VMC and ensure that the community is supported by these necessary amenities and facilities.

"The Guidelines for the Implementation of Section 37 of the *Planning Act*" identifies that a reasonable planning relationship between the community benefit and the Development refers to geographic proximity. The highest priority would be for community benefits in the immediate vicinity of the Subject Lands, and then within the local area.

Therefore, the off-site contribution as part of this Development is being prioritized for facilities in the City's first publicly-owned open space in the downtown, the Edgeley Pond and Park which is approximately 500 m from the Subject Lands. The Owner has agreed to contribute \$391,000.00 towards this off-site community benefit which is expected to open in 2021. The first iconic pedestrian bridge, which provides support for active transportation and connectivity in the VMC, is currently underfunded and consequently has been deferred to later phases of the park development. This contribution would advance this critical and high priority park feature and would benefit the community and its emerging social infrastructure.

c) Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of the VMC through provisions for adequate infrastructure that support the increase in building height. The infrastructure improvements through the existing regional bus network, the Spadina Subway extension, the YRRTC Bus Terminal and the VivaNext BRT that are currently built or under construction, are infrastructure improvements that support the Development.

The Owner's Section 37 contribution to the Edgeley Pond and Park would benefit the future residents of the Development and others in the VMC, and the visitors to the VMC. The City's goal is to achieve a true mixed-use downtown.

Should the Application be approved, the Owner and the City shall execute a Section 37 Agreement to permit an increase in the maximum permitted building height, prior to the execution of the site plan agreement. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications. A condition to this effect is included in the Recommendations of this report.

***Vaughan Development Planning Department, Urban Design and Cultural Heritage Division supports the Development subject, to the conditions in this report***

a) Site Plan Review

The site plan shown on Attachments #3 and #4 includes two, 55-storey residential apartment buildings (east and west towers) along Regional Road 7, connected by a 5-storey podium, with retail and amenity uses at grade and 8 grade related 2-storey townhouses. The south tower consists of a 17-storey hotel (260 rooms) and 29-storeys of residential units with an eating establishment at grade and a convention centre on the second floor spanning over the access onto the future east-west public road connecting to the 8 grade related 2-storey townhouses.

One of the main entrances for the east and west towers is proposed on the north elevation facing Regional Road 7 through to a second courtyard entrance with a pick-up and drop-off area. The south tower will include separate entrances for the hotel and residential uses located on the north elevation facing the courtyard and a pick-up and drop-off area.

The Subject Lands will be served by a right-in/right-out access onto Regional Road 7 and Interchange Way and a full moves access onto the future east-west and north-south 22 m wide public road. The plan provides for a total of 1788 parking spaces comprised of 17 spaces at grade and 1771 spaces within 6 levels of underground parking and independent loading areas and parking ramps are integrated into each building to minimize visibility from all public roads.

b) Landscape Plan

The landscape plan shown on Attachments #5 and #6 includes a generously planted courtyard, main entrance, outdoor amenity terraces and perimeter planting with the use of coniferous and deciduous trees, shrubs and ornamental grasses. Green roof planting will be provided on levels 2 and 3 of the south tower over the convention centre and townhouse units and on level 2 of the west tower podium. Hardscaped pedestrian connections are provided throughout the site, to and from the main entrances, the courtyard, parking areas and the local and arterial road network.

c) Building Elevations

The building elevations shown on Attachments #7 to #12 consist of clear vision glass for the podium and dark grey stone at the base with red and purple glass accents over the main entrance along Regional Road 7, along the roof line of the east and west towers and between the hotel and residential floors of the south tower. The convention centre will be clad with woven white and dark grey metal panels. The grade related townhouse units will be designed with clear vision glass, wood and dark grey stone.

The Development Planning Department is satisfied with the Development as shown on Attachments #3 to #12, subject to the conditions included in the Recommendations section of this report.

d) Design Review Panel ("DRP")

The Design Review Panel ("DRP") on November 24, 2016, considered the first iteration of the proposed development and provided the following comments on the overall site organization and massing:

- Maintaining the existing hotel building is resulting in huge trade-offs for the project, and lost opportunity costs for the overall development;
- Explore alternative options for relocating the hotel uses and providing built form frontage along the local roads;
- Develop a stronger relationship to the surrounding context and planned vision for the neighbourhood, including future public street frontages, mid-block connections, parks and open spaces;
- Provide a more human scale through the design of the Regional Road 7 podium massing and streetscape treatment; and
- Reconsider tower massing to minimize the slab presence.

The DRP on April 27, 2017, considered the second iteration of the proposed development which addressed the Panel's earlier comments and provided additional comments on the refined design based on the following themes:

- Surface parking is to be reduced or eliminated;
- Greater at-grade amenity in the courtyard is required, servicing areas should be reduced, public art should be included and a strong mid-block landscape connection should be created;
- The bus stop should be relocated to accommodate a central access and mid-block connection;
- Consider transferring some density to the south-west corner in a different form, like townhouses to create a full perimeter building the frames a true courtyard;
- Strengthen the north-south pedestrian connection.

Following a series of design workshops to prioritize design matters raised by both the DRP and Staff, the Department is satisfied that the Owner has addressed the comments of the DRP for the Development, subject to the Recommendations in this report.

e) VMC Culture & Public Art Framework

Chapter 3 of the VMC Culture & Public Art Framework (the “VMC PAF”) identifies the Subject Lands as a private development site appropriate for public art. The public art must be distinctive and publicly accessible within the development, and must be in a prominent location(s) such as a major entrance or setback area of the street. The intent is to create a culturally rich public realm that is both beautiful and engaging. The Owner has retained a Public Art Consultant to develop a Public Art Program with a budget of \$1.2 million which will identify potential locations, scale, site lines, prominence, safety, ownership and maintenance. The Public Art Program will be brought forward to a future Design Review Panel meeting and subsequently to Vaughan Council for their consideration.

In accordance with the policies of the VMC PAF the Owner will be required to execute a separate Agreement that will include a requirement for the Owner to submit a Letter of Credit to the City, to address the details to commission and install a permanent piece of public art as a public art contribution consistent with the principles of Site 10 - Private Development, as outlined in the VMC PAF to the satisfaction of the City. The Owner shall develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Agreement will include a requirement for the Owner to own and maintain the public art piece. A Condition to this effect is included in the Recommendations of this report.

f) 3D Digital Model

The Owner is required to submit a 3D digital model of the development with accurate geo-referenced digital data as outlined in the final VMC Submission Protocol to the satisfaction of the Development Planning Department. 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 shall provide a separate Letter of Credit in a format satisfactory

to the City in the amount of \$20,000.00 to guarantee the completion of the 3D digital model. A condition to this effect is included in the Recommendations of this report.

g) Cultural Heritage Division

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

- i) Should archeological resources be found on the property during construction, the Owner must 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; and,
- ii) In the event human remains are encountered during construction, the Owner must cease all construction activities and contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

A condition to include these clauses in the implementing Site Plan Agreement is included in the Recommendations of this report.

***Draft Plan of Condominium Application(s) will be required to establish the condominium tenure for the Development***

Should Council approve the Application, the proposed condominium tenure for the Development on portion(s) thereof, inclusive of the common elements, will be created through a future Draft Plan Condominium Application(s), which is subject to Council approval.

***The Vaughan Development Engineering ("DE") Department supports the Development, subject to the conditions in this report***

The Development Engineering ("DE") Department has provided the following comments on the Development:

a) Road Network and Access

The Subject Lands have excellent access to public transit infrastructure, a bus stop on Interchange Way, Bus Rapid Transit ("BRT") on Regional Road 7, and the VMC Subway Station. The BRT provides east-west travel opportunities within Vaughan and beyond in York Region and service is expected to expand to Light Rail Transit ("LRT") in the future.

The Subject Lands are located 185 m, a 3-minute walk, from the VMC Subway Station at Millway Avenue, providing excellent access to the Toronto-York Spadina Subway

Extension. The Subject Lands have access to several transit routes including bus service on Interchange Way, and access to the future SmartCentres Place Bus Terminal, which is located north of the VMC Subway Station and is scheduled to open in the Summer of 2018.

Adequate access is proposed to serve the Development for both the interim and ultimate condition. For the interim, the Subject Lands will be served by two right-in/right-out ("RIRO") accesses, including one access on Interchange Way and the other on Regional Road 7.

To help expedite the planned road network of the VMC Secondary Plan and provide better access to the site, the Owner has agreed to provide the ultimate cross section on Interchange Way from Regional Road 7 to Interchange Way. The road widening will include a four-lane cross section with a centre-median, sidewalks and bicycle facilities and auxiliary lanes at intersections. The design will accommodate midblock U-turn pockets at two separate locations to improve porosity and access to the Subject Lands and the overall road network.

Enhancements to the existing pedestrian and cycling network are proposed. Currently, there are no bicycle facilities on Interchange Way, however through the road improvements mentioned above enhanced facilities will be provided for both pedestrians and cyclists in the form of wider sidewalks and cycling facilities separated from the vehicular traffic. These pedestrian and bicycle facilities will be provided for the entire segment of Interchange Way and will connect with the Regional cycling facilities on Regional Road 7 and beyond.

With the realization of the ultimate road network, the interim Regional Road 7 RIRO access will be relocated to the future north-south local road straddling the east property line. Protection for a 3<sup>rd</sup> access has also been secured through the site design for a driveway to be located on the future east-west local road straddling the south property line.

The overall parking requirement as mentioned in Table 1 is 1,965 spaces, whereas 1,796 spaces are proposed. This results in a parking deficiency of 177 spaces or a 9% deficiency. Any parking reduction below 10% is considered to be a minor deficiency and is acceptable without the need of a parking justification study. Several opportunities exist for the Subject Lands to support the minor parking reduction such as shared parking between the various uses on the Subject Lands. For example, the parking demand for the restaurant and retail may be alleviated by the future home owners or hotel guests attending events at the convention centre.

The Transportation Demand Management ("TDM") Plan recommends measures to reduce automobile reliance by encouraging alternative modes of travel through the physical design and construction of the Subject Lands, as well as programs after construction through the following 'hard' and 'soft' TDM measures: slightly reduced parking supply, shared parking for uses proposed on the Subject Lands, long and short-

term bicycle parking; bike repair stations; car-share program; transit information centre; and pre-loaded PRESTO cards.

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, to advance the necessary servicing, road improvements on Interchange Way from Regional Road 7 to the terminus point at Interchange Way and provisions for the future east-west and north-south roads. The Agreement may include, but not be limited to, the requirement for front-end financing, cost-sharing, land acquisition, detailed design and construction of all facilities as identified in the ultimate road cross section of the VMC Secondary Plan. The Owner may be eligible for some cost recoveries through the City's Development Charges fund. A condition to this effect is included in the Recommendations of this report.

b) Municipal Servicing

The Owner has submitted a Functional Servicing and Stormwater Management Report prepared by Schaeffers & Associates Ltd. in support of the Application. The report has been reviewed by the DE Department and the Owner shall revise the report and plans to address comments respecting; sanitary sewer analysis; maximum ponding depth on the green roofs; design of the storm service connection; groundwater discharge facilities; and the proposed sewer design for the future local roads.

c) Hydrogeological and Geotechnical Report

The Owner has submitted a Hydrogeological Report prepared by Mc Clymont & Rak Engineers Inc. The DE Department has reviewed the report and concurs that dewatering requirements be implemented in the Development. The Owner shall provide details for the sub-floor Private Water Drainage System ("PWDS") design for the Development.

The Owner has also submitted a Supplementary Geotechnical Report prepared by Mc Clymont & Rak Engineers Inc. The DE Department has reviewed the report and requires the Owner to provide an addendum letter to include the recommended pavement structure for the Interchange Way widening and future local roads including mitigation measures in the event that non-ideal conditions are encountered during road construction.

d) Sewage and Water Servicing Allocation

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity for the Development (Site Development File DA.17.015) is available and unrestricted. A resolution to allocate servicing capacity to the Development is recommended for Council's approval, and is included in the Recommendations of this report.

e) Development Agreement / Encroachment Agreement

The Owner shall enter into Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the City may consider necessary.

The Owner shall pay Area Specific Development Charge ("ASDC") for the VMC West Sanitary Trunk Sewer and Interchange Pond Retrofit Works as identified in the Recommendations of the approved Vaughan Metropolitan Centre Master Servicing Plan or provide financial security based on the City's latest available cost estimates for the required infrastructure improvements and secured through the Development Agreement, to the satisfaction of the City.

The Owner shall also enter into an Encroachment Agreement to satisfy all conditions, financial or otherwise, of the City regarding the shoring system, hoarding, construction access, crane swing and dewatering.

f) Environmental Site Assessment, Air Quality Study and Noise and Vibration Study

The Owner has submitted a Phase One Environmental Site Assessment prepared by Mc Clymont & Rak Engineers, an Air Quality Study prepared by Amec Foster Wheeler and a Noise and Vibration Feasibility Study prepared by HGC Engineering in support of the Application. The DE Department concurs with the findings of these reports and has no objection to the Development, subject to clauses being included in the implementing Site Plan Agreement respecting a Record of Site Condition ("RSC") acknowledged by Ministry of the Environment and Climate Change ("MOECC"); air quality mitigation measures and standard warning clauses and noise control mitigation measures.

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

The Solid Waste Management Division has reviewed the Application, which includes a tri-sorting waste management system on every floor and a waste storage room for the 16 townhouse units. The final waste management plan and waste collection design standards submission shall be approved to the satisfaction of the Division. Upon a successfully completed Application, site inspection and executed Agreement as determined by the City, the future Condominium Corporation will be eligible for municipal waste collection services. Should the 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(s). Conditions to this effect are included in the Recommendations of this report.

***Office of the City Solicitor, Real Estate Department requires a condition to be included in the Site Plan Agreement***

The Real Estate Department provided the following condition to be included in the Site Plan Agreement:



“For high-density residential development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a fixed rate per unit in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy and 2% shall be paid for the commercial component in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands, for the commercial component prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

***The Owner shall satisfy all requirements of the Ministry of Transportation (“the MTO”)***

The MTO has advised that the Subject Lands are located within the MTO Permit Control Area and as such, a MTO Building and Land Use Permit is required prior to the commencement of any on-site construction or work, and a MTO Sign Permit maybe required for any proposed signage that is located within 400 m and visible from of the Controlled-Access Highway. The Owner shall satisfy all requirements of the MTO respecting engineering plans and traffic. A condition to this effect is included in the Recommendations of this report.

***Toronto and Region Conservation Authority (the "TRCA") has no objection to the Development, subject to the conditions identified in this report***

The TRCA has advised that given that the Subject Lands do not discharge directly into a watercourse, are not located within the TRCA regulated area and are considered relatively small in area, the final review and approval of the stormwater management design and erosion and sediment details are deferred to the Vaughan DE Department. The TRCA has no objection to the Development subject to the Owner addressing minor comments respecting groundwater management and sediment control details. The Owner shall address the requirements of both the Vaughan DE Department and the TRCA. Conditions to this effect are included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has advised that it is the Owner’s responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post’s specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility.

***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 ("ANS") and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised that they have no objection to the Development.

### ***The York Region School Boards have no objection to Development***

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

### ***The various utilities have no objection to the Development***

Alectra Utilities Corporation has indicated no objection to the Development. It is the Owner's responsibility to contact Alectra and discuss all aspects of the Development respecting electrical supply, transformer location and access, and minimum clearance to overhead and underground electrical distribution systems.

Enbridge Gas Distribution ("Enbridge") has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge with respect to service and meter installation and gas main relocation and easements, if required at no cost to Enbridge respectively.

Bell Canada has no objection to the Development and has advised that it is the Owner's responsibility to contact Bell with respect to connections, easements and locates.

### **Financial Impact**

N/A

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

The York Region Community Planning and Development Services Department has advised that they have no objections to the Development, in principle. The Owner shall satisfy all requirements of York Region with respect to property requirements, streetscape encroachment, encroachment agreement(s), dewatering, erosion and sediment control, shoring, hoarding, crane swing, construction site management, median construction, access construction, boulevard restoration, fees and securities, streetscaping, a Transportation Demand Management Plan, Mobility Study, civil engineering works and construction within the Regional right-of-way and be required to enter into a Regional Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

### **Conclusion**

Site Development File DA.17.015 has been reviewed in consideration of the policies of the PPS and Growth Plan, the York Region and Vaughan Official Plans, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies and the area context.

The Development Planning Department is satisfied that the Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region and VOP 2010, and that the proposed high-rise residential and mixed-use development for

1,649 residential units, a hotel and convention centre served by 6 levels of underground parking will contribute to the continued evolution of the Vaughan Metropolitan Centre.

The Development and required exceptions to the C9 Corporate Centre Zone are appropriate and compatible with the planned uses in the surrounding area and conform to the Official Plan. The Development Planning Department is also satisfied that the Development represents good planning for the reasons identified in this report and the Owner's contribution of community benefits are appropriate. Accordingly, the Development Planning Department can support the approval of Site Development File DA.17.015, subject to the Recommendations of this report.

**For more information**, please contact: Christina Napoli, Senior Planner at Extension 8483.

### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan: Current Road Condition
4. Site Plan: Future Road Condition
5. Landscape Plan: Current Road Condition
6. Landscape Plan: Future Road Condition
7. North Elevation
8. West Elevation
9. East Elevation
10. South Elevation
11. Perspective – North Buildings
12. Perspective – South Building

### **Prepared by**

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