Committee of the Whole (1) Report

DATE: Tuesday, January 17, 2023 **WARD:** 4

TITLE: VMC WEST GP INC.
SITE DEVELOPMENT FILE DA.17.015
3201 HIGHWAY 7
VICINITY OF HIGHWAY 7 AND INTERCHANGE WAY

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.17.015 to permit a high-rise mixed-use development in the Vaughan Metropolitan Centre (VMC) consisting of two (2), 46 and 55-storey residential towers (East and West Towers) on a mixed-use podium consisting of residential and ground-floor retail uses, and one (1) 40-storey residential tower (South Tower) on a mixed-use podium consisting of residential, ground-floor retail and 4-storey office uses, a Privately-Owned Publicly-Accessible Space ('POPS'), and private courtyard, as shown on Attachments 5 to 11.

Report Highlights

- Site Development File DA.17.015 proposes a high-rise mixed-use development consisting of two residential towers (46 and 55-storeys) with at-grade retail and a mixed-use residential tower (40-storeys) with integrated retail and office uses within the podium consisting of 1,844 residential units and a 1,917 m^2 privately-owned publicly-accessible space ('POPS').
- The VMC Program of the Policy Planning and Special Programs Department considers the proposed POPS acceptable for a full parkland credit. The Owner shall to enter into an Agreement with the City to confirm the acceptance of lands proposed as POPS at full credit toward satisfying the parkland dedication requirements.
- The VMC Program of the Policy Planning and Special Programs Department supports the draft-approval of the Site Development application subject to conditions as it implements the VMCSP and represents good planning.

Recommendations

1. THAT the original conditions of site plan approval for Site Development File DA.17.015 (Icona Hospitality Inc.) be amended and be draft approved by Council as set out in Attachment 1 for DA.17.015 (VMC GP Inc.), such that the Owner (VMC GP Inc.) is required to fulfill all requirements of draft approval outlined in Attachment 1, prior to the issuance of a building permit;

2. THAT Vaughan Council accepts the lands proposed as a privately-owned publicly-accessible space ('POPS') by Site Development File DA.17.015, identified on Attachment 5, toward satisfying the parkland dedication requirements for this Development and that the provisions of Section 3(4) of the Parkland Dedication By-law 168-2022, respecting "Lands Acceptable for Conveyance of Parkland Credits" as it relates to POPS shall apply to the Subject Lands. The Owner will be required to enter into an Agreement with the City to confirm the acceptance of lands proposed as POPS at full credit toward satisfying the parkland dedication requirements.

3. THAT Recommendation 3, Item 32, CW Report 21 dated June 19, 2018, be amended and Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

   "THAT Site Development File DA.17.015 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 1,844 residential apartment units (4,075 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months."

Background

The 1.17 ha Subject Lands (the "Subject Lands") are located at the southeast corner of Highway 7 and Interchange Way and municipally known as 3201 Highway 7, as shown on Attachment 1 and are currently developed with a 6-storey hotel (Hilton Garden Inn).

Site Development Application File DA.17.015 (Icona Hospitality Inc.) was previously approved by Vaughan Council on June 19, 2018. The Subject Lands have been acquired by new ownership (VMC GP Inc.) and a new development proposal is now being considered.

On June 19, 2018, Vaughan Council endorsed Staff's recommendation to approve a high-rise mixed-use development proposal consisting of two (2), 55-storey residential towers (1248 units), a 46-storey mixed-use building including 17-storeys for a hotel and 29-storeys (385 units) for residential units and a convention centre for a total of 1,649 units (the "Previous Proposal"). Following Council's endorsement, Icona Hospitality Inc. (the "Previous Owner") sought approval from Vaughan Committee of Adjustment for Minor Variance Files A136/18, and A146/21 to permit site-specific amendments to the C9 Corporate Centre Zone, which was approved on July 5, 2019, and June 30, 2021 respectively. The Previous Owner had also filed an appeal to Vaughan Official Plan 2010 ("VOP 2010"), namely Appeal #164, which has been resolved and amended the Vaughan Metropolitan Centre Secondary Plan ("VMCSP") to grant site-specific policy permissions on the Subject Lands.

The Subject Lands are now subject to new ownership ("VMC GP Inc.") and the new Owner is proposing a high-rise mixed-use development consisting of 46 and 55-storey residential towers with at-grade retail uses within their shared podium, and a 40-storey residential tower with integrated retail and 4-storey office uses within its podium for a total of 1,844 residential units (the "Revised Proposal") served by 3 levels of underground parking. The Revised Proposal proposes an additional 195 residential units within the overall development, a redistribution of the building heights, a new office use, and a newly proposed POPS. A detailed overview of the Revised Proposal is outlined below:

- A 46-storey (East Tower), and 55-storey (West Tower), residential towers on a shared one to five-storey mixed-use podium;
- A 40-storey (South Tower) residential tower on a mixed-use podium (connected to the West Tower podium through an amenity bridge) consisting of residential uses, integrated retail, and office uses within the podium;
- A total of 1,844 residential units, consisting of one to three-bedroom units;

- A total Gross Floor Area ("GFA") of 130,762.4 m^2 for an overall Floor Space Index ("FSI') of 11.28
- A residential GFA of 125,000.3 m^2;
- An Office GFA of 4,973.3 m^2;
- A retail GFA of 788.9 m^2;
- Three (3) levels of underground parking, with five at-grade short-term parking spaces, for a total of 747 parking spaces to serve the overall development;
- An indoor amenity area GFA of 2,741.50 m^2 and total rooftop outdoor amenity area of 1,531 m^2 for a combined common amenity area of 4,272.5 m^2;
- A POPS with a GFA of 1,917 m^2

Previous Reports/Authority

Item 32, Report No. 21, of the Committee of the Whole, Site Development File DA.17.015 - Icona Hospitality Inc., adopted by Council on June 19, 2018.

Item 3, Report No. 40, of the Committee of the Whole, Site Development File DA.17.015 1966711 Ontario Inc., adopted by Council on September 29, 2020.

Analysis and Options

The proposal is consistent with the Provincial Policy Statement (2020).

The Provincial Policy Statement 2020 (the "PPS"), 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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. The Planning Act requires Vaughan Council's planning decisions to be consistent with the PPS.

The Development is consistent with the following policies of the PPS:

- Section 1.1.1 by contributing to healthy, liveable and safe communities
- Section 1.1.3.2 by focusing growth and development on settlement areas and promoting a density and mix of land uses that are transit supportive
- Section 1.1.3.6 by allowing new development within designated growth areas having a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public services facilities
- Section 1.5.1 by promoting a healthy and active community by planning public streets and spaces to be safe, meeting the needs of pedestrians, fostering social interaction and facilitating active transportation and community connectivity

- Section 1.6.3 by optimizing existing infrastructure and public service facilities
- Section 1.7.1 by supporting the long-term economic prosperity, providing necessary housing supply and range of housing options for a diverse workforce, enhancing the vitality of the downtown and encouraging a sense of place by promoting well-designed built form and cultural planning.

The proposed Development continues to utilize the Subject Lands efficiently and takes advantage of, and protects for, existing and planned infrastructure within the built-up area, reduces land consumption and servicing costs, and efficiently uses land and resources within a designated Urban Growth Centre (a "UGC") that supports higher-order transit investments such as the SmartVMC Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit ('BRT') along Highway 7. The Development is within a 10-minute walking radius to the Edgeley Pond and Park in the north-east quadrant. Through the Previous Proposal through a Section 45(9) Agreement, the Owner has contributed an off-site community benefit regarding the first iconic pedestrian bridge within the Edgeley Pond and Park along with an on-site benefit in the form of Public Art. This contribution adds to the planned parkland network within the VMC and future cultural hub, contribution to the VMC's sense of place and identity. The Development is consistent with the policies of the PPS and contributes to a healthy, liveable and safe community.

The proposal conforms to A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2020).

The A Place to Grow, Growth Plan for the Greater Golden Horseshoe 2020 (the "Growth Plan") is intended to guide the development of land; encourage compact built form; transit supportive communities; diverse land uses; and a range of 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. The Development conforms with Section 2.2.3 respecting UGCs in the Grown Plan. The Subject Lands are located within the VMC, the City's 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 along Highway 7 and located within close proximity to the VMC Subway Station. The Development contributes to achieving a complete community and providing a high-quality of life by providing a range of residential apartment unit types, retail uses that are convenient and broadly accessible to the residents of the VMC, office uses to support the local economy, and the inclusion of the POPS, public art and recreational opportunities through the provision of community benefits for public art and the future Edgeley Pond and Park. High-quality building designs and enhanced streetscapes promote the high-quality of life as vehicular dependence can be reduced given the proximity of the development to higher-order transit and the existing and planned land uses. The Development conforms to the Growth Plan.

The proposal conforms to the York Region Official Plan 2010.
On November 4, 2022, the York Region Official Plan 2022 (“YROP 2022”) was adopted by the Municipal Affairs and Housing (“MMAH”). Accordingly, the YROP 2022, as approved with modifications is in-force and effect. However, in accordance with Policy 7.4.13 of YROP 2022, development applications which have not been deemed complete by the date of the Plan’s approval will be subject to the policies of this Plan. As Site Development File DA.17.015 was deemed complete in 2018, the policies of York Region Official Plan 2010 (“YROP 2010”) are in force and effect for this Application.

The Subject Lands are designated “Urban Area” by the YROP 2010 and are located within a “Regional Centre”. The Development conforms with policy Sections 3.3, 3.3.4, and 4.0 respecting provisions for human services and contributing to economic vitality within the Region. The Owner will provide a $1.2 million cash contribution towards the City’s capital budget for the Public Art Program for a future public art piece as part of a Section 45(9) community benefit for the increase in building height for the South Tower. The provision of public art community benefits provides the City with opportunities to offer human services, which are vital in establishing a complete community. The Development includes buildings that are oriented and designed to include the main entrances with access to Highway 7 which provides a pedestrian friendly urban form integrated with a high-quality streetscape. The Development conforms to the YROP contributes to a range of housing choices in the City and retail and office 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 YROP.

The VMC Program Division of the Policy Planning and Special Programs supports the Site Development Application

<u>Conforms to the VMCSP</u>
The Subject Lands are designated “Station Precinct” and subject to site-specific policy 9.3.13 identified as Area K, which permits a maximum building height of 55-storeys for the West and East Towers and 46-storey South Tower with a minimum 13% of non-residential uses; a 12.58 Floor Space Index (‘FSI’); a maximum residential tower floor plate of 843 m^2 (East and West Tower), and 903 m^2(South Tower); and, a maximum residential GFA of 125,000 m^2. The Development conforms to the VMCSP as the proposal implements the site-specific policy Area K of the VMCSP.

Site Plan

The proposed Site Plan as shown on Attachments 5 and 6, includes two, 46 and 55-storey residential towers (East and West Towers), with a shared podium ranging between 1 to 5-storeys consisting of at-grade residential units, retail, amenity areas, which is connected to the South Tower by an amenity bridge on the second floor. The 40-storey (South Tower) is a mixed-use building comprised of residential and amenity area uses with at-grade retail and 4-storeys of office uses integrated within the podium of the building. It is not anticipated that the Development will be phased.

Site Access

The Development is accessed via a driveway entrance along Interchange Way. An interim site plan condition (Attachment 6) is required to provide a temporary North-South private driveway access onto Highway 7 until it becomes a public road in the future. A future public East-West road is also proposed to the south of the Development which will provide a frontage along the South Tower and the POPS and will connect Interchange Way to the future public north-south road and Highway 7. The ultimate site plan (Attachment 5) will be proposed once the future North-South and East-West roads identified by the VMCSP are built-out in the future in coordination with developments immediately to the east and south accordingly. The Development is served by 3 levels of underground parking with 747 parking spaces to serve the overall residential, visitor, retail and office uses. The Development includes a common indoor amenity area of 2,741.5 m^2 combined within all three towers. The common outdoor amenity areas include the green rooftop amenity terraces.

The servicing and loading areas (loading/unloading and waste collection) are internally located within the podiums of all 3 towers. There are bicycle facilities located at-grade (bike racks) and bike storage within the mezzanine, to accommodate 132 short-term and 933 long-term bicycle parking spaces.

Landscape

The Development is surrounded by 4 active frontages (one regional road, and 3 local streets – 2 of them future streets), which provide the opportunity for enhanced landscape treatments and transitions between the private and public realms. The proposed future North-South and East-West local roads will support a fine grain street network in the VMC and provide connectivity to the surrounding planned open spaces and community facilities in the quadrant. These linkages are critical to provide access throughout the site and will direct the residents to various open space and community areas.

A small centralized private courtyard is proposed at-grade between the West and East Towers, serving as an outdoor amenity area. A 1,917 m^2 POPS is proposed at the south-east corner which will be animated by the future retail uses and office-uses at-grade. A public access easement will be required over the POPS to ensure that the space is accessible. The courtyard comprises of landscape elements, furnishings, lighting along pathways providing pedestrian only connections to the internal east-west driveway.

The Owner will be required to provide updated streetscape and open space construction drawings for an ultimate design following the City's level of service requirements prior to final approval of the required Development Agreement for the local East-West road. The final photometrics and exterior lighting plans, green roofs, rooftop amenity area plans, landscape plans, landscape cross sections, pedestrian wind analysis, arborist report, landscape cost estimates, final signage plans must be approved to the satisfaction of the VMC Program. A condition to this effect is included in Conditions of Draft Approval.

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

Vaughan Council on March 20, 2018 enacted Tree By-law 052-2018 and Tree Protection Protocol 2018, which requires the City and the Owner to enter into a Tree Protection Agreement for the preservation and protection of private and public trees, prior to the issuance of Building Permits. Conditions of approval respecting these requirements will be included in the Recommendations of this report.

<u>Building Elevations</u>

The proposed buildings are comprised of high-quality materials as shown on Attachments 10 to 11. The ground floor podiums consist of wood-coloured metal paneling with brick and stone cladding. Vision glass is proposed to improve the building's overall energy efficiency.

The Development provides 1 to 5-storey podiums with retail, common amenity areas and units at-grade. The 1-storey podium overlooks onto the internal courtyard, the POPS, and the internal east-west driveway connection, creating active frontages and encouraging a safe pedestrian environment. A combination of metal paneling, vision glass, with brick and stone cladding will assist to create a fine-grain articulation of the façade. Bird friendly glass treatments are also present throughout the exterior glazing for the first 16 m above-grade and 4 m above rooftop vegetation.

The primary lobby entrances located at-grade are clearly visible and accessible to the public realm (along Highway 7 and Interchange Way) to activate street frontages and promote vibrant and pedestrian friendly environments. A minimum height of 5 m where retail uses are present is proposed to animate the ground floor spaces and to accommodate changing users over time. A portion of the South Tower podium is articulated with residential amenity, retail and office components to animate and enhance the site while complementing the POPS to the east.

Public Art

Through the Previous Proposal, the Previous Owner committed to provide a $1.2 million dollar contribution as part of their Section 45(9)/Section 37 contribution through Minor Variance Application File A136/18 towards an on-site public art piece for the creation of public art piece consistent with the principles of Site 10 – Private Development, as outlined in the City's VMC Culture and Public Art Framework. On September 20, 2020, Vaughan Council endorsed Staff's recommendation to allow the City to secure a $1.2 million contribution towards the Public Art program, in-lieu of the on-site public art installation. As a condition of draft approval and prior to the issuance of the first permit, the Owner will be required to pay the $1.2 million dollar cash contribution prior to the issuance of the first building permit for the Development, other than a building permit solely for excavation and shoring.

The Owner is required to submit a 3D Digital Model of the Development

The Owner is required to submit a 3D digital model of the Development including accurately geo-referenced digital data, as outlined in the VMC Submission Protocol, to the satisfaction of the Planning and Growth Management Portfolio, VMC Program. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of $12,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is included in the Recommendations of this report.

The Owner has addressed the Vaughan Design Review Panel's Comments

The Design Review Panel (the 'Panel'), on April 28, 2022 considered the Development. The City sought the Panel's advice on matters of improvements to the original design, uses, architectural quality, and overall site plan layout, the consideration for healthy relation and activation of the public realm with the ground floor uses, site plan and design strategies, and the location of the office building providing sufficient exposure and activation relative to the site context.

The Panel was pleased to see a thoughtful redesign refinement from the previous proposal as the Development would include significant contributions to better city-building, microclimatic and environmental goals. The Panel noted that consolidation of uses and functions within the overall site organization would greatly benefit the project while improving public-realm and user experience. Particularly, the Panel recommended the consolidation of the office use into one of the tower podiums along Highway 7 or Interchange Way. At the time, the proposal before the Panel illustrated a standalone office tower, which has since been integrated into the podium of the South Tower, which now satisfies the Panel's comments.

The Panel recommended reconsidering uses as part of the ground floor strategy to ensure meaningful programming to active the public realm. The Panel recommended that the Owner explore resident experience in and around the Development and revisiting key elements such as drop-offs, open, spaces entrances, elevators and/or amenities. The Panel advised that the open space strategy also required more thought and should play a more significant role in the context. Improvements to the proposed courtyard or inclusion of a corner plaza was suggested by the Panel. The Owner has responded to these comments now by providing integrated retail within the podium of the South Tower, with office uses to animate the experience at-grade, and through the inclusion of a POPS which will enhance the pedestrian and user experience by providing thoughtful publicly-accessible open space. There are a number of short-term at-grade parking spaces which serve as drop-off areas along the east-west connection. The Panel had commented that the ramps and loading spaces previously had isolated the office building from the proposal. The north-south driveway access has now been eliminated and all ramps and loading areas are located along the internal east-west connection.

The Panel commented on the benefits of enriching the architectural design of the project's built form to create more variety through the distinctive architectural expression and massing of the 3 buildings while maintaining a cohesive design strategy. The towers have been redesigned and now include varying heights at 40, 46 and 55-storeys which allows for openness and sky views. The Panel recommended units at-grade along the south and east frontages where future local roads will be located. At-grade units are now located within the podium of the West and East Towers and designed at a human-scale. The Panel noted that the podium elevations would greatly benefit from more variety in built form, texture and materiality to break up the continuity of the massing. The Development has responded to this comment by providing brick and stone cladding and wood metal paneling along the podium to visually contrast the vision glazing and metal paneling from the units above. The Owner has agreed to work with the VMC Program to improve the building elevation materiality, particularly along the office façade as it presents a placemaking opportunity to allow for a more unique and articulated design, as shown and redlined on Attachments 10 to 12.

The Panel acknowledged the complexity of the site design in relation to managing the peripheral edges while dealing with balancing the pedestrian/human uses with the utilitarian/service-related uses internally. The Panel commented that the idea behind a mixed-use component is for all parts to work seamlessly together to complement each other rather than work in isolation. In response to these comments, the Development now considers three buildings with a mixed-use South Tower which includes the integrated office, retail and residential uses, and the POPS to the south-east to provide a seamless approach to serve all users equitably.

The Panel commented on the overall open space design strategy and central courtyard. It was noted that the private courtyard would get limited afternoon sun. The Panel noted that reducing the massing and heights along the south side would permit better sun penetration which can be further improved by relocating buildings. The Development responds to these comments by providing towers with building heights of 40, 46 and 55-storeys which adds variety to the skyline and responds to the Panel's comments to allow for more sun penetration to the courtyard through the newly proposed POPS. The POPS is proposed at a location, scale and size that responds to equitably serving all users.

The Owner is required to successfully obtain approval of a Minor Variance Application(s) to permit additional variances to facilitate the Development

The Subject Lands are zoned C9 Corporate Centre Zone, subject to Exception 9(957) by Zoning By-law 1-88. The Subject Lands are identified as a "Landmark Location" along the full frontage (Highway 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 Highway 7 between the CN Railway Classification Yard and Ansley Grove Road.

Although Zoning By-law 001-2021 has been enacted, the Subject Lands are deemed to be transitioned under the new by-law. Accordingly, the site-specific VMCSP policies above are supported by the site-specific variances as approved and as identified by Minor Variance A136/18 and A124/21, which identifies the Subject Lands within a "Landmark Location" within the C9 Corporate Centre Zone, which allows for unlimited height for majority of the site, save and except the South Tower.

Presently, the Owner has filed new Minor Variance Application A279/22 with the City to permit reductions to the residential parking rate as outlined in Table 1 below, which has been approved by Vaughan Committee of Adjustment on December 8, 2022:

Table 1:

	Zoning By-law 1-88 Standards	C9 Corporate Centre Zone, Exception 9(957) Requirements	Proposed Exceptions to the C9Corporate Centre Zone, Exception 9(957) Requirements
b.	Minimum Number of Parking Spaces	Use – 0.7 parking spaces Bachelor 1/bed 1221= 855spaces Use – 0.9 parking spaces 2 bedrooms 486= 437 spaces Use – 1.0 parking spaces per 3 bedrooms 137 = 137 spaces Use – 0.15 parking spaces per Visitor per unit 1844= 277 spaces Retail 2.0 spaces per 100/m @ 788.9 sqm = 16 spaces Office building 1.5 space per 100sqm @ 4973.3sqm =75 spaces Total Required Parking (All Uses) =1,797	747 spaces (all uses) To permit a residential parking rate of 0.25 parking spaces per unit for residential uses only To permit a total of 286 shared parking for residential visitor, office and retail uses

The VMCSP states that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel. Section 3.8.1 of By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes parking rates which capitalize on the existing transit infrastructure and are considered appropriate to encourage non-automobile travel and reflective of standards to support high-density developments in a transit-oriented area. The parking rates as proposed have the capacity to accommodate the Development and are supported by the City's Transportation staff. The proposed parking rate of 0.25 spaces per unit is aligned with the proposed parking rate for residential uses within the new Zoning By-law 001-2021, while this site remains transitioned. The Transportation

Division of the VMC Program has reviewed the study and concurs with its recommendations and analysis. The proposed reduction in parking spaces will meet the needs of the development having regard to the existing higher-order transit.

In addition to the parking variance, the Owner will be seeking additional variances to address the built-form including the following:

- reductions to the minimum landscape strip widths
- reductions to the minimum required front, rear, and exterior side yard setbacks
- reductions to the permit encroachments for canopies, and porches within the required yards
- reductions to the minimum Build-to-Zone requirements;
- reductions to the minimum and maximum building height requirements

The proposed built-form variances would permit a compact development with a built-form and pedestrian realm relationship that is supported in a downtown environment with access to higher-order transit to promote active transportation. The site-specific development standards such as building setbacks, landscape strip widths, canopy projections, building heights, can be supported as it would facilitate urban built form in an urban downtown setting. Buffering between the public and private realms will continue to be provided with the distinction of materiality with hardscape elements.

As a condition of draft approval, 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 Table 1 of this report and any further variances as determined by Staff from the Vaughan Committee of Adjustment. Should any further variances be determined throughout the review of this Application, the Owner will be required to obtain approval also of any new items. A condition to this effect is included in the Recommendation of this report.

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

The Development achieves an Overall Application Score of 57 points, which meets the minimum Silver Threshold Score towards the City's Sustainability Metrics Program for the projects in the VMC. The Development satisfies goals related to Mobility as the development is located along Highway 7, which is accessible to higher-order transit and is located within close proximity to the SmartVMC Bus Terminal and VMC Subway Station. Generous sidewalks are provided along all active frontages of the Development, including throughout the east-west connection. The Development provides water conservation methods by utilizing water conserving fixtures, energy conservation lighting and provides storage and collection of recycling and organic waste storage facilities internal to the building. Rainwater conservation will be proposed for irrigation purposes. Tree plantings are proposed along the development frontages which, over time, will beautify the streetscape. A number of short and long-term bicycle parking spaces are provided within the Development and cycle tracks are planned along Interchange Way to promote alternate methods of transportation.

Parks Planning Staff, VMC Program of the Policy Planning and Special Programs Department have no objection to the Application. Vaughan Council may choose to accept lands proposed as POPs at full credit toward satisfying parkland dedication requirements

The Development proposes a privately-owned publicly-accessible space ('POPS') located in the south-east corner of the Subject Lands. Parks Planning Staff have reviewed the Application and have no objection to the POPS, subject to the recommendations of this report to satisfy its parkland dedication requirements to the City's satisfaction. In accordance with Section 42 of the *Planning Act* through Bill 23, *More Homes Built Faster Act, 2022*, the Owner will be required to provide parkland at the alternative rate being the lesser of 1 hectare per 1000 net residential units or 10% of the land proposed for development. Any consideration and provision of parkland credits for a POPs shall require the Owner to enter into an Agreement with the City providing that the POPS:

a. Is designed, developed and maintained to City standards;
b. Is open and accessible to the public at all times; and
c. Meets any further applicable criteria in the City's Official Plan or Secondary Plan.

Should Vaughan Council accept parkland proposed as POPS at full credit (100%), and the POPS is deemed eligible to the City's satisfaction, any consideration for POPS proposed for parkland credit shall be subject to review and approval by the City through the Site Development review process.

The Owner and the City shall execute an Agreement which will acknowledge the acceptance of lands proposed as POPS at full credit toward satisfying the parkland dedication requirements for the Development. The Owner shall agree to satisfy all criteria in accordance with Section 3(4) of the Parkland Dedication By-law 168-2022. The POPS Agreement shall detail the following, but not limited to: accessibility to the public; maintenance of the POPS; ownership and future condominium corporation responsibilities; assumption of liabilities; insurance; replacement of damaged furnishings and deceased trees or plant material; cash-in-lieu requirements. The Owner shall develop the design of the POPS space in accordance with the VMC Streetscape and Open Space Plan and the VMC Urban Design Guidelines, to be approved through the Site Plan process (File DA.17.015), to the satisfaction of the VMC Program. The Owner will own and maintain the POPS. As a condition of draft approval, the City will require a public-access easement to be registered on-title in-perpetuity over the POPS to ensure that the space is accessible. The design of the POPS shall be reviewed and approved to the satisfaction of the VMC Program. Alternatively, should a POPS not be proposed and removed from the Development entirely, the Owner will be required to satisfy all parkland dedication requirements and/or cash-in-lieu contribution will be required, to the satisfaction of the City. These requirements are included in the Recommendations and Conditions of Draft Approval of this report.

The Cultural Heritage Division of the Development Planning Department supports the approval of the Development, subject to conditions

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

a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease, and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately.

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

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

The VMC Program Division of the Policy Planning and Special Programs Department has reviewed the Application and has no objection to the Application in-principle. Final engineering plans and reports including grading, servicing, erosion sediment control plans, Functional Servicing report (FSR), Stormwater Management Report (SWM), Geotechnical and Hydrogeological Investigation Report, Noise Impact Study, Traffic Impact Study, construction management plan, utility coordination plan, exterior street and site lighting plans, watering plans and Transportation Demand Management Plan must be approved to the satisfaction of the VMC Program of the Policy Planning and Special Programs Department, along with any outstanding review fees that must be paid prior to execution of the Site Plan Agreement. The Owner shall also address all engineering comments dated October 21, 2022 to the satisfaction of the Development Engineering Division.

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 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. Conditions to this effect are included in the Conditions of Draft Approval (Attachment 1) of this report.

Road Network

The Subject Lands have access to public transit including the VMC Subway Station, Bus Rapid Transit (BRT) on Highway 7 and the SmartVMC Bus Terminal. 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 Highway 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 curb-to-curb road improvements on Interchange Way from Highway 7 to the terminus point of Interchange Way in the interim condition. 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 opportunities 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 transportation improvements mentioned above, enhanced active transportation facilities will be provided for both pedestrians and cyclists in the form of wider sidewalks and separated in boulevard cycling facilities. These pedestrian and bicycle facilities will be provided for the entire frontage of the subject site along Interchange Way and will connect with the Regional cycling facilities on Highway 7 and beyond.

With the realization of the ultimate road network, the interim Highway 7 RIRO access will be relocated to the future North-South local road straddling the east property line, as shown on Attachments 5 and 6. The proposed parking supply of 747 parking spaces consists of 461 parking spaces for residents (0.25 residential parking spaces per unit) and 286 parking spaces to accommodate non-residential uses within the development (i.e., office, retail, and residential visitor parking needs). The 286 parking spaces take into account the parking sharing factors within the Zoning Bylaw 001-2021.

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: reduced parking supply, shared parking for non-residential 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, to advance the necessary servicing, road improvements on Interchange Way from Highway 7 to the terminus point at Interchange Way and provisions for the future East-West and North-South Public 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 interim road cross section of the VMCSP, functional plans and engineering drawings. 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.

Noise Attenuation

The Owner has submitted a Noise and Vibration Assessment to verify the noise sources surrounding the proposed development, which also identified the noise control measures for the proposed development. The noise analysis considers the road traffic on Highway 7, Interchange Way, Jane Street, Hwy 407 and Hwy 400 and surrounding commercial/retail/industrial buildings. A noise Peer Review had been conducted and has been determined that additional information will be required to confirm any requirements for a Class 4 designation. The Owner shall demonstrate and show that adequate noise mitigation measures will be provided to the satisfaction of the City. Prior to final Site Plan approval and execution of the Agreement, the Owner will be required to resubmit a detailed and final Noise and Vibration Assessment/Noise Impact Feasibility Study in support of the Site Development application on the Subject Lands to the satisfaction of the Development Services and Environmental Engineering Department. Accordingly, staff are satisfied with the preliminary noise report and acknowledge that noise mitigation can be adequately addressed at the design stage.

Municipal Servicing

The Owner has submitted a Functional Servicing and Stormwater Management Report (the "FSSR") prepared by Schaeffers & Associates Ltd. in support of the Application. Staff have reviewed the report and requires the Owner to revise the report and plans to address comments respecting site servicing; groundwater discharge facilities; and the proposed sewer design for the future local roads. The foregoing provides an overview of the servicing strategy for the proposed development:

Storm Drainage
The FSSR demonstrates that the post-development flows will be controlled to the existing flows by proposing underground tanks and orifice controls. Storm drainage from the development is proposed to the existing storm sewer along Interchange Way. Ultimately, minor and major flows from the site are conveyed to an existing SWM facility (Interchange Pond) located within the south-west quadrant of the VMC. This existing SWM pond is proposed to be retrofitted in the future to accommodate development within the VMC, which would provide water quality, quantity and erosion control for the southwest quadrant of the VMC, including the Subject Lands. As part of the overall VMC development, a stormwater management treatment train approach has been adopted; as such, stormwater quantity and water balance controls are required on site.

A future Master Environmental Servicing Plan (MESP) update will state the trigger for when the Interchange Pond retrofit will occur. It will analyze the stormwater management strategy for the south-west quadrant and make recommendations for retrofit/upgrades/improvements to the stormwater sewer system and any introduction of low impact development measures.

Water Supply
The Subject Lands are located within the City of Vaughan Pressure District 6 (PD6). The site will be serviced by the watermains on Interchange Way, which can provide domestic and fire flow demands for the proposed development. An independent service line is proposed for each tower comprising of a 200mm diameter fire line with a 150mm diameter domestic branch.

Sanitary Servicing
In keeping with the VMC Servicing Strategy Master Plan and informed by the updated MESP, the submitted functional servicing report recommended the proposed development will be serviced by two new service connections to the newly built subtrunk system along Interchange Way. The proposed sanitary sewer system will be connected and discharged into the existing Jane Street Trunk sewer.

Environmental Site Assessment (ESA)
The Owner has submitted a Phase Two Environmental Site Assessment prepared by Mc Clymont & Rak Engineers, an Air Quality Study prepared by Gradient Wind Engineering

Inc. in support of the Application. The Engineering 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, Conservation, and Parks (“MECP”); air quality mitigation measures and standard warning clauses and noise control mitigation measures.

Geotechnical and Hydrogeological Assessment
The Owner has submitted a Supplementary Geotechnical Report prepared by Grounded Engineering and a Supplementary Hydrogeological Report prepared by Terrapex. Staff reviewed the report and concurs that an addendum letter shall be provided to further address the dewatering discharge rate based on the three levels of underground parking structure.

Water/Sanitary Servicing Allocation
The following amended recommendation is subject to Council approval:

“THAT Recommendation 3, Item 32, CW Report 21 dated June 19, 2018, be amended and Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

> “THAT Site Plan Development Application DA.17.015 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,844 residential apartment units (4,075 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months”

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.

Prior to the issuance of a Building Permit, the Owner shall pay to the City of Vaughan by way of certified cheque a community benefits charge equivalent to 4% of the value of the subject lands in accordance with Section 37 of the *Planning Act* and the City's Benefits Charge By-law. The Owner shall submit an appraisal of the subject lands, pursuant to City's Community Benefits Charge By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the calculation of the community benefits charge payment.

The School Boards are integral stakeholders as part of the VMCSP update and have provided preliminary comments respecting requirements for future school site designation requirements in the VMC
The York Region District School Board ('YRDSB') and York Catholic District School Boards ('YCDSB') are important stakeholders in implementing the VMC Secondary Plan and continue to be active participants and stakeholders as part of the ongoing VMCSP update. The current VMCSP protects for 4 school sites within the VMCSP area to serve the planned population. As part of the recalibration exercise through the VMCSP update, options will be considered by Q3 of 2022 to address impact of additional density on requirements for additional community facilities and schools to ensure a complete community is achieved. The School Boards are working closely with City staff to address the inadequate school site designations relative to the proposed and approved densities to-date in the VMC. The School Boards have expressed some preliminary concerns about inadequate student accommodation relative to proposed and previously anticipated densities initially envisioned for the area. The City acknowledges these concerns and will continue to work with the School Boards to ensure that their concerns are adequately addressed.

A Building and Signage Permit will be required from the Ministry of Transportation (the 'MTO')
The MTO has advised that the Subject Lands are located within the MTO Permit Control Area as the MTO's ownership of Highway 7 up to Commerce Street. As such, a MTO

Building and Land Use Permit is required prior to the commencement of any on-site construction or work, and an MTO Sign Permit may be required for any proposed signage that is located within 400 m and visible from 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.

The Toronto and Region Conservation Authority('TRCA') has no objection to the Development

The TRCA advises that the Subject Lands are located outside of the regulated area and therefore defer the review to the City. 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 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 November 21, 2022, that they have no objection to the Development in-principle, subject to addressing York Region's outstanding comments. A condition to this effect is included in Attachment 1. Prior to final Site Plan approval, the Owner is required to address all York Region's comments dated November 21, 2022 and submit all required plans and materials to complete their review. The Owner will be required to enter into a Site Plan Agreement with York Region.

Conclusion

The VMC Program of the Policy Planning and Special Programs Department has reviewed Site Development File DA.17.015 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region and City Official Plan policies, the requirements of By-law 1-88 and By-law 001-2021, comments from City Departments, external public agencies, the public and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, implements the VMCSP. The VMC Program of the Policy Planning and Special Programs Department is satisfied that the Development represents good planning for the reasons identified in this report. Accordingly, the VMC Program Division of the Policy Planning and Special Programs Department supports the draft-approval of the Site Development Application, subject to the Recommendations of this Report.

For more information, please contact: Natalie Wong, Senior Planner, VMC Program, Policy Planning and Special Programs, extension 8866.

Attachments

1. Conditions of Draft Approval
2. Context Map
3. Location Map and Zoning
4. Location Map and Zoning 1-21
5. Ultimate Site Plan
6. Interim Site Plan
7. Ultimate Landscape Plan
8. Interim Landscape Plan
9. Greenroof Amenity Terraces
10. Building Elevations North and East
11. Building Elevations South and West
12. Perspective Rendering

Prepared by

Natalie Wong, VMC Senior Planner, extension 8866.
Gaston Soucy, Senior Manager, Planning and Urban Design, VMC, extension 8266
Cory Gray, Manager, Parks & Strategic Initiatives, VMC, extension 8579
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