

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2023

Item 4, Report No. 23, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on May 16, 2023, as follows:

By receiving Communication C11 from Sam and Roz Chaim, Gatineau Drive, Vaughan, dated May 9, 2023.

4. BLUE WATER RANCH DEVELOPMENTS INC. OFFICIAL PLAN AMENDMENT FILE OP.21.017 ZONING BY-LAW AMENDMENT FILE Z.21.032 SITE DEVELOPMENT FILE DA.21.041 VICINITY OF CENTRE STREET AND NEW WESTMINSTER DRIVE

The Committee of the Whole recommends approval of the recommendations contained in the following report of the Deputy City Manager, Planning and Growth Management, dated May 9, 2023:

Recommendations

1. THAT the Ontario Land Tribunal ('OLT') be advised that Vaughan Council ENDORSES the following Recommendations:
2. THAT Official Plan Amendment File OP.21.017 (Blue Water Ranch Development Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, specifically Volume 2, 12.11 Bathurst and Centre Street: Thornhill Town Centre site specific policies to:
 - a. Permit a maximum building height of 29-storeys;
 - b. Permit a maximum of 594 residential units;
 - c. Permit a combined Floor Space Index of 6.6 times the area of the lot for Parcels A and B, as shown on Attachment 6; and
 - d. Identify site-specific tower setbacks.
3. THAT Zoning By-law Amendment File Z.21.032 (Blue Water Ranch Developments Inc.), BE APPROVED to amend Zoning By-law 1-88, to include site-specific zoning exceptions identified on Attachment 8 of this report;
4. THAT the Holding Symbol "(H)" will not be removed from the subject lands or any portion thereof, until the owner addresses the following conditions to the satisfaction of the City:
 - a. For Vaughan Council to adopt a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy assigning capacity to the subject lands; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MAY 16, 2023

Item 4, CW Report 23 – Page 2

- b. The owner contributes their share of the cost of infrastructure works and/or undertakes the necessary improvement works and enters into a Development Agreement (if required) with the City, for the works associated with implementing the municipal servicing improvements for the ultimate build-out of the Disera-Promenade Secondary Plan/ Major Transit Station Area. The owner's contributions are to be based on the conclusions and recommendations of the on-going Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required to the satisfaction of the City.
5. THAT Site Development File DA.21.041 (Blue Water Ranch Developments Inc.) BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS included on Attachment 9, to the satisfaction of the Development Planning Department to permit a development consisting of two residential towers, 26 and 29-storeys containing 594 units with 4 levels of underground parking containing 523 spaces, having a combined Floor Space Index of 6.6 times the area of the lot for Parcels A and B, as shown on Attachments 2 to 6;
6. THAT should the OLT issue a decision to approve Official Plan Amendment File OP.21.017 and Zoning By-law Amendment File Z.21.032 (Blue Water Ranch Developments Inc.), either in whole or in part, that the OLT withhold its final Order until such time that:
 - a. The implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City; and
 - b. The Site Plan Agreement File DA.21.041 for the subject lands has been approved to the satisfaction of the City.
7. THAT City of Vaughan staff and Legal counsel be directed to attend the OLT Hearing in support of the Recommendations contained in this report.

Committee of the Whole (2) Report

DATE: Tuesday, May 9, 2023 **WARD(S):** 5

TITLE: BLUE WATER RANCH DEVELOPMENTS INC.
OFFICIAL PLAN AMENDMENT FILE OP.21.017
ZONING BY-LAW AMENDMENT FILE Z.21.032
SITE DEVELOPMENT FILE DA.21.041
VICINITY OF CENTRE STREET AND NEW WESTMINSTER
DRIVE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole on applications to permit a development consisting of two residential towers, 26 and 29-storeys containing 594 units with 4 levels of underground parking containing 523 spaces, having a combined Floor Space Index of 6.6 times the area of the lot for Parcels A and B, as shown on Attachments 2 to 6.

Report Highlights

- The Owner proposes to permit two residential apartment buildings with heights of 26 and 29-storeys containing 594 units, having a combined Floor Space Index of 6.6 times the area of the subject lands (Parcel B) and lands to the north (Parcel A).
- The applications have been appealed to the Ontario Land Tribunal ('OLT') (Files OLT-22-004531, OLT-22-004532 and OLT-22-004533). Council direction is requested for staff and Legal counsel to attend the OLT in support of the Recommendations.

Recommendations

1. THAT the Ontario Land Tribunal ('OLT') be advised that Vaughan Council ENDORSES the following Recommendations:
2. THAT Official Plan Amendment File OP.21.017 (Blue Water Ranch Development Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, specifically Volume 2, 12.11 Bathurst and Centre Street: Thornhill Town Centre site specific policies to:
 - a) Permit a maximum building height of 29-storeys;
 - b) Permit a maximum of 594 residential units;
 - c) Permit a combined Floor Space Index of 6.6 times the area of the lot for Parcels A and B, as shown on Attachment 6; and
 - d) Identify site-specific tower setbacks.
3. THAT Zoning By-law Amendment File Z.21.032 (Blue Water Ranch Developments Inc.), BE APPROVED to amend Zoning By-law 1-88, to include site-specific zoning exceptions identified on Attachment 8 of this report;
4. THAT the Holding Symbol "(H)" will not be removed from the subject lands or any portion thereof, until the owner addresses the following conditions to the satisfaction of the City:
 - a) For Vaughan Council to adopt a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy assigning capacity to the subject lands; and
 - b) The owner contributes their share of the cost of infrastructure works and/or undertakes the necessary improvement works and enters into a Development Agreement (if required) with the City, for the works associated with implementing the municipal servicing improvements for the ultimate build-out of the Disera-Promenade Secondary Plan/ Major Transit Station Area. The owner's contributions are to be based on the conclusions and recommendations of the on-going Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required to the satisfaction of the City.
5. THAT Site Development File DA.21.041 (Blue Water Ranch Developments Inc.) BE DRAFT APPROVED AND SUBJECT TO THE CONDITIONS included on Attachment 9, to the satisfaction of the Development Planning Department to permit a development consisting of two residential towers, 26 and 29-storeys containing 594 units with 4 levels of underground parking containing 523 spaces, having a combined Floor Space Index of 6.6 times the area of the lot for Parcels A and B, as shown on Attachments 2 to 6;

6. THAT should the OLT issue a decision to approve Official Plan Amendment File OP.21.017 and Zoning By-law Amendment File Z.21.032 (Blue Water Ranch Developments Inc.), either in whole or in part, that the OLT withhold its final Order until such time that:
 - a. The implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City; and
 - b. The Site Plan Agreement File DA.21.041 for the subject lands has been approved to the satisfaction of the City.
7. THAT City of Vaughan staff and Legal counsel be directed to attend the OLT Hearing in support of the Recommendations contained in this report.

Background

Location: Southeast corner of New Westminster Drive and Gatineau Drive (the 'Subject Lands').

The Subject Lands are considered Phase 2 (Parcel B, shown on Attachment 6) of Blue Water Ranch Developments Inc. (the 'Owner') land holdings. The north side of Gatineau Drive was Phase 1 (Parcel A, shown on Attachment 6) consisting of 17 and 20-storey residential towers. The Phase 1 residential towers are now built and partially occupied. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Previous Applications:

In 2015, the Ontario Municipal Board, now known as the Ontario Land Tribunal ('OLT'), approved a Zoning By-law Amendment File Z.08.032 and a Site Development Application File DA.13.014 for Parcel A (OLT File PL131327) and for the Subject Lands (known as Parcel B).

The Owner received Zoning By-law and Site Development approval for a 19-storey and a 22-storey building containing a total of 468 residential dwelling units for Parcel A and Zoning By-law Amendment for Parcel B containing a 6-storey residential development with a maximum gross floor area of 11,890 m², potentially in the form of an independent living, long-term care and assisted living facilities with 149 units, as shown on Attachment 7. Parcel A was approved and is currently development with a 17 and 20-storey building. Parcel C is an existing 5-storey retirement residence (Attachment 6 and 7). The Floor Space Index ('FSI') of 2.84 (2.7 plus the 5% variation) was calculated over the entirety of Parcels A, B and C (Attachment 7), in accordance with the site-specific Official Plan Amendment ('OPA') 671 (the Thornhill Centre Secondary Plan).

The density calculated on all three parcels and land use permissions were carried forward in the Vaughan Official Plan 2010 ('VOP 2010') in Section 12.11 (Volume 2 Area Specific Policies: Bathurst and Centre Street: Thornhill Town Centre (Policy 12.11.15.1), which was approved by the OLT on April 28, 2020.

Original Application

The Owner in August 2021 originally submitted a denser development with taller buildings. Through several discussions, the Owner refined their design to reflect feedback received from various City departments. Below is a chart showing the original proposal and the current:

| | Original Proposal (August 2021) | Current Proposal (February 2023) |
|--|--|--|
| Density (Subject Lands) | 9.33 FSI | 7.76 FSI |
| Density (High Density Residential Lands including Parcels A and B) | 7.43 FSI | 6.6 FSI* |
| Density (including Parcels A, B & C – Attachment 7) | 5.2 FSI | 4.67 FSI |
| Height (storeys) | 26-storeys (Building A) 35-storeys (Building B) | 26-storeys (Building A) 29-storeys (Building B) |
| Height (metres) | 81 m (Building A) 108 m (Building B) | 86 m (Building A) 95.2 m (Building B) |
| Gross Floor Area | 64,475 m ² | 52,075 m ² |
| Total Residential Units | 715 | 594 |
| 1 bedroom | 283 | 261 |
| 2 bedroom | 386 | 303 |
| 3 bedroom | 46 | 30 |
| Total Amenity Space | 2,720 m ² | 2,996 m ² |

*further discussion provided under Analysis and Options – VOP 2010

Applications have been submitted to permit the proposed development

The Owner submitted an Official Plan and Zoning By-law Amendment and Site Development Applications (the ‘Applications’) for the Subject Lands to permit the development consisting of two residential towers, 26 and 29-storeys containing 594 units with 4 levels of underground parking containing 523 spaces, having a combined FSI of 6.6 times the area of the lot for Parcel A and B (the ‘Development’), as shown on Attachments 2 to 6.

The Owner appealed the Applications to the OLT for non-decision

On August 3, 2022, the Owner appealed the Applications to the OLT based on Council’s failure to make a decision on the Applications within the prescribed timelines.

An OLT Case Management Conference (‘CMC’) was held on February 15, 2023. The OLT on March 21, 2023, issued a written Order scheduling a second CMC for June 2nd, 2023, which is either to be used as a settlement hearing or to schedule a date to submit a finalized issues list and for a contested hearing.

Direction on the Applications and Development is required prior to the June 2, 2023 CMC.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

- November 5, 2021 (Circulated 150 m and an expanded polling area from the Subject Lands as shown on Attachment 1 and to the Beverly Glen Ratepayers Group)
- Location of Notice Sign: New Westminster Drive
- Date of Public Meeting: November 30, 2021, ratified by Council on December 10, 2021
- Community Meeting: November 10, 2021
- Courtesy Notice sent to those requesting to be notified: April 28, 2023

Public Comments received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Access, Traffic and Parking

- the Development will increase traffic congestion in the area and impact vehicle and pedestrian safety
- access into Gatineau Drive and existing plaza will create queuing
- parking shortage

Density, Built Form and Building Design

- the Development will be the tallest and densest building in the area and is not compatible with the surrounding context
- family sized units within the project
- school capacity for the Development

Privacy, Shadow and View

- the building height will cause shadow and privacy impacts and obstruct the view of existing residents on adjacent properties
- lack of interest on the ground floor, need to create places for people to walk

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Development can be found at the following link:

Subject Lands Phase 2 (Parcel B), Committee of the Whole (Public Meeting)
[Public Meeting November 30, 2021 – Rpt. 55, Item 3.](#)

OLT decision for Phase 1 (Parcel A)
<https://www.omb.gov.on.ca/e-decisions/pl131327-Feb-09-2015.pdf>

Blue Water Ranch Developments Inc., Phase 1, Committee of the Whole
[Committee of the Whole – September 2, 2014 – Rpt. 36, Item 59](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP and VOP 2010

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes (1, 2 and 3 bedroom unit options) facilitate a higher density development that capitalizes on the transportation investments, consistent with the PPS. Staff are satisfied that the Development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within an Intensification Area, in proximity to higher order transit facilities and a Major Transit Station Area ('MTSA') known as MTSA 57 Disera-Promenade Bus Rapid Transit ('BRT') Station and Promenade Bus Terminal. The Growth Plan defines an MTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands are adjacent to the BRT and bike lane routes along Centre Street and New Westminster Drive. The Development conforms to the Growth Plan.

York Region Official Plan 2010 ('YROP 2010')

There is a YROP 2022 which replaces YROP 2010, with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

The YROP 2010 designates the Subject Lands 'Urban Area', which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within the Disera-Promenade BRT MTSA and will provide for some ground

live/work units providing opportunities and visual interest to the street. Regional Centres and MTSA's are focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the YROP 2010, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Primary Centre" on Schedule 1 – "Urban Structure" of VOP 2010
- "High-Rise Residential" on Schedule 13 – "Land Use" of VOP 2010, Volume 2, Area Specific Policy 12.11, Bathurst and Centre Street: Thornhill Town Centre Secondary Plan ('BCTCSP'), approved by the Local Planning Appeal Tribunal now known as the OLT on April 28, 2020
- This designation permits high-rise and mid-rise buildings at a maximum building height of 22-storeys and an FSI of 2.7 and also identified as Area A
- Policy 12.11.15 Exception states that "for the lands identified as Area A on Map 12.11.A the maximum density identified in Map 12.11.A may be exceeded on an individual site basis if the overall density for all the lands identified as Area A does not exceed the maximum density identified on Map 12.11.A." This map includes the Subject Lands (Parcel B) as well as Parcel A (Phase 1) and C (a 5-storey existing retirement residence) (Attachment 6). The average density on the map is set to an FSI of 2.7 between Parcels A, B, and C.
- In addition, Policy 12.11.16.3 also permits minor variations from numerical requirements without amendment to the BCTCSP. The minor variation permitted is a maximum of 5% from the identified numerical requirement being an average FSI of 2.7 or the development of Parcel A, the FSI of 2.84 was calculated for the entirety of Parcels A, B and C (Attachment 7), in accordance with the site-specific 5% variation policy.
- Promenade Centre Secondary Plan ('PCSP') was recently approved by Council (September 28, 2022) but is not currently in effect. It is also in the Primary Centre and is located east of New Westminster Drive and south of Centre Street. It provides for a maximum height of 35-storeys and 6.5 FSI. The PCSP Policy 3.2.5 allows for a variation in built form, additional building height than the maximums, provided that the average density across the block is not exceeded.
- Development Applications that request building height variation must demonstrate that the average maximum density on the subject block is maintained and that the proposed development has acceptable impacts on surrounding land uses.

The "High-Rise Residential" designation permits the built form of high-rise buildings, however, the following amendments to VOP 2010, Volume 2, Area Specific Policy 12.11 are required to permit the Development as shown on Attachments 2 and 6:

- maximum building height of 29-storeys

- create a new exception within Policy 12.11.15.1 b. for Parcels A and B, only with an average FSI of 6.6 which may be exceeded on an individual site basis if the overall density for Parcels A and B does not exceed the maximum density of 6.6. Parcel C will remain subject to the average FSI of 2.7 for all three parcels (A, B, and C).
- exclude Parcels A and B from Policy 12.11.6.5 which states “Notwithstanding policy 9.2.1.6 the maximum permitted residential density is 2.7 FSI for apartment buildings, calculated on the land area designated High-Rise Residential, excluding road allowances as identified on Map 12.11.B. Within the High-Rise Residential designation, variation in the allocation of density to individual land parcels is permitted, provided that the density on the High-Rise Residential lands collectively does not exceed 2.7 FSI, and subject to addressing built form, massing, shadowing and amenity space requirements, to the City’s satisfaction. Further minor variations may be permitted where appropriate to provide for effective floor space arrangements, subject to the other applicable considerations for development within this designation”
- The portions of High-Rise Building above 12-storeys shall be setback a minimum of 10 m (Building B) and 13.5 m (Building A) from the rear yard; 3.9 m (Building A) and 5.9 m (Building B) from the front yard (Gatineau Drive) and 5.5 m from the exterior yard (eastern property line), whereas 15 m is required.
- Where more than one High-Rise Building is located on the same lot, the distance between any portions of the High-Rise Buildings above 12-storeys should be 27m whereas, VOP 2010 states that it should generally be at least 30 m

The Development is located within a Primary Centre, adjacent to Centre Street being a Regional Intensification Corridor and just north of the PCSP where, according to VOP 2010’s hierarchy of Intensification Areas this will be a major focus for intensification of the lands at densities and in a form supportive of higher-order transit. The Development provides for a height and density that is in keeping to what was recently approved in the PCSP.

Directing growth to a Provincially approved PMTSA is appropriate, as MTSA’s are planned for intensification. The addition of high-rise land uses to the northeast end of New Westminster Drive and Centre Street intersection is appropriate because it supports the policies regarding intensification.

The Development is well served by transit services and active transportation facilities. Bus Rapid Transit (BRT) stations are located within a walking distance of this site connecting the site to a number of key trip generators and transfer points such as Vaughan Metropolitan Centre and the future Yonge Subway Extension. Pedestrian connections are proposed from Future Gatineau Drive as well as to the future North-South Public Road located east of the site. Bike lanes are also available along Centre Street and Bathurst Street.

The Development will ensure a range of housing options, increasing housing choices in terms of housing type. The Development includes condominium apartment units to provide unit type options with a range of sizes (1-to-3-bedroom units).

On this basis, the Development conforms to VOP 2010.

Council enacted Zoning By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

As the Applications were received by the City on August 17, 2021, and deemed complete on September 16, 2021, the Applications are transitioned under Zoning By-law 001-2021.

Amendments to Zoning By-law 1-88 are required to permit the Development

- “RA5(H) High Density Residential-Town Centre Zone” with a Holding Symbol “(H)” by Zoning By-law, subject to site-specific Exception 9(1443)
- This Zone does not permit the Development as proposed
- The Owner proposes to keep the “RA5(H) High Density Residential-Town Centre Zone” with a Holding Symbol “(H)” together with the site-specific zoning exceptions to permit the Development, as shown in Attachment 8
- The Development Planning Department can support the zoning exceptions identified on Attachment 8, on the basis that the proposed site-specific zoning standards identified would facilitate a development that is consistent with the policies of the PPS and conforms to the Growth Plan and YROP. The site-specific development standards will enable a compact built form and pedestrian realm relationship that is supported within the primary centre.
- Minor modifications may be made to the zoning exceptions identified in Attachment 8 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved

Should the Applications be approved by the OLT, Staff Recommend the Subject Lands be zoned with the Holding Symbol “(H)”

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address (1) water and sewage capacity allocation and (2) cost-sharing for infrastructure works, discussed in the Recommendations of this report. The Holding Symbol “(H)” will not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report are addressed to the satisfaction of the City.

Should the Applications be approved, Draft Plan of Condominium application is required

The Owner will be required to submit a Draft Plan of Condominium application following approval of the future Site Development application and will need to receive approval from Council to establish the standard condominium tenure for the Development, where applicable.

The Development Planning Department supports the Development, subject to conditions

The Development Planning Department recommends approval of the Development as shown on Attachments 2 to 6, subject to conditions included on Attachment 9.

Site Design

The site plan shown on Attachment 2 consists of Building A being a 26-storey building with a 12-storey podium and private amenity area (closest to New Westminster Drive) and Building B being a 29-storey tower on a 2-storey podium, located east of Building A for a total of 594 units. Driveway access from Gatineau Drive is shared between Buildings A and B, and it accommodates drop off and pickup and access to the underground under Building B.

Amenity areas include an exterior outdoor area west of Building A, ground floor amenity spaces and an exterior 1st storey outdoor terrace 5 m above ground floor on Building A totaling over 1,800 m². Landscaping consisting of deciduous and coniferous trees and shrubs and perennials are proposed throughout the Subject Lands. Additional landscaping and/or ornamental fencing may be added.

The current landscape plan proposes tree planting that exceeds what is required for tree replacement compensation. A cash-in-lieu contribution will not be required. The Owner shall apply for a tree removal permit through the Forestry Division. All required fees and monetary compensation costs can be paid through the tree removal permit process. A condition to this effect is included in Attachment 9.

Building Elevations

The building elevations are shown on Attachments 4 and 5. The buildings are modern in design consisting of glass projecting balconies with spandrel glass as main cladding material and white accent panels concentrated at the ground level and continued throughout the elevations. Sun/shadow studies were provided and found to have minimal impact on the surrounding areas.

Design Review Panel ('DRP')

The Development was presented to the DRP on [November 25, 2021 DRP](#). DRP encouraged further study with regards to the location and orientation of the lobbies, relative to the services and amenities to achieve better access and reduce the impact of the vehicular movements on the site. Since the DRP, the Owner revised their access to the underground and service area by containing it further north on the site thereby, providing a continuous pedestrian access and larger amenity space.

Sustainability Performance Metrics ('SPM')

The Owner has submitted a SPM scoring tool. The Development achieves an overall SPM application score of 52 (silver level) which exceeds the City's minimum threshold score requirement.

Prior to the execution of the Site Plan Agreement, the final site plan, landscape plan and landscape cost estimate must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in Attachment 1.

It is recommended that the OLT withhold its Order should the Applications be approved

Should the OLT approve the Applications, a condition is included in the recommendations requesting the OLT to withhold its final Order regarding the approval of the implementing Official Plan and Zoning By-law Amendments until such time that:

- a) the implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City; and
- b) the Site Development File DA.21.041 for the Subject Lands has been approved to the satisfaction of the City staff, and to incorporate any adjustments, if necessary, in the implementing documents, prior to final approval.

Financial Impact

There are no requirements for new funding associated with this report.

Operational Impact

The Parks Infrastructure Planning ('PIPD') Department supports the Development, subject to the conditions in this report

PIPD has no objection to the Development subject to the Owner providing payment-in-lieu of parkland dedication. A condition to this effect is included in Attachment 9.

Environmental Services Department supports the Development, subject to the conditions in this report

Environmental Services, Waste Operations has no objection to the Development, subject the Owner paying the applicable fees for waste diversion containers and a letter from a certified engineering stating that the Development can safely support collection vehicles weighing 35,000 kgs. A condition to this effect is included in Attachment 9.

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

DE Department has no objection to the Development subject to the Owner providing the revised drawings and supporting documents to address DE comments in the report and conditions in Attachment 9 to this report.

Municipal Servicing

The City has initiated a Servicing Master Plan update, known as the Integrated Urban Water Master Plan Environmental Assessment ('IUWMP'). The IUWMP will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan Review. A Functional Servicing Strategy Report ('FSSR') for the Disera-Promenade Secondary Plan/MTSA areas will be established through this on-going master plan update. External servicing requirements and/or improvements

shall conform to the conclusions and recommendations of the IUWMP and FSSR. The Owner has submitted a Functional Servicing Report ('FSR'), in support of the Development.

Water Supply

The Development will be serviced from the existing watermain on Gatineau Drive via an existing combined fire and domestic service connection and a proposed second fire service connection

Sanitary Servicing

The Development will be serviced via the existing sanitary service connection to the municipal sanitary sewer located along the newly constructed Gatineau Drive. The FSR identified capacity constraints in the downstream system in pre-development and post-development conditions with additional surcharging segments as result of the additional flows from the Development. Surcharging is not permitted per City criteria and a financial contribution from the Owner for infrastructure improvements will be required as a condition of approval. The infrastructure improvements will be based on the conclusions and recommendations of the completed Functional Servicing Strategy Report. In the interim, the Development may be serviced with minimal surcharging.

Stormwater Management

The Development is to be serviced via the existing storm service connection to the municipal sanitary sewer located along Gatineau Drive.

Environmental Site Assessment ('ESA')

DE is satisfied with the Owner's submission and has no further ESA comments.

Transportation Engineering ('TE')

Road Network / Accesses

Vehicular access to the Subject Lands will be facilitated through future Gatineau Drive that will be connected to New Westminster Drive to the west and after the completion of the eastern segment of it, will be connected to Disera Drive to the east. A new 15 m North-South public road is planned east of the Development which will provide additional connectivity between the Subject Lands and Centre Street for both pedestrians and vehicles.

Parking

The visitor parking supply of 119 spaces complies with Zoning By-law 001-2021 visitor parking requirements. Incorporating the car-sharing and the proposed TDM measures, the proposed resident parking supply of 400 spaces in conjunction with 4 car-sharing spaces are appropriate. An additional 3 visitor parking spaces for the 6 live-work units are required. The car-sharing spaces must count towards the resident parking spaces. The final location of the car-sharing and visitor spaces shall be to the satisfaction of the Development Engineering Department. A condition to the Site Plan is included in Attachment 9.

Traffic Impacts and External Improvements

Several movements at intersections within the study area are operating with capacity constraints and are expected to operate at or over capacity in the future. However, the subject site traffic is expected to be inconsequential. In order to mitigate the potential traffic impacts, the applicant has proposed traffic signal optimization, TDM measures, bicycle storage spaces, internal sidewalks, plus completing their commitments regarding the right of way for the north-south road east of the site and Gatineau Drive north of the site.

Based on Development Transportation Engineering's review of the application, overall the application is acceptable. The Owner shall provide the agreement with car-sharing operator/provider with full subsidy of membership for the proposed 4 car-sharing spaces, a condition to this effect is included in Attachment 9.

Noise Attenuation

The Owner submitted a noise report concluding that the sound levels due to road traffic exceed the Ministry of Environment, Conservation and Parks limits. Based on the predicted sound levels, the implementation of indoor noise control measures will be required. Offers of purchase and sale/tenancy agreements for all dwelling units requiring noise control must include a warning clause indicating the existence of possible excess noise and the measures provided to deal with that excess. The Owner shall provide an updated Noise report prior to the issuance of site plan approval. The noise report shall comply with the final architectural drawings and recommend appropriate mitigation measures and warning clauses. A condition to this effect is included in Attachment 9.

Cash-in-lieu of the dedication of parkland is required

For high-density residential development, the Owner shall convey land at the rate of 1 ha per 600 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 1,000 units, or at a fixed unit rate, prior to the issuance of a Building permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication policy.

Development Charges for the Development are applicable

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

A clause for the payment of Development Charges would be included as a standard condition in the approval of the site plan, should the Applications be approved.

Community Benefits Charge ('CBC') is applicable and will be collected at Building Permit Stage

The development meets the criteria for CBC being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits.

Other external agencies and various utilities have no objection to the Development

The school boards, Canada Post, Alectra Utilities, Bell Canada have no objection(s) to the Development, subject to the conditions included on Attachment 9.

Broader Regional Impacts/Considerations

The Toronto and Region Conservation Authority ('TRCA') have no comments

The Subject Lands are not located within the TRCA's Regulated Area. As such, any site alteration or development on the property would not require a permit from TRCA. The Subject Lands are also not located within the Well Head Protection Area for quantity control of the Source Protection Plan. Based on the above, TRCA have no comments nor requirements.

York Region Community Planning and Development Services

On December 2, 2021, York Region confirmed that they remain the approval authority for Official Plan Amendment File OP.21.017 and denied the Owner exemption request. However, since the Applications have been appealed to the OLT for non-decision, York Region is no longer the approval authority for the Official Plan Amendment.

York Region commented that intensification along the Regional Centres and Corridors have been the foundation of the York Region urban structure. Staff continue to support intensification along this segment of Centre Street, which is part of the Highway 7 Regional Corridor. However, there is a trend where site-specific applications greatly increase densities, thereby increasing the corresponding number of residential units. The Development continues a development pattern that exceeds planned growth, which may have an impact on the Region's planned transportation and water and wastewater networks.

Conclusion

The Development Planning Department is satisfied the Applications are consistent with the PPS, conforms with the Growth Plan and YROP. The proposed amendments to VOP 2010 and Zoning By-law 1-88 are appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses and supports the MTSA 57 Disera-Promenade BRT. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 9.

For more information, please contact: Margaret Holyday, Senior Planner, at ext. 8216.

Attachments

1. Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan

4. Building Elevations – North & West
5. Building Elevations – South & East
6. Parcels A & B FSI
7. Previously Approved Parcels A & B
8. Zoning By-law 1-88 Table
9. Conditions of Site Plan Approval

Prepared by

Margaret Holyday, Senior Planner, ext. 8216

Mary Caputo, Senior Manager of Development Planning, ext. 8635

Nancy Tuckett, Director of Development Planning, ext. 8529

Approved by

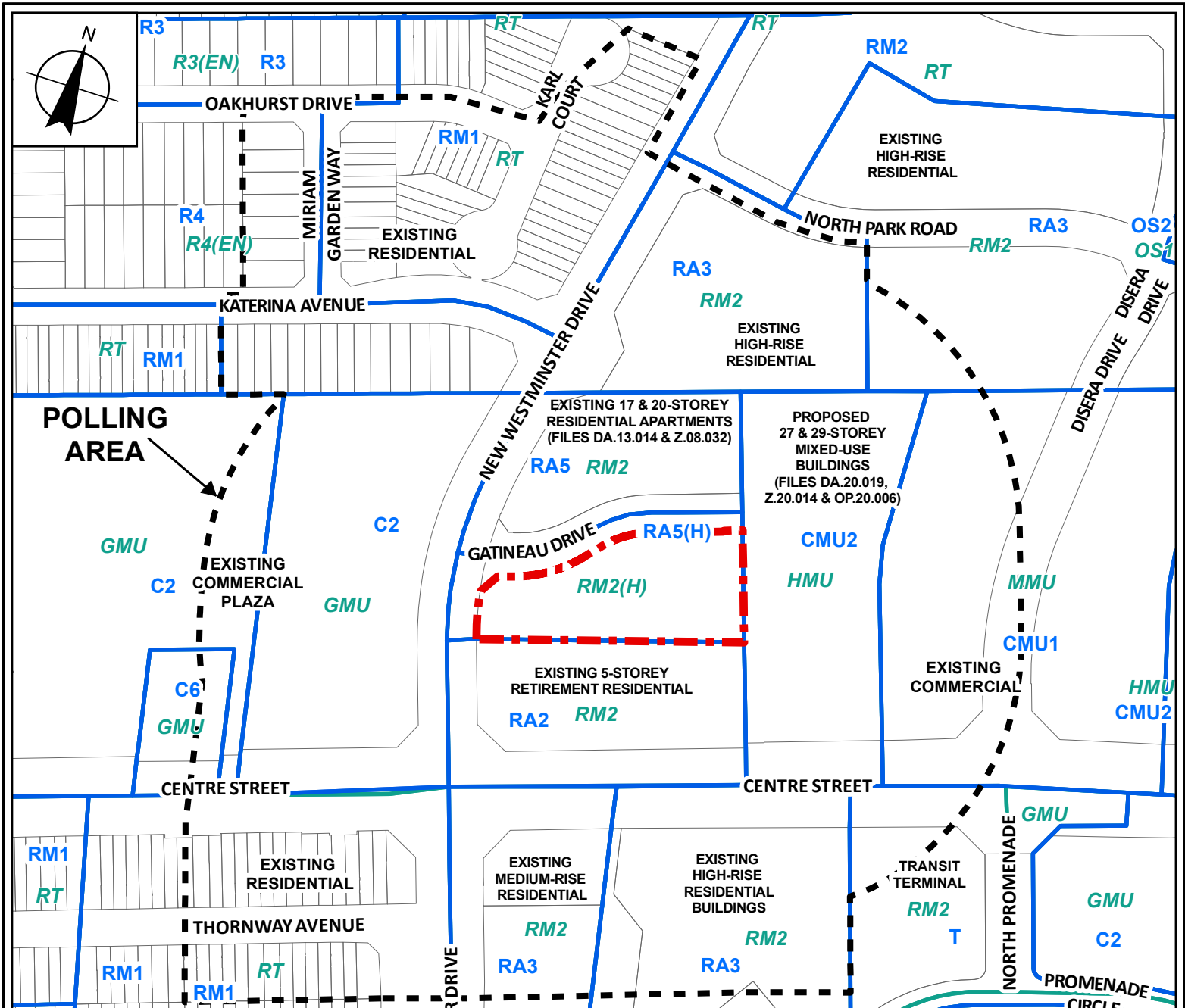



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Vince Musacchio
on behalf of Nick Spensieri,
City Manager

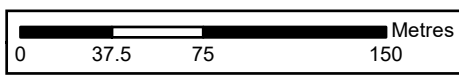


 Subject Lands
Zoning By-Law 1-88

- C2, General Commercial Zone
- C6, Highway Commercial Zone
- CMU1, Mixed Use Zone 1-Town Centre
- CMU2, Mixed Use Zone 2-Town Centre
- OS2, Open Space Park Zone
- R4, Residential Zone

- RA2, Apartment Residential Zone
- RA3, Apartment Residential Zone
- RA5(H), High Density Residential Zone-Town Centre with the Holding Symbol
- RA5, High Density Residential Zone-Town Centre; RA5, High Density Residential-Town Centre
- RM1, Multiple Residential Zone
- RM2, Multiple Residential Zone
- T, Transportation Zone

- Zoning By-Law 001-2021**
- MMU, Mid-Rise Mixed-Use
 - GMU, General Mixed-Use
 - HMU, High-Rise Mixed Use Zone
 - OS1, Public Open Space Zone
 - R4, Fourth Density Residential
 - RM2, Multiple Residential Zone
 - RM2(H), Multiple Residential Zone with the Holding Symbol
 - RT, Townhouse Residential



Location Map

LOCATION:
 Part of Lot 6, Concession 2

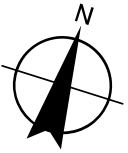
APPLICANT:
 Blue Water Ranch Developments Inc.



FILES: OP.21.017,
 Z.21.032, DA.21.041

DATE:
 May 9, 2023

1



NEW WESTMINSTER DRIVE

GATINEAU DRIVE

PRINCIPAL ENTRANCE

2-STOREY

2-STOREY

BUILDING A
26-STOREY

BUILDING B
29-STOREY

PRIVATE
AMENITY
SPACE

12-STOREY

RA5(H) RA5(H)

1-STOREY
OUTDOOR
AMENITY
TERRACE

LAY-BY
PARKING

12-STOREY

OUTDOOR AMENITY

OUTDOOR AMENITY

RAMP TO
UNDERGROUND
PARKING

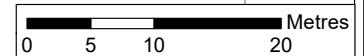
4 SHORT
TERM BIKE
SPACES

EXTENT OF
PARKING
BELOW



Subject Lands

RA5(H), High Density Residential
Zone-Town Centre with the Holding
Symbol



Site Plan and Proposed Zoning

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
Blue Water Ranch Developments Inc.

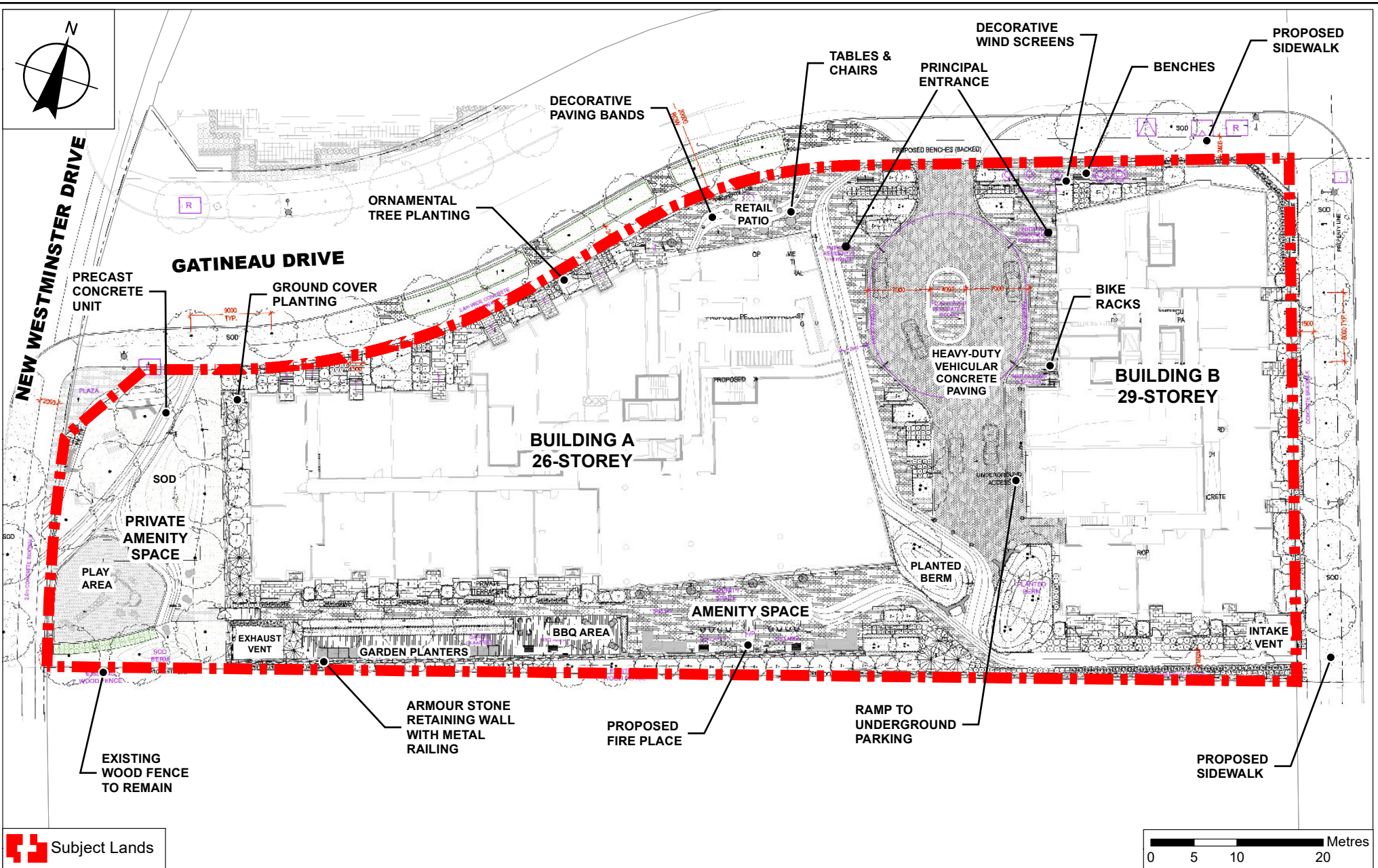


Attachment

FILES: OP.21.017,
Z.21.032, DA.21.041

DATE:
May 9, 2023

2



Landscape Plan

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
Blue Water Ranch Developments Inc.

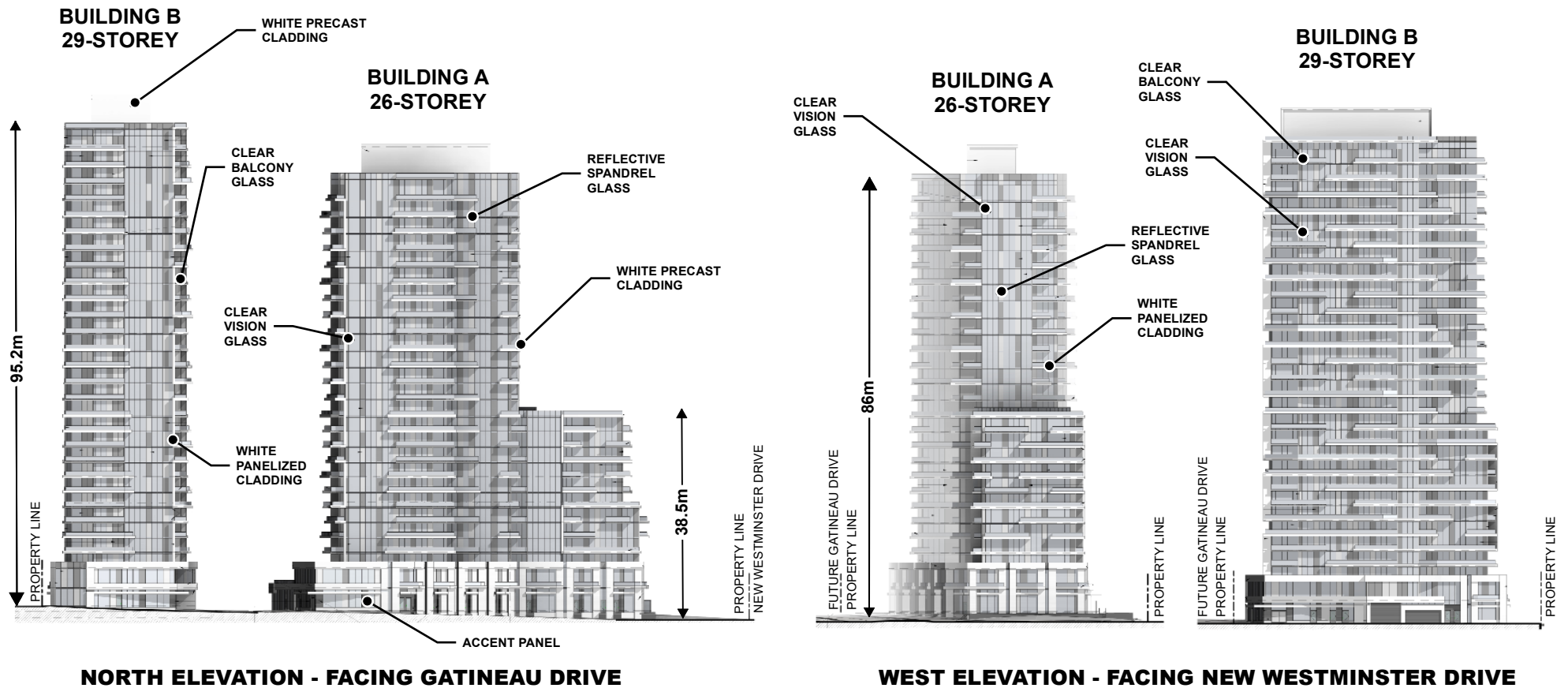


Attachment

FILES: OP.21.017,
Z.21.032, DA.21.041

DATE:
May 9, 2023

3



Building Elevations - North & West

LOCATION:
 Part of Lot 6, Concession 2

APPLICANT:
 Blue Water Ranch Developments Inc.

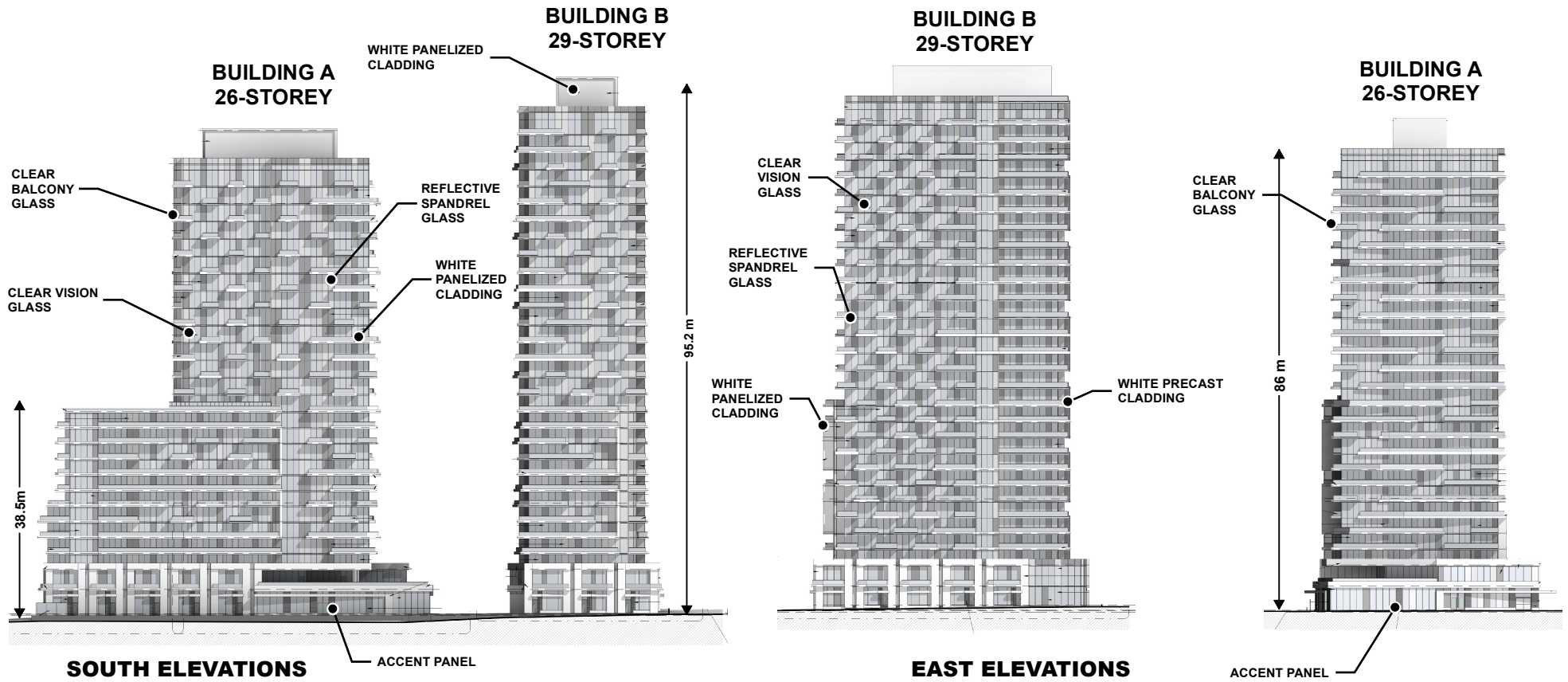


Attachment

FILES: OP.21.017,
 Z.21.032, DA.21.041

DATE:
 May 9, 2023

4



Building Elevations - South & East

LOCATION:
Part of Lot 6, Concession 2

APPLICANT:
Blue Water Ranch Developments Inc.

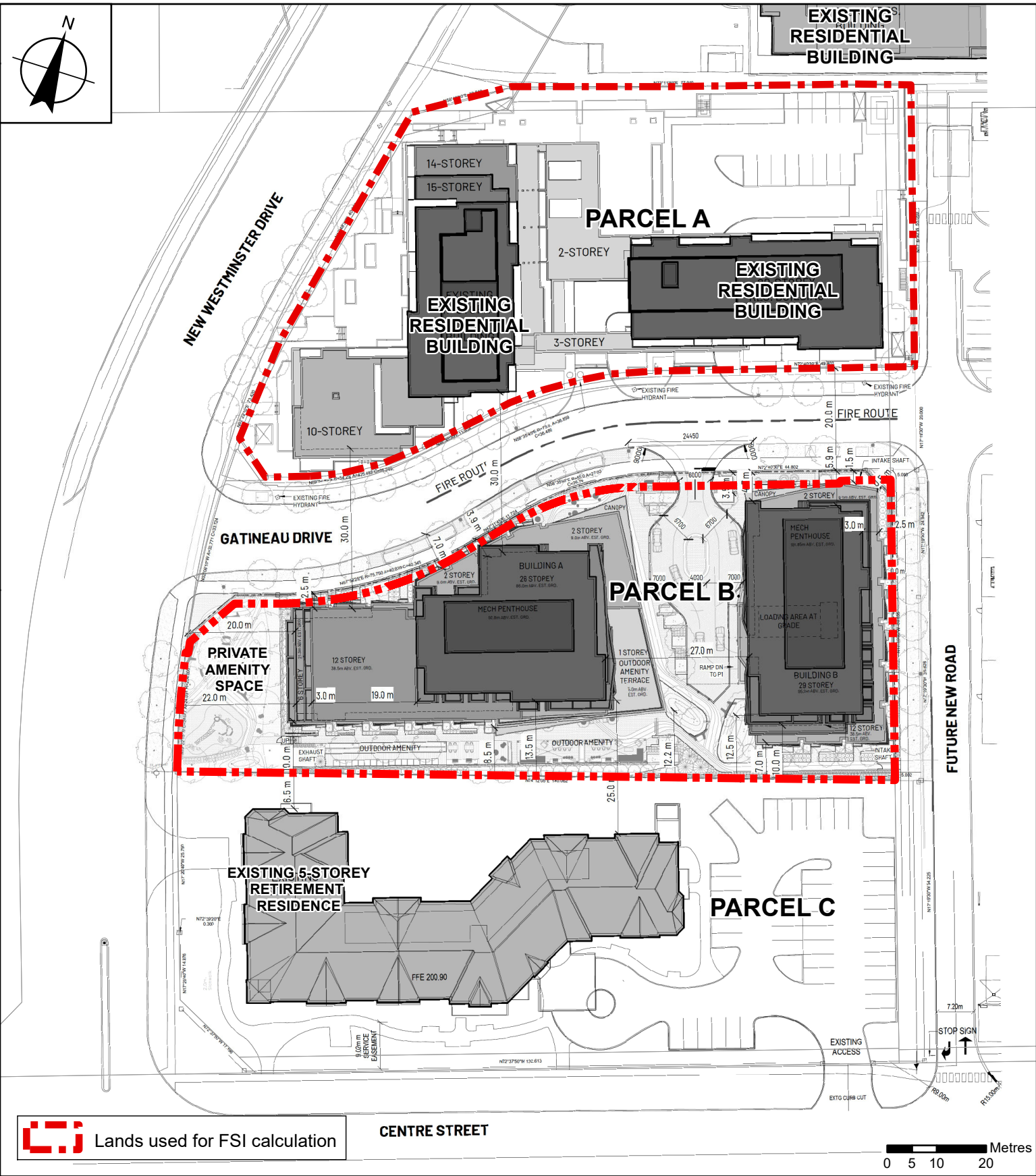



Attachment

FILES: OP.21.017,
Z.21.032, DA.21.041

DATE:
May 9, 2023

5



 Lands used for FSI calculation

CENTRE STREET

Metres
0 5 10 20

Parcels A and B FSI

LOCATION: Part of Lot 6, Concession 2

APPLICANT:
Blue Water Ranch Developments Inc.

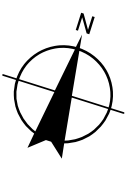
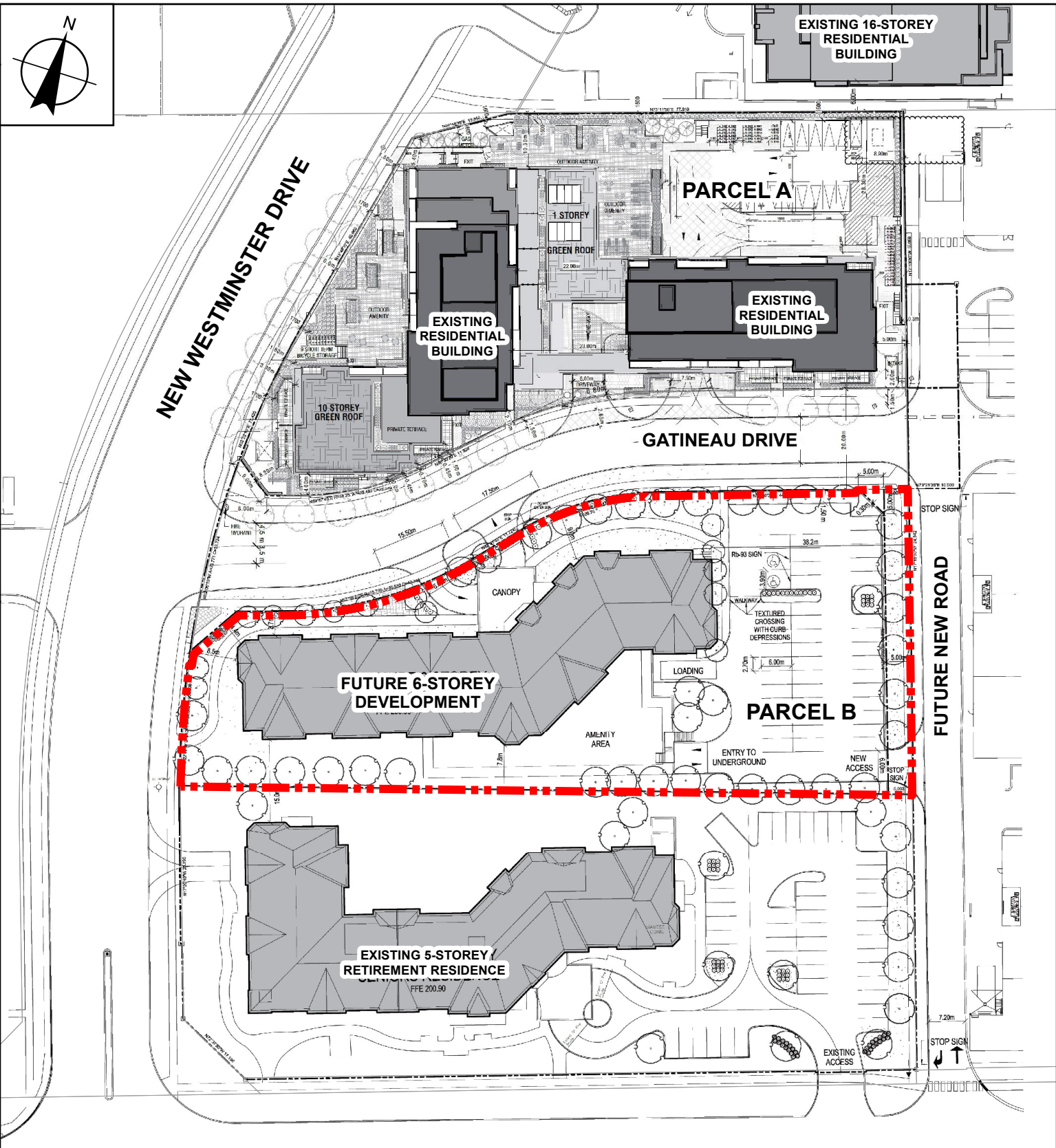



Attachment

FILES:
OP.21.017, Z.21.032,
DA.21.041

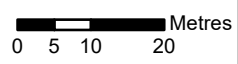
DATE:
May 9, 2023

6



 Subject Lands

CENTRE STREET

 Metres
0 5 10 20

**Previously Approved
Parcels A & B**

LOCATION: Part of Lot 6, Concession 2

APPLICANT:
Blue Water Ranch Developments Inc.



Attachment

FILES:
OP.21.017, Z.21.032,
DA.21.041

DATE:
May 9, 2023

7

Attachment 8 - Zoning By-law 1-88 Table

| | Zoning By-law 1-88 Standard | RA5(H) Zone subject to Site-Specific Exception 9(1443) Requirement | Proposed Exceptions to the RA5(H) Zone |
|----|------------------------------------|--|---|
| a. | Business Service | Definition not included in Zoning By-law 1-88 | Means premises used to provide services primarily to offices and other businesses, including courier services, printing and photocopying services, document shredding services, or other similar uses |
| b. | Gross Floor Area ('GFA') | Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including all areas of any cellar, or car parking area above or below grade within the building or within a separate structure | The GFA means the total area of all of the floors in a building above grade measured from the outside of the exterior wall, but excluding bicycle parking within a building |
| c. | Live-Work Dwelling | Definition not included in Zoning By-law 1-88 | Means a dwelling containing a business that is operated by at least one resident of the associated dwelling unit. Permitted business uses include: <ul style="list-style-type: none"> • Studio • Business service, excluding retail • Private home day care • Home based catering, excluding retail • Personal service shop • Office, business or professional • Private home tutoring |
| d. | Lot | Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the <i>Planning Act</i> would not be required for its conveyance | The Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted, shall be deemed to comply with the provisions of Zoning By-law 1-88 |
| e. | Permitted Uses | Apartment Dwellings Bank or Financial Institution Retail Store Business Office Personal Service Shop Video Store | Apartment Dwellings Live Work Dwellings |

| | Zoning By-law 1-88 Standard | RA5(H) Zone subject to Site-Specific Exception 9(1443) Requirement | Proposed Exceptions to the RA5(H) Zone |
|----|---|--|---|
| f. | Minimum Front Yard (Gatineau Drive) | 3.7 m | 1.5 m |
| g. | Minimum Setback to a Building Below Grade | 1.8 m | 0 m |
| h. | Encroachment | <ul style="list-style-type: none"> • 1.8 m balcony (Gatineau) • 0.5 m (Canopy Building B exterior) • 0.5 m (New Westminster) • 1.8 m balcony/canopy exterior | <ul style="list-style-type: none"> • 0.5 m (Gatineau Drive) • 1.5 m (along new road in exterior side yard) • 2 m for a balcony for Building A in the exterior side yard • 1 m no encroachment zone shall be maintained inside the property line within the front and exterior side yard |
| i. | Minimum Exterior Yard | 6 m | <ul style="list-style-type: none"> • 20 m (Building A) along New Westminster not including the lot line abutting the site triangle • 2.5 m (Building B) • 0.5 m (Building B-site triangle) |
| j. | Maximum Building Height | 44 m | 86 m – 26 storeys (Building A) 95.2 m – 29 storeys (Building B) Excluding mechanical penthouses, elevators, stairs and other equipment/utilities and parapets |
| k. | Maximum Gross Floor Area | 11,890 m ² | 52,075 m ² |
| l. | Minimum Number of Parking Spaces | 1.1 residential spaces x 594 units = 654 spaces 0.1 Visitor spaces x 594 units = 60 spaces | 0.7 residential and live/work spaces x 594 units = 416 spaces 4 car share spaces = 16 space reduction = 400 spaces for residential required 0.2 visitor spaces x 588 units = 118 spaces 0.7 visitor spaces per live/work dwelling 6 units x 0.7 = 5 spaces A maximum of 10% of the required parking spaces shall be permitted for the purpose of compact motor vehicle parking |
| m. | Minimum Parking Space Size | 2.7 m x 6 m | 2.4 m x 4.8 m (compact parking spaces) |

| | Zoning By-law 1-88 Standard | RA5(H) Zone subject to Site-Specific Exception 9(1443) Requirement | Proposed Exceptions to the RA5(H) Zone |
|----|-----------------------------|--|---|
| | | | <p>2.7 x 5.7 m (remaining spaces)</p> <p>5.7 m length (accessible parking spaces)</p> |
| n. | Parking Spaces Obstructions | No requirement in Zoning By-law 1-88 | An Electric Vehicle charging station shall not be considered an obstruction for purposes of parking space size |
| o. | Car Share Parking Spaces | No requirement in Zoning By-law 1-88 | <ul style="list-style-type: none"> • For an apartment dwelling in a Residential zone, the maximum reduction to the total minimum required residential parking spaces shall be four for each dedicated car-share parking space • For an apartment dwelling in a Residential zone, the maximum number of car-share parking spaces shall be calculated as the total number of dwelling units divided by sixty, rounded to the nearest whole number |
| p. | Minimum Landscape Strip | 3.7 m | <p>1.5 m (Gatineau Drive) 2.5 m (Building B)</p> <p>may include hardscape elements, such as, stairs, windscreens, air shafts and fencing</p> |
| q. | Floor Space Index ('FSI') | 2.7 | Remove the requirement for FSI. FSI will be addressed through the Official Plan Amendment |
| r. | Minimum Amenity Area | Zoning By-law 1-88 does not have a requirement for the RA5 Zone | 4 m ² per dwelling unit and an additional 600 m ² contiguous area located at grade shall be provided for outdoor amenity area |

ATTACHMENT 9 - CONDITIONS OF SITE PLAN APPROVAL

- 1) THAT prior to the execution of the Site Plan Agreement:
 - a) The final site plan, building elevations, landscape plan, landscape cost estimate, lighting plan shall be approved to the satisfaction of the Development Planning Department;
 - b) The Owner shall provide the final georeferenced AutoCAD drawings of the site plan and landscape plan, the associated Excel translation files and layered pdfs for all drawings to the satisfaction of the GIS section of the Development Planning Department;
 - c) The final site servicing and grading plan, retaining wall setbacks, functional servicing report, noise report, erosion and sediment control plan shall be approved to the satisfaction of the Development Engineering Department,
 - d) The final location of the car-sharing spaces and 3 additional visitor parking spaces for the live-work units shall be to the satisfaction of Development Engineering Department;
 - e) The Owner shall provide the agreement with the car-sharing operator/provider with full subsidy of membership for the proposed 4 car sharing spaces, to the satisfaction of the Development Engineering Department;
 - f) The Owner shall pay the applicable fees or charges for multi-residential waste diversion containers (recycling bag/container and organics kitchen container) in accordance with the City of Vaughan By-law 171-2013, as amended to the satisfaction of the Environmental Services Department;
 - g) The Owner shall provide a letter from a certified Engineer stating that the Development can safely support a collection vehicle weighing 35,000 Kg;
 - h) The Owner must satisfy all of York Region requirements.
- 2) THAT the following conditions be included in the Site Plan Agreement:
 - a) Should archaeological resources be found on the property during Construction activities, all work must cease and both the Ontario Ministry of Heritage Sport, Tourism and Cultural Industries, as well as the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
 - b) In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the

Regional Coroner and the Bereavement Authority of Ontario.

- c) The Owner shall be required to provide payment-in-lieu of parkland dedication in accordance with the requirements of the *Planning Act*, the VOP 2010 (Section 7.3.3 Parkland Dedication) and in effect Parkland Dedication By-Law and amendments. Real Estate Services shall review and provide comments as required.
- d) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all dwelling units:
 - i. Purchasers are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the Municipality's and the Ministry of the Environment, Conservation and Parks' noise criteria.
 - ii. This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Ministry of the Environment, Conservation and Parks' noise criteria.
 - iii. Purchasers are advised that due to the proximity of existing retail/commercial facilities, sound levels from these facilities may at times be audible.
- e) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

- f) The Owner will provide the building with its own centralized mail receiving facility. This lock-box assembly must be rear-loaded, adjacent to the main entrance and maintained by the owner/developer in order for Canada Post to provide mail service to the tenants/residents of this project. For any building where there are more than 100 units, a secure, rear-fed mailroom must be provided.

The Owner agrees to provide Canada Post with access to any locked doors between the street and the lock-boxes via the Canada Post Crown lock and

key system. This encompasses, if applicable, the installation of a Canada Post lock in the building's lobby intercom and the purchase of a deadbolt for the mailroom door that is a model which can be retro-fitted with a Canada Post deadbolt cylinder.

- g) The Owner shall apply for a tree removal permit through the Forestry Division. All required fees and monetary compensation costs can be paid through the tree removal permit process.