

## CITY OF VAUGHAN

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019**

Item 2, Report No. 11, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 19, 2019.

**2. OFFICIAL PLAN AMENDMENT FILE OP.18.005 ZONING BY-LAW AMENDMENT FILE Z.18.009 DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 SITE DEVELOPMENT FILE DA.18.037 1930328 ONTARIO INC. VICINITY OF MAPLECRETE ROAD AND REGIONAL ROAD 7**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated March 5, 2019:**

**Recommendations**

1. THAT Official Plan Amendment File OP.18.005 BE APPROVED; to amend Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
  - a) Increase the maximum permitted building height from 30-storeys to 40-storeys (Building A) and 34-storeys (Building B)
  - b) Increase the maximum permitted density (Floor Space Index - 'FSI') from 5 to 5.66 times the area of the Subject Lands.
2. THAT Zoning By-law Amendment File Z.18.009 BE APPROVED to:
  - a) amend Zoning By-law 1-88, to rezone the Subject Lands from "EM1 Prestige Employment Area Zone" to "C9 (H) Corporate Centre Zone" with the Holding Symbol ("H"), in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Table 1 of this report
  - b) permit the bonussing for increased building height and density for the development shown on Attachments 5 to 13 in return for the provision of community benefits, pursuant to the *Planning Act*, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*, specifically a \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge.
3. THAT the Holding Symbol "H", as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion thereof, until the Owner obtain and file for a Ministry of the Environment, Conservation and Parks Record of Site Condition that is registered on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation and Parks for the Subject Lands.

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019

#### Item 2, CW Report 11 – Page 2

4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge, which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
5. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2 and 4.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing zoning by-law.
7. THAT Draft Plan of Subdivision File 19T-18V005 BE APPROVED; to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a mixed-use block, a residential block, a new local street (Street B) and road widenings, as shown on Attachment 4, subject to the Conditions of Draft Plan Approval set out in Attachment 1.
8. THAT Site Development File DA.18.037 BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit the development of the Subject Lands consisting of 40 and 34-storey residential (future condominium) buildings (Buildings A and B) on a shared seven-storey podium and a seven-storey mid-rise residential apartment building (Building C), collectively containing 935 residential units and 781 m<sup>2</sup> of grade-related commercial uses, as shown on Attachments 5 to 13:
  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final interim and ultimate site plan, landscape cost estimate, interim and ultimate landscape plan, lighting plan, and wayfinding and signage design;

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019**

#### **Item 2, CW Report 11 – Page 3**

- ii) the final building elevations shall demonstrate the appropriate façade treatment and building articulation to ensure the public realm edges are sufficiently activated, specifically resolving the built form interface with the amenity area, to the satisfaction of the Development Planning Department;
- iii) the Owner shall submit a revised final detailed wind tunnel model and sun/shadow analysis, to the satisfaction of the Development Planning Department, which shall include existing and planned neighbouring buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climactic conditions for people sitting, standing and walking within the public realm;
- iv) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report and drawings, geotechnical and hydrogeological report, external lighting plan, the utility coordination plan, revised Environmental Noise Assessment, Transportation Impact Study, and Transportation Demand Management Plan;
- v) the Owner shall enter into a Development Agreement, if required, for the widening, construction, and servicing of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vii) the Owner shall apply to the City for any permanent dewatering systems that are required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- viii) the Owner shall submit to the City the final 3D digital model of the development, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019

#### Item 2, CW Report 11 – Page 4

of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the 3D digital model;

- ix) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division, and the Owner also agrees to include in all Purchase and Sale Agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will have private waste collection services;
- x) the Owner shall satisfy all requirements of Alectra Utilities Corporation;
- xi) the Owner shall satisfactorily obtain a Building and Land Use Permit from the Ministry of Transportation Ontario prior to the commencement of any on-site construction works;
- xii) the Owner shall satisfy all requirements of York Region;
- xiii) the Owner shall satisfy all requirements of Canada Post;
- xiv) The Owner shall enter into a Site Plan Agreement with York Region, including the resolution of any necessary maintenance obligation(s) along Regional Road 7;
- b) the Site Plan Agreement shall include the following clauses:
  - i) “For high-density residential development, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at 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 Vaughan’s Cash-in-Lieu Policy.”
  - ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the



## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019

#### Item 2, CW Report 11 – Page 5

Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.”

- iii) “The Owner shall agree that the boulevard design on the west side of Maplecrete Road shall be updated to reflect the revised streetscape design along the east side of Maplecrete Road, to the satisfaction of the Development Planning Department.”
- iv) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- v) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- vi) “The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- vii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required, and the Owner shall reinstate the boulevard within the right-of-way, in accordance with the City’s standards and to the satisfaction of the Development Engineering Department.”

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

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 19, 2019**

#### **Item 2, CW Report 11 – Page 6**

“THAT Site Plan Development File DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 935 residential units (2,066 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol if, at the discretion of the City, the proposed development does not proceed to registration within a reasonable timeframe.”

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 4

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.005  
ZONING BY-LAW AMENDMENT FILE Z.18.009  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V005  
SITE DEVELOPMENT FILE DA.18.037  
1930328 ONTARIO INC.  
VICINITY OF MAPLECRETE ROAD AND REGIONAL ROAD 7**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole to permit on the subject lands shown on Attachments 2 and 3, a high-density, mixed-use development in the Vaughan Metropolitan Centre, as shown on Attachments 5 to 13.

**Report Highlights**

- The Owner proposes a mixed-use development consisting of 935 units, with:
  - 801 units in two residential apartment buildings (34 and 40-storeys) on a shared seven-storey podium, including ground-related amenity and commercial uses and five integrated townhouse units
  - 134 units in a seven-storey mid-rise residential apartment building.
- The Owner proposes an increase in density and building height in return for the following community benefit, pursuant to Section 37 of the *Planning Act*:
  - \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge.
- The Development Planning Department supports the approval of the proposed development as it is compatible with the existing and planned uses of the surrounding area, subject to the conditions of this report.

## **Recommendations**

1. THAT Official Plan Amendment File OP.18.005 BE APPROVED; to amend Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
  - a) Increase the maximum permitted building height from 30-storeys to 40-storeys (Building A) and 34-storeys (Building B)
  - b) Increase the maximum permitted density (Floor Space Index - 'FSI') from 5 to 5.66 times the area of the Subject Lands.
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3. THAT the Holding Symbol "(H)", as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion thereof, until the Owner obtain and file for a Ministry of the Environment, Conservation and Parks Record of Site Condition that is registered on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation and Parks for the Subject Lands.
4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge, which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.

5. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2 and 4.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing zoning by-law.
7. THAT Draft Plan of Subdivision File 19T-18V005 BE APPROVED; to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a mixed-use block, a residential block, a new local street (Street B) and road widenings, as shown on Attachment 4, subject to the Conditions of Draft Plan Approval set out in Attachment 1.
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  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final interim and ultimate site plan, landscape cost estimate, interim and ultimate landscape plan, lighting plan, and wayfinding and signage design;
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- viii) the Owner shall submit to the City the final 3D digital model of the development, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the 3D digital model;
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  - ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.”
  - iii) “The Owner shall agree that the boulevard design on the west side of Maplecrete Road shall be updated to reflect the revised streetscape design along the east side of Maplecrete Road, to the satisfaction of the Development Planning Department.”
  - iv) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
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- vi) “The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
  - vii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required, and the Owner shall reinstate the boulevard within the right-of-way, in accordance with the City’s standards and to the satisfaction of the Development Engineering Department.”
9. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 935 residential units (2,066 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol if, at the discretion of the City, the proposed development does not proceed to registration within a reasonable timeframe.”

## **Background**

The subject lands (‘Subject Lands’) are located on the southeast corner of Maplecrete Road and Regional Road 7, and are municipally known as 2901 Regional 7, as shown on Attachments 2 and 3. The surrounding land uses are shown on Attachment 3. The Subject Lands are currently utilized by the St. Mary Cement Plant.

### ***The Official Plan and Zoning By-law Amendment and the Draft Plan of Subdivision Applications were received by Council at the June 5, 2018 Public Hearing***

On May 11, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands and on-line at [www.vaughan.ca](http://www.vaughan.ca) as follows:

- a) City’s On-line Calendar in May 2018
- b) On the City Page, which was posted on the City’s website in May 2018

Two Notice Signs were also installed on the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols. At the June 5, 2018, Public Hearing, deputations and written submissions were received from the following:



- Mr. David McKay, MHBC Planning, representing the Owner
- Mr. Santino Paglia, Pembroke Street, Bolton
- Mr. Giuseppe Panza, Ravinview Drive, Maple
- Ms. Carla Gravina, Lady Valentine, Vaughan
- Ms. Cecilia Yung, Fraser Street, Thornhill

The comments identified at the Public Hearing related to the project cancellation by the owner of 1834371 Ontario Inc. ('183') of the adjacent mixed-used development located at the southwest corner of Maplecrete Road and Regional Road 7.

On May 23, 2018, Vaughan Council adopted a report titled ["Early Termination of Pre-Construction Condominium Projects"](#), which responded to a member's resolution from April 11, 2018, to formally request Tarion (formally known as the Ontario Ministry of Government and Consumer Services) to review the process by which pre-construction condominium projects are marketed and sold as well as the ability of developers to terminate agreements of purchase and sale as a result of the cancellation of a condominium project.

This report identified Tarion's confirmation that agreements of purchase and sale for new homes typically contain early termination provisions (related to, among other things, financing and building/zoning permits) in favour of vendors, along with requirements respecting the return of deposits to purchasers. While Tarion has the power to conduct investigations of vendors/builders, it does not have the power to compel vendors to waive their rights under early termination conditions or to complete a project. The matters raised, therefore, are not within the City's jurisdiction to address further.

Comments were also made about the impact of 183 on the Subject Lands, specifically privacy, shadow impact and servicing allocation. The Subject Lands are located across the planned widening of Maplecrete Road that is designed and aligned to be consistent with the road network in the VMC Secondary Plan. Maplecrete Road will be constructed to a 26 m wide right-of-way ('ROW'), which will represent a minimum separation distance of 26 m between 183 and the proposed development, sufficient to mitigate privacy impacts. Tower shape and orientation were reviewed through Site Development File DA.13.021 to minimize shadow impacts on adjacent properties to the greatest extent possible, while recognizing that intensification projects in an urban environment typically result in some degree of shadowing cast by high-rise built form. A resolution is included in the Recommendations of this report to allocate servicing capacity to the Development.

The recommendation of the Committee of the Whole to receive the June 5, 2018, Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Council on June 19, 2018.

On February 26, 2019, a notice of this Committee of the Whole meeting was sent to all those individuals who made a deputation before Council or submitted written correspondence to the City regarding the proposed development.

***Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the Development***

The original development included 33-storey, 39-storey and seven-storey residential buildings at a density (Floor Space Index - 'FSI') of 5.72 times the area of the lot. Through a series of design meetings with the Development Planning Department, the current proposed development (the 'Development') has been refined to address staff comments, as shown on Attachments 5 to 13, and consists of the following:

- a) three residential apartment (future condominium) buildings with building heights of 40-storeys (Building A), 34-storeys (Building B) and seven-storeys (Building C)
- b) 935 residential dwelling units (801 units within Buildings A and B and 134 units within Building C)
- c) a Gross Floor Area ('GFA') of 82,038.5 m<sup>2</sup> (all uses), consisting of 80,102.9 m<sup>2</sup> residential use GFA, 762.2 m<sup>2</sup> commercial use GFA and 1,173.4 m<sup>2</sup> GFA for dedicated shared service areas
- d) 1,007 parking spaces provided in three levels of underground parking consisting of 858 spaces provided for Buildings A and B and 149 spaces for Building C
- e) 25 surface parking spaces, including one barrier-free surface parking space
- f) 582 bicycle parking spaces (100 short-term and 482 long-term)
- g) one loading space servicing each building (three in total)
- h) at-grade private amenity space
- i) a new local street with a 22 m wide ROW (Street B)
- j) a maximum density of 5.66 FSI.

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachments 2 and 3 to permit the Development, as shown on Attachments 5 to 13:

- 1. Official Plan Amendment File OP.18.005 to amend Volume 2 of the Vaughan Official Plan 2010 ("VOP 2010"), specifically the VMC Secondary Plan, to:
  - a) increase the maximum permitted building height from 30-storeys to 34-storeys (south tower) and 40-storeys (north tower)
  - b) increase the maximum permitted density from 5 to 5.66 FSI.
- 2. Zoning By-law Amendment File Z.18.009 to:
  - a) rezone the Subject Lands from "EM1 Prestige Employment Area Zone" to "C9 Corporate Centre Zone", in the manner shown on Attachment 4, and

to permit site-specific development standards identified in Table 1 of this report

- b) permit the increased building height and density for the Development in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, the policies of the Vaughan Official Plan 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*.
3. Draft Plan of Subdivision File 19T-18V005, as shown on Attachment 4, consisting of the following:

|  |                  |
|--|------------------|
| Block 1 Mixed-Use and Block 6 Residential  | 1.1609 ha        |
| Blocks 3, 8 and 10 for road widening       | 0.0369 ha        |
| Blocks 2, 4, 5, 7 and 9 for 0.3 m reserves | 0.0088 ha        |
| <u>Block B for new local road Street B</u> | <u>0.2439 ha</u> |
| Total                                      | 1.4505 ha        |

The Draft Plan of Subdivision application has been submitted to facilitate the creation of the development blocks and a new local road.

4. Site Development File DA.18.037, as shown on Attachments 5 to 13, to permit the Development described above.

## **Previous Reports/Authority**

[June 5, 2018, Committee of the Whole \(Public Hearing\)](#)

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement***

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

### **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

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

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries*

- and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
  - d) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
  - e) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and*
  - f) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.*

The Development is consistent with the policies of the PPS and contributes to a healthy, liveable and safe community in the following manner:

- the Development would intensify the existing underutilized site located in a designated settlement area at a higher density than the existing surrounding land uses and contributes to the overall range of housing options that would meet Vaughan's housing needs
- the proposed intensification utilizes the Subject Lands efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing costs
- the Development will be designed in compliance with the standards set by the Accessibility for Ontarians with Disabilities Act ("AODA") providing for accessibility for residents and visitors
- the future residents of the Development would have direct access, within a five-minute walking distance, to the Edgeley Pond and Park and the Black Creek Channel, and a 10-minute walk to the VMC Mobility Hub, together providing areas for programmed activities that would encourage an active and healthy lifestyle.

#### *1.1.3.2 Settlement Areas*

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

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

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

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

- 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*
- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*
- 1.1.3.6 *New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*
- 1.1.3.7 *Planning authorities shall establish and implement phasing policies to ensure that specific targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.*

The Development is consistent with the settlement area policies of the PPS as follows:

- the Subject Lands are located in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density in a designated Urban Growth Centre (an 'UGC') that would support the surrounding transit investments within the VMC, being the SmartCentres Place Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit ('BRT') along Regional Road 7 (the 'higher-order transit')

- the intensification of the Subject Lands provides opportunities to reduce the negative impact of climate change by promoting active transportation through reduced parking ratios and the proximity to public transportation, pedestrian and bicycle friendly environments that encourage walking and cycling
- the VMC is an identified intensification area where municipal services are available and planned to accommodate high density development that supports population and employment growth projections in the City. The Subject Lands are currently occupied by an existing employment use and the Development contributes to the improvement and efficient utilization of the existing and planned infrastructure
- maximum density targets have been established in the VMC Secondary Plan that are achieved by the Development. Through the Section 37 provisions of the *Planning Act*, which is discussed later in this report, the Owner proposes a density and building height that exceeds the maximum targets set out in the VMC Secondary Plan in exchange for community benefits.

#### Housing (in part)

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

The Development is consistent with the housing policies of the PPS as it includes 935 residential units comprised of one, two and three-bedroom, and at-grade units at a density that efficiently uses land, infrastructure and services. The Development density is transit-supportive and would promote active transportation.

#### Public Spaces, Recreation, Parks, Trails and Open Space (in part)

- 1.5.1.a) *Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.*

The Development is consistent with the public spaces, recreation, parks, trails and open space policies as follows:

- Residents of the Development will be located within a five-minute walk to the Edgeley Pond and Park and Black Creek Channel where safe, healthy and active lifestyles and social interactions are encouraged. Residents will also have access to the VMC's Mobility Hub, which offers recreational programs and amenities within community facilities and public spaces. Long and short-term bicycle parking and storage facilities are proposed to be easily accessed to encourage healthy and active travel options. The entire VMC area is being implemented as a pedestrian-oriented and walkable urban downtown.

#### Infrastructure and Public Service Facilities (in part)

- 1.6.3 *Before consideration is given to development of new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized.*

The Development is consistent with and will support the Infrastructure and Public Service Facilities policies as it is near significant existing transit infrastructure, the planned Edgeley Pond and Park, the Black Creek Channel and the VMC Mobility Hub's community centre and library.

The Owner proposes to contribute funds to an off-site community benefit in a form of a cash contribution towards the Edgeley Pond and Park, for the first iconic pedestrian bridge that provides an important active transportation linkage to connect neighbourhoods within the VMC. Phase one of the Edgeley Pond and Park will begin construction in the Fall of 2019 with implementation of the pedestrian bridge expected to follow in 2022 as part of Phase two of the project. This important civic infrastructure will become a focal point for pedestrian connectivity in the park and will provide a direct pedestrian link from the Subject Lands to the higher-order transit within the VMC Mobility Hub.

#### Long-Term Economic Prosperity (in part)

- 1.7.1 *Long-term economic prosperity should be supported by:*
- a) *promoting opportunities for economic development and community investment-readiness;*
  - b) *optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;*
  - c) *maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets; and*
  - d) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.*

The Development is consistent with the long-term economic prosperity policies of the PPS as the VMC is the City's new downtown. It contributes a significant investment that supports the economic prosperity of the VMC. A range of residential unit types are offered that would accommodate additional population within the VMC to support the existing and planned commercial, office and cultural uses.

The Development is consistent with the policies of the PPS, which promotes the efficient use of land, housing options, social interaction, long-term economic prosperity, and supports a healthy community. The Development will take advantage of the public investment in higher-order transit and support alternate modes of transportation such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption.

***The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) (the 'Growth Plan')***

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

**Managing Growth**

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

- a) the vast majority of growth will be directed to settlement areas that:*
  - i) have a delineated built boundary;*
  - ii) have existing or planned municipal water and wastewater systems;*  
*and*
  - iii) can support the achievement of complete communities;*
- b) growth will be limited in the settlement areas that:*
  - i) are undelineated built-up areas;*
  - ii) are not serviced by existing or planned municipal water and wastewater systems; or*
  - iii) are in the Greenbelt Area;*
- c) within settlement areas, growth will be focused in:*



- i) *delineated built-up areas;*
  - ii) *strategic growth areas;*
  - iii) *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) *areas with existing or planned public service facilities;*
- d) *development will be directed to the settlement areas, except where the policies of the Growth Plan permit otherwise; and*
- e) *development will be generally directed away from hazardous lands.*

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

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i) *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii) *public service facilities, co-located and integrated in community hubs;*
  - iii) *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv) *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development.*

The Development includes a mix of residential and at-grade commercial uses, which would assist in achieving the population targets set out in the Growth Plan within the City's urban boundary and would benefit from the existing and planned infrastructure. The Development focuses new growth through the intensification of an underutilized site that provides a mixed-use, pedestrian-friendly environment located adjacent to higher-order transit.

The Development would contribute to achieving a complete community by providing a range of residential apartment unit types with at-grade residential and commercial uses that are convenient and accessible to the residents of the VMC. The building design and streetscape would promote a high-quality of life where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which would reduce greenhouse gas emissions, and promote walkability and other forms of transportation.

#### Delineated Built-up Areas

*Policy 2.2.2.1 states that by 2031, and for each year thereafter, a minimum of 60% of all residential development occurring annually within York Region will be within a delineated built-up area.*

The regional and municipal Official Plans currently do not conform to the Growth Plan policies respecting the intensification target of 60% within built-up areas. York Region's conformity exercise has commenced, with the City's conformity exercise to begin shortly thereafter. In the interim, the Development would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans, which are based on the 40% intensification target identified in the Growth Plan (2006), while simultaneously contributing to the 60% intensification target in the Growth Plan, by proposing a total of 935 residential units within an UGC.

#### Urban Growth Centres

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

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

The Development supports the UGC designation by providing residential uses in the VMC that are adjacent to higher-order transit facilities. The residents of the

Development would be well-served by a full range of uses, including office, commercial and community facilities within walking distance, thereby reducing the need of vehicles, as the downtown builds out.

#### Transit Corridors and Station Areas

*Policy 2.2.4.6 states that within Major Transit Station Areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited. Policy 2.2.4.8 states that all Major Transit Station Areas will be planned and designed to be transit supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:*

- a) connections to local and regional transit services to support transit service integration;*
- b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
- c) commuter pick-up/drop-off areas.*

*Policy 2.2.4.9 further states that within all Major Transit Station Areas, development will be supported, where appropriate, by:*

- a) planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels;*
- b) fostering collaboration between public and private sectors, such as joint development projects;*
- c) providing alternative development standards, such as reduced parking standards; and*
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*

The Development is located along to the VivaNext BRT system and is within a 5 to 10-minute walk to the VMC Subway Station and the SmartCentres Place Bus Terminal and contributes to achieving the density target for the VMC. The location of the Subject Lands within a Major Transit Station Area encourages and supports the use of alternative modes of transit, reduces the need for parking, and promotes alternative modes of transportation such as cycling through the provision of bicycle parking facilities within the Development and planned cycling infrastructure within the roadways in the VMC.

The policies of the Growth Plan require the achievement of complete communities that feature a diverse mix of land uses, improved social equity and overall quality of life, provide a diverse range and mix of housing options, access to a range of transportation options, mitigation of climate change impacts and reduced greenhouse gas emissions, and ensure the development of compact built form with an attractive and vibrant public realm.

The Development provides a housing option within the VMC that is serviced with grade-related commercial uses that are conveniently accessible. The proximity to higher-order transit facilities, the Mobility Hub, the Edgeley Pond and Park and the Black Creek Channel would offer transportation options and promote an active and healthy quality of life for the residents and visitors to the VMC, as Vaughan's evolving planned downtown community.

The Development conforms with the policy framework of the Growth Plan as it makes more efficient use of the Subject Lands and existing infrastructure, is located near existing and under construction/planned higher-order transit and provides housing options at a density that supports the transportation investments in the VMC.

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

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

Objective: To promote an appropriate mix and range of acceptable housing to meet the needs of residents and workers

*Policy 3.5.4 of the YROP requires the local municipal Official Plans and Zoning By-law permit a mix and range of housing types, unit sizes and levels of affordability with the mix and range of housing being consistent with the Regional forecasts, intensification and density requirements. Furthermore, Policy 3.5.20 encourages the construction of new residential units with a full mix and range of unit sizes, including family-sized and smaller units.*

The Development consists of 935 residential apartment units that range from one-bedroom to three-bedroom unit sizes and contribute to a diverse housing stock in York Region. The Development supports the Regional objective regarding the provision of a mix and range of housing.

Objective: To support Regional Centres and Corridors as a focus of economic activity and culture in York Region

*Policy 4.2.4 requires a mixed-use pedestrian environment in Regional Centres and Corridors that promote transit use and enhances these areas as destinations for business, entertainment and recreation.*

The Development provides a mix of residential uses immediately adjacent to existing and planned employment, commercial, open space, and community facilities. The Subject Lands are near higher-order transit, which would promote the use of the public transit by the residents of the Development. The combination of the enhanced streetscape and the introduction of the residential apartment units would complement the existing and planned surrounding commercial, office, retail and community facility uses, thereby contributing to the success of the VMC as a complete community.

Objective: To create high-quality, sustainable communities

*Policy 5.2.5 of the YROP encourages a balance of residential and employment uses to promote working and living in close proximity.*

The Development includes residential uses in proximity to existing and planned commercial, office, retail, employment and open space uses and community facilities, which would provide live-work opportunities for the residents in the VMC.

Objective: To create vibrant and sustainable urban areas

*Policy 5.3.4 of the YROP states that the distance to a transit stop in the Urban Areas is within 500 m for 90% of residents and no more than 200 m for 50% of residents.*

The Development is located near higher-order transit (within a 5 to 10-minute walk or 400 m to 800 m), which would provide transit opportunities and choices (i.e. subway, bus terminal, and rapid transit along Regional Road 7) for the future residents to meet their mobility needs.

Objective: To achieve an urban, integrated and connected system of Regional Centres and Corridors

*Policy 5.4.5 states that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cycle-friendly, and transit supportive. Policy 5.4.9 states that all new buildings shall front onto streets with main entrances designed to face a public street and provide a pedestrian-friendly urban form. Furthermore, Policy 5.4.16 requires the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage and lockers.*

The Development is urban and compact in form. The buildings are oriented and designed to include the main entrances facing a public street, being Regional Road 7, Maplecrete Road and Street B, with a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development includes a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation.

Objective: To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections

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

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

*Policies 5.4.23 and 8.2.3 (Implementation) state that Regional Centres contain the highest development densities and greatest mix of uses in the Region, and shall achieve a minimum density of 3.5 FSI per development block, at and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension.*

The Development contributes to the mix of uses planned in the VMC. It would deliver a density that supports the existing surrounding employment and commercial uses, encourages and optimizes the uses of higher-order transit, and facilitates the success of the planned cultural functions (e.g. community facilities) of the VMC. The commercial uses proposed at-grade would help meet the needs of the residents of the Development.

The Development conforms to the YROP as it includes a mix of unit types and contributes to a range of housing choices in the City to meet the needs of residents and workers of York Region. It would also support and achieve an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture and contribute to a high-quality and sustainable community in the VMC.

***Amendments to Volume 2 of Vaughan Official Plan 2010 (the VMC Secondary Plan) are required to permit the Development***

The Subject Lands are designated “Station Precinct” by the VMC Secondary Plan, which forms part of Volume 2 of VOP 2010. The designation permits a broad mix of uses, including residential dwellings, retail and service commercial. The Development includes residential and commercial uses, which conform to the VMC Secondary Plan.

The VMC Secondary Plan permits a maximum building height of 30-storeys and a maximum density of 5 FSI on the Subject Lands. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. Therefore, the Development does not conform to the Official Plan and an amendment to VOP 2010, specifically the VMC Secondary Plan, is required.

***The Development Planning Department supports the proposed amendments to the Vaughan Official Plan 2010 and the VMC Secondary Plan***

*Section 1.5 of the VOP 2010, The Vision for Transformation: Goals for the Official Plan, identified the VMC as a provincially designated UGC, given the location along Regional Road 7 and the terminus of the Toronto-York Subway Extension. The VMC is envisioned to become Vaughan's downtown with the highest density node in the City and a focus for civic activities, business, shopping, entertainment, and living. Policy 2.1.3.2 addresses Vaughan's main land use planning challenges and the management of future growth by directing a minimum of 29,300 residential units through intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and providing a diversity of housing opportunities. Policy 2.2.5, Intensification Areas, identifies the VMC as the City's downtown that consists of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan.*

The Subject Lands have access to higher-order transit, which can support the density being proposed. The proposed unit mix would provide housing opportunities at a density target within the VMC that would support public transit and housing diversity in the City.

*The VMC Secondary Plan provides the following objectives for the VMC:*

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people*
- 3.2 Establish complete neighbourhoods containing a variety of housing*
- 3.5 Optimize existing and planned investments in rapid transit*
- 3.10 Ensure all development exhibits a high-quality of urbanity, materials and design*

The VMC Secondary Plan permits a maximum building height of 30-storeys and a maximum density of 5 FSI. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. The Subject Lands are accessible to higher-order transit. The Development is designed to capitalize on the public infrastructure and higher-order transit investments within the UGC with uses that would support and contribute to a complete neighbourhood (e.g. residential, commercial, community facilities and public transit). The Development satisfies the objectives of the VMC Secondary Plan.

*Policy 4.6.3 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 Zoning By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development.

*Policy 8.1.2 states that the VMC is intended to accommodate a minimum of 1,500 new retail and service jobs by 2031 as street-related uses on the ground floors of mixed-use buildings. Policies 8.1.3 and 8.1.4 state that the VMC is intended to accommodate a minimum of 12,000 residential units to contribute to the projected population growth to 2031. The policies also encourage a diverse housing mix, including a significant number of households with children.*

The Development would accommodate for the planned residential population growth in the VMC with 935 new residential apartment units of varying sizes. At-grade existing and planned commercial uses within the Development and the surrounding areas, and the adjacency to community facilities (e.g. VMC Mobility Hub Community Center and library, Edgeley Pond and Park, Black Creek Channel) would support varying households, including those with children.

*Section 8.7, Built Form, of the VMC Secondary Plan includes policies for building setbacks, ground floors, building height, massing, and building exteriors. The policies, specifically Policies 8.7.1 to 8.7.25, relate to building design that promotes pedestrian comfort through building façade treatments, lobby frontages, podium and tower designs, and building materiality.*

The Owner and the City have made significant effort to ensure the building façade of the Development would be well activated with a comfortable pedestrian realm along all frontages of the Subject Lands. This entails a well-articulated podium expression and tower massing, and the specific placement of the building entrances at the ground level with high-quality streetscape treatments. However, further refinements will be required along the public realm edges, specifically where the built form interfaces the amenity area. A condition to this effect is included in the Recommendations of this report.

The Development will contribute to a varied skyline within the VMC and introduces a mid-rise form to improve the transition in building heights and introduction of a different building typology. Building setbacks, material treatments, architectural features, and public realm design have been utilized to encourage a comfortable streetscape, varied streetwall, and a pedestrian-first experience.



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

To facilitate the Development, the Owner proposes to amend the VMC Secondary Plan to increase the permitted building height from 30 to 40-storeys (Building A) and 34-storeys (Building B) and increase the permitted density from 5 to 5.66 FSI. Pursuant to Section 37 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*”, Vaughan Council may authorize an increase in building height and density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased density and building height.

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

a) Good Planning

The Development must represent good planning, be consistent with the other objectives of VOP 2010 and the VMC Secondary Plan and ensure consistency with applicable built form and neighbourhood compatibility objectives.

The Development capitalizes on the VMC’s locational advantage, being the convergence of the regional bus network (the SmartCentres Place Bus Terminal and the VivaNext BRT) with the Spadina Subway extension into the VMC. The proximity of the Subject Lands to higher-order transit and community facilities is vital in the creation of a high-quality downtown where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations.

The Development is consistent with the PPS and conforms to the Growth Plan and the YROP. The increase in the maximum density and building height reflected in this Development is proposed through Section 37 of the *Planning Act*. Several iterations of design development were required to ensure that the form of development proposed met the policies of the VMC Secondary Plan, to be supported as good planning.

In Section 3 of the City’s *Guidelines for the Implementation of Section 37 of the Planning Act*, “good planning” includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of

collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments 5 to 13, is determined to represent good planning. The Development is aligned with the following objectives contained in the VMC Secondary Plan:

- i) A downtown: “to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people.”
  - A critical objective of the VMC Plan is to concentrate Development in the new downtown. The Development would contribute to achieving the required critical mass that would develop a strong identity, sense of place, and a population to support the investments in the transit infrastructure and the land uses (i.e. commercial, office, etc.) that would contribute to the diversity of land uses required to create a successful downtown.
- ii) High transit usage: “optimize existing and planned investments in rapid transit.”
  - The density and proximity of the Development to higher-order transit makes the creation of a high-density downtown possible. The short walking distances to the higher-order transit through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.
- iii) Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design.”
  - The Development incorporates an architectural form that frames and addresses the streets. Connectivity has been integrated into the design of the development block with enhanced pedestrian connections and a comfortable at-grade amenity area. Though refinements will be required along the public realm edges, specifically where the built form interfaces the amenity area, the Development Planning Department is satisfied with the overall built form.

The Development is considered good planning in consideration of the overall existing and planned area context. Therefore, the proposed increase in the maximum building height and density in return for the provision of community benefits is appropriate.

b) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and density of the Development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of Development otherwise permitted in Schedule I of the VMC Secondary Plan, in return for the provision of community benefits in the VMC. The Official Plan identifies community benefits that may qualify, including:

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

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

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

Community benefits may include specific capital facilities that benefit the area where a development is located. The increased density for the Development would result in higher numbers of people who place higher demands on community amenities, such as open spaces, which is intended to maintain or improve existing community livability and the quality of life in the area with the higher density.

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

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

The Development includes 935 new residential units and over 1,850 people in the VMC. Open space and parkland will be required to service the additional population. The VMC Secondary Plan includes in its southeast quadrant a significant environmental open space and associated Black Creek greenway that will develop over time in conjunction with future redevelopment proposals along Jane Street.

Therefore, the off-site contribution as part of this Development is being prioritized for facilities in the City's first publicly-owned open space in the downtown, the Edgeley Pond and Park, which is located in the northeast quadrant of the VMC and within a 5 to 10-minute walk from the Subject Lands. The Owner has agreed to contribute \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge. This bridge, which is currently underfunded and has consequently been pushed out to later phases of the park development, provides support for active transportation and connectivity in the VMC. This contribution would advance this critical and high priority park feature and would benefit the community and its emerging social infrastructure by improving connections between neighbourhoods and facilities in the VMC.

c) Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of the VMC through the provisions of adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the higher-order transit facilities that are currently built or under construction, are all infrastructure improvements that support the Development.

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

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

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

The Subject Lands are zoned "EM1 Prestige Employment Area Zone" by Zoning By-law 1-88 and are further identified as a "Landmark Location" with no prescribed maximum building height. The EM1 Zone does not permit the Development. The Owner proposes

to amend Zoning By-law 1-88, specifically to rezone the Subject Lands to “C9 (H) Corporate Centre Zone” with the Holding Symbol (“H”). The Holding Symbol “(H)”, as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion thereof, until the Owner obtain and file for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (“RSC”) that is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, which is included in the Recommendations of this report.

The Owner also proposes the following site-specific zoning exceptions to permit the Development shown on Attachments 5 to 13:

Table 1

|    | <b>Zoning By-law 1-88 Standards</b> | <b>C9 Corporate Centre Zone Requirements</b>   | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b>  |
|----|-------------------------------------|--|---|
| a. | Permitted Uses                      | All uses in the C9 Corporate Centre Zone and all permitted Uses in a Commercial Zone                                     | <p>In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted:</p> <ul style="list-style-type: none"> <li>▪ Retirement Residence</li> <li>▪ Nursing Home</li> <li>▪ Long Term Care Facility</li> <li>▪ Independent Living Facility</li> <li>▪ Public Garage, which shall be restricted only to hand washing and detailing of cars, with no mechanical repairs, and shall only located in a below grade parking garage</li> </ul> |
| b. | Definition of Lot                   | Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by | The Subject Lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of   |

|    | Zoning By-law 1-88 Standards          | C9 Corporate Centre Zone Requirements  | Proposed Exceptions to the C9 Corporate Centre Zone   |
|----|---------------------------------------|--|---|
|    |                                       | Section 49 of the <i>Planning Act</i> .  | 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. |
| c. | Minimum Lot Frontage (Block 6)        | 50 m   | 27 m (Maplecrete Road)  |
| d. | Minimum Lot Area (Block 6)            | 5,000 m <sup>2</sup>   | 3,290 m <sup>2</sup>  |
| e. | Minimum Rear Yard Setback (Block 1)   | 6 m  | 2 m (Street B)  |
| f. | Minimum Exterior Yard Setback         | 3 m  | <u>Block 1</u> : 2.5 m (Maplecrete Road)<br><u>Block 6</u> : 2 m (Street B)   |
| g. | Minimum Setback to All Site Triangles | 3 m  | 0 m   |
| h. | Build-to-Zone                         | <u>Residential Uses</u> :<br>80% of the building shall be located within 3 to 6 m of the Regional Road 7 street line | Permit the reduced building setbacks, as identified in this table   |

|    | <b>Zoning By-law 1-88 Standards</b>                  | <b>C9 Corporate Centre Zone Requirements</b>   | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b>                                 |
|----|--|--|--|
|    |  | <u>Non-Residential Uses:</u><br>80% (along the Regional Road 7 street line) and 50% (along the Maplecrete Road street line) of the building shall be located within 3 to 6 m |  |
| i. | Minimum Setback to Portions of Buildings Below Grade | 1.8 m  | 0 m (Regional Road 7, Maplecrete Road and Street B)  |
| j. | Maximum Balcony Projection                           | 1.8 m into the sight triangle  | 3.6 m into the sight triangle above the third storey (Maplecrete Road and Regional Road 7) |
| k. | Maximum Exterior Side Yard Encroachment              | 1.8 m  | 2.2 m (Block 1) for exterior stairs, landscape planters and outdoor patios                 |
| l. | Minimum Landscape Strip Width                        | 3 m  | 2.4 m (Maplecrete Road)<br>2 m (Street B)<br>0.6 m (east property line)                    |
| m. | Minimum Parking Space Size                           | 2.7 m by 6 m   | 2.6 m by 5.7m  |
| n. | Maximum Driveway Width for Loading                   | 13.5 m   | 22 m (Street B to service Block 6)   |

|    | <b>Zoning By-law 1-88 Standards</b>          | <b>C9 Corporate Centre Zone Requirements</b> | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b> |
|----|--|--|--|
| o. | Minimum Commercial GFA at Ground Floor Level | 60%  | 20%  |

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis.

a) Permitted Use

The introduction of the additional uses is consistent with the policies and the permitted uses in the VMC Secondary Plan, are considered compatible with the planned surrounding uses, implements the VMC Secondary Plan and provides marketing flexibility for the Development.

b) Definition of Lot

The proposed zoning exception to the definition of a “lot” is required to ensure that for zoning purposes, the Subject Lands are deemed to be one lot regardless of future conveyances and to avoid future technical zoning amendments.

c) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a built form and pedestrian realm relationship that is supported in an intensification area with access to higher-order transit. The reduced minimum lot area (Block 6) and lot frontage of the Subject Lands is the result of the extension of Street B that is in accordance with the planned street network of the VMC Secondary Plan. The site-specific development standards (setbacks, projections, encroachments, landscape strip widths) are consistent with the approved development standards related to other high-density developments in the VMC and will enable the built form that is supported by the Development Planning Department.

d) Parking Space Size and Driveway Width

The Development Engineering Department has reviewed the Development and advise they have no objection to the proposed parking space size. The number of parking spaces (1,007) for the Development complies with Zoning By-law 1-88.



The proposed driveway width services Building C and includes a portion of a temporary turning circle. The increase in driveway width accommodates this temporary condition until Street B is extended eastward when the owner of the lands to the east redevelops, as shown on Attachment 5. This will be discussed later in this report.

***The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for future Minor Variance application(s), if required, within two years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Vaughan Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) within two years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.18.009, the Development Planning Department, in recognition of the complexity of this Development, has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***The Development Planning Department has no objection to the Draft Plan of Subdivision, subject to the Conditions of Approval of this report***

The Development Planning Department has no objection to the approval of the Draft Plan of Subdivision (the 'Draft Plan') shown on Attachment 4, subject to the Conditions of Draft Plan Approval included in Attachment 1. The primary purpose of the Draft Plan is to create one mixed-use and one residential development block (Blocks 1 and 6) and a new 22 m wide local street (Street B) that will service the overall Development.

The VMC Secondary Plan conceptually identifies a future north-south local street between Maplecrete Road and Creditstone Road. At the request of the property owner of 2851 Regional Road 7 ('2851') through the Local Planning Appeal Tribunal ("LPAT") in January 2017, this local street was conceptually shifted westward to align with the west property limits of 2851. The Owner has designed Street B to provide for the future extension of this street through 2851, which is expected to be constructed as part of the future redevelopment of 2851. On-going coordination will be required between both property owners.

***The Development Planning Department supports the Site Development Application***

a) Site Design

The proposed site plan shown on Attachment 5 includes the interim Street B condition with a temporary turning circle and the ultimate Street B condition that is extended through 2851. The Development includes three residential apartment buildings with building heights of 40, 34 and seven-storeys that will contribute to a varied skyline in the VMC. The interim site plan condition shows a temporary turning circle at the east terminus of Street B and the ultimate condition is shown to align with the future easterly extension of Street B.

Block 1 includes the two taller buildings on a shared seven-storey podium with ground related commercial uses and residential units with at-grade access from Maplecrete Road. The towers are strategically placed to ensure an appropriate tower separation, which conforms with the policies of the VMC Secondary Plan, within the site and in relation to other adjacent developments. The seven-storey mid-rise building located on the south side of Street B allows for density and building height transition away from Regional Road 7. An easily accessible and central at-grade amenity area would service the residents of the Development with twenty proposed surface parking spaces for the future commercial uses in Block 1.

Block 1 is proposed to be delineated from Block 6 by the extension of Street B. Block 6 is proposed to be developed with the seven-storey mid-rise residential apartment building. It will be serviced by five convenient surface parking spaces. The outdoor amenity area is proposed to activate Maplecrete Road.

The Owner has submitted a wind tunnel model analysis for the Development. The analysis must be revised to include the existing and planned neighbourhood buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm. The final design must include confirmation that the recommended mitigation measures have been appropriately incorporated into the building design, to the satisfaction of the City.

The final site plan, including the signage and lighting plans, and the revised final detailed wind tunnel model analysis and adjustments to the design, if required, must be approved by the Development Planning Department. Conditions to this effect are included in the Recommendations of this report.

b) Site Access

Vehicular access to the Subject Lands is proposed from Street B. Access to Block 1 is proposed via an L-shaped private road that delineates the outdoor amenity area, is designed as a shared space (woonerf) to slow traffic and improve pedestrian safety and provides a mid-block connection to accommodate on-site parking, servicing access and passenger pick-up and drop-off. It is designed as a shared space area for traffic and pedestrians, where barrier-free pedestrian safety is a high priority. A future driveway has been protected that would provide access to the easterly planned north-south local street located on the neighbouring lands, which will be secured upon its redevelopment.

Staff have worked with the Owner to include grade-related residential units along Maplecrete Road. Though individual and direct access to these residential units is preferred, the City acknowledges the constraint of the significant grade change along Maplecrete Road. The design of the pedestrian access and connection to these units considers the on-site grade changes and ensures that this access has been designed to conform with the Accessibility for Ontarians with Disabilities Act (“AODA”) standards.

In addition to the pedestrian connections, cycling infrastructure and amenities are provided within and around the Development that encourage slower vehicular travel and promote active transportation. The proposed accessible bicycle parking facilities are well distributed throughout the Development and will encourage active transportation and assist in improving safety for cyclists.

c) Landscape

The proposed interim and ultimate landscape plan is shown on Attachment 6, which illustrates both a temporary turning circle condition for Street B and the ultimate enhanced urban landscape treatment for the Development. The Owner is required to make the satisfactory arrangement with the City to provide the financial requirements within the Subdivision Agreement for the cost to remove the temporary turning circle along Street B and reinstate Street B to the ultimate road condition, including streetscape and servicing infrastructure. A condition to this effect is included in Attachment 1 of this report.

Sufficient levels of illumination will be provided to ensure safety for the public. The proposed lighting and site furnishings will be designed to be coordinated with the VMC Streetscape Open Space Plan. As well, the landscape plan has been coordinated to enable the future hydro undergrounding works along Regional Road 7.

The final interim and ultimate landscape plan must be approved by the Development Planning Department and conditions to this effect are included in the Recommendations of this report.

d) Building Elevations

The proposed Building A and B elevations and perspectives, illustrated on Attachments 7 to 13, include a signature metal balcony design and vertical perforated panels that frame the development and provide for a strong tower articulation. The Building C podium incorporates solid masonry detailing that creates a pedestrian-friendly scale to frame the amenity space, provides for material differentiation within the development and enhances the sense of place. Active uses, such as residential lobbies and at-grade entrance for commercial uses are provided to create a fine-grain and interesting street frontage.

The tower and mid-rise building expression is supported by the Development Planning Department; however, the Owner will be required to demonstrate the appropriate treatment and articulation of the built form to ensure activation of the public realm edges, specifically the interface with the proposed private amenity area. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department is satisfied with the Development, as shown on Attachments 5 to 13, subject to the conditions 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 November 30, 2017, and September 27, 2018, considered the Development. At the November 30, 2017 meeting, the Panel identified missed opportunities with the first submission that required reconsideration. The Panel suggested several refinements that focused on improved connectivity with surrounding open spaces, including the Edgeley Pond and Park; improved transit connections and pedestrian access to Regional Road 7; enhanced linkages between the indoor and outdoor amenity areas; and minimizing vehicular connections and optimizing servicing within the site. Panel also commented on the mix of uses, architectural expression and tower orientation.

At the September 27, 2018 meeting, the Panel acknowledged that the second submission was an improvement from the first submission; however, Panel identified that further refinements were required including, but not limited to:

- a) improvements to the at-grade program and circulation to create more direct visual and physical connections to the amenity space
- b) the modulation of the building facades to create a more vertical segregation in the podium

- c) articulation of the podium and mid-rise building to reduce the horizontal elements and break the façade expanse
- d) architectural expression refinements, particularly the extruded white massing as a special feature element that breaks away from the linear balconies.

The Owner has responded to the Panel's comments by creating a stronger north-south mid-block connection; introducing the use of unit pavers in-lieu of coloured pattern asphalt; refining the architectural expression; and further articulating the ground floor and podium areas.

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

***The Development Engineering Department supports the Development, subject to the conditions in this report***

The Development Engineering Department has provided the following comments regarding the Development:

**Road Network**

Maplecrete Road and Regional Road 7 will be required to accommodate turning lanes for a full movement signalized intersection. The existing Maplecrete Road is required to be widened to accommodate a minimum 26 m ROW that would support future development growth within the VMC Area. To service the Development, the Owner must design and reconstruct a portion of the existing Maplecrete Road. The road improvements extend past the south limits of the Subject Lands and then will taper back to the existing Maplecrete Road condition.

The proposed Street B, which conforms with the street network in the VMC Secondary Plan, is planned to ultimately connect to Creditstone Road. In the interim, Street B on the Subject Lands is proposed to terminate at a temporary turning circle. The ultimate Street B cross-section and 22 m ROW width shall be designed and protect for its future extension to Creditstone Road, to the satisfaction of the City, and in accordance with the VMC Secondary Plan.

**Noise Attenuation**

The Owner submitted the Environmental Noise Assessment, dated November 7, 2018, and prepared by Novus Environmental, which identified the noise control measures for the Development. The analysis considered the road traffic on Regional Road 7 and Jane Street, future VivaNext BRT system, and the operation associated with the CN MacMillan rail yard. Due to the significant setback of the Subject Lands to the CN

MacMillan rail yard, the analysis concluded that these noise sources are expected to be minimal and may be audible at times.

The analysis concluded that road traffic noise is a concern but can be mitigated by appropriate construction of exterior walls, windows and doors, in accordance with the MECP guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as an outdoor living area pursuant to the MECP guidelines. Dwelling units that abut or face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses shall be in the purchase and sale agreements to advise the future occupants of the potential noise situation. The Owner shall ensure that the recommendations contained in the assessment are incorporated in the building design and that an adequate field inspection is provided to validate the requirements during construction at the time of Building Permit review, to the satisfaction of the City.

#### Municipal Servicing

The Development is located within the southeast quadrant of VMC Area. The anticipated growth within the VMC Area result in higher population densities, which lead to an increased demand for water, wastewater production and surface water run-off during rain events. To address this situation, the City has completed a Municipal Servicing Master Plan, which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth within VMC.

In response, the Owner submitted a Functional Servicing and Stormwater Management Report ("FSR"), dated October 2018, and prepared by Schaeffers Consulting Engineers. The FSR confirmed that the existing municipal services can be used to service the Development. The Owner is required to submit a revised FSR for review by Development Engineering that addresses the comments provided. The following provides an overview of the servicing strategy for the Development:

a) Water Supply

The Development is located within Pressure District 6 of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan ("SSMP"), the servicing strategy for the Development includes installation of a new 400 mm diameter watermain along Maplecrete Road between Regional Road 7 and Doughton Road.

b) Sanitary Servicing

In accordance with the VMC SSMP, the servicing strategy and the Owner's submitted FSR recommended the installation of a new sanitary sewer along Maplecrete Road between Regional Road 7 and Doughton Road and along

Doughton Road between Maplecrete Road and Jane Street to service the Development.

An update to the VMC SSMP is being undertaken for the southwest quadrant of the VMC. The update to the Master Environmental Servicing Plan will further analyze the sanitary sewer capacities and make recommendations for upgrades or improvements to the City's infrastructure while accounting for the overall increased densities within the VMC.

c) Storm Drainage

The VMC is within the Humber River watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Edgeley Pond (quality, quantity and erosion protection).

The Development will be serviced by a new connection to the proposed upgraded 1200 mm diameter storm sewer on Maplecrete Road. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority Humber River Unit Flow Rates.

Sewage and Water Allocation

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. Accordingly, servicing capacity to Site Development File DA.18.037 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

"THAT Site Plan Development File DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 935 residential units (2,066 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol if, at the discretion of the City, the proposed development does not proceed to registration within a reasonable timeframe."

A condition to this effect is included in the Recommendations of this report.

Environmental Site Assessment ("ESA")

Based on the review of the Phase One and Two ESAs prepared by Terraprobe, the Owner is required to sign the Remedial Action Plan ("RAP") and resubmit the completed

RAP to the satisfaction of the City. Impacts from petroleum hydrocarbon and salt/pH-related were identified in the soils on the Subject Lands that require remediation. Therefore, in accordance with the City's contaminated sites policy, the Holding Symbol ("H") shall be applied to the Subject Lands in the Zoning By-law amendment and the Holding Symbol shall not be removed until the Owner obtain and file for a MECP RSC that is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands. A condition to this effect is included in the Recommendation of this report.

#### Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Report for the Development. The Report shall recommend the ground water control measures that need to be implemented during detail design stage, and assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development. A condition to this effect is included in the Recommendations of this report.

#### Development Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, for the widening and construction of the Maplecrete Road ROW, to the satisfaction of the Development Engineering Department. A condition to this effect is included in the recommendation of this report.

#### Energy Infrastructure

Policy 5.2 of the VMC Secondary Plan includes the provision for the implementation of a district energy system to serve public and public developments. This initiative and the infrastructure to support it have not been successfully pursued in the VMC. Therefore, the Owner has not proposed this energy infrastructure, which is acknowledged by the Development Engineering Department.

#### ***The Financial Planning and Development Finance Department requires the Owner to pay the applicable Development Charges***

The Financial Planning and Development Finance Department assessed the Development and advised that the Owner is required to pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect is included in the Recommendations of this report.



***The Owner is required to provide 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 Development Planning Department. 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 reflected in the Recommendations of this report.

***The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the Development***

Should Council approve the Applications, the proposed condominium tenure for the Development will be created through a future Draft Plan of Condominium application(s), which is subject to approval by Council. The future condominium corporation(s) will be responsible for all common elements in the Development, including but not limited to parking and all landscape elements.

***The Urban Design and 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 immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

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

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

The Real Estate Department has provided the following condition of approval, which is included in the Recommendations of this report:

“For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or 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.”

***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) will 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). A condition to this effect is included in the Recommendations of this report.

***The Canadian National Railway has no objection the Development***

The Subject Lands are within the review area of the Canadian National (“CN”) Railway. CN has reviewed the Owner’s Environmental Noise Assessment. In a letter dated November 19, 2018, CN advised that they have no objection to the Development.

***NavCanada and Bombardier Aerospace have no objection to the Development***

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the Development.

***The Ministry of Transportation Ontario has no objection to the Development***

The Ministry of Transportation Ontario (the “MTO”) has indicated no objection to the Development subject to the Owner obtaining a Building and Land Use Permit from the MTO. A condition to this effect is included in the Recommendations of this report.

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

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

***Bell Canada has no objection to the Development provided a condition is included in the Site Plan Agreement***

Bell Canada ("Bell") has advised the Owner contact Bell during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the Development and that the following condition be included in the Site Plan Agreement:

"The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements."

A condition to this effect is included in the Recommendations of this report.

***The School Boards have no objection to the Development***

The York Catholic District School Board has advised that they will not require a public elementary school site within the Development. The York Region and the French School Boards have no comments or objections 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 and that the Development must meet the minimum clearances from their underground electrical distribution systems. 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 has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to the installation and clearance requirements for service and metering facilities.

Rogers Communication Inc. has no objection to the Development.

## **Financial Impact**

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

## **Broader Regional Impacts/Considerations**

***York Region Community Planning and Development Services has no objection to the Development***

The York Region Official Plan 2010 (“YROP 2010”) designates the Subject Lands as “Urban Area” and located within a “Regional Centre” by Map 1 - “Regional Structure.” York Region has advised, in the letter dated September 26, 2018, that the amendments to VOP 2010 are a routine matter of local significance and in accordance with Regional Official Plan policy 8.3.8, and that the proposed Amendment does not adversely affect Regional planning policies or interests.

York Region has indicated they have no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment 1. These comments must be addressed prior the execution of the Site Plan Agreement with York Region and in accordance with the Recommendations of this report.

## **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.18.005 and Z.18.009, Draft Plan of Subdivision File 19T-18V005 and Site Development File DA.18.037 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010 policies, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, 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, and implements the VMC Secondary Plan.

The Development Planning Department is satisfied that the Development shown on Attachments 5 to 13, is compatible with the existing and permitted uses in the surrounding area. The Development Planning Department is also satisfied that the Development represents good planning for the reasons identified in this report, and that the Owner’s contribution of community benefits is appropriate. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions included in Attachment 1 and the Recommendations of this report.

For more information, please contact Stephen Lue, Senior Planner, Extension 8210.

## **Attachments**

1. Conditions of Draft Plan Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-18V005 & Proposed Zoning
5. Interim and Ultimate Site Plan
6. Interim and Ultimate Landscape Plan
7. Buildings A and B North Building Elevations (Along Regional Road 7)
8. Buildings B and C West Building Elevations (Along Maplecrete Road)
9. Buildings A and B South Building Elevations (Along Street B)
10. Buildings A and C East Building Elevations (East Property Line)
11. Building C South Building Elevations (South Property Line)
12. Building C North Building Elevations (Along Street B)
13. Colour Perspective (Regional Road 7 & Maplecrete Road)

## **Prepared by**

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Christina Bruce, Director, VMC Program, extension 8231

Mauro Peverini, Director of Development Planning, extension 8407

/CM

## **ATTACHMENT 1**

**CONDITIONS OF DRAFT APPROVAL  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 ('THE PLAN')  
1930328 ONTARIO INC. ('THE OWNER')  
PART OF LOT 5, CONCESSION 4, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('THE CITY') THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF THE PLAN, ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment 1a.
2. The Conditions of Approval of York Region set out on Attachment 1b and dated September 26, 2018.

### **Clearances**

1. The City shall advise that the Conditions on Attachment 1a have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise that the Conditions on Attachment 1b have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

**ATTACHMENT 1A**  
**CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 ('THE PLAN')  
1930328 ONTARIO INC. ('THE OWNER')  
PART OF LOT 5, CONCESSION 4, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('CITY') THAT  
SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF THE  
PLAN ARE AS FOLLOWS:**

**City of Vaughan Conditions**

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by MHBC Planning Urban Design & Landscape Architecture, File No. 1512 D, and dated February 26, 2018.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay all outstanding application fees to the City's Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, regarding such matters as the City may consider necessary, including the payment of development levies, the provision of roads and municipal services, and landscape and fencing. The said Agreement shall be registered against the lands to which it applies.
5. The road allowance included within the Plan shall be dedicated as public highways without monetary consideration.
6. The road allowance included in the Plan shall be named to the satisfaction of the City and York Region.
7. The road allowance included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves, as required. The pattern of the street and the layout of blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
8. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 m reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

9. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City. Construction staging areas, staging and construction vehicle parking plans shall be approved by the City.
10. Prior to final approval of the Plan, the Owner shall convey all necessary easements as may be required for utility, drainage or construction purposes, and to facilitate the hydro undergrounding on Regional Road 7 to the appropriate authority(ies), free of all charge and encumbrance.
11. Prior to final approval of the Plan, the Owner shall submit to the City for review and approval a detailed geotechnical report, hydrogeological report, and dewatering report, to the satisfaction of the Development Engineering Department, which shall address the following, but not limited to:
  - a) a dewatering report/plan, necessary contingency plan, monitoring and reporting program during and after completion of the construction
  - b) assessment of the potential for impact to the existing building structures in vicinity of the Development due to dewatering operations
  - c) design considerations for municipal services and structures.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions, to the satisfaction of the City.

12. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the Development.
13. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the Development. The City agrees to utilize its reasonable efforts to recover the Owner's costs of any external municipal services that have been designed and oversized by the Owner to accommodate any benefitting owners.
14. Prior to final approval of the Plan, the Owner shall submit a revised environmental noise assessment, prepared in accordance with MECP NPC-300 for review and approval by the City. The preparation of the revised environmental noise assessment shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved



revised environmental noise assessment and include the necessary warning clauses in all Offers of Purchase and Sale or Lease, to the satisfaction of the City.

15. Prior to final approval of the Plan, the Owner shall prepare construction drawings for review and approval, details of the sewer and water system, plan and profile drawings within and along the development limit, intersection of Street B / Maplecrete Road / Regional Road 7. The Owner agrees to adjust the Block and road property limits on the final Plan based on the approved road alignment and right-of-way width, to the satisfaction of the City.
16. Prior to earlier of the initiation of any grading or registration of the Plan, the Owner shall submit to the City for review and approval a detailed engineering report that conforms with the VMC Master Servicing Strategy Study and the final Black Creek Renewal Class Environmental Assessment Study. The detailed engineering report shall describe the storm drainage system for the Development within this Plan, and the report shall include:
  - a) plans to illustrate how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system
  - b) the location and description of all outlets and other facilities
  - c) storm water management techniques, which may be required to control minor or major flows
  - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
17. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports, to the satisfaction of the City.
18. The Owner shall relocate or decommission any existing municipal infrastructure or utilities, whether internal or external to the Plan to facilitate the Plan, at its own expense, to the satisfaction of the City.
19. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a buried hydro distribution system for the LED streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided in accordance with the VMC requirements, to the satisfaction of the City.

20. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until determined by the City or until assumption of the Plan. To maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
21. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed Subdivision Agreement to:
  - a) York Region District School Board
  - b) York Catholic District School Board
  - c) Canada Post
  - d) Canadian National Railway ("CN")
  - e) Municipal Property Assessment Corporation ("MPAC")
  - f) Alectra Utilities Corporation
  - g) Enbridge Gas
  - h) the appropriate telecommunication provider
  - i) NavCanada
  - j) Bombardier Aerospace
  - k) York Region.
22. Prior to final approval of the Plan, the Owner shall submit, to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the Block areas, frontages and depths in accordance with the approved Zoning By-law for all Blocks within the Plan.
23. The Owner shall dedicate all roads, daylight triangles and road widenings shown on the Plan, to the satisfaction of the City.
24. Prior to final approval of the Plan, the Owner's consultant shall certify that the roads and municipal services within the Plan have been designed to comply with the approved Functional Servicing Report, the VMC Master Servicing Strategy Study, the Black Creek Optimization Study, the final Black Creek Renewal Class Environmental Assessment Study and Transportation Master Plan.
25. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider(s) to provide services, and if required within the municipal ROW at the approved locations, to the satisfaction of the City.

26. Prior to final approval of the Plan, the Owner shall satisfy the following:
- a) provide a functional road/intersection analysis/design to address the ROW under ultimate development conditions. The required road allowances shall be designed in accordance with the City and York Region's standards for road and intersection design
  - b) provide a phasing and implementation plan, which includes details concerning such matters as the ultimate and interim traffic and transportation system, to the satisfaction of the City and York Region, and the specific required infrastructure improvements and development triggers to support the Development
  - c) submit an updated detailed traffic impact study addressing all the transportation related comments as detailed below to inform the detailed design of Maplecrete Road and Street B, including:
    - i) the Synchro analysis of Maplecrete Road and Regional Road 7 for the design input
    - ii) the required detailed storage and queuing analysis to review any impacts of potential queuing vehicles onto Maplecrete Road, Regional Road 7 and the Subject Lands. The site access and roadway intersections shall include ample storage on site to store all the queued vehicles during the busiest peak hours. The existing queuing information of Maplecrete Road and Regional Road 7 shall also be included in the study for comparison purposes with the future traffic conditions
  - d) submit engineering plans showing, as applicable, all sidewalk locations and YRT/ VivaNext standing areas and shelter pads subject to YRT/ VivaNext approval, to the satisfaction of the City and York Region.
27. The Owner shall agree in the Subdivision Agreement to pay its proportionate share of the costs associated with implementing the recommendations of the approved VMC Master Servicing Strategy, to the satisfaction of the City. Financial commitments will be secured based on the City's latest available cost estimates for the required infrastructure improvements.
28. The Owner shall agree in the Subdivision Agreement to design and construct at its own cost the municipal services for the Plan, in accordance with the final recommendations and conclusions of the approved VMC Master Servicing Strategy, to the satisfaction of the City.

29. The Owner shall agree in the Subdivision Agreement to design and construct at no cost to the City the storm water drainage infrastructure for the Plan, in accordance with the final recommendations and conclusions of the approved VMC Master Servicing Strategy, the final Black Creek Renewal Class Environmental Assessment Study and City standards, to the satisfaction of the City.
30. Prior to the earlier of either the final approval of the Plan, or the conveyance of land, or any initiation of grading or construction, the Owner shall implement the following, to the satisfaction of the City:
- a) submit a Phase One Environmental Site Assessment (“ESA”) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (“RAP”), Phase Three ESA report in accordance with Ontario Regulation (O.Reg.) 153/04, as amended, for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City
  - b) should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the MECP document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*”, as amended. The Owner shall submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (“RSC”s) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan
  - c) submit a certificate letter prepared by the Owner’s Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and York Region were remediated in accordance with O. Reg. 153/04, as amended, and the accepted RAP, if applicable, are suitable for the intended land use, and meet the applicable Standards set out in the MECP document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*”, as amended
  - d) reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
31. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Lots and Blocks on the Plan:

- a) "Purchasers and/or tenants are advised that Street B will be extended easterly in the future in accordance with VMC Secondary Plan to facilitate development of adjacent lands without further notice."
32. The following warning clauses shall be included in the Agreements of Purchase and Sale, Condominium Declarations, Condominium Agreement(s) and Subdivision Agreement:
- a) "This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks."
  - b) "This dwelling unit has been supplied with a central air conditioning system which will allow windows closed and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment, Conservation, and Parks."
  - c) "Purchasers/tenants are advised that due to the proximity of the adjacent industrial and commercial facilities, sound levels from these facilities may at times be audible."
  - d) "That Canadian National Railway Company ("CN") is the owner of certain lands known as its MacMillan Rail Yard (the 'CN Lands') located within a kilometer of the Subject Lands, and that the CN Lands are now and will continue to be used for the present and future railway and trucking facilities and operations of CN and its customers on a continuous basis (24 hours of each day in each year) including, without limitation, the operation and idling of diesel locomotives and trucks with the generation of diesel fumes and odours, 24 hours a day artificial lighting of the CN Lands which may illuminate the sky, the classification, loading, unloading, braking and switching of rail cars containing bulk and other commodities including hazardous substances and/or goods containing the same which can make wheel squeal, noise, vibration, odours, airborne particulate matter and/or dust and the operation of various processes for the maintenance of rail and truck equipment."
  - e) "That CN, its customers, invitees, lessees and/or licensees will not be responsible for any complaints or claims by or on behalf of the owners and occupant of the Subject Lands from time to time arising from or out of or in

any way in connection with the operation of the CN Lands and all effects thereof upon the use and enjoyment of the Subject Lands or any part thereof, and whether arising from the presently existing facilities and operations of CN, its customers, invitees, lessees or licensees, upon or from any and all future renovations, additions, expansions and other changes to such facilities and/or future expansions, extensions, increases, enlargements and other changes to such operations.”

- f) “That CN shall not be required to change any of its facilities or operations upon the CN Lands as a result of or in response to any such complaints or claims.”
  - g) “That CN may be in the future renovate, add to, expand or otherwise change its facilities on the CN Lands and/or expand, extend, increase, enlarge or otherwise change its operations conducted upon the CN Lands.”
  - h) “That an agreement under the Industrial and Mining Lands Compensation Act has been entered into between the Owner of the whole of the Subject Lands and CN releasing any right you may have or in the future to sue CN, its customers, invitees, lessees and/or licensees for nuisance arising out of the operation of an activity at the CN lands, include any noise, vibration, light, dust, odour, particulate matter emanating therefrom.”
  - i) All units on north and east facades - “Noise levels from CN’s MacMillan Rail Yard may not meet the maximum noise limits of the Ministry of the Environment, Conservation and Parks criteria, as defined in Noise Assessment Criteria in Publication NPC-300, “Environmental Noise Guideline – Stationary and Transportation Noise Sources - Approval and Planning”. Noise Levels from activities from the CN MacMillan Rail Yard could potentially cause discomfort or annoyance and/or interrupt conversations in outdoor areas.”
33. Prior to earlier of the initiation of any grading or construction on the Subject Lands, the Owner shall install erosion and sediment controls. The Erosion and Sediment Control Plan shall be designed and approved to the satisfaction of the City.
34. Prior to earlier of the registration of the Plan of Subdivision or commencement of construction on the Subject Lands, the Owner shall provide plans and designs for the grading of the lands, the roads and municipal services, to the satisfaction of the City.

35. Prior to commencement of construction, the Owner shall obtain the necessary approvals from the MECP for all sewage works that service the Development including, but not limited, to proposed stormwater management facilities (sewers, underground storm tank and oil and grit separator), sanitary sewers and watermain.
36. The Owner shall agree in the Subdivision Agreement to design and construct, at no cost to the City, Street B and the associated services, to the satisfaction of the City.
37. The Owner shall agree in the Subdivision Agreement to design, and construct the improvements to the sanitary and storm sewers on Maplecrete Road and Doughton Road, the water supply system improvements along Maplecrete Road from Regional Road 7 to Doughton Road, and the necessary road and Low Impact Development (“LID”) improvements to Maplecrete Road, to service the Plan, in accordance to VMC Master Servicing Plan and the Black Creek Renewal Class Environmental Assessment Study, all to the satisfaction of the City. Some of these works are considered growth related and included in the current City’s background study.
38. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the water supply system improvements along Maplecrete Road from Regional Road 7 to Doughton Road to service the Plan, in accordance to the VMC Master Servicing Strategy, all to the satisfaction of the City.
39. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the sanitary sewer improvements along Maplecrete Road from Regional Road 7 to Doughton Road, and along Doughton Road from Maplecrete Road to Jane Street to service the Plan, in accordance to the VMC Master Servicing Strategy, all to the satisfaction of the City.
40. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the storm sewer improvements along Maplecrete Road from Regional Road 7 to Doughton Road to service the Plan, in accordance to the VMC Master Servicing Strategy and the final Black Creek Renewal Class Environmental Assessment Study, all to the satisfaction of the City.
41. The Owner shall agree in the Subdivision Agreement to design, replace and construct to the approved engineering drawings the necessary road and LID

improvements along Maplecrete Road from Regional Road 7 to the south limits of the Plan, all to the satisfaction of the City.

42. The Owner shall agree in the Subdivision Agreement to provide the necessary financial securities for the cost associated with the removal of the temporary turning circle on Street B and reinstatement of Street B to the ultimate road condition including streetscape and servicing infrastructure, to the satisfaction of the City.
43. The Owner shall design and construct the following streetscape works in accordance with City standards, the “City-wide Streetscape Implementation Manual” and “VMC Streetscape & Open Space Plan” (collectively, the ‘Streetscape Guidelines’) to the satisfaction of the City. The streetscape works shall also be designed and constructed to complement and be coordinated with the design and construction of the enhanced boulevard works installed along Regional Road 7, to the satisfaction of the City and York Region. The Owner shall design and construct:
  - a) The streetscape along the south side of Regional Road 7 to the limit of the completed works by VivaNext from Maplecrete Road to the easterly limits of the Subject Lands at an enhanced level of service to the satisfaction of the City (the ‘South Regional Road 7 Works’)
  - b) The streetscape along the east side of Maplecrete Road from Regional Road 7 to the southern limits of the Subject Lands at a standard urban level of service to the satisfaction of the City (the ‘East Maplecrete Road Works’). The Owner acknowledges that the ultimate design of the west side of the streetscape shall be updated to reflect the revised landscape concept for the Maplecrete Road boulevard
  - c) The interim and ultimate streetscape along Street B to an enhanced level of service to the satisfaction of the City (the ‘Street B Works’).

The South Regional Road 7 Works, East Maplecrete Road Works and Street B Works are collectively referred to herein as the ‘Streetscape Works.’

44. The Owner shall design and construct both street lighting and pedestrian scale lighting to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City’s Streetscape & Open Space Plan.
45. Prior to final approval of the Plan, the Owner shall prepare detailed streetscape and open space construction drawings as part of the subdivision construction drawing package based on the Streetscape & Open Space Plan, to the



satisfaction of the City. Streetscape cost estimates shall be submitted to the satisfaction of the City. Securities will be taken, and the value calculated based on the full cost of the Streetscape Works. The Owner shall provide securities for both the interim streetscape implementation and the conversion of the interim Streetscape Works to the ultimate condition, to the satisfaction of the City.

46. In the event that there is additional work or increases in the cost of the Streetscape Works attributable to unforeseen circumstances or other problems encountered during construction by the Owner, the Owner shall notify the City, but the Owner shall not be obligated to obtain the City's consent to authorize such additional work or increase in the cost of the Streetscape Works, except for major changes that exceed ten percent (10%) of the original cost of any one item in the construction contract for the project, in which case the City's consent shall be required. As construction proceeds, the Owner shall produce, if requested, copies of all supplementary contracts and change orders to the City for information.
47. When the construction of the Streetscape Works has been substantially completed to the satisfaction of the City, the Owner shall provide the City with the following information:
  - a) a certification from a registered consulting engineer and a registered landscape architect that confirms the Streetscape Works have been constructed in accordance with the approved Construction Drawings, City standards and specifications, sound engineering practices, and the Streetscape Guidelines
  - b) a detailed breakdown of the final as-constructed costs of the Streetscape Works certified by a professional consulting engineer, to the satisfaction of the City
  - c) a Statutory Declaration from the Owner confirming that all accounts in connection with the design and construction of the Streetscape Works have been paid in full and that there are no outstanding claims related to the subject works
  - d) a complete set of "As-Constructed" Construction Drawings for the Streetscape Works, to the satisfaction of the City
  - e) copies of all final executed construction contracts, approved contract extras and change orders related to the construction of the Streetscape Works, to the satisfaction of the City

- f) copies of all quality assurance test results, supplementary geotechnical reports and construction related reports.
- 48. Upon completion of the East Mapcrete Road Works and receipt of final actual cost certified by the consultant, the City shall reimburse the Owner the lesser of fifty percent (50%) of the final actual certified cost of the East Mapcrete Works or \$63,074.00 when funds for the Mapcrete Works are available and included in an approved capital project.
- 49. The Owner shall indemnify and save harmless the City and/or their employees from all actions, causes of actions, suits, claims and demands whatsoever, which may arise directly or indirectly by reason Streetscape Works or service provided under the Subdivision Agreement.
- 50. Prior to final approval of the Plan, the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted has met the minimum requirement of 20 m<sup>3</sup> of growing medium in a shared tree pit or 30 m<sup>3</sup> of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the City.
- 51. Prior to final approval of the Plan, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.



Corporate Services

September 26, 2018

Mr. Mauro Peverini  
Director of Development Planning  
City of Vaughan  
2141 Major Mackenzie Drive  
Vaughan, ON L6A 1T1

Attention: Stephen Lue, Senior Planner

**RE: Official Plan Amendment OP.18.005 (LOPA.18.V.0022)**  
**Zoning By-law Amendment Z.18.009 (ZBA.18.V.0061)**  
**Draft Plan of Subdivision 19T-18V005 (SUBP.18.V.0019)**  
**Lot 3, Registered Plan 7977**  
**2871 Highway 7**  
**(1930328 Ontario Inc.)**  
**City of Vaughan**

The subject site is located at 2871 Highway 7, on the southeast corner of Highway 7 and Maplecrete Road. The proposal will facilitate creation of two future development blocks comprised of two residential towers, 33 and 39-storeys in height, a 7-storey mid-rise building, 1430 parking spaces and 1,720 m<sup>2</sup> of amenity space, within a 1.45 ha site.

## **Official Plan Amendment**

### **Purpose and Effect of the Proposed Amendment**

The subject lands are designated as "Station Precinct" by the Vaughan Metropolitan Centre Secondary Plan 2018 Office Consolidation (VMCSP 2018). The proposed OPA will amend "Schedule I" of the VMCSP 2018 to increase the maximum building height from 30-storeys to 39-storeys and increase the permitted FSI from 5.0 to 5.72.

### **2010 York Region Official Plan**

The subject site is designated "Urban Area" by the York Region Official Plan (2010), which permits a wide range of residential, commercial, industrial and institutional uses. Section 5.3 of YROP 2010 sets out policies related to addressing residential and employment intensification within York Region. Based on our review, the proposed OPA generally conforms to the Regional Official Plan as it will assist in building complete communities and will help in ensuring that a minimum of 40% of all residential development in York Region occurs within the built-up area as defined by the Province's Built Boundary in Places to Grow: Growth Plan for the Greater Golden Horseshoe (YROP 2010 Policy 5.3.1). Infill and redevelopment within intensification

areas should be compatible with the built form of adjacent areas and support the use of existing infrastructure, including streets (YROP 2010 Policies 5.3.4 & 5.3.6).

Regional staff encourages the proposed development to have an integrated and innovative approach to water management, be water efficient, and minimize stormwater volumes and contaminant loads and maximize infiltration through an integrated treatment approach (Policy 5.2.11). We would also recommend the development be encouraged to be designed to achieve energy efficiency levels that exceed the Ontario Building Code (Policy 5.2.20); to achieve 10% greater water efficiency than the Ontario Building Code (Policy 5.2.22); be designed to maximize solar gains, be constructed in a manner that facilitates future solar installations (i.e. solar ready) (Policy 5.2.26); and, incorporate green building standards, such as LEED®, ENGERGY STAR®, or other emerging technologies (Policy 7.5.12).

This application and associated request for exemption from Regional approval was considered by Regional staff. Based on our review, the proposed OPA appears to be a routine matter of local significance. Furthermore, in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests.

Pursuant to Council authorization specified in By-law A-0265-1999-017, this application is hereby exempted from approval by Regional Planning Committee and Council. This allows the Amendment to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period.

#### **Zoning By-law Amendment**

The zoning by-law amendment proposes to rezone the subject lands from “EM1 Prestige Employment Area Zone” to “C9 Corporate Centre Zone”. This is considered a matter of local significance and Regional Planning staff do not have comments on the proposed amendment.

#### **Draft Plan of Subdivision**

##### Transportation

The Regional Transportation and Infrastructure Planning Branch have reviewed the Transportation Impact Study (TIS), prepared by BA Group, dated March 2018 and technical comments are attached.

##### Sanitary Sewage and Water Supply

Residential development requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2021 pending the outcome of the Class EA
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

The Functional Servicing Report and the Site Servicing Plan indicate that the proposed development is serviced by existing City of Vaughan wastewater and water infrastructure in the Maplecrete Road right-of-way. Should there be any change in the proposed servicing scheme, the Owner shall forward the revised plan to the Region for review and record.

The Owner is advised that the Regional 750mm diameter Highway 7 Jane PD6 Watermain is located in the north side of Highway 7 and the integrity of the aforementioned infrastructure is to be maintained at all time during the grading and construction activities of the proposed development. The Owner shall notify Frank Badinski ([Frank.Badinski@york.ca](mailto:Frank.Badinski@york.ca), 1-877-464-9675 Ext. 73047), Construction Coordinator, 48 hours in advance of the pre-construction meeting and/or any work commencing on the site or within the Regional right-of-way.

#### Summary

York Region has no objection to the proposed Official Plan Amendment, zoning by-law amendment, and draft plan of subdivision subject to the aforementioned comments and the attached Schedule of Conditions. We request that a copy of the Notice of Decision be forwarded to this office.

Please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at [Justin.Wong@york.ca](mailto:Justin.Wong@york.ca) should you require further assistance.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P.  
Director of Community Planning and Development Services

JW/

Attachments (2)      Schedule of Conditions  
Technical Memorandum

YORK-#8821579-v1-OP\_18\_005\_&\_19T-18V005\_-\_OPA\_Comments\_and\_Subdivision\_Condition\_Letter

**Schedule of Conditions  
19T-18V005 (SUBP.18.V.0019)  
Lot 3, Registered Plan 7977  
2871 Highway 7  
(1930328 Ontario Inc.)  
City of Vaughan**

Re: MHBC Planning, File No. 1512 D, dated February 26, 2018

**Conditions to be Included in the Subdivision Agreement**

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall agree that any direct connection(s) to and/or the crossing(s) of a York Region water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection(s) and/or crossing(s) shall be submitted to the Community Planning and Development Services for approval.
3. The Owner shall advise all potential purchasers of the existing transit services in this development.

**Conditions to be Satisfied Prior to Final Approval**

4. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
5. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within this draft plan of subdivision or any phase thereof.
6. If all or part of the servicing allocation for the development, or any phase thereof is dependent on the Owner's participation in any program dealing with sustainable development or the reduction of inflow and infiltration, the City of Vaughan shall confirm to the Region that all applicable program requirements will be met by the Owner.
7. The Owner shall provide a revised Transportation Impact Study to the satisfaction of the Region.
8. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands

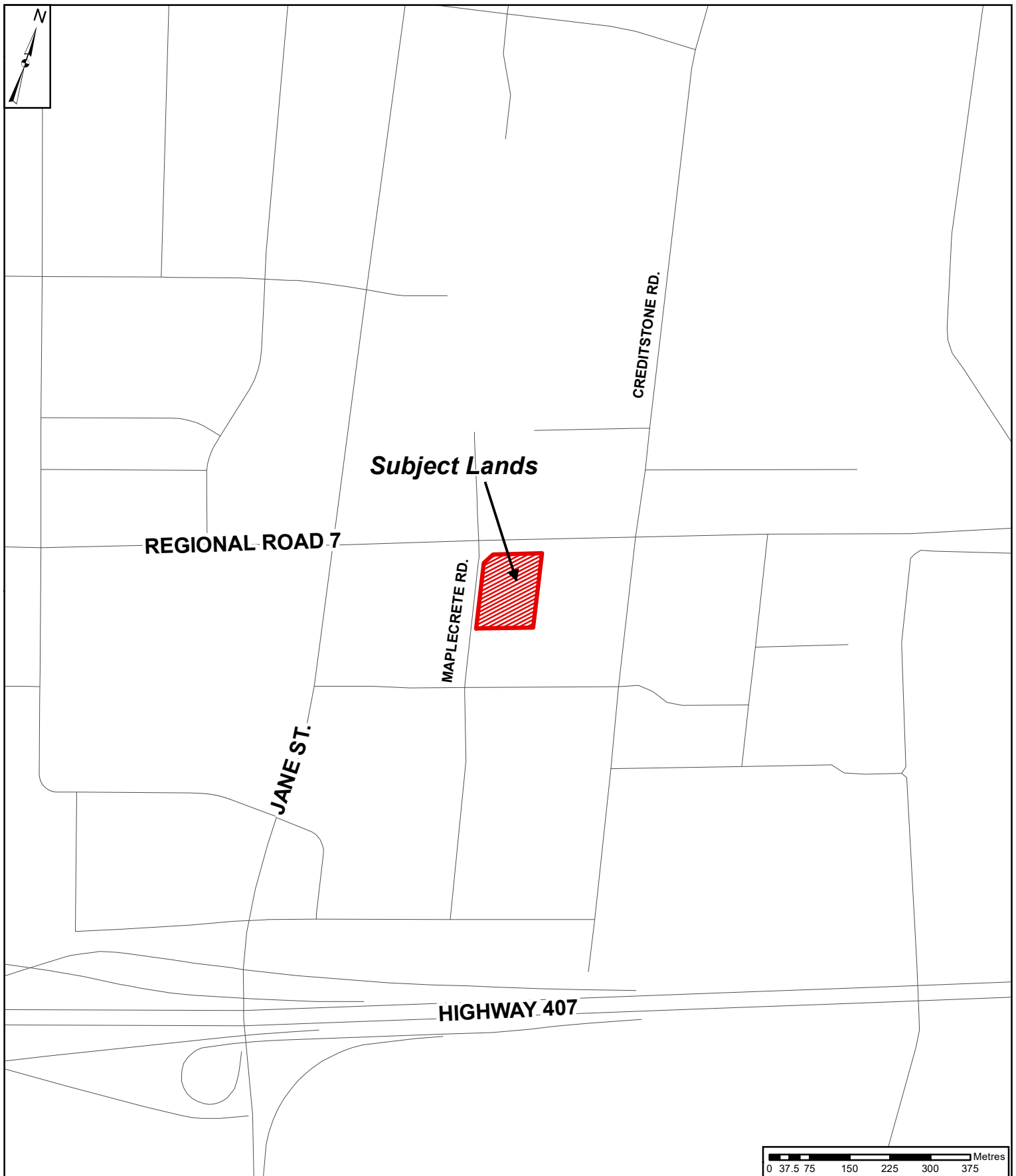
to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands. The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

9. Upon registration of the plan, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
  - a) A widening across the full frontage of the site where it abuts Highway 7 of sufficient width to provide a minimum of 22.5 metres from the centreline of construction of Highway 7, and
  - b) A 5 metre by 5 metre daylight triangle at the northeast corner of the subject site.
10. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.

11. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
12. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
13. The Regional Corporate Services Department shall advise that Conditions 1 to 12 inclusive, have been satisfied.





## Context Location Map

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.



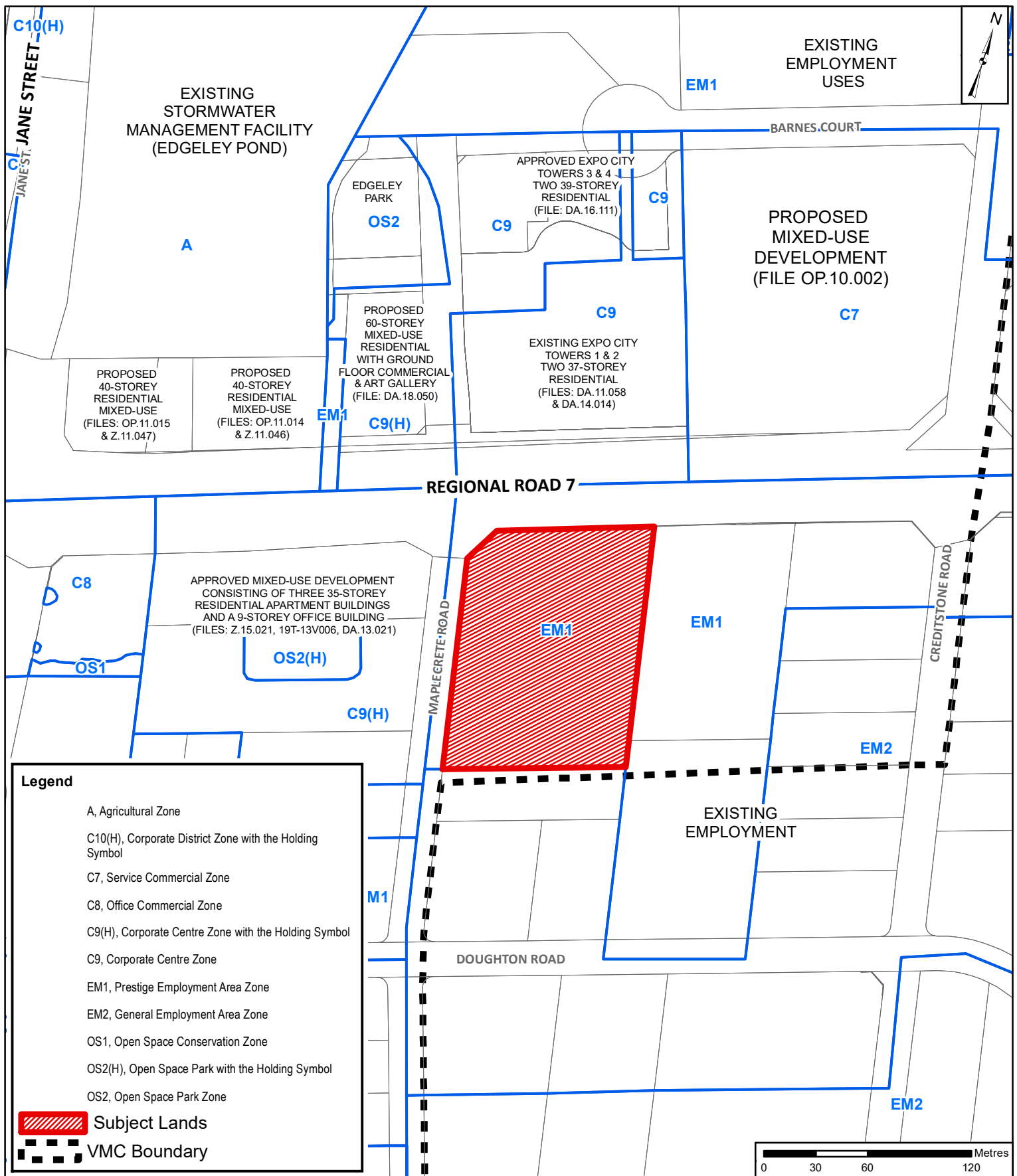
Page 72

## Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

2



## Location Map

**LOCATION:**  
Part Lot 5, Concession 4

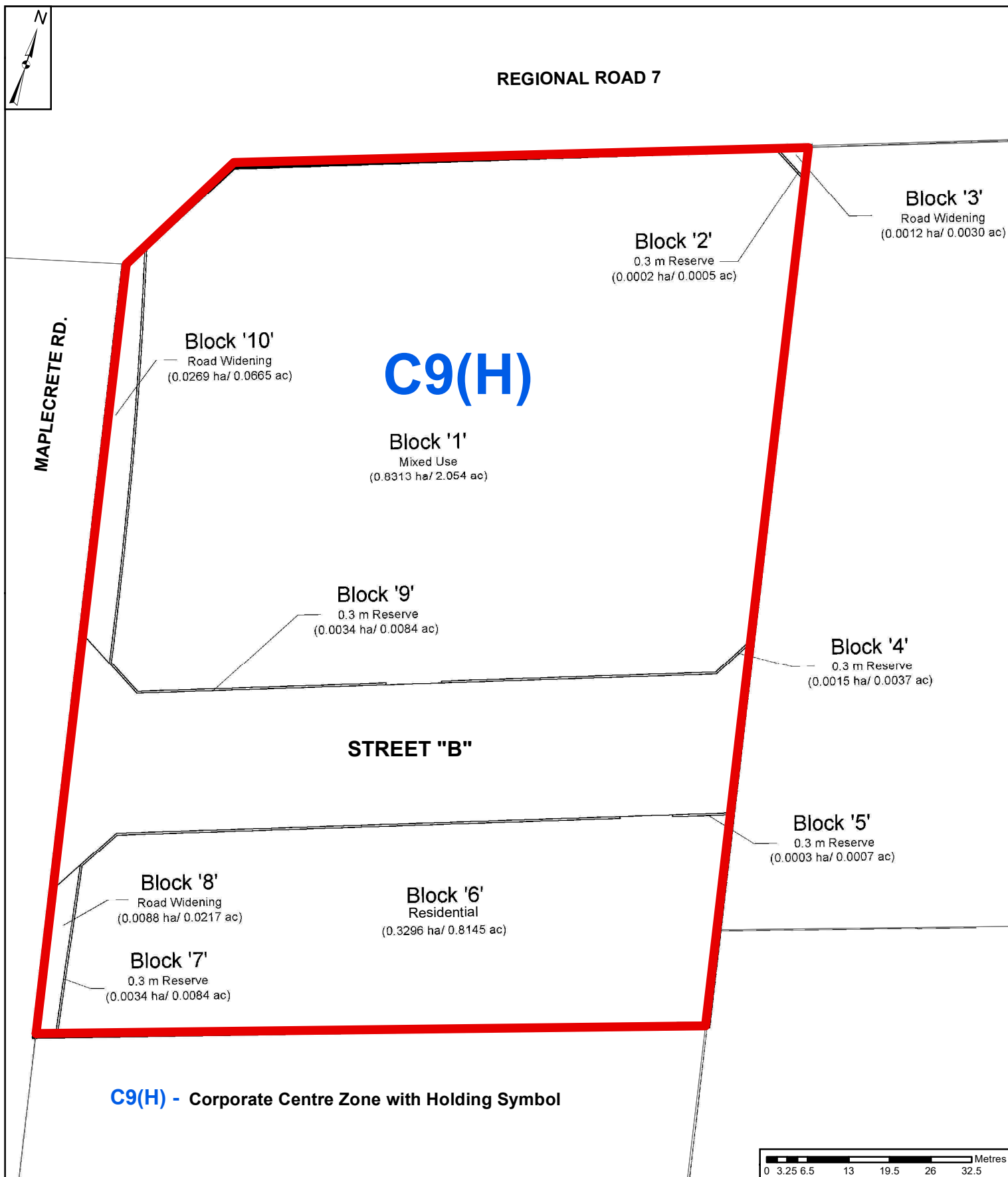
**APPLICANT:**  
1930328 Ontario Inc.

## Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**3**



**Draft Plan of Subdivision  
File 19T-18V005 &  
Proposed Zoning**

**APPLICANT:** 1930328 Ontario Inc.  
**LOCATION:** Part Lot 5, Concession 4

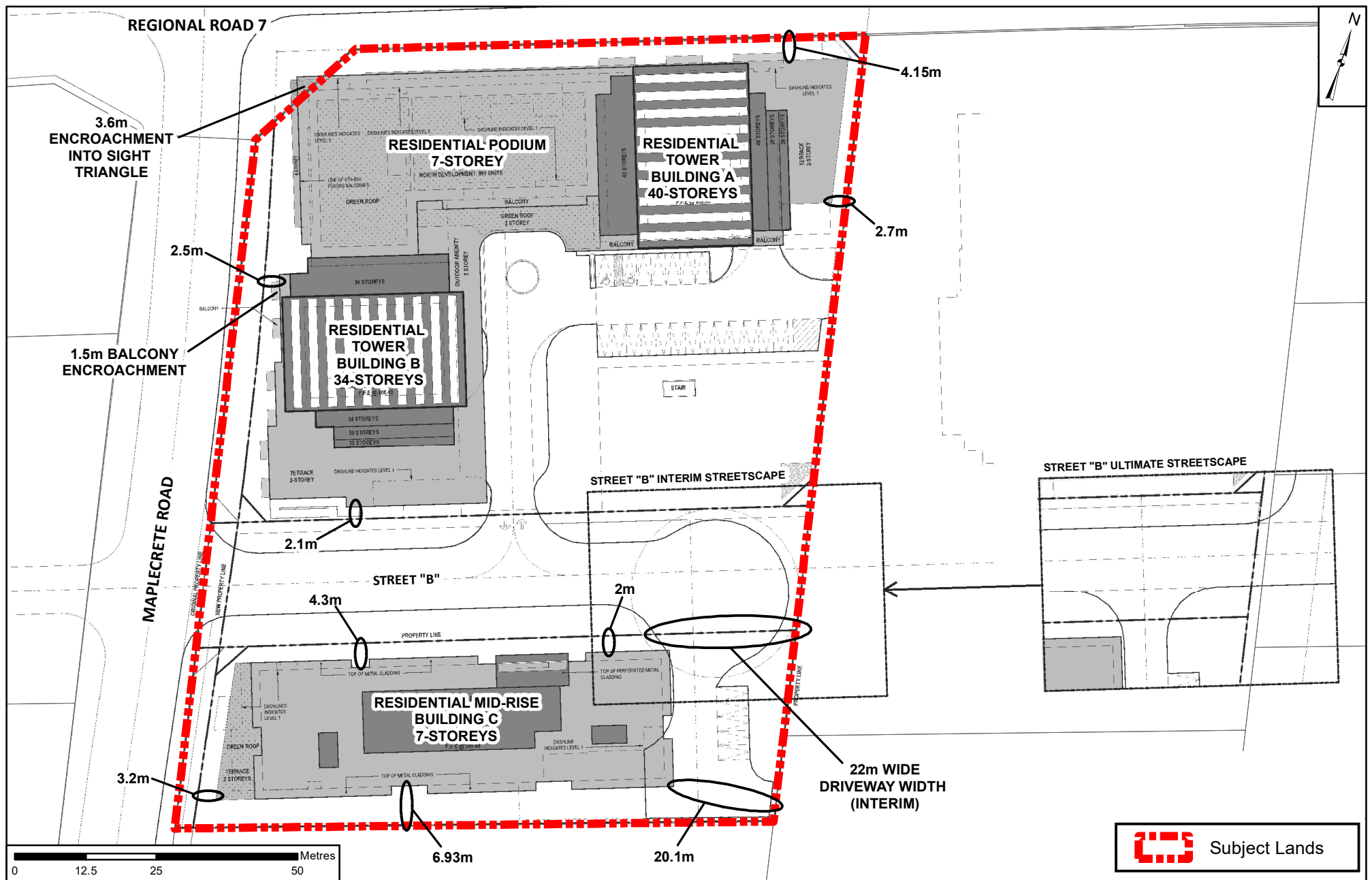


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**4**



## Interim and Ultimate Site Plan

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.

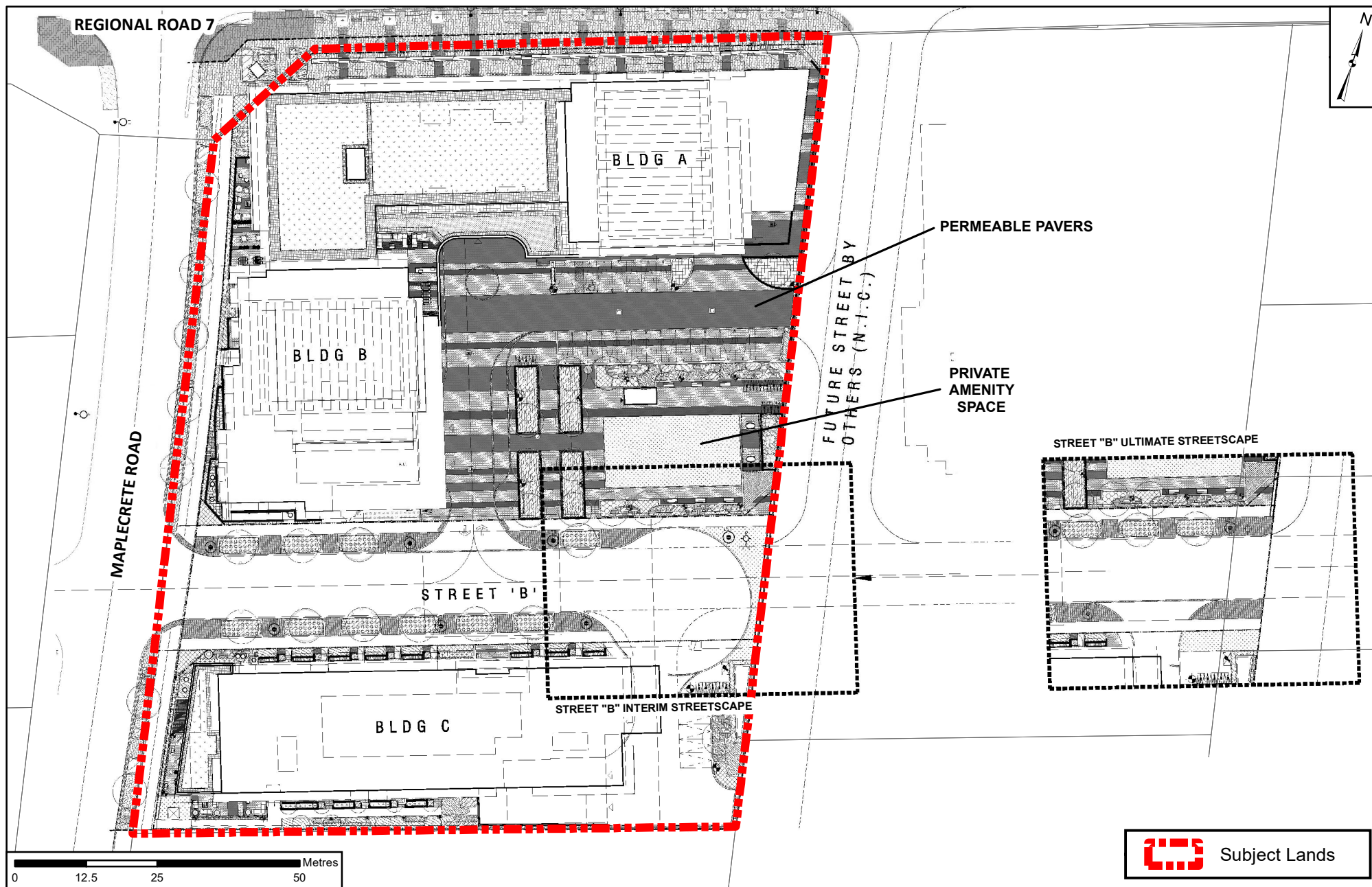
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## Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**5**



## Interim and Ultimate Landscape Plan

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.037\DA.18.037etal\_Landscape.mxd

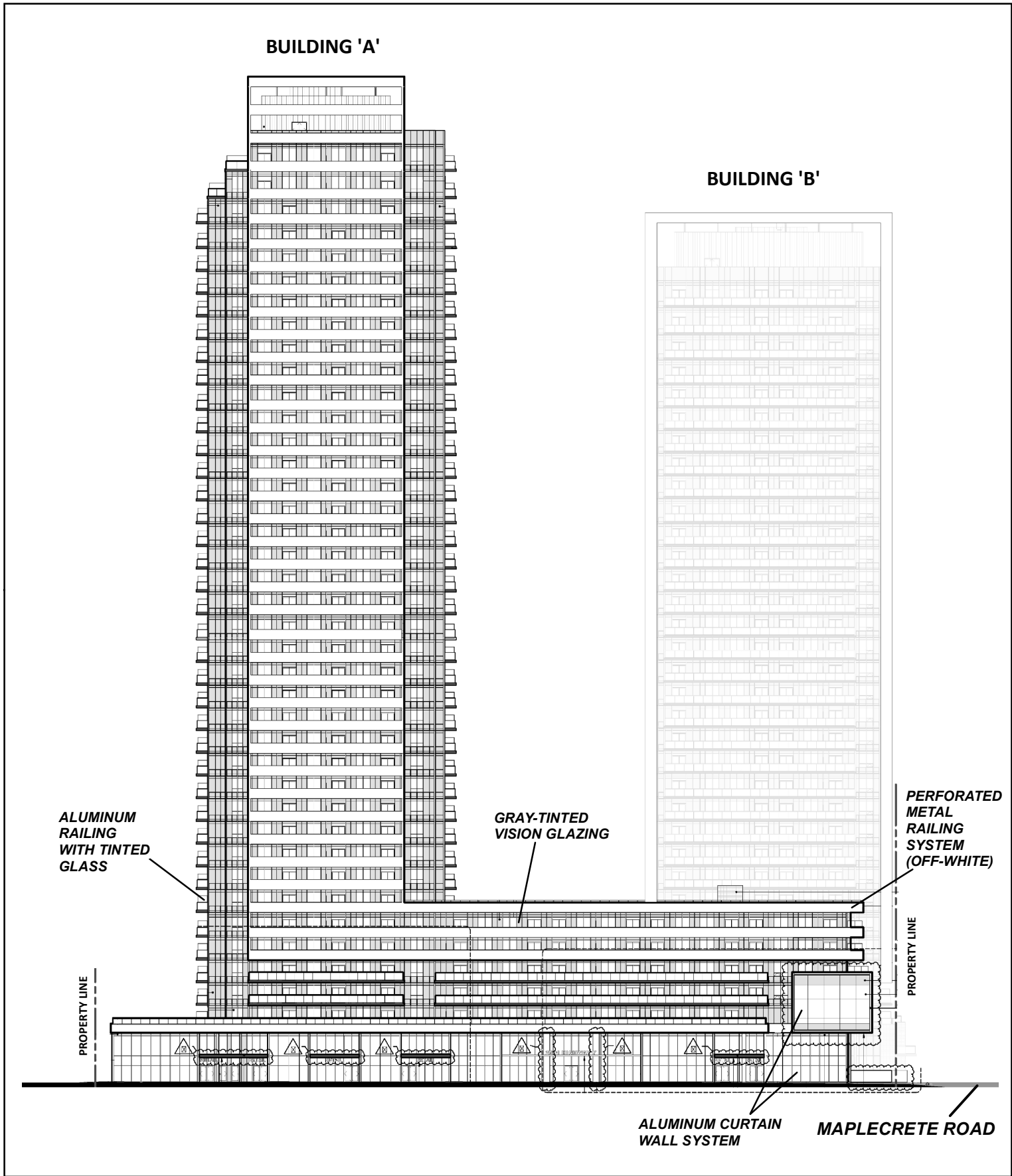
## Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

6





# **Buildings "A" and "B"** **North Building Elevations** **(Along Regional Road 7)**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4

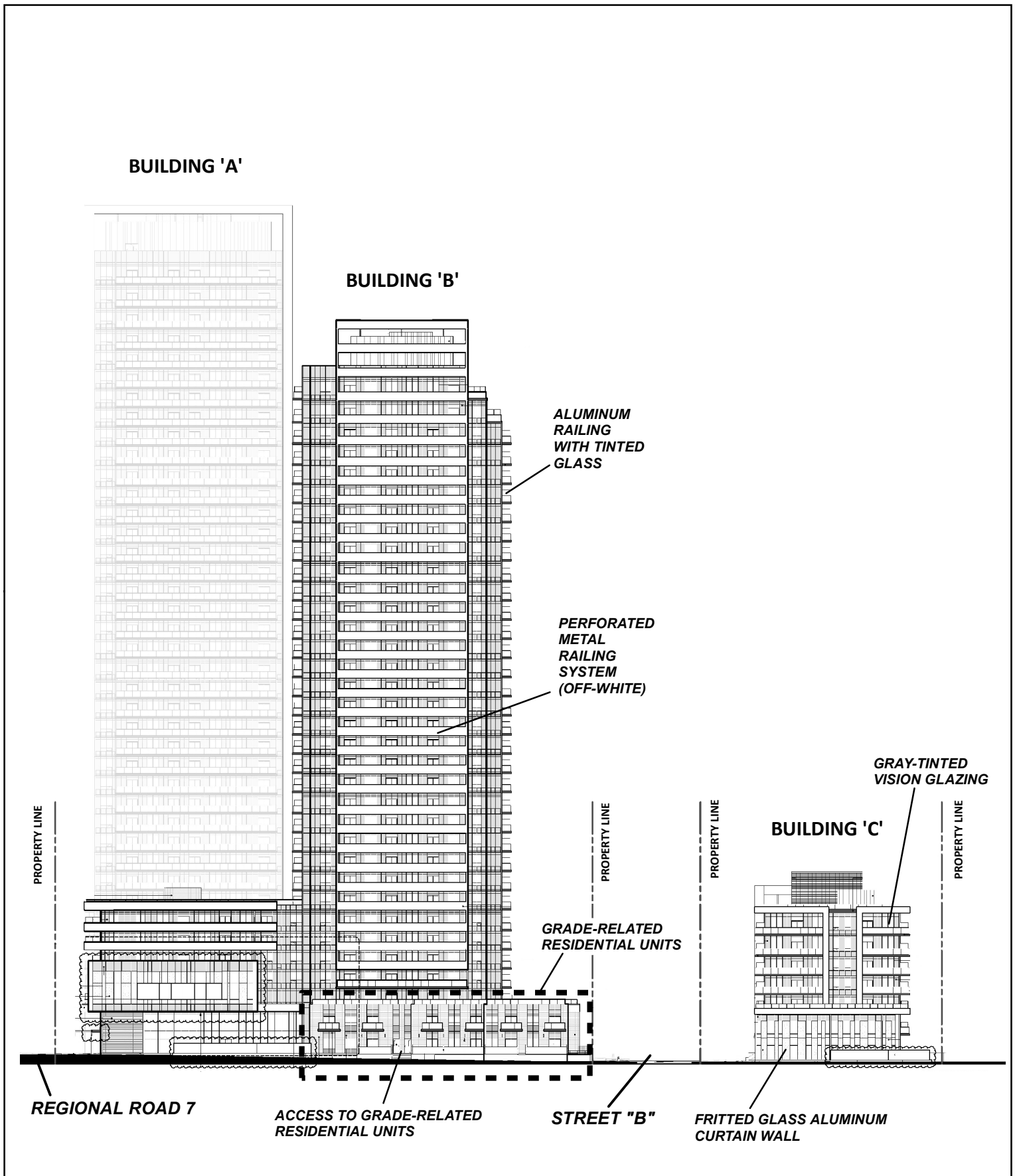


## **Attachment**

**FILES:**  
 OP.18.005, Z.18.009,  
 19T-18V005 & DA.18.037

**DATE:**  
 March 5, 2019

**7**



## Buildings "B" and "C" West Building Elevations (Along Maplecrete Road)

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



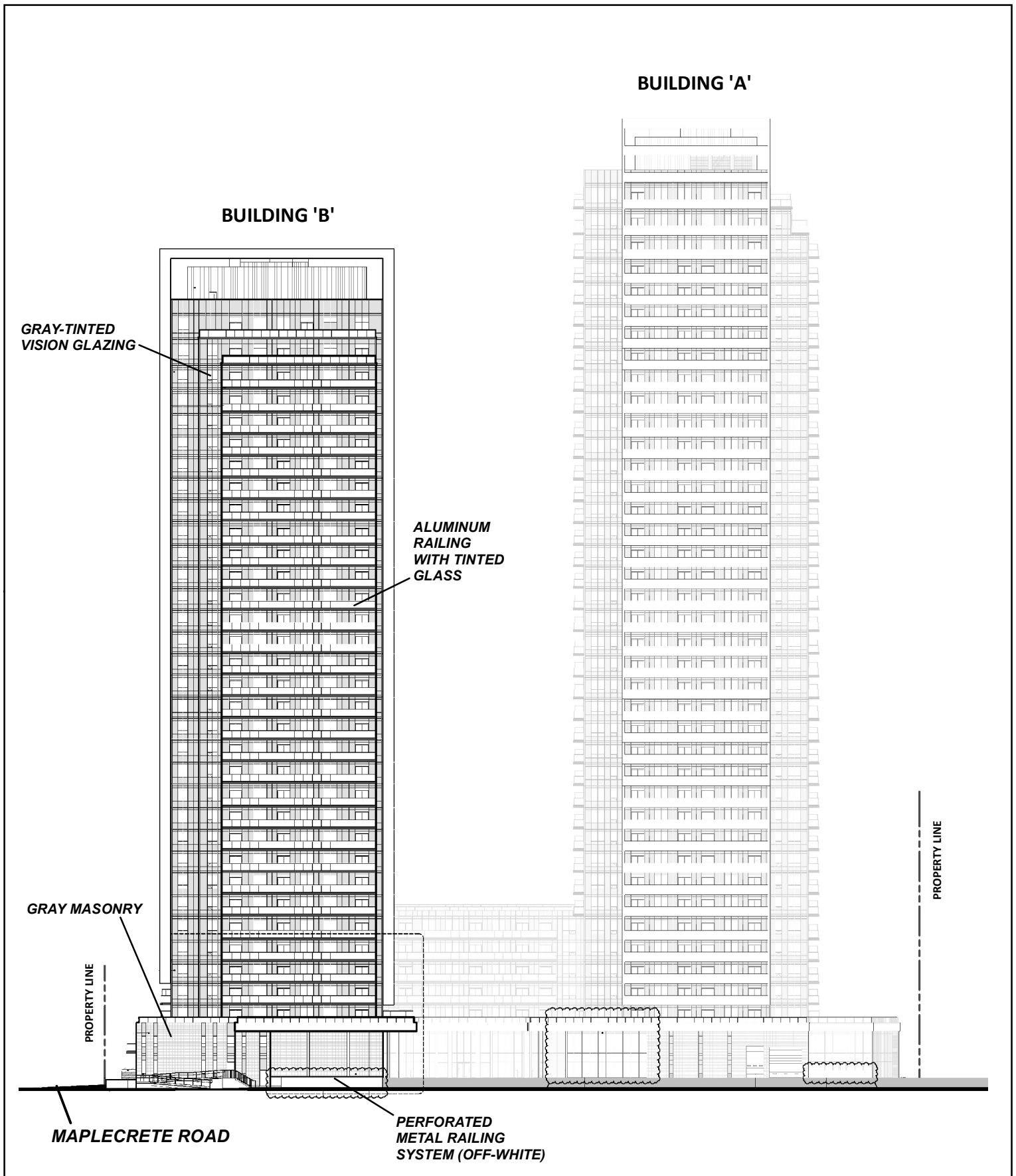
Page 78

# Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

# 8



## Buildings "A" and "B" South Building Elevations (Along Street "B")

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



Page 79

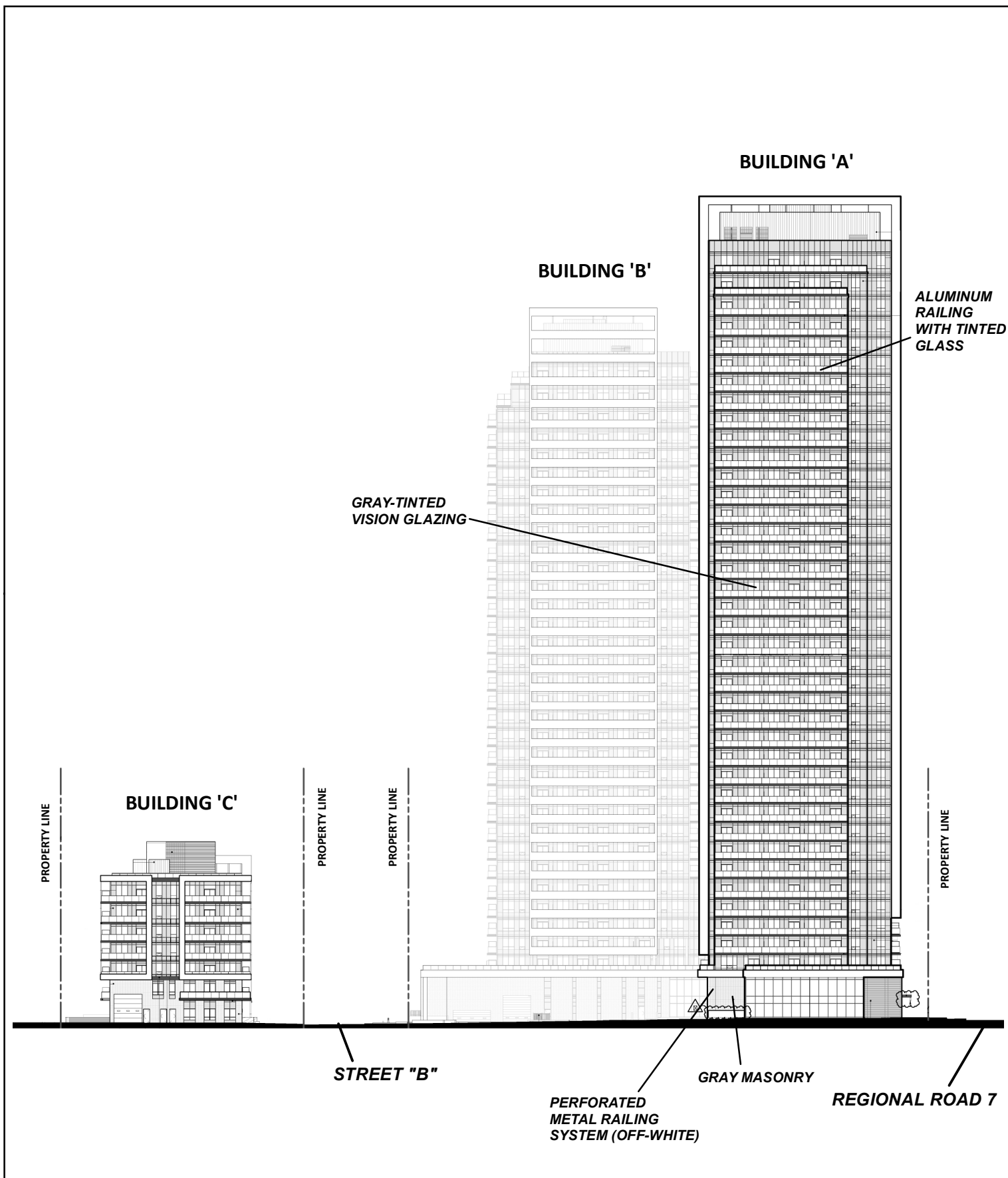
# Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

# 9





## Buildings "A" and "C" East Building Elevations (East Property Line)

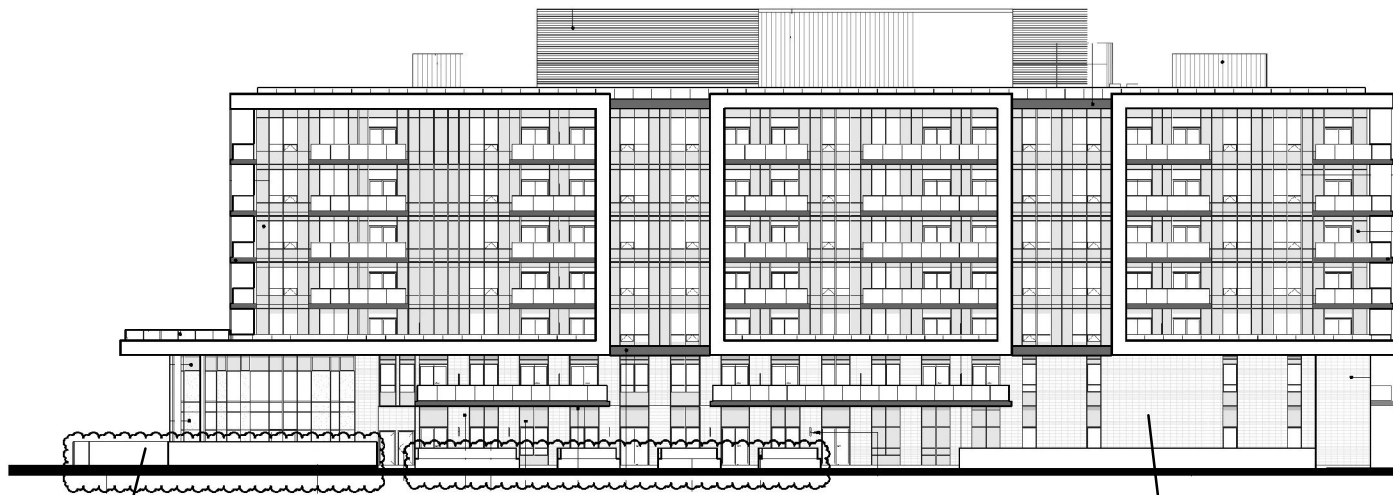
**APPLICANT:** 1930328 Ontario Inc.  
**LOCATION:** Part Lot 5, Concession 4



Page 80

**Attachment**  
**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037  
**DATE:**  
March 5, 2019

# 10



**PERFORATED  
METAL WIND  
SCREEN**

**BROWN MASONRY**

## Building "C" South Building Elevation (South Property Line)

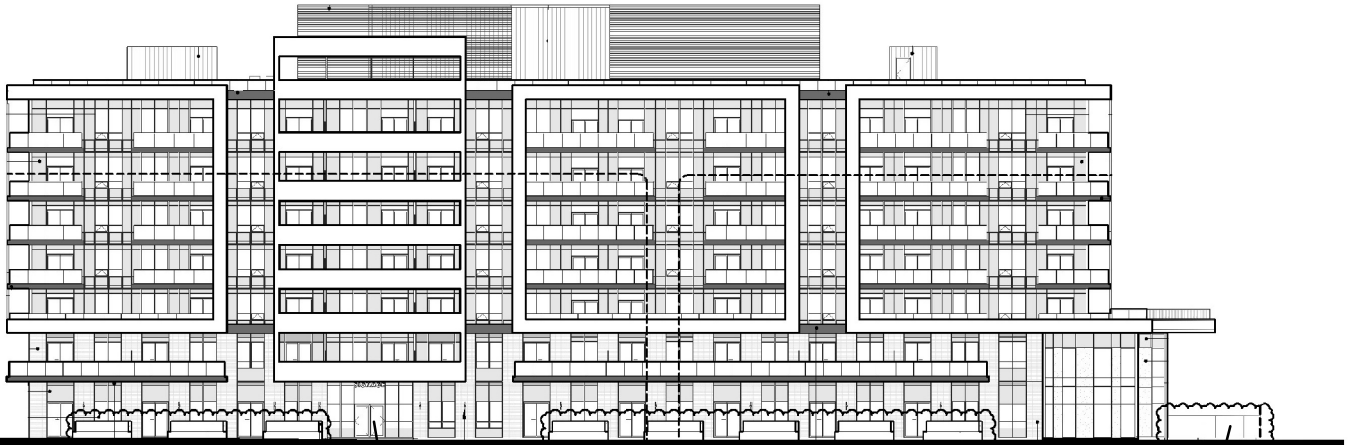
**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



Page 81

**Attachment**  
**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037  
**DATE:**  
March 5, 2019

**11**



**BUILDING "C"  
ENTRANCE**

**PERFORATED  
METAL WIND  
SCREEN**

## Building "C" North Building Elevation (Along Street "B")

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



Page 82

## Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

# 12





**Perspective  
(Regional Road 7 &  
Maplecreek Road)**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



Page 83

**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**13**