

## Committee of the Whole Report

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**DATE:** Tuesday, June 04, 2019

**WARD:** 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.19.006  
SITE DEVELOPMENT FILE DA.18.050  
ROYAL 7 DEVELOPMENTS LIMITED  
VICINITY OF JANE STREET 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, as shown on Attachments 1 and 2, a high-density, mixed-use development in the Vaughan Metropolitan Centre ('VMC'), as shown on Attachments 3 to 9.

**Report Highlights**

- The Owner proposes to develop the Subject Lands with a 60-storey residential apartment building consisting of 554 units on a two-storey podium having ground-related commercial uses
- The Owner proposes to increase the maximum Gross Floor Area ('GFA') from 182,000 m<sup>2</sup> for the entire landholdings (Expo City towers one to five) as permitted under site-specific By-law 287-2008, which was approved by the Ontario Municipal Board (now the Local Planning Appeal Tribunal – 'LPAT') to 206,737 m<sup>2</sup>, through a Minor Variance Application and in return for the following community benefits, pursuant to Section 45(9) of the *Planning Act*:
- \$2,938,935.37 off-site contribution towards the Edgeley Pond and Park
- 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 Zoning By-law Amendment File Z.19.006 (Royal 7 Developments Limited) BE APPROVED, to remove the Holding Symbol “(H)” from the Subject Lands shown on Attachment 1, thereby zoning the Subject Lands “C9 Corporate Centre Zone.”
2. THAT Site Development File DA.18.050 (Royal 7 Developments Limited), BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to permit a 60-storey residential apartment building with 554 units on a two-storey podium having ground-related commercial uses:
  - a) prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations, landscape cost estimate, landscape plans, and wayfinding / signage design. The building elevations shall demonstrate appropriate treatment and articulation of the built form to ensure activation of the public realm edges, including the interface with the Edgeley Pond and Park, as well as refinements to the façade design at the base of the tower, to the satisfaction of the Development Planning Department
    - ii) the Owner shall submit a 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 mitigation measures to ensure favourable microclimatic conditions for people sitting, standing and walking within the public realm
    - iii) the Owner shall submit an analysis of tree soil volumes demonstrating that each tree planted has met the minimum requirement 20 cubic meters of growing medium in a shared tree pit or 30 cubic meters of growing medium in a stand-alone tree pit to encourage the growth of large caliper shade trees, to the satisfaction of the Development Planning Department
    - iv) The Owner shall submit an interim and ultimate site plan and landscape plan for the proposed temporary vehicular turnaround and pedestrian mews located on the west side of the Subject Lands, to the satisfaction of the Development Engineering and Development Planning Departments. The interim site and landscape plans shall demonstrate a clear traffic circulation plan

that includes a vehicle turn-around strategy, drop-off area, and fire route, along with a coordinated grading and public realm design for the pedestrian mews

- v) the Owner shall remove the proposed layby parking on Maplecrete Road, and shall provide an on-boulevard cycling facility to align with a northbound cycling facility as part of the Maplecrete Road extension to Portage Parkway
- vi) the subsurface and air rights of the proposed 5m-wide mews abutting the development to the west have been transferred from the City to the Owner pursuant to an Agreement of Purchase and Sale on terms and conditions satisfactory to the Office of the City Solicitor. The Owner shall not commence construction of the underground parking structure within the mews until such time as such mews lands are transferred to the Owner
- vii) the Development Engineering Department shall approve the final site servicing plan, grading plan, erosion control plan, functional servicing and stormwater management reports and drawings, geotechnical and hydrogeological reports, dewatering plan, external lighting plan, the utility coordination plan, environmental noise report, shoring and tie-back design, construction schedule and phasing plan, construction logistics plan, Urban Transportation Study, Transportation Demand Management Plans (TDM Plans), construction parking management plan, and Pavement Markings and Signage Plan
- viii) 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
- ix) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division and shall be advised that upon a successfully completed application, site inspection and executed agreement as determined by the Environmental Services Department, Solid Waste Management Division, the future condominium corporation will be eligible for municipal waste collection services. Should the future condominium corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal collection service, all

waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation

- x) the Owner shall apply to the City for any permanent dewatering system(s) that is required for the Development, and enter into an agreement and/or obtain a permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department
- xi) grading for the proposed development and proposed shared driveway on the west side of the Subject Lands shall respond to, and be coordinated with, the Edgeley Pond and Park capital project
- xii) the Owner shall ensure that all landscape architectural features proposed are seamlessly coordinated with the Edgeley Pond and Park grading and design elements. The Owner shall supply and install all horticultural elements included in the site plan and landscape drawings along the western boundary of the Subject Lands that interphases with the Edgeley Pond, including tree planting soil and planting beds that extend beyond the Subject Lands and into the Edgeley Pond and Park lands. The Owner may be required to construct, at no cost to the City, the north-south concrete walkway that is located on the Edgeley Pond and Parks lands that connects the Pedestrian Mews (i.e. the pedestrian walkway between Expo City Tower 5 and the adjacent site to the west) to the Expo Strata Park to the north.
- xiii) the Owner shall successfully obtain approval of a Minor Variance Application to increase the maximum permitted Gross Floor Area from 206,129 m<sup>2</sup> to 206,737 m<sup>2</sup>, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee
- xiv) the Mayor and the City Clerk be authorized to execute a Density Bonusing Agreement pursuant to Section 45(9) of the *Planning Act* between the Owner and the City, which will require the Owner to provide a \$2,938,935.37 payment for the off-site contribution to the Edgeley Pond and Park project. An additional contribution may be required upon finalization of the Tower 5 Gross Floor Area through the required Minor Variance Application identified in Condition xiii)

- xv) The Owner shall grant easements to the appropriate authority(ies), free of all charge and encumbrance, to secure easements as may be required for utility, drainage or construction purposes, and to facilitate underground hydro on Regional Road 7
- xvi) the Owner shall submit to the City the final 3D digital model of the Development, which shall include 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 model
- xvii) the Owner shall pay to the City the Density Bonusing Agreement surcharge fee, in accordance with the "Tariff of Fees By-law 044-2019 for Planning Applications", to the satisfaction of the Development Planning Department
- xviii) the City be authorized to execute the Public Art Agreement for the implementation of the public art for the proposed development
- xix) the Owner shall satisfy all requirements of Alectra Utilities Corporation
- xx) the Owner shall satisfy all requirements and conditions of the York Region Community Planning and Development Services Department
- xxi) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority ('TRCA')
- xxii) the Owner shall satisfy all requirements of Bell Canada
- xxiii) the Owner shall satisfy all requirements of Canada Post
- xxiv) the Owner shall satisfy all requirements of Canadian National Railway
- b) the Site Plan Agreement shall include the following clauses:
  - i) "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.”

- ii) “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.”
- iii) “The Owner shall grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication and 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.”
- iv) “The Owner shall provide, in conjunction with an application for a Building Permit, a certification by a noise consultant that the noise attenuation measures identified in the approved environmental noise report have been included in the building plans. Furthermore, prior to the registration of a Draft Plan of Condominium, the Owner’s noise consultant shall certify that the noise attenuation measures identified in the approved environmental noise report have been incorporated into the building, all to the satisfaction of the Development Engineering Department.”
- v) “The Owner shall investigate potential art locations, both external and internal components, on the Subject Lands, subject to the City of Vaughan’s Public Art Program, to the satisfaction of the City. Prior to the issuance of the first above grade Building Permit, the Owner shall execute a separate agreement with the City, which will include the requirement for the Owner to submit a future Letter of Credit, to address the details to commission and install a permanent piece of public art as outlined in the City’s VMC Culture and Public Art Framework. The Owner will also be required to develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing; public art

program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. The Owner shall develop a Public Art Program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner will own and maintain the public art.”

- vi) “Future occupants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceeds the Ministry of the Environment, Conservation, and Parks noise criteria.”
- vii) “This dwelling unit has been supplied with an air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Ministry of the Environment, Conservation, and Parks noise criteria.”
- viii) “Purchasers are advised that sounds from the nearby industrial use, including the rail yard to the northeast may be audible at times.”

3. THAT Site Plan Development Application DA.18.050 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 554 residential apartment units (1,224 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 in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.
4. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the decision of the Committee of Adjustment (File A106/18) is final and binding, to permit minor adjustments to the Development.

## **Background**

The 3.47 ha overall landholdings shown on Attachment 1 are located on the north side of Regional Road 7, between Jane Street and Creditstone Road, and are municipally known as 2920 Regional Road 7. The overall landholdings have been developed in phases: Phase 1 included Towers 1 and 2, which were approved by Vaughan Council on September 25, 2012, through Site Development File DA.11.058, and are currently occupied; Phase 2 included Towers 3 and 4, which were approved by Vaughan Council on May 16, 2017, through Site Development File DA.16.111, and are currently under construction.

***A Site Development application was submitted to permit the Development***

The Owner submitted Site Development File DA.18.050 (the 'Application') for the 0.52 ha lands (the 'Subject Lands') located at the northwest corner of Maplecrete Road and Regional Road 7 to permit a 60-storey apartment building on a two-storey podium consisting of grade related retail with a total Gross Floor Area ('GFA') of 55,944 m<sup>2</sup>, and three levels of underground parking for a total of 570 spaces (the 'Development'). The Development represents the third and final phase and the fifth apartment building on the overall landholdings. The surrounding land uses are shown on Attachment 1.

***An Ontario Municipal Board Decision, now the Local Planning Appeal Tribunal ('LPAT'), was issued on September 4, 2008, for the overall landholdings***

The entire 3.47 ha overall landholdings were approved in 2008 by By-law 287-2008 for five apartment buildings ranging in height from 37 to 39 storeys on podiums with building heights from two to six storeys, a public park, open space buffers and roads, and the following:

- a) 1,935 residential apartment units (Phases 1 and 2 (Towers 1 to 4, inclusive) consist of 1,565 units)
- b) a maximum GFA of 182,000 m<sup>2</sup>
- c) a maximum retail commercial GFA of 4,028 m<sup>2</sup>
- d) unlimited building height for the tower portion of the buildings (status as a landmark location under Zoning By-law 1-88, as amended)
- e) a maximum building height of 17 m for the podium portion of the buildings
- f) 1.1 parking spaces per dwelling unit, plus 0.2 parking spaces per unit for visitor parking
- g) shared residential visitor and commercial parking
- h) a minimum 0 m yard setback to all yards for underground parking structures
- i) 15 m<sup>2</sup> of amenity area per residential unit
- j) for the purposes of zoning conformity, the subject lands are deemed to be one lot

***In 2017, the Owner amended the zoning permissions through Site-Specific Zoning By-law 048-2017***

Site-specific Zoning By-law 287-2008 was subsequently amended by Zoning By-law 048-2017 to include the following amendments to the 2008 approval:

- a) increase the maximum retail commercial GFA from 4,028 m<sup>2</sup> to 6,000 m<sup>2</sup>



- b) the following parking standards, which are consistent with the VMC standards:
  - i) 0.7 (bachelor/one-bedroom) parking spaces per dwelling unit
  - ii) 0.9 (two-bedroom) parking spaces per dwelling unit
  - iii) 1.0 (three-bedroom) parking spaces per dwelling unit
  - iv) 0.15 (visitor) parking spaces per dwelling unit
  - v) 2 spaces per 100 m<sup>2</sup> GFA (commercial uses)
- c) reduced amenity area per residential unit from 15 m<sup>2</sup> to 14.5 m<sup>2</sup>

***The Owner submitted Minor Variance File A106/18 to further amend the zoning permissions, which was approved by the Vaughan Committee of Adjustment***

Minor Variance File A106/18 was approved, with conditions, at the September 27, 2018, Vaughan Committee of Adjustment meeting for the following variances to site-specific Zoning By-law 287-2008, as amended by Zoning By-law 048-2017:

- a) 0 m to the front (Regional Road 7), exterior side (Maplecrete Road) and interior side (west property line) property lines, and 21 m to the rear property line, thereby establishing a revised building envelope
- b) increased maximum GFA from 182,000 m<sup>2</sup> to 206,129 m<sup>2</sup>
- c) increased maximum permitted residential apartment units from 1,935 to 2,119
- d) permit an art gallery use in the “C9 Corporate Centre Zone”
- e) reduced minimum amenity area from 8,033 m<sup>2</sup> (14.5 m<sup>2</sup> per unit at 554 units) to 6,862 m<sup>2</sup> (approximately 12.3 m<sup>2</sup> per unit at 554 units)
- f) reduced at-grade pedestrian access to ground level commercial GFA from 60% to 43%

One of the conditions of approval identified through the minor variance approval involves additional density permissions, which is discussed later in this report. The Owner is also required to submit a second Minor Variance Application to permit an additional 608 m<sup>2</sup> of GFA for the Development, for a total GFA of the overall landholdings to 206,737 m<sup>2</sup>, as discussed in the Zoning section of this report.

**Previous Reports/Authority**

[May 2, 2017, Committee of the Whole \(Item 13, Report No. 17\)](#)

[June 17, 2014, Committee of the Whole \(Item 18, Report No. 30\)](#)

[September 4, 2012, Committee of the Whole \(Item 45, Report No. 33\)](#)

## **Analysis and Options**

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

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent with” the PPS, which provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring that public health and safety, and the quality of the natural and built environment are protected.

The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. 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 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 Development utilizes the Subject Lands more efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing cost
- 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

#### 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 Development is in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density within a designated Urban Growth Centre (a “UGC”) that would support the surrounding higher-order transit investments
- 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 underutilized, and the Development contributes to the 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 Section 45(9) 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 554 residential units that consists of one, two and three-bedroom units within a residential apartment building at a density that efficiently uses land, infrastructure and services. The density at this location is transit-supportive and promotes 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:

- the Development represents the final phase of the Expo City development and includes grade-related pedestrian connections with the adjacent Edgeley Pond and Park ('EPP'). These connections would seamlessly direct pedestrians through the EPP to the VMC Mobility Hub at the northwest quadrant of the VMC and its surrounding planned amenities in a safe environment that encourages social interaction

#### 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 the Infrastructure and Public Service Facilities policies as it is near significant existing transit infrastructure and the VMC Mobility Hub. The Owner proposes to contribute an off-site community benefit to the EPP, including the first iconic pedestrian bridge, which will begin construction in the fall of 2019 (estimated), and will become a focal point for pedestrian connectivity in the park.

#### 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 mainstreets; 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 Development represents a significant investment in the VMC, thereby supporting the economic prosperity of the VMC. A range of residential unit types in an urban environment is offered that would accommodate additional population within the VMC together with retail, office and cultural uses. The Development represents the intensification of the Subject Lands that would contribute to the urban environment and the long-term economic prosperity of the VMC.

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, and will contribute to the success of the public investment in higher-order transit. The Development supports 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, 2019***

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; access to local amenities; and direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

The *Planning Act* requires that Vaughan Council’s planning decisions conform with the Growth Plan. Section 1.2.2 of the Growth Plan requires “all decisions made on or after May 16, 2019, in respect of the exercise of any authority that affects a planning matter

will conform with the Growth Plan, subject to any legislative or regulatory provisions providing otherwise.” The regulatory provisions of the Growth Plan apply to zoning by-laws, in this case Zoning By-law 1-88, which permits the Development and therefore conforms with the Province’s direction under the Growth Plan.

### 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 rural settlements;*
  - 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) *provide for more compact built form and a vibrant public realm, including public open spaces;*
- f) *mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;*
- g) *integrate green infrastructure and appropriate low impact development.*

The Development includes a mix of residential and at-grade retail uses, which would assist in achieving the population targets set out in the Growth Plan within the City's urban boundary. The Development 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, being the YRT Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit ('BRT') along Regional Road 7 (the "higher-order transit").

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



### Delineated Built-up Areas

*Policy 2.2.2.2 states that until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.*

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), by proposing a total of 554 residential units within an UGC.

### Urban Growth Centres (In Part)

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

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- d) to accommodate significant population and employment growth.*

The Development is located within the VMC, the City's planned downtown and a designated UGC. The Development supports the UGC designation by providing 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, retail and community facilities within walking distance, thereby reducing the need of vehicles.

### 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 accessed by higher-order transit within a Major Transit Station Area and would contribute to achieving the minimum density target for this area. The Development would encourage and support the use of alternative modes of transit, reduce the need for parking, and promote alternative modes of transportation options, such as cycling, through the provision of bicycle parking facilities within the Development and planned bicycle lanes 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; improve 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 and the EPP would offer transportation options and promote an active and healthy quality of life for the residents and visitors to the VMC.

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 adjacent to 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 554 residential apartment units that range from one-bedroom to three-bedroom unit sizes that 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, retail, open space, and community facilities. The Subject Lands are accessible to 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 in proximity of the Subject Lands, 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 immediately adjacent to higher-order transit, 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 building is oriented and designed to include grade-related main entrances, which would provide a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development incorporates 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 and would deliver a built form 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. At-grade retail 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.

***The Development conforms to Vaughan Official Plan 2010 ('VOP 2010')***

The Subject Lands are designated "Station Precinct" within the VMC Secondary Plan, which forms part of Volume 2 of VOP 2010, and subject to "Area B" site-specific policy 9.3.4, which permits the prescribed density and unlimited building height under the LPAT approved site-specific Zoning By-law 287-2008.

*Section 1.5 of the VOP 2010, The Vision for Transformation: Goals for the Official Plan, identifies 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 are near 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 "Station Precinct" designation of the VMC Secondary Plan permits a broad mix of uses, including residential dwellings (apartments), retail, service commercial, and public uses, and includes policies and design guidelines for integrated parking structures with appropriate design treatments. The Development includes residential and retail uses, which conforms to the VMC Secondary Plan.

*The VMC Secondary Plan provides the following objectives (in part) 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 density of 206,129 m<sup>2</sup>, as approved by Minor Variance File A106/18, subject to conditions. In consideration of the surrounding approved and built context, the Development is accessible to higher-order transit and a major park and open space, and consists of a mix of residential and commercial uses. Specifically, the Subject Lands have been seamlessly designed to capitalize on public infrastructure (i.e. the EPP) and higher-order transit investments with uses that would support a complete neighbourhood (e.g. residential, retail, 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 554 new residential apartment units of varying sizes. At-grade retail within the Development, and its adjacency to a community facility, 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.*

A varied skyline is planned as part of the Owner's overall landholdings in the northeast quadrant of the VMC. Building setbacks, glazing treatments, architectural features and materiality and landscape design have been utilized to encourage a comfortable streetscape, varied street walls, and a pedestrian-first experience.

***A Minor Variance Application and Removal of the Holding Symbol “(H)” to Zoning By-law 1-88 is required to permit the Development***

The Subject Lands are zoned “C9(H) Corporate Centre Zone” with the Holding Symbol “(H)” by Zoning By-law 1-88, and subject to site-specific Exception 9(1248), as shown on Attachment 2. Unlimited building height for the tower portion of the buildings is permitted given that the Subject Lands are identified as a “landmark location” under Zoning By-law 1-88.

The removal of the Holding Symbol “(H)” is subject to Council's approval of Site Development File DA.18.050 and servicing allocation being identified by Vaughan Council. The Owner has submitted Zoning By-law Amendment File Z.19.006 to remove the Holding Symbol “(H)” from the Subject Lands. Servicing allocation for the Development is available, as discussed in the Development Engineering section of this report, and the Owner has submitted the Application for Site Plan Approval. An implementing Zoning By-law will be forwarded to Vaughan Council for approval to remove the Holding Symbol “(H)”, should the Application be approved.

To facilitate the Development, the Owner applied for a Minor Variance (File A106/18) that was approved by the Vaughan Committee of Adjustment on September 27, 2018. The following zoning exceptions to Zoning By-law 1-88 were approved through Minor Variance File A106/18:

Table 1

	<b>Zoning By-law 1-88 Standard, as amended</b>	<b>C9 Corporate Centre Zone Requirement, subject to Exception 9(1248)</b>	<b>Approved Exceptions to the C9 Corporate Centre Zone by Minor Variance File A106/18</b>
a.	Building Envelopes	In accordance with Schedule “E-1376A”	0 m (Regional Road 7, Maplecrete Road and west property line); 21 m (north property line)
b.	Maximum Density (Blocks 1, 2, 3, 4 and 5)	182,000 m <sup>2</sup> GFA	206,129 m <sup>2</sup> GFA

Table 1

	<b>Zoning By-law 1-88 Standard, as amended</b>	<b>C9 Corporate Centre Zone Requirement, subject to Exception 9(1248)</b>	<b>Approved Exceptions to the C9 Corporate Centre Zone by Minor Variance File A106/18</b>
c.	Maximum Number of Residential Units	1,935	2,119
d.	Permitted Uses	All uses in the C9 Corporate Centre Zone	Art Gallery as an additional permitted use
e.	% Ground Floor Level Composed of Commercial Uses	60% (pedestrian accessible at-grade)	43% (pedestrian accessible at-grade)
f.	Minimum Amenity Area	14.5 m <sup>2</sup> per unit @ 554 units = 8,033 m <sup>2</sup>	12.386 m <sup>2</sup> /unit @ 554 units = 6,862 m <sup>2</sup>

Through a detailed review of floor plans for the Development, the Owner has identified an increase in the overall GFA of the landholdings from 206,129 m<sup>2</sup> to 206,737 m<sup>2</sup>. The 608 m<sup>2</sup> of additional GFA is the result of minor changes to the second level floor plan and the inclusion of stair transfer spaces that were omitted in previous plans. The Development Planning Department has no objection to the increase in GFA as it is minor in nature.

Should the Application be approved, the Owner shall successfully obtain approval of a second Minor Variance application to increase the maximum permitted Gross Floor Area for the overall landholdings from 206,129 m<sup>2</sup> to 206,737 m<sup>2</sup>, from the Vaughan Committee of Adjustment. The Committee's decision shall be final and binding and the Owner shall satisfy any conditions of approval imposed by the Committee



***The Development represents good planning. The Owner shall provide community benefits in exchange for increased density, pursuant to Section 45(9) of the Planning Act***

Through Minor Variance File A106/18, the Owner exercised Section 45(9) of the *Planning Act*, where the increased density from 182,000 m<sup>2</sup> to 206,129 m<sup>2</sup>, and the subsequent proposed increase in the maximum number of residential units from 1,935 to 2,119 units, would be permitted in exchange for community benefits.

Section 45(9) of the *Planning Act* grants the Vaughan Committee of Adjustment jurisdiction to impose conditions on applications for minor variance. The Owner agreed to provide a payment and/or contribution for on-site and/or off-site community benefits calculated in accordance with the “City of Vaughan’s Guidelines for the Implementation of Section 37 of the *Planning Act*” and the January 1, 2018, “Land Value Matrix” to permit the increase in GFA of 24,129 m<sup>2</sup> (through Minor Variance File A106/18), to the satisfaction of the Development Planning Department.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies to permit bonusing for increased density in return for the following community benefits:

- “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.”

Should the Application be approved, the Owner and the City shall execute a Density Bonusing Agreement, pursuant to Section 45(9) of the *Planning Act*, to permit the increase in GFA of 24,737 m<sup>2</sup>, which includes the additional 608 m<sup>2</sup> of GFA through a future Minor Variance Application, prior to the execution of the Site Plan Agreement. Should the future Minor Variance Application include a proposed GFA greater than 24,737 m<sup>2</sup>, the Owner is required to contribute the difference through the Density Bonusing Agreement. A condition to this effect is included in the Recommendations of this report.

The Owner shall pay to the City the required 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.

***The Planning Act enables a municipality to pass a resolution to permit a landowner to apply for future Zoning By-law Amendment or Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 29(2) of the *Planning Act* restricts a landowner from applying for a Zoning By-law Amendment application(s) or a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the

*Planning Act* also enables Council to pass a resolution to allow an applicant to apply for a Zoning By-law Amendment or Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

In recognition of the complexity of the Development and the need for a second Minor Variance Application, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Zoning By-law Amendment application(s) or a Minor Variance application(s) to address deficiencies that may arise through the final design and construction of the Development.

### ***The Development Planning Department supports the Development***

#### **Site Design**

The proposed site plan shown on Attachment 3 includes a 60-storey apartment building on a two-storey podium consisting of ground floor commercial uses.

The Development builds upon the recently approved and occupied Expo City Towers one to four, located east of the Subject Lands, as shown on Attachment 1, which when combined with the Development, would complete the VMC's first neighbourhood. The Development Planning Department has worked with the Owner to animate the street frontages with the inclusion of ground floor commercial uses and a pedestrian connection between Regional Road 7 to the EPP, and prioritizing pedestrians over vehicular circulation.

Wayfinding is an integral part of a well-connected system that allows residents and visitors to make their way to key locations and access points in the VMC. The iconic expression of the architecture with the unique masonry façade design is distinguished from the surrounding approved and occupied Expo City apartment buildings. The articulated building massing of the Development would contribute to wayfinding within the VMC. The tower has been pushed back, oriented and massed to avoid blocked views from the adjacent buildings, to ensure the north-south grid transition of the buildings to the east, and to add a unique profile to the skyline. The terraced tower profile would accommodate roof-top amenity areas.

All principal building entrances and signage will be designed in compliance with the standards set by the *Accessibility for Ontarians with Disabilities Act* ("AODA"), and the signage design will be integrated with the building architecture.

The Owner has submitted a wind tunnel model analysis for the Development. The final design must include confirmation that the recommended mitigation measures are appropriately incorporated into the building design to ensure suitable pedestrian conditions at grade level and for the roof-top amenity area, to the satisfaction of the City.

The final site plan, including the signage and lighting plans, and the 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.

### Site Access

Vehicular access for the residents of the Subject Lands is proposed off Maplecrete Road and integrated in a ramp system that is shared along the private driveway that will ultimately connect Maplecrete Road to Jane Street, as shown on Attachment 2. Passenger pick-up and drop-off will be located along the north west corner of the property as an interface with the EPP. Loading is located along Maplecrete Road and will be internal to the building. Grading for the Development and shared driveway shall be coordinated with the adjacent development (Zzen / Midvale) and shall respond to, and be coordinated with, the EPP. A condition to this effect is included in the Recommendations of this report.

In addition to the direct vehicular accesses from Regional Road 7, the Development incorporates pedestrian porosity into the development block in response to its proximity to the EPP. Municipal sidewalks along Maplecrete Road and Regional Road 7 provide connectivity through the development block. A pedestrian connection lined with commercial uses is proposed along the west side of the building that connects Regional Road 7 to the EPP.

The Development includes layby parking lanes along Maplecrete Road to service the Development, as shown on Attachment 2. The City will not support any proposed layby parking lanes on Maplecrete Road to service the Development, as it creates vehicle and pedestrian sight line issues and the private loading area will be too close to the road. The Development Planning Department recommends the removal of the proposed layby parking and the inclusion of an on-boulevard cycling facility to align with a northbound cycling facility as part of the Maplecrete Road extension to Portage Parkway. A condition to this effect is included in the Recommendations of this report.

### Landscape Plan

The proposed landscape plan shown on Attachment 3 illustrates an urban streetscape along Regional Road 7 and Maplecrete Road, which transitions to a naturalized landscape treatment towards the EPP that consists of robust plantings that embrace the open space and park. 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.

The final landscape plans must be approved by the Development Planning Department. A condition to this effect is included in the recommendation section of this report.

## Public Art

Chapter 3 of the VMC Culture & Public Art Framework identifies the Subject Lands as a private development site appropriate for public art. The public art must be distinctive and publicly accessible within the development and must be in a prominent location such as a major entrance or setback area of the street. The intent is to create a culturally rich public realm that is both beautiful and engaging.

Public art improves the public realm and contributes to the creation of a sense of place. The Owner has agreed to investigate potential art locations, both external and internal components, on the Subject Lands, subject to the City of Vaughan's Public Art Program, to the satisfaction of the City. The public art piece will be owned and maintained by the Owner. A condition to this effect is included in the Recommendations of this report.

As part of a condition of approval for the Application, the Owner will be required to execute a separate agreement with the City, which will include the requirement for the Owner to submit a future Letter of Credit, to address the details to commission and install a permanent piece of public art for the Application as a public art contribution consistent with the principles of "Site 10 – Private Development" as outlined in the City's VMC Culture and Public Art Framework. The Owner will also be required to develop a public art program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City.

## Building Elevations

The proposed building elevations and perspectives, illustrated on Attachments 4 to 8, include a signature grid articulation that is clad with brick precast. Balcony inlays with projected mullion cap windows are proposed to further articulate the building elevations.

The main lobby is located within the podium at the northwest corner of the building. The lobby will be transparent with a colonnade of sculptural v-columns that will hold up an elevated metal canopy, which will help with wind mitigation and will signal the lobby access through a portal frame. The final building elevations must be approved by the Development Planning Department. 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 2 to 8, 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 'DRP'), on November 30, 2017, and October 25, 2018, considered the Development and commended the comprehensive and thoughtful proposal for:

- A refreshing approach to architectural expression and materiality
- Clear aspiration for great ground related uses and activation of the site, including the notion of a gallery space which was well received
- Excitement around the notion of bringing Edgeley Park into the site and onto the second level terrace

the DRP felt the following challenges of the proposal required further study and resolution, including:

- Vehicular circulation wrapping a majority of the site, layby design, servicing and access
- More focus on the northern frontage and pedestrian connections to Edgeley Pond and Park
- Resolution of the podium design, setbacks and public realm interface

While there was overall consensus that the project was evolving in the right direction, refinements to the design and selection of windows and fenestrations are required to help animate and soften the monolithic character of the tower.

Following a series of design workshops to prioritize design matters raised by both DRP and Staff, the Development Planning Department is satisfied that the Owner has addressed the comments of the DRP 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 ('DE') Department has provided the following comments regarding the Development:

#### Site Access

The Subject Lands are located at the northwest corner of the signalized intersection of Maplecrete Road and Regional Road 7. The Development will be served by a full-moves access through the intersection of Maplecrete Road and a private laneway.

The proposed underground ramp is setback from the intersection of Regional Road 7 and Maplecrete Road to alleviate queueing concerns and improve traffic operation. This design also minimizes motorist-pedestrian conflicts by locating the underground ramp away from pedestrian linkages (i.e. walkways/promenade from the subject site to the public park). The underground exit ramp is designed to provide a 90-degree intersection with the private laneway, thus creating enhanced motorist sightlines and improving safety for both exiting and private laneway traffic.

### Noise Attenuation

The Owner has submitted an Environmental Noise Assessment, prepared by Valcoustics dated September 14, 2018 ('Noise Assessment'), to identify the noise sources surrounding the Development and noise control measures for the Development. The Noise Assessment considered the traffic on Jane Street, Regional Road 7, the bus/LRT system on Regional Road 7, and sound levels on Maplecrete Road. The significant stationary noise sources include the CN MacMillan railway yard, and the surrounding employment, commercial and industrial uses.

The Owner shall incorporate the recommended noise attenuation measures from the approved noise report into the design and construction of the proposed buildings within the site including, but not limited to, upgraded façade windows, in order to achieve a Class 1 designation.

Prior to final approval of the plan, the Owner shall provide a final Environmental Noise and Vibration Impact Study for review and approval by the City, and the Owner shall agree in the site plan agreement to implement all recommendations of the final Environmental Noise and Vibration Impact Study to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

### Geotechnical and Hydrogeological Report

The Owner has submitted a "Geotechnical Investigation Report: Proposed Tower 5 Building" ('Geotechnical Report') prepared by WSP dated October 22, 2018 and a "Hydrogeological Investigation Report: Proposed Tower 5 Building" ('Hydrogeological Report') prepared by WSP dated October 2017 for the Development. The Geotechnical and Hydrogeological Reports shall recommend the ground water control measures that need to be implemented during detail design and construction of the buildings and municipal services, 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.

### Water and Wastewater Servicing

The Subject Lands will be serviced from the existing watermain and sanitary sewer on Maplecrete Road. New service connections will be required to be installed at the Owner's expense. Pursuant to the VMC Servicing Strategy Master Plan Class EA, there are no water or wastewater upgrades needed at this time to service the Subject Lands.

### Stormwater Management ('SWM')

The Owner has submitted a Stormwater Management Report prepared by Valdor Engineering Inc., and dated May 2019. The Vaughan Metropolitan Centre Master Servicing Strategy ('VMCMSS') identified that the existing SWM facility (Edgeley Pond) located within the north-east quadrant is proposed to be retrofitted in the future to

accommodate development within the VMC, which would provide water quantity, quality and erosion control of the north-east quadrant including the Development. On-site stormwater quantity and water balance controls are required on the Subject Lands in accordance with the VMCMS. With the implementation of on-site controls, the existing stormwater management pond has adequate storage volume to service the Development without the need for modification or expansion at this time.

The Development will be serviced by a new connection to the existing municipal storm sewer along Maplecrete Road which outlets into the Edgeley Pond. An on-site storm quantity control facility (underground storage tank) will be provided to achieve the TRCA Humber River Unit Flow Rates.

#### Environmental Site Assessment

The Environmental Site Assessment ('ESA') subject to the Application was previously reviewed as part of Draft Plan of Subdivision File 19T-00V21, which included the submission of a 2005 Phase One ESA and a Record of Site Condition ('RSC') filed in 2006. An updated 2014 Phase One ESA was submitted and reviewed by the DE Department as part of the Application. The findings of the updated Phase One ESA identified no significant changes to the environmental conditions since the RSC filing and no further work was recommended.

#### Sewer and Water Servicing Allocation

On February 21, 2018, Vaughan Council endorsed the City's latest annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City. The Development was reserved with a capacity for 554 apartment units (1,225 persons equivalent). Accordingly, servicing capacity for the Development is available.

A resolution to allocate servicing capacity from the York Sewage Servicing / Water Supply System to the Development is recommended for Council approval, and is included in the Recommendations of this report.

#### Road Network

The Development will be served via the construction of a new private laneway west of Maplecrete Road connecting to the surrounding public road network. As an interim condition, the private laneway will connect to Maplecrete Road to the east creating the fourth leg of an already existing unsignalized intersection. The private laneway will terminate in a cul-de-sac at the westerly limit of the Subject Lands to facilitate a temporary turnaround for service and emergency vehicles until such time that the private laneway is extended to Jane Street.

As an ultimate condition, the private laneway will be extended farther west (as part of the adjacent property, ZZEN Group/Midvale) to Jane Street, creating a new right-

in/right-out intersection at Jane Street, and the temporary cul-de-sac will be decommissioned. In order to avoid cut-through traffic and enhance traffic calming, the private laneway has been designed to be pedestrian oriented through the provision of textured pavement, drop-off parking and two 90-degree bends. Pedestrian crosswalks are also proposed on the private laneway pavement highlighting pedestrian priority.

The Owner shall submit interim and ultimate site plans and landscape plans for the proposed temporary vehicular turnaround located on the west side of the Subject Lands. The interim plan shall demonstrate a clear traffic circulation plan that includes a vehicle turn-around strategy, drop-off area, and fire route, to the satisfaction of the DE and Development Planning Department. A condition to this effect is included in the Recommendations of this report.

The Owner of the Subject Lands and Zzen Group / Midvale, the owner of 2938, 2966 and 2986 Regional Road 7, the abutting lands to the west, shall both successfully obtain approval of Consent Applications for the required reciprocal access easements over the Subject Lands and the abutting property to the west, from the Committee of Adjustment. The Committee of Adjustment's decisions shall be final and binding and the Owner and Zzen Group / Midvale shall satisfy any conditions of approval imposed by the Committee of Adjustment. In addition, the Owner is required to grant easements to the appropriate authority(ies), free of all charge and encumbrance, to secure easements as may be required for utility, drainage or construction purposes, and to facilitate underground hydro on Regional Road 7. Conditions to this effect are included in the Recommendations of this report.

### Transit

The Subject Lands are served by transit through several rapid transit corridors, including: the VMC Subway Station providing access to the TTC Yonge-University Line 1; the new VIVA rapidway along Regional Road 7; and the future planned rapidway along Jane Street. Furthermore, the VMC SmartCentres Place Bus Terminal is scheduled to open in 2019 which will enhance access to transit. There are currently six (6) bus transit routes operating in the VMC area, with further improvements expected upon full build-out of the VMC.

### Active Transportation

Pedestrian facilities will be provided for the entire perimeter of the Subject Lands, including a new sidewalk along the west side of Maplecrete Road from Regional Road 7 to the north limit of the Subject Lands, existing sidewalks along Regional Road 7, and hardscape concrete paving along the private laneway on the north and west edges of the Development fronting the public park. A future public pedestrian mews straddling the Subject Lands and the adjacent property immediately to the west is also proposed, as shown on Attachment 2. This promenade will provide a direct, north-south



connection between Regional Road 7 and the future public park as identified in the VMC Secondary Plan.

As part of the Development, an in-boulevard one-way southbound cycle track will also be provided on the west side of Maplecrete Road adjacent to the sidewalk, connecting cyclists to the existing on-street bicycle lanes on Regional Road 7.

### Parking

A total of 570 vehicular parking spaces will be provided in four levels of an underground parking garage, whereas 527 spaces is required, resulting in a surplus of 43 parking spaces, including residential visitor parking. To accommodate pick-up/drop-off activities with minimal impacts on the moving traffic operations, drop-off parking spaces on the private laneway will also be provided at-grade, as shown on Attachment 2.

### Transportation Demand Management

The Subject Lands are within walking distance to planned green space, higher-order transit (VIVA and TTC subway) and planned mixed-use high density VMC developments. Several physical transportation demand management ('TDM') measures have been provided such as a porous pedestrian internal network connecting to the surrounding public network and the provision of bicycle facilities in the boulevard on the west side of Maplecrete Road. Short-term and long-term bicycle parking has been provided as per the VMC by-law requirements. As part of the TDM Plan, the Owner has committed to working with York Region and the City in implementing programmatic TDM measures such as education, promotion and outreach, and a 4-year monitoring program that includes helping to facilitate the distribution of Presto Cards by York Region.

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

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

### ***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 included 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; and
- 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.

***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 will be eligible for municipal waste collection services. Should the future condominium corporation 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. A condition to this effect is included in the Recommendations of this report.

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

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

### ***The Owner is required to satisfy the Toronto and Region Conservation Authority conditions of approval for the Development***

The western portion of the Subject Lands are located within the Toronto and Region Conservation Authority ('TRCA') regulated area, pursuant to Ontario Regulation 166/06, due to the presence of the valley corridor and regional storm flood plain associated with the Black Creek. The TRCA advised that development may be permitted in the regulated area where it can be demonstrated, to TRCA's satisfaction, that the land will not be affected. TRCA must be contacted prior to any works taking place in the regulated area. The Owner shall be required to fulfill the conditions of TRCA. A condition to this effect is included in the Recommendations of this report.

### ***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 as the Subject Lands are located outside of the MTO Permit Control Area. A Building and Land Use Permit from the MTO will not be required.

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

Canada Post has indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility. A condition to this effect is included in the Recommendations of this report.

### ***The Owner must satisfy all requirements of the Canadian National Railway***

The Application has been circulated to the Canadian National Railway ('CNR'). The Owner shall satisfy all requirements of CNR, including any conditions of approval to added to the implementing Site Plan Agreement, should the Application be approved. A condition to this effect is included in the Recommendations of this report.

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

The York Region District School Board has advised that they will not require a public elementary school site within the Development. The York Region Catholic 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.

Bell Canada has advised that one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line. A condition to this effect is included in the Recommendations of this report.

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***

York Region has advised, in their letter dated September 26, 2018, that they have no object to the Development, in principle, subject to York Region's issuance of two engineering approvals:

1. The first approval for shoring, hoarding, crane swing, dewatering, erosion and sediment control and construction management.
2. The second approval for the remainder of the site development works within the Regional Road 7 road allowance.

The Owner is required to enter into a Site Plan Agreement with York Region. The conditions are included in Attachment 9, which must be addressed prior the execution of the Site Plan Agreement and in accordance with the Recommendations of this report.

### **Conclusion**

The Development Planning Department has reviewed Site Development File DA.18.050 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 2 to 8 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 Application, subject to the conditions included in the Recommendations of this report.

**For more information**, please contact: Mark Antoine, Senior Planner, Development Planning Department, extension 8212.

### **Attachments**

1. Context and Location Map
2. Site Plan
3. Landscape Plan
4. South Building Elevation Plan
5. North Building Elevation Plan
6. East Building Elevation Plan
7. West Building Elevation Plan
8. Perspective Rendering
9. York Region Comments - September 26, 2018

### **Prepared by**

Stephen Lue, Senior Planner, extension 8210

Mark Antoine, Senior Planner, extension 8212

Amy Roots, Senior Manager - VMC, extension 8035

Christina Bruce, Director, VMC Program, extension 8231

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