

## Committee of the Whole Report

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

**WARD:** 5

**TITLE: PROMENADE LIMITED PARTNERSHIP  
OFFICIAL PLAN AMENDMENT FILE OP.18.013  
ZONING BY-LAW AMENDMENT FILE Z.18.020  
VICINITY OF BATHURST STREET AND CENTRE STREET**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval of the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.18.013 and Z.18.020, to develop the subject lands shown on Attachments 1 and 2, with 30 and 35-storey residential apartment buildings connected by a 6-storey podium (maximum of 790 units) with at grade retail and a 26-storey mixed-use building comprised of office, hotel and retail uses as shown on Attachments 3 to 7. The Owner is also proposing additional uses on the subject lands and a reduced parking standard for all non-residential uses on the entirety of the Promenade Shopping Centre lands.

### **Report Highlights**

- The Owner proposes to develop the subject lands with 30 and 35-storey residential apartment buildings connected by a 6-storey podium (maximum of 790 units) with at grade retail and a 26-storey mixed-use building comprised of office, hotel and retail uses. The Owner proposes additional uses on the subject lands and a reduced parking standard for all non-residential uses on the entirety of the Promenade Shopping Centre lands.
- Official Plan and Zoning By-law Amendments are required to permit the development.
- The Development Planning Department supports the approval of the development as it is consistent with the Provincial Policy Statement 2017, conforms to the Growth Plan, and the York Region Official Plan, the proposed residential, office and hotel uses are permitted by VOP 2010 and the development is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Vaughan Council permit Official Plan Amendment File OP.18.003 and Zoning By-law Amendment File Z.18.020 (Promenade Limited Partnership) for the subject lands only, to proceed in advance of the requirement for a Secondary Plan as set out in Policy 10.1.1.6 of Vaughan Official Plan 2010, Volume 1.
2. That Official Plan Amendment File OP.18.003 (Promenade Limited Partnership) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the subject lands shown on Attachments 1 as follows:
  - a) amend Schedule 13 - Land Use, to permit a 26-storey mixed-use retail, hotel and office building and 30 and 35-storeys mixed-use residential building and a maximum Floor Space Index of 4.4 times the area of the Subject Lands, whereas neither are prescribed by VOP 2010;
  - b) permit a maximum of 790 residential units within 2 residential buildings.
3. THAT Zoning By-law Amendment File Z.18.020 (Promenade Limited Partnership) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments 1 and 2, from "C5 Community Commercial Zone," subject to site-specific Exception 9(480) to "RA5 High Density Residential Town Centre Zone" with a Holding Symbol "(H)" together with the site-specific zoning exceptions identified in Table 1 of this report.
4. That the Holding Symbol "(H)" shall not be removed from Phase 1 of the Subject Lands or any portion thereof, until the following condition is addressed to the satisfaction of the City:
  - a) the Owner shall update the plans and reports for the required ultimate sanitary service for Phase 1 of the Subject Lands, and sanitary tributary areas to the satisfaction of the City;
  - b) the Owner shall enter into a development agreement and/or any other agreement(s) with the City for Phase 1 of the Subject Lands for the design and construction of the necessary municipal services and utilities. The said agreement shall be registered against the Subject Lands; and,
  - c) a Record of Site Condition shall be filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks covering the residential portion of Phase 1 of the Subject Lands.
5. 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 for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.

## **Background**

The subject lands (the ‘Subject Lands’) are located south of Centre Street, west of Bathurst Street, municipally known as 1 Promenade Circle and shown as the Subject Lands on Attachments 1 and 2. The Subject Lands are developed with the Promenade Shopping Centre. The Zoning Amendment application also applies to the entirety of the Shopping Centre lands as shown on Attachment 1.

### ***Official Plan and Zoning By-law Amendment applications have been submitted to permit the development***

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands to permit 30 and 35-storey residential buildings connected by a 6-storey podium (up to a maximum of 790 residential units) and a 26-storey mixed-use building with office, hotel and retail uses (the “Development”) as shown on Attachments 3 and 7:

1. Official Plan Amendment File OP.18.013 to amend the Vaughan Official Plan 2010, Volume 1, to:
  - a) amend Schedule 13 - Land Use, to permit a 26-storey mixed-use retail, hotel and office building and 30 and 35-storeys mixed-use residential building and a maximum Floor Space Index of 4.4 times the area of the Subject Lands, whereas neither are prescribed by VOP 2010;
  - b) permit a maximum of 790 residential units within 2 residential buildings.
2. Zoning By-law Amendment File Z.18.020 to amend Zoning By-law 1-88 to rezone the Subject Lands from “C5 Community Commercial Zone,” subject to site-specific Exception 9(480) to “RA5 High Density Residential Town Centre Zone” in the manner shown on Attachment 3 and to permit the site-specific zoning exceptions identified in Table 1 of this report.

### ***Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol and to an extended notification area***

On December 14, 2018, a Notice of Public Hearing was circulated to all property owners within an expanded notification area beyond 150 m to 500 m, as shown on Attachment 1, and to the Brownridge Ratepayer’s Association, Beverly Glen Ratepayer’s Association and the Springfarm Ratepayer’s Association. A copy of the Notice of Public Hearing was posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) meeting was held on January 22, 2019, to receive comments from the public and members of the Committee of the Whole. Vaughan Council on January 29, 2019, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of January 22, 2019, and forward a comprehensive technical report to a future Committee of the Whole meeting.

At the Public Hearing, deputations and/or written submissions were received from the following individuals regarding the Applications:

#### Deputations

- K. Hanit, Queensbridge Drive, Concord
- G. Gladstone, Oakhurst Drive, Thornhill
- N. Yanofsky, Bathurst Street, Thornhill
- B. Lapidus, Promenade Circle, Thornhill
- M. Racco, Brownridge Ratepayers Association, Checker Court, Thornhill
- F. Winegust, Tangreen Circle, Thornhill
- A. McPherson, Patrice Crescent, Thornhill
- I. Golan, North Park Road, Thornhill

#### Written Submissions (Included in Attachment 8)

- G. Kriger, Patrice Crescent, Thornhill, dated January 2, 2019
- R. Guetter, Weston Consulting, Millway Avenue, Vaughan, dated January 18, 2019
- M. Daiter, President YRCC #834, Promenade Circle, Thornhill, dated January 22, 2019

The comments received by the Development Planning Department through written submissions and by deputations at the Public Hearing on January 22, 2019, were generally related to the following:

- pedestrian safety and proper pedestrian connections within the Promenade Shopping Centre lands, as there are a significant number of seniors and students in area
- traffic congestion is an existing concern within the area and will increase with the proposed Development
- the overdevelopment of the Subject Lands and the increased density
- the proposed buildings are too high, and should be lowered to be in keeping with surrounding buildings
- the Development will add more pressure on community services, parks and libraries which are overused

These comments are addressed throughout this report.

On May 24, 2019, a notice of this Committee of the Whole meeting was sent to all individuals who made a deputation before the Committee or submitted written correspondence to the City regarding the Development.

The Owner has held several meetings regarding the Development including:

### Neighbourhood Groups

- 120 Promenade Circle Condo Board - April 12, 2018
- 1601 Bathurst Street Condo Board - April 12, 2018
- SpringFarm Ratepayers' Association - April 12, 2018
- Lakeview Estate Ratepayers' Association - April 17, 2018
- Brownridge Ratepayers' Association - April 26, 2018
- 110 Promenade Circle Condo Board - May 10, 2018
- 7440 Bathurst Street Condo Board - May 10, 2018
- 7440 Bathurst Street, Residents' Open House - November 12, 2018

### Tenants

- Promenade Mall Tenant Information Sessions - May 22, 2018
- Ongoing, open discussions via mall management

### Public Meetings

- Open Town Hall Meeting - December 10, 2018

These meetings were attended by residents representing the condominium boards in the vicinity of the Subject Lands and the local Ratepayer Associations. Information sessions were also held with the Promenade Shopping Centre for existing tenants and employees. On December 10, 2018, an Open Town Hall meeting was held in the vacant Sears space of the shopping centre.

### **Previous Reports/Authority**

[January 22, 2019, Committee of the Whole Public Hearing \(Item 5, Report 4\)](#)

### **Analysis and Options**

The Development Planning Department has reviewed the Development shown on Attachments 3 and 7 in consideration of the following policies: the *Provincial Policy Statement 2014, Places to Grow: The Growth Plan for the Greater Golden Horseshoe (2019)*, York Region Official Plan and Vaughan Official Plan 2010.

***The Development contributes to building a strong and healthy community consistent with the Provincial Policy Statement which applies across Ontario and provides provincial policy direction on land use planning.***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the *Provincial Policy Statement, 2014* (“the PPS”). The PPS provides policy direction on matters of Provincial interest related to land use planning and development. The PPS policies state, as follows (in part):

- a) Section 1.1, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns, requires “*development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs and promotes cost effective development patterns and standards to minimize land consumption and servicing costs.*”
- b) Section 1.1.3, Settlement Areas, “*shall be the focus of growth and development, and their vitality and regeneration shall be promoted.*”
- c) Section 1.4.3, Housing, “*Planning Authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):*
  - a) *permitting and facilitating:*
    - 1. *All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and*
    - 2. *All forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;*
  - b) *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;*
  - c) *promoting densities for new housing which efficiently use lands, 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; and*
  - d) *establishing development standards for residential intensification, redevelopment and new residential development which minimize that cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”*

The Development is consistent with the policies of the PPS identified above. The Development shown on Attachments 3 to 7 is for 26 to 35-storey buildings with a range of uses including residential, office, hotel and retail. The Subject Lands are located within a settlement area and the Development would add to the range and mix of housing types in the community, and efficiently utilize the Subject Lands. The Development is proposed in an area where appropriate levels of infrastructure and public service facilities exist, are under construction, or are planned. The proposed density more efficiently uses the Subject Lands, resources, infrastructure and public service facilities in a compact development form. On this basis, the Development is consistent with the PPS.

***The Development contributes to a vibrant urban centre - one that supports and encourages diverse forms of living, transit and employment opportunities. This conforms with the policies of the Growth Plan***

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Growth Plan requires that all decisions made on or after May 16, 2019, in respect of the exercise of any authority that affect a planning matter will conform to the Plan. The Growth Plan promotes intensification of existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan directs population and employment growth to be accommodated within the built-up areas, and the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality open spaces, and easy access to local stores and services.

The Growth Plan includes the following policies:

a) *“1.2.1 Guiding Principles (in part)*

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.”*

b) *“2.2 Policies for Where and How to Grow (in part)*

*2.2.1 Managing Growth*

*Applying the policies of this 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; and*

- d) *Provide for a more compact built form and a vibrant public realm, including public open spaces.*

#### *2.2.2 Delineated Built-up Areas*

- 1. *By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*
  - a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area.*

#### *2.2.6 Housing*

- 1. *Upper and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:*
    - a) *Support housing choice through the achievement of the minimum intensification and density targets in the Plan, as well as the other policies of the Plan by:*
      - i. *Identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
      - ii. *Establishing targets for affordable ownership housing and rental housing.”*
  - 2. *Notwithstanding policy 1.4.1 of the PPS, 2014, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*
    - a) *Considering a range and mix of housing options and density targets in the PPS;*
    - b) *Planning to diversify their overall housing stock across the municipality;”*
- c) *“3.2.3 Moving People (in part)*
- 1. *Public transit will be the first priority for transportation infrastructure planning and major transportation investments.*



2. *All decisions on transit planning and investment will be made according to the following criteria:*
- a) *aligning with, and supporting, the priorities identified in Schedule 5 - Moving People - Transit;*
  - b) *prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;*
  - c) *increasing the modal share of transit; and*
  - d) *contributing toward the provincial greenhouse gas emissions reduction targets.”*

The Subject Lands are located within a settlement area and a delineated built-up area. The Development adds a range and mix of housing units, provides a diversified mix of uses in the community, and a higher density compact built form. The proposed zoning for the Subject Lands would permit apartment units which promotes the “Guiding Principles”, and “Where and How to Grow” policies of the Growth Plan which support a range and mix of housing options.

The Growth Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit and seeks to align transit with growth by directing growth to Major Transit Station Areas (‘MTSA’) and other strategic growth areas, including urban growth centres. In addition, it promotes transit investments in these areas with minimum density targets (Policy 2.2.4 Transit Corridors and Station Areas). Schedule 5 of the Growth Plan identifies Centre Street and Bathurst Street as a Priority Transit Corridor. MTSA’s are generally defined as the area within an approximate 500m radius of a transit station, representing a 10-minute walk.

To optimize public investments in higher order transit, the Growth Plan identifies priority transit corridors with the expectation that municipalities complete detailed planning for MTSA’s on these corridors to support planned service levels. The Disera Road and Promenade area has been identified as a future MTSA with a planned Bus Rapid Transit Station area which forms part of the York Region Municipal Comprehensive Review. The VIVA Next Regional Road 7 Corridor is a rapid bus transit corridor, which is currently under construction and 74% completed. This transit service is expected to be operational in the Bathurst Street and Centre Street area by the end of 2019, connecting east into Richmond Hill. Once built and in operation, this east-west high-order transit corridor will have two (2) bus stops (Dufferin Street and Taiga Drive) along Centre Street and one bus stop along Bathurst Street (Promenade Shopping Centre and Disera Drive). It will connect to the broader YRT system and to the existing subway in the VMC, as well as the planned Yonge Street subway extension, which would serve the future residents of this Development.

The Development will accommodate approximately 1,580 persons (@ 1.9 people/unit), and generate 800 office and 212 hotel jobs, in addition to approximately 2,250 retail commercial jobs, which will exceed the minimum target of 160 residents and jobs per hectare (total site area 20.5 ha) in the Growth Plan for development in proximity to a MTSA.

The Development is consistent with the policy framework of the Growth Plan by directing growth to a built-up area where there is opportunity to accommodate population growth, promote a transit-supportive density and a mix of residential and commercial land uses. The Development will ensure opportunities for safe pedestrian linkages, pedestrian-built form at grade, new and enhanced pedestrian linkages to the shopping centre and will also provide an appropriate transition to the adjacent community areas.

***The Development encourages healthy communities, economic viability and a sustainable natural environment which conforms with the York Region Official Plan***

The Subject Lands are designated “Urban Area” by the York Region Official Plan (the “YROP”), which permits a wide range of residential, commercial, industrial and institutional uses. Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province’s Built-Up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Subject Lands are located along Centre Street and Bathurst Street which are identified as Regional Corridors in the YROP.

Section 3.5 of the YROP, Housing our Residents, provides housing objectives which include and promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, housing forms and types and tenures that will satisfy the needs of the Region’s residents and workers.

The Development would add a hotel, office, residential and additional retail uses to the existing regional shopping centre, thereby increasing the mixed-use function of the Subject Lands, located on a Regional Corridor, which satisfies policy 4.2.4 of the YROP. Residential uses will integrate with the major retail within the community satisfying policy 4.4.8 of the YROP. The York Region Community Planning and Development Services Department has advised the Development is in an urban form and design that is compact, pedestrian and cyclist-friendly, and transit supportive satisfying policy 5.4.5 of the YROP.

The York Region Community Planning and Development Services Department encourages the Development to include 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. Furthermore, York Region recommends the Development be designed to achieve energy efficiency levels that exceed/achieve 10% greater water efficiency than the Ontario Building Code,

be designed to maximize solar gains, be constructed in a manner that facilitates future solar installations and incorporates green building standards such as Leadership in Energy and Environmental Design (LEED), Energy Star or other emerging technologies. These detailed design matter will be considered at the Site Plan approval stage, should the Applications be approved.

York Region has advised the Applications conform with the YROP

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance, which does not adversely affect Regional planning policies or interest. The request for Regional exemption was considered by Regional staff and was exempted from approval by Regional Planning Committee and Council. York Region has advised the Applications conform with the YROP, however, the Region reserves the right to provide further detailed technical comments and conditions at the site plan stage.

***The Development is consistent with the vision of Vaughan's Official Plan 2010, which will shape the future of the City and guide its continued transformation into a vibrant and sustainable City.***

The Subject Lands are located in an area designated for growth and a mix of land uses

VOP 2010 identifies Primary Centres as the location for the accommodation of growth and the greatest mix of uses and densities.

The entirety of the Promenade Shopping Centre lands, including the Subject Lands are located within an Intensification Area - "Primary Centre" by Schedule 1 - Urban Structure of VOP 2010, Volume 1, with access to and frontage (overall Promenade Shopping Centre Lands) on a "Regional Rapid Transit Corridor" along Centre Street and onto a "Regional Transit Priority Network Corridor and Special Study Area" along Bathurst Street.

VOP 2010 provides that Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use, high and mid-rise buildings, developed at an intensity supportive of transit. These areas are identified in VOP 2010 as Intensification Areas, which are the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities. The policies related to Intensification Areas shall be consistent with policies for such areas as contained in the PPS, the Growth Plan and the YROP.

In addition to the Vaughan Metropolitan Centre, VOP 2010 establishes an urban structure identifying the main places where transformation will occur in Vaughan are Primary Centres, which will evolve as distinct places of major activity around planned subway stations and existing regional shopping destinations. Vaughan Mills, Bathurst Street and Centre Street (Subject Lands), and Weston Road and Regional Road 7 are each shopping destinations of regional significance, which have potential for residential intensification and the introduction of additional uses through development of surface

parking areas, out-parcels and eventual redevelopment or intensification of the Promenade Shopping Centre. Existing major retail uses (those over 10,000 m<sup>2</sup> on any single lot) are permitted in Primary Centres.

The Development as proposed is primarily contained within the overall development footprint of the existing Promenade Shopping Centre, meets the use intent (i.e. “High-Rise Mixed-Use”) of the VOP 2010. The Planning Justification report submitted in support of the Applications refers to Section 2.2.5.6 of VOP 2010 that states “Primary Centres” be planned to:

- a. include a mix of housing types and tenures, including housing suitable for seniors, families with children and affordable housing;
- b. include a mix of non-residential uses including retail, office, institutional, community facilities, and human services to serve both the local population and the City, and attract activity throughout the day;
- c. develop at densities supportive of planned public transit;
- d. have a fine grain network of streets suitable for pedestrians and cyclists, with appropriate internal links to the surrounding community areas by way of streets, walkways or greenways;
- e. include well-designed public open spaces that are either landscaped parks or public plazas or both in a manner that is appropriate to the local context;
- f. encourage a pedestrian-friendly built form by locating active uses at grade; and
- g. be designed and developed to implement appropriate transition of intensity and use to surrounding Community Areas, and/or separation from adjacent Employment Areas.

The Development as proposed will support and transform the existing retail uses, ensure a range of housing options, support transit-oriented development, introduce office, hotel and additional retail uses onto the Subject Lands, provide an attractive pedestrian friendly built form by locating active uses at grade and achieve an appropriate transition of intensity to uses in the surrounding community. The Promenade Shopping Centre is separated from existing low-rise residential uses by public and private roads, and existing high density residential, and by commercial uses, a school and a park. The proposed Development is compatible with the surrounding land uses.

The proposal to maintain the Promenade Shopping Centre and to permit a high-rise mixed-use Development consisting of a mix of land uses with access to Centre Street, Bathurst Street and Clark Avenue West and with frontage (overall Promenade Mall Site) onto Centre Street and Bathurst Street conforms to the Primary Centres and Regional Intensification Corridor use policies of the VOP 2010.

The Official Plan already allows for “High-Rise Mixed-Use” on the site

The Subject Lands are designated “High-Rise Mixed-Use” with no prescribed maximum building height or density (FSI) by VOP 2010, Volume 1, Schedule 13. This designation is in effect on the Subject Lands and permits a range and mix of residential, retail,

office, hotel, community and institutional uses. The Subject lands are also subject to Area Specific Policy 12.11, the Bathurst and Centre Street: Thornhill Town Centre policies of Volume 2 of VOP 2010. The Area Specific Policy has been adopted by Vaughan Council, and is not yet approved by the Local Planning Appeal Tribunal and therefore, is currently not in-effect for the Subject Lands.

Lands designated “High-Rise Mixed-Use” are located in Intensification Areas and provide for a mix of residential, retail, community and institutional uses. These areas will be carefully designed with a high standard of architecture and public realm, and well-integrated with adjacent areas. The “High-Rise Mixed-Use” designation permits residential units, home occupations, community facilities, cultural uses, including commercial galleries and theatres, retail uses, office uses up to a maximum of 12,500 m<sup>2</sup> in non-intensification areas, parking garages, hotels; and gas stations. In areas designated “High-Rise Mixed-Use” the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street. When located in Intensification Areas retail uses shall not exceed 50% of the total gross floor area of all uses on the lot.

The Owner proposes to amend VOP 2010 to establish heights of 26, 30 and 35-storeys, a maximum density of 4.4 FSI and up to 790 units (Buildings A and B) on the Subject Lands, whereas neither a maximum building height or FSI is prescribed by VOP 2010.

The proposal for 2 residential apartment buildings and a mixed-use building comprised of office and hotel uses with retail at grade that animates the extension of “High Street” (proposed) conforms to the use policies of the “High-Rise Mixed-Use” designation. Further, the existing and new retail uses (67,868 m<sup>2</sup>) will not exceed 50% of the total gross floor area of all existing and proposed retail uses on the lot (187,160 m<sup>2</sup>).

The Owner has requested that the maximum permitted number of units and FSI considered at the Public Hearing be increased from 731 to 790 units and 4.23 to 4.4 FSI respectively. The additional number of units is requested to accommodate market flexibility regarding the sale of the units. The increase FSI is requested to accommodate a larger floorplate size for the office building from approximately 1,574 m<sup>2</sup> to 1,862 m<sup>2</sup>.

#### The Official Plan permits high-rise buildings on the site

A high-rise building type is permitted in the “High-Rise Mixed-Use” designation. VOP 2010 identifies a high-rise building as a building generally over 12-storeys in height, with a maximum height prescribed by Schedule 13 and designed with a pedestrian-scaled podium between 3 to 6-storeys in height, having slender towers with a floorplate no greater than 850 m<sup>2</sup>. In the case of high-rise buildings containing office uses, the portions above 12-storeys shall be setback a minimum of 15 m from any property line; and, where more than one high-rise building is located on the same lot, the separation distance between any portions of the high-rise buildings above 12-storeys should be at least 30 m. All high-rise buildings are required to accommodate a minimum amount of parking within the high-rise structure. All surface parking areas must provide a high level

of landscape treatment and pedestrian pathways. The rooftop of high-rise buildings should include landscaped green space and private outdoor amenity space.

The Development includes a 6-storey residential podium that connects residential Buildings A and B. These buildings are slender in design, with maximum floor plates of 850 m<sup>2</sup>. Building C (office, hotel and retail) has a floor plate of 1862 m<sup>2</sup>, with all storeys setback more than 15 m from any property line. The distance between Buildings A and B is 30 m and between Buildings B and C is 40 m. Buildings A and B share private rooftop amenity areas on the 2nd floor. The Development will be served by 3 levels of underground parking. The Development conforms to the High-Rise Building type design criteria of VOP 2010.

***Development Planning Staff supports proceeding with this important city-building initiative, which will help revitalize the site, in advance of the Secondary Plan***

Schedule 14A identifies the Subject Lands as an area requiring a Secondary Plan. Section 10.1.1.6 specifies that where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for the area.

Policy 9.2.1.7, of VOP 2010, states where no building height or floor space index is indicated on Schedule 13, the maximum height and density shall be established through a Secondary Plan or Area Specific Policy as contained in Volume 2 of VOP 2010, where such a Secondary Plan or Area Specific Policy exists, or through the application of the various policies of VOP 2010 (as stated above).

As there is currently no approved Secondary Plan in place for the Subject Lands, including the larger Promenade Shopping Centre lands, the policies noted above have been taken into consideration in reviewing the Applications. The Development is in keeping with the intent of the current VOP 2010 Volume 1 policy framework, as the Development is located within an “Intensification Area” and “Primary Centres” as identified on Schedule 1 of VOP 2010, Volume 1, which encourages high-rise mixed use-development and land uses that are transit-supportive and pedestrian friendly.

The Development is located in close proximity to significant transit investments

Regional Rapid Transit Corridors are Regional Roads which have been identified for major higher-order transit investments, such as Viva Rapid Transit on Regional Road 7 and Yonge Street. The Development is in proximity to a planned MTSA (Centre Street and Disera Road) and Bus Rapid Transit Station area along Centre Street and Bathurst Street. The Development on the lands fronting on to these roads (Centre Street and Bathurst Street) will serve to support the transit investments by creating urban main streets connecting Regional Centers and other Intensification Areas (Primary Centres) in Vaughan and across York Region.

The Development represents a much-needed redevelopment potential that will ensure continued viability of the Shopping Centre and help revitalize the site

The Development includes two residential apartment buildings and a mixed-use building primarily located within the existing overall development footprint of the former Sears retail store, which forms part of the Promenade Shopping Centre. The Promenade Shopping Center was constructed over 40 years ago and acts as a community hub. The immediate local community and business concern of the loss of a major retail tenant (Sears) as the Shopping Centre development grows increasingly less viable as a format for retail (a large interior mall surrounded by surface parking) and the continued functioning of the Shopping Centre presents a major concern. Shopping Centres, with large interior shopping surrounded by surface parking are increasingly less viable and with the loss of Sears, one of the major retail tenants, the desire to infuse development activity into the site is of paramount consideration. The Development will replace the former Sears retail store portion of the Promenade Shopping Centre. The balance of the Promenade Shopping Centre will remain unchanged and operational.

The Development includes the replacement of the existing driveway along the east side of the Shopping Centre with a new private road ("High Street"), as shown on Attachment 3 and 7, to access the proposed new at grade retail, hotel and residential uses. No additional streets are proposed, nor is the access into the site being altered. The Development will not extend beyond the limits of the current Promenade ring road. Any proposed subsequent phases of development will be subject to a Secondary Plan process.

The Applications provide for a renovation and revitalization to enhance the shopping centre's commercial viability by providing new residential space and commercial, office and hotel uses to increase all levels of activity and pedestrian traffic. The Development addresses the policy requirements for Primary Centres and the "High-Rise Mixed-Use" designation.

The Development represents an important contribution to city-building

The Development is important in terms of its contribution to city-building with the additional residential and mixed-use development proposed for an existing prominent retail landmark which has recently experienced hardship through the loss of a major tenant. The Development will support Primary Center intensification accommodated in the form of predominately mixed-use high-rise buildings, development at an intensity supportive of transit along Regional Rapid Transit Corridors.

The City is currently undertaking a City-initiated Secondary Plan Study for the Promenade Shopping Centre area (which will include the balance of the Promenade Shopping Centre lands and the site located north of the Shopping Centre). The Terms of Reference for the Secondary Plan has been prepared and a selection of consultant to undertake the study is imminent. The study is expected to be completed within 18 to 24 months.

Lastly, the proposal could be adversely affected by the delay caused by adhering to the timing of the Secondary Plan process. The proposal is seeking to strengthen the existing retail market by providing additional opportunities for mixed uses within a relatively shorter time frame than is contemplated by the secondary plan timeframe.

In consideration of the above, it is recommended that Council permit Official Plan Amendment File OP.18.003 and Zoning By-law Amendment File Z.18.020 (Promenade Limited Partnership) to proceed in advance of a Secondary Plan and to consider the supporting documentation in support of the Applications, including the Community Development Plan (CDP), which establishes a framework for the Development to satisfy the requirements as it relates to a Secondary Plan as identified in Section 10.1.1.6. of VOP 2010. The CDP identified conceptual public and private street pattern, new and improved pedestrian connections from residential areas to the shopping centre, and a new publicly accessible open space (urban square) which will be addressed at a future site plan development submission.

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

The Subject Lands are zoned “C5 Community Commercial Zone,” subject to site-specific Exception 9(480) by Zoning By-law 1-88, which does not permit the Development. The Owner proposes to amend Zoning By-law 1-88, to rezone the Subject Lands to “RA5 High Density Residential Town Centre Zone” in the manner shown on Attachment 3, and to permit the following site-specific zoning exceptions:

Table 1

	<b>Zoning By-law 1-88 Standards</b>	<b>RA5 High Density Residential-Town Centre Zone</b>	<b>Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone</b>
a.	Permitted Uses	<ul style="list-style-type: none"> <li>- Apartment Dwellings</li> <li>- Bank or Financial Institution*</li> <li>- Retail Store*</li> <li>- Business or Professional Office*</li> <li>- Personal Service Shop*</li> <li>- Video Store*</li> </ul> <p>*Uses identified shall be located at grade and shall be part of a mixed-use commercial/residential building. In addition, the gross floor area (GFA)</p>	<p>Permit the following additional uses on the first 3 floors of Buildings A, B and C:</p> <ul style="list-style-type: none"> <li>- Brewers Retail Outlet</li> <li>- Club or Health Centre</li> <li>- Community Centre</li> <li>- Eating Establishment</li> <li>- Eating Establishment, Convenience</li> <li>- Eating Establishment, Take-out, with or without Outdoor Patio</li> <li>- Financial Institution</li> </ul>



	Zoning By-law 1-88 Standards	RA5 High Density Residential-Town Centre Zone	Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone
		<p>devoted to these uses shall not exceed 30% of the ground floor area.</p>	<ul style="list-style-type: none"> <li>- Hand Car Wash and Detailing Establishment</li> <li>- Hotel with an accessory Banquet Hall Use</li> <li>- Institutional Uses</li> <li>- L.C.B.O Outlet</li> <li>- Motor Vehicle Sales Establishment</li> <li>- Museum or Art Galleries</li> <li>- Personal Service Shop</li> <li>- Pet Grooming Establishment, to be contained within a wholly enclosed building</li> <li>- Pharmacy</li> <li>- Photography Studio</li> <li>- Place of Amusement</li> <li>- Place of Entertainment</li> <li>- Place of Worship</li> <li>- Public, Technical or Private School</li> <li>- Post Office</li> <li>- Service or repair shops</li> <li>- Shopping Centre</li> <li>- Supermarket</li> <li>- Temporary Sales Office, permitted in a multi-unit building or structure within or beyond 100 m of the Subject Lands and shall be permitted prior to removal of the ("H") symbol.</li> </ul> <p>Permit a hotel, business or professional offices and the new retail uses listed above in Building C.</p>

	<b>Zoning By-law 1-88 Standards</b>	<b>RA5 High Density Residential-Town Centre Zone</b>	<b>Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone</b>
b.	<p>Definitions of Building Height, a Hand Car Wash and Detailing Establishment and a Motor Vehicle Sales Establishment</p>	<p>Building Height – means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of any accessory roof construction such as a chimney, tower, steeple, elevator, mechanical room, or television antenna.</p> <p>No definition of a Hand Car Wash and Detailing Establishment</p>	<p>Building Height – means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of any accessory roof construction such as a chimney, tower, steeple, elevator, mechanical room, mechanical room decorative screening or television antenna.</p> <p>Hand Car Wash and Detailing Establishment - means a use located in the underground parking garage for the washing and detailing of motor vehicles for a fee by hand. This does not include a</p>

	<b>Zoning By-law 1-88 Standards</b>	<b>RA5 High Density Residential-Town Centre Zone</b>	<b>Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone</b>
		<p>Motor Vehicle Sales Establishment - Means a building or part of a building used for the sale and display of motor vehicles, including the sale of automotive parts, mechanical repairs and auto body repairs.</p>	<p>mechanical and automated car wash</p> <p>Motor Vehicle Sales Establishment - means a building or part of a building used only for the sale and display of motor vehicles, and shall not include the sale of automotive parts, accessories, mechanical repairs and auto body repairs and outdoor display.</p>
c.	Maximum Combined GFA of all Retail/Commercial Uses	30%	50 %
d.	Maximum Gross Floor Area of Each Retail/Commercial Unit	250 m <sup>2</sup>	Shall not apply
e.	Maximum Building Height	56 m (18-storeys)	<p>Building A - 115 m (35-storeys)</p> <p>Building B - 100 m (30-storeys)</p> <p>Building C - 100 m (26-storeys)</p>

	<b>Zoning By-law 1-88 Standards</b>	<b>RA5 High Density Residential-Town Centre Zone</b>	<b>Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone</b>
f.	Minimum Building Height	16 m (5-storeys)	The minimum building height shall not apply
g.	Minimum Number of Required Parking Spaces	<u>Residential</u> 1.5 spaces/unit  <u>Visitor</u> 0.25 space/unit  <u>Office</u> 3.5 spaces/100 m <sup>2</sup> GFA  <u>Medical Office</u> 5 spaces/practitioner  <u>Hotel</u> 1 space/bedroom  <u>Retail</u> 6 spaces/100 m <sup>2</sup> GFA  <u>Eating Establishment</u> 16 spaces/100 m <sup>2</sup> GFA  <u>Take-Out Eating Establishment</u> 10 spaces/100 m <sup>2</sup> GFA	<u>Residential</u> Bachelor/1 Bedroom: 0.85 space/unit  2 Bedroom: 0.95 space/unit  3 Bedroom: 1.15 spaces/unit  <u>Visitor</u> 0.2 space/unit  <u>Office</u> 2 spaces/100 m <sup>2</sup> GFA  <u>Medical Office</u> 3 spaces/100 m <sup>2</sup> GFA  <u>Hotel</u> 0.85 space/bedroom  <u>Retail</u> 3 spaces/100 m <sup>2</sup> GFA  <u>Eating Establishment</u> 8 spaces/100 m <sup>2</sup> GFA  <u>Take-Out Eating Establishment</u> 4 spaces/100 m <sup>2</sup> GFA

	<b>Zoning By-law 1-88 Standards</b>	<b>RA5 High Density Residential-Town Centre Zone</b>	<b>Proposed Exceptions to the RA5 High Density Residential-Town Centre Zone</b>
h.	Minimum Parking Space Dimension	2.7 m x 6 m	2.7 m x 5.7 m
i.	Minimum Number of Loading Spaces	2 loading spaces/ 10,000 m <sup>2</sup> of Commercial GFA = 18 loading spaces	A minimum total of 23 loading spaces shall be provided (over the entirety of the C5 Community Commercial Zone and RA5 High Density Residential Town Centre Zone)
j.	Minimum Permitted Bicycle Parking	No Requirement	<p><u>Residential</u> Short Term: 0.07 space/100 m<sup>2</sup> GFA</p> <p>Long Term: 0.68 space/100 m<sup>2</sup> GFA</p> <p><u>Retail</u> Short Term: 3 plus 0.25 space/100 m<sup>2</sup> GFA</p> <p>Long Term: 0.13 space/100 m<sup>2</sup> GFA</p> <p><u>Office</u> Short Term: 3 plus 0.15 space/100 m<sup>2</sup> GFA</p> <p>Long Term: 0.13 spaces/100 m<sup>2</sup> GFA</p> <p><u>Hotel</u> Short Term: 4 spaces total</p> <p>Long Term: 4 spaces total</p>

	<b>Zoning By-law 1-88 Standards</b>	<b>C5 Community Commercial Zone, subject to site-specific Exception 9(480)</b>	<b>Proposed Exceptions to the C5 Community Commercial Zone, subject to site-specific Exception 9(480)</b>
a.	Minimum Number of Required Parking Spaces	<u>Office</u> 3 spaces/100 m <sup>2</sup> GFA  <u>Medical Office</u> 5 spaces/practitioner  <u>Retail</u> 6 spaces/100 m <sup>2</sup> GFA  <u>Eating Establishment</u> 16 spaces/100 m <sup>2</sup> GFA  <u>Take-Out Eating Establishment</u> 10 spaces/100 m <sup>2</sup> GFA	<u>Office</u> 2 spaces/100 m <sup>2</sup> GFA  <u>Medical Office</u> 3 spaces/100 m <sup>2</sup> GFA  <u>Retail</u> 3 spaces/100 m <sup>2</sup> GFA  <u>Eating Establishment within a stand alone building</u> 8 spaces/100 m <sup>2</sup> GFA  <u>Take-Out Eating Establishment within a stand alone building</u> 4 spaces/100 m <sup>2</sup> GFA
b.	Minimum Number of Loading Spaces	2 loading spaces / 10,000 m <sup>2</sup> of commercial GFA = 18 loading spaces	A minimum total of 23 loading spaces shall be provided (over the entirety of the C5 Community Commercial Zone and RA5 High Density Residential Town Centre Zone)

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

a) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would facilitate a development that is consistent with the policies of the PPS and conforms to the Growth Plan and York Region Official Plan. The site-specific development standards will enable a compact built form and pedestrian realm relationship that is supported in an intensification area with access to transit.

b) Additional Uses

The introduction of additional permitted uses on the Subject Lands increase the range of uses on the Subject Lands in order to achieve a successful mixed-use Development. The proposed uses are consistent with surrounding mixed-use developments and some uses are currently permitted within the “C5 Community Commercial Zone”, site-specific Exception 9(480) for the Promenade Shopping Centre. The proposed uses are considered compatible with existing development and will provide for marketing flexibility. The additional uses would only be permitted in the first 3 floors of Building A, B and C and a hotel and Business and Professional Office within the remainder of Building C.

c) Vehicular and Bicycle Parking

The Development Engineering Department has no objection to the proposed parking space size. The proposed parking and bicycle parking standards are supported by a Parking Study prepared by WSP Parking Study. The proposed parking rates are consistent with the City’s draft parking standards as recommended by the IBI Parking Study rates for Primary Centres, based on a shared parking principle for the Subject Lands (mixed-use development) and the remainder of the Promenade Shopping Centre for the residential visitor parking, office, hotel and retail uses. The Development Engineering (“DE”) Department has reviewed the parking study and concurs with the parking standards proposed for the Development.

The Development Planning Department recommends that the Subject Lands be zoned with the Holding Symbol “(H)”, as shown on Attachment 3, which shall not be removed from the Subject Lands, or any portion thereof, until the following conditions are addressed to the satisfaction of the City of Vaughan:

- a) the Owner shall update the plans and reports for the required ultimate sanitary service for Phase 1 of the Subject Lands, and sanitary tributary areas to the satisfaction of the City;
- b) the Owner shall enter into a development agreement and/or any other agreement(s) with the City for Phase 1 of the Subject Lands for the design and construction of the necessary municipal services and utilities. The said agreement shall be registered against the Subject Lands; and,
- c) provide to the City a Record of Site Condition filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks covering the residential portion of Phase 1 of the Subject Lands.

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

***The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), within 2 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 Committee of Adjustment within two (2) 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 Minor Variance Applications within two (2) years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.18.020 the Development Planning Department 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 Owner has submitted a Site Development Application to permit the Development***

The Owner submitted Site Development File DA.18.107 to permit the Development which is under review by internal City of Vaughan Departments and external agencies. The application will be reviewed in consideration of, but not limited to the following:

- appropriate building design and materials
- site design, massing, scale, height and building/unit orientation and upgraded flankage building elevation designs, bird friendly design
- interface with the existing and planned surrounding development
- the provision of appropriate on-site amenity and landscape areas
- pedestrian and barrier free accessibility and on-site vehicular access and circulation
- environmental sustainability
- servicing, grading, stormwater management
- appropriate provisions for waste management and snow storage areas
- shade conditions created by the Development on the immediate surrounding area

The Site Development Application will be subject to a technical report for consideration at a future Committee of the Whole meeting.

***The Site Development Application must be considered by the Design Review Panel***

On April 26, 2018, the Design Review Panel (the 'DRP') considered the Development at a conceptual design stage, including an overall design concept for the revitalization of the existing Promenade Shopping Centre. The DRP emphasized that significant consideration should be made to the following:



- evaluating other design options to achieve a north-south connection that can support vibrancy of the phase on its own, as well as, establishing a road network for the future success of the of the overall area,
- achieving the extension of Promenade Street in Phase 1 to connect to Disera Drive to reinforce its character as the “High Street” is critical to achieve the overall vision of the area,
- exploring the pedestrian circulation network in all phases
- evaluating the location of Building A in light of the possibility of Promenade Circle’s realignment. The Building is too far south and may need to be shifted slightly to the north for a better realignment of the road.

The Site Development Application will be considered at a future DRP meeting to address the comments from April 26, 2018, landscaping, elevations and site organization and will be finalized through the Site Development Application DA.18.107.

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

#### Water Supply

The Subject Lands are located within the City of Vaughan Pressure District 6 (PD6). There are municipal watermains adjacent to the site on Bathurst Street and Centre Street. In addition, municipal watermains are located within easements on Promenade Circle. The Owner proposes to connect to the watermain on the east side of Promenade Circle to service the Development. There are sufficient sources of potable water to support the Development.

#### Sanitary Sewer

The Functional Servicing Report (the “FSR”) demonstrates two options to service the Subject Lands as follows:

- connecting to a municipal sanitary sewer on Clark Avenue
- connecting to a regional Trunk sewer on Bathurst Street

The Owner prefers the second option, which requires York Region acceptance. In this case, the Owner is required to enter into a development agreement with the City for the design and construction of the proposed sewer between the Regional Trunk and the proposed control maintenance hole to the satisfaction of the City. The Owner shall design the sewer to be able to accommodate the flows from the entire lands and any associated external flows.

In the event the Owner proposes the first option, additional plans and details will be required to evaluate downstream capacity of the sanitary system. If an upgrade to the system is required, the Owner shall enter into a development agreement with the City in this regard. Upon receiving the necessary report, plans and details, the City will provide appropriate comments and conditions accordingly.

### Storm Sewer

The FSR demonstrates that the post-development flows will be controlled to the existing flows by proposing an underground tank and orifice, therefore no upgrade will be needed to the existing storm sewer system. The Owner will install filter-based treatment units (Jelly Fish Filters) to achieve the water quality targets.

### Road Network

The Subject Lands are served by the existing public and private road network surrounding the Promenade Shopping Centre. A revitalization of the existing mall frontage road (High Street) is proposed to provide better accommodations for pedestrians, cyclists and vehicular traffic including on-street layby parking. The Development includes a Low Street (located below High Street) that will provide direct access for loading and connectivity to 3-levels of underground parking. Stratified separation of the two streets provides better site traffic circulation and separation between different road users including pedestrians, cyclists and larger service vehicles.

The DE Department concurs with the recommendations of the traffic study analysis that demonstrates that the Development can be accommodated by the existing road network through internal private streets, subject to easements in favour of the City. The Subject Lands has excellent connectivity to the surrounding Regional and City road networks. Major full-movement connections to the surrounding public streets are facilitated through signalized intersections, one each on the surrounding streets:

- Centre Street to the north
- Bathurst Street to the east
- Clark Avenue to the south and
- New Westminster Drive to the west

### Transit

The Subject Lands will have access to public transit including the new Bus Rapid Transit ('BRT') along Centre Street and Bathurst Street, adjacent to the Subject Lands. This transit service provides direct access to the Vaughan Metropolitan Centre ('VMC') TTC Subway Station and beyond to the west and to as well as the future Richmond Hill Centre TTC Subway extension, and further east to Markham. There are several other transit routes (YRT, VIVA, and TTC) currently providing service to the area including connectivity to the City of Toronto.

### Active Transportation

Pedestrian and cycling infrastructure improvements are proposed as part of this Development including urbanization and traffic calming of the Promenade Shopping Centre frontage road (High Street), provision of sidewalks on both sides of the road, and enhanced direct connectivity to Bathurst Street. In addition, High Street includes

'sharrows' for cyclists that raises motorists' awareness about the shared right of way with cyclists.

Separated cycling facilities are proposed for the surrounding road network including both the Bathurst Street and Regional Road 7/Centre BRT corridors. Furthermore, separated cycling facilities, in the form of in-boulevard cycle-tracks, are proposed on Clark Avenue. The City of Vaughan is currently undertaking a detailed design for this project and construction is expected to be completed by 2020.

### Parking

The Subject Lands is categorized as a Primary Centre since it is located within an urban area with walking distance to a major transit station (i.e., future station at Centre and Bathurst). Hence, reduced parking rates of primary centres, as recommended in the City's Draft Parking Standards (IBI Study, 2010), have been applied to the Subject Lands. This practice will avoid an over-supply of parking that contributes to auto-oriented land use planning and increased auto dependency. Shared parking between non-residential uses (i.e. office, retail, hotel and residential visitors) is another measure proposed for the Subject Lands to achieve more efficient use of land that promotes parking management in a responsible manner.

Based on the shared parking principles, a total parking supply of 1748 spaces is required for the Development of which 915 spaces will be provided in the underground parking garage immediately beneath the Development and the remaining 833 spaces on the existing Promenade Shopping Centre's surface parking area.

The Promenade Shopping Centre retail parking supply rate is proposed to be lowered, with the same principles mentioned above, from the existing 6 spaces per 100 m<sup>2</sup> to 3 spaces per 100m<sup>2</sup> of GFA. The reduction in the retail rate of 3 spaces per 100 m<sup>2</sup> is consistent with the recommendations of the City's Draft Parking Standards (IBI Study, 2010) for Primary Centres and is consistent with the observed parking demand rates by BA Group, Transportation Consultant for the Promenade Shopping Centre. The proposed parking supply will adequately meet the needs of the development and offer an effective shared parking supply strategy.

### Future Secondary Plan Considerations

Due to the scale and intensity of future developments in the area, a thorough and complete review of the transportation network will be undertaken for the entirety of the Promenade Shopping Centre lands through the Secondary Plan process. It is recommended that the Owner participate in this City-led Study and it's supporting comprehensive transportation study to achieve integrated analysis results and recommendations. Furthermore, the Owner should be aware that the transportation network beyond Phase 1 of the Development may be modified to the satisfaction of the City and that potential modifications are subject to the findings and conclusions of a comprehensive transportation study in support of the Promenade Shopping Centre Secondary Plan Study. The provision of a north-south major collector road alignment

will be determined by a comprehensive transportation study and should be protected for and the dedication of the lands should be conveyed to the City free of any costs and encumbrances for any future phases.

#### Environmental Noise Feasibility Assessment

The Owner submitted a noise report suggesting the lands may be classified as Class 4 criteria as described in the Ministry of the Environment, Conservation and Parks ('MECP') Publication NPC-300. The report indicates that the noise related sources are attributed to the Promenade Shopping Centre rooftop mechanical equipment.

The City hired a noise consultant to review the report and have held several meetings with the Owner and internally to evaluate the condition. Based on the meetings and the information provided, the noise Class 1 criteria may be achievable for this Development, subject to modification to the Promenade Shopping Centre rooftop mechanical equipment (stationary noise sources).

The Owner is required to update the noise study, as part of the future planning applications for this phase of the Development, to identify the required noise mitigation measures to the satisfaction of the City. The mitigation measures may include necessary upgrades to the equipment on the existing Promenade Shopping Centre building to meet the noise Class 1 criteria.

#### Environmental Site Assessment

The Owner submitted Phase One and Phase Two Environmental Site Assessment (ESA) reports which were reviewed by the Development Engineering department. The findings of the Phase Two ESA identified elevated concentrations for salt related parameters which exceeded the applicable Ministry of the Environment, Conservation, and Parks (MECP) Standards in soil. As a result, the Owner submitted a Remedial Action Plan which outlined the proposed removal of the salt impacted soil through remedial excavation during bulk excavation activities as part of the underground parking structure.

In accordance with the City's contaminated sites policy, the holding symbol "H" shall be applied to the amending zoning by-law with removal conditional upon the proponent providing the City with a copy of a MECP Record of Site Condition (RSC) filed on the Environmental Site Registry covering the residential portion of the phase 1 of the lands. Legislatively, an RSC is also required for the residential portion of the proposed development in accordance with O. Reg. 153/04 as there is change to a more sensitive land use (i.e., commercial to residential). The remaining non-residential portions of the development will require a risk evaluation of the salt impacts, remediation, and confirmation of remedial completion, certified by a Qualified Person.

***The Parks Development Department has no objection to the Applications subject to the comments of this report***

The Parks Development Department has no objections to the approval of the Applications with the understanding that an agreement for the Subject Lands (Phase 1) parkland dedication is to be executed prior to Site Plan approval, should the Applications be approved.

Parks Development staff are aware of the Applicant's Comprehensive Development Plan which includes parks, open spaces and trails, and that the overall development of the Promenade Shopping Centre lands will be completed in a phased manner and are subject to a future Secondary Planning process. Formal consideration of proposed parkland, outdoor recreation facilities, open space and trails will take place as part of this process.

The Subject Lands and current OPA and Zoning applications do not include parkland dedication, however, the future dedication of parkland associated with the proposed Phase 1 development will be considered in conjunction with the Phase 1 Site Plan application. Accordingly, the Owner and staff have discussed that an agreement for Phase 1 parkland dedication will be required to be executed prior to Site Plan approval. The agreement will secure a minimum amount of parkland dedication associated with the Phase 1 development measuring approximately 1 ha in size, with the final size, configuration and location of parkland to be determined through the Secondary Plan process.

The balance of the parkland dedication for the Subject Lands is to be provided as payment-in-lieu of parkland in accordance with the City's parkland dedication by-law. The agreement will also include consideration for the interim use of existing lands owned by the Owner for park or recreation uses and/or events, timing of parkland conveyance, consideration of strata parkland, park development costs and potential cost-sharing arrangements, and details of proposed improvements by the Owner to the existing parkland and woodlot areas located immediately adjacent to the Subject Lands.

***Cultural Heritage has no objection to the Applications***

Cultural Heritage staff have advised that they have no objection to the Applications.

***York Region District School Board, York Catholic District School Board***

The York Region District School Board has advised that no school site is required as part of the Applications. The York Catholic District School Board has advised that sidewalks be provided on at least one side of all streets within the plan as they are important infrastructure in facilitating students walking to school, or to bus stop locations.

### ***Enbridge Gas, Alectra Utilities, Rogers have no object to the Applications***

Enbridge Gas, Alectra Utilities, Rogers have advised they have no objections to the Applications.

### **Financial Impact**

Not Applicable.

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

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance, which does not adversely affect Regional planning policies or interest. The request for Regional exemption was considered by Regional staff and was exempted from approval by Regional Planning Committee and Council.

York Region is generally satisfied with the proposed Official Plan and Zoning By-law Amendment application. Region staff reserve the right to provide detailed technical comments and conditions at the site plan stage on matters including, but not limited to, water resources, servicing, road requirements, transit, vehicular access and noise attenuation features.

### **Conclusion**

Official Plan and Zoning By-law Amendment Files OP.18.013 and Z.18.020 have been reviewed in consideration of the policies of the PPS, Growth Plan, the YROP 2010, VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context.

The Development Planning Department is satisfied that the proposed amendments to VOP 2010 and Zoning By-law 1-88 to permit the development of a 30 and 35-storey residential apartment buildings (up to a maximum of 790 residential units) connected by a 6-storey podium with at grade retail and a 26-storey mixed-use building comprised of office, hotel and retail uses is consistent with the Provincial Policy Statement, conforms with the Growth Plan and the YROP, and is appropriate for the development of the Subject Lands. The proposed residential, office, hotel and retail uses are permitted as-of-right by VOP 2010. The proposed mixed-use development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can support approval of the Applications, subject to the Recommendations in this report.

**For more information**, please contact: Mary Caputo, Senior Planner, Development Planning, Extension 8635.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Building Elevations (East & West - Towers A & B)
5. Building Elevations (East & West - Tower C)
6. Building Elevations (North & South - Towers A & B)
7. Building Elevations (North & South - Tower C)
8. Written Submissions

**Prepared by**

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/CM