

Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD: 4

TITLE: YORK MAJOR HOLDINGS INC.

OFFICIAL PLAN AMENDMENT FILE OP.18.017

ZONING BY-LAW AMENDMENT FILE Z.18.029

SITE DEVELOPMENT FILE DA.18.069

VICINITY OF EAGLE ROCK WAY AND TROON AVENUE

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.18.017 and Z.18.029 and Site Development File DA.18.069 for the Subject Lands shown on Attachment 1, to permit a 16-storey residential apartment building (117 units) with 447.2 m² of ground floor retail and office uses, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes to develop the subject lands with a 16-storey residential apartment building (117 units) with 447.2 m² ground floor retail and office uses.
- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 and requires Site Development approval to permit the development.
- An increase in the permitted building height is proposed in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, Vaughan Official Plan 2010 and the City's Guidelines for the Implementation of Section 37 of the *Planning Act*, which includes a \$273,100 contribution towards community benefits.

Report Highlights (Continued)

- The Development Planning Department supports approval of the applications, subject to the Recommendations of this report as the proposed development is consistent with the *Provincial Policy Statement*, conforms to the Growth Plan and the York Region Official Plan and is compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Official Plan Amendment File OP.18.017 (York Major Holdings Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 Volume 1 and Volume 2, Section 11.6 Maple Go Station Secondary Plan, for the Subject Lands shown on Attachment 1 and 2, as follows:
 - a) amend Section 9.2.3.6.d.ii. (Volume 1) respecting the “High-Rise Building” design criteria;
 - b) amend Section 11.6.1.2.b. Building Types (Volume 2) to add a High-Rise Building type;
 - c) notwithstanding Section 11.6.1.7.a.ii., (Volume 2) include site-specific design criteria for the proposed development;
 - d) amend Map 11.6.B Maple GO Station - Land Use Designation (Volume 2), to redesignate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” with a maximum permitted building height of 16-storeys; and,
 - e) amend Map 11.6.C Maple GO Station - Maximum Building Heights (Volume 2), to permit a maximum building height of 16-storeys.
2. THAT Zoning By-law Amendment File Z.18.029 (York Major Holdings Inc.) BE APPROVED to:
 - a) amend Zoning By-law 1-88 to remove the Holding Symbol from the Subject Lands thereby zoning the subject lands RA3 Apartment Residential Zone, subject to site-specific Exception 9(1407), in the manner shown on Attachment 2, together with site-specific exceptions identified in Table 1 of this report;
 - b) Permit the bonussing for increased building height from 6 to 16-storeys for the development shown on Attachments 2 to 4.

3. THAT the implementing Official Plan and Zoning By-law Amendment include provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$273,100 towards enhancements in the parks located north and south of the Subject Lands and towards public art on Eagle Rock Way, as discussed in this report, which will be implemented through Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments.
4. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits.
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.
6. THAT Site Development File DA.18.069 (York Major Holdings Inc.) BE DRAFT APROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit a 16-storey apartment building with 117 units and 447.2 m² of ground floor retail and office uses, as shown on Attachments 2 to 4, subject to the following:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plans, landscape cost estimate, public art, bird friendly design treatment, wind tunnel model analysis and signage details;
 - ii) the Development Engineering Department shall approve the final site servicing and grading plans, erosion and sediment control plan, functional servicing and stormwater management reports, detailed noise impact study, and transportation mobility plan;
 - iii) the Owner shall pay all applicable Site Plan fees pursuant to the City of Vaughan Fees and Charges By-law, as amended to the satisfaction of the Development Engineering Department;
 - iv) the Owner shall provide the Development Engineering with written confirmation that the construction and alignment of the shoring and retaining wall structures bounding the Subject Lands will not encroach

the neighbouring properties, unless written consent of the encroachment from the respective neighbouring property Owner(s) is obtained. Any written consent obtained shall be forwarded to the City for review and record;

- v) the Owner shall enter into an Encroachment Agreement with the City of Vaughan through the Development Engineering Department, for the required shoring, shoring tiebacks proposed to encroach into Municipal Land(s) and for construction hoarding. The Agreement shall be registered against the Lands to which it applies and shall be executed to the satisfaction of the Development Engineering Department. The Owner shall pay the Development Encroachment Agreement fee. Additional payments and securities shall be requested within said Agreement in accordance with the City of Vaughan Fees and Charges By-law, as amended;
 - vi) the Owner shall enter into an Amending Subdivision Agreement (City Files: 19T-05V05(S) and 19T-12V011) with the City of Vaughan for all external works on municipal land required to support the proposed development. This includes modifications to Eagle Rock Way, Troon Avenue, Salterton Circle or anything else located on municipal lands. The Agreement shall be registered against the Lands to which it applies and, upon execution, shall satisfy all conditions of the City, financial or otherwise;
 - vii) the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the Environmental Services Department, Waste Management Division shall approve the final site plan and floor plans for conformity with the Waste Collection Design Standard Policy;
 - viii) the Owner shall obtain all necessary approval and shall satisfy all requirements of York Region;
 - ix) the Owner shall obtain all necessary approval and shall satisfy all requirements of Metrolinx;
 - x) the Owner shall enter into a direct connection agreement with Metrolinx regarding the direct pedestrian access from the Underground Parking Level P2 to the Metrolinx lands.
- b) The Site Plan Agreement shall include the following clauses:

- i) "Snow removal for the development shall be privately administered and the responsibility of the Owner or the Condominium Corporation(s)."
- ii) "That the Owner agree to carry out, or caused to be carried out, the water balance mitigation strategy in accordance with the Water Balance Assessment Report, prepared by Stantec Consulting Ltd., dated December 9, 2016."
- iii) "Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department shall be notified immediately."
- iv) "In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services."
- v) "The Environmental Services Department, Solid Waste Management Division advise that upon a successfully completed application, site inspection and the execution and registration of an Agreement with the City, the future Condominium Corporation may be eligible for municipal waste collection services however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation."
- vi) "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 issuance of occupancy permits, the City's Building Inspector or a Professional Engineer qualified to provide acoustical engineering services in the Province of Ontario shall certify that the noise control measures for the development have been properly incorporated, installed and constructed, all to the satisfaction of the Development Engineering Department."
- vii) "The Owner shall display a Community Plan in the sales office comprised of information approved by the City of Vaughan, prior to

offering any units for sale, to be monitored periodically by the City of Vaughan, and that no Building Permit shall be issued until the Community Plan is approved by the Development Planning Department. The Community Plan shall identify the following:

- the plan for the broader area, showing the surrounding land uses, arterial roads, etc.;
- the location of street utilities, entrance features, sidewalks and transit stops;
- the location of parks, open space, trails and community facilities;
- the location of institutional uses, including schools, and places of worship;
- the location and type of retail and office sites;
- colour-coded identification of detached, townhouse and apartment units;
- future expansion plans, including the potential parking structure for the Maple GO Station;
- the following notes in BOLD CAPITAL TYPE on the map; and,

For further information, on proposed and existing land uses, please call or visit the City of Vaughan Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1, (905) 832-8585.

This map is based on information available as of (date of map) and may be revised or updated without notification to purchasers. [in such circumstances the Owner is responsible for updating the map in a timely manner and forwarding it to the City of Vaughan for verification].”

- c) that the implementing Site Plan Agreement shall include the following warning clauses and a requirement that these warning clauses be included in the future Condominium Agreement, Condominium Declaration, Articles of Incorporation and all Agreements of Purchase and Sale and/or Lease:

i) Noise

- “Purchasers and/or tenants are advised that despite the inclusion of noise control features within the Maple GO Station Secondary Plan area and within the dwelling units, sound from increasing road and rail traffic may continue to be of concern and may occasionally interfere with some activities of the dwelling occupants, as the outdoor traffic sound levels may exceed the noise criteria of the

municipality and the Ministry of the Environment, Conservation and Parks (“MECP”).

- “This dwelling unit has been supplied with a central air conditioning system which allows windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the noise criteria of the Municipality and the MECP.”
- “This dwelling unit has been fitted with a forced air heating system and the ducting was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the criteria of the Municipality and the MECP (Note: The location an installation of the outdoor air conditioning device should minimize the noise impacts from the unit and comply with the criteria of MECP publication NPC-216, Residential Air Conditioning Devices).”
- “Purchasers/tenants are advised that due to the proximity of the adjacent GO transit, CN Rail and commercial facilities, noise may at times be audible.”

ii) Canadian National Railway

- “Purchasers and/or tenants are to be advised that Canadian National Railway or its successors or assigns, have an operating right-of-way within 300 m from the land subject hereof and there may be alterations to the right-of-way including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from use of its facilities and/or operations.”
- “Purchasers and/or tenants are to be advised that the lot abuts a GO Transit parking lot of which noise and lighting may be of concern due to the nature of the parking lot operation.”
- “Purchasers and/or tenants are advised that the cul-de-sac at the west terminus of Eagle Rock Way may be reconstructed in the future to facilitate an on-street bus loop and buses may idle without further notice.”

- “Purchasers and/or tenants are advised that GO Transit is proposing a future structured parking lot expansion which noise and lighting may be of concern due to the nature of the parking lot operation.”

iii) Metrolinx

GO Transit requires that all development agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease or in the Articles of Incorporation of the Condominium Declaration of each dwelling unit within 300 m of the railway right-of-way contain the following clauses:

- “Warning: Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the Owners of lands within 300 m from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands.”
- “The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the subject residential dwellings in favour of Metrolinx.”
- “Depending on the method of construction, the Owner may be required to enter into a crane swing and/or a tie back agreement with Metrolinx.”

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

“IT IS HEREBY RESOLVED THAT Site Development File DA.18.069 (York Major Holdings Inc.) be allocated servicing capacity from the York

Sewage Servicing/Water Supply System for a total of 117 residential units (259 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."

8. THAT the public art feature not be subject to the public art program.

Background

The subject lands ('Subject Lands') shown on Attachment 1 are located on the north side of Eagle Rock Way, west of Troon Avenue and are known municipally as 120 Eagle Rock Way. The surrounding land uses are shown on Attachment 1.

The Development represents Phase 3 of an overall development concept ("Indigo") for the Maple GO Station Secondary Plan Area. The Subject Lands are currently vacant and construction has started on the underground parking garage. Vaughan Council on June 19, 2018, approved Site Development File DA.17.086 (Phase 2 - shown on Attachments 1 and 5), for a 10 to 12-storey mixed-use apartment building with 312 units, including 5 grade related townhouse units, 692 m² of ground floor retail and office uses, 3 levels of underground parking, and the underground parking garage for a future apartment building in Phase 3 (Subject Lands). The Owner proposes to construct the entire garage for Phases 2 and 3 at the same time due to the site constraints related to developing the Phase 3 land independently.

The Vaughan Committee of Adjustment on June 7, 2018, approved Minor Variance Application A082/18, to facilitate Phases 2 and 3 (Subject Lands).

Vaughan Council on February 21, 2017, approved Site Development File DA.15.060, (Phase 1 - shown on Attachment) located on the south side of Eagle Rock Way, municipally known as 99 and 111 Eagle Rock Way, which includes a 9 to 10-storey apartment building with 255 units, 8 grade-related townhouse units and 636 m² of ground floor retail and office space. This development is currently under construction.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol, and included an expanded notification area for the Official Plan and Zoning By-law Amendment Applications

On December 14, 2018, a Notice of Public Hearing was circulated to all property owners within an extended notification area beyond 150 m, as shown on Attachment 1, and the Upper Thornhill & Area Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's web-site at www.vaughan.ca and a Notice of Sign was installed along the Eagle Rock Way and Salterton Circle frontage, in accordance with the City's Notice Signs Procedures and Protocols.

The Public Hearing for the Applications was held on January 22, 2019, where the recommendation of the Committee was to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council on January 29, 2019, ratified the recommendation of the Committee of the Whole.

The following is a list of individuals who made a deputation at the Public Hearing, or submitted written correspondence regarding the Development:

Deputations

Zahra Pahlawan Jalalipour, Glenngarry Crescent, Maple

Martina Edwards, Lindenshire Avenue, Maple

R. Mino, KLM Planning Partners Inc., representing York Major Holdings Inc.

Written Submission

Mrudula Karia, Glenngarry Crescent, Maple

The following is a summary of, and responses to, the comments provided in the deputations and written submissions submitted at the Public Hearing of January 22, 2019, and written submissions received by the Development Planning Department:

a) Building height and transition

The Deputants commented that the proposed building is too high and that there is no transition from the existing residential neighbourhood from the west.

The proposed 16-storey portion of the building is sited at the east limit of the 6-storey (permitted as-of-right) podium-element to provide an appropriate transition from the Maple GO Station, located to the west of the Subject Lands. The taller built form is setback approximately 6.9 m from the north property line and is designed with a slender profile to minimize shadow and privacy impacts, while providing an appropriate transition to the townhouses located to the north.

The Planning Justification Report indicates that it is not anticipated that there will be any impact from the building height on the existing residential uses to the west. A shadow study was provided, which demonstrates there will be no shadow impacts resulting from the increased building height. A Heritage Impact Assessment was also provided which concludes the proposed building siting and massing will not have any impact on the adjacent heritage building (Maple GO Station) and the broader Maple Heritage Conservation ('MHC') District. The 16-storey portion of the building is approximately 150 m away from the residential land uses located west of the CN Rail line. In consideration of the above, it is not anticipated that there will be any impact on the existing residential uses to the west.

b) Traffic and congestion already exist, this development will make it worse

Deputants at the Public Hearing commented that there is increasing traffic levels in the surrounding area. The Maple GO Station community is a transit-supportive

community implemented through an approved Secondary Plan. An objective of the Secondary Plan and the Development is to locate residents close to public transit to reduce private vehicle use. The proposed density will enable future residents to be located close to and support the public investment made in the transit infrastructure and services.

At the time of the Secondary Plan approval, the Draft Plan of Subdivision contemplated that the apartment blocks facing Eagle Rock Way would support up to 783 residential units in 5 buildings. Phase 1 and 2 include 575 residential units and Phase 3 includes 117 residential units, for a total of 692 units. Accordingly, 91 residential units have not been approved or developed at this time.

Traffic impact studies have been prepared in support of the Draft Plan of Subdivision application and at each phase of development, including the subject Applications. Each study demonstrated that there will be little impact on the surrounding road network. For example, the proposed Phase 3 development will add less than 40 vehicular trips during the peak hour. The Development Engineering Department has reviewed the traffic impact study submitted in support of the proposed development and concurs with its conclusions.

There is no proposed increase in density resulting from the applications. The applications seek to permit only an increase in the permitted building height identified in the Secondary Plan and Zoning By-law thereby minimizing the impact on traffic in the surrounding area.

The following transportation improvements are planned in the area:

- Planned improvements to the Barrie GO rail line includes plans to triple the current single-track corridor, which will increase transit capacity and provide 2-way all-day 15-minute service
- York Region Transit will be add bus service to the Maple GO station with additional bus stops at the end of the cul-de-sac on Eagle Rock Way
- Improved transit services along Major MacKenzie Drive West
- Bicycle lanes are included in the design of Eagle Rock Way

Transportation Demand Management measures (including the unbundling of parking spaces, bicycle parking lockers, bike repair stations, presto cards deployment, etc.), has also been indicated as part of the developments in the area.

c) Comments about the sightlines from the west side of the rail line and changes to the original development concept for the area

Comments were made at the Public Hearing that the proposed development is not reflective of the initial vision for the Maple Station Secondary Plan in 2014.

The Maple GO Secondary Plan permits a total residential gross floor area ('GFA') of 122,398.5 m². To date, a total of 92,207.19 m² of residential development has been developed in the Secondary Plan area. The proposed development would increase the total residential GFA to 103,586.99 m² resulting in 18,811.51 m² of unused residential GFA. A total of 1018 residential units was planned for the Secondary Plan area and to date 811 units are under construction or have been approved. The proposed 117 units would result in a total of 928 units in the Secondary Plan Area, within the overall planned unit count. These applications would result in an increased building height only.

In addition, over the past 7 years since the adoption of the Maple GO Station Secondary Plan, Provincial and Regional policies have increasingly emphasized the importance of supporting the use of public transit located near Major Transit Stations to support public investments in these facilities. The Maple GO Station Secondary Plan supports intensification at the Maple GO Station.

Transit hubs allow people to live and have access to all of their daily needs without the pressures of car ownership, while remaining connected to the rest of the Region and the Greater Toronto Area. In order for these transit hubs to thrive, higher density mixed-use development must occur in the areas immediately surrounding transit stations to ensure that there is a critical mass of residents to utilize the transit. The vision has evolved as a result of a changing planning framework in order to support the Province's growing population.

The Development Planning Department, on May 24, 2019, mailed a non-courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

[Draft Plan of Subdivision Report for the Entire Maple GO Station Secondary Plan Area](#)
[York Major Holdings Site Development File for Phase 1](#)

[York Major Holdings Site Development File for Phase 2 and Phase 3 underground](#)
[York Major Holdings Inc. Phase 3 January 22, 2019 Public Hearing](#)

Analysis and Options

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 (the 'Subject Lands') shown on Attachment 1 to permit a 16-storey mixed-use residential apartment building (the 'Development'), as shown on Attachments to .

1. Official Plan Amendment File OP.18.017 to amend Vaughan Official Plan 2010 to redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed Use" and to increase the maximum permitted building height from 6-storeys to 16-storeys.
2. Zoning By-law Amendment File Z.18.029 to amend Zoning By-law 1-88 to remove the Holding Symbol "(H)" for the Subject Lands, thereby zoning the Subject Lands RA3 Apartment Residential Zone, subject to site-specific Exception 9(1407), in the manner shown Attachment 2, together with site-specific zoning exceptions identified in Table 1 of this report.
3. Site Development File DA.18.069 to permit a mixed-use development consisting of 16-storey apartment building with 117 units, and 447.2 m² of ground floor retail and office uses, as shown on Attachments 2 to 4.

Land Use Policies and Planning Considerations

The Development Planning Department has reviewed the Development shown on Attachments 2 to 4 in consideration of the following policies:

The Development is consistent with the Provincial Policy Statement (PPS), 2014

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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with Provincial Policy, specifically the following policies (in part) under Part V - "Policies" of the PPS:

- a) Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;

- b) Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- c) Section 1.4.3 - directing new housing to locations with appropriate levels of infrastructure and public service facilities. 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;
- d) Section 1.1.3.4 - appropriate development standards should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation;
- e) Section 1.6.7.4 - a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation;
- f) Section 1.6.8.3 - new development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

The Development shown on Attachments 2 to 4 provides for a mixed-use apartment building within a settlement area that would add to the range and mix of housing types in the community, efficiently utilizes the Subject Lands, and provides employment land uses (i.e. retail and office units). The Development is proposed on the final vacant parcel of land parcel designated for mixed-uses within the Maple GO Station Secondary Plan area, which will contribute to the ongoing creation of a complete community where residents can live, work and play. It also contemplates a residential density that is appropriate adjacent to the Maple GO Station, as it would support current and long-term use of public transportation.

Through the implementation of the amending Official Plan and Zoning By-law, appropriate development standards will be established which are intended to promote an aesthetically pleasing site design, safety and walkability for residents of the site while being attentive to the proximity of the Subject Lands to the Maple GO Station and the Maple Heritage Conservation District.

The proposed amendments to VOP 2010 and Zoning By-law 1-88 implement the vision of the PPS while maintaining consistency with its policies. Amending the policies of the Maple GO Station Secondary Plan to permit a 16-storey mixed-use building on the Subject Lands represents an appropriate form of intensification that would further support the long-term objectives of the continuing improvements to the Maple GO Station and adjacent Barrie GO rail line. On this basis, the Development is consistent with the PPS.

The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 (Growth Plan - Ontario Regulation 85/19)

The Provincial Growth Plan for the Greater Golden Horseshoe 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 provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Vaughan Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Subject Lands are located within the designated “Built-up Area Conceptual” by Schedule 2 Places to Grow Concept. The Growth Plan supports better use of land and infrastructure by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas (‘MTSA’).

The delineation of the MTSA boundaries and policies will be undertaken through the York Region Comprehensive Review and the Vaughan Official Plan 2010 (‘VOP 2010’) update. It is anticipated that the Subject Lands will be located within the MTSA boundary for the Maple GO Station and the objective is to concentrate intensifying development within these areas, thereby meeting the intent of the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as it optimizes the use of existing land, makes efficient use of existing infrastructure, and provides housing at densities that are supportive of the Growth Plan objectives, specifically:

- a) Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities;
- b) Section 2.2.2 - by the next municipal comprehensive review, a minimum of 50% of residential development will be within the delineated built-up area; and
- c) Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents.

A significant objective of the Growth Plan is the need for ‘complete communities’, which is defined within the plan as,

“Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities.”

The Development will contribute to the goal of creating a complete community by increasing the supply of apartment residential housing within the Maple Go Secondary Plan Area and within the broader community predominately consisting of low-rise residential uses. It will also contribute to a mix of uses, complementing various retail/commercial uses located to the east of the Subject Lands. Furthermore, the Development contemplates density that is serviced directly by York Region Transit (“YRT”) route 22, and nearby routes 4/4A, 96, 105 and 117. In addition, it is located adjacent to the Maple GO Station and the Barrie GO rail line, which provides service to and from downtown Toronto and service to Barrie. This higher-order transit line is currently being expanded and will operate services going both northbound and southbound, all-day, by 2025.

The Development shown on Attachments 2 to 4 directs growth to a built-up area where there is existing vacant land and provides for residential units within a settlement area that contributes to meeting the prescribed intensification target of 40% of residential development within a delineated built-up area. The Development supports the achievement of a complete community as the Subject Lands are located within the Maple Go Station Secondary Plan (“MGSSP”), which consists of a diverse mix of land uses, planned built forms, and retail and office uses. The Development is also in proximity to existing retail and office uses and the Maple Go Station. Accordingly, the Development conforms to the Growth Plan.

The Development conforms to the Oak Ridges Moraine Conservation Plan (“ORMCP”)

The Subject Lands are located on the Oak Ridges Moraine and are subject to the provisions of the Oak Ridges Moraine Conservation Plan (“ORMCP”). The Subject Lands are located within the “Settlement Area” designation of the ORMCP which promotes the efficient use of land with transit supportive densities through intensification and redevelopment within existing urban areas. Urban uses and development as set out in municipal official plans are permitted within the Settlement Area. There are no Key Natural Heritage Features or Key Hydrological Features located on or directly adjacent to the Subject Lands. The proposed apartment building use is permitted and conforms to VOP 2010. Therefore, the Development conforms to the ORMCP.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 (the “YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes.

Section 5.3 of YROP sets out policies related to addressing residential and employment intensification within York Region. Infill and redevelopment within intensification areas should be compatible with the built form of adjacent areas and support the use of existing infrastructure, including streets (Policies 5.3.4 and 5.3.6).

The Development is located within an Urban Area and will contribute to planned growth within the Region. The Development will also diversify housing options by providing future condominium tenure apartments and retail and office units in the community. The Development conforms to YROP as it will assist in building a complete community and will contribute to ensuring that a minimum of 40% of all residential development in York Region occurs within the built-up area as defined by the Province's Built Boundary in Places to Grow: Growth Plan for the Greater Golden Horseshoe (Policy 5.3.1). The Development conforms to the YROP.

An amendment to Vaughan Official Plan 2010 is required to permit the Development

The Subject Lands are designated "Mid-Rise Mixed-Use" by Vaughan Official Plan 2010 ("VOP 2010"), specifically Volume 2, Section 11.6 Maple Go Station Secondary Plan ("MGSSP"). The MGSSP permits a maximum building height of 6-storeys on the Subject Lands, and an overall total maximum gross floor area ('GFA') of 122,398.5 m² dedicated to residential uses and 2,601.5 m² GFA dedicated to retail and office uses within the MGSSP area. Including this Development, the total GFA devoted to residential and retail/office uses in the MGSSP will be 103,586.99m² and 1,767.2 m², respectively resulting in an unused GFA of 18,811.51m² for residential use and 834.3m² for retail/office use;

The Development (Phase 3) consists of 16-storey mixed-use building with a residential GFA of 11,379.8m² and 447.2 m² of retail/office GFA. The Development represents the final phase in the MGSSP area. The Development conforms to the maximum GFA permitted for the MGSSP.

In order to permit the Development an Official Plan Amendment is required. The Owner has submitted Official Plan Amendment File OP.18.017 to amend the following policies in VOP 2010 (Volume 2):

- a) Section 9.2.3.6 d.ii., (Volume 1) amend the "High-Rise Building" design criteria;
- b) Section 11.6.1.2.b. Building Types (Volume 2) to add a High-Rise Building type;
- c) Section 11.6.1.7.a.ii. (Volume 2), to include site-specific design criteria for the proposed development;
- d) amend Map 11.6.B Maple GO Station-Land Use Designation (Volume 2), to redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use" with a maximum permitted building height of 16-storeys; and

- e) amend Map 11.6.C Maple GO Station-Maximum Building Heights (Volume 2), to permit a maximum building height of 16-storeys.

The Development Planning Department has reviewed the Official Plan Amendment application, and provide the following comments:

a) High-Rise Building

Section 9.2.3.6, Volume 1 of the VOP 2010 outlines development criteria for High-Rise Buildings, as follows:

- a. *High-Rise Buildings are generally buildings over twelve storeys in height, up to a maximum height as permitted through policy 9.2.1.4 and Schedule 13.*
- b. *High-Rise Buildings shall be designed with a pedestrian-scaled podium or other appropriate architectural articulation, designed to the satisfaction of the City, to enhance the building design and provide an active pedestrian streetscape. The podium should generally be between three and six storeys in height. Taller building elements should be set back from the podium by a minimum of three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level.*
- c. *In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent house form buildings, High-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall be setback a minimum of 7.5 metres from the property line, and the first 12 storeys of which shall be contained within a 45 degree angular plane measured from the property line abutting those house form buildings.*
- d. *In order to provide appropriate privacy and daylight conditions for people living and working within High-Rise Buildings, to minimize shadows created by High-Rise Buildings, and to contribute to overall excellence in the City's urban design, High-Rise Buildings should be designed as slender towers and spaced appropriately through the following criteria:*
 - i. *the floorplate, measured as the total area contained within the exterior face of a building excluding balconies, for portions of High-Rise Buildings above the twelfth storey generally shall be no greater than 850 square metres, except for High-Rise Buildings containing office uses above the twelfth storey;*
 - ii. *the portions of High-Rise Buildings above twelve storeys shall be setback a minimum of 15 metres from any property line; and,*

- iii. where more than one High-Rise Building is located on the same lot, the distance between any portions of the High-Rise Buildings above twelve storeys should generally be at least 30 metres.*
- e. Surface parking is not permitted between the front or side of a High-Rise Buildings and a public street. Surface parking elsewhere on a lot with a High-Rise Building shall be setback from any property line by a minimum of three metres and shall be appropriately screened through landscaping. Surface parking areas are seen as temporary and therefore all high-rise buildings are required to accommodate a minimum amount of parking within the high-rise structure. A phasing plan to show how the surface parking is to be phased-out over time, shall be provided. All surface parking areas must provide a high level of landscaping treatment and pedestrian pathways and it is encouraged that the grading and landscaping materials for surface parking lots be designed as part of the site's stormwater management system.*
- f. The rooftop of High-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels. The roof itself should be designed to be of architectural interest and contribute to an interesting skyline and cityscape.*

The proposed Development includes a 6-storey podium element that will contain a private rooftop outdoor amenity space for the future residents. The tower portion of the building will be setback approximately 27 m from the existing townhouses located to the north. The townhouses located to the north do not directly abut the Subject Lands as they are separated by a public right-of-way, and as such the 45-degree angular plane policy of VOP 2010 does not apply.

The 10-storey element of the Development is designed with a 525.8 m² floorplate and is setback approximately 6.9 m from the north property line, and is separated by 10.2 m between building faces on Phase 2 and Phase 3 and 10 m to Eagle Rock Way. However, no principal rooms face each other as units have been intentionally designed to be offset to ensure adequate privacy between Phases 2 and 3. In addition, the wind and shadow studies including recommended mitigation measures, submitted in support of the Applications, demonstrate that there will not be any adverse impact to pedestrian comfort and access to adequate sunlight. The implementing Official Plan Amendment will include policies regarding the minimum separation distance between buildings and building setbacks.

Surface parking is not proposed between the front face of the Development and the Eagle Rock Way right-of-way as all parking is proposed underground. Due to the elevation changes on the site, the retail space and private bike storage at grade are on the same level as Underground Parking Level 1. VOP 2010 defines a storey as being in accordance with the City's Zoning By-law, in order to avoid confusion, additional wording to the definition of storey will be included in the amending Zoning By-law.

b) Amend Section 11.6.1.2.b. Building Types by Adding a High-Rise Building type

The Owner is proposing a building that exceeds the maximum permitted building height (6-storeys) on the Subject Lands and the 12-storey height limits for a “Mid-Rise Building” identified in VOP 2010. Section 9.2.3.6 of VOP 2010 describes “High-Rise Building” as being buildings over 12-storeys in height, up to the maximum height permitted by Map 11.6.C by the MGSSP. The Subject Lands are proposed to be redesignated to the “High-Rise Mixed-Use” designation to implement the “High-Rise” building typology and be incorporated in the MGSSP by amending Maps 11.6 B and 11.6.C in Volume 2 of VOP 2010.

The Development includes a mix of residential, retail and office uses consistent with the approved “Mid-Rise Mixed-Use” and proposed “High-Rise Mixed-Use” designations in MGSSP and VOP 2010. The proposed redesignation to “High-Rise Mixed-Use” has no impact on the proposed uses. The proposed density is lower than the permitted maximum GFA and maintains conformity with the permitted uses of the “Mid-Rise Mixed-Use” designation.

The 16-storey portion of the building is located on the east limit of the 6-storey podium-element in order to provide an appropriate transition from the Maple GO Station located adjacent to and west of the Subject Lands. Furthermore, the 16-storey element is setback approximately 10.2 m from the north property line and is designed with a slender profile in order to minimize impacts from shadowing and privacy while providing an appropriate transition to the townhouses located to the north.

c) Notwithstanding Section 11.6.1.7.a.ii., amend the Site-Specific Design Criteria

Section 11.6.1.7 of VOP 2010 provides “Urban Design and Built Form” development policies for the Subject Lands, including the following:

- a. *The Mixed-Use buildings along Eagle Rock Way are encouraged to:*
 - ii. *Be designed with a pedestrian scaled podium generally between 3 and 6-storeys in height with a minimum 20 metre separation between front facades, and with a minimum 3 metre setback along public street frontage to provide opportunities for outdoor cafes and patios.*

The Development includes 447.2 m² of retail and office GFA at grade to promote a vibrant and pedestrian oriented environment along the Eagle Rock Way frontage. A front yard setback 0 m is proposed to the canopy whereas, the “Urban Design and Built Form” development policies above encourage a minimum 3 m setback along a public street. The Development Planning Department has no objection to the proposed setback as the ultimate design of the Eagle Rock Way will be changing through an amendment to the approved Draft Plan of Subdivision and the revised road design will provide opportunities for outdoor cafes and patios in front of the retail spaces offering areas for social interaction.

The proximity of the retail uses to the Maple GO Station will also encourage alternative forms of active transportation. A landscaped pedestrian passageway (Attachments 5 and 6) is proposed between the Phase 2 and Phase 3 buildings in order to frame their respective frontages and encourage pedestrian permeability.

Parking is proposed below grade, with the entrance ramp to the parking garage located at the north side of the building (Salterton Circle) of the Phase 2 development. Loading areas and lay-by parking are proposed along the north side of the building, with the loading area enclosed within the building to screen it from public view.

d) and e) Amend Maps 11.6.B and 11.6.C Maple GO Station - Land Use Designation and Maximum Building Heights

Maps 11.6.B and 11.6.C Maple GO Station-Land Use Designation and Maximum Building Height are proposed to be amended to redesignate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” with a maximum permitted building height of 16-storeys, as discussed above, should the Applications be approved.

Summary of Planning Policy

In consideration of the above, the Development Planning Department is satisfied that the Development is consistent with the PPS, conforms to the Growth Plan, the York Region Official Plan, and is compatible with the existing land uses in the surrounding area.

The proposed 16-storey high-rise mixed-use apartment building, shown on Attachments 2 to 4 is compatible and appropriate, but not identical with the existing surrounding area. It will help contribute to the goal of creating a complete community by increasing the supply of apartment residential housing within a broader community. The Development will also contribute to the mix of uses within the residential and commercial area and is an appropriate density that is serviced directly by York Region Transit (“YRT”), GO Transit and the GO rail line. In consideration of the above, the Development Planning Department can support the Applications.

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

In order to facilitate the Development, the Owner is proposing to amend VOP 2010 as discussed above only, to increase the maximum permitted building height for the Subject Lands. Pursuant to Section 37 of the *Planning Act*, the policies of VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*” (the “Guidelines”), Vaughan Council may authorize an increase in the permitted building height in return for the provision of community benefits. The Owner has agreed to provide community benefits pursuant to the above policies in exchange for an increase to the building height for this Development.

Section 10.1.2.9 of VOP 2010 includes a framework to permit bonusing for increased building height in return for the provision of community benefits provided that the following criteria are met:

a) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and/or density of the development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of the Development in return for the provision of community benefits. VOP 2010 identifies the following, but not limited to, benefits that may qualify:

- non-profit and/or public arts, and cultural, community or institutional facilities;
- parkland and/or parkland improvements
- enhanced below-grade and/or at-grade connections to public transit facilities
- upgrades to community facilities that are above the City's standard level of service
- enhanced below-grade and/or at-grade connections to public transit facilities

The Owner has agreed to provide a community benefit in kind in the amount of \$273,100, determined in accordance with the Guidelines. These benefits include enhancements such as improvements to hardscaping, seat walls, site furnishing, pedestrian lighting and entrance, valued at \$101,750 for the park located north of the Subject Lands (fronting on Salterton Circle) and \$96,350 for the park located south of the Phase 1 lands (Attachment 1) and a public art monument feature (\$75,000) fronting on Eagle Rock Way as shown on Attachment 2. These enhancements are above the City's standard parkland development requirement, involving off-site improvements and upgrades. The Parks Development Department is satisfied with the additional enhancements to the parks.

Prior to the enactment of the Official Plan and Zoning By-law Amendments, the Owner shall execute the Section 37 Agreement securing the community benefits. The agreement will be registered on title and will identify the park enhancements and public art community benefits contribution in kind.

b) Good Planning

The Development must represent Good Planning, be consistent with the other objectives of VOP 2010, and be consistent with the applicable built form and neighbourhood compatibility objectives. The proposed increase to the maximum building height for the Development will be achieved through the Section 37 provisions of the *Planning Act*, the policies of VOP 2010 and the Guidelines.

In Section 3 of the Guidelines, good planning includes addressing all other policies contained in VOP 2010, including urban design policies and objectives; the relationship

of the Development to its context; the adjacent streets; the creation of a good public realm; improvements to the public realm adjacent to the site, and including offsite improvements and adequate infrastructure. Following a series of meetings with the Owner and a review by the City's Design Review Panel ("DRP"), the objectives of good planning identified above have been met, and the Development shown on Attachments 2 to 4, is considered to represent good planning. A detailed overview of the design and architecture of the Development is discussed throughout this report.

The Development is consistent with the PPS, conforms to the Growth Plan and the YROP 2010 and represents an increase in the permitted building height for the Subject Lands. The Development represents good planning in consideration of the above and the overall context of the Subject Lands. Therefore, the proposed increase to the maximum building height in return for the provision of community benefits is appropriate.

c) Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of this Development through the provisions of adequate infrastructure. The capacity for a sanitary sewage can be accommodated through an existing sewer on Salterton Circle. The water servicing connection can also be accommodated by way of a connection to Eagle Rock Way. Should the Applications be approved, servicing capacity from the York Sewage Servicing/ Water Supply System for a total of 117 residential units (259 persons equivalent), will be allocated as identified in the allocation resolution in the Recommendations of this report.

Section 37 contribution will be used for park enhancements for the neighbouring parks to the north and south of the Subject Lands and for public art along Eagle Rock. Should the Applications be approved, the Owner and the City shall execute a Section 37 Density Bonusing Agreement to permit increase to the maximum permitted building height from 6 to 16-storeys, prior to the enactment of the implementing Official Plan Amendment and Zoning By-law Amendments for the Subject Lands. Conditions to this effect is included in the Recommendations of this report.

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

The Subject Lands are zoned "RA3(H) Apartment Residential Zone" with the Holding Symbol "(H)" by Zoning By-law 1-88, subject to site-specific Exception 9(1407). A Zoning By-law Amendment is required to remove the Holding Symbol "(H)" from the Subject Lands. The conditions in Zoning By-law 1-88 to remove the Holding Symbol "(H)" from the Subject Lands include Vaughan Council approving of a Site Development application and the allocation of water supply and sewage servicing capacity for the Subject Lands. The proposed apartment building is a permitted use in the RA3 Zone however, the following site-specific exceptions to Zoning By-law 1-88 are required to implement the Development:

Table 1

	Zoning By-law 1-88 Standard	RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” Requirements, Exception 9(1407)	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, Exception 9(1407)
a.	Minimum Landscape Strip	3 m	<ul style="list-style-type: none"> • 1 m (Eagle Rock Way) • 0 m (stairs) • To permit bicycle racks and a transformer to be located within the landscape strip (Salterton Circle)
b.	Minimum Front Yard Setback	3 m	1 m (Eagle Rock Way) 0 m (stairs and canopy)
c.	Minimum Interior Yard Setback	3 m	0 m (west side abutting Metrolinx Parking Lot) with a canopy encroachment into the parking lot lands
d.	Maximum Building Height	44 m	57 m (including the parapet wall beyond the roof surface - 16-storey)
e.	Definition of ‘Storey’	Means the portion of a building other than the cellar, basement or unfinished attic, which lies between the surface of the floor and the surface of the next floor above, and if there is no floor above it, then the surface next above it, provided its height is not less than 2.3 m	No part of the parking garage shall be considered a storey.

The Development Planning Department supports the above noted exceptions to Zoning By-law 1-88 for the following reasons:

a) Front Yard Setback and Landscape Strip

The Eagle Rock Way boulevard is proposed to be reconfigured and the boulevard will provide opportunities for soft and hardscape landscaping. In addition, there is sufficient public boulevard space between the property line and street to provide opportunities for pedestrian connectivity, which will not be impacted by the reduced front yard setback.

b) Interior Side Yard Setback

The Maple Go Station parking lot located directly west of the Subject Lands. The grade of parking lot is lower than Eagle Rock Way, resulting in the existing retaining wall (Attachment 2). The Development proposed to act as a continuation of the retaining wall. The Owner is proposing to remove a portion of the existing retaining wall and replace it with the wall of the underground parking garage in order to provide a more active elevation with visual interest, which includes an exit for residents of the Development onto the Metrolinx parking lot. The Owner has worked with Metrolinx to provide and design the direct pedestrian access between the building and Metrolinx parking lot as a convenience for residents using transit.

c) Building Height

The proposed building height of 57 m will accommodate a 16-storey apartment building adjacent to the Maple GO Station that is considered appropriate, as discussed in this report. There are existing building heights of 12 and 10-storeys immediately east of the Subject Lands, within Phases I and II of the original Indigo development.

d) Definition of a Storey

Due to the grade elevation changes on Lands, the western portion of the podium will feature a 236.9 m² retail space and private bike storage with repair station at grade on the same level as underground Parking Level 1. The retail uses featured along the Eagle Rock Way frontage will contribute to an active streetscape. The balance of underground parking garage is located below grade.

The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, 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.17.020 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 Vaughan Design Review Panel supports the Development

The Design Review Panel ('DRP') reviewed the Development on two occasions, once prior to the Applications being submitted on November 30, 2017 and subsequently, on June 28, 2018, after the Applications were submitted, and provided the following comments as part of the final review:

- the DRP requested the Owner to continue the conversation with Metrolinx to successfully set the stage for a transit-oriented hub catering to all users
- the DRP stated that the project's design direction should prioritize the needs of pedestrians over the buses and cars. They asked the Owner to consider the entire cul-de-sac, incorporating the center feature and the other side into the design creating a destination
- the DRP requested that the architectural articulation wrap around the north elevation creating a more articulated façade on the north side and to ensure that elevation articulation, materiality and the architectural expression maintain their quality and are not value engineered
- the DRP proposed to revise the design of the lower plaza utilizing the grade change for seating and providing desired walkway opportunities for pedestrians. Also, to extend the pavement feature to the upper plaza for the two spaces to have the same language, be visually connected and read as one continuous space

The Owner has responded to the DRP's comments by working closely with Staff and Metrolinx to finalize the design of the cul-de-sac through an amendment to the Draft Plan of Subdivision Application (File 19T-12V011), incorporating landscape elements and materiality to convey the sense of one continuous space responding to the needs of the retail and pedestrian movement.

The Owner has responded to the DRP's comments by incorporating landscape elements and materiality to convey the sense of one continuous space responding to the needs of the retail and pedestrian movement.

The Development Planning Department is satisfied with the Development, subject to the Recommendations in this report.

Site Plan

The Development consists of a 6-storey mixed-use podium with a 10-storey residential building located over the east portion of the podium, as shown on Attachments 2 to 4.

Parking is proposed in an underground parking structure, which was approved as part of Phase 2 of the overall development. Phases 2 and 3 will share the access and underground parking (Attachment 5). A total of 483 parking spaces will be shared between the underground garage for Phases 2 and 3, with 122 parking spaces (95 for residents, 18 for visitors and 9 for retail) provided specifically for the Development.

Due to the grade elevation changes on the Subject Lands (i.e. sloping downward from the east to west), the western portion of the podium will feature a 236.9 m² grade related retail space and private bike storage with a repair station, contributing to the streetscape.

The ground floor of the eastern portion of the podium will be accessible by stairs designed with an integrated ramp and stair access to ensure universal accessibility. The stairs lead to a terraced area, the residential lobby and the ground floor retail area. The garbage room, staging area and additional storage lockers are located on the balance of the ground floor area.

The residential units will be located on the 2nd to 6th floors of the podium and the 8th to 16th floor is of the building. The 7th floor of includes a 416.7 m² indoor amenity space, and the roof of the 6-storey podium will be utilized as an outdoor amenity area.

Eagle Rock Way includes an enhanced streetscape connecting to the GO Station. Street level access to the Development is from Eagle Rock Way and also from a direct pedestrian access from the Development to the GO Station.

Landscape Plan

The proposed landscape plan is shown on Attachment 3. The Eagle Rock Way streetscape includes landscaping with hardscape features to support the retail and office uses and pedestrian activity. The Salterton Circle frontage includes a soft and hard landscaping treatment and 4 layby parking spaces. Amenities include patio space, a party room and an exercise amenity area.

The Development includes a general location for the Public Art, as shown on Attachment 7. The final location must be to the satisfaction of the Development Planning Department. The public art feature was discussed as part of the Draft Plan of Subdivision in 2012, prior to the approval of the Vaughan City-Wide Public Art Program as such, the public art provisions included as part of Section 37 contributions is not subject to the aforementioned program. Accordingly, a Recommendation is included to exempt the proposed public art feature from the public art program.

Building Elevations

The proposed building elevations are shown on Attachment 4. The architecture utilizes a contemporary/modern design with brick and glass as the primary building materials. Elevations for the building include a mix of light grey and black brick and take design cues from the first two phases of development. A flat roof is proposed with architectural block to accent and provide a visual contrast to the building.

The rooftop mechanical units are set back and screened to minimize visibility from the public realm. The Owner will review the roof top unit screening to assess possible complementary building materials to integrate better with attractive articulation of the Development.

The Owner is incorporating bird-friendly best practice by treating glass balconies and exterior glazing from finished grade to 16 m as indicated in the City-Wide Urban Design Guidelines. The Owner has also provided signage details for the retail/office uses.

The final building site plan, building elevations, landscape plan, landscape cost estimate, public art, bird friendly design treatment, wind tunnel model analysis and signage details shall be to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

Shadow Study

The Owner submitted a Shadow Study to identify the shadow impacts on the surrounding properties. The Vaughan Development Planning Department has reviewed the Shadow Study and is satisfied that the shadows cast by the proposed building allow for a minimum of 5 hours of sunlight on the adjacent sidewalks and does not exceed two hours in duration on private residential amenity areas to the north during the summer and shoulder seasons and therefore, meets the City's requirements for assessing the shadow impact of higher buildings in urban areas.

A Draft Plan of Condominium application(s) is required to establish the condominium tenure for the Development

The Owner has indicated that the Development will be managed by a Condominium Corporation. Should Vaughan Council approve the Applications, a Draft Plan of Condominium application will be required to create the condominium tenure for the Development.

The Subject Lands have been cleared of concerns for archaeological resources

The Urban Design and Cultural Heritage Division of the Development Planning Department has advised that the Subject Lands have been cleared of concern for archaeology resources, and require that the following clauses be included in the Site Plan Agreement, should the Applications be approved:

- i) "Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture

and Sport and the City of Vaughan's Planning Department shall be notified immediately."

- ii) "In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services."

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

The Development must satisfy the City's Waste Collection Design Standards

The City's Waste Collection Design Standards Policy require that each building provide a waste storage room for garbage and recycling. Currently the width of the garage door is 3 m whereas, a minimum of 4.5 m width is required. The drawings will require a revision. A condition to this effect is included in the Recommendations of this report.

The Environmental Services Department, Solid Waste Management Division advise that upon a successfully completed application, site inspection and execution and registration of an Agreement with the City, the future Condominium Corporation may be eligible for municipal waste collection services. However, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.

The Parks Development Department has no objections to the Development

The Parks Development Department supports the Development and is satisfied that the Section 37 contribution is for works associated to the enhancement of the parks to reflect the urban character of the development through improvements to hardscaping, seat walls, site furnishing, pedestrian lighting and entrance.

The Office of the City Solicitor, Real Estate Department, has advised that the developer has satisfied the parkland dedication requirements for the Development.

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

The DE Department has reviewed the Applications, and has provided the following:

Planning & Studies Division

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council.

Accordingly, servicing capacity to Development File DA.18.069 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

“THAT Site Plan Development File DA.18.069 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 117 residential units (259 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.”

A resolution to this is included in the Recommendations of this report.

Road Network

The Subject Lands are close proximity of major arterial roads, Major Mackenzie Drive and Keele Street, and is served by a permeable road network. The access through Salterton Circle provides connection to Troon Avenue and includes lay-by parking, direct access for loading, and access to 3-levels of underground parking.

The DE Department concurs with the findings of the traffic study analysis that the proposed Phase 3 development can be accommodated with the existing road network with minimal adverse impacts since the site is anticipated to generate less than 40 vehicle trips during the peak hours. Nonetheless, there are a few existing capacity constrained movements in the area (e.g., Northbound left turn at the intersection of Eagle Rock Way and McNaughton Road) which continue to operate over capacity in the future due to the background traffic. These movements are under the City’s monitor for future improvement opportunities including signalization, storage lane extension, etc.

Transit

The Subject Lands are highly served by the public transit through GO Transit and York Region Transit (‘YRT’). The GO Transit provides service for the regional commuters from the Maple GO station trains and buses and YRT accommodates the local demand utilizing local bus routes.

Active Transportation

Pedestrian and cycling infrastructure improvements are proposed for this Development including provision of sidewalks on both sides of Salterton Circle and bike lanes on Eagle Rock Way. Cycling facilities are proposed along McNaughton Road.

Transportation Demand Management (‘TDM’)

The TDM plan includes both soft and hard TDM initiatives to encourage use of transit services and active transportation facilities. As mentioned above, residents and visitors

have good access to public transportation within walking distance. Significant improvements to the public transit network and nearby cycling infrastructure are expected in the near future. The local commuters will benefit from the establishment of a frequent transit network and new Viva services. Furthermore, GO Transit intends to operate additional rail service along the Barrie line.

Preparation of pre-loaded PRESTO cards and TDM information packages is proposed to promote the existing and future local public transportation and active transportation opportunities. Pedestrian connectivity, enhanced cycling opportunities and transit next vehicle information are also proposed through infrastructure improvements to further facilitate TDM initiatives.

Parking

The proposed 122 vehicular parking spaces are consistent with the parking requirement rates identified for the Subject Lands. A total of 135 bicycle parking (18 short term and 117 long term) is proposed.

The site includes 6 lay-by parking space on Salterton Circle; however, the Transportation Management and Sidewalk Plan are not consistent with the Plan. The Owner should revise the Plan to correctly replicate the proposed number of lay-by parking spaces. Furthermore, due to addition of one lay-by parking space, the Owner is required to undertake a sightline analysis to ensure adequate distance has been provided. Parking on the north side of Salterton Circle is not permitted as the pavement width cannot accommodate on-street parking due to proposed lay-by lanes on the south side.

Erosion and Sediment Control Plan

The DE Department has advised that permanent dewatering is not required for this Development. Approval of site dewatering and discharge rate/ location shall be reviewed and approved by the City of Vaughan Environmental Services Department.

Sanitary Servicing

Sanitary Servicing for this Development is proposed to connect to the existing sanitary sewer on Salterton Circle. This will be an independent connection from the sanitary service for Phase 2 (also connecting to the existing sewer on Salterton Circle). A sanitary capacity analysis was completed in a previously submitted report detailing that adequate capacity exists for 527 units (1238 population for Phases 2 and 3 combined). This exceeds what is proposed by the Applications, therefore, no further analysis is required.

Storm Servicing

On-site stormwater management quantity control storage, is provided using an underground storage tank, located within Phase 2 of the Development. This tank

serves to control stormwater runoff for both Phases 2 and 3. Runoff will be stored on-site within superpipes, an underground storage tank and on roof tops. The required water quality and erosion controls will be provided by the downstream stormwater management facility. Roof top runoff will be directly into a clean-water-collection (CWC) pipe, located on Eagle Rock Way, to provide infiltration for both Phases.

Noise Impact Study

The Owner shall satisfy all requirements with respect to noise attenuation and ensure all recommendations are implemented in accordance with the Noise Impact Study within the Engineering Drawings, where applicable.

The submitted Detailed Noise Impact Study, prepared by HGC Engineering Ltd., dated August 24, 2018, was reviewed by the DE Department. The following comments are provided in accordance with the report recommendation:

1. Central air conditioning will be required for the proposed building so that windows may be kept closed.
2. Upgraded glazing required for the facades of the building with exposure to major roadways (McNaughton Road and Eagle Rock Way) and railway.
3. A final detailed noise study should be conducted for the proposed building when detailed floor plans and elevations are available to refine the building façade and glazing construction with respect to traffic noise impacts based on actual window to floor area ratios.
4. Warning clauses shall be included in the property and tenancy agreements and offers of purchase or sale to inform future owners/occupants of the proximity to existing commercial facilities and the presence of the roadways and railway.

Conditions and warning clauses to this effect are included in the Recommendations of this report.

The DE Department shall approve the final site servicing plan, site grading plan, erosion control plan, functional servicing and stormwater management report and drawings, geotechnical and hydrogeological assessment, dewatering plan, external lighting plan, detailed noise impact study, shoring and tie-back design, transportation mobility plan. A condition to this effect is included in the Recommendations of this report.

NavCanada has no objection to the Development

Any Development that is 6-storeys or higher must be circulated to NavCanada. NavCanada reviewed the Development on the Subject Lands and has no objection.

Cash-in-Lieu of the dedication of parkland is not required for the Development

The Office of the City Solicitor, Real Estate Department have confirmed that cash-in-lieu of the dedication of parkland is not required for the Development as it was paid for at the subdivision stage (File 19T-12V011).

Development Charges are applicable to the Development

The Financial Planning and Development Finance Department have confirmed that the Owner is required to pay Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, the York Region District School Board and York Catholic District School Board.

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

The Subject Lands are located in a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 (WHPA-Q2). This area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the Clean Water Act, 2006) and recommends the implementation of best management practices, such as Low Impact Development, with the goal to maintain pre-development recharge. The TRCA provides technical advice to the City of Vaughan with respect to water balance analysis.

Having reviewed the requested site-specific water balance and mitigation proposal, TRCA staff have no objection to the approval of the Applications, provided the Owner agrees in the Site Plan Agreement to carry out, or cause to be carried out, the water balance mitigation strategy as described in the Water Balance Assessment Report, prepared by Stantec Consulting Ltd., dated December 9, 2016.

GO Transit – Metrolinx has no objection to the Development, subject to conditions

The Subject Lands are located within 300 m of GO Transit's Barrie rail corridor and Maple GO Station. The Noise and Vibration Feasibility Study prepared by HGC Engineering and dated August 24, 2018 has modeled GO Train inputs as electrified trains. The consultant shall update the Study to use diesel train inputs for GO Trains. The consultant notes the ground-borne vibration levels are below MECP Guidelines and no vibration mitigation is required. An updated study is required to the satisfaction of Metrolinx.

Metrolinx has provided warning clauses to be inserted in all development agreements, Offers of Purchase and agreements of Purchase and Sale or Lease, Articles of Incorporation and all Agreements of Purchase and Sale and/or Lease of each dwelling unit within 300 m of the railway right-of-way. The warning clauses are included in the Recommendations of this report. The Owner shall grant Metrolinx an environmental easement for operational emissions, registered on title against the Development in favour of Metrolinx. In addition, Metrolinx shall approve, in principle, the location and

design of the access entrance and intake/exhaust shaft adjacent to the Metrolinx parking lot. A condition to this effect is included in the Recommendations.

The School Boards have no objection to the Development

The York Region Catholic School Boards have no comments or concerns regarding the Applications. The Applications were circulated to the York Region District School Board and Conseil Scolaire de District Catholique Centre-Sud and no response has been provided. As such, Development Planning staff are satisfied they have no objection to the Development.

Canada Post has no objection to the Development

The Development is for an apartment building and therefore, the Owner must supply, install and maintain a centralized mailbox facility to Canada Post's specifications.

Utility Companies have no objection to the Development

Alectra Utilities Corporation (formerly PowerStream Inc.), Bell Canada, Rogers Communications Inc., and Enbridge Gas Distribution 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 and does not adversely affect Regional planning policies or interest (Policy 8.3.8). York Region, on November 29, 2018, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

The Region of York has no objection to these Applications, provided the following:

- the City provides allocation to the Development
- a Traffic Demand Management Communication Strategy is provided
- all the Region's condition for Site Plan approval have been satisfied
- the Owner provide confirmation of bus turning movements for both 40 and 60 foot vehicles in the Eagle Rock Way cul-de-sac to ensure that there is sufficient space planned for Regional Transit vehicles to turn.
- the Owner shall provide at least one bus bay to accommodate a 60 foot transit vehicle.
- the Owner shall ensure that landscaping does not impede sightlines for identifying pedestrian traffic.
- the Owner shall provide wayfinding signage, directing pedestrians to the designated pathways to/ from the GO Station.

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

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.18.017 and Z.18.029 and Site Development File DA.18.069, in consideration of the Provincial Policies and the applicable York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments from City Departments, external public agencies, the public, and the surrounding area context.

The Development Planning Department is of the opinion that the Applications, when considered comprehensively, are consistent with the *Provincial Policy Statement, 2014*, conforms to the *Growth Plan for the Greater Golden Horseshoe, 2017*, and the York Region Official Plan and that the Applications represent good planning. On this basis, the Development Planning Department recommends that the Applications be approved, subject to the Recommendations in this report.

For more information, please contact: Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216.

Attachments

1. Location Map
2. Proposed Official Plan and Proposed Zoning (Phase 3) and Site Plan
3. Landscape Plan (Phase 3)
4. Building Elevations (Phase 3)
5. Previously Approved Phase 2 Site Plan (File DA.17.086)
6. Previously Approved Phase 1 Site Plan (File DA.15.060)
7. Rendering of Eagle Rock Way Elevation Including Public Art

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