

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019

Item 15, Report No. 20, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 12, 2019.

15. PENGUIN CALLOWAY (VAUGHAN) INC. SITE DEVELOPMENT FILE DA.19.036 VICINITY OF MILLWAY AVENUE AND APPLE MILL ROAD

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated June 4, 2019:

Recommendations

1. THAT Site Development File DA.19.036, BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to facilitate the development of a temporary surface parking lot with 564 parking spaces as shown on Attachments 2 and 3:
 - a. That prior to the execution of a Site Plan Agreement:
 - i. The Development Planning Department shall approve the final site plan, Pavement Markings and Signage plan, landscape plan, landscape cost estimate, wayfinding and signage details, and photometric lighting plan;
 - ii. The Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion sediment control plan, functional servicing and stormwater management reports and drawings, Phase 1 and 2 Environmental Site Assessments, Transportation Demand Management Plans (TDM Plans), and Pavement Markings and Signage Plan;
 - iii. The Owner shall pay Development Engineering Department's site plan review fee pursuant to the Fees and Charges By-law 198-2019, as amended, to the satisfaction of the Development Engineering Department;
 - iv. The Owner shall successfully obtain approval from the Vaughan Committee of Adjustment for Minor Variance File A062/19 for the required exceptions to Zoning By-law 1-88, identified in Table 1 of this report. The Committee's Decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee;

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019

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- v. The Owner shall be required to pay to the City applicable Area Specific Development Charges based on the surface parking lot land area, prior to the execution of the site plan agreement, to the satisfaction of the Financial Planning and Development Finance Department;
- vi. The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- vii. The Owner shall satisfy all requirements of York Region;
- viii. The Owner shall satisfy all requirements of the Toronto Transit Commission and provide their final clearance;
- ix. The Owner shall satisfy all requirements of the Ministry of Transportation;
- b. The implementing Site Plan Agreement shall include the following clauses:
 - i. “A temporary surface commercial parking lot is permitted subject to the following triggers for the ultimate removal of the parking lot:
 - Permission for 564 temporary parking spaces subject to their removal upon redevelopment of the Subject Lands or, or portion thereof;
 - The use of the temporary surface parking lot shall expire within 10 years of the execution of the Site Plan Agreement, and an extension may be granted and will be subject to an amendment to the Agreement.
 - ii. The Owner agrees to construct the centre median on Millway Avenue from Regional Road 7 to Apple Mill Road at their own expense to the satisfaction of the Development Engineering Department;
 - iii. Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Cultural and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.



Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD: 4

**TITLE: PENGUIN CALLOWAY (VAUGHAN) INC.
SITE DEVELOPMENT FILE DA.19.036
VICINITY OF MILLWAY AVENUE AND APPLE MILL ROAD**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from Committee of the Whole for Site Development File DA.19.036 (Penguin-Calloway (Vaughan) Ltd.) to facilitate the development of a temporary surface parking lot with 564 parking spaces, as shown on Attachments 2 to 3.

Report Highlights

- The Owner proposes to develop the subject lands with a temporary surface commercial parking lot with 564 parking spaces.
- The Development Planning Department supports the approval of Site Development File DA.19.036, subject to the Recommendations of this report, as the Application will permit a temporary surface parking lot to address the parking demand within the Vaughan Metropolitan Centre.

Recommendations

1. THAT Site Development File DA.19.036, BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS; to the satisfaction of the City, to facilitate the development of a temporary surface parking lot with 564 parking spaces as shown on Attachments 2 and 3:
 - a) That prior to the execution of a Site Plan Agreement:
 - i. The Development Planning Department shall approve the final site plan, Pavement Markings and Signage plan, landscape plan, landscape cost estimate, wayfinding and signage details, and photometric lighting plan;

- ii. The Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion sediment control plan, functional servicing and stormwater management reports and drawings, Phase 1 and 2 Environmental Site Assessments, Transportation Demand Management Plans (TDM Plans), and Pavement Markings and Signage Plan;
 - iii. The Owner shall pay Development Engineering Department's site plan review fee pursuant to the Fees and Charges By-law 198-2019, as amended, to the satisfaction of the Development Engineering Department;
 - iv. The Owner shall successfully obtain approval from the Vaughan Committee of Adjustment for Minor Variance File A062/19 for the required exceptions to Zoning By-law 1-88, identified in Table 1 of this report. The Committee's Decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee;
 - v. The Owner shall be required to pay to the City applicable Area Specific Development Charges based on the surface parking lot land area, prior to the execution of the site plan agreement, to the satisfaction of the Financial Planning and Development Finance Department;
 - vi. The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
 - vii. The Owner shall satisfy all requirements of York Region;
 - viii. The Owner shall satisfy all requirements of the Toronto Transit Commission and provide their final clearance;
 - ix. The Owner shall satisfy all requirements of the Ministry of Transportation;
- b) The implementing Site Plan Agreement shall include the following clauses:
- i. "A temporary surface commercial parking lot is permitted subject to the following triggers for the ultimate removal of the parking lot:
 - Permission for 564 temporary parking spaces subject to their removal upon redevelopment of the Subject Lands or, or portion thereof;

- The use of the temporary surface parking lot shall expire within 10 years of the execution of the Site Plan Agreement, and an extension may be granted and will be subject to an amendment to the Agreement.
- ii. The Owner agrees to construct the centre median on Millway Avenue from Regional Road 7 to Apple Mill Road at their own expense to the satisfaction of the Development Engineering Department;
- iii. Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Cultural and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.
- iv. In the event that human remains are encountered during construction activities, the Owner must cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

Background

The vacant subject lands (the “Subject Lands”) are located south of Apple Mill Road, east of Millway Avenue, and north of Regional Road 7, with the surrounding land uses identified in Attachment 1. Temporary construction staging can be found on the Subject Lands, which will be removed by end of May 2019.

A Site Development Application has been submitted to facilitate the Development

The Owner has submitted a Site Development Application File DA.19.036 for the Subject Lands to facilitate the development of a temporary surface parking lot as shown on Attachments 2 and 3.

The proposed temporary surface parking lot is intended to replace a large portion of the existing temporary surface parking lot containing 976 parking spaces located immediately north of the Subject Lands, as identified on Attachment 1 as the “interim parking area”. This existing temporary surface parking lot was developed on the “East Block” (lands to the immediate north of the “Subject Lands” and designed to assist with parking demands for the subway as an interim measure in the early stages of development within the Vaughan Metropolitan Centre (VMC).

As the East Block is now subject to a future mixed-use development proposal consisting of 3 residential towers of varying heights (36, 45 and 50-storeys), with six-storey podiums with integrated retail at grade, and three levels of underground parking (Official Plan Amendment and Zoning By-law Amendment Files OP.18.018 and Z.18.030, and Site Development File DA.18.074 (Penguin-Calloway (Vaughan) Ltd.), the existing

temporary surface parking lot is being relocated to the Subject Lands to offset the substantial reduction of parking impacted by this new development. The existing temporary surface parking lot is being redeveloped well in advance of the original triggers put in place to ensure its removal. This signifies the rapid pace of redevelopment unfolding in the VMC.

Previous Reports/Authority

[Item 32, Report No. 43 of the Committee of the Whole Report Site Development Files DA.16.007 and DA.16.089](#)

[Item 2, Report No. 17 of the Committee of the Whole Report Site Development File DA.18.074](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement

The Provincial Policy Statement (the “PPS”) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and clean, safe, liveable and healthy environment. The Development is consistent with the following policies of the PPS:

- Section 1.6.6.1 a) through d) - accommodating development that promotes the efficient use and optimization of existing municipal sewage service and water services;
- Section 1.6.6.7 - respecting minimizing water balance and erosion, stormwater management and promotion of best practices, stormwater attenuation, re-use and low impact developments;
- Section 1.6.7.2 - respecting use of existing and planned infrastructure, including through the use of transportation demand strategies where feasible;
- Sections 1.6.7.4 and 1.6.7.5 - respecting promoting land use patterns, density and mix of uses to minimize length and number of trips to support current and future use of transit and active transportation;
- Section 1.6.8.3 - respecting new developments to existing or planned corridors for compatibility and support of long-term purposes of the corridor;

The Development utilizes the undeveloped vacant Subject Lands for a temporary surface parking lot that will serve the parking demands for the transit infrastructure as an interim measure in the early stages of the development within the VMC. The Development is located adjacent to Regional Road 7 which is a “Regional Rapid Transit Corridor” and is located in an area that is serviced by existing infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources in a designated growth area that would support the transit investments in the VMC being the SmartCentres Place Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit (‘BRT’) along Regional Road 7 (the ‘higher-order’ transit).

The Development conforms to A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019

The “A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019”, as approved on May 16, 2019 (the “Growth Plan”) is intended to guide the development of land; encourage compact built form; transit-supportive communities; diverse land uses, and a range of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types. The Development conforms to the following policies of the Growth Plan:

- Section 1.2.1 - respecting principles of how land is to be developed, resources managed and protected and how public dollars are invested;
- Section 2.2.1 - respecting growth within delineated built-up areas, strategic growth areas, locations with existing and planned transit, and public service facilities;
- Section 2.2.3 - respecting accommodating significant population and employment growth and support of the transit network and serving high-density employment centres;
- Section 2.2.4 - respecting priority planning for priority transit corridors, to be designed to be transit supportive and achieve multimodal access to stations and connections to nearby major trip generators;
- Section 3.2.7 - respecting stormwater integrated approaches to minimize stormwater flows, reliance on stormwater ponds, establishing best practices,

The temporary surface parking lot will provide additional paid commuter parking spaces to serve the overall intended growth in the VMC. The Development focuses new growth through intensification of an underutilized vacant site, which will accommodate and serve the high-density developments within the VMC and support the transit network. The proposed temporary surface parking lot is located directly adjacent to the SmartCentres Place Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit (‘BRT’), which will encourage walkability, carpooling, and cycling. The Development supports the Urban Growth Centres designation by providing the necessary parking spaces to serve the demand of residents and visitors travelling to and from the VMC as modal splits and transit ridership levels evolve in the City and access to higher-order transit facilities.

The location of the Subject Lands within a Major Transit Station Area encourages and supports the use of alternate modes of transit that would encourage walking and cycling. The Development would help achieve a complete community as the proposed parking lot is focused at a pedestrian scale where the vehicle demand would be reduced given the Subject Lands are in close proximity to Regional Road 7 which is a “Regional Rapid Transit Corridor”, which would contribute to reducing greenhouse gas emissions, promote walkability and other forms of transportation. The existing stormwater management pond (Edgeley Pond) has adequate storage volume to service the Development without a need for further expansion at this time.

The Development conforms to the York Region Official Plan 2010

The Subject Lands are designated “Urban Area” by the York Region Official Plan 2010 (the “YROP”) and is located within a “Regional Centre”. The Development conforms with the following policies of the YROP:

- Section 5.2.3 - communities be designed to ensure walkability through interconnected mobility systems, giving priority to pedestrian movement, transit use, pedestrian and cycling facilities;
- Section 5.2.10 - respecting parking management policies and standards such as design of surface parking to support redevelopment and retrofitting;
- Section 5.2.11 - respecting integrated and innovative approaches to water management, water efficiency, minimizing stormwater volumes.;
- Section 7.1. - reducing demand for services by promoting sustainable methods of transportation, including walking, cycling and carpooling;
- Section 7.2.31 - respecting securing lands for facilities such as transit stations including related passenger drop-off and commuter parking lots;

The Development will be transit-oriented as it provides commuters with access to alternate modes of transportation such as walking, cycling and access to higher-order transit. The proposed temporary surface parking lot will provide the necessary parking spaces to serve the residents and visitors commuting to and from the VMC as transit ridership and modal splits evolve in the City. Given its close proximity to the SmartCentres Place Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit, this temporary surface parking lot will alleviate the parking demand within the VMC generated by the mixed-use and higher density developments in this area whilst providing access to various modes of transit. This temporary surface parking lot will be designed at an integrated, pedestrian-scale and encourage for walkability and cycling, as there are multiple sidewalks and pedestrian paths which will connect to the higher-order transit. Carpooling, carsharing and accessible parking spaces, and bicycle parking are available to serve various user needs.

The Development conforms to the Vaughan Official Plan 2010 (‘VOP 2010’)

The Subject Lands are designated “Station Precinct” by Volume 2, of Vaughan Official Plan 2010, the Vaughan Metropolitan Secondary Plan (the ‘VMC’ Secondary Plan). This designation permits a broad mix of uses and a wide variety of building types, retail and service commercial.

Policy Section 8.8.1.g) of the VMC Secondary Plan states (in part) *“where major office and civic facilities are proposed, the City may consider interim surface parking to be determined upon review of a development application...an agreement between the applicant and the City in which the triggers related to redevelopment shall be identified”*. Policy Section 8.8.1 i) also states...*“Off-site parking is also permitted for all uses, with the exception of residential development that is located generally within 400 m of a development”*.

The Owner will be required to enter into a Site Plan Agreement with the City. The agreement will identify triggers related to redevelopment of the temporary surface parking lot. The proposed triggers are to be included in the agreement are as follows:

- i. Permission for 564 temporary parking spaces subject to their removal upon redevelopment of the Subject Lands, or portion thereof;
- ii. The use of the temporary surface parking lot shall expire within 10 years of the execution of the Site Plan Agreement, and an extension may be granted and will be subject to an amendment to the Agreement.

The Development conforms to the VMC Secondary Plan as the proposed temporary surface parking lot is a continuation of the approval for the existing temporary parking lot. The surface parking lot is proposed to be temporary and would continue to serve the commuters in the VMC and accommodate any off-site and ancillary parking in the area.

A Minor Variance Application A062/19 has been filed with the Vaughan Committee of Adjustment to permit the temporary commercial parking lot, notwithstanding the Holding Symbol “(H)”

The Subject Lands are zoned C9(H) Corporate Centre Zone with the Holding Symbol “(H)” as shown on Attachment 1 and is subject to site-specific zoning Exception 9(959) by Zoning By-law 1-88. The condition for the removal of the Holding Symbol “(H)” in the Zoning By-law is that Vaughan Council approves a future Site Development Application on the Subject Lands. In the interim, the Owner has filed Minor Variance Application File A062/19 with the Vaughan Committee of Adjustment to permit the temporary surface commercial parking lot, notwithstanding the Holding Symbol “(H)”.

The following site-specific zoning exceptions to the C9(H) Corporate Centre Zone are required to permit the temporary surface commercial parking lot:

Table 1: Proposed Amendments to the C9(H) Corporate Centre Zone			
	Zoning By-law 1-88 standard	C9(H) Corporate Centre Zone	Proposed Exceptions to the C9(H) Corporate Centre Zone, Exception 9(959)
a.	Permitted Uses	Does not specifically permit a temporary “Commercial Surface Parking Lot”	To permit a temporary “Commercial Surface Parking Lot” without a building on the Subject Lands, notwithstanding the Holding Symbol “(H)”
b.	Minimum Parking Space Dimension	2.7 m x 6 m	2.7 m x 5.7 m

Table 1: Proposed Amendments to the C9(H) Corporate Centre Zone			
	Zoning By-law 1-88 standard	C9(H) Corporate Centre Zone	Proposed Exceptions to the C9(H) Corporate Centre Zone, Exception 9(959)
c.	Minimum Width of Access Driveways	7.5 m	12 m
d.	Minimum Landscape Strip Width (Abutting Apple Mill Road)	6 m	5.75 m

The Development Planning Department supports the proposed site-specific exceptions to the C9(H) Corporate Centre Zone of Zoning By-law 1-88, identified in Table 1 for the following reasons:

Permitted Uses

The Holding Symbol “(H)” was intended for Vaughan Council to approve a Site Development Application on the Subject Lands. Vaughan Council, on May 14, 2019, approved Site Development Application File DA.18.074 to permit a mixed-use residential development consisting of three residential towers, integrated retail at-grade and three levels of underground parking to the north of the Subject Lands containing the existing temporary surface parking lot.

The proposed temporary surface parking lot will provide 564 parking spaces to accommodate off-site parking for the mixed-use KPMG and YMCA/PwC office buildings on an interim basis and support transit riders who utilize the commuter parking spaces to access businesses and higher order transit opportunities in the VMC. While the existing temporary surface parking lot provides 976 parking spaces, it is recognized that the recently approved Site Development File DA.18.074 for the three mixed-use buildings would provide a total of 934 new below grade parking spaces with a minimum of 221 visitor parking spaces permitted, and thereby reducing the number of parking spaces required for the newly proposed temporary surface parking lot.

The existing surface parking lot is now proposed to be relocated to the Subject Lands, which remains undeveloped where the Holding Symbol “(H)” provision will remain unchanged. The proposal is a continuation of the approval for the temporary surface parking lot, previously approved on the East Block in association with the PwC and YMCA building.

In consideration of the above, the Development Planning Department is satisfied that the original intent of the holding provision is maintained and has no objection to the proposed temporary surface parking lot use being permitted on Subject Lands,

notwithstanding the Holding Symbol “(H)”. The proposed surface parking lot is temporary and subject to triggers for its removal as identified in this report.

The Development Planning Department recommends approval of the temporary surface parking lot consisting of 564 parking spaces, subject to the following clauses, which will include the triggers for the ultimate removal of the parking lot, based on the following conditions:

- i. Permission for 564 temporary parking spaces subject to their removal upon redevelopment of the Subject Lands, or portion thereof;
- ii. The use of the temporary surface parking lot shall expire within 10 years of the execution of the Site Plan Agreement, and an extension may be granted and will be subject to an amendment to the Agreement.

Minimum Landscape Strip Width, Parking Space Dimension and Driveway Access Aisle Width

The proposed reduction to the minimum landscape strip width can be found at the northwest corner of the Subject Lands, abutting Apple Mill Road, is considered to be minor and allows for an appropriate landscaping to be maintained. The reduced parking space length is consistent with other parking reductions in the VMC and will contribute to space efficiency with the temporary surface parking lot. The increased driveway access aisle will accommodate the gated controls and regulate traffic and proper vehicle maneuvering to and from the temporary surface parking lot.

The Development Planning Department has reviewed the requested variances and has no objection to the proposal. Minor Variance File A062/19 to permit the above noted variances to Zoning By-law 1-88 shall be approved by the Vaughan Committee of the Adjustment. The Committee’s decision shall be final and binding, and the Owner shall satisfy any conditions imposed by the Committee, prior to execution of the implementing Site Plan Agreement, should the Site Development Application be approved. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department supports the Site Development Application, subject to the conditions of this report

a) Site Design

The proposed site plan in Attachment 2 identifies the temporary surface parking lot with a total of 564 parking spaces, inclusive of 14 barrier-free (Type A and B) parking spaces located at the south-east and north-west corners of the Subject Lands. The proposed temporary commercial parking lot will be designed in compliance with the standards set by the Accessibility for Ontarians with Disabilities Act (“AODA”) providing accessibility for commuters and visitors. Gated controls are located at each of the driveway entrances. Pay stations are proposed within the landscape strips abutting Apple Mill Road and Millway Avenue. A parking office is proposed to the east of the Apple Mill Road entrance.

The final site plan, including the signage and pavement parking plan, must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

b) Site Access

Vehicular access to the Subject Lands includes two driveway accesses at Millway Avenue and Apple Mill Road. No access is proposed from Regional Road 7.

c) Landscape Design

The proposed landscape plan is identified on Attachment 3. The proposal maintains the minimum landscape strip width requirements of Zoning By-law 1-88, with the exception of the north-west corner of the Subject Lands where a reduced minimum landscape strip width of 5.75 m is proposed.

The landscape strips will be primarily sodded. A landscape treatment consisting of various trees, deciduous shrubs, and grass, and perennial plantings at the south-west corner of the Subject Lands is currently proposed. The Development Planning Department recommends maximizing the impact of the proposed plantings by locating large groupings at key points at the corners of Millway Avenue and Regional Road 7, and Millway Avenue and Apple Mill Road to provide some visual interest and buffering. An enhanced landscape treatment along Regional Road 7 is recommended to screen the parking spaces that are visible from Regional Road 7.

Wayfinding signage and other special design features should also be incorporated to discourage unsafe jaywalking across Millway Avenue and direct pedestrians to the corner crossings at Regional Road 7 and Apple Mill Road and/or the existing mid-block entrance stairs to the underground subway connection. The proposed lighting levels along the peripheral parking spaces are close to minimum comfort threshold, especially along the easterly spaces where there will not be any additional spillage from existing street lights. The Owner shall address all requirements and comments of the Development Planning Department.

Potential wayfinding and signage installations will be constructed along Regional Road 7 to engage the community with messaging about the VMC, subject to the approval of the Development Planning Department.

The final landscape plan, planting plan, lighting plan and signage details should be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

The Development Engineering “DE” Department has no objection to the Development, subject to the conditions of this report

The DE Department has reviewed the Development and offers the following comments below:

Road Network

The proposed parking lot will have accesses from Millway Avenue and Apple Mill Road. The Transportation Division of the DE Department have indicated concerns regarding the clear throat distance being provided to accommodate queuing vehicles particularly with inbound traffic. This access is expected to be the busiest, due to its proximity to the subway and Regional Road 7.

The Transportation Division of the DE Department requests that a centre median be provided on Millway Avenue from the extent of Regional Road 7 to Apple Mill Road, with a break in the median at the intersection of New Park Place. This median was postponed at the time of the Millway Avenue reconstruction to determine the future access location for the Subject Lands. Given the location of the future access has now been determined, the City requires this median to be constructed as part of this Development, at the Owner's expense. The centre median will improve traffic operations of Millway Avenue and minimize dangerous 'U-turn' maneuvers occurring adjacent to the VMC TTC subway station. The left-turn storage length should be validated and increased in storage length for the north-bound lane turn lane at the intersection of Millway Avenue and New Park Place prior to finalizing the ultimate centre median design.

The Transportation Division has reviewed the proposal and offers the following additional comments:

- i. The Owner shall confirm what mechanisms are in place to direct traffic in a safe and efficient manner once the temporary parking lot is full;
- ii. Wayfinding signage is recommended to deter any concerns for 'jay-walking' activities across Millway Avenue, and encourage utilization of the stairwell entrance on the east side of Millway Avenue and/or crossings at controlled intersections at Apple Mill Road and Millway Avenue;
- iii. Bicycle parking is recommended. The City's Draft Parking Standards (IBI Parking Study) recommends one (1) secure parking space be provided for every 10 peak period transit users and no less than 15 spaces;
- iv. A Minor Variance will be required to reduce the parking length from the existing 6 m requirement to the proposed 5.7 m typical parking stall length;

The VMC secondary plan identified a public local road (20-22m) along the east limits of the Subject Lands. It is recognized that under the *Planning Act*, it does not permit the City through site plan control to acquire and dedicate the creation of this new public road. Therefore, this local road would be acquired and dedicated through a future plan

of subdivision. As the local road bisects the Subject Lands and the property to the east, SmartCentres (Penguin-Calloway (Vaughan) Inc.) will work with the City and the adjacent landowner for the future design, construction, and delivery of the local road through their respective development applications.

Municipal Servicing

The Owner has submitted a Stormwater Management Compliance Letter prepared by SCS Consulting Group Ltd., dated April 29, 2019 which confirms the existing municipal services to service the Development. The final report is to be revised and approved by the DE Department.

Storm Drainage

The Development will be serviced by an existing storm sewer connection to the 675mm-dia storm sewer along Millway Avenue, which outlets to Edgeley Pond. On-site storm quantity controls and surface storage will be provided to achieve the TRCA Humber River Unit Flow rates. The Vaughan Metropolitan Centre Master Servicing Strategy (VMCMSS) identified that the existing SWM Facility (Edgeley Pond) located in the north-east quadrant is proposed to be retrofitted in the future to accommodate development within the VMC, which would provide water quantity, quality and erosion control of this north-east quadrant, including this Development. On-site controls, such as on-site stormwater quantity and quality controls are required for the Subject Lands. The existing stormwater management pond has adequate storage volume to service the Development without a need for further expansion at this time.

Environmental Site Assessments

The Owner has submitted Phase One and Phase Two Environmental Site Assessment ('ESA') reports which were reviewed by the DE Department. The ESA reports identified no contaminants above the applicable standards and indicated that the lands are suitable for the proposed use.

As the lands along the easterly portion of the Subject Lands will eventually be conveyed to the City (Future Draft Plan of Subdivision) for a north-south public local road, the Owner will be required at that time to provide the City with an updated Phase One ESA report prior to conveyance of the lands as the existing Phase One ESA would be considered outdated (i.e., > 2 yrs old). The updated Phase One ESA would be accompanied with a Reliance Letter the environmental consultant to the City.

The Owner is advised that the proposed use of a temporary surface parking lot could be defined as a "commercial property use" by the Ministry of the Environment, Conservation, and Parks ('MECP') under O. Reg. 153/04. Future development plans resulting in a more sensitive land use such as residential, parkland, and/or institutional use would require a copy of a MECP Record of Site Condition ('RSC') submitted to the City at a future site plan application stage upon redevelopment.

The DE Department shall approve the final site servicing plan, site grading plan, erosion sediment control plan, functional servicing and stormwater management reports and drawings, Phase 1 and 2 Environmental Site Assessments, Transportation Demand

Management Plans (TDM Plans), and Pavement Markings and Signage Plan. A condition to this effect is included in the Recommendations of this report.

The Urban Design and Cultural Heritage Division of the Development Planning Department supports the approval of the Development, subject to conditions

In areas that have been cleared of concern for archeological resources, the Owner is advised that:

- a) Should archaeological resources be found on the Subject Lands during construction activities, all construction activity and work must cease, and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately; and,
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Consumer and Business Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

Should Council approve the Application, a condition to include the above clauses in the Site Plan Agreement has been included in the Recommendations of this report.

Office of the City Solicitor, Real Estate Department and Parks Development Department have no objection to the Development

The Office of the City Solicitor, Real Estate Department and Parks Development Department have reviewed the Development and have indicated no objection.

The Financial Planning and Development Finance Department requires Area Specific Development Charges to be paid

The Financial Planning and Development Finance Department advises that the Owner is required to pay to the City applicable Area Specific Development Charges for the Black Creek Financial Strategy based on the surface parking lot land area, prior to execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations section of this report.

The Owner is required to fulfill all requirements of the Ministry of Transportation

The Ministry of Transportation Ontario (the "MTO") has indicated no objection to the proposal, subject to the Recommendations of this report. The Development is located within the MTO permit control area. Therefore, the *Public Transportation and Highway Improvement Act* regulations apply.

The Toronto Transit Commission has no objection to the Development

The Toronto Transit Commission (the "TTC") has reviewed the proposal for a temporary surface parking lot and recognizes that the lot is a temporary condition that provides, in

part the required interim off-site parking spaces to serve the area in the VMC. The TTC has no objection in principle to the proposal, subject to the following conditions:

- a) Should any changes be made to stormwater management on or adjacent to the subject lands, the City shall circulate the revisions to the TTC for review and approval, prior to any amendments being approved to ensure that TTC infrastructure is not affected by any proposed changes.
- b) The Owner shall provide appropriate wayfinding signage located on the subject lands to clearly define access to VMC transit hubs and to ensure the temporary surface commercial parking lot is properly integrated into the VMC. The Owner is advised to contact the TTC for the appropriate wayfinding signage standards.
- c) The TTC understands that the Owner will provide safe pedestrian connections to the transit facilities to and from the subject lands, including direct connections to the public sidewalk and a functioning signalized crossing at the Apple Mill Road and Millway Avenue intersection, in accordance with City of Vaughan Standards.

The TTC advises that given the temporary nature of the commercial parking lot, the TTC reserves the right to conduct subsequent site development or technical reviews for any future development proposed by the Owner on the subject lands. A condition that the TTC provide their final clearance on the temporary surface commercial parking lot is included in the Recommendations of this report.

The Canada Post Corporation has no objection to the Development

The Canada Post Corporation has reviewed the Development and advises that there are no requirements for Canada Post.

The various utilities have no objection to the Development

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development. It is the Owner's responsibility to contact Alectra and discuss all aspects of the Development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas Inc. has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge Gas Inc. with respect to the installation and clearance requirements for service and metering facilities.

Rogers Communication Inc. and Bell Canada have no conditions or objections to the Development. The Owner is required to contact Bell prior to commencing any work to confirm that sufficient wire-line communication/telecommunication infrastructure is available. If such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services Department ("York Region" has reviewed the Development and has no objection to the proposal in principle. Prior to receiving final approval from York Region and prior to the issuance of any conditional, partial and/or final Building Permits by the City, the Owner shall satisfy all requirements of York Region, including addressing all red-lined comments on the engineered drawings. York Region has identified the following items to be satisfied prior to final Site Plan approval:

- i. The Owner shall address all red-lined comments identified in the engineered drawings;
- ii. The Owner shall pay the appropriate development review fees;
- iii. The Owner shall provide a security deposit for all works proposed adjacent to and within the right-of-way of Regional Road 7;
- iv. The Owner shall submit a certificate of insurance, completed to the satisfaction of the Region's Manager of Insurance and Risk;

The Owner is advised that a Road Occupancy Permit from the Corridor Control and Safety within the Roads and Traffic Operations Branch is required prior to commencing any work within the road allowance. If a temporary dewatering discharge is proposed to a Regional storm sewer or any sanitary sewer, the Owner is required to obtain a dewatering discharge permit.

The Owner must satisfy all requirements of York Region. A condition to this effect is included in the Recommendations of this report.

The Toronto and Region Conservation Authority has no objection to the Development

The Toronto and Region Conservation Authority (the "TRCA") advises that the southeastern corner of the Subject Lands is located within the TRCA's Regulated Area of the Humber River Watershed due to a Regional Storm flood plain associated with Black Creek, which is located along Regional Road 7. A TRCA permit pursuant to O.Reg 166/06 will be required. The TRCA has reviewed the proposal and has provided the following comments:

- i. The Subject Lands drain to a municipal storm system, the TRCA defers the review of water quantity control to the City of Vaughan;
- ii. As noted in the Stormwater Management Report, prepared by SCS Consulting Group Limited, dated April 29, 2019, these lands will ultimately

drain to Edgeley pond and the parking lot is a temporary use. In this context, the proposed use of catch basin shields is sufficient as a temporary measure.

The TRCA has reviewed the development and has no objection to the proposal. The Owner shall satisfy all requirements of the TRCA. A condition to this effect is included in the Recommendations of this report.

Conclusion

The Site Development Application DA.19.036 has been reviewed in consideration of the applicable provincial policies, the policies of the YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies and the surrounding area context. The Development of a temporary surface parking lot, as shown on Attachments 2 and 3 is consistent with the Provincial Policy Statement, conforms with the policies of the Growth Plan, YROP, VOP 2010 and is compatible with the existing and permitted uses within the Vaughan Metropolitan Centre. Accordingly, the Development Planning Department supports the approval of the Application subject to the conditions and the Recommendations of this report.

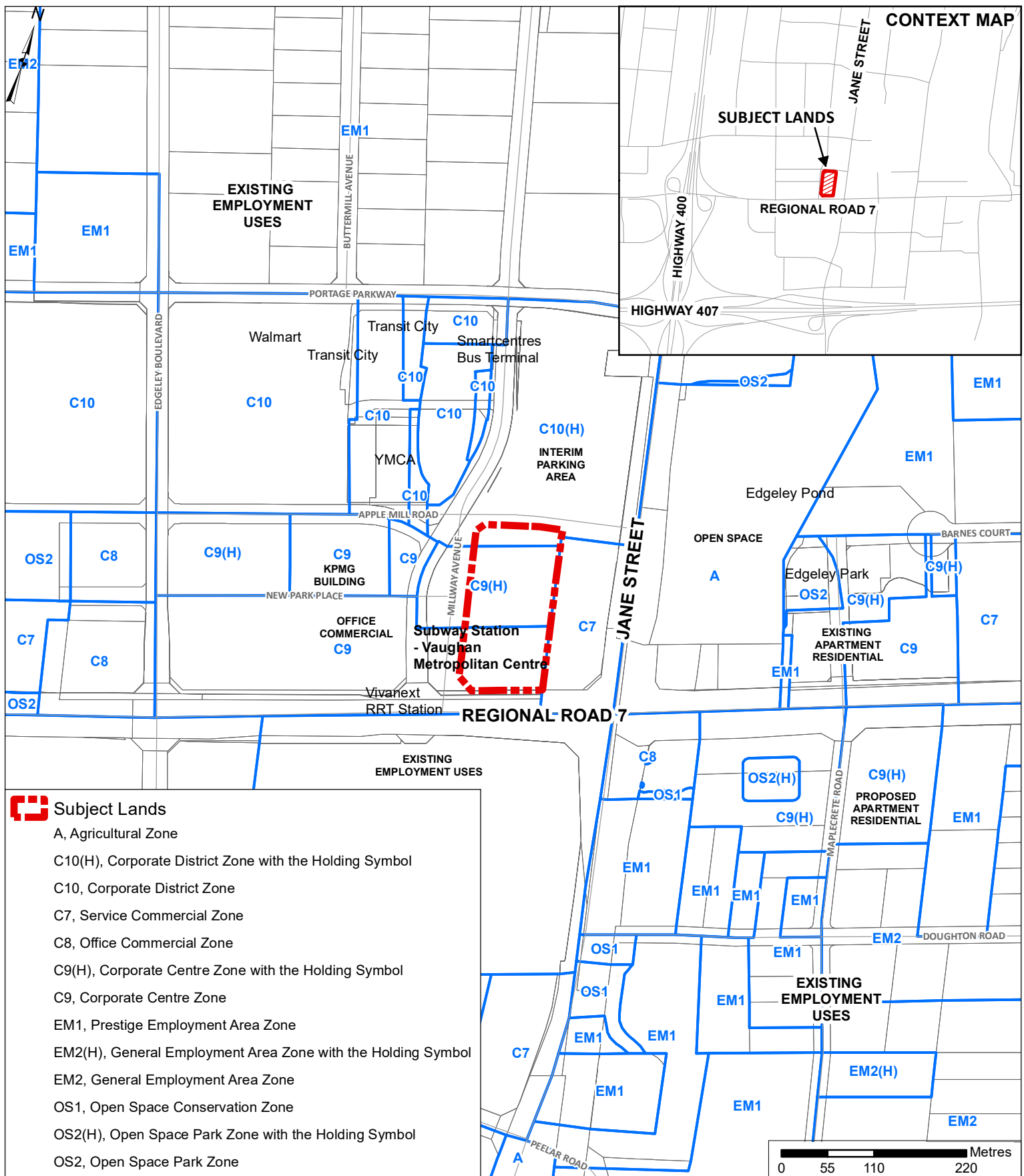
For more information, please contact **Natalie Wong, Senior Planner** at extension 8866.

Attachments

1. Location Map
2. Conceptual Site Plan
3. Landscape Plan

Prepared by

Natalie Wong, Senior Planner, extension 8866
Amy Roots, Senior Manager - VMC, extension 8035
Christina Bruce, Director, VMC Program, extension 8231



Location Map

LOCATION:
Part of Lot 6, Concession 5

APPLICANT:
Penguin-Calloway (Vaughan) Inc.

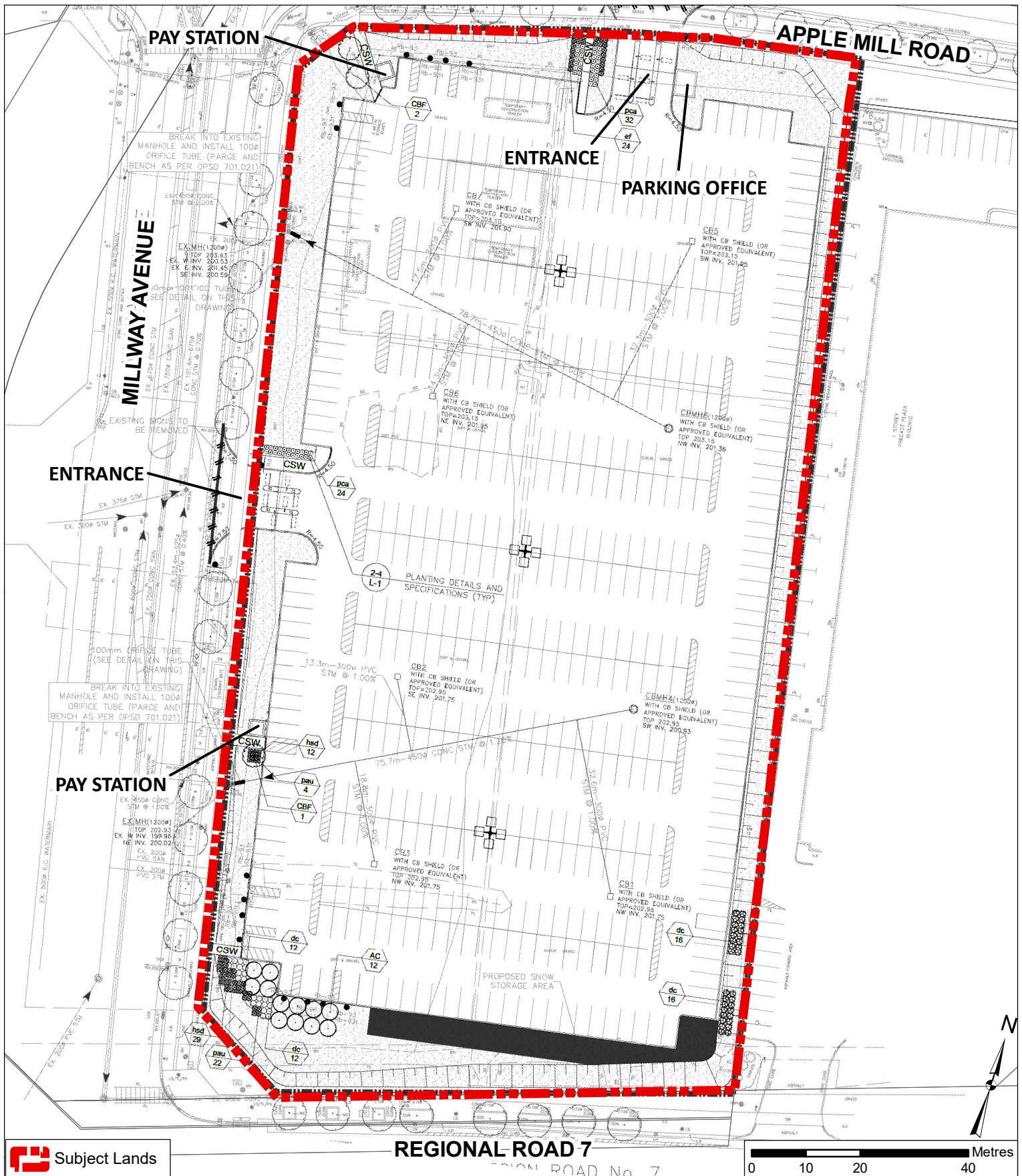


Attachment

FILE:
DA.19.036

DATE:
June 4, 2019

1



Conceptual Site Plan

LOCATION:
Part of Lot 6, Concession 5

APPLICANT:
Penguin-Calloway (Vaughan) Inc.



Attachment

FILE:
DA.19.036

DATE:
June 4, 2019

2

