

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 23, 2019

Item 2, Report No. 29, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on October 23, 2019.

**2. DANIELS BAIF THORNHILL INC., BAIF DEVELOPMENTS LIMITED
ZONING BY-LAW AMENDMENT FILE Z.19.014 SITE DEVELOPMENT
FILE DA.19.011 VICINITY OF BATHURST STREET AND BEVERLEY
GLEN BOULEVARD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated October 7, 2019 be approved; and**
- 2) That the coloured elevation submitted by the applicant be received.**

Recommendations

1. THAT Zoning By-law Amendment File Z.19.014 (Daniels Baif Thornhill Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands RA3 Residential Apartment Zone subject to site-specific zoning Exception 9(1429).
2. THAT Site Development File DA.19.011 (Baif Developments Limited) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of four residential apartment buildings with heights of, 25-storeys, 15-storeys, 12-storeys, and 6-storeys containing a total of 763 units, 585.64 m2 of commercial gross floor area, and 942 parking spaces, as shown on Attachments 2 to 7:
 - 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 plan, and signage details;
 - ii. The Development Engineering (‘DE’) Department shall approve the final grading and servicing plan, erosion and sediment control plan, and Stormwater Management Report. The Owner shall obtain all required dewatering permits from the Environmental Services (‘ES’) Department prior to final DE approval;

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- iii. The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the final site plan shall be in conformity with the City's Waste Collection Design Standard Policy;
 - iv. The Owner shall satisfy all requirements of York Region;
 - v. The Owner shall successfully obtain approval from the Committee of Adjustment for a Minor Variance Application for the required variances identified in Table 1 of this report. The Committee's decisions regarding the Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
 - vi. The Owner shall enter into a Tree Protection Agreement in accordance with the Council adopted Tree By-law 052-2018 and the City's Tree Protection Protocol; and
 - vii. The Owner shall provide the City of Vaughan with a copy of the Ministry of the Environment, Conservation, and Parks ('MECP') Record of Site Condition ('RSC') acknowledged and registered on the Environmental Site Registry for the entire Subject Lands. Copies of all ESA reports relied upon for the filing of the RSC including reliance from the consultant, shall also be provided to the City's satisfaction.
- b. That the Site Plan Agreement include the following clauses:
- i. "Should archaeological resources be found on the subject lands during excavation and construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Planning Department, Urban Design and Cultural Heritage Division 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 Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, and the Development Planning Department, Cultural Heritage Division."

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- iii. “The Owner shall provide documentation to the City showing that the portion of the daylight triangle, under the jurisdiction of the York Region Rapid Transit Corporation, has been conveyed to the Owner to the satisfaction of the City of Vaughan.”
- iv. The Owner acknowledges that there is municipal storm sewer system on the City easement within private property and acknowledges that the City may need to undertake repairs or carry out maintenance on the system or to replace it or to install new service(s). The Owner agrees that the City shall have the right to remove the proposed landscape items for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the landscape items, the City shall give the Owner notice of its intention to remove the landscape items for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the Owner, at its sole expense, shall proceed immediately to restore the landscape items to the condition it was in prior to the commencement of such installation, replacement, repairs or maintenance. Under no circumstances shall the City be required to so restore the lands or to compensate the Owner for the cost of doing so.
- v. The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the Subject Lands.
- vi. Prior to occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features be certified by a Professional Engineer at the City’s request. The Engineer’s certificate must refer to the final Noise Report and be submitted to the City’s Chief Building Official and the Director of Development Engineering.
- vii. The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:

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“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic and adjacent employment/industrial uses may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change’s environmental noise guidelines NPC 300”.

- viii. Prior to occupancy of any dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements and condominium declarations.
3. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with Section 42 of *the Planning Act* and the City's Cash-in-Lieu Policy.
4. Prior to the issuance of a Building Permit the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board, and the York Catholic District School Board.
5. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.19.011 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 763 residential apartment units (1,686 person 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 with a building construction program within a reasonable timeframe.”

Committee of the Whole (1) Report

DATE: Monday, October 07, 2019

WARD(S): 5

**TITLE: DANIELS BAIF THORNHILL INC.,
BAIF DEVELOPMENTS LIMITED
ZONING BY-LAW AMENDMENT FILE Z.19.014
SITE DEVELOPMENT FILE DA.19.011
VICINITY OF BATHURST STREET AND BEVERLEY GLEN
BOULEVARD**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.19.014 to remove the Holding Symbol “(H)” from the subject lands shown on Attachment 1 and for Site Development File DA.19.011 to permit the development of four residential apartment buildings with heights of 25, 15, 12, and 6-storeys, containing 763 units, 585.64 m² of commercial gross floor area, and 942 parking spaces, as shown on Attachments 2 to 7.

Report Highlights

- The Owner proposes four residential apartment buildings with heights of 25, 15, 12, and 6-storeys with 763 units, and ground floor commercial uses.
- A Zoning By-law Amendment is required to remove the Holding Symbol “(H)” from the subject lands currently zoned RA3(H) Residential Apartment Zone with the Holding Symbol “(H)” subject to Exception 9(1429).
- The Development Planning Department supports the removal of the Holding Symbol “(H)” from the subject lands and the approval of the development, subject to the Recommendations of this report. The development is consistent with the *Provincial Policy Statement 2014*, conforms to *A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019*, conforms with the York Region and Vaughan Official Plans, is a permitted use by Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Zoning By-law Amendment File Z.19.014 (Daniels Baif Thornhill Inc.) BE APPROVED, to remove the Holding Symbol “(H)” from the subject lands, shown on Attachment 1, thereby zoning the subject lands RA3 Residential Apartment Zone subject to site-specific zoning Exception 9(1429).
2. THAT Site Development File DA.19.011 (Baif Developments Limited) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of four residential apartment buildings with heights of, 25-storeys, 15-storeys, 12-storeys, and 6-storeys containing a total of 763 units, 585.64 m² of commercial gross floor area, and 942 parking spaces, as shown on Attachments 2 to 7:
 - 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 plan, and signage details;
 - ii) The Development Engineering (‘DE’) Department shall approve the final grading and servicing plan, erosion and sediment control plan, and Stormwater Management Report. The Owner shall obtain all required dewatering permits from the Environmental Services (‘ES’) Department prior to final DE approval;
 - iii) The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the final site plan shall be in conformity with the City’s Waste Collection Design Standard Policy;
 - iv) The Owner shall satisfy all requirements of York Region;
 - v) The Owner shall successfully obtain approval from the Committee of Adjustment for a Minor Variance Application for the required variances identified in Table 1 of this report. The Committee’s decisions regarding the Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
 - vi) The Owner shall enter into a Tree Protection Agreement in accordance with the Council adopted Tree By-law 052-2018 and the City’s Tree Protection Protocol; and

- vii) The Owner shall provide the City of Vaughan with a copy of the Ministry of the Environment, Conservation, and Parks ('MECP') Record of Site Condition ('RSC') acknowledged and registered on the Environmental Site Registry for the entire Subject Lands. Copies of all ESA reports relied upon for the filing of the RSC including reliance from the consultant, shall also be provided to the City's satisfaction.
- b) That the Site Plan Agreement include the following clauses:
 - i) "Should archaeological resources be found on the subject lands during excavation and construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Planning Department, Urban Design and Cultural Heritage Division 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 Cemeteries Regulation Unit of the Ministry of Government and Consumer Services, and the Development Planning Department, Cultural Heritage Division."
 - iii) "The Owner shall provide documentation to the City showing that the portion of the daylight triangle, under the jurisdiction of the York Region Rapid Transit Corporation, has been conveyed to the Owner to the satisfaction of the City of Vaughan."
 - iv) The Owner acknowledges that there is municipal storm sewer system on the City easement within private property and acknowledges that the City may need to undertake repairs or carry out maintenance on the system or to replace it or to install new service(s). The Owner agrees that the City shall have the right to remove the proposed landscape items for the purpose of carrying out such installation, replacement, repair or maintenance. Prior to removing the landscape items, the City shall give the Owner notice of its intention to remove the landscape items for maintenance purposes, except in the case of emergency, in which case no notice shall be required. On completing the installation, replacement, repairs or maintenance, the Owner, at its sole expense, shall proceed immediately to restore the landscape items to the condition it was in prior to the commencement of such installation, replacement, repairs or

maintenance. Under no circumstances shall the City be required to so restore the lands or to compensate the Owner for the cost of doing so.

- v) The Owner shall agree to implement the recommendations of the final noise report into the design and construction of the buildings on the Subject Lands.
 - vi) Prior to occupancy of each unit, a noise consultant shall certify that the building plans are in accordance with the noise control features recommended by the approved Noise Report. Where wall, window and/or oversized forced air mechanical systems are required by the Noise Report, these features be certified by a Professional Engineer at the City's request. The Engineer's certificate must refer to the final Noise Report and be submitted to the City's Chief Building Official and the Director of Development Engineering.
 - vii) The Owner shall agree to include the necessary warning clauses in agreements of Offer of Purchase and Sale, lease/rental agreements and condominium declarations including but not limited to the following:

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the individual dwelling units, sound levels from increasing road traffic and adjacent employment/industrial uses may on occasion interfere with some activities of the dwelling occupants as the sound level may exceed the Ministry of Environment and Climate Change's environmental noise guidelines NPC 300”.
 - viii) Prior to occupancy of any dwelling unit, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses have been included in the Offer of Purchase and Sale, lease/rental agreements and condominium declarations.
3. The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's Cash-in-Lieu Policy.
4. Prior to the issuance of a Building Permit the Owner shall pay to the City all applicable Development Charges in accordance with the Development

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

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

“THAT Site Development File DA.19.011 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 763 residential apartment units (1,686 person 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 with a building construction program within a reasonable timeframe.”

Background

The subject lands (the ‘Subject Lands’) are located on the northwest corner of Bathurst Street and Beverley Glen Boulevard, municipally known as 2 Beverley Glen Boulevard, as shown on Attachment 1.

Vaughan Council on January 20, 2015, approved Official Plan and Zoning By-law Amendment Files OP.12.019 and Z.12.047 to permit an increase in the permitted density in the “High Density Residential” designation on the Subject Lands from 148 units per hectare to 569 units per hectare, a Floor Space Index (‘FSI’) of 4.35, a maximum of 585.64 m² of ground floor area devoted to Convenience Retail Store and Retail Store uses, and maximum building heights of 25, 15, 12 and 6-storeys.

Zoning By-law Amendment and Site Development Applications have been submitted to permit the Development

The Owner has submitted the following applications (the ‘Applications’) on the Subject Lands shown on Attachment 1, to permit the development of 4 residential apartment buildings with building heights of, 25-storeys, 15-storeys, 12-storeys, and 6-storeys containing a total of 763 units, 585.64 m² of commercial GFA, and 942 parking spaces, (the ‘Development’):

1. Zoning By-law Amendment File Z.19.014 to remove the Holding Symbol “(H)” from the Subject Lands; and,
2. Site Development File DA.19.011 to permit 4 residential apartment buildings as shown on Attachments 2 to 7.

Previous Reports/Authority

https://vol.vgn.cty/departments/OCC/Council%20Secretariat/Extracts%20Library/2015/Committee/02cw0113_15ex_full.pdf

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 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. Sections 1.1 “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns”, 1.1.3 “Settlement Areas”, and 1.4.3 “Housing” were considered through the review of the Applications.

The Development shown on Attachments 2 to 7 is located within a settlement area and adds to the range of housing types in the community, and efficiently utilizes the Subject Lands. The Subject Lands are located on Bathurst Street which is identified as a ‘Regional Rapid Transit Corridor’ by the York Regional Official Plan (‘YROP’) and is identified as a ‘Dedicated Rapidway’ in the York Region Transportation Master Plan. In addition, the York Region Transportation Master Plan identifies Bathurst Street from Centre Street to Kirby Road as a ‘Frequent Transit Network’.

The Subject Lands are located in proximity to existing retail, entertainment, community service, and institutional uses at Bathurst Street and New Westminster Drive, and Bathurst Street and Beverley Glen Boulevard. The Rosemount Community Centre, the City Playhouse Theatre, and Westmount Collegiate Institute are located on the north side of New Westminster Drive west of Bathurst Street and Thornhill Green Park is located on the south side of Beverley Glen Boulevard west of Bathurst Street. These facilities would serve the Development.

The location of the Development on Bathurst Street supports alternative modes of transportation, such as transit, cycling and walking, and utilizes existing infrastructure and community facilities more efficiently and minimizes land consumption.

On this basis, the Development is consistent with the PPS.

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

A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within settlement areas, and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water the wastewater systems. In accordance with Section 3(5) of the *Planning Act*, Vaughan Council's planning decisions "shall conform with" the Growth Plan.

Section 2.2.1 "Managing Growth" and 2.2.6 "Housing" were considered through the review of the Applications.

In consideration of the Growth Plan policies, the Development conforms to the Growth Plan by directing growth to a built-up area where there is existing vacant land to accommodate the expect population growth. The Subject Lands are located on Bathurst Street which is a planned 'Regional Rapid Transit Corridor'. The Development includes apartment units with a mix of sizes. The Development integrates green infrastructure and achieves a Silver Threshold score as defined by the City of Vaughan Sustainability Performance Metrics Program.

In consideration of the above the Development conforms to the Growth Plan.

The Development conforms to the York Regional Official Plan 2010

The York Region Official Plan 2010 (the 'YROP 2010') guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

The Subject Lands are designated 'Urban Area' by the YROP. Section 5.3 of the YROP outlines policies for development that encourages residential development to occur within the built-up area, as defined by the Province's Built-up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Development will assist in achieving these goals as it is located within the Built-up Area Boundary, includes residential apartment units with a range of unit sizes, and utilizes a compact built form that makes more efficient use of the Subject Lands.

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

In consideration of the above, the Development conforms with the policies of the YROP as it is located on a transit corridor, makes efficient use of the Subject Lands and provides a sustainable compact built form.

The Development conforms to the policies of Vaughan Official Plan 2010

The Subject Lands are designated "High-Rise Mixed-Use" by Vaughan Official Plan ('VOP 2010'), which permits a mixed-use development with a maximum building height of 25-storeys and a maximum Floor Space Index ('FSI') of 4.35 times the area of the lot. The High-Rise Mixed-Use designation is generally located in Intensification areas and permits a mix of residential, retail, community and institutional uses. Uses permitted include residential units, home occupations, community facilities, cultural uses including commercial galleries and theatres, retail uses, office uses up to a maximum of 12,500 m², parking garages, hotels and gas stations. Building types permitted within this designation include high-rise buildings, mid-rise buildings, public and private institutional buildings, and gas stations.

The Development includes four apartment ranging in height from 6 - 25-storeys, containing a total of 763 units, 585.64 m² of commercial GFA, and yields an FSI of 4.35 times the area of the lot, which conforms to the policies of VOP 2010.

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(1429), which permits residential apartment buildings with ground floor commercial uses. The following additional site-specific exceptions to the RA3 Apartment Residential Zone are required to implement the Development:

Table 1

| | Zoning By-law 1-88 | RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception 9(1429) | Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception 9(1429) |
|----|---|--|---|
| a. | Maximum Building Height | Building A - 47.2 m Building B - 76.7 m Building C - 38 m Building D - 19.1 m | Building A - 48.95 m Building B - 78.45 m Building C - 40.3 m Building D - 21.4 m |
| b. | Minimum Landscape Strip Width | 15 m abutting the west lot line | Permit a greenhouse within the 15 m landscape strip |
| c. | Accessory Building Requirements | All accessory buildings shall be located in the rear yard (north) | Permit accessory buildings in the rear yard and interior yard (north and west) |
| d. | Minimum Rear Yard Setback | 6.8 m (north) | 1 m to the structural building face, projection of a portion of the underground garage (Note: A 6.8 m setback to the habitable building face is provided) |
| e. | Minimum Setback to an Accessory Structure | 15 m | 8.8 m (greenhouse, west lot line) |
| f. | Permitted Yard Encroachments | Exterior stairways and porches/decks are permitted to encroach into the required front yard, rear yard, and interior side yard | Add balconies to the permitted yard encroachments |

| | Zoning By-law 1-88 | RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception 9(1429) | Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception 9(1429) |
|--|---------------------------|--|---|
| | | Canopies may extend 2 m into the required front yard | Permit a canopy to extend 2 m into the required front yard and exterior side yard (south and east) |

The Development Planning Department can support the proposed zoning exceptions as they are appropriate in order to permit the Development, are considered minor in nature, will not have a significant impact on the surrounding development and will continue to maintain the intent of the Official Plan and Zoning By-law Amendment Applications (Files OP.12.019 and Z.12.047) previously approved by Vaughan Council.

The Owner will be required to successfully obtain approval of a Minor Variance Application from the Committee of Adjustment for the site-specific exceptions identified in Table 1. The Committee's decision regarding the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the Site Plan Agreement, should the Applications be approved.

The current zoning on the Subject Lands requires that removal of the Holding Symbol "(H)" is conditional upon the Development being allocated servicing capacity from the York Sewage Servicing/Water Supply System and a Site Development Application being approved by Vaughan Council. The Development Planning Department is satisfied with the Site Development Application and recommends approval of the Development. A recommendation regarding servicing allocation is included in the Recommendations of this report. Should Vaughan Council approve the Recommendations in this report, the Holding Symbol "(H)" can be removed from the Subject Lands.

The Development Planning Department supports the Development, subject to the Recommendations in this report

Site and Landscape Plans

The Development shown on Attachments 2 to 7 includes four residential apartment buildings with heights ranging from 6 to 25-storeys, a total of 763 units, 585.64 m² of commercial GFA, and vehicular access on Bathurst Street and on Beverley Glen Boulevard. Pedestrian entrances to each building are provided from the internal private courtyard. A pedestrian entrance to Buildings A and B is also provided on Bathurst Street. The Development includes 935 parking spaces, inclusive of thirteen barrier free spaces, within a four level underground garage. Seven surface commercial parking spaces are located in the building courtyard. Residential/visitor and commercial access to the underground parking is provided under Building A, and a second residential only access is provided under Building C. Vehicular drop off areas and two loading spaces for Buildings A and D are located in the building courtyard. Two additional loading spaces for Buildings B and C are located along the north property line.

The landscape plan shown on Attachment 3 includes hard landscape areas along the east and south limits of the Development. The 15 m landscape strip along the west property line includes patios, dog walking areas, a green house and gardens. The central courtyard includes sod, garden beds, seating, shade structures and pedestrian pathways. An amenity patio is also located at the corner of Beverley Glen Boulevard and Bathurst Street that includes movable planters with embedded seating.

Tree Protection Protocol

The Development requires the replacement of seven trees. The Owner proposes to provide 28 new trees as compensation for these trees in accordance with the City's Tree Compensation Protocol, therefore this would accommodate the seven required replacement trees. The Owner shall enter into a "Tree Protection Agreement" with the City in accordance with the Vaughan Council enacted Tree Protection By-law 052-2018 and the City's Tree Protection Protocol, prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this Report.

Building Elevations and Signage

The proposed building elevations shown on Attachments 4 to 7 consist of white, and textured grey precast concrete panels, dark masonry, and aluminum panels. Spandrel glass will be used on the prefinished aluminum window wall, vision glass and bird friendly vision glass is also included in the building design. A pre-finished aluminum wood finish panel denotes the building entrances and first floor podium amenity area along Bathurst Street.

Buildings A and B are located along Bathurst Street and Beverley Glen, as shown on Attachments 4 and 5. Buildings A and B include ground floor commercial GFA and are connected by a 6-storey podium. The roof top of the 6-storey podium includes a private outdoor amenity area. Signage for the commercial uses is located above each ground floor commercial unit within a metal panel. Building C ranges in height from 4 to 12-storeys, as shown on Attachments 6 and 7. The stepped building design maintains a 45 degree angular plane from the west lot line abutting the existing townhouse units. Building D also provides separation from the exiting townhouses to the west with a stepped building design which ranges from 3 to 6-storeys, as shown on Attachments 6 and 7. Buildings C and D are connected by a one-storey podium.

The Development Planning Department is satisfied with the Development shown on Attachments 2 - 7. The final site plan, building elevations, landscape plan, landscape cost estimate, and lighting plan must be approved prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

Public Art Plan and Section 37 Agreement

Vaughan Council's approval of Zoning By-law Amendment File Z.12.047 included the requirement for the Owner to enter into a Section 37 Density Bonusing Agreement with the City. Baif Development Limited entered into a Section 37 Density Bonusing Agreement with the City of Vaughan on November 9, 2015, to permit an increase in the permitted Floor Space Index ('FSI') on the Subject Lands from 3.5 to 4.35 times the area of the lot in exchange for public benefits. The Section 37 Agreement requires the Owner to provide payments for community benefits including but not limited to, improvements to Thornhill Green Park, Benjamin Vaughan District Park, Rosemount Community Centre and the City Playhouse Theatre, VIVA Transit Pass to purchasers of units in the Development, and the provision of Public Art for the Development.

The Owner has submitted a Public Art Plan which was considered by the City's Design Review Panel on August 29, 2019. The Public Art Plan will require final approval from the Development Planning Department. A condition to this effect is included in the Recommendations of this report. The Public Art Plan details the commissioning process and installation of a permanent piece of public art with a budget of \$350,000, secured through a Letter of Credit as identified in the Section 37 Agreement.

The Urban Design and Cultural Heritage Division advises that the Subject Lands are cleared of any concern for archaeological resources

The Development Planning Department, Urban Design and Cultural Heritage Division advise that the Subject Lands are cleared of any concern for archaeological resources

and have no objection to the Development, subject to conditions being included in the Site Plan Agreement, as set out in the Recommendations of this report.

The Policy Planning and Environmental Sustainability Department has no objection to the Development

The Policy Planning and Environmental Sustainability ('PPES') Department advise that they have no objection to the approval of the Development as there are no natural heritage features on the Subject Lands.

The Development meets the Silver Threshold Score with an Overall Application Score of 53 and an Overall Community Score of 67

The Owner has submitted the completed Sustainability Scoring Tool and Summary Letter ("Sustainability Metrics Package"), dated March 12, 2019, in support of the Development. The Sustainability Metrics Package demonstrates an Overall Application Score of 53 and an Overall Community Score of 67, meeting the Silver Sustainability Threshold Score.

The Development Engineering Department has no objection to the Development, subject to the conditions in this report

The Development Engineering ('DE') Department advise they have no objection to the Development subject to the conditions in the Recommendation section of this report and have provided the following comments:

Water Supply

The Subject Lands are within Pressure District 6 ('PD6'). The Owner will provide two isolated domestic and two isolated fire service connections from the existing municipal watermain on Beverley Glen Boulevard to service the Development.

Sanitary Sewer Network

Two sanitary service connections were provided for the Subject Lands during the construction of the Liberty development on Beverley Glen Boulevard and Bathurst Street. A new sanitary service connection on Beverley Glen with the same capacity of the existing connection will be installed to better service the building, and the existing sanitary stub to the property will be capped. The future population will not exceed the population used for designing of the sanitary sewer system, therefore, no upgrade to the system is required.

Storm Sewer and Stormwater Management

One storm service connection was installed for the Subject Lands during the construction of the Liberty development, located on the southwest corner of Beverley Glen Boulevard and Bathurst Street. The stormwater discharge will be controlled to the Subject Lands at an allowable release rate, therefore, no upgrade to the existing storm sewer system is required.

The Functional Serving & Stormwater Management Report submitted in support of the Applications demonstrates that the post-development flows will be controlled to the allowable release rate by using an underground storage tank together with a quantity control device. A filter base treatment unit is proposed to achieve a Level 1 water quality target as required by the City's Design Criteria.

Environmental Site Assessment ('ESA')

The Owner submitted Phase One and Phase Two Environmental Site Assessment ('ESA') reports in support of the Applications. The DE Department is satisfied with the submitted ESAs. The submitted ESA reports did not identify any impacts and indicated that the property is suitable for the Development with no further ESA investigations required. The Subject Lands were previously used as a construction site and for parking spaces, the Owner is currently obtaining a Ministry of the Environment, Conservation, and Parks Record of Site Condition ('RSC') filed on the Environmental Site Registry due to the potential change to a more sensitive use. A copy of the RSC for the Subject Lands will be required prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendation section of this report.

Noise Impact Study

The Noise Impact Study submitted in support of the Applications indicates modest transportation sound levels at the Development from Bathurst Street. Noise control measures such as a sound barrier on the podium roof between Buildings A and B, ventilation upgrades, and upgrades to façade elements are proposed and warning clauses will be included in the Site Plan and Condominium Agreements, should the Applications be approved.

Noise from the existing plaza north of the Subject Lands will not exceed the sound level limits during the quietest daytime and nighttime periods at the Development.

Site Access

Access to the Development is proposed from two driveways, one each on Bathurst Street and Beverly Glen Boulevard. A full movement access is proposed on Beverly Glen Boulevard aligned opposite the existing access for the Liberty Development (7900 Bathurst Street) to the south (both located at approximately 75 m west of Bathurst Street). The DE Department is satisfied with the alignment of the Beverly Glen Boulevard driveway, however, the width of the driveway is subject to review and final approval from the DE Department. The Owner will be required to show the 7900 Bathurst Street driveway, all fire routes, the driveway throat length, and driveway width, on the final site plan.

A right-in/right-out only access is proposed on Bathurst Street located at approximately 125 m from the signalized intersection of Bathurst Street/Beverly Glen Blvd. The driveway is proposed to function with full movement access under interim conditions, however, will be restricted to a right-in/right-out access upon implementation of the proposed VIVA Transitway on Bathurst Street expected in 2019.

The City is satisfied with the proposed 'soft' and 'hard' Traffic Demand Management ('TDM') measures proposed in the TDM Plan, however, the Owner should indicate where the 582 bicycle parking spaces are located including both vertical and horizontal bicycle space sizes and bicycle room dimensions.

Road Network

Bathurst Street is currently under construction to provide a 6-lane wide cross-section with two dedicated High-Occupancy Vehicle lanes, separated cycling facilities in the form of cycle tracks and wide sidewalks on both sides of the street.

Beverly Glen Boulevard is a minor collector road under the jurisdiction of City of Vaughan. It provides an east-west connection between Bathurst Street to the east and Dufferin Street to the west. It has two travel lanes and permitted on-street parking with contiguous network of sidewalks on both sides of the street.

Active and Sustainable Transportation

The Development is located on a transit corridor with the nearest transit stops adjacent to the site at Bathurst Street and Beverly Glen Boulevard, on New Westminister Road/Atkinson Avenue at Bathurst Street, approximately 170 m to the north of the Subject Lands and on Centre Street at Bathurst Street, approximately 450 m to the south of the Development. Dedicated pedestrian and bicycle facilities will be provided on both Bathurst Street and Centre Street connecting to the wider City and Regional active transportation networks. The Development includes a mix of short and long-term bicycle parking spaces for a total of 575 spaces.

Servicing is in place to support this Development

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. Further it is expected that York Region will be assigning short-term growth capacity (2019 - 2016) to the City of Vaughan in Q3 of 2019. Accordingly, servicing capacity to Site Development File DA.19.011 is available and unrestricted. A resolution to allocate capacity to the Development is included in the Recommendations of this report.

Development Charges are applicable to the Development

The Owner will be required to pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect will be included in the Site Plan Agreement.

The Environmental Services Department, Waste Management Division has no objection to the Development, subject to conditions

The Environmental Services Department, Waste Management Division has reviewed the Applications and advise they have no objection to their approval, subject to the following:

- The plans submitted in support of the Development shall be updated to show a garbage room for the commercial uses
- A loading pad shall be provided which includes a minimum base of 300 mm of compacted 20 mm crusher run-limestone, and finished to a minimum of 200 mm depth of concrete
- A letter certified by a qualified Engineer shall be provided confirming that the Development can safely support a fully loaded collection vehicle weighing 35,000 kg.
- Drawings submitted for approval must be stamped and signed by a Professional Engineer or Architect registered in Ontario

Prior to final approval and execution of a Site Plan Agreement, the Owner must satisfy all requirements of the Environment Services Department. A condition to this effect is included in the Recommendations of this report.

The Fire and Rescue Services Department have no objection to the Development

The Fire and Rescue Services Department have no objection to the Development.

Cash-in-Lieu of the dedication of parkland is required

Infrastructure Development Real Estate Services has confirmed that cash-in-lieu of parkland is required in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy. The following clause applies:

“For high-density residential development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit.”

York Region District School Board and York Region Catholic District School Board have no objections to the Development

The Development has been reviewed by both school boards who advise they have no objections to the Development.

Financial Impact

N/A

Broader Regional Impacts/Considerations

York Region has no objection to the Development, subject to conditions

The York Region Community Planning and Development Services Department has no objection to the Applications, subject to the Owner satisfying York Region's comments including the submission of a Dewatering Plan, Traffic Management Plan, and a Construction Management Plan. A condition to this effect is included in the Recommendations of this report.

Prior to undertaking any work within the Regional right-of-way of Bathurst Street the Owner shall obtain Regional Site Plan Approval and a Road Occupancy Permit.

York Region Rapid Transit Corporation ('YRRTC') will be dedicating a strip of land along the daylight triangle, as shown on Attachment 2, to the Owner once the work on the Bathurst Street Bus Rapid Transitway is complete. The YRRTC land was included within the limits of the Subject Lands for the Development. The Owner shall provide documentation to the City showing that the portion of the daylight triangle has been successfully acquired to the satisfaction of the City. A condition to this effect shall be included in the Site Plan Agreement.

Prior to final approval, the Owner shall submit to the York Region Community Planning and Development Services Department a copy of the Vaughan Council resolution confirming that the City of Vaughan has allocated water and sewage servicing capacity for the Development. City of Vaughan staff shall confirm that the Council adopted resolution remains valid at the time of the request for Regional clearance of this condition.

Conclusion

Zoning By-law Amendment File Z.19.014 and Site Development File DA.19.011 have been reviewed in accordance with the applicable provincial policies, the policies of YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, comments from the City Departments and external public agencies and the surrounding area context.

The Development shown on Attachments 2 to 7 is consistent with provincial policies and conforms to the YROP 2010 and VOP 2010. The proposed residential and commercial uses are permitted by Zoning By-law 1-88, and the site-specific zoning exceptions required to implement the Development are considered to be minor and appropriate for the development of the Subject Lands. The conditions for removing the Holding Symbol ("H") from the Subject Lands will be satisfied should Vaughan Council approve the Recommendations in this report.

Accordingly, the Vaughan Planning Department supports the approval of Zoning By-law Amendment File Z.19.014 and Site Development File DA.19.011, subject to the Recommendations in this report.

For more information, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485.

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. East Elevation
5. South Elevation
6. North Elevation
7. West Elevation

Prepared by

Carol Birch, Planner, ext. 8485

Eugene Fera, Senior Planner, ext. 8003

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8409

/LG



Location Map

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.

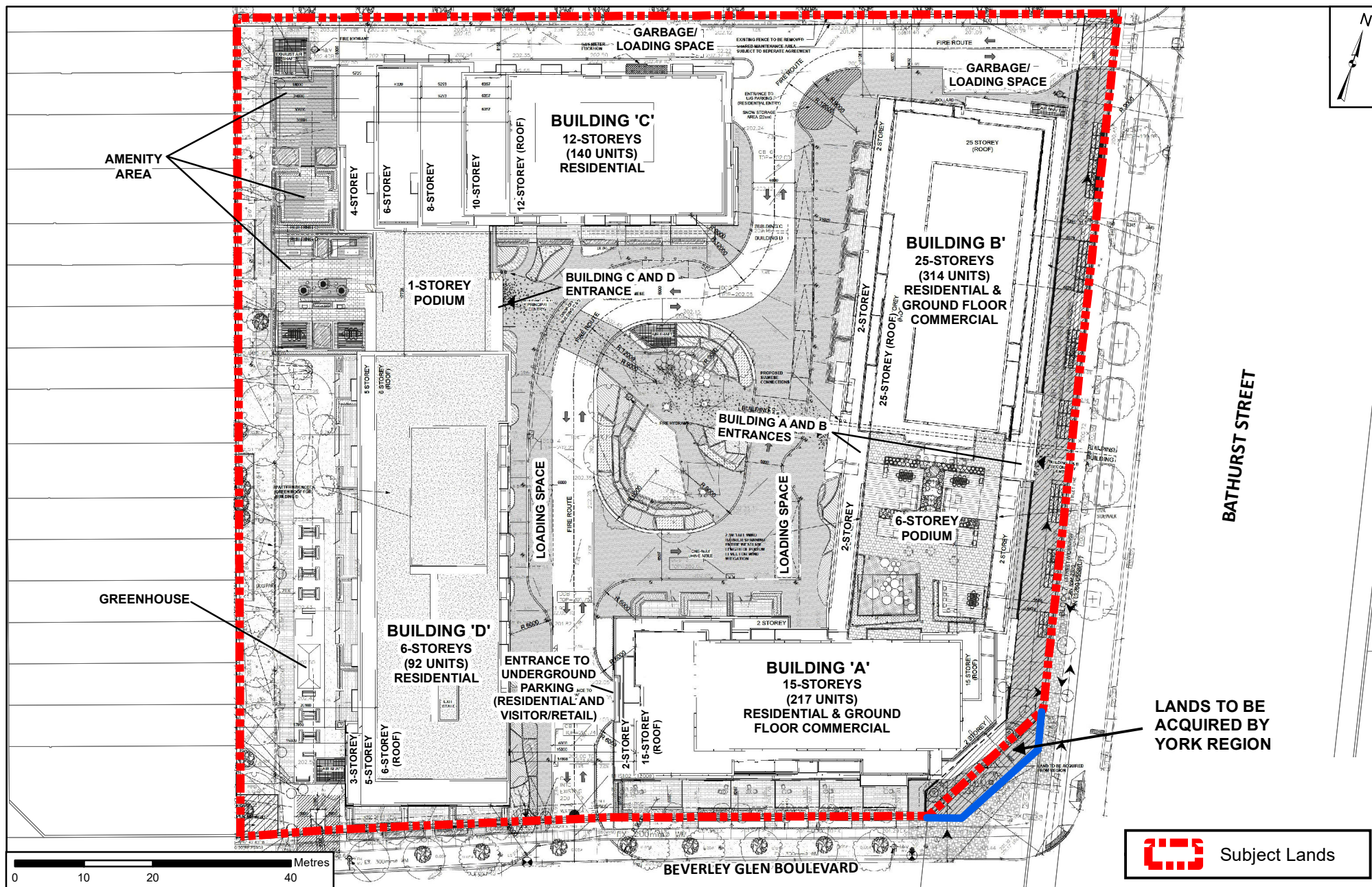


FILES: DA.19.011 & Z.19.014

RELATED FILES:
OP.12.019 & Z.12.047

DATE: October 7, 2019

1



Site Plan

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.

Document Path: N:\GIS_Archive\Attachments\DA\DA.19.011\DA.19.011_CW_SitePlan.mxd



Attachment

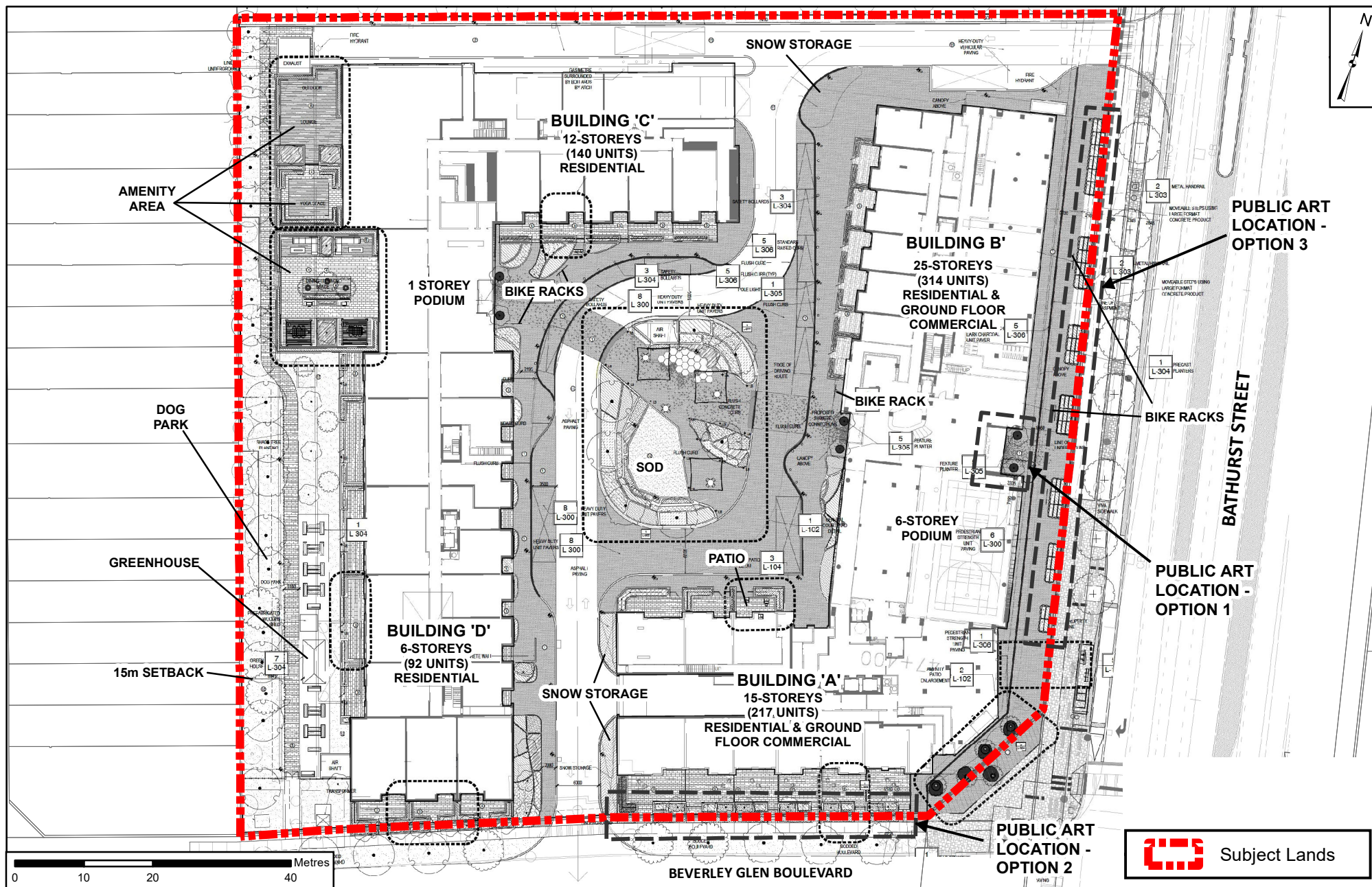
FILES: DA.19.011 &
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RELATED FILES: OP.12.019 & Z.12.047

DATE: October 7, 2019

2

Created on: 9/5/2019

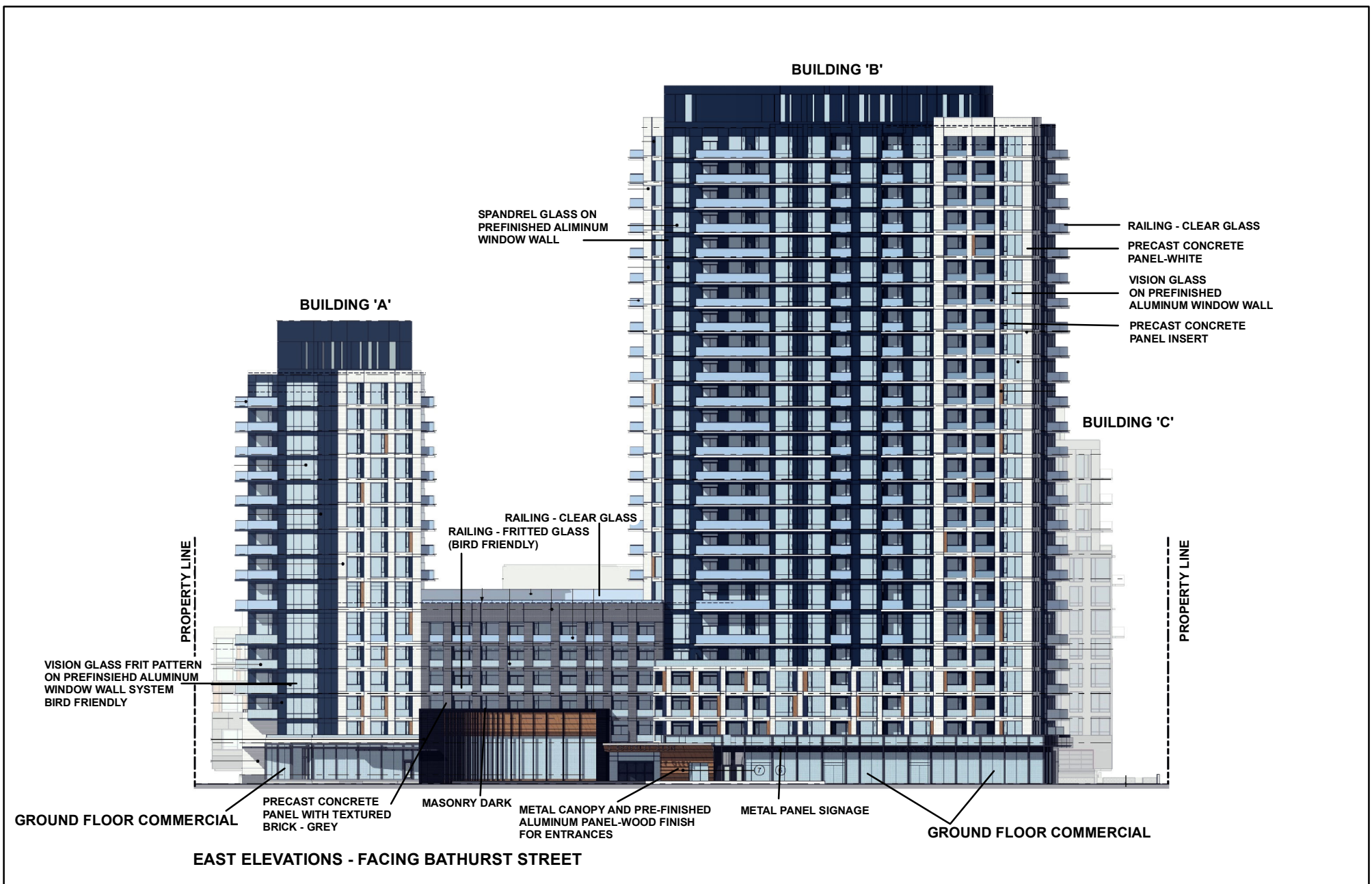


Landscape Plan

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.

Document Path: N:\GIS_Archive\Attachments\DA\DA.19.011\DA.19.011_CW_Landscape.mxd



East Elevations

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.

Document Path: N:\GIS_Archive\Attachments\DA\DA.19.011\DA.19.011_CW_EastElevations.mxd



Attachment

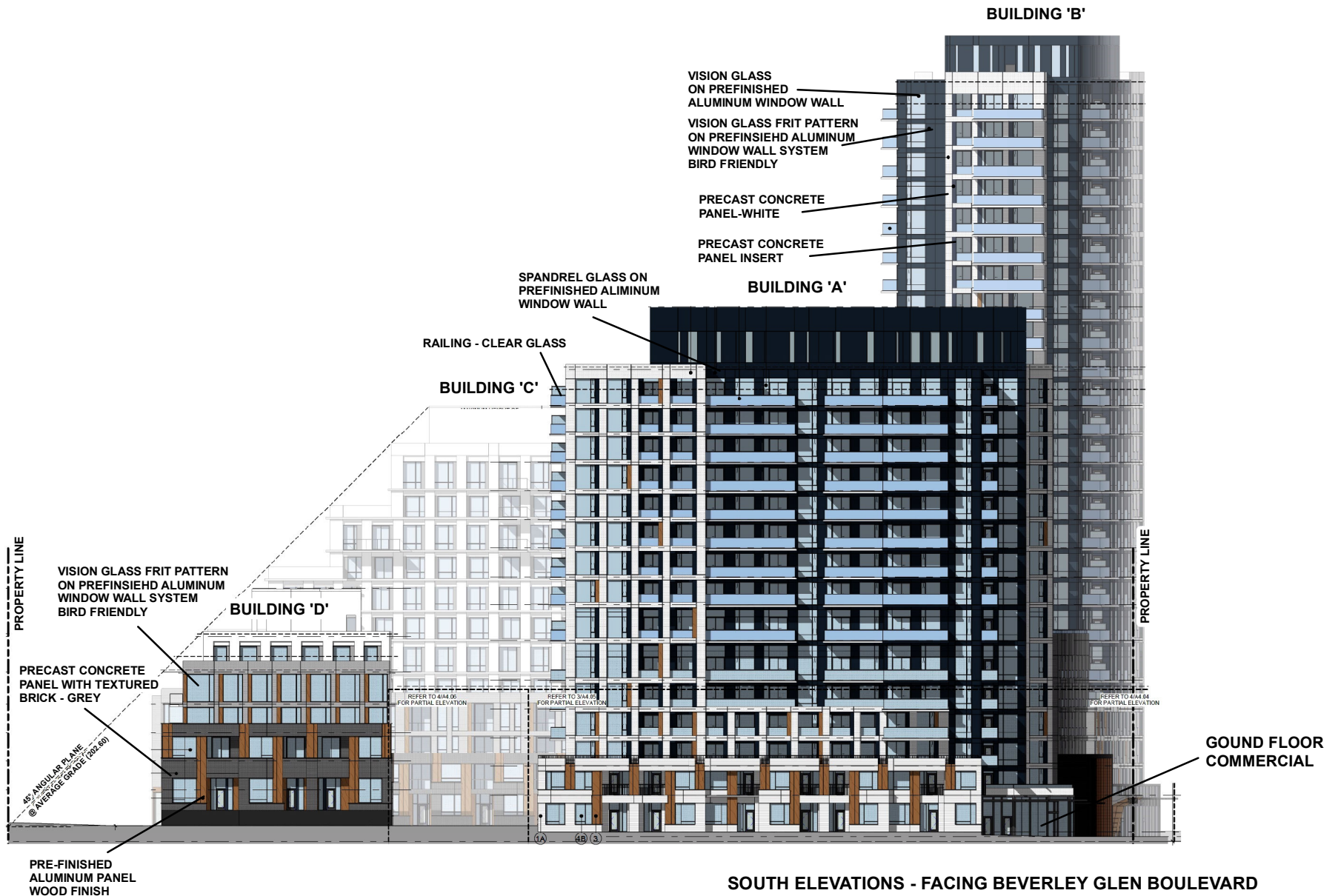
FILES: DA.19.011 &
Z.19.014

RELATED FILES: OP.12.019 & Z.12.047

DATE: October 7, 2019

4

Created on: 9/4/2019



South Elevations

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.



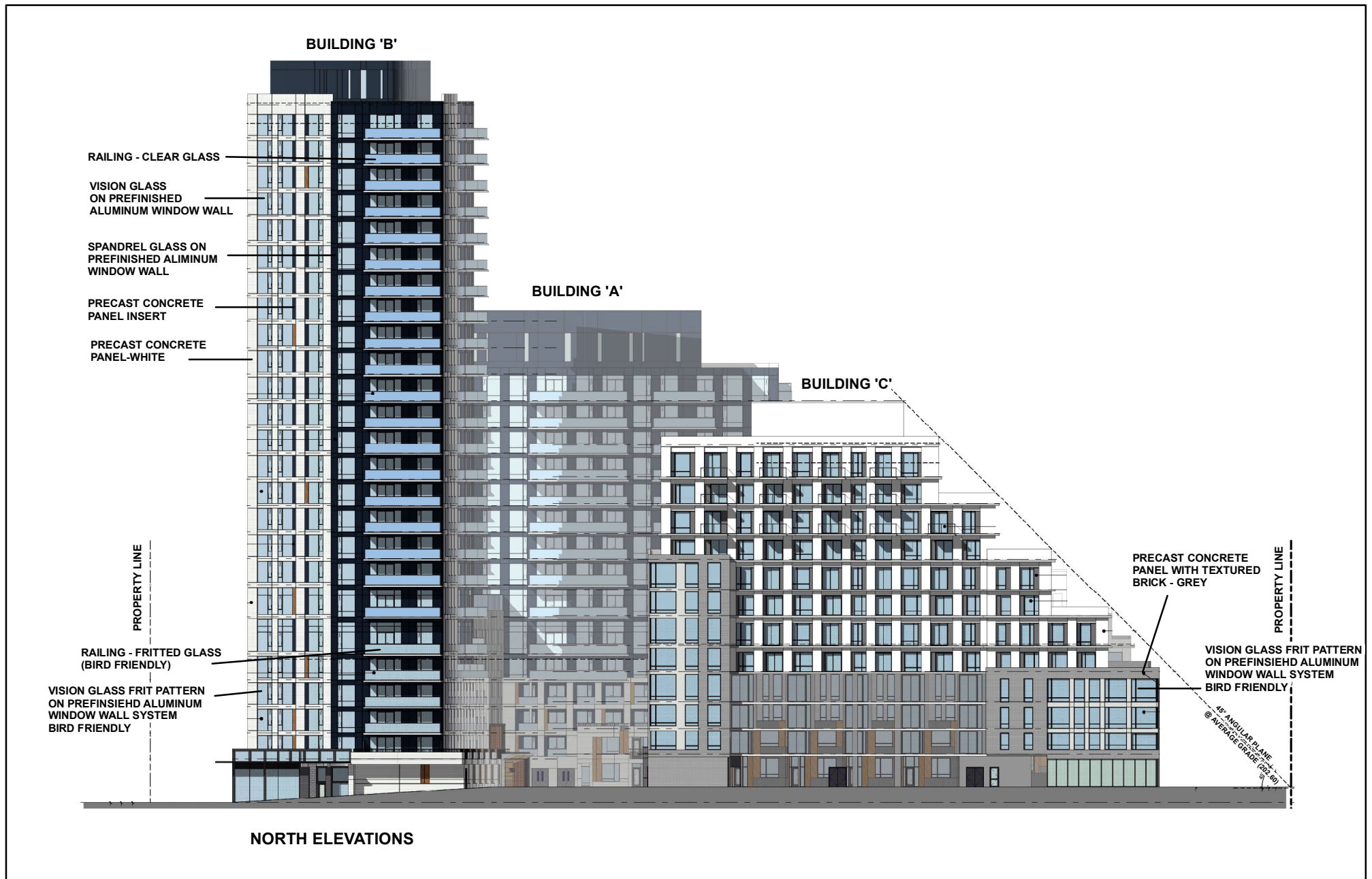
Attachment

FILES: DA.19.011 &
Z.19.014

RELATED FILES: OP.12.019 & Z.12.047

DATE: October 7, 2019

5



North Elevations

LOCATION:

Part Lot 7, Concession 2

APPLICANT:

Baif Developments Limited
Daniels Baif Thornhill Inc.

Document Path: N:\GIS_Archive\Attachments\DA\DA.19.011\DA.19.011_CW_NorthElevations.mxd



Attachment

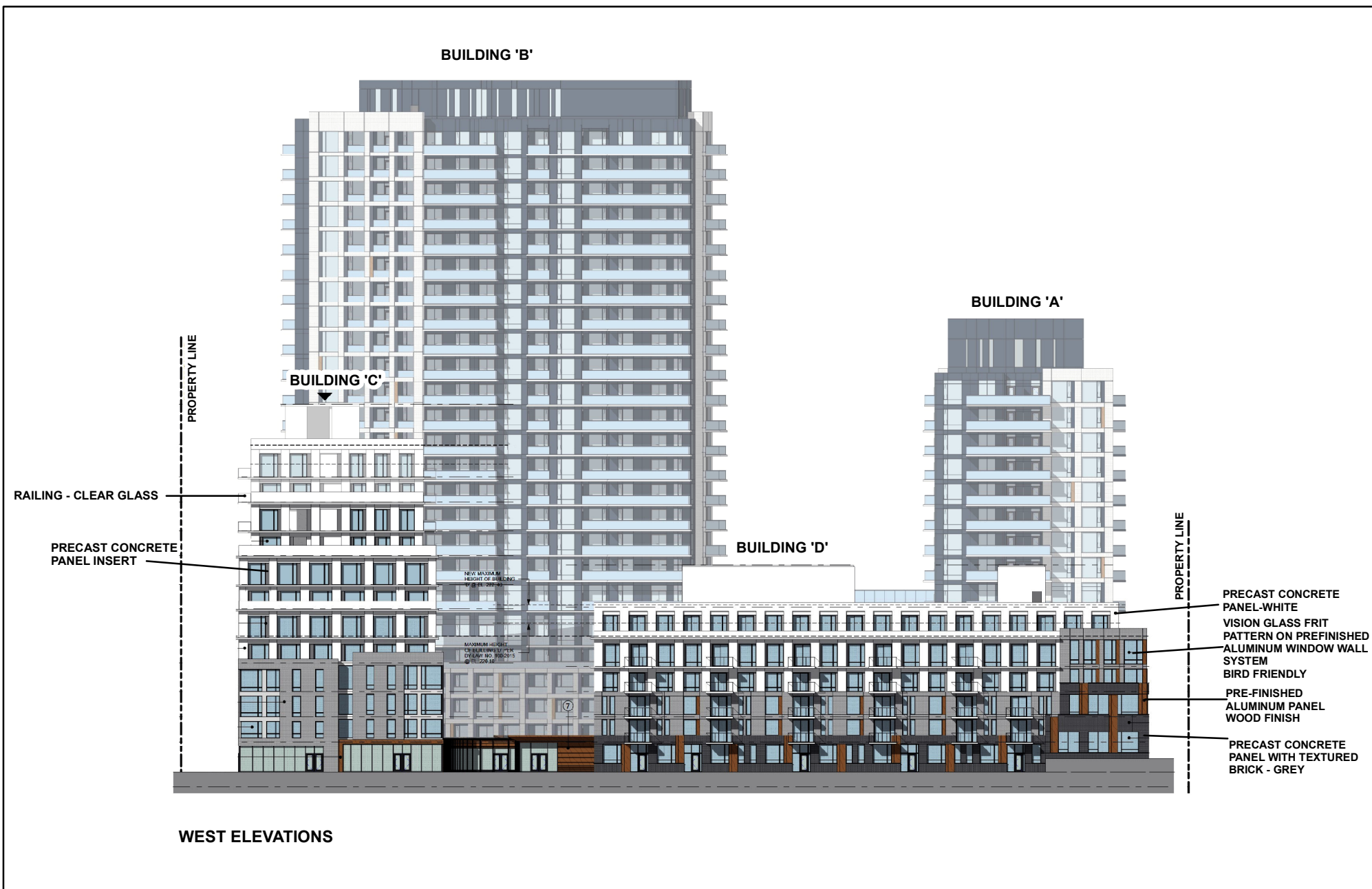
FILE: DA.19.011 &
Z.19.014

RELATED FILES: OP.12.019 & Z.12.047

DATE: October 7, 2019

6

Created on: 9/4/2019



West Elevations

LOCATION:
Part Lot 7, Concession 2

APPLICANT:
Baif Developments Limited
Daniels Baif Thornhill Inc.

Document Path: N:\GIS_Archive\Attachments\DA\DA.19.011\DA.19.011_CW_WestElevations.mxd



Attachment

FILES: DA.19.011 &
Z.19.014

RELATED FILES: OP.12.019 & Z.12.047

DATE: October 7, 2019

7

Created on: 9/4/2019