

Committee of the Whole (1) Report

DATE: Monday, October 07, 2019

WARD: 4

**TITLE: 1834375 ONTARIO INC.
(LIBERTY DEVELOPMENT CORPORATION)
SITE DEVELOPMENT DA.19.016
VICINITY OF REGIONAL ROAD 7 AND BOWES ROAD**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.19.016 for the Subject Lands shown on Attachment 1, to permit the development of three 27-storey residential apartment buildings, with a total of 932 units, and 362.7m² of grade related commercial uses, as shown on Attachments 2 to 5.

Report Highlights

- To seek approval from the Committee for three 27-storey residential apartment buildings with a total of 932 units and 362.7m² of grade related commercial uses.
- The Development Planning Department supports the approval of the development, subject to the Recommendations of this report. The development is consistent with the Provincial Policy Statement 2019, conforms with the policies of A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019, York Region Official Plan 2010 and Vaughan Official Plan 2010, the proposed uses comply with Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.

Recommendations

1. THAT Site Development File DA.19.016 (1834375 Ontario Inc. (Liberty Development Corporation)) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department to permit the development of three 27-storey residential apartment buildings, with a total of 932 units, 362.7m² of grade related commercial uses,

and 1,017 parking spaces distributed over four levels of underground parking, as shown on Attachments 2 to 5.

a) THAT prior to the execution of the Site Plan Agreement:

- i) The Owner shall successfully obtain approval from the City of Vaughan Committee of Adjustment to:
 - a) vary Zoning By-law 1-88 to permit the variances identified in Table 1 of this report, which approval shall be subject to conditions of approval in relation to Section 37 community benefits pursuant to subsection 45(9) of the *Planning Act*; and,
 - b) permit the bonusing for increased building height in return for a monetary contribution of \$321,300.00 to be used for community benefits, pursuant to Section 37 of the *Planning Act*, the policies of VOP 2010 and the City of Vaughan's Guidelines for the Implementation of Section 37 of the *Planning Act* towards community benefits, to the satisfaction of the City, including but not limited to:
 - public art
 - the provision and enhancement of outdoor recreational facilities in the temporary public amenity space to be provided in Phase 1 of Draft Plan of Subdivision File 19T-16V009, these facilities can be relocated to public parkland acquired in Phase II of Draft Plan of Subdivision File 19T-16V009
 - enhancements of the existing trails system for the Bartley Smith Greenway
 - contributions to park redevelopment of park sites serving intensification areas within the vicinity of the Subject Lands, consistent with the 2018 Parks Redevelopment Strategy;
- ii) The Owner shall enter into a Section 37 Density Bonusing Agreement with the City of Vaughan to secure the community benefits in exchange for an increase in the building height on the Subject Lands and pay the Section 37 Bonusing agreement Surcharge, in accordance with the "Tariff of Fees for Planning Applications";

- iii) THAT a Zoning By-law Amendment application to remove the Holding Symbol “(H1)” on the Subject Lands shall be forwarded to Vaughan Council for approval upon the Owner satisfying the conditions in the Local Planning Appeal Tribunal Decision (PL171117) and to the satisfaction of the City of Vaughan and the Toronto and Region Conservation Authority;
- iv) The Owner shall execute a Subdivision Agreement and any other agreement(s), and register the related Draft Plan of Subdivision (File 19T-16V009) approved by Local Planning Appeal Tribunal Decision (PL171117);
- v) The Owner shall submit a detailed engineering report(s) and plans to the satisfaction of TRCA for the Subject Lands in accordance with Functional Servicing Report 1890 Hwy 7 - Phase 1 Block 2, prepared by Schaeffers Engineering, revised March 2019 and Hydrogeological letter, prepared by EXP dated March 5, 2019;
- vi) The Development Planning Department shall approve the final site plan, building elevations, landscape plan, landscape cost estimate, lighting plan, public art plan, signage details, and commemoration plan;
- vii) The Development Engineering Department shall approve the final grading and servicing plan, erosion and sediment control plan, noise report, functional servicing and stormwater management report, hydrogeological assessment, traffic impact study, transportation demand management plans and construction management plans. The Owner shall modify to the Site Plan based on the final engineering design of Draft Plan of Subdivision File 19T-16V009. The Owner shall pay the Development Engineering Site Plan fees;
- viii) The Owner shall register the required easements for the construction and maintenance of the necessary municipal services and public access easements in favour of the City of Vaughan over the future private east-west road;
- ix) The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
- x) The Owner shall grant Metrolinx an environmental easement for operational emissions, which shall be registered on title against each residential dwelling in favour of Metrolinx; and
- xi) The Owner shall obtain all necessary approvals from York Region.

- b) That the Site Plan Agreement shall include the conditions and warning clauses identified in this report, to the satisfaction of the City.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.19.016 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 932 residential units (2,060 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 northside of Regional Road 7, east of Keele Street and form part of a larger property municipally known as 1890 Regional Road 7, as shown on Attachment 1.

A Site Development Application has been submitted to permit the Development

The Owner has submitted Site Development File DA.19.016 (the ‘Application’) to permit the development of three 27-storey residential apartment buildings with a total of 932 units, 362.7m² of grade related commercial gross floor area (‘GFA’) and 1,017 parking spaces distributed over four levels of underground parking (the ‘Development’), as shown on Attachments 2 to 5.

Related Zoning By-law Amendment and Draft Plan of Subdivision Files Z.16.049 and 19T-16V009 were appealed to the Local Planning Appeal Tribunal (LPAT)

The Owner on October 25, 2017, submitted Appeals (File Nos. PL17117 and PL171118) to the then Ontario Municipal Board (‘OMB’) now the Local Planning Appeal Tribunal (‘LPAT’) for Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009 (Attachment 6) pursuant to Section 34(11) and 51 (34) of the *Planning Act*, City of Vaughan Council’s failure to make a decision on the applications within 120 days and 180 days, respectively, of the City deeming the applications complete.

A settlement hearing regarding the appeals was held on November 6, 2018. The LPAT subsequently approved the applications and a decision (File Nos. PL17117 and PL171118) was issued on January 18, 2019.

Previous Reports/Authority

https://vol.vgn.cty/departments/OCC/Council%20Secretariat/Extracts%20Library/2018/Committee/27cw0917_18ex_full.pdf

Analysis and Options

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

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 provides policy direction on matters of provincial interest related to land use planning and development which ensures public health and safety and the quality of the natural and built environment are protected.

Sections 1.1.1 "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns", 1.1.3 "Settlement Areas", 1.2.1 "Coordination", 1.4.3 "Housing", 1.5.1 "Public Spaces, Recreation, Parks, Trails and Open Space", 1.6.7.5 "Transportation Systems", 2.1 "Natural Heritage", and "Natural Hazards" of the PPS were considered regarding this Development.

The Development is part of the first phase of an LPAT approved Draft Plan of Subdivision (Attachment 6), which includes residential and commercial uses, parks and open space located within a settlement area and conforms with the "High-Rise Mixed-Use" land use policies in the Concord GO Centre Secondary Plan ('CGCSP'). The Development is located within a Vaughan Official Plan 2010 ('VOP 2010') Intensification Area - Local Centre, as identified on Schedule 1 of VOP 2010. The proposed density of the Development promotes an efficient use of land within a Settlement Area, in accordance with an approval Official Plan.

The CGCSP establishes a transportation network including minor collector roads and local streets. The Development will implement the first phase of the proposed transportation network (roads) identified by the CGCSP and Travel Demand Management ('TDM') measures to utilize the transportation network efficiently, and encourage transit, walking and cycling.

The Upper West Don River is located east of the Subject Lands. Block 21 of the Draft Plan of Subdivision File 19T-16V009 includes the physical top-of-bank and natural feature limit including a 10 m buffer. Block 21 on the approval Draft Plan Subdivision will be conveyed to the Toronto Region Conservation Authority ('TRCA'), therefore, providing for the long term protection of the natural feature and directing development away from flooding and erosion hazards.

In consideration of the above, the Application is considered to be consistent with the *Provincial Policy Statement 2014*.

The Application 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 decisions on a wide range of issues, including economic

development, land-use planning, urban form, and housing. The Growth Plan encourages 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 and waste water systems.

The Application is consistent with the policy framework of the Growth Plan by directing growth to a built-up area where there is existing vacant land to accommodate the expected population growth, by promoting a transit-supportive density and a mix of residential and commercial land uses.

The Subject Lands are located within a Local Centre as designated by the VOP 2010, Schedule 1 - Urban Structure, which is an Intensification Area that supports the Growth Plan policy to direct development to delineated built-up areas. The Development conforms to the "Moving People" policies of the Growth Plan by supporting existing and planned transit initiatives. The policies of the CGCSP direct development and density in proximity to existing and planned York Region Rapid Transit facilities along Regional Road 7, the existing GO Line and possible future GO Station, and the Environmental Assessment - approved Highway 407 Transitway station. Accordingly, the Application conforms to the Growth Plan.

The Development conforms to the York Region Official Plan 2010

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region and encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types.

The Subject Lands are designated "Urban Area" on Map 1, "Regional Structure" of the YROP 2010. Section 5.0 of the YROP states that "Growth" will occur in new community areas throughout the Region.

Section 5.3 of the YROP 2010 outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province's Built-Up area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Development will assist in achieving these goals as it facilitates residential apartment units that implement the "High-Rise Mixed-Use" policies in the CGCSP. The Urban Design guidelines and Urban Design Policy and Masterplan documents prepared in support of the related Draft Plan of Subdivision and Zoning By-law Amendment Applications promote pedestrian friendly and transit oriented built forms and open spaces. Regional Road 7 is designated as a 'Regional Rapid Transit Corridor' on Map 11- Transit Network of the YROP 2010. The Development will be supported by the Regional Road 7 transit initiatives, the Environmental Assessment - Approved Highway 407 Transitway station, and a potential GO station.

In consideration of the above, the Development conforms with the policies of the YROP 2010. The Development is located on a regional road and a transit corridor, makes efficient use of the Subject Lands and provides a density that supports transit.

The Development conforms to Vaughan Official Plan 2010

The Subject Lands are designated “High-Rise Mixed-Use” by the CGCSP, which forms Section 11.10 of Volume 2 of VOP 2010. This designation permits a maximum building height of 22-storeys with the ability to increase the building height to 27-storeys through the implementation of a Section 37 Agreement. The Development includes three 27-storey buildings. The CGCSP also permits the proposed commercial uses. The Subject Lands are located within a “Local Centre”, as identified on Schedule “1” - Urban Structure VOP 2010, which also permits the Development. The phasing policies of the CGCSP permits a maximum of 950 residential units and 1, 860 m² of commercial GFA for Phase 1 of the Draft Plan of Subdivision (File19T-16V009), which includes the Subject Lands. The Development includes a total of 932 residential units and 362.7 m² of commercial GFA which conforms with the CGCSP and the VOP 2010.

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

The Subject Lands are zoned RA3 “(H1)” Apartment Residential Zone with the Holding Symbol “(H1)” by Zoning By-law 1-88, in accordance with the LPAT decision which permits the Development. The following site-specific exceptions to the RA3 Apartment Residential Zone are required to permit the Development:

Table 1

	Zoning By-law 1-88	RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)
a.	Maximum Building Height	22-storeys - 72 m	27-storeys - 87 m
b.	Minimum Landscape Strip Width	4.5 m from the north limit of the OS5 Zone along Regional Road 7	0 m from the north limit of the OS5 Zone along Regional Road 7

	Zoning By-law 1-88	RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)	Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)
c.	Minimum Building Setback to the OS5 Zone	4.5 m	0 m
	Zoning By-law 1-88	OS5 Open Space Environmental Protection Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)	Proposed Exceptions to the OS5 Environmental Protection Zone Requirements, subject to Site-Specific Exception (LPAT Decision PL171117)
a.	Permitted Uses in the OS5 Zone	Fish Wildlife and Forest management Conservation Projects and flood and erosion control Transportation, Infrastructure and Utilities, with the exception of Stormwater Management Ponds, Oak Ridges Moraine Low Intensity Recreational Uses, Oak Ridges Moraine Trail Residential Dwellings and accessory structures legally existing as of November 15, 2001	Permit bicycle racks, exterior stairways, balconies, and a cantilevered portion of Building B to extend a maximum of 0.5 m

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 CGCSP and Zoning By-law Amendment (File Z.16.049) previously approved by the LPAT Decision.

The Owner will be required to successfully obtain approval of a Minor Variance Application for the required site-specific zoning exceptions identified in Table 1 from the Committee of Adjustment. 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.

Removal of the Holding Symbol "(H1)" from the Subject Lands is conditional upon the following:

- the Development being allocated servicing capacity from the York Sewage Servicing/Water Supply System
- a Site Development Application being approved by Vaughan Council
- a Record of Site Condition ('RSC') filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation and Parks ('MECP') for the entire Phase 1 of the Draft Plan of Subdivision, to the satisfaction of the City of Vaughan
- the Owner shall confirm, to the satisfaction of the Toronto and Region Conservation Authority ('TRCA'), through the provision of 'as built' drawings and a hydraulic model that the flood remediation works have been completed as required in the issued permit under Ontario Regulation 166/06 and safe access to the Subject Lands is provided
- Blocks 1, 2 and 3 inclusive of Draft Plan of Subdivision File 19T-16V009, have been red-lined revised to allow for an appropriate interface area between Regional Road 7 and the proposed Mixed-Use Blocks, to the satisfaction of the City. The lifting of the Holding Symbol "(H1)" in whole or in part is tied to the TRCA's Draft Plan of Subdivision Conditions for File 19T-16V009. These conditions outline the technical information required and the potential redesign of Blocks 1, 2, and 3 inclusive, needed to confirm that an appropriate interface between Regional Road 7 and Blocks 1, 2 and 3 is provided. This interface area will address grading to provide a stable slope, freeboard from the regulatory floodplain, appropriate buffers, and the opportunity to improve the management of the lesser storm flood events in this area. Should this final interface design affect Infrastructure Ontario ('IO') lands as shown on Attachment 6, further review and final approval from IO is required
- The lands subject to the final interface between Regional Road 7 and the red-lined revised Blocks 1, 2 and 3 inclusive shall be placed into new Open Space Block(s) and zoned OS5 Open Space Environmental Protection Zone

- The Owner shall revise the Tree Preservation Plan and the Arborist Report to the satisfaction of the City. Vegetation beyond the boundary of Phase 1 of Draft Plan of Subdivision File 19T-16V009 shall remain undisturbed during the construction of Phase 1. The Owner shall not remove trees without written approval from the City.

At the time of the LPAT approval, the Application was not submitted to the City. The Zoning By-law for the Subject Lands permits a maximum building height of 22-storeys. The CGCSP includes a policy to permit an increase in building height (maximum 5-storeys) or density in exchange for community benefits. The Owner is proposing to facilitate the density bonusing agreement through the Committee of Adjustment, pursuant to Section 45(9) of the *Planning Act*, and in accordance with the City's Guidelines for the implementation of Section 37 Benefits. The proposed density bonusing will be based on the building height increase only, as the density complies with the Official Plan.

The Owner will be required to successfully obtain approval from the City of Vaughan Committee of Adjustment of a Minor Variance application to approve a density bonusing agreement to implement the increase in building height in exchange for a \$321,300.00 monetary contribution towards community benefits as discussed in this report.

The Committee's decisions regarding the Minor Variance Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

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

To permit the Development, the Owner proposes to vary the RA3 Zone standards to increase the permitted building height for the Development from 22-storeys (72 m) to 27-storeys (87 m). Pursuant to Section 37 of the *Planning Act*, the policies of the *CGCSP and VOP 2010*, and the Guidelines for Implementation of Section 37 of the *Planning Act*, an increase in building height may be authorized in return of the provision of community benefits. The Development Planning Department supports the minor variances identified in Table 1 of this report, including the increase in building height for the Development, subject to the conditions in the Recommendations of this report. A condition includes that the increase in building height will be subject to a \$321,300.00 cash payment to be used towards the following community benefits, to the satisfaction of the City, including but not limited to:

- public art
- the provision and enhancement of outdoor recreational facilities in the temporary public amenity space to be provided in Phase 1 of Draft Plan of Subdivision File 19T-16V009; these facilities can be relocated to public parkland acquired in Phase II of Draft Plan of Subdivision File 19T-16V009 (Block 20, Attachment 6)

- enhancements of the existing trails system for the Bartley Smith Greenway (Attachment 6)
- contributions to park redevelopment of priority parks and smaller park sites serving intensification areas within the vicinity of the Subject Lands, consistent with the 2018 Parks Redevelopment Strategy

The Owner has agreed to provide community benefits in exchange for the increased building height, and the Vaughan Committee of Adjustment has the jurisdiction to impose such a condition to enter into an agreement with the municipality pursuant to Subsection 45(9) of the *Planning Act*.

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 5 includes three 27-storey residential apartment buildings with a total of 932 residential units, 362.7m² of ground floor commercial GFA, and 1,017 parking spaces. Access to the Subject Lands is from a private road to the north of the Subject Lands to be created through the registration of Phase 1 of Draft Plan of Subdivision File 19T-16V009.

The residential entrance for Buildings A and B is located on the east elevation and is comprised of a black textured exterior wall panel and curtain system vision glass. A second residential entrance for Buildings A and B is located on the west elevation within the interior courtyard. The principal entrance for Building C is located in the interior courtyard on the east elevation. Access to the underground parking and loading is located on the east elevation of Building C within the interior courtyard. Four levels of underground parking accommodate 1,017 parking spaces. There are 10 visitor parking spaces located in the interior courtyard including 1 barrier free space. An additional loading area gains access from the private road north of the Subject Lands along the north elevation of Building A.

The landscape plan shown on Attachment 3 includes a multi-level pedestrian walkway along Regional Road 7, which includes hard and soft landscaping. A set of stairs constructed from reclaimed heritage brick from the greenhouse smoke stacks that existed on the property is proposed and leads pedestrians from the lower walkway into a courtyard. The heritage steps also include a mural and plaque that provides the history of the previous greenhouse on the property used to grow roses. The on-site commemoration will reflect the property's industrial cultural heritage value of Concord's earliest days of industrial development. In 1922, Fred Miller built the greenhouses for the Concord Floral Company and was active until December 2000. The Concord Floral Company smokestack was a prominent landmark in Concord, pre-dating the building of Highways 7 (1928-32) and 400 (1951) and the CN Rail marshalling yards (1965).

Another set of steps leads pedestrians into the decorative paved entry court. A children's play area is located south of Building C. Level 2 terraces are proposed for each building and an outdoor amenity space is located on the top of the 7th floor between Buildings A and B.

The final Landscape Plan must be revised to reflect the adjusted road alignment of Street B.

Tree Protection Protocol

On February 28, 2019, the Owner entered 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. A total of 133 trees were removed as part of site preparation work for Phase I of the LPAT approved Draft Plan of Subdivision File 19T-16V009, within which the Subject Lands are located. Compensation and/or cash-in-lieu for removal of the existing trees will be provided through the clearance of the Draft Plan Approval Conditions for Draft Plan of Subdivision File 19T-16V009.

Building Elevations and Signage

The proposed building elevations shown on Attachments 4 and 5 include a colour scheme consisting of white, grey, dark grey, charcoal grey textured exterior wall panels, and wood finish metal panels, residential aluminum vision glass (blue and dark blue) and spandrel windows.

Building 'A' has frontage on both the private road and Street 'B', and is connected to Building 'B' by a 7-storey podium with a roof top outdoor amenity space. Building A includes 377 residential units and 362.7m² of ground floor commercial space. Building 'B' and C include 250 units and 305 units respectively, including 5 grade related townhouse style units along the west elevation of Building 'C'.

The Development Planning Department is satisfied with the Development shown on Attachments 2 to 5. The final site plan, building elevations, landscape plan, landscape cost estimate, lighting plan and commemoration plan must be approved by the Development Planning Department 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

In addition to community benefits associated with the required Section 37 Density Bonus Agreement, the Owner is required to submit a Public Art Plan in accordance with the Vaughan City-wide Public Art Program for consideration by the Vaughan Design Review Panel ('DRP'). The final Public Art Plan, that follows the approved process outlined in the City-wide Public Art Program including site potential, estimated budget, commissioning process, timing and implementation approach must be approved

prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendation of this report.

Temporary Public Amenity Space

In accordance with Conditions of Draft Approval for Subdivision File 19T-16V009 the Owner is required to provide a temporary public amenity space which may be located in Blocks 1, 3, 15 or 16 (Attachment 6) to serve the residents of these buildings. Block 20, as shown on Attachment 6, will provide the ultimate park location for the overall development.

The Parks Development Department have no objection to the Development subject to conditions of approval for Draft Plan of Subdivision File 19T-16V009. The Draft Plan of Subdivision must be registered, and Parks Development Department Conditions of Draft Plan of Subdivision Approval must be cleared, prior to registration of the Site Plan Agreement. These conditions include but are not limited to, the execution of a Temporary Park Agreement with the City of Vaughan for the provision of a temporary public amenity space of no less than 0.5 ha, and a Land Titles Act restriction on the transfer of the Subject Lands being registered on title. A condition regarding the registration of the Draft Plan of Subdivision is included in the Recommendation section of this report.

The Owner will be required to install a sign to inform residents of the temporary nature of the public amenity space. A warning clause regarding the temporary amenity space must also be included in the Agreement of Purchase and Sale for the Development and in all Condominium Documents

The Parks Development Department have reviewed the Community Services and Facilities Impact Study, prepared by MHBC Planning in support of the Application and are satisfied with the document.

The Subject Lands are clear of any concern for archaeological resources

The Development Planning Department 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 the development limits have been established through Draft Plan of Subdivision File 19T-16V009.

The Development meets the Gold Threshold Core with an Overall Application Score of 82 and an Overall Community Score of 93

The Owner has submitted the completed Sustainability Scoring Tool and Summary letter ("Sustainability Metrics Package"), dated August 2, 2019, in support of the Development. The Sustainability Metrics Package demonstrates an Overall application Score of 82 and an Overall Community Score of 93, meeting the Gold Sustainability Threshold Score.

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

The Development Engineering Department ('DE') Department advise they have no objection to the Development, subject to the conditions in the Recommendations section of this report. The DE Department notes that modifications may be required to the final engineering design of Draft Plan of Subdivision File 19T-16V009. The Owner may be required to revise the Site Plan to reflect any revisions made to the engineering design of the subdivision. The DE Department has identified the following matters to be addressed prior to final approval and execution of a Site Plan Agreement.

Water Supply

The Subject Lands are located within Pressure District 6 ('PD6') with a pressure range between 100 and 106 pounds per square inch ('psi'). The Development will be serviced by a proposed 300mm diameter watermain on the future Street C. The proposed watermain and the future street will be constructed as part of the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V009.

Sanitary Sewer System

The Development will be serviced by a proposed sanitary sewer on the future City easement within private property along Regional Road 7. The proposed sewer will be constructed as part of the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V009.

Storm Sewer System and Stormwater Management Facilities

The Development will be serviced by a proposed clean water collector system ('CWC') on the future Street C. The proposed system and the future street will be constructed as part of the construction of the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V009.

To achieve quality, quantity and water balance/erosion control requirement within the Development and a proposed private road north of the Subject Lands, appropriate stormwater management measures including filter-based quality control unit (Jellyfish

unit), Low Impact Development ('LID') measures, and underground stormwater tanks are proposed.

Environmental Site Assessment

Phase One and Two Environmental Site Assessment ('ESA') reports were reviewed by the City, as part of related Draft Plan of Subdivision File 19T-16V009. The Owner also submitted a Remedial Action Plan ('RAP') which documented their proposed method of remediation. Since the entire Subject Lands are changing to a more sensitive land use (i.e. industrial to residential), the Owner has filed a Ministry of the Environment, Conservation, and Parks ('MECP') Record of Site Condition ('RSC') #225381 filed February 2019 confirming that the Subject Lands have been appropriately assessed and are suitable for residential use. The Owner has provided the City with the MECP Letters of Acknowledgement.

Environmental Noise and Vibration Assessment

The submitted noise assessment identifies and evaluates both transportation and stationary noise sources and recommends required mitigation measures as follows: a noise barrier, ventilation design, façade design, and warning clauses.

Transportation

The DE Department, Transportation Engineering has no concerns with the Development, and advise that the Owner must establish the road pattern as set out by the LPAT approved Draft Plan of Subdivision File 19T-16V009 (Attachment 6). However, since the January 18, 2019, LPAT approval of Draft Plan of Subdivision File 19T-16V009, Street B has been shifted 8 m east to align with the March 2, 2011, MTO approved Environmental Assessment for the Highway 407 Transitway. The realignment of Street B has increased the size of the Subject Lands. The new alignment of Street B is shown on Attachments 2 and 3.

Servicing is available for the 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 - 2026) to the City of Vaughan. 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.

The Site Plan Agreement shall include conditions and warning clauses

The following conditions and warning clauses shall be included in the Site Plan Agreement to the satisfaction of the City:

Conditions

- i) “The Owner shall implement the recommendations of the final Noise Assessment report into the design and construction of the buildings on the Subject Lands and include all necessary warning clauses on all agreements of Purchase and Sale or Lease of individual units.”
- ii) “The Owner shall carry out to the satisfaction of the Toronto Region Conservation Authority, the recommendations of the reports/strategies and details of the plans referenced in the Toronto and Region Conservation Authority’s conditions of site plan approval.”
- iii) “The Owner shall install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the Toronto and Region Conservation Authority.”
- iv) “The Owner shall obtain all necessary permits from the Toronto and Region Conservation Authority pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06), as may be amended, to the satisfaction of the Toronto and Region Conservation Authority.”
- v) “The Owner shall comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of the Toronto and Region Conservation Authority.”
- vi) “The Owner shall make necessary arrangements with the City of Vaughan Environmental Services Department for the supply of potable water for construction purposes and implement a water flushing program to maintain the water quality in the water distribution system to the City standard. The Owner shall be responsible for all costs incurred by the City for the water used to test and flush the water distribution system.”

Warning Clauses

- “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 Development Planning Department, shall be notified immediately.”
- “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 City of Vaughan Development Planning Department.”

- “Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings(s). Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of way.” This warning clause shall be included in all Purchase and Sale Agreements and Condominium Agreement(s), and the Condominium Declaration document(s).”
- “Purchasers /tenants are advised that despite the inclusion of noise control features in the development and within the individual units, sound levels from increasing road and rail 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.”
- “Purchasers and/or tenants are advised that the future roads will be constructed in accordance with the Concord GO Centre Secondary Plan and the approved Draft Plan of Subdivision to facilitate the development of adjacent lands.”

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 shall be included in the Site Plan Agreement.

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

Environmental Services (‘ES’) Department have no objection to the Development. The final Waste Management Site Plan showing access route(s), truck movements, loading areas, waste storage rooms and chute rooms on each floor, and the Waste Requirements and Waste Servicing Details form must be approved by the ES 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 convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheques, cash-in-lieu of the dedication of parkland at a 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 School Board have no objection to the Development

The York Region District and Catholic School Boards advise they have no objections to the Development.

The Toronto and Region Conservation Authority have no objection to the Development, subject to conditions

The Toronto and Region Conservation Authority ('TRCA') advise that conditions of approval for Draft Plan of Subdivision File 19T-16V009 must be satisfied, and the TRCA conditions included in the LPAT Approved Site-Specific Zoning By-law with the Holding Symbol "(H1)" File Z.16.049 must be addressed prior to the removal of the Holding Symbol "(H1)" and the execution of the Site Plan Agreement.

The TRCA advise that flood remediation works under TRCA Permit C-190497 must be completed and confirmed through as built drawings to the satisfaction of the TRCA. This work forms part of the conditions of approval for Draft Plan of Subdivision File 19T-16V009.

The Owner has worked with the TRCA to delineate the Regulatory Floodplain in the south west corner of the Subject Lands along Regional Road 7 with appropriate buffers. In order to remove one of the Holding Symbol "(H1)" conditions from the Subject Lands the Regulatory Floodplain and required buffer zoned with an Open Space Zone, as shown on Attachment 6.

The Zoning By-law Holding Symbol "(H1)" conditions imposed by the TRCA are as identified in this report, allow for an appropriate interface area between Regional Road 7 and the proposed Mixed-Use Blocks and the technical information required to confirm that an appropriate interface between Regional Road 7 and Blocks 1, 2 and 3 is provided. This interface area will address grading to provide a stable slope, freeboard

from the regulatory floodplain, appropriate buffers, and the opportunity to improve the management of the lesser storm flood events in this area.

The TRCA conditions have been included in the Recommendation Section of this report.

Metrolinx has no objection to the Development, subject to conditions

Metrolinx advise that the Subject Lands are within 300 metres of Metrolinx's Newmarket Subdivision, which carries Barrie GO train service. Metrolinx require that the following warning clause be included in the Purchase and Sale or Lease Agreements of each dwelling unit and the Condominium Agreement(s) and the Condominium Declaration document(s) as identified in this report.

The Owner will be required to grant Metrolinx an environmental easement for operational emissions, registered on title against each subject residential dwelling in favour of Metrolinx. A condition to this effect is included in the Recommendations.

The Ministry of Transportation Ontario have no objection to the Development

The Ministry of Transportation Ontario ('MTO') has no objection to the Development subject to the registration of Draft Plan of Subdivision File 19T-16V009. MTO advise that the Subject Lands are located with the MTO's Permit Control Area and the Owner must apply for a Building and Land Use Permit, an Encroachment Permit and an Entrance Permit.

NAV CANADA have no objection to the Development

In the interest of aviation safety, it is incumbent on NAV CANADA to maintain up-to-date aeronautical publications and issue a notice to airmen ('NOTAM') as required. The Owner is required to provide NAV CANADA with information on all construction cranes that exceed the height of the proposed buildings ten business days prior to the start of construction.

Canada Post has no objection to the Development, subject to conditions

Canada Post has no objection to the Development subject to the Owner satisfying their requirements for the provision of mail facilities.

The various utilities have no objection to the Development

Enbridge Gas Inc., Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have not objection to the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of any site works.

Financial Impact

N/A

Broader Regional Impacts/Considerations

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

York Region has no objection to the Development subject to satisfying all requirements of York Region. A Condition to this effect is included in the Recommendations of this report.

Conclusion

Site Development File DA.19.016 has been reviewed in consideration of the applicable provincial policies, the policies of YROP 2010 and VOP 2010, the requirements of Zoning By-law 1-88, the decision of the LPAT, comments from the City Departments and external public agencies and the surrounding area context. The Development shown on Attachments 2 to 5 is consistent with provincial plans and policies, conforms to YROP 2010 and VOP 2010, and the proposed uses comply with Zoning By-law 1-88. The Development is considered to be appropriate and compatible with the existing and planned uses in the surrounding area.

Accordingly, the Vaughan Planning Department supports the approval of Site Development File DA.19.016, subject to the Recommendations in this report.

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

Attachments

1. Location Map
2. Site Plan
3. Landscape Plan
4. Building Elevations - South and West
5. Building Elevations - North and East
6. Approved Draft Plan of Subdivision File 19T-16V009 - Approved by LPAT on January 18, 2019

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