

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 27, 2018.

**33. ZONING BY-LAW AMENDMENT FILE Z.16.049
DRAFT PLAN OF SUBDIVISION FILE 19T-16V009 1834375 ONTARIO INC.
VICINITY OF KEELE STREET AND REGIONAL ROAD 7**

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 September 17, 2018, be approved.**

Recommendations

THAT the Local Planning Appeal Tribunal ("LPAT") be advised that Vaughan Council ENDORSES the following Recommendations:

1. THAT Zoning By-law Amendment File Z.16.049 (1834375 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands (excluding Block 1) shown on Attachments #2 and #3 from "A Agricultural Zone", subject to site-specific Exception 9(976), "A Agricultural Zone", and "OS1 Open Space Conservation Zone" to "RA3(H) Apartment Residential Zone" with a Holding Symbol "(H)", "OS1 Open Space Conservation Zone", "OS2 Open Space Park Zone", and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 and the recommendations in this report.
2. THAT the Holding Symbol "(H1)" shall not be removed from Phase 1 the Subject Lands (excluding Block 1) or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - a. The Owner has successfully obtained approval of a Site Development Application, which shall include the implementation of noise and vibration mitigation measures required by Sections 3.1.11 and 3.1.12 of Vaughan Official Plan 2010 ("VOP 2010") Volume 2 ("Concord GO Centre Secondary Plan") to the satisfaction of Metrolinx and the City;
 - b. Vaughan Council has identified and allocated water supply and sewage capacity to Phase 1 of the Subject Lands;
 - c. The Owner shall submit to the City 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 and Block 1 of the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, CW Report No. 27 – Page 2

Subject Lands, to the satisfaction of the City;

- d. 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 160/06 and safe access to the Subject Lands is now provided;
 - e. Blocks 1, 2 and 3 inclusive 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 (in part) to TRCA’s Draft Plan Conditions in Attachment 1c) of this report. These conditions outline the technical input and 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 the final interface design affect Infrastructure Ontario (“IO”) lands, further review and final approval from IO is required;
 - f. 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; and
 - g. 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 shall remain undisturbed during the construction of Phase 1. The Owner shall not remove trees without written approval from the City.
3. THAT Block 1 of the Draft Plan of Subdivision (Attachment #4) be rezoned from “A Agricultural Zone” and “EM2 General Employment Zone” to “A(H1a) Agricultural Zone” and “EM2(H1a) General Employment Zone”, each with the Holding Symbol “(H1a)”, and “OS5 Open Space Environmental Protection Zone”, as required by Condition 2f). The Holding Symbol “(H1a)” shall not be removed from Block 1 until the following have been satisfied:
- a. York Region and the City of Vaughan have determined that a GO Station is no longer required;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, CW Report No. 27 – Page 3

- b. That should York Region and the City of Vaughan determine that a GO Station is no longer required, Block 1 shall be rezoned to an appropriate zone category to facilitate future development and that the Owner shall enter into a subdivision/development agreement, or other agreement(s), to satisfy any conditions of approval, to the satisfaction of York Region, the City of Vaughan and TRCA;
- c. Should York Region and the City of Vaughan determine that a GO Station is required on Block 1, an Environmental Project Report (Transit Project Assessment Process) shall be completed and approved by Metrolinx for the GO Station.

Notwithstanding the above, one temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in Zoning By-law 1-88, may be permitted prior to the removal of the Holding Symbol “(H1a)”.

- 4. THAT the Holding Symbol “(H2)” shall not be removed from Phase 2 of the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - a) The Owner has successfully obtained approval of a Site Development Application, which shall include the implementation of noise and vibration mitigation measures required by Sections 3.1.11 and 3.1.12 of VOP 2010 Volume 2 (“Concord GO Centre Secondary Plan”) to the satisfaction of Metrolinx and the City;
 - b) That the Owner successfully obtains the approval of Vaughan Council to classify Blocks 15 and 16 as a Class 4 Area designation, or alternatively that the Owner revise its related plans and reports to demonstrate and show that adequate noise mitigation measures will be provided to the satisfaction of the City;
 - c) That the Owner convey Park Block 20 to the City, meeting all standards and requirements of the City, free of all charges and encumbrances and to the satisfaction of the City. Park Block 20 shall be no less than 1.167 ha in size with municipal/public road frontage, to the satisfaction of the City;
 - d) That the Owner convey to the City a Public Square in Phase 2, free of all charges and encumbrances unless otherwise specified by the City, with a minimum area of 0.5 ha, that is located within Blocks 15 and/or 16, to the satisfaction of the City. The Public Square shall

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, CW Report No. 27 – Page 4

have public road frontage, with one side having a minimum length of 30 m, and a length to width ratio of 2:1, 3:1 or 4:1;

Should the Phase 2 Public Square have a length greater than 90 m, the Owner shall provide a fully accessible, minimum 7 m wide, enclosed mid-block public pedestrian corridor connection(s), to the satisfaction of the City. The enclosed mid-block public pedestrian connection(s) shall have a minimum clear unobstructed ceiling height of 6 m for the purposes of facilitating and encouraging public access. This requirement is applicable at the Site Development application(s) stage;

- e) Should the Phase 2 Public Square have a length greater than 90 m, the Owner shall provide a fully accessible, minimum 7 m wide, enclosed mid-block public pedestrian corridor connection(s), to the satisfaction of the City. The enclosed mid-block public pedestrian connection(s) shall have a minimum building height of 6 m for the purposes of facilitating and encouraging public access. This requirement is applicable at the Site Development application(s) stage;
- f) Dependent on the extent of parkland conveyance from Condition 4 c) and d) above, the Owner shall provide payment-in-lieu of the dedication of parkland to meet the requirements of under the Planning Act, VOP 2010 (Section 7.3.3 Parkland Dedication) and By-law 139-90, as amended by By-law 205-2012, if required and to the satisfaction of the City;
- g) Vaughan Council has identified and allocated water supply and sewage servicing capacity to Phase 2 of the Subject Lands;
- h) That the Owner implements the Remedial Action Plan (“RAP”) and submits, to the City, a Record of Site Condition (“RSC”) filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks (“MECP”) covering the entire Phase 2 Subject Lands;
- i) That the Owner makes the necessary modifications to the transportation network within Phase 2 of the Subject Lands, including but not limited to the east-west and the north-south collector road, to the satisfaction of the City, in order to align with the outcomes, findings and conclusions of the Concord GO Centre Transportation Master Plan (“TMP”) and a potential Environmental Assessment study for the north-south collector road to the satisfaction of the City; and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, CW Report No. 27 – Page 5

- j) The Owner shall confirm to the satisfaction of 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 160/06 and safe access to the Subject Lands is now provided.
- 5. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Applications(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
- 6. THAT a Section 118 Land Titles Act restriction be registered on title for the entirety of the Subject Lands regarding the transfer of the Subject Lands or a portion thereof. The consent of the City shall be obtained prior to the lifting of the restriction on the transfer of the Subject Lands or a portion thereof, with the exception of those lands to be dedicated into public ownership (i.e., valleylands and associated buffer lands).

Registration of this restriction is to be completed by the Owner prior to the registration of Phase 1 of the Draft Plan of Subdivision at no cost to the City and to its satisfaction.

Removal of the restriction is to be completed upon meeting the conditions to lift the associated Holding Symbol "(H2)" (Condition 4 c) and d)) on the Phase 2 lands. With permission from the City, the Owner will undertake efforts to remove the restriction at no cost to the City and to its satisfaction.
- 7. THAT Draft Plan of Subdivision File 19T-16V009 (1834375 Ontario Inc), as red-lined in accordance with the Vaughan Development Engineering and TRCA conditions in Attachments #1a) and #1c), and as shown on Attachment #4, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
- 8. Should the Local Planning Appeal Tribunal ("LPAT") approve the applications, that the LPAT withhold its final Order on Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009 until confirmation from the City is received indicating that the Owner's LPAT appeal (Appeal #29) of Vaughan Official Plan 2010 ("VOP 2010") (File No. PL111184) as it pertains to the Subject Lands has been withdrawn and is resolved to the satisfaction of the City Solicitor and Deputy City Manager, Planning and Growth Management.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 33, CW Report No. 27 – Page 6

9. THAT City of Vaughan Staff and external legal counsel be directed to attend the LPAT proceedings in support of the Recommendations contained in this report and the Conditions of Draft Approval, identified in Attachment #1, for Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009.

(A copy of the attachments referred to in the following report have been forwarded to each Member of Council and a copy thereof is on file in the office of the City Clerk.)

Item:



Committee of the Whole Report

DATE: Monday, September 17, 2018

WARD: 4

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.16.049
DRAFT PLAN OF SUBDIVISION FILE 19T-16V009
1834375 ONTARIO INC.
VICINITY OF KEELE STREET AND REGIONAL ROAD 7**

FROM:

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

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole of the Recommendations contained in this report for Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009 (1834375 Ontario Inc.), which have been appealed to the Local Planning Appeal Tribunal, to permit a mixed-use development comprised of 3 to 22-storey buildings and 950 units for Phase 1 of the development, as shown on Attachments #4 and #5 on the Subject Lands shown on Attachments #2 and #3.

Report Highlights

- The Owner seeks approval to amend Zoning By-law 1-88 to rezone the Subject Lands and for a Draft Plan of Subdivision to permit a mixed-use development consisting of 950 residential apartment units and 1,860 m² of retail uses as shown on Attachments #4 and #5.
- The Concord GO Centre Secondary Plan permits 950 residential units and 1,860 m² of retail Gross Floor Area in Phase 1 of this Development.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Draft Plan of Subdivision Applications as they are consistent with the *Provincial Policy Statement, 2014* and conform to the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010.

Recommendations

THAT the Local Planning Appeal Tribunal (“LPAT”) be advised that Vaughan Council ENDORSES the following Recommendations:

1. THAT Zoning By-law Amendment File Z.16.049 (1834375 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands (excluding Block 1) shown on Attachments #2 and #3 from “A Agricultural Zone”, subject to site-specific Exception 9(976), “A Agricultural Zone”, and “OS1 Open Space Conservation Zone” to “RA3(H) Apartment Residential Zone” with a Holding Symbol “(H)”, “OS1 Open Space Conservation Zone”, “OS2 Open Space Park Zone”, and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 and the recommendations in this report.
2. THAT the Holding Symbol “(H1)” shall not be removed from Phase 1 the Subject Lands (excluding Block 1) or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - a) The Owner has successfully obtained approval of a Site Development Application, which shall include the implementation of noise and vibration mitigation measures required by Sections 3.1.11 and 3.1.12 of Vaughan Official Plan 2010 (“VOP 2010”) Volume 2 (“Concord GO Centre Secondary Plan”) to the satisfaction of Metrolinx and the City;
 - b) Vaughan Council has identified and allocated water supply and sewage capacity to Phase 1 of the Subject Lands;
 - c) The Owner shall submit to the City 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 and Block 1 of the Subject Lands, to the satisfaction of the City;
 - d) 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 160/06 and safe access to the Subject Lands is now provided;
 - e) Blocks 1, 2 and 3 inclusive 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 (in part) to TRCA’s Draft Plan

Conditions in Attachment 1c) of this report. These conditions outline the technical input and 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 the final interface design affect Infrastructure Ontario ("IO") lands, further review and final approval from IO is required;

- f) 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; and
 - g) 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 shall remain undisturbed during the construction of Phase 1. The Owner shall not remove trees without written approval from the City.
3. THAT Block 1 of the Draft Plan of Subdivision (Attachment #4) be rezoned from "A Agricultural Zone" and "EM2 General Employment Zone" to "A(H1a) Agricultural Zone" and "EM2(H1a) General Employment Zone", each with the Holding Symbol "(H1a)", and "OS5 Open Space Environmental Protection Zone", as required by Condition 2f). The Holding Symbol "(H1a)" shall not be removed from Block 1 until the following have been satisfied:
- a) York Region and the City of Vaughan have determined that a GO Station is no longer required;
 - b) That should York Region and the City of Vaughan determine that a GO Station is no longer required, Block 1 shall be rezoned to an appropriate zone category to facilitate future development and that the Owner shall enter into a subdivision/development agreement, or other agreement(s), to satisfy any conditions of approval, to the satisfaction of York Region, the City of Vaughan and TRCA;
 - c) Should York Region and the City of Vaughan determine that a GO Station is required on Block 1, an Environmental Project Report (Transit Project Assessment Process) shall be completed and approved by Metrolinx for the GO Station.

Notwithstanding the above, one temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in Zoning By-law 1-88, may be permitted prior to the removal of the Holding Symbol “(H1a)”.

4. THAT the Holding Symbol “(H2)” shall not be removed from Phase 2 of the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:

- a) The Owner has successfully obtained approval of a Site Development Application, which shall include the implementation of noise and vibration mitigation measures required by Sections 3.1.11 and 3.1.12 of VOP 2010 Volume 2 (“Concord GO Centre Secondary Plan”) to the satisfaction of Metrolinx and the City;
- b) That the Owner successfully obtains the approval of Vaughan Council to classify Blocks 15 and 16 as a Class 4 Area designation, or alternatively that the Owner revise its related plans and reports to demonstrate and show that adequate noise mitigation measures will be provided to the satisfaction of the City;
- c) That the Owner convey Park Block 20 to the City, meeting all standards and requirements of the City, free of all charges and encumbrances and to the satisfaction of the City. Park Block 20 shall be no less than 1.167 ha in size with municipal/public road frontage, to the satisfaction of the City;
- d) That the Owner convey to the City a Public Square in Phase 2, free of all charges and encumbrances unless otherwise specified by the City, with a minimum area of 0.5 ha, that is located within Blocks 15 and/or 16, to the satisfaction of the City. The Public Square shall have public road frontage, with one side having a minimum length of 30 m, and a length to width ratio of 2:1, 3:1 or 4:1;

Should the Phase 2 Public Square have a length greater than 90 m, the Owner shall provide a fully accessible, minimum 7 m wide, enclosed mid-block public pedestrian corridor connection(s), to the satisfaction of the City. The enclosed mid-block public pedestrian connection(s) shall have a minimum clear unobstructed ceiling height of 6 m for the purposes of facilitating and encouraging public access. This requirement is applicable at the Site Development application(s) stage;

- e) Should the Phase 2 Public Square have a length greater than 90 m, the Owner shall provide a fully accessible, minimum 7 m wide, enclosed mid-block public pedestrian corridor connection(s), to the satisfaction of the City. The enclosed mid-block public pedestrian connection(s) shall have a minimum building height of 6 m for the purposes of facilitating and

encouraging public access. This requirement is applicable at the Site Development application(s) stage;

- f) Dependent on the extent of parkland conveyance from Condition 4 c) and d) above, the Owner shall provide payment-in-lieu of the dedication of parkland to meet the requirements of under the *Planning Act*, VOP 2010 (Section 7.3.3 Parkland Dedication) and By-law 139-90, as amended by By-law 205-2012, if required and to the satisfaction of the City;
 - g) Vaughan Council has identified and allocated water supply and sewage servicing capacity to Phase 2 of the Subject Lands;
 - h) That the Owner implements the Remedial Action Plan ("RAP") and submits, to the City, a Record of Site Condition ("RSC") filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks ("MECP") covering the entire Phase 2 Subject Lands;
 - i) That the Owner makes the necessary modifications to the transportation network within Phase 2 of the Subject Lands, including but not limited to the east-west and the north-south collector road, to the satisfaction of the City, in order to align with the outcomes, findings and conclusions of the Concord GO Centre Transportation Master Plan ("TMP") and a potential Environmental Assessment study for the north-south collector road to the satisfaction of the City; and
 - j) The Owner shall confirm to the satisfaction of 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 160/06 and safe access to the Subject Lands is now provided.
5. THAT the Owner be permitted to apply for a Zoning By-law Amendment application(s) or a Minor Variance Applications(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
6. THAT a Section 118 *Land Titles Act* restriction be registered on title for the entirety of the Subject Lands regarding the transfer of the Subject Lands or a portion thereof. The consent of the City shall be obtained prior to the lifting of the restriction on the transfer of the Subject Lands or a portion thereof, with the exception of those lands to be dedicated into public ownership (i.e., valleylands and associated buffer lands).

Registration of this restriction is to be completed by the Owner prior to the registration of Phase 1 of the Draft Plan of Subdivision at no cost to the City and to its satisfaction.

Removal of the restriction is to be completed upon meeting the conditions to lift the associated Holding Symbol “(H2)” (Condition 4 c) and d)) on the Phase 2 lands. With permission from the City, the Owner will undertake efforts to remove the restriction at no cost to the City and to its satisfaction.

7. THAT Draft Plan of Subdivision File 19T-16V009 (1834375 Ontario Inc), as red-lined in accordance with the Vaughan Development Engineering and TRCA conditions in Attachments #1a) and #1c), and as shown on Attachment #4, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
8. Should the Local Planning Appeal Tribunal (“LPAT”) approve the applications, that the LPAT withhold its final Order on Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009 until confirmation from the City is received indicating that the Owner’s LPAT appeal (Appeal #29) of Vaughan Official Plan 2010 (“VOP 2010”) (File No. PL111184) as it pertains to the Subject Lands has been withdrawn and is resolved to the satisfaction of the City Solicitor and Deputy City Manager, Planning and Growth Management.
9. THAT City of Vaughan Staff and external legal counsel be directed to attend the LPAT proceedings in support of the Recommendations contained in this report and the Conditions of Draft Approval, identified in Attachment #1, for Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009.

Background

The Subject Lands (“Subject Lands”) are located on the north side of Regional Road 7, east of Keele Street and are municipally known as 1890 Regional Road 7, as shown on Attachments #2 and #3. The surrounding lands uses are shown on Attachment #3.

Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the Development

The Owner (1834375 Ontario Inc. (Liberty Development Corporation - 1890 Regional Road 7) has submitted the following applications (the “Applications”) to permit a mixed-use residential and retail development (the “Development”) on the Subject Lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.16.049 (“Zoning Application”) to rezone the Subject Lands (excluding for Block 1) from “A Agricultural Zone”, subject to site-specific Exception 9(976), “A Agricultural Zone”, “EM2 General Employment Area

Zone” and “OS1 Open Space Conservation Zone” to “RA3(H) Apartment Residential Zone” with a Holding Symbol “(H)”, “OS1 Open Space Conservation Zone”, “OS2 Open Space Park Zone”, and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #3, together with the site-specific zoning exceptions identified in Table 1 to this report.

Block 1 of the Draft Plan of Subdivision (Attachment #4) shall be rezoned from “A Agricultural Zone” and “EM2 General Employment Zone” to “A(H1a) Agricultural Zone” and “EM2(H1a) General Employment Zone”, each with the Holding Symbol “(H1a)” and “OS5 Open Space Environmental Protection Zone”.

2. Draft Plan of Subdivision File 19T-16V009 (Attachment #4) to permit a Draft Plan of Subdivision (the “Draft Plan”), as red-lined on Attachment #4, to be developed in two phases and consisting of the following:

Blocks 1, 2, 3, 15, 16 and 18 for Mixed-Use Development	5.831 ha
Blocks 4, 14, and 17 for Open Space	0.421 ha
Block 20 Park	1.167 ha
Blocks 7 to 9, 12 and 19 for 0.3 m reserves	0.086 ha
Blocks 5 to 6, 10, 11 and 13 to be conveyed to York Region	0.134 ha
Red-lined Block 21	2.981 ha
<u>Future Public Roads (Streets A, B and C)</u>	<u>2.511 ha</u>
Total Area	13.131 ha

The Applications will facilitate the development of the Subject Lands in phases. Phase 1 consists of three mixed-use blocks, two open space blocks, a maximum of 950 residential units including townhouse, mid-rise, and high-rise buildings ranging in height from 3 to 22-storeys, 1,860 m² of retail gross floor area (“GFA”), two open space blocks (as red-lined in accordance with TRCA comments and conditions included in Attachment #1c), and City of Vaughan Development Engineering comments and conditions included in Attachment #1a), road widening blocks, 0.3 m reserves, and future public roads.

It is noted that Attachment #5 illustrates a Master Concept Plan with building heights of 25+ storeys. The CGCSP permits a maximum building height of 22-storeys in the “High-Rise Mixed-Use” designation on the Subject Lands. The CGCSP permits an increase in the permitted building heights to 27-storeys subject to satisfying criteria within the Secondary Plan regarding creating attractive views and vistas, a distinctive skyline, reflecting the CGCSP’s role in the City and the opportunity for signature buildings. At this point in time, the Owner has only provided the Concept Plan shown on Attachment #5 and therefore, the objectives for achieving the 27-storey building height

cannot be assessed. The CGCSP also requires that the additional building height in excess of 22-storeys shall be considered through the application of the bonusing provisions of Section 37 of the *Planning Act*, and policy 10.1.2 of VOP 2010. To date, no Section 37 discussions have been undertaken with the Owner. Therefore, this report only recommends a maximum building height of 22-storeys, as permitted by the CGCSP for the Subject Lands.

The Owner has appealed the Zoning By-law Amendment and the Draft Plan of Subdivision Applications to the Local Planning Appeal Tribunal and proceedings

The Owner on June 27, 2012, submitted an Appeal (File No.111184) to the then Ontario Municipal Board (“OMB”) now the Local Planning Appeal Tribunal (“LPAT”), respecting the Subject Lands, regarding VOP 2010 site-specific policies and parkland policies.

The Owner on October 25, 2017, submitted an Appeal (File No. PL171117 and PL171118) to the then Ontario Municipal Board (“OMB”) now the LPAT on Zoning By-law Amendment File Z.16.049 and Draft Plan of Subdivision File 19T-16V009, pursuant to Sections 34 (11) and 51 (34) of the *Planning Act* for 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 Prehearing Conference was held (with notice) before the Ontario Municipal Board (now the Local Planning Appeal Tribunal) on March 20, 2018, at which time the parties were directed to advise of any settlement by September 21, 2018. The next scheduled Prehearing Conference will be held on November 6, 2018, and may be converted to a settlement hearing if a settlement is reached.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

On April 7, 2017, a Notice of Public Hearing was circulated to all property owners within the expanded polling area shown on Attachment #2 and to the Concord West Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City’s website at www.vaughan.ca and three Notice Signs were installed on the property along Regional Road 7, in accordance with the City’s Notice Signs Procedures and Protocols.

A Public Hearing was held on May 2, 2017, to receive comments from the public and the Committee of the Whole. Vaughan Council on May 16, 2017, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of May 2, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting.

The following individuals made a deputation at the Public Hearing on May 2, 2017, regarding the Applications:

- a) D. McKay, MHBC, Weston Road;
- b) A. Porat, Beverley Glen Boulevard;

The following is a summary of the comments provided through by deputations at the Public Hearing on May 2, 2017. The Development Planning Department offers the following responses to the comments below and in the relevant sections throughout the report.

- a) The resident of Beverley Glen Boulevard feels that the density is too high and out of character with the surrounding area

On May 29, 2015, York Region approved the Concord GO Centre Secondary Plan (“CGCSP”) which permits increased densities and building heights on the Subject Lands. The Zoning By-law Amendment and Draft Plan of Subdivision Applications implement the density policies of the approved CGCSP.

- b) The resident of Beverley Glen Boulevard is concerned that the Development will impact traffic and put a burden on schools and City services

The CGCSP states that the Development must be phased in order to ensure the availability of transportation related infrastructure. The Subject Lands are located within “Area 1” of the CGCSP as shown on Attachment #2. The CGCSP permits the first phase of development within “Area 1” to a maximum 950 residential units and 1,860 m² of retail GFA. The CGCSP states that further phases of development in “Area 1” will not be permitted to proceed until such time as a Comprehensive Transportation Study has been completed for the Secondary Plan area. The Zoning By-law Amendment and Draft Plan of Subdivision applications implement the first phase of “Area 1”.

A Community Facilities Study has been prepared for the Development and the Parks Development Department concurs with the findings of the Study subject to the Conditions in Attachment #1a) of this report.

The York Region District School Board and York Catholic District School Board do not require a school within the Development and have no objection to the approval of the Applications.

The Development Planning Department on September 6, 2018, mailed a courtesy notice of this Committee of the Whole Meeting to all individuals who made deputations at the Public Hearing, made written submissions of who requested notification regarding the Application

Previous Reports/Authority

[https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW\(PH\)0502_17_1.pdf](https://www.vaughan.ca/council/minutes_agendas/AgendaItems/CW(PH)0502_17_1.pdf)

Analysis and Options

The Zoning By-law Amendment and Draft Plan of Subdivision applications are 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* ("PPS"). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

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

a) **Section 1.1.1 - "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns"**

Section 1.1 of the PPS requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs and promotes cost effective development patterns and standards to minimize land consumption and servicing costs.

b) **Section 1.1.3 - "Settlement Areas"**

1.1.3.1 - "Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted."

c) Section 1.2.1 - "Coordination"

"A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including (in part) managing and/or promoting growth and development."

d) Section 1.4.3 - "Housing"

"Planning Authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):

a) permitting and facilitating:

1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
2. All forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;

b) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

c) promoting densities for new housing which efficiently use lands, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and

d) establishing development standards for residential intensification, redevelopment and new residential development which minimize that cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety."

e) Section 1.5.1 - "Public Spaces, Recreation, Parks, Trails and Open Space" (in part)

"Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity."

f) Section 1.6.7.5 - "Transportation Systems"

"Transportation and land use considerations shall be integrated at all stages of the planning process."

g) Section 2.1 - "Natural Heritage"

"2.1.1 Natural features and areas shall be protected for the long term.

2.1.2.1 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.6.1 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements."

h) Section 3.1 - "Natural Hazards"

3.1.1 "Development shall generally be directed to areas outside of (in part):

"b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards."

The Draft Plan shown on Attachment #4 includes parks and open space within a settlement area and conforms with the "High-Rise Mixed-Use" land use policies in the CGCSP. The Applications would facilitate the Development which is located within a VOP 2010 Intensification Area - Local Centre, as identified on VOP 2010 Schedule 1. The mixed-use development proposed promotes an efficient use of land within a Settlement Area.

The Applications will permit a range and mix of housing, unit types and densities. The proposed Zoning By-law for the Subject Lands includes townhouse and apartment units. A public park (Block 20) is included in the Draft Plan which will promote the PPS healthy and active community policies. In addition, a "Public Square" will be established through the future Site Development application in Blocks 15 and/or 16, and Open Space and Park Blocks 4, 17, and 20 will provide for more natural settings for recreation.

The CGCSP establishes a transportation network including minor collector roads and local streets. The Development will implement the proposed transportation network and will also implement Travel Demand Management (“TDM”) measures to utilize the transportation network efficiently, and encourage transit, walking and cycling.

The CGCSP also includes policies which consider a potential mobility hub location which is in the vicinity of Regional Road 7 and the GO rail line. Through the City of Vaughan Mobility Hub Study, the City will work with Metrolinx to develop a business case to support a planned GO station in the vicinity of Regional Road 7 and the GO rail line.

Block 21 includes an area within the Upper West Don River valleylands. These lands include the physical top of bank and natural feature limit along with a 10 m buffer. Block 21 will be conveyed to TRCA, therefore, providing for the long term protection of the natural features and directing development away from flooding and erosion hazards.

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

The Applications conform to the Growth Plan for the Greater Golden Horseshoe, 2017 (“Growth Plan”)

The Provincial *Growth Plan for the Greater Golden Horseshoe Growth Plan, 2017* (“Growth Plan”) is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Growth Plan includes the following policies:

a) “1.2.1 Guiding Principles (in part)

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

- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Metis communities.”

b) “2.2 Policies for Where and How to Grow (in Part)
2.2.1 Managing Growth

Applying the policies of this Plan will support the achievement of complete communities that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) Improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and
- d) Ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

2.2.2 Delineated Built-up Areas

1. By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.
2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.

2.2.3 Housing

1. Upper and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:

- a) Supports the achievement of the minimum intensification and density targets in the Plan, as well as the other policies of the Plan by:
 - i. Identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and
 - ii. Establishing targets for affordable ownership housing and rental housing.”
- c) “3.2.3 Moving People (in part)
 - 1. Public transit will be the first priority for transportation infrastructure planning and major transportation investments.
 - 2. All decisions on transit planning and investment will be made according to the following criteria:
 - a) aligning with, and supporting, the priorities identified in Schedule 5 - Moving People - Transit of the Growth Plan;
 - b) prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;
 - c) increasing the modal share of transit; and
 - d) contributing toward the provincial greenhouse gas emissions reduction targets.”

d) 4.2 Policies for Protecting What is Valuable

“4.2.5 Public Open Space (in part)

- 1. Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publicly-accessible parkland, open space, and trails, including in shoreline areas, with the Greater Golden Horseshoe that:
 - a) clearly demarcates where public access is and is not permitted;
 - b) is based on a co-ordinated approach to trail planning and development; and

- c) is based on good land stewardship practices for public and private lands.”

The Applications are 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, and by providing publicly-accessible parkland.

The Subject Lands are located within a settlement area and a delineated built-up area that conforms to VOP 2010 and the CGCSP. The Applications will allow for a range and mix of housing types, units and densities. The proposed zoning for the Subject Lands will permit townhouse and apartment units which promotes the “Guiding Principles”, and “Where and How to Grow” policies of the Growth Plan which support a range of and mix of housing options.

VOP 2010 identifies the Subject Lands as a Local Centre on Schedule 1 - Urban Structure, which is a City of Vaughan intensification area that supports the Growth Plan policy to direct development to the delineated built-up areas. The high-rise mixed-use development conforms to the “Moving People” policies of the Growth Plan by supporting existing and planned transit initiatives. The CGCSP proposes development in proximity to existing and planned York Region Rapid Transit facilities along Regional Road 7, the potential for a GO Station, and the EA (Environmental Assessment) - approved Highway 407 Transitway station. Block 21 is within the Upper West Don River valleylands and will be conveyed to the TRCA ensuring that this natural feature will be maintained as an open space area, therefore, implementing the “Protecting What is Valuable” policies of the Growth Plan. Accordingly, the Applications conform to the Growth Plan.

The Zoning By-law Amendment and Draft Plan of Subdivision Applications conform to the York Region Official Plan (“YROP”)

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” and “Regional Greenlands System” (valley) on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “Growth will also occur in new community areas throughout the Region.”

Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province’s Built-Up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Applications will assist in achieving these goals as they facilitate a range of residential dwelling units to 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 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. The High-Rise Mixed-Use development will be supported by the Regional

Road 7 transit initiatives, the EA-approved Highway 407 Transitway station, and a potential GO station.

Section 2.1 of the YROP requires that the “Regional Greenlands System” be protected and enhanced. Block 21 is within the Upper West Don River, and will be dedicated to the TRCA, thereby transferring the valleylands into public ownership, which will protect this natural feature.

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” The Draft Plan of Subdivision and proposed zoning for the Subject lands will permit a variety of built forms including residential townhouse units, 5 to 10-storey mixed-use buildings and 11 to 22-storey mixed-use buildings.

In consideration of the above, the Applications conform with the policies of the YROP. The proposed mixed-use development is located on a regional road and a transit corridor, makes efficient use of the Subject Lands and provides for a development that promotes transit supportive densities.

The proposed Zoning and Draft Plan of Subdivision conform to Vaughan Official Plan 2010 (“VOP 2010”) and the Concord GO Center Secondary Plan (“CGCSP”)

The Subject Lands are located in a VOP 2010 Intensification Area, shown as a Local Centre on Schedule 1 – Urban Structure of VOP 2010. This Local Centre is subject to the policies of the CGCSP.

The Subject Lands are designated “High-Rise Mixed-Use” by the CGCSP, which forms Section 11.10 of Volume 2 of VOP 2010. The Subject Lands are located within a “Local Centre”, as identified on Schedule “1” - Urban Structure VOP 2010, which permits a mixed-use development. The Subject Lands are located within “Area 1” of the CGCSP as shown on Attachment #2. The phasing policies of Section 8.3 of the CGCSP limits the development of “Area 1” to 950 residential units and 1,860 m² of retail floor area for Phase 1. Phase 1 of the Subject Lands will be developed within these Official Plan permissions.

Prior to the lifting of the Holding Symbol “(H2)” for the Phase 2 lands, the proposed transportation network must align with the findings of the Concord GO Centre Transportation Master Plan (“TMP”) as identified in Section 8.3.6 of the CGCSP. The Concord GO Mobility Hub Study and the TMP are being completed concurrently by Policy Planning and Environmental Sustainability and Infrastructure Planning and Corporate Asset Management. These studies shall identify the number of residential units and gross floor area to be permitted, and the transportation network needed to

support the land use, in Phase 2 of this Development and for the remaining lands in the CGCSP.

The TMP under Phases 1 and 2 of the Municipal Class Environmental Assessment process, shall determine the alternative solutions for a north-south collector road connecting the northerly limits of Phase 1 of the Development to Ortona Court and Rivermede Road, and an east-west road connecting Bowes Road to the future north-south collector road in order to meet the requirements of Section 4.2.5 of the CGCSP. Furthermore, the TMP will review the crossing of the rail tracks by an east-west road and will follow Phases 3 and 4 of the Municipal Class Environmental Assessment ("MCEA") to identify the preferred alignment of the north-south collector road through a Schedule 'C' Environmental Assessment study, if warranted by the findings of the Phase 1 and 2 MCEA process.

The Development implements the CGCSP Schedule D - Transportation Network by providing the required minor collector road and local streets for the Subject Lands. Four private east-west roads are not shown on the Draft Plan of Subdivision, however, will be designed in accordance with City of Vaughan standards and form part of future Site Development applications for Blocks 2, 3, 15, and 16.

The Development Engineering ("DE") and the Development Planning Departments have reviewed the justification provided by BA Group and MHBC Planning for the privatization of the east-west local roads. The DE and Development Planning Departments can support the privatization for the following reasons:

- a) The CGCSP policies permit flexibility to modify local roads. Policy 4.2.3 speaks to changes to the location, configuration, width or alignment of road without the need to amend the Secondary Plan given the general intent and purpose of this Plan is maintained;
- b) The CGCSP's intent and purpose are being accomplished as the private east-west roads are proposed in the same location and configuration, and will continue to provide the connectivity, permeability and access as was envisioned in the CGCSP through public streets; and
- c) The modification of road ownership change is being proposed, not the complete elimination of roads, while respecting other road components such as the location, configuration, width and alignment.

From a transportation perspective, the DE and Development Planning Departments have no concerns with the conversion to privatization as long as the intent and function of the CGCSP road network are met and that the private streets are designed to meet municipal standards. Accordingly, the City will require temporary access easements to facilitate winter maintenance of the roads, and reciprocal easements between the future condominium corporations. The DE Department has reviewed the conceptual plans

and are satisfied the proposed design can proceed to the detail design stage as part of the future Site Development applications.

Section 3.6 of the CGCSP identifies the Concord GO Local Centre as having the potential become a Major Transportation Station Area (“MTSA”). The Metrolinx Regional Transportation Plan, (the “Big Move”) classifies a MTSA into two types of Mobility Hubs, “Gateway Hubs” and “Anchor Hubs”. Gateway Hubs are located at the interchange of two or more current or planned rapid transit lines. Given the proximity of the Concord GO Local Centre to the planned VivaNext Bus Rapid Transit Service and the Barrie GO Rail Line, this general area has the potential to qualify as a “Gateway Hub”. The CGCSP has identified a location for a Potential Mobility Hub on Schedule E - Transit Network, and Policy 3.6.3 of the CGCSP further identifies the Potential Mobility Hub area.

The City of Vaughan Policy Planning and Environmental Sustainability Department has begun the Concord GO Mobility Hub Study. Section 8.2 of the CGCSP provides guidance on future transit studies and planned investments for the Secondary Plan area. A Concord GO station was not approved as part of the current Metrolinx Regional Express Rail (“RER”) program, however, the station remains a priority for both the City and the Region of York. Through the current Concord GO Mobility Hub Study, staff and the consulting team will be working with Metrolinx and the Region to advance the case for the GO station. The key element will be the Environmental Assessment for the station, which will confirm the extent of the station infrastructure.

In accordance with CGCSP policy 3.6.4, a Holding Symbol “(H1a)” has been added on Block 1 to the Zoning By-law Amendment to protect for a GO Station location. A recommendation to this effect is included in the Recommendations of this report.

The CGCSP requires a Neighbourhood Park and a Public Square to be located within the Subject Lands. Block 20 of the Draft Plan of Subdivision provides for a 1.16 ha Neighbourhood Park. The Public Square will be provided in Block 15 and/or Block 16 and will be finalized and dedicated to the City through a future Site Development application, subject to approval from Vaughan Development Planning and Parks Development. A Holding Symbol “(H2)” regarding the dedication of the park Block(s) is included in the Recommendations of this report.

In consideration of the above, the Development conforms with the CGCSP and the VOP 2010.

The proposed rezoning of the Subject Lands together with site-specific zoning exceptions would permit a Development that is compatible with the existing and planned built form in the area

The Subject Lands are zoned “A Agricultural Zone” subject to site-specific Exception 9(976), “A Agricultural Zone”, “EM2 General Employment Area Zone” and “OS1 Open Space Conservation Zone”, as shown on Attachment #2, by Zoning By-law 1-88, which does not permit the Development.

The Subject Lands must be rezoned to “RA3(H) Apartment Residential Zone” with the Holding Symbol, OS1 Open Space Environmental Conservation Zone, OS2 Open Space Park Zone, and OS5 Open Space Environmental Protection zone, together with the site-specific zoning exceptions identified in Table 1 and the recommendations in this report, to facilitate the Draft Plan and the future Development.

As part of the Zoning By-law Amendment application a phased removal of the Holding Symbols “(H1)”, “(H1a)” and “(H2)” in accordance with the CGCSP will occur from the Subject Lands, as follows:

- a) For the Phase 1 lands (950 residential units and 1,860 m² of retail GFA), or portion thereof, the removal of the Holding Symbol “(H1)” will not occur until the following conditions are satisfied:
 - i) The Owner has successfully obtained approval of a Site Development Application, which shall include implementation of noise and vibration mitigation measures in accordance with Sections 3.1.11 and 3.1.12 of VOP 2010, Volume 2 (“Concord GO Centre Secondary Plan”), to the satisfaction of Metrolinx and the City;
 - ii) Vaughan Council has identified and allocated water supply and sewage servicing capacity to Phase 1 of the Subject Lands;
 - iii) The Owner shall submit to the City 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 Subject lands, to the satisfaction of the City;
 - iv) The Owner shall confirm, to the satisfaction of 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 160/06 and safe access to the subject lands is now provided;

- v) Blocks 1, 2 and 3 inclusive 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 (in part) to TRCA’s Draft Plan Conditions in Attachment #1c) of this report. These conditions outline the technical input and 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 the final interface design affect Infrastructure Ontario (“IO”) lands, further review and final approval from IO is required;
 - vi) The lands subject to the final interface between Region 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; and
 - vii) 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 shall remain undisturbed during the construction of Phase 1. The Owner shall not remove trees without written approval from the City.
- b) The York Region Official Plan and the CGCSP identifies the Subject Lands as a site for a future GO Station. However, a station has not been approved as part of the Metrolinx Regional Express Rail (“RER”) program. To protect for a GO Station on the Subject Lands, Block 1 of the Draft Plan of Subdivision (Attachment #4) is proposed to be rezoned from “A Agricultural Zone” and “EM2 General Employment Zone” to “A(H1a) Agricultural Zone” and “EM2(H1a) General Employment Zone”, each with the Holding Symbol “(H1a)”, and “OS5 Opens Space Protection Zone”. A condition to this effect is included in the recommendation of this report. The Holding Symbol “(H1a)” shall not be removed from Block 1 until the following have been satisfied:
 - i) York Region and the City of Vaughan have determined that a GO Station is no longer required;
 - ii) That should York Region and the City of Vaughan determine that a GO Station is no longer required, Block 1 shall be rezoned to an appropriate zone category to facilitate future development and that the Owner shall enter into a subdivision/development agreement, or other agreement(s), to satisfy any conditions of approval, to the satisfaction of York Region, the City of Vaughan and TRCA;

- iii) Should York Region and the City of Vaughan determine that a GO Station is required, an Environmental Project Report (Transit Project Assessment Process) shall be completed and approved by Metrolinx for the GO Station.

Notwithstanding the above, one temporary sales office, in accordance with Subsection 3.25 respecting Temporary Sales Office in Zoning By-law 1-88, may be permitted prior to the removal of the Holding Symbol “(H1a)”.

- c) THAT the Holding Symbol “(H2)” shall not be removed from Phase 2 of the Subject Lands or any portion thereof, until the following condition is addressed to the satisfaction of the City:
 - i) The Owner has successfully obtained approval of a Site Development Application, which shall include implementation of noise and vibration mitigation measures required by Sections 3.1.11 and 3.1.12 of VOP 2010, Volume 2 (“Concord GO Centre Secondary Plan”) to the satisfaction of the City;
 - ii) That the Owner successfully obtains the approval of Vaughan Council to classify Blocks 15 and 16 as a Class 4 Area designation, or alternatively that the Owner revise its related plans and reports to demonstrate and show that adequate noise mitigation measures will be provided to the satisfaction of the City;
 - iii) That the Owner convey Park Block 20 to the City, meeting all standards and requirements of the City, free of all charges and encumbrances and to the satisfaction of the City. Park Block 20 shall be not less than 1.167 ha in size with municipal/public road frontage, to the satisfaction of the City;
 - iv) That the Owner convey a Public Square located within Blocks 15 and/or 16, of no less than 0.5 ha in size, with public road frontage and a length to width ratio of either 2:1 or 3:1 (one side being no less than 30 m wide), free of all charges and encumbrances, unless otherwise specified by the City, to the satisfaction of the City;

Should the future Phase 2 Public Square be greater than 90 m in length, the Owner shall provide a fully accessible mid-block public pedestrian corridor connection(s) no less than 10 m in width and an enclosed corridor connection space with a minimum clear unobstructed ceiling height of 6 m, for the purposes of facilitating and encouraging public access. This requirement is applicable at the Site Development application(s) stage.

- v) Dependent on the extent of parkland conveyance from Condition c) iii) and iv) above, the Owner shall provide payment-in-lieu of the dedication of parkland to meet the requirements of under the *Planning Act*, VOP 2010 (Section 7.3.3 Parkland Dedication) and By-law 139-90, as amended by By-law 205-2012, if required and to the satisfaction of the City;
- vi) Vaughan Council has identified and allocated water and sewage servicing capacity to Phase 2 of the Subject Lands;
- vii) That the Owner implements the Remedial Action Plan (“RAP”) and submits, to the City, a Record of Site Condition (“RSC”) filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks (“MECP”) cover the entire Phase 2 Subject Lands;
- viii) That the Owner makes the necessary modifications to the transportation network within Phase 2 of the Subject Lands, including but not limited to the east-west and north-south collector roads, to the satisfaction of the City, in order to align with the outcomes, findings and conclusions of the Concord GO Centre Transportation Master Plan (“TMP”) and a potential Environmental Assessment study for the north-south collector road; and
- ix) The Owner shall confirm, to the satisfaction of 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 160/06 and safe access to the subject lands is now provided.

The following exceptions to Zoning By-law 1-88 are required to permit the Development:

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
a.	Definition of a Lot	Lot - means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 49 of the <i>Planning Act</i> , R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph,	Lot - means lands in Blocks 1, 2, 3, 15, 16 and 18 shall be deemed one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of part lot control, draft plan of condominium, consent, conveyance of private or public roads, strata title

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
		land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	arrangements, or other permissions, and any easements or registrations that are granted, and shall be deemed to comply with the provisions of the site-specific By-law.
b.	Minimum Size of a Parking Space	2.7 m x 6 m	2.7 m x 5.7 m
c.	Loading Space Requirements	Loading and unloading shall not be permitted between a building and a street.	A loading area shall be located internal to a wholly enclosed building with access onto a private driveway or local road.
d.	Minimum Width of a Landscape Strip Abutting a Street Line	6 m	3 m abutting all public roads (Except for Regional Road 7, which shall be 4.5 m from the final most northerly limit of the OS5 Zone along Regional Road 7 subject to TRCA Conditions and red-lined Draft Plan of Subdivision)
e.	Setback to Portion(s) of Buildings Below Grade	1.8 m (front and exterior lot lines)	The minimum setback from a front or exterior lot line to the nearest part of the building below finished grade shall be 0 m.

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
f.	Minimum Amenity Area Blocks 2, 3,15, 16 and 18	As unit types (i.e. one, two, and three bedroom) have not been determined at this time the minimum required amenity area cannot be calculated in accordance with the requirements of Zoning By-law 1-88.	950 Units @ 5 m ² per apartment unit. Total Amenity Area Proposed = 4,750 m ²
g.	Permitted Uses Blocks 2, 3,15, 16 and 18	Apartment Dwelling Day Nursery	In addition to the uses permitted in the RA3 Zone the following uses shall also be permitted: <u>Residential</u> <ul style="list-style-type: none"> • Townhouse Dwelling • Street Townhouse Dwelling • Block Townhouse Dwelling • Multiple Family Dwelling • Independent Living Facility • Long Term Care Facility • Supportive Living Facility <u>Commercial Uses (in the Podium(s) of a Building)</u> <ul style="list-style-type: none"> • Retail Store • Bank or Financial Institution • Business or Professional Office • Office Building • Regulated Health Professional • Clinic • Club or Health Centre • Veterinary Clinic • Hotel • Eating Establishment with or without Outdoor Patio • Eating Establishment,

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
			<p>Convenience, with or without Outdoor Patio</p> <ul style="list-style-type: none"> • Eating Establishment, Take Out with or without Outdoor Patio • Personal Service Shop • Supermarket • Studio • Pharmacy • Technical School • Place of Entertainment • Indoor Hard Car Wash and Detailing Establishment included as part of a mixed-use building • LCBO Outlet • Brewers Retail Outlet <p><u>Institutional Uses (in the Podiums of a Building)</u></p> <ul style="list-style-type: none"> • Church • Library <p><u>Recreational</u></p> <ul style="list-style-type: none"> • Recreational Uses as defined in Section 2.0 of Zoning By-law 1-88
h.	Minimum Lot Frontage (Blocks 2, 3, 15, 16 and 18)	30 m	<p>Townhouse Dwelling, Street Townhouse Dwelling - 4.5 m</p> <p>Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 27 m</p>

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
i.	Minimum Lot Area/Unit (Blocks 2, 3,15, 16 and 18)	950 units @ 67 m ² /unit Total Lot Area Required = 63,650 m ²	Townhouse Dwelling, Street Townhouse Dwelling - 99m ² /lot Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 550 m ² /block Apartment Dwelling, Mixed-Use Residential and Commercial Building - 5,000 m ² /block
j.	Minimum Front Yard (Blocks 2, 3,15, 16 and 18)	7.5 m	Townhouse Dwelling, Street Townhouse Dwelling - 4.5 m Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 4.5 m Mixed-Use Residential and Commercial Building or an Apartment Dwelling - 3 m
k.	Minimum Rear Yard (Blocks 2, 3,15, 16 and 18)	7.5 m	Townhouse Dwelling, Street Townhouse Dwelling - 3 m Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 6 m

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
			Mixed-Use Residential and Commercial Building, or an Apartment Dwelling - 6 m
l.	Minimum Interior Side Yard (Blocks 2, 3, 15, 16 and 18)	4.5 m	<p>Townhouse Dwelling, Street Townhouse Dwelling - 1.5 m</p> <p>Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 1.5 m</p> <p>Apartment Dwelling, Mixed-Use Residential and Commercial - 3 m</p>
m.	Minimum Exterior Side Yard (Blocks 2, 3, 15, 16 and 18)	7.5 m	<p>Townhouse Dwelling, Street Townhouse Dwelling - 3 m</p> <p>Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility - 3 m</p> <p>Apartment Dwelling, Commercial - 3 m</p>
n.	Maximum Building Height Blocks 2, 3, 15, 16 and 18	44 m	Townhouse Dwelling, Street Townhouse Dwelling: 4-storeys (17 m)

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
			<p>Block Townhouse Dwelling, Multiple Family Dwelling, Independent Living Facility, Long Term Care Facility, Supportive Living Facility: 4-storeys (17 m)</p> <p>Apartment Dwelling - 22-storeys (72 m) Mechanical penthouses shall not be included in maximum building height</p>
o.	Parking Requirements	<p>Residential - Multiple Family Dwelling; Apartment Dwelling - 950 units @ 1.5 spaces/unit = 1425 spaces</p> <p>Residential Visitor Parking - 950 units @ 0.25 spaces/ unit = 238 spaces</p> <p>Retail - 1,890 m² @ 6 spaces/100 m² GFA = 112 spaces</p> <p>Total Parking Required = 1,775 spaces</p>	<p>As unit types (i.e. one, two, and three bedroom) have not been determined at this time the total number of parking spaces proposed cannot be calculated, however, the proposed parking ratios for Phase 1 are as follows:</p> <p>Bachelor/ 1 Bedroom unit - 0.8 spaces/unit</p> <p>2 Bedroom units - 0.95 spaces/unit</p> <p>3 Bedroom units - 1.1 spaces/unit</p> <p>Residential Visitor Parking 0.2 spaces/unit</p> <p>Retail - 3 spaces/100 m² GFA</p> <p>Eating Establishment - 8 spaces/100 m² GFA</p>

	Zoning By-law 1-88 Standards	RA3 Residential Apartment Zone Requirements	Proposed Exceptions to the RA3 Residential Apartment Zone Requirements
			<p>Take-Out Eating Establishment - 4 spaces/100 m² GFA</p> <p>Office - 2 spaces/100 m² GFA</p> <p>Medical Office - 3 spaces/ 100 m² GFA</p>

In addition to the zoning exceptions listed in Table 1, should the Applications be approved, the implementing Zoning By-law will include the following zoning provisions which implement policies 3.3.11, 3.3.12, 3.3.13 and 8.3.6 b) and c) of the CGCSP:

- a) The maximum number of residential units permitted in Phase 1 shall be capped at 950 units and the maximum amount of retail GFA shall be 1,860 m²;
- b) The maximum gross floor area permitted within the Draft Plan of Subdivision shall not exceed 353,000 m², which includes a maximum of 950 units and 1,860 m² of retail uses permitted in Phase 1;
- c) A minimum of 60% of the building frontage facing an arterial or collector street (Street 'B' only), shall consist of the uses identified in Table 1 g);
- d) All residential development adjacent to the rail line will be setback a minimum of 75 m where a safety berm is not provided or 30 m where a safety berm and/or safety barrier/retaining wall has been provided subject to Metrolinx approval;
- e) Notwithstanding the provisions in Table 1, the minimum setback for any building along the Open Space Zone along Regional Road 7 shall be a minimum of 4.5 m from the most northerly limit of the OS5 Zone along Regional Road 7, subject to the TRCA conditions and red-lined Draft Plan of Subdivision;
- f) Notwithstanding the provisions in Table 1, the minimum front, rear and side yards, where towers are proposed next to each other, the minimum separation distance between each tower shall be 25 m;
- g) Notwithstanding the provisions in Table 1, the minimum front, rear and side yards, where podiums are proposed next to each other, the minimum separation distance between for all podiums shall be 15 m;
- h) The minimum tower setback on top of a podium shall be 3 m;

- i) Notwithstanding the minimum front, rear, and side yards noted in Table 1, where a podium is located adjacent to a townhouse dwelling, the minimum separation distance between a podium and the townhouse dwelling shall be 9 m; and
- j) The following architectural elements may project beyond the maximum permitted building height:
 - i) Elevator overruns, mechanical equipment, and stair enclosures - 6 m;
 - ii) Terraces and balcony guards, elements of a green roof and insulation and roof surface materials, planters, railings, parapets, and ornamental architectural features - 3 m;
 - iii) Window washing equipment - 8 m; and
 - iv) A ladder for maintenance purpose - 1.2 m.

The proposed zoning exceptions are based on the conceptual built form for each of the development Blocks shown on Attachment #5. The design of these Blocks will be finalized through future Site Development applications. The zoning exceptions will enable development to achieve built forms that are envisioned in the Land Use, Density and Built Form policies of the CGCSP. The proposed zoning also facilitates the phasing of development for the Subject Lands as required by the CGCSP.

The Owner provided a draft zoning by-law which includes the following zoning provisions:

- a) Minimum Interior Side Yard of 0 m per lot for Townhouse Dwelling, Street Townhouse Dwelling, Block Townhouse Dwelling, Multiple Family Dwelling;
- b) Minimum Exterior Side Yard of 1.5 m per lot for Townhouse Dwelling, Street Townhouse Dwelling, Block Townhouse Dwelling, Multiple Family Dwelling and Independent Living Facility, Long Term Care Facility, Supportive Living Facility;
- c) Where towers are proposed next to each other, the minimum separation distance between such towers shall be 20 m;
- d) The minimum tower setback on top of a podium shall be 1 m;
- e) A minimum landscape strip width of 1.5 m abutting all public roads; and
- f) Parking standards that have been established for the Vaughan Metropolitan Centre ("VMC").

The Development Planning Department does not support these exceptions noted above. However, recommend the following zone standards in consideration of the Urban Design Guidelines prepared in support of the Applications:

- a) Minimum Interior Side Yard of 1.5 m per block for Townhouse Dwelling, Street Townhouse Dwelling, Block Townhouse Dwelling, Multiple Family Dwelling and Independent Living Facility, Long Term Care Facility, Supportive Living Facility;
- b) Minimum Exterior Side Yard of 3 m per lot for Townhouse Dwelling, Street Townhouse Dwelling, Block Townhouse Dwelling, Multiple Family Dwelling and Independent Living Facility, Long Term Care Facility, Supportive Living Facility;
- c) Notwithstanding the provisions in Table 1, the minimum front, rear and side yards, where towers are proposed next to each other, the minimum separation distance between such towers shall be 25 m;
- d) The minimum tower setback on top of a podium shall be 3 m;
- e) A minimum landscape strip width of 3 m abutting all public roads; and,
- f) Parking standards in accordance with the VMC rates are only applicable for Higher Order Transit Hub areas with frequent transit service. The Development is located 3.5 km east of the VMC with Bus Rapid Transit service for the near future on the section of Regional Road 7 adjacent to the Subject Lands. Furthermore, the Concord GO Station is not planned as part of the short-term Metrolinx's Regional Express Rail improvements, however, it may be considered as a future GO Station beyond 2025.

The DE Department realize the Development has the benefit of being located near two intensification areas as identified in the IBI Parking Study namely; a Primary Intensification Corridor (along Regional Road 7) and Local Centre however, due to the lack of short-term transit improvements, the DE Department believes that reduced Higher-Order Transit Hub parking rates cannot be applied to the current Phase 1 of the Development at this time. Parking standards, as shown in Table 1, in accordance with the lower of the two rates (Primary Intensification Corridor or Local Centre) as recommended for intensification areas in the IBI Study can be applied for Phase 1. If the identified transit improvements are in place for Phase 2, reduced parking rates may be considered in the future phases of the Development.

The Development Planning Department supports the proposed rezoning of the Subject Lands and the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 and as discussed above. The proposed rezoning to the "RA3 Residential Apartment Zone" implements the "High-Rise Mixed-Use" designation in the CGCSP and the Urban Design Guidelines and Urban Design Policy and Master Plan documents that have been prepared by Kirkor Architects and Planners in support of the Applications and

approved by Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

In accordance with the Recommendations in this report, the Owner will be permitted to apply for a Zoning By-law Amendment application(s) or Minor Variance application(s) to permit minor adjustments to the implementing zoning by-law within two years of the enactment of the Zoning By-law, should the Applications be approved.

The Development Planning Department has no objection to the approval of the Draft Plan of Subdivision, subject to the Conditions of Approval

Subdivision Design

The proposed Draft Plan of Subdivision, shown on Attachment #4, consists of the following:

Blocks 1, 2, 3, 15, 16 and 18 for Mixed-Use Development	5.831 ha
Blocks 4, 14, and 17 for Open Space	0.421 ha
Block 20 Park	1.167 ha
Blocks 7, 8, 9, 12 and 19 for 0.3 m reserves	0.086 ha
Blocks 5, 6, 10, 11 and 13 to be conveyed to York Region	0.134 ha
Red-lined Block 21 for Open Space	2.981 ha
<u>Future Public Roads (Streets “A”, “B” and “C”)</u>	<u>2.511 ha</u>
Total Area	13.131 ha

The proposed Draft Plan of Subdivision includes six mixed-use development blocks, four open space blocks, one park block, lands to be conveyed to York Region, and reserves and public roads.

The Owner shall revise the Tree Preservation Plan and the Arborist Report to reflect the latest Draft Plan. If trees are identified for removal, the Tree Preservation Plan and the Arborist Report should identify a Phased Plan approach for the removal of the trees and vegetation beyond the boundary of the Phase 1 should remain undisturbed during the Phase 1 construction work.

In addition to the above, the City requires:

- a) The Owner shall not remove trees without written approval by the City; and
- b) The Arborist Report quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation should trees be approved for removal.

The TRCA advises that Phase 1 of the Draft Plan of Subdivision may require adjustments pending additional grading analysis. Additional review and the application

of an appropriate interface area between Regional Road 7, urban landscape, regulatory floodplain, and the proposed Development is required. Blocks 1, 2 and 3, on Attachment #4 adjacent to Regional Road 7, have been red-lined to address the TRCA's comments and may result in the creation of new Open Space Blocks which would contain the natural hazards and appropriate buffers. These buffer blocks would be zoned "OS5 Open Space Conservation Zone" if required. A recommendation to this effect is included in the Recommendations of this report.

As a result of the TRCA's requirements listed in the Recommendations of this report and the Conditions of Approval outlined in Attachment #1, the Vaughan Development Planning Department requires the Owner to prepare a detailed streetscape plan for Regional Road 7 within the Subject Lands, which addresses the interface between the built form and Regional Road 7, and the urban treatment of the streetscape from curb to buildings to the satisfaction of the City, York Region, and the TRCA. Should the final interface design affect Infrastructure Ontario ("IO") lands, further review and final approval from IO is required.

The Development Planning Department is satisfied with the Draft Plan as red-lined, as it is consistent with the approved CGCSP, subject to the comments in this report and the Conditions of Approval outlined in Attachment #1.

The Policy Planning and Environmental Sustainability Department supports the Applications, subject to the conditions of this report

The Policy Planning and Environmental Sustainability Department supports the Applications, subject to the comments in this report and the Conditions of Approval outlined in Attachment #1. The Owner must provide a Tree Restoration Plan prepared to the satisfaction of the City prior to any site alteration. The Owner must also comply with the provisions of the *Endangered Species Act, 2007*.

Section 37 Community Benefits may be required

In accordance with policy 3.3.8 of the CGCSP, assessments of proposals for building heights in excess of 22-storeys shall be considered through the application of the bonusing provisions of Section 37 of the *Planning Act*, Policy 10.1.2 of VOP 2010 and the City's Guidelines for the Implementation of Section 37.

The Development Engineering Department supports the Applications, subject to the conditions of this report

Phase 1 of the Development includes a maximum of 950 residential units and 1860 m² of retail GFA. Further phases of development will not be permitted to proceed until a

Transportation Master Plan (“TMP”) has been completed for the CGCSP area, to the satisfaction of the City and Region.

The City’s Request for Proposal, which is anticipated to be released in Q3-2018 for the TMP will include a feasibility study examining an east-west grade separated crossing of the Barrie GO Rail line connecting to a potential extension of Ortona Court from its current termination as a cul-de-sac south of Rivermede Road, south to Regional Road 7. The TMP is in support of a Mobility Hub Study and Implementing Plan, led by the City’s Planning Policy and Environmental Sustainability Department. In addition, the TMP will further examine the road network in “Area 1”, in the CGCSP, and advance the functional planning and preliminary design concepts for those key network elements and improvements.

a) Road Network

The Subject Lands located at the intersection of two future rapid transit lines; the bus rapid transit expansion along Regional 7 from Bowes Road eastward to Richmond Hill Centre and the Barrie GO railway line; and the associated potential GO Station in the vicinity of the GO rail line and Regional Road 7. The Subject Lands are located midblock from two existing 407 ETR interchanges at Keele Street and Dufferin Street, and a possible future partial interchange at Centre Street, currently being evaluated by Ministry of Transportation (“MTO”). There are three planned vehicular accesses along Regional Road 7, one of these connections (Street ‘B’, Minor Collector road/Spine road) will also be providing a potential future connection to Rivermede Road to the north via Ortona Court, which is the subject of a City lead class EA. Street ‘B’ will be the primary access to the Development. The intersection of Street ‘B’ and Regional Road 7 will be designed and signalized to the satisfaction of York Region.

The easterly local road (Street ‘A’) will be an emergency only access until such time that the dedicated Regional Road 7 Bus Rapid Transit is extended adjacent to the Subject Lands and sightline challenges at this intersection are resolved, to the satisfaction of York Region. The emergency access will be controlled by breakaway bollards which can be removed for emergency purposes only. Once the intersection issues are resolved, the emergency only access will be converted into a right-in only access. The westerly local road (Street ‘C’) will be a right-in/right-out only access providing further access to/from the Subject Lands and will be available from opening day of Phase 1, subject to York Region approval.

The Owner may be required to revise the road geometrics to City Standards and the recommendations identified Street ‘B’ future connection to Rivermede Road, as shown on Attachment #4.

b) Noise Attenuation

The Owner has submitted a noise report entitled “Environmental Noise and Vibration Feasibility Assessment” (“Noise Report”) prepared by Novus Environmental, dated November 8, 2017, to verify the noise sources surrounding the Draft Plan, which also identifies the noise control measures for the proposed Development. The noise analysis considers the road traffic on Regional Road 7, Highway 407, Ortona Court, the Metrolinx Barrie Railway Line, and numerous employment, commercial and industrial uses.

The Owner’s consultant has prepared a letter to justify a Class 4 Area designation as defined in the Ministry of the Environment, Conservation and Parks Publication (“MECP”) NPC-300 for Blocks 15 and 16.

The noise report confirms that the impact of the environment on the Development can be adequately controlled through the feasible mitigation measures, façade design, and warning clauses detailed in the Noise Report, through the use of a Class 4 designation, over portion of the lands within Phase 2 of the Development, or through the use of allowed receptor-based noise mitigation measures. A Holding Provision shall be placed on Phase 2, with removal conditional upon a Class 4 designation, as described and shown in the Noise Report. A detailed noise report will be required in support of a Site Development application on the Subject Lands. However, at this time, staff are confident based on the preliminary noise report that noise mitigation can be adequately addressed at the detailed design stage.

c) Municipal Servicing

The Owner submitted a functional servicing report (“FSR”) entitled “Functional Servicing Report” prepared by Schaeffers Consulting Engineers, dated June 2018, in support of the Applications. The DE Department has reviewed the report and provided comments that need to be addressed prior to final approval of the Plan. Conditions to this effect are included in Attachment #1a). The DE Department support the development of these lands and confirm that the Subject Lands can be serviced, subject to the Conditions in Attachment #1a).

d) 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 is proposed to be serviced by an existing 300mm diameter watermain located on Regional Road 7. Following review of this watermain with the City Environmental Services, it was confirmed that this watermain is substandard condition. A connection to the City’s watermain is required to service this Development. Therefore, the City will require replacement of the section of watermain fronting

the Development, prior to allowing any connections. A draft plan condition is included requiring the Owner to facilitate the watermain replacement.

In addition, the Owner will be required to provide and maintain an interim water supply looping for Phase 1 of the Development until the proposed water network is constructed.

e) Sanitary Servicing

The submitted FSR for the Development recommends, at no cost to the City, upgrading the existing municipal sewers, which are located on private properties, south of Regional Road 7, within City easements. The upgraded sewer will have enough capacity to accommodate the flows generated by this Development and future developments within its tributary, as shown in the CGCSP. The proposed sewer system will be connected to the upgraded sewers and ultimately discharge into York Region Maple Collector Trunk sewer.

f) Storm Drainage

The Subject Lands are part of the Don River sub watershed. There is no existing stormwater infrastructure near the Subject Lands. Currently, the eastern portion of the Subject Lands drain south-easterly to the Don River Sub-basin 5 and the western portion of the Subject Lands drain south-westerly to the Don River Sub-basin 6. The drainage pattern will be the same under the post-development condition with conveyance of a portion of western flows to the eastern side of the Subject Lands. This flow conveyance will protect an existing culvert under Regional Road 7 from surcharging.

To achieve quality, quantity and water balance/erosion control requirement within the development blocks, the Owner proposes appropriate stormwater management measures including filter-based quality control units (Jellyfish units), Low Impact Development ("LID") measures, and underground stormwater tanks, which must be located within municipal properties. These facilities will be reviewed and approved at the detailed design stage.

To manage the runoff generated by future municipal right-of ways, the Owner prepared three stormwater management options. The DE Department reviewed the options and selected the option that comprised of tree pits, oil and grit separator units and underground storage. The services will be owned by the City and will provide the necessary stormwater management required for the Subject Lands.

The Owner is also required to design and construct an external diversion storm pipe, as identified in the Rivermede and Bowes Road Study dated August 14, 2014, prepared by Civica Infrastructure, to the satisfaction of the City.

g) Geotechnical and Hydrogeological Report

The Owner shall update the submitted Geotechnical and Hydrogeological Investigation Reports for the proposed Development, as necessary. The Reports shall recommend the ground water control measures that need to be implemented during site plan and detail design stages, and provide an assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development.

h) Environmental Site Assessment

Phase One and Two Environmental Site Assessment ("ESA") reports were reviewed by the City and the findings identified soil impacts within the area designated as future parkland, located within the Phase 2 development portion of the Subject Lands. The Owner subsequently submitted a Remedial Action Plan ("RAP") which documented their proposed method for remediation. Since the entire Subject Lands are changing to a more sensitive land use (i.e., industrial to residential), the Owner is required by legislation to file a Ministry of the Environment, Conservation, and Parks ("MECP") Record of Site Condition ("RSC") registered on the Environmental Site Registry for the lands within the plan of subdivision prior to the change in property use. In addition, given that soil impacts were identified on the Subject Lands, a Holding Provision shall be placed on the Subject Lands with removal conditional upon the submission of an RSC covering the entire Subject Lands for each applicable Phase of the Subject Lands and acknowledged by the MECP.

The Office of the City Solicitor, Real Estate Department advises that Cash-in-Lieu of the dedication of parkland is required

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent 1 ha per 500 units or 5% of the value of the Subject Lands, whichever is higher, prior to the issuance of a Building Permit for the residential component.

For the commercial component, the Owner shall pay to the City of Vaughan cash-in-lieu equivalent to 2% of the value of the Subject Lands prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act* and the City's cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Financial Planning and Development Finance Department advises that development charges are applicable

The Owner shall pay to the City applicable Development Charges, in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School, and York Catholic District School Board.

The Parks Development Department has no objection to the Applications

The Parks Development Department ("Parks Development") has no objections to the Applications, subject to the Owner satisfying the Parks Development conditions included in Attachment #1 a). The Owner proposes a phased approach for the overall development of the Subject Lands. The southern portion of the Subject Lands will be developed in Phase 1, and the balance as Phase 2 as shown on Attachment #4. Given the uncertainty with respect to the final location and alignment of private roads, the Owner has requested flexibility in the location of future Public Square areas.

Parks Development requires that parks and Public Squares for the Subject Lands are adequately protected for, including their size and general location in the subsequent phase(s) of development. As such, specific Draft Plan of Subdivision conditions are included in Attachment # 1a), a Holding Symbol "(H2)" is recommended to be placed on the Phase 2 lands, and a requirement for a restriction on transfer under Section 118 of the *Land Titles Act* shall be registered on the Subject Lands. Conditions to provide the requisite parklands must be fulfilled prior to the lifting of the Holding Symbol "(H2)" from the Phase 2 lands, or any portion thereof.

The Holding Symbol "(H2)" will also include a condition that the Owner agrees to convey a minimum 0.5 ha Public Square to the City in Phase 2, free of all charges and encumbrances, within Blocks 15 and/or 16. The Public Square shall have frontage on a public road with one side having a minimum length of 30 m and length to width ratio of 2:1, 3:1 or 4:1. Should the Phase 2 Public Square have a length greater than 90 m, the Owner shall provide a fully accessible, minimum 7 m wide, enclosed mid-block pedestrian corridor connection(s), which shall have a minimum clear unobstructed ceiling height of to the satisfaction of the City. The purpose of the connection(s) is to facilitate and encourage public access, which will be a requirement at the Site Development application(s) stage.

Parks Development requires a blanket easement in favour of the City on the natural heritage/valleyland (Block 21) for the purposes of constructing and maintaining a publicly accessible multi-use pathway(s) in the natural heritage/valleyland area. The objective is to connect the Subject Lands, utilizing the natural heritage/valleyland area, to the existing Bartley Smith Greenway Trail system. Prior to the registration of Phase 2 of the Draft Plan of Subdivision, the Owner shall submit a Trail Feasibility Report, which

will examine alternate multi-use pathway alignment(s) with the general goals of achieving a connection from the Subject Lands to the Bartley Smith Greenway Trial system taking into account all natural features. The Trail Feasibility Report shall include costs estimates for each trail alignment to the satisfaction of Parks Development.

Prior to the registration of Phase 1 of the Plan, a condition of Draft Approval requires the Owner to enter into a Temporary Park Agreement to provide a temporary public amenity space, no less than 0.5 ha in size, within Block 3 or other similarly sized area within the Phase 1 lands and/or lands within Phase 2 that abut a public right-of-way, to the satisfaction of the City. The temporary public amenity space shall be graded and maintained to City standards, but on a temporary basis until such time as the Phase 2 parklands are conveyed to the City or at a time mutually agreed to by both the City and the Owner.

Parks Development have no objections to the approval of the Applications, subject to the following:

Open Space Blocks:

- i) That Blocks 4, 14, 17, be conveyed to the City, and Block 21 be conveyed to TRCA, and all Blocks be zoned in an appropriate open space zone category;
- ii) That Block 20 be zoned in an appropriate open space category which will permit the development of a public neighbourhood park; and
- iii) That the zoning for the remainder of the Phase 2 lands include provisions which will permit park, public square, and open space uses.

Section 118 - Land Titles Act:

- iv) That a restriction on the transfer of the Subject Lands or a portion thereof, be registered on title of the Subject Lands. The consent of the City shall be obtained prior to the lifting of the restriction on the transfer of the Subject Lands or a portion thereof, with the exception of those lands to be dedicated into public ownership (i.e., valleylands and associated buffer lands).

Registration of the restriction is to be completed by the Owner prior to the registration of Phase 1 of the Draft Plan, at no cost to the City and to its satisfaction.

Removal of the restriction shall be completed upon meeting all conditions to lift the associated Holding Symbol "(H)" (Condition 3 c) and d)) on the Phase 2 lands. With permission from the City, the Owner shall remove the restriction at no cost to the City and to its satisfaction.

The Section 118 *Land Titles Act* restriction is required to protect for the public square which will be located in either Block 15 and/or 16. The future Site Development applications for Blocks 15 and or 16 will establish the exact size and location of the public square. At this time the Owner can only provide conceptual plans for Blocks 15 and 16 within the Phase 2 lands. The Owner will be unable to provide the details for the public square until many of these conditions to remove the Holding Symbol are satisfied. There are a number of conditions placed on the Phase 2 lands included in the Recommendations and Attachment #1 of this report.

Metrolinx has no objection to the Applications

Metrolinx has no objection to the Applications, subject to the Owner satisfying the Metrolinx and AECOM requirements specified in their conditions included in Attachment #1 h). AECOM is Metrolinx's engineering consultant that is tasked with reviewing safety barrier design, drainage plans and other site proposals to ensure Metrolinx requirements are met.

Infrastructure Ontario ("IO") has no objection of the Applications subject to a License Agreement

The Province of Ontario owns several strips of land on the north side of Regional Road 7 in between the Subject Lands and Regional Road 7. The Owner is therefore required to obtain a license agreement to access the Subject Lands, over IO lands, via the proposed Streets "A" and "B" of the Draft Plan of Subdivision. Conditions to this effect are included in Attachment # 1i).

The Toronto and Region Conservation Authority ("TRCA") has no objection to the Zoning By-law Amendment and Draft Plan of Subdivision, subject to a Holding Provision being placed on Phase 1 of the Draft Plan of Subdivision, and the required red-line revision of the Draft Plan, in accordance with their Conditions of Draft Plan Approval included in Attachment #1

The TRCA is satisfied that the appropriate limits of development have been established for the Draft Plan of Subdivision Phase 2 lands located on the northern half of the site, however, the Draft Plan has been red-lined to address an appropriate interface area between Regional Road 7 and Blocks 1, 2 and 3 inclusive.

The TRCA have advised that Phase 1 of the Draft Plan of Subdivision may require adjustments pending additional grading analysis. Additional review, and application of an appropriate interface area between Regional Road 7, urban landscape, regulatory floodplain, and the Development is required. Blocks 1, 2 and 3, as shown on Attachment #4, adjacent to Regional Road 7, have been red-lined as shown on

Attachment #4, to protect for the interface, if required, may result in the creation of new Open Space Blocks which would contain the natural hazards and appropriate buffers.

The TRCA support approval of the Applications with a Holding Symbol “(H)” placed on Blocks 1, 2 and 3 inclusive. The removal of the Holding Symbol would be tied to TRCA’s draft plan conditions provided in Attachment #1c). These specific conditions outline the technical input and re-design of the Blocks 1, 2 and 3 inclusive, needed to confirm that an appropriate interface between Regional Road 7 and the Development is provided. The interface area would contain but may not be limited to: Regulatory floodplain, floodplain freeboard, reduction of nuisance flooding through road cross section design, stable earthen berm, and the appropriate development setbacks.

The TRCA requires the Owner to address their requirement to red-line Blocks 1, 2, and 3 prior to proceeding with detailed design. Should the final interface design affect Infrastructure Ontario (“IO”) lands, further review and final approval from IO is required.

Should any revisions to Draft Plan of Subdivision File 19T-16V009 or Zoning By-law Amendment File Z.16.049 be proposed now or in the future, the TRCA shall be given the opportunity to amend their conditions and comments accordingly.

The School Boards have no objection to the Applications

The York Region District School Board and York Catholic District School Board have no objection to the Applications.

Canada Post has no objection to the Applications

Canada Post has no objections to the Applications, subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, in accordance with their conditions included in Attachment #1.

Enbridge has no objection to the Applications

Enbridge has no objections to the Applications. The Owner will be required to prepare a composite utility plan that allows for the safe installation of all utilities, including the required separation between utilities. Enbridge Gas Distribution has provided conditions in Attachment #1 to be included in the Subdivision Agreement.

Bell Canada requires the Owner to confirm that sufficient wire-line communications and telecommunications infrastructure is available

The Owner will be required to confirm that sufficient wire-line communications /telecommunications infrastructure is available within the Development. The Owner will

also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1.

Financial Impact

There is no requirement for new funding associated with this report.

Broader Regional Impacts/Considerations

York Region has no objection to Draft Plan of Subdivision File 19T-16V009, subject to their Pre-conditions and Conditions of approval in Attachment #1.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Draft Plan of Subdivision Files Z.16.049 and 19T-16V009 in consideration of the applicable policies of the Provincial Policy Statement, 2014, the Growth Plan (2017), the YROP, Vaughan Official Plan 2010, the Concord GO Centre Secondary Plan, Zoning By-law 1-88, comments from the public, City Departments and external public agencies, and the surrounding existing and planned land use context.

The proposed rezoning of the Subject Lands and the Draft Plan of Subdivision would facilitate future Development that is consistent with the PPS and conforms to the Growth Plan, the York Region Official Plan, and VOP 2010, specifically the Concord GO Centre Secondary Plan. The Development Planning Department can support the approval of the Applications, subject to the Recommendations in this report, and the Conditions of Approval set out in Attachment #1.

For more information, please contact: Carol Birch, Planner, extension 8485.

Attachments

1. Conditions of Draft Plan of Subdivision Approval File 19T-16V009
2. Context Location Map
3. Location Map
4. Proposed Zoning and Red-lined Draft Plan of Subdivision File 19T-16V009
5. Proposed Master Plan Buildings and Roads

Prepared by

Carol Birch, Planner, extension 8485

Stephen Lue, Senior Planner, extension 8210

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Mauro Peverini, Director of Development Planning, extension 8407

/CM