

Committee of the Whole (1) Report

DATE: Tuesday, June 09, 2020

WARD(S): 4

**TITLE: 2748355 CANADA INC. (QUADREAL BLOCK 3N)
OFFICIAL PLAN AMENDMENT FILE OP.19.006
ZONING BY-LAW AMENDMENT FILE Z.19.017
SITE DEVELOPMENT FILE DA.18.075
3301 HIGHWAY 7
VICINITY OF REGIONAL ROAD 7 AND INTERCHANGE WAY**

MOBILIO DEVELOPMENTS LTD. (DENSITY TRANSFER)

FROM:

Bill Kiru, Acting Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole to facilitate a mixed-use development in the Vaughan Metropolitan Centre (VMC) consisting of 2,470 residential units within 4 towers, ranging from 40-storeys to 59-storeys in height and with 8,172 m² of commercial uses, as shown on Attachments 2 to 18. In addition, to permit the transfer of density from the lands identified as the “Donor Site” to the lands identified as the “Receiver Site”, as shown on Attachment 1.

Report Highlights

- The applicant proposes to develop the subject lands in two phases. The proposal consists of 2,470 residential units within 4 towers (40, 46, 55 and 59-storeys) and 8,172 m² of commercial uses, a central pedestrian mews and a privately owned-publicly accessible space (POPS), served by 1,581 parking spaces within 3 levels of underground parking.
- The proposal includes a request to transfer unused density from the Donor Site to the Receiver Site.
- Subject to the approval of the density transfer, the proposed mixed-use development is required to provide Section 37 contributions in exchange for the remaining increased density.
- The Planning and Growth Management Portfolio, VMC Program supports the approval of the proposed development and the requested density transfer as the applications are compatible with the existing and planned uses of the surrounding area and represent good planning, subject to the recommended conditions of this report.

Recommendations

1. THAT Official Plan Amendment File OP.19.006 (2748355 Canada Inc.) BE APPROVED; to amend Vaughan Official Plan 2010 ('VOP 2010') and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to add a new Site-Specific Policy Area on Schedule 'K' to permit the following:
 - a. An increase to the maximum permitted building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
 - b. No minimum building heights apply for stand-alone commercial and accessory buildings and/or structures.
 - c. An increase to the maximum permitted density (Floor Space Index (FSI)) from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot.
 - d. An increase to the maximum permitted tower floor plate size from 750 m² to 820 m².
2. THAT Zoning By-law Amendment File Z.19.017 (2748355 Canada Inc.) and Zoning By-law Amendment File Z.19.018 (Mobilio Developments Ltd.) BE APPROVED; to amend By-law 1-88, as amended, as shown on Attachment 1 to permit:
 - a. the transfer of 55,741.82 m² of unused Gross Floor Area from the Donor Site to the Receiver Site.

- b. a maximum permitted Gross Floor Area of 105,177.48 m² on the Donor Site.
- 3. THAT Zoning By-law Amendment File Z.19.017 BE APPROVED to:
 - a. amend By-law 1-88, as amended, in the manner shown on Attachment 2, together with the site-specific zoning exceptions as generally identified in Table 1 of this report.
 - b. permit the bonusing for increased building height and density for the proposed development shown on Attachments 2 to 18 in return for the following provision of off-site community benefits totaling \$1,093,781.00, pursuant to the *Planning Act*, the policies of VOP 2010 and the VM CSP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* :
 - i. \$377,000.00 related to enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue; and
 - ii. \$716,781.00 towards a reserve for a future cultural / community hub located south of the Subject Lands.
- 4. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and the City Clerk be authorized to execute the Section 37 Density Bonusing Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 3b. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 191-2019 for Planning Applications, prior to the execution of the Section 37 Agreement.
- 5. THAT prior to the enactment of the implementing Zoning By-law, the Owner submit all outstanding and applicable planning fees to the satisfaction of the VMC Program.
- 6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing Zoning By-law.
- 7. THAT Site Development File DA.18.075, BE DRAFT-APPROVED SUBJECT TO THE CONDITIONS identified on Attachment 20, to the satisfaction of the VMC Program to permit the proposed development.
- 8. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:
 - a. "THAT Site Plan Development Application DA.18.075 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water

Supply System for a total of 1,295 residential apartment units (2,862 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Allocation of Servicing Capacity Policy in the event that the development does not proceed to registration and/or building permit issuance within 36 months."

- b. "THAT Site Plan Development Application DA.18.075 (Phase 2) be reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,175 residential apartment units (2,597 persons equivalent). At the discretion of the City, this reservation shall automatically be revoked after a period of twelve (12) months in accordance with the City's Allocation of Servicing Capacity Policy."

Background

Receiver Site / Subject Lands

The Receiver Site, also referred to as the Subject Lands throughout this Report, is located on the south side of Highway 7, between Commerce Street and Interchange Way in the VMC, as shown on Attachment 1. The Receiver Site is proposed to be developed with a mixed-use development constructed in two phases, as shown on Attachments 2 to 18.

Donor Site

The Donor Site is located on the southeast corner of Interchange Way and Exchange Avenue as shown on Attachment 1. The Donor Site has been approved for a mixed-use development consisting of 1,148 residential units and retail at-grade (Site Development File DA.18.056). For more details regarding this proposal, refer to the Previous Reports/Authority Section below.

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

On October 11, 2019, a Notice of Public Hearing was circulated to all property Owners within 150 m of the Subject Lands and posted online as follows:

- a) the City's Online Calendar in October and November 2019
- b) On the City Page, which was posted on the City's website in October 2019

Three Notice Signs were installed along the periphery of the Receiver Site for Files OP.19.006; Z19.017 and Z.19.018 (Highway 7, Interchange Way and Commerce Street). Three Notice Signs were also installed along the frontages of the Donor Site for File Z.19.018 (Interchange Way, and at two locations along Exchange Avenue), in

accordance with the City's Notice Sign Procedures and Protocols. At the November 5, 2019, Public Hearing, no deputations or written submissions were received.

Official Plan and Zoning By-law Amendments have been submitted to permit the Development and a density transfer from the "Donor Site" to the "Receiver Site"

The proposed mixed-use development (the 'Development') is shown on Attachments 2 to 18, and consists of the following:

- a) Four towers with building heights of 59-storeys (Tower A), 46-storeys (Tower B), 55-storeys (Tower C) and 40-storeys (Tower D) located on podiums generally 4-5 storeys in height, with retail uses at-grade, along with additional 1-storey stand-alone commercial buildings and commercial flex space located in a large privately-owned publicly accessible open space;
- b) 2,470 residential units;
- c) Gross Floor Area ('GFA') of 181,014.60 m², including 172,842.6 m² of residential and 8,172 m² of commercial uses;
- d) 1,581 parking spaces provided in three levels of underground parking, of which 1,112 spaces are allocated for residential uses, 370 spaces for residential visitors and 99 spaces for commercial uses;
- e) 1,505 bicycle spaces (261 short-term and 1,244 long-term);
- f) 6,581 m² of amenity area (5,029 m² indoor and 1,552 m² outdoor);
- g) 15 m wide north-south publicly accessible pedestrian mews located along the mid-point of the site, and flanked with retail uses;
- h) New east-west local road with a 22-metre wide right-of-way (ROW) known as Street A; and
- i) Road widening to facilitate the ultimate 33-metre wide ROW of Interchange Way.

Density Transfer

The proposed density transfer from the "Donor Site" to the "Receiver Site" would result in the transfer of 55,741.82 m² of unused GFA from the Donor Site to the Receiver Site. A site-specific cap will be applied to the Donor Site having a maximum permitted GFA of 105,177.48 m² and maximum building heights which would not exceed the approved development as per the Vaughan Council approved Site Development File DA.18.056 and VMCSPP Policy 8.1.24.

The Owner has submitted the following applications (the 'Applications') for the Subject Lands (Receiver Site) and Donor Site, as shown on Attachment 1, to permit the Development and density transfer:

1. Official Plan Amendment File OP.19.006 to amend VOP 2010 and Volume 2 of VOP 2010, specifically the VMCSPP to add a new Site-Specific Policy Area on Schedule 'K' to permit the following:
 - a. An increase to the maximum permitted building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
 - b. No minimum building heights for stand-alone commercial and accessory buildings and/or structures.
 - c. An increase to the maximum permitted density FSI from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot.
 - d. An increase to the maximum permitted tower floor plate size from 750 m² to 820 m².
2. Zoning By-law Amendment File Z.19.017 to amend Zoning By-law 1-88, as amended, in the manner shown on Attachment 2, together with the site-specific zoning exceptions as generally identified in Table 1 of this report.
3. Zoning By-law Amendment File Z.19.018 to transfer unused density from the Donor Site to the Receiver Site and to cap the maximum gross floor area permissions on the Donor Site.

Previous Reports/Authority

Previous reports relating to these applications can be found at the following links:

[Item 2, Committee of the Whole \(Public Hearing\) Report No. 35 \(November 19, 2019\)](#)

[Item 3, Committee of the Whole Report No. 34 \(May 1, 2019\) Site Development File DA.18.056](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement 2020, subject to the recommendations in this report

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure
- ensuring the sufficient provision of housing to meet changing needs and affordable housing
- ensuring opportunities for job creation

- ensuring that appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs
- protecting people, property and community resources by directing development away from natural or human-made hazards

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. The Development is consistent with the following policies of the PPS:

- Section 1.1.1. by contributing to healthy, liveable and safe communities
- Section 1.1.3.2 by focusing growth and development on settlement areas and promoting a density and mix of land uses that are transit supportive
- Section 1.1.3.6 by allowing new development within designated growth areas having a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public services facilities
- Section 1.4.1 and 1.4.2 by providing an appropriate range and mix of housing options and densities required to meet project requirements of current and future residents of the regional area
- Section 1.5.1 by promoting a healthy and active community by planning public streets and spaces to be safe and meets the needs of pedestrians and foster social interaction and facilitate active transportation and community connectivity
- Section 1.6.3 by using and optimizing on existing infrastructure and public service facilities
- Section 1.7.1 by supporting the long-term economic prosperity and providing necessary housing supply and range of housing options for a diverse workforce, enhancing the vitality of the downtown and encouraging a sense of place by promoting well-designed built form and cultural planning

The Development is located on a vacant site that is within a designated settlement area within the VMC, the City's emerging downtown, which would support the existing and planned commercial, office and cultural uses of the area. The Development has a compact built-form and density that is transit-supportive and would contribute to the overall range of housing options and unit typologies within the VMC to support a healthy community. The Development promotes the efficient use of the lands, reduces land consumption and servicing costs. The design and built form of the proposal, including the provision of a pedestrian mews flanked by retail uses, will enhance the sense of place and vitality of the City's emerging downtown.

The Development utilizes municipal infrastructure that is existing, under construction, and/or planned. It would efficiently utilize resources at a density in a designated growth area that would support the surrounding transit investments within the VMC including the SmartVMC Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid

Transit ('BRT') along Highway 7 (the 'higher order transit'). The Development would support modes of active transportation such as transit, cycling, and walking.

The Development is within a 10-minute walking distance to the Black Creek Renewal Corridor in the southeast quadrant, the proposed Central Park in the northwest quadrant and a 15-minute walk to Edgeley Pond and Park in the northeast quadrant. The Owner proposes to contribute an off-site community benefit to the southern extension of the Millway Avenue Linear Park within the southwest quadrant, which would add to the planned parkland network within the VMC. Therefore, the proposal is consistent with the policies of the PPS.

The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2019)

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

- Sections 2.2.1.1 and 2.2.1.2 respecting managing population and employment growth
- Section 2.2.1.4 respecting the achievement of complete communities
- Section 2.2.2.1 respecting intensification targets of 50% within a delineated built-up area
- Section 2.2.4.6 respecting the requirement for land uses and built forms to be transit-supportive and meet minimum density requirements within Major Transit Station Areas

The Development conforms to the policy framework of the Growth Plan as it makes efficient use of the Subject Lands and existing infrastructure. It is located near existing, under construction and/or planned higher-order transit and provides housing options at a density that supports the transit investments in the VMC. The Development focuses new growth through the intensification of an underutilized vacant site that provides a mixed-use development with a pedestrian-friendly environment located near higher order transit.

The Development contributes to a complete community by introducing a mix of unit types in the VMC that will improve social equity and meet the means of various users and contribute to the betterment of human health by having access to open spaces, amenity areas, the proposed Millway Avenue Linear Park, and the pedestrian mews. The Development represents a high-quality form that is focused on a neighborhood scale where vehicle-demand is reduced, promotes walkability and other modes of transportation which reduces greenhouse gas emissions.

The regional and municipal Official Plans currently do not conform to the Growth Plan policies with respect to the now updated intensification target of 50% (revisions through *Bill 108, More Homes More Choice Act, 2019*) within built-up areas. While a conformity exercise will be undertaken by York Region and the City, the Development in the interim would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans.

The Development also meets the objectives of development within the downtown by providing access to higher-order transit facilities, thereby reducing vehicular demand within the VMC. The Development is also located within a Major Transit Station Area ('MTSA') which would encourage, support and promote alternative modes of transportation, such as walking and cycling, through the provision of cycling facilities and pedestrian amenities in the VMC. Therefore, the proposal conforms to the policies of the Growth Plan.

The Development conforms to the York Region Official Plan

The Subject Lands are designated "Urban Area" by the York Region Official Plan (the 'YROP') and located within a "Regional Centre". The Development conforms to the following policies of the YROP:

- Section 3.5.4 and 3.5.20 by providing a mix and range of affordable housing, and smaller unit types and meeting density and intensification requirements
- Section 4.2.4 by providing mixed-use pedestrian environments
- Section 5.2.5 respecting the balance of residential and employment uses within close proximity
- Section 5.3.4 respecting locations of transit stops
- Section 5.4.5, 5.4.9, 5.4.16 by providing designs that are urban, compact, pedestrian and cycle friendly and transit-supportive
- Section 5.4.19, 5.4.20, 5.4.23 and 8.2.3 respecting mixed-use developments within Regional Centres

The Development is urban and compact in form with 2,470 residential units ranging from bachelor suites to two-bedroom unit sizes, in a high-rise built form that would contribute to the range of housing choices in the City to meet the needs of residents and workers within York Region. While this Development does not propose a large number of family-sized units (3 bedroom+), or a wide variety of building types, the proponent owns a large proportion of the lands located within the VMC southwest quadrant, which provides increased opportunities for a mix of housing and unit types. The Owner has presented and committed to a housing strategy for the development proposal on the adjacent block to the south (PAC.20.024) that would provide a minimum of 50% family-sized units (2 bedrooms or more), with a wider range of built form typologies, including mid-rise and low-rise (townhouses) forms, on this and other neighbourhood blocks in the quadrant. The Owner has already received Council approval to build 22 urban townhouse blocks, a mid-rise building, and 2 high-rise buildings as part of the Block 2 (Mobilio) application (File DA.18.056).

The Development contributes to a mix of uses planned in the VMC and would deliver a density to support the existing employment and commercial uses that encourages and optimizes the uses of higher-order transit, and facilitates the success of planned cultural functions (i.e. community facilities) within the VMC.

The Development provides an urban streetscape that complements the adjacent existing and planned employment and commercial uses and provides for accessibility to higher-order transit. The proposed building and streetscape designs are high quality, pedestrian-friendly and will encourage active modes of transportation.

The Development supports and achieves an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture, and contributes to a high-quality and sustainable community in the VMC. Therefore, the proposal conforms to the policies of the York Region Official Plan.

Amendments to Vaughan Official Plan 2010 and Volume 2 of Vaughan Official Plan 2010 (the VM CSP) are required to permit the Development

The Receiver Site, or Subject Lands, is designated “Station Precinct” by the VM CSP, which forms part of Volume 2 of VOP 2010. This designation permits a broad mix of uses, including residential dwellings, retail and service commercial. The Development includes residential and retail uses which conforms to the “Station Precinct” designation.

The VM CSP permits a building height range of 5 to 30-storeys and an FSI range of 2.5 to 5.0 times the area of the lot on the Subject Lands. The Development proposes maximum building heights ranging from 40 to 59-storeys with a maximum density of 7.8

times the area of the lot. Therefore, an amendment to the VMCSPP is required. The following amendments to VOP 2010, specifically the VMCSPP, is required to add a new Site-Specific Policy Area on Schedule 'K' to permit the following:

- a. An increase to the maximum permitted building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
- b. No minimum building heights for stand-alone commercial and accessory buildings and/or structures.
- c. An increase to the maximum permitted density FSI from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot.
- d. An increase to the maximum permitted tower floor plate size from 750 m² to 820 m².

The VMC Program supports the proposed amendments to VOP 2010 and the VMCSPP

Section 1.5 of VOP 2010, The Vision for Transformation: Goals for the Official Plan, identifies the VMC as a provincially designated Urban Growth Centre (UGC), given the location along Highway 7 and the terminus of the Toronto-York Subway Extension. The VMC is Vaughan's downtown with the highest density node in the City and a focus for civic activities, business, shopping, entertainment, and living. Policy 2.1.3.2, Defining Vaughan's Transformation: Key Planning Objectives, addresses Vaughan's main land use planning challenges and the management of future growth by directing a minimum of 29,300 residential units through intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and providing a diversity of housing opportunities.

Policy 2.2.5, Intensification Areas, identifies the VMC as the City's downtown that consists of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan.

The proposed density and unit mix would provide housing opportunities would support public transit and housing diversity in the City.

The VMCSPP provides the following objectives for the VMC:

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people
- 3.5 Optimize existing and planned investments in rapid transit
- 3.6 Establish a hierarchical, fine-grain grid network of streets and pathways linked rationally to the larger road system

- 3.10 Ensure all development exhibits a high-quality of urbanity, materials and design

The Development satisfies these objectives of the VMCSPP.

The Subject Lands are designated “Station Precinct” which are envisioned to provide a broad mix of uses to support some of the highest densities within the VMC due to close proximity to the VMC subway station. The Development proposes 8,172 m² of commercial uses and 2,470 residential units which would further support the establishment of Vaughan’s emerging downtown. Although the applications exceed the VMCSPP density and height permissions, it contributes to meeting or exceeding the overall density target of 200 people and jobs per hectare by 2031 in the UGC of the VMC. Furthermore, the Subject Lands are highly accessible to higher-order transit and will optimize and encourage the use of existing transit infrastructure.

The Development would also have the effect of dedicating a new local public road and the ultimate widening of Interchange Way, road improvements to Commerce Street, and a cycling network around the Subject Lands. This would contribute to a finer grid of connectivity in the VMC while promoting multiple modes of transportation, including the use of public transit, as well as a safe environment to promote active transportation. The Development, as proposed would complement and support adjacent developments and provide access to nearby open spaces.

Highway 7 is envisioned to become an urbanized avenue that balances the movement of transit, vehicles, pedestrians, and cyclists, and to be a beautiful green street framed by commercial, residential and mixed-use buildings. The Development features a mixed-use proposal featuring four towers on podiums with retail buildings bordering the four edges of the site to provide an appropriate pedestrian-scaled environment along the public realm. Commercial uses are framed along Highway 7 and along the proposed publicly accessible pedestrian retail mews. The Development is complemented with an activated public realm that is beautiful and vibrant and would provide for social interaction. The layout, landscape design and architecture of the Development are of a high standard design and will promote a downtown that is inviting, distinct and lively. Policy 4.6.3 – Parking Policies of the VMCSPP state that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel. Section 3.8.1 of By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development.

Policy 8.1.2 – General Land Use and Density Policies of the VMCSPP states that the VMC is intended to accommodate a minimum of 1,500 new retail and service jobs by 2031 as street-related uses on the ground floors of mixed-use buildings. Policies 8.1.3 and 8.1.4 state that the VMC is intended to accommodate a minimum of 12,000 residential units to contribute to the projected population growth to 2031. The policies also encourage a diverse housing mix, including a significant number of households with children.

The Development accommodates for the planned residential population growth in the VMC with 2,470 new residential units of varying sizes (bachelor, 1 and 2-bedroom units). The proposed retail uses, the animated public realm areas including the pedestrian mews and POPS within the Development, together with the adjacency to nearby community facilities (e.g. VMC Mobility Hub Centre of Community, Central Park, Millway Avenue Linear Park, Edgeley Pond and Park, and Black Creek Renewal) would support the needs of varying households, including those with children.

Section 8.7 – Built Form, of the VMCSPP includes policies for building setbacks, ground floors, building height, massing, and building exteriors. Specifically, Policies 8.7.1 to 8.7.25, relate to building design that promotes pedestrian comfort through façade treatments, lobby frontages, podium and tower designs and building materiality. The Owner and the City have worked through numerous design workshops to ensure the building elevations of the Development would be well-articulated with a comfortable pedestrian realm along all frontages of the Subject Lands. This entails a well-articulated podium expression and tower massing, and the specific placement of the building entrances and lobbies at the ground level along public ROWs with high-quality streetscape treatments.

Policy 8.7.2 requires that the location, massing and design of buildings contribute to human-scaled street walls, attractive streetscapes, a varied skyline, and an active pedestrian public realm. While a maximum building height of 30-storeys is permitted within the “Station Precinct” designation on this site, City Staff are amenable to increasing the maximum building heights ranging from 40-59 storeys, due to its strategic nodal location along Highway 7 and its proximity to higher order transit. City Staff worked with the Owner to achieve a built form scale with a successful building height and streetscape relationship, while meeting the intent of Policy 8.7.2 to provide massing and design that is comfortable for pedestrians with beautiful streetscapes that will promote pedestrian activities and a varied, interesting skyline.

Policy 8.7.18 – Massing policies further require tower elements of high-rise residential buildings to be slender and spaced apart from one another to minimize shadow impacts

and the loss of sky views, maintain privacy and contribute to an interesting skyline. The maximum residential tower floor plate permitted shall be approximately 750 m², whereas the Owner proposes a maximum tower floor plate size of 820 m². The increase would have limited impact on the streetscape and skyline as the towers are separated by at least 25 metres, allowing sufficient site porosity to minimize shadow impacts and pedestrian level wind impacts. Building setbacks, material treatments, architectural features, and public realm design have been utilized to encourage a comfortable streetscape, varied streetwall, and a pedestrian-first experience.

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

To facilitate the Development, the Owner proposes to amend the VMCSPP to increase the permitted maximum building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law and to increase the maximum permitted density FSI from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot. Pursuant to Section 37 of the *Planning Act*, the policies of the VMCSPP and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act”, Vaughan Council may authorize an increase in building height and/or density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased building heights and density.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMCSPP include policies to permit bonusing for increased building height and density in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are met:

a. Good Planning

The Development must represent good planning, be consistent with the other objectives of VOP 2010 and the VMCSPP and ensure consistency with applicable built form and neighbourhood compatibility objectives.

The Development capitalizes on the VMC’s locational advantage, being the convergence of the regional bus network (the SmartVMC Bus Terminal and the VivaNext BRT) with the Spadina Subway extension into the VMC. The proximity of the Subject Lands to higher-order transit and community facilities is vital in the creation of a high-quality downtown where transit supportive residential and

employment densities are developed as vibrant places of activity and major regional destinations.

The Development is consistent with the PPS and conforms to the Growth Plan and the YROP. The increase in the maximum building height and density reflected in Development is proposed through Section 37 of the *Planning Act*. Several iterations of design development were required to ensure that the form of development proposed met the policies of the VMC Secondary Plan, to be supported as good planning.

In Section 3 of the City's Guidelines for the Implementation of Section 37 of the *Planning Act*, "good planning" includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments 2 to 18, staff have determined it represents good planning. The Development is aligned with the following objectives contained in the VMCSPP:

- i. A downtown: "to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people."
 - A critical objective of the VMCSPP is to concentrate Development in the new downtown. The Development would contribute to achieving the required critical mass that would develop a strong identity, sense of place, and a population to support the investments in the transit infrastructure and the land uses that would contribute to the diversity of land uses required to create a successful downtown.
- ii. High transit usage: "optimize existing and planned investments in rapid transit."
 - The density and proximity of the Development to higher-order transit makes the creation of a high-density downtown possible. The short walking distances to the higher-order transit through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.

- iii. Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design.”
- The Development incorporates an architectural form that frames and addresses the streets. Connectivity has been integrated into the design of the development block with an enhanced pedestrian mews and a large POPS. Even though refinements will be required along the public realm edges, specifically where the built form interfaces the residential amenity areas and courtyard components, the VMC Program is satisfied with the overall built form.

The Development is considered good planning in consideration of the overall existing and planned area context. Therefore, the proposed increase in the maximum building height and density in return for the provision of community benefits is appropriate.

b. Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and density of the Development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of Development otherwise permitted in Schedule I of the VMCSPP, in return for the provision of community benefits in the VMC. VOP 2010 identifies community benefits that may qualify, including:

- Public art contributions
- Cultural facilities, such as a performing arts centre, amphitheatre or museum
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City's standard levels of service or facilities
- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated in the City's standard levels of service

In accordance with the City's “Guidelines for the Implementation of Section 37 of the *Planning Act*”, the City and the Owner have agreed to the increase in building height and density in return for a community benefit, pursuant to Section 37 of the *Planning Act*. The contribution is equivalent to \$377,000.00 related to enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue and \$716,781.00 towards a reserve for a future cultural / community hub located south of the Subject Lands. This contribution is supported by the objectives of the VMCSPP and would directly benefit and service the parkland and social infrastructure needs of the population and workers in this quadrant of the VMC, and is in keeping with the vision of

attracting people from across the City and Region by establishing a unique identity and civic role for the VMC.

c. Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of the VMC through the provisions of adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the nearby higher-order transit facilities that are currently built or under construction, are all infrastructure improvements that support the Development. The Owner's Section 37 contribution to the Millway Avenue Linear Park and future cultural / community hub would benefit the future residents of the Development and the visitors to the VMC. The City's goal is to achieve a complete community within a true mixed-use downtown. Should the Applications be approved, the Owner and the City shall execute a Section 37 Density Agreement to permit an increase in the maximum permitted building height and density, prior to the enactment of the implementing site-specific Official Plan Amendment and Zoning By-law Amendment. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law for Planning Applications. A condition to this effect is included in the Recommendations of this report.

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

The Subject Lands are zoned "C9 Corporate Centre Zone", subject to Exception 9(957) by By-law 1-88, as amended. The majority of the Lands, with the exception of the southeast corner of the site, are also identified as a "Landmark Location" on Schedule "A2" of By-law 1-88, which has no prescribed maximum building height permissions.

The maximum building height permission on the southeast corner of the site is 25 m. The Development proposes a building height of 40-storeys (140 m) on the southeast corner of the site, and therefore requires an amendment to By-law 1-88 to facilitate the Development. The Zoning By-law Amendment would also have the effect of deleting the "Landmark Location" overlay from the Receiver Site / Subject Lands to be replaced with maximum building heights specific to each tower. The Zoning By-law Amendment is further required to include the following site-specific zoning exceptions to permit the Development:

Table 1:

	Zoning By-law 1-88 Standards	C9 Corporate Centre Zone Requirements, subject to Exception 9(957)	Proposed Exceptions to the C9 Corporate Centre Zone Requirements, subject to Exception 9(957)
a.	Minimum Parking Space Size	2.7 m by 6 m	2.6 m by 5.7 m
b.	Minimum Barrier-Free Parking Space Size	Type A: 3.4 m by 6 m Type B: 2.4 m by 6 m	Type A: 3.4 m by 5.7 m Type B: 2.4 m by 5.7 m
c.	Parking Requirements	<u>Commercial Minimum Parking Standards</u> 2.0 spaces per 100 m² of GFA <u>Day Nursery Minimum Parking Standards</u> Employee spaces: 0.75 spaces per employee Pick-up & Drop-off/Visitor spaces: 3 spaces + 1.0 space / classroom <u>Place of Assembly Uses Minimum Parking Standards</u> Ranges between 1.0 – 5.0 per 100 m² of gross GFA <u>Residential Minimum Parking Standards (Apartment Dwelling)</u>	<u>Non-Residential Minimum Parking Standards</u> Minimum parking for non-residential uses shall be based on 1.2 spaces per 100 m² of GFA @ 8,172m² = 99 spaces <u>Residential Uses</u> Minimum parking for the apartment residential use shall be 0.45 parking spaces per residential unit

	Zoning By-law 1-88 Standards	C9 Corporate Centre Zone Requirements, subject to Exception 9(957)	Proposed Exceptions to the C9 Corporate Centre Zone Requirements, subject to Exception 9(957)
		Bachelor/One-bedroom: 0.7 space per unit @ 1,937 units = 1,356 spaces + Two-bedroom: 0.9 space per unit @ 524 units = 472 spaces + Visitor: 0.15 space per unit @ 2,470 units = 371 spaces Total Required Parking = 2,199 spaces	@ 2,470 units = 1,112 spaces + Minimum parking for residential visitor shall be based on 0.15 parking spaces per residential unit @ 2,470 units = (370.5) Rounded down to 370 spaces *for the purposes of calculating residential visitor spaces, notwithstanding Provision 3.8.1 b), a full parking space will not be required where an application of parking standards results in part of a parking space. The number of required parking spaces will be rounded down. Total Proposed Residential + Visitor Parking = 1,482 spaces Total Proposed Residential + Visitor + Non-residential = 1,581 spaces
d.	Maximum Building Heights	Per Schedule 'A2': Landmark Location – unrestricted Heights	Tower A – 190.05 m Tower B – 154.25 m Tower C – 179.55 m

	Zoning By-law 1-88 Standards	C9 Corporate Centre Zone Requirements, subject to Exception 9(957)	Proposed Exceptions to the C9 Corporate Centre Zone Requirements, subject to Exception 9(957)
		25 m (southeast corner)	Tower D – 135.80 m
e.	Minimum Landscape Strip Widths	4.5 m abutting Commerce Street, per Exception 9(957) di) & dii) 6 m abutting all other Street Lines	Commerce Street – 2.0 m Highway 7 – 0 m Interchange Way – 2.0 m New East-West Street (Street A) – 2.0 m
f.	Minimum Front Yard Setback (Highway 7)	3.0 m, per Schedule 'A2', Note 8	0.0 m
g.	Minimum Exterior Side Yard Setback (Interchange Way and Commerce Street)	Per Schedule 'A2': Non-residential uses: 0.0 m Residential uses: 3.0 m	Residential uses: 2.0 m
h.	Permitted Uses	All uses permitted in the C9 Corporate Centre Zone with the exception of a Supermarket, per Exception 9(957) hi)	In addition to the uses permitted C9 Zone, the following additional uses will be permitted: • Day Nursery • Convenience Retail Store • Arcade • Brew pub • Micro-manufacturing • Supermarket

In addition to zoning exceptions in Table 1, to reflect the collaborative efforts between the Owner and City Staff in ensuring a successful urban project for the Subject Lands, the Owner has agreed to add site-specific zoning provisions to include the following:

- Maximum GFA of the overall project shall not exceed 181,014.60 m²
- Maximum number of residential units shall not exceed 2,470
- Minimum ground floor height of non-residential uses shall be 4.5 m
- Minimum ground floor height of residential and residential-related uses shall be 3.0 m
- Minimum amenity area (indoor and outdoor combined) shall be 6,500 m²

The VMC Program can support the zoning exceptions in Table 1 along with these additional site-specific provisions noted above on the following basis:

a) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a compact built form and pedestrian realm relationship that is supported in an intensification area with access to higher-order transit. The site-specific development standards (lot areas, setbacks, landscape strip widths, maximum GFA and ground floor) are consistent with the approved development standards related to other high density developments located in the VMC and would enable a compact and urban built form that is supported by the VMC Program.

b) Parking

The VMCSPP states that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel. Section 3.8.1 of By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development which is also consistent with and similar to other recently parking ratios approved in the VMC. Furthermore, the Owner has provided a parking strategy which allows for additional off-site temporary parking spaces within the quadrant and has the ability to adapt to parking transitional needs as the downtown matures and develops over time.

c) Additional Uses

The introduction of the additional uses is consistent with the policies and the permitted uses in the VMCSPP. In addition, they are considered compatible with the planned surrounding uses and provide market flexibility for the Development.

Amendments to By-law 1-88, as amended are required to permit density transfer from the Donor Site to the Receiver Site

File Z.19.018 has been submitted to facilitate a density transfer from the Donor Site to the Receiver Site, as required by the VMCSPP. Policy 8.1.24 of the VMCSPP permits unused height and / or density of one site to be transferred to another site, subject to a number of conditions, including, but not limited to both sites being located within the same quadrant.

The Donor Site is zoned “RM2 Multiple Residential Zone” subject to Exception 9(1475) to By-law 1- 88, as amended. The Donor Site has a total site area of 53,639 m², with a maximum density permission of 3.0 times the lot area. Accordingly, the Donor Site has a maximum buildable gross floor area (GFA) of 160,919.36 m². The site plan approved by Council for the Donor Site has a total GFA of 104,100.6 m², resulting in a residual unused GFA of 56,818.7 m².

The VMCSPP stipulates a maximum building height of 10-storeys on the Donor Site, with permissions of up to 15-storeys on properties fronting on arterial, major or minor collector streets, per policy 8.7.11. The development on the Donor Site approved by Council consists of 3 residential apartment buildings ranging from 13 to 18-storeys, with the 15 and 18-storey buildings fronting onto Interchange Way, a major collector street, along with 22 blocks of 4-storey townhouse units on the remainder of the Donor Site. The 18-storey building, which exceeded the maximum building height permissions of the VMCSPP, was approved by Council (Files OP.18.014 and Z.18.021) which required the Owner to provide Section 37 community benefit contributions in return for the increase in building height.

File Z.19.018 would have the effect of transferring 55,741.82 m² of unused GFA from the Donor Site to the Receiver Site and applying site-specific caps to the Donor Site with a maximum permitted GFA of 105,177.48 m² and maximum building heights which will not exceed the approved development as per File DA.18.056.

Staff recommends approval of this density transfer as it would contribute to achieving the objective of meeting and / or exceeding a density of 200-400 people and jobs per hectare in the City’s emerging downtown.

The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for future Minor Variance application(s), if required, within two years of a Zoning By-law coming into full force and effect.

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Vaughan Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) within two years of the passing of a by-law amendment. Should Council approve Zoning By-law Amendment File Z.19.017, the VMC Program, in recognition of the complexity of this Development, has included a recommendation to permit the Owner to apply for a

Minor Variance application(s), if required, prior to the two-year moratorium to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

The VMC Program supports the Development

Site Design

The Development shown on the proposed site plan features 4 towers (40, 46, 55 and 59 storeys) located on podiums generally 4-5 storeys in height wrapping all 4 corners of the site, with commercial uses and amenity space activating the base buildings. The 2 northerly towers located along Highway 7 will be connected by a pedestrian bridge on the 4th floor to connect the outdoor rooftop amenity spaces provided in both buildings. Ground floor residential uses are proposed within the 2 southerly towers, wrapping around Interchange Way, Commerce Street and the new east-west local street and will have direct pedestrian access off these public streets.

A pedestrian mews is proposed to be located centrally to the site which is activated by several stand-alone 1-storey retail pavilions. The pedestrian mews are complemented by pedestrianized drop-off courtyard areas with feature landscape elements and Street A is designed as a flexible street to enhance the pedestrian and retail experience within the site, as shown on Attachment 2.

Phasing

The Development would be constructed in 2 phases as shown on Attachments 4 and 4A. Phase 1 would begin with the westerly portion of the site, consisting of Buildings A and B and the ground floor retail on the podium of Building A. During this phase, the area of the 2 stand-alone retail pavilions, on the westerly half of the site, would be used as temporary children's playspace and / or amenity areas appropriately designed to the satisfaction of Staff. Phase 1 would consist of 1,295 residential units.

Phase 2 would realize the vision for the balance of the Subject Lands, resulting in a conversion of the temporary children's playspace and/or amenity areas to the ultimate stand-alone retail buildings, including the retail pavilion on the east side of the site, the pedestrian mews, as well as Buildings C and D. Phase 2 would consist of 1,175 residential units.

Attachment 4 also provides a context of the interim landscape conditions when Phase 1 is constructed. Staff will continue to work with the Owner to finalize the details of both the interim and ultimate conditions of the landscape plans to ensure that the Subject Lands are maintained with an attractive and inviting environment during all phases of development.

Underground phasing will be further explored through detailed design of this proposal. Staff will ensure that access, parking needs, and safety measures are addressed prior to the final approval of the plans.

Site Access

The Development includes a new local 22 m east-west street (Street A), which is south of the Subject Lands, a road widening facilitating the ultimate 33 metre ROW of Interchange Way, Commerce Street improvements and a pedestrian mews, as shown on Attachment 2.

Vehicle access to the pick-up/drop-off courtyards, underground parking garage and loading areas are proposed via driveway connections as follows:

Phase 1 (Buildings A & B):

- A full moves driveway connecting to the new east-west local road approximately 55m east of the Commerce Street/Street A intersection, connecting to the pick-up/drop-off area for Buildings A and B and a parking garage ramp.

Phase 2 (Buildings C & D):

- A full moves driveway connecting to the Street A approximately 60m west of Interchange Way (north-south link) intersection, connecting to the pick-up/drop-off area for Buildings C and D.
- A right-in/right out only ramp connecting to Interchange Way approximately 70m south of Highway 7/Interchange Way (north-south link) intersection, providing direct access to the parking garage.

The Development provides a total of 1,581 vehicle parking spaces in a 3-level underground parking garage, including 1,112 parking spaces for use by residents, 469 parking spaces for use by non-residents (i.e. a commercial parking garage serving residential and non-residential visitors), including 4 car share spaces. The garage is interconnected below grade on all levels. The plans illustrate a total of six (6) enclosed loading areas which will provide access to residential and non-residential uses and accommodate refuse/recycling collection, moving and deliveries.

Access for pedestrians and cyclists is provided via walkways and direct lobby connections to the public sidewalks, as well as a central pedestrian mews traversing the site north-south between Highway 7 and Street A, connected to a future pedestrian mews further south.

A future pedestrian tunnel connection is also proposed through Street A to be connected to the future development block south of Street A in the 1st underground parking level. The future development block to the south is also owned by this proponent. The approval of this underground pedestrian tunnel connection will need to be further reviewed through additional detailed drawings and analysis to ensure that municipal services (water, road) under Street A and City's operations and maintenance requirements will not be adversely impacted. If this tunnel is deemed to be feasible, the Owner will be required to enter into an exclusive easement agreement with the City to allow for the encroachment of the pedestrian tunnel through a City-owned road. As per the Recommendations of this report, this agreement will need to be entered into prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report as shown on Attachment 20.

Landscape

The Development is centered on a pedestrian mews to support a fine-grain street network in the VMC, as shown on Attachment 3, and provide connectivity to the surrounding future developments in the southwest quadrant. In particular, Schedule C – Street Network of the VMC Secondary Plan envisions that this pedestrian mews extends from north of Highway 7, continuing along the entire stretch of the southwest quadrant ending at Exchange Avenue to the south. The proposed mews and surrounding POPS, which includes an urban grove and sunken lawn, offers a generous pedestrian zone which will anchor retail pavilions, and enhanced feature landscape elements, and street furnishings to provide amenities and gathering space at the heart of the Development. Together, these linkages provide access throughout the site, and direct residents to the feature play areas and future developments to the south.

Special paving pattern designs will be installed to enhance wayfinding throughout the site and to ensure a pleasant and pedestrian friendly environment within and along the perimeters of the Subject Lands. High-quality landscape is proposed throughout the mews and along the perimeters of the site. In particular, the Highway 7 boulevard will be lined with a double row of trees to enhance its role as a special avenue that is vibrant and beautiful and improve the scale of the corridor. Interchange Way, Commerce Street and Street 'A' will have urban boulevards reflecting the pedestrian oriented vision for the downtown.

In addition, a dog relief area is proposed on the 5th floor of Tower C. Staff recommend the implementation of an irrigation strategy to maintain this area. The final landscape plans, photometric analysis drawings and wayfinding/signage design must be approved by VMC Program. A condition to this effect is included in the Recommendations of this report as shown on Attachment 20.

Building Elevations

The residential apartment building elevations are comprised of materials such as masonry, metal, glass, stucco, architectural stone and precast panels, which are proposed to be distinguished and articulated through high-quality designs, as shown on Attachments 5 through 11. The 4 buildings contain podiums with generally 4-5 storeys in height with residential units, commercial uses at-grade and common amenity areas. All primary lobby entrances are located at-grade and are clearly visible and accessible to the public realm to activate street frontages and promote vibrant and pedestrian friendly environments. Commercial uses are proposed at-grade along Highway 7, further activating the Highway 7 streetscape.

Towers A and C are proposed to be connected by an internal pedestrian bridge on the 4th floor. The bridge provides an interesting street element and gateway that will provide a transition point and recess in the street wall and will feature curtain wall glazing to create a sense of transparency to accentuate the mid-block connection through the site. The bridge also acts as an entry feature connecting into the pedestrian mews and inviting visitors into the larger site. The Owner has also incorporated bird-friendly design window treatments on all 4 buildings.

Along the pedestrian mews are 3 stand-alone 1-storey pavilions. With the exception of the temporary commercial market space which would act as a “pop-up” commercial unit in a form of steel shipping containers, the retail/food-service related pavilions frame the retail courtyard with proposed green roofs. The 3 pavilions are made of different materials including cladding and architectural finishes, various types of metal, glazing, concrete and cement. Each pavilion has its own unique design and finishes which further accentuate the retail courtyard for an interesting retail experience along the pedestrian mews.

Urban Design and Planning Staff of the VMC Program have reviewed the Development as shown on Attachments 5 to 11 and are continuing to work with the Owner to refine the building elevations to demonstrate the appropriate treatment and articulation of the built-form, as well as reviewing additional details related to the temporary commercial market structure. The final interim and ultimate site plans, building elevations, interim and ultimate landscape plans, landscape cost estimate, wind tunnel model, sun/shadow analysis, 3D digital model, wayfinding/signage design plan, and photometric lighting plan must be approved prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report as shown on Attachment 20.

Cash-in-Lieu of trees to be removed is required in accordance with the Tree Protection Protocol

Vaughan Council on March 20, 2018, enacted Tree By-law 052-2018 and Tree Protection Protocol 2018, which requires the City and the Owner to enter into a Tree Protection Agreement for the preservation and protection of private and public trees, prior to the execution of the Site Plan Agreement. The following condition is included as a Recommendation of Site Plan approval:

The Owner is required to enter into a Tree Protection Agreement, prior to the execution of the Site Plan Agreement which includes a security for trees to be preserved and protected in accordance with the approved Arborist Report. The value of the security associated with the City's Tree Protection Agreement is determined through the following:

- Tree compensation formula provided in the Arborist Report based on the City Tree Replacement Requirement
- The costs associated with tree protection measures (i.e. tree protection fencing, silt barriers etc.)
- The costs associated with actual tree removals

The Owner has submitted an Arborist Report which documents the removal of 2 existing trees on the Subject Lands and 14 trees on the City's ROW to facilitate the Development. Existing trees that are located west of Commerce Street within the boulevard may potentially be affected by construction. Should any trees be removed, tree compensation/cash-in-lieu will be required. The Owner shall provide cash-in-lieu payment in accordance with the City's Tree Protection Protocol, should the Application be approved. A condition to this effect is included in the Recommendations of this report.

Existing trees on the west side of Commerce Street are also proposed to be removed in order to construct an interim streetscape condition to implement new tree standards. A condition to this effect is also included in the Recommendations of this report as shown on Attachment 20.

The Owner is required to submit a 3D Digital Model of the Development

The Owner is required to submit a 3D digital model of the Development including accurately geo-referenced digital data, as outlined in the VMC Submission Protocol, to the satisfaction of the Planning and Growth Management Portfolio, VMC Program. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate

Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is included in the Recommendations of this report.

The Owner has addressed the Vaughan Design Review Panel's comments

The Design Review Panel (the 'Panel'), on September 27, 2018, and March 28, 2019, considered the Development.

At the September 27, 2018 meeting, the Panel commended the vision and ambition of the project and advised that an integrated approach must be considered to ensure the full context of future developments in the surrounding area. The Panel commented that while there is a strong notion of variance in the architecture within the site, there is a need to look at the larger scale to ensure that repetition in context is avoided by varying the expression of the towers as the design further evolves. The Panel raised that the podium heights were too tall which did not contribute to a pedestrian-scaled character.

There were also concerns regarding the symmetrical scheme of the proposal and Panel recommended that the symmetry of the plan be broken down to create a finer grain quality to improve the functionality of the site. The Panel advised that the success and vision of creating a true destination would depend on the character of the retail strategy, as well as programming of the central mews to ensure that the design compliments the proposed retail uses. The Panel encouraged that the quality of the courtyards be refined to ensure that a different character is created from the central mews to capitalize on opportunities to programme them as gathering spacing for people with strong frontages rather than just as a drop-off and vehicular circulation area.

At the March 28, 2019 meeting, the Panel reiterated that the project should consider breaking up the symmetry of the site to increase interest and diversity. The Panel recommended that such a large-scale development should be served by a substantial amenity for both residents and visitors alike. The Panel further suggested that at least a portion of the mews retail functions be opened towards the residential drop-off courtyards to encourage social interaction and promote the use of public spaces, such as the public sitting areas. The public sitting areas at the drop-off should be programmed and designed to balance the functional and operational drawbacks of the vehicular traffic of the drop-off courtyards.

The Panel advised that the podium architecture be revisited to promote more pedestrian activities along Highway 7 and should be designed as an anchor to transition into a finer grain environment as it moves towards the mid-point of the site. The Panel also recommended connecting the east and west rooftop amenity area with an animated

bridge that spans across the mews to further create an inviting setting that attracts activity into the site and the mews.

The Owner has responded to the Panel's comments by proposing four high-rise towers with varied heights of 40, 46, 55 and 59-storey buildings which would contribute to an interesting skyline.

The pedestrian mews is complemented by retail pavilions designed with individual architectural expressions to create an interesting experience for pedestrians along corridor, yet unified by a cohesive landscape and public realm creating a continuous pedestrian experience from Highway 7 south to future developments, including the future cultural/community hub, public park and public school. The architectural expressions of all four towers are more distinct, with fine-grained materiality and detailing. The symmetry of the site has been improved by intruding more variance with the retail and landscape elements, and by providing a variety of different ground floor programming.

Podium heights have been reduced which are more in keeping with the intended human scale of the neighbourhood's residential character. The Development now includes a bridge connecting the two buildings along Highway 7 on the fourth floor and linking the rooftop amenity areas of both buildings spanning across the entrance of the mews.

The drop-off courtyards are complemented with seating areas, pergolas and planting to provide opportunities for gathering to add vibrancy to these more service-oriented spaces that would normally be dominated by vehicles.

Following a series of design workshops to prioritize design matters raised by the Panel and Staff, VMC Program Staff are satisfied that the Owner has addressed the main comments of the Panel through refinements in the Development subject to the Recommendations in this report.

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

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

- a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan

Development Planning Department, Urban Design and Cultural Heritage Division immediately; and

- b) If human remains are encountered during construction activities, the Owner must cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division. A condition to include the above clauses in the Site Plan Agreement is included in the Recommendations of this report.

The Development Engineering Staff, VMC Program has no objection to the Development, subject to the conditions of approval in this report

The VMC Program has reviewed the Applications and have no objection to the Development in-principle. Final engineering plans and reports including the grading, servicing, erosion sediment control plans, Functional Servicing Report, Stormwater Management Report, Geotechnical and Hydrogeological Investigation Report, Noise Impact Study, Traffic Impact Study and Transportation Demand Management Plan must be approved to the satisfaction of the VMC Program, along with any outstanding review fees that must be paid prior to execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report as shown on Attachment 20. The following comments are provided below:

Water Supply

The Subject Lands are located within the City of Vaughan Pressure District 6 (PD6). There is a municipal watermain (300mm diameter) adjacent to the site on Interchange Way. The Owner proposes to construct a new municipal watermain (400mm diameter) on Commerce Street and a new municipal watermain (300mm diameter) on proposed Street A. To service the Development, the Owner proposes to connect Tower A to the proposed watermain on Commerce Street, Towers B and D to the proposed watermain on Street A, and Tower C to the existing watermain on Interchange Way. There are sufficient sources of potable water to support the development.

Sanitary Sewer

The Functional Servicing and Stormwater Management Report ('FSR'), prepared by Stantec Consulting Ltd., dated January 2020 submitted in support of the Development recommends the following upgraded infrastructure as part of this development:

- Upgraded sanitary sewer on Commerce Street from 250mm diameter to newly constructed 300mm diameter. Tower A is to be serviced directly to this proposed sanitary sewer

- Newly constructed sanitary sewer on Street A ranging from 300mm diameter to 450mm diameter. Towers B and D are to be serviced directly to this proposed sanitary sewer

The above proposed municipal sanitary sewers connect to the upgraded Interchange Way Sanitary Sewer (900mm diameter) which is being built by others. Tower C is to be serviced directly to the 900mm diameter sanitary sewer on Interchange Way.

The Owner is required to enter into a Development Agreement with the City for the design and construction of the proposed municipal sanitary sewers to the satisfaction of the City. The Owner shall design the sewer to be able to accommodate the flows from the entire lands and any associated external flows. A condition to this effect is in the Recommendations of this report.

Storm Sewer

The FSR demonstrates that the post-development flows will be controlled to the existing flows by proposing underground tanks and orifice controls. In addition, there are proposed municipal storm sewers for Street A to Commerce Street ranging from 300mm-675mm diameter connecting to an existing storm sewer system through a municipal easement. Ultimately, minor and major flows from the site are conveyed to an existing storm water management (SWM) facility (Interchange Pond) located within the south-west quadrant of the VMC. This existing SWM pond is proposed to be retrofitted in the future to accommodate development within the VMC, which would provide water quality, quantity and erosion control for the southwest quadrant of the VMC, including the Subject Lands. As part of the overall VMC development, a stormwater management treatment train approach has been adopted; as such, stormwater quantity and water balance controls are required on-site.

The City has completed a Municipal Servicing Master Plan (MESP) which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth in the VMC Secondary Plan Area. A future MESP update will state the trigger for when the Interchange Pond retrofit will occur. It will analyze the stormwater management strategy for the south-west quadrant and make recommendations for retrofit / upgrades / improvements to the stormwater sewer system and any introduction of low impact development measures.

Road Network

The Subject Lands are bound by Highway 7, Interchange Way and Commerce Street. The VMCSPP identifies the requirement for a new east-west local street to the south of the Subject Lands. The proposed east-west local street (Street A) shall be designed to a

standard 22 m right-of-way and may be constructed to an interim condition (south boulevard) until such time as the future development to the south redevelops. The Owner has expressed interest to the City in a potential reconstruction of an underground pedestrian tunnel crossing beneath the local road, which proposes to connect the underground parking garage to a future parking garage to the south, which is subject to further review between the Owner and the City. A condition to this effect is included in the Recommendations of this report.

A widening on Interchange Way to accommodate a minimum 33 m right-of-way is required to support future development growth in the VMC. The Owner will be required to design and construct road improvements and the ultimate streetscape along the west side of Interchange Way from Highway 7 to the proposed Street A at a standard urban level of services. Roadworks and streetscape improvements are required to the west side of Commerce Street. The Owner will be required to design and construct road improvements and the ultimate streetscape on the east side of Commerce Street from Highway 7 to the proposed Street A at a standard urban level of service. The Owner will also design and construct the west side (boulevard) of Commerce Street to an interim condition with ultimate elements from the sidewalk to the road curb including trees/planters, streetlights, utilities, cycle track, curb with ledge for future bridge slab and full road curb. During an interim condition from the trees/planters to the west property line, the sidewalk will be temporary asphalt and sodded between trees with unit pavers reserved for the ultimate condition. Development Charge reimbursement for the ultimate roadworks and streetscape improvements are applicable.

Active Transportation

Pedestrian and cycling infrastructure improvements including traffic calming measures and urbanization of pedestrian facilities are proposed. Two (2) m wide sidewalks are proposed on both sides of all surrounding roads. The mid-block pedestrian mews is designed with high quality unit-pavers, and the Development includes the introduction of dedicated uni-directional cycling facilities along the road network, including existing facilities on Highway 7. A total of 1,505 bicycle parking spaces are proposed on-site, including 1,244 long-term spaces in the form of secure lockers and 261 short-term at-grade access spaces in the form of bicycle rings.

Parking

The Owner has submitted a Transportation Impact Study, which has been reviewed to the satisfaction of the VMC Program. The Owner is proposing three levels of underground parking consisting of 1,581 parking spaces of which 1,112 spaces are allocated for residential uses, 370 for residential visitors and 99 for commercial uses.

These parking spaces are proposed at reduced rates at 0.45 spaces/unit for residential, 0.15 spaces/ unit for residential visitors and 1.20 spaces for commercial uses.

In order to further supplement additional parking spaces to serve the proposed commercial uses on the Subject Lands, the Owner is proposing 90 parking spaces shall be provided off-site in adjacent blocks to the south of the Subject Lands, on a temporary basis, to accommodate residual parking demand, if needed in the near term. The resultant non-residential parking supply is therefore a blended parking ratio of 2.3 spaces per 100 m² GFA in the near term. This strategy allows for the off-site temporary parking spaces to be allocated on different sites as development proceeds and the active transportation network in the VMC evolves over time. The off-site temporary parking spaces may be removed subject to a monitoring study after occupancy, if it can be demonstrated that the 90 parking spaces are not required to serve the site. A condition to this effect has been recommended to be included in the Site Plan Agreement.

Residential visitor and non-resident parking spaces are proposed to be shared as permitted by City By-law 1-88 for mixed-use developments in the VMC. Vehicular parking, including pick-up/drop-off activity, is proposed to be accommodated on-site. Future on-street parking may be considered for the local east-west street which has been designed to accommodate on-street parking on both sides of the road.

The proposal will be constructed in several phases. The Owner is required to submit a Construction Management Plan to reflect the proposed development phasing. A condition to this effect has been added to the Recommendations of this report.

Noise Impact Study

The Owner has submitted a Noise Impact Study, prepared by HGC Engineering dated October 21, 2019, which has been reviewed by Staff. The analysis considered the traffic on Commerce Street, Interchange Way, Highway 7, Jane Street, Highway 400, Highway 407, CN Railway yard, and the surrounding uses.

The Owner shall incorporate the recommended noise attenuation measures from the approved noise report into the design and construction of the proposed buildings within the site including, but not limited to, upgraded façade windows.

Prior to final Site Plan approval, the Owner shall submit a final Environmental Noise and Vibration Impact Study for review and approval by the City. The Owner shall agree in the implementing Site Plan Agreement to implement all recommendations of this study

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

Environmental Site Assessment

The Owner submitted a Phase One Environmental Site Assessment (ESA) report which was reviewed by the Development Engineering Department. No areas of potential environmental concern were identified.

Geotechnical and Hydrogeological Investigation Report

The Owner shall update the final Geotechnical and Hydrogeological Investigation Report for the Development. The Report shall recommend the ground water control measures that need to be implemented during the design and construction of the buildings and municipal services, and assessment of potential water quantity/quality effects due to dewatering activities on the proposed and existing development. The final Report must be approved to the satisfaction of the City. A condition to this effect is included in the Recommendation of this report.

Area Specific Development Charges (ASDC)

The Development is subject to the applicable development charges which include the ASDC, for the infrastructure improvements work resulting from this Development. The City is working with the northwest and southwest VMC quadrant landowners to coordinate servicing and road improvement works with the objective of establishing a coordinated servicing strategy and cost-sharing agreement. Financial commitments shall be secured through a Development Agreement and will be based on the City's latest available cost estimate for the required infrastructure improvements. The Owner will be required to enter into a Development Agreement with the City. The Owner will be required to enter/participate into the Interchange Way trunk sanitary sewer spine services cost-sharing agreement with the City. A condition to this effect is included in the Recommendations of this report.

Sewage and Water Allocation

On December 17, 2019, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The intention is to provide Council its next update in December 2020. Accordingly, servicing capacity to Site Plan DA.18.075 (Phase 1) is available and unrestricted at this time. Servicing capacity for DA.18.075 (Phase 2) will be reserved in conjunction with the site plan approval. Per the Policy, a reservation automatically expires after 1-year or at the City's discretion may be extended. Therefore, in order to better align reservation to DA.18.075 (Phase 2) with annual reporting, the Owner shall formally request an extension, in writing, at least three (3) months prior to the City's anticipated annual update in December 2020. Moving forward, prior to Phase 2 approval and amending the

Site Plan Agreement, the Owner will be required to request formal servicing capacity (to allocate) from the City. As typical, the City will assess the availability of servicing capacity for the site and will formally allocate servicing capacity accordingly.

The following resolution to allocate servicing capacity to DA.18.075 (Phase 1) and reserve servicing capacity to DA.18.075 (Phase 2) of the subject development is recommended for Council approval:

“THAT Site Plan Development Application DA.18.075 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,295 residential apartment units (2,862 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s Allocation of Servicing Capacity Policy in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.” and;

“THAT Site Plan Development Application DA.18.075 (Phase 2) be reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,175 residential apartment units (2,597 persons equivalent). At the discretion of the City, this reservation shall automatically be revoked after a period of twelve (12) months in accordance with the City’s Allocation of Servicing Capacity Policy”.

Staff recommends that prior to the execution of the Site Plan Agreement for Phase 2, the Owner shall formally request servicing capacity (allocation) from the City’s Development Engineering Department, and that the allocation for servicing capacity be approved by City Council for a total of 1,175 units. A condition to this effect has been added to the Recommendations of this report.

Parks Planning Staff, VMC Program have no objection to the Application

Parks Planning Staff has reviewed the Application and has no objection to the proposal.

The Financial Planning and Development Finance Department has no objection to the Development

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

Office of the City Solicitor, Real Estate Department has provided comments

The Legal Services, Real Estate Department has advised that parkland shall be dedicated in accordance with By-law 139-90, as amended by By-law 205-2012 and the

policies outlined in Section 7.3.3 of VOP 2010 Parkland Dedication. The Owner will be required to dedicate parkland and/or pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. Parkland credit calculation will be affected by any existing and/or proposed land encumbrances. The Real Estate Department will assess the credits based on any present easements and/or other types of encumbrances. A clause will be included in the implementing Site Plan Agreement. A condition this effect is included in the Recommendations of this report.

Building and Land Use Permits are required from the Ministry of Transportation Ontario

The Development is located within the Ministry of Transportation Ontario (MTO) Permit control area, and therefore the Public Transportation and Highway Improvement Act regulations apply. The MTO requires that any new buildings or structures, including internal roads and detention ponds, above and below ground, be setback a minimum distance of 14 m from the Highway 407, and Highway 400 property lines. MTO Building and Land-Use permits are required for all buildings, infrastructures and roads located within 46 m from the Highway 407 property line and a radius of 396 m from the centerline of Highway 407 and Jane Street, prior to any construction being undertaken. The Owner must satisfy all requirements and obtain a Building and Land Use Permit from the MTO. A condition to this effect is included in the Recommendations of this report.

NavCanada and Bombardier Aerospace have no objection to the Development

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service and Bombardier Aerospace, Owner and operator of the Toronto Downsview Airport, has advised in a letter dated December 18, 2019, of no objection to the Development.

Canada Post has no objection to the Development

Canada Post has indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility. A condition to this effect is included in the Recommendations of this report.

The School Boards have no objection to the Development

The York District School Board has advised that they will not require a public elementary school site within the Development. The York Catholic District and the French School Boards have no comments or objections to the Development.

The various utilities have no objection to the Development

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

Enbridge Gas Inc. has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge Gas Inc. with respect to the installation and clearance requirements for service and metering facilities. Conditions to this effect is included in the Recommendations of this report.

Bell Canada ('Bell') has no conditions or objections the Development. The Owner is required to contact Bell prior to commencing any work to confirm that enough wire-line communication/telecommunication infrastructure is available. If such infrastructure is unavailable, the Owner shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. A condition to this effect is included in the Recommendations of this report.

Rogers Communication Inc. has no objection to the Development.

Financial Impact

There are no requirements for new funding associated with these Applications.

Broader Regional Impacts/Considerations

York Region has reviewed the application and has no objection to the Development in-principle. York Region has advised, in their letter dated April 1, 2020, that they have no objection to the Development, in principle, subject to addressing York Region's outstanding comments.

Prior to site plan approval, the Owner is required to address York Region Comments dated April 1, 2020. The Owner is also required to enter into a Site Plan Agreement with York Region. York Region's comments and conditions are included in Attachment 19, which must be addressed prior the execution of the Site Plan Agreement and in accordance with the Recommendations of this report.

Conclusion

The VMC Program has reviewed Official Plan and Zoning By-law Amendment Files OP.19.006, Z.19.017 and Z.19.018, and Site Development File DA.18.075 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region and City Official Plan policies, the requirements of By-law 1-88, comments from City Departments, external public agencies, the public and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the VMCSPP.

The VMC Program is satisfied that the Development represents good planning for the reasons identified in this report, and that the Owner's contribution of community benefits is appropriate. Accordingly, the VMC Program supports the approval of the Applications, subject to the conditions included in the Recommendations of this report.

For more information, please contact Jessica Kwan, VMC Senior Planner, Extension 8814

Attachments

1. Context and Location Map
2. Proposed Ultimate Site Plan
3. Proposed Ultimate Landscape Plan
4. Proposed Phasing & Interim Landscape and Site Plan - Phase 1
- 4A. Proposed Phasing & Interim Landscape and Site Plan - Phase 2
5. Proposed North Elevation – View from Highway 7
6. Proposed East Elevation – View from Interchange Way
7. Proposed West Elevation – View from Commerce Street
8. Proposed South Elevation - View from Proposed Street 'A'
9. Proposed View Looking East from Development
10. Proposed View Looking West from Development
11. Proposed View Looking North from Development
12. Perspective Rendering – Pedestrian Mews and Privately-Owned Public Space
13. Perspective Rendering – Southeast View of Development from Highway 7
14. Perspective Rendering – Podium View from Highway 7 Looking East
15. Perspective Rendering – Entrance to Pedestrian Mews from Highway 7
16. Perspective Rendering – Courtyard View from Street 'A'
17. Perspective Rendering – Residential Courtyard, Phase 1
18. Perspective Rendering – Residential Courtyard, Phase 2
19. York Region Comments – April 1, 2020
20. Conditions of Site Plan Approval (City of Vaughan)

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