

Committee of the Whole (Public Meeting) Report

DATE: Monday, May 30, 2022

WARD(S): 5

TITLE: 1494096 ONTARIO INC.

OFFICIAL PLAN AMENDMENT FILE OP.21.030

ZONING BY-LAW AMENDMENT FILE Z.21.058

80 GLEN SHIELDS AVENUE

VICINITY OF GLEN SHIELDS AVENUE AND DUFFERIN STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on applications to amend the Official Plan and Zoning By-law for the subject lands shown on Attachment 1. The Owner proposes a development consisting of a 7 and 9-storey mixed-use residential building connected by a 4-storey podium with a Floor Space Index of 2.5 times the lot area, containing 155 residential dwelling units, 43 independent living units, with 1661.09 m² of ground floor commercial uses, 467.48 m² of day nursery space at grade and 225 parking space at grade and within 2 levels of underground parking as shown on Attachments 2 to 6.

Report Highlights

- To receive comments from the public and the Committee of the Whole on proposed amendments to the Official Plan and Zoning By-law to facilitate the development of a 7 and 9-storey mixed-use residential building, with a connected podium containing a total of 155 residential dwelling units, 43 independent living units, ground floor commercial and day nursery uses having an FSI of 2.5 times the lot area, combined with a total of 225 parking spaces located at-grade and within a 2-level underground parking garage as shown on Attachments 2 to 6
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.21.030 and Z.21.058 (1494096 Ontario Inc.) BE RECEIVED, and that any issues identified by the Development Planning Department be addressed in a comprehensive report to the Committee of the Whole.

Background

Location: 80 Glen Shields Avenue (the 'Subject Lands'). The Subject Lands are located on the north side of Glen Shields Avenue, west of Dufferin Street. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: December 10, 2020

Date applications were deemed complete: March 23, 2022

Official Plan and Zoning By-Law Amendment applications have been submitted to permit the proposed development

1494096 Ontario Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachment 1 to permit the development of a 9 and 7-storey mixed-use building connected by a 4-storey podium containing a total of 155 residential dwelling units, 43 independent living units, 1,661.09 m² of ground floor commercial uses and 467.48 m² of day nursery space having an FS1 of 2.5 times the area of the lot, combined with a total of 225 parking spaces located at-grade and within a 2 level underground parking garage (the 'Development'), as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.21.030 to amend Vaughan Official Plan 2010 ('VOP 2010') to redesignate the Subject Lands from "Low-Rise Mixed-Use" to "Mid-Rise Mixed-Use" to permit a maximum building height of 9 and 7-storeys and a maximum FSI of 2.5 times the lot area.
2. Zoning By-law Amendment File Z.21.058 to rezone the Subject Lands as follows:
 - a) to amend Zoning By-law 1-88 to rezone the Subject Lands from "C3 Local Commercial Zone", subject to site-specific Exception 9(465) as shown on Attachment 1, to "RA3 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report; and,
 - b) to amend Zoning By-law 001-2021 to rezone the Subject Lands from "NC Neighbourhood Commercial Zone", subject to site-specific exception 14.266 as shown on Attachment 1, to "MMU Mid-Rise Mixed Use" in the manner shown on Attachment 2, together with the site-specific exceptions identified in Table 2 of this report.

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

- a) Date the Notice of Public Meeting was circulated: May 6, 2022.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along Glen Shields Avenue in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 250 m of the Subject Lands (Attachment 1) and to anyone on file with the Office of the City Clerk having requested notice.

The Development Planning Department has received written comments from the following individuals:

- Sandy Nicolaou, April 1, 2022
- Christopher Seepe, April 2, 2022
- Gino Muia, Quaker Ridge, April 5, 2022
- Vlad Skorokhod, April 14, 2022
- Marija Opadjko, April 22, 2022
- Mr. Kotsalis email dated, April 28th, 2022
- Rosa Iaboni, May 10, 2022
- Joseph Pallotta, Quaker Ridge Road, May 10, 2022
- Anna Hollinger, May 10, 2022
- Lorraine Postles, Riviera Drive, May 11, 2022

The following is a summary of written comments received as of May 17, 2022. The comments are organized by theme as follows:

Location

- Rental buildings should be located next to major arterial roads and not in a low rise established neighbourhood.

Privacy, Shadow and View

- the building height will cause shadow and privacy impacts and obstruct the view of existing residents on adjacent properties including the park

Access, Traffic and Parking

- the Development will increase traffic congestion in the area and impact vehicle and pedestrian safety

Density, Built Form and Building Design

- the Development will be the tallest building in the area and is not compatible with the surrounding urban context

The following comments are in support of the development:

- The Development will improve housing affordability
- The Development will increase and diversify the housing inventory

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

Previous Reports/Authority

Not Applicable

Analysis and Options

Amendments to VOP 2010 are required to permit the Development

Official Plan Designation:

- “Community Area” on Schedule 1 – Urban Structure by VOP 2010
- “Low-Rise Mixed-Use” on Schedule 13 – Land Use by VOP 2010
- The site-specific designation permits a maximum height of 4-storeys and an FSI of 1.5 times the lot area
- The designation permits townhouses, stacked townhouse, low-rise buildings and retail space with a maximum gross floor area of 500 square meters
- An amendment to VOP 2010 is required to redesignate the Subject Lands to “Mid-Rise Mixed-Use” and permit a maximum building height of 7 and 9-storeys and maximum FSI of 2.5 times the area of the lot

Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021, in accordance with the *Planning Act*. The last date for filing an appeal to the Ontario Land Tribunal (‘OLT’) in respect of By-law 001-2021 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended.

Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended.

The Application was received by the City on January 11, 2022, and as such, given Council’s direction on October 20, 2021, the Applications are subject to dual review under both Zoning By-law 001-2021 and 1-88, as amended.

Amendments to Zoning By-law 1-88 and 001-2021 are required to permit the Development

Zoning By-law 1-88:

- “C3 Local Commercial Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(465)
- This Zone does not permit the Development

- The Owner proposes to rezone the Subject Lands to “RA3 Residential Apartment Three Zone” as shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
a.	Bicycle Parking Space, Long Term	Means a locked room within a building or part of a building used for exclusive parking of bicycles	Shall not apply
b.	Minimum Front Yard (Glen Shields Avenue)	7.5 m	4.58 m
c.	Minimum Rear Yard	7.5 m	5.08 m
d.	Minimum Interior Side Yard	East tower: 16.2 m West tower: 12.7 m	East tower: 11.5 m West tower: 4.6 m
e.	Minimum Lot Area Per Unit	67 m ²	40.8 m ²
f.	Permitted Uses	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery 	Permit the following additional uses: <ul style="list-style-type: none"> - Independent Living Facility - Retail Use - Supermarket
g.	Definition “Independent Living Facility”	Means a building or part of a building containing four (4) or more dwelling units with no more than two (2) bedrooms per dwelling unit used for independent living accommodation of senior citizens	Means a building or part of a building containing four (4) or more dwelling units with no more than three (3) bedrooms per dwelling unit used for independent living accommodation of senior citizens
h.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces/unit x 155 units = 233 spaces <u>Independent Living Facility</u> 1 space/unit x 43 units = 43 spaces	<u>Residential</u> 141 spaces <u>Independent Living Facility</u> 26 spaces

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
		<p><u>Visitor</u> 0.25 spaces/unit x 155 units = 39 spaces</p> <p><u>Commercial Use</u> 6 spaces/100 m² x 1661.09 m² = 100 spaces</p> <p><u>Day Nursery</u> 1.5/employee x 5 employees = 8 spaces</p> <p>Total Parking Required = 423 spaces</p>	<p><u>Visitor and Commercial</u> 51 spaces</p> <p><u>Day Nursery</u> 7 spaces</p> <p>Total Parking Provided = 225 spaces</p>
i.	Minimum Amenity Area	<p>130 One Bedroom Unit x 20 m²/unit = 2600 m²</p> <p>44 Two Bedroom Unit x 55 m²/unit = 2420 m²</p> <p>24 Three Bedroom Unit x 90 m²/unit = 2160 m²</p> <p>Total required amenity area = 7180 m²</p>	Provide a total amenity area of 6,401 m ²
j.	Minimum Landscape Area (Glen Shields Avenue)	6 meters in width	4.58 m in width

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting.

Zoning By-law 001-2021:

- “NC Neighbourhood Commercial Zone” subject to site-specific Exception 14.266 by Zoning By-law 001-2021
- This zone does not permit the Development
- The Owner proposes to rezone the Subject Lands to “MMU Mid-Rise Mixed-Use” in the manner shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 2:

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed Use Zone Requirement
a.	Bicycle Parking Space, Long-term	Means a bicycle parking space located in a locked room within a building or part of a building for the exclusive use of parking bicycles	Shall not apply (Will not be in an enclosed room)
b.	Minimum Front Yard (Glen Shields Avenue)	5 m	4.5 m
c.	Minimum Rear Yard	7.5 m	5.0 m
d.	Podium and Tower Requirements	Maximum tower floor plate: 850 m ² Minimum required tower setback from the rear and interior side lot line 12.5 m	East Tower: 1,085 m ² West Tower: 1,013 m ² Rear Yard - 5.0 m East Side - 4.6 m (at 6 Storey Terrace)
e.	Permitted Encroachments into Required Yards	Ornamental building feature: maximum of 0.6 m into the front yard Hard landscape: encroach up to 0.6 m to a lot line	Ornamental building feature: maximum of 2.66 m into the front yard shall not apply
f.	Definition "Independent Living Facility"	Means a building or part of a building containing four (4) or more sleeping units intended to accommodate people of common circumstance the ability to reside together and is managed and operated for the purposes of encouraging and supporting the independence of its residents	Means a building or part of a building containing four (4) or more dwelling units with no more than three (3) bedrooms per dwelling unit used for independent living accommodation of senior citizens
g.	Minimum Parking Requirements	<u>Residential</u> Minimum: 155 units x 0.8spaces/unit = 124 spaces Maximum: 155 units x 2 spaces/unit = 310 spaces	<u>Residential</u> 141 spaces

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed Use Zone Requirement
		<p><u>Independent Living Facility:</u> Minimum: 1 space/4 bedrooms= $67/4=16.75 \times 1$ = 16.75 spaces</p> <p>Maximum: 2 spaces/4 bedrooms = $67/4 = 16.75 \times 2$ = 33.5 spaces</p> <p><u>Visitor</u> 0.2 spaces/unit x155 units = 31 spaces</p> <p><u>Commercial Use</u> (retail and supermarket) Commercial use @ 1,661.09 m² Min: $2/100 = 35$ spaces Max: $4.5/100 = 76$ spaces</p> <p><u>Day Nursery</u> 0.6/employee x 5 employees = 3 spaces</p> <p>Total Parking Required Minimum = 210 spaces Maximum = 454 spaces</p>	<p><u>Independent Living Facility:</u> 26 spaces</p> <p><u>Visitor and Commercial Use</u> 51 shared parking spaces</p> <p><u>Day Nursery</u> 7 spaces</p> <p>Total Parking Provided = 225 spaces</p>
h.	Minimum Long-Term Bicycle Parking Space	159	149
i.	General Provisions for Long-term Bicycle Parking Spaces	Long-term bicycle parking space shall be located on the ground floor	The proposed Long-term bicycle parking spaces are located below grade (P1 and P2)
j.	General Provisions for Short-term Bicycle Parking Spaces	A short-term bicycle parking space shall have a minimum setback of 0.6 metres from the nearest lot line	Shall not apply

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed Use Zone Requirement
		A short-term bicycle parking space shall have a minimum setback of 3.0 metres from a parking area	
k.	Maximum Outdoor Amenity Area Requirement (20% of the minimum required outdoor amenity area)	11 m ² outdoor amenity area on rooftop or terrace	718.92 m ²
l.	Minimum Required Landscaping Strip	5 m	4.5 m
m.	Loading Spaces	<u>Residential</u> 1 Type D @ 4 m(w) x 13.0 m(l) x 6.1 m(h) Supermarket - 1-1999 m ² : 1 Type A @ 3.5m (w) x 17 m (l) X 4.4 m (h)	2 spaces @ 3.5 m (w) x 9 m (l) x 4.2 m (h)

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting.

Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010

	MATTERS TO BE REVIEWED	COMMENT(S)
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height, density, massing, retail uses at grade ▪ The appropriateness of the rezoning and site-specific exceptions identified in Tables 1 and 2 will be reviewed in consideration of the existing and planned surrounding land uses as well as traffic and on-site parking capacity
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines
f.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The DRP must review the Applications prior to proceeding to the Committee of the Whole
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, the Toronto and Region Conservation Authority (TRCA) and external public agencies and utilities, municipalities, and the Public, Separate, and French School Boards ▪ The Subject Lands is within a TRCA regulated area due to its proximity to a valley corridor system (Natural System) associated with the Don River tributary. As such, a TRCA permit pursuant to Ontario Regulation 166/06 will be required for the Development on the Subject Lands.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The Natural System and any associated buffer areas will need to be appropriately designated and zoned ‘Open Space’ or ‘Environmental Protection’ to prohibit development in these areas
h.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan’s Policies and Sustainability Metrics Program. The Development provides a silver score of 50
i.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy
j.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	<ul style="list-style-type: none"> ▪ The Applications will be subject to and reviewed in consideration of the City’s bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i>) policies of VOP 2010, and the City’s Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits ▪ As of the date of this report the in-effect Section 37 policies are subject to amendment via the <i>COVID-19 Economic Recovery Act, 2020</i>; however, those amendments are not yet in effect. These amendments to the <i>Planning Act</i> made through the <i>COVID-19 Economic Recovery Act, 2020</i> propose to replace the current Section 37 policy regime with a new authority known as a Community Benefit Charge (‘CBC’), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land ▪ Should the two-year transition period regarding the CBC regime pass (from the date of proclamation which as of August 7, 2020 has not yet occurred) or should the City pass a CBC By-law under the amendments to the <i>Planning Act</i> (which have not yet been proclaimed to come into effect) prior to the approval of any Zoning By-law Amendment for the Subject Lands, the CBC By-law would be the applicable mechanism used to collect community benefits (and not the City’s existing Section 37 policies and guidelines)

	MATTERS TO BE REVIEWED	COMMENT(S)
k.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City’s affordable housing goals
l.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Site Development File DA.21.072, it will be reviewed concurrently with the Applications, and in consideration of, but not limited to, the following: <ul style="list-style-type: none"> - access to the site - appropriate location of the outdoor play area for the day nursery - the height of the building over the driveway access and whether it is sufficient for delivery and waste management trucks to enter into the site - appropriate location of bike storage area - exterior building façade and building materials
m.	Draft Plan of Condominium	<ul style="list-style-type: none"> ▪ Draft Plan of Condominium Application(s) will be required, if the Applications are approved, to establish the future ownership tenure(s) for the buildings

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered. Confirmation from the City of adequate water and wastewater services will be required prior to York Region providing any potential clearance on the Applications. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.21.030. At the time of the preparation of this report, exemption from York Region approval was not confirmed. Any issues will be addressed when the comprehensive report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact OluwaKemi (Kemi) Apanisile, Planner, Development Planning Department, ext. 8210.

Attachments

1. Context and Location Map
2. Proposed Official Plan Designation, Zoning and Site Plan
3. Landscape Plan
4. Building Elevations - North and South
5. Building Elevations - East and West
6. Perspective Renderings

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