

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, September 13, 2022

WARD: 4

TITLE: AVENUE 7 DEVELOPMENTS LTD. (VAUGHAN) OFFICIAL PLAN AMENDMENT FILE OP.22.008 ZONING BY-LAW AMENDMENT FILE Z.22.015 DRAFT PLAN OF SUBDIVISION FILE 19T-22V002 2267 HIGHWAY 7 & 7700 KEELE STREET SOUTHWEST

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

<u>Purpose</u>

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.22.008, Zoning By-law Amendment File Z.22.015 and Draft Plan of Subdivision File 19T-22V002 to amend the City of Vaughan Official Plan and Zoning Bylaws 1-88 and 001-2021 for the subject lands shown on Attachment 1, to permit a four phased mixed-use development as shown on Attachments 3 to 6, comprised of:

- Eight residential apartment buildings ranging in height from 6 to 60-storeys
- A total of 3,000 residential units
- A total Gross Floor Area of 259,985 m²
- A Floor Space Index of 7.42 times the area of the lot
- Two new local streets
- A 0.56 ha (1.39 ac) Public Park

Report Highlights

- The Owner proposes a mixed-use development comprised of 8 mixed-use apartment buildings ranging in height from 6 to 60-storeys connected by podiums ranging in height from 1 to 7-storeys.
- Official Plan and Zoning By-law Amendments as well as a Draft Plan of Subdivision are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendation

 That the Public Meeting report for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Files OP.22.008, Z.22.015 and 19T-22V002 (Avenue 7 Developments Ltd.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 2267 Highway 7 and 7700 Keele Street (the 'Subject Lands') are located at the southwest corner of Highway 7 and Keele Street. The Subject Lands are currently occupied by a large commercial building with various tenants as well as a free-standing fast-food restaurant with a drive-through (A&W). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: January 5, 2021

Date applications were deemed complete: June 28, 2022

An Employment Land Conversion was approved for the Subject Lands on October 22, 2020, by York Region Council

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan'), Section 2.2.5.9 requires the assessment of employment land conversion requests to occur through a Municipal Comprehensive Review ('MCR'). Previous to these applications, the Owner submitted an employment land conversion request to York Region for the Subject Lands for consideration through the 2041 MCR (Regional File V13).

Vaughan Committee of the Whole, on May 20, 2020, considered the recommendations presented in a report prepared by the Policy Planning and Special Projects ('PPSP') Department for the 2041 MCR, which included the Subject Lands. The PPSP Department did not support the proposed employment land conversion request to allow non-employment land uses on the Subject Lands and therefore did not recommend its approval to the Committee of the Whole.

Vaughan Council, on May 27, 2020, ratified the recommendations of the report with modifications, and approved the employment land use conversion request for the Subject Lands. York Region Committee of the Whole, on October 15, 2020, considered the recommendations presented in a report prepared by the Commissioner of Corporate Services and Chief Planner for York Region regarding the 2041 MCR. Similar to the City of Vaughan, the report did not support the employment land conversion request for the Subject Lands and recommended that the Subject Lands be designated as "Employment" in the updated Draft York Regional Official Plan ('Draft YROP'). On October 22, 2020, York Region Council ratified the recommendations of the report with modifications and approved the conversion request for the Subject Lands.

Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the proposed development

Avenue 7 Developments Inc. (the 'Owner') has submitted the following applications for the Subject Lands to permit the proposed development (the 'Development') as shown on Attachments 3 to 6:

- 1. Official Plan Amendment File OP.22.008 to amend the policies of the Vaughan Official Plan 2010 (VOP 2010), and Volume 2 of VOP 2010 on the entirety of the Subject Lands as shown on Attachment 1 as follows:
 - a) to amend Schedule 13, Land Use to re-designate the lands from Employment Commercial Mixed-Use to High-Rise Mixed-Use;
 - b) to increase the maximum permitted building height from 10-storeys to 60storeys;
 - c) to increase the maximum permitted Floor Space Index (FSI) from 3.0 to 7.43 times the area of the lot.

Additional amendments to the VOP 2010 may be identified through the review of the first submission.

- 2. Zoning By-law Amendment File Z.22.015 to rezone the Subject Lands as follows:
 - a) to amend Zoning By-law 1-88 to rezone the Subject Lands from 'EM1 Prestige Employment Area Zone' subject to site-specific Exception 9(1322) and 'C6 – Highway Commercial' subject to site-specific Exception 9(784) by Zoning By-law 1-88, as shown on Attachment 2, to 'C9 Corporate Centre Zone and 'OS2 Open Space Park Zone' in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this Report.

- b) to amend Zoning By-law 001-2021 to rezone the Subject Lands from 'EMU Employment Commercial Mixed-Use' subject to site-specific Exception 14.958, and 'EMU – Employment Commercial Mixed-Use' subject to sitespecific Exception 14.487 to 'HMU – High-Rise Mixed Use' and 'OS1 – Open Space Conservation Zone' in the manner shown on Attachment 2, together with the site-specific exceptions identified in Table 2 of this report.
- 3. Draft Plan of Subdivision File 19T-22V002 to facilitate a phased development consisting of the following:

Lots/ Blocks	Land Use	Area (ha)	Units
Block 1 Block 2 Block 3	Mixed-Use Open Space Park Road Widening	3.50 0.56 0.007	3,000
Total		5.06 ha	3,000 units

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

a) Date the Notice of Public Meeting was circulated: August 19th, 2022

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and a Notice Sign was installed along Keele Street and Highway 7 in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 150 m of the Subject Lands as well as the residential subdivision at the southeast corner of Keele Street and Highway 7, to the Concord West Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.

The following is a summary of written and verbal comments received as of August 23, 2022. The comments are organized by theme as follows:

Density, Built Form and Building Design

- The proposed buildings are too tall for the area and are better suited for the VMC Area.
- The sense of community that exists at the southeast corner of Keele Street and Highway 7 (Rockview Gardens) will be lost once the large condominiums are constructed.

Traffic and Safety

- There is already a lot of traffic along Keele Street and the proposal and additional people will add to this already congested area.
- Traffic calming measures should be included along Keele Street.

• The area has seen an increase in crime over the last several years, and the added population to the area may increase this issue and foster additional crime.

Any additional 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 technical report to the Committee of the Whole.

Previous Reports/Authority

The following are links to previous reports regarding the Subject Lands:

May 20, 2020, Committee of the Whole (Item 10, Report No. 20)

October 15, 2020, Committee of the York Region Committee of the Whole, Planning and Economic Development (Item 3, Report C)

Analysis and Options

An amendment to Vaughan Official Plan 2010 is required to permit the development

Official Plan Designation:

- "Regional Intensification Corridors within Employment Areas" on Schedule 1 Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Employment Commercial Mixed-Use" on Schedule 13 Land Use by VOP 2010
- This designation does not permit residential uses or high-rise buildings
- An amendment to VOP 2010 is required to permit residential uses, permitted maximum building height and permitted maximum FSI

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

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 Bylaw 1-88, as amended.

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

The Applications were received by the City on June 6, 2022, and as such, given Council's direction on October 20, 2021, the Applications are subject to a dual review under both Zoning By-law 001-2021 and Zoning By-law 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:

- 'EM1 Prestige Employment Area Zone' subject to site-specific Exception 9(1322) and 'C6 – Highway Commercial' subject to site-specific Exception 9(784) by Zoning By-law 1-88.
- These zones do not permit the uses
- To permit the Development, the Owner proposes to rezone the Subject Lands to 'C9 Corporate Centre Zone' and 'OS2 Open Space Park Zone' in the manner shown on Attachment 2 together with the following site-specific zoning exceptions:

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	Zoning By-law 1- 88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
а.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces per unit x 3,000 units = 4,500 spaces	<u>Residential</u> 0.4 spaces per unit x 3,000 units = 1,200 spaces
		<u>Residential Visitor</u> 0.25 spaces per unit x 3,000 units = 750 spaces	Residential Visitor 0.15 spaces per unit x 3,000 units = 450 spaces
		<u>Retail</u> 6.0 parking spaces per 100 m ² of GFA x 8,086 m ² = 486 spaces	<u>Retail</u> 0.9 spaces per 100 m ² of GFA x 8,086 m ² = 73 spaces
		Community Centre 1.0 space for each 3 persons comprised in the designed maximum capacity x 540 persons = 180 spaces	<u>Community Centre</u> 0.3 spaces/100 m ² of GFA x 540 persons = 4 spaces
		<u>Office</u> 3.5 spaces/100 m ² of GFA x 10,526 m ² = 369 spaces	<u>Office</u> 0.5 spaces/100 m ² of GFA x 10,526 m ² = 53 spaces
		Total of 6,285 spaces required	Total of 1,810 spaces provided
b.	Minimum Landscape Area	6 m in width along a lot line which abuts a street line	1.25 m abutting Keele Street (east lot line) or Street 2

	Zoning By-law 1- 88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
			0 m abutting Highway 7 (north lot line), Street 1 and a daylight triangle
C.	Minimum setback from a lot line to the nearest part of a building below finished grade	1.8 m	0 m
d.	Maximum Building Height	25 m	Building 1:Tower A: 35-storeys, 110 mTower B: 25-storeys, 80 mBuilding 2:Tower A: 45-storeys, 144 mTower B: 60-storeys, 192 mBuilding 3:Tower A: 50-storeys, 162 mOffice Building, 6-storeys, 28 mBuilding 4:Tower A: 25-storeys, 86 mTower B: 20-storeys, 70 m
e.	Where a building is constructed fronting onto Regional Road No. 7.	A minimum of 60% of the gross floor area at the ground floor level shall be composed of commercial uses which provide individual external at- grade pedestrian access to such use.	A minimum of 45% of the gross floor area at the ground level for all buildings shall be composed of non-residential uses including commercial, retail, community and office uses.
f.	Build-To Zone	0 - 3 m (non-residential uses) 3 - 6 m (residential uses)	Shall not apply
g.	Maximum Residential Density (Residential Uses)	67 m ² per dwelling unit	7 m ² per dwelling unit

	Zoning By-law 1- 88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
h.	Maximum Number of residential units on the Subject Lands	n/a	3,000 units
i.	Minimum Front Yard	3 m (residential uses) 0 m (non-residential uses)	0 m for all uses
j.	Minimum Rear Yard	6 m (residential uses) 3 m (non-residential uses)	1.2 m for all uses
k.	Minimum Interior Side Yard	0 m (residential uses) 0 m (non-residential uses)	0 m for all uses
Ι.	Minimum Exterior Yard	3 m (residential uses) 0 m (non-residential uses)	0 m for all uses
m.	Definition - Yard, Front	Means a yard extending across the full width of the lot between the front lot line of the lot and the nearest part of the nearest building or structure or open storage use on the lot.	The front lot line shall be the lot line abutting Highway 7, including that portion comprising a daylight triangle.
n.	Definition - Yard, Rear	Means the yard extending across the full width of the lot between the rear lot line of the lot and the nearest part of the nearest building or structure on the lot or the nearest open storage use on the lot.	The rear lot line shall be the lot line abutting Street 2.
0.	Permitted Yard Encroachments	Exterior stairways, porches and balconies and a bay window or similar projection may extend into a required interior side yard to a maximum distance of 0.3 metres and may extend into a required front, exterior side or	A canopy may encroach into a minimum required rear or exterior side yard provided it is no closer than 0.6 m to the lot line.

Zoning By-law 1- 88 Standard	C9 Corporate Centre Zone Requirement	Proposed Exceptions to the C9 Corporate Centre Zone Requirement
	rear yard to a maximum of 1.8 metres.	

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

Zoning By-law 001-2021:

- "EMU Employment Commercial Mixed-Use" subject to site-specific Exception 14.958, and "EMU – Employment Commercial Mixed-Use" subject to site-specific Exception 14.487.
- These zones do not permit the proposed Development
- The Owner proposes to rezone the Subject Lands to 'HMU High-Rise Mixed Use' and 'Open Space Conservation Zone' in the manner shown on Attachment 2, together with the following site-specific zoning exceptions:

Table 2:

	Zoning By-law 001-2021 Standard	HMU High-Rise Mixed Use Zone Requirement	Proposed Exceptions to the HMU High-Rise Mixed Use Zone Requirement
a.	Definition - Lot Line, Front		Shall be deemed to be Highway 7
b.	Definition - Lot Line, Rear	Means the lot line(s) opposite the front lot line. In the case of a triangular lot, the rear lot line refers to the point of intersection of the side lot lines	Shall be deemed to be the lot line abutting Street 2
C.	Minimum setback of a below-grade parking structure incidental to a below-grade parking structure	3.0 from any lot line	0 m to all lot lines

d.	Minimum Parking Requirements	Residential – Apartment Dwelling 0.8 spaces per unit x 2,980 units = 2,384 spaces	<u>Residential</u> 0.4 spaces per unit x 2,980 units = 1,192 spaces
		<u>Residential - Podium</u> <u>Townhouse Dwelling</u> Min 1.0 per unit x 20 units = 20 spaces	<u>Residential - Podium Townhouse</u> <u>Dwelling</u> 0.4 spaces per unit x 20 units = 8 spaces
		Max 2.0 per unit x 20 units = 40 spaces	
		<u>Residential Visitor –</u> <u>Apartment Dwelling &</u> <u>Podium Townhouse</u> 0.2 spaces per unit x 3,000 units = 600 spaces	<u>Residential Visitor</u> 0.15 spaces per unit x 3,000 units = 450 spaces
		<u>Retail</u> 2.0 parking spaces/100 m ² of GFA over 5,000 m ² of GFA x 8,086 m ² = 162 spaces	<u>Retail</u> 0.9 spaces/100 m ² of GFA x 8,086 m ² = 73 spaces
		Community Centre 1.0 space/100 m ² of GFA x 1,352 m ² = 14 spaces	Community Centre 0.3 spaces/100 m ² of GFA = 4 spaces
		<u>Office</u> Min. 1.4 spaces/100 m ² of GFA x 10,526 m ² = 148 spaces	<u>Office</u> 0.5 spaces/100 m ² of GFA = 53 spaces
		Max. 3.0 spaces/100 m ² of GFA x 10,526 m ² = 32 spaces	
e.	Minimum Front Yard	5 m	0 m
f.	Minimum Rear Yard	7.5 m	1.25 m
g.	Minimum Interior Side Yard	-	0 m
h.	Minimum Exterior Yard	5 m	0 m
i.	Building Height	Minimum 24 m	<u>Building 1:</u> Tower A: 35-storeys, 110 m
		Maximum 88 m	Tower B: 25-storeys, 80 m

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			<u>Building 2:</u> Tower A: 45-storeys, 144 m Tower B: 60-storeys, 192 m <u>Building 3:</u> Tower A: 50-storeys, 162 m Office Building, 6-storeys, 28 m <u>Building 4:</u> Tower A: 25-storeys, 86 m Tower B: 20-storeys, 70 m
j.	Minimum Tower Separation	30 m	25 m
k.	Podium Height	Minimum 24 m Maximum 88 m	Building 1:Tower A Podium Height 18 mTower B Podium Height 18 mBuilding 2:Tower A Podium Height 21 mTower A Podium Height 21 mBuilding 3:Tower A Podium Height 21 mBuilding 3:Tower A Podium Height 8 mOffice Building Podium Height 8 mOffice Building Podium Height 8 mOffice Building Podium Height 18 mOffice Building Podium Height 18 mTower A Podium Height 18 mOffice Building Podium Height 18 mTower A Podium Height 15 mTower A Podium Height 15 mTower B Podium Height 15 m
Ι.	Minimum Tower Setback from any Rear Lot Line	12.5 m	0 m
m.	Minimum Tower Setback from any Interior Side Lot Line	12.5 m	0 m
n.	Required Build-to Zone	The build-to zone shall apply to a minimum of 50% of the street frontage for a corner lot. 5 – 10 m	Shall not apply.

0.	Minimum Required Amenity Area	Apartment Dwelling Units 8.0 m^2 for the first 8 units,and an additional 5.0 m² foreach additional unit x 2,980units = 14,924 m²Podium TownhouseDwelling Units10.0 m² for the first 8 units,and an additional 8.0 m² foreach additional unit x 20units = 176 m²Total amenity area required=15,100 m²	4 m ² /dwelling unit x 3,000 units = 12,000 m ²
р.	Minimum Landscape Strip Abutting a Street Line	5.0 m	0 m abutting Highway 7 0 m abutting Street 1 or a Daylight Triangle 1.25 m along any other Street Line
q.	Maximum Number of Residential Units	n/a	3,000

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical 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	 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.
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	 The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density, and retail uses at grade.

	MATTERS TO BE REVIEWED	COMMENT(S)
		 The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses.
C.	Draft Plan of Subdivision	 Should the Applications be approved, the required conditions will be included to address site access, road alignments and connections, servicing and grading, environmental, noise, and other municipal, regional and public agency and utility requirements
d.	Studies and Reports	 The Owner submitted studies and reports in support of the Applications available on the city's website at <u>https://maps.vaughan.ca/planit/</u> (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.
e.	Allocation and Servicing	 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.
f.	Urban Design Guidelines	 The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines and the Concord West Urban Design Guidelines + Streetscape Plan – 2012.
g.	Design Review Panel ('DRP')	 The DRP must review the Applications prior to proceeding to the Committee of the Whole
h.	Public Agency/Municipal Review	 The Applications must be reviewed by York Region, the Toronto and Region Conservation Authority (TRCA), NavCanada, Bombardier Aerospace, CN Rail and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.
i.	Sustainable Development	 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 36.

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Parkland Dedication	 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.
k.	The CBC By-law will be applicable	 The development meets the criteria for Community Benefits Charges ('CBC') (5 or more storeys and 10 or more units). The City will pass a CBC By-law prior to the approval of the proposed Zoning By-law Amendment for the Subject Lands. The CBC By-law is therefore the applicable mechanism used to collect community benefits (and not the City's previous Section 37 policies and guidelines)
I.	Affordable Housing	 The Applications will be reviewed in consideration of Provincial, Regional and City policies 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.
m.	CN Rail Yard	 The Subject Lands are in close proximity to the CN Rail Yard (within 300 m) and other owned CN Lands. The Applications will be reviewed in consideration of CN's 1,000 m Area of Influence for the railway to address land use compatibility, set back requirements, and noise, air and odor assessments. Comments have been received by CN.
n.	School Boards	 The YRDSB has provided comments and they have concerns with the number of children to be accommodated from the development. The YRDSB notes that the School Board will not have sufficient space to accommodate this growth. This will need to be reviewed and evaluated as part of the review process for these Applications.
0.	Required Applications	 The Owner is required to submit Site Development and Draft Plan of Condominium Applications, should the Applications be approved, to permit the Development and to facilitate the standard condominium tenure.

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. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.22.008. At the time of the preparation of this report, exemption from York Region approval was not confirmed.

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 Christina Ciccone, Senior Planner, Development Planning Department, ext. 8773.

Attachments

- 1. Context and Location Map
- 2. Proposed Official Plan Designation, Zoning and Site Plan
- 3. Landscape Plan
- 4. Building Elevations North (Facing Highway 7)
- 5. Building Elevations East (Facing Keele Street)
- 6. Perspective Rendering

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