

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 6, 2022 **WARD:** 5

TITLE: DANIELS BAIF THORNHILL INC.
ZONING BY-LAW AMENDMENT FILE Z.22.033
7950 BATHURST STREET
VICINITY OF BATHURST STREET AND BEVERLY GLEN
BOULEVARD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole to permit the additional ground floor commercial uses of an Eating Establishment - Take Out, Eating Establishment – Convenience, Regulated Health Professional Office or Clinic, Personal Service Shop, Pet Grooming Establishment, Pharmacy, and a Bank or Financial Institution, within the approved high-rise mixed-use residential apartment buildings on the Subject Lands as shown on Attachments 1 and 2.

Report Highlights

- The Owner proposes to permit additional ground floor commercial uses in the site-specific zoning by-law for the Subject Lands.
- No increase to the permitted commercial GFA is proposed
- No proposed change to the location of the at grade commercial GFA
- No revisions to the approved site plan are proposed.
- 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.

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.22.033 (Daniels Baif Thornhill Inc.) 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: 7950 Bathurst Street (the 'Subject Lands') is located on the northwest corner of Bathurst Street and Beverley Glen Boulevard, north of Centre Street. The Subject Lands and the surrounding land uses are shown on Attachment 1. The Subject Lands are currently under construction for two mixed-use apartment buildings containing 519 units and 585.64 m² of commercial gross floor area (GFA).

Date of Pre-Application Consultation Meeting: April 14, 2022

Date application was deemed complete: October 26, 2022

Previous applications for an Official Plan Amendment, Zoning by-law Amendment, Lifting of the Holding Symbol (H) By-law and Site Development were approved

Council, on January 20, 2015, approved Official Plan and Zoning By-law Amendment Files OP.12.019 and Z.12.047 to permit four high-rise mixed-use residential apartment buildings with maximum building heights of 15-storeys, 25-storeys, 12-storeys and 6-storeys for Buildings "A", "B", "C" and "D" respectively as shown on Attachment 2, with a floor space index ('FSI') of 4.35, a maximum of 797 dwelling units, and 586 m² GFA of at grade retail and convenience retail uses. OPA #748 (By-law 179-2015) and By-law 180-2015 were enacted by Vaughan Council on November 17, 2015.

By-law 174-2019, to lift the Holding Symbol "(H)" (File Z.19.014), was enacted by Vaughan Council on November 19, 2019.

A Zoning By-law Application has been submitted to permit the additional uses

The Owner has submitted Zoning By-law Amendment File Z.22.033 (the 'Application') to amend Zoning By-law 1-88 and 001-2021 to permit additional commercial uses (the 'additional commercial uses') on the Subject Lands as shown on Attachments 1 and 2.

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

- a) Date the Notice of Public Meeting was circulated: November 11, 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 Bathurst Street and Beverley Glen Boulevard in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within the extended Polling Area as shown on Attachment 1, and to the Beverley Glen Ratepayers Association and to anyone on file with the Office of the City Clerk having requested notice.

- c) No comments have been received as of November 21, 2022, by the Development Planning Department.

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:

[January 13, 2015, Committee of the Whole Files OP.12.019 and Z.12.047](#)

[October 7, 2019, Committee of the Whole File DA.19.011](#)

Analysis and Options

The proposed development conforms with Vaughan Official Plan 2010

Official Plan Designation:

- “Community Area” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- “High-Rise Mixed-Use” by VOP 2010 Schedule 13 -Land Use with a maximum building height of 25-storeys, and an FSI of 4.35
- This designation permits ground floor commercial uses

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 compliance with both Zoning By-law 001-2021 and Zoning By-law 1-88, as amended.

The Application was received by the City on October 7, 2022, and as such, given Council’s direction on October 20, 2021, the Application is subject to a dual review under both Zoning By-law 001-2021 and Zoning By-law 1-88.

Amendments to Zoning By-law 1-88 are required to permit the development **Zoning:**

- RA3 Apartment Residential Zone by Zoning By-law 1-88, subject to site-specific Exception 9(1429)

- This Zone only permits a convenience retail store and a retail store up to a combined maximum of 585.64 m² but does not permit the additional commercial uses proposed
- The Owner proposes to permit the additional commercial uses:
 - an Eating Establishment - Take Out,
 - Eating Establishment – Convenience,
 - Regulated Health Professional Office or Clinic,
 - Personal Service Shop,
 - Pet Grooming Establishment,
 - Pharmacy; and,
 - Bank or Financial Institution
- 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	<ul style="list-style-type: none"> ▪ The Application 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 the Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the additional commercial uses will be reviewed in consideration of the existing and planned surrounding land uses
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Application 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.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Application must be reviewed by York Region and external public agencies and utilities
e.	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 Gold score of 62

Financial Impact

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

Broader Regional Impacts/Considerations

The Application has 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.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. 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 Carol Birch, Planner, Development Planning Department, ext. 8485.

Attachments

1. Context and Location Map
2. Approved Site Plan and Zoning

Prepared by

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Approved by



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