

Committee of the Whole (2) Report

DATE: Monday, December 12, 2022

WARD: 3

TITLE: G GROUP MAJOR MACKENZIE INC.
OFFICIAL PLAN AMENDMENT FILE OP.21.019
ZONING BY-LAW AMENDMENT FILE Z.21.040
3812 MAJOR MACKENZIE DRIVE WEST
VICINITY OF MAJOR MACKENZIE DRIVE WEST AND WESTON
ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole of the Recommendations contained in this report to refuse Official Plan and Zoning By-law Amendment Files OP.21.019 and Z.21.040 respecting the subject lands shown on Attachment 1.

Report Highlights

- The Owner proposes amendments to the Official Plan and Zoning By-law to permit the development of 5 residential and mixed-use buildings, ranging in height from 11 to 36 storeys consisting of 3,013 residential dwelling units and a Floor Space Index (density) of 5.78 times the area of the lot.
- The statutory Public Meeting for the applications took place on March 1, 2022.
- On June 14, 2022, the Owner appealed the applications for to the Ontario Land Tribunal.

Report Highlights continued

- Staff do not support the applications as they are not consistent with the Provincial Policy Statement, 2020, do not conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan, 2010, and Vaughan Official Plan, 2010.
- Staff seek endorsement from the Committee of the Whole to refuse the applications .

Recommendations

That the Ontario Land Tribunal be advised that City of Vaughan Council ENDORSES the following recommendations:

1. THAT Official Plan Amendment File OP.21.019 (G Group Major Mackenzie Inc.) BE REFUSED, to amend the Vaughan Official Plan to redesignate the subject lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” with a permitted maximum height of 36 storeys and a Floor Space Index (density) of 5.78 times the area of the lot;
2. THAT Zoning By-law Amendment File Z.21.040 (G Group Major Mackenzie Inc.) BE REFUSED, to amend Zoning By-law 1-88 to rezone the subject lands from “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)”, subject to site-specific Exception 9(1351) to “RA3 Apartment Residential Zone” and “OS2 Open Space Park Zone”, as shown on Attachment 2, together with site-specific zoning exceptions identified on Table 1; and
3. THAT Zoning By-law Amendment File Z.21.040 (G Group Major Mackenzie Inc.) BE REFUSED, to amend Zoning By-law 001-2021 to rezone the subject lands from “RM2(H) Multiple Residential Zone 2” with the Holding Symbol “(H)” and “OS1 Public Open Space Zone” by Zoning By-law 001-2021, subject to site-specific exception 14.985 to “HMU High-Rise Mixed-Use Zone” and “OS1 Public Open Space Zone”, as shown on Attachment 2, together with the site-specific zoning exceptions identified on Table 2.

Background

The subject lands (the ‘Subject Lands’) shown on Attachment 1 are municipally known as 3812 Major Mackenzie Drive West and are located at the northwest corner of Major Mackenzie Drive West and Weston Road. The Subject Lands currently contain a small steel-clad storage structure and the outside storage of vehicles and trailers. The remainder of the Subject Lands are vacant. The Subject Lands and surrounding land uses are shown on Attachment 1.

Previous applications were submitted and approved by the OLT on the Subject Lands

On November 23, 2011, the Ontario Municipal Board ('OMB'), now known as the Ontario Land Tribunal ('OLT'), approved Official Plan Amendment ('OPA') No. 712 (File OP.08.010) and Zoning By-law 234-2010 (File Z.08.039) for the Subject Lands (OMB File Nos. PL10154 and PL110137).

OPA 712 and Zoning By-law 234-2010 permitted a mixed-use residential and commercial development consisting of two 12-storey residential apartment buildings and two commercial buildings with maximum building heights of 2 and 3 storeys, and an FSI of 1.581 times the area of the lot, as shown on Attachment 7. The residential component was approved for a total of 430 apartment dwelling units and semi-detached and block townhouse units (comprising a maximum of 68 block townhouse and two semi-detached dwelling units or a maximum of 70 block townhouse units) with a residential gross floor area ('GFA') of 55,707 m². The commercial component was approved with a combined GFA of 2,473 m².

The approved height, density and land use permissions for the Subject Lands were carried forward into Schedule 13 – Land Use of Vaughan Official Plan 2010.

On January 28, 2014, the previous owner submitted an application for Draft Plan of Subdivision (File 19T-14V001) to create the blocks to facilitate the development of the Subject Lands for residential uses, commercial/retail/office uses, and a park, in accordance with the permitted uses and development criteria established by OPA 712 and Zoning By-law 234-2010. The Committee of the Whole (Public Meeting) Report for the Draft Plan of Subdivision was considered by Vaughan Council on April 29, 2014; however, a comprehensive report was not prepared by the Development Planning Department for consideration at a future Committee of the Whole meeting as the application was not pursued by the previous Owner.

In addition to the above-noted applications, Site Development applications (Files DA.14.007 and DA.14.008) were submitted by the previous Owner to facilitate the development of the commercial and residential uses on the Subject Lands but was not pursued. Zoning By-law Amendment File Z.14.004 was also submitted to facilitate the removal of the holding symbol '(H)' which had been applied on a portion of the Subject Lands through Zoning By-law Amendment File Z.08.039 but was also not pursued.

Should the Official Plan and Zoning By-law Amendment applications be approved, the Owner will revise Draft Plan of Subdivision File 19T-14V001 and Site Development Files DA.14.007 and DA.14.008 to reflect the new development.

Council resolved to continue processing development applications under the existing Vellore Centre policy framework in Vaughan Official Plan 2010

The Subject Lands are located within a Local Centre as shown on Schedule 1 – Urban Structure of Vaughan Official Plan 2010 ('VOP 2010'), more specifically the "Vellore Centre" as identified on Figure 6 – Intensification Areas of VOP 2010.

On October 21, 2020, Vaughan Council directed staff to explore options for possible land use studies to guide development in the Vellore Centre.

On April 7, 2021, Council considered a Committee of the Whole Report prepared by the Policy Planning and Special Programs Department that provided the following three options to address land use in the Vellore Centre:

1. maintain the existing policy framework
2. prepare an area-specific land use study with a focus on urban design, and
3. prepare a Secondary Plan.

Given the three options, the Development Planning Department recommended:

"THAT the existing policy framework continue to be the basis for processing development applications in the Vellore Centre" (Option 1).

On April 20, 2021, Council adopted the staff recommendation above, without amendment.

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

G Group Major Mackenzie Inc. (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachment 1:

1. Official Plan Amendment File OP.21.019 to amend the Vaughan Official Plan to redesignate the subject lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use" with a permitted maximum height of 36 storeys and an FSI (density) of 5.78 times the area of the lot.
2. Zoning By-law Amendment File Z.21.040 to amend Zoning By-law 1-88 amend Zoning By-law 1-88 to rezone the subject lands from "RA3(H) Apartment Residential Zone" with the Holding Symbol "(H)", subject to site-specific Exception 9(1351) to "RA3 Apartment Residential Zone" and "OS2 Open Space Park Zone", together with additional site-specific zoning exceptions
3. Zoning By-law Amendment File Z.21.040 to amend Zoning By-law 001-2021 to amend Zoning By-law 001-2021 to rezone the subject lands from "RM2(H) Multiple Residential Zone 2" with the Holding Symbol "(H)" and "OS1 Public Open Space Zone" by Zoning By-law 001-2021, subject to site-specific exception

14.985 to “HMU High-Rise Mixed-Use Zone” and “OS1 Public Open Space Zone”, together with additional site-specific zoning exceptions

The Applications would facilitate the following development (the ‘Development’) shown on Attachments 2 to 6:

- Block 1: Building “A” - 11-storey mixed-use residential apartment building on a 4-storey podium with a day nursery/daycare centre on the ground floor
- Block 2: Buildings “B” and “C” - 32 and 36-storey mixed-use residential apartment buildings on a shared 4 to 8-storey podium, with office/retail and community facilities on the ground floor
- Block 3: Buildings “D” and “E” - 36 and 32-storey mixed-use residential apartment buildings on a shared 4 to 8-storey podium, with office/retail and community facilities on the ground floor
- Block 4: Building “F” - 10 to 18-storey residential apartment building on a 4-storey podium
- Block 5: Building “G” - 16-storey residential apartment building on a 4-storey podium

A total of 3,013 residential dwelling units are proposed, with 5,192 m² (0.5192 ha) of public park and 3,500 m² (0.35 ha) of privately-owned publicly accessible space (‘POPs’) on the Subject Lands, as shown on Attachment 2. Four (4) levels of underground parking containing a total of 3,084 spaces are proposed together with 42 surface parking spaces, for a total of 3,126 parking spaces (inclusive of barrier-free spaces).

Two accesses to the Development are proposed, as shown on Attachment 2 – an access from Proposed Street ‘A’ which is proposed to connect Major Mackenzie Drive West to Farooq Boulevard, and an access from Farooq Boulevard which is constructed but not yet open to vehicular traffic. Proposed Street ‘A’ is proposed to provide a right-in/right-out access from Major Mackenzie Drive. Farooq Boulevard (once fully opened) will have a full moves access to Weston Road.

The Owner has appealed the Applications to the Ontario Land Tribunal (‘OLT’)

The Owner submitted the Applications to the City of Vaughan on October 21, 2021. The City issued a Notice of Complete Application to the Owner on November 16, 2022, and to the public on November 18, 2021.

On June 14, 2022, the Owner appealed the Applications to the OLT pursuant to subsection 22(7) and 34(11) of the *Planning Act*, citing the City’s failure to make a decision on the Applications within the prescribed timelines of the *Planning Act*.

A Case Management Conference ('CMC') regarding the appeals took place on October 14, 2022, and the OLT issued their Order on October 27, 2022, scheduling a second CMC for January 13, 2023, and ordered a 3-week hearing scheduled from March 20 to April 6, 2023.

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

The City, on February 4, 2022, circulated a Notice of Public Meeting (the 'Notice') to all property owners within the extended polling area shown on Attachment 1 (1,500 m) and to the Millwood Woodend Ratepayers, the Vellore Woods Ratepayers, the Greater Woodbridge Ratepayers' Association, and to anyone on file with the Office of the City Clerk having requested notice. A copy of the Notice was also posted on the City's website at www.vaughan.ca and three (3) notice signs were installed on the Subject Lands along Major Mackenzie Drive West, Weston Road and Farooq Boulevard, in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held on March 1, 2022, to receive comments from the public and council members. Vaughan Council, on March 22, 2022, ratified the recommendation of the Committee of the Whole (Public Meeting) to receive the Public Meeting report of March 1, 2022, and to forward a comprehensive technical report to a future Committee of the Whole meeting.

The deputations and written communication items received by the Committee of the Whole (Public Meeting) at the March 1, 2022, meeting are included in the link to the March 1, 2022 Committee of the Whole (Public Meeting) report in the Previous Reports/ Authority section of this report.

The following is a summary of the comments received through the deputations and written submissions that were received by the Committee of the Whole at the March 1, 2022, meeting, which have been organized by theme, and addressed in the relevant sections of this report:

Traffic and Access

- The Development will increase traffic congestion in the area and impact vehicle and pedestrian safety
- There is no major transit or subway in the vicinity to support this type of Development and the walkability of this area is not good

Density and Height

- The Development will have the tallest buildings in the area and is not compatible with the surrounding context
- The height and massing of the Development creates a negative visual impact and creates shadowing and privacy issues for existing dwellings in the area

Other

- The Development will overwhelm existing infrastructure, schools, community services and facilities
- Concern with increased crime as a result of the Development
- The Development will negatively impact quality of life for residents of the community

The Vaughan Development Planning Department, on December 9, 2022, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

Previous reports related to the Subject Lands are available at the following links:

[July 6, 2010, Special Committee of the Whole \(Item 1, Report No. 38\)](#)

[November 23, 2011, OMB e-decision for File PL101154](#)

[May 6, 2014, Committee of the Whole \(Public Meeting\) \(Item 2, Report 20\)](#)

[April 7, 2021, Committee of the Whole \(Item 7, Report 14\) for Land Use Study Options in Vellore Centre](#)

[March 1, 2022, Committee of the Whole \(Public Meeting\) \(Item 4, Report 10\)](#)

Analysis and Options

The Development Planning Department does not support the Applications based on the following planning considerations

The Surrounding Existing and Planned Land Use Context is Primarily low-rise and mid-rise

The Subject Lands are located at the northwest corner of Major Mackenzie Drive West and Weston Road, with frontage on both streets. Major Mackenzie Drive West and Weston Road are identified as Major Arterial (Regional) roads on Schedule 9 – Future Transportation Network of VOP 2010. York Region has jurisdiction over both roads. The north side of the Subject Lands has frontage on Farooq Boulevard which is identified as a Local Road on Schedule 9 of VOP 2010, noted above. The City of Vaughan has jurisdiction over Farooq Boulevard.

The lands immediately north and west of the Subject Lands are identified as “Community Areas” on Schedule 1 – Urban Structure of VOP 2010 and are designated “Low-Rise Residential” and “Low-Rise Mixed-Use” on Schedule 13 of VOP 2010. A portion on the abutting lands to the west are also identified as “Local Centre” on Schedule 1 – Urban Structure of VOP 2010. The “Low-Rise Residential” designation permits detached, semi-detached and townhouses in a low-rise form no greater than

three (3) storeys and the “Low-Rise Mixed-Use” designation north and west of the Subject Lands permits townhouses, stacked townhouses, and low-rise buildings with a permitted maximum building height of four (4) storeys and FSI of 1.5 times the area of the lot. There are existing 3-storey townhouses located west and north of the Subject Lands that currently exist, are under construction or approved for development. VOP 2010 does not identify any high-rise developments (i.e. over 12 storeys) in the community surrounding the Subject Lands.

The Subject Lands are not well-served by existing or planned public transit or higher order public transit to support a high-rise development

There is no bus stop located immediately adjacent to the Subject Lands on Major Mackenzie Drive or Weston Road. The System Map for York Region Transit (‘YRT’) (effective as of November 6, 2022), shows bus routes on Weston Road (nos. 165 and 165F) based on the following schedule from YRT:

Number	Route Name	Rush Hours Only	Monday to Friday	Saturday	Sundays & Holidays
165	Weston		x	x	x
165F	Weston	x	x		

Bus no. 165 does not serve Weston Road north of Major Mackenzie Drive, and bus no.165 offers limited service (as shown in the above table) on Weston Road north of Major Mackenzie Drive as it ends approximately 1.4 km north of the Subject Lands (at Canada Drive/Stanton Avenue). The frequency of service for buses is as follows:

- Bus no. 165 for the southbound bus stop located closest to the Subject Lands (on the west side of Weston Road, south of Major Mackenzie Drive) ranges from approximately 28 to 54 minutes.
- Bus no. 165 for the northbound bus stop located closest to the Subject Lands (on the east side of Weston Road, south of Major Mackenzie Drive) ranges from 30 to 120 minutes.
- Bus no. 165F does not have a southbound bus stop located in the vicinity of the Subject Lands, the closest stop is approximately 1.3 km south of the Subject Lands.
- Bus no. 165F (based on the limited schedule in the above table) for the northbound bus stop located closest to the Subject Lands (on the west side of Weston Road, south of Major Mackenzie Drive) ranges from 29 to 38 minutes.

The bus route operated by YRT on Major Mackenzie Drive West (no. 4) ends approximately 2 km west of the Subject Lands at Pine Valley Drive (which is not served by a dedicated bus route) based on the following schedule from YRT:

Number	Route Name	Rush Hours Only	Monday to Friday	Saturday	Sundays & Holidays
4	Major Mackenzie		x	x	x

The frequency of service for bus no. 4 is as follows:

- for the eastbound bus stop located closest to the Subject Lands (on the southwest corner of Weston Road and Major Mackenzie Drive West) ranges from approximately 15 to 33 minutes.
- for the westbound bus stop located closest to the Subject Lands (on the east side of Weston Road, north of Major Mackenzie Drive) ranges from 15 to 34 minutes.
- There is no rush hour service.

The closest Park and Ride is located at Major Mackenzie Drive West and Highway 400 located 1.7 km away from the Subject Lands. The closest Major Bus Terminal (Major Mackenzie West) is located at Major Mackenzie Drive West and Jane Street located 2.5 km away from the Subject Lands.

Based on the current public transit service levels available within walking distance to the Subject Lands (up to 800 m), there is inadequate frequency and lack of convenient access to appropriately serve the Development based on proposed density (FSI) of 5.78 and 3,013 residential units (equivalent of over 5,000 people). This level of density and number of residential units is more appropriately directed to areas that are currently served by higher order public transit such as the dedicated bus rapid transit route on Highway 7 or the subway station in the Vaughan Metropolitan Centre which are frequent, accessible, and convenient.

The 2022 York Region Transportation Master Plan ('2022 YRTMP'), approved by York Region Council on September 29, 2022 is a long-term infrastructure plan for future transit and transportation initiatives. Map 3 – 2051 Rapid Transit Network of the 2022 YRTMP identifies Major Mackenzie Drive West as a Rapid Transit Corridor (i.e. Rapid Transit Service) from Highway 427 to Bathurst Street in Vaughan; however, this map represents a 30 year transit plan for the Region to 2051, and is only the recommended, not approved, rapid transit network for York Region. In the vicinity of the Subject Lands there is also no Major Transit Station Area ('MTSA') identified on Map 3 – 2051 Rapid Transit Network, which is the area within 500 to 800 metre radius of a transit station (i.e. approximately a 10-minute walk).

On March 10, 2022, the Province of Ontario released the Connecting the GGH: A Transportation Plan for the Greater Golden Horseshoe (the 'GGH Transportation Plan'), which sets out a plan for a regional transportation network to 2051. On Map 5 – Current, Planned, and Conceptual Future Transit Infrastructure and Services of the GGH Transportation Plan, Major Mackenzie Drive West, east of Jane Street only, is identified

as a “Conceptual/New Higher Order Transit Connection” and not a “Committed Project” (i.e. a “Committed Subway/Higher Order Transit Connection”). Weston Road is not identified in any of the above-noted documents for future rapid transit or higher order transit. The above documents would suggest that although Major Mackenzie Drive West is identified for future rapid transit and higher order transit, it is recommended or conceptual at this time for a planning horizon that spans almost 30 years. Based on the proposed density of the Development, the required transit infrastructure to support it should be in place or confirmed to be in place within an appropriate horizon.

The Development does not represent good planning

The Development Planning Department recommends that the Applications be refused as the Development does not represent good planning, does not contribute to appropriate city-building, and is not in the public interest. This recommendation is based on the review and analysis of the requisite provisions of the *Planning Act*, together with policies contained in the Provincial Policy Statement, 2020 (‘PPS’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (‘Growth Plan’), the York Region Official Plan, 2010 (‘YROP’) and VOP 2010, as described in the following sections:

The Development does not have regard for matters of Provincial Interest as prescribed by the Planning Act

Section 2 of the *Planning Act* states that the Council of a municipality in carrying out their responsibilities shall have regard to, among other matters, matters of Provincial interest, such as:

- the orderly development of safe and healthy communities
- the appropriate location of growth and development
- the adequate provision of a full range of housing
- the promotion of development that is designed to be sustainable, to support public transit and be oriented to pedestrians, and
- the promotion of built form that,
 - i) is well-designed
 - ii) encourages a sense of place, and
 - iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant

Section 3(5) of the *Planning Act* requires that a decision of Council of a municipality in respect of the exercise of any authority that affects a planning matter:

- shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision
- shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be.

The Applications do not satisfy the requirements of the *Planning Act*, as discussed in further detail through the policy analysis below.

The Development is not consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the PPS. The PPS provides policy direction on matters of Provincial interest related to land use planning and development. Land use planning decisions made by municipalities, planning boards, the province, or a commission or agency of the government must be consistent with the PPS. The PPS policies state (in part), the following:

1. Policy 1.1 - Managing and Directing Land Use to Achieve Efficient and Resilient land Use Patterns

- accommodate an appropriate range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long term needs
- development that promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs
- ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs

2. Policy 1.1.3 - Settlement Areas

- settlement areas shall be the focus of growth and development
- land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency
 - e) support active transportation
 - f) are transit-supportive, where transit is planned, exists or may be developed
- land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated

3. Policy 1.2 - Coordination

- managing and/or promoting growth and development that is integrated with infrastructure planning
- infrastructure, multimodal transportation systems, public service facilities and waste management systems
- population, housing and employment projections, based on regional market areas, and
- addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans

4. Policy 1.4 - Housing

- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs
- promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed
- requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations

5. Policy 1.5 - Public Spaces, Recreation, Parks, Trails and Open Space

- planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity
- planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources

6. Policy 1.6.6 - Sewage, Water and Stormwater

- accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:
 - municipal sewage services and municipal water services; and
 - private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available or feasible
- ensure that these systems are provided in a manner that:
 - can be sustained by the water resources upon which such services rely
 - prepares for the impacts of a changing climate
 - is feasible and financially viable over their lifecycle; and

- protects human health and safety, and the natural environment
- promote water conservation and water use efficiency
- integrate servicing and land use considerations at all stages of the planning process, and
- be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.

7. Policy 1.6.7 - Transportation Systems

The policies of 1.6.7.1 to 1.6.7.4 state that:

- transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.
- As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.
- A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

8. Policy 4.0 – Implementation and Interpretation

The official plan is the most important vehicle for implementation of the PPS and comprehensive, integrated and long-term planning is best achieved through official plans, according to Policy 4.6 of the PPS.

Policy 4.6 of the PPS also states:

- Official plans shall identify provincial interests and set out appropriate land use designations and policies.
- In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the PPS. The policies of the PPS continue to apply after adoption and approval of an official plan.

9. PPS Definitions

The PPS definitions of Designated Growth Areas, Development, Intensification, Redevelopment, Residential Intensification, and Significant are provided in Attachment 8.

Analysis of consistency with the PPS

The Subject Lands are not located in a “Regional Centre” on Map 1: Regional Structure of the YROP, which are Key Development Areas that are planned as the most important and intense concentrations of development within the Region. The Subject Lands are also located in a “Local Centre” by Schedule 1 of VOP 2010, which is to accommodate the lowest levels of intensification of the three Intensification Areas identified by VOP 2010, the other two Intensification Areas being Primary Centres and Regional Centres (i.e. Vaughan Metropolitan Centre). The Subject Lands are designated “Mid-Rise Mixed-Use” by VOP 2010, with a site-specific permitted maximum height of 12 storeys and maximum FSI of 1.581 times the area of the lot, which was approved by the OMB as OPA 712.

Policy 1.1.3.3 of the PPS provides direction for municipalities to identify opportunities for accommodating intensification and redevelopment within the municipality, through the implementation of municipal Official Plans. This policy inherently recognizes that intensification and redevelopment is appropriate in certain locations based on local context and that there are areas that are intended to remain stable community areas.

VOP 2010 identifies and designates lands throughout the City to achieve the policies of the PPS. From an overall public transit or high order transit perspective, the intensification policies of VOP 2010 are focused on areas served or planned to be served by higher order transit. The hierarchy of Intensification Areas in Vaughan are comprised of a number of centres and corridors, which offer transit service levels commensurate with the existing or planned level of intensification identified by VOP 2010.

The height and intensity of development being proposed for the Subject Lands does not consider the hierarchy of Intensification Areas established by VOP 2010, which is based on, among other considerations, the availability of high-order transit (i.e. subway, bus rapid transit, GO train) that is available or planned within walking distance (i.e. up to 800 m) to the identified Intensification Area.

Schedule 1 – Urban Structure of VOP 2010 does not identify any portion of Weston Road as an existing or planned Regional or Primary Intensification Corridor and also does not identify the portion of Major Mackenzie Drive West fronting along the Subject Lands as an existing or planned Regional or Primary Intensification Corridor. Major Mackenzie Drive West is only identified as a Primary Intensification Corridor east of Weston Road. Similarly on Map 1: Regional Structure of the YROP Weston Road or

Major Mackenzie are not identified as being located on a Regional Corridor. Map 11: Transit Network of the YROP only identifies Weston Road south of Major Mackenzie Drive West as part of the Regional Transit Priority Network and Major Mackenzie Drive West east of Weston Road only as a Regional Rapid Transit Corridor, which suggests that there are significant gaps in existing and planned transit service levels north and west of the Subject Lands.

The surrounding area is not identified in VOP 2010 for the level of intensification that is being proposed through these Applications. The proposed intensification of the Subject Lands through this Development was not identified, nor is appropriate at this location and is not consistent with Policy 1.1.3.3 of the PPS.

The introduction of the proposed high-rise Development on the Subject Lands which are located within a “Local Centre” that only permits a mid-rise built form up to a maximum of 12 storeys and located adjacent to an existing stable low-rise residential community, is not in the public interest, is not consistent with the policy direction established in the PPS and does not take into account the existing and planned built form in the community. The Development represents the overdevelopment of a single parcel of land that cannot be supported by current or planned transit levels, infrastructure and public service facilities, which is not consistent with the policies of the PPS as implemented by Council through VOP 2010. More specifically, the Subject Lands are not identified for significant levels of intensification by VOP 2010 or the YROP.

The Development is not consistent with the policies of the PPS.

The Development does not conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, housing, transportation, and infrastructure. The Growth Plan promotes intensification of existing built-up areas, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan also encourages population and employment growth to be accommodated within the built-up areas encouraging the development of complete communities with a mix of housing types with access to adequate local amenities and public service facilities. The Growth Plan policies state (in part) the following:

1. Policy 1.2.1 - Guiding Principles

- Support the achievement of complete communities

- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability
- Support a range and mix of housing options
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities
- Provide for different approaches to manage growth that recognize the diversity of communities in the GGH
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure

2. Policy 2.2 – Policies for Where and How to Grow

- within settlement areas, growth will be focused in:
 - delineated built-up areas;
 - strategic growth areas;
 - locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - areas with existing or planned public service facilities
- Policy 2.2.1.3 of the Growth Plan states upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:
 - establish a hierarchy of settlement areas, and of areas within settlement areas;
 - be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;
 - provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;
 - support the environmental and agricultural protection and conservation objectives of this Plan; and
 - be implemented through a municipal comprehensive review and, where applicable, include direction to lower-tier municipalities.
- Settlement Areas are defined in the Growth Plan as “Urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are:
 - built up areas where development is concentrated, and which have a mix of land uses; and
 - lands which have been designated in an official plan for development in accordance with the policies of this Plan. Where there are no lands that have

been designated for development, the settlement area may be no larger than the area where development is concentrated.”

- Policy 2.2.1.4 of the Growth Plan states the achievement of complete communities will be supported by applying the policies of the Growth Plan that (in part):
 - feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
 - improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;
 - iv. provide for a more compact built form and a vibrant public realm, including public open spaces
- Policy 2.2.2 of the Growth Plan provides policy direction respecting minimum intensification targets in the delineated built-up areas as follows:
 - Policies 2.2.2.1 and 2.2.2.2 state that the minimum intensification target of all residential development occurring annually within the delineated built-up area is 50 percent for York Region and that until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017, will continue to apply.
- Policy 2.2.2.3 states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:
 - identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
 - identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
 - encourage intensification generally throughout the delineated built-up area;
 - ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;

- prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
 - be implemented through official plan policies and designations, updated zoning and other supporting documents.
- Strategic Growth Areas, as defined by the Growth Plan, are located “Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.
- Policy 2.2.3.1 states that urban growth centres will be planned:
 - as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;
 - to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;
 - to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and
 - to accommodate significant population and employment growth.
- Policy 2.2.4.1 states the priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.
- Urban Growth Centres are defined in the Growth Plan as, “Existing or emerging downtown areas shown in Schedule 4 and as further identified by the Minister on April 2, 2008”. The Subject Lands are not located within an Urban Growth Centre.
- Major Transit Station Areas (‘MTSAs’) are defined in the Growth Plan as “the area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

3. Policy 3.2 - Policies for Infrastructure to Support Growth

- Infrastructure planning, land use planning, and infrastructure investment will be co-ordinated to implement this Plan.
- Planning for new or expanded infrastructure will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies
- Infrastructure investment and other implementation tools and mechanisms will be used to facilitate intensification and higher density development in strategic growth areas. Priority will be given to infrastructure investments made by the Province that support the policies and schedules of this Plan.
- The Province will work with public sector partners, including Metrolinx, to identify strategic infrastructure needs to support the implementation of this Plan through multi-year infrastructure planning for the transportation system and public service facilities.

Analysis of conformity to the Growth Plan

The Growth Plan places the onus on upper-tier and lower-tier municipalities to decide where and how to accommodate growth and intensification. As directed by the Growth Plan, intensification and areas deemed appropriate for greater growth are to be implemented by municipal Official Plans. The City undertook a comprehensive planning exercise which led to the adoption of VOP 2010 in September 2010. VOP 2010 identifies and implements an intensification strategy that responds to the requirements of the Growth Plan, by directing growth to appropriate areas, and maintaining low-rise community areas as stable areas.

VOP 2010 promotes a hierarchy of intensification within identified Intensification Areas, with the highest levels of intensification focused in Regional Centres (i.e. Vaughan Metropolitan Centre) and Primary Centres, and along Regional Intensification Corridors and Primary Intensification Corridors. More moderate levels of intensification are to be directed to Local Centres with consideration given to the local context of the Local Centre and availability of existing and planned public transit as the basis for determining the appropriate height and density. The Subject Lands are not located in a Regional or Primary Centre and do not have frontage on a Regional or Primary Intensification Corridor. The closest Regional Intensification Corridor is located on Highway 7, which is 6.5 km south of the Subject Lands, which does not permit development at the scale (i.e. FSI and building height) proposed through the Applications. The Subject Lands have a site-specific permitted maximum height and density that was established by the OLT and carried over into VOP 2010.

VOP 2010 identifies and designates lands throughout the entire City to achieve Growth Plan policies 2.2.1.3 and 2.2.1.4 and the definition of “complete communities” (i.e. mix of housing options, mix of land uses, etc.). Although the Growth Plan states

that 50 percent of all residential development will be accommodated in the delineated built-up area, this does not state or imply that all types/forms of residential development that represent intensification are appropriate in all locations in the municipality.

Furthermore, there are opportunities to provide the densities required to support the policy objectives of the PPS and Growth Plan in the remaining undeveloped or underdeveloped parcels of land located within the Vellore Centre, which have already been identified by VOP 2010 for intensification commensurate with mid-rise development in accordance with the intensification hierarchy established for Local Centres.

The Growth Plan requires the upper-tier municipality, in this case York Region, to undertake a municipal comprehensive review ('MCR') in order to plan to the 2051 time horizon. York Region has completed the MCR process to review the Region's population and employment forecasts, land budget and Regional Official Plan policies, which formed the basis for the 2022 York Region Official Plan, which has been approved with modifications by the Ministry of Municipal Affairs and Housing ('MMAH').

The City of Vaughan is currently undertaking an Official Plan Review ('OPR') of VOP 2010 based on the municipal comprehensive review ('MCR') and 2022 York Region Official Plan. Until the OPR is completed, VOP 2010 is the approved and in-effect municipal policy document. While it is recognized that the Development would marginally contribute to the Region's overall intensification target, the Subject Lands are located in a Local Centre which permits a mid-rise built form with a maximum permitted height of 12 storeys. The Development is proposing high-rise buildings of 36 storeys, which are more in line with Primary Centres and Regional Centres. Also, the existing and planned land use context adjacent to the Subject Lands are identified by VOP 2010 with low-rise land use designations ("Low-Rise Residential" and "Low-Rise Mixed Use") for the lands abutting the Subject Lands to the north and west.

Policy 2.2.2.3.b. of the Growth Plan requires that municipalities identify strategic growth areas to support and to meet the municipality's intensification targets and recognize them as a key focus for development. The Subject Lands have not been identified by VOP 2010 for intensification in the form and level proposed by the Applications and is not consistent with the urban structure established by VOP 2010.

Policy 2.2.2.3.b. of the Growth Plan further requires intensification to achieve an appropriate transition of built form to adjacent areas. The current site-specific zoning permissions for the Subject Lands achieves the appropriate transition (i.e. 2-storey townhouses and semi-detached dwellings) to the adjacent "Low-Rise Residential" and "Low-Rise Mixed-Use" designations with respect to built form and density within the existing and planned neighbourhood context. The proposed built form, specifically the 11-storey building and 18-storey building abutting the existing and planned low-rise

residential area to the north and west of the Subject Lands, results in a continuous building wall for each building of approximately 88 m and 110 m abutting a “Low-Rise Residential” designation and a “Low-Rise Mixed-Use” designation.

Public transit service north of Weston Road and west of Major Mackenzie Drive West ends in proximity to the Subject Lands and does not operate at a level of service that would support a development with heights and densities significantly higher than what is identified for a Local Centre in VOP 2010.

Schedule 10 - Major Transit Network of VOP 2010 identifies only the section of Weston Road south of Major Mackenzie Drive West as part of the Regional Transit Priority Network (i.e. not adjacent to the Subject Lands) and identifies Major Mackenzie Drive West as a Regional Transit Priority Network west of Weston Road (i.e. adjacent to the Subject Lands) and as a Regional Rapid Transit Corridor east of Weston Road only (i.e. not adjacent to the Subject Lands). The intensity of development being proposed for the Subject Lands is more in line with lands that are located on a Regional Rapid Transit Corridor (which the Subject Lands are not, as the Regional Rapid Transit Corridor identified for Major Mackenzie Drive West begins east of the Subject Lands) or given that the Subject Lands are located at the corner of Major Mackenzie Drive West and Weston Road, that at a minimum, both of these roads would be part of the Regional Transit Priority Network, whereas only Major Mackenzie Drive West is identified as such.

The Subject Lands are not located within or in close proximity to an MTSA or Protected Major Transit Station Areas (‘PMTSA’), as identified by the 2022 York Region Official Plan, as approved by the Ministry of Municipal Affairs and Housing on November 4, 2022. The closest PMTSA is now PMTSA No. 62 – Maple GO Station, which is located approximately 5.8 km away from the Subject Lands. The minimum density target identified for PMTSA No. 62 is 150 people and jobs per hectare.

There are 3,013 apartment dwelling units being proposed by the Development on 4.28 hectares of land (net area i.e. not including the 0.5 hectare public park). Based on the 2016 Census persons per unit ratio for apartment buildings in Vaughan of 1.76 persons per unit, the Development has the potential to yield a population of 5,303 people and as such the Development would yield a density of 1,240 persons per hectare, inclusive of the proposed public park lands. The Subject Lands are not located within or in proximity to any approved PMTSA or MTSA, yet the Applications propose densities more than five times the minimum density target established for areas that are located within such areas.

For the reasons noted above, the Applications do not conform to the Growth Plan.

The Development does not conform to the York Region Official Plan, 2010

The YROP guides economic, environmental, and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1: Regional Structure, of the YROP, which permits a range of residential, industrial, commercial, and institutional uses.

1. Policy 3.5 - Housing our Residents

- To promote an appropriate mix and range of acceptable housing to meet the needs of residents and workers, Policy 3.5.4 of the YROP requires that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community. The mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.
- Policy 3.5.4 in the YROP requires that local municipal Official Plans and Zoning By-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures, and levels of affordability within each community.

2. Policy 5.2 – Sustainable Cities, Sustainable Communities

- Policy 5.2.4 states that development requiring Regional approval shall be supported by a transportation study that assesses impacts on the Region’s transportation system and surrounding land uses. Significant development shall prioritize walking, cycling and transit.
- Policy 5.2.8 of the YROP requires the highest standard of urban design be employed in order to create high-quality, sustainable communities that:
 - provides pedestrian scale, safety, comfort, accessibility and connectivity;
 - complements the character of existing areas and fosters each community’s unique sense of place;
 - promotes sustainable and attractive buildings that minimize energy use;
 - promotes landscaping, public spaces and streetscapes;
 - ensures compatibility with and transition to surrounding land uses;
 - emphasizes walkability and accessibility through strategic building placement and orientation;
 - follows the York Region Transit-Oriented Development Guidelines; and,
 - creates well-defined, centrally-located urban public spaces.

3. Policy 5.3 – Intensification

- Policy 5.3.3 states that local municipalities shall complete and adopt their own intensification strategies based on the York Region 2031 Intensification Strategy

and on the Region's Intensification Guide. The local municipal intensification strategies, developed in cooperation with the Region, shall:

- plan to meet and/or exceed intensification targets identified in Table 2 (for Vaughan, Table 2 requires 29,300 residential units between 2006 and 2031).
- identify the role for each of the following:
 - i. Regional Centres and Corridors
 - ii. GO Transit train stations and bus terminals, and subway stations
 - iii. Local Centres and Corridors
 - iv. Other major streets
 - v. Local infill, and
 - vi. Secondary Suites
- Policy 5.3.6 states that intensification areas be planned and designed to achieve an appropriate transition of built form to adjacent areas.
- Policy 5.3.7 states that open spaces shall be provided that include:
 - active recreational facilities;
 - passive parks and open spaces;
 - meeting places and urban squares that incorporate art, culture and heritage; and,
 - opportunities for community gardening.

4. Policy 5.5 – Local Centres and Corridors

- that Local Centres are focal points for residential, human services, commercial and office activities for the surrounding community and play a supporting role to Regional Centres and Corridors and enhance the network of connectivity throughout York Region. The smaller scale and scope of Local Centres do not diminish their importance to the overall urban structure.
- To establish Local Centres as focal points of activity and culture for surrounding communities and to enhance Local Corridors as part of the network of connectivity within the urban structure, Policy 5.5 of the YROP provides the following direction:
 - Policy 5.5.1 states that local centres and corridors serve as important neighbourhood focal points and mainstreets that provide a range of working, shopping, recreation, human services and housing opportunities with appropriate forms and scale that complement the surrounding community.
 - Policy 5.5.5 states that the planning and implementation of Local Centres and Corridors shall be consistent with the intensification policies in Policy 5.3 of the YROP.

5. Policy 7 – Servicing our Population

- Policy 7.1.1 requires that appropriate Transportation Demand Management measures to reduce single occupancy automobile trips are identified in transportation studies and in development applications.
- Policy 7.1.7 requires new development applications to demonstrate how the proposed development is transit-oriented. The York Region Transit-Oriented Development Guidelines provide guidance on how to address this policy.
- Policy 7.2.24 states that preferential treatment is to be provided for transit vehicles on Regional streets designated as Regional Transit Priority Network on Map 11, including the construction of high-occupancy vehicle lanes, dedicated transit lanes, transit signal priority and other transit priority measures within the right-of-way.
- Policy 7.2.25 of the YROP states (in part) that higher transit usage is to be achieved by supporting improvements in service, convenient access and good urban design, including the following:
 - minimizing walking distance to planned and existing transit stops through measures such as the provision of walkways, sidewalks, and more direct street patterns. The Region will plan to provide transit service so that the distance to a transit stop in the Urban Area is within 500 metres of 90 percent of residents, and within 200 metres of 50 percent of residents;
 - directing medium- and high-density urban development to rapid transit corridors; and
 - requiring all new development applications to prepare a mobility plan and demonstrate the proposal's approach to transit.
- Policy 7.3.2 requires that the provision of appropriate water and wastewater infrastructure and servicing capacity is co-ordinated with plans of subdivision, plans of condominium, site plans or any other development applications in order to ensure services are available prior to occupancy.
- Policy 7.3.3 requires that water and wastewater services be planned to ensure co-ordinated land use approvals, capital plans and master plans.
- Policy 7.3.4 requires that the provision of water and wastewater servicing within communities be coordinated with land use planning approvals to:
 - a. achieve complete communities;
 - b. achieve balanced communities with residential and employment opportunities;
 - c. assist in the sequencing of growth within communities;

- d. achieve intensification targets;
- e. promote energy efficient green buildings; and,
- f. capitalize on intensification and more compact development opportunities as they arise.

The availability of water and wastewater service infrastructure for the Subject Lands and the Development specifically, is discussed in the Development Engineering section of this report.

Analysis of conformity to the YROP

The YROP requires that local municipal Official Plans and Zoning By-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures, and levels of affordability within each community. Within this framework, the YROP also requires that a high standard of urban design be employed within developments to create high-quality, sustainable communities with a pedestrian scale, , that complements the character of existing areas and fosters each community's unique sense of place and ensures compatibility with and transition to surrounding land uses, among other considerations that contribute to an attractive, cohesive, and complete community.

The Development does not adequately achieve the above-noted objectives in accordance with the VOP 2010 policies respecting urban design and built form within Community Areas. The Development also does not complement the character of the existing area or ensure compatibility with and transition to the surrounding land uses, as required by Policy 5.2.8 of the YROP, for the reasons discussed in this report.

The YROP prescribes an urban structure focused on a system of Regional Centers and Regional Corridors. Policy 5.3 of the YROP states that:

“Intensification will occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision and transit ridership. These strategic locations are based on an intensification framework that recognizes that the highest density and scale of development will occur in the Regional Centres followed by the Regional Corridors.”

Regional Centres and Corridors are intended to accommodate the highest concentration of intensification. York Region has planned and committed to accommodating rapid transit systems along these Corridors and Centres to support the levels of intensification prescribed for them by VOP 2010. Conversely, developments in areas not located in a Regional Centre or on a Regional Corridor are intended to be subordinate in height and density to those that are located in Regional Centres or Regional Corridors.

Policy 5.3.3 of the YROP requires local municipalities to complete and adopt their own intensification strategies. The City has developed an intensification strategy through the approval of VOP 2010, which identifies and maps areas of intensification. The Subject Lands are not located on a Regional Intensification Corridor or Primary Intensification Corridor as identified by VOP 2010 and are not located within or in proximity to an identified MTSA or PMTSA.

The Subject Lands are not located on a Regional Rapid Transit Corridor and is partially located on a Regional Transit Priority Network along the Major Mackenzie Drive West frontage only (i.e. not Weston Road), as identified by VOP 2010. Regional Rapid Transit Corridors have been identified by the YROP for additional intensification. There is no public transit available north and west of the Subject Lands. North of the Subject Lands bus service on Weston Road currently terminates approximately 900 m (almost 1 km) south of Teston Road and west of the Subject Lands, bus service currently terminates at Pine Valley Drive, which is approximately 2 km from the Subject Lands. There is currently no bus route on Pine Valley Drive in this area.

York Region's 2022, 10-Year Roads and Transit Capital Construction Program does not identify any road and transit projects or improvements for Weston Road and for Major Mackenzie Drive West, and does not identify any road or transit projects/improvements in the vicinity of the Subject Lands. As such, there are currently limited transit options available in the area of the Subject Lands with no certainty to expand beyond the current levels of service.

On this basis, the Development does not constitute a comprehensive approach in achieving appropriate intensification to meet the objectives of Policies 5.3, 5.3.3, 7.2.24 and 7.2.25 described above, and does not conform to the intensification objectives of the YROP.

The Development yields a density of 5.78 FSI, which is more than two times the minimum density identified per development block in Regional Centres (i.e. 2.5 FSI) and significantly more than the minimum density identified per development block at and adjacent to the Vaughan Metropolitan Centre Station subway. There is no existing or planned subway station in the vicinity of the Subject Lands that would justify the density of 5.78 FSI, and represents a significant overdevelopment the site, which does not have the necessary higher order transit infrastructure or services to support it.

In consideration of the above, the Development does not conform to the policies of the YROP. The York Region Community Planning staff comments are provided in the Broader Regional Impacts/Considerations section of this report, which concurs that the Development does not conform to the YROP.

The recently approved York Region Official Plan, 2022 is not the in-force policy for the Subject Lands

The York Region Official Plan, 2022 ('YROP 2022'), which represents emerging policy, was adopted by York Region Council on June 30, 2022. It was approved by MMAH, with modifications, on November 4, 2022. Of relevance to this Report, MMAH added the following site-specific policy to the YROP 2022:

“4.2.32 Special provisions for the lands known municipally as 3812 Major Mackenzie Drive West in the City of Vaughan (PIN 037541553). Notwithstanding any other policies in this plan to the contrary, the minimum building height permitted is 28 storeys”.

The YROP 2022 replaces the YROP with respect to applications not deemed to be complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

The Owner requested a Minister's Zoning Order from MMAH

Prior to the submission of the Applications, on December 4, 2020, the MMAH advised the City Manager for the City, that the Owner submitted a request to the MMAH for a Minister's Zoning Order ('MZO') for the Subject Lands under section 47 of the *Planning Act*, requesting additional height above the permitted 12 storeys, an increase in FSI from 1.581 to 4.1 times the area of the lot, and 2,750 affordable housing units. MZOs allow landowners to forego the public planning process afforded through *Planning Act* applications.

The MMAH did not approve the MZO request; however, through modifications to the YROP 2022, the MMAH did approve a minimum building height of 28 storeys for the Subject Lands.

The Development does not conform to the Vaughan Official Plan 2010

VOP 2010 provides policy direction for land use planning as part of the overall growth management strategy for the City of Vaughan, in accordance with the policies of the PPS, Growth Plan, and the YROP.

1. Urban Structure and Intensification

The Subject Lands are designated “Local Centres” on Schedule 1 – Urban Structure of VOP 2010 and are intended to accommodate intensification that is lower in scale than Regional Centres and Primary Centres, in accordance with the urban structure hierarchy established by VOP 2010.

- Policies 2.2.1.1 and 2.2.1.2 of VOP states (in part) that the planned Urban Structure of the City establishes a hierarchy of Intensification Areas that range in height and intensity of use, as follows:
 - the Vaughan Metropolitan Centre will be the major focus for intensification for a wide range of residential, office, retail, cultural and civic uses. The Vaughan Metropolitan Centre will be the location of the tallest buildings and most intense concentration of development.
 - Regional Intensification Corridors will be a major focus for intensification on the lands adjacent to major transit routes, at densities and in a form supportive of the adjacent higher-order transit. The Regional Intensification Corridors link the Vaughan Metropolitan Centre with other Intensification Areas in Vaughan and across York Region.
 - Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use high- and mid-rise buildings, developed at an intensity supportive of transit.
 - Local Centres will provide the mixed-use focus for their respective communities, in a manner that is compatible with the local context.
 - Primary Intensification Corridors link together the various centres on transit supportive corridors and will be places to accommodate intensification in the form of mid-rise, and limited high-rise and low-rise buildings with a mix of uses.
 - that the Vaughan Metropolitan Centre, Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors are collectively known within this Plan as Intensification Areas. Intensification Areas will be the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities in accordance with the prescribed hierarchy established in this Plan.

Policy 2.2.5 of VOP 2010 states (in part) that:

- Intensification Areas will be the primary locations for the accommodation of the 45% intensification target, in accordance with the hierarchy of mixed-use centres and corridors.
- Local Centres are intended to act as the focus for communities, are lower in scale and offer a more limited range of uses.
- the Intensification Areas identified by VOP 2010 have been established to make efficient use of underutilized sites served with a high-level of existing or planned transit. They will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling.
- intensification Areas “will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling. The development of Intensification Areas will support the policies of this Plan related to Stable Areas will be maintained. Specifically, existing Community Areas will

not see significant physical change as the vast majority of residential development within the built boundary will take place within Intensification Areas.”

In accordance with Figure 6 – Intensification Areas of VOP 2010, the Subject Lands are located within the “Vellore Centre”, which is considered an emerging Local Centre for Vaughan’s newest communities, and will develop as a mixed-use, pedestrian-friendly place.

VOP 2010 provides policy direction respecting Local Centres. Specifically, Policy 2.2.5.7 states (in part) that Local Centres shall be planned to:

- develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- be predominantly residential in character but include a mix of uses including retail, office and community facilities intended to serve the local population and attract activity throughout the day;
- be the preferred location for locally-delivered human and community services;
- be the focal points for expression of community heritage and character;
- develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each Local Centre;
- have a fine grain of streets suitable for pedestrians and cyclists, with appropriate internal links, such as sidewalks and greenways, through the Local Centre and links to the surrounding Community Areas;
- include well designed public open spaces that are either landscaped parks, or public plazas or both in a manner that is appropriate to the local context;
- encourage a pedestrian-friendly built form by locating active uses at grade; and
- be designed and developed to implement appropriate transition of intensity and use to surrounding neighbourhoods

Summary

Policy 1.1.3.3 of the PPS, Policy 2.2.3 of the Growth Plan and Policy 5.3.3 of YROP states that local municipalities shall identify intensification areas and adopt their own intensification strategies. The City has established policies within VOP 2010 where Intensification Areas have been identified. VOP 2010 has identified Intensification Areas, including Regional Centres (i.e. Vaughan Metropolitan Centre), Primary Centres, Local Centres, Regional Intensification Corridors, and Primary Intensification Corridors. The Subject Lands are not located within a Regional or Primary Centre identified by VOP 2010 to accommodate the significant amount of height and density being proposed by the Applications. The Subject Lands are located adjacent to an existing Community Area that is also considered a Stable Area. The surrounding land use context does not lend itself to intensification.

The Development includes 36-storey towers with an FSI of 5.78 times the area of the lot, which represents a significant level of intensification that was not considered by VOP 2010 on the Subject Lands nor within the Vellore Centre.

VOP 2010 already identifies the appropriate heights and densities within the Vellore Centre that can support the level of intensification commensurate with the role and function of Local Centres in the hierarchy of Intensification Areas. The balance of lands within the Vellore Centre outside of the Subject Lands are designated “Mid-Rise Mixed-Use” with a maximum permitted building height of 6-storeys and density of 2 FSI. Lands abutting the Subject Lands to the west are designated “Low-Rise Residential” with a permitted maximum building height of 3 storeys, and “Low-Rise Mixed-Use” with a permitted maximum building height of 4 storeys and density of 1.5 FSI. The City has also approved a mid-rise development within the Local Centre at the northeast corner of Major Mackenzie Drive West and Weston Road for a seniors supportive living building and three mixed-use residential apartment buildings (Files OP.20.008, Z.20.016 and DA.20.022) to support the land use objectives of the PPS, Growth Plan, and YROP within the general development criteria parameters in VOP 2010 for Local Centres.

2. Land Use Designations

The Subject Lands are designated “Mid-Rise Mixed-Use” on Schedule 13 – Land Use of VOP 2010 with a permitted maximum building height of 12 storeys and an FSI of 1.581 times the area of the lot.

- Policy 9.2.2.4 provides additional land use direction for the Mid-Rise Mixed-Use designation as follows (in part):
 - Mid-Rise Mixed-Use areas are generally located in Intensification Areas and provide for a mix of residential, retail, community and institutional uses. These areas will be carefully designed with a high standard of architecture and public realm, and well- integrated with adjacent areas.
 - The following uses shall be permitted in areas designated as Mid-Rise Mixed-Use, in addition to those uses permitted through Policy 9.2.1.9:
 - i. Residential units;
 - ii. Home occupations;
 - iii. Community facilities;
 - iv. Cultural uses, including commercial galleries and theatres; and,
 - v. Retail uses subject to the policies of subsection 5.2.3;
 - vi. Office uses, up to a maximum of 7,500 square metres in non-Intensification Areas;
 - vii. Parking garage
 - In areas designated as Mid-Rise Mixed-Use the ground floor frontage of buildings facing arterial and collector streets shall predominantly consist of retail uses or other active uses that animate the street.

- Within 70 metres of an area designated as Low-Rise Residential or on streets that are not arterial streets or Major Collector streets, the following building types may be permitted, pursuant to policies in subsection 9.2.3 of this Plan, in order to provide for an appropriate a transition to the Low-Rise Residential area:
 - i. Townhouses;
 - ii. Stacked Townhouses; and
 - iii. Low-Rise Buildings.
- In accordance with Policy 9.2.3.5 (in part) of VOP 2010, the following development criteria applies to Mid-Rise Buildings:
 - Mid-Rise Buildings are generally buildings over five storeys in height, up to a maximum of twelve storeys in height
 - Mid-Rise Buildings over six storeys in height shall be designed with a pedestrian scaled podium or other appropriate architectural articulation, designed to the satisfaction of the City, to enhance the building design and provide an active pedestrian streetscape. The podium shall generally be between three and six storeys in height. Taller building elements shall generally be set back from the podium by a minimum of three metres along all public street frontages in order to provide an appropriate pedestrian environment and mitigate wind impacts at the street level
 - In order to provide appropriate privacy and daylight/sunlight conditions for any adjacent houseform buildings, Mid-Rise Buildings on a lot that abuts the rear yards of a lot with a Detached House, Semi-Detached House or Townhouse shall generally be setback a minimum of 7.5 metres from the property line and shall be contained within a 45-degree angular plane measured from the property line abutting those houseform buildings
 - Mid-Rise Buildings should be located and oriented in order to provide sufficient privacy and daylight conditions for the people living and working within them
 - The rooftop of Mid-Rise Buildings should include landscaped green space, private outdoor amenity space or environmental features such as solar panels

The Owner has submitted an amendment to VOP 2010 to redesignate the Subject Lands to redesignate the Subject Lands to “High-Rise Mixed-Use”, and to permit a high-rise building type, specifically, the height, density, and site-specific development criteria for the proposed Development.

The following table provides a summary of the proposed amendments to VOP 2010 to permit the Development:

	VOP 2010 Policy, Standard or Schedule	VOP 2010 Requirement	Proposed Amendment to the VOP 2010 Requirement
a.	Maximum Permitted Building Height (Schedule 13)	Twelve (12) storeys	Thirty-six (36) storeys
b.	Maximum Permitted Density (FSI) (Schedule 13)	1.581 times the area of the lot	5.78 times the area of the lot
c.	Minimum Permitted Setback from Property Line for Portions of High-Rise Buildings above 12 storeys	15 metres	6 metres (south property line) and 9 metres (east and west property line)
d.	Minimum Distance Between any Portions of the High-Rise Buildings above 12 storeys	30 metres	25 metres (between Towers B & C and D & E)
e.	Minimum Setback from Surface Parking on a lot with a High-Rise Building to any Property Line	3 metres	1 metre (north property line)

Summary

The Development shown on Attachments 2 to 6 contemplates a building height and density on the Subject Lands that introduces a level of intensification that is unparalleled in the surrounding area, which was not identified in VOP 2010. The proposed FSI of 5.78 times the area of the lot is commensurate with or higher than the levels of density planned for the Vaughan Metropolitan Centre Secondary Plan ('VMCSP') area, where the maximum planned density ranges between 3.5 and 6 times the area of the lot. The maximum planned height is 35 storeys in the VMCSP. The proposed 5.78 FSI is also higher than the maximum planned densities in VOP 2010 along Highway 7, a Regional Intensification Corridor, with higher order transit, through the Woodbridge Community (from Weston Road to Regional Road 27), having an FSI that ranges from 2 to 3 times the area of the lot.

Furthermore, the Owner is proposing to redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use". The "High-Rise Mixed-Use" designation (Policy 9.2.2.6 of VOP 2010) is located in Intensification Areas and will help achieve the City's population and intensification targets by establishing higher density housing forms. High-Rise buildings are permitted in the "High-Rise Mixed-Use" designation and are generally over 12-storeys in height. This designation is intended for areas identified for

higher levels of intensification within the Urban Structure that can be supported by higher order transit among other considerations. In accordance with the above, a “High-Rise” development is not compatible or appropriate for the location of the Subject Lands, nor conforms to the policies of VOP 2010.

3. Transportation Network

Policy 4.2 of the YROP provides policy direction respecting various modes of transportation and how to support them.

- Policy 4.2.2.13 states that that the highest intensity uses be planned so that they are directed to areas served by higher-order transit, including subway stations and Viva bus rapid transit corridors, in accordance with Chapter 2 of this Plan and the York Region Official Plan, which set out the appropriate development hierarchy. Higher-order transit investments that serve the Intensification Areas should be prioritized in order to meet the mobility needs of these high-intensity growth areas.
- Policy 4.2.3 also includes policies to support active transportation, such as walking and cycling.

Summary

The Development is not served by higher-order transit such as subway stations or bus rapid transit (‘BRT’) corridors (i.e. Viva, which is operated by YRT along Highway 7/Centre Street and Yonge Street in Vaughan). The densities proposed by the Development represent the type of high level of intensity that should be directed to areas where higher order transit is available or is planned to be available in the near future. No such higher order transit (i.e. subway or BRT) has been identified or is planned for Weston Road and Major Mackenzie Drive West, the roads on which the Subject Lands are located.

4. Housing

Policy 7.5.1 of VOP 2010 provides policy direction with respect to ensuring a range of housing options are available, including:

Policy 7.5.1.1 encourages and supports the provision of a full range of housing options including ownership and rental housing, social housing, housing for seniors, supportive housing, emergency shelters for women and families, accessible housing that meets the needs of people with disabilities and other types of housing that meets the needs of Vaughan’s diverse population.

Policy 7.5.1.3 requires that all significant developments that include a residential component demonstrate their contribution to meeting the City’s housing objectives through the preparation of a housing options statement. Housing options statements

will be required for all Block Plan, Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications, and describe the following:

- a. the total distribution of housing types;
- b. tenure types and distribution;
- c. the range of unit sizes, both in terms of floor area and number of bedrooms;
- d. special residential components, such as social or senior housing; and
- e. the proposed unit type and anticipated unit/sale price at the time of preparing the housing options statement.

Policy 7.5.1.4 (in part) requires the following housing initiatives to be supported and prioritized:

- a. the development of housing appropriate for seniors, such as affordable ownership, and affordable rental, within existing and new communities;
- b. the provision of family-sized housing units, which are appropriate for families with children, in Intensification Areas

Summary

The Development proposes 3,013 apartment dwelling units, which is a significant number of units of a single housing type. Of the 3,013 apartment dwelling units, 263 (8.7%) of them are studio units, 2,112 (70%) of them are 1-bedroom and 1-bedroom + den units, and 637 (21.16%) of them are 2-bedroom units, including 53 “buried” 2-bedroom units. There are only two 3-bedroom units proposed, representing 0.07% of the total number of apartment dwelling units. Smaller unit sizes (i.e. 1-bedroom or less) represent the majority (78.7%) of the units proposed, which does not adequately achieve the above-noted policies of VOP 2010, particularly with respect to providing sufficient family-sized housing units.

Also, based on the Planning Justification Report (‘PJR’) prepared by SGL Planning & Design Inc., dated September 2021, submitted in support of the Applications, it does not appear that any purpose-built affordable units (ownership or rental) are proposed for the Development, nor any housing specifically for seniors, as the PJR relies on the smaller units (such as the studio units) to provide affordable home ownership options for “starter households”. However, affordable units are not only required for starter households – they are also required to meet the diverse needs of Vaughan’s population at all stages of life.

5. Municipal Services

- Policy 8.2.1.1 requires the provision of efficient servicing that meets Vaughan’s long-term needs by:
 - supporting and encouraging measures to conserve servicing capacity;
 - implementing efficient and long-term cost-effective means of servicing development;

- designing sustainable infrastructure and utility corridors to maximize flexibility to accommodate long-term needs, adapt to new technologies and potential new uses, and minimize disruption and cost related to upgrades; and
 - coordinating a comprehensive servicing plan with York Region to ensure the growth management objectives of this Plan and the York Region Official Plan are met and phased appropriately
- Policy 8.2.1.2 states that water and wastewater capacity, assigned by York Region, be allocated by the City in a manner that supports the policies of this Plan and with other Council approved policies with respect to servicing capacity. Intensification Areas shall be the priority when allocating servicing capacity.
 - Policy 8.3.1.8.a. requires that water and wastewater servicing capacity be confirmed prior to development approval.

Summary

Downstream sanitary sewer capacity constraints have been identified in the area where the Subject Lands are located, and sanitary sewer surcharging is not permitted by the City. As such, external infrastructure upgrades will be required to be in place to support the Development if approved. Further details with respect to the availability of wastewater as well as water service infrastructure and capacity for the Subject Lands and the Development specifically, is discussed further in the Development Engineering Department section of this report.

Conclusion

The Development consists of five (5) buildings ranging in height from 11 storeys to 36 storeys with 4 levels of underground parking and with a density of 5.78 FSI, which does not conform to the Intensification Area policies of VOP 2010. The Development is not consistent with the Urban Structure set out in VOP 2010 and the surrounding lands uses. In consideration of the existing stable low-rise residential community to the north and west of the Subject Lands, the planned low-rise and mid-rise built form within the Local Centre, and lack of adequate public transit and municipal servicing infrastructure do not make the Subject Lands or surrounding area a suitable candidate for this level of intensification as envisaged by the Development. In addition, the Development is considered incompatible with the surrounding land uses, would represent ad hoc intensification, and represents poor planning.

On this basis, the Development does not conform to VOP 2010.

Council enacted Zoning 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 OLT in respect of By-law 001-2021 was November 15, 2021.

Zoning 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, unless a transition provision under Zoning By-law 001-2021 applies.

As the Applications were received by the City on October 21, 2021, and were deemed complete on November 16, 2021, the transition provisions under Section 1.6 of Zoning By-law 001-2021 do not apply and therefore the Applications are subject to a dual review under both Zoning By-law 001-2021 and Zoning By-law 1-88, as amended.

The Owner has appealed the new Vaughan Comprehensive Zoning By-law 001-2021

The Owner has appealed Zoning By-law 001-2021 to the OLT pursuant to section 34(19) of the *Planning Act*. At the CMC, a request was made by the Owner with the consent of the City to consolidate the Owner's appeal of Zoning By-law 001-2021 into the appeals proceeding of the Applications.

The Development is not permitted by the site-specific zoning exception for the Subject Lands and amendments to Zoning By-law 1-88 and 001-2021 are required
Zoning By-law 1-88:

The Subject Lands are zoned "RA3(H) Apartment Residential Zone" with the Holding Symbol "(H)" and "OS2 Open Space Park Zone", subject to site-specific Exception 9(1351), by Zoning By-law 1-88. The current zoning does not permit the Development. The Owner proposes to amend the requirements of the "RA3 Apartment Residential Zone" and site-specific Exception 9(1351), in the manner shown on Attachment 2, together with the following site-specific zoning exceptions to permit the Development shown on Attachments 2 to 6:

Table 1:

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
a.	Minimum Front Yard Setback (Major Mackenzie Drive)	<ul style="list-style-type: none"> • 2 m for Commercial Buildings "1a" and "1b" • 2 m for the first 6-storeys, not to exceed 20 m in height, for Residential Apartment Building "2" • 4.5 m for the storeys between 8-storeys to 12-storeys, not to exceed 40 m in height, for Residential Apartment Building "2" • 1.5 m for the underground Parking Area 	<ul style="list-style-type: none"> • 4.45 m for Block 3 • 7.25 m for Block 4
b.	Minimum Exterior Yard Setback (Weston Road)	<ul style="list-style-type: none"> • 3 m for the first 6-storeys, not to exceed 20 m in height, for Residential Apartment Building "3" • 5.5 m for the storeys between 8-storeys to 12-storeys, not to exceed 40 m in height, for Residential Apartment Building "3" • 2.5 m for the Block Townhouse Buildings • 1.5 m for the underground Parking Area 	<ul style="list-style-type: none"> • 3 m for Block 2 • 6.95 m for Block 1 • 0 m for the underground Parking Area
c.	Minimum Interior Yard Setback (Proposed Street 'A'), shown as Proposed Street 'B' on Attachment 7	<ul style="list-style-type: none"> • 2.5 m for Commercial Building "1a" • 4.5 m for the Block Townhouse Buildings • 1.5 m for the underground Parking Area 	6.10 m for Block 4
d.	Maximum Lot Coverage	32%	40%

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
e.	Maximum FSI (Density)	1.57 times the area of the lot	5.78 times the area of the lot
f.	Maximum Building Height	<ul style="list-style-type: none"> Commercial Building "1a": 2-storeys, not to exceed 11 m, where the second storey may be architectural Commercial Building "1b": 3-storeys, not to exceed 13.5 m, with a 2-storey minimum Residential Apartment Building "2": <ul style="list-style-type: none"> For the first 6-storeys, not to exceed 20 m in height, within 2 m of Major Mackenzie Drive Between 8-storeys to 12-storeys, not to exceed 40 m in height, within 4.5 m of Major Mackenzie Drive Residential Apartment Building "3": <ul style="list-style-type: none"> For the first 6-storeys, not to exceed 20 m in height, within 3 m of Weston Road Between 8-storeys to 12-storeys, not to exceed 40 m in height, within 5.5 m of Weston Road Block Townhouse Buildings: 2-storeys, not to exceed 11 m 	<ul style="list-style-type: none"> Block 1: Building "A" – 11 storeys on a 4-storey podium (34.5 m) Block 2: Buildings "B" and "C" - 32 and 36 storeys, on a shared 4 to 8-storey podium (109.5 m) Block 3: Buildings "D" and "E" - 36 and 32 storeys, on a shared 4 to 8-storey podium (109.5 m) Block 4: Building "F" - 10 to 18 storeys on a 4-storey podium (55.5 m) Block 5: Building "G" – 16 storeys on a 4-storey podium (49.5 m)

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
		<ul style="list-style-type: none"> Block Semi-detached Building: 2-storeys, not to exceed 11 m 	
g.	Maximum Commercial GFA (Including Retail and Business/ Professional Office)	<ul style="list-style-type: none"> 424.22 m² for building “1a” 2,048.78 m² for building “1b” 	1,436 m ²
h.	Definition of ‘Community Facility’	Not defined	Means a premises used for indoor and outdoor recreational, institutional, social, or cultural activities, and may include a health and fitness centre, library, or museum
i.	Permitted Uses	<ul style="list-style-type: none"> Apartment Dwelling Units, within a maximum of two (2) apartment buildings and a combined maximum of 430 Apartment Dwelling Units Block Townhouse Dwelling Units, with a maximum of six (6) dwelling units in a row and only one (1) townhouse block up to a maximum of seven (7) dwelling units in a row, for a total of 68 dwelling units. If a Block Semi-detached building is not developed, a maximum of 70 Block Townhouse Dwelling Units may be permitted. 	<ul style="list-style-type: none"> Five (5) Apartment Buildings, with a combined maximum of 3,013 Dwelling Units, as follows: <ul style="list-style-type: none"> Block 1: Building “A” – mixed-use residential apartment building with a day nursery on the ground floor Block 2: Buildings “B” and “C” – mixed-use residential apartment buildings, with office/ retail, and community facilities on the ground floor Block 3: Buildings “D” and “E” – mixed-use residential apartment buildings, with office/ retail, and community

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
		<ul style="list-style-type: none"> Block Semi-detached Dwelling Units, with a maximum of two (2) dwelling units in a row and limited to only one (1) block. A Maximum of two (2) Commercial Buildings as follows: <ul style="list-style-type: none"> <u>Building 1a</u> <ul style="list-style-type: none"> One (1) Eating Establishment Outdoor Patio <u>Building 1b (at grade)</u> <ul style="list-style-type: none"> Bank or Financial Institution Personal Service Shop Photography Studio Retail Store, excluding a Department Store and Supermarket Video Store Business or Professional Office (Regulated Health Professional – Medical Office/Clinic, not to exceed a maximum of 6 practitioners) <p>These uses shall only be permitted in the locations shown on Attachment 7</p>	<ul style="list-style-type: none"> facilities on the ground floor <ul style="list-style-type: none"> Block 4: Building “F” – residential apartment building Block 5: Building “G” – residential apartment building Permit the following additional uses within Blocks 2 and 3: <ul style="list-style-type: none"> Retail Store Bank or Financial Institution Business or Professional Office Personal Service Shop Office, General Office, Medical Pharmacy Eating Establishment Eating Establishment, Convenience Eating Establishment, Takeout Health Centre
j.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces/unit x 3,013 units = 4,516 spaces	3,126 spaces (Inclusive of barrier-free spaces)

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
		<p><u>Visitor</u> 0.25 spaces/unit x 3,013 units = 754 spaces</p> <p><u>Commercial (Retail)</u> 6 spaces/100 m² x 862 m² = 52 spaces</p> <p><u>Office</u> 3.5 spaces/100 m² x 574 m² = 20 spaces</p> <p><u>Day Nursery</u> 8 employees x 1.5 spaces per employee = 12 spaces</p> <p><u>Community Facility</u> (Not specifically listed in Zoning By-law 1-88) 3.3 spaces/100m² x 598 m² = 20 spaces</p> <p>Total Parking Required = 5,374 spaces</p>	
k.	Minimum Amenity Area	<ul style="list-style-type: none"> • Residential Apartment Building "2": 2,970 m² • Residential Apartment Building "3": 3,340 m² • Block Townhouse Buildings and Block Semidetached Building: 4,550 m² (65 m²/unit x 70 units) <p>Total required amenity area = 10,860 m²</p>	<p>24,561 m² (2,764 m² indoor amenity area + 21,791 m² outdoor amenity area)</p>

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone, subject to Exception 9(1351) Requirement (as shown on Attachment 7)	Proposed Exceptions to the RA3 Apartment Residential Zone, subject Exception 9(1351) Requirement
l.	Outdoor Parking Area	Shall be screened from the street and any adjacent lands	Shall not be screened from the street and any adjacent lands (Parking area abutting Farooq Boulevard)
m.	Maximum Driveway Width (Farooq Boulevard and Proposed Street ('A'))	7.5 m	9 m
n.	Minimum Landscape Strip	<ul style="list-style-type: none"> • 2 m abutting Major Mackenzie Drive • 2.5 m abutting Weston Road • 2.5 m abutting Proposed Street "B" adjacent to Commercial Building "1a" • 6 m abutting Proposed Street "B" adjacent to the Parking Area • 4.5 m abutting Proposed Street "B" adjacent to the Block Townhouse Buildings • 3.5 m abutting Proposed Street "A" adjacent to the Block Townhouse Buildings 	3 m from Major Mackenzie Drive, Weston Road, Farooq Boulevard and Proposed Street 'A'

Zoning By-law 001-2021

The Subject Lands are zoned "RM2(H) Multiple Residential Zone 2" with the Holding Symbol "(H)" and "OS1 Public Open Space Zone" subject to site-specific exception 14.985, by Zoning By-law 001-2021. The site-specific requirements in Exception 9(1351) from Zoning By-law 1-88 were carried over to site-specific Exception 14.985 in Zoning By-law 001-2021. The current zoning does not permit the Development.

Therefore, to permit the Development the Owner proposes to rezone the Subject Lands to "HMU High-Rise Mixed-Use" and "OS1 Public Open Space Zone" in the manner shown on Attachment 2, together with the following site-specific zoning exceptions to permit the Development shown on Attachments 2 to 6:

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.	Minimum Exterior Yard Setback (Weston Road)	5 m	3 m for Block 2
b.	Minimum Rear Yard Setback (Farooq Blvd)	7.5 m	6.10 m for Block 4
c.	Maximum Building Height	88 m	<ul style="list-style-type: none"> • 109.5 m for Buildings “C” and “E” (36-storeys each) • 97.5 m for Buildings “B” and “D” (32 storeys each)
d.	Maximum Height of Mechanical Penthouse	5 m above the maximum building height	6 m above the maximum building height
e.	Angular Plane from the Rear Lot Line (Farooq Boulevard)	A 45-degree angular plane is required	A 45-degree angular plane is not required
f.	Maximum Podium Height	20 m	25.5 m (8 storeys) for Blocks 2 and 3
g.	Minimum Tower Separation	30 m	25 m, between Buildings B and C in Block 2 and Buildings D and E in Block 3
h.	Minimum Landscape Strip Width	5 m abutting a street line	3 m abutting a street line

The Subject Lands are zoned with a site-specific zoning Exception 9(1351) and 14.985 by Zoning law 1-88 and Zoning By-law 001-2021 respectively. These zoning exceptions were approved by the OLT when it rendered its decision on the previously approved Official Plan and Zoning By-law Amendment applications on the Subject Lands. The permitted maximum heights and densities are also reflected in the site-specific height and density permissions for the Subject Lands in VOP 2010, which is consistent with the City’s urban structure hierarchy for Local Centres.

A zoning by-law implements the land use planning framework of a municipality’s Official Plan. A zoning by-law amendment is evaluated against conformity with the Official Plan and compatibility with adjacent land uses and must be consistent with the PPS and conform with other provincial policy documents, including the Growth Plan.

The proposed amendments to the existing “RA3 Apartment Residential Zone” and site-specific Exception 9(1351) requirements under Zoning By-law 1-88 and the proposed rezoning of the Subject Lands to “HMU High-Rise Mixed-Use Zone” with site-specific exceptions under Zoning By-law 001-2021, are commensurate to those of a “High-Rise” development.

For the reasons and comments provided in this report, the proposed rezoning and site-specific exceptions would facilitate a development that is not consistent with the PPS, does not conform to the Growth Plan, and does not conform to the policies or objectives of the YROP or VOP 2010 for the Subject Lands. Therefore, the Zoning Amendment application cannot be supported.

The Development has been reviewed in consideration of the City of Vaughan’s Urban Design Policies and Guidelines by the Urban Design Division of the Development Planning Department

Section 2 of the *Planning Act*, the PPS, the Growth Plan, and the YROP all contain policies that support the urban design objectives for creating well-designed, high quality and attractive built form and communities that will support the achievement of vibrant and complete communities.

Policy 9.1.2 of VOP 2010 provides direction on Urban Design and Built Form for developments taking place in different parts of the City, specifically on how buildings should be designed and organized, how they relate to the public realm and its intentions for urban design and architectural quality, as follows:

- Policy 9.1.2.1. b. states (in part) that new development will respect and reinforce the existing and planned context within which it is situated. More specifically, in intensification areas, the built form of new developments will be designed, located and organized, as set out in policies 9.1.2.7 and 9.1.2.9, to frame and support the surrounding public realm and massed to fit harmoniously into its surrounding environment, including appropriate transition to areas of lower intensity development.
- Policy 9.1.2.7 of VOP 2010 states that in Intensification Areas, new development will be designed to:
 - have buildings front onto a public street with generally consistent setbacks and built form along sidewalks;
 - locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk;
 - provide active ground floor uses and avoid blank façades;
 - mass new buildings to frame adjacent streets in a way that respects the existing or planned street width but also provides for a pedestrian-scaled environment;

- create appropriate transitions in scale to areas of lower intensity while fulfilling the intensification objections for the Intensification Areas;
 - provide appropriate parks and open spaces as set out in Policy 7.3;
 - provide for adequate light and privacy for occupants of the new development and for occupants of adjacent properties;
 - adequately limit shadow and/or wind impacts on neighbouring properties or public realm areas as demonstrated through the submission of the appropriate studies;
 - provide appropriate indoor and outdoor amenity space for the occupants of the new development; and
 - contribute to an interesting and attractive skyline through architectural treatment and roof design.
- Policy 9.1.2.9 requires that in intensification areas, new development will locate and organize vehicle parking, access and service areas to minimize their impact on surrounding properties and the public realm.

Vaughan Council on February 21, 2018, approved Vaughan's City Wide-Urban Design Guidelines ('UDG'). The UDG are a significant document in shaping the City's vision to promote a consistent level of high-quality urban design that builds the City's character relating to the built environment and enhanced pedestrian experience. The UDG enforces and aligns with the policies set out in the *Planning Act*, the Growth Plan, the YROP and VOP 2010.

Priority 2 of the UDG indicates that new developments should prioritize compatibility with surrounding context, including built development, among other considerations. The existing context along Major Mackenzie Drive West and Weston Road west and north of the Subject Lands is comprised mostly of low-rise buildings. The existing and planned context within the Vellore Centre is comprised of low-rise buildings and mid-rise buildings. The Subject Lands are located adjacent to lands designated "Low-Rise Residential" and Low-Rise Mixed-Use" which permits buildings to a maximum of 4 to 12 storeys in height. The proposed Development at 36 storeys in height is considered out of scale and is not compatible with the existing built form. Therefore, the Development does not comply with Priority 2 of the UDG.

The Urban Design Division of the Development Planning Department has identified concerns with the high-rise building typology being proposed for the Subject Lands and provides the following comments:

- a mid-rise building typology is strongly recommended.
- provide a greater variety of built form options on the Subject Lands, combining mid-rise and townhouse typologies, and a greater variety of unit typologies to serve a wider range of people to support a more diverse community.

- Major Mackenzie Drive West, Weston Road and the POPS should be framed by active uses to create interest, contribute to populating those spaces and creating a sense of security; retail, commercial, office, and townhouse units are some of the uses to consider.
- It would be more beneficial and safer to have the POPS consolidated, and not dissected by the interior road.
- microclimate conditions affecting the courtyard, the main entrances, the private amenity areas at the ground and the roof top levels as well as the park, are not favorable. The wind and the shadow impact will create adverse conditions at the ground level, making those spaces uncomfortable to use for most of the year. Building placement, form and orientation should be revised to create better microclimate conditions.
- Private amenity areas proposed for each block should be positioned in favorable locations in terms of microclimate and should build a strong relationship with the common amenity areas, courtyard and the park; to ensure they are well-used and work as transitional spaces from public to private creating a sense of safety in both the private and common areas.

The Development represents a high-rise building typology that does not reinforce the physical character of the established neighbourhood or the intent of the Vellore Centre. The Development does not respect or meet the urban design and built form policies of VOP 2010 and the UDG.

The Development Engineering Department has provided comments regarding the Development

The Development Engineering ('DE') Department has reviewed the Applications and supporting technical studies, and provides the following comments:

General

Should the OLT approve the Applications, the DE Department recommends the use of a Holding Symbol "(H)" to ensure the required servicing infrastructure upgrades noted below are implemented prior to development on the Subject Lands.

The DE Department has reviewed the report submitted by the Owner in support of the Development entitled "Conceptual Functional Servicing and Stormwater Management Report (MESP), Proposed High-Rise Residential Development" ('FSR/SWM Report') prepared by R.V. Anderson Associates Limited ('RVA'), dated September 28, 2021 and offers the following comments:

Water Distribution

RVA completed two (2) hydrant flow and pressure tests. It shall be noted that the 600mm diameter watermain along Major Mackenzie Drive lies within Pressure District 6 (PD6) of the York Water System and the 300mm diameter watermain along Farooq

Boulevard lies within Pressure District 7 (PD7) of the York Water System. The Valve in Chamber at the south limit of proposed New Road “A” shall be considered a boundary valve and remain closed.

Wastewater Servicing

The City has initiated a Servicing Master Plan update through the Integrated Urban Water Master Plan Class Environmental Assessment Study (‘IUW-MP Class EA’). The Study will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City’s Official Plan Review. Should the Applications be approved, external servicing requirements and/or improvements for the Subject Lands may be required and shall conform to the conclusions and recommendations of the City’s ongoing IUW-MP Class EA to the satisfaction of the City.

Project WW9, originally identified in the City’s 2014 Master Plan for Urban Water Infrastructure, will be re-evaluated in the City’s ongoing IUW-MP Class EA. Preliminary indications suggest this option is not viable due to downstream sanitary sewer constraints in Block 32 West, specifically on Vellore Woods Boulevard.

RVA has suggested an alternative to assess available sewage servicing capacity using actual observed flow rates. This method of evaluation is not acceptable as infrastructure requirements for new growth shall be based on the City’s Development Engineering Design Criteria.

Downstream sanitary sewer capacity constraints have been identified in the RVA Functional Servicing Report, dated September 28, 2021, on Farooq Boulevard and Sandwell Street. Sanitary sewer surcharging is not permitted in accordance with the City Design Criteria.

The ultimate build-out population for 10130 / 10144 / 10160 Weston Road and 3836 and 3850 Major Mackenzie Drive West was not considered by RVA in the downstream sanitary capacity analysis and overall servicing infrastructure upgrades for Farooq Boulevard and Sandwell Street. The DE Department notes there are active applications on these lands (Files Z.16.018 & 19T-16V003 and OP.21.023 & Z.21.047) and therefore the ultimate build-out population should reference those proposals.

Should the Applications be approved, the Owner shall front-end finance and construct or contribute to the required downstream sanitary sewer infrastructure improvements on Farooq Boulevard and Sandwell Street, to the satisfaction of the City.

Stormwater Management

A water balance for the Development is required and was not included in the FSR/ SWM Report.

Geotechnical and Hydrogeological Investigations

In support of the Applications the Owner submitted reports entitled “Geotechnical Investigation, Proposed Development, 3812 Major Mackenzie Dr. W.” prepared by Sola Engineering, dated September 17, 2021, and “Hydrogeological Investigation, 3812 Major Mackenzie Dr. W.” (‘Hydrogeological Report’) prepared by Watermark Environmental, dated September 22, 2021.

The DE Department notes groundwater elevation within the Subject Lands appears to be within the range of approximately 224 meters above sea level (masl) and 215 masl. The Development proposes four (4) levels of underground parking with the P4 underground parking level set at 214 masl. Should the Applications be approved, it will require short-term construction dewatering and long-term dewatering to support the Development as recommended by the Hydrogeological Report and the short-term and long-term dewatering discharge rates shall be included within RVA’s FSR/SWM Report to determine actual vs. allowable stormwater discharge rates (pre vs. post development).

Should the Applications be approved, prior to the discharge groundwater accumulating or collected on private lands into the City’s storm sewer system, the Owner shall obtain a Discharge Permit from the City, Environmental Services Department.

Environmental Noise Feasibility Study

In support of the Applications, the Owner submitted a report entitled “Environmental Noise Feasibility Study, 3812 Major Mackenzie Drive West, Proposed Mixed-use Development” (‘Noise Study’) prepared by Valcoustics Canada Ltd. dated September 21, 2021.

The DE Department undertook a high-level review of the Noise Report which recommended that a Class 4 acoustical area designation could be applied to the proposed Development in order to achieve the applicable MECP NCP 300 noise level criteria. Should the Applications be approved, the City will require the use of an external noise consultant to conduct a peer review to determine the viability and feasibility of the Class 4 request.

Environmental Site Assessment

The Owner submitted Phase One and Phase Two Environmental Site Assessment (‘ESA’) reports in support of the Applications that were reviewed by the Development Engineering Department. The findings of the ESA reports indicated that soil and groundwater met the applicable Ministry of the Environment, Conservation, and Parks standards and no further investigations were required. The DE Department is satisfied with the submitted ESA documentation and have no further comments or objections from an Environmental perspective.

Transportation

The Owner submitted a “Transportation Impact Study” (‘TIS’) prepared by Nextrans Consulting Engineers, dated September 21, 2021. The DE Department is not satisfied with the scope of the TIS as there are substantial inconsistencies, discrepancies, and omissions in the TIS. The DE Department is not able to appropriately assess the transportation impact of the Development or rely on the findings of the TIS.

As noted above, the technical reports submitted in support of the Applications require modifications in order to satisfy the requirements of the DE Department. In assessing the merits of these Applications both from a technical and policy framework, the policy framework within which this Development was reviewed when considered together with the technical issues identified and lack of proper technical analysis being completed by several of the Owner’s consultants indicates that the Development is not appropriate for the Subject Lands.

The Parks Infrastructure Planning and Development Department has provided comments regarding the Development

The PIPD Department considers the approval of the Applications to be premature at this time, pending further discussions about how their comments need to be addressed, as summarized below:

Community Services and Facilities Impact Study (CSFIS)

The applicant is required to submit a revised CSFIS addressing the PIPD comments.

Parkland Dedication

Further discussion between the applicant and PIPD staff is required regarding the size, layout, programming and phasing of the proposed Public Park should the Applications be approved, including:

- OPA 650 identifies 0.8 ha in public parkland for the subject lands (North West corner of the Vellore Village District Centre), but the submitted concept proposes a 0.519 ha Public Park and a 0.35 ha POPs.
- The layout and size of the Public Park and POPs should be illustrated on a Facility Fit Study, to ensure sufficient space is allotted to support minimum programming requirements.
- The development of the Public Park in the initial phase of development should be confirmed and through the submission of a Phasing Plan

Community Building

The Owner shall confirm whether a Community Building is being proposed and the proposed location and use. Further discussions with PIPD staff are required regarding any proposed community space.

Considering the significant increase in population being proposed that was not contemplated for the Subject Lands, further discussions would be required to confirm sizing requirements for the Public Park to support the Development and that align with OPA 650, as well as the need to provide additional community space to support the significant increase in units being proposed.

The York Region District and York Region Catholic District School Boards have no comment

The York Region District School Board and York Region Catholic District School Board have no comment to the approval of the Applications.

Other external agencies having no comment on the Applications

The following agencies have no comment to the approval of the Applications: Enbridge Gas, Rogers, Alectra Utilities, and Canada Post.

Financial Impact

There are no 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. The Community Planning and Development Services Department has conducted a review of Official Plan Amendment File OP.21.019 and have advised they do not support the Applications as the proposed heights, density, and number of residential units proposed for the Development does not conform with the City of Vaughan and Regional planned urban structure and intensification hierarchy. The York Region Community Planning and Development Services Department advises the Owner to revise their proposal to better reflect and align with the urban structure identified in VOP 2010 and the YROP and also cite Regional transportation comments that need to be addressed.

Based on their review, the proposed Official Plan Application results in a development that does not yet satisfy a number of criteria contained in YROP policy 8.3.8. The proposed Amendment has the potential to adversely affect Regional planning policies and interests, including:

- directly and substantially affect Regional servicing infrastructure, i.e. roads, water and sewer, and
- major application adversely affecting Regional traffic flows.

York Region is also not satisfied with the manner in which the TIS submitted by the Owner in support of the Applications was prepared to justify the proposed Development.

In consideration of the above, the York Region Community Planning and

Development Services Department does not support the approval of the Applications and therefore, the request to exempt OPA application OP.21.019 from Regional approval is denied by York Region at this time.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.21.019 and Z.21.040 have been reviewed in consideration of the policies of the *Planning Act*, the Provincial Policy Statement, 2020, the Growth Plan, 2019, as amended, the York Region Official Plan 2010, Vaughan Official Plan 2010, the City's Urban Design Guidelines, the requirements of Zoning By-law 1-88 and Zoning By-law 001-2021, comments from area residents, City departments and external public agencies, and the area context.

The Development Planning Department, in comprehensively assessing the merits of the Applications has evaluated the planning framework in its entirety and has balanced the many objectives of these documents, as identified in the body of this report. Based on this review it is the opinion of City staff that the Applications for the Development consisting of five buildings ranging in height from 11 storeys to 36 storeys with an FSI of 5.78 times the area of the lot is an overdevelopment of the Subject Lands that is not consistent with the Provincial Policy Statement and does not conform to the Growth Plan, York Region and City of Vaughan Official Plans and the City's Urban Design Guidelines.

The Development will result in a level of intensification that is not appropriate for the area, cannot be supported by the current and planned public transit service levels, and will have negative impacts on the urban structure hierarchy established by VOP 2010 that is supported by the policies contained in the YROP, the PPS and the Growth Plan.

The proposed high-rise Development is not compatible and does not respect the physical character of the surrounding community. The built form is inappropriate and represents poor planning and urban design. Accordingly, the Development is not in the public interest, is not compatible with the surrounding lands uses, is ad hoc intensification and does not represent good planning.

In consideration of the applicable policies and the existing surrounding land use context, as outlined in this report the Development Planning Department recommends that the applications be refused.

For more information, please contact: Letizia D'Addario, Senior Planner, Development Planning Department, at ext. 8213.

Attachments

1. Context and Location Map
2. Proposed Zoning and Site Plan
3. Landscape Plan
4. Building Elevations – South and East
5. Building Elevations – North and West
6. Perspective Rendering
7. Previously Approved Applications on Subject Lands
8. Extracts from Provincial Policy Statement, 2020 Section 6 - Definitions

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