

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, February 28, 2023 **WARD:** 1

TITLE: 2338 MAJOR MACKENZIE INC.
OFFICIAL PLAN AMENDMENT FILE OP.18.007
ZONING BY-LAW AMENDMENT FILE Z.18.012
2338 MAJOR MACKENZIE DRIVE
VICINITY OF KEELE STREET AND MAJOR MACKENZIE DRIVE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.18.007 and Zoning By-law Amendment File Z.18.012 for the subject lands shown on Attachment 1, to permit two (2), four-storey apartment buildings consisting of 110 dwelling units with 419.49 m² of ground floor commercial space and an FSI of 1.76 times the area of lot, as shown on Attachments 2 to 7.

Report Highlights

- The Owner proposes two (2), four-storey apartment buildings consisting of 110 dwelling units with 419.49 m² of ground floor commercial space and an FSI of 1.76 times the area of the lot.
- Official Plan and Zoning By-law Amendments are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendation

1. THAT the Public Meeting Report for Official Plan and Zoning By-law Amendment Files OP.18.007 and Z.18.012 (2338 Major Mackenzie Inc.) BE RECEIVED; and,

that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: The Subject Lands (the “Subject Lands”) are located on the north side of Major Mackenzie Drive, west of Keele Street and are known municipally as 2338 Major Mackenzie Drive West. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: September 7th, 2017.

Date applications were deemed complete: April 18th, 2018.

Previous Public Meeting – September 17th, 2018

A Statutory Public Meeting was previously held for the Official Plan and Zoning By-law Amendment applications (Files OP.18.007 and Z.18.012) (the ‘Applications’) on September 17th, 2018, following the submission of Complete Applications. Due to the length of time and changes to the proposal, a second Public Meeting is required.

The proposal that was presented at the September 17th, 2018, Public Meeting included a total of 77 residential units as shown on Attachments 8 to 11, a revision from the original applications submitted to the City which then proposed a total of 83 residential units with an FSI of 1.47 times the area of the Lot.

A resubmission was made to the City on November 22, 2022, which includes a total of 110 dwelling units with 419.49 m² of ground floor commercial space and an FSI of 1.76 times that area of the lot as shown on Attachments 2 to 7.

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

The Owner has submitted the following applications for the Subject Lands to permit the proposed development as shown on Attachments 2 to 7:

1. Official Plan Amendment File OP.18.007 to amend the policies of Vaughan Official Plan 2010 (‘VOP 2010’) to increase the maximum permitted Floor Space Index (FSI) in the “Low-Rise Mixed-Use” designation from 1.25 to 1.8 times the area of the lot.

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

2. Zoning By-law Amendment File Z.18.012 to rezone the Subject Lands as follows:
 - a) to amend Zoning By-law 1-88 to rezone the Subject Lands from “C1 Restricted Commercial Zone” subject to site-specific Exception 9(356), as shown on Attachment 1, to “RA1 Apartment Residential Zone” in the manner shown on

Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.

- b) to amend Zoning By-law 001-2021 to permit site-specific exceptions identified in Table 2 of this report.

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

- a) Date the Notice of Public Meeting was circulated: February 3rd, 2023.

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

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of February 14th, 2023, by the Development Planning Department.

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

Previous Reports/Authority

The following is a link to the previous Public Meeting Report regarding the Subject Lands:

[September 17, 2018, Committee of the Whole Public Hearing Report \(Item 3, Report 28\)](#)

Analysis and Options

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

Official Plan Designation:

- "Community Areas" and within an "Intensification Areas" on Schedule 1 – Urban Structure by VOP 2010.
- The Subject Lands are designated "Low-Rise Mixed-Use" with a maximum FSI of 1.25 by Schedule 13 – Land Use, VOP 2010.
- This designation permits townhouses, stacked townhouses, low-rise buildings, retail and office uses.
- An amendment to VOP 2010 is required to increase the permitted FSI to 1.8.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

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

Zoning By-law 1-88:

- “C1 - Restricted Commercial Zone” by Zoning By-law 1-88 and subject to site-specific Exception 9(356).
- This Zone does not permit the proposed uses.
- The Owner proposes to rezone the Subject Lands to “RA1 Apartment Residential Zone” as shown on Attachment 2, together with the following site-specific zoning exceptions identified in Table 1 below:

Table 1

	Zoning By-law 1-88 Standard	RA1 Apartment Residential Zone Requirement	Proposed Exceptions to the RA1 Apartment Residential Zone Requirement
a.	Minimum Lot Area	170 m ² /unit	52 m ² /unit
b.	Minimum Front Yard	4.5 m	3 m
c.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Day Nursery 	Permit the following additional uses: <ul style="list-style-type: none"> • Banking or Financial Institution • Personal or Business Office • Eating Establishment • Eating Establishment (Take-Out) • Convenience • Personal Service Shop • Pharmacy • Photography Studio • Retail Store
d.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces/unit x 110 units = 165 spaces <u>Visitor</u> 0.25 spaces/unit x 110 units = 28 spaces	<u>Residential</u> 0.90 spaces/unit x 110 units = 99 spaces <u>Visitor</u> 0.2 spaces/unit x 110 units = 22 spaces

	Zoning By-law 1-88 Standard	RA1 Apartment Residential Zone Requirement	Proposed Exceptions to the RA1 Apartment Residential Zone Requirement
		<u>Commercial</u> 6 spaces/100 m ² x 419.49 m ² = 26 spaces Total Parking Required = 219 spaces	<u>Commercial</u> 2.9 spaces/100 m ² x 419.49 m ² = 13 spaces Total Parking Provided = 134 spaces
e.	Minimum Amenity Area	11 Bachelor Units x 15 m ² /unit = 165 m ² 48 One Bedroom Unit x 20 m ² /unit = 960 m ² 38 Two Bedroom Unit x 55 m ² /unit = 2,090 m ² 13 Three Bedroom Unit x 90 m ² /unit = 1,170 m ² Total required amenity area = 4,385 m ²	110 Total Units x 14.53m ² /unit = 1,598 m ² Total provided amenity area = 1,597.9 m ²

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

Zoning By-law 001-2021:

- The Subject Lands are zoned “MMS - Main Street Mixed-Use – Maple Zone” subject to site-specific Exception 196 by Zoning By-law 001-2021
- This Zone does not permit the proposed development
- The Owners proposes the following site-specific zoning exceptions identified in Table 2 below:

Table 2

	Zoning By-law 001- 2021 Standard	MMS – Main Street Mixed- Use – Maple Zone Requirement	Proposed Exceptions to the MMS – Main Street Mixed-Use – Maple Zone Requirement
a.	Maximum Building Height	12 m	12.5 m

	Zoning By-law 001-2021 Standard	MMS – Main Street Mixed-Use – Maple Zone Requirement	Proposed Exceptions to the MMS – Main Street Mixed-Use – Maple Zone Requirement
b.	Minimum Parking Requirements	<u>Residential</u> 1.0 spaces/unit x 110 units = 110 spaces <u>Visitor</u> 0.2 spaces/unit x 110 units = 22 spaces Retail 2.7 spaces/100 m ² of GFA = 12 spaces Total Parking Required (including all uses) = 144 parking spaces	<u>Residential</u> 0.90 spaces/unit x 110 units = 99 spaces <u>Visitor</u> 0.2 spaces/unit x 110 units = 22 spaces Retail 3.0 spaces/100 m ² of GFA = 13 spaces Total Parking Provided (including all uses) = 134 parking spaces
c.	Minimum Short-Term Bicycle Parking Space Rates	0.2 per dwelling unit, or 6 spaces, whichever is greater 0.2 x 110 dwellings units = 22 bicycle spaces Total Short-Term Bicycle Parking Spaces (including all uses) = 28 bicycle spaces	0.1 per dwelling unit 0.1 x 110 dwelling units = 11 bicycle spaces Total Short-Term Bicycle Parking Spaces (including all uses) = 15 bicycle spaces
d.	Short-Term Bicycle Parking Location	A required bicycle parking space located within the ground floor area of a building or structure shall have direct access to the exterior of that building or structure	Where short-term bicycle parking space is located wholly within a building, the spaces shall not have direct access from the exterior of a building and be located on the P1 Parking Level
e.	Minimum Amenity Area – Common Space	A minimum of 90% shall be provided as a common space	A minimum of 85% shall be provided as a common space

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

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010; particularly Sections 6.2.2, 9.1.2.5 and 9.2.3.3 regarding heritage properties and compatibility within Intensification Areas.
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-laws 1-88 and 001-2021	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density, and mix of uses. ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses.
c.	Maple Heritage Conservation District Plan ('MHCDP')	<ul style="list-style-type: none"> ▪ The Subject Lands are located in the MHCDP and are designated under Part V of the <i>Ontario Heritage Act</i>. The Subject Lands have been identified as a non-heritage property within Volume 2 of the MHCDP. The Development must be reviewed by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee. ▪ The Owner has submitted a Cultural Heritage Impact Assessment (CHIA) to assess conformity to the MHCDP, which must be approved by the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division and the Heritage Vaughan Committee.
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
e.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once

	MATTERS TO BE REVIEWED	COMMENT(S)
		servicing capacity is identified and allocated to the lands by Vaughan Council
f.	City of Vaughan Urban Design Guidelines and Maple Streetscape and Urban Design Guideline	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines ▪ The Subject Lands are located within the Maple Streetscape and Urban Design Guidelines area and will be reviewed for conformity with the requirements of the document which includes prescribed streetscape materials, street, furniture and lighting within the public realm along Major Mackenzie Drive.
g.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ A preliminary design concept was considered by the Vaughan Design Review Panel ('DRP') on June 28, 2018. ▪ The second submission received in November 2022 (the subject of this Public Meeting) was revised to reflect comments received by the DRP in 2018. ▪ The Applications are not required to go before the DRP a second time as the changes to the original 2018 proposal are not significant in terms of design.
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.
i.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> ▪ The Subject Lands are within an area subject to the Source Protection Plan (SPP) and are within the Wellhead Protection Area - Q2 (WHPA-Q2). ▪ The TRCA has provided comments on the latest Applications and note that based on a review of the circulated materials, it is the opinion of TRCA that the Applications do not represent a significant threat to water quantity/recharge reduction. ▪ As such, the TRCA has no requirements or objections to the Applications.
j.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development provides a Silver score of 59.

	MATTERS TO BE REVIEWED	COMMENT(S)
k.	Parkland Dedication	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
l.	The CBC By-law will be applicable	<ul style="list-style-type: none"> The development meets the criteria for Community Benefits Charges ('CBC'). The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits.
m.	Affordable Housing	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals. At this time, the Applicant has not proposed any affordable housing units as part of the Development.
n.	Required Applications	<ul style="list-style-type: none"> A Draft Plan of Condominium Application is required to create a Condominium Corporation to address the tenure of the common elements (i.e., private road, internal sidewalk, resident and visitor parking, and common landscaped amenity areas), should the Applications be approved. A Development Application is also required for Site Plan Approval should the Applications be approved.
o.	Road Widening, Access, and Traffic	<ul style="list-style-type: none"> The Subject Lands are located on Major Mackenzie Drive West, an arterial road under the jurisdiction of York Region with a planned Right-of-Way of up to 43 m York Region will review the location and design of the proposed driveway from Major Mackenzie Drive West and identify any required land conveyances

Financial Impact

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

Broader Regional Impacts/Considerations

The Applications and resubmission have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues will be addressed when the technical report is considered.

On September 28, 2018, the Region issued an exemption from Regional Approval of OP.18.007, which would effectively allow the OPA to come into effect following its adoption by the City of Vaughan and the expiration of the required appeal period, should the Applications be approved.

Conclusion

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

For more information, please contact Christina Ciccone, Senior Planner, Development Planning Department, ext. 8773

Attachments

1. Context and Location Map
2. Proposed Site Plan and Zoning
3. Landscape Plan
4. Building 'A' Elevations - North and South
5. Building 'A' Elevations - East and West
6. Building 'B' Elevations - North and South
7. Building 'B' Elevations - East and West
8. Proposed Zoning and Site Plan – Original: September 17, 2018, Public Meeting
9. Proposed Landscape Plan - Original: September 17, 2018, Public Meeting
10. Proposed Elevation – South - Original: September 17, 2018, Public Meeting
11. Proposed Elevations – North, East and West - Original: September 17, 2018, Public Meeting

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