

COMMITTEE OF THE WHOLE –APRIL 2, 2019

COMMUNICATIONS

Distributed April 1, 2019

- | | <u>Item No.</u> |
|---|-----------------|
| C1. Memorandum from the Deputy City Manager, Planning and Growth Management, dated April 1, 2019. | 2 |

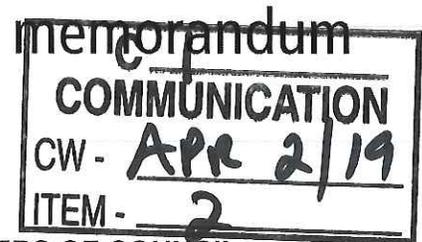
Distributed April 2, 2019

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| C2. Ms. Rosemarie Humphries, President, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated April 2, 2019. | 15 |
| C3. Mr. Daniel B. Artenosi, Partner, Overland LLP, Yonge Street, Toronto, dated April 2, 2019. | 3 |

Disclaimer Respecting External Communications

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Please note there may be further Communications.



DATE: APRIL 1, 2019

TO: HONOURABLE MAYOR BEVILACQUA AND MEMBERS OF COUNCIL

FROM: JASON SCHMIDT-SHOUKRI, DEPUTY CITY MANAGER
PLANNING AND GROWTH MANAGEMENT

RE: REPORT 14 - ITEM 2 - COMMITTEE OF THE WHOLE - APRIL 2, 2019

**PROPOSED OFFICIAL PLAN AMENDMENT SECTION 37
POLICIES VAUGHAN METROPOLITAN CENTRE SECONDARY PLAN
FILE NO. 26.16**

Purpose

To defer a recommendation on proposed Official Plan Amendment #34 and review these policy changes in conjunction with the review of the Vaughan Metropolitan Centre (VMC) Secondary Plan and following the release of Provincial amendments to the *Planning Act* and Local Planning Appeal Tribunal (LPAT).

Recommendation

The Deputy City Manager, Planning and Growth Management recommends:

1. That Official Plan Amendment #34, BE DEFFERED to amend the provisions of the Vaughan Official Plan 2010, specifically Policy 8.1.23 within Volume 2, Policy 11.12 Vaughan Metropolitan Centre Secondary Plan, to include a new provision to permit an increase in building height and/or density for a proposed development through a Zoning By-law Amendment approval without needing an Official Plan Amendment application if there is a Council approved Section 37 contribution.
2. That staff report back on the proposed Official Plan Amendment through the review of the Vaughan Metropolitan Centre Secondary Plan and following the release of Provincial amendments to the *Planning Act* and Local Planning Appeal Tribunal.

Background

On December 11, 2017, Council approved the following recommendation that was initiated by a request from Smart Centres:

That staff be directed to report no later than June 30, 2018 on an amendment to the VMC Secondary Plan to clarify that modifications to height and/or density in the VMC Secondary Plan area, that are being requested through Section 37 bonusing shall be implemented through a Section 34 zoning by-law amendment and that an official plan amendment would not be required notwithstanding policy 9.4.4 in the VMC Secondary Plan and policy 10.2.1.7 in Volume 1 of the Vaughan Official Plan 2010 (VOP 2010).

On June 5, 2018 staff were directed to hold a statutory public hearing on a proposed Official Plan Amendment.

On September 17, 2018 a statutory public meeting was held on the proposed Official Plan Amendment.

The April 2, 2019 report recommends the adoption of OPA #34.

Prior to the preparation of the April 2, 2019 report, staff circulated the proposed process that would implement the amendment to the VMC developers. A concern with the waiver timing for an Official Plan Amendment was raised. It was their preference that the requirement for an Official Plan Amendment for increases to height and density is waived prior to Council deciding on the associated Zoning By-law Amendment and Section 37 contribution.

Staff's recommendation is that the requirement for an Official Plan Amendment for increases to height and density is waived in conjunction with Council decision on the associated Zoning By-law Amendment and Section 37 contribution.

Analysis

The Province of Ontario has advised municipalities that additional legislative policy amendments will be coming forth over the upcoming months. This may include amendments to the *Planning Act* and the LPAT.

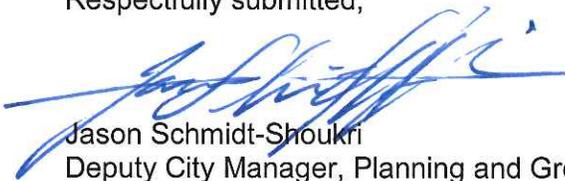
The Policy and Environmental Sustainability Department has initiated a review of the VMC Secondary Plan in parallel with the review of the Vaughan Official Plan 2010. This review of the VMC Secondary Plan will consider amendments to the existing heights and densities.

Due to the anticipated Provincial changes and the upcoming review of the VMC Secondary Plan, it is appropriate to defer a decision on Official Plan Amendment #34 and consider these policy changes through the VMC Secondary Plan review.

Conclusion

To defer a recommendation on proposed Official Plan Amendment #34 and review these policy changes in conjunction with the review of the VMC Secondary Plan and following the release of Provincial amendments to the *Planning Act* and LPAT.

Respectfully submitted,



Jason Schmidt-Shoukri
Deputy City Manager, Planning and Growth Management

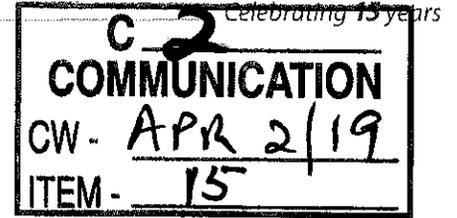
Prepared by:

David Marcucci, Senior Planner LPAT

Bill Kiru, Director, Policy Planning and Environmental Sustainability

HUMPHRIES PLANNING GROUP INC.

April 2, 2019
HPGI File # 0449



SUBMITTED VIA EMAIL: clerks@vaughan.ca

His Worship Mayor Maurizio Bevilacqua and Members of Council
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

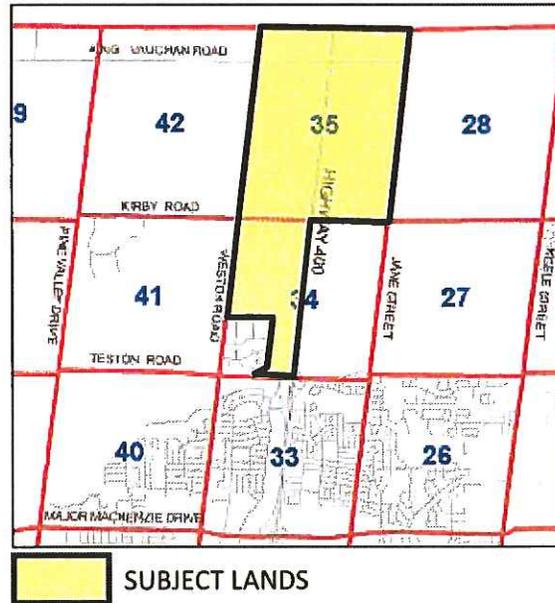
Your Worship and Members of Council,

Re: Comment Letter
Council Report – Proposed Amendment 1
Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan")
Vaughan 400 North Landowners Group Inc.
Blocks 34W and 35, City of Vaughan
Lots 26 through 35, Vaughan Conc. 5 & Lot 1, King Conc. 5

This letter has been prepared on behalf of our client the Vaughan 400 North Landowners Group, made up of the owners of lands within Blocks 34W and 35 (the "subject lands", refer to Figure 1).

The subject lands were brought into the Urban Area of the City and designated as employment lands by Region of York Official Plan Amendment No. 52 ("ROPA 52"), approved by Order of the Ontario Municipal Board dated August 19, 2010. The lands were then designated for employment uses in the City's Official Plan by OPA 637, approved by Order of the Ontario Municipal Board ("OMB") dated November 21, 2011. It is important to understand that these designations came about in both cases with the consent of our client as a result of OMB Mediation with the Province, Region and City.

FIGURE 1 – LOCATION MAP



In the time since the approval of ROPA 52 and OPA 637, a partial conversion request has been submitted to the Region, proposing residential land uses for some of the subject lands. This request, dated July 25, 2018, seeks to allow 445.8 hectares (1,101.59 ac) of the subject lands to be used for residential purposes, maintaining 172.8 hectares (426.99 ac) of land for employment uses.

Following our review of the Council Report regarding the Proposed Amendment 1 to the *Growth Plan* (the “staff report”), we are providing the following comments. As part of the proposed amendment to the *Growth Plan*, the Province is seeking to establish Provincially Significant Employment Zones (“PSEZ”), as identified by the Minister of Municipal Affairs and Housing.

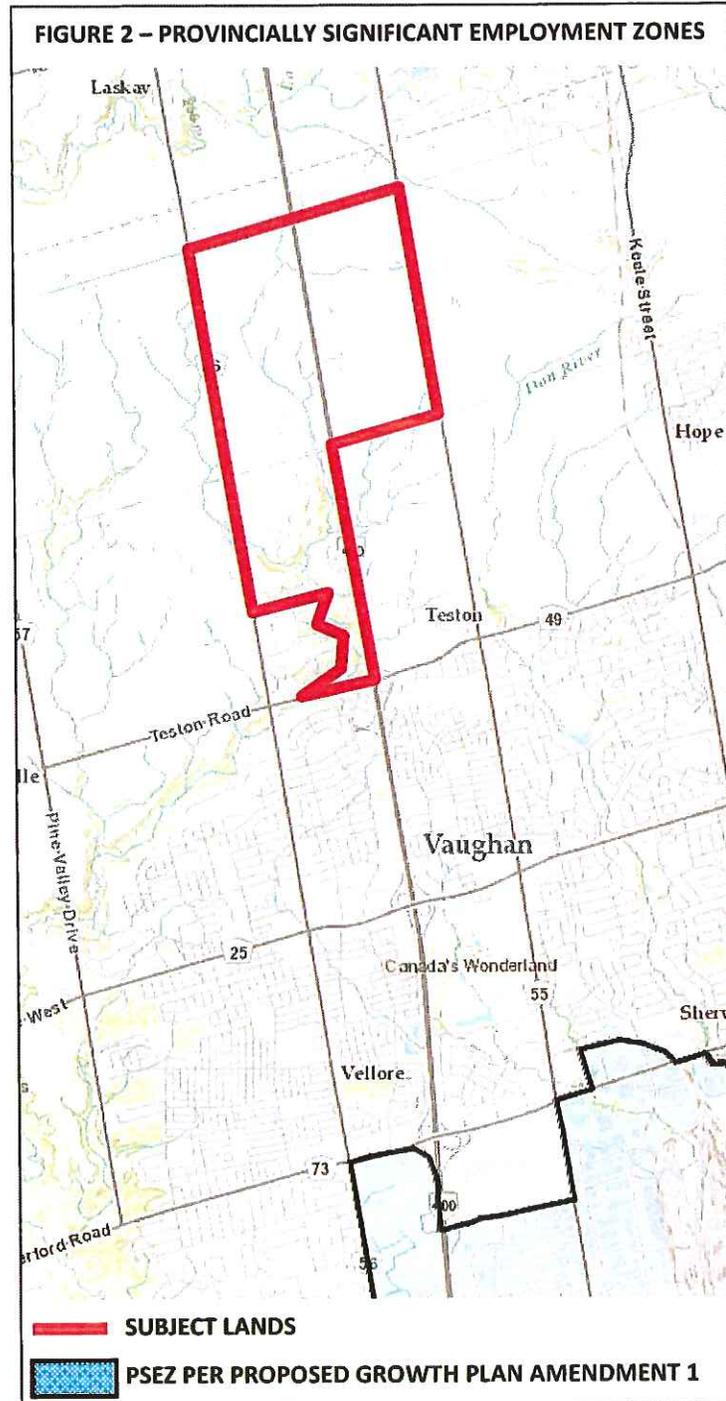
These lands are to be protected for employment, and would be not eligible for a request for a conversion outside of the Municipal Comprehensive Review process, as outlined in proposed Policy 2.2.5.12.

The mapping provided by the Province as part of Proposed Amendment 1 identifies the proposed PSEZ, and does not include the subject lands (Refer to Figure 2). We support this decision, and our opinion is that the subject lands should not be identified as a PSEZ.

Attachment 1 to the staff report outlines comments and recommendations to be sent to the Province in response to Proposed Amendment 1. City Staff are recommending that certain lands in the City be added as a PSEZ, including the subject lands.

We are opposed to identifying the subject lands as a PSEZ, primarily because this was not and is not the intent of ROPA 52 and Vaughan OPA 637. The agreement reached in the OMB Mediation, reflected in the OMB’s Decisions, was that the subject lands have

significance as employment lands at the municipal and regional levels, not at the Provincial level.



April 2, 2019

In addition, Council should be aware that, at its meeting on March 21, 2019, Regional Council passed the following resolution:

- “1. Be it resolved that the Regional Municipality of York request that the provincial government not include provincially significant employment zones in the Growth Plan for the City of Markham and along the 400 corridor from approximately Major Mackenzie Drive to the King-Vaughan border (as shown on Attachment 2, page 3 of the Region’s original submission) for the City of Vaughan, the current level of protections in the 2017 Growth Plan with respect to upper-tier official plans should be maintained, including the prohibition of institutional and sensitive land uses in employment areas that would have qualified as ‘prime employment areas’. [emphasis added]*”

This resolution implements at the Regional level the position of the Province that the subject lands should not be identified as a PSEZ. This should also happen at the City level. We therefore request that Council (1) amend the staff recommendation with respect to the identification of PSEZ to exclude the subject lands; and (2) direct amendment of Attachment 2 to the staff report, being the “Recommended Modifications for Provincially Significant Employment Zones Mapping”, to remove the subject lands as a proposed PSEZ.

Thank you for your consideration of this submission. Should you require anything further, please do not hesitate to contact the undersigned.

Yours truly,
HUMPHRIES PLANNING GROUP INC.



Rosemarie Humphries, MCIP, RPP
President

cc: Vaughan 400 North Landowners Group Inc.
Mr. Michael Melling, Davies Howe LLP

Britto, John

From: Adam Grossi <agrossi@humphriesplanning.com>
Sent: Monday, April 1, 2019 5:13 PM
To: Clerks@vaughan.ca
Cc: Daniel Belli (dbelli@armlandgroup.com); 'Gabe DiMartino'; Michael Melling; Meaghan McDermid; Rosemarie Humphries
Subject: Proposed Amendment 1 to the Growth Plan (2017) - Committee of the Whole Agenda Item 5.15 - April 2, 2019
Attachments: Scanned from a Xerox multifunction device.pdf

Good Afternoon,

Please see attached, correspondence submitted on behalf of my client, the Vaughan 400 Landowners Group, with respect to Item No. 5.15 on the Committee of the Whole Agenda for April 2, 2019, being "Proposed Amendment 1 to the Growth Plan (2017)". Thank you.

Adam Grossi MAES,MCIP, RPP
SENIOR PLANNER

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Overland LLP
Daniel B. Arsenosi
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Email: darsenosi@overlandllp.ca

April 2, 2019

VIA EMAIL

Mayor Bevilacqua and Members of the Committee
City of Vaughan
Committee of the Whole
2141 Major Mackenzie Drive East
Vaughan ON L6A 1T1

Attention: Todd Coles
City Clerk

Your Worship and Members of Council:

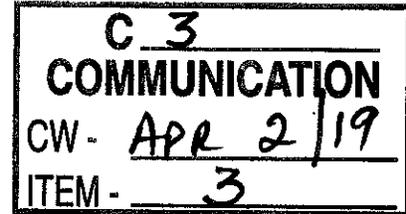
**RE: Committee of the Whole Meeting on April 2, 2019 – Agenda Item No. 5.3
Official Plan Amendment File OP.18.014
Zoning By-law Amendment File Z.18.021
Draft Plan of Subdivision File 19T-18V008
2748355 Canada Inc. (Quadreal Block 2)
Vicinity of Interchange Way and Jane Street (the “Subject Lands”)**

We are the solicitors for 1406284 Ontario Inc., being the owner of the property municipally known as 3201 Highway 7 (the “**1406284 Site**”) in the City of Vaughan (the “**City**”), which is located to the north of the lands subject to the above-noted applications (the “**Quadreal Block 2 Lands**”). We have reviewed the Committee of the Whole Report from the Deputy City Manager, Planning and Growth Management in respect of Item No. 5.3 to be considered by the Committee of the Whole on April 2, 2019 (the “**Staff Report**”) and we are writing to provide our client’s preliminary concerns in respect of the proposed development and the Staff recommendations.

We are requesting that the Committee direct Staff to engage in further consultation with the Applicant and interested stakeholders to consider revisions to the proposed development that respond to the issues generally set out below.

Background

The 1406284 Site is the subject of an active application for site plan approval to permit the redevelopment of the property with a high-quality mixed-use development comprised of 3 towers, a hotel and townhouse units. The development proposes a total of 145,347 square metres of combined residential and non-residential gross floor area, which includes a total of approximately 19,279.5 square metres of non-residential gross floor area. At its meeting on June 19, 2018, City Council adopted the recommendation of the Committee of the Whole to approve the site plan application, subject to conditions.



Our client's development has been designed to implement the planned vision for the Vaughan Metropolitan Centre as "Vaughan's Downtown", which is planned to contain the highest densities and greatest diversity of land uses within the City. The planned "Downtown" vision is predicated, in part, on achieving a critical scale of both residential and non-residential development in an urban form that will "enliven the downtown." This is reinforced by the seven (7) "general principles" in the VMC Secondary Plan, that are intended to achieve, in part, a broad mix of uses, an urban form that frames public streets and that, together with other streetscape elements, "will support a safe, comfortable and interesting pedestrian environment," and the development of key streets and open spaces that will be lined with commercial and other "active ground-floor uses to enliven the downtown" (VMC Secondary Plan, Chapter 2.0). As a landowner with an active development application in this area, our client has a significant interest to ensure that this planned vision is realized for the Downtown.

Recognizing that the urban fabric of the City's Downtown currently comprises lands in various phases of redevelopment, as well as existing low-density auto-oriented retail and industrial uses which are anticipated to remain for the foreseeable future, every proposal within the Downtown presents an important opportunity to move towards achieving this urban vision.

The Proposal for the Quadreal Block 2 Lands

As set out in the Staff Report, 2748355 Canada Inc. is proposing a two-phased residential development consisting of 1,082 units in three apartment buildings (12, 15 and 18 storeys) and 22 townhouse blocks, with only 109.5 square metres of grade-related retail (the "**Proposed Development**").

In general terms, the composition of development is not of the type and quality envisioned for a vibrant, mixed use "Downtown." Rather, this composition, which is coupled with what is for all intents and purposes a single land use, will result in an insulated residential complex, removed from its surrounding environment. To the extent that a more intensive urban form is contemplated by components of the Proposed Development, the elongated rectilinear floorplates constitute a significant departure from in-force Official Plan policies and generally accepted architectural principles that seek to minimize massing to create a comfortable urban environment. The slab typology will perpetuate shadows on the proposed linear park directly opposite the Proposed Development on the Millway Street extension (Street B).

The Quadreal Block 2 Lands are located in the "South Precinct" of the VMC Secondary Plan. While residential uses are permitted, the South Precinct is strategically intended to facilitate the development of a high proportion of office and other non-residential uses. As set in Policy 8.3.1 of the VMC Secondary Plan:

"8.3: South Precinct

8.3.1: A mix of uses shall be encouraged in the South Precinct, as shown on Schedule F, with a high proportion of office uses overall and retail on Interchange Way. The South Precinct is also a preferred location for a post-secondary institution. A mix of low-rise,

mid-rise and high-rise buildings, as described in Policy 8.7.1, shall be encouraged in the South Precinct."

We note that Policy 8.3 of the VMC Secondary Plan is not referred to in the Staff Report, and in our respectful submission, it is not otherwise meaningfully assessed in the review of the Proposed Development.

The Quadreal Block 2 Lands account for a significant portion of lands within the South Precinct. Despite the planned function for the South Precinct, the Proposed Development does not include any office uses. The Proposed Development only incorporates a modest 109.5 square metres of retail space, which is itself stated to perform a local function as opposed to contributing to the animation and diversity of uses that are intended to draw people to the Downtown area. The shortcomings of the Proposed Development directly undermine provincial policies that seek to optimize the use of land and infrastructure.

It would appear that the Staff recommendations are motivated, in part, by a desire to achieve a critical scale of residential intensification to support the development of more active non-residential uses on other lands within the Downtown on a go-forward basis. We submit that this approach fails to account for the planned function of the Quadreal Block 2 Lands, and represents a missed opportunity to support ongoing efforts by other developers, including our client, to support the creation of a vibrant mixed-use Downtown area for the City of Vaughan.

We hereby request notification of all future consideration of the applications and any related applications that 2748355 Canada Inc. may submit in respect of the Quadreal Block 2 Lands and any related lands, by City Council and any Committees of Council.

Thank you for your consideration of these submissions.

Yours truly,
Overland LLP



For:
Per: Daniel B. Artensosi
Partner

c. Stephen Lue, Senior Planner
Christina Bruce, Director, VMC Program

Britto, John

From: Michael Cara <mcara@overlandllp.ca>
Sent: Tuesday, April 2, 2019 10:33 AM
To: Clerks@vaughan.ca
Cc: Daniel Artenosi; Gregory Smith; Bruce, Christina; Lue, Stephen
Subject: Committee of the Whole Meeting (April 2, 2019) - Agenda Item 5.3: Written Submission on Behalf of 1406284 Ontario Inc.
Attachments: Letter to the Committee of the Whole (April 2, 2019) - on behalf of 1406284 Ontario Inc..pdf

Please see the attached letter which is being sent on behalf of 1406284 Ontario Inc.

This matter is to be discussed at the Committee of the Whole Meeting scheduled for this afternoon (Agenda Item No. 5.3).

Thanks,
Michael

Overland LLP

Michael Cara

mcara@overlandllp.ca

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