

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 26, 2023

Item 3, Report No. 31, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 26, 2023.

3. CACOELI TERRA VAUGHAN LTD.: OFFICIAL PLAN AMENDMENT FILE NO. OP.22.006, ZONING BY-LAW AMENDMENT FILE NO. Z.22.009 – 10811 AND 10819 JANE STREET, VICINITY OF JANE STREET AND TESTON ROAD

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated September 12, 2023, be approved; and**
- 2) That the comments from Ms. Ada Ruzza, Jane Street, Maple, be received.**

Recommendations

That the Ontario Land Tribunal (“OLT”) be advised that City of Vaughan Council ENDORSES the following recommendations for OLT Case No. OLT-23-000284:

1. THAT Official Plan Amendment File OP.22.006 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Vaughan Official Plan 2010, Volume 1 and Volume 2, Section 11.13 “Block 27 Secondary Plan”, for the Subject Lands shown on Attachment 1 as follows:
 - a) To redesignate the Subject Lands from “Low-Rise Mixed-Use” to “Mid-Rise Mixed-Use”;
 - b) Increase the maximum permitted building height from 2-storeys to 12-storeys; and
 - c) Increase the maximum permitted floor space index from 1.5 to 4.0 times the area of the lot.
2. THAT Zoning By-law Amendment File Z.22.009 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from “A Agricultural Zone” to “RA3 Apartment Residential Zone” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 (Attachment 10) of this report.

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3. THAT Zoning By-law Amendment File Z.22.009 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development,” to “MMU Mid-Rise Mixed-Use” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 2 (Attachment 11) of this report.
4. THAT if the OLT allows the appeals, in whole or in part, and makes a decision to approve Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009, staff shall request the OLT to withhold its final Order approving the applications until such time as the OLT has been advised by the City that:
 - a. the proposed official plan amendment and zoning by-law amendment are in a final form satisfactory to the City;
 - b. a Site Development application has been submitted and approved to the satisfaction of the City; and
 - c. the implementing zoning by-law amendment shall include the Holding Symbol “(H)” which shall not be removed from the Subject Lands, or any portion thereof, until such time as the following conditions are addressed to the satisfaction of the respective department:
 - i. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity to the Subject Lands for the proposed 159 apartment units;
 - ii. the Owner shall successfully obtain Site Development Approval for the Subject Lands and approval by the following Departments and external agencies:
 - Development Planning Department;
 - Development Engineering Department;
 - Parks & Infrastructure Planning Development;
 - Office of the City Solicitor – Real Estate Division;
 - York Region;
 - Toronto and Region Conservation Authority;
 - all required utility companies (i.e. Canada Post, Bell, Rogers and Alectra Utilities Corporation and Enbridge) and
 - First Nations groups;

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5. THAT if the OLT allows the appeals, in whole or in part, and makes a decision to approve Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009 the Owner shall submit an Archaeological Report, a revised Functional Servicing Report, a revised Stormwater Management Report, a revised Traffic Impact Study, and Environmental Impact Study to the satisfaction of the City's Development Planning Department, Development Engineering Department, Toronto and Region Conservation Authority, York Region, Ministry of Natural Resources and Forestry and any other required agencies.
6. THAT staff appear before the OLT for Case No. OLT-23-000284 in support of Council's adopted recommendations.

Committee of the Whole (1) Report

DATE: Tuesday, September 12, 2023

WARD: 1

TITLE: CACOELI TERRA VAUGHAN LTD.:
OFFICIAL PLAN AMENDMENT FILE NO. OP.22.006,
ZONING BY-LAW AMENDMENT FILE NO. Z.22.009 -
10811 AND 10819 JANE STREET,
VICINITY OF JANE STREET AND TESTON ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole on the Recommendations contained in this report to refuse Official Plan and Zoning By-Law Amendment Files OP.22.006 and Z.22.009 (Cacoeli Terra Vaughan Ltd.) which have been appealed to the Ontario Land Tribunal (“OLT”) respecting the Subject Lands shown on Attachments 1 and 2.

Report Highlights

- The Owner is proposing to develop the Subject Lands with a 12-storey mixed use building comprising of 159 market based rental units, 44 supportive living facility units, a day care facility for children and adults, and a Floor Space Index (“FSI”) of 4.0 times the area of the lot.
- The statutory Public Meeting for the applications took place on September 13, 2022.
- On March 3, 2023, the Owner appealed the applications to the OLT.

Report Highlights

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

Recommendations

That the Ontario Land Tribunal (“OLT”) be advised that City of Vaughan Council ENDORSES the following recommendations for OLT Case No. OLT-23-000284:

1. THAT Official Plan Amendment File OP.22.006 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Vaughan Official Plan 2010, Volume 1 and Volume 2, Section 11.13 “Block 27 Secondary Plan”, for the Subject Lands shown on Attachment 1 as follows:
 - a) To redesignate the Subject Lands from “Low-Rise Mixed-Use” to “Mid-Rise Mixed-Use”;
 - b) Increase the maximum permitted building height from 2-storeys to 12-storeys; and
 - c) Increase the maximum permitted floor space index from 1.5 to 4.0 times the area of the lot.
2. THAT Zoning By-law Amendment File Z.22.009 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from “A Agricultural Zone” to “RA3 Apartment Residential Zone” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 (Attachment 10) of this report.
3. THAT Zoning By-law Amendment File Z.22.009 (Cacoeli Terra Vaughan Ltd.) BE REFUSED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development,” to “MMU Mid-Rise Mixed-Use” in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 2 (Attachment 11) of this report.
4. THAT if the OLT allows the appeals, in whole or in part, and makes a decision to approve Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009, staff shall request the OLT to withhold its final Order approving the applications until such time as the OLT has been advised by the City that:

- a. the proposed official plan amendment and zoning by-law amendment are in a final form satisfactory to the City;
 - b. a Site Development application has been submitted and approved to the satisfaction of the City; and
 - c. the implementing zoning by-law amendment shall include the Holding Symbol “(H)” which shall not be removed from the Subject Lands, or any portion thereof, until such time as the following conditions are addressed to the satisfaction of the respective department:
 - i. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Protocol assigning capacity to the Subject Lands for the proposed 159 apartment units;
 - ii. the Owner shall successfully obtain Site Development Approval for the Subject Lands and approval by the following Departments and external agencies:
 - Development Planning Department;
 - Development Engineering Department;
 - Parks & Infrastructure Planning Development;
 - Office of the City Solicitor – Real Estate Division;
 - York Region;
 - Toronto and Region Conservation Authority;
 - all required utility companies (i.e. Canada Post, Bell, Rogers and Alectra Utilities Corporation and Enbridge) and
 - First Nations groups;
5. THAT if the OLT allows the appeals, in whole or in part, and makes a decision to approve Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009 the Owner shall submit an Archaeological Report, a revised Functional Servicing Report, a revised Stormwater Management Report, a revised Traffic Impact Study, and Environmental Impact Study to the satisfaction of the City’s Development Planning Department, Development Engineering Department, Toronto and Region Conservation Authority, York Region, Ministry of Natural Resources and Forestry and any other required agencies.
6. THAT staff appear before the OLT for Case No. OLT-23-000284 in support of Council’s adopted recommendations.

Background

Location: 10811 and 10819 Jane Street (the ‘Subject Lands’), located at the northeast corner of Jane Street and Teston Road, which are currently occupied by two single-detached dwellings. The Subject Lands and the surrounding land uses are shown on Attachment 2.

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

On March 31, 2022, Cacoeli Terra Vaughan Ltd. (the “Owner”) submitted applications for Official Plan Amendment (File OP.22.006) and Zoning By-law Amendment (File Z.22.009) (the “Applications”) to the City for the Subject Lands to permit the proposed development of a 12-storey mixed-used residential building comprised of:

- 159 rental apartment units;
- 44 supportive living facility units;
- a day care facility for children and adults; and
- 214 parking spaces contained within 2 levels of underground parking

(the “Development”) as shown on Attachments 5 to 9.

The Owner has appealed the Applications to the OLT

The City issued a Notice of Complete Application to the Owner on November 17, 2022, in respect of the Applications. The statutory Public Meeting for the applications took place on September 13, 2022.

On March 3, 2022, the Owner, appealed the Applications to the OLT pursuant to subsections 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 first Case Management Conference (“CMC”) regarding the appeals took place on July 28, 2023, and the OLT issued their Order on August 16, 2023, scheduling a second CMC for November 8, 2023, and ordered a 12-day hearing commencing on April 2, 2024.

A Future Site Development Application is required

If the OLT allows the appeals, in whole or in part, and makes a decision to approve the Applications, the Owner is required to submit a related Site Development Application.

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

- Notices were circulated on August 19, 2022
- Notices were circulated to all property owners within a 150 m radius from the Subject Lands, property owners 1,000 m south and north along Jane Street, as shown on Attachment 1, and to the MacKenzie Ridge Ratepayers Association

- Location of Notice Signs: Notice signs were installed along the Jane Street frontage
- Date of Public Meeting: September 13, 2022, and ratified by Council on September 28, 2022

Public Comments on the Applications were received

The following is a summary of the comments received to date and organized by theme as follows:

Privacy, Shadow, and View

- The building height will cause shadow and privacy impacts and obstruct the view of existing residents. On the north property line, a 0 m setback is proposed which would cause adverse effect to the adjacent landowner and will create a 12-storey blank wall.

Access, Traffic and Parking

- The development will increase traffic congestion in the area and impact vehicle and pedestrian safety.

Density, Built Form and Building Design

- The 12-storey building will be the tallest in the area and is not compatible with the surrounding context.
- The maximum height limit of 2-storeys should be respected.
- The development is not compatible with the neighbourhood and would be precedent setting for this area.

Hamlet of Teston

- The properties are within the founding area of Maple called the Hamlet of Teston, development within this area should preserve the cultural heritage of the area.

Environmental Impacts

- The Development will cause negative environmental impacts and encroach on neighbouring Greenbelt lands.

These comments are addressed throughout this report.

The Vaughan Development Planning Department on September 5, 2023, mailed a non-statutory courtesy notice of this Committee of the Whole (1) meeting to those individuals that made deputations at the Public Meeting, submitted written correspondence, or requested notice of Council's further consideration of these Applications to the Committee of the Whole.

Previous Reports/Authority

[September 13, 2022, Committee of the Whole Meeting \(Item 5, Report 33\)](#) , as adopted by Council on September 28, 2022.

Analysis and Options

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

The existing built-form and surrounding land-use context is primarily employment area and established low-density residential

The Subject Lands form part of the Block 27 Secondary Plan (OPA #33) which was approved by Council on June 19, 2018. The Secondary Plan includes specific land use policies related to the Hamlet of Teston in which the Subject Lands are located within. The land use policies for the Hamlet of Teston are intended to preserve and respect the existing historical significance that forms along the southwest corner of Block 27 and will be discussed further within this report.

The Subject Lands are geographically located on the east side of Jane Street, north of Teston Road. The Subject Lands are bounded by 'Block 34 East' to the west, a 2-storey low rise residential home to the north, natural areas that are identified as part of the Greenbelt to the east and a vacant parcel to the south that will be developed into a 1-storey York Region paramedic station.

The lands at the southwest corner of Jane Street and Teston Road are within Block 33 and are designated "Mid-Rise Mixed-Use" in Vaughan Official Plan 2010 ("VOP 2010") Volume 1. The lands were developed as a gas station/car wash/drive-through restaurant in 2015. VOP 2010 defines mid-rise buildings as buildings generally over five (5) storeys in height, and up to a maximum of twelve (12) storeys in height. The VOP 2010 designation of the gas station/car wash property at 10750 Jane Street is "Mid-Rise Mixed-Use". The development adjacent to the gas station is designated "Low-Rise Residential" and consists of 2-storey townhouse dwellings developed in 2009.

In summary, as described above, the land-use and built-form surrounding the Subject Lands is predominately low-rise residential and employment uses, which is not compatible with the type of residential intensification that is contemplated with the Development.

Transportation

Jane Street is the main thoroughfare that services the Subject Lands and is identified as a "Major Arterial" in VOP 2010. The York Region Official Plan 2022 ("YROP") identifies the road as a 'Regional Planned Street Width of Up to 41 metres.

Existing Transit

York Region Transit (“YRT”) currently provides bus service on Jane Street south of Teston Road. YRT Jane Route 20 provides regular weekday service, weekend, and holiday service, with connections to the subway stations at the Vaughan Metropolitan Centre (“VMC”), Highway 407, Pioneer Village, and York University. YRT Jane Route 20 does not have a direct stop in front of the Subject Lands and requires the crossing of both Jane Street and Teston Road to gain access to the closest bus stop on the southwest corner of the intersection.

Planned Transit Networks in the Surrounding Area

Schedule 10 “Major Transit Networks” in VOP 2010 identifies Jane Street as a “Regional Rapid Transit Corridor”, south of Major Mackenzie Drive. The York Region Transportation Master Plan mapping (Map 3 “2051 Rapid Transit Network”) indicates that no rapid transit will be provided north of Major Mackenzie Drive on Jane Street. The York Region Transit 2023 Transit Initiatives also indicates that the existing YRT Jane Route 20 will not have service improvements north of Major Mackenzie Drive. The future Kirby Go Station planned within Block 27 will be located at the northeast corner of Block 27 whereas the Subject Lands are located on the southwest corner. The Development will therefore be over 2,500 m (2.5 km) from the future Kirby Go Train Station, and outside the maximum 800 m radius that defines a Major Transit Station Area (“MTSA”).

Planned Pedestrian and Bicycle Network

The Pedestrian and Bicycle Network Plan (Exhibit 6-2) of the City of Vaughan Transportation Master Plan (2012), identifies a “Class 1 Community Multi-Use Recreational Pathway” along the east side of Jane Street adjacent to the Subject Lands. The Secondary Plan identifies a Multi-Use Recreational Path that will be planned to the east of the Subject Land and within the Natural Areas.

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 following provincial and municipal policies:

The Development was assessed based on the following provincial plans and Official Plan policies. Through this assessment, Development Planning concluded that the Development cannot be supported in its current form based on the findings below.

The Development does not satisfy the Requirements of 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 protection of ecological systems including natural areas, features and functions;
- 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. encourage a sense of place, and
 - iii. provides for public spaces that are 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; and
- 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 (“PPS”)

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the PPS 2020. 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. Through VOP 2010, an urban structure framework has been created to align with the policies and objectives of the PPS.

New Community Areas

VOP 2010 identifies and designates lands throughout the City, to achieve the policies of the PPS. This includes the currently undeveloped Block 27 Secondary Plan area in which the Subject Lands are located in. The subsequent Block 27 Secondary Plan further defines land-use policies including appropriate locations where intensification would occur on the block to correspond with future infrastructure and transit initiatives.

Residential Intensification

The residential intensification of the Subject Lands which includes 159 rental units, and 44 supportive living facility units will result in a higher density (4.0 FSI) than what exists in the surrounding low-density community. 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 and that there are areas within the municipality that are intended to remain stable.

The City of Vaughan undertook a city-wide comprehensive Official Plan review that culminated in VOP 2010 and is the in-effect land-use planning policy document for the City, including the Subject Lands. VOP 2010 defines the “Urban Structure” for the City and specifically identifies areas considered stable as “Community Areas”, lands for urban expansion as “New Community Areas”, and areas protected due to the recognition of their environmental, agricultural or historical significance as “Natural Areas and Countryside” Furthermore, VOP 2010 identifies a hierarchy of intensification for specific areas, as shown on Attachment 3.

VOP 2010 identifies the Subject Lands within a “Natural Areas and Countryside” with a “Hamlet” overlay. VOP 2010 identifies two areas where a Hamlet is established - Purpleville and Teston. Policies for the Hamlets are restrictive in nature and are intended to maintain the historic character of the area. These policies and directives have been further reinforced through the subsequent Council approved “Block 27 Secondary Plan” which limits height in the Hamlet of Teston to 2-storeys, an FSI of 1.5 times the area of the lot, and a land use designation of “Low-Rise Mixed-Use”. The intent of these policies is to allow for subtle development or reuse of existing structures to reinforce the natural and historical character of the Hamlet. The Development conflicts with these land-use objectives by introducing a ‘modern-style’, 12-storey mixed-use building which is well beyond the permitted 2-storey height maximum.

The Subject Lands are therefore not in an area where intensification is contemplated or supported by VOP 2010, including the Block 27 Secondary Plan. Furthermore, Jane Street is not identified or planned as a Regional or Primary Intensification Corridor; a Regional Rapid Transit Corridor; or as part of the Regional Transit Priority Network.

Community Area

VOP 2010 policies seek to protect and strengthen the character of stable community areas. The neighbourhoods surrounding the Subject Lands, as described in this report, are considered stable areas and characterized by low-rise dwellings and other forms of low-rise development, including employment areas. The surrounding area is not identified in VOP 2010 for the level of intensification proposed by the Owner. If

approved, the Development in its current form would be the highest building in the immediate area and would require the amendment of land-use policies that was originally intended to ensure the area maintain a minimum level of land-use intensification for reasons previously discussed.

The Development is adjacent to an existing stable residential community, is not consistent with the policy direction established in the PPS and does not consider the existing and planned built form in the surrounding community. The Development is not consistent with the policies of the PPS and as implemented by Council through VOP 2010. More specifically, the Subject Lands are located within a “Hamlet” which is not identified for intensification by VOP 2010 or the subsequent Block 27 Secondary Plan. The restrictive nature of the land-use policies is intended to ensure that any contemplated redevelopment of the area is subtle in nature and respects the historical context of the Hamlet.

Intensification Areas

VOP 2010 has planned for and focused intensification in areas served by or planned to be served by higher order transit. The VOP 2010 hierarchy of intensification areas are comprised of several centres and corridors, which offer frequent transit service levels that can accommodate and are commensurate with the higher number of public transit users that live and work in these areas. Jane Street does not have this level of transit services, nor is this level of higher order public transit planned for in the foreseeable future. Policy 1.2.1 of the PPS further clarifies the intent of where intensification should occur:

d) Policy 1.2.1 of “Coordination”

Policy 1.2.1 of the PPS states that a coordinated, integrated, and comprehensive approach should be used when dealing with planning matters within municipalities, or which cross lower, single and/or upper tier municipal boundaries, including managing and/or promoting growth and development.

The City has undertaken a coordinated, integrated, and comprehensive approach to managing and promoting intensification and redevelopment along identified and appropriately designated corridors, as supported by York Region. These designated corridors do not include the section of Jane Street fronting onto the Subject Lands. The intensification strategy for the City of Vaughan is prescribed by VOP 2010. The proposal, to develop a 0.4772 ha parcel of land on Jane Street, at an FSI of 4.0 times the lot area and adjacent to existing low-rise development, is not consistent with the PPS in this respect since it does not represent an integrated or comprehensive approach to managing growth related to city planning matters, and it represents intensification that is not located within an identified “Intensification Areas”.

On this basis, the Development represents a piecemeal approach to the planning of one property within an already coordinated and planned community that directs intensification in other areas where adequate services and infrastructure would be available.

Policies 1.4, 1.7 and 4.0 of the PPS provides policy direction with respect to housing, economic prosperity and interpretation of the PPS. The *Planning Act* states that, “the appropriate location of growth and redevelopment is to be a matter of Provincial interest”. Furthermore, the PPS states that “official plans shall provide policies to protect Provincial interests.” Policy 4.6 of the PPS identifies that the mechanism by which the Provincial interest is protected is the municipal official plan as it sets the appropriate land use designations and policies by directing development to suitable areas. VOP 2010 has established policies for land use intensification and where it is to be directed. VOP 2010 does not identify the Subject Lands for the level of intensification or redevelopment proposed by these Owners and does not identify Jane Street north of Major Mackenzie as an Intensification Area. The Development represents a fragmented approach to planning of one site within a low-rise residential and employment area.

The Subject Lands are located within a “Natural Areas and Countryside” with a “Hamlet overlay” in VOP 2010. “Natural Areas and Countryside” are characterized by predominantly agricultural land with historical settlements. The policies of VOP 2010 are intended to protect and strengthen the character of these areas, as the City grows and matures. The Block 27 Secondary Plan recognizes this, and further establishes policies that preserves the original character of the Hamlet of Teston which is one of the two historical settlement areas. This was achieved by introducing land use policies for the area that permits redevelopment with limited height and density, while also concurrently encouraging the reuse of existing structures.

The development of a 12-storey modern style mixed-use building would be precedent-setting and would conflict with the comprehensive approach that was taken in formulating the policies that governs the Subject Lands. Furthermore, the Block 27 Secondary Plan recognizes that growth, intensification and housing is needed, and provisions have already been established within the Block 27 Secondary Plan to address this need by placing higher density and housing in the northeast corner of the block where services, including rapid transit improvement are contemplated. The Development represents a departure from the existing and planned character, density, and low-rise built form that is established by VOP 2010 and will disrupt the historical nature of the area.

Approval of the Applications will introduce a level of intensification and a built-form that is not consistent with the policies of the PPS, is not appropriate or compatible with the existing and planned local context and is not directly served by existing or planned high-order public transit for the area.

For the reasons identified above, the Applications are not consistent with the policies and goals of the PPS. The City's Official Plan is recognized by the PPS as an essential municipal tool to help carry out the PPS objectives and has been created to function in this manner. The Development conflicts with VOP 2010 policies which is framed by the PPS.

The Applications do not conform to the Places to Grow: Growth Plan for the Greater Golden Horseshoe 2020, ("Growth Plan")

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 directing growth to settlement areas and prioritizing intensification, directing growth to strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield and greyfield sites. Concentrating intensification in these areas provides a focus for transit and 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 existing built-up areas to support the development of complete communities with an integrated mix of housing types with access to local amenities. Policy 2.2.1 of the Growth Plan provides policy directives on managing growth while policy 2.2.1.4 speaks for the need of creating "Complete Communities."

"Complete Communities" (i.e., mix of housing options, mix of land uses, etc.), are achieved through VOP 2010 which assigns land use designations throughout the City. The subsequent Block 27 Secondary Plan further defines those land use policies in Block 27 to facilitate the creation of "Complete Communities". The level of residential intensification contemplated on the Subject Lands however will not be supported by community facilities and services as well as day to day needs required to establish a complete community.

The Block 27 Secondary Plan has been strategically developed to create complete communities in accordance with the Growth Plan policies. Through a comprehensive review process the Block 27 Secondary Plan has been developed to direct the greatest level of intensification around the northeast corner of the block where investment to infrastructure and supporting services are contemplated. A mix of housing options, affordable housing and job creation are components needed to create a "Complete Community" and should be placed in areas that will be supported by the appropriate infrastructure. Allowing a 12-storey mixed-use building in an area with limited resources would mean a departure from the Growth Plan policies directives identified above.

VOP 2010 was also developed following a full municipal comprehensive review of the City's Official Plan and represents the City's growth strategy. The growth strategy as identified through the Urban Structure is the implementation strategy for intensification within the City of Vaughan. Furthermore, VOP 2010 was developed in consultation with York Region and approved by the Ontario Municipal Board. VOP 2010 encourages intensification within planned and coordinated areas, and discourages intensification in inappropriate areas where resources, infrastructure improvement or services may be limited.

The subsequent Council Approved Block 27 Secondary Plan reinforces the policies directives of VOP 2010 and was developed in a comprehensive manner that involved public engagement and community outreach. The Development if approved, would represent the first significant development within Block 27. Permitting the Development in its existing form conflicts with the policies created through the Block 27 Secondary Plan process and will be precedent setting for future development within the entire block plan area.

Although the Growth Plan states that 50 percent of all residential development will be accommodated in the delineated built-up area, this does not imply or state that all types/forms of residential development that represent intensification are appropriate in all locations in the municipality. Policy 2.2.2.3 of the Growth Plan provides policy direction that enable municipalities to develop strategies to determine where intensification is to occur.

The City is undertaking a review of VOP 2010 following the recent approval of York Region Official Plan, 2022 ("YROP 2022"). While the City's Official Plan Review ("OPR") process is still on-going and YROP 2022 is currently in-effect. During the time of initial review, YROP 2010 was the in-effect policy document governing the Subject Lands. In addition, it is noted that the Development would marginally contribute to the Region's overall intensification target, and that neither YROP 2010, YROP 2022 and OPR process identify the Subject Lands as an area for intensification. Sections 2.2.2.3 of the Growth Plan encourage municipalities to develop strategy to achieve planned and coordinated intensification. The Development in its current form and in this location of the City is not consistent with this intent of Policy 2.2.2.3.

Policy 2.2.2.3.a. encourages intensification generally throughout the built-up area to achieve the desired urban structure and requires that municipalities identify strategic growth areas to support and to meet the municipality's intensification targets. The City's strategic growth areas are identified in the VOP 2010 through the Urban Structure (Attachment 3) which is supported by policies which support the hierarchy of intensification areas. The Subject Lands have not been identified by VOP 2010 for redevelopment or intensification in the form and level proposed by the Applications and

is not consistent with the urban structure envisioned by VOP 2010 as shown on Attachment 3.

The Subject Lands forms part of Block 27 Secondary Plan which further defines the area as part of the Hamlet of Teston. The land use designation along with the historical significance of the Subject Lands has informed the built-form, design and density that should be encouraged. The Block 27 Secondary Plan proceeded through a comprehensive review process that should be respected through the policies that were created to meet the City's growth targets as a "Complete Community" pursuant to the Growth Plan policy directives.

Policy 2.2.2.3.b. requires that intensification achieve an appropriate transition of built form to adjacent areas. The Subject Lands are designated "Low-Rise Mixed-Use" with a "Hamlet of Teston overlay by the Block 27 Secondary Plan. The Development is not consistent with the predominant built form and density within the existing and planned neighbourhood context. The proposed built form of the Development, specifically the scale of the proposed 12-storey building height, and the density of 4.0 FSI, does not provide an appropriate transition to the adjacent 2-storey low-rise residential area and the low-rise York Region paramedic building planned on the property to the south. The Development proposes a 0-metre setback along the north property line which would result in a blank wall abutting directly against the existing low-rise residential property to the north. Furthermore, 159 rental units and 44 supportive living units for a total of 203 units will be placed on a property that measures 0.4772 ha in size. This is significantly different from the 271 existing detached dwelling units that exists within the entire residential community of Mackenzie Glen, located north of Brandon Gate, between Jane Street and the Mackenzie Glen Open Space valley lands. The intensification policy framework of the Growth Plan does not support the built form proposed for the Subject Lands in this specific location as it is not identified as a Strategic Growth Area.

The Development, if approved, would introduce a built form through the Applications, at a density and scale that is out of character with the existing community, does not achieve the Urban Structure identified in VOP 2010, and is not part of a strategic growth area.

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 areas 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 approval of VOP 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 and historical settlement as stable areas with subtle intensification. York Region recently completed their MCR, and the City of Vaughan is currently undertaking an OPR

processes to develop a coordinated strategy to accommodate intensification throughout the Region and the City. Neither the new YROP or OPR process identifies this area as an area for significant land-use intensification.

VOP 2010 promotes an intensification strategy within the identified Intensification Areas shown on Attachment 3. These include Regional Centres (i.e., Vaughan Metropolitan Centre), Primary Centres, Local Centres, Regional Intensification Corridors, and Primary Intensification Corridors. The Subject Lands and the surrounding community are not located within, or in proximity to, any of these centres or corridors identified for intensification in VOP 2010. The closest area identified for intensification is a Primary Centre located on Major Mackenzie Drive between Highway 400 and Jane Street, which is south of the Subject Lands, and is currently home to the Mackenzie Vaughan Hospital campus where the Cortellucci Vaughan Hospital is located.

The Development is considered a mid-rise building, with a density of 4.0 FSI and built form of 12-storeys which is more appropriate for a planned intensification area. The proposed density and height are similar to the densities and heights permitted at the northeast corner of Block 27 where the highest levels of transit improvement are planned for. Similar types of built form and density is also permitted along Highway 7 and Centre Street where existing rapid transit can support a greater level of land intensification and development. The Development contemplated on the Subject Lands is more compatible within Regional and Primary Centers, and not a low-rise mixed-use area that is identified as one of only two hamlets within the City. For these reasons, the Applications are not consistent with the City's approved intensification strategy, required by the Growth Plan.

Policy 2.2.4 of the Growth Plan provides policy direction that encourage significant residential and employment use around planned and existing transit corridors and station areas. The Subject Lands are located within one of two historical settlement areas where preservation of cultural heritage is encouraged, and land redevelopment is restrictive in nature. The existing low-rise mixed-use designation for the Subject Lands is intended to maintain the existing built form that currently characterize the immediate neighbourhood. These policy directives are consistent throughout VOP 2010 and the subsequent Block 27 Secondary Plan (OPA #33). Furthermore, the Subject Lands are not within an intensification area. Jane Street (north of Major Mackenzie Drive) and Teston Road are not identified as a priority transit corridor in the YROP 2010, YROP 2022 and VOP 2010. While there is a local bus route on Jane Street, no planned or forecasted future high-order transit investments, including Bus Rapid Transit, Light Rail Transit or Subway extension, are planned anywhere close to the Subject Lands as identified in the YROP Transportation Master Plan (2022) for Jane Street. In addition, the Kirby Go Train station contemplated at the northeast corner of Block 27 will be well over 2 km away from the Subject Lands.

The Development as shown on Attachments 5 to 9 does not conform to the Growth Plan policies, for the reasons discussed above.

The Development does not conform with York Region Official Plan 2010 (“YROP 2010”)

The YROP 2010 guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” by the YROP 2010. The YROP 2010 also identifies a Regional Transit Priority Network where municipal infrastructure is planned to support transit and identifies Regional Rapid Transit Corridors where significant municipal infrastructure is planned. The areas along these transit corridors are recognized within the YROP 2010 as Intensification Areas. The Subject Lands are not located on an existing or proposed Regional Transit Priority Network, or on a Regional Rapid Transit Corridor. Certain areas of the City are specifically identified by the YROP 2010 for additional intensification, however, the area around Jane Street and Teston Road is not included.

Official Plan Amendment File OP.22.006 was considered by York Region and comments were provided. The comments are discussed in the “Broader Regional Impacts/Considerations” section of this report.

The YROP 2010 states that policies for development and intensification are established through the local municipal official plan. Section 3.5.4 in the YROP 2010 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. VOP 2010 also establishes policies for urban design and built form within Community Areas. York Region staff notes that Policy 9.1.2.1 of VOP 2010 states that new development will be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

To create high-quality, sustainable communities, Policy 5.2.8 of YROP 2010 provides guides to ensure the highest standard of urban design are employed. From an urban design perspective, the Development does not complement the low-rise character of the existing area. Adequate landscaping has not been provided and the proposed zero-metre setback along the north property is intrusive in nature. The massing of the building would be an anomaly and out of character to the surrounding environment. Although the building height is tiered, the maximum proposed height is not compatible and does not transition to the surrounding low-rise land uses as required by Policy 5.2.8 of the YROP 2010.

Policy 5.3 of the YROP 2010 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.”

Policy 5.3.3 states that it is the policy of Regional Council that local municipalities complete and adopt their own intensification strategies, developed in co-operation with the Region. The City has developed an intensification strategy through the approval of VOP 2010, which identifies intensification areas in the City of Vaughan, as discussed in the VOP 2010 section of this Report. These areas are being developed in accordance with their role and function in an urban hierarchy. The Subject Lands are not located within an Intensification Area identified in VOP 2010 and the Development would compromise the planned function and hierarchy of intensification areas. Soft and hard services, including infrastructure, transportation infrastructure and supporting amenities have all been planned to support the densities of planned development within the City’s intensification areas as identified in this hierarchy.

Policies 7.2.24 and 7.2.25 of the YROP 2010 provides policy direction that encourage urban development to be located along rapid transit corridors as a way encourage alternative modes of transportation and to improve accessibility across the Region.

The Development, however, does not constitute an appropriate approach to intensification as described in the policy objectives of policies 5.3, 5.3.3 and 7.2.25 of YROP 2010. It has been documented throughout this report that the Development will be outside a rapid transit corridor and will require the crossing to two major arterial roads to gain access to the closest local bus stop which is not considered rapid transit.

Lastly, policies 5.6.24 and 5.6.26 of YROP 2010 identify Hamlets as areas where growth will be limited or minor in nature. VOP 2010 and the Block 27 Secondary Plan (OPA #33) contains policies that limits redevelopment in the Hamlet of Teston. These restrictive policies are intended to protect the historical character of the area. Permitting a 12-storey building would result in an amendment to some of the most restrictive land-use policies in Block 27 which would become precedent setting for the remainder of Block 27 lands which are designated Low-Rise Residential and Low-Rise Mixed-Use.

The recently approved York Region Official Plan, 2022 (“YROP 2022”) is not the in-force policy for the Subject Lands

YROP 2022, which represents emerging policy, was adopted by York Region Council on June 30, 2022. It was approved by the MMAH, with modifications, on November 4, 2022.

YROP 2022 replaces YROP 2010 with respect to applications not deemed to be complete as of YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, YROP 2010 remains the in-force Regional Official Plan against which conformity of the Applications is measured.

Notwithstanding, the Development does not conform with YROP 2022.

Policy 4.4.2 of YROP 2022 specifies “That intensification be directed in accordance with the Regional hierarchy outlined in policy 4.4.2 to utilize land efficiently and sustainably that is commensurate with available hard and soft services and existing infrastructure, while having regard for the local context”

The hierarchy according to policy 4.4.2 (in order from highest to lowest) include the following:

- Regional Centres;
- Major Transit Station Area (Subway Station);
- Major Transit Station Area (Other);
- Regional Corridors (Outside of Major Transit Station Area); and,
- Local Centres and Corridors

The Subject Lands are on a Regional Corridors outside an MTSA. The policies of the YROP 2022 direct that secondary plans be created to direct strategic growth and intensification in areas where the availability of infrastructure and services will be provided. The City underwent a comprehensive process in forming the Block 27 Secondary Plan which directs growth and intensification around the future Kirby Go MTSA. The Development of a 12-storey mid-rise building with a “Hamlet” overlay counters the strategic growth initiative identified in YROP 2022.

In consideration of the above, the Applications to facilitate this Development within an “Urban Area” does not meet the intensification objectives of the YROP 2022.

The Development does not conform to the policies of Vaughan Official Plan 2010 (“VOP 2010”)

The Subject Lands are designated “Natural Areas and Countryside” with a “Hamlet” overlay on Schedule 1 – Urban Structure by VOP 2010 and “Low-Rise Mixed-Use” with a “Hamlet of Teston” overlay by Volume 2, Section 11.13, Block 27 Secondary Plan (OPA #33). “These designations permit detached, semi-detached and townhouse dwellings in a low-rise built form, with a height no greater than 2-storeys and an FSI of 1.5 times the area of the lot.”

The Development does not conform to the “Low-Rise Mixed-Use” designation policies of the Block 27 Secondary Plan.

There are no existing or planned mid-rise residential developments (i.e., 9 to 12-storeys) at the density proposed, within this community, as shown on Attachment 2 Along Jane Street within Block 27, but outside the “Hamlet of Teston” designation, the tallest height permitted is 8 storeys. Beyond that, the closest existing buildings that are

6 or more storeys in height are located opposite the Vaughan Mills Centre Secondary Plan Area (i.e., Rutherford Road and Jane Street), approximately 4.3 km away from the Subject Lands. These existing buildings are designated “Mid-Rise Mixed-Use” with maximum permitted building height of 17-storeys and a maximum FSI of 4.0 times the area of the lot. This section of Jane Street and Rutherford Road are each identified as a Primary Intensification Corridor in the VOP 2010 and, is specifically intended for development with higher densities and building heights.

Rutherford Road from Jane Street, west to Highway 400, is identified as a Primary Centre within Schedule 1 “Urban Structure”, which represents the highest order of density and development within the City’s intensification hierarchy, outside of the Vaughan Metropolitan Centre. This area is also subject to the Vaughan Mills Centre Secondary Plan; an area well-coordinated to align land-use development with adequate transit, servicing infrastructure and amenities to accommodate the anticipated growth and density. The City had planned the area in a comprehensive manner to enable the level of intensification permitted and planned for the area.

Planned development within the Primary Centre is consistent with the City’s intensification strategy and the approved hierarchy of intensification areas throughout the City. The Development proposed on the Subject Lands however constitutes intensification on an individual site basis in the absence of a comprehensive review of the appropriate land uses, adequate transit, and servicing infrastructure to properly support the Development.

In addition to the above-noted policies, the Urban Structure of VOP 2010 directs intensification to specific areas of the City, while requiring that other areas remain stable. The following goals and policies of VOP 2010 apply to the Development:

- a) Policy 1.5 of “Goals for the Official Plan” (in part);
“Goal 1: Strong and Diverse Communities”
“Goal 8: Directing Growth to Appropriate Locations”
- b) Policy 2.2.1 of “Vaughan’s Urban Structure” (in part)
“In keeping with the principles of Policy 2.1.3.2, future growth in Vaughan will be directed according to Schedule 1 – Urban Structure.”
- e) Policy 2.2.1.2 of “Vaughan’s Urban Structure”
Policy 2.2.1.2 provides land use direction on where intensification shall occur in the city. These areas have been identified through the VOP2010 process and was coordinated with areas where investment in transit and other hard and soft infrastructure were contemplated.

- f) Policy 2.2.2 of “Natural Areas and Countryside”
 Policy 2.2.2 recognize the need to preserve and maintain Natural Areas and Countryside due it’s agricultural significance and soil benefits. This urban structure is considered ‘stable’ and has been identified through VOP2010 as an area where historical settlements are located and should therefore be preserved in its natural state.
- g) Policy 2.2.2.5 of “Natural Areas and Countryside” (in part)
 “To recognize the historic significance of the Rural Hamlets and to maintain their historic character. Specifically, the Hamlets of Purpleville and Teston have been recognized on Schedule 1 and Schedule 13.”
- h) Policy 2.2.3 of “Community Areas” (in part)
 “Fundamental to Vaughan’s Urban Structure is its communities.”
- i) Policy 2.2.3.2 of “Community Areas” (in part)
 “That Community Areas are considered Stable Areas and therefore, Community Areas with existing development are not intended to experience significant physical change.”
- j) Policy 2.2.3.3 of “Community Areas”
 “That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan.”
- k) Section Policy 2.2.5 of “Intensification Areas” (in part)
 Intensification Areas in Vaughan will be the primary locations for the accommodation of the 45% intensification target. They consist of a hierarchy of mixed-use centres and corridors as follows:
- “The Vaughan Metropolitan Centre will be the City’s downtown.
 - Regional Intensification Corridors (e.g., Regional Road 7 and Yonge Street)
 - Primary Centres will accommodate a wide range of uses and will have tall buildings, as well as lower ones, to facilitate an appropriate transition to neighbouring areas.
 - Primary Intensification Corridors (e.g., Jane Street and Major Mackenzie Drive) will link various centres and are linear places of activity in their own right. They may accommodate mixed-use intensification or employment intensification.
 - Key development areas are Intensification Areas on Regional Corridors that will link and complement the planning for Primary Centres and Local Centers.
 - Local Centres act as the focus for communities, are lower in scale and offer a more limited range of uses.

Intensification Areas 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. Stable Areas are intended to be maintained with limited or subtle development. Specifically, existing Community Areas will not see significant physical change as the vast majority of residential development within the built boundary will be directed towards Intensification Areas. The Subject Lands are located outside of an Intensification Area as established by VOP 2010.

The Subject Lands are located within the Natural Areas and Countryside Area by VOP 2010

The Subject Lands are located within an existing “Natural Area and Countryside Area” with a “Hamlet” overlay and is surrounded by “Community Areas” as identified in Schedule 1 “Urban Structures” of VOP 2010. In both cases, the urban structure in these areas represents Stable Areas where limited growth and intensification is contemplated. The Hamlet overlay reinforces this policy directive by establishing policies that are intended to preserve the natural character and historical significance. The Development proposes a 12-storey mixed-use apartment building, with an FSI of 4.0 which represents a significant level of intensification that was not considered by the parent policies of VOP 2010 or the subsequent Block 27 Secondary Plan (OPA #33).

Policy 9.1.1.8 requires appropriate buffering adjacent to Natural Areas. Schedule B of the Block 27 Secondary Plan shows the Subject Lands are abutting the “Natural Area”. The Development in its current form does not conform to policy 9.1.1.8 of VOP 2010 as identified above. The Development is oriented in a manner that would block access to the “Natural Areas” located east of the property. Adequate buffering of the Development to the “Natural Area” is also not clearly defined in the submitted plans.

Policy 9.1.2.11 requires that new development in the Countryside preserve and strengthen the rural character. The Development will not preserve or strengthen the historical significance of the area but erodes it by introducing a modern style building with a massing and built-form similar to what is located in the City’s Intensification Areas.

Municipal Services

Policies 8.2.1.1, 8.2.1.2 and 8.3.1.8.a provides policy direction for efficiently servicing new development within the City. The Development will result in downstream sanitary sewer capacity constraints in the area where the Subject Lands are located. Furthermore, sanitary sewer surcharging is not permitted by the City. As such, external infrastructure upgrades will be required to be in place in order 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.

The density of the Development is commensurate with density proposed in the areas of the City identified and planned for Intensification

The density of the Development, at an FSI of 4.0 times the area of the lot is commensurate with the density proposed in the precincts of the Vaughan Mills Centre Secondary Plan (“VMCSP”) which permits a maximum FSI of 4.0 time the area of the lot. It also exceeds the density permitted within the Regional Intensification Corridors identified in VOP 2010, specifically sections of Highway 7 from where higher-order transit (Bus Rapid Transit) currently serves the corridor.

The Development does not conform to the Block 27 Secondary Plan (OPA #33).

The Block 27 Secondary Plan (OPA #33) is the primary policy framework that governs the Subject Lands. Public Consultation played a significant role throughout the Block 27 Secondary Plan study process. Notification was provided for all public open house meetings, the Committee of the Whole (Working Session) and the Statutory Public Meetings.

Four Public Open Houses and/or Public Information Centres (PICs) were held to inform interested parties of the Block 27 Secondary Plan Study and the Kirby GO Transit Hub Sub-Study). The Public Open House meetings took place between May 2015 and April 2017.

The creation of The Block 27 Secondary Plan offered a comprehensive approach to community and stakeholder engagement. The outcome of that process resulted in the Council approved Secondary Plan on May 27, 2019.

The lands governing the Block 27 Secondary Plan is approximately 400 hectares in size and is bounded by Teston Road to the south, Kirby Road to the north, Keele Street to the east, and Jane Street to the west, as shown on Attachment 4. Block 27 is currently designated for residential, commercial, and mixed land uses and there is a current Block Plan Application (BL.27.0022) under review with the City. It also recognizes the Hamlet of Teston, within the southwest quadrant of the Block, and along east side of Jane Street as an historically significant area that requires preservation.

Hamlet of Teston

The Hamlet of Teston was shown in the VOP 2010 as an overlay in conjunction with a “Natural Area and Countryside” urban structure. The Block 27 Secondary Plan redesignated the lands within the Hamlet to “Low-Rise Mixed-Use”, with a “Hamlet of Teston” overlay. To ensure the building heights in the Hamlet did not exceed the existing height already established for the area, and thereby impacting the character of the Hamlet, building heights within the Hamlet area were limited to 2-stories.

The rear portions of properties within the Hamlet of Teston including the Subject Lands interface with “Protected Countryside” designation of the Greenbelt. The scale of development associated with the proposal including massing, built form and height would not be complementary with the adjacent Greenbelt area.

Policy 3.3.4 of Block 27 Secondary Plan states the following (in-part) “The minimum height in the Low-Rise Mixed-Use designation shall be two storeys or equivalent, with the exception of lands in the Hamlet of Teston as indicated on Schedules B and C of this Secondary Plan, where building heights shall not exceed two storeys”.

Policy 3.14.5 states (in-part):

“A Cultural Heritage Impact Assessment is required as part of the Block Plan approval process. The Cultural Heritage Impact Assessment shall establish the parameters of development for this area, which may include identifying the Hamlet as a Cultural Heritage Character Area as defined in the VOP 2010. The intent will be to provide the maximum flexibility to allow adaptive reuse in conformity with the Low-Rise Mixed-Use designation while still maintaining the heritage character of the Hamlet.”

This further asserts the City’s position to limit growth within the Hamlet of Teston to preserve the historical character of the area. The 12-storey modern building will destabilize the area and erode the historical characters for the Hamlet of Teston by permitting a height six (6) times the maximum limit. The Development does not take an adaptive approach to reuse of existing structure, instead it contemplates the relocation or elimination of existing structures to make way for a development that is anomaly to the immediate area.

Kirby Go Transit Hub Centre

The Block 27 Secondary Plan is an area identified for future growth. It specifically directs growth and higher density to areas planned for municipal and provincial investment including transit infrastructure such as the “Transit Hub” designation which is tied to the future Kirby Go Station. The Block Plan process and a “Transit Hub Special Study Area” will further determine the exact alignment of future streets, supporting infrastructure and the boundaries of land use designations. Policy 2.2 b and 3.5.1 provides land use policy direction with respect to lands around the Transit Hub and the Kirby Go Station. Policy 3.51

For the reasons mentioned above, the Development Planning Department does not support the Development as it conflicts with the policies of VOP 2010 and the subsequent Block 27 Secondary Plan (OPA #33).

On October 20, 2021, Council adopted the new Comprehensive Zoning By-law 001-2021 (“CZBL”). The OLT ordered the CZBL into force by its order on December 28, 2022, and as corrected on March 28, 2023, with exceptions.

The CZBL affects all properties within the City of Vaughan, with the exception of lands in the vicinity of Yonge Street and Steeles Avenue West. The CZBL replaces Zoning By-law 1-88 with the exception of matters of transition pursuant to section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan Area.

The CZBL has been appealed to the OLT by a number of appellants.

The OLT issued an Order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

While the Subject Lands are not located within an area for which the CZBL remains under appeal, the Applications engage matters covered by sections of the CZBL still under appeal. Accordingly, the Owner is required to demonstrate compliance with the CZBL to the extent it applies, and the site-specific exception will otherwise include zoning provisions for the Subject Lands in a manner consistent with the CZBL.

As the Applications were received by the City on March 31, 2022 and were deemed complete on November, 17, 2022, the transition provisions under Section 1.6 of the CZBL do not apply and therefore the Applications were subject to a dual review under both the CZBL and Zoning By-law 1-88, as the Applications were processed prior to the OLT issuing its Order on December 28, 2022, as corrected on March 28, 2023.

Amendments to Zoning By-law 1-88 are required to permit the Development Zoning

- “A Agriculture Zone” by Zoning By-law 1-88
- This Zone does not permit the building type and uses contemplated through the Development
- The Owner proposes to rezone the Subject Lands to “RA3 Apartment Residential Zone” together with the following site-specific zoning exceptions to permit the Development, as shown in Table 1 on Attachment 10

Amendments to Zoning By-law 001-2021 are required to permit the Development Zoning

- “FD Future Development Zone” by Zoning By-law 001-2021,
- This Zone does not permit the building type and uses contemplated through the Development
- The Owner proposes to rezone the Subject Lands to “MMU Mid-Rise Mixed-Use Zone” together with the following site-specific zoning exceptions to permit the Development, as shown in Table 2 on Attachment 11

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 rezoning of the Subject Lands to the "RA3 Apartment Residential Zone" along with site-specific exception requirements under Zoning By-law 1-88 and the proposed rezoning of the Subject Lands to "MMU Mid-Rise Mixed-Use Zone" along with site-specific exceptions under Zoning By-law 001-2021, are commensurate to those of a "Mid-Rise" or "High-Rise" development whereas the surrounding area is predominately low-rise built form.

Proposed "RA3 Residential Apartment Zone" and "MMU Mid-Rise Mixed-Use" with Site-Specific Exceptions

The Applications would introduce an Apartment Dwelling Zone category (RA3 Residential Apartment Zone) and (MMU Mid-Rise Mixed-Use Zone) into a low-density area and would require several site-specific amendments to permit the Development, which is not consistent with the existing zoning in the surrounding community. The site-specific zoning exceptions have been identified in Tables 1 and 2 of this report which includes a zero-metre setback to the interior side yard, increased building height, reduced parking, and reduced amenity area and etc.

The PPS places the responsibility for identifying opportunities for intensification and redevelopment with planning authorities. The Official Plan and Zoning By-law are the main implementation tools used to carry out these responsibilities. The site-specific rezoning of the Subject Lands is not considered appropriate since it would facilitate a Development that does not conform to the policies nor achieve the goals of VOP 2010.

Specifically, the zoning exceptions would introduce intensification that would result in a built form that would abut low rise residential buildings along the north property line. The zero-metre setback creates no transition area or separation between two completely different building forms. Furthermore, the building massing and reduced setbacks are inconsistent and not compatible with the existing low-rise residential character of the surrounding community. The substantially reduced building setbacks demonstrate overdevelopment of the Subject Lands and affirm that the size and configuration of the Subject Lands is not conducive or appropriate for the intensity of the Development proposed.

For these reasons, the proposed rezoning and site-specific exceptions would facilitate a development that is not consistent with the PPS and Growth Plan and does not conform to the policies or objectives of the YROP 2010, YROP 2022, VOP 2010 and Block 27 Secondary Plan for the Subject Lands. Therefore, the Zoning Amendment application cannot be supported by the Development Planning Department.

Proposed Parking Deficiency

The Development proposes a total of 214 parking spaces, whereas a total of 550 parking spaces are required under Zoning By-law 1-88 and a total of 230 parking spaces under Comprehensive Zoning By-law 001-2021. The deficiency would have a direct impact on the parking space allocated towards the Supportive Living Facility, Day Nursery and Adult Care Facility that will be located in the building. The parking deficiency is not supported as the Subject Lands are located in an area where use of alternative forms of transportation is, and will continue to be, limited.

Building Height

The Development includes a 12-storey building. The “RA3 Apartment Residential Zone” limits the maximum building height to 44 m and to 48 m for the “MMU Mid-Rise Mixed-Use Zone” whereas, the Owner has identified that the building height in metres, measured in accordance with the Zoning By-laws will be 41.5 m excluding the mechanical penthouse. While the height is within the scope of what is permitted under the proposed zoning district of “RA3 Apartment Residential Zone” and “MMU Mid-Rise Mixed-Use Zone”, recently approved development planned immediately to the south of the Subject Lands will only have heights of 3.6 m (excluding peak of roof). In addition, other buildings within the community have been developed to the “R4 Residential Zone” and the “RVM1 Residential Urban Village Multiple Dwelling Zone” which permits a maximum building height of 9.5 m and 11.5 m, respectively. The height of 12-storey building exceeds the height of the built form in the community and is not supported in an area that is consider a hamlet by VOP 2010.

Current Zoning in the Surrounding Area

The current zoning of the surrounding area is shown on Attachment 2. The residential subdivision south of the Subject Lands (Mackenzie Glen) is zoned “R4 Residential Zone Four” which permits only detached dwellings with a maximum building height of 9.5 m.

The southwest corner of Jane Street and Teston Road is Zone “C3 Local Commercial Zone” subject to a site-specific Exception 9(1276) which only permits a gas bar, a service station, and a drive-through eating establishment in conjunction with a gas station.

The existing zoning at the northwest corner of Jane Street and Teston Road is “C4 Neighbourhood Commercial Zone” with to site-specific Exception 9(1539) which permits additional employment uses on the property. The use and building type in this are low - rise and intense residential development is not permitted through the zoning provisions.

The Subject Lands will be zoned with the Holding Symbol “(H)”, should the OLT allow the appeals, in whole or in part, and makes a decision to approve the Applications

If the OLT approves the Applications, it is recommended that the implementing Zoning By-law include a Holding Symbol “(H)” on the Subject Lands, as identified in the Recommendation section of this Report. The Holding Symbol “(H)” will not be removed from the Subject Lands (or portion thereof) until Council identifies and allocates water supply and sewage servicing capacity to the proposed development and the City and the Owner execute the implementing Site Plan Agreement.

It is recommended that the OLT withhold its Order should these Applications be approved

If the OLT approves the Applications, a condition is included in the Recommendation section of this Report directing staff to request that the OLT withhold its final Order regarding the implementing Official Plan and Zoning By-law Amendments until all supporting documents are provided to the satisfaction of the City.

A Site Development Application is required, should the OLT approve the Applications

A Site Development Application has not been submitted in support of the proposed development. The Owner submitted plans and reports in support of the proposed Official Plan and Zoning By-law Amendment applications which have been reviewed by various City Departments, the Toronto, and Region Conservation Authority (“TRCA”), York Region, utility agencies and the First Nations.

The issues identified by the commenting Departments and external agencies are based on the Official Plan and Zoning By-law Amendment Applications, without the benefit of the review of the corresponding Site Development Application, wherein detailed technical comments are typically provided. The review of a Site Development Application may result in significant changes to the Development presented in the current Applications. Comments received by the City resulting from a review of the Site Development Application may require the Owner to modify the current Development, should the Applications be approved. Until a more fulsome review has been undertaken through the Site Development Application process, it is possible that requested modifications to the Development proposal may result in other areas of non-conformance with the objectives of the Provincial policies and Regional and City Official Plan policies. This could result in the need for additional exceptions to the Zoning By-law standards.

Should the OLT approve the Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009, in whole or in part, the OLT should withhold its final Order until the implementing Official Plan and Zoning By-law are prepared to the satisfaction of the City and that the implementing Zoning By-law includes the Holding Symbol “(H)”

conditions. The Holding Symbol shall not be removed from the Subject Lands until the Owner successfully obtains Site Development Approval for the Subject Lands. A condition to this effect is included in the Recommendations of this report.

The Urban Design and Cultural Heritage Division ('Urban Design') has provided initial comments regarding the Development

The Urban Design division of the Development Planning Department has reviewed the conceptual site plan, building elevations, landscape concept plan, the tree conservation plan and the sun shadow study submitted in support of the Applications, and has provided the following comments:

- Considering that the proposed height and density exceed the Secondary Plan and that the proposed development is within the Hamlets of Teston, Urban Design Staff cannot support the proposed development. (VOP 2010 policies 9.1.2.11, 2.2.2.5 and Block 27 Secondary Plan area Section 3.15.3 viii).
- The massing should emphasize compatibility with the adjacent development and consider an effective transition to the neighbouring properties. The proposed zero setbacks from the north property line for the low-rise portion of the proposal are unacceptable.
- Note that any low-rise portion of the massing (up to 6-storeys) should be set back from common property lines by 7.5 metres minimum, and any portion above 6 storeys should accommodate a 10-metre setback from common property lines.
- The Development should be more sympathetic to the existing mature trees on the site. Expressly, those trees in the front yard setback, and contributing to the Hamlet's Cultural Heritage landscape and the street canopy.

Cultural Heritage recognizes that the Subject Lands are within the Hamlet of Teston which is a Cultural Heritage Landscape (CHL 8) that comprises of 14 properties including 10811 Jane Street and 10819 Jane Street (Subject Lands). It is noted that development in Section 3.14.5 of the Secondary Plan is to allow for adaptive reuse that is in conformity with the Low-Rise Mixed Use of the area. The Development does not conform with this policy and actively removes two built forms that require further study from heritage landscape and greatly compromises the remaining cultural heritage landscape of Teston. In the absence of the Cultural Heritage Impact Assessment (CHIA) study, Section 3.3.4 of the Block 27 Secondary Plan explicitly states that development shall not exceed 2-storeys in the addresses that are included within the identified Hamlet.

The Hamlet of Teston is also an area of high archaeological potential due to its location to a significant site, the Teston Ossuary and Indigenous Village. Beyond the Stage 2 Archaeological Assessment (AA) required for all development activities in Lot 26, which

includes the Subject Lands; the area is also subject to archaeological monitoring, as stated in Section 3.14.6:

- Predevelopment topsoil removal (grading) for lands located within 1000 m of documented village sites and within 300 m of any current or former water source or within 100 m of the Teston ossuary shall be subject to archaeological monitoring, even after a Stage 2 archaeological assessment. The monitoring must be consistent with the recommendations of the York Region Archaeological Management Plan.

The Subject Lands will require ongoing consultation with Indigenous Communities during the Stage 3 Archaeological Assessment and during the monitoring process. The submitted Stage 1-2 AA does not acknowledge the York Region Archaeological Monitoring Plan and does not include monitoring recommendations despite the Subject Lands being included within the 1000 m from the village site and the proposed development likely requiring the removal of several layers of gravel fill and other deposits.

Urban Design and Cultural Heritage does not support the Development in its current form for the reason noted above. However, should the Applications be approved, additional information regarding, landscape materials, landscape cost estimates, and building materials must be submitted for review at the Site Plan approval stage. Further comments from Urban Design regarding design details, site organization, landscaping, and building materials will be provided through the Site Plan process if approved by the OLT.

Financial Impact

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

Operational Impact

The Environmental Planning division of the Policy Planning and Special Program Department (“PPSP”) requires the management Species at Risk, if the Applications are approved

Staff notes that the applicant conducted a habitat assessment on the Subject Lands with respect to Species at Risk. However, City staff will require the Owner to directly contact to the Ministry of Environment, Conservation and Parks (‘MECP’) prior to any clearing or removal on the Subject Lands including the existing dwellings.

If the OLT approves the Applications, the Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act, 2007, S.O.2007*. The Owner will be required to comply with Ministry of Environment, Conservation and Parks regulations and guidelines to protect these species at risk and their habitat.

Parks, Forestry and Horticulture Operations requires that an amended Arborist Report be provided.

The Owner is to provide an amended Arborist Report as per the requirement of the Tree Protection Protocol. The amended Arborist Report is to include all existing trees within a 6 m radius of the Subject Lands as per By-Law 052-2018. If the Development is approved by the OLT, compensation planting shall be to the satisfaction of Park, Forestry and Horticulture Operations.

Staff further notes that a Private Property Tree Removal & Protection Permit (Construction/Infill) will be required for the removal/injury to trees (over 20cm DBH) on the Subject Land or municipally owned trees of any size and trees located within 6 m of Subject Lands. Written consent for any tree removal on the property north of the Subject Lands will also be required.

Parkland Dedication or Cash-in-Lieu of Parkland Dedication will be applicable for the Development, if approved

The Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication policy, should the Applications be approved by the OLT.

The Development Engineering ("DE") Department has provided the following comments

Transportation and Road Network

A Transportation Mobility Plan was submitted in support of the Applications to assess traffic impacts in the area and parking requirements. Based on Development Transportation Engineering's review of the submitted materials, staff cannot support the current proposal.

The Development consists of a 644 m² of daycare, 44 assisted living units and 159 residential units with 214 parking spaces. The Subject Lands will have a right-in/right-out (RIRO) access on Jane Street, that will be approximately 200 m north of the existing signalized intersection of Teston Road and Jane Street. The RIRO access on Jane Street is insufficient to support the Development. Regional intersections in the area are expecting capacity constraints in the future according to the Block 34 East traffic study. Staff has not received sufficient information indicating that York Region agrees with the proposed roundabout in proximity to the major signalized intersection at Teston Road and Jane Street. The traffic study should be revised to examine the traffic impacts and address staff comments to the satisfaction of the City and York Region.

The DE Department also notes that the parking supply and size of (2.6 m x 5.6 m) do not fulfill Zoning By-law 1-88 or Zoning By-law 001-2021 regulatory standards.

Water and Water Allocation

The Subject Lands lie within Pressure District 7 (PD7) of the York Water System. The conceptual site plan has identified a water service connection to the proposed 400 mm-dia. PD7 watermain along the west side of Jane Street. This watermain is being constructed by the Block 34 East Developer Group. As such, the Owner shall provide confirmation to the City from the Block 34 East Developer Group permitting a connection to the unassumed watermain.

Sewage/Wastewater

Staff notes that the Development proposes a connection to the existing sanitary service on Teston Road, adjacent to 2960 Teston Road at the northeast corner of Jane St and Teston Rd. The existing sanitary connection outlets to an existing 200 mm diameter sanitary sewer on Giotto Court. The City's Interim Servicing Strategy (ISS), October 2021 (Final Report) and the City's sanitary operational model have identified capacity constraints in the existing sanitary system downstream of Giotto Court, specifically in several segments of sanitary sewer along Waterside Crescent and has recommended upgrades to the sanitary system to accommodate the additional sanitary flows generated from the proposed and adjacent active/future developments.

Surcharging is not permitted per City criteria; however, the Development may be adequately serviced in the interim with minimal surcharging to the City's existing wastewater system should the OLT approve the Development.

Furthermore, Block 27 area is ultimately a tributary to York Region's Jane Street Trunk Sanitary Sewer (anticipated to be in-service in Q4-2028). The Development shall identify how its servicing proposal aligns with the ultimate servicing plan for Block 27.

Stormwater Management

Staff note that the Development contemplates connecting to a catch basin manhole on the east side of Jane Street, flowing west towards a creek, via a 200 mm diameter storm sewer connection. The current stormwater management design proposed does not adhere to the City's current Design Standards Criteria. The stormwater management design should adhere to the City's current Design Standards Criteria and detailed comments will be provided at the Site Plan Application stage. Development Engineering has also reviewed the Functional Servicing Report and conceptual Site Servicing Plan and provide the following technical comments:

- Written confirmation and/or approval from the Region of York may be required for any connection a regional storm sewer or culvert on Jane Street.

- Permanent groundwater flows that are proposed to discharge into the storm sewer on Islington Avenue requires the City and/or Region of York's approval if it complies with the provisions of the City of Vaughan Sewer Use By-law No. 087-2016.
- Post-development flows up to and including the 100-year storm event from the site must be controlled to the 5-year pre-development release rate.
- The control manhole with orifice tube must be located within an accessible location, outside of the proposed building footprint, and accessible for the operation and maintenance access.

Dewatering

The Subject Lands are required to confirm whether groundwater will need to be pumped as part of the design of the building. Provide a clear strategy proposed for this development in the report with respect to any groundwater pumping and discharging. The City may allow groundwater to be discharged into a storm sewer if the quality and quantity of the groundwater comply with the provisions of the City of Vaughan Sewer Use By-law No. 087-2016.

A revised/updated Hydrogeology Report will be required to determine the elevation of the groundwater level in relation to the elevation of the lowest basement slab elevation and the quality and quantity of any groundwater proposed to be pumped and discharged, subject to the review and approval by the City. Furthermore, the report shall include permanent groundwater flows that may discharge into a City of Vaughan sewer, or into any proposed stormwater management facilities, and revise the plans and report accordingly. The City may accept discharging of groundwater into storm sewer if it complies with the provisions of the City of Vaughan Sewer Use By-law No. 087-2016.

Noise Assessment

A Noise Study will be required to confirm the Development is feasible from a noise and vibration perspective and may include site specific recommendations and warning clauses. The City request that if the Development is approved, the Owner shall provide a Noise Study with any subsequent submission and to the satisfaction of City Staff.

Environmental Engineering

The Owners submitted a "Phase One Environmental Site Assessment, dated December 15, 2021"; and "Phase Two Environmental Site Assessment, dated December 16, 2021", both prepared by XCG Consulting Limited for the Subject Lands. Based on the documents provided, the City acknowledge that the Phase One and Two Environmental Site Assessment ('ESA') reports are satisfactory and no further environmental investigations are required at this time. However, if the Development is to proceed XCG Consulting Limited is required to provide a Letter of Reliance to the satisfaction of City staff.

Should the OLT approve the Applications, then the availability of servicing capacity including water and wastewater will be assessed at the Site Development application stage. A recommendation to this affect has been included in this report.

Community Benefits Charge ('CBC') is applicable and will be collected at the Building Permit Stage

The Development meets the criteria for CBC being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, 2022, which is therefore the applicable mechanism used to collect community benefits. If the OLT decides to approve the Applications, the CBC By-law would be applicable.

Canada Post requires a receiving facility to be provided

If the OLT approves the application, Canada Post requires that a centralized receiving facility be provided that is comprised of rear-loaded lockboxes. Furthermore, the Owner will be required to provide Canada Post with access to any locked doors between the main entrance and the lockboxes.

Broader Regional Impacts/Considerations

The Applications have been circulated to York Region. York Region provided comments on January 26, 2023, wherein they advised that the Region's Official Plan prescribes an urban structure focused on a system of Regional Centres and Regional Corridors and the Centres and Corridors area are intended to accommodate the highest concentration of intensification. To facilitate the anticipated growth within the Region, a substantial amount of capital investment has been committed to build a rapid transit system on the Regional Road 7 and Yonge Street corridors. The Region has an interest in ensuring appropriate levels of intensification occur within these corridors and within the City's identified intensification The Subject Lands are not currently within an existing or planned intensification area.

York Region has noted that site specific increase in heights and density sets a precedence and expectation for other properties in proximity and across the Region. Servicing including transportation, water and wastewater plans are based on approved Official Plans and Secondary Plans. It is in the Region's interest to ensure growth and land use intensification occurs in a coordinated manner based on these Plans. The cumulative impacts of unplanned intensification through site-specific amendments have the potential to impact and limit the ability to provide services transit supported areas where growth is intended to occur such as the VMC Regional Centre (adjacent to the VMC Subway) or the "Kirby Go -Transit Hub Centre" (within proximity to the future Kirby Go Train Station).

The Official Plan Amendment proposed for the Subject Lands to facilitate the Development is not supported by the Region's Hamlet policies. York Region has noted the following policies from YROP 2010:

a) Policy 5.6.24

That local official plans and zoning by-laws shall designate the boundaries of Hamlets and provide policies that limit future growth to minor infilling, subject to the ability to service growth by individual private on-site water and wastewater systems.

b) Policy 5.6.25

That limited small-scale industrial, commercial and institutional uses may be permitted in local official plans, subject to the ability to service the use by individual private on-site water and wastewater systems.

c) Policy 5.6.26

That major development shall not be permitted in Hamlets.

According to York Region, the Development does not align with these policies as it is located in an identified Hamlet and is major in scale, which may lead to servicing constraints.

YROP 2022

It is noted, that YROP 2010 is the applicable policy document prescribed for the Official Plan and Zoning By-law Amendment applications however regards should be had to the approved 2022 York Regional Official Plan. The following YROP 2022 policies were used in Region's evaluation of the applications:

Policies 2.3.2, 4.1.3, 4.4.1; and 4.4.25 provides guidance and land use direction on where the appropriate level of residential, commercial and employment intensification is to occur. These policies speak to the need to direct growth and intensification in a comprehensive and coordinate manner that complies to regional hierarchy. They also provide directives to ensure development is directed to area where planned infrastructure and other services will be available. The Development does not support these objectives.

Denied York Region Official Plan Amendment Exemption

As such, York Region has denied the Owners request for exemption from regional approval of OPA application OP.22.006 as the Development does not satisfy the criteria's contained in policy 8.3.8 of YROP 2010. It will adversely affect regional policies and interest including:

- Directly and substantially affect regional servicing infrastructure, i.e., roads, water, and sewer; and,
- Adversely affect regional traffic flow.

Furthermore, it is not supported by the planned urban structures identified within YROP 2010, YROP 2022 and VOP 2010. York Region has advised the Owner to revise their plan to better conform with Regional and Municipal policies before considering an exemption from regional approval of Official Plan Amendments.

York Region Technical Comments

York Region has provided the following technical comments on the plans and reports submitted in support of the Applications:

a) Transportation Planning and Development Engineering

York Region has advised that a revised Transportation Mobility Plan is required to address several comments including the arrangement of the appropriate vehicular access configuration to the satisfaction of the Region. The study should incorporate infrastructure improvements that include the Region's or City's 10-year Roads and Transit improvement Capital Plans and traffic scenarios that includes the development of the approved Secondary Plans for Blocks 27, Block 33 and Block 34.

York Region has also noted that the Owner will be required to convey a road widening to provide for a right-of-way width of 20.5 m measure from the centerline of construction as per the ROP 2022 should the applications be approved. The current site plan concept that provides the basis for the FSI calculation does not take into account the future widening provision.

b) Water and Wastewater Servicing

The Development will require water and wastewater servicing allocation from the City of Vaughan should the applications be approved. If the City of Vaughan does not grant this development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on the condition of future capacity assignment, which may include:

- Northeast Vaughan Water and Wastewater Servicing - 2028 expected completion;
- Duffin Creek WPCP Outfall Modification - 2023 expected completion; and
- Other project as may be identified in future studies, or appropriate servicing agreements

The estimated timing of the Region's infrastructure project note above may change.

c) Water Resources

It is noted that the Subject Lands is known to have high water table conditions and confined artesian aquifer conditions which may have geotechnical implication with respect to construction activities including dewatering and foundation construction and building stability. If the Development is to proceed it recommended that any geotechnical and hydrogeological investigation taken by the Owner take into account that groundwater levels may currently be artificially depress due to third party permanent dewatering systems in the areas.

The Subject Lands are also located within a Significant Groundwater Recharge Area (SGRA) and therefore CTC Source Protection Plan water quantity recharge policy and YOP Low Impact Development policy 2.3.41 will apply. Best management practices are encouraged of onsite permeability and infiltration.

If the OLT orders the approval of the Applications, the noted comments by York Region will need to be resolved to their satisfaction. A recommendation to this affect has been added to this report.

The Toronto and Region Conservation Authority (TRCA) requires a TRCA Permit

The TRCA has identified that the eastern portion of the Subject Lands are located within a TRCA Regulated Area due to a provincially significant wetland feature located on the adjacent lands and is subject to Ontario Regulation 166/06. In addition, the TRCA has reviewed the submitted Environmental Impact Study Letter of Intent and concluded that in order to provide a review, the final study will need to be provided as it was not included in the initial submission by the Owner. If approved the Development is approve by the OLT the Owner should provide the necessary studies as identified by TRCA prior to Site Plan Approval.

Conclusion

Official Plan and Zoning By-law Amendment Files OP.22.006 and Z.22.009 have been reviewed in consideration of the *Planning Act*, and the policies of the Provincial Policy Statement 2020, the Growth Plan 2020, York Region Official Plans 2010 and 2022, Vaughan Official Plan 2010, 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.

When considered comprehensively, the Development Planning Department is of the opinion that the Applications for the proposed Development, consisting of a 12-storey residential building at a density of 4.0 FSI, are not consistent with the Provincial Policy Statement and do not conform to the Growth Plan, York Region Official Plans and City of Vaughan Official Plan. The Development will result in a level of intensification that is

not appropriate in consideration of the applicable policies and the existing surrounding land use context, as outlined in this report.

At a Pre-Application Consultation meeting with City Staff on April 12, 2021, and prior to that, the Owner was advised of concerns with the Development. It was suggested to the Owner that alternative forms of development be considered for the Subject Lands to better integrate the built form with the existing low-rise historical character of the community. The Owner has not provided the City with alternate design concepts or revised plans to address comments from the circulation of the Pre-Application. The Owner has appealed these Applications to the OLT.

The Development Planning Department has provided Recommendations to refuse the Applications. The Development Planning Department does not support the Applications as the Development is not consistent with the PPS and does not conform to the Growth Plan and the York Region Official Plan and Vaughan Official Plan 2010 policies as outlined in this report.

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 OluwaKemi (Kemi) Apanisile, Planner, at extension 8210.

Attachments

1. Context Map
2. Location Map
3. Urban Structure Schedule 1 – City of Vaughan Official Plan 2010
4. Schedule B Block 27 Land Use Plan
5. Conceptual Site Plan and Proposed Zoning
6. Conceptual Landscape Plan
7. Elevations West and East
8. Elevations North and South
9. Perspective Renderings
10. Zoning By-law 1-88 Table 1
11. Zoning By-law 001-2021 Table 2

Prepared by

OluwaKemi (Kemi) Apanisile, Planner, ext. 8210

Christina Ciccone, Senior Planner, ext. 8773

Mary Caputo, Senior Manager of Development Planning, ext. 8635

Nancy Tuckett, Director of Development Planning, ext. 8529

Approved by

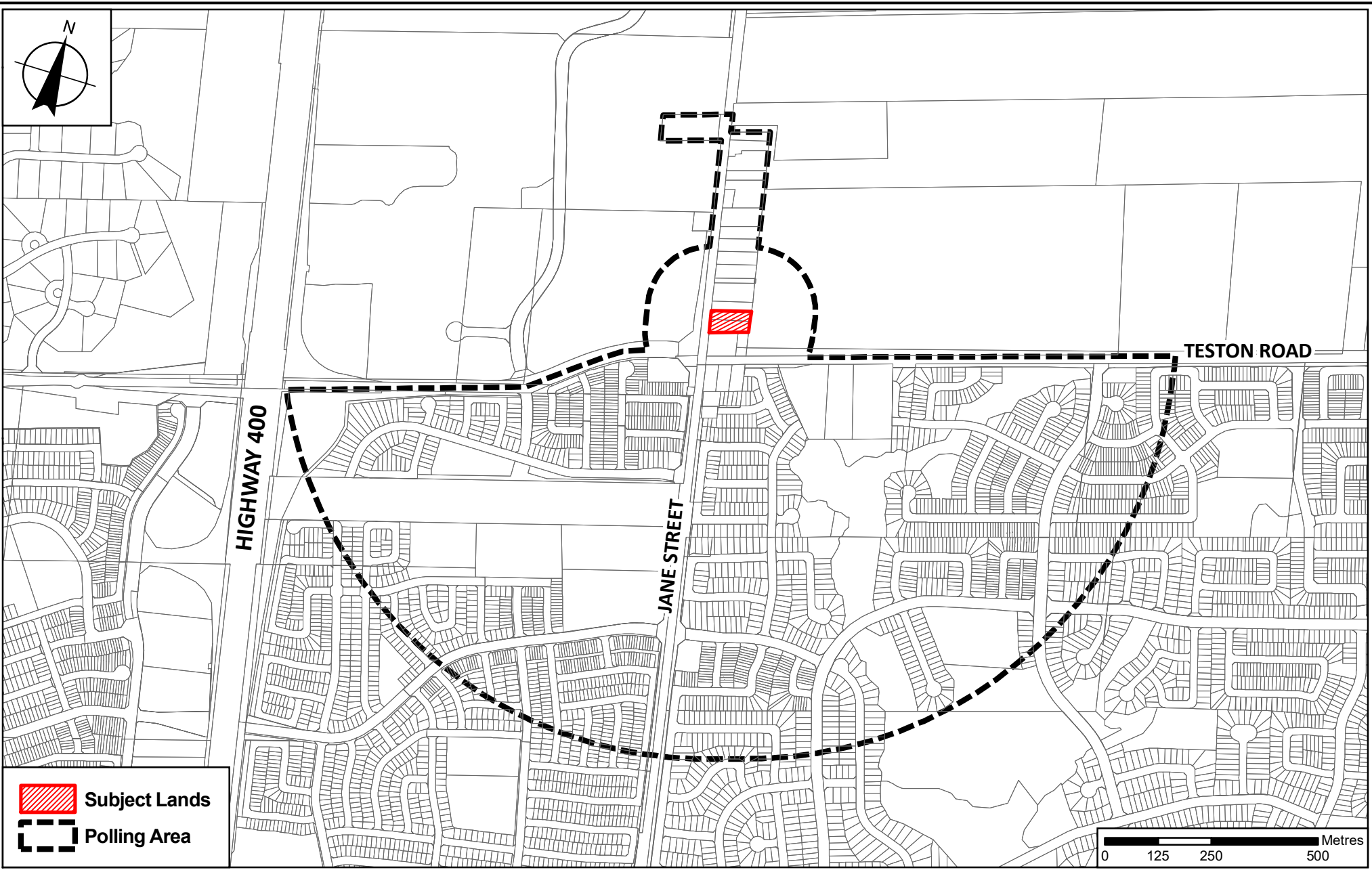


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager



 **Subject Lands**
 **Polling Area**

Context Map

LOCATION:
 10811 and 10819 Jane Street
 Part of Lot 36, Concession 4

APPLICANT:
 Cacoeli Terra Vaughan Ltd.

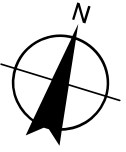


Attachment

FILES:
 OP.22.006 and Z.22.009

DATE:
 September 12, 2023

1



C4
FD

FUTURE
EMPLOYMENT /
COMMERCIAL
USES

EXISTING
2-STOREY
RESIDENTIAL

FD

A

EXISTING
AGRICULTURAL



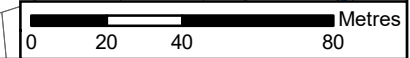
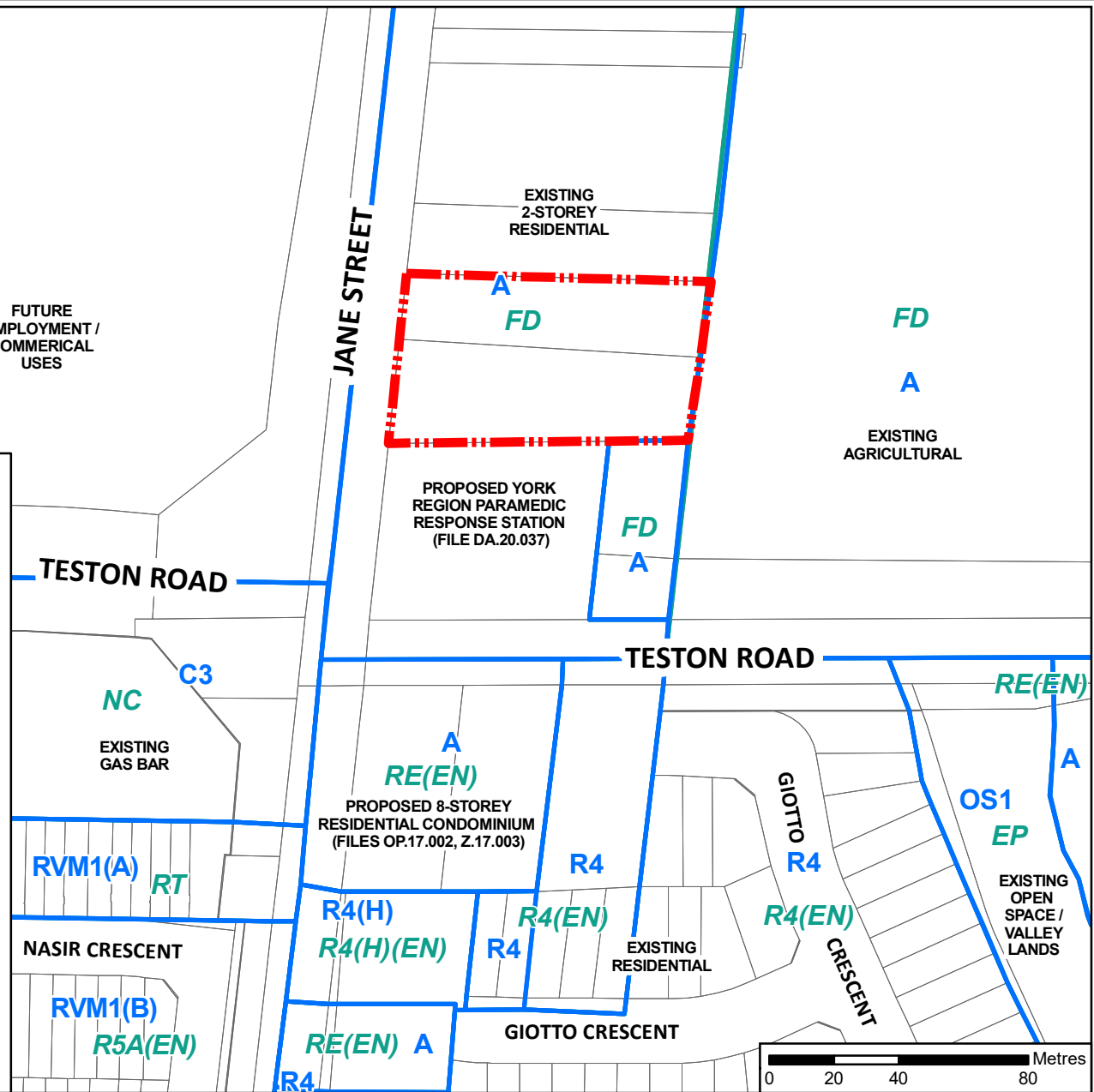
Subject Lands

Zoning Legend 1-88

- A, Agricultural
- C3, Local Commercial
- C4, Neighbourhood Commercial
- OS1, Open Space Conservation
- R4(H), Residential with the Holding Symbol
- R4, Residential
- RVM1(A), Residential Urban Village Multiple Dwelling Zone One (Street Townhouse)
- RVM1(B), Residential Urban Village Multiple Dwelling Zone One (Single Detached and Semi-Detached Dwellings)

Zoning Legend 001-2021

- EP, Environmental Protection Zone
- FD, Future Development Zone
- NC, Neighbourhood Commercial Zone
- R4(H), Fourth Density Residential Zone
- R4, Fourth Density Residential Zone
- R5A, Fifth Density Residential Zone
- RE, Estate Residential Zone
- RT, Townhouse Residential



Location Map

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.



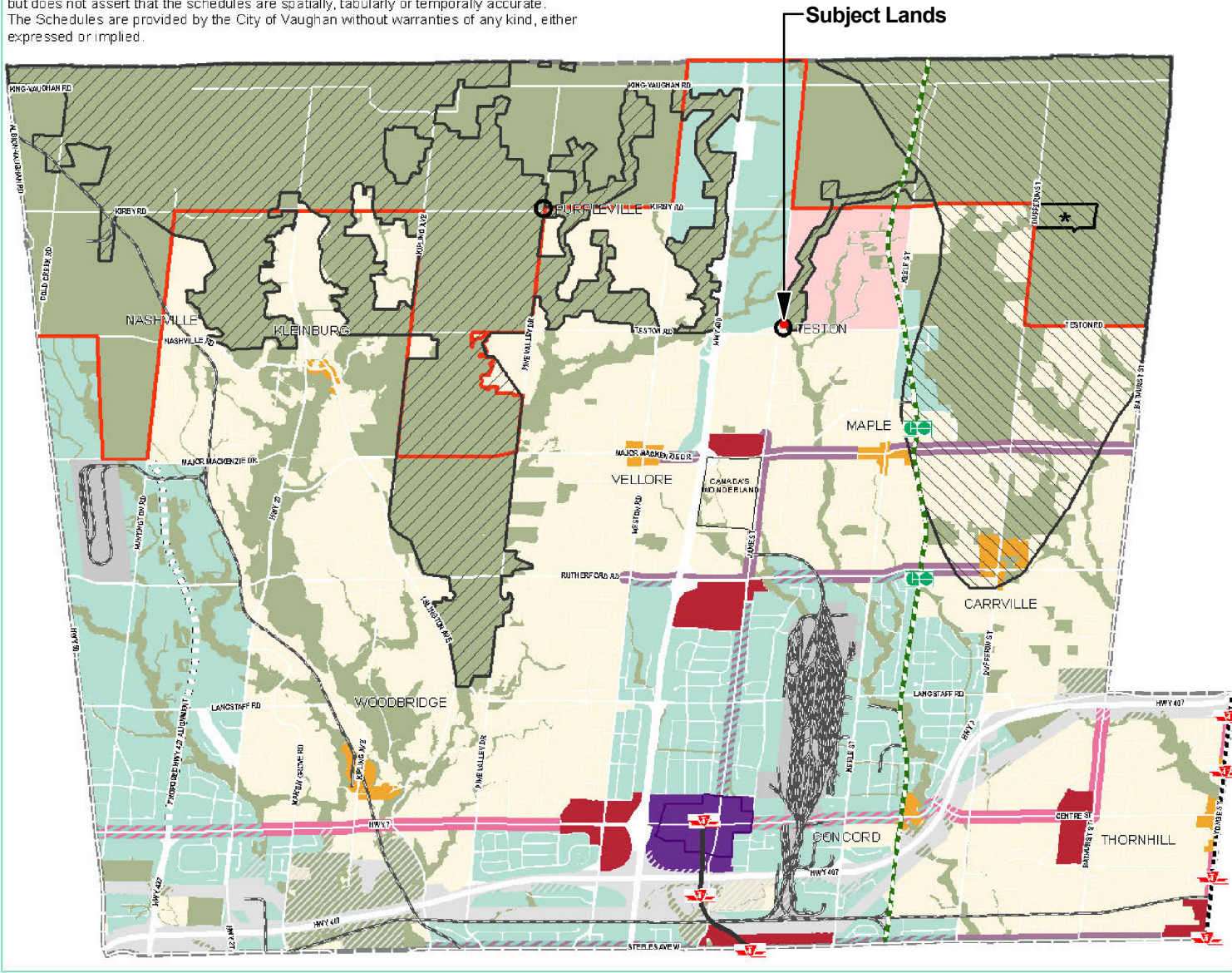
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FILES:
OP.22.006 and Z.22.009

DATE:
September 12, 2023

2

The City of Vaughan makes every effort to ensure that Schedules are free of errors but does not assert that the schedules are spatially, tabularly or temporally accurate. The Schedules are provided by the City of Vaughan without warranties of any kind, either expressed or implied.



SCHEDULE 1



Urban Structure

- Urban Boundary
- Urban Growth Centre Boundary
- Stable Areas**
 - Natural Areas and Community
 - New Community
 - Employment
 - Rail Facilities
- Intensification Areas**
 - Vaughan Metropolitan Centre (Regional Centre)
 - Primary Centres
 - Local Centres
 - Regional Intensification Corridors
 - Regional Intensification Corridors within Employment Areas
 - Primary Intensification Corridors
 - Primary Intensification Corridors within Employment Areas
 - Parkway Belt West Lands
 - Railway
 - Subway Extension
 - Proposed Subway Extension
 - GO Transit Network
 - Greenbelt Plan Area
 - Oak Ridges Moraine Conservation Plan Area¹
 - Hamlet
 - See Minister's Decision on ORM CP Designation
 - Municipal Boundary

¹ See Schedule 4 for limits and land use information of the Greenbelt Plan and Oak Ridges Moraine Conservation Plan Area.



December, 2021

Urban Structure Schedule 1 City of Vaughan Official Plan 2010

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.



Attachment

FILES:
OP.22.006 and Z.22.009

DATE:
September 12, 2023

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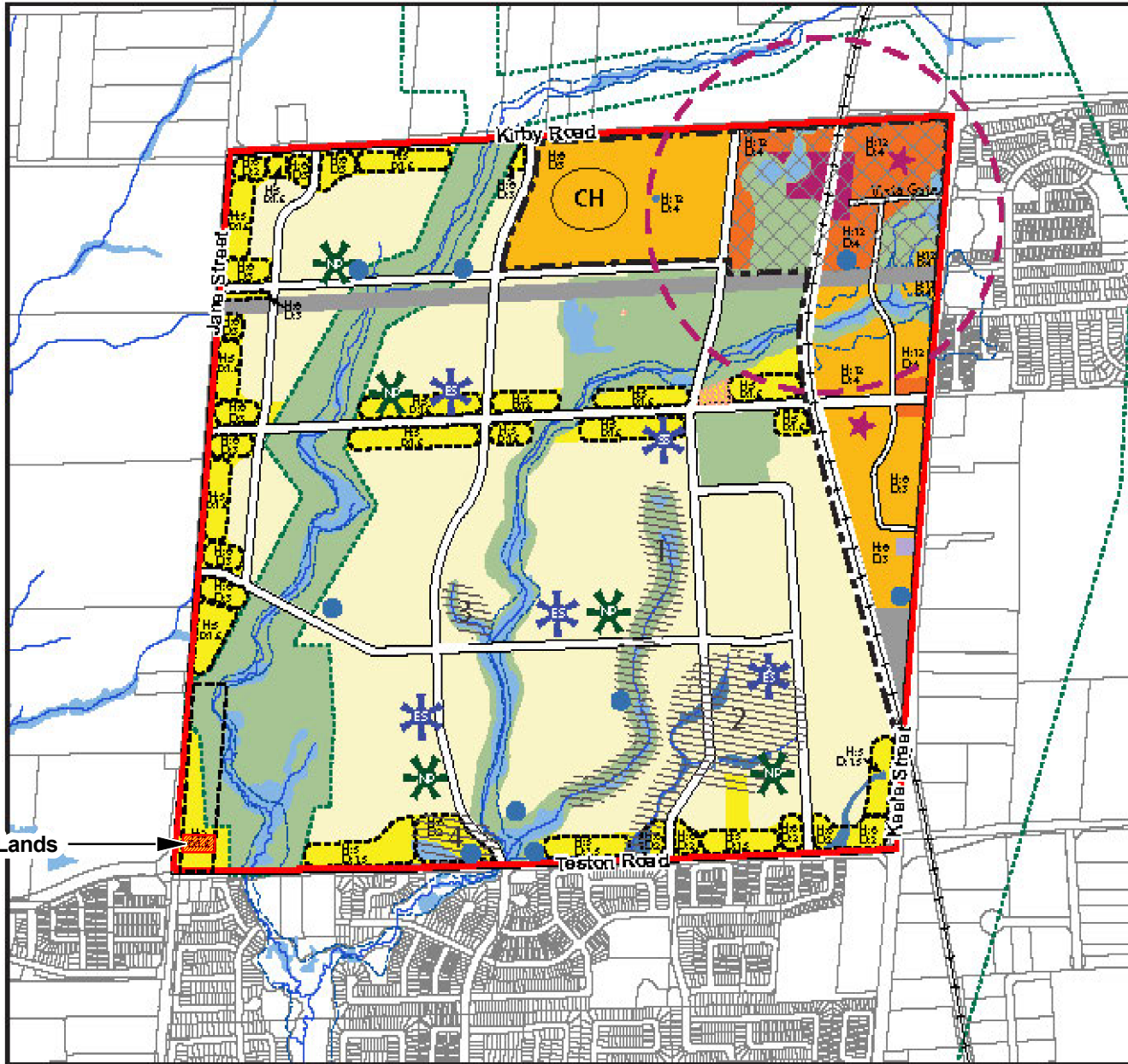
SCHEDULE B BLOCK 27 LAND USE PLAN

Legend

- Secondary Plan Area
- Kirby GO - Transit Hub Centre
- 500m Radius
- Transit Hub Special Study Area
- Potential Enhancement Areas
- Hamlet of Teston
- Low Rise Residential
- Low Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- Community Hub
- Transit Hub
- Neighbourhood Park
- Public Square
- Elementary School
- Secondary School
- Private Open Space
- Infrastructure and Utilities
- Potential SWM Facility
- Natural Areas
- Natural Areas - Provincially Significant Wetlands
- Natural Areas - Evaluated Wetlands
- Greenbelt Plan Area
- Railway Line
- Stream
- Engineered Floodline
- Natural Areas Special Study Areas
- Maximum Height
- Maximum Density

Not to Scale

Subject Lands



Schedule B Block 27 Land Use Plan

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.

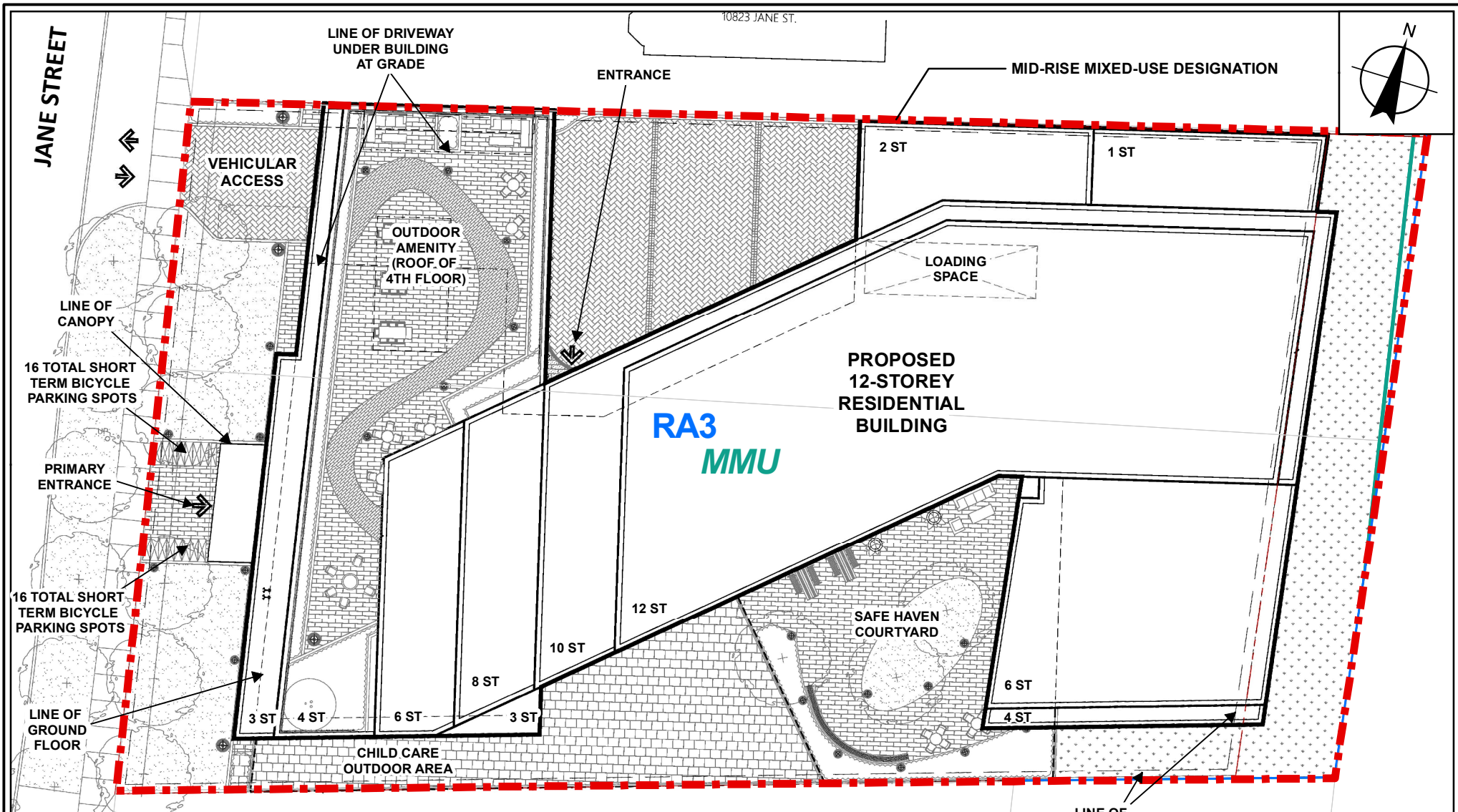



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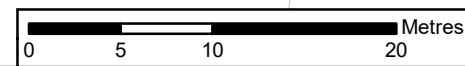
DATE:
September 12, 2023

4



 **Subject Lands**
 Zoning Legend 1-88
 RA3, Apartment Residential Zone

Zoning Legend 001-2021
 MMU, Mid-Rise Mixed Use



Conceptual Site Plan and Proposed Zoning

LOCATION:
 10811 and 10819 Jane Street
 Part of Lot 36, Concession 4

APPLICANT:
 Cacoeli Terra Vaughan Ltd.

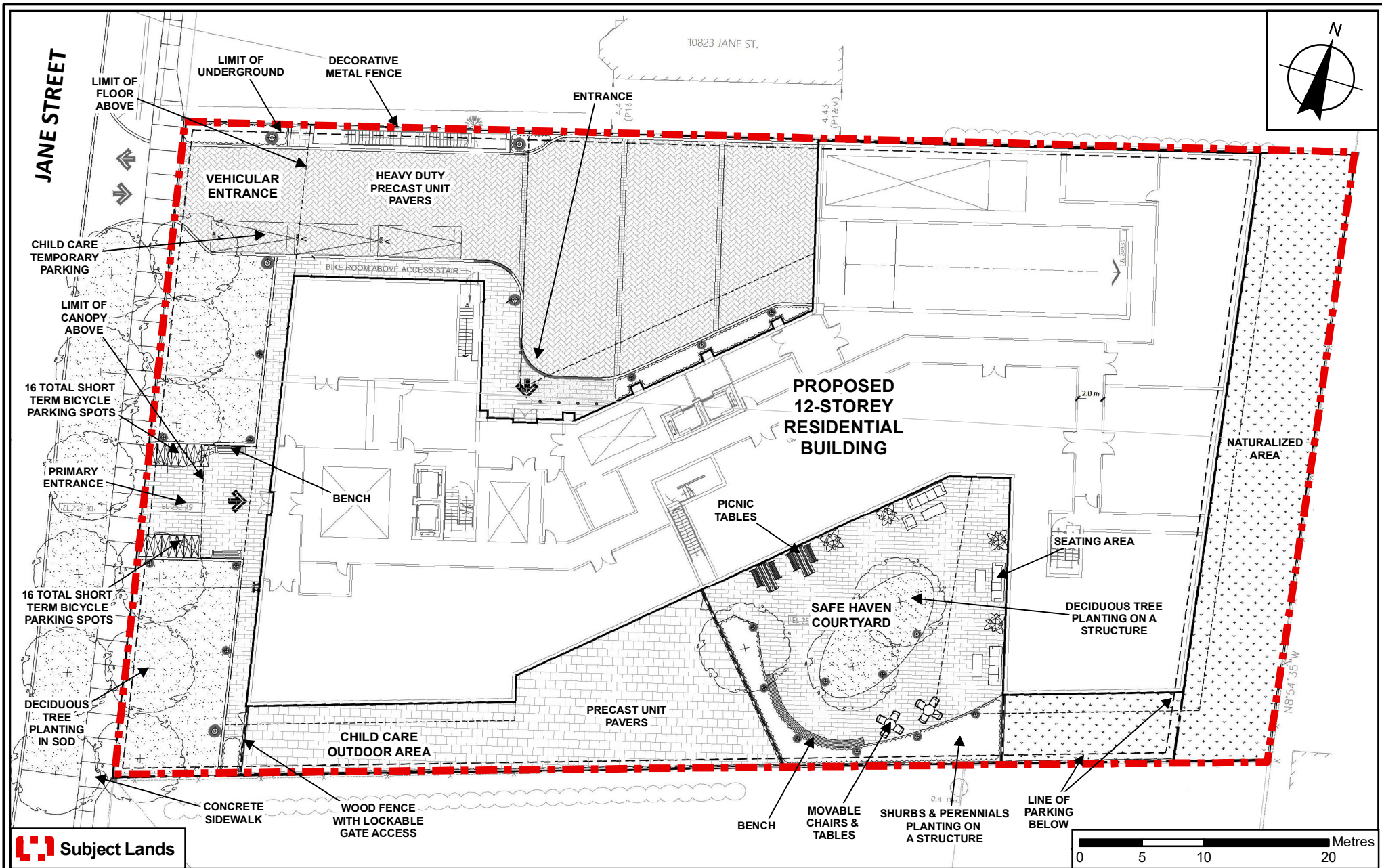


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FILES:
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DATE:
 September 12, 2023

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Conceptual Landscape Plan

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.

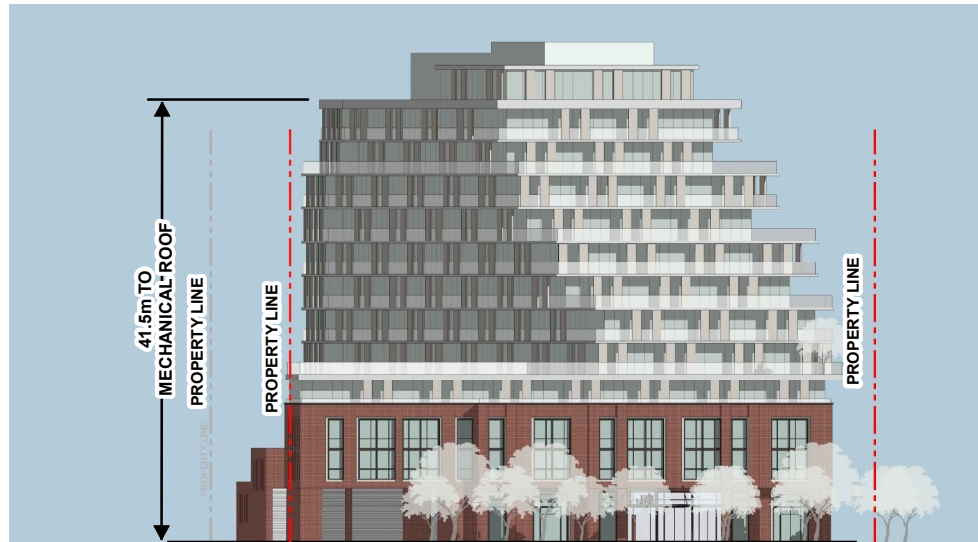


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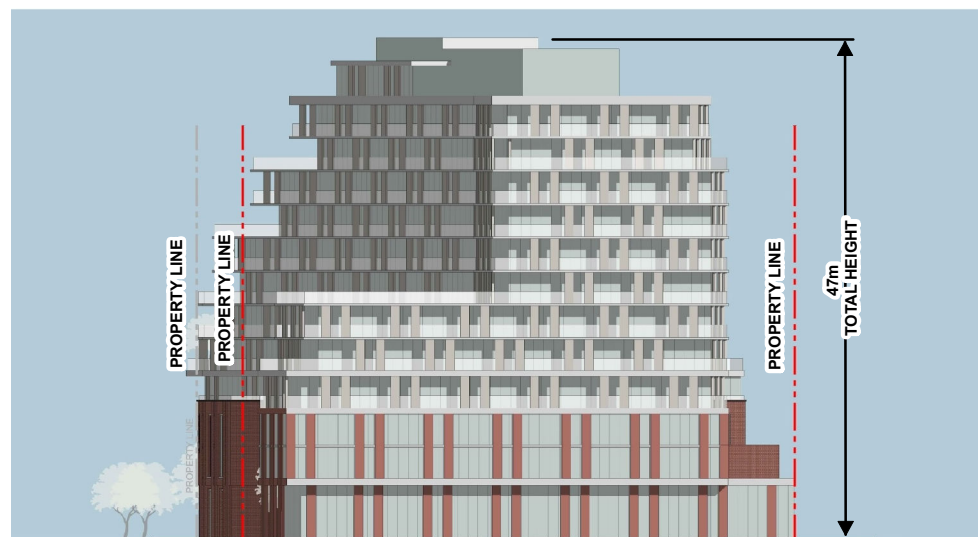
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DATE:
September 12, 2023

6



WEST ELEVATION - FACING JANE STREET



EAST ELEVATION

Not to Scale

Elevations - West and East

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.

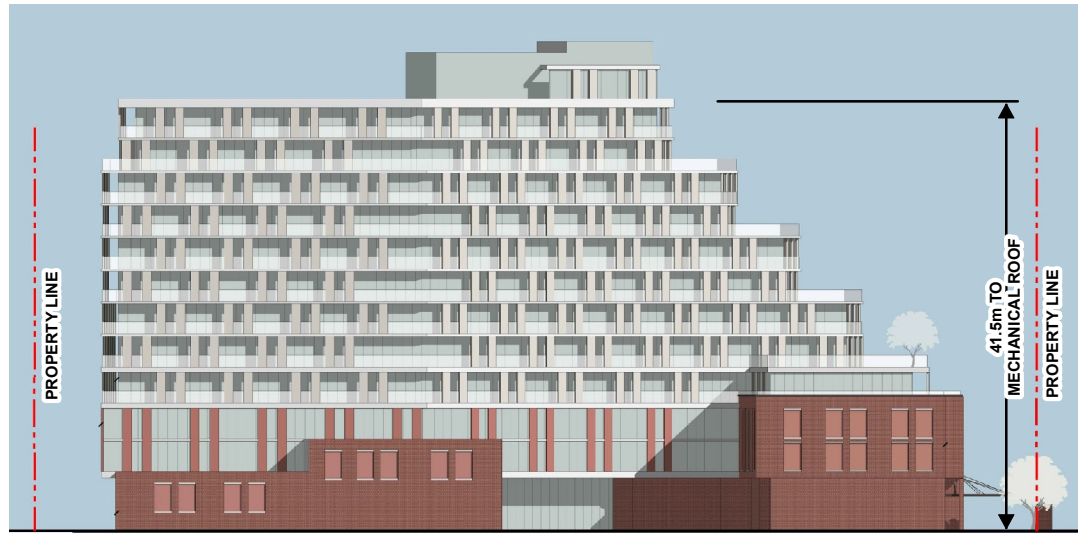


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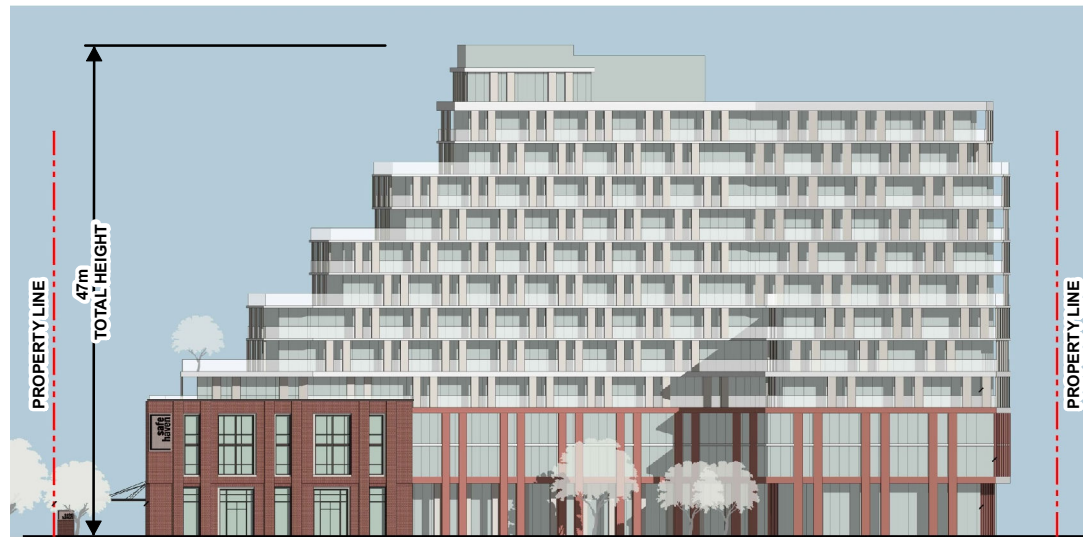
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DATE:
September 12, 2023

7



NORTH ELEVATION



SOUTH ELEVATION

Not to Scale

Elevations - North and South

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.

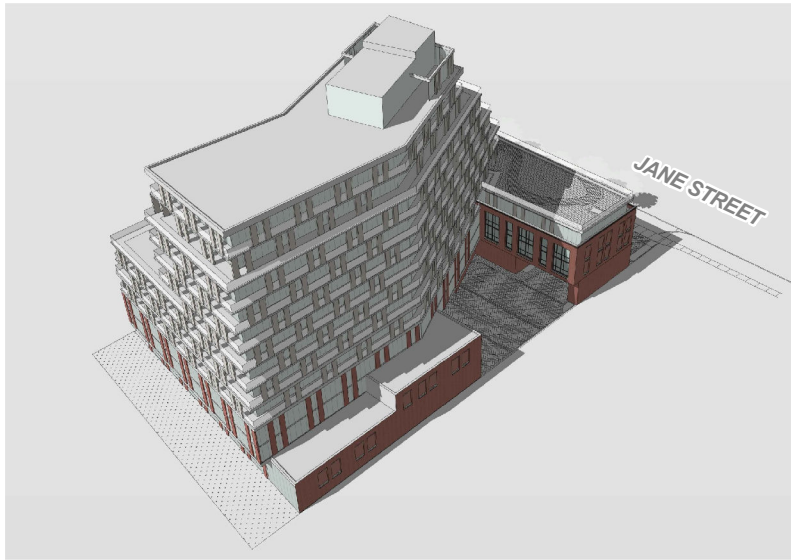


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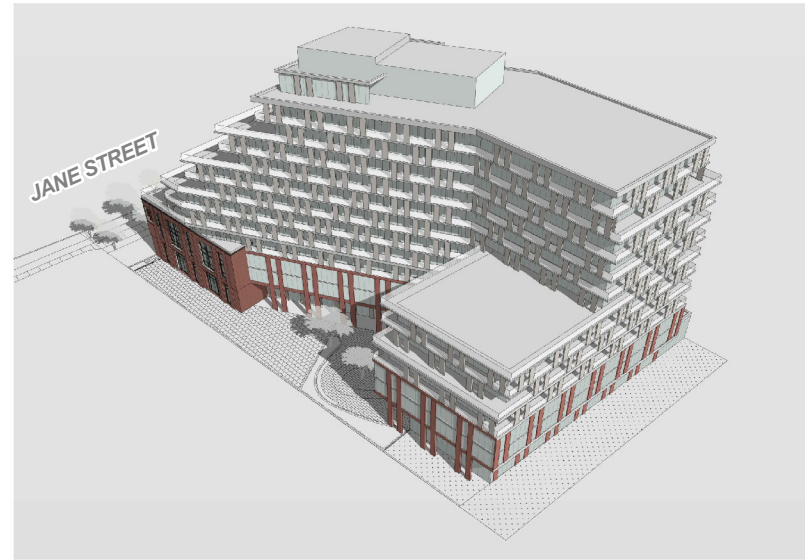
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DATE:
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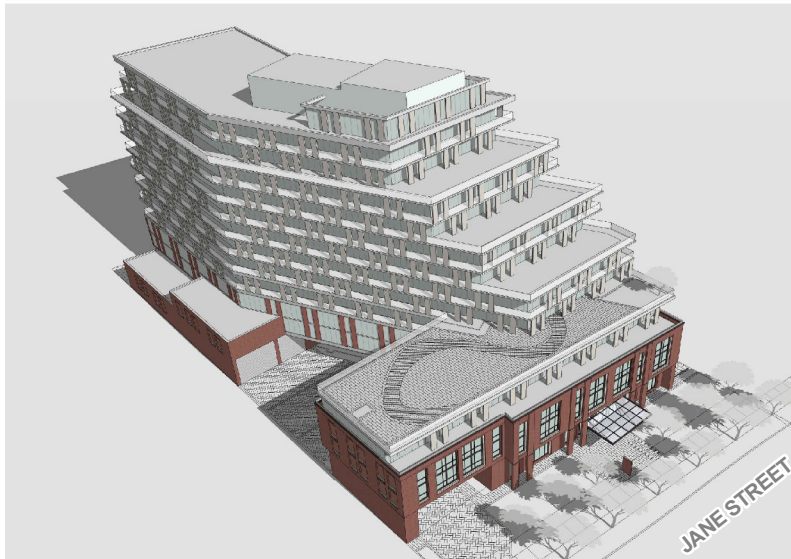
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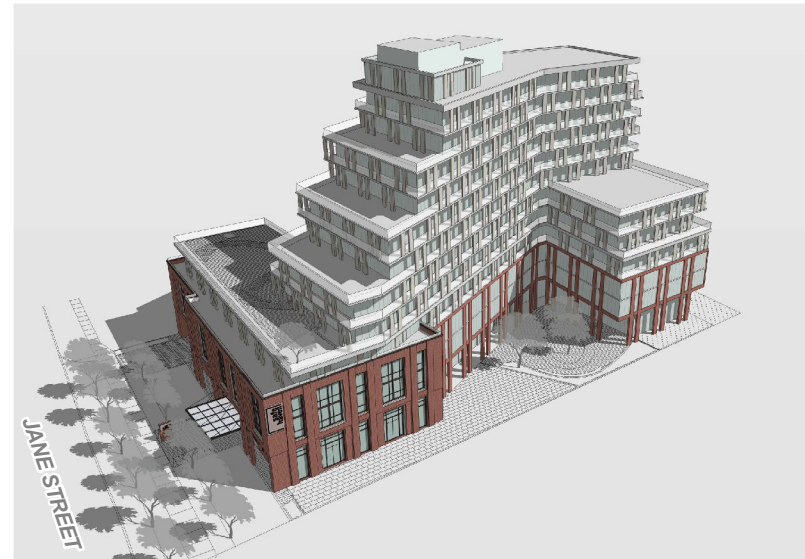
AERIAL VIEW FROM NORTH EAST



AERIAL VIEW FROM SOUTH EAST



AERIAL VIEW FROM NORTH WEST



AERIAL VIEW FROM SOUTH WEST

Perspective Renderings

LOCATION:
10811 and 10819 Jane Street
Part of Lot 36, Concession 4

APPLICANT:
Cacoeli Terra Vaughan Ltd.



Attachment

FILES:
OP.22.006 and Z.22.009

DATE:
September 12, 2023

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Attachment 10 - Zoning By-law 1-88 Table 1:

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirement	Proposed Exceptions to the RA3 Apartment Residential Zone Requirement
a.	Minimum Front Yard	7.5 m	5 m
b.	Minimum Interior Side Yard	4.5 m	0.0 m at north property line 4 m at south property line
c.	Minimum Rear Yard	7.5 m	6 m
d.	Minimum Lot Area	13,601 m ²	4,772 m ²
e.	Permitted Uses	- Apartment Dwelling - Day Nursery	Permit the following additional uses: - Supportive Living Facility - Adult Care Facility
f.	Minimum Parking Requirements	<p align="center">Residential 1.5 spaces/unit x 159 units = 239 spaces</p> <p align="center">Visitor 0.25 spaces/unit x 159 units = 40 spaces</p> <p align="center">Supportive Living Facility 3.3 spaces/100 m² x 5,355 m² = 177 spaces</p> <p align="center">Day Nursery 1.5 spaces per employee = 66 spaces</p> <p align="center">Adult Care Facility 3.3 spaces/100m² x 851 m² = 28 spaces</p>	<p align="center">Residential 1.0 space/unit x 159 units = 159 spaces</p> <p align="center">Visitor 0.2 spaces/unit x 159 units = 32 spaces</p> <p align="center">Supportive Living Facility/Day Nursery/ Adult Care Facility = 23 spaces</p>

	Zoning By-law 1-88 Standard	RA3 Apartment Residential Zone Requirement	Proposed Exceptions to the RA3 Apartment Residential Zone Requirement
		Total Parking Required = 550 spaces	Provide a total of 214 spaces
g.	Parking Space Dimension	Length 5.7 m x Width 2.7 m	Length 5.6 m x Width 2.6 m
h.	Minimum Amenity Area	<p>92 One Bedroom Units x 20 m²/unit = 1,840 m²</p> <p>48 Two Bedroom Unit x 55 m²/unit = 2,640 m²</p> <p>19 Three Bedroom Unit x 90 m²/unit = 1,710 m²</p> <p>Total required amenity area: 6,190 m²</p>	<p>2.0 m² per dwelling unit (indoor and outdoor)</p> <p>Provide a total amenity area of:</p> <p>406 m² indoor 406 m² outdoor Total: 812 m²</p>
i.	Minimum Landscape Strip Requirement	A strip of land not less than 6.0 metres in width shall be provided along a lot line which abuts a street line, and shall be used for no other purpose than landscaping	Bicycle parking spaces will be located within the landscape strip

Attachment 11 - Zoning By-law 001-2021 Table 2:

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed-Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed-Use Zone Requirement
a.	Minimum Rear Yard	7.5 m	6 m
b.	Maximum Height for Roof Top Mechanical Penthouse	5 m	5.5 m
c.	Maximum Tower Floor Plate Area	850 m ²	Levels 2 and 3: 2,662 m ² Level 4: 2,103 m ² Levels 5 and 6: 1,585 m ² Levels 7 and 8: 1,174 m ² Levels 9 and 10: 1,053 m ² Levels 11 and 12: 827 m ²
d.	Minimum Rear Yard setback for a Tower	12.5 m	4 m
e.	Minimum Interior Side Yard Setback for a Tower	12.5 m	4 m
f.	Minimum Front Yard Setback for Below Grade Structures	1.8 m	0.7 m
g.	Minimum Lot Area	13,601 m ²	4,772 m ²
h.	Minimum Parking Requirements	Residential 0.8 spaces/unit x 159 units = 127 spaces Residential Dwelling Visitor 0.2 spaces/unit x 159 units = 32 spaces Supportive Living Facility 1 spaces/4 beds x 108 beds = 27 spaces Day Care Centre 1 space per employee	Residential 1 space/unit x 159 units = 159 spaces Visitor 0.2 spaces/unit x 159 units = 32 spaces Supportive Living Facility/Day Nursery/ Adult Care Facility = 23 spaces Provide a total of 214 spaces

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed-Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed-Use Zone Requirement
		Estimated 44 staff = 44 Total Parking Required = 230 spaces	
i.	Parking Space Dimension	Length 5.7 m x Width 2.7 m	Length 5.6 m x Width 2.6 m
j.	Minimum Amenity Area	First 8 Units 8 Units x 8 m ² = 64 m ² Remaining 195 units 195 Units x 5 m ² = 975 m ² Total Required Amenity Area = 1,039 m ²	2.0 m ² per dwelling unit (indoor and outdoor) Total Amenity Area Provided = 812 m ²
k.	Outdoor Amenity Area Design Requirement	Shall consist of at least one contiguous outdoor area of 55.0 m ² located at grade A maximum of 20% of the required minimum outdoor amenity area may be located on the rooftop or terrace	Shall not apply Up to 100% of the required minimum outdoor amenity area may be located on the rooftop or terrace.
l.	Maximum Encroachment into a Yard for Hard Landscape	0.6 m	Shall not apply
m.	Minimum Landscape Strip Requirement	A strip of land not less than 5.0 metres in width shall be provided along a lot line which abuts a street line, and shall be used for no other purpose than landscaping	Shall not apply: Bicycle parking spaces will be located in the landscape strip

	Zoning By-law 001-2021 Standard	MMU Mid-Rise Mixed-Use Zone Requirement	Proposed Exceptions to the MMU Mid-Rise Mixed-Use Zone Requirement
n.	Minimum Short-Term Bicycle Parking Spaces	41 spaces	31 spaces
o.	Location of Short-Term bicycle parking spaces	<p>Short Term bicycle parking shall have a minimum setback of 0.6 metres from the nearest lot line</p> <p>Short Term bicycle parking located within a building shall be located within the ground floor</p> <p>Short term bicycle parking shall have direct exterior access</p>	Shall not apply
p.	Minimum Long-Term Bicycle Parking Spaces	163 spaces	87 spaces
q.	Location of Long-Term Bicycle Parking Spaces	Long Term bicycle parking shall have direct exterior access	Shall not apply