

September 28, 2023

MGP File: 21-3054

Andrew Haagsma – Planner I
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

via email: Andrew.Haagsma@vaughan.ca / gaston.soucy@vaughan.ca

**Attention: Mr. Andrew Haagsma
Planner I**

Dear Mr. Haagsma:

**RE: VMC Secondary Plan Update Phase III – Recommended Land Use Option
Comments on behalf of Intergreen Development (BT) Inc.
25 Interchange Way, Vaughan
File Nos: OP.22.014, Z.22.035, and 19T-22V010**

Malone Given Parsons Ltd. (“MGP”) is the land use planner for Intergreen Development (BT) Inc. (“Intergreen”), the owner of the lands at 25 Interchange Way (“Subject Lands”) within the Vaughan Metropolitan Centre (“VMC”). Intergreen has been actively participating in the Vaughan Metropolitan Centre Secondary Plan (“VMCSP”) Update process, including attending the VMC Landowners Meeting on September 8, 2023 where the Recommended Land Use Option was presented for discussion as part of Phase III of the VMCSP Update.

We have reviewed the presentation materials from September 5 and 8 and continue to have concerns with the Recommended Land Use Option that is currently available for feedback and comments.

It should be noted that it is difficult to provide a fulsome set of comments on the Recommended Land Use Option in the absence of the City providing any policy framework. As such, our comments respond to the proposed change in land use designation on the basis of the current VMCSP policies. In our opinion, providing a summary of the land use policies, at a minimum, related to height and density, is required to understand the proposed options. Notwithstanding this, we request that:

1. The heights and densities reflect the VMC’s status as an Urban Growth Centre. More specifically, the height and density framework in the VMCSP should be updated to have regard for approved and in progress developments which have effectively more than tripled the planned heights and densities in the current VMCSP;
2. The Subject Lands be recognized as an appropriate location for height and density and should maintain an appropriate Mixed-Use designation that allows for significant development rather than the proposed “Neighbourhood” designation. The extent of

the Mixed Use designation should also correspond with the Protected Major Transit Station Area (“PMTSA”) boundaries established by the York Region Official Plan (2022) and recognize that the Subject Lands are located within PMTSA 67, the Vaughan Metropolitan Centre Subway Station.

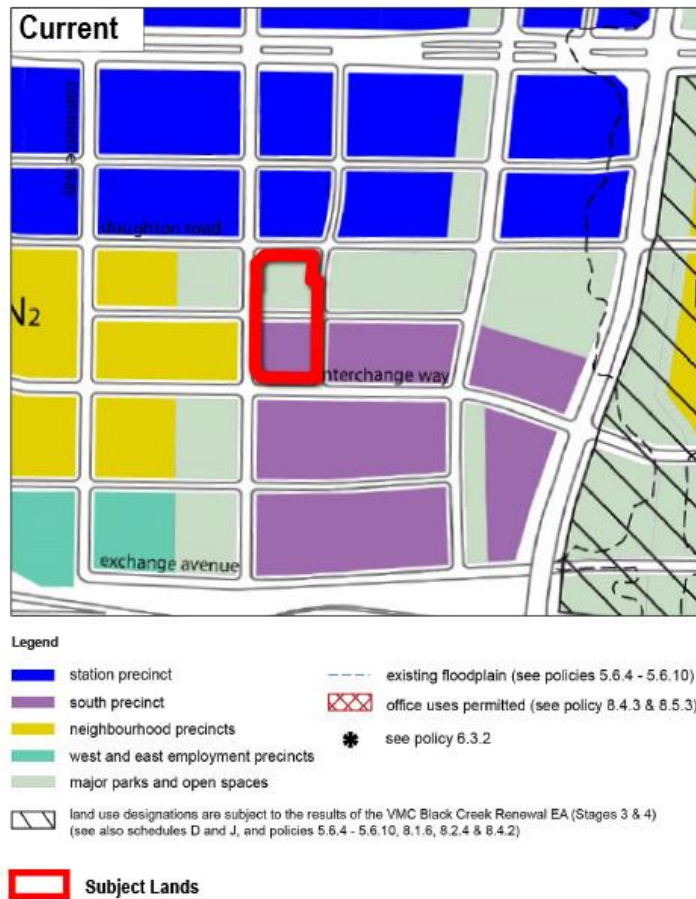
3. The schedules and Recommended Land Use Option Plan should reflect the proposed height and density proposed by Intergreen through the applications for Official Plan and Zoning Bylaw Amendment, submitted on October 27, 2022. These applications were considered at a public meeting on February 28, 2023 and Council members deemed the proposed development together with the height and density, to be appropriate for the Subject Lands;
4. Policies be included within the updated VM CSP that align with Council’s latest direction and recommendations regarding parkland definitions and dedication credits, particularly as they relate to 100% credit for strata parkland;
5. The calculation of Floor Space Index (“FSI”) continue to be calculated using a ratio of gross floor area (“GFA”) to the gross land area in accordance with VM CSP Policy 8.1.17, whereas we understand City staff have indicated the VM CSP Update will include an amendment to calculate FSI using a ratio of GFA to net land area; and,
6. The road bisecting the Subject Lands be removed on the updated VM CSP Schedules to reflect Intergreen’s OPA and ZBLA applications.

The Current Vaughan Metropolitan Centre Secondary Plan

The Subject Lands are located at the northeast intersection of Interchange Way (east-west) and Interchange Way (north-south). In the current VM CSP, the southern portion of the Subject Lands is designated “South Precinct” with height permissions ranging from 5 to 25 storeys and a density permission ranging from 2.5 to 4.5 FSI. The South Precinct designation encourages a mix of uses, particularly retail and office uses, and permits all uses that are permitted in the Station Precinct (being the lands to the north surrounding the VMC Subway Station). Policy 8.3.1 of the VM CSP also promotes a variety of low- (3-4 storeys), mid- (5-10 storeys), and high-rise (more than 10 storeys) buildings within the South Precinct.

The northern portion of the Subject Lands is designated Major Parks and Open Spaces. A proposed east-west local street (20 to 22 metres wide) bisects the Subject Lands between the two land use designations/precincts and a proposed north-south local street straddles the eastern boundary of the Subject Lands. A map of the current land use designations under the VM CSP is provided in Figure 1 below.

Figure 1: Current VMCSF Schedule F – Land Use Precincts



Source: City of Vaughan (2023); MGP (2023)

Intergreen Development Applications

On October 27, 2022, Intergreen submitted Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications (the “Intergreen Applications”) to permit a mixed-use development consisting of two (2) residential towers (55 and 45-storeys in height) atop a 4 to 5 storey podium with retail uses and residential townhouse units at-grade. A 0.418 hectare stratified public park is proposed on the northern portion of the site. The proposed FSI is 7.74 times the area of the site for a total of 1,084 residential units, and 1,593 m² of ground-floor retail space.

Vehicular access to the development is proposed from a future 12.0 m east-west private street bisecting the stratified park from the mixed-use development where the current VMCSF identifies a public local street (20-22 m wide). The Intergreen Applications were deemed complete on November 17, 2022 and a public meeting was held on February 28, 2023.

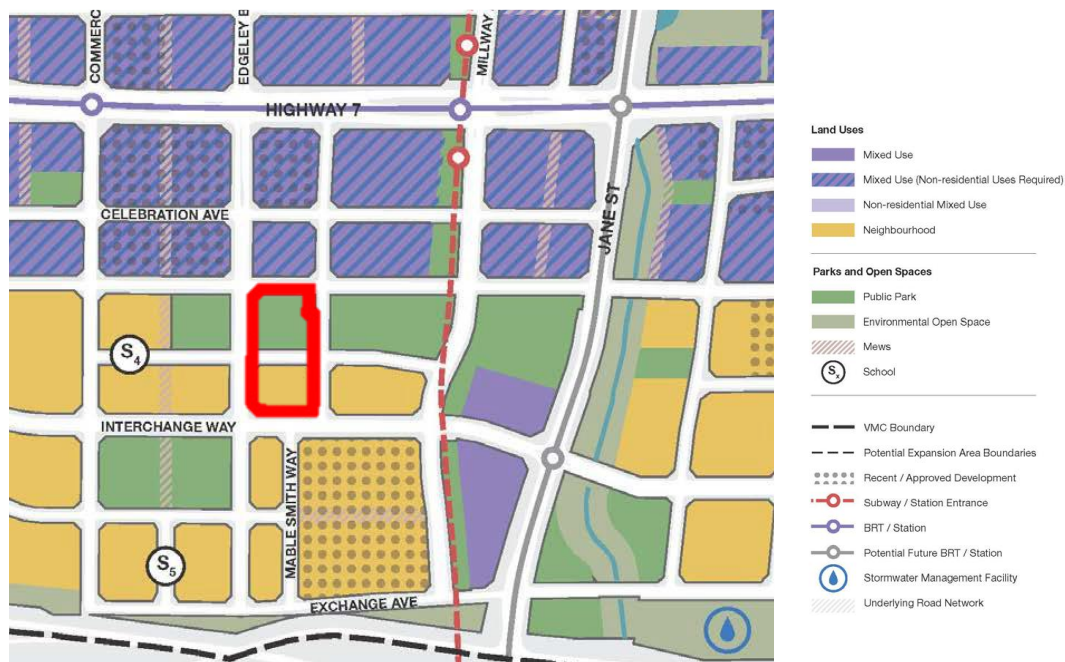
Council was receptive to the proposal and found the proposed heights, densities, and unit mix to be appropriate given the location of the Subject Lands within an urban growth centre and MTSA. The Intergreen Applications were reviewed by the Design Review Panel on March 30, 2023. Intergreen is currently reviewing all comments received from the public, commenting

agencies, and the Design Review Panel and intends to make a resubmission of the Applications in the near future.

Proposed Recommended Land Use Option Plan

Under the proposed VMCSPP Recommended Land Use Option, the Subject Lands are proposed to be designated “Neighbourhood” and “Public Park”. We note that the staff report from the June 21, 2022 VMC Subcommittee indicates that this designation change from “South Precinct” to “Neighbourhood” is *“primarily intended for residential uses, to align with the approval of neighbourhood-scaled development”*. This reference to “neighbourhood-scaled development” appears to be related to the “Mobilio” development, which we note includes both townhouses and high-density buildings up to 18 storeys on the south side of Interchange Way. While we support the notion to concentrate residential uses within this area of the VMC, we do not believe that the approval of a residential development on other lands should preclude high-density, mixed-use development on the Subject Lands or result in the loss of land use, density, and height flexibility within the current VMCSPP policy framework.

Figure 2: Recommended VMCSPP Land Use Option



Source: City of Vaughan (2023); MGP (2023)

The materials presented to date in the VMCSPP Update process do not provide sufficient information or policies to holistically review the impacts of the proposed land use options on the Subject Lands. We request that staff provide clarification on what the Neighbourhood designation specifically entails, in particular, land use permissions and built form standards.

In the absence of any policies relating to the Neighbourhood designation, we request that the Subject Lands be designated to an appropriate Mixed Use designation that permits significant redevelopment in terms of permitted heights, densities, and built forms. The Subject Lands have many attributes that make the site suitable for high density development rather than the

proposed “Neighbourhood” designation such as being within 500 metres of the existing VMC Subway Station, located within the VMC Subway Station PMTSA (PMTSA 67), and adjacent to approved and planned high density developments, as well as having Council support for the Applications to redevelop the Subject Lands with high density, mixed use development.

Furthermore, we are also concerned that any planned reduction in building heights and density represents a “downzoning” on the Subject Lands which is inconsistent with provincial and regional policies. The Subject Lands are located within the VMC Subway Station PMTSA (PMTSA 67), as identified within the September 8th presentation, as well as having recommended retail or public use frontage along the south property line, which supports a Mixed Use designation that will permit a full range of uses on the Subject Lands.

Proposed Densities, Heights, and FSI

The September 8th presentation does not appear to include any changes to the minimum and maximum heights in the VMCSPP. We request that this be confirmed by City Staff, in addition to providing the policy framework requested above, so that we can understand any impacts of the VMCSPP Update on height permissions in the VMC.

We request that any changes to the height and density permissions in the VMCSPP Update be reflective of the approved and in progress developments which have effectively more than tripled the planned heights and densities in the current VMCSPP. While densities appear to have been increased to acknowledge approved developments along Highway 7, the densities in the remainder of the VMC, including the Subject Lands, has remained similar to the existing VMCSPP, which does not appropriately acknowledge the development potential of those lands, nor any in progress developments that exceed the existing densities in the VMCSPP.

It was noted by City staff during the September 8th presentation that the minimum FSI for the Recommended Land Use Option was calculated using a ratio of gross floor area to net developable area. This is a deviation from the existing practice established in VMCSPP Policy 8.1.17:

The land area to be used for the calculation of the area of the lot for the purposes of calculating permitted density, shall include the land used for buildings, private landscaped open space, off-street parking and servicing areas, new City streets, City street widenings/extensions and mews, but excluding street widenings and land areas which are encumbered by a sub-surface transit easement that are being acquired by a public authority through expropriation or acquisition for compensation. The land area for the calculation of permitted density shall exclude land for public parks and other public infrastructure. (emphasis added)

The Intergreen Applications, as well as all approved and current developments calculated FSI on this basis and amending the method of calculation in the VMCSPP Update would create inconsistencies in interpretation within the VMC. We request that Policy 8.1.17 and the calculation of FSI remain as is in the VMCSPP Update.

Road Network

The Intergreen Applications propose to delete the proposed local street bisecting the Subject Lands on Schedule C of the existing VMCSPP and replace it with a private road. We request that the City also include or acknowledge this proposed change to the road network in the VMCSPP Update. The private road will provide the same function and accessibility as the proposed local road, with no impact on the public or ultimate users of the road, however the private ownership allows for flexibility in the underground levels of the proposed development on the Subject Lands.

Parkland

The Recommended Land Use Option continues to identify a Park on the northern portion of the Subject Lands. Intergreen, as part of their proposed development, have made provisions for the inclusion of parkland on the northern portion of the Subject Lands which will include underground parking, making the proposed park a strata park.

Given the urban context of the VMC, the updated VMCSPP should contain greater flexibility to allow stratified parkland rather than it being conditional on the provision of significant office development as is currently established by Policy 4.3.6 of the VMCSPP. Furthermore, the parkland policies should be consistent with the City's new Parkland Dedication By-law 168-2022 which permits the City to accept 100% parkland credit for stratified parkland, including those encumbered by underground parking.

Intergreen has committed to providing the parkland identified in the VMCSPP through a stratified park, contingent upon receiving parkland credit in accordance with the Planning Act and the City Parkland Dedication By-law. It should be noted that the proposed park exceeds the maximum size requirements in the updated Planning Act (being 10% of the land). Intergreen is committed to delivering an appropriately sized park in this location, even if it may exceed the Planning Act cap, however additional discussions with the City will be required to determine a fair and equitable resolution for the overdedication of parkland.

Conclusion

On behalf of our client, we appreciate the opportunity to provide initial comments on the Recommended Land Use Option and welcome the opportunity to meet with staff to discuss our concerns. We kindly request to be notified of any future public or landowner engagement meetings regarding this process and reserve the right to provide comments on future versions of the VMC Secondary Plan. We look forward to working with the City on the development of a vibrant downtown.

Should you have any questions, please do not hesitate to contact me.

Yours very truly,
Malone Given Parsons Ltd.

A handwritten signature in blue ink, appearing to be 'LC' or similar initials, written in a cursive style.

Lauren Capilongo, MCIP, RPP

cc: Intergreen Development (BT) Inc.