

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, October 3, 2023

WARD(S): 4

TITLE: YORK REGION CONDOMINIUM CORPORATION NO. 945
OFFICIAL PLAN AMENDMENT FILE OP.23.006
201 MILLWAY AVENUE
VICINITY OF JANE STREET AND PORTAGE PARKWAY

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on applications to permit the development of four high-rise mixed-use buildings with heights ranging from 30 to 45-storeys, including 1,625 residential units of which 161 would include home office suites, 9,399 m² grade-related retail and two Privately-Owned Publicly Accessible Spaces ('POPS') having a total area of 6,160 m², shown on Attachments 3 to 5. The Owner seeks approval of their plan to permit the application in advance of the completion of the Vaughan Metropolitan Centre Secondary Plan ('VMCSP') Update, as shown on Attachment 1.

Report Highlights

- To receive comments from the public and the Committee of the Whole on the proposed amendments to facilitate the development by redesignating the subject lands to "Station Precinct" and include the subject lands in the VMCSP Update with site-specific policies identified on Attachment 6.
- The development is not currently located within the VMCSP however, has been identified as being within a potential boundary expansion. The application is premature and staff recommend that the application not be brought forward for Council consideration prior to the adoption of the VMCSP Update.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the application not proceed in advance of the Vaughan Metropolitan Centre Secondary Plan Update being considered by Council;
2. THAT Staff be directed to continue to process Official Plan Amendment File OP.23.006 (York Region Condominium Corporation No. 945) and receive technical comments; and
3. THAT the Public Meeting report for Official Plan Amendment File OP.23.006 (York Region Condominium Corporation No. 945), BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 201 Millway Avenue (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 2.

The Subject Lands are currently not included in the VMCSPP however, have been identified as within the "Potential Expansion Area B" (Attachment 1) within the VMCSPP Update which is discussed further in the matters to be reviewed section.

Date of Pre-Application Consultation Meeting: April 28, 2022

Date application was deemed complete: N/A – the application is deemed incomplete

An Official Plan Amendment Application has been submitted to facilitate the proposed development.

York Region Condominium Corporation No. 945 (the 'Owner') has submitted an Official Plan Amendment File OP.23.006 (the 'Application') to amend VOP 2010, Volume 1 and Volume 2, Section 11.12 the VMCSPP to facilitate a mixed-use commercial/residential development on the Subject Lands. The Application will amend the following:

- i) Amend the Schedules to the VMCSPP to add the Subject Lands to the VMCSPP boundary
- ii) Redesignate the Subject Lands from "Prestige Employment" to "Station Precinct"
- iii) Permit office uses on the Subject Lands
- iv) Permit maximum building heights of 30-storeys (Building A), 45-storeys (Building B), 35-storeys (Building C1) and 30-storeys (Building C2) with a Floor Space Index ('FSI') of 7.6 times the area of the lot (the 'Development')

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

- a) Date the Notice of Public Meeting was circulated: September 8, 2023.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed Millway Avenue, Jane Street and Portage Parkway in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of September 12, 2023 by the Development Planning Department.

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

Previous Reports/Authority

The following is a link to a previous report regarding the Subject Lands:
[VMC SECONDARY PLAN UPDATE: PHASE II - LAND USE OPTIONS - VMC Sub-Committee - June 21, 2022](#)

Analysis and Options

An amendment to Vaughan Official Plan 2010 ('VOP 2010'), Volume 2 VMCSPP is required to permit the development.

Official Plan Designation:

- "Employment Area" on Schedule 1 – Urban Structure by VOP 2010
- "Prestige Employment" on Schedule 13 – Land Use by VOP 2010
- This designation permits industrial uses including manufacturing, warehousing, processing, distribution uses with no outside storage, office and or retail uses accessory to the main industrial use.
- The Subject Lands have been converted from an employment area in the 2022 York Region Official Plan ('YROP 2022'). YROP 2022 designates the Subject Lands as "Community Area".
- The Subject Lands abut the existing VMCSPP which is bounded by Highway 400 to the west, Highway 407 to the south, Portage Parkway to the north and Creditstone Road and Maplecrete Road to the east.
- The City is currently undertaking an update to the existing VMCSPP. On June 21, 2022, the Vaughan Metropolitan Centre Sub-Committee received a status update on the VMCSPP Update: Phase II – Land Use Options. The report identified two potential expansion areas. Potential Expansion Area A (Attachment 1), would extend the existing boundary east to Creditstone Road on the south side of Highway 7, resulting in a continuous, linear east boundary line; Potential Expansion Area B (Attachment 1), would extend the existing boundary north, incorporating the lots on the north side of Portage Parkway and the new boundary line would follow one lot depth of the existing properties fronting onto Portage Parkway.

- Height and density parameters have not been established as residential uses are not permitted within the existing “Prestige Employment” designation by VOP 2010.
- The proposed maximum building height and densities of 30 to 45-storeys and 7.6 Floor Space Index (‘FSI’) exceed the maximum building height and density permissions of the “Station Precinct” designation of the VMCSPP, which permit generally a maximum height of 35-storeys and 6.0 FSI. As height and density parameters have not been established and the VMCSPP Update continues to be underway, the Application may be considered premature.
- VOP 2010 includes the following policies regarding the consideration of a development application where a Secondary Plan has not been completed or commenced by the City:
 - Policy 10.1.1.6 states: “That where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning bylaw will be permitted without prior or concurrent adoption of the Secondary Plan for that area.”;
 - Policy 10.1.1.13 states: “That upon direction by Council to staff to proceed with the processing of a development application in advance of the Secondary Plan, it will be required that the Owner attend a pre-application consultation meeting with appropriate staff at which meeting the requirements for various studies will be established, to the satisfaction of the City, to be undertaken as part of a complete application.”; and
 - Policy 10.1.1.9 of VOP 2010 also enables the City to request additional studies in support of a development application by stating (in part) “That in addition to the studies listed in Policy 10.1.3.3, the City may require the preparation of additional studies...as determined through the Pre-Consultation Meeting.”
- An amendment to VOP 2010 is required to redesignate the Subject Lands to “Station Precinct”, add site-specific exceptions as identified above and include them in the VMCSPP to facilitate the Development.

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the ‘PPS’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’) and the policies of the YROP 2022 and VOP 2010 including Volume 2, Section 11.7 VMCSPP.
b.	Appropriateness of Amendments to VOP 2010	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the VMCSPP Update and within the “Potential Expansion Area B”, which is not approved at this time.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> Should Council approve the Recommendations in this report, staff will continue to process the Applications and receive comments. The Application will be reviewed in consideration of any emerging policies from the VMCSPP Update and the VOP 2010 policies. The appropriateness of the Application and the site-specific policies identified on Attachment 6 required to implement the Development will be reviewed in consideration of the existing and planned surrounding land uses.
c.	The Owner is Seeking to Proceed in Advance of the VMCSPP Update	<ul style="list-style-type: none"> The Subject Lands are located within a Potential Expansion Area B with the VMCSPP Update. The Owner is seeking a site-specific approval to proceed in advance of Council approval of the Secondary Plan There are two Land Use Options identified for the Subject Lands; however, the Development currently does not align with either Option contemplated for the Subject Lands, as both options identify a Public Park, which is not being contemplated in the Development: <ul style="list-style-type: none"> <u>Land Use Option 1</u> calls for a “Mixed-Use” and Public Park designation with a Mews traversing east-west on the Subject Lands. While residential, hotel and retail uses are contemplated, there is no Public Park component being contemplated. Accordingly, the Development does not align with Land Use Option 1 <u>Land Use Option 2 (preferred option)</u> calls for a “Mixed-Use – Office Uses Required” and Public Park designation with a Mews traversing east-west on the Subject Lands. No office uses are contemplated; only residential, hotel, home office, and retail uses are proposed and therefore the Development does not align with Land Use Option 2. Office Uses within the proposed Development will be required. Millway Avenue is also recommended for retail, service commercial or public use frontage uses. Both Land Use Options contemplate an east-west Mews traversing through the Subject Lands. The Development does not include this east-west mews and identifies a private-driveway which terminates at a private loading area.
d.	Studies and Reports	<ul style="list-style-type: none"> The Owner submitted studies and reports in support of the Applications available on the city’s website at https://maps.v Vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The Application has been deemed incomplete as the submitted Traffic Demand Management Plan needs additional information. The Owner is working with Development Engineering Department to submit the outstanding information. ▪ Additional studies and/or reports may be required as part of the application review process.
e.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines.
f.	Design Review Panel('DRP')	<ul style="list-style-type: none"> ▪ The DRP must review the Application prior to proceeding to the Committee of the Whole.
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority and external public agencies and utilities, municipalities and the Public, Separate, and French School Boards.
h.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including Crime Prevention Through Environmental Design ('CPTED'), Leadership in Energy and Environmental Design ('LEED'), permeable pavers, bio swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the Site Plan review process, if the Applications are approved. ▪ In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Application Score.
i.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Application will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
j.	Community Benefits Charges	<ul style="list-style-type: none"> ▪ The development meets the criteria for Community Benefits Charges ('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.
k.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the development provides an appropriate level, range and mix of

	MATTERS TO BE REVIEWED	COMMENT(S)
		unit sizes and types to meet the City's affordable housing goals.
i.	Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> The Development will be reviewed in accordance with the TPP, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Application is approved.
m.	Traffic Impacts, Road Widening and Access	<ul style="list-style-type: none"> The Transportation Impact Study will be reviewed in accordance with the City's Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department. The VM CSP Update depicts an east-west through-block mews rather than the proposed private driveway terminating at a service/loading area. Matters including the driveway access entrance, parking, ramps to the underground parking garage, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. The City must confirm the final planned road right-of-way ('ROW') for Portage Parkway and Millway Avenue. Driveway access locations, design and road improvements, if required. York Region must confirm the final planned road ROW for Jane Street. In addition, driveway access locations, design and road improvements, if required.
n.	Required Applications	<ul style="list-style-type: none"> Should the Application be approved, the Owner will be required to submit future related Zoning By-law Amendment and Site Development Applications as per City of Vaughan policies. A Draft Plan of Subdivision and Condominium may also be required.
o.	NavCanada and Bombardier Review	<ul style="list-style-type: none"> The Subject Lands are located within regulatory flight paths under the jurisdiction of NavCanada and Bombardier Aerospace. The Owner will be required to satisfy all conditions of NavCanada and Bombardier.

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Application to internal City Departments for review.

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and have advised that a decision on this Application should await further direction from the Secondary Plan, as it will provide guidance on the appropriate height, density, urban design, transportation and water and wastewater requirements in a comprehensive and coordinately manner. Any issues will be addressed when the technical report is considered.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application and shall not proceed until such time as the VM CSP is complete. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Margaret Holyday, Senior Planner, Development Planning Department, ext. 8216.

Attachments

1. Context Location Map
2. Location Map and Zoning
3. Proposed Site Plan and Official Plan Designation
4. Landscape Plan
5. Building Renderings
6. Draft Official Plan Amendment

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