

Committee of the Whole (1) Report

DATE: Tuesday, March 5, 2024

WARD: 5

**TITLE: BLUE WATER RANCH DEVELOPMENTS INC.
OFFICIAL PLAN AMENDMENT FILE OP.21.017
ZONING BY-LAW AMENDMENT FILE Z.21.032
SITE DEVELOPMENT FILE DA.21.041
VICINITY OF CENTRE STREET AND NEW WESTMINSTER
DRIVE**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek endorsement from the Committee of the Whole on applications previously endorsed by Council and approved by the Ontario Land Tribunal (“OLT”) seeking increased residential units and parking spaces.

Report Highlights

- Official Plan, Zoning By-law Amendment and Site Development Files OP.21.017, Z.21.032 and DA.21.041 were endorsed by Council on May 16, 2023, to facilitate two high-rise residential towers of 26 and 29-storeys north of Centre Street and east of New Westminster Drive (the “Subject Lands”) and approved by the OLT on June 21, 2023 (Case No OLT-22-004531), but the OLT withheld its final order until the parties provide the final form of the instruments.
- On October 2, 2023 and January 29, 2024, the applicant proposed a new unit count of 660 residential units, from 594 with an additional 62 parking spaces (46 residential spaces and 16 visitor spaces) (the “Resubmission”).

- The tower height of 26 and 29-storeys and the 52,075 m² gross floor area remain the same, as shown on Attachment 2.
- Additional amendments to Vaughan Official Plan 2010, Zoning By-law 1-88, as amended, are required to facilitate the applicant's changes to the unit counts.
- No changes are being sought to the Council approved development.
- The recommended amendments will be reflected in the implementing by-laws for the Official Plan and Zoning By-law Amendments.

Recommendations

1. THAT Vaughan Council deem no additional notice or public meeting is required prior to endorsing these revisions to the official plan and zoning by-law amendments (Files OP.21.017 and Z.21.032), in accordance with Section 34(17) of the *Planning Act*, notwithstanding that changes were made to the zoning by-law amendment after the holding of the statutory public meeting and after the Committee of the Whole (1) meeting on May 16, 2023.
2. THAT the Resubmission, revising the Official Plan Amendment File OP.21.017 and the Zoning By-law Amendment File Z.21.032, permit the following:
 - a) Increase the maximum permitted residential units to 660 units;
 - b) Increase the number of residential and visitor parking spaces 62 parking spaces (46 residential spaces and 16 visitor spaces) for a total of 581 spaces;
 - c) 0 m setback to the retaining wall along the south property line; and,
 - d) That Council no longer require the Holding Symbol "(H)" adopted by Council on May 16, 2023, relating to allocation of sewage and water capacity and contributions in relation to the Integrated Urban Water Master Plan Environmental Assessment and Functional Servicing Report.
3. THAT a Consent Application must be approved by the Vaughan Committee of Adjustment, and the decision must be final and binding prior to the implementing Zoning By-law coming into effect through the Ontario Land Tribunal ("OLT").
4. THAT Site Development Application File DA.21.041 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 660 residential apartment units (1,459 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.
5. THAT the Deputy City Manager, Planning Growth Management be authorized to finalize the form of the instruments, substantially in accordance with the Recommendations contained in this report and Council's prior endorsement and

City of Vaughan staff and Legal counsel be directed to support this resolution at the OLT.

Background

Location: Southeast corner of New Westminster Drive and Gattineau Drive (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Blue Water Ranch Developments Inc. (the "Applicant") submitted Official Plan and Zoning By-law Amendment and Site Development Files OP.21.017, Z.21.032 and DA.21.041 (the "Applications") to facilitate the development of two residential towers, 26 and 29-storeys containing 594 units with 4 levels of underground parking containing 523 spaces, having a combined Floor Space Index (FSI) of 6.6 times the area of the lot for Parcels A and B, as shown on Attachment 1.

The Applications were appealed to the OLT on August 3rd, 2022, for non-decision of Council.

Council endorsed the Applications on May 16, 2023.

On June 2, 2023, the OLT held a Settlement Hearing for the Appeals, approving in an Interim Order the Application in part and withholding its Final Order pending receipt of:

- The final implementing Zoning By-law;
- The final implementing Official Plan Amendment; and,
- Confirmation that the Site plan is final to the City's satisfaction.

Following Council's approval and the OLT Interim Order, the Applicant provided the City with the Resubmission on October 2, 2023, proposing additional amendments to the implementing Official Plan and Zoning By-law Amendments, required to implement the approved development shown on Attachment 2.

Analysis

A new Public Meeting is not required.

Policy 10.1.4.1 of VOP 2010 states "that at least one public meeting shall be held prior to the adoption of an Official Plan or Zoning By-law amendment at which the public may make representations in respect of the matter being considered. A new public meeting for a planning application(s) shall automatically be required when any of the following circumstances occur:

- b. an application(s) has been significantly amended, such as an increase to the proposed density and/or building height, beyond what was proposed and considered by Council at a previous public meeting"

A new public meeting is not required as the Resubmission is lower in height (previously 26 and 35-storeys, now 26 and 29-storeys), number of units (previously 715 units now 660) and density (previously 9.33 FSI to 7.76) from the previous Public Meeting held on December 10, 2021.

It is the Development Planning Department's opinion that the Applications have not been significantly amended from the last public meeting report to warrant a new public meeting.

Additional Amendments to Zoning By-law 1-88 are required to facilitate the development.

The Resubmission proposes to increase the number of units by 66 additional units, from 594 to 660 units. The parking increased to a total of 581 spaces (from the previously approved 523 spaces) to accommodate for the additional units under the outdoor amenity area abutting New Westminster Drive. The increase in units will not affect the building footprint (52,075 m²), floor space index (FSI) (combined FSI of 6.6 times the area of the subject lands and the lands to the north), building height (86 and 95.2 m) or number of storeys (26 and 29-storeys).

A retaining wall with a height between 0.75 m and 1.65 m is proposed at a 0.3 m setback along the south property line. The Applicant is required to register a maintenance easement through the Committee of Adjustment and obtain all required approvals prior to the implementing Zoning By-law coming into effect for the Subject Lands. A condition to this effect is included in the Recommendation section of this Report.

Development Planning supports the additional amendments.

The Development Planning Department reviewed the reviewed the Resubmission in the context of the policies of the Provincial Policy Statement, 2020, the Growth Plan for the Greater Golden Horseshoe 2020 as amended, the York Region Official Plan 2010, the Vaughan Official Plan 2010, Zoning By-law 1-88 and the existing and planned uses in the surrounding area and is satisfied that the additional amendments to VOP 2010 and Zoning By-law 1-88 are appropriate given the policies and the existing and planned uses in the surrounding area.

The additional amendments to Zoning By-law 1-88 are appropriate for achieving pedestrian and transit-oriented development. As the building footprint has not changed, the Development Planning Department is satisfied that the request is minor and technical in nature.

Previous Reports/Authority

Previous reports related to the applications can be found at the following links:

Blue Water Ranch Developments Inc. - Official Plan Amendment File OP.21.017,
Zoning By-law Amendment File Z.21.032, Site Development File DA.21.041
[December 10, 2021, Committee of the Whole \(Public Meeting\) \(Item 3, Report No. 55\)](#)

[May 16, 2023, Committee of the Whole \(Item 4, Report No. 23\)](#)

OLT Case Numbers OLT-22-004531, OLT-22-004532 and OLT-22-004533
<https://olt.gov.on.ca/decisions/>

Financial Impact

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

Operational Impact

The Infrastructure Planning and Corporate Asset Management ('IPCAM') Department supports not including a Holding Condition for infrastructure works and cost-sharing.

Integrated Urban Water Master Plan (IUW-MP) Class Environmental Assessment (EA)

The City initiated a Servicing Master Plan update (IUW-MP EA). The Study will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan Review. A Functional Servicing Strategy Report (FSSR) for the Disera-Promenade Secondary Plan Area / Major Transit Station Area will be produced through this on-going master plan update and a final version of the FSSR is expected to be published in Q2-2024.

On May 16, 2023, a Holding Symbol "(H)" related to the IUW-MP was placed on the zoning for the application Z.21.032. Since then, updates have been made and the current Disera-Promenade Secondary Plan Area / Major Transit Station Area DRAFT FSSR does not identify or recommend any downstream improvements to the sanitary sewage system. Therefore, the Holding Symbol "(H)" can be removed.

In the future, once the FSSR is finalized, if infrastructure improvements are recommended for the area and an area specific development charge project by-law is passed, applicable fees will be collected for development application Z.21.032 in accordance with the development charge by-law in effect at the time building permits are issued.

The Development Engineering ('DE') Department recommends providing allocation to the Development.

Sewage and Water Allocation

Site Plan Application DA.21.041, was approved by Council, on May 16, 2023, with a Holding Symbol "(H)" on the Zoning for allocation. Since then, on November 23, 2023, the City received its next regional servicing capacity assignment and unrestricted servicing capacity is currently available for distribution.

Therefore, a resolution to allocate servicing capacity to Site Plan Development Application DA.21.041 is included in the Recommendation section of this Report and Holding Symbol "(H)" is not required.

Transportation

A Transportation Study has been submitted in support of the Applications. Based on this review, the traffic impacts of the proposed development are expected to be acceptable.

Parking and Travel Demand Management (TDM)

The proposed parking supply deviates from Zoning By-law 1-88. The visitor parking supply of 135 spaces fulfill By-law 001-2021 requirements of 0.2 space/regular resident unit and 0.7 spaces/live-work unit.

According to By-law 001-2021, resident parking rate is 0.8 spaces/unit for both regular and live-work units, which is equivalent to 528 spaces. The proposed 4 car-sharing spaces are equivalent to 16 vehicular parking reductions based on By-law 001-2021 therefore, the resident parking supply can be reduced by 4 spaces for each car-sharing space provided up to 10 car-sharing spaces. Incorporating the car-sharing reduction provisions from By-law 001-2021 requires 512 resident parking spaces.

With the TDM measures proposed in accordance with the Traffic Impact Study Addendum dated January 2024, the proposed parking supply of 446 spaces in conjunction with the parking reduction from the 4 car-sharing spaces are appropriate. With the combined car share and TDM reduction measures, the total parking of 581 spaces is appropriate.

	Resident Parking	Visitor Parking	Total
Typical Units 655 units	524 0.8/unit	131 0.2/unit	
Live Work Units 5 units	4 0.8/unit	3.5 0.7/unit	
<i>Zoning By-law 001-2021 Requirement</i>	528	135	663 spaces
Car Share Reduction (4 car sharing spaces)	-16 -4/space	-	
<i>Zoning By-law 001-2021 Site Specific By-law Exception</i>	512	135	647 spaces
TDM Reduction -12.5% from TDM toolkit	-66 spaces	-	
<i>Site Specific By-law Exception</i>	446	135	<u>581 spaces</u>

Broader Regional Impacts/Considerations

On December 2, 2021, York Region confirmed they remain the approval authority for Official Plan Amendment File OP.21.017 and denied the Applicant exemption request.

However, since the Applications were appealed to the OLT for non-decision, York Region is no longer the approval authority for the Official Plan Amendment.

York Region commented that intensification along the Regional Centres and Corridors are the foundation of the York Region urban structure. Staff continue to support intensification along this segment of Centre Street, which is part of the Highway 7 Regional Corridor. However, there is a trend where site-specific applications greatly increase densities, thereby increasing the corresponding number of residential units. The Applications continues a development pattern that exceeds planned growth, which may have an impact on the Region's planned transportation and water and wastewater networks.

York Region indicated they have no comments on the Resubmission received.

Conclusion

This Report provides further clarification regarding the Resubmission proposing additional amendments to Vaughan Official Plan 2010 and Zoning By-law 1-88, to facilitate the development of the Council endorsed Applications.

The Development Planning Department is satisfied that the Resubmission proposing additional amendments are required to facilitate the Development of the Subject Lands, as endorsed by Council.

For more information, please contact Margaret Holyday, Senior Planner, at extension 8216.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning

Prepared by

Margaret Holyday, Senior Planner, ext. 8216
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



Haiqing Xu, on behalf of
Nick Spensieri, City Manager