

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 26, 2024

Item 3, Report No. 7, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on March 26, 2024, as follows:

By approving the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management, dated March 5, 2024; and

By receiving the following Communications:

- C1. Karyn Bondrover, dated March 4, 2024;***
- C2. Martin Esken, dated March 4, 2024;***
- C4. Sally Jiang, Apple Blossom Drive, Thornhill, dated March 4, 2024;***
- C5. Jin Xie, Schuster Lane, Vaughan, dated March 4, 2024;***
- C7. Mavis Mu, Coltrane Drive, Vaughan, dated March 4, 2024;***
- C8. Yangbo Wang, Sisley Cres, Thornhill, dated March 4, 2024;***
- C9. Tony Wang, Bathurst Glen Drive, Vaughan, dated March 4, 2024;***
- C10. Julie Zhu, Bathurst Glen Drive, Thornhill, dated March 4, 2024;***
- C11. Olivia and Michael, Summeridge Drive, Vaughan, dated March 4, 2024;***
- C13. Wai Kin Au, Autumn Hill Blvd, Vaughan, dated March 5, 2024;***
- C14. Jia Niu, Bentoak Cres., Thornhill, dated March 5, 2024;***
- C16. Lucy, dated March 5, 2024;***
- C17. Jenny Wang, Wolf Creek Cres, dated March 5, 2024;***
- C18. Linda Wu, Borjana Blvd, Thornhill, dated March 5, 2024; and***
- C22. Anna Fagyas, Medallion Developments Inc., Lawrence Ave. W., Toronto, dated March 22, 2024.***

3. 8940 BATHURST STREET LIMITED OFFICIAL PLAN AMENDMENT OP.21.024 ZONING BY-LAW AMENDMENT Z.21.048 8950 BATHURST STREET VICINITY OF BATHURST STREET AND NER ISRAEL DRIVE

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of March 26, 2024;**
- 2) That the comments from Ryan Mino-Leahan, Partner, KLM Planning Partners Inc., Jardin Drive, Concord, be received; and**
- 3) That the following Communications be received:**
 - C1. Tanya Roman, Anison & Associates, Vogell Road, Richmond Hill, dated February 28, 2024;**
 - C2. Chen Zhang, Thornhill Woods resident, dated February 26, 2024;**
 - C3. Frank Zhang, Apple Blossom Drive, Thornhill, dated February 26, 2024;**

.../2

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 26, 2024

Item 3, CW Report 7 – Page 2

- C4. Sophie Gao, Dewpoint Road, Thornhill, dated March 1, 2024;**
- C5. Jian Liu, Autumn Hill Boulevard, Vaughan, dated March 1, 2024;**
- C6. Jeff Levy, dated March 1, 2024;**
- C7. Hui Tang, Hesperus Road, Vaughan, dated March 2, 2024;**
- C8. Helena and Boris Arkanov, Ner Israel Drive, Vaughan, dated March 2, 2024;**
- C9. Mark McAlister, dated March 3, 2024; and**
- C13. Martin Quarcoopome, Vice President, Weston Consulting, Millway Avenue, Vaughan, dated March 4, 2024.**

Recommendations

1. THAT Official Plan Amendment File OP.21.024 (8940 Bathurst Street Limited) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the Subject Lands shown on Attachment 1 to redesignate the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential” having an FSI of 2.76 times the area of the lot and building heights of 10 and 12-storeys and three blocks of stacked back-to-back townhouse units.
2. THAT Zoning By-law Amendment File Z.21.048 (8940 Bathurst Street Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from “RVM2 Residential Urban Village Multiple Dwelling Zone Two” to “RA3 Residential Apartment Zone” with a Holding Symbol “(H)” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 5 - Table 1 of this report.
3. THAT Zoning By-law Amendment File Z.21.048 (8940 Bathurst Street Limited) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “RT Townhouse Zone” subject to site-specific Exception 14.729 to “RM3 Multiple Unit Residential Zone” with a Holding Symbol “(H)” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 6 - Table 2 of this report.
4. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 26, 2024

Item 3, CW Report 7 – Page 3

- a. The Owner enters into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the municipality may consider necessary including payment of the development levies, the provision of roads, parks, walkways and municipal services, including upgrading the sanitary sewer on Ner Israel Drive, landscaping, road restoration, and fencing. The said agreement shall be registered against the lands to which it applies and to the satisfaction of the City.
- b. The Owner agrees to decommission the existing private Yeshiva Sanitary Sewage Pumping Station, including all external associated wastewater servicing infrastructure, to the satisfaction of the City.
- c. Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.
- d. The Owner submits a Letter of Credit in the amount of \$125,000.00 to cover costs associated with the Transportation Demand Management Plan.
- e. The Owner pays the Block 10 Trustee the cost sharing obligations to the Block 10 Thornhill Woods Developers Group.
- f. The Owner has addressed the treatment of the adjacent Block 250 in plan 65M-3618 to the satisfaction of the City.

Committee of the Whole (1) Report

DATE: Tuesday, March 5, 2024

WARD: 5 4

TITLE: 8940 BATHURST STREET LIMITED
OFFICIAL PLAN AMENDMENT OP.21.024
ZONING BY-LAW AMENDMENT Z.21.048
8950 BATHURST STREET
VICINITY OF BATHURST STREET AND NER ISRAEL DRIVE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on applications to redesignate and rezone the Subject Lands to permit 10 and 12-storey residential apartment buildings to contain 674 residential units, 3 blocks of 4-storey stacked back-to-back townhouses containing 75 units for a total of 749 units with a Floor Space Index (FSI) of 2.76 times the area of the lot and 750 parking spaces within two levels of underground parking, as shown on Attachments 2 to 4.

Report Highlights

- The Owner proposes 10 and 12-storey residential apartment buildings (674 units), 3 blocks of 4-storey stacked back-to-back townhouses containing 75 units for a total of 749 units with a Floor Space Index of 2.76 times the area of the lot and 750 parking spaces within two levels of underground parking.
- The Development Planning Department supports the proposed development subject to conditions as outlined in this report.

Recommendations

1. THAT Official Plan Amendment File OP.21.024 (8940 Bathurst Street Limited) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the Subject Lands shown on Attachment 1 to redesignate the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential” having an FSI of 2.76 times the

area of the lot and building heights of 10 and 12-storeys and three blocks of stacked back-to-back townhouse units.

2. THAT Zoning By-law Amendment File Z.21.048 (8940 Bathurst Street Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from “RVM2 Residential Urban Village Multiple Dwelling Zone Two” to “RA3 Residential Apartment Zone” with a Holding Symbol “(H)” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 5 - Table 1 of this report.
3. THAT Zoning By-law Amendment File Z.21.048 (8940 Bathurst Street Limited) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “RT Townhouse Zone” subject to site-specific Exception 14.729 to “RM3 Multiple Unit Residential Zone” with a Holding Symbol “(H)” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 6 - Table 2 of this report.
4. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - a) The Owner enters into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the municipality may consider necessary including payment of the development levies, the provision of roads, parks, walkways and municipal services, including upgrading the sanitary sewer on Ner Israel Drive, landscaping, road restoration, and fencing. The said agreement shall be registered against the lands to which it applies and to the satisfaction of the City.
 - b) The Owner agrees to decommission the existing private Yeshiva Sanitary Sewage Pumping Station, including all external associated wastewater servicing infrastructure, to the satisfaction of the City.
 - c) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.
 - d) The Owner submits a Letter of Credit in the amount of \$125,000.00 to cover costs associated with the Transportation Demand Management Plan.
 - e) The Owner pays the Block 10 Trustee the cost sharing obligations to the Block 10 Thornhill Woods Developers Group.
 - f) The Owner has addressed the treatment of the adjacent Block 250 in plan 65M-3618 to the satisfaction of the City.

Background

Location: 8950 Bathurst Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

The City of Vaughan Development Planning Department is currently processing Site Development File DA.23.053 on the Subject Lands, for a temporary telecommunications tower in accordance with the City's protocol as it relates to the Federal Broadcasting & Telecommunications Regulations (Innovations, Science and Economic Development Canada).

Immediately north of the Subject Lands, Official Plan Amendment File OP.13.013 and Zoning By-law Amendment File Z.13.036 (Islamic Shia Ithna-Asheri Jamaat of Toronto) were submitted on October 15, 2013, and were later appealed to the Ontario Municipal Board ('OMB'), now known as the Ontario Land Tribunal ('OLT'). These applications were approved by the OLT on October 17, 2019, to permit a mid-rise mixed-use development which includes 6 and 8-storey apartment buildings with 265 m² of ground floor retail uses, and townhouses units, for a total of 343 units.

A small parcel of land at the northwest corner of Ner Israel Drive and Bathurst Street as shown on Attachment 2 (Block 250, Plan 65M-3618) is not owned by the Owner and is not included as part of these applications. As per clause 21.3.6 of the Bath-Von Subdivision Agreement, dated July 31, 2002, "Blocks 249 and 250 on Schedule 'A1' ... shall be developed only in conjunction with the abutting lands in Draft Plan 19T-98V11 and 19T-89037 (Langstaff Woods West). The City shall not issue a building permit for the said Blocks until the lands are combined to the satisfaction of the City." The disposition and treatment of these lands needs to be appropriately addressed by the applicant before the Applications are approved. A condition to this effect has been included in the Recommendation section of this report.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development

The Owner has submitted an Official Plan and Zoning By-law Amendment (the 'Applications') for the Subject Lands to permit the proposed development (the 'Development') as shown on Attachments 2 to 4.

Should the Applications be approved by Council a Site Development Application Approval is required to permit the Development. In accordance with Bill 109, the approval of Site Development Applications has been delegated to the City of Vaughan Director of Development Planning. The Site Development Application will review building elevations and associated architectural materials, landscape, and site plan details to ensure City standards are met.

The Owner may be required to submit a Draft Plan of Condominium Application if condominium tenure is proposed.

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

- The Public Meeting Notice was circulated on February 4, 2022 to 150 m from Subject Lands and to the expanded polling area as shown on Attachment 1
- Location of Notice Signs: Bathurst Street and Ner Israel Drive
- Date of Public Meeting: March 1, 2022, date ratified by Council March 22, 2022
- Other Meetings: Community Meeting April 4, 2022
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: February 23, 2024

Public Comments were received

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

Access, Traffic and Parking

- The Development will increase traffic congestion in an already congested area and impact vehicle and pedestrian safety
- The proposed 0.7 spaces per unit will not be enough parking for residents
- Surface parking is required for courier/drop off/pick up
- Car insurance premiums will go up due to higher risk of car accidents
- Traffic in the area is already dangerous due to people running stop signs and traffic lights

Density, Built Form and Building Design

- The Development will be the tallest building in the area and is not compatible with the surrounding context
- The area of the Subject Lands is too small to accommodate the proposed number of buildings/population, the density is too high
- How will garbage be managed on site
- There are two other approved/proposed mid-rise mixed-use and high-rise residential developments north and east of the Subject Lands
- Rental units are not suitable in the existing community
- Increased crime due to increased density
- Sun/shadow impacts

Greenspace, Environment

- The Development does not provide enough greenspace for the residents
- The Development may impact the Toronto Region Conservation Authority (TRCA) regulated area and reduce pollenating insects in the area and creating impacts on wildlife.

Servicing

- The Development may cause a reduction in the available capacity for water, wastewater, stormwater, and electrical services available in the Community

Overcrowded Schools, Community Centers and Shopping Areas

- Where will the children in this Development attend school? The schools in the area are overcrowded
- Community Centres are overcrowded
- Shopping in the area is congested

Noise and Construction Impacts

- Residents will be impacted for years due to the construction of this Development

Support for Development

- The development provides an alternative unit type for the community
- The development supports transit initiatives
- The developer should also add ground floor commercial to serve the residents and the community

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the applications and/or Subject Lands can be found at the following links:

[March 1, 2022, Committee of the Whole Public Meeting \(Item 2, Report No.10\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP and VOP 2010

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within the "Delineated Built-Up Area" of the Built Boundary of York Region. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing with varying unit sizes facilitate a higher density development that capitalizes on the transportation infrastructure investments, consistent with the PPS. Staff are satisfied that the Proposed Development is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2041. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within a built-up area, in proximity to higher order transit facilities. The Subject Lands front onto Bathurst Street which provides a York Region Transit ('YRT') transit route that connects to the Regional Road 7 and Centre Street bus terminal and on to the Toronto Transit Commission ('TTC') subway stations at York University, Pioneer Village, Highway 407 and the Vaughan Metropolitan Centre ('VMC'). The Development shown on Attachments 2 to 4 conforms to the Growth Plan.

York Region Official Plan 2022 ('YROP 2022')

The YROP 2022 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located in proximity to two Major Transit Station Areas, Disera-Promenade Bus Rapid Transit ('BRT') and Atkinson BRT. Bathurst Street is served by York Region Transit regular bus service which connects to these Major Transit Station Areas ('MTSAs'). MTSAs are focal points for the highest densities and most intensive development. The Proposed Development, which conforms to the YROP 2022, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

York Region Official Plan 2010 ('YROP 2010')

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

The YROP 2010 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located on Bathurst Street which is part of the Regional Street Network and is a Regional Rapid Transit Corridor. The York Region Transportation Master Plan identifies Bathurst Street as a dedicated rapidway and a Frequent Transit Network. The urbanization of Bathurst Street will include Transit High Occupancy Vehicle lanes and street cycling facilities. The Proposed Development, which conforms to the YROP 2010, provides for a denser and more intense development on a parcel of the land in close proximity to existing transit facilities.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Community Area" on Schedule 1 – "Urban Structure" of VOP 2010
- "Low-Rise Residential" on Schedule 13 – "Land Use" of VOP 2010

The "Low-Rise Residential" designation permits single detached, semi-detached and townhouse dwellings at a maximum building height of 3-storeys with no prescribed FSI. The following amendments to VOP 2010 are required to permit the Development as shown on Attachments 2 to 4:

- Redesignate the Subject Lands to "Mid-Rise Residential"
- Add "Stacked Back-to-back Townhouse" as a permitted use
- Permitted maximum building height of 12-storeys
- Maximum FSI of 2.76 times the area of the lot

The Development shown on Attachments 2 to 4 provides for moderate intensification of which supports transit policy, Section 4.2.2, as this portion of Bathurst Street is in proximity to a Regional Transit Corridor, which connects to the Viva transit service on Regional Road 7 and on to the TTC subway stations at York University, Pioneer Village, Highway 407 and the VMC. On this basis, the Development Planning Department supports the proposed amendments to VOP 2010.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

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

- "RVM2 Urban Village Multiple Dwelling Residential Zone Two" by Zoning By-law 1-88.
- This Zone does not permit the proposed uses. mid-rise residential buildings with heights of 10 and 12-storeys or the stacked back-to-back townhouse units.
- The Owner proposes to rezone the Subject Lands to "RA3 Residential Apartment Zone" together with the following site-specific zoning exceptions to permit the Development, as shown in Table 1 as shown in Attachment 5.

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

- "RT Townhouse Zone", subject to exception 14.729 in By-law 001-2021.
- This zone does not permit the Development.

- The Owner proposes to rezone the Subject Lands to “RM3 Multiple Residential Zone”, together with the site-specific exceptions shown in Table 2 as shown in Attachment 6.

The Development Planning Department can support the zoning exceptions identified in Table 1 and 2 for the following reasons:

- The Development is consistent with the policies of the PPS and conforms to the Growth Plan.
- Reductions to the required front yard, exterior side yard rear yard and lot area implement an urban built form utilizing vacant land within the urban boundary that will not negatively impact the existing and proposed land use in the area.
- The parking rates are supported by the Transportation division of the Development Engineering Department.

Minor modifications may be made to the zoning exceptions identified in Attachments 5 and 6 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

A Holding Symbol “(H)” is recommended for the Subject Lands to satisfy the conditions of the City

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding issues discussed throughout this report. The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report are addressed to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department supports the Development, subject to conditions

The Development Planning Department recommends approval of the Development as shown on Attachment 2 to 4, subject to conditions.

Site Design

Access to the Development is provided by two full moves driveways on Ner Israel Drive which provides access to loading spaces for buildings A and B and the underground parking access under Building A. The principal entry for Building A is located off of the first driveway west of Bathurst Street along side a pick-up drop off area. The principal access for Building B is located off of the second driveway west of Bathurst Street. Pedestrian connections are provided to each townhouse block which will connect to the existing sidewalk on Ner Israel Drive. A pedestrian entry for Building A is located off of Bathurst Street.

An at grade breezeway pedestrian connection is located in between the 4-storey and 12-storey portion of Building A which provides another entry from Ner Israel Drive into the amenity area.

Outdoor amenity space is located in between Buildings A and B and in between Building B and townhouse Block C and in front of townhouse Block C. Weather protected bike rings are provided throughout the Development.

The Vaughan Design Review Panel supported the Development

The Design Review Panel ('DRP') has reviewed the development at the Official Plan Amendment and Zoning By-Law Amendment stage held on May 26, 2022 for the Mid-Rise Residential Development and provided the following recommendations:

- Simplifying the massing strategy by shifting the density towards Bathurst Street and stepping down, towards the west and south.
- To ensure an active street interface along Bathurst Street, alternative uses rather than indoor amenities were recommended.
- To improve and optimize the vehicular circulation, the panel advised arranging shared access with the property north of the site and consolidating the multiple ramps to the underground parking.
- Experimenting with alternative housing typologies to accommodate a better transition between the low-rise context to the south and the apartment buildings proposed on the northern property.

The applicant has responded to the DRP comments by:

- Further refinement of the massing to improve the transition towards the low-rise community to the west and south.
- Optimizing vehicular circulation and further enhancing open-space amenities.
- And introducing residential uses at the ground level fronting Bathurst Street to ensure an animated public interface.

The applicant is working closely with staff to improve the landscaping and edge condition of the site with the neighbouring property. The Development Planning Department is satisfied that the Applicant has addressed the comments of the DRP, subject to the Recommendations in this report.

Financial Impact

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

Operational Impact

The Development Planning Department consulted with the following internal departments and external agencies reading the Applications:

The Policy Planning and Environmental Sustainability Department supports the Development

The Policy Planning and Environmental Sustainability Department has advised that there are no natural heritage features on the Subject Lands and therefore, has no further concerns respecting these Applications. However, the Subject Lands are

identified as Clean Water Act ('CWA') Well Head Protection Area Water Quality ('WHPA-Q') as per York Region's mapping.

The proposed development is exempt from the Source Protection Plan ('SPP') Policy REC-1 part 2 (a) and (b). The development is subject to the SPP Policy REC-1 part 1, which requires new development and site alteration under the *Planning Act* to implement best management practices such as Low Impact Development ('LID') to maintain predevelopment recharge.

All applications regardless of their location are required to abide by the Endangered Species Act (2007) regulated by the Ministry of Natural Resources and Forestry ('MNRF'). The Owner is required to complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk ('SAR') on the Subject Lands at the Site Plan stage.

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report

The DE Department has provided the following comments:

Municipal Servicing

The City has initiated a Servicing Master Plan update (Integrated Urban Water Master Plan Environmental Assessment ('IUW-MP')). The Study will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan Review. The expected completion date for the IUW-MP Class EA is Q2-2024, and specific infrastructure upgrades city-wide will be identified. All external related water distribution system and wastewater servicing improvements shall conform to the conclusions and recommendations of the City's ongoing Integrated Urban Water Master Plan.

The Owner has submitted a Functional Servicing and Stormwater Management Report ('FSR'), in support of the Applications. The DE department has reviewed the report and requires the site servicing to conform to the conclusions and recommendations of the Integrated Urban Water Master Plan EA. A Holding Condition has been added to the Recommendations section of this report to address this requirement.

Water Servicing

The Subject Lands are located within the City's Pressure District 6 ('PD') and proposed to be serviced via water service connections located on Near Israel Drive. The Owner must address DE comments and conditions at the site plan stage for complete approval of the proposed water servicing strategy.

Sanitary Servicing

The Subject Lands are proposed to be serviced via sanitary service connections to the municipal sanitary sewer located along the Near Israel Drive. The FSR has identified capacity constraints in the downstream system and the existing sanitary sewer along Near Israel Drive shall be upgraded.

The Subject Lands contain an existing private sanitary sewage pumping station. Although there is limited information available, it appears the station was originally utilized for an existing school. The Owner shall agree to decommission the existing private Yeshiva sanitary sewage pumping station, including all external associated wastewater servicing infrastructure, to the satisfaction of the City.

DE requires the Owner to address any comments and conditions at the Site Plan stage for complete approval of the proposed sanitary servicing strategy. A Holding Condition has been added to the Recommendations section of this report to address this requirement.

Storm Servicing

The Subject Lands are proposed to be serviced via storm service connections to the municipal storm sewers located along the Ner Israel Drive. DE requires the Owner to address any comments and conditions appended to this memorandum within a subsequent submission to support a complete approval of the proposed SWM strategy.

Noise Assessment

The Owner has submitted a noise report prepared by Valcoustics Canada Ltd., dated November 11, 2021. The report concludes that the sound levels due to road traffic will exceed the Ministry of the Environment, Conservation and Parks ('MOECP') limits. Based on the predicted sound levels, the implementation of indoor noise control measures will be required. Offers of purchase and sale/tenancy agreements for all dwelling units requiring noise control must include a warning clause indicating the existence of possible excess noise and the measures provided to deal with that excess. The Owner shall provide an updated Noise report at the Site Plan stage, the report shall comply with the final architectural drawings and recommend appropriate mitigation measures and warning clauses.

Environmental Engineering

The Owner has provided a Site Screening Questionnaire, and a Phase One and Phase Two Environmental Site Assessment ('ESA') report which were reviewed by the DE Department. The findings of the ESA reports indicate that the Subject Lands is suitable for residential development. The Owner shall be required to file of a Record of Site Condition ('RSC') with the MECP in accordance with O. Reg. 153/04 for the proposed future residential property use and a copy shall be provided to the City as part of the future Site Plan approval.

Servicing Allocation

A Holding Symbol "(H)" is required to be placed on the Zoning for the Development and the availability of regional servicing capacity will be assessed at the site plan approval stage.

Therefore, a Holding Symbol "(H)" shall be placed on the Lands as follows:

THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following condition is satisfied:

“Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the Subject Lands.”

Lot Grading

The Owner shall provide detailed grading plan at the site plan stage. DE requires the Owner to address comments at the Site Plan stage.

Transportation Engineering

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.

Access to the Subject Lands will be facilitated through two full-move accesses to Ner Israel Drive. The Proposed Development is providing the required 0.5m for widening of Ner Israel Drive to 24 m right-of-way per the City’s Official Plan. A sidewalk and cycle track will be constructed along the development frontage on Ner Israel Drive.

The proposed parking supply deviates from Zoning By-law 1-88. The visitor parking supply of 150 spaces fulfill the By-law 001-2021 requirements of 0.2 space/unit.

According to the City’s Comprehensive Zoning By-law 001-2021, resident parking rate is 1.0 spaces/unit, which equivalent to 749 spaces. With the Transportation Demand Management (‘TDM’) measures proposed in LEA’s November 2, 2023, Response to Comments Letter, the proposed parking supply of 600 spaces, including one (1) compact motor vehicle parking space, are appropriate.

The proposed bicycle parking supply of 76 short-term and 382 long-term spaces fulfill the By-law 001-2021 requirements.

Based on Development Transportation Engineering’s review of the Applications, overall the Applications are acceptable provided that a letter of credit of \$125,000.00 that covers the costs associated with TDM plan is submitted. A Hold Condition to this effect has been included in the Recommendations section of this report.

Community Benefits Charge (‘CBC’) is applicable and will be collected at 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.

Other external agencies and various utilities have no objection to the Development

Alectra, Rogers Communications, Bombardier, NavCan, Enbridge, Canada Post, York Catholic District School Board, have no objections to the Development.

Parks Infrastructure Planning and Development ('PIPD') have no objection to the Applications

To meet dedication requirements under the *Planning Act*, the VOP 2010 (Section 7.3.3 Parkland Dedication) and current Parkland Dedication By-Law and amendments, payment-in-lieu of parkland will be applicable at the time of building permit. An appropriate condition will be provided at the Site Development stage.

Broader Regional Impacts/Considerations

York Region has determined the proposed amendment is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region, on March 21, 2022, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

The Toronto and Region Conservation Authority ('TRCA') has no objection

The Subject Lands are located in the WHPA-Q2 Area of the CTC Source Protection Plan (SPP). The site is in an area that is "down-gradient" of municipal wells and the current Applications are not for Draft Plan of Subdivision or Site Plan control. As such, the Proposed Development is exempt from the Source Water Protection Plan Policy REC-1 part 2 (a) and (b). The Development is subject to REC-1 part 1, which requires new development and site alteration under the *Planning Act* to implement best management practices such as LID to maintain predevelopment recharge.

The Subject Lands are not located with TRCA's Regulated Area, and the Applications are exempt from REC-1 parts 2 (a) and (b) policy of the CTC SPP. As such, the above-noted comments are provided in an advisory capacity for the consideration by the City.

Conclusion

The Development Planning Department is satisfied that the Applications are consistent with the PPS, conforms with the Growth Plan, YROP 2010 and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can recommend approval of the Applications, subject to the recommendations in this report.

For more information, please contact Carol Birch, Planner, at extension 8485.

Attachments

1. Context and Location Map
2. Proposed Zoning and Conceptual Site Plan
3. Conceptual Landscape Plan
4. Conceptual Building Elevations
5. Zoning By-law 1-88 Table 1
6. Zoning By-law 001-2021 Table 2

Prepared by

Carol Birch, Planner, ext. 8485

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

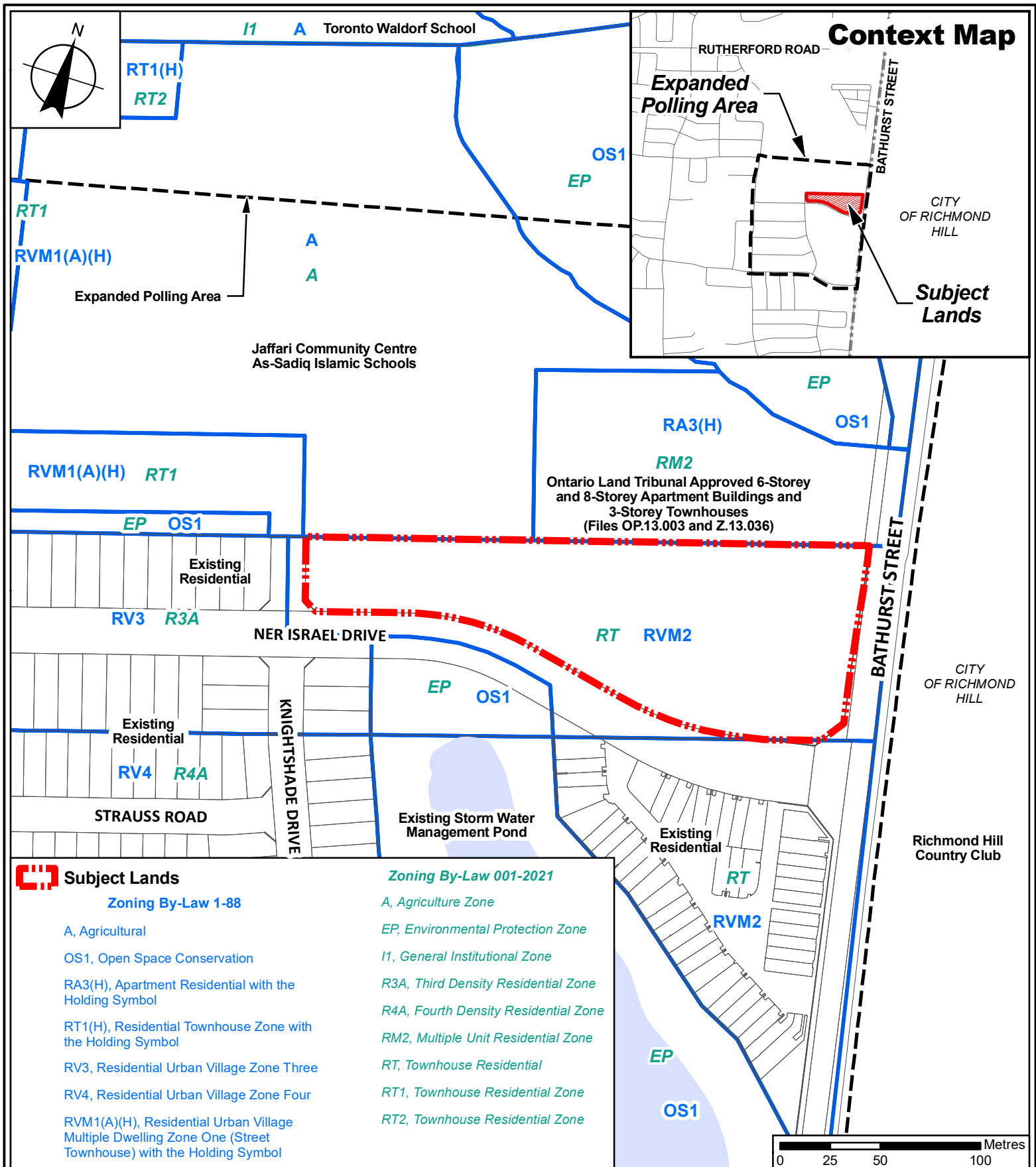


Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Haiqing Xu, on behalf of
Nick Spensieri, City Manager



Context and Location Map

LOCATION:
8940 Bathurst Street
Block 162, Plan 65M-3808

APPLICANT:
8940 Bathurst Street Limited

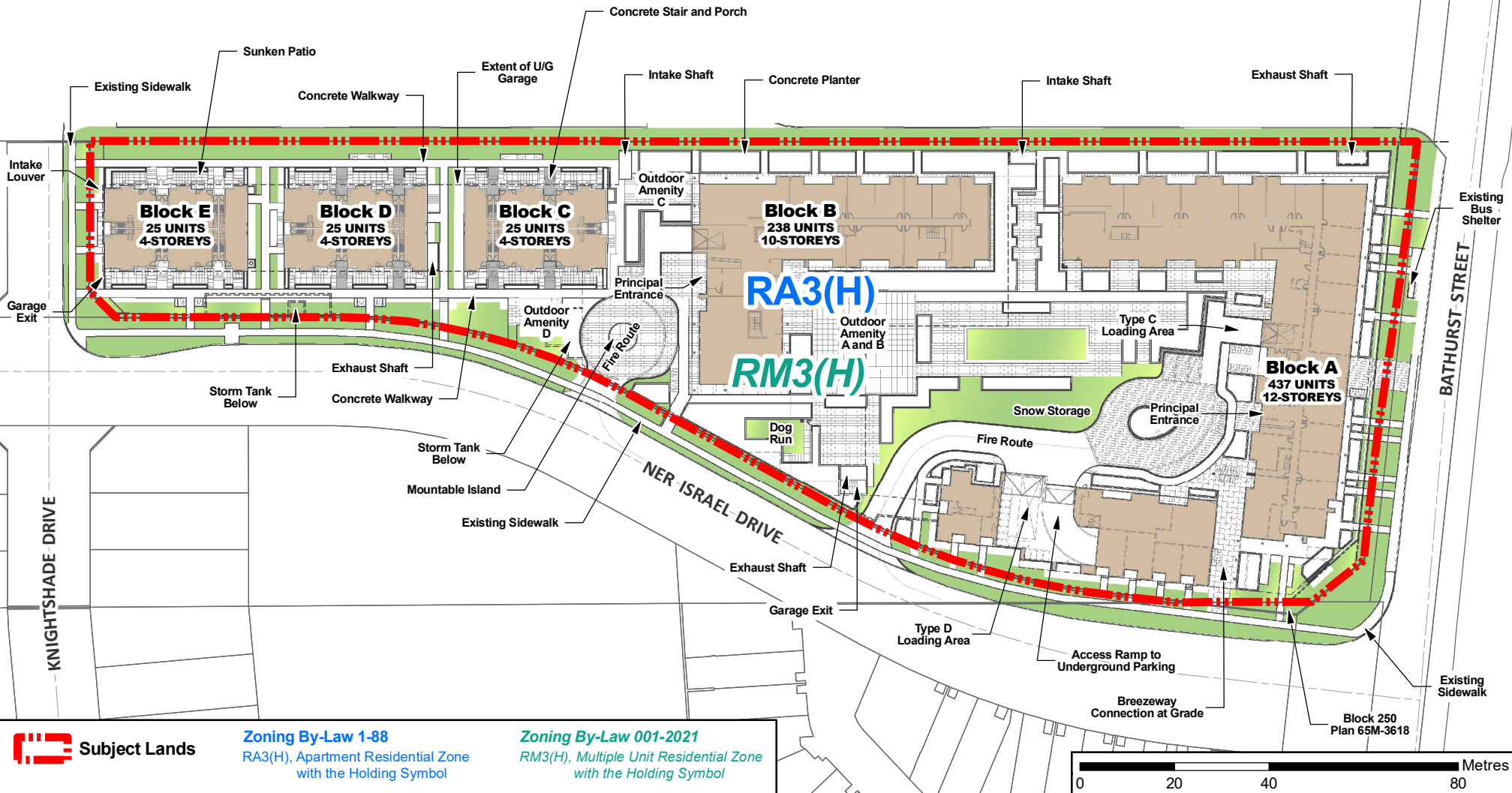
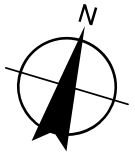


Attachment

FILES: OP.21.024
and Z.21.048

DATE:
March 5, 2024

1



Subject Lands

Zoning By-Law 1-88

RA3(H), Apartment Residential Zone
with the Holding Symbol

Zoning By-Law 001-2021

RM3(H), Multiple Unit Residential Zone
with the Holding Symbol

Proposed Zoning and Conceptual Site Plan

Location:
8940 Bathurst Street
Block 162, Plan 65M-3808

Applicant:
8940 Bathurst Street Limited

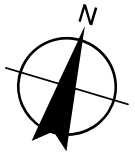


Attachment

Files:
OP.21.024 and Z.21.048

Date:
March 5, 2024

2



Conceptual Landscape Plan

Location:
8940 Bathurst Street
Block 162, Plan 65M-3808

Applicant:
8940 Bathurst Street Limited

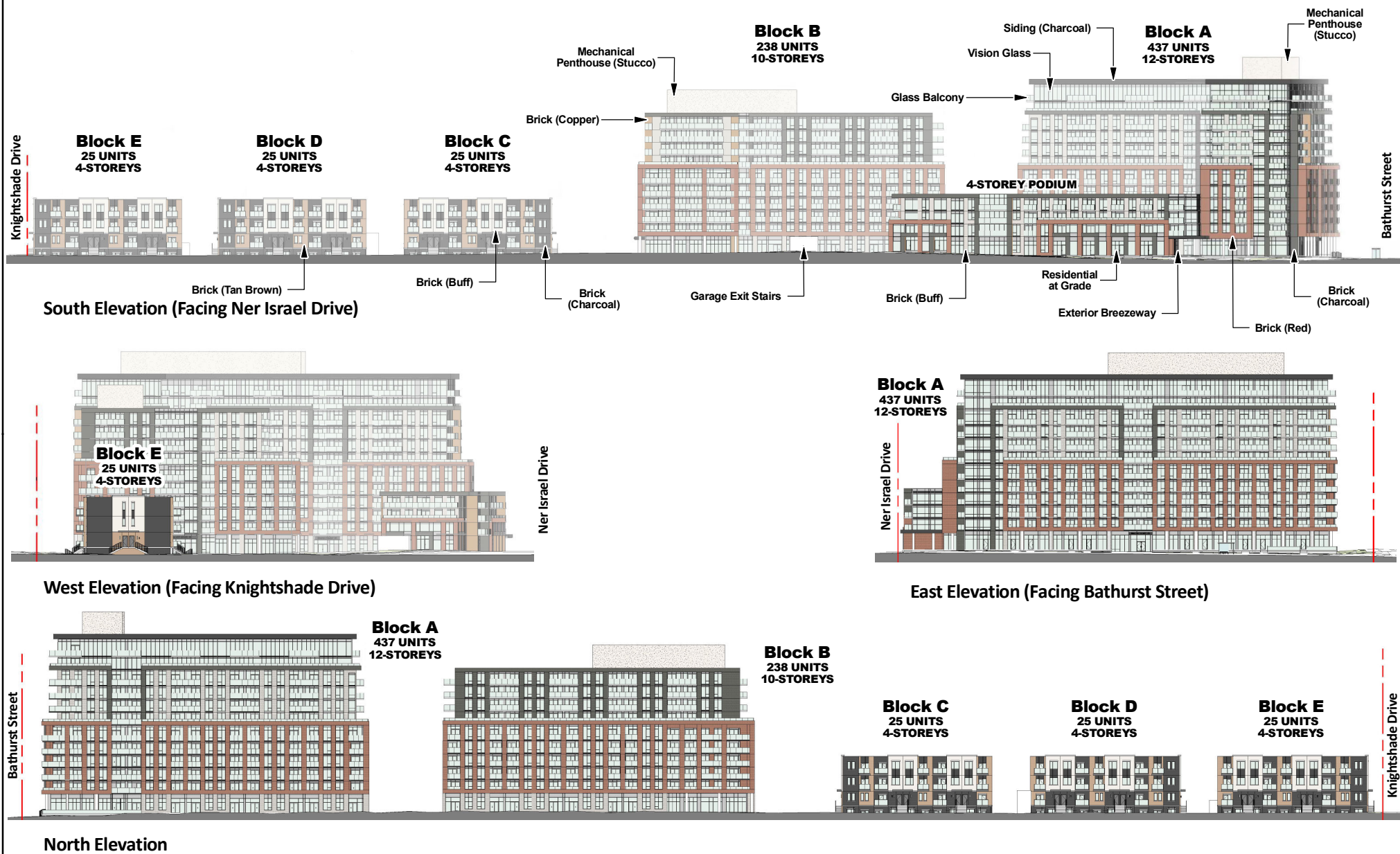


Attachment

Files:
OP.21.024 and Z.21.048

Date:
March 5, 2024

3



Conceptual Building Elevations

Location:
8940 Bathurst Street
Block 162, Plan 65M-3808

Applicant:
8940 Bathurst Street Limited



Attachment

Files:
OP.21.024 and Z.21.048

Date:
March 5, 2024

4

Attachment 5 – Zoning By-law 1-88 Table 1

Table 1:

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
a.	Minimum Front Yard (Bathurst Street)	7.5 m	3.7 m
b.	Minimum Exterior Side Yard (Ner Israel Drive)	7.5 m	1.5 m
	Minimum Interior Side Yard (Property line abutting the lands to the north)	7.5 m or half the building height (18.85 m) whatever is greater	5.5 m
c.	Minimum Rear Yard (Knightshade Drive)	7.5 m	1.5 m
d.	Maximum Height	44 m	48 m
e.	Minimum Lot Area	67 m ² /unit x 749 units = 50,183 m ²	22.6 m ² /unit x 749 = 17,000 m ²
	Definition of Lot Line, Front	Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line and provided further that in the case of a corner lot which has an abutting sight triangle the centre point of the lot line abutting the sight triangle shall be deemed to be the point of intersection of the front and side lot lines. Where both lot lines are of equal length or where the lot abuts more than two(2) street lines, the front tot line shall be the line facing the main entrance of the building unless the lot is a through lt. A reserve abutting a street lien shall be deemed to be a street for the purpose of this paragraph	For the purpose of this by-law the front lot line shall be the lot line abutting Bathurst Street

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
f.	Definition of a "Lot"	Means a parcel of land fronting on a street separate from any abutting land to the extent that the consent contemplated by Section 49 of the Planning Act, R.S.O. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	Means the Subject Lands as shown on Schedule E-XXX to this by-law shall be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plans of condominium, consent, conveyance or private or public roads; strata title arrangements, or other permissions, and any easements or registrations that are granted.
g.	Definition of a "Street"	Means a street or highway being a Provincial Highway or under the jurisdiction of the Regional Municipality of Metropolitan Toronto, or assumed by the City of being constructed under an Agreement with the City	Also includes a private road
h.	Definition of "Multiple-unit Townhouse"	Not defined	Means a townhouse dwelling containing four or more dwelling units, and includes a stacked townhouse dwelling, and back-to-back townhouse dwelling. A multiple-unit townhouse dwelling shall not mean a street townhouse dwelling, block townhouse dwelling or live-work dwelling
i.	Parking Space, Accessible	Not defined	Means a rectangular area, exclusive of any aisles or driveways, used for the temporary parking of a motor vehicle which is designed to accommodate persons with disabilities. The minimum length of an accessible

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
			parking space shall be 5.7 metres
j.	Parking Space	Means a rectangular area measuring at least 2.7 metres by 6.0 metres exclusive of any aisles or ingress and egress lands, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto.	Means a rectangular area measuring at least 2.7 metres by 5.7 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles
k.	Permitted Uses	Stacked Back-to-Back Townhouse Dwellings are not permitted	Permit the additional use of a Multi-unit Townhouse Dwelling
l.	Minimum Parking Requirements	<u>Residential</u> 1.5 spaces/unit x 749 units = 1,124 spaces <u>Visitor</u> 0.25 spaces/unit x 749 units = 188 spaces Total Parking Required = 1312 spaces	<u>Residential</u> 0.8 spaces/unit x 749 units = 600 spaces <u>Visitor</u> 0.2 spaces/unit x 749 units = 150 spaces Total Parking Provided = 750 spaces
m.	Minimum Parking Space Dimension	2.7 m x 6.0 m	2.7 m x 5.7 m
n.	Minimum Accessible Parking Dimensions		The minimum dimensions of Accessible Parking Spaces shall be: Type A: 3.4m x 5.7m Type B: 2.4m x 5.7m
o.	Bicycle Parking Requirements	Not defined	Bicycle parking spaces are permitted in any yard but shall maintain a minimum setback of 1.0 metre to the property line

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
p.	Driveway Dimensions	7.5 m wide for two-way traffic	The maximum driveway width shall be 7.8 metres
q.	Loading Space Dimensions	Type C Loading Space Dimension not defined	<p>Type C Loading Space dimensions equal a minimum width of 3.5 m, minimum length of 6.0 m, and a minimum vertical distance of 3.0 m</p> <p>Type D Loading Space dimensions equal a minimum width of 4.0 metres, minimum length of 13 metres and a minimum vertical clearance of 6.1 metres</p>
r.	Minimum Amenity Area	<p>9 Studio Units x 15 m²/unit = 135 m²</p> <p>463 One Bedroom Unit x 20 m²/unit = 9,260 m²</p> <p>229 Two Bedroom Unit x 55 m²/unit = 12,595 m²</p> <p>48 Three Bedroom Unit x 90 m²/unit = 4,320 m²</p> <p>Total required amenity area = 26,310 m²</p>	Provide a total amenity area of 4,168 m ²
s.	Permitted Yard Encroachments and Restrictions	<p>Every part of any required yard or required open space shall be open and unobstructed by any structure from the ground to the sky, except for the following:</p> <p>Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, and</p>	<p>Every part of any required yard or required open space shall be open and unobstructed by any structure from the ground to the sky, except for the following:</p> <p>Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, awnings, guardrails, railings and</p>

	Zoning By-law 1-88 Standard	RA3 Residential Apartment Zone Requirement	Proposed Exceptions to the RA3 Residential Apartment Zone Requirement
		windows, provided however, that the same shall not project more than 0.5 metres into a required yard;	dividers, roof drainage features, vents, pipes, lightning rods, light fixtures and wind mitigation features, provided however, that the same shall not project more than 0.5 metres into a required yard; Bicycle parking spaces are permitted in any yard but shall maintain a minimum setback of 1.0 metres to the property line;
t.	Portions of Buildings Below grade	The minimum setback from the front lot line and the exterior lot line to the nearest part of a building below finished grade shall be 1.8 metres.	The minimum setback of a below-grade parking structure or structure that is incidental to a below-grade parking structure shall be a minimum of 0.0 metres to all lot lines;
u.	Landscape strip width abutting a street line	6.0 m	The minimum landscape strip width shall be 1.0 metres abutting a street line, abutting an interior side lot line or rear lot line. The minimum landscape strip shall include hard and soft landscaping including landscape featured, raised planter boxes, patios, transformers, and mechanical structures (e.g. exhausts, intakes etc.) Pedestrian access, sidewalks and access driveways shall be permitted across the said strip

Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

Attachment 6 – Zoning By-law 001-2021 Table 2

Table 2

	By-law 001-2021 Standard	RM3 Multiple Unit Residential Zone Requirement	Proposed Exceptions to the RM3 Multiple Unit Residential Zone Requirement
a.	Definition of a "Lot"	Means a parcel of land which can be conveyed as a separate parcel pursuant to the provisions of the Planning Act	The subject lands as shown on the schedule E- xxx to this by-law shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plans of condominium, consent, conveyance or private or public roads; strata title arrangements, or other permissions, and any easements or registrations that are granted.
b.	Definition of "Lot Line, Front"	<p>Means the lot line that abuts the road. In the case of a corner lot or through lot, the front lot line shall be determined as follows:</p> <ul style="list-style-type: none"> i. In the case of a corner lot with two or more street lines or unequal lengths, the lot line which is the shorter of the two lot lines shall be deemed to be the front lot line; ii. In the case of corner lot with two street lines of equal lengths, or a through lot, the lot line that abuts the side road or abuts a Regional or Provincial Road or highway shall be deemed to be the front lot line. In the case of both roads being under the same jurisdiction or of the same width, the City may 	<p>Means the front lot line shall be deemed to be Bathurst Street</p> <p>The rear lot line shall be deemed to be the lot line abutting Knightshade Drive</p> <p>The interior side lot line shall be deemed to be the shared property line abutting the land to the north</p> <p>The exterior side lot line shall be deemed to be the lot line abutting Ner Israel Drive</p>

		<p>designate either street line as the front lot line;</p> <p>iii. For the purpose of this definition, the lot line forming a site triangle shall not be deemed to be the shortest lot line</p>	
c.	Permitted Uses	<ul style="list-style-type: none"> - Apartment Dwelling - Block Townhouse Dwelling - Podium Townhouse Dwelling - Retirement Residence - Supportive Living Facility - Community Garden - Urban Square - Temporary Sales Office - Home Occupation - Short-term Rental 	Permit the additional use of a Dwelling, Multiple-Unit Townhouse
d.	Parking Requirements	<p><u>Residential</u></p> <p>1 space/unit x 749 units = 749 spaces</p> <p><u>Visitor</u></p> <p>0.2 spaces/unit x 749 units = 150 spaces</p> <p>Total Parking Required = 899 spaces</p>	<p><u>Residential</u></p> <p>0.8 spaces/unit x 749 units = 600 spaces</p> <p><u>Visitor</u></p> <p>0.2 spaces/unit x 749 units = 150 spaces</p> <p>Total Parking Provided = 750 spaces</p>
e.	Minimum Landscape Strip Width	3 m abutting a street line	The minimum landscape strip shall be 1.0 metre adjacent to a street line and abutting an interior side yard along the north lot shall include hard and soft landscaping including raised planter boxes, patios, transformers, mechanical structures (e.g. exhausts, intakes etc.). Pedestrian access, sidewalks and access driveways shall be permitted across the said strip.
f.	Encroachment Requirements	Unless otherwise expressly required by By-law 001-2021, no portion of any required yard shall be permitted to be encroached or otherwise obstructed by any building	Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, awnings, guardrails, railings and

		structure or feature or part thereof except where a portion of a building, structure or feature is permitted to encroach into a required yard, in accordance with Table 4-1 of By-law 001- 2021. Where a type of yard is not identified in Table 4-1, an encroachment is not permitted in that yard	dividers, roof drainage features, vents, pipes, lightning rods, light fixtures, and wind mitigation features, provided however, that the same shall not project more than 0.5 metres into a required yard;
g.	Bicycle Parking Space Requirements	Short-term bicycle parking spaces are permitted in a required yard and shall be setback a minimum of 0.6 m from the lot line	Bicycle parking spaces shall be permitted in any yard and shall be setback a minimum of 1.0 metre from the lot line
h.	Minimum Setback of a Below Grade Structure or Structure that is incidental to a below -grade parking structure	1.8 m from the street line	0.0 m from all property lines
i.	Minimum Lot Area	$65 \text{ m}^2/\text{unit} \times 749 \text{ units} = 48,685 \text{ m}^2$	$22.6 \text{ m}^2/\text{unit} \times 749 = 17,000 \text{ m}^2$
j.	Minimum Front Yard	7.5 m	3.7 m
k.	Minimum Rear Yard	7.5 m	1.5 m
l.	Minimum Exterior Side Yard	7.5 m	1.5 m
m.	Minium Interior Side Yard	7.5 m	5.5 m
n.	Podium and Tower Requirements	<p>Minimum Podium Height = 10.5 m</p> <p>Maximum Podium Height = 20 m</p> <p>Minimum Tower Step-back = 3 m</p> <p>Maximum Tower Floor Plate = 850 m^2</p> <p>Minimum Tower separation = 30 m</p> <p>Minimum Tower setback from any rear lot line and interior side lot line = 12.5 m</p>	<p>Minimum Tower Step-back = 1.5 metres</p> <p>Minimum Tower Separation = 20.0 metres</p> <p>Minimum Tower setback from any rear lot line and interior side lot line = 6.0 metres</p> <p>Maximum Tower Floor Plate: Tower A – $3,400 \text{ m}^2$</p>

			Tower B - 1,700 m ²
o.	Mechanical Penthouse Requirements		<p>A rooftop mechanical penthouse shall be permitted to exceed the maximum height required by the By-law to a maximum of 8.0 metres</p> <p>Rooftop mechanical equipment or a rooftop mechanical penthouse may include an elevator foyer not exceeding 15.0 m² per elevator</p>
p.	Loading Space Requirements		To permit one Type D loading space to be shared with Block B

Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.