

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, June 4, 2024

WARD: 4

**TITLE: PENGUIN-CALLOWAY (VAUGHAN) INC.
OFFICIAL PLAN AMENDMENT FILE OP.24.003 &
ZONING BY-LAW AMENDMENT FILE Z.24.012
3200 HIGHWAY 7
VICINITY OF HIGHWAY 7 AND MILLWAY AVENUE**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on applications to permit a mixed-use development comprised of seven buildings, primarily designed for office, at-grade retail and residential purposes, surrounding a central courtyard, as shown on Attachment 2. The Development proposes 825 residential units with a Floor Space Index ('FSI') of 5.26 with a total gross floor area ('GFA') of 146,126.5 m² comprising of 82,860.9 m² of office space, 55,539.2 m² of residential space, and 7,726.4 m² of retail space. The first phase of development includes a Gateway Building at the east end of the Subject Lands adjacent to the TTC Vaughan Metropolitan Centre Subway Station and consists of a 20-storey office tower with at-grade retail.

Report Highlights

- To receive input from the public and the Committee of the Whole on Applications to amend the Official Plan and Zoning By-law to permit a mixed-use development comprised of seven buildings, primarily designed for office, at-grade retail and residential purposes, surrounding a central courtyard, as shown on Attachment 2.
- The Development includes 825 residential units with a Floor Space Index ('FSI') of 5.26 with a total gross floor area ('GFA') of 146,126.5 m² comprising of 82,860.9 m² of office space, 55,539.2 m² of residential space, and 7,726.4 m² of retail space.

Report Highlights continued

- This report identifies preliminary issues to be considered in a technical report to be prepared by the VMC Program at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.24.003 and Z.24.012 BE RECEIVED, and that any issues identified be addressed by the VMC Program, Policy Planning and Special Programs Department in a comprehensive report to the Committee of the Whole.

Background

Location: 3200 Highway 7 (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: December 20, 2023

Date application(s) was/were deemed complete: April 25, 2024

The proposed mixed-use development (the "Development") consists of the following characteristics as shown on Attachment 2:

- Four (4) residential buildings and three (3) office buildings, ranging from 7 to 20-stories in height
- A total of 825 dwelling units including:
 - 340 one-bedroom units (41.2%)
 - 407 two-bedroom units (49.3%)
 - 78 three-bedroom units (9.5%)
- 825 m² of shared indoor amenity space (1m² per unit) and 825 m² (1m² per unit) of outdoor amenity space
- Access from New Park Place and Highway 7
- Three (3) levels of underground parking for a total of 1,652 vehicular parking spaces and 662 short and long-term bicycle spaces
- A total Gross Floor Area ('GFA') of 146,126.5 m² including:
 - Residential GFA - 55,539.2 m²
 - Office GFA - 82,860.9 m²
 - Retail GFA - 7,726.4 m²
- A Floor Space Index ('FSI') of 5.26 times the area of the lot

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

Penguin-Calloway (Vaughan) Inc. (the 'Owner') has submitted the following applications (the 'Applications') to permit the proposed Development as shown on Attachments 2:

1. Official Plan Amendment File OP.24.003 to amend the Vaughan Official Plan 2010 (“VOP 2010”) and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (the “VMCSP”) to amend:
 - a) Permitting minimum podium heights of 6 metres;
 - b) Permitting build-to-line line of 2 metres;
 - c) Permitting a reduction of the minimum tower separation between residential buildings to 20 metres;
 - d) Permitting an increase in the maximum residential tower floor plate in the following manner:
 - i. Building R1: 1,600 m²
 - ii. Building R2: 1,600 m²
 - iii. Building R3: 1,850 m²
 - iv. Building R4: 1,400 m²;
 - e) Deleting VMCSP Policy 4.3.16 as it relates to Mews identified on Schedule C, such that it shall not apply to the Subject Lands; and,
 - f) Deleting VMCSP Schedule C and replacing it with Schedule 2 such that the requirement for the requirement for a north-south mews (15-17 m) or local streets shall not apply to the Subject Lands.

2. Zoning By-law Amendment File Z.24.012 to amend:

a) Zoning By-law 001-2021

- a. The proposed amendments to the “V1 – Vaughan Metropolitan Centre Station Zone”, subject to site-specific Exception 14.637 in the City of Vaughan Zoning By-law 001-2021, for site-specific provisions include the following:
 - i. Vehicular and bicycle parking spaces;
 - ii. Amenity areas; and
 - iii. Building setbacks.
- b. A general amendment to By-law 001-2021 will be required to implement the site-specific standards for the proposed development while removing the Subject Lands from Exception 14.637 in its entirety.

b) Zoning By-law 1-88

- a. The proposed amendment to the “C9 Corporate Centre Zone”, subject to site-specific Exception 9(959) in the City of Vaughan Zoning By-law 1-88, for site-specific provisions to include the following:
 - i. Vehicular and bicycle parking spaces;
 - ii. Amenity areas; and
 - iii. Building setbacks.

- b. A general amendment to By-law 1-88 will be required to implement the site-specific standards for the proposed development removing the Subject Lands from Exception 9(959) in its entirety.

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

- a) Date the Notice of Public Meeting was circulated: May 10, 2024.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed along the Highway 7, Edgeley Boulevard and New Park Place frontages 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 May 21, 2024, by the VMC Program, Policy Planning and Special Programs

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

None.

Analysis and Options

Amendments to Volume 2 of VOP 2010, the Vaughan Metropolitan Centre Secondary Plan (the "VMCSP") are required to permit the Development.

Official Plan Designation:

- Schedule F – Land Use Precincts designates the Subject Lands as "Station Precinct":
 - This designation permits a broad range of uses, including, but not limited to, residential dwellings, retail and service commercial uses. The Development proposes residential, office and retail uses which conform to the "Station Precinct" designation.
- Schedule C – the Street Network identifies a north-south mews (15-17 m) on the Subject Lands, which is proposed to be deleted.

- Schedule G – Areas for Office Uses identifies office uses required within the eastern portion of the Subject Lands and permitted within the western portion of the Subject Lands.
- Schedule I – Height and Density Parameters, permits a maximum height of 30-storeys and maximum density of 5 times the area of the lot on the westerly portion of the Subject Lands. The easterly portion of the Subject Lands has a permitted maximum building height of 35-storeys and maximum density of 6 times the area of the lot. The proposed maximum building heights and densities are in conformity.
- A maximum residential tower floorplate of 750 m² is permitted by Policy 8.7.18 of the VMCSPP. The maximum residential tower floorplate of 1,850 m² as currently proposed requires an amendment to the VMCSPP.

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 and By-law 001-2021 are required to permit the Development.

Zoning By-law 1-88:

- The proposed amendment to the "C9 Corporate Centre Zone", subject to site-specific Exception 9(959) in the City of Vaughan Zoning By-law 1-88, for site-specific provisions to include the following:
 - i. Vehicular and bicycle parking spaces;
 - ii. Amenity areas; and
 - ii. Building setbacks.

Zoning By-law 001-2021:

- The proposed amendment to the "V1 – Vaughan Metropolitan Centre Station Zone", subject to site-specific Exception 14.637 in the City of Vaughan Zoning By-law 001-2021, for site-specific provisions to include the following:
 - i. Vehicular and bicycle parking spaces;
 - ii. Amenity areas; and
 - iii. Building setbacks.

Additional zone categories/zoning exceptions may be identified through the detailed review of the applications and will be considered in a technical report to a future Committee of the Whole meeting. The proposed amendments are outlined in Attachments 6 and 7 which are Tables 1 and 2 respectively.

Following a preliminary review of the applications, the Policy Planning and Special Projects 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, 2020, 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 and Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to the VOP 2010 and Zoning By-laws will be reviewed in consideration of the proposed land use designation, building height and density, retail uses at grade. ▪ The appropriateness of the rezoning and site- specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses.
c.	Vaughan Metropolitan Secondary Plan (VMCSPP)	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the following policies contained in the VMCSPP, including but not limited to: <ul style="list-style-type: none"> a) The identified vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful; b) The objectives of establishing a distinct downtown containing a mix of uses, civic attractions and a critical mass of people; establishing a hierarchical, fine-grain grid network of streets and pathways linked to the larger road network; developing a generous and remarkable open space system; optimizing existing and planned investments in rapid transit; and ensuring the Development exhibits a high quality of urbanity, materials and design; c) The vision of buildings in all areas of the VMC, including ensuring the built form frames the streets and supports an engaging, comfortable and active public realm to bring vitality to the streets, and contribute positively to the image of Vaughan’s downtown;

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>d) The appropriateness of the proposed building heights in consideration of the surrounding context, and confirmation that there are no significant adverse impacts from proposed buildings on neighbouring planned uses or the public realm;</p> <p>e) The existing and planned surrounding land uses, environmental sustainability, transition, built form, compatibility, site organization, pedestrian accessibility and traffic impacts; and,</p> <p>f) Policies 8.7.1 to 8.7.25 regarding built form, including location, massing and design of buildings, building facades, quality of materials fronting streets and the contribution to human-scaled street walls, attractive streetscapes, a varied skyline, an active pedestrian realm and environmental sustainability by adhering to the urban design criteria with particular attention to the proposed massing and building height, microclimate impact and built form articulation.</p>
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.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process.
e.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council.
f.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the Vaughan Metropolitan Centre Urban Design Guidelines and the City of Vaughan City-wide Urban Design Guidelines.
g.	Design Review Panel (‘DRP’)	<ul style="list-style-type: none"> ▪ On November 30, 2023, the DRP considered and reviewed the Development proposal and provided input on the proposed site plan and landscape design strategies relative to activating the public realm and whether the connectivity provided to the existing proposed context is considered appropriate.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The DRP must review the Application for a future Site Development File prior to proceeding to a future Committee of the Whole for Phase 1. ▪ Additional DRPs will be scheduled for any future phases as they are submitted for Site Development review.
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, Ministry of Transportation, NavCanada, Greater Toronto Airport Authority, external public agencies and utilities, and the Public, Separate, and French School Boards.
i.	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.
j.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.
k.	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.
l.	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 unit sizes and types to meet the City's affordable housing goals.
m.	City's Tree Protection Protocol ('TPP')	<ul style="list-style-type: none"> ▪ The Development will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction, if the Applications are approved.

	MATTERS TO BE REVIEWED	COMMENT(S)
n.	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 proposed traffic generated by the development at the requested density will be reviewed in consideration of existing traffic conditions at Highway 7 and Millway Avenue. ▪ Matters including the driveway 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 Subject Lands are located on Highway 7, an arterial road under the jurisdiction of York Region. ▪ York Region will identify any required land conveyances.

Financial Impact

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

Operational Impact

VMC Planning Staff have circulated the Application to internal City Departments for review and comment.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. 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 Applications will be considered in the technical review of the Applications. 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 Nicholas Trajkovski, Planner, VMC Program, Policy Planning and Special Planning Department, ext. 8530.

Attachments

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

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