

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: August 21, 2024
Name of Owner: VMC GP Inc.
Location: 3201 Highway 7
File No.(s): A209/23

Proposed Variance(s) (By-law 1-88):

1. To permit a minimum front yard setback of 1.0 m to the portion of the building containing residential units abutting Highway 7 and a minimum front yard setback of 1.7 m to the portion of the building containing residential uses at the north/west sight-triangle.
2. To permit a maximum projection of 2.6 m into a required yard for a canopy.
3. To permit exterior stairs and porches to extend up to a maximum of 2.75 m into the exterior east and exterior west side yards.
4. To permit a minimum building height of 6.0 m for the podium portions of the buildings.
5. To permit a minimum build-to-zone of 1.0 m to 8.3 m for both non-residential and residential uses abutting Highway 7.
6. To permit a minimum build -to-zone of 1.0 m to 8.9 m for both non-residential and residential uses abutting Interchange Way.
7. To permit a build-to-zone of 1.0 m to 7.8 m for both non-residential and residential uses abutting the proposed east/west road along the south lot line. A minimum of 50% of the street line shall have buildings located within the build-to-zone abutting the east/west road.
8. To permit a build-to-zone of 1.0 m to 8.3 m for both non-residential and residential uses abutting the proposed north/south road along the east lot line. A minimum of 50% of the street line shall have buildings located within the build to zone along the north/south road.
9. To permit residential patios, exhaust grills, exterior staircases, retaining walls, gas meter, manholes, air shafts, bicycle racks, and any other required infrastructure within a minimum 3.0 m landscape strip abutting a street line.
10. For the purposes of zoning conformity, the Lands identified on the attached sketch 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 Plan of Condominium, consents, conveyance or private or public roads, strata title arrangements, or other permissions, and easements or registrations that are granted.
11. To permit a minimum of 920 long term bicycle parking spaces.

By-Law Requirement(s) (By-law 1-88):

1. A minimum front yard setback of 3.0 m is required for Residential Uses.
2. Canopies shall not project more than 0.5 m into a required yard.
3. Exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed may extend into a required front, exterior side or rear yard to a maximum of 1.8 m.
4. A minimum building height of 16.5 m is required.
5. A minimum build-to-zone of 0.0 - 3.0 m is required for non-residential uses and a minimum build-to-zone of 3.0-6.0 m for residential uses is required (Major Streets, Highway 7).
6. A minimum build-to-zone of 0.0 - 3.0 m is required for non-residential uses and a minimum build-to-zone of 3.0-6.0 m for residential uses is required (Major Streets, Interchange Way).
7. A minimum build-to-zone of 0.0 - 3.0 m is required for non-residential uses and a minimum build-to-zone of 3.0-6.0 m for residential uses is required (Other Streets, proposed east/west road).
8. A minimum build-to-zone of 0.0 - 3.0 m is required for non-residential uses and a minimum build-to-zone of 3.0-6.0 m for residential uses is required (Other Streets, north/south road).
9. A minimum landscape strip of 3.0 m is required abutting a Street line.

10. Lot: Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the Planning Act, R.S.O 1990, c. P.13. 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.
11. A minimum of 921 long term bicycle parking spaces are required for 1841 residential units @ 0.5 bicycle parking spaces per unit.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'), Volume 2: Vaughan Metropolitan Centre Secondary Plan ('VMCPSP'): "Station Precinct"

Comments:Background

On June 19, 2018, Vaughan Council endorsed Staff's recommendation to approve Site Development Application File DA.17.015 (Icona Hospitality Inc.) for a high-rise mixed-use development proposal consisting of two (2), 55-storey residential towers (1248 units), a 46-storey mixed-use building including 17-storeys for a hotel and 29-storeys for 385 residential units and a convention centre for a total of 1,649 units (the "Previous Proposal"). Following Council's endorsement, Icona Hospitality Inc. (the "Previous Owner") sought approval from Vaughan Committee of Adjustment for Minor Variance Files A136/18, and A146/21 to permit site-specific amendments to the C9 Corporate Centre Zone, which were approved on July 5, 2019, and June 30, 2021, respectively. The Previous Owner had also filed an appeal to Vaughan Official Plan 2010 ("VOP 2010"), namely Appeal #164, which has been resolved and amended the Vaughan Metropolitan Centre Secondary Plan ('VMCSP') to grant site-specific policy permissions on the Subject Lands. The Subject Lands were then acquired by new ownership, VMC GP Inc., (the 'Owner') and a new development proposal was put forth.

On January 24, 2023, Vaughan Council draft approved the revised site development proposal, File DA.17.015, to permit a high-rise mixed-use development in the Vaughan Metropolitan Centre ('VMC') consisting of two (2), 46 and 55-storey residential towers (East and West Towers) on a mixed-use podium consisting of residential and ground-floor retail uses, and one (1) 40-storey residential tower (South Tower) on a mixed-use podium consisting of residential, ground-floor retail and 4-storey office uses, a Privately-Owned Publicly-Accessible Space ('POPS'), and private courtyard (the 'Development').

Analysis

The Owner is seeking relief to facilitate the development of draft approved Site Development Application, File DA.17.015, with the above noted variances.

The Development Planning Department has no objection to Variances 1, 2, 3, 4, and 9 for the proposed built-form variances. The Subject Lands are identified as a "Landmark Location" along the full frontage (Highway 7) and up to 50 m along the flankage (Interchange Way). The east and west towers are connected by a 6-storey podium with frontage on Highway 7. Floors 3-6 of the podium are designed to slightly overhang the two floors below, which contain retail and lobby uses facing Highway 7. The overhang areas facing Highway 7 and the sight triangle contain indoor amenity, common area, and residential uses. The reduced front yard setback relief is only required for the residential uses within portions of the podium on Floors 3-6 facing Highway 7 and the sight triangle. The cantilevered upper levels of the podium creates and emphasizes a sheltered pedestrian experience at grade. An active frontage along Highway 7 is maintained, while providing horizontal and vertical spatial separation between residential uses and the streetscape. The proposed canopy projection of 2.5 m is appropriate for the development, due to the scale and magnitude of the overall built form. The 2.7 m encroachment of stairs and porches into the exterior east and exterior west side yards do not pose any adverse impacts on the function of the streetscapes. The proposed stairs and porches provide additional private amenity areas and alternative access points for the ground floor units. The proposed residential patios, exhaust grills, exterior staircases, retaining walls, gas meters, manholes, air shafts, bicycle racks, and any other required infrastructure within a minimum 3.0 m landscape strip abutting a street line is desirable for the lands as they will provide outdoor amenity space for residents and visitors. The height relief being sought applies to portions of the podium for the east

and west towers, specifically the southern end and the internal courtyard area. The Development continues to maintain a clear and compatible delineation between the podium and tower portions. The site-specific development standards such as building setbacks, landscape strip widths, canopy projections, building heights, can be supported as it would facilitate urban built form in an urban downtown setting.

The Development Planning Department has no objection to Variances 5, 6, 7, 8, and 11 for reductions to the minimum Build-to-Zone requirements. The reduction would permit a compact development with a built-form and pedestrian realm relationship that is supported in a downtown environment with access to higher-order transit to promote active transportation. A parking study prepared by BA Group dated December 14, 2023, was submitted with this application. The Development Engineering Division of the VMC Program have had the opportunity to review the parking study and have no objection to the proposal.

The Development Planning Department has no objection to Variance 10 to deem the Subject Lands as one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, or other permissions and easements or registrations that are granted. The site plan application deals with the Development as a whole and the Development is proposed to be interconnected. If additional land/unit divisions are required to facilitate development, this variance will ensure such division will not interfere with the Development's proposed form.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That all comments on Site Development Application DA.17.015 be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

Alyssa Pangilinan, Planner 1
David Harding, Senior Planner