

Committee of the Whole (1) Report

DATE: Tuesday, November 5, 2024

WARD: 4

TITLE: PENGUIN-CALLOWAY (VAUGHAN) INC.: OFFICIAL PLAN
AMENDMENT FILE OP.24.003 and ZONING BY-LAW
AMENDMENT FILE Z.24.012 – 3200 HIGHWAY 7, VICINITY OF
HIGHWAY 7 AND EDGELEY BOULEVARD

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 amend the Official Plan and Zoning By-laws to permit a mixed-use development consisting of seven (7) buildings (three (3) office and four (4) residential, all with retail at-grade) ranging from five (5) to 21-storeys in height, a central courtyard, a total of 825 residential dwelling units, and an overall Floor Space Index ('FSI') of 5.28 times the area of the lot as shown on Attachments 2 to 8.

Report Highlights

- The Owner proposes to amend the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP') and Zoning By-laws 1-88 and 001-2021 to permit a mixed-use development consisting of three (3) office buildings and four (4) residential buildings all with retail at-grade and ranging from five (5) to 21-storeys in height, a central courtyard, a total of 825 residential dwelling units, and an overall FSI of 5.28.
- A Holding Symbol "(H)" is recommended, as a condition of Zoning approval on a portion of the Subject Lands containing residential uses, and that shall not be removed until servicing allocation has been granted by Council.
- The VMC Program supports the proposed development subject to Recommendations as outlined in this report.

Recommendations

1. THAT Official Plan Amendment File OP.24.003 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 ('VOP 2010'), Volume 2, Vaughan Metropolitan Centre Secondary Plan ('VMCSP') for the Subject Lands shown on Attachment 1 to:
 - a) Add a new site-specific Policy Area on Schedule "K" to identify the Subject Lands located at 3200 Highway 7 (north-east corner of Edgeley Boulevard and Highway 7), as "Area V" subject to the following policies:
 - i. Permit a minimum podium height of one (1) storey for residential buildings.
 - ii. Notwithstanding Policy 8.7.18, permit the following tower separation distances:
 - a. 21m between Residential Buildings R1 and R2, provided the facing walls do not exceed 10-storeys for one of the buildings;
 - b. 20m between Residential Buildings R3 and R4, provided the facing walls do not exceed 10-storeys; and,
 - c. 15m between the northeast corner of Residential Building R3 and Office Building O1, provided the east portion of R3 does not exceed 6-storeys;
 - iii. Permit maximum residential tower floorplates as follows:
 - Building R1
 - Below Storey 11: 1,650m²
 - Storeys 11 to 14: 1,400m²
 - Storeys 15 to 17: 950m²
 - Building R2
 - Below Storey 11: 1,650m²
 - Storeys 11 to 12: 950m²
 - Building R3
 - Below 8 Storeys: 1,900m²
 - Building R4
 - Below Storey 11: 1,500m²
 - Storey 11: 850m²
 - iv. Delete minimum build-to-zone requirements; and,
 - v. Notwithstanding Policy 4.3.16, a mews identified on Schedule C may be privately owned but shall be fully publicly accessible via an easement agreement or an appropriate alternative for access on the lands to the satisfaction of the City.
2. THAT Zoning By-law Amendment File Z.24.012 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 1, from "C9 Corporate Centre Zone," subject to site-specific Exception 9(959) to "C9(H) Corporate Centre Zone" with a Holding "(H)"

Symbol in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 on Attachment 9 of this report;

3. THAT Zoning By-law Amendment File Z.24.012 (Penguin-Calloway (Vaughan) Inc.) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “V1-S(5-30)-D(2.5-5.0)-637 Vaughan Metropolitan Centre Station Zone”, subject to Exception 14.637 and “V1-S(6-35)-D(3.5-6.0)-637 Vaughan Metropolitan Centre Station Zone”, subject to Exception 14.637 to “V1(H)-S(5-30)-D(2.5-5.0) Vaughan Metropolitan Centre Station Zone” with a Holding “(H)” Symbol and “V1(H)-S(5-35)-D(3.5-6.0) Vaughan Metropolitan Centre Station Zone” with a Holding “(H)” Symbol in the manner shown on Attachment 2, both together with the site-specific zoning exceptions identified in Table 2 on Attachment 10 of this report;
4. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following condition is addressed to the satisfaction of the City:
 - a) Vaughan Council adopts a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy to the Subject Lands;

Background

Location: 3200 Highway 7 (the ‘Subject Lands’). The Subject Lands are located in the Vaughan Metropolitan Centre (‘VMC’) and the surrounding land uses are shown on Attachment 1. The Subject Lands currently contain a two (2)-storey office building and a surface parking lot and are located immediately west of the VMC Subway Station.

Since the Statutory Public Meeting, key revisions to the proposal include:

- The width of the north-south pedestrian mews increased to 15m;
- Underground parking was reduced from three (3) levels with 1,652 spaces to two (2) levels with 1,052 spaces;
- Adjusting the separation between the northeast corner of Residential Building R3 and Office Building O1 from 20m to a minimum of 15m; and
- Request to amend policy 4.3.16 of the VMC Secondary Plan to remove the requirement for an easement agreement over the mews bisecting the Subject Lands.

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

The Owner has submitted Official Plan and Zoning By-law Amendment Applications (the ‘Applications’) to permit a mixed-use development (the ‘Development’) as shown on Attachments 2 to 8, consisting of:

- Three (3) office buildings with retail at-grade

- “O1” ranges in height from eight (8) to 21-storeys and is located at the east limits of the Subject Lands;
- “O2” and “O3” are located along the west limits of the Subject Lands and are 16-storeys and 20-storeys in height, respectively;
- Four (4) residential buildings with retail at-grade located central to the Development
 - “R1” and “R2” front New Park Place and range in height from 14 to 19-storeys and 10-13-storeys, respectively;
 - “R3” and “R4” front Highway 7 and range in height from five (5) to seven (7) storeys and 10 to 11 storeys, respectively;
- A central courtyard and a north-south 15m wide pedestrian mews;
- A total of 825 residential dwelling units;
 - 340 One-Bedroom Units (41.2% of Total Units)
 - 407 Two-Bedroom Units (49.3% of Total Units)
 - 78 Three Bedroom Units (9.5% of Total Units)
- A total of 83,497 m² of office space and a total of 7,705 m² of at-grade retail space;
- A total of 825 m² of indoor amenity space and 825m² of outdoor amenity space;
- Two (2) levels of underground parking with a total of 1,052 parking spaces and 664 bicycle parking spaces, and;
- Two (2) full-moves vehicular access points along New Park Place and one (1) right-in-right-out access along Highway 7.

The Owner seeks to acquire lands from York Region to facilitate the Development

The Owner is currently seeking to acquire lands owned by York Region located immediately adjacent to the southeast corner of the Subject Lands, as shown on Attachments 1 to 3. The acquisition of these lands directly impacts the south-east corner of Office Building O1 and the underground parking structure. Further details are discussed in the Broader Regional Impacts/Considerations section of this Report.

Phasing of Development

The Development will occur in phases, with Office Building “O1” proceeding first, and the balance to be determined later. Future Site Development and potential Draft Plan of Condominium applications are required to facilitate the ultimate build-out and tenure of the proposed Development.

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

- *Date of Public Notice (Circulated 150 m from Subject Lands as shown on Attachment 1): May 10, 2024.*
- *Location of Notice Signs: Highway 7, New Park Place and Edgeley Boulevard.*
- *Date of Public Meeting: June 4, 2024, date ratified by Council on June 25, 2024.*
- *Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: October 28, 2024*

Public Comments have not been received on these Applications at the time of writing this report.

Previous Reports/Authority

The previous report related to the applications can be found at the following link:

Penguin-Calloway (Vaughan) Inc., Public Meeting Report
[June 4, 2024, Committee of the Whole Public Meeting \(Item 7, Report No. 23\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement 2020 and the Provincial Planning Statement 2024 and conforms to the Growth Plan, York Region Official Plan, Vaughan Official Plan 2010, and Vaughan Metropolitan Centre Secondary Plan

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the Planning Act and came into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement.

At the time of drafting this report, transition provisions to facilitate the introduction of the new PPS 2024 were being considered by the Ministry of Municipal Affairs and Housing, and not yet available. This report therefore includes discussion of, inter alia, the Provincial Policy Statement 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and the new PPS 2024.

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 a Settlement Area and 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 2051. 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 the Vaughan Metropolitan Centre which is an Urban Growth Centre, and within an Intensification area, directly adjacent to higher order transit facilities and a Major Transit Station Area ('MTSA'). The Growth Plan defines a MTSA as the area within an approximate 500 to 800 m of a transit station. The Subject Lands front onto a Bus Rapid Transit ('BRT') Station, are adjacent to the VMC Subway Station, and are within walking distance of the York Region Bus Terminal. The Development conforms to the Growth Plan.

Provincial Policy Statement, 2024 ('PPS 2024')

The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Strategic Growth Area and Settlement Area. The Development includes 825 new residential units across four (4) buildings, three (3) new office buildings, and retail at-grade. These components increase housing options, promotes the VMC as a key local and regional employment area, and efficiently uses the existing land, resources, infrastructure capacity and public service facilities in the VMC to meet the social, health, economic and wellbeing requirements of current and future residents. The Development also includes three (3) office buildings which. The Subject Lands are within a Protected Major Transit Station with higher-order transit in place, which supports active and sustainable transportation modes through providing future tenants with a range of transportation options. Staff are satisfied that the Application is consistent with the PPS 2024

York Region Official Plan 2022 ('YROP 2022')

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statute Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

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 within a Regional Centre and within Protected Major Transit Station (‘PMTSA’) #67 (VMC Subway Station). Regional Centres and PMTSA’s are focal points for the highest densities and most intensive development. The Development is compact, and urban in built-form with 825 residential units including 1 to 3-bedroom units, which provides for family sized units and contributes to the housing choices in the City. It also includes a significant component of office uses, which advances the VMC as an attractive and innovative business sector. Together, the housing and employment options contribute to meeting the needs of residents and workers in York Region and capitalizes on proximal transit infrastructure. The proposed Development conforms to the YROP 2022.

Vaughan Official Plan 2010 (‘VOP 2010’), Volume 2 - Vaughan Metropolitan Centre Secondary Plan (‘VMCSP’)

VOP 2010 sets out the municipality’s general planning goals and policies that guide future land use. The Subject Lands are located within the VMC (Regional Centre) on Schedule 1 – Urban Structure. The VMC is Vaughan’s downtown and aims to consist of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan, and focus for civic activity, business, shopping, entertainment, and living. The VMCSP designates the Subject as follows:

- “Station Precinct” on Schedule F – Land Use Precincts.
- Partially “Block Adjacent to Subway” on Schedule B – Transit Network.
- Schedule C – Street Network identifies that the Subject Lands are bounded by New Park Place to the north (Local Street 20-22m), Edgeley Boulevard to the west (Major Collector 28-33m) and Highway 7 to the south (Arterial (width to be consistent with the YROP). A north-south mews (15-17m) bisects the Subject Lands.
- “Office Uses Required” on the east portion, and “Office Uses Permitted” on the west portion of the Subject Lands on Schedule G – Areas for Office Uses.
- Schedule H requires retail, service commercial or public use frontages located along New Park Place and the east property line and recommends that they are located along the Edgeley Boulevard frontage and along the north-south mews.
- Schedule I – Height and Density Parameters permits 5 to 30-storeys in height and 2.5 to 5.0 FSI on the west half of the Subject Lands; and 6 to 35-storeys in height and 3.5 to 6.0 FSI on the east half of the Subject Lands.

The “Station Precinct” encourages a mix of high-rise and mid-rise built-form and permits a broad range of uses, including, but not limited to, residential dwellings, retail and service commercial uses. In accordance with Section 8.1.1 of the VMCSP and to encourage office uses on the Subject Lands, 10,000 m² of office GFA was excluded for the purposes of calculating density of the proposed development – therefore yielding an FSI of 5.28 rather than 5.31.

In accordance with VMCSP policy 4.3.16, Mews shall have a minimum width of 15m and may be privately owned but shall be fully publicly accessible. This will be a requirement through a future site plan application on the Subject Lands.

The following amendments to the VMCSPP are sought to permit the Development:

The Owner has requested the following amendments to the VMCSPP:

- Notwithstanding policy 8.7.3, delete the build-to-zone requirement of 2-5m from the edge of the right-of-way;
- Notwithstanding policy 8.7.17, permit a minimum podium height of one (1) storey for residential buildings, whereas a minimum height of 3-storeys is required;
- Notwithstanding policy 8.7.18, the distance between the facing walls of two buildings shall be in accordance with the following;
 - 21m between Residential Buildings R1 and R2, provided the facing walls do not exceed 10-storeys for one of the buildings;
 - 20m between Residential Buildings R3 and R4, provided the facing walls do not exceed 10-storeys; and,
 - 15m between the northeast corner of Residential Building R3 and Office Building O1, provided the east portion of R3 does not exceed 6-storeys;
- Notwithstanding policy 8.7.18, the maximum size of a residential tower floorplate above 10-storeys shall range between 850 m² to 1,400 m², whereas a generally a maximum of 750 m² is permitted; and,
- Notwithstanding Policy 4.3.16, a mews identified on Schedule C may be privately owned but shall be fully publicly accessible via an easement agreement or an appropriate alternative for access on the lands for the to the satisfaction of the City.

The proposed residential, office and retail uses conform to the applicable use policies of the “Station Precinct” designation in the VMCSPP. An assessment of the appropriateness of the amendments is outlined below.

Staff support the proposed Amendments to the VMCSPP

The VMCSPP manages some of Vaughan’s land use planning challenges and future growth by directing intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes and providing a diversity of housing and working opportunities. The VMCSPP provides several objectives for the VMC, including:

- Establishing a distinct downtown for Vaughan containing a mix of uses, civic attractions and critical mass of people.
- Optimizing existing and planned investments in rapid transit.
- Establishing a hierarchical, fine-grain grid network of streets and pathways linked rationally to the larger road system.
- Developing a generous and remarkable open space system.
- Ensuring development incorporates green infrastructure and green building technologies, and,
- Ensuring all development exhibits a high-quality of urbanity, materials, and design.

The Development supports the forecasted population and employment growth in the VMC by supplying a total of 825 residential units, 83,497m² of Office GFA and 7,705 m² of retail space. Of the 825 units, 485 units (58.8%) are two-bedroom or greater, which accommodates households of varying sizes, including those with children. Ground-floor retail is included on the ground floor of each building in the Development, therefore satisfying the criteria set forth in Schedule H of the VMCSPP. The inclusion of three (3) office buildings satisfies policy 8.2.3 by surpassing the requirement of 15% of total gross floor area being dedicated for office uses throughout the entire development. Additionally, the Development includes both mid-rise (5-10 storeys) and high-rise (over 10-storeys) towers, which contributes to a unique and diverse built-form and skyline adjacent to the future North Urban Park.

Policy 8.7.2 requires that the location, massing and design of buildings contribute to human-scaled street walls, attractive streetscapes, a varied skyline, and an active pedestrian public realm. The proposed massing and building typologies are unique to the VMC based on current and ongoing development trends and will promote vibrant streetscapes and attractive streetscapes through the proposed design and positioning of buildings. The Development generally satisfies the intent of Policy 8.7.2.

Policy 8.7.3 requires a consistent build-to line of 2-5m from the edge of the right-of-way and provides that front setbacks of up to 5m may be appropriate along retail streets, to extend the public realm and accommodate these active frontages. The residential component of the Development provides 2m building setbacks, while in some cases the Office buildings extend to approximately 6.2m. The implementing Zoning By-law will include a minimum 2m yard setback to the residential buildings to ensure that they are not built directly abutting the property line. For the office buildings, the removal of the build-to-zone will allow for minor courtyards in front of the buildings and provide for a unique pedestrian experience. Staff support the proposed amendment.

Policy 8.7.17 provides that high-rise buildings generally shall consist of a podium and tower configuration, and that podiums throughout the VMC shall generally have a minimum height of 3 storeys. The maximum height of high-rise building podiums shall generally be 6-storeys in the Station Precinct and along Highway 7, both of which apply to the Subject Lands. The proposed minimum one-storey podium for residential buildings is appropriate given their proposed massing and overall heights. The residential buildings will include unique architectural elements to part of the exterior of the podiums along Highway 7 and New Park Place adding to a unique pedestrian experience.

Policy 8.7.18 provides that the distance between the facing walls of two residential towers shall generally be a minimum of 25m, that the distance between facing walls of a residential and office tower may be reduced to 20m (subject to appropriate site and building design), and that lesser separation distances between office towers are permitted. The intent of this policy is to ensure the privacy of tenants and sufficient separation between habitable windows. Mid-rise buildings are 5 to 10-storeys in height

and high-rise buildings are above 10-storeys. The Owner is proposing a residential tower separation as follows:

- 20m between Residential Buildings R3 and R4. This provided separation is consistent with Vaughan's City-Wide Urban Design Guidelines which outline a minimum 20m tower separation distance for mid-rise buildings. The tower components of Buildings R3 and R4 that face each other are 7-storeys and 10-storeys respectively. These both meet the definition of mid-rise, and therefore Staff can support the reduced tower separation in this instance.
- 21.0m between Residential Buildings R1 and R2. This provided separation is supported by Staff as it is between facing walls that are characterized as mid-rise and high-rise in height. It also occurs along the shorter facing of the overall buildings, thus reducing impacts to future tenants.
- 15m between the northeast corner of Residential Building R3 and Office Building O1. This reduced separation is supported by Staff as it is isolated to a specific corner of the residential building and is required in order to ensure the necessary layout of the development. This permitted separation distance is contingent on ensuring that the tower component of the R3 facing O1 does not exceed 6-storeys.

Policy 8.7.18 also provides that the maximum size of a residential tower floor plate shall be approximately 750 m², whereas the Owner is proposing varying residential tower floorplates up to a maximum of 1,900 m². While the proposed residential floor plates exceed the maximum permissions, the Owner is proposing building styles and massing that contribute to a diverse built-form and ensure variation from the typical high-rise, point tower-type buildings in the surrounding context. The towers are adequately spaced apart, minimize shadow impacts and the loss of sky views, maintain privacy and contribute to an interesting skyline. The proposed amendment to increase residential tower floor plate sizes is appropriate in the context of this Development.

Policy 4.3.16 of the VMCSPP requires that the 15m north-south mews on the Subject Lands may be privately owned but shall be fully accessible via an easement agreement. The Owner is seeking to delete the requirement for the easement over the mews. This mews is intended to service the public and provide a direct connection in perpetuity from Highway 7 to the future North Urban Park. Rather than a complete deletion of this requirement, Staff recommend that an easement or appropriate alternative to ensure public access in perpetuity across this mews is required through the future Site Development Application stage. This will ensure that an appropriate mechanism is in place to protect for this vital connection for public use.

In summary, the Development has tower massing and building typologies that are unique to the VMC based on current and ongoing development trends. It promotes vibrant and attractive streetscapes through the proposed design and positioning of buildings, has a well-articulated podium expression, with placement of building entrances and lobbies at the ground floor level fronting onto the public realm, varied street wall, an internal courtyard and a promotes a pedestrian-first experience. The Development achieves a compact and mixed use-built form, proposes a transit-supportive density and fosters pedestrian-first experience that generally satisfies the

policies of the VMCSPP and the unique condition of being directly adjacent to the VMC Subway Station and the future North Urban Park.

The Owner filed an appeal with the OLT of the Comprehensive Zoning By-law for various lands in the City, including the Subject Lands

On October 20, 2021, Council adopted the Comprehensive Zoning By-law (the 'CZBL'). The CZBL affects all properties within the City of Vaughan, except for lands in the vicinity of Yonge Street and Steeles Avenue West. The CZBL replaces Zoning By-law 1-88 with the exception of matters of transition pursuant to Section 1.6 of the CZBL and the Yonge-Steeles Corridor Secondary Plan Area.

The CZBL has been appealed to the OLT by the Owner (and a number of other appellants). The OLT issued an Order on December 28, 2022, which was subsequently corrected on March 28, 2023, bringing into effect sections of the CZBL that have not been appealed.

As the Applications were received by the City on April 25, 2024, and were deemed complete on May 8, 2024, the transition provisions under Section 1.6 of Zoning By-law 001-2021 do not apply and therefore the Applications are subject to a dual review under both Zoning By-law 001-2021 and Zoning By-law 1-88, as amended.

Council approval of the Applications and enactment of a site-specific Zoning By-law Amendment will lead to the eventual resolution of the Owner's appeal of the CZBL, as it relates to the Subject Lands.

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

- "C9 Corporate Centre Zone" by Zoning By-law 1-88, subject to site-specific Exception 9(959).
- This Zone permits the proposed office, residential and retail uses, however amendments are required to facilitate the Development.
- 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.

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

- "V1 – Vaughan Metropolitan Centre Station Zone", by Zoning By-law 001-2021, subject to site-specific Exception 14.637. Applicable zones are as follows:
 - V1-S(5-30)-D(2.5-5.0) 14(637); and,
 - V1-S(6-35)-D(3.5-6.0) 14(637).
- This Zone permits the proposed office, residential and retail uses, however amendments are required to facilitate the Development. In addition, the V1-S(6-35)-D(3.5-6.0) 14(637) zone will be amended to V1-S(5-35)-D(3.5-6.0) 14(637) in order to permit a minimum building height of 5-storeys, as Building R3 contains a 5-storey component.

- An 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.

The VMC Program supports the proposed site-specific zoning exceptions

The VMC Program supports the proposed zoning exceptions identified on Tables 1 and 2 on the basis that they facilitate a mixed-use development that is consistent with the policies and objectives of the PPS 2024, conforms to the YROP 2022, and implements the goals and objectives of the VMCSPP. The site-specific development standards will enable a compact, urban built-form suitable for a downtown and pedestrian realm relationship that is supported in an Intensification Area proximal to higher-order transit and existing and future amenities.

Minor modifications may be made to the zoning exceptions identified in Table 1 and Table 2 (Attachments 9 and 10) prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

A Holding Symbol “(H)” is recommended for a portion of the Subject Lands to satisfy the Water and Wastewater Service Application requirements of the City

A Holding Symbol “(H)” is recommended on the residential (central) portion of the Subject Lands as it relates to availability of servicing allocation. It shall not be removed from the Subject Lands, or any portion thereof, until the condition included in the Recommendation section of this report is addressed to the satisfaction of the City. The Holding Symbol is not intended to apply to any office component of the Development.

Design Review Panel (‘DRP’)

On November 30th, 2023, the Applications were considered by the DRP. The minutes to the DRP can be found on the City’s website Meeting 113.

The Panel provided comments respecting site context, architectural design and massing, site plan and organization and ground floor uses, as outlined below:

The courtyard area would benefit from further refinement to provide distinctive zones that cater to certain user groups. The Panel wanted to see further development of the tiered treatment of the retail area and noted that lobbies for towers along Highway 7 all face into the courtyard, which may confuse visitors looking to enter from Highway 7. The applicant addressed this through ensuring that the lobbies are accessible and visible from Highway 7 and the central courtyard.

The type of retail in the courtyard must be carefully determined for the space to truly succeed. The idea of reducing and clustering the retail component to create a focused, stronger retail area was raised. The applicant addressed this through ensuring that most of the retail space encompasses majority of the ground floor space along the central courtyard to create a centralized and continuous retail atmosphere.

The Panel noted that the proposed design has good porosity and a strong concept with the central courtyard, however, noted that the treatment along Highway 7 was generally lacking, and that the site's edges are equally as important as its interior. New Park Place is simultaneously an opportunity for quality pedestrian realm treatments and presents challenges as the primary road for site servicing. The northwest corner of the site was identified by the Panel as a key area of activation. The Panel raised whether the midblock crossing could be shifted to create a better connection point to the adjacent North Urban Park. Based on the building configuration and the underground parking structure alignment, the applicant noted that the midblock cannot be shifted.

A 2nd DRP session will be required once the Owner submits a Site Development Application.

Financial Impact

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

Operational Impact

The Engineering Division (VMC Program) supports the Development.

The Engineering Division (VMC Program) has provided the following comments:

Road Network/Access

The Development will include two vehicular access points off New Park Place, leading to the parking for all residents will access to all buildings, including service entry to Buildings R1 and R2. The driveway will also provide access to the drop-off area between Buildings O3 and R2, as well as the Gateway Building O1 and Building R1. In addition, there will be access to the underground parking from a single entrance off Highway 7 which will also permit a right-turn out of the underground parking onto Highway 7. These areas will be designed to be screened from the public realm by being located internal to the site, facing away from the street frontage, and in combination with landscape planting buffers. The proposed vehicular access points for each development block have been reviewed, and Staff are satisfied with the locations with respect to spacing from nearby intersections and accesses along Highway 7 and New Park Place.

Vehicular/Bicycle Parking

The Development will include two (2) underground parking levels with 1,052 parking spaces to serve resident and office tenants. Although the applicant has reduced the amount of parking spaces, there is still a surplus of approximately 700 parking spaces in comparison to what is required per the Zoning By-law. There will also be two access points to the TTC Subway Station from Parking Level 2.

In June 2023, the Province passed Bill 185 that restricts municipalities from approving official plans or enacting zoning by-laws requiring minimum parking standards in PMTSAs. Through the future Site Plan stage, Staff will continue to encourage a reduced number of parking spaces and promote alternative sustainable forms of transportation consistent the long-term objectives of the VMC given the Subject Lands are located

immediately adjacent the TTC Subway Station and proximal to other higher-order transit options.

The Owner is proposing 664 bicycle parking spaces (including both short- and long-term spaces) whereas 1,183 are required per Zoning By-law 001-2021. The Owner's Transportation Consultant, BA Group, has provided a justification dated October 23, 2024, to support maintaining the VMC bicycle parking rates per Zoning By-law 1-88. Based on the site-specific context (being immediately adjacent to the VMC Subway Station and higher order transit on Highway 7), staff have accepted the proposed amendment.

Environmental Noise Impact Assessment

The Owner's Environmental Noise Study provides that surrounding road traffic, and the operation associated with the surrounding commercial facilities may be audible at times and will require mitigation. More specifically, the results of Noise Study depict that the dominant source of noise impacting the proposed development is Highway 7. Appropriate warning clauses will need to be identified through the future site plan application(s) on the Subject Lands and included in any agreements, as necessary.

Municipal Servicing

The City's Municipal Servicing Master Plan identifies the preferred strategy for water, wastewater, and stormwater servicing for the planned growth within the VMC. An update to the Plan is currently underway and is based on revised densities being proposed in current and future development applications. The Owner has submitted a Functional Servicing and Stormwater Management Report (FSSR) in support of the Development, that proposes the following servicing scheme:

Water

Water supply is available from the City's existing municipal 300mm watermain located along New Park Place. The 300mm watermain connects to a 400mm diameter watermain on Edgeley Boulevard to the west and a 500mm diameter watermain on Millway Avenue to the east. The watermain on Millway Avenue and Edgeley Boulevard both connect to the 400mm diameter watermain within Highway 7 creating a strong looped network to service the site.

Sanitary Servicing

The existing sanitary sewers north of the property include a 300mm diameter sanitary sewer within existing New Park Place and connects into an existing 600mm sanitary sewer within Apple Mill Road, which ultimately connects to an existing 750mm sanitary sewer on Millway Avenue that flows south. The proposed sanitary sewers west of the property include a 900mm diameter sanitary trunk within Edgeley Boulevard that is intended to flow south. This proposed sanitary sewer will be required to service the full build-out of the proposed development as per the VMC Functional Servicing Strategy Report by Civica dated June 2024.

Storm Drainage

Storm drainage from the site will be captured and directed to four (4) individual stormwater storage tanks located in parking level P1. A pump discharge system is proposed for each tank which will shut off at high water levels if the sewers surcharging to ensure for no adverse impact. The proposed grading will generally follow the existing grades to maintain drainage patterns.

Environmental Site Assessment

Phase One and Two Environmental Site Assessment ('ESA') reports were submitted for review. Based on Land-Use Compatibility study, the Development is compatible with the surrounding land uses. No contaminants were identified during the Phase Two ESA, and no further environmental investigation is required. A Record of Site Condition (RSC) is required to be filed with the Ministry of Environment, Conservation and Parks (MECP) prior to issuance of a building permit.

Area Specific Development Charges

Area Specific Development Charges will be paid to the City in accordance with the Development Charges By-law in effect at the time of payment (upon registration of the Site Plan Agreement/prior to issuance of building permits). The following Area Specific Development Charges are currently applicable:

- VMC Edgeley Pond and Black Creek Channel works – Undeveloped Lands in the Black Creek Drainage Shed
- VMC Edgeley Pond and Black Creek Channel works – Undeveloped Lands in the Black Creek Drainage Shed
- VMC Jane Street Sanitary Trunk Sewer Improvements

Sewage and Water Allocation

A Holding ("H") Symbol is required on the central (residential) portion of the Subject Lands respecting the additional requirement of 825 residential units. Therefore, an ("H") shall be placed on the residential component until such time 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 phases. The availability of regional servicing capacity for the residential component on the Subject Lands will be assessed at the future Site Plan stage.

Parks Planning has no objection to the Development

Parks Planning staff has reviewed the Applications and have no objection to the proposal. Cash-in-lieu of parkland will be required prior to the issuance of future building permits.

The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the Development

PPES has no objection to the approval of the Applications. The Owner shall ensure the provisions of the Endangered Species Act, 2007, S.O. 2007 are not contravened. As such, it is the responsibility of the Owner to comply with the provisions of the Act.

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.

The Financial Planning and Development Finance Department has no objection to the Development

The Owner shall enter into Site Plan and Development Agreements with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including development charges. The Owner shall pay to the City the applicable development charges, in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

The School Boards are integral stakeholders as part of the VMCS update and have provided preliminary comments respecting requirements for future school site designation requirements in the VMC

The York Region and York Catholic District School Boards are important stakeholders in implementing the VMCS update and continue to be active participants as part of the ongoing VMCS update. The VMCS update protects for 4 school sites to serve the planned population. As part of the VMCS update, options are being considered to address impact of additional density on requirements for additional community facilities and schools to achieve a complete community. Preliminary concerns about inadequate student accommodation relative to proposed and previously anticipated densities initially envisioned for the area have been expressed. The City acknowledges these concerns and will continue to work with the School Boards. No comments were received from the Conseil Scolaire de District Catholique Centre Sud as of the date of this report.

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

NavCanada, Bombardier Aerospace, Alectra Utilities Corporation, and Rogers have no objection to the approval of the Development. Enbridge and Bell Canada have no objections to the Development. The Owner will be required to satisfy all conditions of approval prior to final approval of the Site Plan.

Broader Regional Impacts/Considerations

The Applications have been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval.

York Region has reviewed the Applications and has no objection to the Development in-principle. In their letter dated September 24, 2024, York Region advised that Development continues in a pattern that exceeds planned growth, which may have an impact on the Region's planned transportation and water and wastewater networks.

Additionally, although the applicant reduced the parking on-site from three (3) levels of underground parking to two (2) levels, there will still be more than 700 surplus parking spaces serving the Development and further reductions are recommended.

In addition, York Region will continue coordinating with the Owner to finalize the acquisition of the daylight triangle. This will be required in order to ensure that the proposed development can progress given impacts to Phase 1 – Office Building O1. The Owner is currently working with York Region with respect to the potential disposition of lands, subject to conclusion of negotiation of terms and conditions acceptable to York Region in accordance with its Sale and Other Disposition of Lands Policy, and subject to the approval of Regional Council or its delegate. The Owner has provided correspondence from York Region dated October 23, 2024, which provides that with respect to Parts 1 and 2, York Region does not oppose the Zoning By-law Amendment application.

Conclusion

The VMC Program, Policy Planning and Special Programs Department is satisfied the Applications are consistent with the PPS, conforms with the Growth Plan and YROP 2022, generally conforms to VOP 2010 and the VMCSPP, 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 VMC Program, Policy Planning and Special Programs Department can recommend approval of the Applications, subject to the recommendations in this report.

For more information, please contact Nicholas Trajkovski, Planner - VMC at extension 8501.

Attachments

1. Context and Location Map.
2. Conceptual Site Plan and Proposed Zoning.
3. Conceptual Landscape Master Plan.
4. Conceptual South Building Elevations.
5. Conceptual North Building Elevations.
6. Conceptual East and West Building Elevations.
7. Conceptual Renderings.
8. Conceptual Renderings.
9. Zoning By-law 1-88 Table 1.
10. Zoning By-law 001-2021 Table 2.

Prepared by

Nicholas Trajkovski, Planner - VMC, ext. 8530.

Matthew Peverini, Senior Planner - VMC, ext. 3636.

Gaston Soucy, Senior Manager of Planning and Urban Design – VMC, ext. 8266.

Christina Bruce, Director of Policy Planning and Special Programs, ext. 8231.