

Committee of the Whole (Public Meeting) Report

DATE: Wednesday, November 6, 2024

WARD(S): 3

**TITLE: THE Q TOWERS LIMITED PARTNERSHIP
OFFICIAL PLAN AMENDMENT FILE OP.21.001
ZONING BY-LAW AMENDMENT FILE Z.21.002
PART OF LOT 20, CONCESSION 6
VICINITY OF MAJOR MACKENZIE DRIVE AND FOSSIL HILL
ROAD**

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 a mixed-use residential-commercial development consisting of a 11-storey (38.05 m) mixed-use building containing 337 residential units and 451 m² of commercial use with an indoor amenity area and a roof top amenity area on the 11th-storey, and a 5-storey (16.7 m) low-rise building containing 91 residential units with a roof top amenity area, with a Floor Space Index ('FSI') of 2.95 times the area of the lot, and privately-owned public space ('POPS'), as shown on Attachments 3 to 7 (the 'Development').

Report Highlights

- The Owner proposes to redesignate and rezone the subject lands to permit a development consisting of a 11-storey (38.05 m) mixed-use building containing 337 residential units and 451 m² of commercial use with an indoor amenity area and a roof top amenity area on the 11th-storey, and a 5-storey (16.7 m) low-rise building containing 91 residential units with a roof top amenity area, with an FSI of 2.95 times the area of the lot, and POPS.
- This is the second Public Meeting for the Development. The first Public Meeting was held on September 14, 2021.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department 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.21.001 and Z.21.002 (The Q Towers Limited Partnership) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: Southwest corner of Major Mackenzie Drive and Fossil Hill Road (the ‘Subject Lands’). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: April 15, 2020

Date applications were deemed complete: February 25, 2021

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

The Owner has submitted the following applications (‘Applications’) for the Subject Lands to permit the Development as shown on Attachments 3 to 7:

1. Official Plan Amendment File OP.21.001 to amend the policies of Vaughan Official Plan 2010, Volume 1 to redesignate the Subject Lands from “Low-Rise Mixed-Use” with a maximum building height of four (4) storeys and a maximum FSI of 1.5 times the area of the lot, as shown on Attachment 2, to “Mid-Rise Mixed-Use” with a maximum building height of 11 storeys (38.05 m) and a maximum FSI of 2.95 times the area of the lot.
2. Zoning By-law Amendment File Z.21.002 to rezone the Subject Lands from “A Agricultural Zone” to “RM2 Multiple Residential Zone” and “RA3 Apartment Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 (Attachment 10) of this report.

Zoning By-law Amendment and Draft Plan of Subdivision Applications were previously submitted for the Subject Lands.

The previous owner of the Subject Lands (Terwol Developments Inc.) submitted Zoning By-law Amendment and Draft Plan of Subdivision Application Files Z.03.014 and 19T-03V03 for the Subject Lands.

Council, on September 25, 2006, ratified the September 18, 2006 Committee of the Whole recommendation to approve a “Future Medium Density Residential” use for the Subject Lands. However, the lands remained zoned “A Agricultural Zone” and were to be subject to a future Zoning By-law Amendment Application. The Subject Lands were not registered as a block as part of the registered plan (Plan 65M-4313) for Draft Plan of Subdivision File 19T-03V03.

The previous owner, on August 26, 2008, submitted a subsequent Zoning By-law Amendment Application (File Z.08.051) for a commercial plaza. This application was considered at the November 3, 2008 Committee of the Whole (Public Meeting); however, the previous owner did not pursue any further approvals.

The Subject Lands are located within the Block 39 Block Plan.

The Subject Lands are located within the Block 39 Block Plan ('Block 39 Plan') approved by Vaughan Council on September 25, 2006, and are identified as "Medium Density". The Block 39 Plan provides the basis for the land uses, housing mix, development densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, and urban design for the entire Block 39 area.

The Committee of the Whole (Public Meeting) considered the Applications on September 14, 2021.

The first public meeting for the Applications and related Draft Plan of Subdivision File 19T-21V001 was held on September 14, 2021. A second public meeting is required as it has been over two (2) years since the first public meeting and a decision on the Applications from Council has not occurred, in accordance with Policy 10.1.4.1. of Vaughan Official Plan 2010 ('VOP 2010') which states (in part):

That at least one (1) public meeting shall be held prior to the adoption of an Official Plan or Zoning By-law amendment at which the public may make representations in respect of the matter being considered. A new public meeting for a planning application(s) shall automatically be required when any of the following circumstances occur:

- a. any application(s) that has not been considered by Council within two (2) years after the date it was considered at a previous statutory public meeting.

The Owner has undertaken the following modifications to the Development since the first Public Meeting to address comments from City departments:

	September 14, 2021 Public Meeting (Attachments 8 and 9)	November 5, 2024 Public Meeting (Attachments 3 to 7)	Modifications
Proposal	11, 3-storey townhouse units on a private road and a 12-storey mixed-use building with 382 residential dwelling units, 996 m ² of retail uses and 6,858 m ² of business or professional office uses	11-storey (38.05 m) mixed-use building containing 337 residential units and 451 m ² of commercial use and a roof top amenity area on the 11th-storey, and a 5-storey (16.7 m) low-rise building containing 91 residential units	Elimination of the townhouses on a private road and business or professional office use; reduction of number of storeys for the mixed-use building

	September 14, 2021 Public Meeting (Attachments 8 and 9)	November 5, 2024 Public Meeting (Attachments 3 to 7)	Modifications
Number of Units	393 units	428 units	Increase of 35 units
FSI	4.05 times the area of the lot for the Development	2.95 times the area of the lot for the Development.	Decrease in the FSI due to less storeys and gross floor area
Amenity Space	Private amenity space	POPS	Allows public on the Subject Lands to use the POPS

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

a) Date the Notice of Public Meeting was circulated: October 11, 2024.

The Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and Notice Signs were installed along Major Mackenzie Drive, Fossil Hill Road and Sibella Way in accordance with the City’s Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 750 m of the Subject Lands, to the Greater Woodbridge Ratepayers’ Association, Millwood Woodend Ratepayers’ Association and Vellore Woods Ratepayers’ Association and to anyone on file with the Office of the City Clerk having requested notice.

The following is a summary of written comments received as of October 23, 2024, for both of the Public Meetings. The comments are organized by theme as follows:

Density and Built Form

- the Development is too high and too dense and is not compatible with the low-rise buildings in the adjacent and surrounding areas
- too many multi-storey buildings are proposed for the Major Mackenzie Drive and Weston Road intersection
- original purchasers were told the Subject Lands would be developed as a low-rise commercial plaza
- the Development will result in the loss of value to their homes

Privacy, Shadow, and View

- the Development will block sunlight and views through the neighbourhood

Traffic, Access, and Parking

- increased traffic impacts and pedestrian safety; students travel through the community to go to Tommy Douglas High School, located on the north side of Major Mackenzie Drive, as shown on Attachment 1
- Sibella Way residents are impacted by the two (2) driveways from the development onto Sibella Way, with increased traffic congestion from the proposed residential and retail uses
- vehicular access to the development should be from Major Mackenzie Drive to reduce the impact on existing residents
- insufficient amount of parking spaces will be provided for the retail and residential users
- existing streets cannot accommodate additional on-street parking and traffic resulting from the development
- add further to the traffic queues for the surrounding commercial uses

Any additional 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

The following is the link to a previous report regarding the Subject Lands:

[September 14, 2021, Committee of the Whole Public Meeting \(Item 1, Report No. 41\) and September 27, 2021, Council Extract](#)

Analysis and Options

York Region Official Plan ('YROP 2022') Designation

- Identified as "Urban Area" by Map 1 - Regional Structure of YROP 2022
- Designated "Urban System - Community Area" by Map 1A - Land Use Designations

An amendment to VOP 2010 is required to permit the Development.

VOP 2010 Designation:

The Subject Lands are identified as follows:

- Located within a "Community Area" on Schedule 1 - Urban Structure of VOP 2010
- Designated "Low-Rise Mixed Use" by Schedule 13 - Land Use of VOP 2010
- This designation permits townhouse and stacked-townhouse dwellings, and low-rise buildings at a maximum building height of 4-storeys and a maximum FSI of 1.5 times the area of the lot
- An amendment to VOP 2010 is required to redesignate the Subject Lands to "Mid-Rise Mixed-Use" and to permit a mixed-use residential-commercial building with a maximum building height of eleven (11) storeys (38.05 m) and a FSI of 2.95 times the area of the lot.

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

Zoning:

- Zoned “A Agricultural Zone” by Zoning By-law 1-88
- The Development is not permitted in the “A Agricultural Zone”
- The Owner proposes to rezone the Subject Lands to “RA3 Apartment Residential Zone” to permit the Development, together with the site-specific zoning exceptions identified in Attachment 10 (Table 1).
- Additional 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.

Council enacted Zoning By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law.

As the Applications were received by the City on January 07, 2021, and deemed complete on March 03, 2021, the Applications are transitioned under Zoning By-law 001-2021.

Following a preliminary review of the Applications, the Development Planning 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 conformity and consistency with the Provincial Planning Statement, 2024 (the ‘PPS 2024’), Provincial Policy Statement, 2020 (the ‘PPS 2020’), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the ‘Growth Plan’) and the policies of the York Region Official Plan, 2010 (‘YROP 2010’), YROP 2022 and VOP 2010
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density, and community area, intensification, and compatibility policies ▪ The appropriateness of the rezoning and site-specific exceptions identified in Table 1 and will be reviewed in consideration of the existing and planned surrounding land uses
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications which are 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

	MATTERS TO BE REVIEWED	COMMENT(S)
		approval authority. Additional studies and/or reports may be required as part of the application review process
d.	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 Subject Lands by Vaughan Council
e.	Urban Design Guidelines	The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines
f.	City’s Tree Protection Protocol	<ul style="list-style-type: none"> There are no trees located on the Subject Lands. Trees are located within the public boulevards to the south and east of the Subject Lands. 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
g.	Design Review Panel (‘DRP’)	<ul style="list-style-type: none"> The DRP must review the Development prior to the Applications proceeding to the Committee of the Whole
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> The Applications must be reviewed by York Region, external public agencies and utilities, and the Public, Separate, and French School Boards
i.	Sustainable Development	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the City of Vaughan’s Policies and Sustainability Metrics Program. The Development achieves a Silver score of 55
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, and 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 of housing

	MATTERS TO BE REVIEWED	COMMENT(S)
m.	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 on Major Mackenzie Drive, Fossil Hill Road, and Sibella Way ▪ 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 Major Mackenzie Drive, an arterial road under the jurisdiction of York Region, and Fossil Hill Road and Sibella Way, a minor collector and local road, respectively, under the jurisdiction of the City ▪ York Region identified that a widening across the full frontage of the site where it abuts Major Mackenzie Drive of sufficient width to provide for a right-of-way of 21.5 m measured from the existing centreline of construction of Major Mackenzie Drive is required as a land conveyance
n.	Related Draft Plan of Subdivision Application Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted related Draft Plan of Subdivision File19T-21V001 and Site Development File DA.21.001 to be reviewed with the Applications in a future comprehensive technical report.
o.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit Draft Plan of Condominium (Standard) to establish the ownership tenure and Parcels of Tied Land (‘POTLs’) for the Development
p.	Block 39 Plan	<ul style="list-style-type: none"> ▪ The Block 39 Plan and supporting Master Environmental Servicing Plan (‘MESP’) must be updated to address modifications as a result of the Development, should the Applications be approved

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Applications to internal City Departments and external agencies for review.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner did not apply for a Regional exemption from approval of the Official Plan Amendment. 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: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context and Location Map
2. Schedule 13 - Land Use Vaughan Official Plan 2010
3. Proposed Zoning and Site Plan
4. Proposed Draft Plan of Subdivision File 19T-21V001
5. Proposed Landscape Plan
6. Proposed Building Elevations - North and East
7. Proposed Building Elevations - South and West
8. Proposed Zoning and Site Plan, September 14, 2021, Public Meeting
9. North and South Building Elevations, September 14, 2021, Public Meeting
10. Proposed Site-Specific Exceptions to Zoning By-law 1-88 - Table 1

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