

Committee of the Whole (1) Report

DATE: Wednesday, June 4, 2025

WARD: 3

TITLE: THE Q TOWERS LIMITED PARTNERSHIP AND THE Q TOWERS
GENERAL PARTNER INC. -
OFFICIAL PLAN AMENDMENT FILE OP.21.001,
ZONING BY-LAW AMENDMENT FILE Z.21.002,
SITE DEVELOPMENT FILE DA.21.001:
PART OF LOT 20, CONCESSION 6,
VICINITY OF MAJOR MACKENZIE DRIVE A

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval on applications to amend the official plan and zoning by-law, and for draft approval of the related application for site development, to permit a mixed-use development on the subject lands shown on Attachment 1, consisting of an 11-storey building containing 375 residential units and 451 square metres of at-grade commercial space, and a five-storey building containing 90 residential units, with an overall Floor Space Index of 2.97 times the area of the lot (with floor area exclusions) and 2,045 square metres of privately-owned public space, as shown on Attachments 3 to 7.

Report Highlights

- Official Plan and Zoning By-law Amendment, and Site Development Applications are required to permit the proposed development on the subject lands.
- The subject lands are located along Major Mackenzie Drive, which is identified as a “Major Arterial” and “Regional Transit Priority Network” by Vaughan Official Plan 2010, where intensification is to be directed.
- The Development and Parks Planning Department supports the proposed development subject to the Recommendations in this report and the Conditions of Approval in Attachment 13.

Recommendations

1. THAT Official Plan Amendment File OP.21.001 (The Q Towers Limited Partnership and the Q Towers General Partner Inc.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1 for the subject lands shown on Attachment 1 as follows:
 - a) Redesignate the subject lands “Low-Rise Mixed Use” to “Mid-Rise Mixed-Use” to permit a mixed-use residential-commercial building with a maximum building height of 11 storeys (38.05 metres) and a Floor Space Index of 2.97 times the area of the lot, with floor area exclusions such as the basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade, as shown on Attachment 2; and
 - b) Permit a mid-rise building within 70 metres of an area designated as “Low-Rise Residential” or on streets that are not arterial streets or Major Collector streets;
2. THAT Zoning By-law Amendment File Z.21.002 (The Q Towers Limited Partnership and the Q Towers General Partner Inc.) BE APPROVED, to rezone the Subject Lands from “A Agricultural Zone” in Zoning By-law 1-88 to “RA3 Apartment Residential Zone” in Zoning By-law 1-88 in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 (Attachment 12) of this report;
3. THAT Site Development File DA.21.001(The Q Towers Limited Partnership) BE DRAFT APPROVED, as shown on Attachments 3 to 7, SUBJECT TO THE CONDITIONS OF APPROVAL in Attachment 13; and
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development Application DA.21.001 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 375 residential apartment units (829 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the Development does not proceed to registration and/or building permit issuance within 36 months.”

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.

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

The Q Towers General Partner Inc. and The Q Towers Limited Partnership (collectively, the ‘Owner’) submitted Official Plan and Zoning By-law Amendment

Files OP.21.001 and Z.21.002, and Site Development File DA.21.001 (the 'Applications') for the Subject Lands to permit a mixed-use development consisting of an 11-storey (38.05 metres) building containing 375 residential units and 451 square metres of at-grade commercial space with an indoor amenity area and a roof-top amenity area, and a five-storey (16.7 metres) building containing 90 residential units with a roof-top amenity area, with an overall Floor Space Index of 2.97 times the area of the lot (with floor area exclusions) or a Floor Space Index of 4.94 times the area of the lot (with no floor area exclusions), and 2,045 square metres of privately-owned open space, as shown on Attachments 3 to 7 (the 'Development'). The Development provides:

- a five-storey, 6,556 square metre building with 90 apartment units (comprised of eight studio; 20, one-bedroom, four, one-bedroom plus den, 55, two-bedroom, and three, two-bedroom plus den)
- an 11-storey, 24,084.3 square metre building with 285 apartment units (comprised of 18 studio; 108, one-bedroom; 40, one-bedroom plus den; 33, two-bedroom, 44, two-bedroom plus den and 42, three-bedroom) and 451 square metres of commercial at-grade space
- 2,045 square metres of privately-owned open space
- 2,241 square metres of private amenity space (comprised of indoor and roof-top amenity spaces)
- a total of 517 vehicular parking spaces within two levels of an underground parking structure
- a total of 259 bicycle parking spaces (195 long-term and 64 short-term spaces)

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 Files Z.03.014 and 19T-03V03 for the Subject Lands.

Council, on Sept. 25, 2006, ratified the Sept. 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" in Zoning By-law 1-88 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 Aug. 26, 2008, subsequently submitted Zoning By-law Amendment File Z.08.051 for a commercial plaza on the Subject Lands. This application was considered at the Nov. 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 Sept. 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.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the September 14, 2021 Public Meeting.

- Notice: Aug. 20, 2021 (Circulated 150 metres from Subject Lands plus the 250 metres expanded polling area shown on Attachment 1, and 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.)
- Location of Notice Signs: Major Mackenzie Drive, Fossil Hill Road, and Sibella Way frontages
- Date of Public Meeting: Sept. 14, 2021, date ratified by Council: Sept. 27, 2021

A Second Public Meeting was required, and the Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the November 6, 2024 Public Meeting.

- Notice: Oct. 11, 2024 (Circulated 150 metres from Subject Lands plus the 600 metres expanded polling area shown on Attachment 1 and 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.)
- Location of Notice Signs: Major Mackenzie Drive, Fossil Hill Road, and Sibella Way frontages
- Date of Public Meeting: Nov. 6, 2024, date ratified by Council: Nov. 19, 2024
- Date Committee of the Whole Courtesy Notice was sent to those requesting to be notified: May 16, 2025.

A second public meeting was required as over two years had passed since the July 13, 2020 Public Meeting and a decision from Council had not occurred, in accordance with Policy 10.1.4.1. of Vaughan Official Plan 2010 which states (in part):

That at least one 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 years after the date it was considered at a previous statutory public meeting

The Owner has undertaken modifications to the Development since the Sept. 14, 2021 Public Meeting to address comments from City departments and external agency concerns. Further changes were made between the Nov. 6, 2024 Public Meeting to the June 4, 2025 Committee of the Whole Meeting as follows:

	Sept. 14, 2021 Public Meeting (Attachments 8 and 9)	Nov. 6, 2024 Public Meeting (Attachments 10 and 11)	June 4, 2025 Committee of the Whole Meeting (Attachments 3 and 4)	Modifications
Building Height	<ul style="list-style-type: none"> • 12-storey mixed-use building • three-storey townhouses 	<ul style="list-style-type: none"> • 11-storey mixed-use building • five-storey low-rise building 	<ul style="list-style-type: none"> • 11-storey mixed-use building • five-storey low-rise building 	<p>Maximum building height reduced by one-storey from a 12-storey building to an 11-storey building.</p> <p>Townhouses were eliminated and replaced by a low-rise building.</p>
Floor Space Index	4.05 times the developable area of the lot with no floor area exclusions	4.93 times the developable area of the lot with no floor area exclusions/ 2.94 times the developable area of the lot with floor area exceptions	4.94 times the developable area of the lot with no floor area exclusions/ 2.97 times the developable area of the lot with floor area exceptions	Floor area increased due to building typology changing from apartment and townhouse buildings to apartment buildings only.
Residential Unit Number	<ul style="list-style-type: none"> • 11 townhouse units on a private road • 382 apartment dwelling units • Total = 393 units 	<ul style="list-style-type: none"> • 91 units in the low-rise building • 337 apartment dwelling units • Total = 428 units 	<ul style="list-style-type: none"> • 90 units in the low-rise building • 285 apartment dwelling units • Total = 375 units 	Decrease of 18 units from the Sept. 14, 2021 Public Meeting due to decreasing the Gross Floor Area (devoted to commercial use and changes to units)
Commercial Use	<ul style="list-style-type: none"> • 996 square metres of commercial use 	451 square metres commercial use	451 square metres commercial use	Reduced commercial use and eliminated business or professional

	Sept. 14, 2021 Public Meeting (Attachments 8 and 9)	Nov. 6, 2024 Public Meeting (Attachments 10 and 11)	June 4, 2025 Committee of the Whole Meeting (Attachments 3 and 4)	Modifications
	<ul style="list-style-type: none"> 6,858 square metres of business or professional office uses 			office uses to address parking and traffic concerns
Amenity Space	Private amenity space	2,045 square metres privately-owned open space	2,045 square metres privately-owned open space	Allows public on the Subject Lands to use the privately-owned open space

Related Draft Plan of Subdivision File 19T-21V001 has been closed.

The revised application eliminating the townhouses on a private road resulted in a draft plan of subdivision no longer being required to create the blocks to establish the private road and residential blocks. Therefore, Draft Plan of Subdivision File 19T-21V001 is now closed.

Public Comments were received on the Applications.

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

Density and Built Form

- the Development is too high and dense, and is not compatible with the low-rise buildings in the adjacent and surrounding areas and does not encourage responsible growth or respect the policies to protect the existing residential neighbourhoods
- too many multi-storey buildings are proposed for the Major Mackenzie Drive and Weston Road area
- increased building heights and densities are more appropriate for the Major Mackenzie Drive and Weston Road intersection and decreasing further away from the 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 surrounding homes
- increased development will exacerbate the stress on roads, schools, healthcare facilities and recreation spaces resulting in increased congestion, overcrowded schools, longer wait times and diminished quality of services
- increased crime

Privacy, Shadow, and View

- the Development will block sunlight impacting the quality of life and views through the neighbourhood
- the mid-rise building results in a loss of privacy for existing residents' homes

Traffic, Access, Parking and Safety

- 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 driveways from the development onto Sibella Way, with increased traffic congestion from the proposed residential and commercial 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
- insufficient transit

Environmental Impact

- the Development will lead to an increase in pollution i.e., dust, noise, and airborne particles during construction and post-construction
- the Development will put a strain on the water supply, sewage system and waste management
- the Development will contribute to heat islands, increased run-off, and loss of flora and fauna
- Health concerns with the location of a hydro transformer in proximity of the low-rise buildings
- excavation of the soil for deep foundations for the Development can cause soil movement and can lead to the shifting of foundation causing structural concerns cracks in walls, ceilings and floors

Housing Supply

- the Development provides appropriate, accessible, and affordable housing within the existing infrastructure

Alternative Uses

- a plaza with low-rise commercial buildings would be a more appropriate land use based on the existing neighborhood design and infrastructure
- low-rise buildings would be a more appropriate housing form considering the available infrastructure and low-rise community
- open space

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Applications can be found at the following links:

Files OP.21.001, Z.21.002 and 19T-21V001 – First Public Meeting Report:

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

Files OP.21.001 and Z.21.002 – Second Public Meeting Report:

[November 6, 2024, Committee of the Whole Public Meeting \(Item 6, Report 38\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement, 2024, conforms to York Region Official Plan 2022 and York Region Official Plan 2010.

Provincial Planning Statement, 2024 (PPS 2024)

The Provincial Planning Statement, 2024 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 where the focus of growth and development is to be focused (Policy 2.3.1.1). The 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 promotes densities for new housing which efficiently uses land and provides a different housing type to facilitate a higher density development that capitalizes on the future transportation infrastructure investments (Policy 2.4.1). The Development is providing a range of apartment unit sizes ranging from studio units to three-bedroom units contributing to the range of available housing in the community. The Development provides a scale and transition of built form with respect to building type and height to the surrounding area (Policy 2.4.1.3). Development and Parks Planning staff are satisfied that the Development is consistent with the Provincial Planning Statement, 2024.

York Region Official Plan 2022

York Region Council adopted the York Region Official Plan 2022 in June 2022. The York Region Official Plan 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 Statue 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*, York Region Official Plan 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 York Region Official Plan 2022 Map 1 - Urban Structure, identifies the Subject Lands as “Urban Area” and the York Region Official Plan 2022 Map 1A - Land Use Designation designates the Subject Lands “Community Area” which permits a wide range of residential, commercial, industrial, and institutional uses. The York Region Official Plan 2022 Map 10 - Rapid Transit Network identifies the Subject Lands as being located along a “Rapid Transit Corridor” (Major Mackenzie Drive) that is planned to support higher density development for accommodating growth in York Region and improve access to multi-modal transit facilities over the long-term.

The Applications facilitate a development that conforms to:

- Policy 2.1.3.a - to provide a development in a Community Area where residential and community services are directed to accommodate existing and future growth;
- Policy 2.3.2 - where communities shall be planned in a comprehensive and coordinated manner using land efficiently and optimizing infrastructure with a compact, mixed-use, pedestrian friendly and transit-supportive built form; and
- Policy 4.2.2 to provide within Community Areas a wide range and mix of housing types, sizes, tenures that include options that are affordable to residents at all stages of life.

The 2022 York Region Transportation Master Plan, approved by York Region Council on Sept. 29, 2022, is a long-term plan for York Region’s transportation network and transportation initiatives and infrastructure, including transit to support growth. Map 3 - 2051 Rapid Transit Network of the 2022 YRTMP identifies Major Mackenzie Drive West as a recommended Rapid Transit Corridor (i.e., Rapid Transit Service) from Highway 50 to Bathurst Street in Vaughan. Currently, full-service transit is along Major Mackenzie Drive (Route 4) connecting to full-service transit on Weston Road (Route 165) to the east and rush-hour service on Vellore Avenue (Route 21). The Development is in conformity with York Region Official Plan 2022 and supports the 2022 York Region Transportation Master Plan.

York Region Official Plan 2010

Although the York Region Official Plan 2022 is currently in-force as an official plan of the City for applications not deemed to be complete as of the York Region Official Plan 2022 date of approval (Transition Policy 7.4.13), the York Region Official Plan 2010 remains as the in-force Regional Official Plan against which conformity of the Applications is measured, because the Applications were deemed complete on Feb. 25, 2021, prior to the approval of York Region Official Plan 2022.

Map 1 - Urban Structure of York Region Official Plan 2010, identifies the Subject Lands as “Urban Area” where forecasted growth is to be accommodated and Map 11 – Transit Network identifies the Subject Lands as being located along a “Regional Transit Priority

Network” (Major Mackenzie Drive) to accommodate more intensive development and a greater mix of uses. The Development is in keeping with York Region Official Plan 2010.

The Applications provide for a development that conforms to:

- Policy 5.2.8.e. where urban design standards ensure compatibility with and transition to surrounding land uses;
- Policy 5.2.8.h. with the provision of well-defined, centrally located urban public spaces; and
- Policy 7.2.25.d where medium and high-density urban developments are directed to rapid transit corridors.

The 2016 York Region Transportation Master Plan, approved by York Region Council in November 2016, is a long-term plan for York Region’s transportation network and transportation initiatives and infrastructure, including transit to support growth. Map 14 – Proposed 2027-2031 (11 to 15 Years) Transit Network of the 2016 YRTMP identifies Major Mackenzie Drive West as a Frequent Transit Network from Highway 50 to Jane Street in Vaughan. Further Map 15 - Proposed 2032-2041 (16-25 Years) Transit Network of the 2016 YRTMP identifies Major Mackenzie Drive West as a Rapid Transit Alignment Subject to Further Study Network from Highway 27 to Jane Street in Vaughan recognizing future growth.

The Development is in conformity with York Region Official Plan 2010 and supports the 2016 York Region Transportation Master Plan.

The Development requires an amendment to Vaughan Official Plan 2010, Volume 1.

York Region Official Plan 2010 sets out the municipality’s general planning goals and policies that guide future land use.

Vaughan Official Plan 2010, Volume 1

The Subject Lands are identified as follows:

- Located within a “Stable Area - Community Area” on Schedule 1 - Urban Structure
- Located along a “Major Arterial (Regional) (Major Mackenzie Drive) and a Minor Collector (Fossil Hill Road) on Schedule 9 - Future Transportation Network
- Located along a “Regional Transit Priority Network” (Major Mackenzie Drive) on Schedule 10 – Major Transit Network
- Designated “Low-Rise Mixed Use” by Schedule 13 - Land Use
- The “Low-Rise Mixed Use” designation permits townhouse and stacked-townhouse dwellings, and low-rise buildings at a maximum building height of four storeys and a maximum Floor Space Index of 1.5 times the area of the lot.

An amendment to Vaughan Official Plan 2010 is required to redesignate the Subject Lands to “Mid-Rise Mixed-Use” and to permit a mixed-use residential-commercial development with a maximum building height of 11 storeys (38.05 metres) and a Floor

Space Index 2.97 times the developable area of the lot with floor area exceptions as the basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade in alignment with the definition of floor area in Zoning By-law 001-2021 instead of a Floor Space Index of 4.94 times the developable area of the lot with no floor area exclusions. The Floor Space Index of 4.94 times the developable area of the lot is based on the definition in Vaughan Official Plan 2010. The Floor Space Index of 2.97 times the developable area of the lot is based on Zoning By-law 001-2021 and is being applied to Zoning By-law 1-88 in order for the Official Plan to align with the City's current definition of Floor Space Index in Zoning By-law 001-2021.

Goal 8 of Vaughan Official Plan 2010 provides a policy for directing growth to appropriate locations and focuses on, "...a shift in emphasis from the development of new communities in greenfield areas to the promotion of intensification in areas of the City with the infrastructure capacity and existing or planned transit service to accommodate growth." The Development is located in a "Community Area" with municipal infrastructure and is located along a "Regional Transit Priority Network" (Major Mackenzie Drive) where municipal transit initiatives can be supported for future growth.

The Subject Lands are identified as a "Community Area" by Vaughan Official Plan 2010. Policy 2.2.3 intends that, "...these Community Areas will remain mostly stable. However, incremental change is expected as a natural part of maturing neighbourhoods. This change will be sensitive to, and respectful of, the existing character of the area."

The Vaughan Official Plan 2010 provides policies that acknowledge that a "Community Area" may experience change and should provide a development that provides an appropriate transition to the existing community as indicated in the following:

"Policy 2.2.3.3. - that limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form, and planned function of the surrounding context."

Further, Policy 9.2.3.4 of Vaughan Official Plan 2010 provides development criteria where a low-rise building (a building up to five storeys) or a mid-rise building (a building between six and 12 storeys) abuts the rear yard of townhouse buildings the low-rise building or mid-rise building shall generally be set back a minimum of 7.5 metres from the rear yard and be contained within a 45-degree angular in order to provide privacy and daylight.

The five-storey low-rise building provides a minimum 12-metre setback from the rear yards of the townhouse buildings along its west property line which contains private

outdoor amenity spaces and ground floor patios and is contained within the 45-degree angular plan to provide privacy and daylight.

The 11-storey building is setback about 50 metres from the townhouses along the west lot line of the Subject Lands. The 11-storey building is tiered at the fourth and seventh floors to provide a greater setback to the townhouse buildings with a setback of 3.7 metres from the south property line (Sibella Way) for the ground to fourth floor, 10 metres from the south property line for the fifth to the seventh floors and 16.5 metres from the eighth to the 11th floors. The 11-storey building is set back 2.1 metres from the east lot line (Fossil Hill Road) with the portion of the 11-storey building along Major Mackenzie Drive set back approximately 45 metres from the south lot line (Fossil Hill Road).

The Owner's architect (KFA Architects and Planners Inc.) prepared a Sun - Shadow Study. The findings of this study indicated that the Development casted shadows across the rear yard amenity space as follows:

- between 9:18 a.m. and 10:18 a.m. on March 21 (Spring), September 21 (Autumn), and December 21 (Winter) with no shadowing by 11:18 a.m. for the townhouse buildings along the west property line of the Subject Lands;
- before 9:18 a.m. and ending by 10:18 a.m. on June 21 (Summer) for the townhouse buildings along the west property line of the Subject Lands; and
- at 5:18 p.m. on March 21 (Spring), June 21 (Summer), September 21 (Autumn), and December 21 (Winter) for the townhouse buildings on the east side of Fossil Hill Road on the north side of Coranto Way.

The shadowing would not exceed a two-hour period across the rear yard amenity space to allow property owners to have sunlight for the majority of the daylight hours. The Sun-Shadow Study indicated that there were no shadows cast from the Development on the townhouse buildings on the south side of Sibella Way.

The setback for the five-storey low-rise building and 11-storey building of 12 metres, as well as the right-of-way widths of Fossil Hill Road (24 metres and tapers to 23 metres away from the Major Mackenzie Drive intersection) and Sibella Way (17.5 metres), containment within the 45-degree angular plane where the Development abuts the townhouse buildings, tiering of the 11-storey building from four storeys to seven storeys to 11 storeys at Sibella Way and the siting of the buildings close to Major Mackenzie Drive and Fossil Hill provide for a Development that is providing a transition in building scale and intensity to the existing low-rise community while allowing for limited intensification along Major Mackenzie Drive, a "Regional Transit Priority Network" in accordance with the Provincial Planning Statement 2024, York Region Official Plan 2010, York Region Official Plan 2022 and the compatibility policies of Vaughan Official Plan 2010.

The Development proposes a Floor Space Index of 2.97 times the area of the lot with floor area exclusions or a Floor Space Index of 4.94 times the area of the lot with floor area exclusions. The Vaughan Official Plan 2010 defines Floor Space Index as:

“The ratio of gross floor area to the net developable area of the site. The gross floor area means the total area of all of the floors in a building above grade measured from the outside of the exterior walls, but excluding bicycle parking within a building. Net developable area means the area of the site excluding any lands to be conveyed for public purposes such as public streets, valley lands, street widenings, parks, and schools.”

Zoning By-law 1-88 does not have a definition for Floor Space Index, but it has definitions for Gross Floor Area as:

“Gross Floor Area- Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.

Zoning By-law 001-2021 provides a definition for both Floor Space Index and Gross Floor Area as follows:

“Floor Space Index: Means the quotient obtained by dividing the total gross floor area of all buildings on the lot, by the lot area.”

“Gross Floor Area: Means the aggregate of the floor areas of all storeys of a building measured from the outside of the exterior walls, but excluding any basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade.”

The definition of Floor Space Index in Vaughan Official Plan 2010 is to be amended to align with the Floor Space Index definition in Zoning By-law 001-2021, to provide the floor area exceptions for a consistent and updated definition as:

“The ratio of gross floor area to the net developable area of the site. The gross floor area means the total area of all of the floors in a building above grade measured from the outside of the exterior walls, basement, attic, mechanical room, electrical room, elevator shaft, refuse chute, escalators, vehicle and bicycle parking areas, loading areas located above or below grade. Net developable areas mean the area of the site excluding any lands to be conveyed for public purposes such as public streets, valley lands, street widenings, parks, and schools.”

Official Plan Amendment Summary

The Development shown on Attachments 3 to 7 represents intensification to a stable Community Area in transition due to the location along Major Mackenzie Drive, a “Regional Transit Priority Network” by Schedule 10 – Major Transit Network of Vaughan Official Plan 2010. The 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 promotes densities for new housing which efficiently uses land and provides a different housing type to facilitate a higher density development that capitalizes on the future transportation infrastructure investments (Policy 2.4.1 of Provincial Planning Statement 2024). The Development provides a setback of 12 metres to the abutting low-rise community, containment within the 45-degree angular plane, and tiering of the building to ensure appropriate transition of the Development to the surrounding low-rise community in accordance with Policy 2.2.3.3 of Vaughan Official Plan 2010. On this basis, the Development and Parks Planning Department is of the opinion that the Development is consistent with the policies of the Provincial Planning Statement 2024, conforms to the York Region Official Plan 2022 and York Region Official Plan 2010, and is consistent with the transitional policies in a community Area of Vaughan Official Plan 2010. An amendment is required to Vaughan Official Plan 2010.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law which has been appealed by the Owner for the Subject Lands.

An application to amend Zoning By-law 1-88 is required. The Owner appealed Zoning By-law 001-2021 regarding the Subject Lands and therefore Zoning By-law 001-2021 is not in-force for the Subject Lands. The appeal to Zoning By-law 001-2021 will be addressed through the Comprehensive Zoning By-law Appeal process.

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

Zoning By-law 1-88:

- Zoned "A Agricultural Zone" by Zoning By-law 1-88.
- This Zone does not permit the Development.
- 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 12 (Table 1).

Zoning By-law Amendment Summary

The Development and Parks Planning Department can support the site-specific zoning exceptions identified in Table 1 (Attachment 12) on the basis that these standards would facilitate a Development that is consistent with the policies of the Provincial Planning Statement 2024, York Regio Official Plan 2010 and York Region Official Plan 2022, in terms of implementing site-specific development standards to support a compact built form and the transit investment.

Minor modifications may be made to the zoning exceptions identified in Table 1 (Attachment 12) prior to the enactment of the implementing Zoning By-law, as required, should the Applications be approved, to facilitate the Development as shown on Attachments 3 to 7.

The Development and Parks Planning Department supports the Development, subject to conditions.

The Development and Parks Planning Department is satisfied that the Owner undertook modifications to address staff concerns, such as:

- breaking up the volume of the 11-storey building by distributing the massing towards Major Mackenzie Drive
- providing more outdoor public spill out space from the at-grade commercial use to accommodate pedestrians
- providing an adequate size to accommodate more active and diverse programming for the Privately-Owned Publicly Accessible Space

The Development and Parks Planning Department recommends approval of the Development shown on Attachments 3 to 7, subject to conditions of approval in Attachment 13.

A Tree Protection Agreement shall not be required as the Owner can proceed to remove the four trees in proximity to the south property line through the Parks, Forestry and Horticulture Operations Department.

Design Review Panel

On June 30, 2022, the Applications were considered by the Design Review Panel. The minutes to the Design Review Panel can be found at [2022 Meetings Agenda – Meeting 102 – June 30, 2022.](#)

Privately-Owned Publicly Accessible Space Access Agreement and Easement

The Owner shall execute an Agreement with the City, which will acknowledge the City's acceptance of an interest in lands proposed as Privately-Owned Publicly Accessible Space at full credit towards satisfying the parkland dedication requirements for the Development, should the Development be deemed eligible for any parkland credits subject to Vaughan Council's approval. The agreement shall satisfy all criteria in accordance with Section 3(4) of the City's Parkland Dedication By-law 168-2022, and shall include, but not be limited to, the design and maintenance of the privately-owned open space, easement in favour of the City, signage, ownership and future condominium corporation responsibilities, replacement of damaged furnishings, securities, indemnities, and reserve fund requirements, all to the satisfaction of the City.

Prior to the registration of the Plan, the Owner shall provide an easement in favour of the City for the lands that form part of the Privately-Owned Publicly Accessible Space, in order to permit its use by the City for the general public in perpetuity for the purpose of permitting uninterrupted and unobstructed public pedestrian ingress, egress, access, use and enjoyment in on, across, over and upon the Privately-Owned Publicly Accessible Space. The easements shall also be registered on title and shall form part of the condominium declaration.

Warning clauses will be required respecting lighting and noise due to the nature of the privately-owned open space and no encroachments or dumping on the Privately-Owned Publicly Accessible Space lands.

The Privately-Owned Publicly Accessible Space agreement, access agreement requirements, and warning clauses are included as Conditions of Approval in Attachment 13.

Community Services and Facilities Impact Study

The Development and Parks Planning Department, Parks Division reviewed the submitted Community Services and Facilities Impact Study prepared by Humphries Planning Group Inc. and dated December 2020 and are satisfied with its contents and findings. However, the following additional information is required for the study:

- a comprehensive review of walking distances to existing parks and trails; taking into account any physical barriers (i.e., rail lines, highways, valley/open space corridors); and
- colour mapping illustrating locations of the above-noted information in the context of the Development site (i.e., walkshed map).

Archaeology

The Development and Parks Planning Department, Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as Conditions of Approval in Attachment 13.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs Department supports the Development, subject to conditions.

The Policy Planning and Special Programs Department has advised that there are no natural heritage features on the Subject Lands and therefore, has no further concerns respecting these Applications. However, all applications regardless of their location are required to abide by the *Endangered Species Act (2007)* regulated by the Ministry of the Environment, Conservation and Parks. The Owner is required to complete an information request form and submit it to the Ministry of the Environment, Conservation and Parks for confirmation of any potential Species at Risk on the Subject Lands. A condition to this effect is included in Attachment 13.

The Development achieves a Bronze Sustainability Threshold Score.

The Development achieves an overall Sustainability Performance Metrics application score of 57 (bronze level). This score meets the minimum threshold requirements.

The Development Engineering Department supports the Development, subject to conditions in this report.

The Development Engineering Department has provided the following comments:

Water Servicing

The Subject Lands are situated within Pressure District Six of the York Water Supply System. There is one watermain on Sibella Way connected to the Pressure District Six system. The Subject Lands have a domestic water and fire service from Sibella Way available to service the Development. The Development is proposed to be serviced through a relocated domestic and fire watermain connection to a city watermain on Sibella Way to facilitate easier access to the maintenance room. The proposed service connection is sufficient to provide adequate pressures and flows to service the Subject Lands. The Development Engineering Department requires the Owner to address any comments and conditions in Attachment 13 to support a complete approval of the proposed water servicing strategy.

Sanitary Servicing

The Subject Lands come pre-serviced with a sanitary service connection available on Sibella Way that will have to be removed to accommodate the proposed site plan connections. The Development will be serviced by a new sanitary service connection from Fossil Hill Road for the entire Development. The Fossil Hill Road sanitary sewer system has sufficient capacity to accommodate the expected flows from the Subject Lands and no external sewer improvements downstream are required. The Development Engineering Department requires the Owner to address any comments and conditions in Attachment 13 to support a complete approval of the proposed sanitary servicing strategy.

Storm Servicing

On-site storm drains and catch basins have been designed to capture the 100-year storm which will outlet to an underground stormwater tank for quantity control. Flows from the Subject Lands will be controlled to the allowable release rate and discharged to the City's 750 millimetres storm sewer on Sibella Way via an existing service connection. The Development Engineering Department requires the Owner to address any comments and conditions in Attachment 13 to support a complete approval of the proposed stormwater management strategy.

Noise Assessment

The Owner has submitted the Noise Impact Study and Construction Noise and Vibration Zone of Influence Study prepared by WSP Canada Inc., dated Dec. 1, 2023. The report concludes that the sound levels due to road traffic will exceed the Ministry of the Environment, Conservation and Parks limits. Based on the predicted sound levels, implementation of indoor noise control measures will be required. Offers of purchase and sale/tenancy agreements for all dwelling units requiring noise control must include a warning clause indicating the existence of possible excess noise and the measures provided to deal with that excess.

Environmental Engineering

The Owner has provided a Site Screening Questionnaire and Phase One Environmental Site Assessment report which were reviewed by the Development Engineering

Department. A reliance letter and Certificate of Insurance were submitted and are also satisfactory. Environmental Engineering has no objections to the Application.

Road Network

The Subject Lands are located along Major Mackenzie Drive, a Regional arterial road, which provides a six-lane cross-section with the most outer lanes provided as high occupancy vehicle lanes. The Subject Lands are also located on the west side of Fossil Hill Road, which is a Minor Collector Road operating north and south of the Subject Lands to Rutherford Road and north of Major Mackenzie Drive as Lawford Road. The Development is to access Sibella Way, an east-west Local Road which intersects with Fossil Hill Road and ultimately provides access to the greater network, at two unsignalized full-moves accesses.

A Transportation Mobility Study dated Dec. 18, 2020 was prepared by WSP Canada Inc., and revised with the Jan. 21, 2025 Addendum Letter. Overall, the Development Engineering Department anticipates that the Development will introduce an acceptable transportation impact onto the surrounding networks.

Further, WSP agreed with Transportation and Fleet Management Services that parking prohibition signage should be implemented on the north side of Sibella Way along the site frontage as the road width along Sibella Way is approximately 7.2 metres wide, which is not enough for two-way traffic (6 metres) and on-street parking (minimum width two metres).

Parking

Parking for the Development is largely below-grade via two levels of underground parking. Four parking spaces are proposed at-grade. Overall, the proposed parking supply meets or exceeds the recommended minimum of Zoning By-law 001-2021.

Retaining Wall

The proposed retaining walls adjacent to Fossil Hill Road exceeds one metre in height in some areas. To maintain this height, the Owner must ensure that any retaining wall taller than one metre is set back from the lot line by a distance equal to its height. If that is not possible, an exception to the zoning amendment will be required. Additionally, guardrails must be provided for any retaining wall exceeding 0.6 metres in height.

Sibella Way

Any hoarding from the municipal right-of-way, including the sidewalk must be removed. As Sibella Way does not have a sidewalk on the south side, closing the existing sidewalk would disrupt pedestrian access, particularly for residents relying on this route to connect to Major Mackenzie Drive. Explore alternatives, such as storing construction materials within the Subject Lands, to avoid obstructing public access.

Encroachment Agreement

The Development Engineering Department will require an Encroachment Agreement for the shoring and tiebacks that the Owner will require during the construction of the Development.

The Development Engineering Department has no objections to the Applications subject to the recommendation in the report, and conditions in Attachment 13.

Servicing Allocation is available for the Development.

Vaughan Council on March 25, 2025, endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. Accordingly, servicing capacity to Site Plan Development File DA.21.001 is available and unrestricted. Therefore, a resolution allocating capacity to the Subject Lands is included in the Recommendations of this report.

Cash-in-Lieu of the dedication of parkland and/or privately-owned open space are required.

The Owner shall convey land at the rate of one hectare per 300 units and/or pay to the City of Vaughan, cash-in-lieu of the dedication of parkland at the rate of one hectare per 500 units, or at a fixed unit rate for the residential component and cash-in-lieu of the dedication of parkland equivalent to two percent of the value of the Subject Lands for the commercial component prior to issuance of a building permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu of Parkland Dedication policy. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Owner is proposing a privately-owned open space. Should the privately-owned open space not be provided, the Owner will not be eligible for a parkland credit and to meet dedication requirements under the *Planning Act*, the Vaughan Official Plan 2010 and current Parkland Dedication By-Law and amendments, payment-in-lieu of parkland will be applicable at the time of building permit. Conditions to this effect are included in the Conditions of Approval in Attachment 13.

A Woodlot Development Charge will be required for the Development.

The Owner shall pay to the City, a woodlot development charge per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement prior to the issuance of building permit. A condition to this effect is included in Attachment 13.

City Departments have no objection to the Development.

Real Estate, Financial Planning and Development Finance, Infrastructure Planning and Corporate Asset Management, By-Law and Compliance, Licensing and Permit Services, Environmental Services, Waste Management Division, Emergency Planning and Fire Services Departments have no objection to the Development subject to the Owner addressing their requirements at the Site Development Application approval stage and/or building permit stage.

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

Canada Post, Nav Canada, Toronto and Region Conservation Authority, Hydro One, Alectra Utilities, Enbridge Gas Inc. and Bell Canada, have no objection to the Development subject to the Owner coordinating servicing connections, easements and locates prior to the commencement of any site works as provided for in the Conditions of Approval in Attachment 13.

The School Boards have no objection to the Development.

The York Region District School Board and York Catholic District School Board have no objection to the Development. No comments were received from the Conseil Scolaire de District Catholique Centre-Sud.

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. The Owner is required to satisfy all York Region requirements, subject to their condition in Attachment 13.

Conclusion

The Development and Parks Planning Department is satisfied the Applications are consistent with Provincial Planning Statement 2024, conform to the York Region Official Plan 2010 and York Region Official Plan 2022, and are consistent with the transitional policies in a community Area of Vaughan Official Plan 2010. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development and Parks Planning Department can recommend approval of the Applications, subject to the Recommendations in this report and Conditions of Approval in Attachment 13.

For more information, please contact: Judy Jeffers, Planner, Development and Parks 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 Landscape Plan
5. Proposed Building Elevations - North and East - 11-Storey Building
6. Proposed Building Elevations - South and West - 11-Storey Building
7. Proposed Building Elevations - Five-Storey Building
8. Proposed Zoning and Site Plan, Original Proposal Sept. 14, 2021 Public Meeting
9. Proposed Landscape Plan, Original Proposal Sept. 14, 2021 Public Meeting
10. Proposed Zoning and Site Plan, Nov. 6, 2024 Public Meeting
11. Proposed Landscape Plan, Nov. 6, 2024 Public Meeting
12. Proposed Site-Specific Exceptions to Zoning By-law 1-88 - Table 1
13. Conditions of Approval - Site Development File DA.21.001

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