

Item:



## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, January 22, 2019

**WARD:** 4

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.017  
ZONING BY-LAW AMENDMENT FILE Z.18.029  
YORK MAJOR HOLDINGS INC.  
VICINITY OF EAGLE ROCK WAY AND TROON AVENUE**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-law Amendment Files OP.18.017 and Z.18.029 for the subject lands to amend Vaughan Official Plan 2010 to redesignate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” and to amend Zoning By-law 1-88 to rezone the Subject Lands RA3(H) “Residential Apartment Zone with the Holding Symbol “(H)” to RA3 Residential Apartment Zone in the manner shown on Attachment 3 to permit a 16-storey mixed-use residential apartment building, as shown on Attachments 3 to 5.

### **Report Highlights**

- To receive input from the Committee of the Whole on Official Plan and Zoning By-law Amendment applications to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 for the subject lands to permit the development of a 16-storey mixed-use residential apartment building with 107 residential units and 478 m<sup>2</sup> of ground floor retail and office uses.
- A technical report prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Files OP.18.017 and Z.18.029 (York Major Holdings Inc.) BE RECEIVED; and, that any issues identified be addressed by the Vaughan Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

The subject lands ('Subject Lands') shown on Attachments 1 and 2 are located on the north side of Eagle Rock Way, west of Troon Avenue and are known municipally as 120 Eagle Rock Way. The surrounding land uses are shown on Attachment 2.

The Subject Lands are currently vacant. However, Vaughan Council on June 19, 2018, approved Site Development File DA.17.086 (Phase 2 - shown on Attachment 2), to permit the construction of the underground garage for Phase 3 (Subject Lands). Three levels of the underground garage connect Phases 2 and 3.

### ***Official Plan 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 shown on Attachments 1 and 2 to permit a 16-storey mixed-use residential apartment building ('Development'), as shown on Attachments 3 to 5.

1. Official Plan Amendment File OP.18.017 to amend Vaughan Official Plan 2010 to redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use" and to increase the maximum permitted building height from 6-storeys to 16-storeys, in the manner shown on Attachments 3 and 4.
2. Zoning By-law Amendment File Z.18.029 to amend Zoning By-law 1-88 to rezone the Subject Lands from RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" to RA3 Apartment Residential Zone, in the manner shown on Attachment 3, together with site-specific zoning exceptions identified in Table 1 of this report.

### ***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol, and included an expanded notification area***

- a) Date the Notice of Public Hearing was circulated: December 14, 2018.

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice of Sign was installed along the Eagle Rock Way and Salterton Circle frontage, in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: circulated to all property owners within an extended notification area beyond 150 m, as shown on Attachment 3, and the Upper Thornhill & Area Ratepayers Association.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report to be considered at a future Committee of the Whole meeting.

### **Previous Reports/Authority**

[Phase 2 York Major Holdings File DA.17.086 Committee of the Whole Report Maple GO Station Secondary Plan \(OPA #1\)](#)

### **Analysis and Options**

#### ***An Amendment to Vaughan Official Plan 2010 is required to permit the Development***

The Subject Lands are designated “Mid-Rise Mixed-Use” by Vaughan Official Plan 2010 (‘VOP 2010’), specifically Volume 2, Section 11.6 Maple Go Station Secondary Plan (‘MGSSP’).

The MGSSP permits a maximum building height of 6-storeys on the Subject Lands, and an overall total maximum gross floor area (‘GFA’) of 122,398.5 m<sup>2</sup> dedicated to residential uses and 2,601.5 m<sup>2</sup> GFA dedicated to retail and office uses. The Development (Phase 3) consists of 10,718.1 m<sup>2</sup> of residential GFA and 478 m<sup>2</sup> of retail/office GFA. When combined with other approved development in the MGSSP area, the total residential and retail/office GFA is 102,898.3 m<sup>2</sup> and 1806 m<sup>2</sup> respectively, which conforms to the Official Plan.

An Official Plan Amendment is required to redesignate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” and to increase the maximum permitted building height from 6 storeys to 16-storeys.

#### ***An Amendment to Zoning By-law 1-88 is required to permit the Development***

The Subject Lands are zoned “RA3(H) Apartment Residential Zone” with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific Exception 9(1407). A Zoning By-law Amendment is required to rezone the Subject Lands to RA3 Apartment Residential Zone with site-specific exceptions. The conditions in Zoning By-law 1-88 to remove the Holding Symbol “(H)” from the Subject Lands include Vaughan Council approving of a Site Development application and allocating water supply and sewage

servicing capacity for the Subject Lands. The proposed apartment building is a permitted use in the RA3 Zone however, the following site-specific exceptions to Zoning By-law 1-88 are required to implement the Development:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RA3(H) Apartment Residential Zone with the Holdings Symbol “(H)” Requirements, Exception 9(1407)</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone Requirements, Exception 9(1407)</b>
a.	Minimum Landscape Strip	3 m	<ul style="list-style-type: none"> <li>• 1 m (Eagle Rock Way)</li> <li>• 0 m (stairs)</li> <li>• To permit bicycle racks and a transformer to be located within the landscape strip (Salterton Circle)</li> </ul>
b.	Minimum Front Yard Setback	3 m	1 m (Eagle Rock Way)
c.	Minimum Interior Yard Setback	3 m	0 m (West side abutting Metrolinx Parking Lot) with a canopy encroachment into the parking lot lands
d.	Maximum Building Height	44 m	56 m (16-storeys)

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report at a future Committee of the Whole meeting.

**Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail**

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Consistency and Conformity with Provincial Policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of all applicable statutory policies of the <i>Provincial Policy Statement</i> (2014) (“PPS”), the <i>Growth Plan for the Greater Golden Horseshoe</i> (2017) (“Growth Plan”), the York Region and VOP 2010 Official Plan policies.</li> <li>▪ The Applications will be reviewed in consideration of the VOP 2010 policies, particularly Sections 2.2.3, 2.2.1.1, 9.2.2.6, 9.2.3.6 regarding Community Areas and development criteria for High-Rise Buildings.</li> </ul>
b.	Appropriateness of the Proposed Site-Specific Official Plan and Zoning By-law Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed amendment to the Official Plan and Zoning By-law 1-88 to permit the Development will be reviewed in consideration of, but not limited to, the existing and planned surrounding land uses, transition to the existing Maple GO Station, the existing townhouses and the approved mid-rise mixed-use building development to the east, sun/shadow impacts, built form compatibility, building setbacks and traffic impact.</li> <li>▪ The appropriateness of removing the Holding Symbol “(H)” from the Subject Lands and the proposed site-specific zoning exceptions will be reviewed in consideration satisfying the current conditions for removal of the Holding Symbol “(H)” and of the existing and planned surrounding land uses.</li> </ul>
c.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City or respective approval authority: <ul style="list-style-type: none"> <li>- Functional Servicing Report</li> <li>- Noise and Vibration Feasibility Study</li> </ul> </li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>- Oak Ridges Moraine Conformity Report</li> <li>- Planning Justification Report</li> <li>- Pedestrian Level Wind Study</li> <li>- Sun Shadow Study</li> <li>- Transportation Mobility Plan</li> <li>- Urban Design and Sustainability Brief</li> <li>- Cultural Heritage Impact Assessment</li> </ul> <ul style="list-style-type: none"> <li>▪ Additional studies and/or reports may be required as part of the development application review process.</li> </ul>
d.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ In accordance with the City of Vaughan Sustainability Metrics Program, Site Development Applications outside of the Vaughan Metropolitan Centre must achieve a Bronze Threshold Overall Application Score.</li> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the future Site Development Application process, if the Applications are approved.</li> </ul>
e.	Toronto and Region Conservation Authority (TRCA)	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located in a Source Water Protection vulnerable area referred to as Wellhead Protection Area-Q2 (WHPA-Q2) and must be reviewed and approved to the satisfaction of the City and TRCA.</li> </ul>
f.	Section 37 Bonusing Provisions	<ul style="list-style-type: none"> <li>▪ The Development exceeds the maximum building height permitted by the MGSSP. The Applications will be reviewed in consideration of the provisions of Section 37 of the <i>Planning Act</i>, which permits Council to pass a by-law to authorize increases in density and building height of a development otherwise permitted by the by-law that will be permitted in return for the</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		provision of such facilities (i.e community benefits), as set out in the by-law; and, the “City of Vaughan Guidelines for the Implementation of Section 37 of the <i>Planning Act</i> ”.
g.	Allocation and Servicing	<ul style="list-style-type: none"> <li>▪ 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 capacity is unavailable, the entirety of Subject Lands will remain zoned with a Holding Symbol “(H)”, which will be removed once Vaughan Council has identified and allocated servicing capacity to the Subject Lands.</li> </ul>
h.	Related Site Development File DA.18.069	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Site Development File DA.18.069 which will be reviewed in consideration of, but not limited to: <ul style="list-style-type: none"> <li>- The appropriate building and site design, built form, scale and massing, building setbacks and bird friendly design</li> <li>- Pedestrian and barrier free accessibility, vehicular access, internal traffic and emergency and service vehicle circulation and parking</li> <li>- Landscaping and waste management</li> <li>- Appropriate stormwater management and servicing and grading</li> <li>- The relationship of the proposed Development with the immediate neighbourhood and site</li> <li>- The encroachment of a canopy and the door swing onto the Metrolinx parking lot lands. An Encroachment Agreement between the Owner and Metrolinx will be required</li> <li>- The Subject Lands form part of Block 35 on Registered Plan 65M-4477 which also contains Phase 2. A reference plan is required prior to the registration of the site plan agreement to define the Subject Lands</li> </ul> </li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<ul style="list-style-type: none"> <li>All issues identified through the review of the Site Development Application must be addressed to the satisfaction of the City.</li> </ul>
i.	Draft Plan of Condominium	<ul style="list-style-type: none"> <li>Should the Owner wish to proceed by way of Condominium, a Draft Plan of Condominium (Standard) Application is required to create the Condominium tenure, if the Applications are approved.</li> </ul>
j.	Vaughan Design Review Panel	<ul style="list-style-type: none"> <li>A preliminary design concept was considered by the Vaughan Design Review Panel ('DRP') on November 30, 2017 and March 6, 2018. The Development shown on Attachments 3 - 5 responds to comments from the DRP. The Owner must satisfactorily address all comments from the DRP.</li> </ul>
k.	GO Transit and Metrolinx	<ul style="list-style-type: none"> <li>The Subject Lands abut the Maple GO Station and parking lot. The Applications have been circulated to GO Transit and Metrolinx for review and comment. Any issues identified by GO Transit and Metrolinx will be addressed when the Technical Report is considered.</li> </ul>

### **Financial Impact**

Not Applicable

### **Broader Regional Impacts/Considerations**

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered.

York Region, on November 29, 2018, issued an exemption from Regional Approval, which allows the Official Plan Amendment application to be exempted from Regional Council approval. York Region has determined that the proposed amendment is a matter of local significance, and does not adversely affect Regional Planning policies or interests. This allows the amendment to come into full force and effect, following its



adoption by Vaughan Council and the expiration of the required appeal period, should the Applications be approved.

## **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications, together with comments from the public and Council expressed at the Public Hearing or in writing, will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Margaret Holyday, Planner, Development Planning Department, ext. 8216

## **Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning, Zoning and Site Plan
4. Building Elevations
5. Landscape Plan

## **Prepared by**

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