

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, January 19, 2021

**WARD(S):** 5

**TITLE: 7080 YONGE LIMITED**

**OFFICIAL PLAN AMENDMENT FILE OP.20.011**

**ZONING BY-LAW AMENDMENT FILE Z.20.026**

**7080 YONGE STREET**

**VICINITY OF YONGE STREET AND CRESTWOOD ROAD**

**FROM:**

Nick Spensieri, Deputy City Manager, Infrastructure Development

**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.20.011 and Z.20.026 for the subject lands shown on Attachment 1. The Owner seeks approval to permit the development shown on Attachments 2 to 5 consisting of 20 and 40-storey mixed-use apartment buildings with a 2-storey podium, 652 residential units, 6 live/work units and 7 townhouse units, 1,794.8 m<sup>2</sup> of ground floor and upper level commercial area, and a Floor Space Index of 13.5 times the area of the lot.

### **Report Highlights**

- To receive input from the public and Committee of the Whole on applications to amend the Official Plan and Zoning By-law 1-88 to permit a mixed-use development comprised of 2 buildings having a total of 652 residential units, 6 live/work units, 7 townhouse units, and ground floor and upper level commercial uses served by four levels of underground parking
- 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 Meeting report for Official Plan Amendment and Zoning By-law Amendment Files OP.20.011 and Z.20.026 (7080 Yonge Limited) 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**

The subject lands (the “Subject Lands”) as shown on Attachment 1, are municipally known as 7080 Yonge Street and located on the west side of Yonge Street, south of Crestwood Road. The Subject lands are currently being used as a surface parking lot for the existing Acura car dealership located south of the Subject Lands.

Date applications deemed complete: November 4, 2020

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

7080 Yonge Limited (the ‘Owner’) has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachment 1 to permit the development (the ‘Development’) for 20 and 40-storey mixed-use apartment buildings as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.20.011 to amend the in-effect Official Plan 210 (‘Thornhill Vaughan Community Plan’) to redesignate the Subject Lands from “General Commercial Area” to “Mixed Commercial/Residential Area” with a maximum Floor Space Index (‘FSI’) of 13.5 times the area of the lot and a maximum building height of 40-storeys.
2. Zoning By-law Amendment File Z.20.026 to rezone the Subject Lands from “C1 Restricted Commercial Zone” subject to site-specific Exception 9(802) to “RA3 Apartment Residential Zone” in the manner shown on Attachment 2, and to permit the 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 to an extended notification area***

- a) Date the Notice of Public Meeting was circulated: December 23, 2020.

The Notice of Public Meeting was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City Notice Signs Procedures and Protocols.

- b) Circulation Area: An extended polling area of 500 m radius from the Subject Lands, to the Springfarm Ratepayers Association, the City of Markham, the City of Toronto and to anyone on file with the Office of the City Clerk having requested notice.
- c) Comments Received: The Development Planning Department received written comments (as of December 8, 2020) from S. Turbkin, email dated November 23, 2020. The following is a summary of the comments provided organized by theme:

## **Density and Height**

- the proposed building heights are too tall and the development is too concentrated

## **Urban Design/Streetscape/Open Space**

- people require open space areas with trees, grass and flowers. This site has minimal ground floor green space compared to the Yonge/ Steeles area. The development does not propose any parkland

## **Extension of Royal Palm Drive/Existing Roads**

- a larger landscape buffer along the Royal Palm Drive extension and enhanced landscaping around the development should be provided
- Crestwood Road should be closed at Powell Road to reduce traffic volumes. The closed portion of Crestwood Road could be used for open space

## **Comprehensive Development**

- coordination between this development and other proposed developments in the Yonge/Steeles area is required to enhance the character of the intensification proposed for the area

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. All written comments received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

## **Previous Reports/Authority**

Not applicable.

## **Analysis and Options**

### ***Amendments to in-effect Official Plan Amendment 210 (Thornhill Vaughan Community Plan) are required to permit the Development***

The Subject Lands are designated “General Commercial Area” by the in-effect Official Plan Amendment 210 (Thornhill Vaughan Community Plan). The “General Commercial Area” designation permits the existing commercial uses to continue and a car dealership with surface parking. The proposed Development for 20 to 40-storeys mixed-use apartment buildings with a density of 13.5 FSI does not conform to the “General Commercial Area” policies of the OPA 210.

The Owner proposes to amend the in-effect OPA 210 to redesignate the Subject Lands to “Mixed Commercial/Residential Area” to permit residential uses, live/work units,

business and professional offices, commercial uses with a maximum building height of 40-storeys and an FSI of 13.5 times the area of the lot as shown on Attachments 2 to 5.

***The Yonge Steeles Corridor Secondary Plan (Volume 2, Vaughan Official Plan 2010) has been appealed to the Local Planning Appeal Tribunal and the Applications would not conform to the Plan***

The Subject Lands are designated “High-Rise Mixed-Use” by the Vaughan Official Plan 2010 (‘VOP 2010’), Volume 2, Yonge Steeles Corridor Secondary Plan (‘YSCSP’).

The “High-Rise Mixed-Use” designation permits residential, retail, community and office uses with a maximum FSI of 6.0 times the area of the lot and a maximum building height of 30-storeys. The Subject Lands are located in a “Mandatory Retail Frontage” area, as identified on Schedule 3 of the YSCSP. Buildings along this portion of Yonge Street are required to provide a minimum of 60% of each building frontage for retail purposes, include ground floor building heights of approximately 5 metres, and building setbacks of 3 m.

The Development exceeds a density of 4.3 FSI and includes strata parking under the proposed extension of Royal Palm Drive, therefore, the Subject Lands are subject to Special Provision Policy 8.9 of the YSCSP. Policy 8.9 requires any development in excess of a 4.3 FSI to provide a minimum non-residential floor space equivalent to 0.3 FSI, and if strata parking is requested the development must include a mixed-use building containing non-residential uses to be served by the strata parking and achieve a signalized intersection and public roadway at this location. Strata parking must be supported by a development plan and technical studies to justify the need for strata parking. The Development includes a signalized at the intersection of the proposed extension of Royal Palm Drive and Yonge Street. The proposed strata parking would serve both residential and non-residential uses. The Development includes a non-residential FSI of 0.49.

Vaughan Council on September 7, 2010 adopted the YSCSP. York Region Council on January 21, 2016 adopted the YSCSP with modifications. A number of landowners appealed the YSCSP to the then Ontario Municipal Board (‘OMB’), now the Local Planning Appeal Tribunal (‘LPAT’) including the Owner as it pertains to the Subject Lands. The YSCSP is not yet in-effect for the Subject Lands.

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

The Subject Lands are zoned “C1 Restricted Commercial Zone”, subject to site-specific Exception 9(802) by Zoning By-law 1-88. The C1 Zone does not permit the Development. The Owner proposes to amend Zoning By-law 1-88 to rezone the Subject Lands to “RA3 Residential Apartment Zone” together with the following site-specific zoning exceptions to permit the Development shown on Attachments 2 to 5:

Table 1

	<b>Zoning By-law 1-88 Standards</b>	<b>RA3 Apartment Residential Zone Requirements</b>	<b>Proposed Exceptions to the RA3 Apartment Residential Zone</b>
a.	Permitted Uses	<ul style="list-style-type: none"> <li>- Apartment Dwelling</li> <li>- Day Nursery</li> </ul>	<p>Permit the following additional uses within the first, second, and third floors of Building A, and within the Live/Work units in Building B:</p> <ul style="list-style-type: none"> <li>- Live-Work Units (Building B only)</li> <li>- Bank or Financial Institution</li> <li>- Brewers Retail Outlet</li> <li>- Business or Profession Office</li> <li>- Club or Health Centre</li> <li>- Eating Establishment</li> <li>- Eating Establishment, Convenience</li> <li>- Eating Establishment, Take-Out</li> <li>- L.C.B.O Outlet</li> <li>- Personal Service Shop</li> <li>- Pet Grooming Establishment</li> <li>- Pharmacy</li> <li>- Photography Studio</li> <li>- Place of Entertainment</li> <li>- Retail Store</li> <li>- Service or Repair Shop</li> <li>- Dry Cleaners only</li> <li>- Supermarket</li> <li>- Veterinary Clinic</li> </ul>
b.	Definition of Amenity Area	Amenity Area - Means space outside a dwelling unit within or outside the building designed for the passive enjoyment or active recreational needs of the residents	Amenity Area - Means an indoor or outdoor communal space designed and maintained for active recreational uses or passive recreational uses for residents of a dwelling unit or building with residential uses and shall include a breezeway. Amenity

			area shall not include a balcony
c.	Definition of Live-Work Unit	A Live-Work Unit <u>is</u> not defined in Zoning By-law 1-88	Live-Work Unit - Means a dwelling containing a business operated by at least one resident of the associated dwelling unit
d.	Definition of Floor Space Index	Floor Space Index is not defined in Zoning By-law 1-88	Floor Space Index - Means the quotient obtained by dividing the total gross floor area of all buildings on the lot, excluding any storeys below grade, by the lot area
e.	Definition of Lot Area	Lot Area - Means the horizontal area within the boundary lines of a lot	Lot Area - Means a contiguous area of land both below and above grade which contains frontage on at least one public roadway. The lot area shall be the entirety of the lands shown Subject Lands shown on Attachment 1.
f.	Minimum Size of a Parking Space	2.7 X 6 m	2.6 X 5.7 m
g.	Minimum Parking Requirements	<p style="text-align: center;"><u>Residential</u> 1.5 spaces/unit x 652 units = 978 spaces</p> <p style="text-align: center;"><u>Visitor</u> 0.25 spaces/units x 652 units = 163 spaces</p> <p style="text-align: center;"><u>Commercial</u> 1,794.8 m<sup>2</sup> GFA @ 6 spaces/100 m<sup>2</sup> = 108 spaces</p> <p style="text-align: center;">Total required parking = 1,249 spaces</p>	<p style="text-align: center;"><u>Residential</u> 0.53 spaces/unit x 652 units = 346 spaces</p> <p style="text-align: center;"><u>Visitor</u> 0.15 spaces/unit x 652 units = 98 spaces</p> <p style="text-align: center;"><u>Commercial</u> 1,794.8 m<sup>2</sup> GFA @ 0 spaces/100 m<sup>2</sup> = 0 spaces Commercial parking spaces to be shared with the 98 visitor parking spaces</p> <p style="text-align: center;">Total proposed parking = 444 spaces</p>

h.	Minimum Front Yard (Yonge Street)	7.5 m	0.75 m
i.	Minimum Interior Side Yard (North)	7.5 m or half the height, whichever is greater	0 m
j.	Minimum Exterior Side Yard (future Royal Palm Drive)	7.5 m	1.0 m
k.	Minimum Rear Yard (West)	7.5 m	1.55 m
l.	Minimum Front Yard Setback to the Nearest Part of the Building Below Finished Grade (Underground Garage)	1.8 m	0.9 m and for an underground parking structure which encroaches under a public right-of-way the minimum setback shall be 0.9 m from the centerline of the right-of-way
m.	Minimum Amenity Area	<p>38 Bachelor Units x 15m<sup>2</sup>/unit = 570 m<sup>2</sup></p> <p>335 One Bedroom Units x 20m<sup>2</sup>/unit = 6,700 m<sup>2</sup></p> <p>177 Two Bedroom Units x 55 m<sup>2</sup> unit = 9,735 m<sup>2</sup></p> <p>89 Three Bedroom Units x 90 m<sup>2</sup>/unit = 8,010 m<sup>2</sup></p> <p>7 Townhouse Units = no amenity requirements</p> <p>6 Live-Work Units = no current requirement</p> <p>Total required amenity area = 25,015 m<sup>2</sup></p>	Total proposed amenity area: 4.9 m <sup>2</sup> /unit x 652 units = 3,194.8 m <sup>2</sup>
n.	Minimum Landscape Strip Width Abutting a Street Line	6 m	2 m (Royal Palm Drive and Yonge Street)

o.	Maximum Building Height	44 m	Building 'A' - 130 m (40-storeys)  Building 'B' - 72 m (20-storeys)
p.	Minimum Lot Area Per Unit	67 m <sup>2</sup> /unit	7.7 m <sup>2</sup> /unit

Other 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***

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Consistency and Conformity with Provincial Policies and York Region Official Plan	<ul style="list-style-type: none"> <li>▪ The Application will be reviewed in consideration of the statutory Provincial policies including the Provincial Policy Statement 2020 (the “PPS”), A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (the “Growth Plan”) as amended, the Building Transit Faster Act and the policies of the York Region Official Plan (“YROP”)</li> </ul>
b.	City of Vaughan Official Plans	<ul style="list-style-type: none"> <li>▪ The appropriateness of redesignating the Subject Lands to “Mixed Commercial/Residential Area” will be reviewed in consideration of the policies of the in-effect OPA 210 and VOP 2010</li> <li>▪ The Applications will be reviewed in consideration of the Vaughan Council and York Region adopted YSCSP policies, including but not limited to, the following: <ul style="list-style-type: none"> <li>- the appropriateness of increasing the maximum permitted FSI from 6.0 to 13.5 times the area of the lot and the maximum permitted building height from 30 to 40-storeys and redesignating the Subject</li> </ul> </li> </ul>



		<p>Lands to a land use designation in OPA 210 instead of a YSCSP designation</p> <ul style="list-style-type: none"> <li>- the affordable house polices of the Official Plan</li> <li>- the policy to provide retail uses along Yonge Street</li> <li>- the policy requiring development in excess of a 4.3 F.S.I. to provide a minimum non-residential floor space equivalent to 0.3 F.S.I.</li> <li>- the site-specific policy requiring a mixed-use building to include non-residential uses, a signalized intersection and a public roadway (i.e. Royal Palm Drive) if strata parking is included in a development proposal</li> <li>- appropriateness of providing the proposed commercial uses within the Live-Work units in Building B</li> <li>- constraints with the construction of and connections to the future Yonge subway extension that may affect the site design</li> <li>- coordination between all YSCSP landowners and other development applications</li> </ul>
c.	Appropriateness of Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed rezoning of the Subject Lands and the site-specific amendments to Zoning By-law 1-88 required to permit the Development will be reviewed in consideration of the existing and planned surrounding land uses and the City's new draft comprehensive zoning by-law</li> </ul>
d.	Appropriateness of Proposed Commercial and Residential Units on the same Floor	<ul style="list-style-type: none"> <li>▪ The appropriateness of having residential units and commercial units located on the same floor will be reviewed.</li> </ul>
e.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the Applications: <ul style="list-style-type: none"> <li>- Planning Justification Report</li> <li>- Urban Design Brief</li> <li>- Tertiary Concept Plan</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>- Landscape Master Plan</li> <li>- Pedestrian Wind Level Study</li> <li>- Sustainability Performance Metrix and Summary</li> <li>- Tree Inventory and Preservation Plan Report</li> <li>- Community Services and Facilities Report</li> <li>- Parkland Dedication Calculation</li> <li>- Functional Servicing Report</li> <li>- Geotechnical Report</li> <li>- Hydrological Report</li> <li>- Noise and Vibration Study</li> <li>- Phase 1 and 2 ESA</li> <li>- Transportations Considerations Report</li> <li>- Water Balance Assessment</li> <li>- Waste Collection Design Standards Submission Requirements</li> </ul> <ul style="list-style-type: none"> <li>▪ These studies and reports are available on the City's website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer)</li> <li>▪ Additional studies and/or reports may be required as part of the Application review process</li> </ul>
f.	Design Review Panel	<ul style="list-style-type: none"> <li>▪ The Development will be reviewed by the City of Vaughan Design Review Panel ('DRP')</li> </ul>
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> <li>▪ The Owner will be required to address the comments from the external public agencies/municipalities and the Public, Separate and French School Boards</li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ In accordance with the City of Vaughan Sustainability Metrics Program the Development must achieve a Bronze Threshold Overall Application Score</li> <li>▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in</li> </ul>

		Environmental Design, permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the Site Plan review process, if the Applications are approved
i.	Comprehensive Development	<ul style="list-style-type: none"> <li>▪ The YSCSP encourages comprehensive assembly within the development blocks of the Secondary Plan. Development shall proceed in an orderly manner including required infrastructure, parks and streets</li> <li>▪ Landowners within the YSCSP are encouraged to propose development on a comprehensive basis including a phasing strategy to provide for the equitable sharing of the costs of public infrastructure among benefitting landowners</li> </ul>
j.	Yonge Subway Extension Metrolinx/Toronto Transit Commission/Other Public Agencies	<ul style="list-style-type: none"> <li>▪ The planned Yonge Subway Extension ('YSE') is a cross-jurisdiction project with the City of Toronto, City of Vaughan, City of Markham, and City of Richmond Hill, York Region and the York Region Rapid Transit Corporation. The YSE includes a subway station located at Yonge Street and Steeles Avenue West</li> <li>▪ The Development will be reviewed in consideration of any land and easement (e.g. permanent, access and construction) requirements of the YSE project</li> <li>▪ The Owner will be required to address the comments from the external public agencies/municipalities, and the Public, Separate and French School Boards</li> </ul>
k.	Proposed Road Network and Road Widenings	<ul style="list-style-type: none"> <li>▪ The YSCSP establishes a road network for the Secondary Plan area and identifies a planned eastward extension of Royal Palm Drive south of the Subject Lands</li> </ul>

		<ul style="list-style-type: none"> <li>▪ The proposed Development will be reviewed by the Development Engineering Department in consideration of the YSCSP policies</li> </ul>
i.	Parks and Publicly Accessible Open Space	<ul style="list-style-type: none"> <li>▪ The YSCSP delineates Parks and Publicly Accessible Open Space throughout the Secondary Plan area. The YSCSP identifies a Publicly Accessible Open Space area west of the Subject Lands</li> <li>▪ The requirements and details of the Publicly Accessible Open Space will be reviewed by the Parks Planning Department</li> </ul>
m.	Site Development and Draft Plan of Condominium Application(s)	<ul style="list-style-type: none"> <li>▪ Site Development and Draft Plan of Condominium Application(s) will be required, if the Applications are approved, to permit the Development and to establish the ownership tenure(s) of the Development</li> </ul>
n.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Owner shall convey land at the rate of 1 ha per 300/units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City's Cash-in-Lieu policies, if the Applications are approved</li> </ul>
o.	Bonusing (Section 37 of the <i>Planning Act</i> )	<ul style="list-style-type: none"> <li>▪ The Applications will be subject to and reviewed in consideration of the City's bonusing for increases in building height and density (Section 37 of the <i>Planning Act</i>) policies of VOP 2010, and the City's Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits</li> </ul>
p.	Affordable Housing	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure the Development includes an appropriate level, range and mix of unit sizes,</li> </ul>

		types, and anticipated unit prices to meet the City's affordable housing policies in VOP 2010 and the YSCSP
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### **Financial Impact**

There are no funding requirements associated with this report.

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

The Application have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has requested exemption of the Regional Approval for Official Plan Amendment File OP.20.011. At the time of the preparation of this report, York Region has not advised of the status of the request for exemption. Any Regional issues will be addressed when the technical report is considered. The Development fronts onto Yonge Street being a York Region right-of-way. Required road widenings, encroachment/road works permits, or agreements shall be determined by York Region.

### **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, together with comments from the public and Vaughan Council expressed at the Public Meeting or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485.

### **Attachments**

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Conceptual Landscape Plan
4. Building Elevations - North & East
5. Building Elevations - South & West

### **Prepared by**

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