

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, March 2, 2021

WARD(S): 5

**TITLE: 72 STEELES HOLDINGS LIMITED & 7040 YONGE HOLDINGS LIMITED
OFFICIAL PLAN AMENDMENT FILE OP.20.014
ZONING BY-LAW AMENDMENT FILE Z.20.038
DRAFT PLAN OF SUBDIVISION FILE 19T-20V007
VICINITY OF YONGE STREET AND STEELES AVENUE WEST**

FROM:

Jim Harnum, City Manager

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan and Zoning By-Law Amendments and Draft Plan of Subdivision for the subject lands on Attachment 1. The Owner seeks approval to permit 4 mixed-use residential buildings as shown on Attachments 2 to 7 in three phases as follows:

- Phase 1: Building “A” - 56-storeys including a 12-storey podium, 541 m² of ground floor commercial and total of 735 residential units
- Phase 2: Building “B” - North and South Towers; 38 and 44-storeys, respectively, connected by a 12-storey podium, 615 m² of ground floor commercial with a total of 1,097 units and a 2,800 m² Privately Owned Publicly Accessible Space (POPS)
- Phase 3: Building “C” - 60-storeys including a 12-storey podium, 686 m² of ground floor commercial and a total of 788 residential units
- 5 levels of underground parking with a total of 1,685 parking spaces
- A maximum density (Floor Space Index) of 12.82 times the area of the lot

Report Highlights

- The Owner proposes a mixed-use residential development comprised of 4 buildings having a total of 2,620 residential units and ground floor retail uses all served by 5 levels of underground parking
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Files OP.20.014, Z.20.038 and 19T-20V007 (72 Steeles Holdings Limited & 7040 Yonge Holdings Limited) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to Committee of the Whole.

Background

Location: 72 Steeles Avenue West and 7040 and 7054 Yonge Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: March 12, 2019

Date Applications deemed complete: January 28, 2021

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

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit the proposed development (the 'Development') as shown on Attachments 2 to 7:

1. Official Plan Amendment File OP.20.014 to amend in-effect Official Plan Amendment 210 (Thornhill Vaughan Community Plan) to redesignate the Subject Lands from "General Commercial" to "Mixed Commercial/Residential" with a maximum Floor Space Index ('FSI') of 12.82 times the area of the lot and maximum building heights ranging from 38 to 60-storeys.
2. Zoning By-law Amendment File Z.20.038 to amend Zoning By-law 1-88 to rezone the Subject Lands from "C1 Restricted Commercial Zone" subject to site-specific Exceptions 9(34) and 9(1381) to "RA3 Apartment Residential Zone" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. Draft Plan of Subdivision File 19T-20V007, as shown on Attachment 3, for a plan of subdivision consisting of the following:

<u>Blocks</u>	<u>Land Use</u>	<u>ha</u>
Blocks 4 to 6	Mixed-Use Development	1.676

Blocks 1 to 3	Future Public Roads	0.292
Total		1.968

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

- a) Date the Notice of Public Meeting was circulated: February 5, 2021.

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed along Yonge Street and Steeles Avenue West in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 500 m of the Subject Lands and to the Springfarm Ratepayers' Association, the City of Toronto, the City of Markham and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of February 9, 2021 by the Development Planning Department.

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

Official Plan Designation:

- "General Commercial" by in-effect OPA 210 (Thornhill Vaughan Community Plan)
- This designation permits the existing commercial, retail, eating establishments, financial institutions and business and professional offices
- An amendment to in-effect OPA 210 is required to permit the mixed-use residential development

The Yonge Steeles Corridor Secondary Plan (Volume 2, Vaughan Official Plan 2010) has been appealed to the Local Planning Appeal Tribunal

Official Plan Designation

- 72 Steeles Avenue West: "High-Rise Mixed-Use" (front portion) with a "Mandatory Retail Frontage" overlay and "Park" (rear portion) by Vaughan Official Plan 2010 (VOP 2010), Volume 2, Yonge Steeles Corridor Secondary Plan (YSCSP)

- 7040 Yonge Street: “High-Rise Mixed-Use” with an “Office Priority Area” overlay (front portion) and “Parks” (rear portion) by VOP 2010, YSCSP
- 7054 Yonge Street: “Parks” by VOP 2010, YSCSP
- The “High-Rise Mixed-Use” designation permits residential, retail, community and office uses, with a maximum building height of 30-storeys and FSI of 6 times the area of the lot
- The Office Priority Area overlay requires that any development in excess of a 4.5 FSI, to a maximum of 6 FSI, shall be used exclusively for non-residential uses and a minimum of 50 percent of the gross floor area devoted to non-residential uses shall be located in a high-rise or mid-rise building, devoted exclusively to office uses
- The Subject Lands are located in proximity to the planned Yonge Subway Extension (YSE) subway stop at Yonge Street and Steeles Avenue West. The YSE is considered a higher-order transit corridor. Section 4.2.2.13 of VOP 2010, Transit Oriented Development, indicates highest intensity uses are supported and directed to intensification areas served by higher-order transit and should be prioritized in order to meet the mobility needs of these high-intensity growth areas.

Vaughan Council on September 7, 2010, adopted the YSCSP. York Region Council on January 21, 2016, adopted the YSCSP with modifications. The Owner has appealed the YSCSP to the Local Planning Appeal Tribunal (‘LPAT’) as it pertains to the Subject Lands. A number of landowners in the YSCSP area have also appealed the Secondary Plan to the LPAT. The YSCSP is not in-effect for the Subject Lands. An LPAT Hearing was held on January 15, 2021, wherein, LPAT ordered the site-specific development application appeals be heard together with the YSCSP appeals.

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

- “C1 Restricted Commercial Zone” by Zoning By-law 1-88, subject to site-specific Exceptions 9(34) and 9(1381).
- This Zone does not permit the Development.
- The Owner proposes to rezone the Subject Lands to “RA3 Apartment Residential Zone” with the following site-specific exceptions:

Table 1:

	Zoning By-Law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
a.	Permitted Uses	<ul style="list-style-type: none"> ▪ Apartment Dwellings ▪ Day Nursery 	<ul style="list-style-type: none"> ▪ Bank or Financial Institution ▪ Business or Professional Office ▪ Club or Health Centre ▪ Eating Establishment ▪ Eating Establishment, Convenience

	Zoning By-Law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
			<ul style="list-style-type: none"> ▪ Eating Establishment, Take-out ▪ Hotel ▪ Laboratory ▪ Motor Vehicle Sales Establishment ▪ Personal Service Shop ▪ Pet Grooming Establishment ▪ Pharmacy ▪ Photography Studio ▪ Place of Amusement ▪ Place of Entertainment ▪ Retail Store ▪ Service or Repair Shop ▪ Studio ▪ Supermarket ▪ Technical or Commercial School ▪ Veterinary Clinic ▪ Community Centre ▪ Library ▪ Post-Secondary School ▪ Public or Private School ▪ Place of Worship
b.	Definitions of Amenity Area, Bicycle Parking Space, Long Term and Lot	<ul style="list-style-type: none"> ▪ 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 ▪ Bicycle Parking Space, Long Term - Means a 	<ul style="list-style-type: none"> ▪ Amenity Area - Means an indoor or outdoor shared communal space designed and maintained for active or passive recreational uses for residents of a dwelling or residential development but shall not include any exclusive area that is only accessible by an individual unit ▪ Bicycle Parking Space, Long Term - Means a

	Zoning By-Law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
		<p>locked room within a building or part of a building used for exclusive parking of bicycles</p> <ul style="list-style-type: none"> Lot - Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the <i>Planning Act</i>, R.S.O. 1990, c. P. 13. would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot 	<p>locked room within a building or part of a building used for exclusive parking of bicycles, which may be in stacked parking units</p> <ul style="list-style-type: none"> Lot - Means a parcel of land that is deemed to be one lot, regardless of the number of buildings and units, and the creation of any new lot by plans of subdivision, plan of condominium, part lot control, consent, and any easement or registrations that are given
c.	Minimum Parking Requirements	<p><u>Residential</u> 1.5 spaces/unit x 2,620 units = 3,930 spaces</p> <p><u>Visitor</u> 0.25 spaces/unit x 2,620 units = 655 spaces</p> <p><u>Commercial</u> 6 spaces/100 m² x 1,842m² = 111 spaces</p> <p>Total required parking = 4,696 spaces</p>	<p><u>Residential</u> 0.5 spaces/unit x 2,620 units = 1,310 spaces</p> <p><u>Visitor</u> 0.1 spaces/unit x 2,620 units = 262 spaces</p> <p><u>Commercial</u> 1 space/90 m² x 1,842 m² = 21 spaces</p> <p>Total parking proposed = 1,593 spaces</p>
d.	Minimum Parking Space Size	2.7 m x 6 m	2.7 m x 5.8 m

	Zoning By-Law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
e.	Minimum Bicycle Parking	No Bicycle Parking requirement	Bicycle Parking shall be provided as per Section 3.8.2 – Vaughan Metropolitan Centre (VMC) of Zoning By-law 1-88
f.	Minimum Lot Area	67 m ² /unit	6.4 m ² /unit
g.	Minimum Front Yard (Steeles Avenue West)	7.5 m	6.9 m
h.	Minimum Rear Yard (Northerly Lot Line)	7.5 m	3.5 m
i.	Minimum Interior Side Yard (*For Buildings in excess of 11 m in height, the interior side yard shall be a minimum of 7.5 m or half the height, whichever is greater)	<u>Building A</u> 89.5 m* <u>Building B North Tower</u> 62.2 m* <u>Building B South Tower</u> 71 m* <u>Building C</u> 96.5 m*	<u>Building A</u> 8.1 m (East Side) 13 m (West Side) <u>Building B North Tower</u> 10.4 m (East Side) <u>Building B South Tower</u> 13 m (West Side) <u>Building C</u> 1.5 m (North Side) 1.8 m (West Side) 12.2 m (South Side)
j.	Maximum Building Height	44 m	<ul style="list-style-type: none"> ▪ Building A - 179 m (56-storesys) ▪ Building B North - 124.5 m (38-storesys) ▪ Building B South - 142 m (44-storesys) ▪ Building C - 193 m (60-storesys)
k.	Minimum Amenity Area	1,794 One Bedroom Unit x 20 m ² /unit = 35,880 m ² 764 Two Bedroom Unit x	Provide a total amenity area of 11,234 m ²

	Zoning By-Law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to RA3 Apartment Residential Zone Requirements
		55 m ² /unit = 42,020 m ² 62 Three Bedroom Unit x 90 m ² /unit = 5,580 m ² Total required amenity area = 83,480 m ²	

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

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

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan'), the <i>Building Transit Faster Act</i> and the policies of the York Region Official Plan ('YROP') and VOP 2010
b.	Appropriateness of Amendments to OPA 210, VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to OPA 210 and VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ Should the applications be approved, the requisite conditions will be included to address site access, road alignments and connections, servicing and grading, environmental, noise, and other municipal, regional and public agency and utility requirements

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Comprehensive Development	<ul style="list-style-type: none"> ▪ 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 ▪ 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
e.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications which are available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
f.	Allocation and Servicing	<ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council
g.	Yonge Subway Extension Metrolinx/Toronto Transit Commission/Other Public Agencies	<ul style="list-style-type: none"> ▪ The planned YSE is a cross-jurisdiction project with the City of Toronto, City of Vaughan, City of Markham, and City of Richmond Hill, York Region, York Region Rapid Transit Corporation and Metrolinx. The YSE includes a subway station located at Yonge Street and Steeles Avenue West ▪ The Development will be reviewed in consideration of any land and easement requirements (e.g. permanent, access and construction) of the YSE project
h.	Proposed Road Network and Road Widenings	<ul style="list-style-type: none"> ▪ The YSCSP establishes a road network for the Secondary Plan area and identifies a planned eastward extension of Royal Palm Drive north of the Subject Lands

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ The proposed Development will be reviewed by the Development Engineering Department in consideration of these YSCSP policies
i.	Parks and Publicly Accessible Open Space (POPS)	<ul style="list-style-type: none"> ▪ The YSCSP delineates Parks and Publicly Accessible Open Space throughout the Secondary Plan area. The YSCSP designates the north area of the Subject Lands as “Parks” ▪ The Development includes a POPS. The requirement to provide a public park as identified by the YSCSP and details of the POPS will be reviewed by the Parks Infrastructure Planning and Development Department
j.	Design Review Panel (‘DRP’)	<ul style="list-style-type: none"> ▪ The DRP must review the Applications prior to proceeding to the Committee of the Whole
k.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, Metrolinx, City of Toronto and the City of Markham and external public agencies and utilities, and the Public, Separate, and French School Boards
l.	Sustainable Development	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the City of Vaughan’s Policies and Sustainability Metrics Program. The Development achieves a Bronze score of 32
m.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Applications will be reviewed with respect to the dedication of parkland in accordance with the <i>Planning Act</i> and the City of Vaughan’s Cash-in-lieu of Parkland Policy
n.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	<ul style="list-style-type: none"> ▪ The Applications will be subject to and reviewed in consideration of 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 ▪ As of the date of this report the in-effect Section 37 policies are subject to amendment via the <i>COVID-19 Economic Recovery Act</i>, 2020; however, those amendments are not yet in effect. These amendments

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>to the <i>Planning Act</i> made through the <i>COVID-19 Economic Recovery Act</i>, 2020 propose to replace the current Section 37 policy regime with a new authority known as a Community Benefit Charge ('CBC'), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land</p> <ul style="list-style-type: none"> ▪ Should the two-year transition period regarding the CBC regime pass (from the date of proclamation which as of August 7, 2020 has not yet occurred) or should the City pass a CBC By-law under the amendments to the <i>Planning Act</i> (which have not yet been proclaimed to come into effect) prior to the approval of any Zoning By-law Amendment for the Subject Lands, the CBC By-law would be the applicable mechanism used to collect community benefits (and not the City's existing Section 37 policies and guidelines)
o.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City policies to ensure that the development provides an appropriate level, range and mix of unit sizes and types to provide affordable housing
p.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit a Site Development Application and a Draft Plan of Condominium Application to establish ownership tenure(s) of the Development

Financial Impact

There are no funding requirements associated with this report.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. The Owner has requested exemption of the Regional Approval for Official Plan Amendment File OP.20.014. 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 will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Mary Caputo, Senior Planner, Development Planning Department, ext. 8635.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Draft Plan of Subdivision (File 19T-20V007)
4. Building Elevations - Building A
5. Building Elevations - Building B (North and East)
6. Building Elevations - Building B (South and West)
7. Building Elevations - Building C

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