

## Committee of the Whole (Public Meeting) Report

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**DATE:** Tuesday, May 4, 2021

**WARD(S):** 2

**TITLE:** 27 DEVELOPMENTS INC.

**OFFICIAL PLAN AMENDMENT FILE OP.18.011**

**ZONING BY-LAW AMENDMENT FILE Z.18.018**

**DRAFT PLAN OF SUBDIVISION 19T-20V009**

**8440 HIGHWAY 27**

**VICINITY OF HIGHWAY 27 AND LANGSTAFF ROAD**

**FROM:**

Jim Harnum, City Manager

**ACTION:** DECISION

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### **Purpose**

To receive comments from the public and the Committee of the Whole on applications to amend the Official Plan and Zoning By-law and for the approval of a Draft Plan of Subdivision to permit the construction of a 12-storey hotel including 2 floors for business and professional offices uses, with an eating establishment and outdoor patio, ancillary spa and amenity spaces, and a two-storey link containing office uses connecting to an existing two-storey banquet hall (Chateau Le Jardin) that will be maintained as shown on Attachments 2 to 6.

### **Report Highlights**

- To Owner proposes to develop the Subject Lands with a 12-storey hotel (including business and professional offices, an eating establishment, outdoor patio, an ancillary spa and amenity spaces), and maintain the existing banquet hall (Chateau Le Jardin)
- Amendments to Vaughan Official Plan 2010 and Zoning By-law 1-88 as well as the approval of a Draft Plan of Subdivision are required to permit the development
- 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.18.011, Z.18.018 and 19T-20V009 (27 Developments Inc.), formerly known as Parentela Holdings Inc., BE RECEIVED; and, that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

## **Background**

Location:8440 Highway 27 (the 'Subject Lands'). The Subject Lands are approximately 3.27 ha in size and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: March 17, 2017

Date applications were deemed complete:

Files OP.18.011 & Z.18.018 - May 30, 2018

File DA.18.088 - September 17, 2018

Files 19T-20V009 and 19CDM-20V010 – March 9, 2021

The Committee of the Whole at a Public Meeting held on September 17, 2018, considered Official Plan and Zoning By-law Amendment Files OP.18.011 and Z.18.018. Since the Public Meeting, the Owner has revised the applications by:

- excluding the lands located on the west side of Innovation Drive from the applications
- deleting the related request to permit an off-site parking lot on those lands excluded as part of the applications

The Owner has also submitted a Draft Plan of Subdivision File 19T-20V009.

A second Public Meeting is required by Vaughan Official Plan 2010 ('VOP 2010') as more than two years have passed since Council received the Public Meeting report on September 17, 2018 and to consider the Draft Plan of Subdivision application that was submitted after the initial Public Meeting.

The Subject Lands are currently developed with a two-storey banquet hall (Chateau Le Jardin). The Draft Plan of Subdivision shown on Attachment 6 illustrates other lands owned by the Owner located west of the future extension of Innovation Drive.

### ***Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the development***

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachment 1 to permit the development (the 'Development') shown on Attachments 2 to 6 consisting of:

- a 12-storey, 18,244 m<sup>2</sup> hotel, with 254 rooms, including 2 floors for business and professional offices, with an eating establishment and outdoor patio, ancillary

- spa and amenity spaces ('Hotel with associated ancillary uses'), and maintain the existing two-storey banquet hall (Chateau Le Jardin)
  - a two-storey link, containing 1,141.2 m<sup>2</sup> of office space, connecting the proposed Hotel with and associated ancillary uses' to the existing two-storey banquet hall (Chateau Le Jardin)
1. Official Plan Amendment File OP.18.011 to amend Vaughan Official Plan 2010 (VOP 2010) to:
    - a) permit a Hotel including 2 floors for business and professional offices, with an eating establishment and outdoor patio, ancillary spa and amenity spaces on the Subject Lands designated "Employment Commercial Mixed-Use" that are not located within an Intensification Area; and
    - b) increase the maximum permitted building height from 10-storeys to 12-storeys.
  2. Zoning By-law Amendment File Z.18.018 to amend Zoning By-law 1-88, to permit a Hotel with an Eating Establishment, with outdoor patio, ancillary spa and amenity space, and Business and Professional Offices, together with site-specific zoning exceptions to the C6 Highway Commercial Zone identified in Table 1 of this report, in order to permit the Development shown on Attachments 2 to 5.
  3. Draft Plan of Subdivision File 19T-20V009, as shown on Attachment 6, to facilitate a future common element access on the Subject Lands and to create the following Blocks:

Blocks	Land Use	Area (ha)
Block 1	Commercial Block (Existing Banquet Hall)	0.498
Block 2	Commercial Block (Proposed Hotel & Office)	0.816
Block 3	Commercial Block (Parking area)	0.682
Block 4	Future Development	0.856
Block 5	Common Element Road	0.380
Blocks 6, 7 and 8	Road Widening	0.036
Total		3.268 ha

The Owner has also submitted Site Development File DA.18.088 and Draft Plan of Condominium File 19CDM-20V010 (Attachments 7 and 8) to establish the common element ownership parcels. The Site Development and Draft Plan of Condominium applications do not require a public meeting; however, these related applications will be addressed in the future comprehensive technical report to Committee of the Whole.

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

a) Date the Notice of Public Hearing was circulated: April 9, 2021

The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed along Highway 27 and the lands fronting on to Innovation Drive that is under construction in accordance with the City's Notice Signs Procedures and Protocols

b) Circulation Area: 150 m and to the West Woodbridge Homeowners Association.

c) No comments have been received as of April 12, 2021 by the Development Planning Department.

The following is a summary of comments received prior to the September 17, 2018 Public Meeting:

Goodmans LLP, representing Costco Wholesale Canada (8682 Highway 27), provided with comments respecting implications for Costco to maintain its Ministry of the Environment, Conservation & Parks ('MECP') noise approval as a result of the Development.

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 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 at a future Committee of the Whole meeting.

**Previous Reports/Authority**

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

[September 17, 2018, Committee of the Whole Public Meeting \(Item 6, Report No. 28\)](#)

**Analysis and Options**

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

Official Plan Designation:

- "Employment Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Employment Commercial Mixed-Use" on Schedule 13 – Land Use by VOP 2010. This designation permits a maximum building height of 10-storeys and a maximum Floor Space Index ('FSI') of 3 times the area of the lot
- A Hotel with associated ancillary uses is not a permitted use within the "Employment Commercial Mixed-Use" designation as the Subject Lands are located outside of an Intensification Area

- Amendments to VOP 2010 are required to permit the proposed Hotel with associated ancillary uses, as well as to increase the maximum permitted building height from 10-storeys to 12-storeys

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

- “C6 Highway Commercial Zone” subject to site-specific Exception 9(409), which only permits a banquet hall use
- This Zone does not permit the proposed Hotel with associated ancillary uses
- The Owner proposes to amend site-specific Exception 9(409) to permit the Development
- The following site-specific exceptions to Zoning By-law 1-88 are required to permit the Development shown on Attachments 2 to 5:

Table 1:

	<b>By-law Standard</b>	<b>C6 Highway Commercial Zone, Exception 9(409) Requirements</b>	<b>Proposed Exceptions to the C6 Highway Commercial Zone, Exception 9(409) Requirements</b>
a.	Permitted Uses	One (1) banquet hall, provided the total gross floor area (GFA) shall not exceed 4,855 m <sup>2</sup> . Minor Variance File A121/08 increased the maximum permitted GFA to 6,916 m <sup>2</sup>	<p>Permit the following additional uses in addition to the banquet hall:</p> <ul style="list-style-type: none"> <li>• Hotel with ancillary spa and amenity spaces</li> <li>• Eating Establishment, with Outdoor Patio</li> <li>• Business or Professional Office</li> </ul> <p>provided the total gross floor area of the buildings devoted to such uses shall not exceed 28,000 m<sup>2</sup>.</p>
b.	Definition of 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 Planning Act, R.S.O. 1990, c. P. 13. would not be required for its conveyance. For the purpose of this	The Subject Lands shall be deemed as a single lot for the purposes of zoning conformity

	<b>By-law Standard</b>	<b>C6 Highway Commercial Zone, Exception 9(409) Requirements</b>	<b>Proposed Exceptions to the C6 Highway Commercial Zone, Exception 9(409) Requirements</b>
		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	
c.	Maximum Building Height	11 m	45.26 m (Hotel Building)
d.	Minimum Number of Parking Spaces	<p>Existing Banquet Hall = 435 spaces (As identified in site-specific Exception 9(409))</p> <p>Hotel - 254 rooms @ 1 space / room = 254 spaces</p> <p>Office - 3,471 m<sup>2</sup> GFA @ 3.5 spaces / 100m<sup>2</sup> = 122 spaces</p> <p>Eating Establishment, with Outdoor Patio - 304m<sup>2</sup> @ 16 spaces / 100m<sup>2</sup> = 49 spaces</p> <p>Total Parking Required = 860 spaces</p>	Parking Proposed = 737 spaces, including 498 surface parking spaces, 239 spaces in an underground parking garage. (Inclusive of 19 barrier-free spaces)
e.	Loading Space Length	9 m	8.2 m
f.	Minimum Front Yard Setback (Highway 27) Existing Building	15 m	4.4 m (possible future road widening)

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***

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
a.	Conformity and Consistency 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 Provincial Policy Statement (2014) (the 'PPS'), the Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan'), and 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 9.1.2.10 and 9.2.3.5 respecting compatibility within Employment Area and development criteria for Mid-Rise Buildings</li> </ul>
b.	Appropriateness of the Proposed Site-Specific Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> <li>▪ The appropriateness of increasing the maximum permitted building height from 10-storeys to 12-storeys to permit the Development will be reviewed</li> <li>▪ A Hotel with associated ancillary uses is not permitted within the "Employment Commercial Mixed-Use" designation on lands located outside of an Intensification Area shown on Schedule 1 "Urban Structure" of VOP 2010</li> <li>▪ The proposed Hotel with associated ancillary uses and the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report, will be reviewed in consideration of the existing and planned employment and commercial uses, and the existing low-rise residential uses located on the east side of Highway 27, opposite the Subject Lands</li> <li>▪ The floor plans illustrate there are cooking facilities in the hotel suites. Consideration will be given to the appropriateness of permitting mid to long-term stays and prohibiting permanent residential units</li> </ul>

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> <li>▪ Consideration will be given prohibiting the use of future development Blocks 3 and 4 as shown on Attachment 6 for a Commercial Parking Lot(s)</li> </ul>
c.	The Appropriateness of Designating the Subject Lands as “Class 4”	<ul style="list-style-type: none"> <li>▪ The Subject Lands are within an Employment Area as identified on Schedule 1 – Urban Structure of VOP 2010</li> <li>▪ The appropriateness of designating the Subject Lands as a “Class 4 designation” under the MECP Publication NPC-300 Environmental Noise Guideline Stationery and Transportation Sources – Approval and Planning Publication (‘NPC 300’) will be considered</li> <li>▪ Class 4 area classification is based on the principle of formal confirmation of the classification by the City. Such confirmation would be issued at the discretion of the land use planning authority and under the procedures developed by the City, in the exercise of its responsibility and authority under the <i>Planning Act</i></li> </ul>
d.	Draft Plan of Subdivision	<ul style="list-style-type: none"> <li>▪ Should the Applications be approved, the required 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</li> </ul>
e.	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"> <li>▪ The Applications will be subject to and reviewed in consideration of the City’s bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i> as it read September 17, 2020) 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> <li>▪ As of the date of this report, the City can continue to apply the version of the Section 37 provisions in the <i>Planning Act</i> in effect as of September 17, 2020. By way of background, Bill 197, the <i>COVID-19 Economic Recovery Act, 2020</i>, received royal assent on July 21, 2020, and the Bill 197 provisions related to Section 37 were proclaimed to come into effect on September 18, 2020. Bill 197 repeals and replaces the Section 37</li> </ul>



	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>policy regime, as it read on September 17, 2020, with a new regime 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 (4%)</p> <ul style="list-style-type: none"> <li>▪ Transitional provisions in the <i>Planning Act</i> permit municipalities to continue to apply the Section 37 provisions of the Planning Act as it read on September 17, 2020 until the earlier of the City's passage of a CBC By-law September 18, 2022 (the date the transition ends). Should the approval and enactment of any Zoning By-law Amendment for the Subject Lands occur after the earlier of the City's passage of a CBC By-law or September 18, 2022, the City will not be permitted to collect community benefits through Section 37 of the Planning Act, as it read on September 17, 2020. If the CBC By-law is in place at that time, the City will be permitted to collect community benefits pursuant to that instrument</li> <li>▪ The request for additional building height will be reviewed in consideration of the following: <ul style="list-style-type: none"> <li>i) the appropriateness of the proposed increased building height in consideration of the policies of Section 10.1.2.9 of VOP 2010. Should the proposed increase in building height be determined to meet the criteria of the Official Plan, the proposed community benefits must be identified, to the satisfaction of the City</li> <li>ii) should the Development be approved, the Owner will be required to provide community benefits in the form of facilities or services, to the satisfaction of the City. The benefits must bear a reasonable planning relationship to the proposed increase in building height, the Development must represent good planning and be consistent with the objectives of VOP 2010, and there must be adequate infrastructure to support the increase in building height</li> </ul> </li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
		<p>iii) the identified community benefits must be reflected in the implementing Zoning By-law, to the satisfaction of Vaughan Council, and subject to a separate Section 37 Agreement that will be registered on title, should the Applications be approved</p>
f.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner submitted studies and reports in support of the Applications available on the city's website at <a href="https://maps.vaughan.ca/planit/">https://maps.vaughan.ca/planit/</a> (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority(ies). Additional studies and/or reports may be required as part of the application review process</li> </ul>
g.	Related Site Development Application File DA.18.088	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Site Development File DA.18.088 to be reviewed with the Applications in a future technical report</li> </ul>
h.	Related Draft Plan of Condominium File 19CDM-20V010	<ul style="list-style-type: none"> <li>▪ The Owner has submitted related Draft Plan of Condominium (Common Elements) File 19CDM-20V010 in order to create the proposed common element access (road), future Parcels of Tied Land ('POTLs') and the required above grade and sub-level parts to secure for shared access to private parking and servicing between the future POTLs. The appropriate conditions respecting the condominium will be reviewed with the Applications in a future technical report</li> <li>▪ Should the Applications be approved, a future Draft Plan of Condominium (Standard) will be required for the proposed Hotel to create the office units and hotel units</li> </ul>
i.	Sustainable Development	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 34</li> </ul>
j.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENT(S)</b>
k.	City's Tree Protection Protocol	<ul style="list-style-type: none"> <li>▪ The Applications will be reviewed in accordance with the City's Tree Protection Protocol, for the protection and the replacement of any tree(s) should they be damaged during construction</li> <li>▪ The Owner may have to enter into a Tree Protection Agreement to identify the standards and procedures required by the City</li> </ul>
l.	Waste Management	<ul style="list-style-type: none"> <li>▪ The Owner is proposing a standalone deep collection waste system ("Molok") to service the proposed Hotel with associated ancillary uses. The proposed waste collection system will be reviewed in consideration of the Waste Collection Design Standards of the Environmental Services Department (Solid Waste Management Division)</li> </ul>
m.	Cost Sharing / Innovation Drive	<ul style="list-style-type: none"> <li>▪ The City acquired the lands for the Innovation Drive extension located on the Subject Lands through the Innovation Drive Cost Sharing Agreement, dated May 23, 2012</li> <li>▪ The Owner shall pay its proportionate share of the cost of the construction of Innovation Drive and associated municipal services that were built as part of the SRF Vaughan Draft Plan of Subdivision File 19T-08V03. The SRF Vaughan Subdivision Agreement and Innovation Drive Cost Sharing Agreement identify the Subject Lands as benefiting lands</li> <li>▪ Construction of Innovation Drive has commenced, but, is not complete. A temporary cul-de-sac currently exists, terminating at the southwest limit of the Subject Lands. The ultimate completion and timing of the construction of Innovation Drive will be considered as part of the review of the Applications</li> </ul>

### **Financial Impact**

Not applicable.

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

York Region has determined the proposed Official Plan Amendment application is a matter of local significance and does not adversely affect Regional planning policies or

interest. York Region, on September 5, 2018, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council. In correspondence dated January 5, 2021, York Region confirmed that the exemption still applies.

The Subject Lands have frontage and access onto Highway 27, a Regional Road. The Owner is required to satisfy all requirements of York Region, including but not limited to potential road widening requirements, access requirements, the provision of transit facilities as may be required, turning lanes, and servicing. Any issues will be addressed when the technical report is considered.

## **Conclusion**

The preliminary issues identified in this report and any other issues identified through the processing of the Applications and related Draft Plan of Condominium and Site Development applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

**For more information**, please contact: Clement Messere, Senior Planner, Development Planning, ext. 8409.

## **Attachments**

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations – East and North
5. Building Elevations – West and South
6. Draft Plan of Subdivision File 19T-20V009
7. Draft Plan of Condominium (Common Element) File 19CDM-20V010 – Including Sections
8. Draft Plan of Condominium (Common Element) File 19CDM-20V010 – Sub Levels 1 and 2

## **Prepared by**

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**Approved by**



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