

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, May 4, 2021

WARD: 4

**TITLE: FIRST VAUGHAN INVESTMENTS LIMITED
OFFICIAL PLAN AMENDMENT OP.20.015
ZONING BY-LAW AMENDMENT Z.20.042
PART OF LOTS 6 AND 7, CONCESSION 5
VICINITY OF HIGHWAY 7 AND COMMERCE STREET**

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 Amendment Files OP.20.015 and Z.20.042. The Owner is seeking to permit the following as shown on Attachments 2 to 7:

- 48 and 56-storey residential apartment buildings (Towers “A” and “B”) including a shared 3-storey podium integrated with residential, amenity and at-grade retail uses
- A total of 1,070 residential units
- A Floor Space Index of 8.1 times the area of the lot
- An overall Gross Floor Area (‘GFA’) of 88,055 m², including:
 - Residential GFA: 86,270 m²
 - Retail GFA: 1,785 m²
- A large courtyard
- Three (3) levels of underground parking containing 429 parking spaces accessed from the mews connecting Highway 7 to future New Park Place

Report Highlights

- The Owner proposes to construct a mixed-use development comprised of 48 and 56-storey residential apartment buildings containing a total of 1,070 residential units on a shared 3-storey podium with residential, amenity, and at-grade retail uses, and 3 levels of underground parking accessed from the north-south mews connecting Highway 7 to future New Park Place
- Amendments to the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP') and Zoning By-law 1-88 are required to permit the proposed mixed-use development and to increase to the maximum permitted building height and density, and to increase the maximum tower floor plate sizes
- This report identifies preliminary issues to be considered in a technical report to be prepared by the VMC Program at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.20.015 and Z.20.042 (First Vaughan Investments Limited) BE RECEIVED, and that any issues identified be addressed by the VMC Program in a future technical report to the Committee of the Whole.

Background

Location: Part of Lots 6 and 7, Concession 5, northeast corner of Highway 7 and Commerce Street with no municipal address (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: July 10, 2020

Date applications were deemed complete: March 17, 2021

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development.

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on to permit the high-rise mixed-use development (the 'Development') shown on Attachments 2 to 7:

1. Official Plan Amendment File OP.20.15 to amend the Vaughan Official Plan 2010 (VOP 2010) and Volume 2 of VOP 2010, specifically, the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP'):
 - a) Policy 8.7.12 and Schedule H – to increase the maximum building height from 30-storeys to 48-storeys and 56-storeys for the residential buildings
 - b) Policy 8.7.18 – to increase the maximum residential tower floor plate size from 750 m² to 805 m² as follows:

- Tower A (48-storeys)
 - ranging between 750 m² to 800 m² for Floors 4 to 7
 - ranging between 750 m² to 805 m² for Floors 8 to 45
 - ranging between 750 m² to 770 m² for Floors 46 to 48
 - Tower B (57-storeys)
 - ranging between 750 m² to 800 m² for Floors 4 to 7
 - ranging between 750 m² to 805 m² for Floors 8 to 52
 - ranging between 750 m² to 790 for Floors 53 to 56
- c) Schedule I – to increase the maximum Floor Space Index (FSI) from 5.0 to 8.1 times the area of the lot
2. Zoning By-law Amendment File Z.20.042 to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9 Corporate Centre Zone” in the manner shown on Attachment 2 to permit residential uses, together with 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

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

The Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and two (2) Notice Signs were installed along the Highway 7 and Commerce Street frontages in accordance with the City’s Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and expanded to include residents and landowners within the Expanded Polling Area as shown on Attachment 1, and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of April 20, 2021 by the VMC Program.

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 and be reviewed and addressed by the VMC Program in a future technical report to the Committee of the Whole.

Previous Reports/Authority

Not Applicable.

Analysis and Options

Amendments to Volume 2 of VOP 2010, the Vaughan Metropolitan Centre Secondary Plan (the “VMCSP”) are required to permit the Development

Official Plan Designation (VMCSP):

- “Station Precinct” as per Schedule F – Land Use Precinct
- The “Station Precinct” designation permits a broad mix of uses and a wide variety of building types including residential dwellings, retail, office, hotel, and retail uses
- A 30-storey maximum building height and 5.0 maximum FSI is permitted by Schedule I – Height and Density Parameters
- Retail, service commercial or public use frontage uses are required at the intersection of Commerce Street and Highway 7 as per Schedule H – Areas for Retail, Service Commercial or Public Uses
- A maximum tower floor plate size of generally 750 m² is permitted by Policy 8.7.18 of the VMCSP
- An amendment to Volume 2, VOP 2010, the VMCSP is required to permit maximum building heights of 48 and 56-storeys, an FSI of 8.1 times the area of the lot and to permit maximum tower floor plate sizes ranging between 770m² to 805 m²

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

Zoning:

- The Subject Lands (subject to these Applications) are zoned “C7 Service Commercial Zone” by Zoning By-law 1-88
- The entirety of the landholdings are zoned “C7(H) Service Commercial Zone”, “C7 Service Commercial Zone”, and “OS2 Open Space Zone” by Zoning By-law 1-88, which are outside of the Subject Lands (shown on Attachment 1). However, these lands are required for the full New Park Place right-of-way, which must be consolidated with the Subject Lands

The Owner proposes to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9 Corporate Centre Zone” together with the following site-specific zoning exceptions shown on Table 1 to permit the mixed-use Development:

Table 1

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements	Proposed Exceptions and Rezoning to the C9 Corporate Centre Zone Requirements
a.	Definition of a “Lot”	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 paragraph, land defined in an application for a building permit shall be deemed to be	For the purposes of this By-law, the Subject Lands are deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements or other permissions and any easements or registrations that are granted, shall be deemed to

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements	Proposed Exceptions and Rezoning to the C9 Corporate Centre Zone Requirements
		a parcel of land and a reserve shall not form part of the lot	comply with the provision of Zoning By-law 1-88; For the purposes of this By-law, Highway 7 shall be deemed to be the legal frontage of the lot
b.	Definition of a "Parking Space"	PARKING SPACE - Means a rectangular area measuring at least 2.7 metres by 6.0 metres, exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto	2.7 m x 5.7 m
c.	Maximum Projections (Trellis)	Architectural Elements are not permitted to project into the property line	To permit a Trellis to project 0.4 m into a sight triangle (Commerce Street and New Park Place)
d.	Minimum GFA for Commercial Uses (Abutting Highway 7)	60%	43.1%
e.	Minimum Parking Requirements	<u>Residential</u> Bachelor/One-Bedroom: 0.7 spaces/unit x 683 units = 479 spaces Two-Bedroom: 0.9 spaces/unit x 325 units = 293 spaces Three-Bedroom: 1 space/unit x 62 units = 62 spaces	<u>Residential</u> 0.35 spaces/unit x 1,070 units = 375 spaces <u>Visitor</u> 0.05 spaces/unit x 1,070 units = 54 spaces

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements	Proposed Exceptions and Rezoning to the C9 Corporate Centre Zone Requirements
		<p><u>Visitor</u> 0.15 spaces/unit x 1,070 units = 161 spaces</p> <p><u>Non-Residential</u> 2.0 spaces/100 m² x 1,785 m² = 36 spaces</p> <p>Total Parking Required = 1,030 spaces</p>	<p><u>Non-Residential</u> No parking requirements shall be required for non-residential uses</p> <p>Total Parking Proposed = 429 spaces</p>
f.	Bicycle Parking Space Requirement	<p><u>Residential</u> 107 Short-Term, 535 Long-Term</p> <p><u>Non-Residential</u> 6 Short-Term, 2 Long-Term</p>	Total 207 Long-Term Parking Spaces for both Residential and Non-Residential Uses
g.	Accessible Parking Space Length	<p>Type A: 3.4 m x 6 m (1.5 m access aisle)</p> <p>Type B: 2.4 m x 6 m (1.5 m access aisle)</p>	<p>Type A: 3.4 m x 5.7 (1.5 access aisle)</p> <p>Type B: 2.4 x 5.7 m (1.5 m access aisle)</p>
h.	Minimum Driveway Width	7.5 (Two-Way)	7 m (New Park Place and Highway 7)
i.	Minimum Building Setback (Underground garage)	1.8 m (Highway 7 and Commerce Street)	0 m (Highway 7 and Commerce Street)
j.	Minimum Building Setbacks	<p><u>Residential Uses</u> 3 m (Front Yard) – Highway 7 6 m (Rear Yard) – New Park Place 3 m (Exterior Side Yard) – Commerce Street</p> <p><u>Non-Residential Uses</u> 3 m (Front Yard) – Highway 7 3 m (Rear Yard) – New Park Place</p>	<p>The following setbacks shall apply for Residential and Non-Residential Uses:</p> <p>2 m (Front Yard) – Highway 7 1 m (Rear Yard) – New Park Place 2.8 m (Exterior Side Yard) – Commerce Street</p>

	Zoning By-law 1-88 Standard	C9 Corporate Centre Zone Requirements	Proposed Exceptions and Rezoning to the C9 Corporate Centre Zone Requirements
		3 m (Exterior Side Yard) – Commerce Street	
k.	Minimum Landscape Strip Width	2.4 m (Highway 7) 6 m (Commerce Street, New Park Place)	0 m (All Streets)
l.	Maximum Building Height	25 m	Notwithstanding Schedule “A2” – the following maximum building heights are permitted: Tower A – 48-storeys at 166 m (excluding mechanical penthouse) Tower B – 56-storeys at 190 m (excluding mechanical penthouse)
m.	Minimum Percentage of Length of Street Line within Build- To-Zone	50% (Commerce Street) 80% (New Park Place and Highway 7)	21% (Commerce Street) 36% (New Park Place) 77.5% (Highway 7)
n.	Maximum Residential Density	0.6 FSI	Notwithstanding Schedule “A2”, the maximum density is permitted: 8.1 FSI

Notwithstanding the permitted uses under the C9 Zone, through the review of the Applications, staff will determine what uses are appropriate and can be supported in a downtown context and to ensure that parking can be accommodated. The Development also includes provisions for shared car-pooling parking requirements which will be explored through the review of the Applications.

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 VMC Program 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') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010 policies
b.	Appropriateness of Amendments to VM CSP, and Zoning By-law 1-88 Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VM CSP will be reviewed in consideration of, but not limited to, the following: the objective of achieving the vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful; the appropriateness of the proposed maximum building height and density in consideration of the surrounding context, microclimatic impact and supporting hard and soft services; the objective of establishing a downtown containing a mix of uses; coordination with adjacent properties regarding access (future New Park Place and mews), servicing requirements and development interfaces (including the northeast corner of the Subject Lands); built form considerations including: scale and massing, buildings setbacks, building façades, quality of building materials, attractive streetscapes, private amenity areas, podium height, parking, loading and servicing, and accesses to the north-south mews ▪ The appropriateness of the rezoning the Subject Lands to the C9 Corporate Centre Zone, relative to the maximum permitted uses, building heights and densities by the VM CSP, and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses
c.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.v 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

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	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
e.	Road Network (Future New Park Place)	<ul style="list-style-type: none"> ▪ Schedule “C” Street Network of the VMCSPP identifies the requirement for a 20-22 m local (public) street (extension of New Park Place). In lieu of the Draft Plan of Subdivision requirement, it is acknowledged that Development Agreements (registered on-title) will be required to ensure coordinated development amongst the adjacent landowners for the full construction of New Park Place from Edgeley Boulevard to Commerce Street, including any City-owned Lands, and to ensure the required commitments of funds, lands and services are secured, to the satisfaction the City. The requirement of an executed Development Agreement to establish New Park Place as a dedicated highway must be completed within a suitable timeframe, to the satisfaction of the City ▪ In order to create the Subject Lands (Attachment 1), the Owner is required to file and successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment to facilitate a lot severance and conveyance from the entirety of their landholdings to the Subject Lands and thereby contributing to the full right-of-way width of future New Park Place
f.	Access	<ul style="list-style-type: none"> ▪ The Owner is proposing access to the Development from a driveway connection from the north-south mews connecting Highway 7 to future New Park Place (Attachment 2). The dedication of future New Park Place as a public highway (east of Commerce Street and west of the north-south mews) to provide the right-of-way in its ultimate condition, must be completed to the satisfaction of the VMC Program. Public access shall be provided for the north-south mews. Agreement easements will be required to provide mutual access between the adjacent landowners for the north-south mews

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	Comprehensive Development	<ul style="list-style-type: none"> ▪ The VMCSPP encourages planned, co-coordinated and orderly development of blocks within the downtown. Development shall proceed in an orderly manner with consideration for required infrastructure, parks, and streets. ▪ Landowners within the VMCSPP are encouraged to propose development on a comprehensive basis including a phasing strategy to provide for the equitable sharing of costs of public infrastructure among benefitting landowners
h.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the comments provided by the DRP on February 25, 2021. A second DRP to review the detailed design will be required, at a minimum, for these Applications. The DRP must review the Applications prior to proceeding to the Committee of the Whole
i.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, Ministry of Transportation Ontario ('MTO'), Toronto and Region Conservation Authority ('TRCA'), external public agencies and utilities, and the Public, Separate, and French School Boards
j.	Parks and Publicly Accessible Open Space (POPS)	<ul style="list-style-type: none"> ▪ The VMCSPP identifies requirements for Major Parks and Open Spaces throughout the Secondary Plan area. The VMCSPP identifies the requirement for an "Urban Park" to the north of future New Park Place (outside of Subject Lands but within the landholdings) ▪ The Owner has submitted a VMC Northwest Quadrant Parks and Open Space Brief, dated December 2020, which is subject to review by the City. The provisions for sufficient parkland being available to service future developments, and considerations for any privately-owned publicly accessible spaces or landscape areas to be provided on the Subject Lands in proximity to the future Urban Park will be reviewed by Urban Design and Parks Planning staff, VMC Program
k.	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 provides a Silver performance score of 47

	MATTERS TO BE REVIEWED	COMMENT(S)
l.	Parkland Dedication	<ul style="list-style-type: none"> ▪ 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. Parkland dedication in accordance with the City’s most current policies in conveyance of parkland and/or cash-in-lieu will be required, should the subject Applications be approved
m.	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 the City’s bonusing policies of VOP 2010 for increases in building height and/or density (Section 37 of the <i>Planning Act</i>), 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, 2020</i>; however, those amendments are not yet in effect. These amendments to the <i>Planning Act</i> made through the <i>COVID-19 Economic Recovery Act, 2020</i> 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 ▪ 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) ▪ The request for additional height and density will be reviewed in consideration of the following criteria: appropriateness of the proposed increased heights and density in Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMCSPP; the provision of community benefits in the form of facilities or services which bear reasonable planning relationship to the proposed increase in building height and density, to the satisfaction of the City; the inclusion of the identified community benefits in the implementing site-specific Zoning

	MATTERS TO BE REVIEWED	COMMENT(S)
		By-law, to the satisfaction of Vaughan Council and subject to an executed Section 37 Agreement to be registered on-title, should the Applications be approved
n.	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. ▪ Policy 8.1.3 of the VMCSPP identifies that all affordable housing shall comprise of a range of compact housing forms and tenures and include intrinsically affordable units for low and moderate-income households.
o.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City-Wide Public Art Program, the City-Wide Urban Design Guidelines, the VMC Culture and Public Art Framework, the VMC Urban Design Guidelines, the VMC Streetscape and Open Space Plan, the VMC Transportation Plan, and the VMC Parking Strategy
p.	Tree Protection Protocol	<ul style="list-style-type: none"> ▪ There are existing trees located within the Commerce Street public boulevard located along the westerly portion of the Subject Lands. The Owner has submitted an Arborist Report and Tree Protection and Preservation Plan which is subject to review by the City. The Development 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
q.	Related Site Development File DA.20.067	<ul style="list-style-type: none"> ▪ The Owner has submitted a Site Plan, Landscape Plan, and Building Elevations in support of the Applications. The related Site Development File DA.20.067 will be reviewed comprehensively with the Applications in a future technical report
r.	Development Charges	<ul style="list-style-type: none"> ▪ The Owner will be required to pay the applicable Development Charges (DCs) in accordance with the Development Charges By-laws of the City of Vaughan and is subject to the Area-Specific Development Charges ('ASDC')

Financial Impact

There are no financial requirements for new funding 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.20.015. 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 Highway 7, being a York Region right-of-way. Required road widenings, encroachment/road work 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: Natalie Wong, Senior Planner, VMC Program, ext. 8866.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Rooftop Amenity Plan
5. South and West Building Elevations
6. North and East Building Elevations
7. Perspective Rendering

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