

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, June 1, 2021

WARD(S): 4

**TITLE: 1930328 ONTARIO INC. (LIBERTY CEMENT)
OFFICIAL PLAN AMENDMENT OP.21.007
ZONING BY-LAW AMENDMENT Z.21.010
DRAFT PLAN OF SUBDIVISION 19T-18V005
2871 HIGHWAY 7
VICINITY of HIGHWAY 7 AND MAPLECRETE ROAD**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on Official Plan Amendment File OP.21.007 and Zoning By-law Amendment File Z.21.010 and proposed amendment to the draft-approved Plan of Subdivision File 19T-18V005. The Owner is seeking to amend the previously Council-approved mixed-use development to increase the maximum permitted floor space index (FSI) from 5.66 to 7.5 and maximum building heights from 40, 34 and 7-storeys to 49, 45 and 22-storeys and to change the tenure of the required east-west public local road to a private road and reduce its width from 22 m to 20 m. The revised proposal contains 1,318 residential units, 794.17 m² of ground floor commercial uses, 3-4 levels of underground parking, and an outdoor amenity area, as shown on Attachments 2 to 9.

Report Highlights

- Council in 2019, approved Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Plan Development Files OP.18.005, Z.18.009, 19T-18V005 and DA.18.037 which were submitted by the same Owner of the Subject Lands to permit a mixed-use development consisting of 935 residential units and ground floor commercial uses within 40, 34 and 7-storey buildings at a maximum permitted FSI of 5.66, with a 22 m east-west public road
- The Owner has revised the proposal to seek permissions for a mixed-use development consisting of 1,318 residential units and ground floor commercial uses within 49, 45 and 22-storey residential buildings at a maximum FSI of 7.5, with a 20 m east-west private road
- The revised proposal represents a proposed overall density increase of 32.5% from the 2019 Council approved plan
- The Subject Lands are serviced by 3-4 levels of underground parking accessed from the east-west private street and a future private north-south street which will be delivered by the abutting draft-approved development to the east (Files 19T-19V004 and DA.19.075)
- Amendments to the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP') and Zoning By-law 1-88 are required to permit the revised proposal for increased building height and density and to permit a maximum tower floor plate size of 853 m²
- An amendment to the draft-approved plan of subdivision has been proposed to convert the tenure of the east-west street from public and private and to reduce its width from 22 m to 20 m
- 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.21.007 and Z.21.010 and Draft Plan of Subdivision File 19T-18V005 (1930328 Ontario 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: 2871 Highway 7, southeast corner of Highway 7 and Maplecrete Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: November 20, 2020

Date applications were deemed complete: April 8, 2021

Application History

Council Approval for Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications were granted to permit a previous version of mixed-use development on the Subject Lands

In March 2018, the Owner submitted Official Plan and Zoning By-law Amendment Files OP.18.005 and Z.18.009, Draft Plan of Subdivision File 19T-18V005 and Site Development File DA.18.037 to permit a mixed-use development consisting of 962 residential units within 7, 33 and 39-storey buildings and including ground floor commercial uses.

On March 19, 2019, Vaughan Council approved the site-specific implementing Official Plan and Zoning By-law Files OP.18.005 and Z.18.009 to permit a total of 935 residential units within 7, 34 and 40-storey buildings, 762 m² of commercial uses with a 22 m local east-west public road and a maximum FSI of 5.66. The related Draft Plan of Subdivision and Site Development Files 19T-18V005 and DA.18.037 were also draft-approved by Council subject to conditions which have not been satisfied to date.

The following link provides information related to the technical report that was ratified by Council associated with these Applications:

[Item 2, Report No. 11 of the Committee of the Whole, which was adopted without amendments by Vaughan Council on March 19, 2019](#)

Official Plan and Zoning By-law Amendment Applications and an amendment to the draft-approved plan of subdivision have been submitted to permit changes to the mixed-use development

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit the revised development (the 'Development') as shown on Attachments 2 to 9:

1. Official Plan Amendment File OP.21.007 to amend the Vaughan Official Plan 2010 (VOP 2010) and Volume 2 of VOP 2010, specifically, the Vaughan Metropolitan Centre Secondary Plan (the 'VMCSP') as follows:
 - a) Policy 9.3.8 (Area F) to increase the maximum building heights from 40-storeys (Building A) and 34-storeys (Building B) to 49 and 45-storeys respectively and to increase the maximum permitted FSI of 5.66 to 7.5;
 - b) Schedule C – Street Network of the VMCSP to delete the east-west public road and change the tenure of the road from a public to a private road with a public access easement;
 - c) Policy 8.7.18 to increase the tower floor plate size from 750 m² to:
 - i. Building A – 853 m² from levels 8-47 and 804 m² on level 48;
 - ii. Building B – 853 m² from levels 8-43 and 804 m² on level 44; and
 - iii. Building C – 800 m² from levels 8-22

2. Zoning By-law Amendment File Z.21.010 to rezone the Subject Lands from “C9(H) Corporate Centre Zone” with the Holding Symbol “(H)”, to “C9 Corporate Centre Zone” in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in the Zoning section of this Report.
3. Amendment to the draft-approved Plan of Subdivision File 19T-18V005, as shown on Attachment 2A, to change the tenure of the east-west road (Street B) from public to private with a public access easement and reduce the width of Street B from 22 m to 20 m. The draft plan is proposed to be revised as follows:

Blocks	Proposed Uses	Area (ha)
Block 1	Mixed-Use Development Block	0.8357
Block 6	Residential Development Block	0.3452
Blocks 2, 4, 5, 7, 9	0.3 m Reserves	0.0088
Blocks 3, 8, 10	Road Widening	0.0379
Street ‘B’	20m Private Street with Public Access Easement	0.2228
Total		1.4505 ha

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

- a) Date the Notice of Public Meeting was circulated: May 7, 2021.

The Notice of Public Meeting was also posted on the City’s website at www.vaughan.ca and two Notice Signs were installed along Highway 7 and Maplecrete Road 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 May 18, 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 Development Planning Department in a future technical report to the Committee of the Whole.

Analysis and Options

Amendments to Volume 2 of VOP 2010, the VM CSP are required to permit the Development

Official Plan Designation (VM CSP):

- “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
- The Subject Lands are identified as Area F on Schedule K – Site Specific Policy Areas and are subject to Policy 9.3.8 which permits a maximum building height of 40-storeys (Building A) and 34-storeys (Building B) and a maximum density of 5.66 FSI
- Schedule C – Street Network identifies a new east-west local street on the Subject lands
- Schedule H – Areas for Retail, Service Commercial or Public Uses identifies that retail, service commercial or public use frontage uses are recommended at the intersection of Maplecrete Road and Highway 7 and along the entire westerly portion of the Subject Lands fronting on Maplecrete Road
- A maximum tower floor plate size of approximately 750 m² is permitted by Policy 8.7.18 of the VMCSPP
- An amendment to Volume 2, VOP 2010, the VMCSPP is required to permit maximum building heights of 49, 45-storeys and 22-storeys, at an FSI of 7.5 times the area of the lot, to change the tenure of the east-west road from public to private with a public access easement and to permit maximum tower floor plate sizes ranging between 800 m² to 853 m²

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

Zoning:

- The Subject Lands are zoned “C9(H) Corporate Centre Zone” with the Holding Symbol “(H)”, subject to Exception 1473 by Zoning By-law 1-88
- This Zone permits residential and commercial uses
- The removal of the Holding “(H)” Symbol is contingent upon the issuance of a Record(s) of Site Condition (RSC(s)) by the Ministry of Environment, Conservation and Parks (MECP) and the said RSC(s) is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, to the satisfaction of the City of Vaughan
- The Owner proposes to amend Zoning By-law 1-88 to remove the Holding (“H”) Symbol and amend site-specific performance standards on Exception 1473 to facilitate the Development as identified on Table 1 and as shown on Attachment 2

Table 1

	Zoning By-law 1-88 Standard	By-law 1-88 and C9 Corporate Centre Zone, Exception 9(1473) Requirements	Proposed Amendments to C9 Corporate Centre Zone Exception 9(1473)
a.	Definition of a “Parking Space”	2.6 m x 5.7 m	2.6 m x 5.6 m

	Zoning By-law 1-88 Standard	By-law 1-88 and C9 Corporate Centre Zone, Exception 9(1473) Requirements	Proposed Amendments to C9 Corporate Centre Zone Exception 9(1473)
b.	Minimum Lot Frontage for Block 6 (Maplecrete Road)	27 m	19.5 m
c.	Minimum Exterior Side Yard Setback	Block 1 – 2.5 m (Maplecrete Road) Block 1 – 3m (future N-S road to the east)	Building B – 2.2 m (Maplecrete Road) Building A – 2.8 m (future N-S road to the east)
d.	Minimum Building Setback (Underground garage)	1.8 m (future N-S road to the east)	0.51 m (future N-S road to the east)
e.	Minimum Parking Requirements	<u>Residential</u> Bachelor/One-Bedroom: 0.7 spaces/unit x 506 units = 355 spaces Two-Bedroom: 0.9 spaces/unit x 758 units = 683 spaces Three-Bedroom: 1 space/unit x 54 units = 54 spaces <u>Visitor</u> 0.15 spaces/unit x 1,318 units = 198 spaces <u>Non-Residential</u> 2 spaces/100 m ² x 794.17 m ² = 16 spaces Total Parking Required: 1290 + 16 = 1,306 spaces	<u>Residential</u> 0.6 spaces/unit x 1,318 units = 791 spaces <u>Visitor</u> 0.1 spaces/unit x 1,318 units = 132 spaces <u>Non-Residential</u> 2 spaces/100 m ² x 794.17 m ² = 16 spaces Total Parking Proposed = 939 spaces
f.	Accessible Parking Space Length	Type A: 3.4 m x 6 m (1.5 m access aisle) Type B: 2.4 m x 6 m (1.5 m access aisle)	Type A: 3.4 m x 5.6 (1.5 access aisle) Type B: 2.4 x 5.6 m (1.5 m access aisle)

	Zoning By-law 1-88 Standard	By-law 1-88 and C9 Corporate Centre Zone, Exception 9(1473) Requirements	Proposed Amendments to C9 Corporate Centre Zone Exception 9(1473)
g.	Landscape Strip	2.2m (Maplecrete Road)	2.4m (Maplecrete Road)
h.	Maximum Building Height	Building A: 40-storeys Buildings B: 34-storeys	Building A: 153.5 m Building B: 141 m Building C: 70.5 m
i.	Maximum Residential Density	5.66 FSI	7.5 FSI

Notwithstanding the permitted uses under the C9 Zone and site-specific Exception 9(1473), through the review of the Applications, staff will determine what uses are appropriate and can be supported in a downtown context and ensure that parking can be accommodated for these uses.

The Owner has also submitted an amendment to the draft-approved Site Development File DA.18.037 in support of the Development, as shown on Attachment 2. Other 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 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, 2020, 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 VMCSPP and Zoning By-law 1-88 Exceptions	<ul style="list-style-type: none"> The appropriateness of the amendments to VMCSPP 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 built form, 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; and coordination with

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>adjacent properties regarding the tenure, width and alignment of the proposed east-west street (Street B); servicing requirements; built form considerations including: scale and massing, transition, buildings setbacks, tower setbacks building façades, quality of building materials, attractive streetscapes, private amenity areas, podium height, parking, loading and servicing and access locations</p> <ul style="list-style-type: none"> ▪ The appropriateness of the rezoning the Subject Lands to the amend the previously approved site-specific Exception 9(1473), relative to the maximum permitted uses, building heights and densities by the VMCSPP, and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses ▪ The Applications will be reviewed to ensure all conditions have been satisfied to permit the removal of the Holding Symbol “(H)”
c.	Draft Plan of Subdivision	<ul style="list-style-type: none"> ▪ Review the appropriateness of the amendment to the previously draft-approved plan of subdivision regarding the change to the tenure of Street B from a public to a private road, the reduced width from 22 m to 20 m and coordination of the road alignment with abutting developments which have been approved by Council for a 22 m public right-of-way ▪ Should the Applications be approved, the corresponding Draft Plan of Subdivision conditions will need to be amended to reflect all approved revisions
d.	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
e.	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

	MATTERS TO BE REVIEWED	COMMENT(S)
f.	Access	<ul style="list-style-type: none"> ▪ The Owner is proposing a vehicular access to the north development block from the north-south private road that is being delivered by the Council approved development to the east. The previous development on the Subject Lands was approved with the same access location along the north-south road but at the time of the approval, the north-south road was not approved to be a private right-of-way (ROW). The Owner will now be required to seek permission from the property to the east and enter into necessary agreement(s) for an access easement in perpetuity
g.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> ▪ The previously approved development was reviewed by the DRP on November 30, 2017 and September 17, 2018. Given that the site organization, architectural expression and matters affecting the public realm remain largely unchanged, as the proposed revisions are mostly reflected in the height, density and tenure of Street B, Staff are of the opinion that the Development would not need to be reviewed and commented by the DRP at this time ▪ The executed Pre-Application Consultation (PAC) agreement indicates that at least 1 DRP meeting may be required. Should there be substantial revisions that affect the public realm, the Applications must be reviewed by the DRP, prior to the Applications being considered by the Committee of the Whole
h.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, Canadian National Railway (CNR) and other external public agencies and utilities and the Public, Separate, and French School Boards
i.	Sustainable Development	<ul style="list-style-type: none"> ▪ All developments within the VMC are expected to meet or exceed the Silver Threshold Score ▪ The Applications will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The proposed Site Development achieves a Silver score of 71
j.	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

	MATTERS TO BE REVIEWED	COMMENT(S)
		conveyance of parkland and/or cash-in-lieu will be required, should the subject Applications be approved
k.	Parks and Publicly Accessible Open Space (POPS)	<ul style="list-style-type: none"> ▪ In order to define and forecast the potential impacts of current residential growth trends in the VMC, since June of 2020, all development applications are required to submit a Parks and Open Space Brief ('P&OS Brief') as part of a complete application to ensure that the VMC is equipped with basic community service needs. The Development will be reviewed in consideration of the submitted P&OS Brief which will determine whether provision of additional parks or facilities are required to serve existing residents, as well as future users as a result of this Development
l.	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 for increases in building height and/or 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. ▪ An existing Section 37 Agreement has been registered on title requiring a cash contribution of \$1.3 million in exchange for the 2019 approval for the increase in building heights and density related to Official Plan and Zoning By-law Amendment Files OP.18.005 and Z.18.009. A new Section 37 agreement will be required for any additional approved increases based on current land values, above and beyond the \$1.3 million ▪ 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

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>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)</p> <ul style="list-style-type: none"> ▪ 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 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
m.	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
n.	Related Site Development Application	<ul style="list-style-type: none"> ▪ The Owner has submitted revisions to the related Site Development File DA.18.037 to be reviewed with the Applications in a future technical report
o.	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'), should the Development be approved

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.21.007. 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 have been determined by York Region through the previous approvals. Any revisions to road requirements will be advised by York Region through the review of the Applications.

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. 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 Jessica Kwan, Senior Planner, VMC Program, ext. 8814.

Attachments

1. Context and Location Map
2. Site Plan
- 2a. Revised Draft Plan of Subdivision
3. Landscape Plan
4. North Elevation - Building A
5. East Elevation - Buildings A and C
6. South Elevation - Building B
7. West Elevation - Buildings B and C
8. North and South Elevations - Building C
9. Perspectives - Views from Northeast and Southeast

Prepared by

Jessica Kwan, Senior Planner, Ext 8814
Amy Roots, Acting Director, VMC Program, Ext 8035

Approved by



Haiqing Xu, Deputy City Manager,
Planning and Growth Management

Reviewed by



Jim Harnum, City Manager