

Committee of the Whole (Public Meeting) Report

DATE: Monday, June 14, 2021

WARD: 4

TITLE: 7818 DUFFERIN INC.

OFFICIAL PLAN AMENDMENT FILE OP.21.004

ZONING BY-LAW AMENDMENT FILE Z.21.006

7818 DUFFERIN STREET

VICINITY OF DUFFERIN STREET AND CENTRE STREET

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 applications to redesignate and rezone the subject lands to permit two mixed use buildings consisting of 34 and 12-storey apartment buildings, and two 2-storey townhouse blocks, containing a total of 863 residential dwelling units, 361.87 m² of ground floor retail space, and having a Floor Space Index of 4.82 times the area of the lot, as shown on Attachments 2 to 6.

Report Highlights

- The Owner proposes 34 and 12-storey apartment buildings, two 2-storey townhouse blocks, 863 residential dwelling units, 361.87 m² of ground floor retail space with a Floor Space Index of 4.82 times the area of the lot with frontage on Dufferin Street and Centre Street.
- This report identifies preliminary issues to be considered in a comprehensive report to be prepared by the Development Planning Department to be considered at a future Committee of the Whole meeting.

Recommendation

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.21.004, and Z.21.006 (7818 Dufferin Inc.) BE RECEIVED, and that any issues identified by the Development Planning Department be addressed in a comprehensive report to a future Committee of the Whole meeting.

Background

Location: 7818 Dufferin Street (the 'Subject Lands') and located on the northwest corner of Dufferin Street and Centre Street. The Subject Lands and surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: April 2, 2020.

Date applications were deemed complete: March 30, 2021.

Previous Applications:

The previous Owner submitted Zoning By-law Amendment and Site Development applications to permit a service commercial development which included a 4-storey office building and 5 one-storey service commercial buildings on the Subject Lands. These applications were considered at a Committee of the Whole Meeting held on June 2, 2015. The previous Owner did not finalize the necessary approvals for the service commercial development.

The Subject Lands were sold to the new Owners (7818 Dufferin Inc), on May 5, 2020, who have submitted the current applications (Files OP.21.004 and Z.21.006).

The Owner (Dufcen Construction Inc.) for the property immediately north of the Subject Lands, submitted Official Plan and Zoning Bylaw Amendment and Site Development Files OP.17.013, Z.17.040 and DA.20.023 seeking approval of a development consisting of 10 and 12-storey apartment buildings, containing 450 dwelling units, and 134 stacked back-to-back townhouse units. These applications were considered and refused by Council on March 10, 2021. Dufcen has appealed the Council's decision to the Local Planning Appeal Tribunal (Case No. PL200219).

The Owner of the subject lands, 7818 Dufferin Inc., is a party to the Local Planning Appeal Tribunal proceedings.

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, as shown on Attachment 1, to redesignate and rezone the Subject Lands to permit 34-storeys and 12-storeys apartment buildings, and two 2-storey townhouse blocks, containing a total of 863 residential dwelling units, 361.87 m² of ground floor retail space (the 'Development') as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.21.004 to amend the policies of Vaughan Official Plan 2010 to redesignate the Subject Lands to "High-Rise Mixed-Use" to

permit a maximum building height of 34-storeys and a density of 4.82 times the area of the lot.

2. Zoning By-law Amendment File Z.21.004 to rezone the Subject Lands from “C7 Service Commercial Zone”, subject to site-specific Exception 9(1411) to “RM2 Multiple Residential Zone” in the manner shown on Attachment 3, 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: May 21, 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 Dufferin Street and Centre Street in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within an expanded polling area shown on Attachment 1, and to the Beverley Glen, Brownridge, and Concord West Ratepayers Associations and to anyone on file with the Office of the City Clerk having requested notice.

The following is a summary of written comments received as of May 31, 2021. The comments are organized by theme as follows:

Access, Traffic and Parking

- The existing traffic congestion in the community has significantly increased over the past few years. The Development will increase traffic congestion in the area. The residents of this Development will not all use the transit system

Density, Built Form and Building Design

- The proposed 34-storey building height seems excessive for the surrounding community. The proposed 12-storey building height is more appropriate. Other proposed residential developments in the community have been in the range of 2 to 12-storeys which is more appropriate

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 and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

Analysis and Options

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

Official Plan Designation:

- “Community Area” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- “Community Commercial Mixed-Use” on Schedule 13 – Land Use by VOP 2010
- This designation permits commercial retail and offices uses within low-rise and mid-rise buildings, no specific height or density figures are shown on Schedule 13
- Amendment to VOP 2010 are required to redesignate the Subject Lands to “High-Rise Mixed-Use” to permit a maximum building height of 34-storeys and a density of 4.82 times the area of the lot

Additional amendments to VOP 2010 may be identified through the detailed review of the Applications and will be considered in a comprehensive report to a future Committee of the Whole meeting.

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

Zoning:

- “C7 Service Commercial Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1411)
- This Zone does not permit residential uses or high-rise mixed-use buildings
- The Owner proposes to rezone the Subject Lands from “C7 Service Commercial Zone”, as shown on Attachment 1, to “RM2 Multiple Residential Zone”, in the manner shown on Attachment 2, together with the following site-specific zoning Exceptions:

Table 1:

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
a.	Minimum Front Yard (Centre Street)	4.5 m	0 m (Building B)
b.	Minimum Exterior Side Yard (Dufferin Street)	4.5 m	0 m (townhouse units) 1.02 m (Building A)
c.	Definition of a “Lot”	Means a parcel of land fronting on a street	The Subject Lands shall be deemed one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of subdivision, plan of condominium, part lot control, consent, and any easements

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
d.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Multiple Family Dwelling • Block Townhouse Dwelling • Day Nursery 	Permit the following additional uses on the Subject Lands: <ul style="list-style-type: none"> • Eating Establishment • Eating Establishment, Convenience • Eating establishment, Take-out • Financial Institution • Personal Service Shop • Pet Grooming Establishment • Pharmacy • Print Shop • Convenience Retail Store • Retail Store • Studio • Veterinary Clinic
e.	Minimum Parking Requirements	<p><u>Residential</u> 1.5 spaces/unit x 863 units = 1,295 spaces</p> <p><u>Visitor</u> 0.25 spaces/unit x 863 units = 216 spaces</p> <p><u>Commercial</u> 6 spaces/100 m² x 361.87 m² = 22 spaces</p> <p>Total Parking Required = 1,533 spaces</p>	<p><u>Residential</u> 0.70 spaces/unit x 863 units = 605 spaces</p> <p><u>Visitor</u> 0.12 spaces/unit x 863 units = 104 spaces</p> <p><u>Commercial</u> 6 spaces/100 m² x 361.87 m² = 22 spaces</p> <p>Total Proposed Parking = 731spaces</p>
f.	Minimum Amenity Area	<p>27 Bachelor Units x 15m²/unit = 405 m²</p> <p>447 One Bedroom Unit x 20m²/unit = 8,940 m²</p> <p>379 Two Bedroom Unit x 55m²/unit = 20,845 m²</p>	Provide a total amenity area of 17,770 m ²

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
		10 Three Bedroom Unit x 90m ² /unit= 900 m ² Total required amenity area = 31,090 m ²	
g.	Minimum Lot Area	230 m ² /unit	16.8 m ² /unit
h.	Maximum Lot Coverage	30 %	38 %
i.	Maximum Building Height	11 m	Building A – 39.5 m (12-storeys) Building B – 105.5 m (34-storeys)

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a comprehensive 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') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010
b.	Appropriateness of Amendments to VOP 2010 and Zoning By-law	<ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density, and at grade retail uses ▪ The appropriateness of the rezoning of the Subject Lands and the site-specific zoning 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 which are available

	MATTERS TO BE REVIEWED	COMMENT(S)
		<p>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</p>
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 Subject 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.	Urban Design Guidelines	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the VOP 2010 Urban Design and Built Form policies, the City of Vaughan City-wide Urban Design Guidelines and the Centre Street Urban Design Guidelines
f.	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 October 29, 2020
g.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region and the Toronto and Region Conservation Authority, Hydro One, MTO and external public agencies and utilities, municipalities, and the Public, Separate, and French School Boards
h.	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 at the Site Development Application stage
i.	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

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	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> as it read on 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 ▪ 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</i>, 2020; 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 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%) ▪ Transitional provisions in the <i>Planning Act</i> permit municipalities to continue to apply the Section 37 provisions of the <i>Planning Act</i> as it read on September 17, 2020 until the earlier of the City’s passage of a CBC By-law or 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 <i>Planning Act</i>, as it read on September 17, 2020. If the CBC By-law is in place at the time, the City will be permitted to collect community benefits pursuant to the instrument

	MATTERS TO BE REVIEWED	COMMENT(S)
j.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City's affordable housing goals
k.	York Region Council Approved Major Transit Station Corridor (MTSA) and the Centre Street Regional Corridor	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the York Region Council approved MTSA at Dufferin Street and Centre Street (Dufferin MTSA) and the Centre Street Regional Corridor Policies of the York Region and Vaughan Official Plans
l.	Vehicular Access to the existing Dufferin Street and Beverley Glen Boulevard Signalized Intersection	<ul style="list-style-type: none"> ▪ The Owner will be required to coordinate access with the property north of the Subject Lands in order to provide vehicular access to the existing Dufferin Street and Beverley Glen Boulevard signalized intersection. Through the review of Files OP.17.013 and Z.17.040 Dufcen Construction Inc., the development applications for the lands located directly north of the Subject Lands, a condition of approval required that the Owners coordinate development in the northwest quadrant of Dufferin Street and Centre Street to provide a private access road to the Dufferin Street and Beverley Glen Boulevard signalized intersection
m.	Ministry of Transportation Approval required for access to Centre Street	<ul style="list-style-type: none"> ▪ The Owner will be required to obtain approval from the Ministry of Transportation for the proposed access onto Centre Street
n.	Required Applications	<ul style="list-style-type: none"> ▪ The Owner is required to submit a Site Development and Draft Plan of Condominium applications to permit the proposed Development should the subject Applications 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 Regional Approval for Official Plan Amendment File OP.21.004. At the time of the preparation of this report, exemption from York Region approval was not confirmed. Any issues will be addressed when the comprehensive report is considered.

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 Carol Birch, Planner, Development Planning Department, ext. 8485.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations – Facing Centre Street
5. Building Elevations – Facing Dufferin Street
6. Townhouse Elevations – Facing Dufferin Street

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