

Committee of the Whole (Public Hearing) Report

DATE: Tuesday, January 22, 2019

WARD: 5

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.016
ZONING BY-LAW AMENDMENT FILE Z.18.028
YONGE & STEELES DEVELOPMENTS INC. C/O
THE GUPTA GROUP
VICINITY OF YONGE STREET AND STEELES AVENUE WEST**

FROM:

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of Whole on Official Plan and Zoning By-law Amendment Files OP.18.016 and Z.18.028 for the Subject Lands shown on Attachments 1 and 2 to permit the development (the 'Development') shown on Attachments 3 to 5 consisting of the following:

- Tower 1: 52-storey residential apartment building (584 units) connected by a 1-storey podium with 9 at grade townhouse units
- Tower 2: 52-storey residential apartment building (512 units) connected by a 7-storey hotel podium (120 rooms) with at grade retail and 6 levels of hotel above and 3 townhouse units
- Tower 3: 65-storey residential apartment building (680 units) connected by a 7-storey residential podium (102 units) with retail and a restaurant at grade
- A maximum density (Floor Space Index - 'FSI') of 14.3 times the area of the lot

Report Highlights

- To receive input from the public and the Committee of the Whole for a high-rise mixed-use development including 1890 residential units, a hotel, restaurant and retail uses all served by 5 levels of underground parking.
- Official Plan and Zoning By-law Amendments are required to permit the Development.
- A technical report to be 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 Official Plan Amendment File OP.18.016 and Zoning By-law Amendment File Z.18.028 (Yonge & Steeles Developments Inc. C/O The Gupta Group) 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

The Subject Lands (the ‘Subject Lands’) are located at the northwest corner of Steeles Avenue West and Yonge Street, municipally known as 7028 Yonge Street and 2 Steeles Avenue West and shown as Subject Lands on Attachments 1 and 2. The Subject Lands are developed with 3 commercial buildings.

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

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachments 1 and 2 to permit the Development described in the Purpose Section of this report and shown on Attachments 3 to 5:

1. Official Plan Amendment File OP.18.016 to amend in-effect Official Plan #210 (“Thornhill Community Plan”) to redesignate the Subject Lands from “General Commercial Area” which permits the existing commercial uses to continue and permits retail stores, restaurants, banks and business and professional offices with no prescribed building height or density to “Mixed Commercial/Residential Area” which permits residential uses, business and professional offices, retail and hotel uses with no prescribed building height or density that shall be developed in accordance with a comprehensive design scheme to ensure the compatibility of the commercial and residential uses.
2. Zoning By-law Amendment File Z.18.028 to amend Zoning By-law 1-88 to rezone the Subject Lands from “C1 Restricted Commercial Zone,” subject to site-specific Exceptions 9(865) and 9(331) to “RA3 Residential Apartment Zone” in the manner shown on Attachment 3, and to permit 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 and to an extended notification area

- a) Date the Notice of Public Hearing was circulated: December 14, 2018.

The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the property in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: An extended notification area beyond 150 m, as shown on Attachment 1, and to the Springfarm Ratepayers Association, and the City of Toronto and City of Markham.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting.

Previous Reports/Authority

N/A

Analysis and Options

Amendments to in-effect Official Plan #210 (Thornhill Community Plan) are required to permit the Development

The Subject Lands are designated "General Commercial Area" by in-effect Official Plan Amendment #210 ('OPA #210'). This designation permits the existing commercial uses to continue and permits retail stores, restaurants, banks and business and professional offices. The Development of mixed-use residential apartment buildings connected by a 7-storey residential and hotel podium, ranging in height from 52 to 65-storeys with a density of 14.3 FSI does not conform to the "General Commercial Area" policies of OPA #210.

The Owner proposes to amend in-effect OPA #210 to redesignate the Subject Lands to "Mixed Commercial/Residential Area" which permits residential uses, business and professional offices, retail facilities, hotels and associated facilities with no prescribed height or density requirements which shall be developed in accordance with a comprehensive design scheme to ensure the compatibility of the commercial and residential uses. In accordance with OPA #210, the Owner has submitted the Applications together with conceptual design plans and supporting studies to facilitate the Development shown on Attachments 3 to 5.

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

The Subject Lands are designated “High-Rise Mixed Use” and located in the “Office Priority Area” and “Mandatory Retail Frontage Area” by the Vaughan Official Plan 2010 (“VOP 2010”), Volume 2, Yonge Steeles Corridor Secondary Plan (“YSCSP”) which permits a range of residential, retail, community and office uses with a maximum density (FSI) of 6.0 times the area of the lot and a maximum building height of 30-storeys. The High-Rise Mixed-Use policies require that new development along Yonge Street and Steeles Avenue West be setback approximately 3 m, be designed with the highest quality and reflect the importance of the Yonge/Steeles intersection as a transit hub and gateway into the City of Vaughan. The Subject Lands are located within an area that requires that a minimum 60% of each building fronting onto Yonge Street and Steeles Avenue West shall be used for retail purposes.

The Office Priority Area policies specify that maximum FSI and Building height shall be 6.0 and 30-storeys. The YSCSP also provides that any development in excess of an FSI of 4.5 shall be used exclusively for non residential uses, including retail uses provided the retail uses are grade related and office uses as prescribed in Policy 3.6.11 (“Office Priority Area”) of the YSCSP. In addition, a minimum of 50% of the gross floor area devoted to non-residential uses shall be located in a high-rise or mid-rise building, devoted exclusively to office uses at the intersection of Yonge Street and Steeles Avenue West with direct connection to the future Yonge subway extension and bus station.

The Development of 3 mixed-use residential apartment buildings connected by a 7-storey residential and hotel podium setback approximately 2 m from both Yonge Street and Steeles Avenue West, ranging in height from 52 to 65-storeys with a density of 14.3 FSI does not conform to the building height, setback and density policies of the YSCSP. In addition, the Development does not include a high-rise or mid-rise building at the intersection of Yonge Street and Steeles Avenue West solely devoted to non-residential office uses with direct connections to future public transit infrastructure.

Vaughan Council on September 7, 2010, adopted the YSCSP. York Region Council on January 21, 2016, adopted the YSCSP with modifications. The YSCSP has been appealed to the LPAT (formerly the Ontario Municipal Board) by the Owner and a number of other landowners in the YSCSP area and is not yet in-effect for the Subject Lands. Therefore, the subject Official Plan Amendment File OP.18.016 is being processed as an amendment to the in-effect OPA #210.

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

The Subject Lands are zoned “C1 Restricted Commercial Zone,” subject to site-specific Exceptions 9(865) and 9(331) by Zoning By-law 1-88, which does not permit the Development. The Owner proposes to amend Zoning By-law 1-88 to rezone the Subject Lands to “RA3 Residential Apartment Zone” together with the following site-specific zoning exceptions to permit the Development shown on Attachments 3 to 5:

Table 1

	Zoning By-law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone
a.	Uses Permitted	<ul style="list-style-type: none"> - Apartment Dwelling - Day Nursery 	<p>To add the following uses:</p> <ul style="list-style-type: none"> - Hotel - Office - Block Townhouse Dwelling <p>To permit the following uses on the ground floor:</p> <ul style="list-style-type: none"> - Eating Establishment - Eating Establishment Convenience - Eating Establishment Take-out - Retail Store - Retail Convenience Store - Personal Service Shop - Bank - Health Centre - Pharmacy
b.	Minimum Lot Area	67 m ² / unit @1850 units =126,630 m ²	6 m ² / unit = 11,340 m ²

	Zoning By-law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone
c.	Minimum Front Yard Setback (Yonge Street)	7.5 m	2 m
d.	Minimum Exterior Yard Setback (Steeles Avenue West)	7.5 m	2.5 m
e.	Maximum Building Height	44 m	Towers 1 and 2: 165 m (52-storeys) Tower 3: 202 m (65-storeys)
f.	Maximum Yard Encroachments for exterior stairways, porches and balconies which are uncovered, unexcavated, unenclosed and not constructed on footings	1.8 m	2 m encroachment into any yard
g.	Minimum Amenity Area	171,010 m ²	6,300 m ²
h.	Minimum Parking Requirements	694 Studio / 1 Bedroom units @ 1.5 spaces / unit = 1041 spaces 1029, 2 Bedroom units @ 1.5 spaces / unit = 1544	694 studio / 1 Bedroom units @ 0.3 spaces per unit = 209 spaces 1029, 2 Bedroom units @ 0.5 spaces per unit = 515

	Zoning By-law 1-88 Standards	RA3 Apartment Residential Zone Requirements	Proposed Exceptions to the RA3 Apartment Residential Zone
		155, 3 Bedroom units @ 1.5 spaces / unit = 233 spaces 12 Townhouse units @ 1.5 spaces / unit = 18 spaces Visitor Parking 1890 units @ 0.25 space / unit = 473 parking spaces 120 Hotel Rooms @ 1 space/room = 120 parking spaces Retail GFA @ 6 spaces/100m ² (1990m ²) = 120 parking spaces. Total Spaces Required = 3549 parking spaces	155, 3 Bedroom units @ .95 spaces per unit = 148 12 units @ 1 space / unit = 12 spaces 1890 @ 0.12 spaces / unit for visitor parking = 227 Shared parking arrangement between hotel and retail uses for a total of 165 spaces Total Spaces Provided = 1276

The Owner has submitted a conceptual site plan in support of the Development, as shown on Attachment 3. Other zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report at 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.	Consistency and Conformity with Provincial Policies, and	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement 2014</i> (the “PPS”), the <i>Growth Plan for the Greater Golden Horseshoe</i>

	MATTERS TO BE REVIEWED	COMMENT(S)
	York Region Official Plans	2017 (the “Growth Plan”), and the policies of the York Region Official Plan (“YROP 2010”).
b.	City of Vaughan Official Plans	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed redesignation of the Subject Lands to a “Mixed Commercial/Residential Area” designation will be reviewed in consideration of the policies of the in-effect OPA #210 and VOP 2010. ▪ The Applications will be reviewed in consideration of the Council and York Region adopted YSCSP policies, including but not limited to, the following: <ul style="list-style-type: none"> - the appropriateness of increasing the maximum permitted density from 6 FSI to 14.3 FSI - increasing the maximum permitted building height from 30 to 65-storeys - the Official Plan policies regarding the requirements for affordable housing - reducing the setback from 3m to 2m along Yonge Street and Steeles Avenue West and other urban design policies of the Plan - requirements for stand alone non-residential office uses - mandatory retail uses along Yonge Street and Steeles Avenue West - connections to the future Yonge subway extension and bus station - pre and post subway population thresholds as identified by the Yonge Steeles Area Regional Transportation Study ▪ The Applications will be reviewed in consideration of the City’s Urban Structure as set out in Vaughan Official Plan 2010.
c.	Appropriateness of Proposed Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the Subject Lands and the site-specific amendments to Zoning By-law 1-88 required to permit the Development will be reviewed in consideration of the existing and planned surrounding land uses.

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Studies and Reports	<ul style="list-style-type: none"> ▪ The Owner has submitted the following studies and reports in support of the Applications, which must be approved to the satisfaction of the City or respective approval authority: <ul style="list-style-type: none"> - Urban Design and Sustainability Brief - Planning Justification Report - Comprehensive Development Plan - Community Services and Facilities Plan - Phase 1 Environmental Site Assessment - Pedestrian Level Wind Study - Sun/Shadow Study - Hydrogeological Investigation - Functional Servicing Report - Noise and Vibration Feasibility Study - Geotechnical Investigation - Traffic Impact Study ▪ Additional studies and/or reports may be required as part of the Application review process.
e.	Design Review Panel	<ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the recommendations provided by the City of Vaughan Design Review Panel (“DRP”) on November 29, 2018.
f.	Public Agency/Municipal Review	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the review areas of the Toronto Transit Commission (“TTC”), City of Toronto, City of Markham, York Region Rapid Transit Corporation and York Region. The Applications have been circulated to these agencies for review. The Owner will be required to address the comments from the external agencies/municipalities.
g.	Sustainable Development	<ul style="list-style-type: none"> ▪ In accordance with the City of Vaughan Sustainability Metrics Program, Site Development Applications outside of the Vaughan Metropolitan Centre must achieve a Bronze Threshold Overall Application Score.

	MATTERS TO BE REVIEWED	COMMENT(S)
		<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including CPTED (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the Site Plan review process, if the Applications are approved.
h.	Water and Servicing Allocation	<ul style="list-style-type: none"> ▪ Servicing allocation must be identified and assigned to the Development, if the Applications are approved. Should servicing capacity not be available, the Holding Symbol “(H)” may be applied to the Subject Lands, or portion thereof. Removal of the Holding Symbol “(H)” will be conditional on identifying and allocating servicing capacity to the Subject Lands.
i.	Future Site Development and Draft Plan of Condominium Application(s)	<ul style="list-style-type: none"> ▪ A future Site Development and Draft Plan of Condominium Application(s) will be required, if the Applications are approved, to permit the Development and to establish the ownership tenure(s) of the Development.
j.	Parkland Dedication	<ul style="list-style-type: none"> ▪ The Owner shall convey land at the rate of 1 ha per 300/units and or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 500 units, or at a fixed unit rate, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City’s Cash-in-Lieu policies, if the Applications are approved.
k.	Bonusing (Section 37 of the <i>Planning Act</i>)	<ul style="list-style-type: none"> ▪ The Applications will be subject to and reviewed in consideration of the City’s bonusing for increases in height and 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

	MATTERS TO BE REVIEWED	COMMENT(S)
		an increase in building height and/or density in return for community benefits.
I.	Yonge Subway Extension / Toronto Transit Commission ("TTC") / York Region Rapid Transit Corporation ("YRRTC")	<ul style="list-style-type: none"> The Subject Lands are located within the TTC / YRRTC's development review zone for the future Yonge Subway Extension and are situated adjacent to the future Steeles Subway Station, bus terminal, and ancillary facilities. The Owner shall satisfy the requirements of TTC and YRRTC respecting all planned and required public transit infrastructure.

Financial Impact

N/A

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any Regional issues will be addressed when the technical report is considered. The Subject Lands have frontage and access onto Yonge Street which is 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, turning lanes and servicing. At the time of the preparation of this report the Owner had not requested York Region exemption of Official Plan Amendment File OP.18.016 from York Region approval.

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 Hearing or in writing, and will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Nancy Tuckett, Senior Development Manager, Development Planning Department, ext. 8529

Attachments

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Elevation Plan
5. Landscape Plan

Prepared by

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/LG