

**EXTRACT FROM COUNCIL MEETING MINUTES OF NOVEMBER 21, 2017**

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**The Committee of the Whole (Public Hearing) recommends:**

## CITY OF VAUGHAN

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- b) Circulation Area: 150 m
- c) The application was also advertised as follows:
- on the City's On-line Calendar
  - on the City Page
  - posted on the City's Facebook and Twitter sites
- d) 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.

#### Purpose

To receive comments from the public and the Committee of the Whole on the following application to permit the development of a 55-storey condominium building containing 606 units, a 6-storey above grade podium containing 285 residential parking spaces, 347 m<sup>2</sup> of ground floor commercial uses, and with a density of 12.1 times the area of the lot, as shown on Attachments #3 to #9:

- a) Zoning By-law Amendment File Z.17.028 to rezone the subject lands from C10 Corporate District Zone, subject to site-specific Exception 9(959) to C10 Corporate District Zone together with the site-specific development standards identified in Table 1; and
- b) To permit the bonusing for increased building height and density for the proposed development than permitted by VOP 2010 in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, the policies of VOP 2010, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*.

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>C10 Corporate District Zone Requirements</b>	<b>Proposed Exceptions to the C10 Corporate District Zone</b>
a.	Permitted Uses	The C10 Zone does not permit an apartment building.	Permit an apartment building in the C10 Zone.
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 49 of the <i>Planning Act</i> , R.S.O. 1983 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 a parcel of land and a reserve shall not form part of the lot.	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.

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c.	Maximum Density (FSI - Floor Space Index)	0.6 FSI	12.1 FSI
d.	Maximum Building Height	15 m	180 m (55-storeys), exclusive of all mechanical equipment and architectural features
e.	Minimum Lot Area	5,000 m <sup>2</sup>	2,935 m <sup>2</sup>
f.	Minimum Parking Space Size	2.7 m by 6 m	2.7 m by 5.6 m
g.	Access	Access and parking to the subject lands shall be secured solely on the subject lands.	Permit an egress driveway from the lands to the south through the subject lands and connecting to Portage Parkway.
		Access to a parking area shall be a minimum 5.4 m in width.	The minimum width of the driveway access on Portage Parkway to a parking area shall be 4.5 m.
h.	Minimum Parking Requirements	<p>Bachelor/One-bedroom: 150 units @ 0.7 spaces/unit = 105 spaces +</p> <p>Two-bedrooms: 456 units @ 0.9 spaces/unit = 411 spaces +</p> <p>Residential Visitor: 606 units @ 0.15 spaces/unit = 91 spaces +</p> <p>347 m<sup>2</sup> @ 2 spaces/100 m<sup>2</sup> Commercial GFA = 7 spaces</p> <p>Total Required Parking = 614 Spaces</p>	<p>606 units @ 0.47 parking spaces/residential unit = 285 parking spaces</p> <p>No on-site parking visitor parking spaces/residential unit. Permit the 91 residential visitor parking spaces (606 units @ 0.15 spaces/unit) for the subject lands to be located off-site in the commercial parking garage on the adjacent lands to the west.</p>
i.	Maximum Yard Encroachment	Balcony projections are not permitted in a sight triangle	Permit a balcony to encroach 2 m into a sight triangle above the second storey

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j.	Minimum Setback to Portions of Buildings Below Grade	1.8 m (along Portage Parkway and Millway Avenue)	0 m (along Portage Parkway, Millway Avenue, and the sight triangle)
k.	Minimum Rear Yard Setback (West Property Line)	3 m	1.5 m
l.	Minimum Amenity Area	One-bedroom Unit: 150 units @ 20 m <sup>2</sup> / unit = 3,000 m <sup>2</sup> Two-bedroom Unit: 456 units @ 55 m <sup>2</sup> / unit = 25,080 m <sup>2</sup>  Total Required = 28,080 m <sup>2</sup>	For all unit types: 2 m <sup>2</sup> / unit  Total Provided = 1,269 m <sup>2</sup>
m.	Minimum Landscape Strip Width (along a street line)	6 m	1.5 m (along Portage Parkway)  0 m (along Millway Avenue)

Additional site-specific zoning exceptions may be identified through the processing of the application and considered in the final technical report.

**Background - Analysis and Options**

Location	<ul style="list-style-type: none"> <li>The subject lands are located at the southwest corner of Millway Avenue and Portage Parkway in the Vaughan Metropolitan Centre (VMC) Secondary Plan, as shown on Attachments #1 and #2.</li> </ul>
Official Plan Designation	<ul style="list-style-type: none"> <li>The subject lands are designated “Station Precinct” by the VMC Secondary Plan, which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010). The designation permits a broad mix of uses, including residential dwellings, retail uses, and a maximum building height of 25-storeys and a maximum FSI of 4.5 times the area of the lot. The proposed development does not conform to the maximum building height and density permissions of the VMC Secondary Plan.</li> <li>Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan, include policies to permit bonusing for increased building height and density in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are satisfied:</li> </ul>

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	<ul style="list-style-type: none"> <li>a) the community benefits bear a reasonable planning relationship to the increase in building height and density of the proposed development;</li> <li>b) that the development represents good planning, is consistent with the other objectives of VOP 2010 and the VMC Secondary Plan and consistent with applicable built form and neighbourhood compatibility objectives; and</li> <li>c) there is adequate infrastructure to support the increase in building height and density.</li> </ul> <p>The Owner is proposing to utilize the bonusing for increased building height and density policies of VOP 2010, pursuant to Section 37 of the <i>Planning Act</i> and the City of Vaughan Guidelines.</p>
<p>Required Official Plan Amendment Application</p>	<ul style="list-style-type: none"> <li>▪ On July 4, 2017, a Pre-Application Consultation (PAC) meeting was held to determine the submission requirements for the subject Zoning By-law Amendment application and the Site Development application. The Owner submitted the subject Zoning By-law Amendment File Z.17.028 and the related Site Development File DA.17.062 on August 3, 2017. The City, on August 29, 2017, deemed the applications complete, pursuant to the <i>Planning Act</i>, and the applications were subsequently circulated for review and comment.</li> <li>▪ The Official Plan sets out the policy framework and vision for the development of the subject lands, which includes a hierarchy of numerical standards and maximums for building height and density. For the subject lands, a maximum building height and density of 25-storeys and 4.5 FSI are permitted, whereas the Owner proposes 55-storeys and 12.1 FSI, respectively.</li> <li>▪ Through the initial review of the applications, the City determined that an Official Plan Amendment application is required in accordance with Policy 10.2.1.7 of VOP 2010 and Policy 9.4.4 of the VMC Secondary Plan that stipulate an amendment to the Official Plan Amendment is required when the proposed building height and density are greater than the permissions identified in the Official Plan.</li> <li>▪ The City's PAC By-law 278-2009 enables the City to conduct mandatory PAC meetings. The By-law further permits the City, during the review process of a complete application, to request additional submissions requirements, including application form(s).</li> <li>▪ The Owner has advised that they do not agree with the City's interpretation of the Official Plan policies and the requirement for an Official Plan Amendment.</li> </ul>

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	<ul style="list-style-type: none"> <li>A recommendation is included in this report requiring the Owner submit an Official Plan Amendment application.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>The subject lands are zoned C10(H) Corporate District Zone with the Holding Symbol “(H), and are subject to site-specific Exception 9(959) of Zoning By-law 1-88, as shown on Attachment #2.</li> <li>The Owner proposes to amend site-specific Exception 9(959), in the manner identified in Table 1 to permit the proposed development and to permit bonusing for increased building height and density in return for the provision of community benefits, in accordance with Section 37 of the <i>Planning Act</i>, the policies of VOP 2010, and the City of Vaughan Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>.</li> </ul>
Surrounding Land Uses	<ul style="list-style-type: none"> <li>Shown on Attachment #2.</li> </ul>

#### Preliminary Review

Following a preliminary review of the application, the Development Planning Department has identified the following matters to be reviewed in greater detail:

	MATTERS TO BE REVIEWED	COMMENTS
a.	Conformity with Provincial Policies, Regional and City Official Plans	<ul style="list-style-type: none"> <li>The application will be reviewed in consideration of the applicable Provincial policies and the Regional and City Official Plan policies.</li> </ul>
b.	VMC Secondary Plan	<ul style="list-style-type: none"> <li>The application will be reviewed in consideration of the following policies contained in the VMC Secondary Plan, including but not limited to:                             <ul style="list-style-type: none"> <li>a) the appropriateness of the proposed 55-storey building height and density (FSI) of 12.1 times the area of the lot in consideration of the surrounding city block, defined as all the lands situated within and bounded by the most proximate streets and/or public parks in the VMC Secondary Plan, and demonstration of no significant adverse impacts from taller buildings on neighbouring planned uses or the public realm;</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"><li>b) the appropriateness of the proposed bonusing for increased building height and density in consideration of the Policies of Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan. Should the proposed bonusing for the increased building height and density be determined to meet the criteria of the Official Plan, the community benefits must be identified to the satisfaction of the City;</li><li>c) the identified vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful;</li><li>d) the objective of establishing a distinct downtown containing a mix of uses, civic attractions and a critical mass of people; establishing complete neighbourhoods containing a variety of housing; optimize existing and planned investments in rapid transit; and design excellence ensuring all development exhibits a high quality of urbanity, materials and design;</li><li>e) the vision of buildings in all areas in the VMC, including ensuring the built form frames the streets and supports an inviting, comfortable and active public realm to bring vitality to the streets, and contribute positively to the image of Vaughan's downtown;</li><li>f) Policy 4.2.3 regarding the general alignment of the Spadina Subway Line Extension through the VMC to Portage Parkway and the protection for a future extension of the subway beyond the VMC;</li><li>g) Policy 8.7.2 regarding the location, massing, and design of buildings and the contribution to human-scaled street walls, attractive streetscapes, a varied sky line, an active pedestrian realm and environmental sustainability by adhering to the urban design criteria set out in Policies 8.7.3 to 8.7.25;</li><li>h) Policy 8.7.18 regarding tower elements of high-rise residential buildings being slender and spaced apart from one another to minimize shadow impacts and the loss of sky views, maintain privacy and contribute to an interesting skyline. The maximum size of a residential tower floor plate shall be approximately 750 m<sup>2</sup>;</li><li>i) Policy 8.7.20 regarding building exteriors and long buildings, generally over 40 m, shall be designed to break up their perceived mass with evenly spaced vertical recesses or other articulation and/or changes in materials. Furthermore, Policy 8.7.21 requires variation in the building materials and design treatments on the lower floors or podiums of buildings on a block. There should be variation in finishing materials between the podium and the tower of a high-rise building;</li></ul>
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		<ul style="list-style-type: none"> <li>j) Policy 8.8.2 regarding the parking and servicing facilities policies, including policies related to an above ground parking structure for residential apartment uses and the integration within the podium of a building; and</li> <li>k) the fine-grain street network and public transportation policies as they relate to the requirement for the planned widening of Portage Parkway (28 m to 33 m right-of-way) and Millway Avenue (33 m right-of-way) for a major collector road and a special collector road, respectively.</li> </ul>
c.	Section 37 of the <i>Planning Act</i>	<ul style="list-style-type: none"> <li>▪ Should the development proposal 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 and density, the proposed development must represent good planning and be consistent with the objectives of the VOP 2010 and the VMC Secondary Plan, and there must be adequate community infrastructure to support the increase in building height and density.</li> <li>▪ The identified community benefits must be reflected in the implementing Zoning By-law Amendment, to the satisfaction of Vaughan Council, and subject to a separate Section 37 Agreement that will be registered on title, should the proposed development be approved.</li> </ul>
d.	Guidelines and other Area Plans	<ul style="list-style-type: none"> <li>▪ The proposed development will be reviewed in consideration of the City-wide Public Art Program, the VMC Culture and Public Art Framework, the VMC Urban Design Guidelines, the VMC Streetscape and Open Space Plan, the VMC Transportation Master Plan and the draft VMC Parking Strategy.</li> </ul>
e.	Appropriateness of the Proposed Rezoning and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed rezoning and site-specific zoning exceptions to facilitate the proposed development will be reviewed in consideration of the existing and planned surrounding land uses, floor plate sizes, environmental sustainability, transition, built form, compatibility, site organization, pedestrian accessibility, and traffic impacts.</li> <li>▪ The 6-storey above grade podium parking structure is located over the potential future extension of the right-of-way for the subway. The VMC Secondary Plan includes a policy to protect for the future subway right-of-way extension to Portage Parkway and beyond the VMC. The appropriateness of the proposed zoning exceptions and related Site Development application will be reviewed to ensure the potential for the subway right-of-way extension is protected. The review of this issue may require that a peer review be undertaken.</li> </ul>



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f.	Related Site Development Application	<ul style="list-style-type: none"> <li>▪ The related Site Development File DA.17.062 will be reviewed in consideration of the following, but not limited to, matters:               <ul style="list-style-type: none"> <li>a) to ensure the urban design and built form policies of the VMC Secondary Plan and the VMC Urban Design Guidelines are met, including, but not limited to, the appropriate building and site design, pedestrian accessibility, sustainability, barrier-free access, signage, lighting, access, internal traffic circulation, parking, and landscaping;</li> <li>b) the Owner must make the necessary arrangements with the York Region Rapid Transit Corporation (YRRTC) to facilitate bus access onto Portage Parkway through the subject lands from the adjacent bus terminal. The proposed landscape concept, public realm and pedestrian walkway connection design, and built form interface between the subject lands and the bus terminal will be reviewed;</li> <li>c) the planned streetscape along Portage Parkway and Millway Avenue, in consideration of the streetscape policies of the VMC Secondary Plan and the guidelines of the VMC Streetscape Open Space Plan, as they relate to street furnishings, lighting, paving, trees, public art, and utilities;</li> <li>d) the loading and vehicular access movement must be reviewed;</li> <li>e) the activation of the roof top amenity and ground level pedestrian realm;</li> <li>f) consideration of the site plan as it relates to any road widenings along Portage Parkway and Millway Avenue;</li> <li>g) review will be given to any Special Area Development Charges;</li> <li>h) bird-friendly designs will be considered in the final building design and materials; and</li> <li>i) if required, the Owner and the City shall resolve any matters that pertain to the requirement for any public easement(s) surrounding the proposed building.</li> </ul> </li> </ul>
g.	Planned Park / Removal of the Temporary Surface Commercial Parking Lot	<ul style="list-style-type: none"> <li>▪ Through the site development review of the existing KPMG office building (Site Development File DA.12.085), the Owner agreed that the existing temporary surface commercial parking lot, located at the southeast corner of Edgeley Boulevard and Apple Mill Road, as shown on Attachment #2, would remain until the geographical limits within Regional Road 7, Portage Parkway, Edgeley Boulevard, and Millway Avenue, are developed with a total of 1,350 residential units. This condition was included in the registered Site Plan Agreement for the KPMG office building.</li> </ul>

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		<ul style="list-style-type: none"> <li>Transit City Towers 1 and 2 (Site Development File DA.17.014) were recently approved for 1,111 residential units. Combined with the proposed 606 residential units, if approved, the geographical limits identified above may result in the development of 1,717 residential units.</li> <li>The removal of the temporary surface commercial parking lot and advancing the planned park located at the southeast corner of Edgeley Boulevard and Apple Mill Road will be reviewed.</li> </ul>
h.	Sustainable Development	<ul style="list-style-type: none"> <li>the opportunities for sustainable design including, but not limited to, CEPTD (Crime Prevention Through Environmental Design), LEED (Leadership in Energy and Environmental Design), permeable pavers, bio-swales, drought tolerant landscaping, bicycle racks to promote alternative modes of transportation, energy efficient lighting, reduction in pavement and roof-top treatment to address the "heat island" effect and green roofs will be reviewed and implemented through the site plan approval process, if the proposed development is approved;</li> </ul>
i.	Servicing Allocation	<ul style="list-style-type: none"> <li>The availability of water and sanitary servicing capacity for the proposed development must be identified and formally allocated by Vaughan Council, if the development proposal is approved. Should servicing capacity not be unavailable, a Holding Symbol "(H)" will be placed on the subject lands, which will be removed once Vaughan Council has identified and allocated servicing capacity to the subject lands.</li> </ul>
j.	Vaughan Design Review Panel	<ul style="list-style-type: none"> <li>The proposed development will be reviewed in consideration of the recommendations provided by the City of Vaughan Design Review Panel (DRP) on July 27, 2017. The proposed development must be further considered at a second DRP meeting.</li> </ul>
k.	Supporting Studies	<ul style="list-style-type: none"> <li>The Owner has submitted the following reports and studies in support of the proposed development, which must be reviewed and approved to the satisfaction of the City and/or the applicable public approval authority: <ul style="list-style-type: none"> <li>Planning Justification Report</li> <li>Urban Design Brief</li> <li>Pedestrian Level Wind Study</li> <li>Sun/Shadow Study</li> <li>Environmental Noise and Vibration Study</li> <li>Functional Servicing and Stormwater Management Report</li> <li>Waste Management Plan</li> </ul> </li> </ul>

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		<ul style="list-style-type: none"><li>▪ Geotechnical Report</li><li>▪ Sustainability Metrics</li><li>▪ Site Plan Accessibility Checklist</li><li>▪ Parking and Access Study</li><li>▪ Future Tunnel Expansion Impact Study</li></ul> <ul style="list-style-type: none"><li>▪ The need for additional studies/information may be identified through the development application review process.</li></ul>
I.	Draft Plan of Condominium Application	<ul style="list-style-type: none"><li>▪ Should the proposed development be approved, a Draft Plan of Condominium Application will be required to establish the condominium tenure for the development.</li></ul>
m.	Cash-in-Lieu of Parkland	<ul style="list-style-type: none"><li>▪ The Owner will be required to pay to the City of Vaughan, Cash-in-Lieu of the dedication of parkland, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City of Vaughan's Cash-in-Lieu of Parkland Policy, should Site Development File DA.17.062 be approved. The final value of the cash-in-lieu of parkland dedication will be determined by the Office of the City Solicitor, Real Estate Department.</li></ul>
n.	NavCanada and Bombardier Review	<ul style="list-style-type: none"><li>▪ The subject lands are located within regulatory flight paths under the jurisdiction of NavCanada and Bombardier Aerospace. The Owner will be required to satisfy all conditions of NavCanada and Bombardier.</li></ul>

#### **Relationship to Term of Council Service Excellence Strategy Map (2014-2018)**

The applicability of this application to the Term of Council Service Excellence Strategy Map (2014-2018) will be determined when the technical report is considered.

#### **Regional Implications**

The application has been circulated to the York Region Community Planning and Development Services Department for review and comment. 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 application will be considered in the technical review of the development proposal, 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.

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**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Building Elevation - North (Along Portage Parkway)
6. Building Elevation - East (Along Millway Avenue)
7. Building Elevation - West
8. Building Elevations - South (Along YRRTC Bus Terminal)
9. Conceptual Perspective

**Report prepared by:**

Stephen Lue, Senior Planner, ext. 8210

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)