

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 11, 2017**

Item 3, Report No. 45, of the Committee of the Whole (Public Hearing), which was adopted without amendment by the Council of the City of Vaughan on December 11, 2017.

**3**

**OFFICIAL PLAN AMENDMENT FILE OP.17.003  
VMC RESIDENCES III GP INC. AS A GENERAL PARTNER AND ON  
BEHALF OF VMC RESIDENCES III LIMITED PARTNERSHIP  
WARD 4 - VICINITY OF MILLWAY AVENUE AND PORTAGE PARKWAY**

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

- 1) That the recommendation contained in the following report of the Director of Development Planning and Senior Manager of Development Planning, dated December 5, 2017, be approved;**
- 2) That the following be approved in accordance with Communication C2, from the Deputy City Manager, Planning and Growth Management and the Director of Policy Planning and Environmental Sustainability, dated December 4, 2017:**
  - 1. That Council declare that applications for amendment to the Vaughan Metropolitan Secondary Plan in Volume 2 of the City of Vaughan Official Plan may be made prior to the second anniversary of the first day any part of the plan came into effect;**
  - 2 That such applications for Official Plan Amendment be processed concurrently with the related Zoning By-law Amendment application and in an expeditious manner in order to optimize the utilization of the transit investments made for the Vaughan Metropolitan Centre (VMC); and**
  - 3. That staff be directed to report no later than June 30, 2018 on an amendment to the VMC Secondary Plan to clarify that modifications to height and/or density in the VMC Secondary Plan area, that are being requested through Section 37 bonusing shall be implemented through a section 34 zoning by-law amendment and that an official plan amendment would not be required notwithstanding policy 9.4.4 in the VMC Secondary Plan and policy 10.2.1.7 in Volume 1 of the Vaughan Official Plan 2010 (VOP 2010); and**
- 3) That the deputation of Ms. Paula Bustard, SmartCentres, Applewood Crescent, Vaughan, be received.**

**Recommendation**

The Director of Development Planning and Senior Manager of Development Planning recommend:

- 1. THAT the Public Hearing report for Official Plan Amendment File OP.17.003 (VMC Residences III GP Inc. as a General Partner and on behalf of VMC Residences III Limited Partnership) BE RECEIVED; and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.**

**Contribution to Sustainability**

The contribution to sustainability, such as site and building design initiatives, will be determined when the technical report is considered.

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#### Economic Impact

This will be addressed when the technical report is completed.

#### Communications Plan

- a) Date the Notice of a Public Hearing was circulated: November 13, 2017.

The Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca), and one Notice Sign was installed along the Portage Parkway frontage, in accordance with the City's Notice Signs Procedures and Protocols.

- 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 Official Plan Amendment File OP.17.003, for the subject lands shown on Attachment #1 and #2, to amend Volume 2 of the Vaughan Official Plan 2010, specifically Schedule "I" of the Vaughan Metropolitan Centre Secondary Plan, to permit:

- a) an increase in building height from 25 to 55-storeys; and  
b) an increase in density from 4.5 to 12.1 times the area of the lot for the subject lands.

The proposed amendments to the Official Plan would permit the development of a 55-storey residential apartment building containing 606 units, as shown on Attachments #3 to #9.

#### 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).</li></ul>

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	<ul style="list-style-type: none"> <li>▪ The VMC Secondary Plan permits a maximum building height and density of 25-storeys and a Floor Space Index (FSI) of 4.5 times the area of the lot on the subject lands, whereas the Owner proposes 55-storeys and a FSI of 12.1 times the area of the lot, respectively.</li> <li>▪ The proposed development does not conform to the maximum building height and density permissions of the VMC Secondary Plan. The requirement for an Official Plan Amendment application to permit the proposed increases in building height and density was identified by staff in the November 7, 2017, Public Hearing report for the related Zoning By-law Amendment File Z.17.028.</li> <li>▪ Official Plan Amendment File OP.17.003 has been submitted in response to Policy 10.2.1.7 of VOP 2010 and Policy 9.4.4 of the VMC Secondary Plan, which both stipulate that an amendment to the Official Plan is required when the proposed building height and density are greater than the permissions identified in the Official Plan.</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.</li> <li>▪ Through the related Zoning By-law Amendment application (File Z.17.028), which is currently under review, the Owner proposes to amend site-specific Exception 9(959) to permit the proposed development.</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:

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
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>

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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 identified vision and principles to create a new downtown area that is transit-oriented, walkable, accessible, diverse, vibrant, green and beautiful;</li> <li>b) 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; and optimize existing and planned investments in rapid transit;</li> <li>c) 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>d) 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 Portage Parkway (north), Apple Mill Road (south), Buttermilk Avenue extension (west), and Millway Avenue (east), and confirmation that there are no significant adverse impacts from taller buildings on neighbouring planned uses or the public realm;</li> <li>e) the appropriateness of the proposed amendment will be reviewed in consideration of the existing and planned surrounding land uses, environmental sustainability, transition, built form, compatibility, site organization, pedestrian accessibility, and traffic impacts;</li> <li>f) Policy 4.2.3 protects for the future subway right-of-way extension to Portage Parkway and beyond the VMC. A portion of the proposed development is located over this potential future right-of-way extension for the subway. The appropriateness of the proposed amendment will be reviewed in conjunction with the related Zoning By-law Amendment application (File Z.17.028) 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> <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> </ul> </li> </ul>
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		<ul style="list-style-type: none"> <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. In addition, 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> <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 related 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) as a major collector road and a special collector road, respectively.</li> </ul>
c.	Updated Planning Justification Report	<ul style="list-style-type: none"> <li>▪ The Owner has submitted an updated Planning Justification Report in support of the proposed Official Plan Amendment, which must be reviewed and approved to the satisfaction of the City.</li> </ul>
d.	Section 37 of the <i>Planning Act</i>	<ul style="list-style-type: none"> <li>▪ As identified in the November 7, 2017, Public Hearing report for the related Zoning By-law Amendment File Z.17.028, the Owner proposes increased building height and density in excess of what is permitted by VOP 2010 in return for the provision of community benefits, pursuant to 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>. The request for additional height and density will be reviewed in consideration of the following: <ul style="list-style-type: none"> <li>a) the appropriateness of the proposed 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 increase in building height and density be determined to meet the criteria of the Official Plan, the proposed community benefits must be identified to the satisfaction of the City;</li> </ul> </li> </ul>

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		<p>b) 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; and</p> <p>c) the identified community benefits must be reflected in the implementing amending Zoning By-law, 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.</p>
e.	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>
f.	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> <p>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.</p> <ul style="list-style-type: none"> <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>
g.	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>

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h.	NavCanada and Bombardier Review	▪ 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.
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**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 this application and the related Zoning By-law Amendment application (File Z.17.028) 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.

**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.)