



REPORT FOR ACTION

7028 Yonge Street and 2 Steeles Avenue West in the City of Vaughan – Official Plan Amendment and Zoning Amendment Applications – Request for Direction Report

Date: January 23, 2019

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

This report responds to an application filed in the City of Vaughan to amend the City of Vaughan Official Plan and the City of Vaughan Zoning By-law, identifies the concerns of City Planning staff and makes recommendations on future steps to protect the City's interests concerning the applications. The applications are at the north-west corner of Yonge Street and Steeles Avenue West, abutting the City of Toronto. The purpose of these amendments is to permit three mixed-use residential towers connected by a seven storey mixed-use base building. The base would contain residential and hotel uses. The towers range in height from 52 to 65 storeys and the overall development would have a Floor Space Index (FSI) of 14.3 times the area of the lot.

The Deputy Manager, Planning and Growth Management for the City of Vaughan has written a report to the City of Vaughan's Committee of the Whole regarding the application.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning, recommends that:

1. City Council endorse the January 17, 2019 letter from the Director, Community Planning, North York District (Attachment 2) to the City of Vaughan's Committee of the Whole which identifies the concerns with the application at 7028 Yonge Street and 2 Steeles Avenue West, including height and density.
2. Should the City of Vaughan approve an application at 7028 Yonge Street and 2 Steeles Avenue West that is not substantially in conformity with the Council of Vaughan adopted Yonge-Steeles Corridor Secondary Plan, City Council request the Chief Planner and Executive Director, City Planning to report to the Planning and Housing Committee on next steps.

3. Should the application at 7028 Yonge Street and 2 Steeles Avenue West be appealed to the Local Planning Appeal Tribunal, City Council direct the City Solicitor and appropriate City Staff to attend and seek party status to support the City's interests.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

On September 7, 2010 the City of Vaughan adopted the Yonge-Steeles Corridor Secondary Plan. The Secondary Plan was subsequently forwarded to York Region in accordance with the provisions of the *Planning Act* for approval. A number of appeals were filed due to the Council of the Regional Municipality of York not making a decision within the time frame prescribed by the *Planning Act*.

At its meeting of January 21, 2016, York Region Council directed its staff to attend any LPAT hearing in support of approval of the Secondary Plan, subject to some modifications. The decision can be found at

<http://www.york.ca/wps/wcm/connect/yorkpublic/88b80c68-a690-493a-9421-c76895c93a53/jan+14+vaughan+ex.pdf?MOD=AJPERES>.

At its December 5, 6, 7 and 8, 2017 meeting, Toronto City Council considered a motion by Councillor Filion regarding City representation at the LPAT hearing regarding the City of Vaughan's Yonge-Steeles Corridor Secondary Plan. Council directed the City Solicitor, and appropriate staff, to seek party status for the purpose of participating in any mediation held as part of the hearing "in order to support the City's interests and in support of the densities in the Yonge-Steeles Corridor Secondary Plan".

Further, the City Solicitor was directed to report back to City Council should modifications be made to the Secondary Plan due to mediation or further discussions between the parties.

City Council's decision can be found at

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY26.57>

Further to Council's decision at its meeting of December 5, 6, 7 and 8, 2017, City Legal filed a motion for party status with the OMB requesting party status regarding the hearing for the Secondary Plan. That motion was heard by the Board on March 9, 2018 and on March 21, 2018 the Board issued a decision and Order which can be found at

<http://www.omb.gov.on.ca/e-decisions/pl111184-Mar-21-2018.pdf>.

That decision provided participant status to the City of Toronto for Phase 1 of the hearing and party status for all subsequent phases. It also allowed the City of Vaughan and York Region to discuss with City of Toronto staff any without prejudice discussions they have with the appellants, including discussions as part of any formal mediation.

City of Toronto Planning staff provided an update to City Council at its meeting of May 22, 2018 on the outcome of the motion for party status and seeking further direction. Council affirmed participant status for Phase 1 of the hearing and party status for all subsequent phases. Council's decision and the report can be found at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.3>

ISSUE BACKGROUND

Proposal

The applicant has filed an application (file nos. OP.18.016 and Z.18.028) with the City of Vaughan which proposes to amend the City of Vaughan's Official Plan and Zoning By-law to permit a mixed-use development. The applications propose to amend the Official Plan land use designation to *Mixed Commercial/Residential Area* and change the zoning to RA3 Residential Apartment Zone with site specific exceptions.

The purpose of these amendments is to permit three mixed-use residential towers connected by a seven storey mixed-use base building. The base would contain residential and hotel uses. The towers range in height from 52 to 65 storeys and the overall development would have a Floor Space Index (FSI) of 14.3 times the area of the lot. The City of Vaughan staff report to the Committee of the Whole describes the proposed towers as follows:

- "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 units) 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"

The proposed site plan can be found in Attachment 3 and the proposed elevations can be found at Attachment 4.

A copy of the City of Vaughan staff report, which outlines the proposed development and identifies a number of matters which need to be further reviewed, can be found at <https://pub-vaughan.escrimemeetings.com/FileStream.ashx?DocumentId=8890>

Site and Surrounding Area

The site is located at the north-west corner of Yonge Street and Steeles Avenue West in the City of Vaughan. Steeles Avenue is the boundary between the cities of Toronto and Vaughan, however the entire right-of-way, including the northern boulevard, is owned and maintained by the City of Toronto.

Yonge-Steeles Corridor Secondary Plan

The intersection of Yonge Street and Steeles Avenue has been identified as a Gateway Hub by Metrolinx's The Big Move and Yonge Street has been identified as a Regional Corridor between Steeles Avenue and Highway 407 in York Region's Official Plan. These areas are intended to accommodate future intensification, in part due to an expected extension of the TTC's Line 1 into York Region. In response to this, the City of Vaughan commenced a study and on September 7, 2010 adopted the Yonge-Steeles Corridor Secondary Plan which includes the subject lands. The subject site is located in the South Area of the Secondary Plan which runs north along Yonge Street from Steeles to Thornhill Public School and west along Steeles Avenue West from Yonge Street to Cactus Avenue/Palm Gate Boulevard.

Subsequent to Council adoption, the Secondary Plan was forwarded to York Region Council in accordance with the provisions of the *Planning Act*. As York Region did not make a decision on the Secondary Plan within the timeframes prescribed by the *Planning Act* a number of appeals were filed, including by the owners of the subject lands.

As part of York Region's review of the Secondary Plan a number of modifications were made subsequent to the appeals being filed which were also endorsed by the City Council for Vaughan. These modifications, which were forwarded to the LPAT, include a phasing of residential development by introducing pre and post subway population caps for the Secondary Plan area. These caps were determined through a Regional Transportation Study led by York Region to which the Cities of Toronto, Vaughan and Markham provided input. York Region's decision and the modified Secondary Plan can be found at <https://www.york.ca/wps/wcm/connect/yorkpublic/88b80c68-a690-493a-9421-c76895c93a53/jan+14+vaughan+ex.pdf?MOD=AJPERES>

The status of the appeal process can be found at <http://www.omb.gov.on.ca/ecs/CaseDetail.aspx?n=PL111184>

Yonge Street North Planning Study

In June 2011, North York Community Council received for information a report summarizing and initiating the "Yonge Street North Planning Study" in the context of increasing development pressures and the appropriateness of current and potential future amendments to Official Plan policies and designations. The study area is the Yonge Street corridor from Cummer/Drewry Avenues north to Steeles Avenue. The subject lands are immediately north of the study area for the Yonge Street North Planning Study.

In November 2013, City Council received for information the consultant's final report on the study and directed City Planning staff to undertake further work. The work included consulting with the community on an implementation plan for the study area including parkland acquisition, transportation improvements, density and streetscape improvements. Staff was also directed to provide historical data on congestion and traffic volumes and to present alternate built forms consisting of low- and mid-rise buildings.

Council's direction can be found at

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY27.28>

On May 28, 2014, City Planning held a community consultation meeting to consult with residents on a draft implementation plan for the Yonge Street North Planning Study. The study has remained inactive for some time but has been recently re-activated. Work on a final implementation plan for Council's consideration is currently underway and a report back to North York Community Council can be expected later in 2019.

COMMENTS

The site is located at the northwest corner of Yonge Street and Steeles Avenue, abutting the City of Toronto's Steeles Avenue right-of-way and immediately north of the boundary of the Yonge Street North Planning Study area.

The Yonge Street North Planning Study's draft implementation plan, which was developed for public comment and review, provided a draft Secondary Plan for the study area. The draft policies identified the south side of Steeles Avenue adjacent to Yonge Street as appropriate for a maximum height of 125 metres and a maximum FSI of 3.75. The policies would have allowed an applicant to provide facilities in exchange for additional density to a maximum FSI of 4.99, an increase of thirty three percent. The consultant's final report and the draft Secondary Plan have not yet been adopted by City of Toronto Council and have no status. The lands to the south of the subject lands within the City of Toronto currently contain a shopping centre (Centerpoint Mall). The lands are currently designated *Mixed Use Areas* in the Toronto Official Plan.

The subject lands are located in the City of Vaughan City Council adopted, but under appeal, Yonge-Steeles Corridor Secondary Plan. The Secondary Plan identifies the lands, on Schedule 2 (South) as *High-Rise Mixed Use* and an *Office Priority Area*. The policies permit a maximum FSI of 6.0 and a maximum height of thirty storeys. However, the maximum residential FSI is 4.5 as any floor area above this is cap required to be non-residential, half of which must be for office use. Other policies in the Yonge-Steeles Corridor Secondary Plan deal with matters such as setbacks, connections to the planned future subway station, uses and affordable housing.

On a preliminary basis, several high level concerns have been identified by Planning staff, including the proposed height and density which are significantly greater than those in the City of Vaughan Council adopted Secondary Plan. The City of Vaughan Development Planning staff wrote a report to the City of Vaughan's Committee of the Whole which identifies a number of similar concerns including the proposed height and density. City of Toronto Planning staff support the concerns raised in the City of Vaughan report. The proposal, with a proposed FSI of 14.3 and proposed heights up to sixty-five storeys is not consistent with the City of Vaughan Council adopted Yonge-Steeles Corridor Secondary Plan and as a result staff have concerns.

At its meeting of January 22, 2019 the City of Vaughan's Committee of the Whole held a Public Hearing to receive input from the public and committee members regarding the applications. In order to share staff concerns regarding the application to the Committee of the Whole and to preserve the City's appeal rights to the LPAT, staff submitted a letter from the Director, Community Planning, North York District (Attachment 2).

Conclusion

Planning staff have reviewed the City of Vaughan application and have identified some concerns through the formal commenting process and by way of a letter to the City of Vaughan's Committee of the Whole; the concerns relate to the proposed height and density of the proposal as they significantly exceed the planned context and may exceed infrastructure capacity as densities of that magnitude have not been planned for. To demonstrate City of Toronto Council's concerns with the application, it is recommended that City Council endorse the City Planning staff letter at Attachment 2. Further, in order to ensure that the City's interests are considered, it is appropriate for staff to attend any LPAT hearing in the event the application is appealed.

CONTACT

Guy Matthew, Senior Planner, 416-395-7102, Guy.Matthew@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: City Planning Letter to the Committee of the Whole

Applicant Submitted Drawings

Attachment 3: Site Plan

Attachment 4: Elevations

Attachment 1: Location Map



Attachment 2: City Planning Letter to the Committee of the Whole



Gregg Lintern, Chief Planner & Executive Director
City Planning Division

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Joe Nanos
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January 17, 2019

By E-mail Only to developmentplanning@vaughan.ca

Chair & Members of the Committee of the Whole
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Attn: Todd Coles, City Clerk

Re: Committee of the Whole Meeting of January 22, 2019
Item 5
7028 Yonge Street and 2 Steeles Avenue West (File Nos. OP.18.016 & Z.18.028)

Dear Chair and Members of the Committee of the Whole,

This letter is in regards to the Official Plan and Zoning By-law Amendment applications submitted to the City of Vaughan for the lands known as 7028 Yonge Street and 2 Steeles Avenue West. The applications propose to amend the Official Plan land use designation to *Mixed Commercial/Residential Area* and change the zoning to RA3 Residential Apartment Zone with site specific exceptions. The purpose of these amendments is to permit three mixed-use residential towers connected by a seven storey mixed-use base building. The base is proposed to contain residential and hotel uses. The towers range in height from 52 to 65 storeys and the overall development would have a Floor Space Index (FSI) of 14.3 times the area of the lot.

On September 7, 2010, Vaughan City Council adopted the Yonge-Steeles Corridor Secondary Plan. The Secondary Plan was subsequently forwarded to York Region in accordance with the provisions of the *Planning Act* for approval. A number of appeals were filed, including one by the applicant, due to York Region Council not making a decision within the time frame prescribed by the *Planning Act* and is now under consideration by the Local Planning Appeal Tribunal (LPAT). The City of Toronto was a participant to Phase 1 of the LPAT hearing and is a party to Phase 2 of the hearing in order to support the Secondary Plan in its current form.

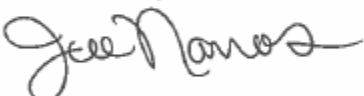
The subject lands are located in the City of Vaughan, City Council adopted Yonge-Steeles Corridor Secondary Plan. The Secondary Plan identifies the lands, on Schedule 2 (South) as *High-Rise Mixed Use* and an *Office Priority Area*. The policies permit a maximum FSI of 6.0 and a maximum height of thirty storeys. However, the maximum residential FSI is 4.5 as any floor area above this is required to be non-residential, half of which must be for office use.

City of Vaughan staff circulated the applications to the City of Toronto in accordance with the agreed upon protocol for applications abutting another municipality and City of Toronto Planning staff have provided comments (see Attachment 1). On a preliminary basis, several high level concerns were raised including the proposed density and heights which are significantly greater than those in the City of Vaughan Council adopted Yonge-Steeles Corridor Secondary Plan.

City of Toronto Planning staff have reviewed the report from the Deputy City Manager, Planning and Growth Management to the January 22, 2019 meeting of the Committee of the Whole. City of Toronto Planning staff support the concerns raised by City of Vaughan Development Planning staff about the proposal, namely those issues identified in the report as "matters to be reviewed in greater detail". In particular, there is concern with regards to the proposed density and heights which are considerably in excess of those permitted in the City of Vaughan Council adopted Yonge-Steeles Corridor Secondary Plan. We would recommend that the proposed development be modified to achieve the policies and objectives of the Council adopted Yonge-Steeles Corridor Secondary Plan.

We would appreciate a copy of any Committee of the Whole or City Council decision regarding this matter.

Yours truly,



Joe Nanos
Director
Community Planning, North York District

Cc: Todd Coles, City Clerk (Todd.Coles@vaughan.ca)
City Clerk's Office (clerks@vaughan.ca)
Jason Schmidt-Shoukri, City of Vaughan Deputy City Manager, Planning and Growth Management (Jason.Schmidt-Shoukri@vaughan.ca)
Nancy Tuckett, Senior Manager, Development Planning (Nancy.Tuckett@vaughan.ca)
Ray Kallio, Solicitor, City of Toronto (Ray.Kallio@toronto.ca)

Attachment 1: City of Toronto Comments on the Original Application

Attachment 1: City of Toronto Comments on the Original Application

Guy Matthew

From: Guy Matthew
Sent: October-29-18 2:45 PM
To: 'Napoli, Christina'
Cc: Giulio Cescato; David Fitzpatrick; 'Tuckett, Nancy'
Subject: 7028 Yonge St - City of Toronto Comments

Ms. Napoli,

Thank you for providing us with a copy of the application materials. We did not receive a copy of a shadow study, was one provided as part of the submission? If it was, can you please send it along and if not are you able to request one from the applicant?

We have reviewed the application materials and have the following high level comments:

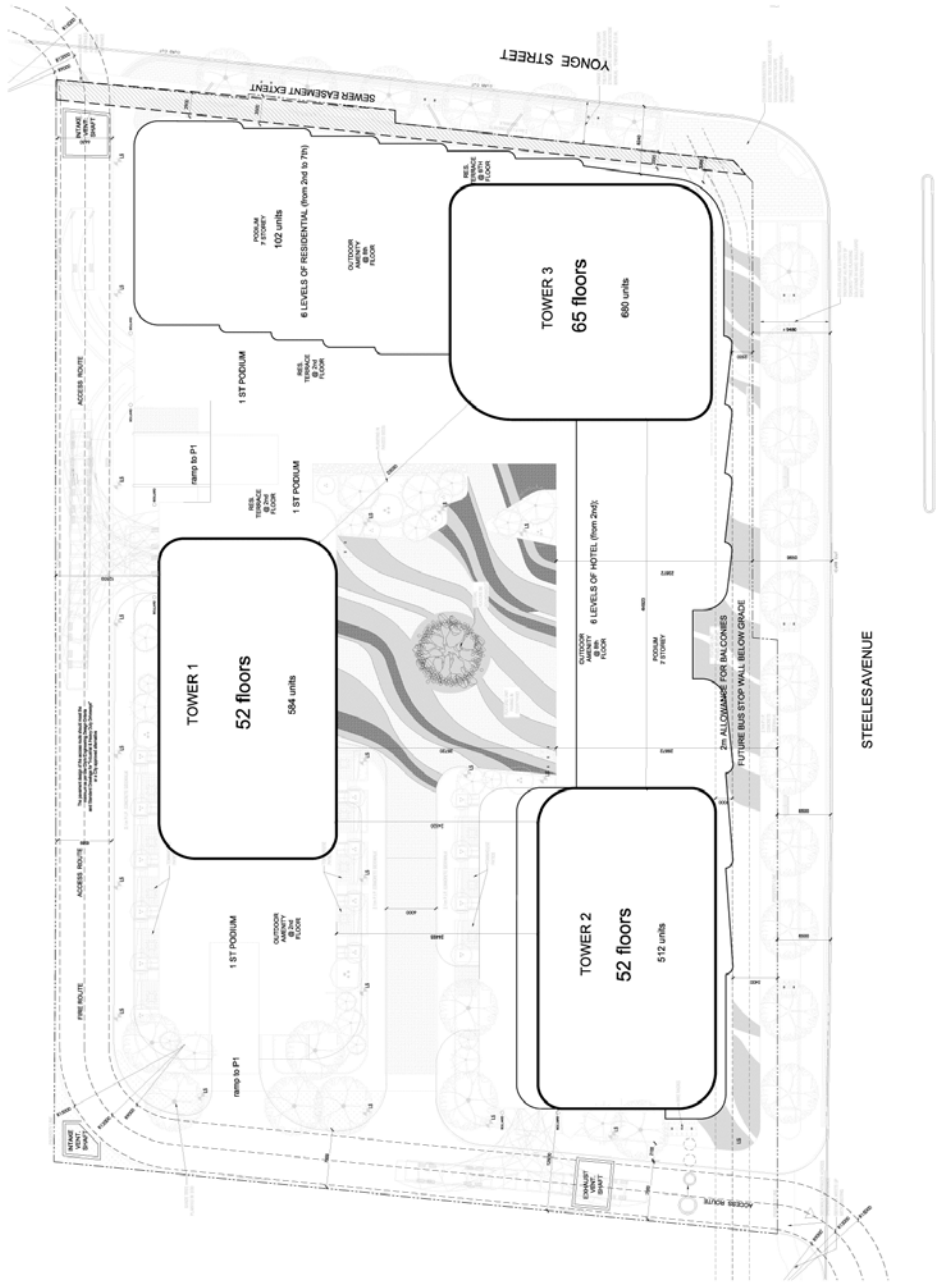
- Application should be modified to reflect the recently adopted (although under appeal) Vaughan Yonge-Steeles Corridor Secondary Plan. Of particular concern is the proposed heights and densities which seem to be well in excess of those permitted by the Secondary Plan. In addition, they do not seem to demonstrate that there is infrastructure capacity to go beyond the population caps of the Secondary Plan.
- The subway access shown on the ground floor plan does not align with anything on any below grade drawing. Please have the applicant clarify how the building would connect to the future subway station.
- Seems to be deficient in amenity space
- The CS&F study fails to review the impacts on the City of Toronto (and the City of Markham). While the development is not located in Toronto, it is assumed that future residents will rely on facilities and services on either side of Steeles Avenue and/or Yonge Street. Please have the applicant revise the study to examine all impacts the proposed development may have on CS&F in the area.
- A widening of Steeles Avenue West is not required as the 36 metre right-of-way has already been achieved.

Please let me know if you have any questions.

Regards,

Guy

Guy Matthew RPP MCIP
City Planning, Community Planning
City of Toronto
North York Civic Centre, Ground Floor
5100 Yonge Street
Toronto, ON M2N 5V7

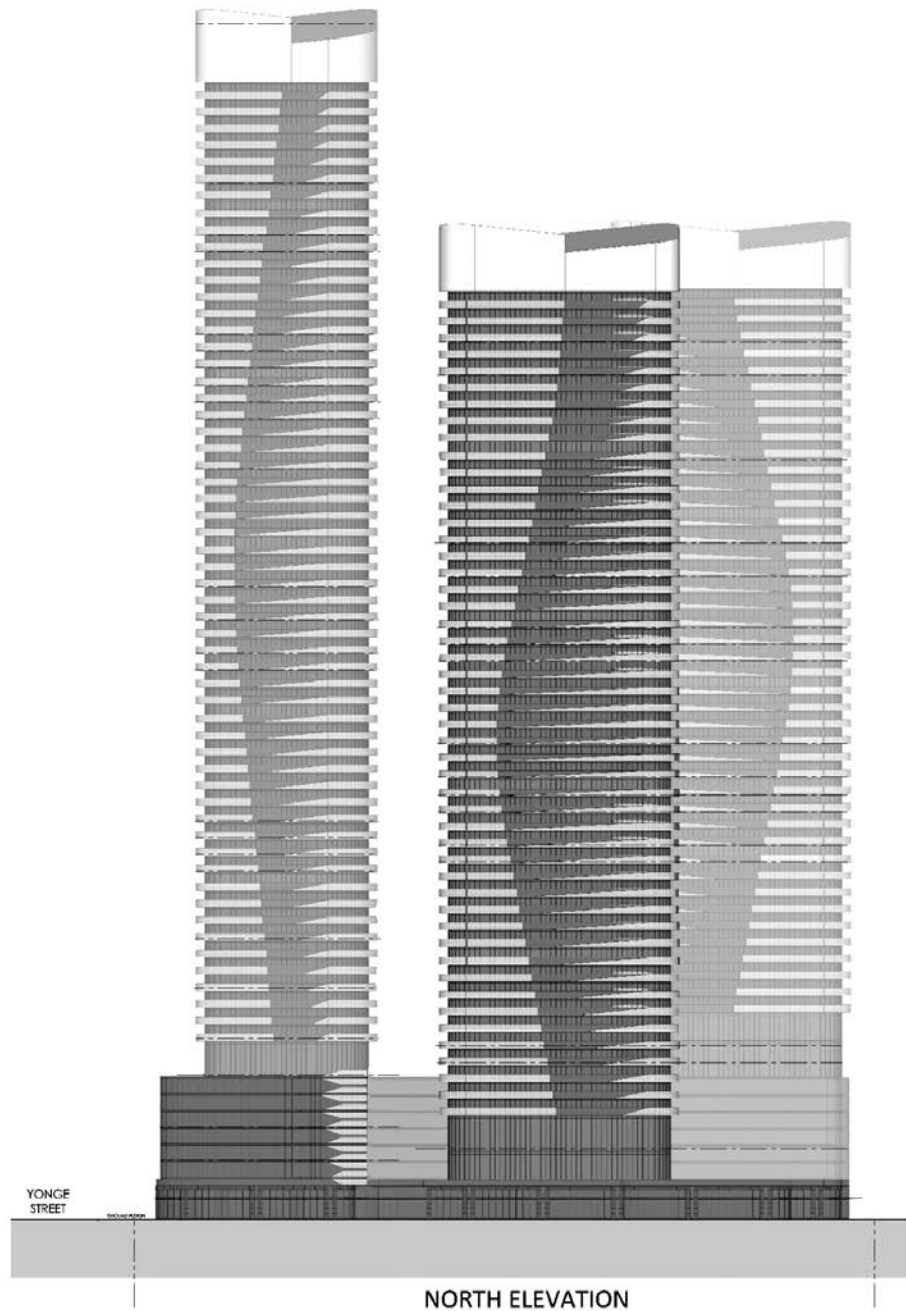


Site Plan
Applicant's Submitted Drawing
Not to Scale
12/24/2018



7028 Yonge St. and 2 Steeles Ave. West

Attachment 4: Elevations

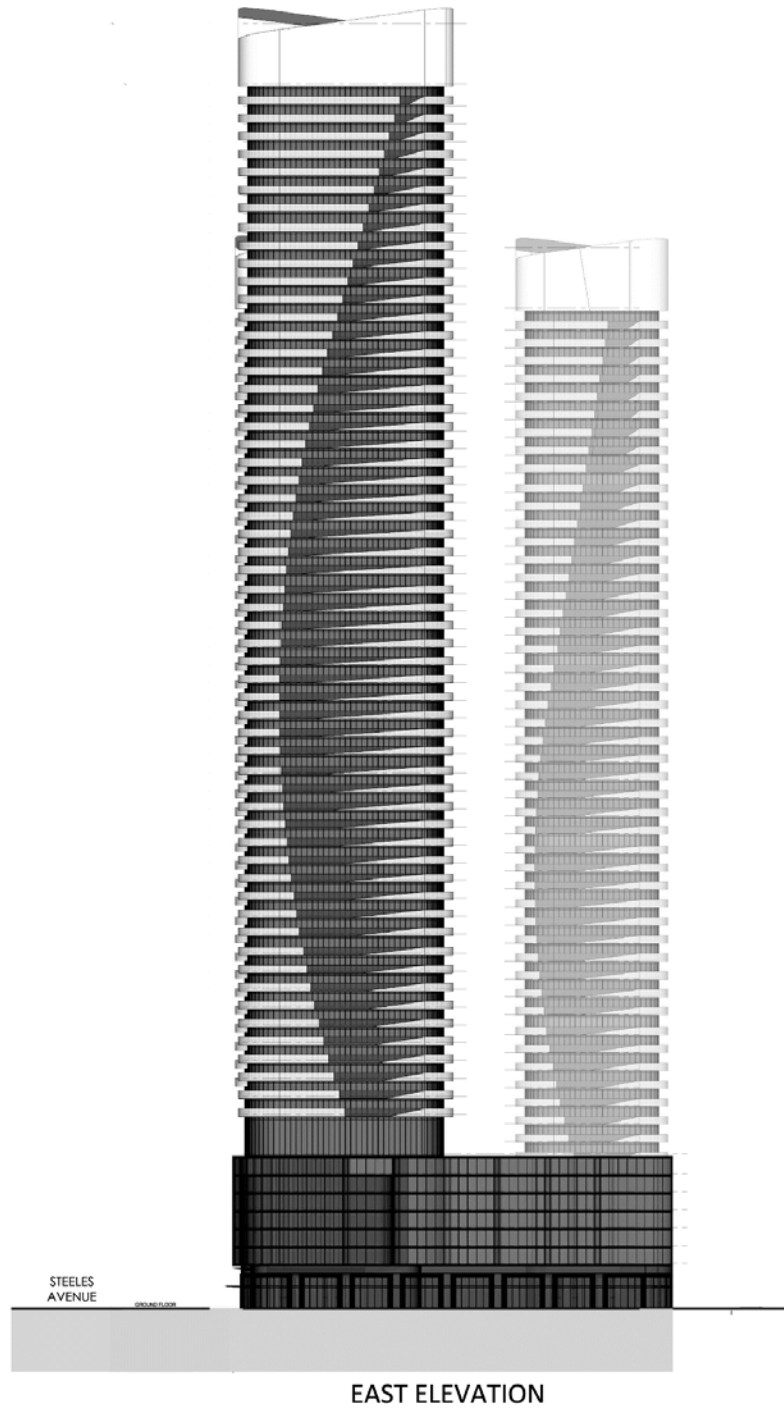


North Elevation

7028 Yonge Street and 2 Steeles Ave West

Applicant's Submitted Drawing

Not to Scale
12/24/2018

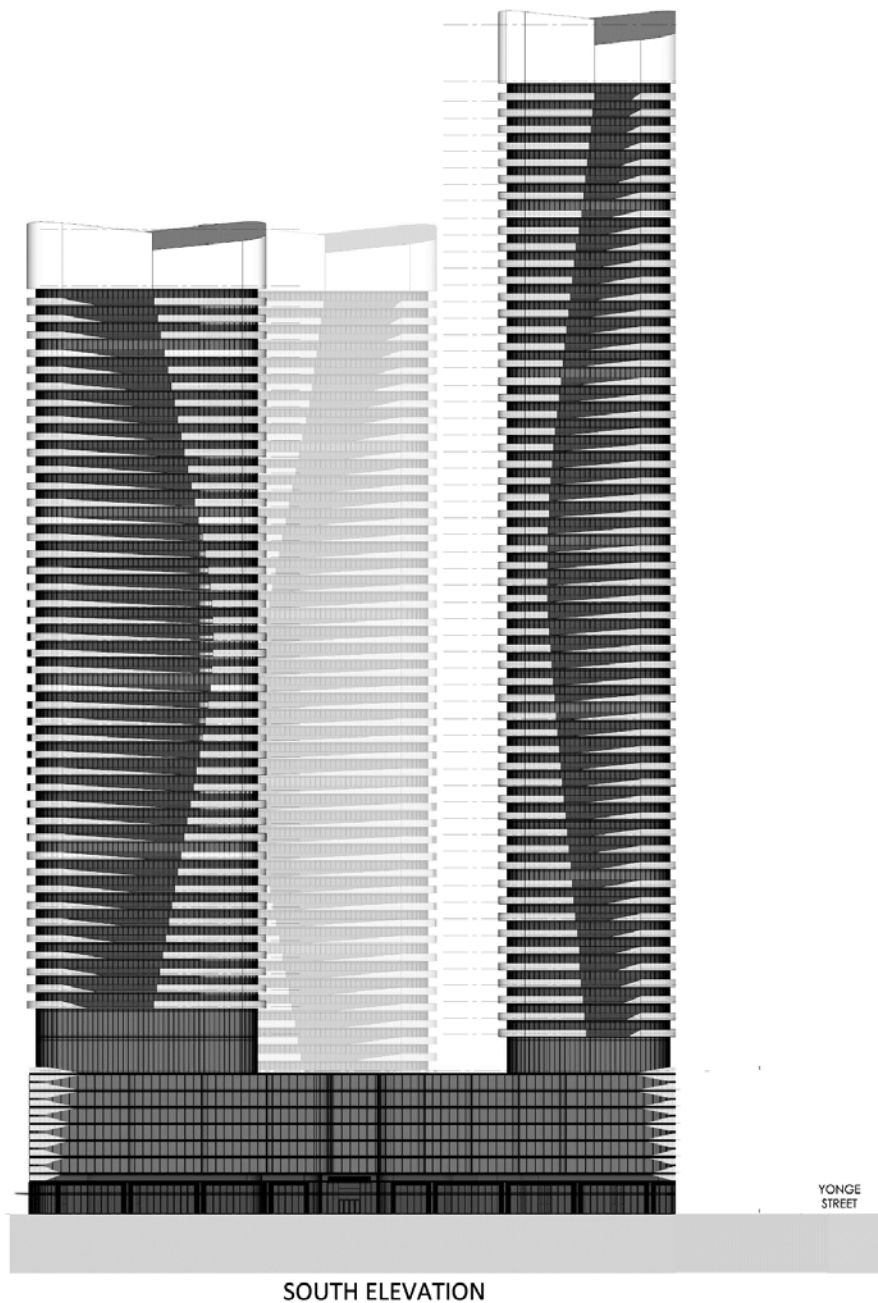


East Elevation

Applicant's Submitted Drawing

Not to Scale
12/24/2018

7028 Yonge Street and 2 Steeles Ave West

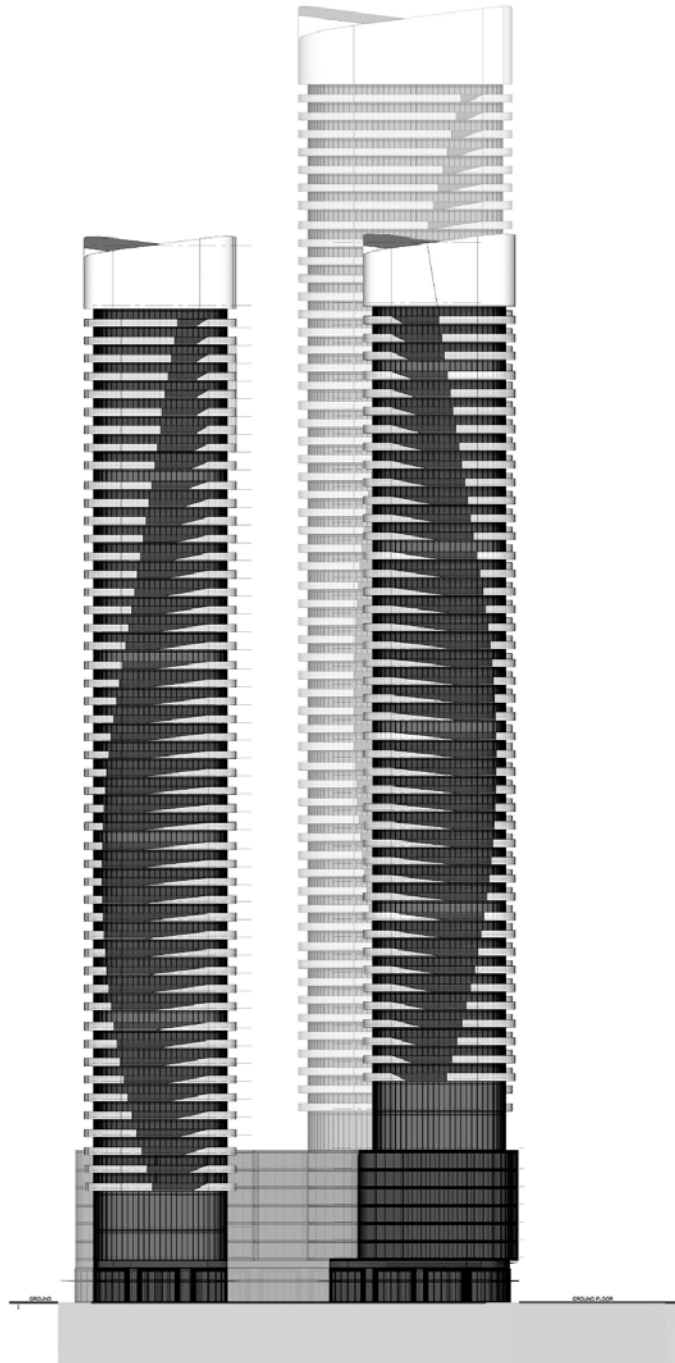


South Elevation

7028 Yonge Street and 2 Steeles Ave West

Applicant's Submitted Drawing

Not to Scale
12/24/2018



WEST ELEVATION

West Elevation

Applicant's Submitted Drawing

Not to Scale
12/24/2018

7028 Yonge Street and 2 Steeles Ave West