

72 Steeles Avenue West and 7040-7054 Yonge Street in the City of Vaughan – Official Plan and Zoning By- law Amendment Applications and Draft Plan of Subdivision – Request for Direction Report

Date: March 30, 2021

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: All

SUMMARY

This report responds to applications filed in the City of Vaughan to amend the City of Vaughan Official Plan and the City of Vaughan Zoning By-law and a draft plan of subdivision which have been circulated to the City of Toronto in accordance with the requirements of the *Planning Act* given the proximity to the City of Toronto. The report 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 on the north side of Steeles Avenue West and the west side of Yonge Street. The applications propose four buildings with heights of 56, 38, 44 and 60 storeys and 2620 residential units with retail on the ground floor. Overall the proposed development would have a floor space index ("FSI") of 12.82.

The Deputy City Manager, Infrastructure Development for the City of Vaughan has written a report to the City of Vaughan's Committee of the Whole regarding each application outlining some preliminary concerns with the applications including the proposed heights and densities.

RECOMMENDATIONS

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

1. City Council endorse the February 25, 2021 letter from the Director, Community Planning, North York District (Attachment 3) to the City of Vaughan's Committee of the Whole which identify the concerns with the application at 72 Steeles Avenue West and 7040-7054 Yonge Street, including height and density.
2. In the event that the City of Vaughan approves the applications at 72 Steeles Avenue West and 7040-7054 Yonge Street that is not substantially in conformity with the Council of

Vaughan adopted Yonge Steeles Corridor Secondary Plan, City Council direct the Chief Planner and Executive Director, City Planning to report back to the Planning and Housing Committee on next steps.

3. Should the applications at 72 Steeles Avenue West and 7040-7054 Yonge Street 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 Local Planning Appeal Tribunal ("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 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 LPAT requesting party status regarding the hearing for the Secondary Plan. That motion was heard by the Tribunal on March 9, 2018 and on March

21, 2018 the Tribunal 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>.

City staff have reported to Planning and Housing Committee on a number of site-specific development applications within the Yonge Steeles Corridor Secondary Plan area. This includes development applications at 7028 Yonge Street and 2 Steeles Avenue West, 100 and 180 Steeles Avenue West and 7080 Yonge Street. Staff made similar recommendations to those contained in this report. City Council's direction and a copy of those staff reports are available at the following links:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH2.3>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG29.3>

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH21.8>

ISSUE BACKGROUND

Proposal

The applicant has filed applications (file nos. OP.20.014, Z.20.038 and 19T-20V007) with the City of Vaughan which propose to amend the City of Vaughan's Official Plan and Zoning By-law to permit a mixed-use development and a draft plan of subdivision. The applications propose to amend the Official Plan land use designation to *Mixed Commercial/Residential* and change the zoning to RA3 Residential Apartment Zone with site specific exceptions. They also propose to amend the City of Vaughan's Yonge Steeles Corridor Secondary Plan as it relates to land use, building height and density.

The purpose of these amendments is to permit a mixed-use development of four buildings with heights of 56, 38, 44 and 60 storeys and 2620 residential units with retail on the ground floor. Overall the proposed development would have a floor space index ("FSI") of 12.82. The proposed site plan can be found in Attachment 4.

A copy of the City of Vaughan staff report, which includes drawings of the proposal and outlines the proposed development and identifies a number of matters which need to be further reviewed can be found at <https://pub->

vaughan.escribemeetings.com/Meeting.aspx?Id=776cc895-89bd-4fd0-9826-b1d371d955d9&Agenda=Agenda&lang=English&Item=9.

Site and Surrounding Area

The L shaped site is located in the City of Vaughan, on the west side of Yonge Street and the north of Steeles Avenue West. Steeles Avenue West is the boundary between the Cities of Toronto and Vaughan.

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 Avenue West to Thornhill Public School and west along Steeles Avenue West from Yonge Street to Cactus Avenue/Palm Gate Boulevard (see Attachment 2).

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 here:

<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. Staff reviewed Council's direction and began work on addressing some of the items.

A further community consultation meeting was held May 22, 2019 to re-launch the study and to receive feedback from the community. Following a presentation from staff table discussions were held which focused on six topics:

- Massing
- Parks & Open Spaces
- Community Services & Facilities
- Transportation
- Streetscape
- Secondary Plan Boundaries

On June 20, 2019 staff presented the study to the City's Design Review Panel. Staff had originally presented to the Panel on June 19, 2012 and had not presented since. The purpose of the presentation was to inform the Panel of the status of the study and to receive feedback on three questions posed to the Panel.

Staff's presentation to the Panel may be found at https://www.toronto.ca/wp-content/uploads/2019/07/97e9-CityPlanning_YongeStreetNorth_DRP-Presentation-June-20-20192.pdf.

Minutes of the Design Review Panel meeting may be found at <https://www.toronto.ca/wp-content/uploads/2019/10/97e1-UrbanDesign-DesignReviewPanel-MtgMinutes-20June2019.pdf>.

COMMENTS

Yonge Steeles Corridor Secondary Plan

Several pre-hearings have been held by the LPAT with regards to the Secondary Plan. However, these have focussed on procedural matters and on lands within the North area of the Secondary Plan and not on lands abutting the City of Toronto.

Several mediation sessions have been held with regards to the lands along Steeles Avenue West and the City of Toronto has attended including City Planning staff and City Legal. Discussions are ongoing and further mediation sessions are expected to be held to deal with the outstanding issues.

72 Steeles Avenue West and 7040-7054 Yonge Street

The site is located on the west side of Yonge Street and the north of Steeles Avenue West which is the boundary between the two municipalities.

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 Toronto City 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's City Council adopted, but under appeal, Yonge Steeles Corridor Secondary Plan. For the lands known as 72 Steeles Avenue West and 7040 Yonge Street the front portion is designated *High-Rise Mixed-Use* with a *Mandatory Retail Frontage* overlay on the front portion of the site and the rear portion is designated *Park*. The site known as 7054 Yonge Street is designated as *Park*. The *High-Rise Mixed-Use* designation permits residential, retail, community and office uses, with a maximum building height of 30 storeys and a FSI of 6.0 times the area of the lot. The Office Priority Area overlay requires that any development in excess of a FSI of 4.5, to a maximum FSI of 6.0, shall be used exclusively for non-residential uses and a minimum of 50 percent 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.

On a preliminary basis, several high level concerns have been identified by Planning Staff with the application, 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 identify a number of similar issues, identified in the report as "matters to be reviewed in greater detail"; City of Toronto Planning staff support the concerns raised in the City of Vaughan report.

As part of the planned extension of the TTC's Line 1 into York Region, a subway station is planned for the Yonge Street and Steeles Avenue intersection. In September 2020, City Council considered EX16.5 Provincial Priority Transit Expansion Projects - Subway Program Status Update Third Quarter 2020, which provided a status update on the Province's priority transit projects in Toronto including the Yonge North Subway Extension. That report is available at <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX16.5>

At its meeting of March 2, 2021 the City of Vaughan's Committee of the Whole held a Public Hearing to receive input from the public and committee members regarding the application. 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 Acting Director, Community Planning, North York District (Attachment 3).

Conclusion

Planning staff have reviewed the City of Vaughan applications and have identified some concerns through the formal commenting process and by way of letters to the City of Vaughan's Committee of the Whole; the concerns relate to the proposed land use designation, 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. Further, they alter the requirement for non-residential uses on the site. To demonstrate Toronto City Council's concerns with the application, it is recommended that City Council endorse the City Planning staff letter. 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, MCIP, RPP, 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

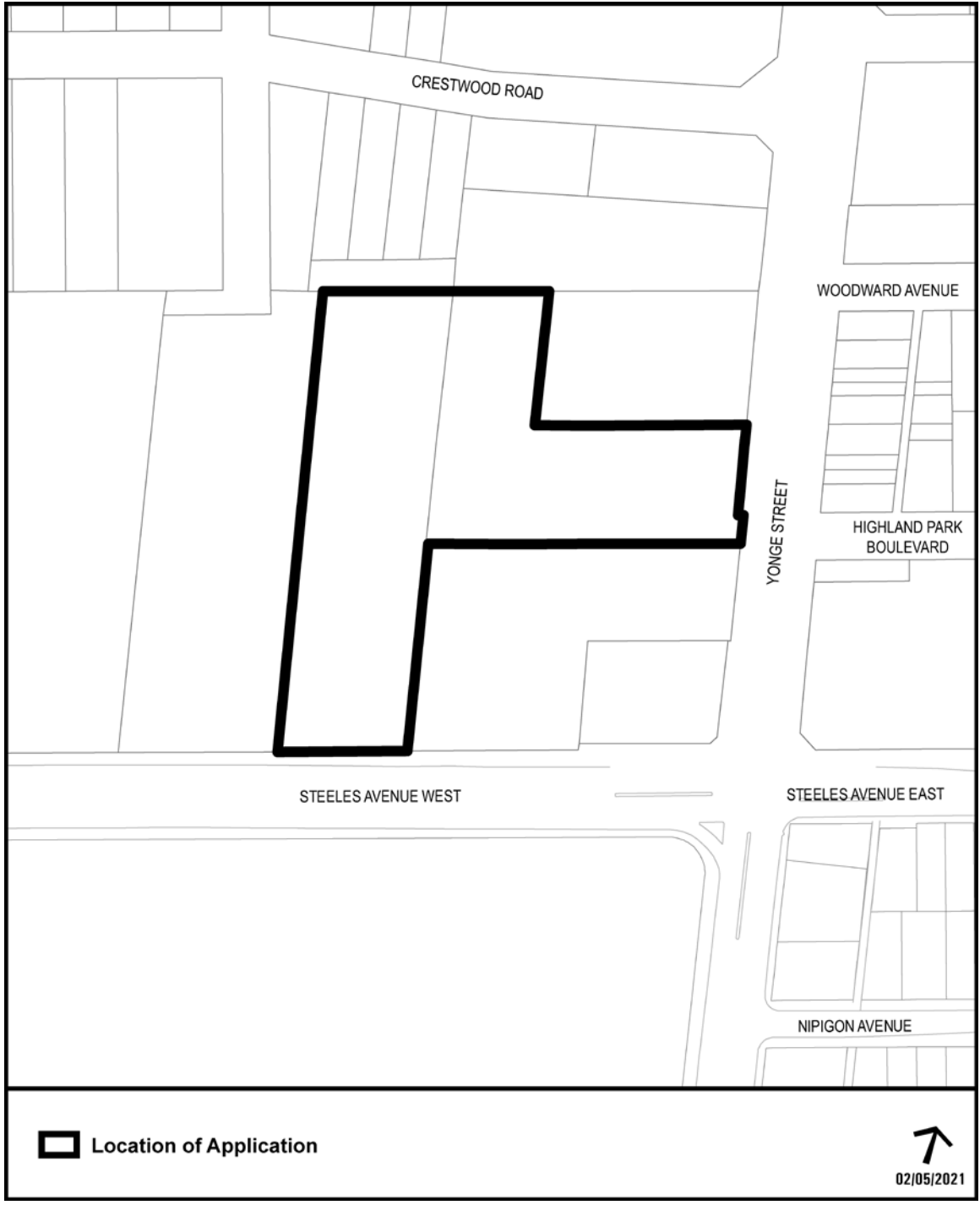
Attachment 2: Yonge Steeles Corridor Secondary Plan Schedule 2 (South)

Attachment 3: City Planning Letter to the Committee of the Whole

Applicant Submitted Drawings

Attachment 4: 72 Steeles Avenue West and 7040-7054 Yonge Street Site Plan

Attachment 1: Location Map



Attachment 3: City Planning Letter to the Committee of the Whole



Gregg Lintern, MCIP, RPP
Chief Planner & Executive Director
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Date: February 25, 2021

By E-mail Only to clerks@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 March 2, 2021**
Item 3.5
72 Steeles Avenue West & 7040 - 7054 Yonge Street (File Nos. OP.20.014,
Z.20.038 & 19T-20V007)

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 property at 72 Steeles Avenue West and 7040 -7054 Yonge Street. The applications propose to amend the Official Plan land use designation to *Mixed Commercial/Residential Area*, amend the in-effect policies of the Thornhill Community Plan (OPA 210) and to amend the City of Vaughan Official Plan 2010, Volume 2, Yonge Steeles Corridor Secondary Plan (the "YSCSP"). The application also proposes to change the zoning to RA3 – Apartment Residential with site-specific standards. The purpose of these amendments is to permit a mixed-use development of four buildings with heights of 56, 38, 44 and 60 storeys and 2620 residential units with retail on the ground floor. Overall the proposed development would have a floor space index ("FSI") of 12.82.

On September 7, 2010, Vaughan City Council adopted the YSCSP. The Secondary Plan was subsequently forwarded to York Region in accordance with the provisions of the *Planning Act* for approval. The matter is now under consideration by the Local Planning Appeal Tribunal (the "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 YSCSP in its current form.

The City of Vaughan Council adopted YSCSP contains several different designations for portions of the site. For the lands known as 72 Steeles Avenue West and 7040 Yonge Street the front portion is designated *High-Rise Mixed use* with a *Mandatory Retail Frontage* overlay on the front portion of the site and the rear portion is designated *Park*. The site known as 7054 Yonge Street is designated as *Park*. The *High-Rise Mixed-Use* designation permits residential, retail, community and office uses, with a maximum building height of 30 storeys and a FSI of 6.0 times the area of

the lot. The Office Priority Area overlay requires that any development in excess of a FSI of 4.5, to a maximum FSI of 6.0, shall be used exclusively for non-residential uses and a minimum of 50 percent 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.

The development applications were circulated to the City of Toronto and City of Toronto Planning staff, amongst other divisions, have provided comments (see Attachment 1). On a preliminary basis, several concerns were raised including the proposed density and height which are significantly greater than those in the YSCSP.

City of Toronto Planning staff have reviewed the report from the Deputy City Manager, Infrastructure Development to the March 2, 2021 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 height which are considerably in excess of those permitted in the Council adopted YSCSP. We recommend that the proposed development be modified to achieve the policies and objectives of the Council adopted YSCSP.

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

Yours truly,



Giulio Cescato, MCIP, RPP
Acting Director
Community Planning, North York District

Cc: Todd Coles, City Clerk (Todd.Coles@vaughan.ca)
Development Planning, City of Vaughan (developmentplanning@vaughan.ca)
Nick Spensieri, City of Vaughan, Acting Deputy City Manager, Planning and Growth Management (Nick.Spensieri@vaughan.ca)
Nancy Tuckett, Senior Manager, Development Planning (Nancy.Tuckett@vaughan.ca)
Mary Caputo, Senior Planner, Development Planning (Mary.Caputo@vaughan.ca)
Ray Kallio, Solicitor, City of Toronto (Ray.Kallio@toronto.ca)

Attachment: City of Toronto Comments on the Original Application

Attachment 1: City of Toronto Comments on the Original Application



Thu 02/25/2021 11:35 AM

Guy Matthew

72 Steeles W & 7040-7054

To 'Caputo, Mary'

Good morning,

Thank you for circulating this application to the City of Toronto for comments. The subject site is located within the Yonge Steeles Corridor Secondary Plan (the "YSCSP") and abuts Steeles Avenue West which is owned by the City of Toronto. Toronto is a Party to the appeals of the Secondary Plan at the Local Planning Appeal Tribunal.

The applications propose four buildings with heights of 56, 38, 44 and 60 storeys and 2620 residential units with retail on the ground floor. Overall the proposed development would have a floor space index ("FSI") of 12.82. In order maintain the integrity of the YSCSP and an appropriate hierarchy of heights and densities in the Plan, the City of Toronto recommends that the height and density be reduced to be in keeping with the policies of the YSCSP and the mix of land uses be reconsidered in light of the YSCSP's requirements for the site.

Further comments from other City divisions have been provided under separate communication.

Regards,
Guy

Guy Matthew MCIP, RPP
Senior Planner
City Planning
[City of Toronto](#)

T: (416) 395-7102



Attachment 4: 72 Steeles Avenue West and 7040-7054 Yonge Street Site Plan

