

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 152-2022

A By-law to adopt Amendment Number 79 to the Vaughan Official Plan 2010 for the Vaughan Planning Area.

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 79 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedules “1” and “2” is hereby adopted
2. AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number to the Official Plan of the Vaughan Planning Area
3. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 28th day of June, 2022.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 79
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1” and “2” constitute Amendment Number 79 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not consisting part of this Amendment is Appendix “I”.

Authorized by Item No. 13 of Report No. 30
of the Committee of the Whole
Adopted by Vaughan City Council on
June 28, 2022.

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 (VOP 2010) is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 2, Section 11.12 Vaughan Metropolitan Centre (VMC) Secondary Plan, to facilitate a mixed-use development on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, “Lands Subject to Amendment No. 79” on Schedule “1” attached hereto, subject to the requirements for a Section 37 Agreement:

1. To modify Schedule “K” of the VMC Secondary Plan to identify the site-specific amendment Area “S”.
2. To permit maximum building heights of 48 and 56-storeys (Towers A and B) for the residential towers, exclusive of mechanical penthouses, equipment and architectural elements.
3. To permit a maximum Floor Space Index (“FSI”) of 8.43 times the area of the lot, subject to the execution of a Section 37 Agreement with the City.
4. To permit a maximum tower floor plate size of 815 m² as follows:

Tower A (48-storeys)

- 800 m² (Between Levels 4 to 7)
- 810 m² (Between Levels 8 to 43)
- 800 m² (Between Levels 44 to 48)

Tower B (56-storeys)

- 810 m² (Between Levels 4 to 8)
- 815 m² (Between Levels 9 to 51)
- 810 m² (Between Levels 52 to 56)

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the north side of Highway 7, west of Commerce Street being Part of Lot 6, Concession 5, in the VMC, City of Vaughan, as shown on Schedule “1”, attached hereto, as “Lands Subject to Amendment No. 79.”

III BASIS

The decision to amend VOP 2010 is based on the following considerations:

1. The Amendment promotes and contributes to a density within the VMC, a Provincially recognized Urban Growth Centre (UGC), where public investment in higher-order transit, being the SmartVMC Bus Terminal, the Toronto Transit

Commission (TTC) VMC Subway Station, and the VivaNext Bus Rapid Transit (BRT) along Highway 7 (collectively the “Higher-Order Transit”) is located. The Subject Lands are in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density within the UGC that would support the surrounding Higher-Order Transit investments.

2. The Provincial Policy Statement 2020 (PPS) provides the overall direction on matters of provincial interest related to land use planning and development, and includes policies that encourage new growth to urban areas. The PPS promotes efficient, cost-effective development and land use patterns.

The development intensifies the existing vacant site in a designated settlement area, with a compact and high density built form in the VMC. It utilizes the Subject Lands efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing costs while efficiently utilizing land and resources within a designated UGC. This provides opportunities to reduce the negative impact of climate change by promoting the use of active transportation.

The development is consistent with the long-term economic prosperity and housing policies of the PPS and it represents a significant investment that contributes to the urban environment in the VMC. The development provides additional population within the VMC that supports the planned and existing retail, office and cultural uses within a designated UGC. The development is consistent with the policies of the PPS and promotes its goals and objectives.

3. The Provincial A Place to Grow – Growth Plan for the Greater Golden Horseshoe 2020 “Growth Plan” is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

The development focuses on new growth through the intensification of an underutilized vacant site that provides a residential development with a pedestrian-friendly environment located within close proximity to higher-order transit and supports the UGC designation.

The development contributes to achieving a complete community by introducing a housing form in the VMC that has access to nearby open spaces, a privately-owned and publicly accessible courtyard, at-grade retail and future retail within the north-east corner of the Subject Lands.

The development conforms with the policy framework of the Growth Plan as it makes efficient use of the Subject Lands and existing infrastructure, is located adjacent to existing higher-order transit and provides housing options at a density that supports the transportation investments in the VMC, and supports the UGC designation.

4. The York Region Official Plan (YROP) designates the Subject Lands “Urban Area”, which is in a “Regional Centre.”, which is also identified within a provincially designated UGC. The YROP encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscape and public streetscapes.

The development consists of high-rise and grade-related built forms that are compact and contribute to a diverse housing stock in York Region near higher-order transit options. The development integrates a privately-owned and publicly accessible (POPs) courtyard in front of the proposed at-grade retail spaces in an urban form that integrates with and is enhanced by the high-quality designed buildings and landscape. The development incorporates a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation. The combination of the at-grade retail, streetscape and incorporation of high-rise and grade-related units complements the existing and planned surrounding commercial, office, retail, cultural and community uses in proximity on the Subject Lands, thereby contributing to the success of the VMC as a complete community. The development supports and achieves an urban and integrated transportation system within a Regional Centre as a focus of economic

activity and culture and contributes to a high-quality and sustainable community in the VMC. The proposal conforms to the policies of the YROP.

Regional Exemption has not been granted at this time and the implementing Official Plan Amendment (OPA) 79 is to be forwarded to York Region for approval.

5. The Subject Lands are in the City of Vaughan's emerging downtown, which reflects the VMC's locational advantage, being the convergence of the regional bus network with the Spadina Subway extension into the VMC. The VMC is envisioned as an anchor where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations, which is vital to the creation of a high-quality downtown.

This Amendment is facilitated by Section 37.1 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the "City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act", where Vaughan Council may authorize an increase in density in return for the provision of community benefits. Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies that permit 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 development represents good planning.

The development is considered good planning as it addresses the policies contained in the Official Plan, including urban design policies and objectives, the relationship of the development to its context, the adjacent streets, the creation of good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure.

6. In their letter dated May 3, 2022, York Region advised that they retain the approval authority of OPA 79, in accordance with Policy 8.3.8 of the YROP.
7. The statutory Public Meeting was held on May 4, 2021. The recommendation of the Committee of the Whole to receive the Public Meeting report of May 18, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified in-principle by Vaughan Council on June 28, 2022, when Vaughan Council approved Official Plan Amendment File OP.20.015, (First Vaughan Investments Limited).

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

VOP 2010, Volume 2, Section 11.12 – VMC Secondary Plan is hereby amended by:

Amending Schedule “K” thereby identifying the Subject Lands located immediately on the north-west corner of Highway 7 and Commerce Street, as “Area S” attached hereto as Schedule “2”

2. Adding the following after Policy 9.3.20

“(OPA #79) **Area S**

9.3.21 1. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, the maximum permitted density (Floor Space Index (FSI)) shall not exceed 8.43 times the area of the lot, calculated in accordance with Policy 8.1.17 of the VMC Secondary Plan, and the maximum building height shall not exceed 48 and 56-storeys (Towers A and B), exclusive of the mezzanine, mechanical penthouses, equipment, and architectural elements as shown in the implementing Zoning By-law Schedules 1 and 2, subject to the requirements for a Section 37 Agreement being satisfied prior to the implementation of the site-specific Zoning By-law.

2. Notwithstanding Policy 8.7.17, a podium may be permitted at a minimum height between 2 and 3-storeys.

3. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted tower floor plate size shall not exceed 815 m² based on the following:

Tower A (48-storeys)

- 800 m² (Between Levels 4 to 7)
- 810 m² (Between Levels 8 to 43)
- 800 m² (Between Levels 44 to 48)

Tower B (56-storeys)

- 810 m² (Between Levels 4 to 8)
- 815 m² (Between Levels 9 to 51)
- 810 m² (Between Levels 52 to 56)

4. A maximum residential gross floor area (GFA) of 89,634 m² is permitted.

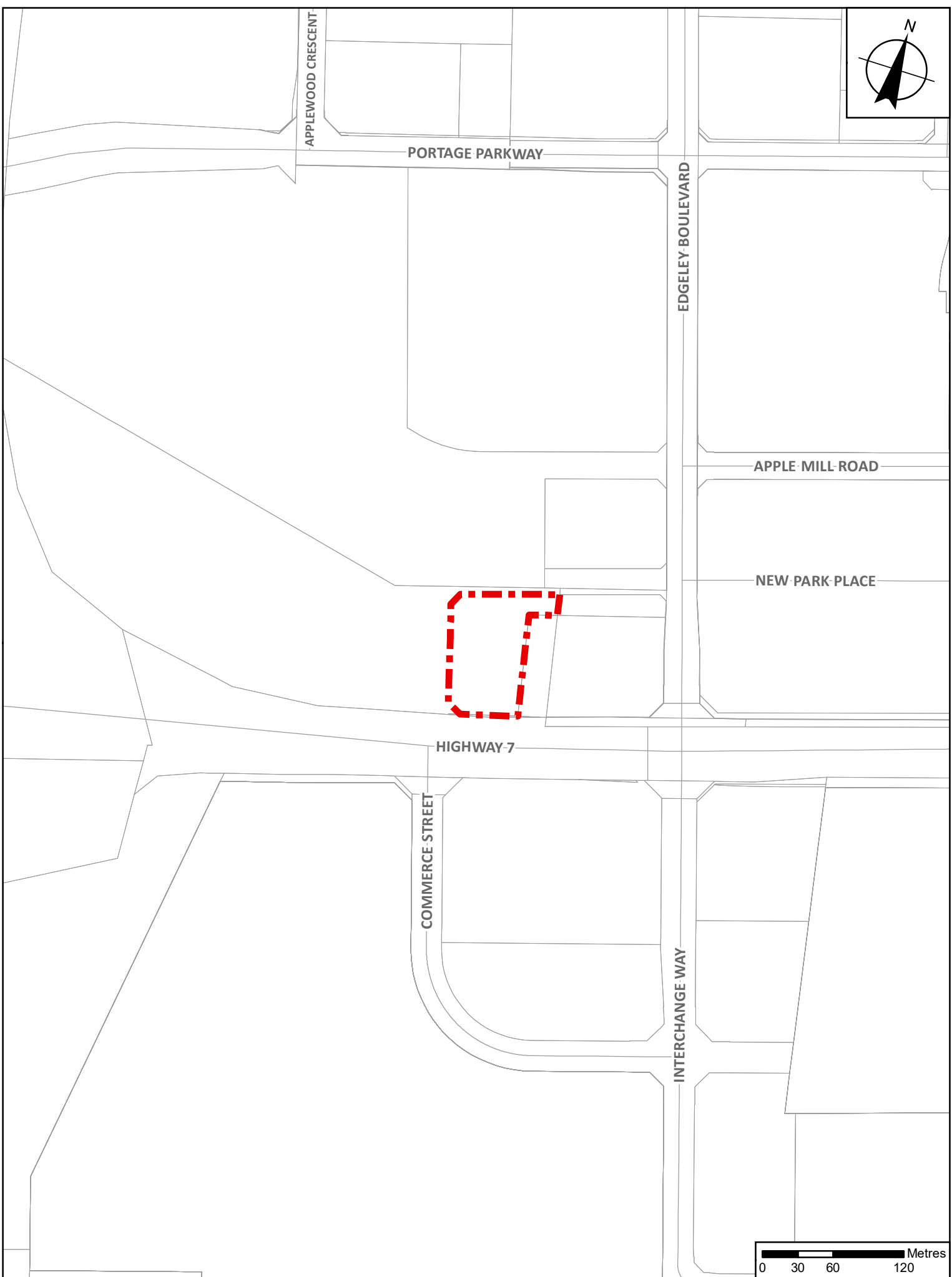
5. A required minimum of 1,900 m² GFA or 2.1%, of the overall development must consist of non-residential uses, including a minimum of 645 m² of non-residential uses which shall be located in the north-east corner of the Subject Lands, as shown on Schedule 1 of the Zoning By-law Amendment."

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, and Site Development Approval, pursuant to the *Planning Act*.

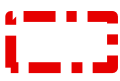
VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.



This is Schedule '1'
To Official Plan Amendment No. 79
Adopted the 28th Day Of June, 2022

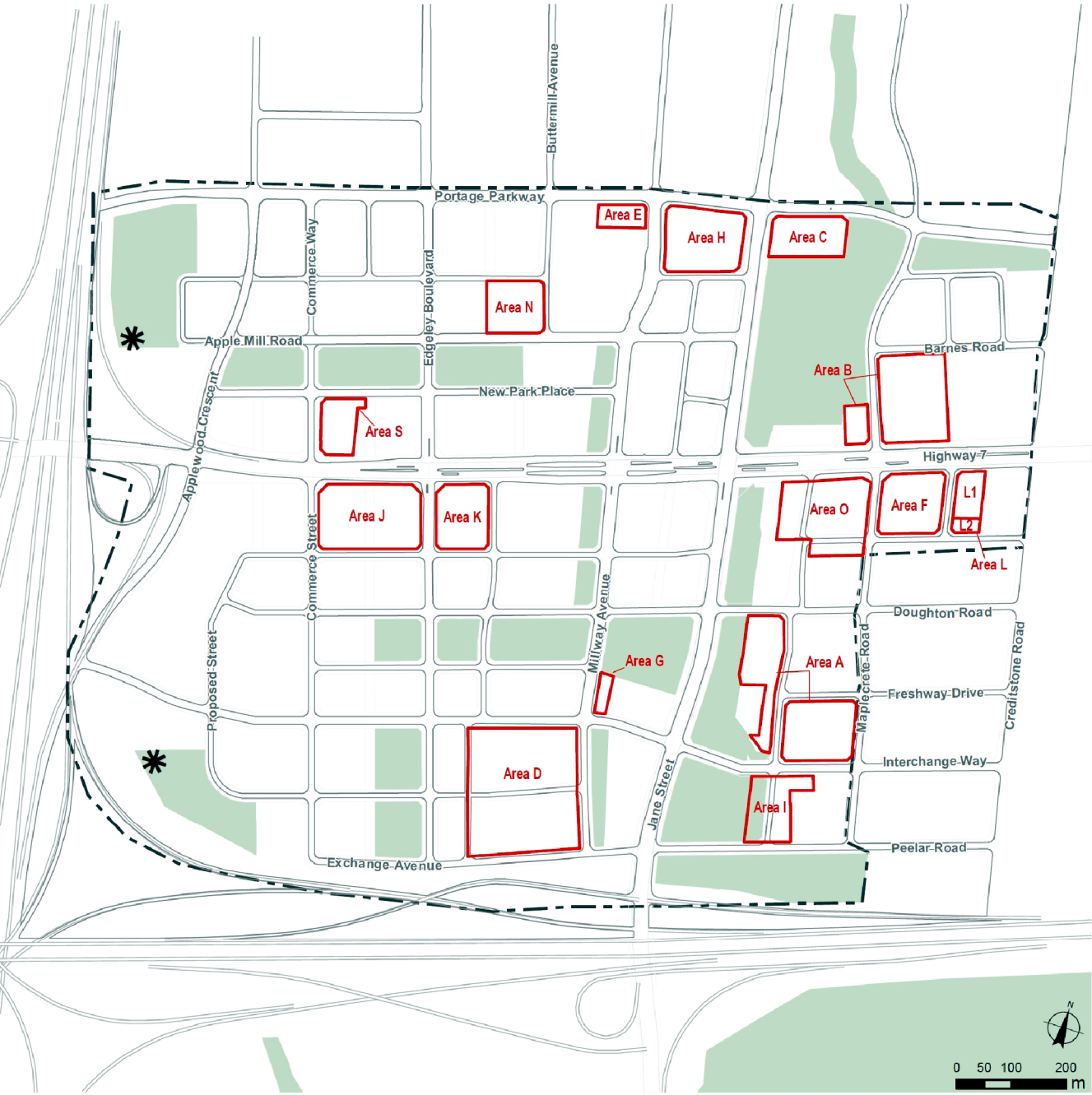
File: OP.20.015
Related File: Z.20.042
Location: Part of Lots 6 and 7, Concession 5
Applicant: First Vaughan Investments Limited
City of Vaughan

 Lands Subject to
Amendment No. 79

SCHEDULE K > SITE SPECIFIC POLICY AREAS

LEGEND

-  vaughan metropolitan centre boundary
-  existing and planned streets
-  major parks and open spaces
-  areas subject to site-specific policies (see section 9.3)



This is Schedule '2'
To Official Plan Amendment No. 79
Adopted the 28th Day Of June, 2022

File: OP.20.015
Related File: Z.20.042
Location: Part of Lots 6 and 7, Concession 5
Applicant: First Vaughan Investments Limited
City of Vaughan

APPENDIX I

The Subject Lands are located immediately on the north-west corner of Highway 7 and Commerce Street in the Vaughan Metropolitan Centre (“VMC”), City of Vaughan.

The purpose of this Amendment is to permit the following on the Subject Lands:

- a) A maximum building height of 48 and 56-storeys, subject to the requirements for a Section 37 Agreement, pursuant to the *Planning Act*
- b) A maximum permitted density (Floor Space Index (FSI) of 8.43 times the area of the lot
- c) A maximum permitted tower floor plate size of 815 m² shown in the manner shown below;

Tower A (48-storeys)

- 800 m² (Between Levels 4 to 7)
- 810 m² (Between Levels 8 to 43)
- 800 m² (Between Levels 44 to 48)

Tower B (56-storeys)

- 810 m² (Between Levels 4 to 8)
- 815 m² (Between Levels 9 to 51)
- 810 m² (Between Levels 52 to 56)

- d) An amendment to Schedule “K”, Site-Specific Policy Area, of the VMC Secondary Plan to include the above amendments

On June 28, 2022, Vaughan Council ratified the June 21, 2022 Committee of the Whole (2) recommendations, as amended to approve Official Plan Amendment File OP.20.015 (and the corresponding Zoning By-law Amendment File Z.20.042) Vaughan Council approved the following recommendations:

1. THAT Official Plan Amendment OP.20.015 BE APPROVED; to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the VMCS, to:
 - a) Modify Schedule “K”, Site-Specific Policy Areas, to:
 - i. Identify the Subject Lands located at the north-east corner of Commerce Street and Highway 7 as Area “S”
 - ii. Permit the proposed maximum building heights of 48 (Tower A) and 56-storeys (Tower B) for the residential towers with a maximum density of 8.43 times the area of the lot (Floor Space Index – ‘FSI’), whereas a maximum building height of 30-storeys and density of 5.0 FSI is permitted
 - iii. Permit a minimum podium height ranging between 2 and 3-storeys; whereas, a minimum of 6-storeys is required
 - iv. Permit an increase to the maximum tower floor plate size from 750 m² to 815 m² as follows:

Tower A (48-storeys)

- 800 m² (Between Levels 4 to 7)
- 810 m² (Between Levels 8 to 43)
- 800 m² (Between Levels 44 to 48)

Tower B (56-storeys)

- 810 m² (Between Levels 4 to 8)
- 815 m² (Between Levels 9 to 51)
- 810 m² (Between Levels 52 to 56)

2. THAT Zoning By-law Amendment File Z.20.042 BE APPROVED to:

- a) Amend By-law 1-88, as amended, to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9Corporate Centre Zone”)” generally in the manner shown on Attachment 3, together with site-specific exceptions generally identified in Table 1 of this report;
 - b) Permit the bonusing for increased height and density for the proposed Development as shown on Attachments 2 to 7 in return for the provision of community benefits totaling a cash contribution of \$8,276,082.00 pursuant to the policies of VOP 2010 and VM CSP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* for off-site urban park enhancements in the northwest quadrant of the VMC;
- 3. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37.1 of the *Planning Act* for the community benefits identified in Recommendation 2b), which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$8,276,082.00 towards urban park enhancements within the northwest quadrant of the VMC shall be provided as a cash contribution prior to the enactment of the Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement Surcharge Fee, in accordance with the Tariff of Fees for Planning Applications, prior to the execution of the Section 37 Agreement;
 - 4. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and City Clerk be authorized to execute the Section 37 Density Bonusing Agreement, pursuant to the Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation 3;
 - 5. THAT the implementing Official Plan Amendment be forwarded to York Region for approval;
 - 6. THAT the implementing Zoning By-law Amendment be brought forward to a Vaughan Council meeting in accordance with section 24(2) of the *Planning Act*; and,
 - 7. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing Zoning By-law.