

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 156-2022**

**A By-law to adopt Amendment Number 77 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 77 to the Vaughan Official Plan 2010, consisting of the attached text and Schedules “1”, “2”, “3”, “4”, “5”, “6”, “7”, “8”, “9”, “10”, and “11” 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 Vaughan Official Plan 2010
3. AND THAT this By-law shall come into force and take effect the day it is passed.

Enacted by City of Vaughan Council this 28<sup>th</sup> day of June, 2022.

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Hon. Maurizio Bevilacqua, Mayor

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Todd Coles, City Clerk

**AMENDMENT NUMBER 77**  
**TO THE VAUGHAN OFFICIAL PLAN 2010**  
**OF THE VAUGHAN PLANNING AREA**

The following text and Schedules “1”, “2”, “3”, “4”, “5”, “6”, “7”, “8”, “9”, “10”, and “11” and constitute Amendment Number 77 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. 6 of Report No. 27  
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. 77” on Schedule “1” attached hereto, subject to the requirements for a Section 37 Agreement:

1. To modify Schedules “B” to “K” of the VMC Secondary Plan to realign the north-south local street on the Subject Lands, as shown on Schedules “1” through “11”.
2. To permit a stratified title arrangement for four(4) levels of underground parking beneath the entirety of the north-south local street, without the requirement of 10,000 m<sup>2</sup> of office uses, subject to the execution of a Section 37 Agreement with the City, and subject to the Strata Title Framework Agreement(s).
3. To permit the “Neighbourhood Precinct” land-use designation on Schedule “F” to come into effect, upon the Black Creek Works being completed or substantially advanced to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA)-
4. To permit maximum building heights of 46 and 52-storeys (Towers 1 and 2) for the residential towers.
5. To permit a maximum Floor Space Index (FSI) of 11.54 times the area of the lot, in accordance with Section 8.1.17 of the VMC Secondary Plan.
6. To permit a maximum tower floor plate size of 800 m<sup>2</sup> as follows:

### Tower 1

- 770 m<sup>2</sup> – at Level 5
- 800 m<sup>2</sup> – Level 6 to 52

### Tower 2

- 770 m<sup>2</sup> at Level 5
- 800 m<sup>2</sup> from Levels 6 to 46

## II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the north side of Doughton Road, east of Jane Street, being Part of Lot 6, Concession 5, and are municipally known as 216 and 220 Doughton Road, in the VMC,

City of Vaughan, as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 77.”

### III BASIS

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

1. The Amendment promotes and contributes to high density, mixed use 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 active transportation and the proximity to public transportation, pedestrian and bicycle friendly environments that encourage walking and cycling.

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 “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 contributes to betterment of human health with access to nearby open spaces and amenity areas. It further contributes to the population targets set out in the Growth Plan within the VMC and the City’s urban boundary and would benefit from the existing and planned infrastructure. 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 meets the mobility objectives of development within a downtown by providing access to transportation modes, is within proximity to office, planned retail and residential uses, access to outdoor amenity areas (rooftop and terraces) and within proximity to higher-order transit. The development conforms with the policy framework of the Growth Plan as it makes efficient use of the Subject Lands and existing infrastructure, 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 intensifies the development site and provides housing options in York Region near higher-order transit options. The development provides connectivity and permeability to the street network to promote walkability and cycling, given its proximity to higher-order transit such as the VIVA rapid transit

stop, VMC Subway Station and SmartVMC Bus Terminal. The development optimizes the nearby higher-order transit and proposes a reduced parking rate, which optimizes the development of the land as it is urban and compact in built-form. 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) 77 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 permits 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 satisfies the policies contained in the Official Plan.

An existing floodplain is identified on the Subject Lands as per Schedule "J" of the VMC Secondary Plan, and therefore policies 5.6.4 through 5.6.10 remain applicable. In particular, Policy 5.6.6 states that the underlying land-use designation on Schedule "F" will not come into effect until:

- The remedial flood protection works approved for Black Creek are complete pursuant to the approved Black Creek Renewal EA;
- Updated flood line mapping based on as-constructed drawings has been prepared by a qualified engineer and approved by the TRCA,

which confirms the subject lands have been removed from the floodplain; and

- The development meets the program, regulatory and policy requirements of the TRCA.

Policy 5.6.7 further states that prior to the conditions of 5.6.6 being satisfied, only the uses existing as of this day this Plan is approved and the construction of servicing and infrastructure forming part of the remedial works of the Black Creek shall be permitted. The City is undertaking a detailed design of the Black Creek Renewal (BCR) which includes the relocation and rechannelization of the Black Creek between Highway 7 and Highway 407. Upon completion, the Regional floodplain will be contained within the new channel and the flood hazard within the Subject Lands will be removed, and accordingly may allow for foundation construction to occur concurrent with the early works of the BCR construction.

On this basis, the TRCA and the City and Province are satisfied that the requirements of Policies 5.6.6 through to 5.6.9 are principally met and the designation “Neighbourhood Precinct” should come into force, only upon the BCR construction associated with the removal of the Subject Lands from the floodplain is initiated, which may allow works to commence to the foundation stage, to the satisfaction of the City and TRCA. Prior to occupancy, the Subject Lands shall be removed from the floodplain, which will allow safe access to the Subject Lands.

6. In their letter dated April 22, 2022, York Region advised that they retain the approval authority of OPA 77, in accordance with Policy 8.3.8 of the YROP.

The statutory Public Meeting was held on September 15, 2020. The recommendation of the Committee of the Whole was to receive the Public Meeting report of September 15, 2020, and to forward a comprehensive report to a future Committee of the Whole meeting. The comprehensive report, dated June 7, 2022, was ratified in principle by Vaughan Council on June 28, 2022, when Vaughan Council approved Official Plan Amendment File OP.20.005, (Doughton Residences Corp).

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

1. Amending Schedule “C”, attached hereto as Schedule “3”, to modify the proposed realignment of the north-south local street as identified on Schedule “3”, and amending Schedules “B”, “D”, “E”, “F”, “G”, “H”, “I”, “J” and “K” that illustrates the realignment, attached hereto as Schedules “2” to “11”.
2. Amending Schedule “K” thereby identifying the Subject Lands located north of Doughton Road and east of Jane Street, municipally known as 216 and 220 Doughton Road, as “Area Q”.
3. Adding the following after Policy 9.3.18

“(OPA #77) **Area Q**

9.3.19 1. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, the maximum permitted density (Floor Space Index (FSI)) shall not exceed 11.54 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 46 and 52-storeys (Towers 1 and 2), exclusive of 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. Should the Owner work with the property owner to the north to deliver a contiguous 0.2 ha public square which results in the conveyance of land within the Subject Lands, devoted exclusively towards the use of a stratified public park, a corresponding increase to the maximum FSI may be permitted without an amendment to this Plan. The adjustment to the FSI shall not result in an increase to the overall maximum gross floor area as outlined in Policy 5 below and shall be limited to the corresponding increase to the FSI that

results from excluding this area for a public square from the land area.

2. Notwithstanding Policy 4.3.6, four (4) levels of underground parking beneath the entirety of the north-south local street within the limits of the Subject Lands, shall be permitted with a stratified title arrangement without the requirement of 10,000 m<sup>2</sup> of office uses within the development, subject to the execution of a Stratified Title Framework Agreement(s) with the City;
3. Notwithstanding Policies 5.6.4 through 5.6.10, as it applies for impacted properties along the Black Creek Renewal Corridor, the designation “Neighbourhood Precinct” shall come into force on the Subject Lands, only upon the Black Creek Renewal works associated with the removal of the floodplain in the vicinity of the Subject Lands being complete or substantially advanced to the satisfaction of the TRCA and the City. Prior to occupancy, the Subject Lands shall be removed from the floodplain, which will allow safe access to the Subject Lands.
4. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted tower floor plates shall not exceed 800 m<sup>2</sup> based on the following:

Tower 1

- 770 m<sup>2</sup> – at Level 5
- 800 m<sup>2</sup> – Level 6 to 52

Tower 2

- 770 m<sup>2</sup> at Level 5
- 800 m<sup>2</sup> from Levels 6 to 46

5. A maximum residential Gross Floor Area ('GFA') of 85,761 m<sup>2</sup> is permitted.
6. A required minimum of 470 m<sup>2</sup> GFA of the overall development must consist of non-residential uses, being a community centre, in accordance with the Section 37

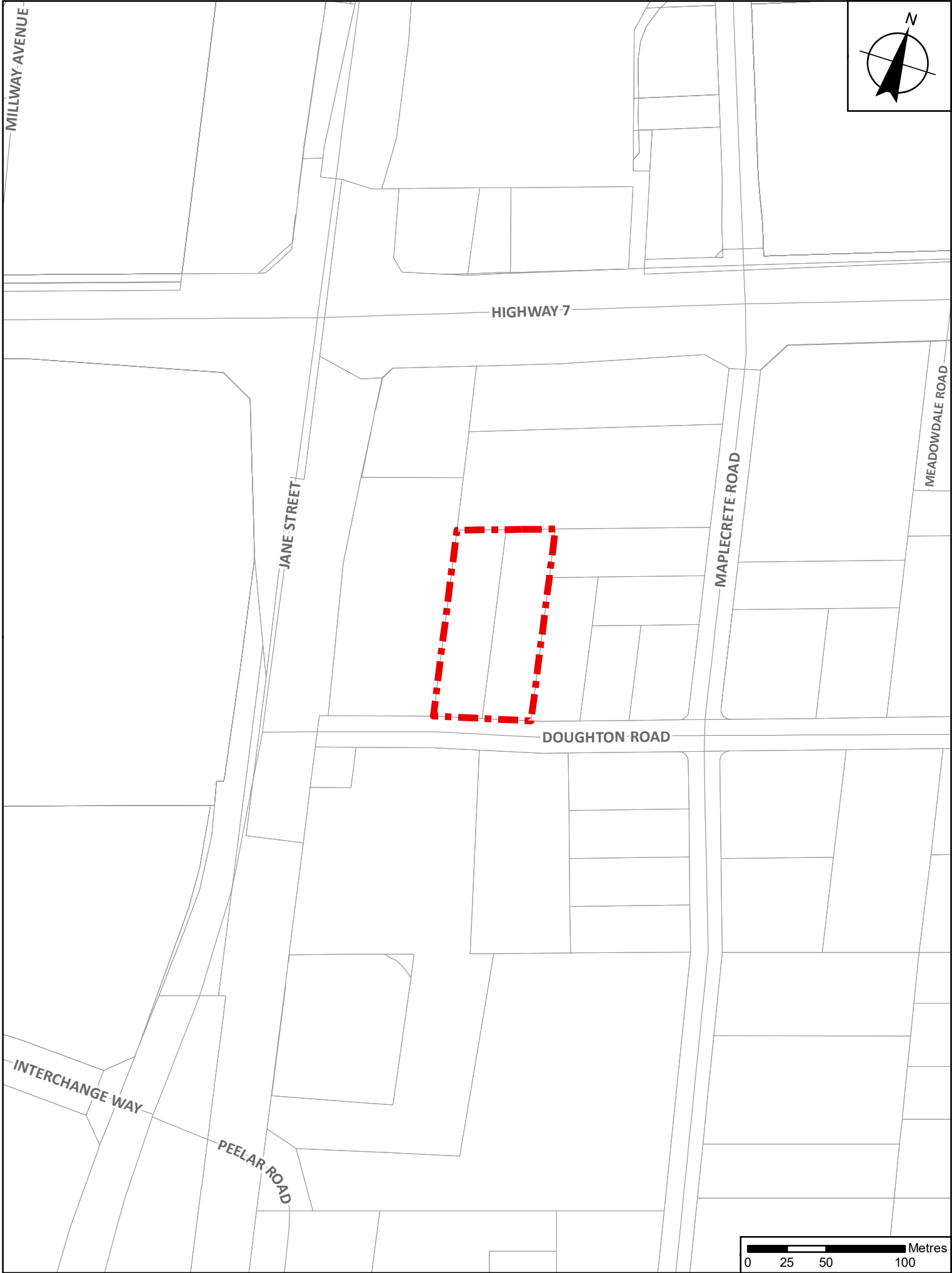
Agreement with the City.”

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*.

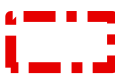
VI     INTERPRETATION

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. 77  
Adopted the 28th Day Of June, 2022

**File:** OP.20.005  
**Related File:** Z.20.013  
**Location:** Part of Lot 5, Concession 4  
**Applicant:** Doughton Residences Corp.  
**City of Vaughan**

 Lands Subject to  
Amendment No. 77

SCHEDULE B > TRANSIT NETWORK

LEGEND

- subway entrances

potential highway 7 rapidway stations

potential jane street rapidway stations

5 minute walking radii

blocks adjacent to subway

bus station

\*

see policy 6.3.2
- spadina subway alignment

future spadina subway extension

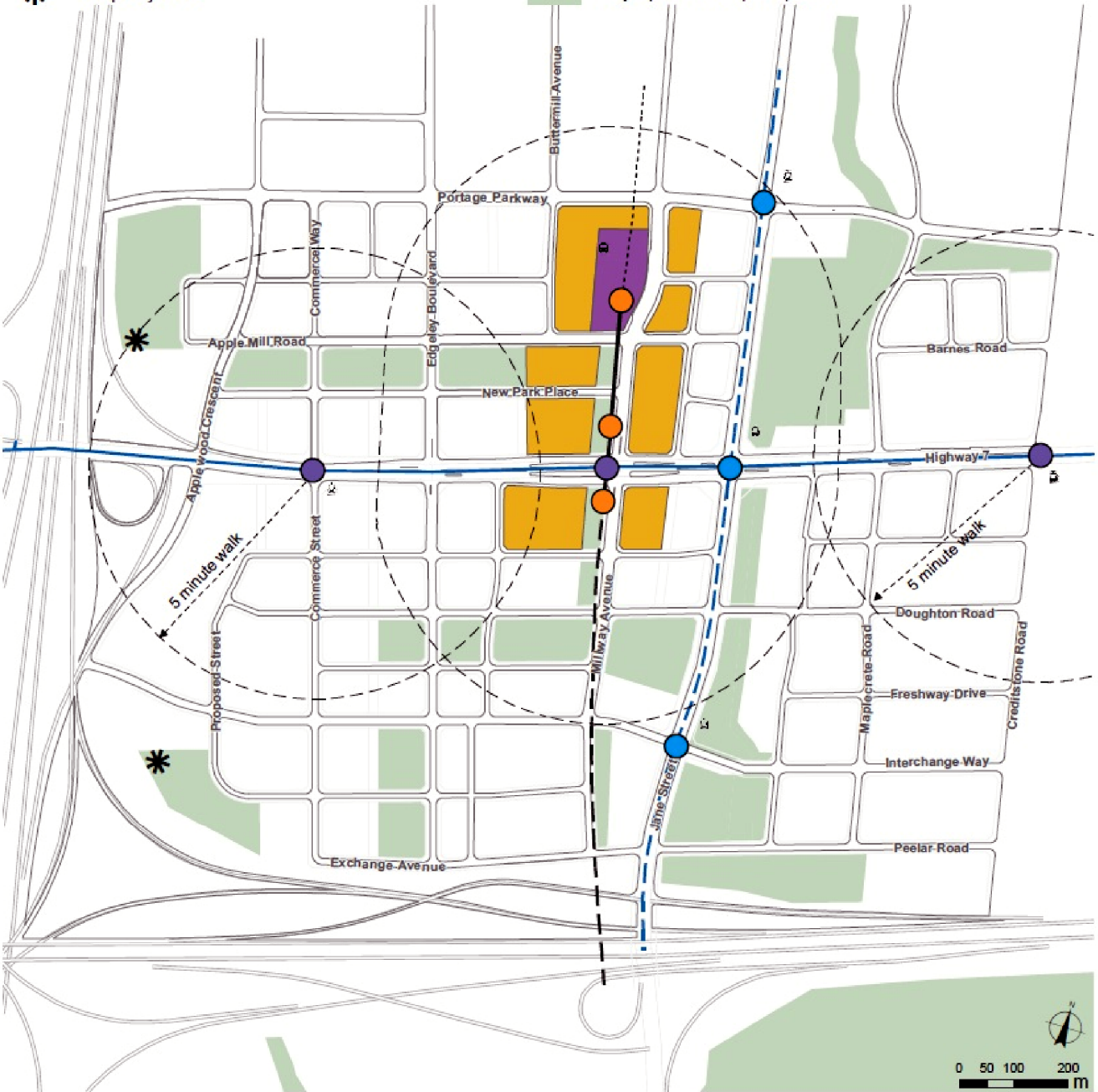
spadina subway station box

highway 7 rapidway

potential jane street rapidway

potential viva station

major parks and open spaces



This is Schedule '2'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

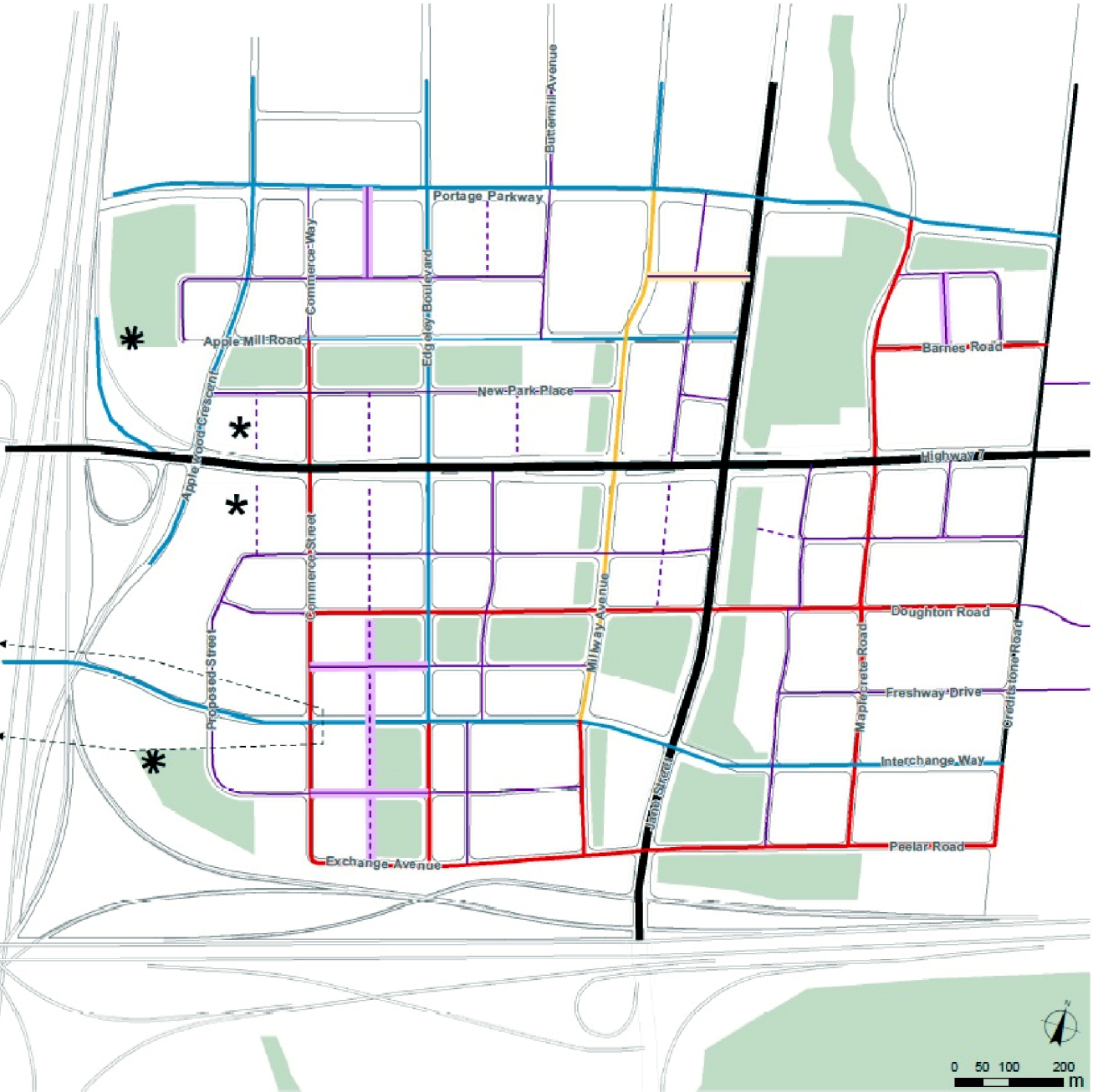
**File:** OP.20.005  
**Related File:** Z.20.013  
**Location:** Part of Lot 5, Concession 4  
**Applicant:** Doughton Residences Corp.  
**City of Vaughan**



SCHEDULE C > STREET NETWORK

LEGEND

- arterials (width to be consistent with region of york official plan)
- minor arterial (33 m)
- major collectors (28-33 m)
- special collectors (33 m)
- minor collectors (23-26 m)
- local streets (20-22 m)
- mews (15-17 m) or local streets (see policy 4.3.16)
- colossus srive overpass corridor protection area (see policy 4.3.10)
- major parks and open spaces
- see policy 4.3.2
- \* see policy 4.3.17
- \* see policy 6.3.2
- see policy 4.3.20



This is Schedule '3'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan

SCHEDULE D > MAJOR PARKS AND OPEN SPACES

LEGEND

- environmental open space
- urban park
- neighbourhood park
- millway avenue linear park
- black creek greenway
- land use designations are subject to the results of the VMC Black Creek Renewal EA (Stages 3 & 4) and the detailed design of the Black Creek Corridor
- transit square
- public square
- \*

 parkland associated with environmental spaces
- \*

 see policy 6.3.2



This is Schedule '4'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan

SCHEDULE E > COMMUNITY SERVICES AND CULTURAL FACILITIES

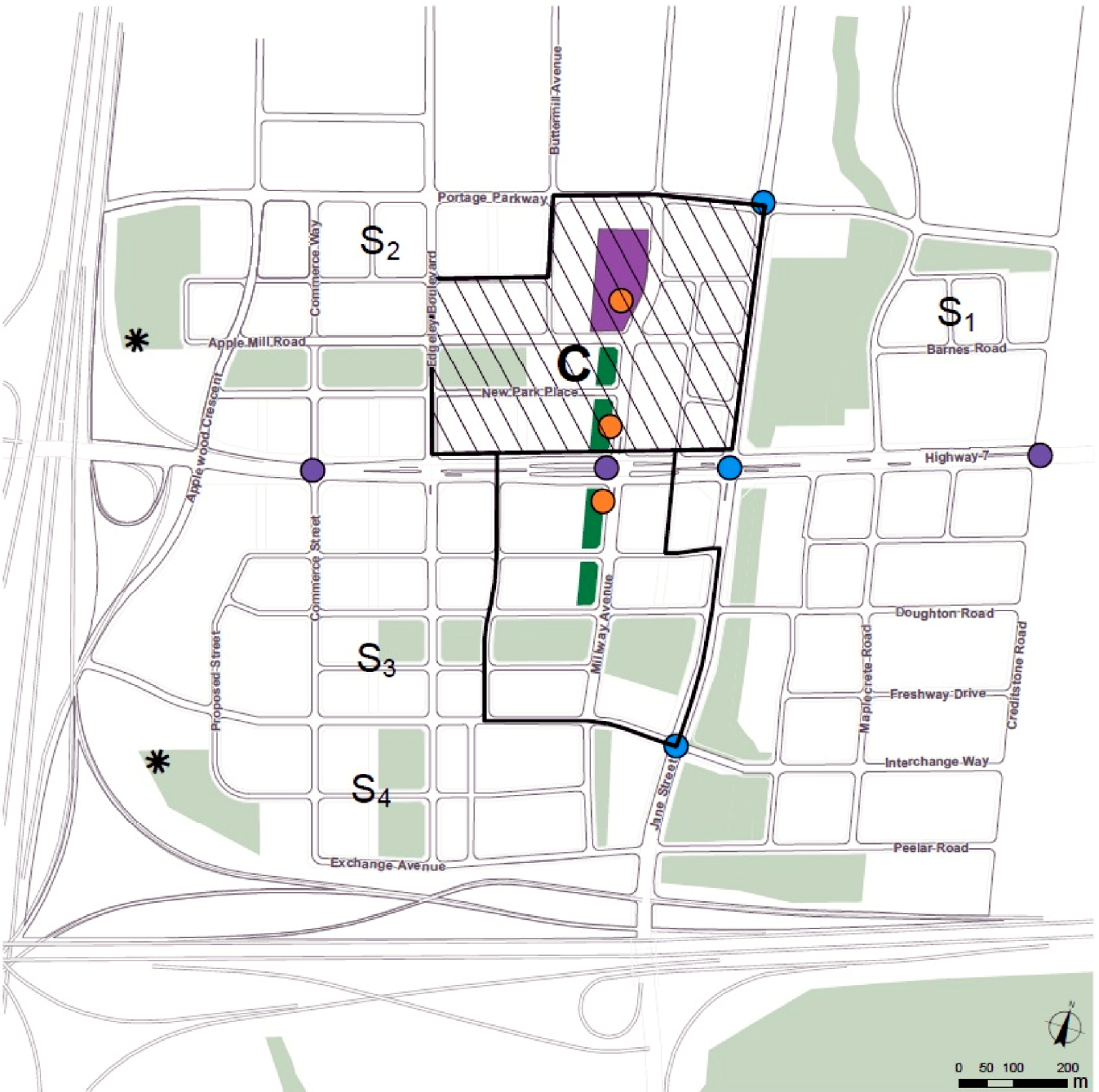
LEGEND

- S

potential school site (see section 7.2)
- C

potential multipurpose community centre
- sites for community and cultural amenities
- bus station
- milway avenue linear park
- major parks and open spaces
- subway entrances
- potential highway 7 rapidway stations
- potential jane street rapidway stations
- \*

see policy 6.3.2



This is Schedule '5'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan



SCHEDULE F > LAND USE PRECINCTS

LEGEND

- station precinct

south precinct

neighbourhood precinct

west and east employment precinct

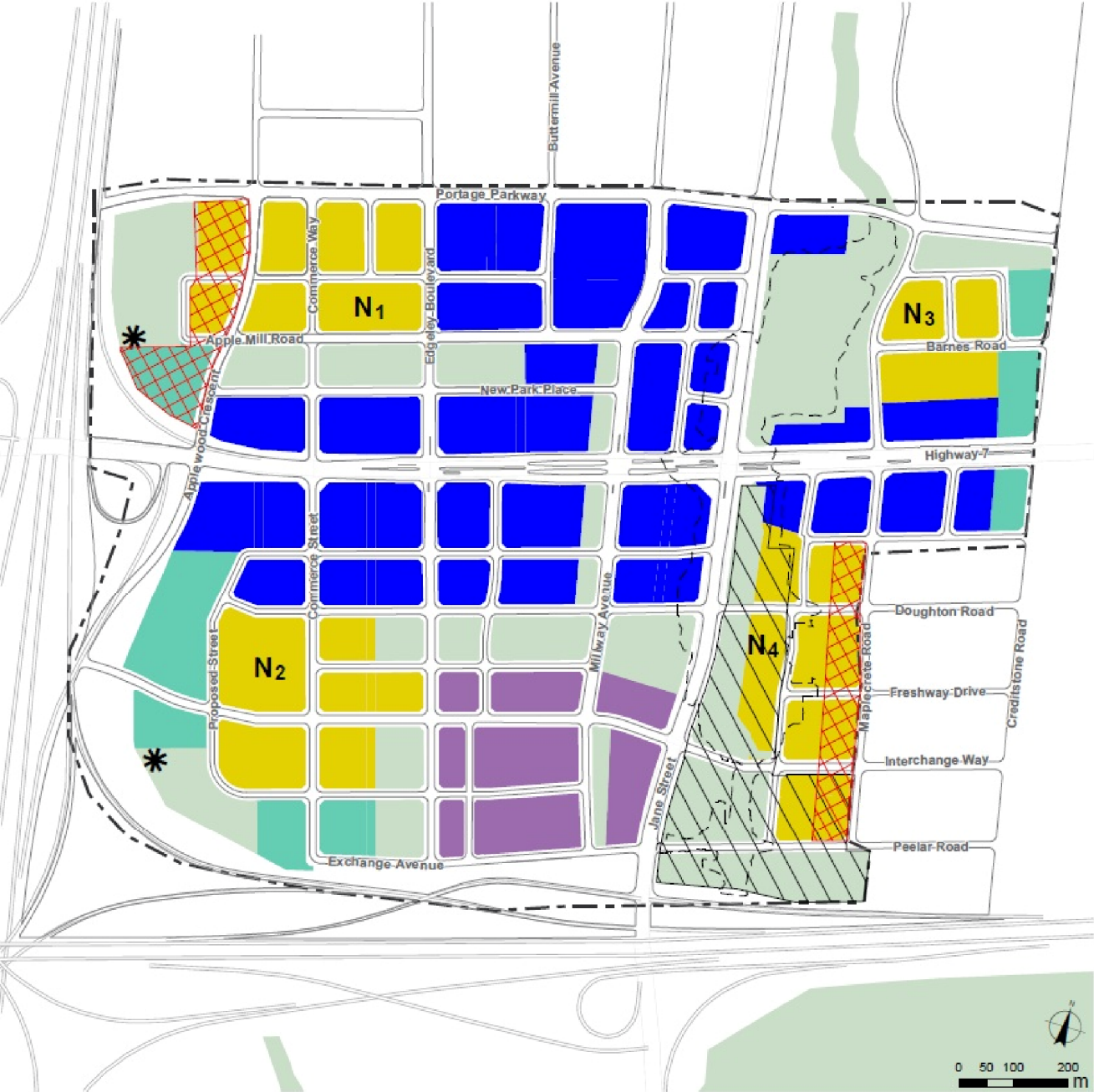
major parks and open spaces

land use designations are subject to the results of the VMC Black Creek Renewal EA (Stages 3 & 4)  
(see also schedules D and J, and policies 5.6.4 - 5.6.10, 8.1.6, 8.2.4 & 8.4.2)
- existing floodplain (see policies 5.6.4-5.6.10)

office uses permitted (see policy 8.4.3 & 8.5.3)

\*

see policy 6.3.2



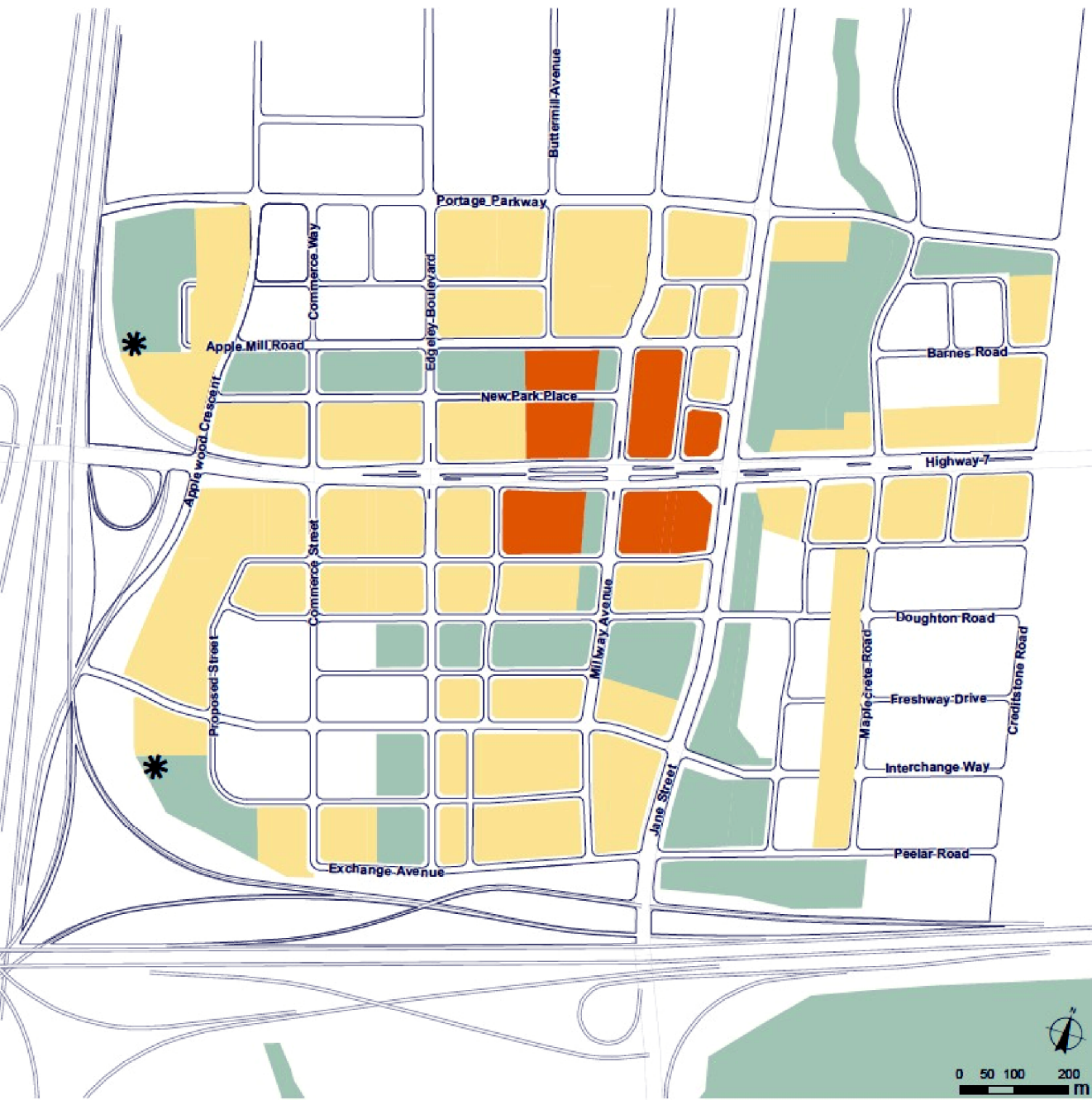
This is Schedule '6'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan

SCHEDULE G > AREAS FOR OFFICE USES

LEGEND

- office uses required (see policy 8.2.3)
- office uses permitted
- major parks and open spaces
- \* see policy 6.3.2



This is Schedule '7'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan

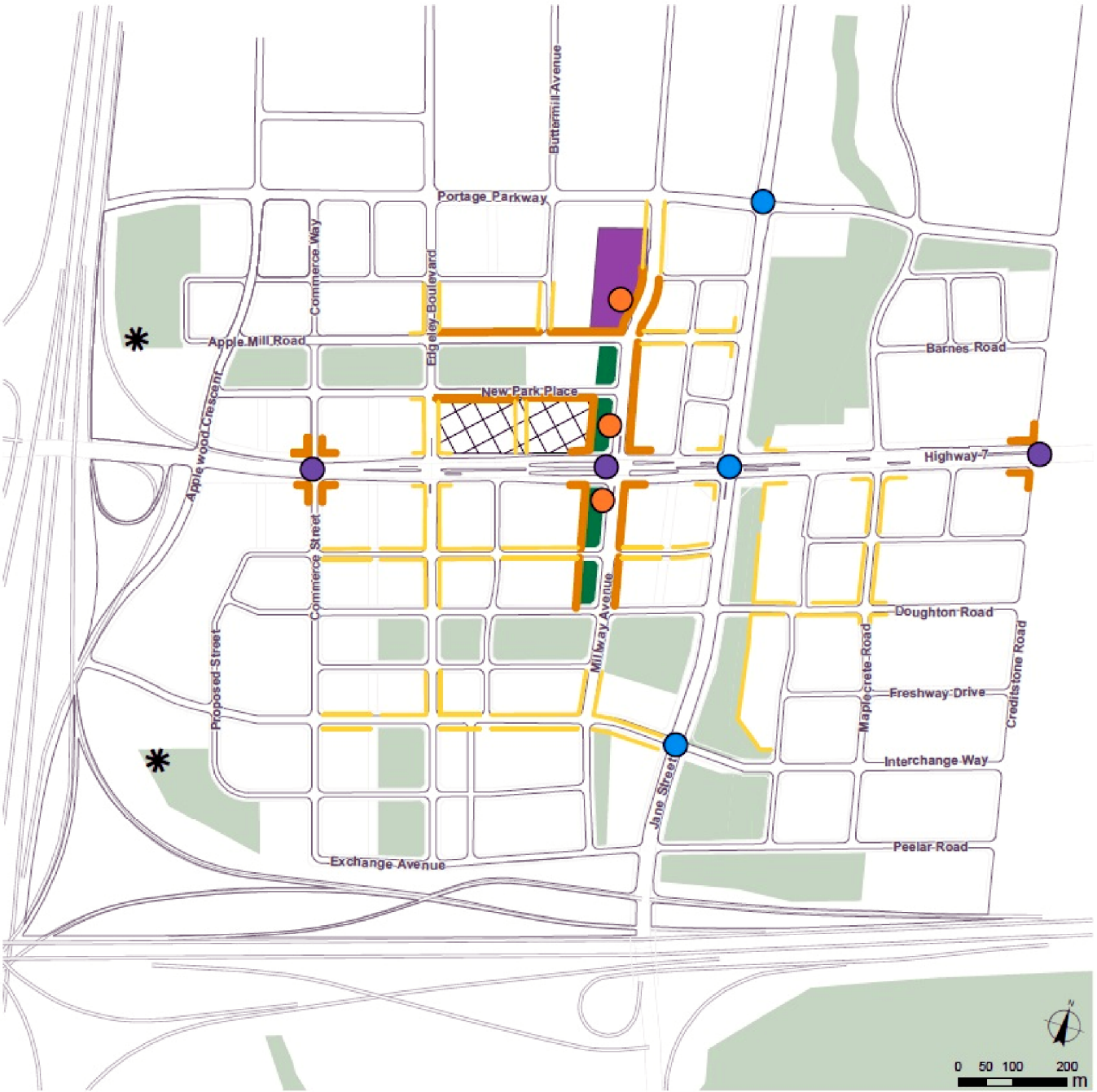


SCHEDULE H > AREAS FOR RETAIL, SERVICE COMMERCIAL OR PUBLIC USES

LEGEND

- required retail, service commercial or public use frontage (see section 8.6)
- recommended retail, service commercial or public use frontage (see section 8.6)
- bus station
- millway avenue linear park
- major parks and open spaces
- subway entrances
- potential highway 7 rapidway stations
- potential jane street rapidway stations
- \*

 see policy 6.3.2
- see policy 8.6.10



This is Schedule '8'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

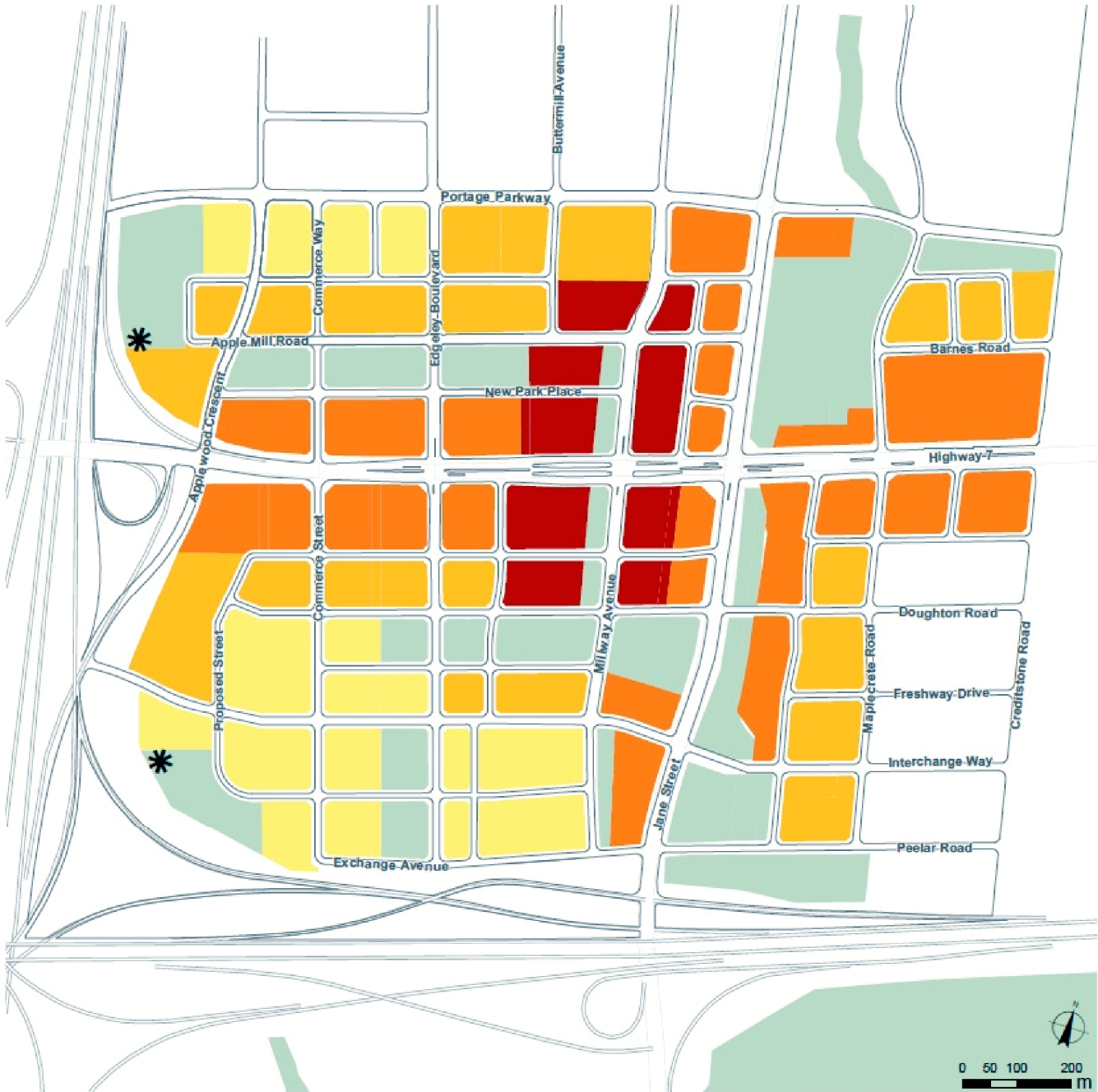
File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan

SCHEDULE I > HEIGHT AND DENSITY PARAMETERS

LEGEND

- H 6 storey minimum - 35 storey maximum  
D 3.5 minimum FSI - 6.0 maximum FSI
- H 5 storey minimum - 30 storey maximum  
D 2.5 minimum FSI - 5.0 maximum FSI
- H 5 storey minimum - 25 storey maximum  
D 2.5 minimum FSI - 4.5 maximum FSI
- H 3 storey minimum - 10 storey maximum (up to 15 storeys may be permitted subject to policy 8.7.11)  
D 1.5 minimum FSI - 3.0 maximum FSI
- major parks and open spaces
- \*

see policy 6.3.2








This is Schedule '9'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

File: OP.20.005  
Related File: Z.20.013  
Location: Part of Lot 5, Concession 4  
Applicant: Doughton Residences Corp.  
City of Vaughan



SCHEDULE J > FLOODPLAIN AND ENVIRONMENTAL OPEN SPACES

LEGEND

-  environmental open spaces
-  black creek remediation area (see policies 5.6.4 - 5.6.10, and 3.6.4 of Volume 1)
-  existing floodplain (see policies 5.6.4 - 5.6.10)
-  existing watercourse (future alignment to be determined)
-  see policy 6.3.2




This is Schedule '10'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

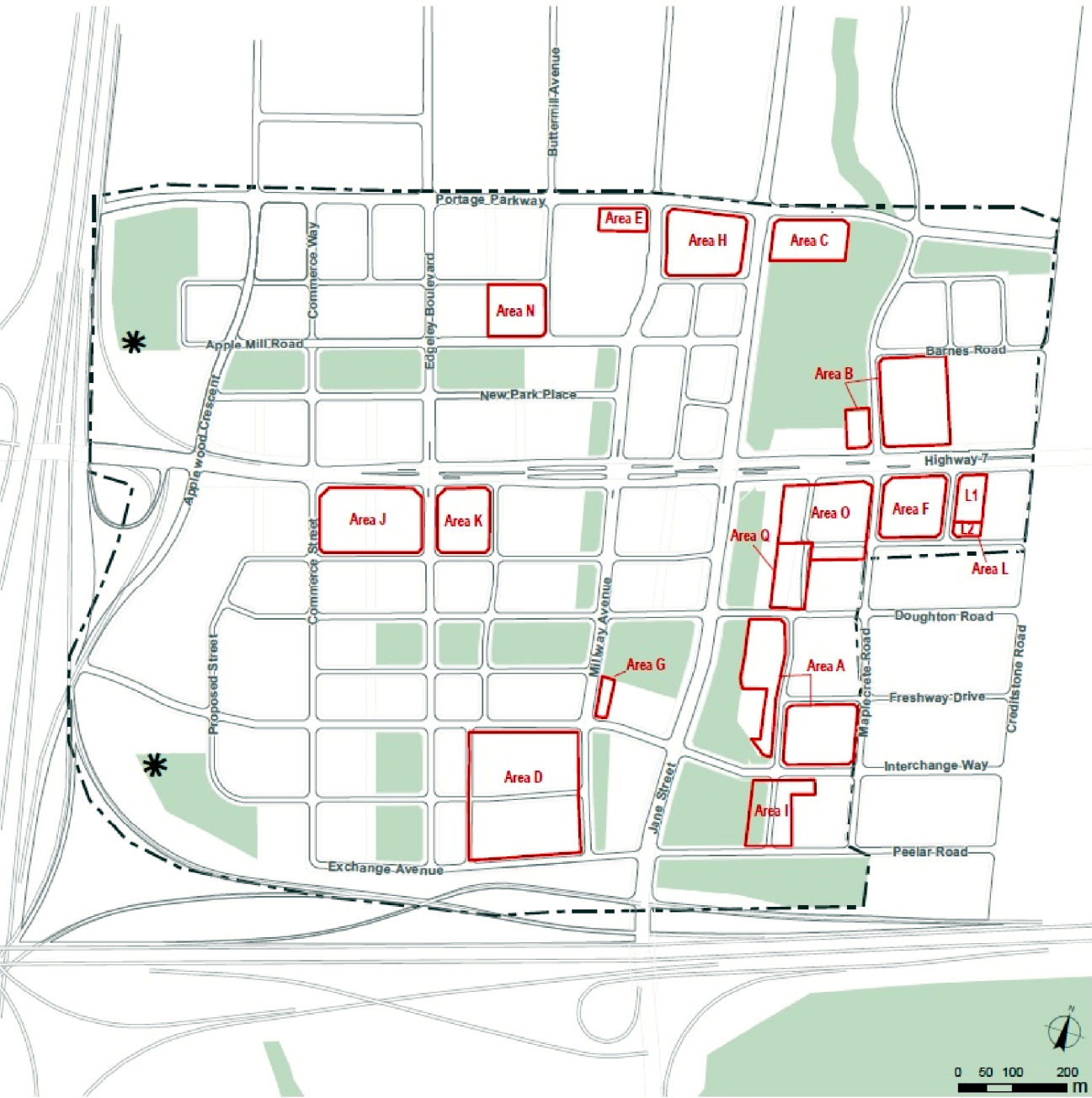
**File:** OP.20.005  
**Related File:** Z.20.013  
**Location:** Part of Lot 5, Concession 4  
**Applicant:** Doughton Residences Corp.  
**City of Vaughan**



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 '11'  
To Official Plan Amendment No. 77  
Adopted the 28th Day Of June, 2022

**File:** OP.20.005  
**Related File:** Z.20.013  
**Location:** Part of Lot 5, Concession 4  
**Applicant:** Doughton Residences Corp.  
**City of Vaughan**

## **APPENDIX I**

The Subject Lands are located on the north side of Doughton Road, east of Jane Street and municipally known as 216 and 220 Doughton Road, 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 46 and 52-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 11.54 times the area of the lot
- c) A maximum permitted tower floor plate size of 800 m<sup>2</sup> shown in the manner shown below;
  - Tower 1
    - 770 m<sup>2</sup> – at Level 5
    - 800 m<sup>2</sup> – Level 6 to 52
  - Tower 2
    - 770 m<sup>2</sup> at Level 5
    - 800 m<sup>2</sup> from Levels 6 to 46
- d) An amendment to policies 5.4.6 to 5.4.10 to bring in-force the “Neighbourhood Precinct” designation on the Subject Lands
- e) An amendment to policy 4.3.6 to permit a stratified title arrangement without the requirement of 10,000 m<sup>2</sup> of office uses within the Development
- f) 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 7, 2022 Committee of the Whole (1) recommendations, as amended to approve Official Plan Amendment File OP.20.005 (and the corresponding Zoning By-law Amendment File Z.20.013). Vaughan Council approved the following recommendations:

- 1. THAT Official Plan Amendment OP.20.005 BE APPROVED; to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the VMCSPP, to:
  - a) Amend Schedules “A” to “J” to modify the proposed realignment of the north-south local street with a 20 m right-of-way width (‘ROW’) on the Subject Lands
  - b) Modify Schedule “K”, Site Specific Policy Areas, to:
    - i. Identify the Subject Lands located east of Jane Street and north of Doughton Road as Area Q
    - ii. Notwithstanding Policies 5.6.4 through 5.6.10, shown on Schedule “F”, as it applies for impacted properties along the Black Creek Renewal Corridor, bring in force the “Neighbourhood Precinct” designation on the Subject Lands
    - iii. Amend Policy 4.3.6 to permit 4 levels of underground parking beneath the entirety of the north-south local street within the limits of the Subject Lands in a stratified title arrangement without the requirement of 10,000 m<sup>2</sup> office uses within the Development;
    - iv. Amend Policy 8.7.18 to permit the proposed maximum building heights of 46 and 52-storeys for the residential towers and a maximum density of 11.54 times the area of the lot (Floor Space Index – ‘FSI’), whereas a maximum building height of 25 and 30-storeys and density of 4.75 FSI is permitted
    - v. Permit an increase to the residential tower floor plate size from 750 m<sup>2</sup> to the following for Towers 1 and 2:

Tower 1

- 770 m<sup>2</sup> – at Level 5
- 800 m<sup>2</sup> – Level 6 to 52

Tower 2

- 770 m<sup>2</sup> at Level 5
- 800 m<sup>2</sup> from Levels 6 to 46

2. THAT Zoning By-law Amendment File Z.20.013 BE APPROVED to:
  - a) Amend By-law 1-88, as amended, to rezone the Subject Lands from the “EM1 Prestige Employment Area Zone” to the “C9 Corporate Centre Zone” with a Holding Symbol “(H)” generally in the manner shown on Attachment 2 and 2a, together with site-specific exceptions generally identified in Table 1 of this report; and
  - 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 \$9,000,000.00 pursuant to the policies of VOP 2010 and VMCSP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* :
    - i. On-site contribution of 470 m<sup>2</sup> community space located along Doughton Road, with the value of the ownership arrangement to be determined by any appraisal report on fair market value of the space, and a cash contribution for interior fit-out and off-site VMC park enhancements using the remaining funds within the \$9,000,000 contribution envelope.
3. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are fulfilled:
  - a) The Owner shall enter into a Strata Framework Agreement with the City. The Strata Framework Agreement, and subsequent Strata Title Arrangement Agreement, shall be provided to the City for review and approval for the Strata Road, and the potential Strata Park that the Owner is discussing with the neighbouring property to the north. The Strata Framework Agreement will permit the originally proposed pedestrian mews, with a public-access easement in favour of the City, in lieu of the potential Strata Park if the specifics of a Strata Park are not agreed to prior to the execution of the subsequent Strata Title Arrangement Agreement. The Agreements shall be finalized with details respecting, but not limited to, access, ownership, operation, maintenance, liability, cross section details, and financial responsibilities (among others) of the parties which shall have been agreed upon by the Owner and shall be executed prior to final approval of the related Draft Plan of Subdivision 19T-21V008, to the satisfaction of the City;
  - b) The Owner shall enter into a Development Agreement (the ‘Agreement’) with the City which shall require the Owner to commit to a construction schedule for their site to be in-line with the design-build schedule for the City of Vaughan’s Black Creek Renewal project, to the satisfaction of Deputy City Manager, Infrastructure Development. Through this Agreement, the Owner will be required to acknowledge and indemnify the City and Toronto and Region Conservation Authority (TRCA) from the risk they are accepting in advancing this development within a flood prone area;
  - c) Conditional approval of Site Development Application File DA.21.026, subject to Vaughan Council’s approval, which would allow for a viable development on the lands, whereby the Owner shall address all City comments to the satisfaction of the Planning and Growth Management Portfolio;

- d) Conditional approval of Draft Plan of Subdivision 19T-21V008, subject to Vaughan Council's approval, which would allow for the viable development of the lands, including the creation of the development block, stratified conveyance of the north-south local street, mews, reserves, road widenings, stratified park dedication (if applicable) and municipal services, to the satisfaction of the City;
- 4. 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 contributions 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 Section 37 Contribution shall be provided as a combination of an on-site 470 m<sup>2</sup> community space located along Doughton Road, with the value of the ownership arrangement to be determined by an appraisal on a fair market value of the space, and a cash contribution for interior fit-out and off-site VMC park enhancements using the remainder of the \$9,000,000 contribution with the cash contribution to be paid prior to the issuance of the first above-grade Building Permit, subject to indexing from the date of registration of the Section 37 Agreement. 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.
- 5. 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 37.1 of the *Planning Act*, for the implementation of the community benefits identified in Recommendation 2b) and 4.
- 6. 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.
- 7. THAT the implementing Official Plan Amendment be forwarded to York Region for approval;
- 8. 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*;