

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 158-2022

A By-law to adopt Amendment Number 86 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 86 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule “1” is hereby adopted.
2. 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 it is passed.

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

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 86
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedule “1” constitute Amendment Number 86 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment are Appendices “1”, “2”, and “3”.

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 high-density residential development with ground floor retail and community uses on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, “Lands Subject to Amendment No. 86” on Schedule “1” attached hereto:

1. Permit a maximum building height of 49-storeys or 153.5 metres (Building A), 45-storeys or 141.3 metres (Building B), and 7-storeys or 24.6 metres (Building C);
2. Permit a maximum density of 6.97 Floor Space Index (“FSI”); and
3. Permit a maximum tower floor plate size of 859 square metres (Buildings A & B).

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the southeast corner of Maplecrete Road and Highway 7, being Part of Lot 5, Concession 4, City of Vaughan, as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 86.”

III BASIS

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

1. The Amendment promotes a density within the VMC, a Provincially recognized Urban Growth Centre (“UGC”), where public investment in higher-order transit, being the SmartCentres Place 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 and Mobility Hub 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 underutilized site in a designated settlement area and contributes to the overall range of housing options that would meet Vaughan's housing needs. 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. This provides opportunities to reduce the negative impact of climate change by promoting active transportation and the proximity to public transportation, and 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. A range of residential unit types in an urban environment is offered that would accommodate additional population within the VMC that would support the planned and existing retail, office and cultural uses. The development is consistent with the policies of the PPS and promotes its goals and objectives.

3. The Provincial Growth Plan for the Greater Golden Horseshow 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 includes a mix of residential and at-grade retail uses that are accessible to the residents of the VMC, which would assist in achieving the population targets set out in the Growth Plan within the City's urban boundary. The development benefits from the existing and planned infrastructure. The development focuses new growth through the intensification of an underutilized site that provides a mixed-use, pedestrian-friendly environment located adjacent to Higher-Order Transit that will reduce the demand for vehicles.

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.

4. The York Region Official Plan (YROP) designates the Subject Lands “Urban Area”, which is in a “Regional Centre.” 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 contribute to a diverse housing stock in the Region that is adjacent to existing and planned employment, retail, open space, community facilities, and Higher-Order Transit.

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 enhanced streetscape and the introduction of the high-rise apartment and mid-rise residential units would complement the existing and planned surrounding commercial, office, retail, and community facility uses in proximity of the Subject Lands, thereby contributing to the success of the VMC as a complete community.

The development conforms to the YROP as it includes a mix of unit types and contributes to a range of housing choices in the City to meet the needs of residents and workers of York Region. It would also support and achieve an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture, and contribute to a high-quality and sustainable community in the VMC.

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 building height and 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 bonusing for 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 a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure.

6. In their letters to the City dated August 3, 2021 and May 24, 2022, York Region has advised that they retain the approval authority of the Official Plan Amendment File OP.21.007. Accordingly, Regional Exemption has not been granted at this time, thereby warranting Regional approval of this Amendment.
7. The statutory Public Hearing was held on June 1, 2021. The recommendation of the Committee of the Whole to receive the Public Hearing report of June 1, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on June 28, 2022, when Vaughan Council approved Official Plan Amendment File OP.21.007 (1930328 Ontario Inc.).
8. By-law 040-2019 to adopt Amendment Number 39 to the Vaughan Official Plan 2010 of the Vaughan Planning Area shall be repealed the day after By-law to adopt Amendment Number 86 to the Vaughan Official Plan 2010 of the Vaughan Planning Area comes into full force and effect, as may be amended by the approval authority.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

VOP 2010, specifically Volume 2, Section 11.12 of the VMC Secondary Plan, is hereby amended by:

1. Replacing policy 9.3.8, Area F with the following:

“(OPA # 86) **Area F**

1. Notwithstanding Schedule I, Height and Density Parametres:
 - a. the lands identified as “Area F” on Schedule K are permitted a maximum building height of 49-storeys or 153.5 m (Building A), 45-storeys or 141.3 m (Building B), and 7-storeys or 24.6 m (Building C) with a maximum density of 6.97 FSI, as provided in the site-specific Zoning By-law, and,
2. Prior to the implementation of the site-specific Zoning By-law, the requirements for a Section 37 Agreement shall be satisfied.”
3. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted tower floor plate size shall not exceed 859 metres (Buildings A & B).

V IMPLEMENTATION

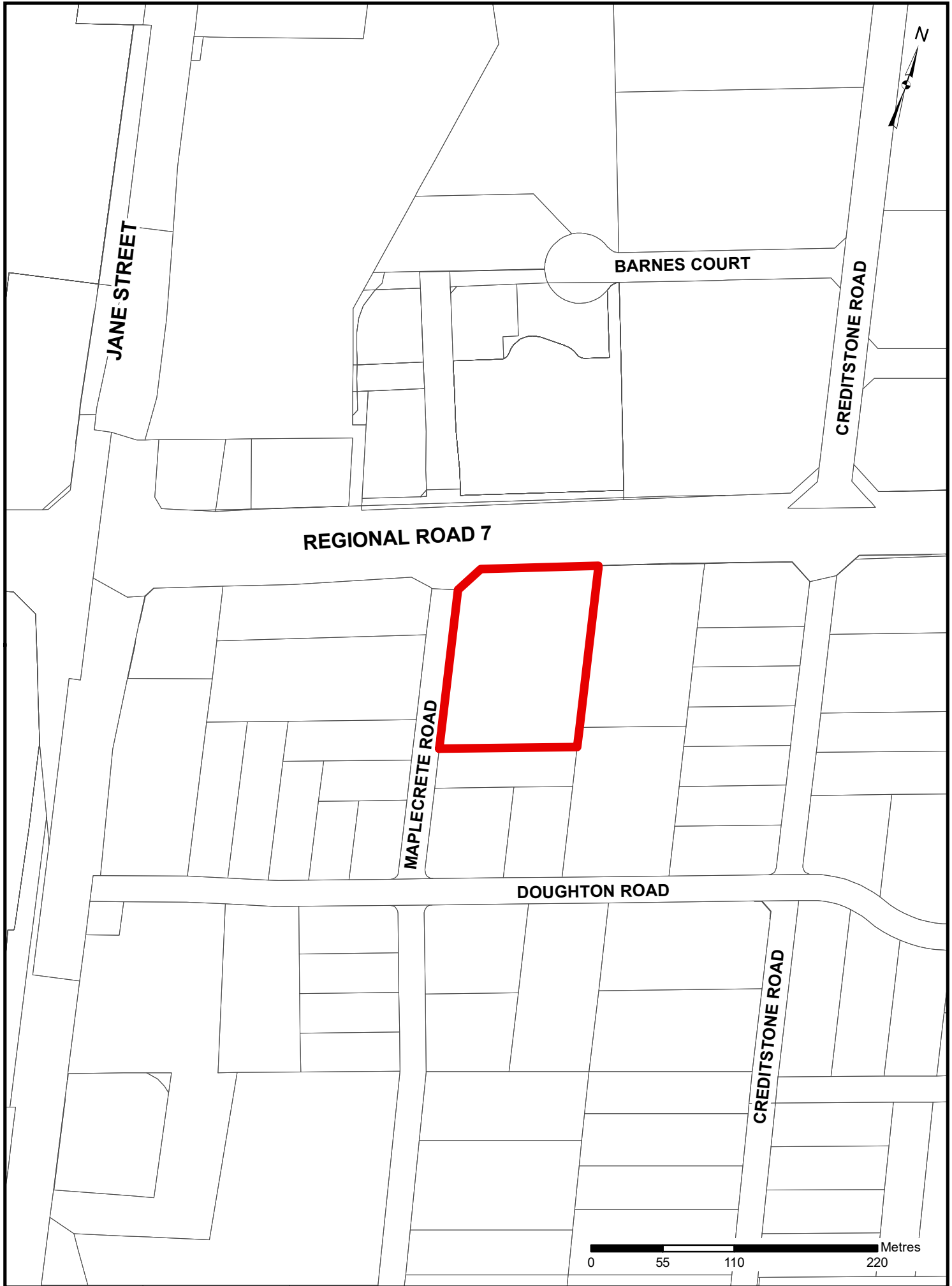
It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, Plan of Subdivision, and Site Development Approval, pursuant to the *Planning Act*.

VI INTERPRETATION

The provisions of the VOP 2010, and the VMC Secondary Plan, as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

VII RESCINDING VOP 2010 OPA 39 THAT APPLIED TO THE SUBJECT LANDS

Following the approval and coming into full force and effect of VOP 2010 Official Plan Amendment Number 86, as may be amended by the approval authority, a By-law shall be approved repealing By-law 040-2019 to adopt VOP 2010 Official Plan Amendment Number 39 and rescinding VOP 2010 Official Plan Amendment Number 39 that applied to the Subject Lands.



THIS IS SCHEDULE '1'
TO OFFICIAL PLAN AMENDMENT NO. 86
PASSED THE 28TH DAY OF JUNE, 2022

FILE: OP.21.007
RELATED FILES: Z.21.010, 19T-18V005 & DA.18.037
LOCATION: PART OF LOT 5, CONCESSION 4
APPLICANT: 1930328 ONTARIO INC.
CITY OF VAUGHAN



LANDS SUBJECT TO
AMENDMENT NO. 86

APPENDIX 1

The Subject Lands are located on the southeast corner of Maplecrete Road and Highway 7, within the Vaughan Metropolitan Centre (“VMC”), in the City of Vaughan.

The purpose of this Amendment is to permit a maximum building height and density on the Subject Lands, as shown on Schedule 1, of 49-storeys (Building A) and 45-storeys (Building B) and 6.97 FSI, respectively, subject to the requirement of a Section 37 Agreement, pursuant to the Planning Act.

This Amendment also rescinds By-law 040-2019 to adopt Amendment Number 39 to the Vaughan Official Plan 2010 of the Vaughan Planning Area that applied to the Subject Lands.

On June 28, 2022, Vaughan Council ratified the June 7, 2022 recommendation of the Committee of the Whole recommendation to approve Official Plan Amendment File OP.21.007 (and the corresponding Zoning By-law Amendment File Z.21.010) as follows (in part):

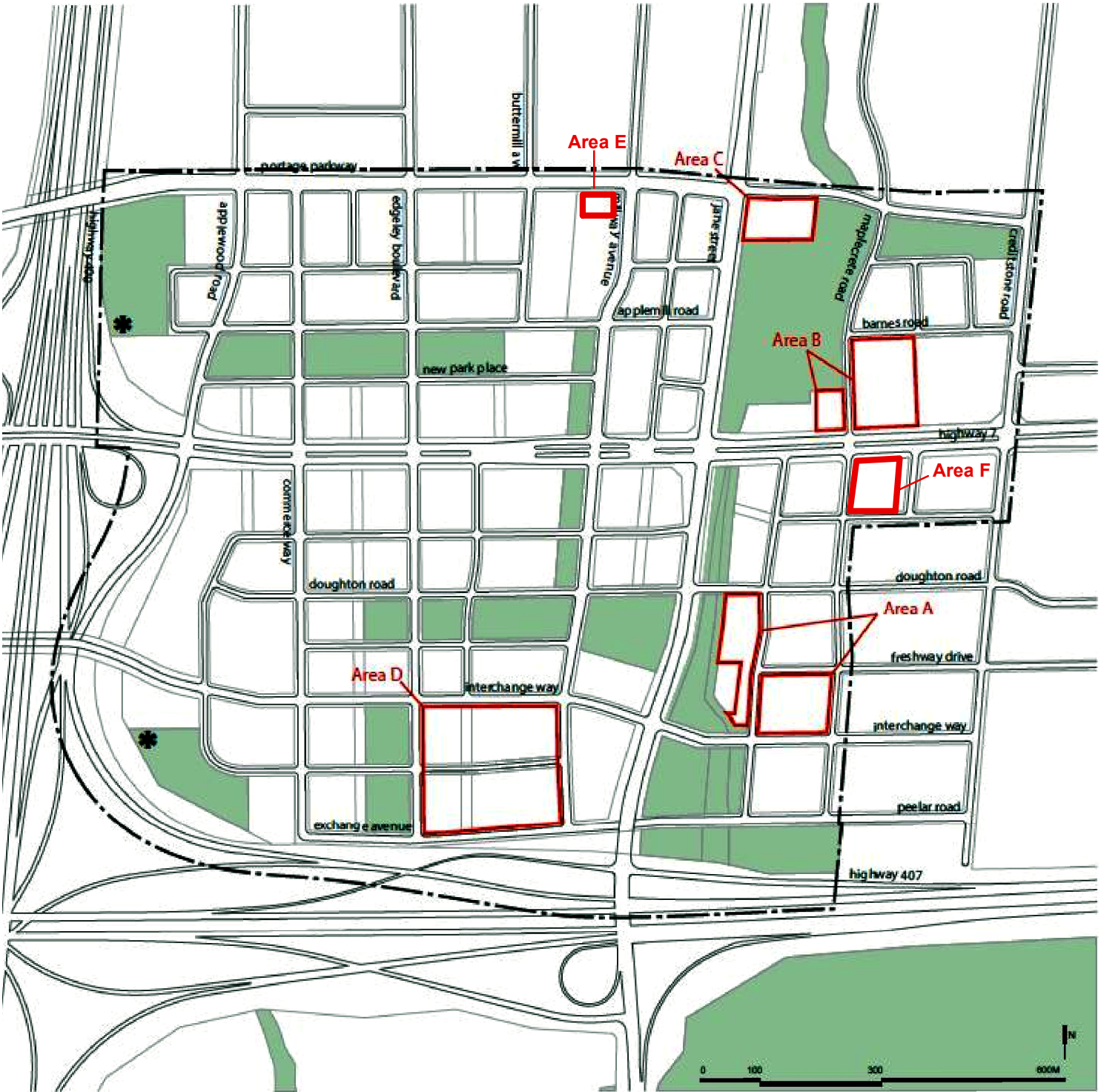
- “1. THAT Official Plan Amendment File OP.21.007 BE APPROVED; to amend Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to replace the site-specific policies applicable to the lands identified as “Area F” on Schedule K – Site Specific Policy Areas with the following:
 - a) Maximum building heights of 49-storeys or 153.5 metres (Building A) and 45-storeys or 141.3 metres (Building B);
 - b) Notwithstanding Schedule I – Height and Density Parameters, Building C shall not exceed 7-storeys in height;
 - c) A maximum permitted density FSI of 6.97 times the area of the Subject Lands;
 - d) Notwithstanding Policy 8.7.18, the maximum tower floor plate size shall not exceed 859 square metres (Buildings A & B).
2. THAT Zoning By-law Amendment File Z.21.010 be APPROVED to:
 - a) amend Zoning By-law 1-88, as amended, to rezone the Subject Lands from “C9(H) Corporate Centre Zone” with the Holding Symbol “(H)”, subject to Exception 1473, to “C9 Corporate Centre Zone” with the Holding Symbol “(H)” in the manner shown on Table 1, together with the site-specific zoning exceptions identified in the Zoning section of this report;
 - b) permit the bonussing for increased building height and density for the development shown on Attachments 3 to 11 in return for the following provision of community benefits, pursuant to the Planning Act, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the Planning Act:
 - i. 162.85 m² of community space located on the ground floor of Building A, with an appraisal report to follow which will determine the value of the ownership arrangement (long term lease versus freehold) and contribution for interior fit-out and programming using the remaining funds within the \$3,786,587.15 contribution envelope.
3. THAT the Holding Symbol “(H)”, as shown on Attachment 2, shall not be removed from the Subject Lands, or any portion thereof, until the Owner:
 - a) Provide a Remedial Action Plan (RAP) to the satisfaction of the City;
 - b) Obtain and file for a Record of Site Condition (RSC) on the Environmental Site Registry with the Ministry of the Environment, Conservation and Parks for the Subject Lands or for all portions thereof as identified on Attachment 14. The “H” may be removed from the Subject Lands in a phased manner as generally shown on Attachment 14 to the satisfaction of the City;
4. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to

Section 37.1 of the Planning Act, for the implementation of the community benefits identified in Recommendation 2 b). The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 194-2020 for the Planning Applications, prior to the execution of the Section 37 Agreement;

5. THAT the implementing Official Plan Amendment be brought forward to York Region for approval;
6. THAT the implementing Zoning By-law Amendment be brought forward to the June 28th, 2022 Vaughan Council meeting in accordance with section 24(2) of the Planning Act.”

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 APPENDIX '2'
TO OFFICIAL PLAN AMENDMENT NO. 86
ADOPTED THE 28TH DAY OF JUNE, 2022

FILE: OP.21.007
RELATED FILES: Z.21.010, 19T-18V005 & DA.18.037
LOCATION: PART OF LOT 5, CONCESSION 4
APPLICANT: 1930328 ONTARIO INC.
CITY OF VAUGHAN



LANDS SUBJECT TO OFFICIAL PLAN
AMENDMENT NO. 86 (AREA F)

APPENDIX 3

