

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 154-2022

A By-law to adopt Amendment Number 76 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 76 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, 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 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 76
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 76 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. 16 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 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. 76” 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 delete the planned east-west local street on the Subject Lands, as shown on Schedules “1” through “11”.
2. To permit the “Station Precinct” land-use designation on Schedule “F” to come into effect, upon the Edgeley Pond and Park and Highway 7 Culvert and Improvement Works being completed or substantially advanced to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA).
2. To permit maximum building heights of 50 and 60-storeys (Towers B and A) for the residential towers, exclusive of mechanical penthouses, and a 17-storey office building.
3. To permit a maximum Floor Space Index (“FSI”) of 9.45 times the area of the lot, subject to the acquisition of lands abutting the Apple Mill Road frontage.
4. To permit a maximum tower floor plate size of 850 m² as follows:

Tower A (60-storeys)

- 850 m² – between Levels 8 to 52
- 826 m² Levels 53 to 55
- 720 m² – between Levels 56 to 62 (mechanical)

Tower B (50-storeys)

- 850 m² – between Levels 8 to 42
- 825.4 m² between Levels 43 to 45
- 718 m² – between Levels 46 to 52 (mechanical)

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 Jane Street, being Part of Lot 6, Concession 5, and are municipally known as 7800 Jane Street, in the VMC, City of

Vaughan, as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 76.”

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. A range of residential unit types in an urban environment is offered that accommodates 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 includes a mix of residential unit types that would assist in improving social equity and access to housing options for users at varying incomes and stages of life. It 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 contributes to achieving a complete community by introducing a housing form in the VMC that has access to open spaces, a pedestrian-oriented mid-block connection, a 22,742 m² Class-A office building with at-grade retail and significant roof-top amenity areas to serve its residents.

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 mid-block pedestrian connection (breezeway) which includes retail 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 retail within the breezeway, 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) 76 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.

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. Based on discussions between the TRCA and the City, a formal commitment has been made by the City in their financial strategy for the Edgeley Pond and Park and Black Creek Renewal Project to accelerating the completion of works to ensure that the necessary upgrades, which include, but are not limited to, increasing the conveyance of the existing culverts under Highway 7 are prioritized to accommodate regional storm flow volumes. The timing associated with the first phase of the renewal and the development on the Subject Lands may provide the Owner with the opportunity to construct a foundation coincident with the construction of the early works that TRCA requires to mitigate the flood risk concerns north of Highway 7 and west of Jane Street. Once completed, the works of this contract will mitigate the flood risk for the properties around Edgeley Pond,

north of Highway 7 and development can advance simultaneously with the City's vision, as described in the Black Creek Renewal EA (previously Black Creek Optimization Study EA) and the Detailed Design for Edgeley Pond and Park, and ensure it is outside of the floodplain and safe access is available prior to occupancy.

On this basis, the TRCA and the City and Province are satisfied that the requirements Policies 5.6.6 through to 5.6.8 are met and the designation "Station Precinct" shall come into force, only upon the Edgeley Pond and Park and Highway 7 Culvert and Improvement Works being completed or substantially advanced 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 21, 2022, York Region advised that they retain the approval authority of OPA 76, in accordance with Policy 8.3.8 of the YROP.
7. The statutory Public Meeting was held on July 13, 2020. The recommendation of the Committee of the Whole to receive the Public Hearing report of July 15, 2020, 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.20.003, (7800 Jane Street Inc.).

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 remove the east-west local street as identified on Schedule "3", and amending Schedules "B", "C", "D", "E", "F", "G", "H", "I", "J" and "K" that removes the local road, attached hereto as Schedules "2" to "11".
2. Amending Schedule "K" thereby identifying the Subject Lands located immediately on the north-west corner of Highway 7 and Jane Street, municipally known as 7800 Jane Street, as "Area P" attached hereto as Schedule "11".
3. Adding the following after Policy 9.3.17

"(OPA #76) **Area P**

9.3.18 1. Notwithstanding Schedule I, Height and Density

Parameters, of the VMC Secondary Plan, the maximum permitted density (Floor Space Index (FSI)) shall not exceed 9.45 times the area of the lot, subject to the acquisition of lands abutting the Apple Mill Road frontage and application of Policy 8.1.1 of the VMC Secondary Plan, respecting the exclusion of 10,000 m² of office uses from the calculation of density, calculated in accordance with Policy 8.1.17 of the VMC Secondary Plan, and the maximum building height shall not exceed 50 and 60-storeys (Towers B and A), and a 17-storey office building exclusive of mechanical penthouses, 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 Policies 5.6.4 through 5.6.10, as it applies for impacted properties along the Black Creek Renewal Corridor, the designation “Station Precinct” shall come into force on the Subject Lands, only upon the Edgeley Pond and Park and Highway 7 Culvert and Improvement Works being completed or substantially advanced 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.

3. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted residential tower floor plate size shall not exceed 850 m² based on the following:

Tower A (60-storeys)

- 850 m² – between Levels 8 to 52
- 826 m² Levels 53 to 55
- 720 m² – between Levels 56 to 62 (mechanical)

Tower B (50-storeys)

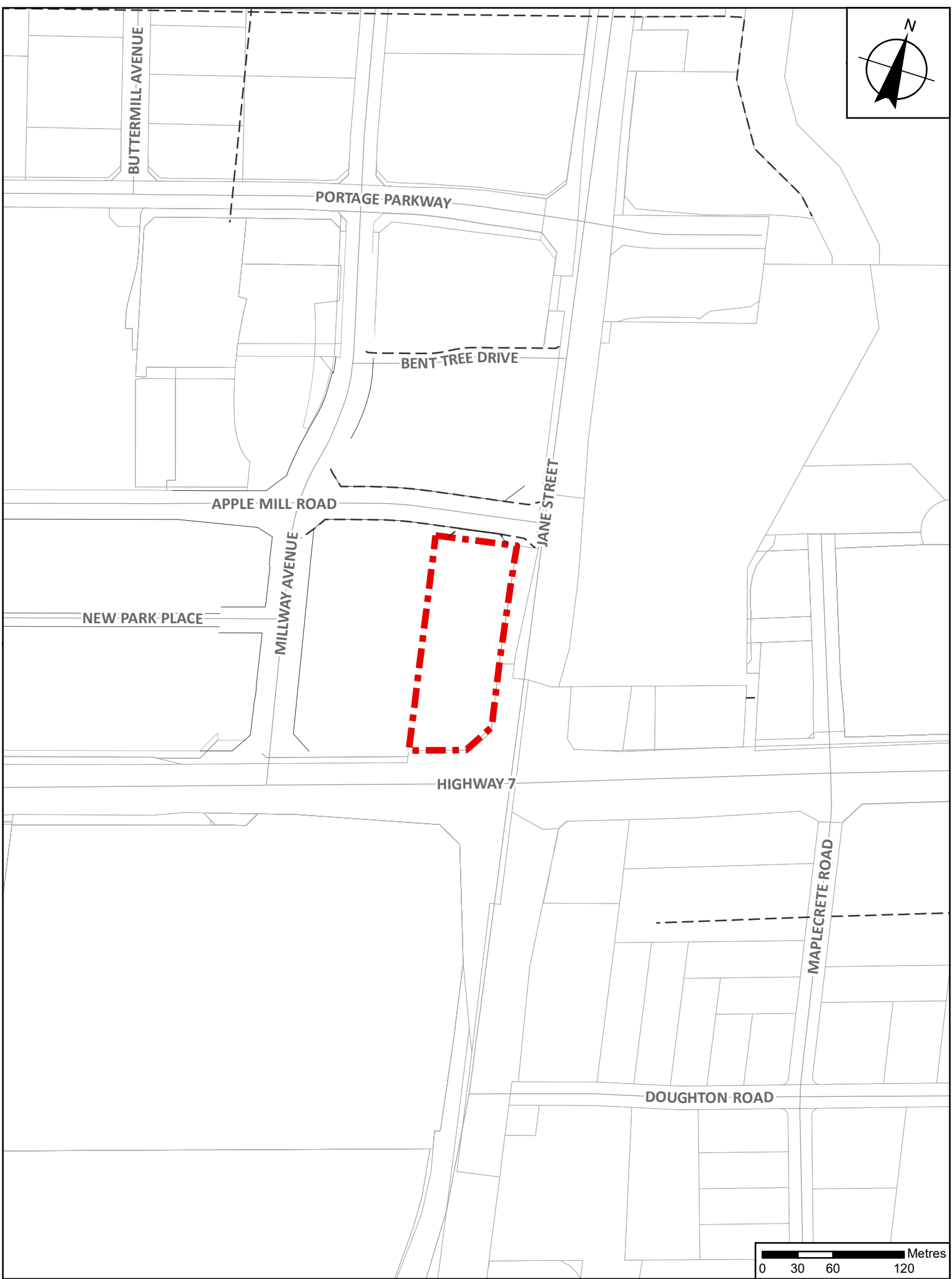
- 850 m² – between Levels 8 to 42
 - 825.4 m² between Levels 43 to 45
 - 718 m² – between Levels 46 to 52 (mechanical)
4. A maximum residential gross floor area ('GFA') of 103,602 m² is permitted.
 5. A required minimum of 25,503 m² GFA (or 19.8%) of the overall development must consist of non-residential uses."

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*.

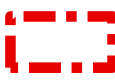
VI INTERPRETATION

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. 76
Adopted the 28th Day Of June, 2022


File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
City of Vaughan


 Lands Subject to
Amendment No. 76


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

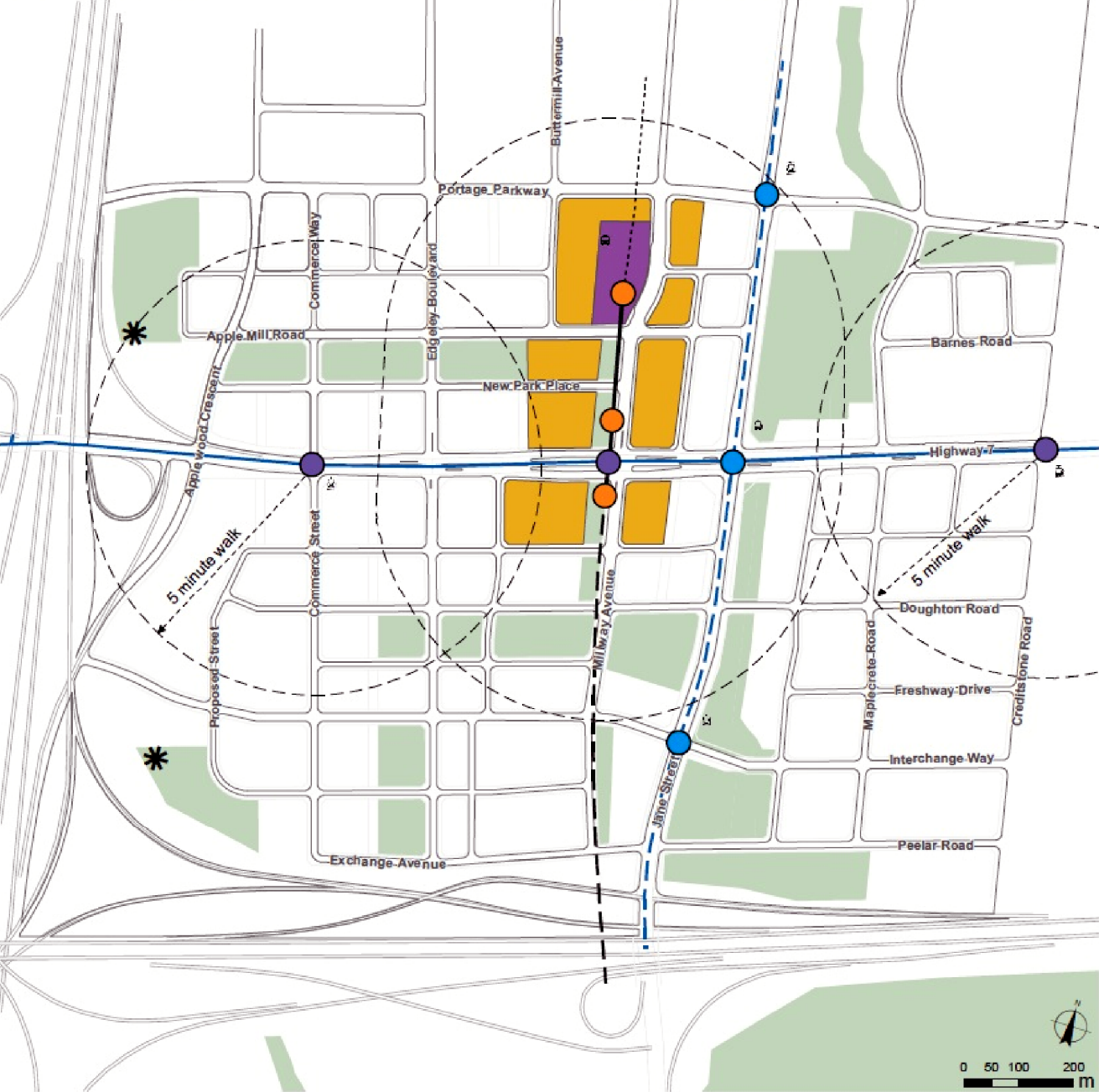
 spadina subway station box

 highway 7 rapidway

 potential jane street rapidway

 potential viva station

 major parks and open spaces



This is Schedule '2'
To Official Plan Amendment No. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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 drive 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. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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. 76
Adopted the 28th Day Of June, 2022


File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
City of Vaughan


SCHEDULE E > COMMUNITY SERVICES AND CULTURAL FACILITIES


LEGEND


- S


potential school site (see section 7.2)
- 


potential multipurpose community centre
- 


sites for community and cultural amenities
- 


bus station
- 

milway avenue linear park
- 

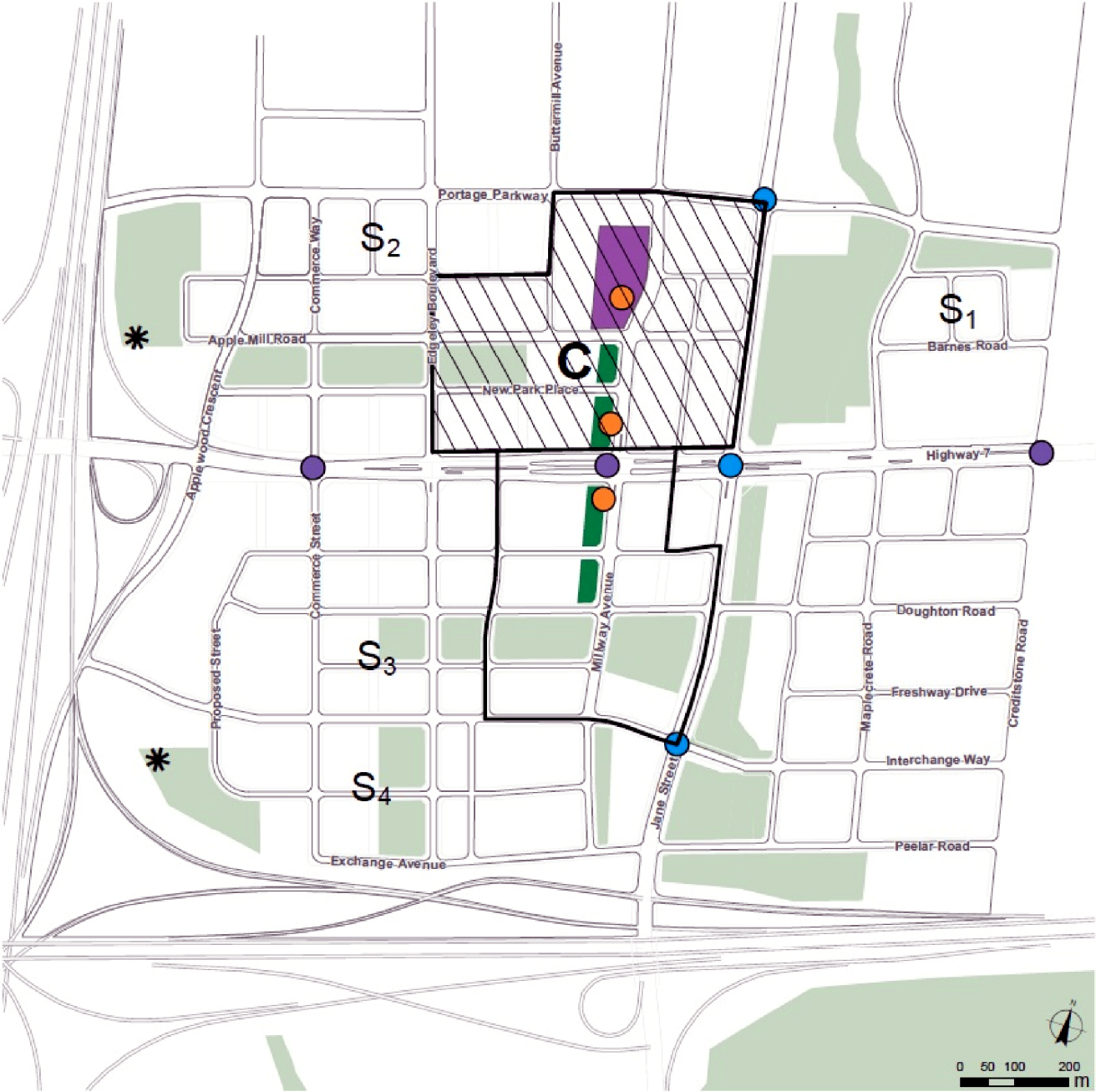
major parks and open spaces
- 

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. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
City of Vaughan

SCHEDULE F > LAND USE PRECINCTS

LEGEND

- station precinct

south precinct

neighbourhood precinct

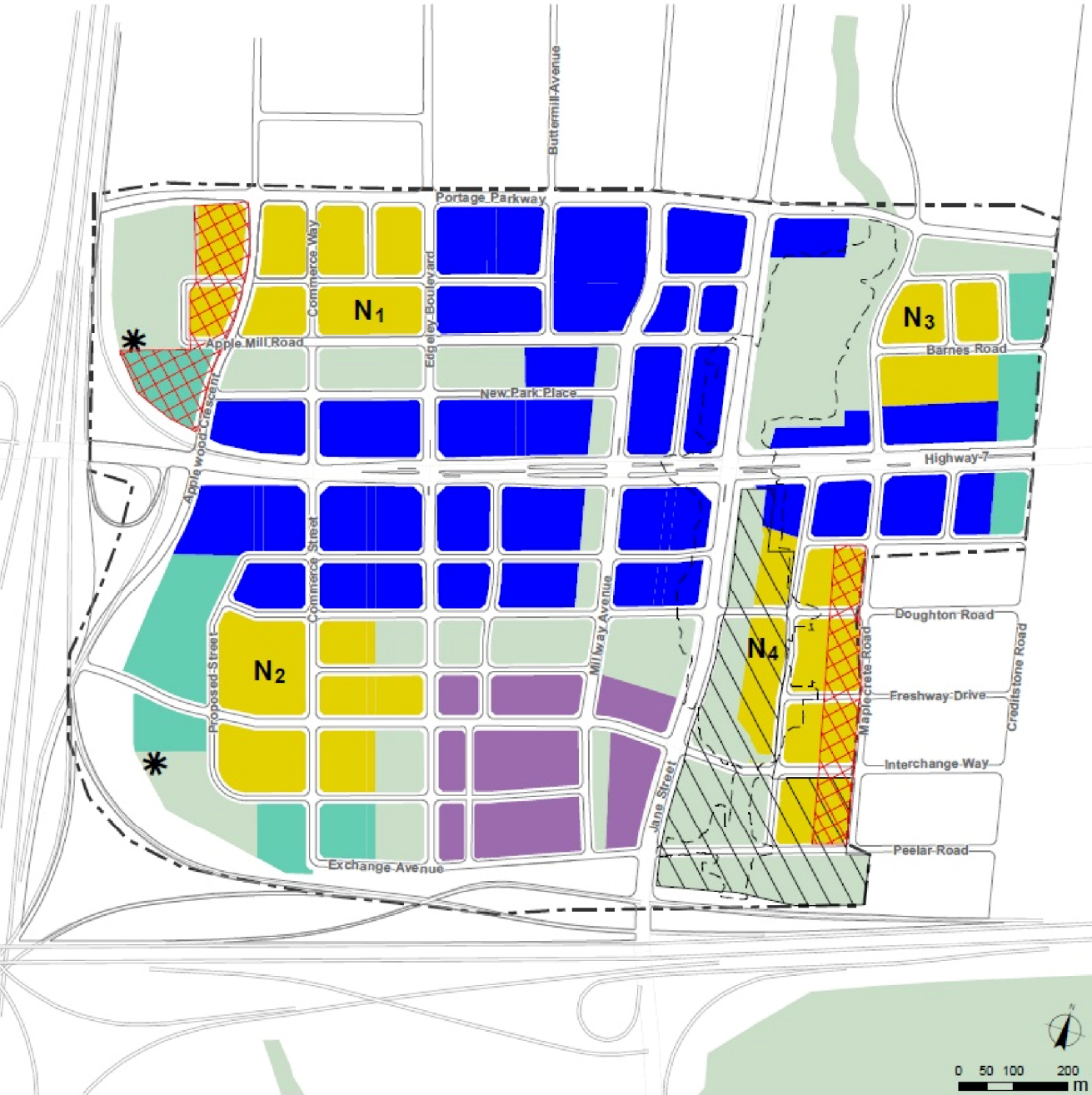
west and east employment precinct

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







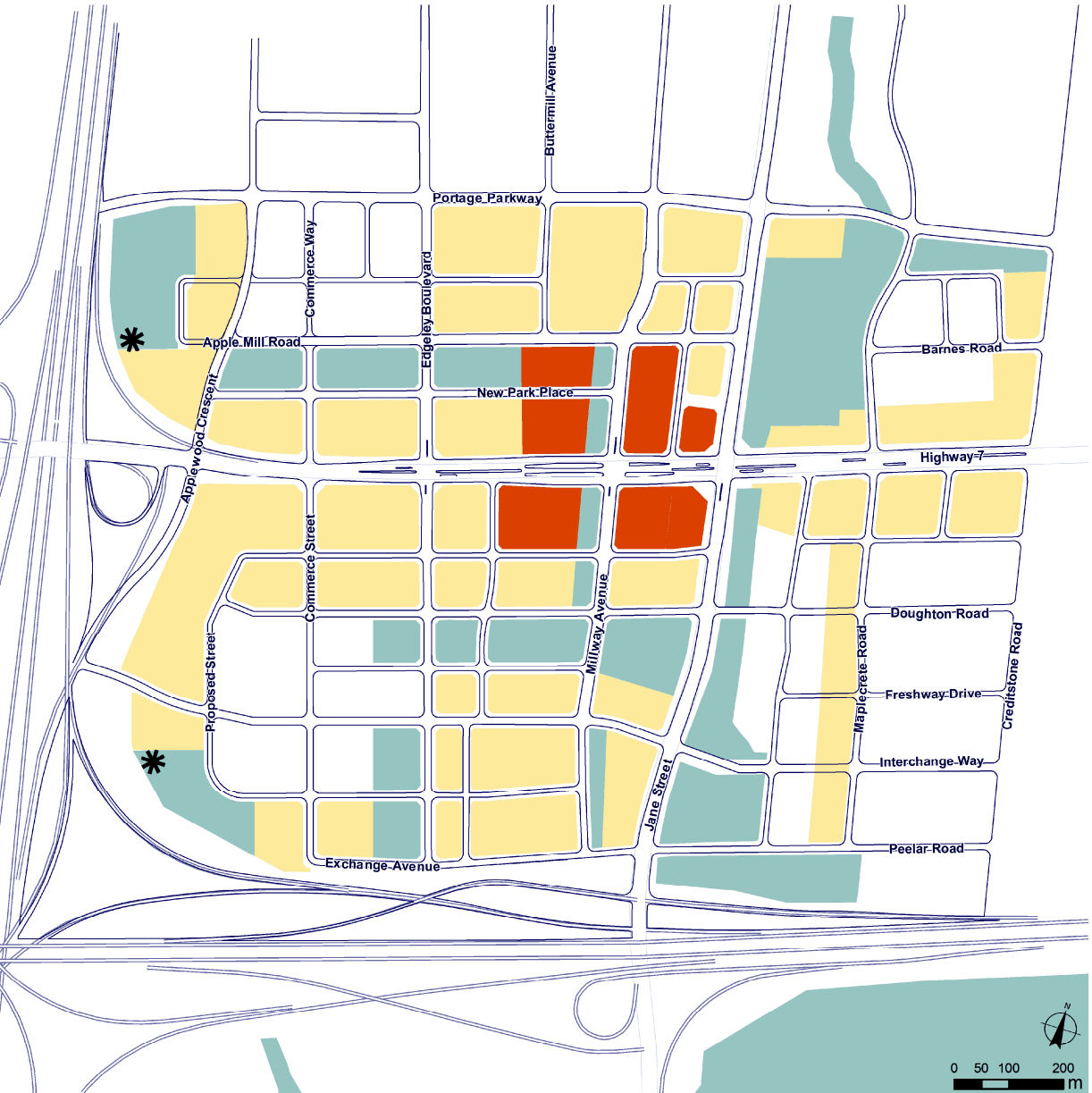
This is Schedule '6'
To Official Plan Amendment No. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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

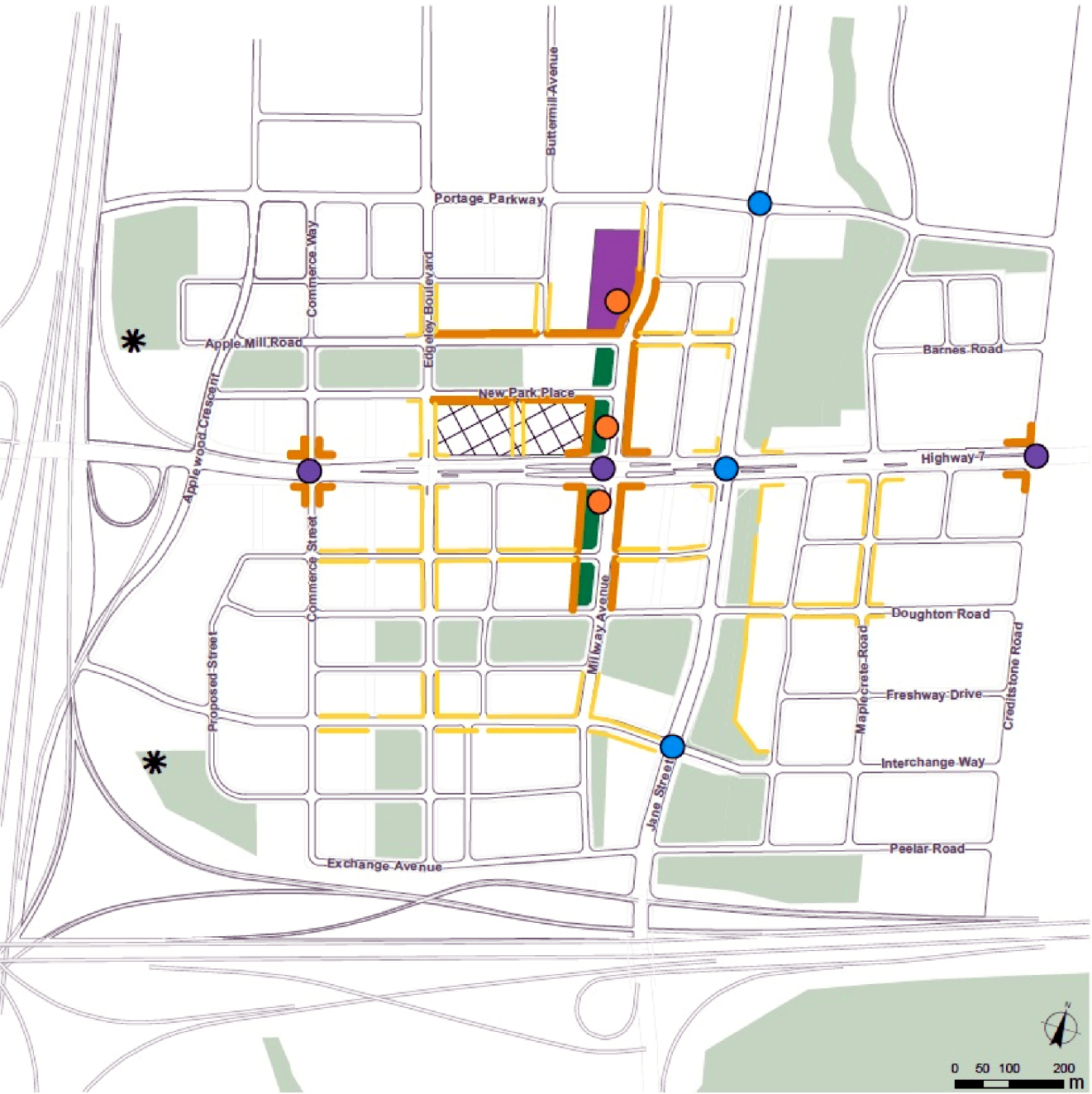
■ major parks and open spaces
- subway entrances

● 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. 76
Adopted the 28th Day Of June, 2022

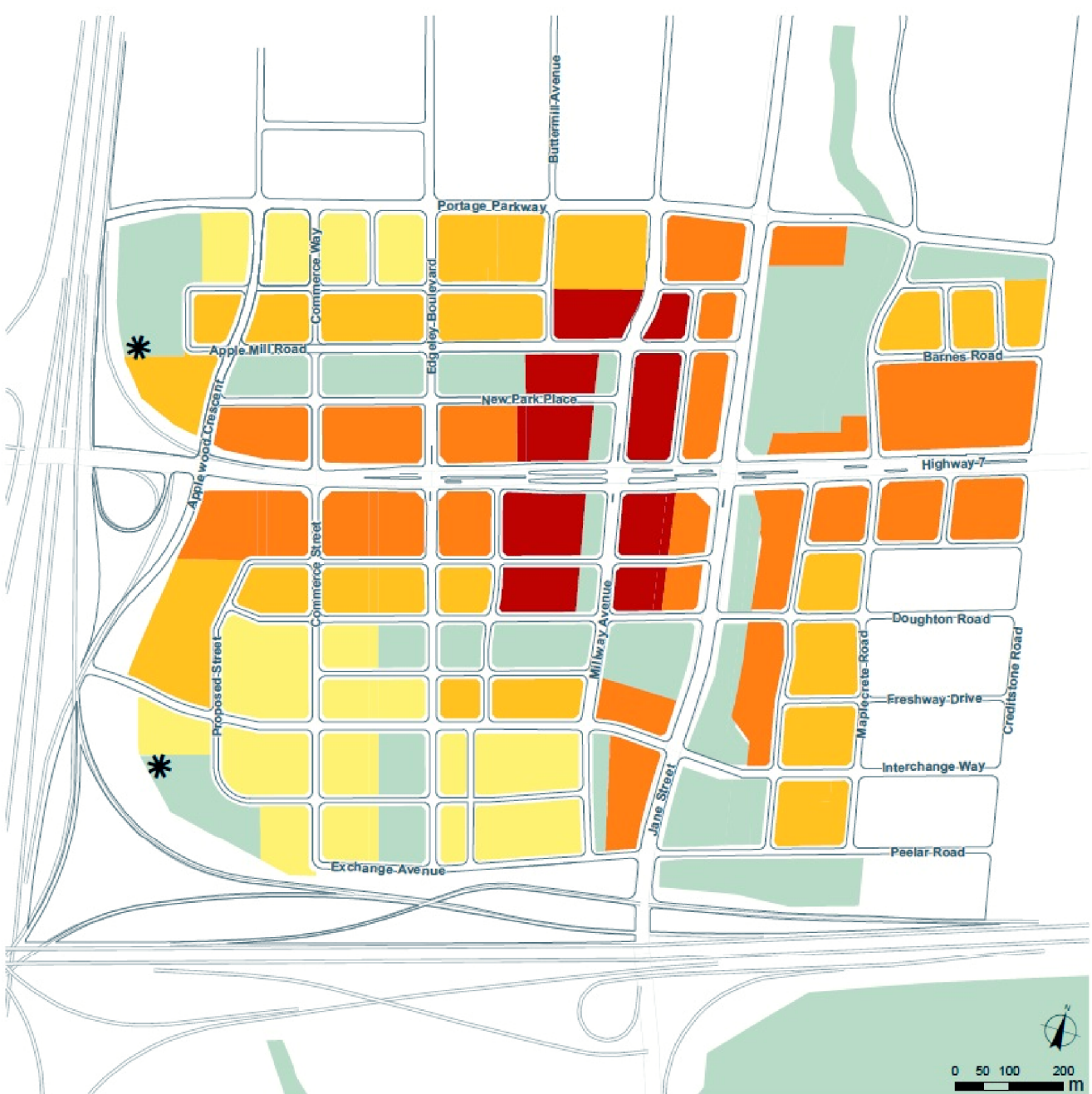
File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
City of Vaughan

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. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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





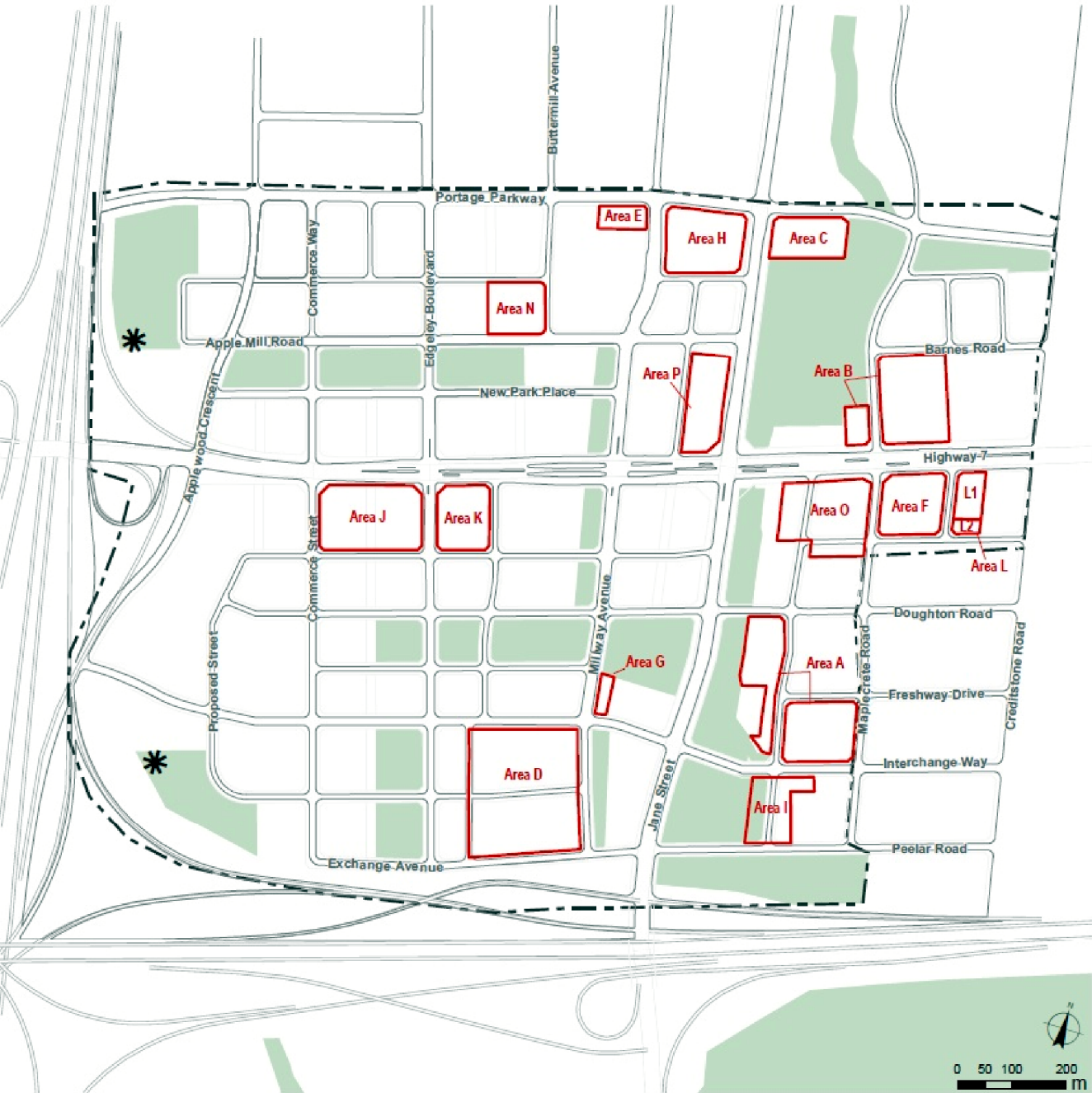
This is Schedule '10'
To Official Plan Amendment No. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
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. 76
Adopted the 28th Day Of June, 2022

File: OP.20.003
Related File: Z.20.008
Location: Part of Lot 6, Concession 5
Applicant: Metrus (Terra) Properties Inc.
City of Vaughan

APPENDIX I

The Subject Lands are located immediately on the north-west corner of Highway 7 and Jane Street, and municipally known as 7800 Jane 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 50 and 60-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 9.45 times the area of the lot
- c) A maximum permitted tower floor plate size of 850 m² shown in the manner shown below;

Tower A (60-storeys)

- 850 m² – between Levels 8 to 52
- 826 m² Levels 53 to 55
- 720 m² – between Levels 56 to 62 (mechanical)

Tower B (50-storeys)

- 850 m² – between Levels 8 to 42
- 825.4 m² between Levels 43 to 45
- 718 m² – between Levels 46 to 52 (mechanical)

- d) An amendment to policies 5.4.6 to 5.4.10 to bring in-force the “Station Precinct” designation on the Subject Lands
- e) 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.20.003 (and the corresponding Zoning By-law Amendment File Z.20.008, related Draft Plan of Subdivision 19T-20V002 and Site Development File DA.20.041). Vaughan Council approved the following recommendations:

1. THAT Official Plan Amendment OP.20.003 BE APPROVED; to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the VMCSPP, to:
 - a) Modify Schedules “A” to “J” to delete the planned east-west local street on the Subject Lands
 - b) Modify Schedule “K”, Site Specific Policy Areas, to:
 - i. Identify the Subject Lands located at the southwest corner of Jane Street and Apple Mill Road as Area “P”
 - ii. Notwithstanding Policies 5.6.4 through 5.6.10 as it applies for impacted properties along the Black Creek Renewal Corridor and bring in force the “Station Precinct” designation on the Subject Lands
 - iii. Permit the proposed maximum building heights of 50 and 60-storeys for the residential towers with a maximum density of 9.45 times the area of the lot (Floor Space Index – ‘FSI’), subject to the acquisition of lands abutting the Apple Mill Road frontage, subject to the application of Policy 8.1.1, for a deduction of 10,000 m² of office uses from the calculation of density, whereas a maximum building height of 30-storeys and density of 5.0 FSI is permitted
 - iv. Permit an increase to the maximum tower floor plate size from 750 m² as follows:

Tower A (60-storeys)

- 850 m² – between Levels 8 to 52

- 826 m² Levels 53 to 55
- 720 m² – between Levels 56 to 62 (mechanical)

Tower B (50-storeys)

- 850 m² – between Levels 8 to 42
- 825.4 m² between Levels 43 to 45
- 718 m² – between Levels 46 to 52 (mechanical)

2. THAT Zoning By-law Amendment File Z.20.008 BE APPROVED to:
 - a) Amend By-law 1-88, as amended, to rezone the Subject Lands from the “C7 Service Commercial Zone” to the “C9(H) Corporate Centre Zone” with a Holding Symbol “(H)” generally in the manner shown on Attachment 5, 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 5 to 12 in return for the following provision of community benefits totaling \$11,349,470.00 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*:
 - i. On-site contributions including the following:
 1. \$2,185,000.00 towards public art, including a gateway installation at Highway 7 and Jane Street, in accordance with the VMC Culture and Public Art Framework and City-wide Public Art Program
 2. \$315,000.00 towards streetscape enhancements above the City’s service levels to support the creation of high-quality pedestrian urban environment and the vision of a green avenue
 - ii. Off-Site contributions including the following:
 1. \$8,849,470.00 towards park enhancements to the North Urban Park and to the Edgeley Park and Pond, including the pedestrian bridge, located in the vicinity of Jane Street and Highway 7
3. THAT prior to enactment of the Zoning By-law, the following condition must be fulfilled:
 - a) The Owner shall provide to the City a written confirmation of the transfer in ownership of the Apple Mill Road frontage from the adjacent Owner to be incorporated into the Subject Lands to provide legal access to the development. The Owner shall submit legal registered documents to the satisfaction of the VMC Program. This shall include an application for Consent and approval from the Vaughan Committee of Adjustment to facilitate the transfer of the lands to the Owner’s ownership. The Committee’s decision regarding the Consent Application shall be final and binding, and all conditions of approval imposed by the Committee shall be satisfied;
4. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are fulfilled:
 - a) Prior to final approval of Site Development File DA.20.041, the Owner shall submit final legal registered documents to the satisfaction of the VMC Program confirming the transfer in ownership of the Apple Mill Road frontage to be incorporated into the Subject Lands to provide legal access to the Development;
 - b) 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, which shall be finalized and details respecting, but not limited to, access, ownership, operation, maintenance, liability, cross section details, and financial responsibilities (among others) of the parties which shall form the basis of the Stratified Title Arrangement Agreement shall have been agreed upon by the Owner and the necessary agreement(s) shall be executed prior to final approval of the related Draft Plan of Subdivision 19T-20V002, to the satisfaction of the City;
- c) Prior to occupancy, the Subject Lands shall be removed from the floodplain subject to clearance from the Toronto and Region Conservation Authority ('TRCA'). Removal from the floodplain will allow safe access to the Subject Lands. The Owner shall provide documentation including, but not limited to TRCA approved floodplain mapping and modelling and written confirmation from the TRCA and the City that the Edgeley Pond and Park ('EPP') and Highway 7 culvert improvements are completed or substantially advanced to the satisfaction of the TRCA and the City;
5. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 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 \$11,349,470.00 Section 37 Contribution shall be provided through a combination of off-site and on-site community benefits. The on-site benefits include \$2,185,000.00 for public art and \$315,000.00 for streetscape enhancements on Jane Street which shall be provided in the form of a Letter of Credit 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 off-site benefits totaling \$8,849,470.00 towards park enhancements to the North Urban Park and Edgeley Pond and Park, including the pedestrian bridge, shall be provided in the form of a cash contribution, 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, and any Public Art Agreement Fee in accordance with the Tariff of Fees for Planning Applications, prior to the execution of the Section 37 Agreement;
6. 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 2b) and 4;
7. THAT prior to the issuance of the first above-grade Building Permit, the Owner and the City shall execute a Public Art Agreement, which will detail the commissioning process and installation of on-site public art, including a gateway installation at the corner of Jane Street and Highway 7, as a public art contribution in the amount of \$2,185,000.00, secured through the Letter of Credit identified in and provided through the Section 37 Density Bonusing Agreement, consistent with the principles of Site 5 Jane Street Green Spine and/or Site 6 Gateways as outlined in the City's VMC Culture and Public Art Framework, to the satisfaction of the City. The Public Art Agreement shall detail the following, but not limited to, public art contribution options; public art contributor triggers/timing, public art program requirements; the Owner and City responsibilities; accounting requirements; and copyright and maintenance. The Owner shall develop a Public Art Program that follows the approved process outlined in the City-wide Public Art Program, to the satisfaction of the City. The Owner shall own and maintain the public art;

8. THAT the implementing Official Plan Amendment be forwarded to York Region for approval;
9. 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*;
10. 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;
11. THAT Draft Plan of Subdivision File 19T-20V002 BE DRAFT APPROVED SUBJECT TO THE CONDITIONS included in Attachment 1 and 1a to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a residential development block (Block 1), creation of a new north-south local street (Street 1- proportionate half only), reserves (Blocks 2 and 3), road widenings (Block 5) and strata block (Street 1) as shown on Attachment 6, which shall be approved to the satisfaction of the City, and York Region, respectively. The Owner shall submit to the City for approval a revised Draft Plan of Subdivision to include the lands abutting the subject lands to the north, along the Apple Mill Road Frontage, to be consolidated within the Subject Lands and ultimately included within the limits of the Draft Plan. The revised Draft Plan shall be final and binding prior to final approval;
12. THAT Site Development File DA.20.041, BE DRAFT APPROVED subject to the conditions set out in Attachment 2;
13. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“THAT Site Development Application DA.20.041 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 1,177 residential apartment units (2,601 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”