

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 148-2022

A By-law to adopt Amendment Number 78 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 78 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 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 78
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1” and “2” constitute Amendment Number 78 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix “I”.

Authorized by Item No. 21 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, consisting of three (3) residential towers atop 5-7 storey podiums, a standalone retail building, retail spaces, a publicly accessible pedestrian mews, and a privately-owned publicly-accessible open space (“POPS”).

This Amendment will facilitate the following with respect to the Subject Lands identified as, “Lands Subject to Amendment No. 78” on Schedule “1” attached hereto, subject to the requirements for a Section 37 Agreement:

1. To permit a maximum building envelope not exceeding 50-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
2. To permit a 1-storey (6.5 metre) standalone retail building.
3. To permit a maximum Floor Space Index (“FSI”) of 6.8 times the area of the lot.
4. To permit a maximum floor plate size of 778 m².
5. To permit a publicly accessible pedestrian mews with localized pinch points of 12.0 m, whereas the balance of the mews shall have a width of 15 m.
6. To permit a minimum height of 3.0 m for the first storey of a residential building for residential and residential-related uses.
7. A maximum residential gross floor area (‘GFA’) of 112,000 m² is permitted.
8. A required minimum of 6000 m² GFA of the overall development must consist of non-residential uses.
9. To permit an amendment to Schedule “K” – Site-Specific Policy Area, of the Vaughan Metropolitan Centre Secondary Plan to add the Subject Lands and include the above amendments.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located immediately on the south side of the future Celebration Avenue, between

Commerce Street to the west and Interchange Way to the east, being Parts 66, 67 and 68 of 65R-20291, City of Vaughan as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 78.”

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 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, at a higher density than the existing surrounding land uses 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. It also represents a significant investment that supports economic prosperity and contributes to the urban environment in the VMC. The development offers a range of residential unit types in an urban environment that

would accommodate additional population within the VMC to 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 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 the betterment of human health with access to 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 new growth through the intensification of an underutilized site that provides a residential development with a pedestrian-friendly environment located near higher-order transit and supports the UGC designation.

The development contributes towards fostering a complete community by introducing a housing form in the VMC that has direct access to open spaces, a pedestrian-oriented retail spine and significant 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.” 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 York Region near existing and planned employment, retail, open space, community facilities, and Higher-Order Transit.

The development includes a pedestrian-friendly retail spine, a POPS, and urban form that integrates with the surrounding community. 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 development conforms to the YROP as it includes a mix of unit types 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 letter dated May 30, 2022, York Region advised that they retain the approval authority of OPA 78, in accordance with Policy 8.3.8 of the York Region Official Plan.
7. The statutory Public Hearing was held on November 2, 2021. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 2, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on November 16, 2021. Vaughan Council approved (in principle) Official Plan Amendment File OP.21.016 (RP B3S Holdings Inc.) on June 28, 2022, having considered a comprehensive report at a Committee of the Whole meeting on June 21, 2022.

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. Amending Schedule “K”, attached hereto as Schedule “2”, thereby identifying the Subject Lands located immediately on the south side of Celebration Avenue, between Commerce Street and Interchange Way as “Area R”
2. Adding the following after Policy 9.3.19 Area Q:

“(OPA #78) **Area R**

9.3.20 1. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, the maximum permitted density (Floor Space Index (FSI)) shall not exceed 6.8 times the area of the lot and the maximum building envelope shall not exceed 50-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law, subject to the requirements for a Section 37 Agreement being satisfied prior to the implementation of the site-specific Zoning By-law.

2. Notwithstanding Schedule I, Height and Density

Parameters, of the VMC Secondary Plan, a 1-storey ((minimum 6.5 m) standalone retail building shall be permitted on the Subject Lands.

3. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted tower floor plate size shall be:

Tower A: 776 m², Tower B: 778 m², and Tower C: 775 m².

4. Notwithstanding Policies 4.3.3 and 4.3.16 and Schedule C, Street Network, of the VMC Secondary Plan, the publicly accessible pedestrian mews shall generally have a minimum width of 15 m except at the northern entrance where the minimum width may be 12 m wide.

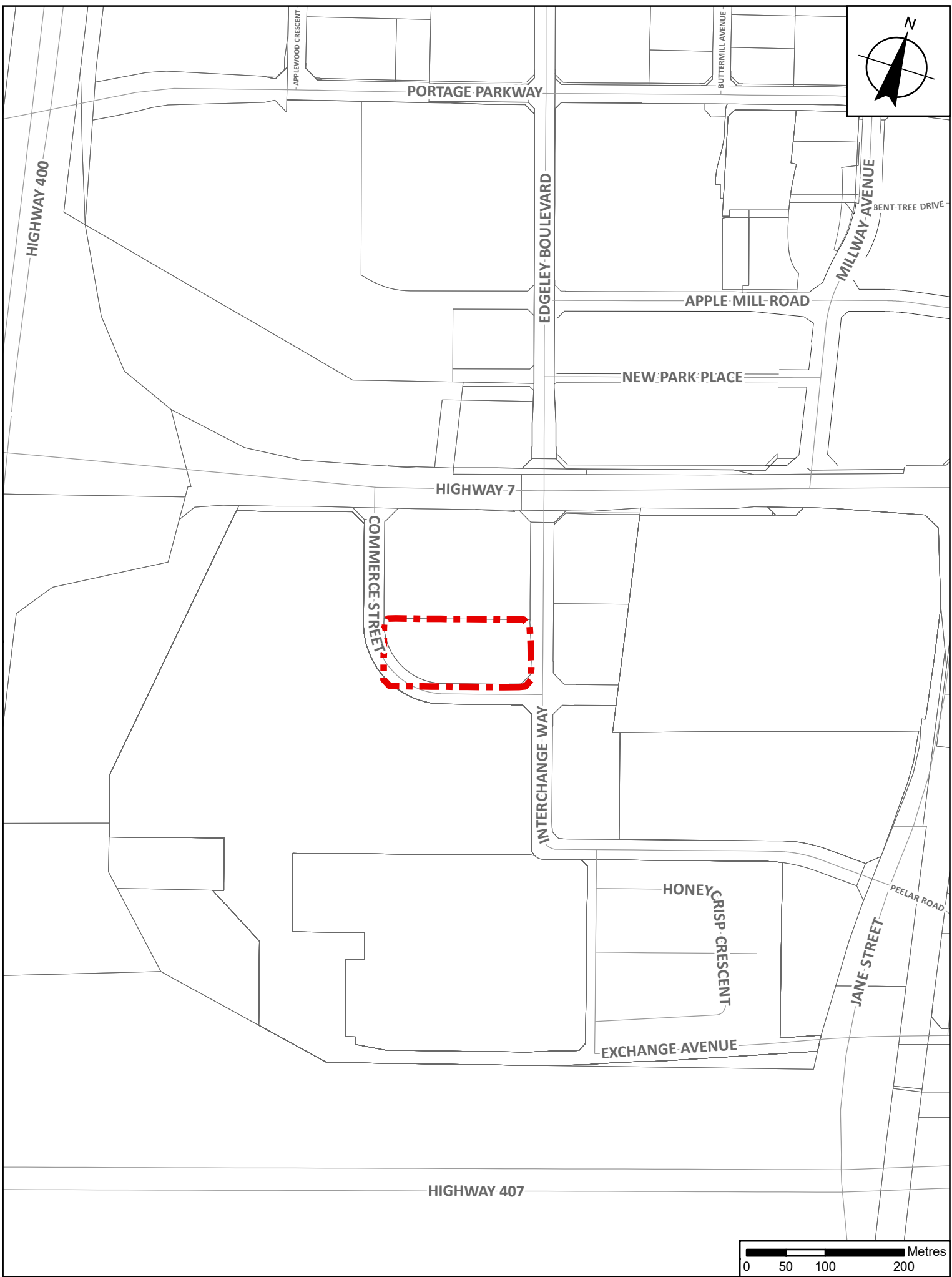
5. Notwithstanding Policy 8.6.3 and Schedule H, Areas for Retail, Service Commercial or Public Uses, of the VMC Secondary Plan, the minimum height of the first storey of a residential building for residential and residential-related uses shall be 3.0 m.

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*.

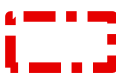
VI INTERPRETATION

The provisions of the 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.



This is Schedule '1'
To Official Plan Amendment No. 78
Adopted the 28th Day Of June, 2022

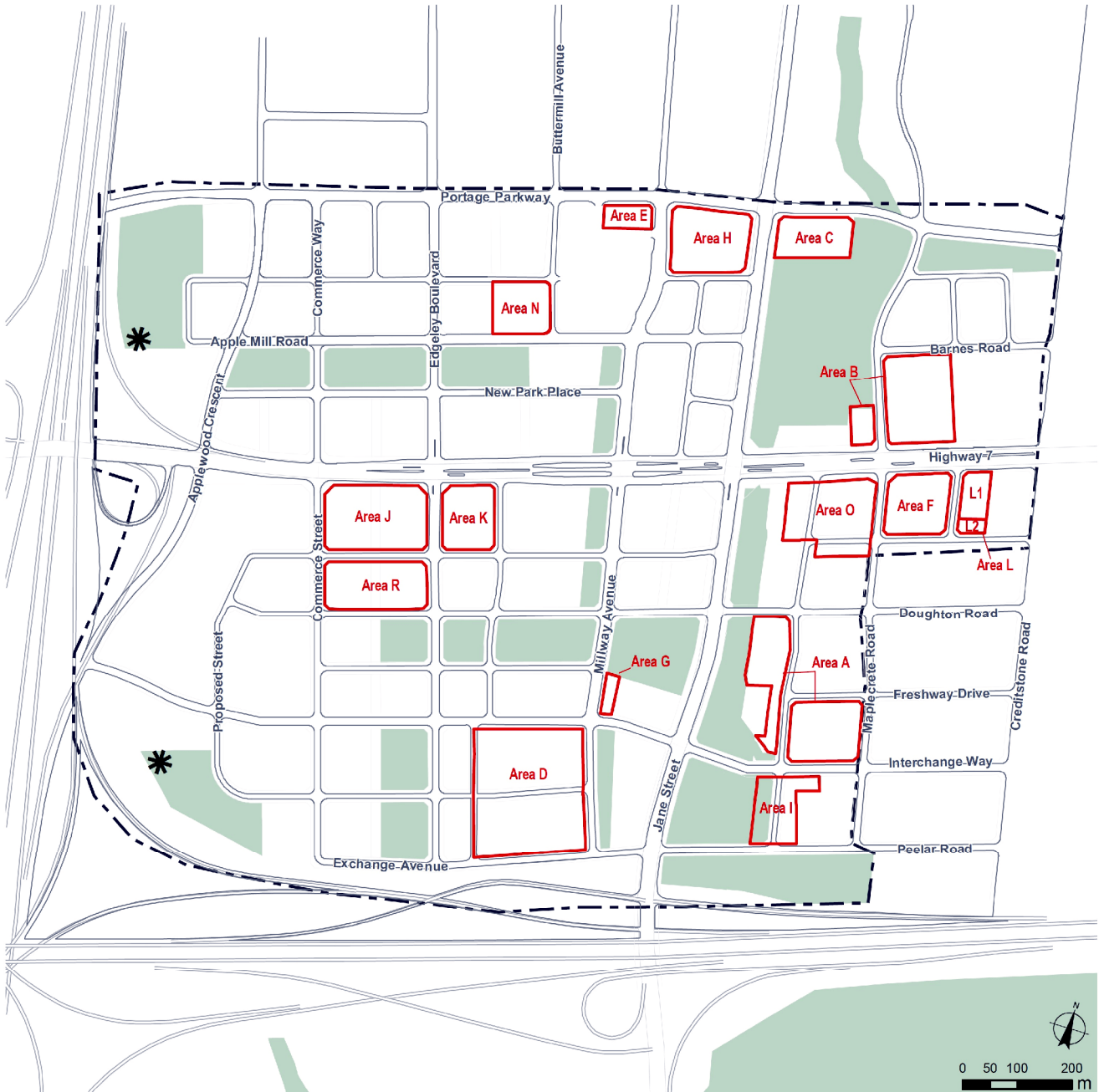
File: OP.21.016
Related File: Z.21.027
Location: Parts 66, 67 and 68 of 65R-20291
Applicant: RP B3S Holdings Inc.
City of Vaughan

 Lands Subject to
Amendment No. 78

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. 78
Adopted the 28th Day Of June, 2022

File: OP.21.016
Related File: Z.21.027, DA.21.031
Location: Parts 66, 67 and 68 of 65R-20291
Applicant: RP B3S Holdings Inc.
City of Vaughan

APPENDIX I

The Subject Lands are located on the south side of Celebration Avenue, between Commerce Street and Interchange Way, within the Vaughan Metropolitan Centre (“VMC”), in the City of Vaughan.

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

- a) A maximum building envelope not exceeding 50-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law, subject to the requirements for a Section 37 Agreement, pursuant to the *Planning Act*
- b) A maximum permitted density (Floor Space Index (FSI)) of 6.8 times the area of the lot
- c) A maximum permitted tower floor plate size of 778 m²
- d) A 1-storey (6.5 m) stand-alone retail building
- e) A publicly accessible pedestrian mews to have a minimum width of 15 m, except at localized pinch points where the minimum width may be reduced to 12 m
- f) A minimum height of 3.0 m for the first storey of a residential building for residential and residential-related uses
- g) 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 recommendation of the Committee of the Whole recommendation to approve Official Plan Amendment File OP.21.016 (and the corresponding Zoning By-law Amendment File Z.21.027) as follows:

1. “THAT Official Plan Amendment File OP.21.016 BE APPROVED; to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to add a new Site-Specific Policy Area on Schedule ‘K’ to:
 - a) Identify the Subject Lands located south of Celebration Avenue, north of Doughton Road, east of Commerce Street and west of Interchange Way as Area “R”
 - b) Permit an increase to the maximum permitted building height from 25-storeys to a maximum building envelope not exceeding 50-storeys in height, in which each individual tower shall be limited to, and not exceed, the maximum geodetic height permissions prescribed in the Zoning By-law
 - c) Permit a 1-storey (6.5 m) stand-alone retail building
 - d) Permit an increase to the maximum permitted density (Floor Space Index (‘FSI’)) from 4.5 times the area of the lot to 6.8 times the area of the lot
 - e) Permit an increase to the maximum tower floor plate size from 750 m² to 778 m²
 - f) Permit the publicly accessible pedestrian mews to have a minimum width of 15 m, except at the northern entrance where the minimum width may be reduced to 12 m
 - g) Permit a minimum height of 3.0 m for the first storey of a residential building for residential and residential-related uses
2. THAT Zoning By-law Amendment File Z.21.027 BE APPROVED to:
 - a) Amend Zoning By-law 1-88, as amended, to rezone the Subject Lands from “C9 Corporate Centre Zone” subject to site-specific exception 9(957) to “C9 Corporate Centre Zone” together with site-specific exceptions identified in Table 1 of this Report, generally in the manner as shown on Attachment 5
 - b) Permit the bonusing for increased height and density for the proposed Development, in return for the provision of community benefits in the form of a cash contribution of \$8,426,657.98 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 towards off-site future urban park enhancements in the southwest quadrant, including potential public art and community/cultural space

3. THAT the implementing Official Plan and Zoning By-law Amendment instruments 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 \$8,426,657.98 Section 37 contribution shall be provided through off-site community benefits towards future urban park enhancements in the southwest quadrant, including potential public art and community/cultural space, which shall be provided in the form of cash contribution prior to the issuance of the first Building Permit, subject to indexing. 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 the implementing Official Plan Amendment be forwarded to York Region for approval
5. 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
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