

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 181-2020

A By-law to adopt Amendment Number 59 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 59 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 this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 15th day of December, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 59
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1” and “2” constitute Amendment Number 59 to the Official Plan of the Vaughan Planning Area.

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, “Area Subject to Amendment No. 59” on Schedule “1” attached hereto, subject to the registration of a Section 37 Agreement and payment of the Section 37 contribution:

1. To permit maximum building heights of 37-storeys for the northerly tower and 27-storeys for the southerly tower on the lands identified as Area L1;
2. To permit a maximum Floor Space Index (“FSI”) of 5.42 times the area of the lot for the lands known as Area L1 and a maximum FSI permission of 2.5 times the area of the lot for the lands identified as Area L2;
3. To permit the conversion of tenure of the north-south street from public to private with a public access easement;
4. To permit increases to the maximum permitted tower floor plate size from 750 m² as follows:
 - i. Tower A: 972 m² on level 6 only and 815 m² on levels 7 to 34;
 - ii. Tower B: 852 m² on levels 4 to 8, and 810 m² on levels 9 to 24; and
5. To permit an amendment to Schedule “K”, Site-Specific Policy Area, of the VMC 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 Highway 7, between Maplecrete Road and Creditstone Road, within the Vaughan Metropolitan Centre, and are municipally known as 2851 Regional Road 7, in Part of Lot 5, Concession 4, City of Vaughan, as shown on Schedule “1” attached hereto as “Area Subject to Amendment No. 59.”

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (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 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 Urban Growth Centre (a “UGC”). The future residents of the development are within walking distance to the Black Creek Channel, the Edgeley Pond and Park and the VMC Mobility Hub, together providing areas for programmed activities that encourage an active and healthy lifestyle. 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 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 (the “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 privately-owned, publicly accessible 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 vacant site that provides a residential development with a pedestrian-friendly environment located in 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 direct access to open spaces and amenity areas to serve its residents. The proposed building design and streetscape promote a high-quality of life that is focused on the neighbourhood scale where the demand for vehicles is reduced due to the proximity of the Subject Lands to higher-order transit, which reduces greenhouse gas emissions, and fosters walkability and other forms of transportation.

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", located within a "Regional Centre" and 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 is urban and compact in form, with 769 residential units ranging in size from bachelor suites to two-bedroom units. Family-sized units are considered those with 2 or more bedrooms. This development proposes 312 two-bedroom units which represents over 40% of the total unit count and contribute to

a diverse housing stock in York Region near higher-order transit options. The development provides an urban streetscape that complements the adjacent existing and planned employment and commercial uses and provides for accessibility to higher-order transit. The development also 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 streetscapes and the introduction of the high-rise and grade-related units complements the existing and planned surrounding commercial, office, retail, cultural and community uses in proximity of the Subject Lands, thereby contributing to the success of the VMC as a complete community.

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 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 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. On December 5, 2019, York Region exempted this Amendment from York Region approval, in accordance with Policy 8.3.8 of the YROP, as it does not adversely affect Regional planning policies or interests.

The statutory Public Meeting was held on February 4, 2020. The recommendation of the Committee of the Whole to receive the February 4, 2020, Public Meeting report, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on February 11, 2020. Vaughan Council approved Official Plan Amendment File OP.19.009 (GB (Vaughan 7) Limited Partnership) on December 15, 2020, having considered a comprehensive report at a Committee of the Whole meeting on December 1, 2020.

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 “K”, attached hereto as Schedule “2”, thereby identifying the Subject Lands located immediately on the south side of Highway 7, between Maplecrete Road and Creditstone Road as “Area L”, and further divided into 2 subareas as “Area L1” and “Area L2”
2. Adding the following after Policy 9.3.13 Area K:

“Area L (OPA #59)

9.3.14 1. Notwithstanding Schedule I, Height and Density Parameters, for the lands identified as Area L on Schedule K, the following shall apply, subject to the registration of a Section 37 Agreement and payment of the Section 37 contribution:

- a. for the lands identified as Area L1 (includes Block 1 and Block 2 (east-west local road) on Draft Plan of Subdivision 19T-19V004) within Area L on Schedule K a maximum density of 5.42 FSI and maximum height of 37-storeys for the northerly tower and 27-storeys for the southerly tower is permitted; and
 - b. for the lands identified as Area L2 (the lands located south of the east-west local road on Draft Plan of Subdivision 19T-19V004) within Area L on Schedule K a maximum density of 2.5 FSI and height requirements as per Schedule I is permitted.
2. Notwithstanding Policy 8.7.18 of the VMC Secondary Plan, the maximum permitted tower floor plate size shall be as follows:
 - i. Tower A: 972 m² on level 6 only and 815 m² on levels 7 to 34 and;
 - ii. Tower B: 852 m² on levels 4 to 8, and 810 m² on levels 9 to 24.
3. Notwithstanding Policies 4.3.1, 4.3.3, 4.3.15 and Schedule C, Street Network, of the VMC Secondary Plan, the north-south road located within Area L1 is permitted to be of private tenure with a public access easement.”

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, Draft Plan of Subdivision, Site Development and Draft Plan of Condominium approvals, 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.

APPENDIX I

The Subject Lands are located immediately on the south side of Highway 7, between Maplecrete Road and Creditstone Road, within the Vaughan Metropolitan Centre, and are municipally known as 2851 Regional Road 7, in Part of Lot 5, Concession 4, City of Vaughan.

The purpose of this Amendment is to permit the following on the Subject Lands, subject to the registration of a Section 37 Agreement and payment of Section 37 contributions:

- a) maximum building heights of 37-storeys for the northerly tower and 27-storeys for the southerly tower
- b) a maximum permitted density (Floor Space Index (FSI)) of 5.42 times the area of the lot for the lands identified as Area L1 and a maximum FSI of 2.5 times the area of the lot for the lands identified as Area L2
- c) increased maximum permitted tower floor plate size from 750 m² as follows:
 - i. Tower A: 972 m² on level 6 only and 815 m² on levels 7 to 34 and;
 - ii. Tower B: 852 m² on levels 4 to 8, and 810 m² on levels 9 to 24.
- d) the conversion of tenure of the north-south street from public to private with a public access easement.
- e) an amendment to Schedule “K”, Site-Specific Policy Area, of the VMC Secondary Plan to include the above amendments

On December 15, 2020, Vaughan Council ratified the December 1, 2020 Committee of the Whole recommendations, as amended, to approve Official Plan Amendment File OP.19.009 (and the corresponding Zoning By-law Amendment File Z.19.024, Draft Plan of Subdivision File 19T-19V004 and Site Development Plan File DA.19.075). Vaughan Council approved the following recommendations:

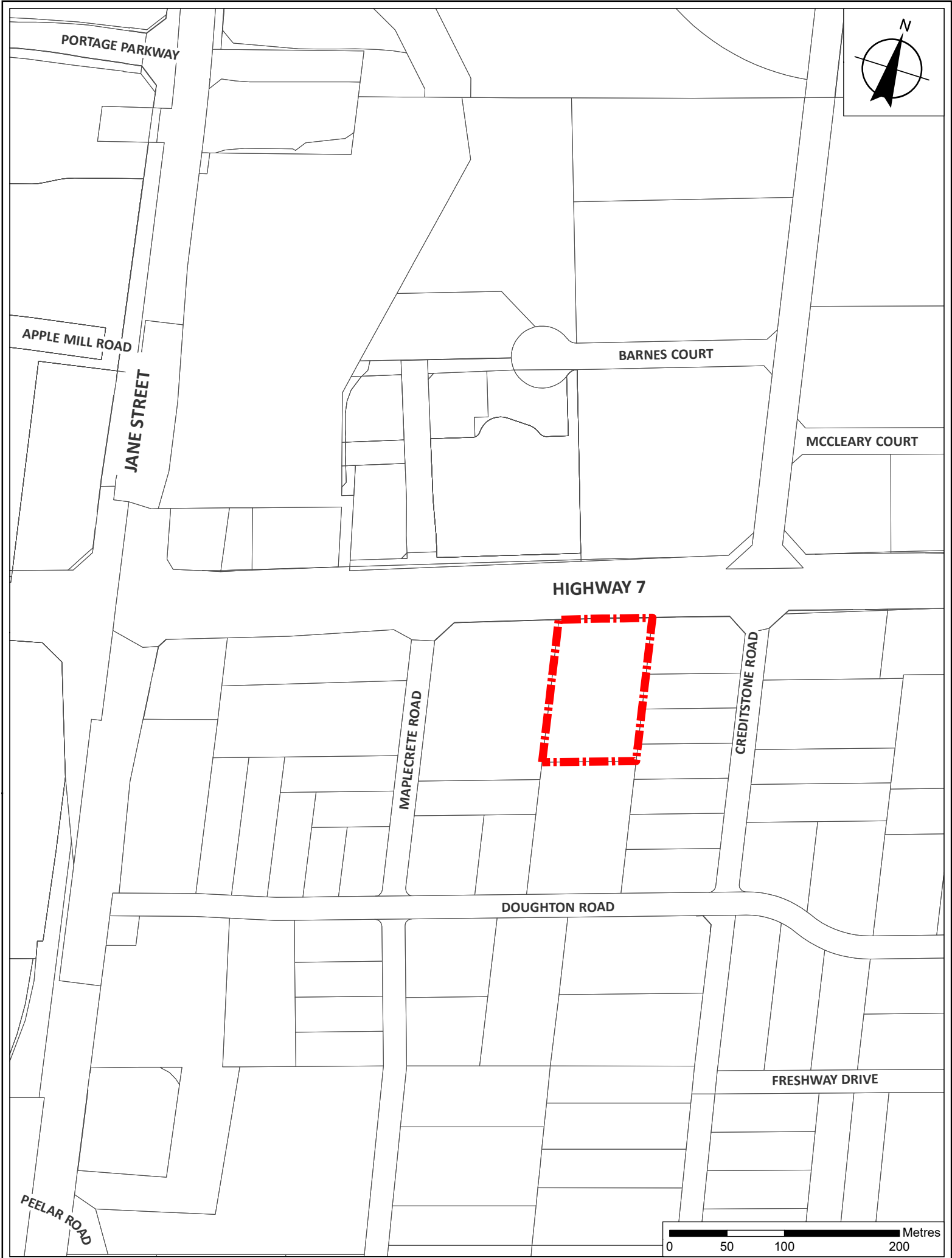
1. THAT the Official Plan Amendment File OP.19.009 BE APPROVED; to amend Vaughan Official Plan 2010 ('VOP 2010') and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to add a new Site-Specific Policy Area on Schedule 'K' to permit the following:
 - a) Further to the permissions outlined in Policy 8.7.12, an increase to the maximum permitted building height of Tower B from 23 to 27-storeys, whereas Tower A is permitted a maximum building height of 37-storeys, subject to the registration of a Section 37 Agreement and payment of the Section 37 contribution
 - b) An increase to the maximum permitted density (Floor Space Index (FSI)) from 5.0 times the area of the lot to an FSI of 5.42 for Block 1 (Area 1) and reserve a base FSI of 2.5 for Block 3 (Area 2) respectively; subject to the registration of a Section 37 Agreement and payment of the Section 37 contribution. Any increase in density above the permitted 2.5 base FSI for Block 3 will require an amendment to this Plan, subject to the appropriate studies and plan submitted as part of a complete application for Area 2 demonstrating that the proposed increase in density is appropriate, to the satisfaction of the City
 - c) Conversion of the tenure of the north-south street from public to private with a public access easement
 - d) An increase to the maximum permitted tower floor plate size from 750 m² as follows:
 - iii. Tower A: 972 m² on level 6 only and 815 m² on levels 7 to 34 and;
 - iv. Tower B: 852 m² on levels 4 to 8, and 810 m² on levels 9 to 24.
2. THAT Zoning By-law Amendment File Z.19.024 BE APPROVED to:
 - a) amend By-Law 1-88, as amended, to rezone Block 1 from “EM1 Prestige Employment Area”, subject to Exception 9(620), to “C9 Corporate Centre Zone” on Block 1 lands, generally in the manner shown on Attachment 5,

together with the site-specific zoning exceptions as generally identified in Table 1 of this report, and Block 3 to “C9 Corporate Centre Zone” with a Holding Symbol “(H)”; and

- b) permit the bonusing for increased building height and density for the proposed development on Block 1 as shown on Attachments 5 to 16 in return for the following provision of off-site community benefits totaling \$1,414,135.00 pursuant to the policies of VOP 2010 and the VM CSP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*:
 - i. \$1,000,000.00 related to enhancements to the Edgeley Park and Pond located in the vicinity of Jane Street and Highway 7;
 - ii. \$414,135.00 towards a reserve for a future cultural/community hub located within the VMC.
- 3. THAT the Holding Symbol “(H)” shall not be removed from the Block 3 lands, or any portion thereof, until the following conditions are fulfilled:
 - a) Conditional approval of a future Site Development Application which would allow for a viable development on the lands, subject to the policies of the VM CSP and to the satisfaction of the City; or a future Site Development Application which would include acquisition of lands to the south, subject to the policies of the VM CSP and to the satisfaction of the City;
 - b) Adequate municipal downstream servicing (water, sanitary, and storm) has been constructed on the adjacent lands to the west, to the satisfaction of the City; and
 - c) Plans and reports are submitted and approved for the ultimate water, sanitary, and storm service as well as sanitary and storm tributary areas, 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 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 191-2019 for the Planning Applications, prior to the execution of the Section 37 Agreement.
- 5. 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.
- 6. THAT staff be authorized to issue the notice of draft approval for Draft Plan of Subdivision File 19T-19V004 for the creation of a mixed-use development block, a private north-south street with a public access easement (Block 1), a public east-west local road (Block 2), a future development block (Block 3) and a 0.3 metre reserve (Block 4), subject to the Conditions of Draft Approval set out in Attachment 1.
- 7. THAT Site Development File DA.19.075 BE DRAFT-APPROVED subject to the conditions set out in Attachment 2 and 2a.
- 8. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:


“THAT Site Development Application DA.19.075 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 769

residential apartment units (1,699 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Allocation of Servicing Capacity Policy if the development does not proceed to registration and/or building permit issuance within 36 months."




THIS IS SCHEDULE '1'
TO OFFICAL PLAN AMENDMENT No. 59
ADOPTED THE 15th DAY OF DECEMBER, 2020

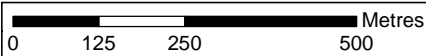
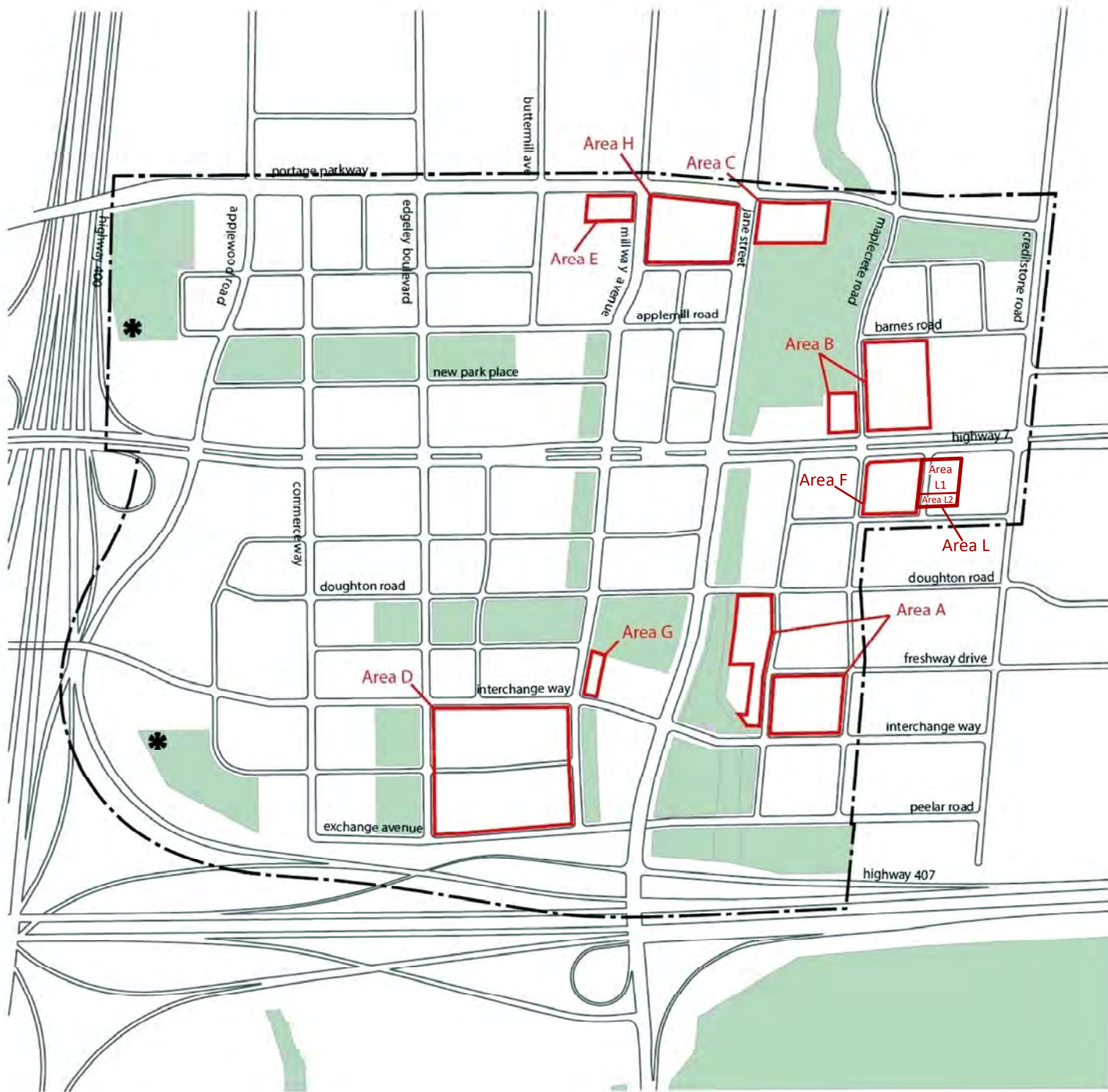
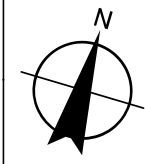
FILE: OP.19.009
RELATED FILES: Z.19.024, 19T-19V004, DA.19.075
LOCATION: Part of Lot 5, Concession 4
APPLICANT: GB (Vaughan Seven) Limited Partnership
CITY OF VAUGHAN

 LANDS SUBJECT TO
AMENDMENT No. 59

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 OFFICAL PLAN AMENDMENT No. 59
ADOPTED THE 15th DAY OF DECEMBER, 2020

FILE: OP.19.009
RELATED FILES: Z.19.024, 19T-19V004, DA.19.075
LOCATION: Part of Lot 5, Concession 4
APPLICANT: GB (Vaughan Seven) Limited Partnership
CITY OF VAUGHAN

 LANDS SUBJECT TO
AMENDMENT No. 59