

Attachment 1

**AMENDMENT NUMBER 34
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA**

The following text constitutes Amendment Number 34 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. _____ of Report No. _____
of the _____ (date) _____ Committee of the Whole
Adopted by Vaughan City Council on _____ (date) _____ .

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 Policy 8.1.23 of Volume 2, Section 11.12 Vaughan Metropolitan Centre Secondary Plan, to include a new provision to permit an increase in building height and/or density for a proposed development through the approval of a Zoning By-law Amendment without the need for an Official Plan Amendment application, only if there is an associated Council supported Section 37 contribution.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are all the lands located in the Vaughan Metropolitan Centre Secondary Plan area.

III BASIS

The decision to amend the City of Vaughan Official Plan 2010 Volume 2, specifically Policy 8.1.23 of the Vaughan Metropolitan Centre Secondary Plan (Policy 11.12), is based on the following considerations:

1. The *Provincial Policy Statement 2014*, supports a coordinated, integrated and comprehensive approach when dealing with planning matters within municipalities including:
 - a. managing and/or promoting growth and development; and
 - b. economic development strategies

The Amendment supports the efficient review of development applications and protects City Council’s decision-making authority.

2. The *Provincial Growth Plan for the Greater Golden Horseshoe 2017*, identifies an Urban Growth Centre within the Vaughan Metropolitan Centre Secondary Plan area. The Amendment is an internal City procedural Amendment and has no impact to the Growth Plan policies.

3. The York Region Official Plan 2010 (“YROP”) includes policies to encourage effective and efficient processing of development applications. The Amendment supports this objective.

4. VOP 2010 Volume 1 identifies that the Vaughan Metropolitan Centre will become the City’s downtown. The Amendment supports the efficient review of development applications within the Vaughan Metropolitan Centre Secondary Plan area.

5. The statutory Public Hearing was held on September 17, 2018. A comprehensive report was ratified by Vaughan Council on (date), when Vaughan Council approved Official Plan Amendment Number 34 (File OP.26.16).

On (date), York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 7.2.7, as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Metropolitan Centre Secondary Plan (Section 11.12) is hereby amended by:

1. Amending Policy 8.1.23 (Bonusing) by adding the following new policy “c.” as outlined below:

“(OPA #XX) c. Where the increase of building height and/or density through a Zoning By-law Amendment application is approved by Council, in conjunction with community benefits in accordance with Policy 8.1.23(a) of this Secondary Plan, notwithstanding Policy 9.4.4 of this Secondary Plan, Council has the authority to approve an increase to the building height and/or density of development as otherwise permitted in Schedule I of this Plan, without the need for an Official Plan Amendment to this Secondary Plan.

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area shall be implemented through future public and private development initiatives.

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.

APPENDIX I

This Amendment applies to lands within the Vaughan Metropolitan Centre (“VMC”) as identified in the VMC Secondary Plan. On XXXX, 2019 Vaughan Committee of the Whole considered a report with the following recommendations from the Deputy City Manager, Planning and Growth Management to consider City initiated amendments to the VMC Secondary Plan (11.12), which was ratified by Vaughan Council at its meeting on XXXX, 2019

On XXXX, 2019, Vaughan Council adopted the Item XX, Report No. XX, of the Committee of the Whole recommendation to approve Draft Official Plan Amendment, XX File #26.16 thereby approving the following recommendation.

That the Official Plan Amendment, appended as Attachment 1, BE APPROVED, to amend ,....

At the XXXX, 2019, Council Meeting the Final OPA was approved.

Comments Received on OPA #34

CN Rail

From: Susanne Glenn-Rigny <Susanne.Glenn-Rigny@cn.ca>
Sent: September-17-18 4:41 PM
To: Policyplanning <Policyplanning@vaughan.ca>
Subject: Feedback from CN Rail on amendment to VMC Secondary Plan Section 37 Policies - File #26.16

Good afternoon,

My name is Susanne Glenn-Rigny and I am the Senior Officer, Community Planning and Development for CN Rail.

On behalf of CN, I have reviewed the proposed amendments to Section 37 of the VMC Secondary Plan (File 26.16).

CN Rail has no concerns about the proposed changes as long as we will continue to be circulated on zoning changes, and will have an opportunity to work with developers and the City to reduce potential conflicts between our operations at the MacMillan Rail Yard and developments in the VMC area.

Regards,

Susanne Glenn-Rigny, MCIP, RPP, OUQ
Agente principale/Senior Officer
Planification et développement communautaires/
Community Planning and Development
 Affaires juridiques/Law Department
935, rue de La Gauchetière Ouest

Liberty Developments

October 1, 2018

Mr. Stephen Lue
Development Planning
City of Vaughan
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Mr. Lue:

Re: Section 37 Policies Proposed OPA –Public Meeting - 1930328 Ontario Inc., OP 18.005/Z 18.009

Further to the Public Meeting that was held to consider an OPA to the VMC with respect to Section 37 bonusing, we agree that the modification to height and/or density in the VMC being requested through Section 37 bonusing, should be implemented through a Section 34 zoning by-law amendment as opposed to filing for an OPA.

Prior to filing our OPA amendment for the above noted lands in March 2018, we tried to argue that the OP application was not necessary, however the City at that time required us to file the application. As the conversation regarding this matter arose in Dec. 2017 and we filed our application in March 2018 (while consideration by the City was formally underway), we would request that if this proposed policy is adopted, that it be retroactive to include our development and our OPA application fees be returned in the amount of \$29,700.00. We believe our request is fair under the circumstances. As you continue to review the proposed policy change please consider our comments and our request. As well would you kindly add us to your circulation list for this matter. If you have any questions or need any additional information, please do not hesitate to call.

Yours truly,



Lezlie Phillips

c.c. David Marcucci

Recommended Process Steps for a Rezoning Application under Proposed OPA #34

The following process is for a By-law Amendment ('Rezoning') application that seeks an increase in building height and/or density in the Vaughan Metropolitan Centre District.

1. At the Preliminary Application Meeting for a Rezoning application that seeks an increase in building height and/or density, Development Planning staff will advise the proponent that their proposal will require an Official Plan Amendment ('OPA').

Based on the proponent's decision to contribute towards a Section 37 contribution, they can choose to only submit a Rezoning application.

If the proposal requires amendments to other policies of the Official Plan, other than building height and/or density, an OPA application would be mandatory.

2. Once the Rezoning application is submitted, Development Planning staff will circulate the application noting that an OPA is required and Council has the authority to waive the need for the OPA upon approval of the Rezoning application in conjunction with a Section 37 contribution.

The Public Meeting report will include the above noted information.

3. The final Development Planning staff report will include a recommendation to either approve or refuse the Rezoning application. If Council supports the Rezoning application and the Section 37 contribution, Council will approve a recommendation to waive the need for an Official Plan Amendment.

If Council does not support the Rezoning application, the Rezoning and Section 37 contribution are not approved and the need for an OPA application is not waived.

4. If the Rezoning application is approved, prior to the implementation of the amending zoning by-law, the final Section 37 agreement shall be finalized.