

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 053-2019

A By-law to adopt Amendment Number 41 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 41 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedules “1”, “2” and “3” 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 1st day of May, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

**AMENDMENT NUMBER 41
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA**

The following text and Schedules “1”, “2” and “3” constitute Amendment Number 41 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendices “I” and “II”.

I PURPOSE

To amend the provisions of the Official Plan of the Vaughan Planning Area (Vaughan Official Plan 2010 - "VOP 2010"), Volume 2, Section 11.12 Vaughan Metropolitan Centre ("VMC") Secondary Plan, to facilitate a residential development on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as "Land Subject to Amendment No. 41" on Schedules "1", attached hereto, subject to the requirements for a Section 37 Agreement:

1. a maximum building height of 18-storeys (Building 2 only);
2. a maximum permitted tower floor plate size for Building 3 only (maximum 13-storey building height) of approximately 930 m²;
3. reduced facing distance between the main wall of townhouse blocks exclusive of building projections, stairs and canopies to 12.5 m between front facing walls, 8 m between the front facing wall and a side wall of another structure, and 11 m between the rear facing wall and a front or side wall of another structure;
4. an amendment to Schedule "D", Major Parks and Open Space, of the VMC Secondary Plan to include the extension of the Millway Avenue Linear Park along the east side of Street B from Interchange Way to Street A (Exchange Avenue) and relocated the Public Square from the southwest to the northeast corner of Interchange Way and Street B. The relocated Public Square shall be minimum 0.2 ha in size with a minimum width of 25 m, and create a continuous connection from Interchange Way to the Urban Park; and
5. an amendment to Schedule "K", Site-Specific Policy Area, of the VMC Secondary Plan to include the above amendments.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located on the south side of Interchange Way, west of Jane Street, being Part of Lot 4, Concession 5, in the VMC, City of Vaughan, as shown on Schedule "1", attached hereto as "Lands Subject to Amendment No. 41."

III BASIS

The decision to amend the Official Plan 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 SmartCentres Place Bus Terminal, the Toronto Transit Commission (“TTC”) VMC Subway Station, and the VivaNext Bus Rapid Transit (“BRT”) along Regional Road 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 2014 (“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 built form and density that would contribute to the overall range of housing options 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. The future residents of the development would have direct access, within a 5-minute walking distance to the Black Creek Channel and the planned future urban park in the southwest quadrant of the VMC, and a 10-minute walking distance to the Edgeley Pond and Park and the VMC Mobility Hub, together providing areas for programmed activities that encourages 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 supports the economic prosperity and 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. 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 Horseshoe 2017 (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 types that would assist in improving social equity and access to residential units within the means of the user with and at varying incomes and stages of life. It contributes to the betterment of human health with access to private open spaces, amenity areas and the proposed Millway Avenue Linear Park, and 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 near higher-order transit.

The development contributes to achieving a complete community by introducing a housing form in the VMC that has direct access to open spaces, amenity areas, and the proposed Millway Avenue Linear Park and the pedestrian mews to serve its residents. The building designs and streetscape promotes a high-quality of life that is focused on the neighbourhood scale where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which reduces greenhouse gas emissions, and promote 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 and under construction/planned 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 approximately 1,130 residential units that range from one-bedroom to three-bedroom unit sizes, in high-rise, mid-rise and grade-related (stacked, back-to-back and traditional towns) built forms that are compact and contribute to a diverse housing stock in York Region. The development integrates a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. 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, mid-rise residential and grade-related units complements 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 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 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 and the extension of the Millway Avenue Linear Park, including off-site improvements and adequate infrastructure.

6. On February 20, 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 Hearing was held December 5, 2018. The recommendation of the Committee of the Whole to receive the December 5, 2018, Public Hearing report, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on December 12, 2018. Vaughan Council approved Official Plan Amendment File OP.18.014 (2748355 Canada Inc.) on May 1, 2019, having considered a comprehensive report at a Committee of the Whole meeting on April 2, 2019.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

1. Deleting Schedule "D" and substituting therefor the Schedule "D" attached hereto as Schedule "2", Major Parks and Open Space of the VMC Secondary Plan, thereby including the extension of the Millway Avenue Linear Park along the east side of Street B south of Interchange Way to Street A (Exchange Avenue) and the relocation of the Public Square from the southwest to the northeast corner of Interchange Way and Street B.
2. Deleting Schedule "K" and substituting therefor the Schedule "K" attached hereto as Schedule "3", thereby identifying the Subject Lands located along the north side of Interchange Way, west of Jane Street as "Area G".
3. Schedules "A", "B", "C", "E", "F", "G", "H", "I", and "J" amended to include the new extension of the Millway Avenue Linear Park.
4. Amending Policy 9.3.6 by adding the underlined words as outlined below:
"(OPA #41) **Area D**
 9.3.6 1. Notwithstanding Schedule C, for the lands identified as "Area D" on Schedule K, the east-west local street may be developed as a 15-17 metre mews provided that:
 - a. the north-south "mews or local street" within "Area D" is developed as 20-22 metre local street; and,
 - b. it can be demonstrated through appropriate studies submitted as part of a complete development application

for “Area D”, including an access and circulation plan and a transportation mobility plan, that the alternate configuration is appropriate, to the satisfaction to the City.

2. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, only one building shall be permitted to a maximum building height of 18-storeys (identified as Building 2 in site-specific 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;

3. Notwithstanding Policy 8.7.18, of the VMC Secondary Plan, the maximum permitted tower floor plate size for only one building shall be approximately 930 m² (identified as Building 3 in site-specific zoning by-law);

4. Notwithstanding Policy 9.2.3.2.e) Volume 1 of VOP 2010, the facing distance between the main wall of townhouse blocks exclusive of building projections, stairs, and canopies, may be reduced to 12.5 m between front facing walls, 8 m between the front facing wall and side wall of another structure, and 11 m between the rear facing walls and a front or side wall of another structure.

5. The following uses shall be permitted in only one building:

- Independent Living Facility
- Long Term Care Facility
- Supportive Living Facility

5. Adding the following after Policy 9.3.8 after Area F

“(OPA #41) **Area G**

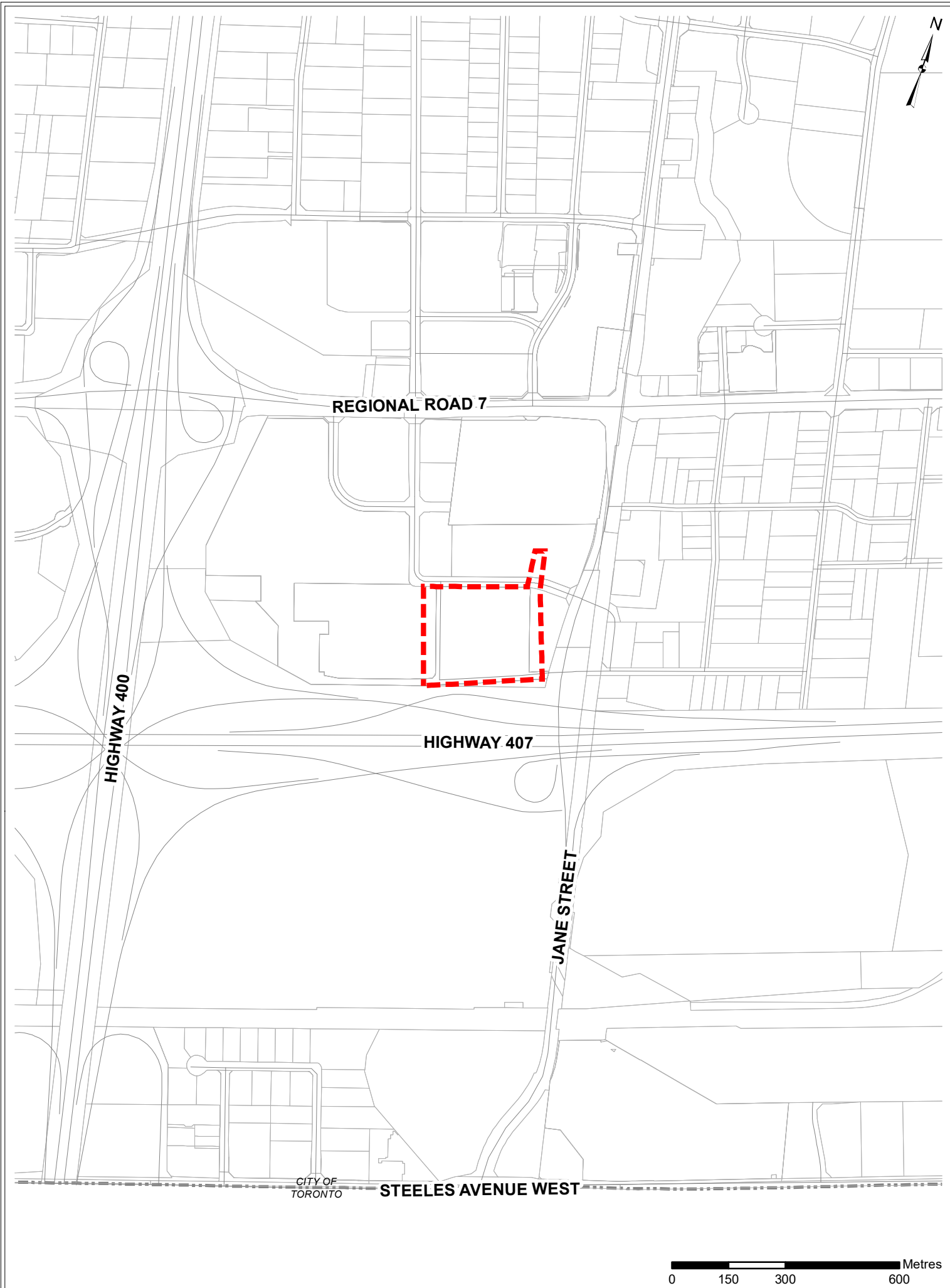
9.3.9 In addition to Policy 6.2.5 of the VMC Secondary Plan, the relocated Public Square shall connect Interchange Way (Right of Way) to the Urban Park and have a minimum width of 25 m and a minimum area of 0.2 ha.”

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 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.



This is Schedule '1'
 To Official Plan Amendment No. 41
 Adopted the 1st Day Of May, 2019

File: OP.18.014

Related Files: Z.18.021

Location: Part of Lot 4, Concession 5

Applicant: 2748355 Canada Inc.

City of Vaughan

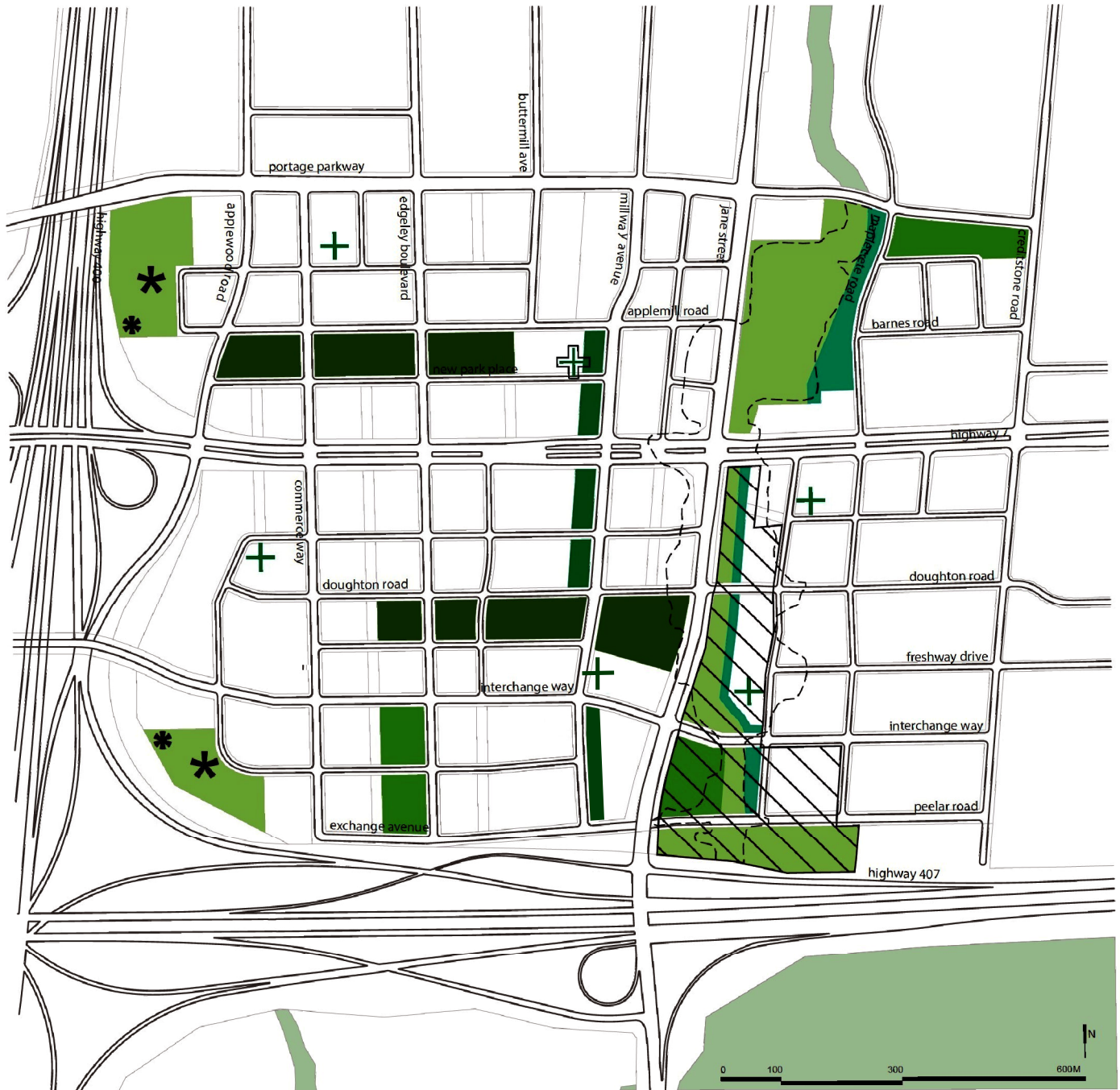


Lands Subject to
Amendment No. 41

SCHEDULE D > MAJOR PARKS AND OPEN SPACES

LEGEND

- environmental open spaces
- urban parks
- neighbourhood parks
- milway avenue linear park
- black creek greenway
- final configuration of parks and open spaces within this area are subject to the results of the VMC Black Creek Renewal EA (Stages 3 & 4) and the detailed design of the Black Creek Corridor
- + public squares (see Policies 6.2.4.-6.2.5.)
- + transit Square
- * parkland associated with environmental spaces
- * see policy 6.3.2



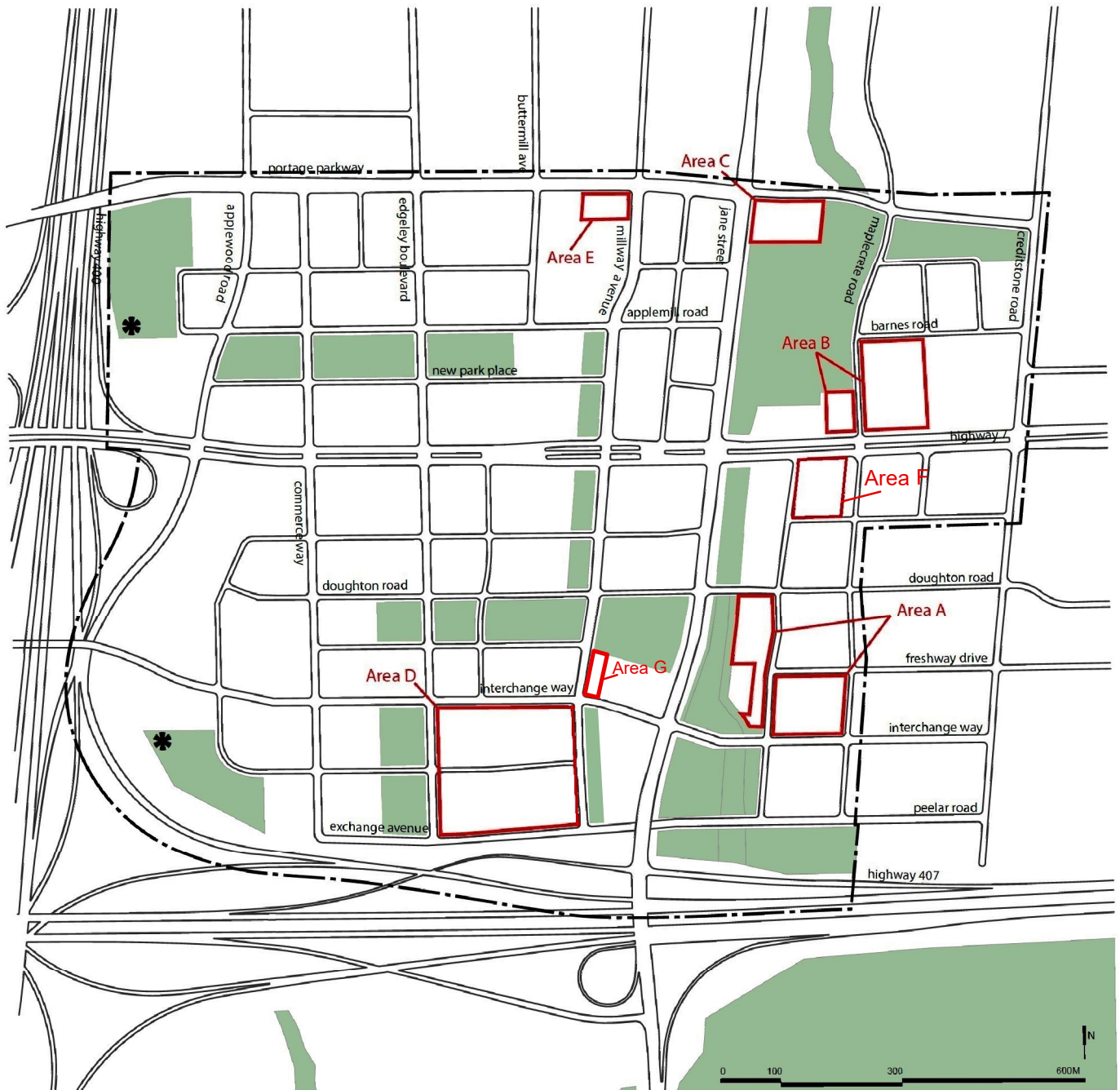
This is Schedule '2'
 To Official Plan Amendment No. 41
 Adopted the 1st Day Of May, 2019

File: OP.18.014
Related Files: Z.18.021
Location: Part of Lot 4, Concession 5
Applicant: 2748355 Canada 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 '3'
 To Official Plan Amendment No. 41
 Adopted the 1st Day Of May, 2019

File: OP.18.014

Related Files: Z.18.021

Location: Part of Lot 4, Concession 5

Applicant: 2748355 Canada Inc.

City of Vaughan

APPENDIX I

The Subject Lands are located on the south side of Interchange Way, west of Jane Street, 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 height of 18-storeys (Building 2 only), subject to the requirement of a Section 37 Agreement, pursuant to the *Planning Act*;
- b) a maximum permitted tower floor plate size of approximately 930 m² for Building 3 only (maximum 13-storey building);
- c) reduced facing distance between the main wall of townhouse blocks exclusive of building projections, stairs and canopies, to 12.5 m between the front facing walls, 8 m between the front facing wall and a side wall of another structure, and 11 m between the rear facing wall and a front or side wall of another structure;
- d) an amendment to Schedule "K", Site-Specific Policy Area, of the VMC Secondary Plan to include the above amendments; and,
- e) an amendment to Schedule "D", Major Parks and Open Space, of the VMC Secondary Plan to include the extension of the Millway Avenue Linear Park along the east side of Street B from Interchange Way to Street A (Exchange Avenue) and relocated the Public Square (minimum 0.2 ha in size with a minimum width of 25 m) from the southwest to the northeast corner of Interchange Way and Street B.

On May 1, 2019, Vaughan Council ratified the April 2, 2019, Committee of the Whole recommendation, as amended, to approve Official Plan Amendment File OP.18.014 (and the corresponding Zoning By-law Amendment File Z.18.021 and Draft Plan of Subdivision File 19T-18V008). Vaughan Council approved the following recommendation:

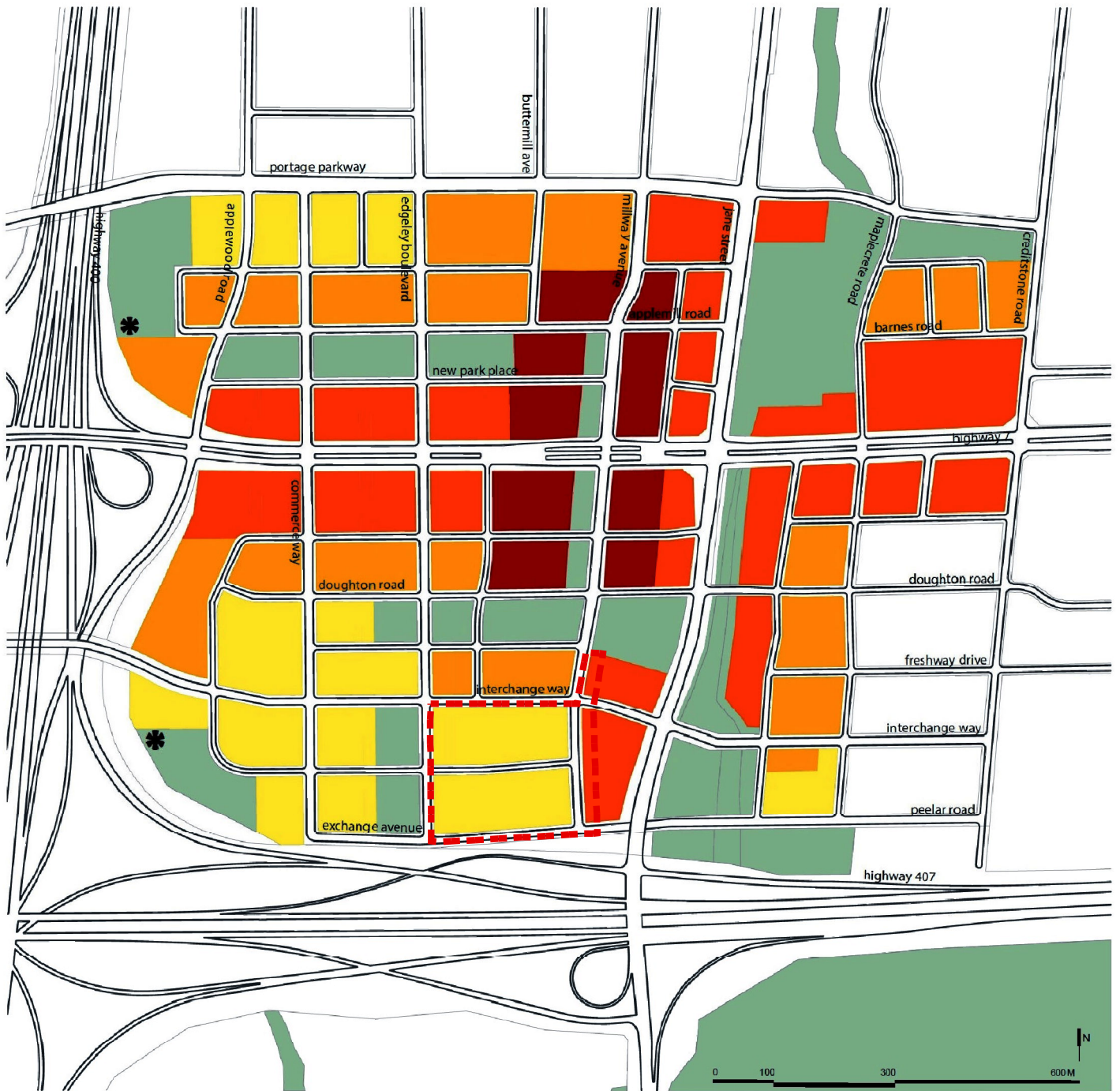
- "1. THAT Official Plan Amendment File OP.18.014 BE APPROVED; to amend Vaughan Official Plan 2010 and Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
 - a) increase the maximum permitted tower floor plate size for Building 3 only (maximum 13-storeys) from approximately 750 m² to approximately 930 m²
 - b) permit an increase in maximum building height from 15-storeys to 18-storeys for Building 2
 - c) reduce the facing distance between townhouse blocks from a minimum 18 m to the following:
 - i) 12.5 m between the front facing walls
 - ii) 8 m between the front facing wall and a side wall of another structure
 - iii) 11 m between the rear facing wall and a front or side wall of another structure
 - d) amend Schedule "D", Major Parks and Open Space and modify Schedule "K", Site Specific Policy Area, to include the proposed extension of the Millway Avenue Linear Park along the east side of Street B from Interchange Way to Exchange Avenue and the proposed relocated Public Square from the southwest to the northeast corner of Interchange Way and Street B, as shown on Attachment 4. The relocated Public Square shall be 0.2 ha in size minimum and a width 25 m.
2. THAT Zoning By-law Amendment File Z.18.021 BE APPROVED to:
 - a) amend Zoning By-law 1-88, to rezone the subject lands from "EM1 Prestige Employment Area Zone" and "C10 Corporate District Zone", subject to site-specific Exception 9(957) to "RM2(H) Multiple Residential Zone" with the Holding Symbol "(H)" and "OS2 Open Space Park Zone", in the manner shown on Attachment 5, together with the site-specific zoning exceptions identified in Table 1 of this report
 - b) permit the bonussing for increased building height for Building 2 of the development shown on Attachment 6 in return for the 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, specifically park enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue equivalent to \$75,600.00 (off-site contribution).
3. THAT the Holding Symbol "(H)" shall not be removed from the Subject Lands, or any portion thereof, until the following conditions are fulfilled:

- a) final approval of Site Development File DA.18.056 has been obtained, in accordance with Section 41 of the *Planning Act* to the satisfaction of the City of Vaughan.
4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the park enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue equivalent to \$75,600.00 (off-site contribution), which will be implemented through the Section 37 Density Bonus 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 Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.
5. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Density Bonus Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2(b) and 4.
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.
7. THAT Draft Plan of Subdivision File 19T-18V008 BE APPROVED; to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a residential block, widening of existing streets, two new minor collector streets (Streets A and B), a new local street (Street C), and a new linear park, as shown on Attachment 4, subject to the Conditions of Draft Plan Approval set out in Attachment 1.”

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



Appendix II Existing Land Uses Official Plan Amendment No. 41

File: OP.18.014
Related Files: Z.18.021
Location: Part of Lot 4, Concession 5
Applicant: 2748355 Canada Inc.
City of Vaughan

Lands Subject to
Amendment No. 41