

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 072-2019

A By-law to adopt Amendment Number 43 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 43 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1”, “2”, “3”, “4”, “5”, “6”, “7”, “8”, “9”, “10”, “11” and “12” 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 14th day of May, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER NO. 43
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”, “11”, and “12” to the Official Plan of the Vaughan Planning Area.

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

I PURPOSE

To amend the provision 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. 43” on Schedule “1”, attached hereto, subject to the requirements for a Section 37 Agreement:

1. To permit maximum building heights of 36-storeys (Building B2), 45-storeys (Building B1), and 50-storeys (Building B3) with a Floor Space Index (“FSI”) of 7.1 times the area of the lot (with the potential for an additional 929 m² being devoted to mechanical uses to the satisfaction of the City);
2. To permit amendments to Schedules “A” to “J” to delete the planned north-south local street, and identify a new east west local street on the south side of the Subject Lands as a special 17 m wide local street, with both a 1.5 m streetlight easement and privately-owned public spaces (POPS) on either side that will accommodate the streetscape elements of the local road;
3. To permit amendments 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 Portage Parkway, west of Jane Street, being Part of Lots 6 and 7, Concession 5, in the VMC, City of Vaughan, as shown on Schedule “1”, attached hereto as “Lands Subject to Amendment No. 43.”

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 northwest quadrant of the VMC, and a 5-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 housing types, including rental units, that would assist in improving social equity with access to residential units within the means of users with and at varying incomes and stages of life. The development would also achieve 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 would contribute to achieving a complete community by introducing a housing form in the VMC that has direct access to open spaces (POPS) and amenity areas to serve its residents. The building designs and streetscape would promote a high-quality of life that is focused on the pedestrian scale where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which would reduce 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 1,472 residential units that range from one-bedroom to three-bedroom unit sizes in high-rise built forms, and include rental units, that are dense and compact and contribute to a diverse housing stock in York Region. The development is accessible to higher-order transit, which would promote the use of the public transit by its residents. The combination of the enhanced streetscape and the introduction of the residential units would complement the existing and planned surrounding commercial, office, retail and community facility uses, 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, including rental, in the City to meet the needs of residents and workers in York Region. The development supports and achieves an urban and

integrated transportation system within a Regional Centre as a focus of economic activity and culture and will contribute to a high-quality and sustainability community within 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, the establishment of the new east-west local road, including off-site improvements and adequate infrastructure.

6. On April 18, 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 on January 22, 2019. The recommendation of the Committee of the Whole to receive the January 22, 2019, Public Hearing report, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on January 29, 2019. Vaughan Council approved Official Plan Amendment File OP.18.018 (Penguin-Calloway (Vaughan) Ltd.) on May 14, 2019, having considered a comprehensive report to a Committee of the Whole meeting on May 7, 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 Schedules “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I” and “J”, and substituting Schedules “A”, “B”, “C”, “D”, “E”, “F”, “G”, “H”, “I”, and “J”, attached hereto as Schedules “2”, “3”, “4”, “5”, “6”, “7”, “8”, “9”, “10”, and “11” thereby deleting the planned north-south local street for the portion of the Subject Lands that are south of Portage Parkway and north of the proposed east-west local road. A special notation to new policy Section 4.3.20 will be added to Schedule “C”, Street Network, which identifies the east-west local street as a special 17 m wide public street on the Subject Lands located at the southwest corner of Portage Parkway and Jane Street.
2. Deleting Schedule “K” and substituting therefore the Schedule “K”, attached hereto as Schedule “12”, thereby identifying the Subject Lands located south of Portage Parkway, and west of Jane Street as “Area H”.
3. Adding the following after Policy 4.3.19:

“4.3.20 The 17 m wide east-west local street as shown on Schedule “C”, Street
(OPA #43) Network, shall be designed with a non-standard right-of-way and will consist of
layby lanes for parking, unit pavers for surface treatment, and design seamlessly
with the adjacent privately-owned public space (POPS) area. A 1.5 m municipal
easement is required outside of the right-of-way to accommodate street lighting.”

4. Adding the following after Policy 9.3.9 after Area H

“(OPA #43) **Area H**

- 9.3.10 1. Notwithstanding Schedule I, for the lands identified as “Area H” on
Schedule K:
- a. a maximum building height of 36-storeys (identified as Building B2
in site-specific zoning by-law), 45-storeys (identified as Building
B1 in the site-specific zoning by-law), and 50-storeys (identified
as Building B3 in site-specific zoning by-law) is permitted;
 - b. a maximum Floor Space Index of 7.1 times the area of the lot,
(excluding up to 929 m² additional gross floor area devoted to
mechanical uses to the satisfaction of the City, and 215 m² gross
floor area to be added to the pavilion for “community space”) is
permitted; and,

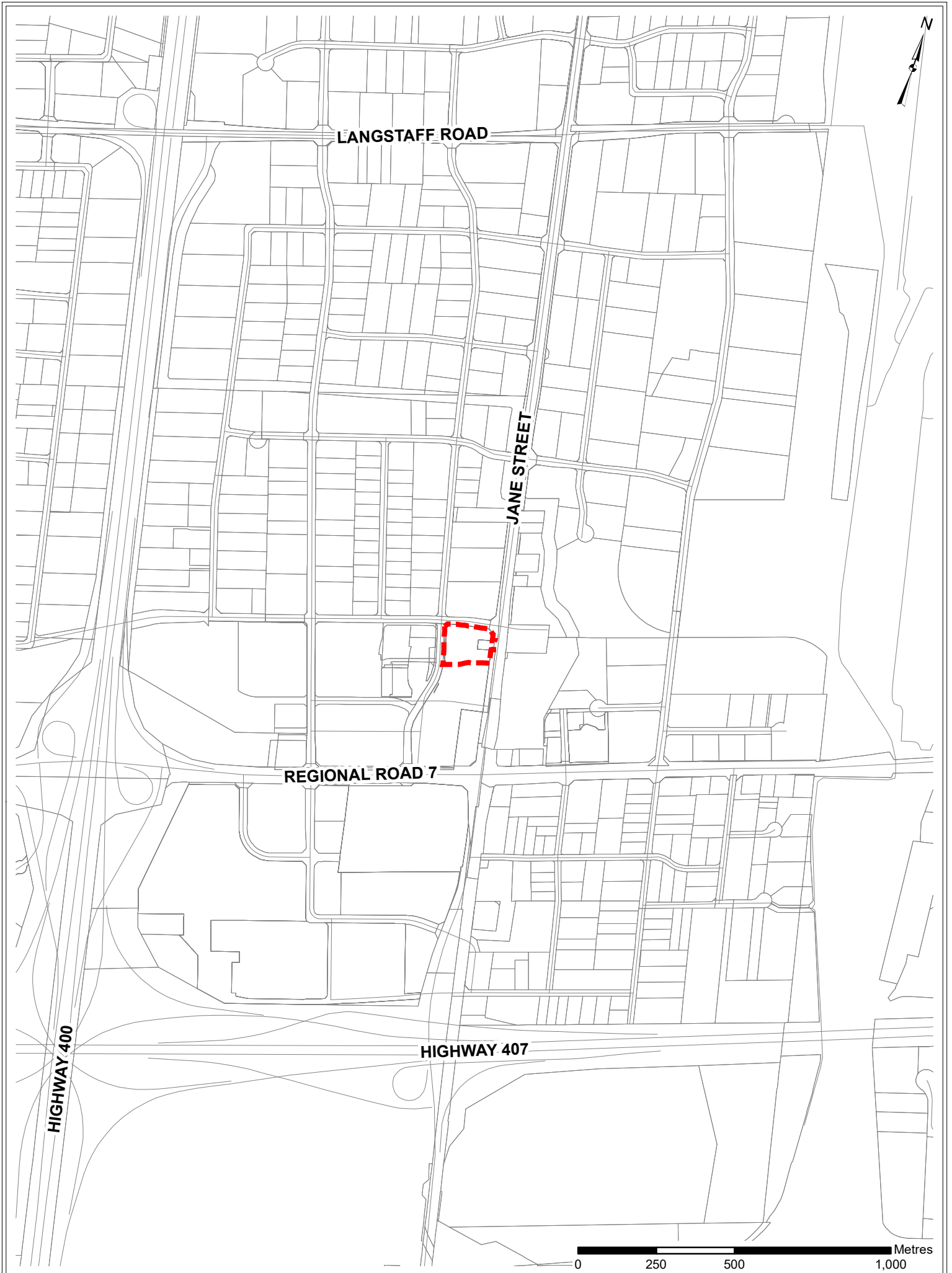
- c. prior to the implementation of the site-specific Zoning By-law, the requirements for a Section 37 Agreement shall be satisfied.”

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. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018

RELATED FILE: Z.18.030, DA.18.074

LOCATION: Part of Lots 6 and 7, Concession 5

APPLICANT: Penguin-Calloway (Vaughan) Inc.

CITY OF VAUGHAN

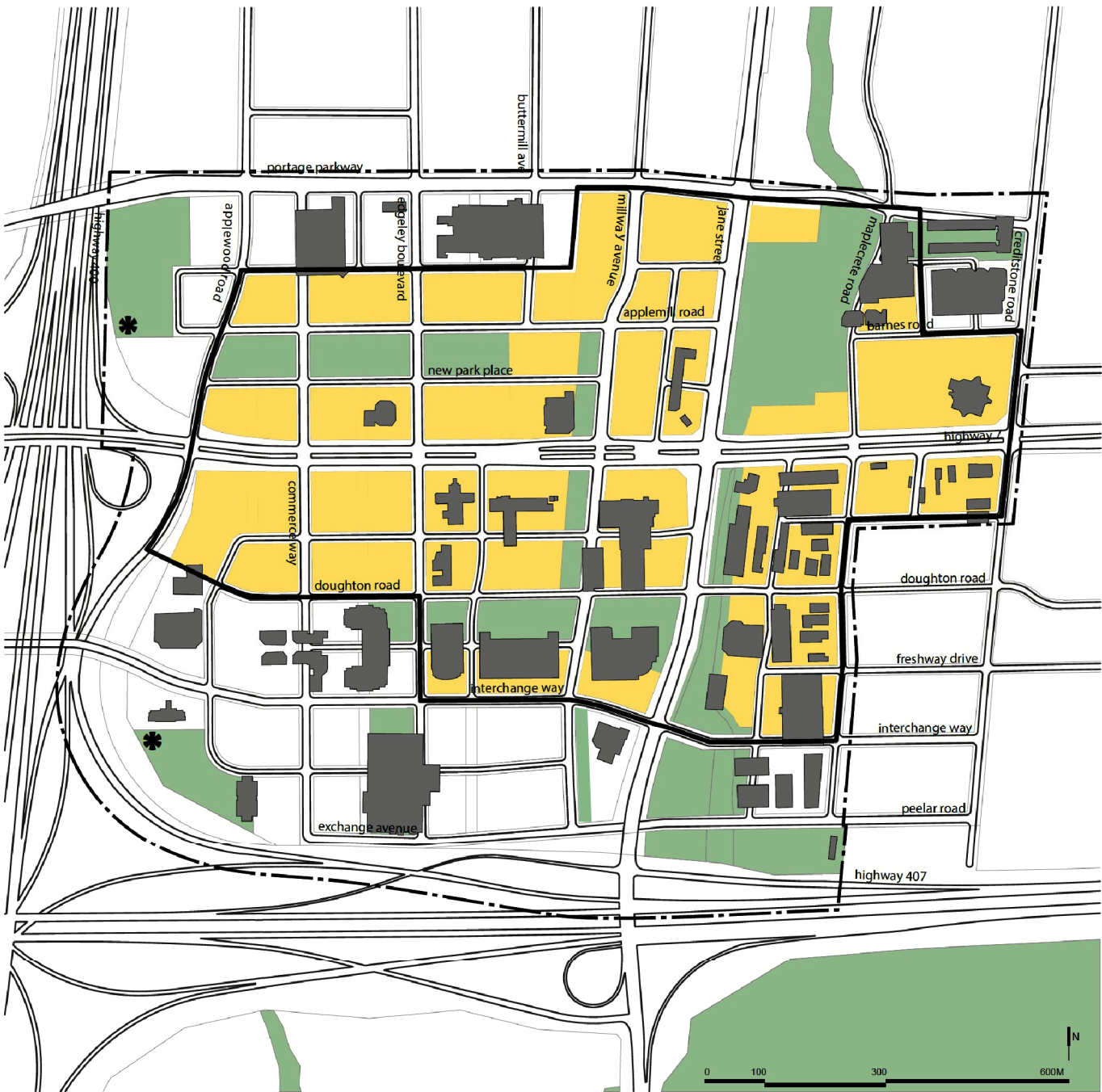


Lands Subject to
Amendment No. 43

SCHEDULE A > VAUGHAN METROPOLITAN CENTRE BOUNDARIES

LEGEND

-  vaughan metropolitan centre boundary
-  urban growth centre boundary
-  existing buildings
-  existing and planned streets
-  major parks and open spaces
-  see policy 6.3.2



This is Schedule '2'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

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

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spadina subway station box

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highway 7 rapidway

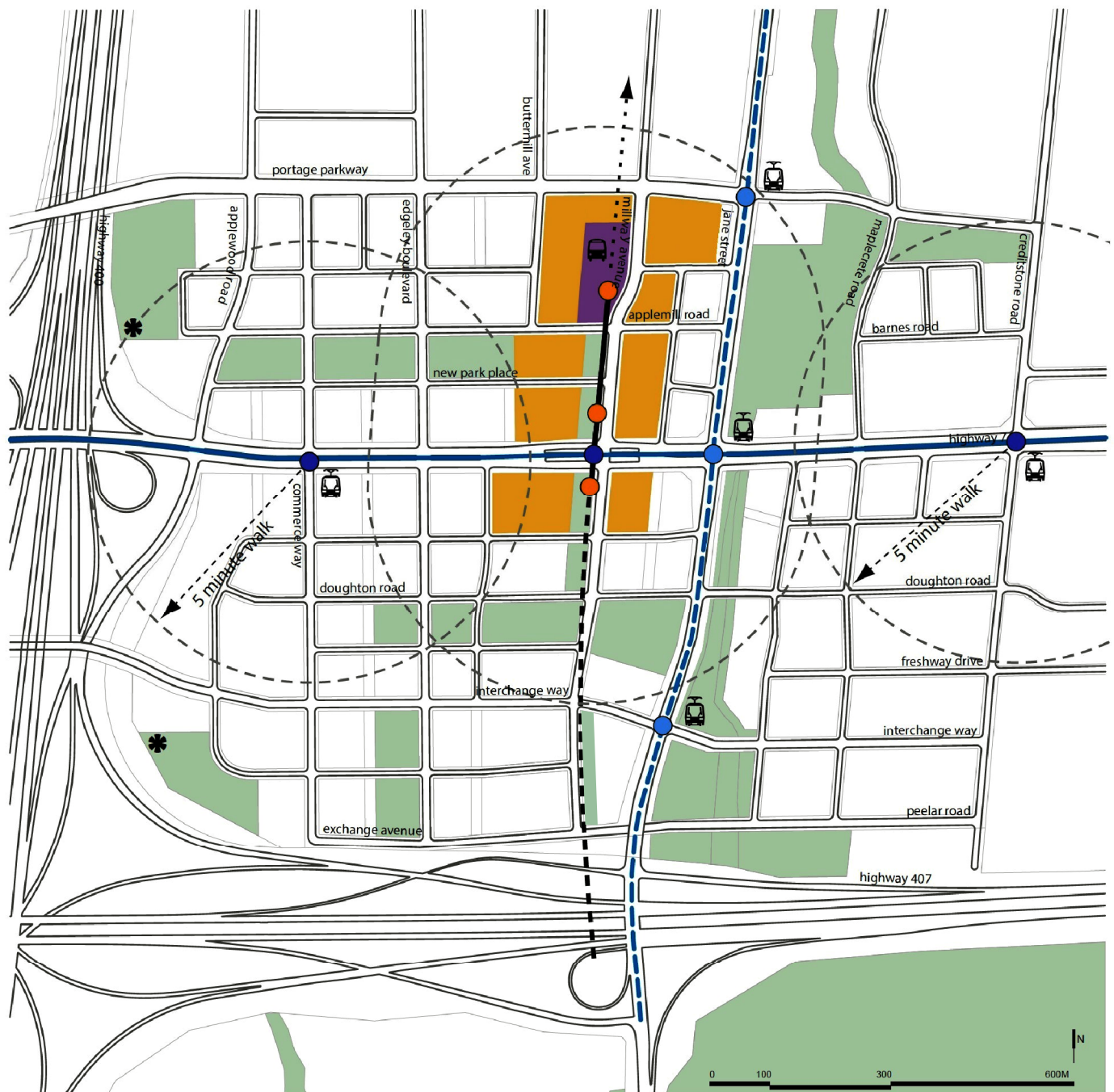
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potential jane street rapidway

🚊

potential viva station

major parks and open spaces



This is Schedule '3'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) 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 collector (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 '4'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

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

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 public squares (see Policies 6.2.4.-6.2.5.)

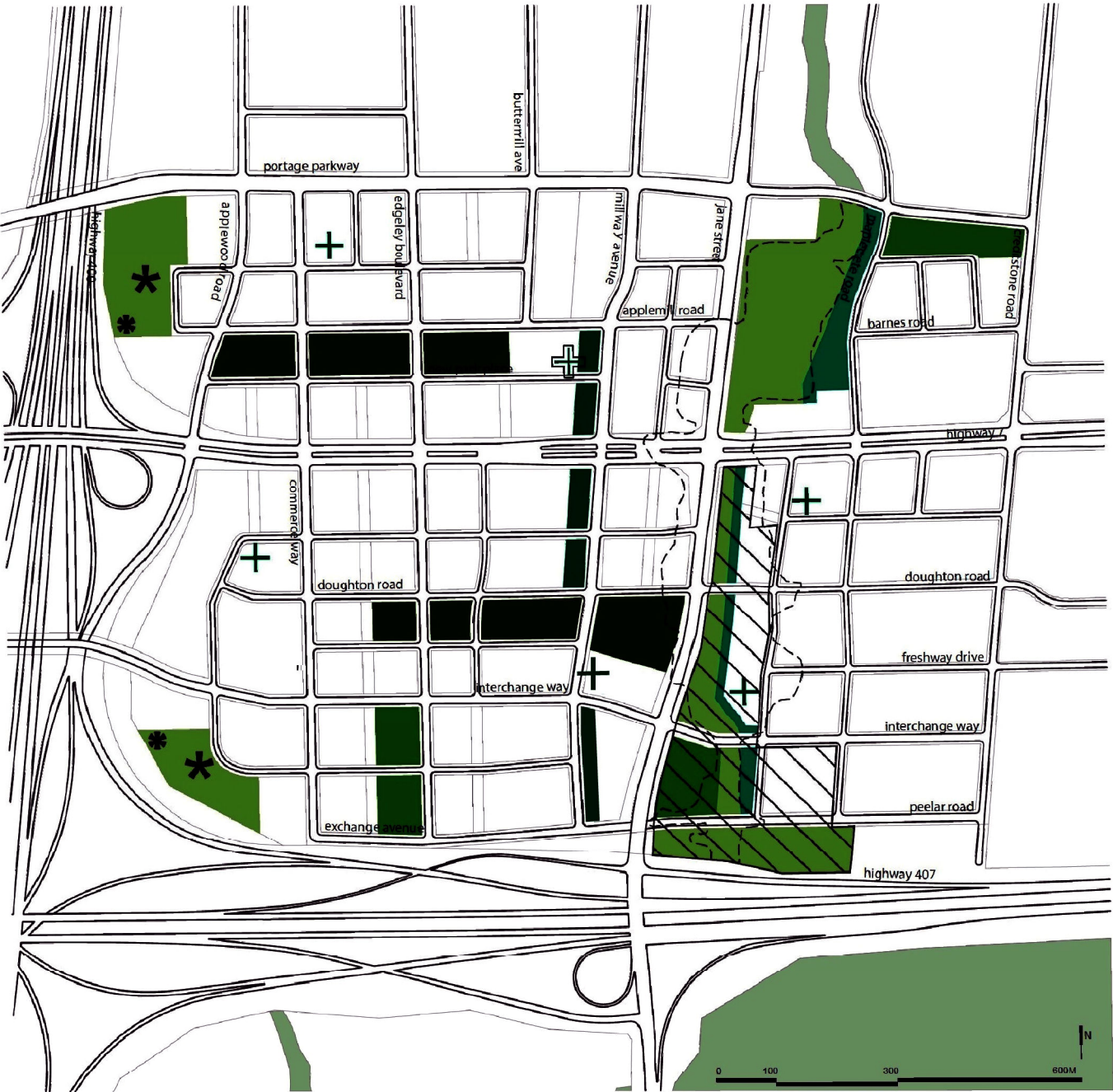
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 transit Square

*

 parkland associated with environmental spaces

*

 see policy 6.3.2


This is Schedule '5'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019


FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) 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
- 

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



This is Schedule '6'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

SCHEDULE F > LAND USE PRECINCTS

LEGEND

- station precinct

south precinct

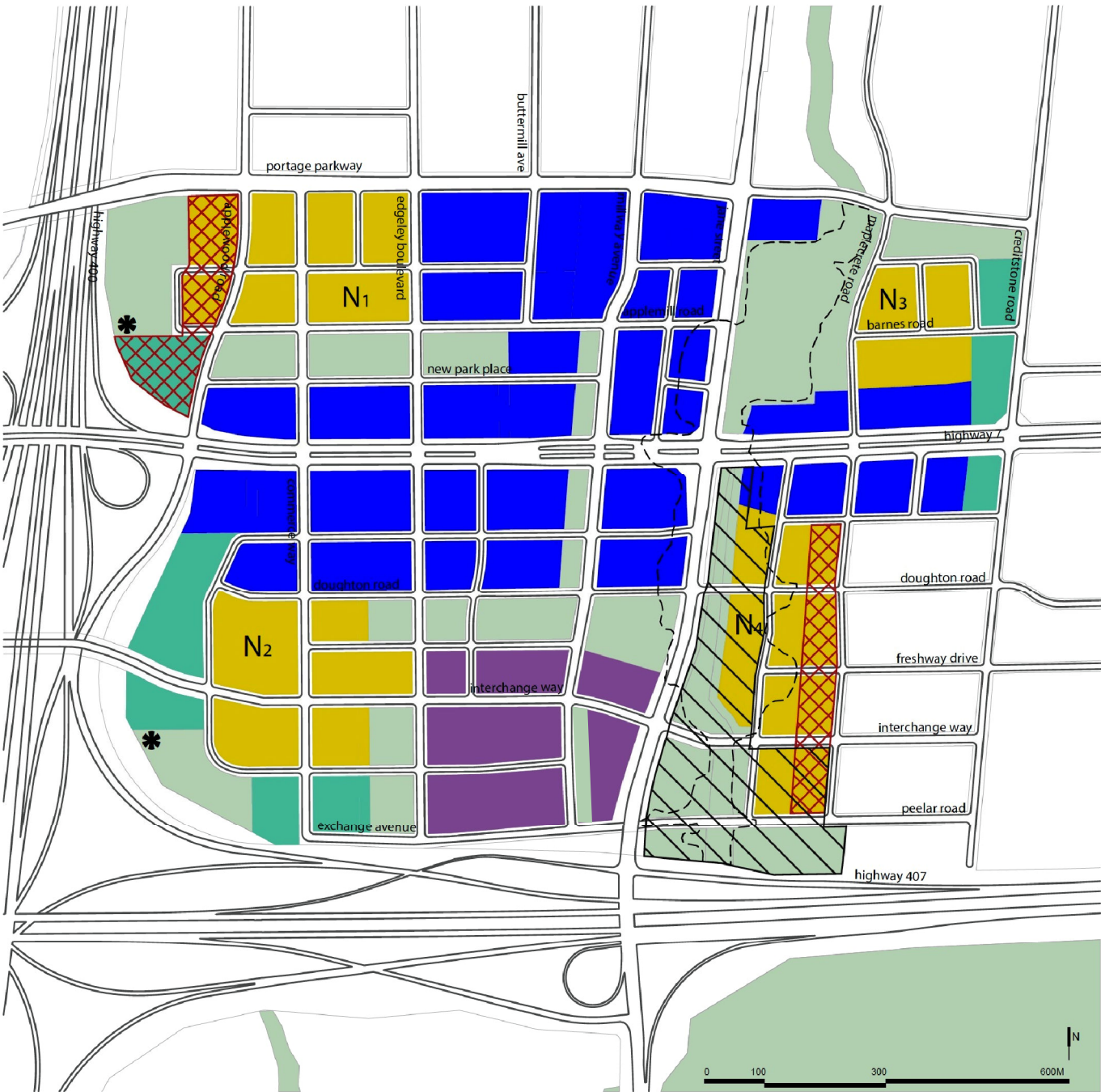
neighbourhood precincts

west and east employment precincts

major parks and open spaces
- 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
- 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)



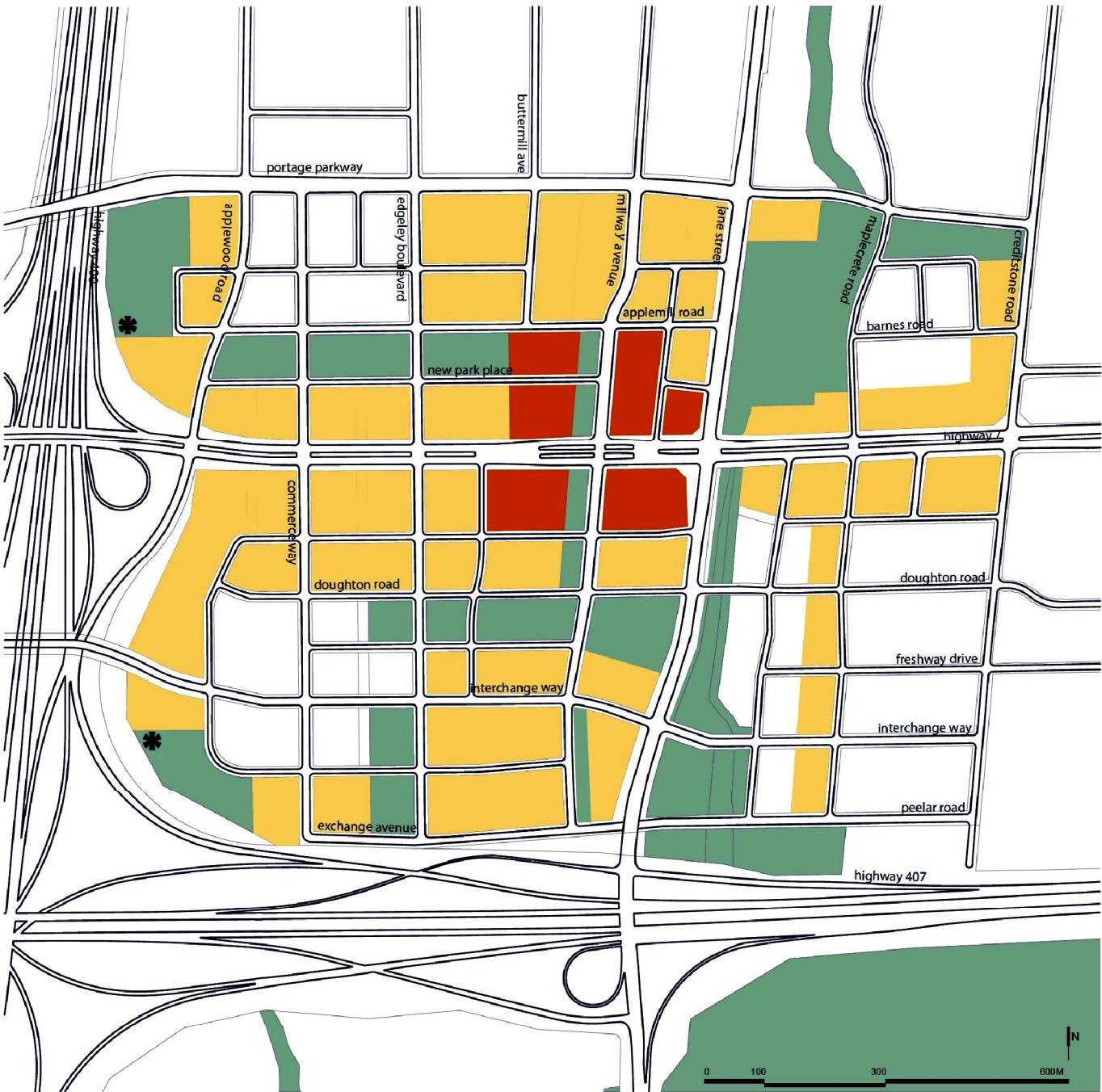
This is Schedule '7'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) 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 '8'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

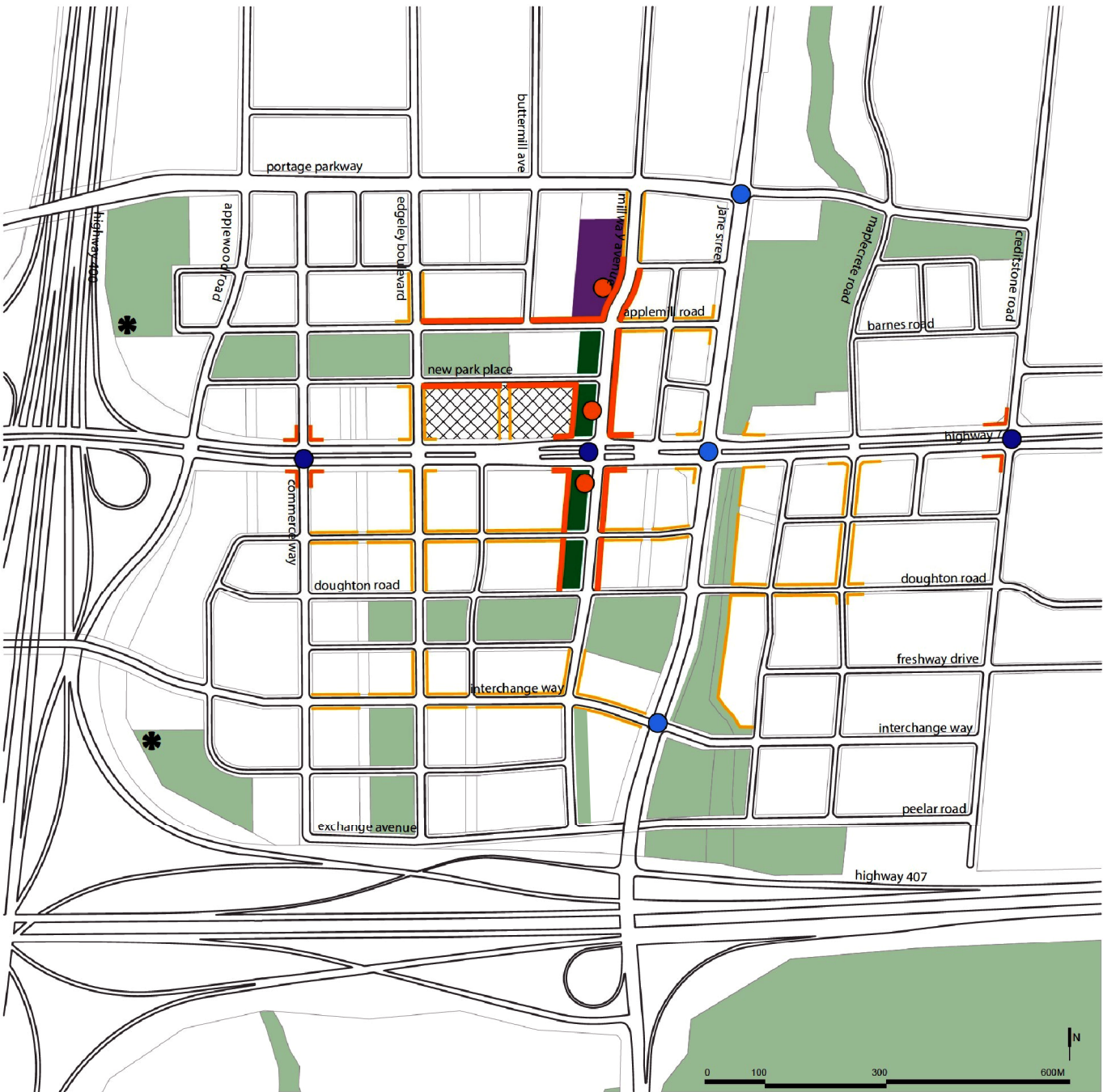
FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

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 '9'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

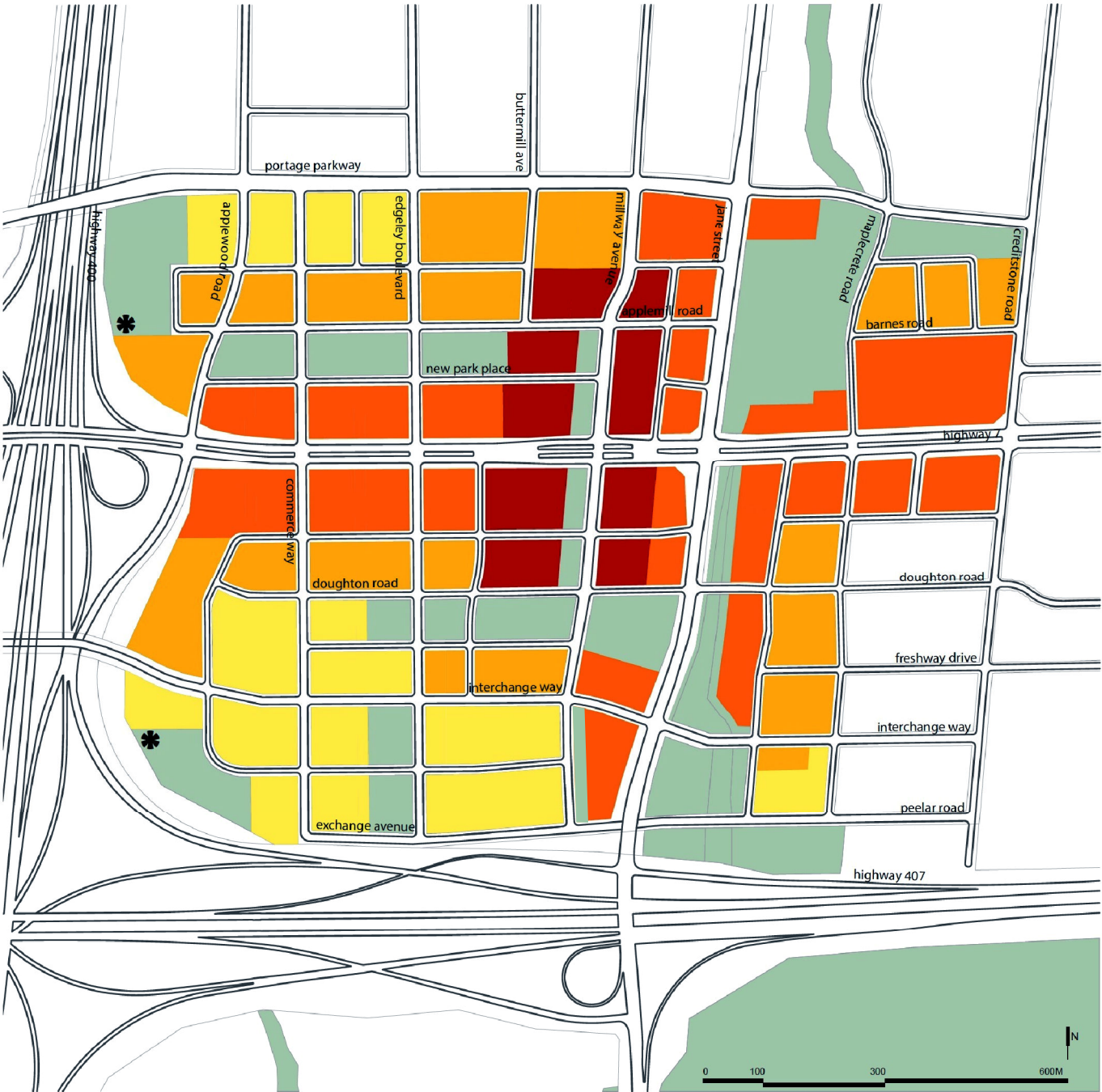
FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

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








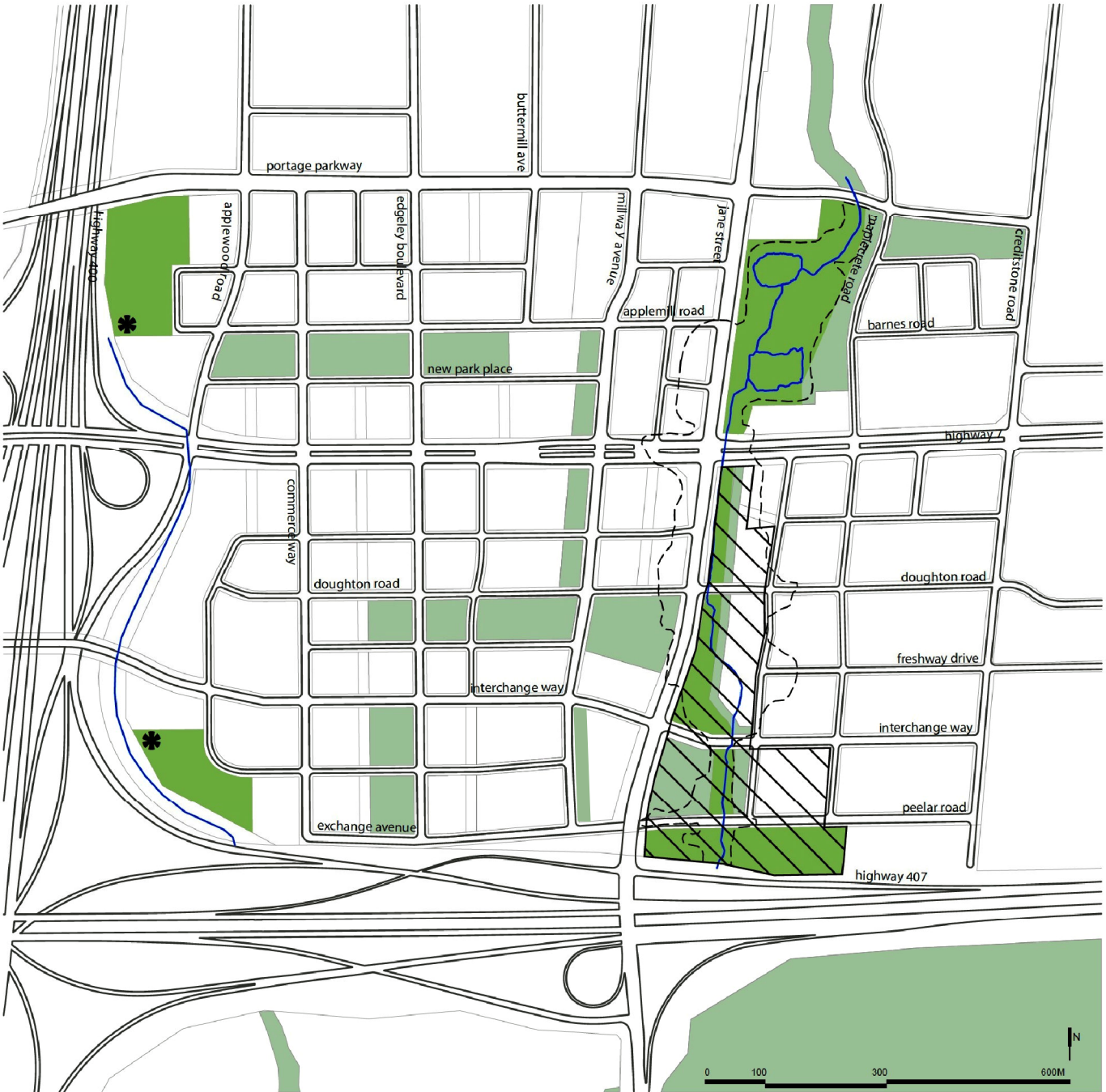
This is Schedule '10'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) 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 watercourses (future alignment to be determined)
-  existing floodplain (see policies 5.6.4 - 5.6.10)
-  see policy 6.3.2

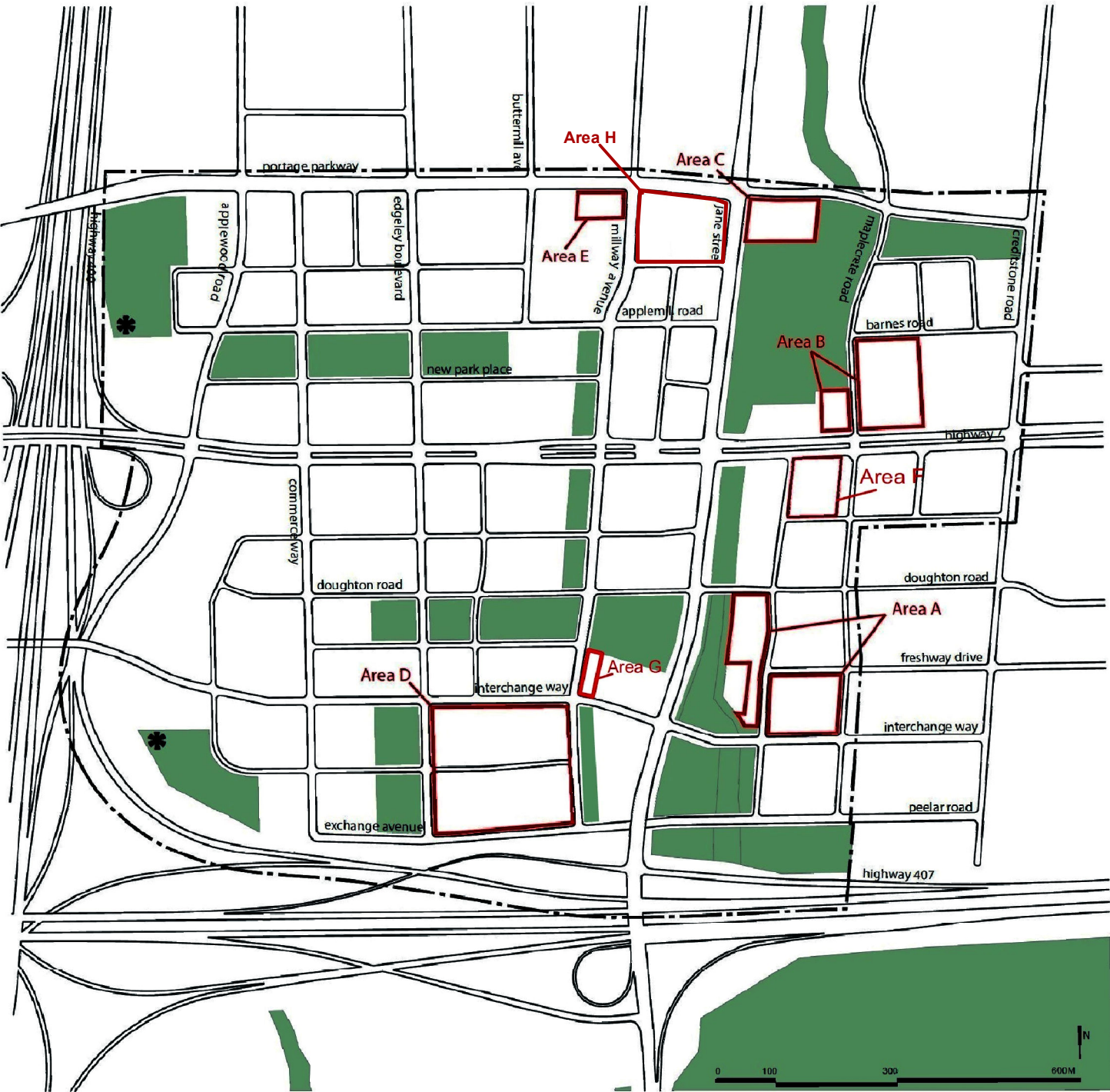


This is Schedule '11'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) 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 '12'
To Official Plan Amendment No. 43
Adopted the 14th Day Of May, 2019

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN

APPENDIX I

The Subject Lands are located on the south side of Portage Parkway, 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) to permit maximum building heights of 36, 45, and 50-storey with a maximum Floor Space Index ("FSI") of 7.1 times the area of the lot (with the potential for an additional 929 m² being devoted to mechanical uses to the satisfaction of the City);
- b) to delete Schedules "A" to "J" of the Vaughan Metropolitan Centre Secondary Plan, and replacing them therefore with Schedules "A" to "J", attached hereto as Schedules "2" to "11", to delete the north-south local road for the portions of the Subject Lands between south of Portage Parkway and north of the new east-west local road. A special notation to add new policy Section 4.3.20 will also identify the new east-west collector road as a 17 m wide local street, with both a 1.5 m streetlight easement and privately-owned public space (POPS) on either side that will accommodate the streetscape elements of the local road;
- c) to amend Schedule "K", Site-Specific Policy Area of the VMC Secondary Plan and replace it with Schedule "12" attached hereto to include the above amendments.

On May 14, 2019, Vaughan Council ratified the May 7, 2019, Committee of the Whole recommendation, to approve Official Plan Amendment File OP.18.018 (and the corresponding Zoning By-law Amendment Z.18.030 and Site Development Application File DA.18.074). Vaughan Council approved the following recommendation:

1. THAT Official Plan Amendment File OP.18.018 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) amend Schedules "A" to "J" to delete the planned north-south 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 Portage Parkway as Area H
 - ii) permit the proposed building heights of 36, 45 and 50-storeys and a maximum density of 7.1 times the area of the lot (Floor Space Index - 'FSI'), whereas a maximum building height of 30-storeys and density of 5 FSI is permitted
 - iii) to identify the east west local street on the south side of the Subject Lands and specifically identified on Schedule "C", Street Network, as a special 17 m wide local street, with both a 1.5 m streetlight easement and a POPS on either side that will accommodate the streetscape elements of the local road, whereas a local a 20 to 22 m wide local street is planned.
2. THAT Zoning By-law Amendment File Z.18.030 BE APPROVED to:
 - a) amend Zoning By-law 1-88, to rezone the Subject Lands lands from "C10(H) Corporate District Zone" with the Holding Symbol "(H)", and subject to site-specific Exception 9(959) to "C10 Corporate District Zone", thereby removing the Holding Symbol "(H)" shown on Attachments 1 and 13 and to permit site-specific development standards identified in Table 1 of this report
 - b) permit the bonussing for increased building height and density for the proposed development shown on Attachments 1 and 13 in return for the following provision of community benefits totaling \$3,450,000.00, 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*.
 - i) On-site contributions including the following:
 - \$500,000.00 enhancements to, with a full and permanent public access easement over, the Privately-Owned Public Space, including the two corner plazas and large central courtyard
 - \$650,000.00 towards a gateway feature installation at the corner of Jane Street and Portage Parkway, in accordance with the VMC Culture and Public Art Framework

- \$250,000.00 towards streetscape enhancements above the City's service levels to support the creation of a high-quality pedestrian oriented urban environment
- \$350,000 towards development of a community pavilion on the north-west corner plaza to be designed in collaboration with the City that will be privately-owned and may include a small ancillary retail component, along with a dedicated community space for use by the City, to be further detailed in the Site Plan Agreement

ii) Off-site contributions including the following:

- \$1,500,000.00 towards architectural enhancements to screen the TTC emergency egress building in the TTC Plaza, with potential long-term bike storage, subject to TTC approval or an alternate contribution to such enhancements in the TTC Plaza, Transit Square or SmartCentres Place Bus Terminal Plaza. Any works beyond the contribution shall be at the sole cost of the Owner
- a \$200,000.00 contribution to the green wall and foyer features in the City's Community Centre/Library.

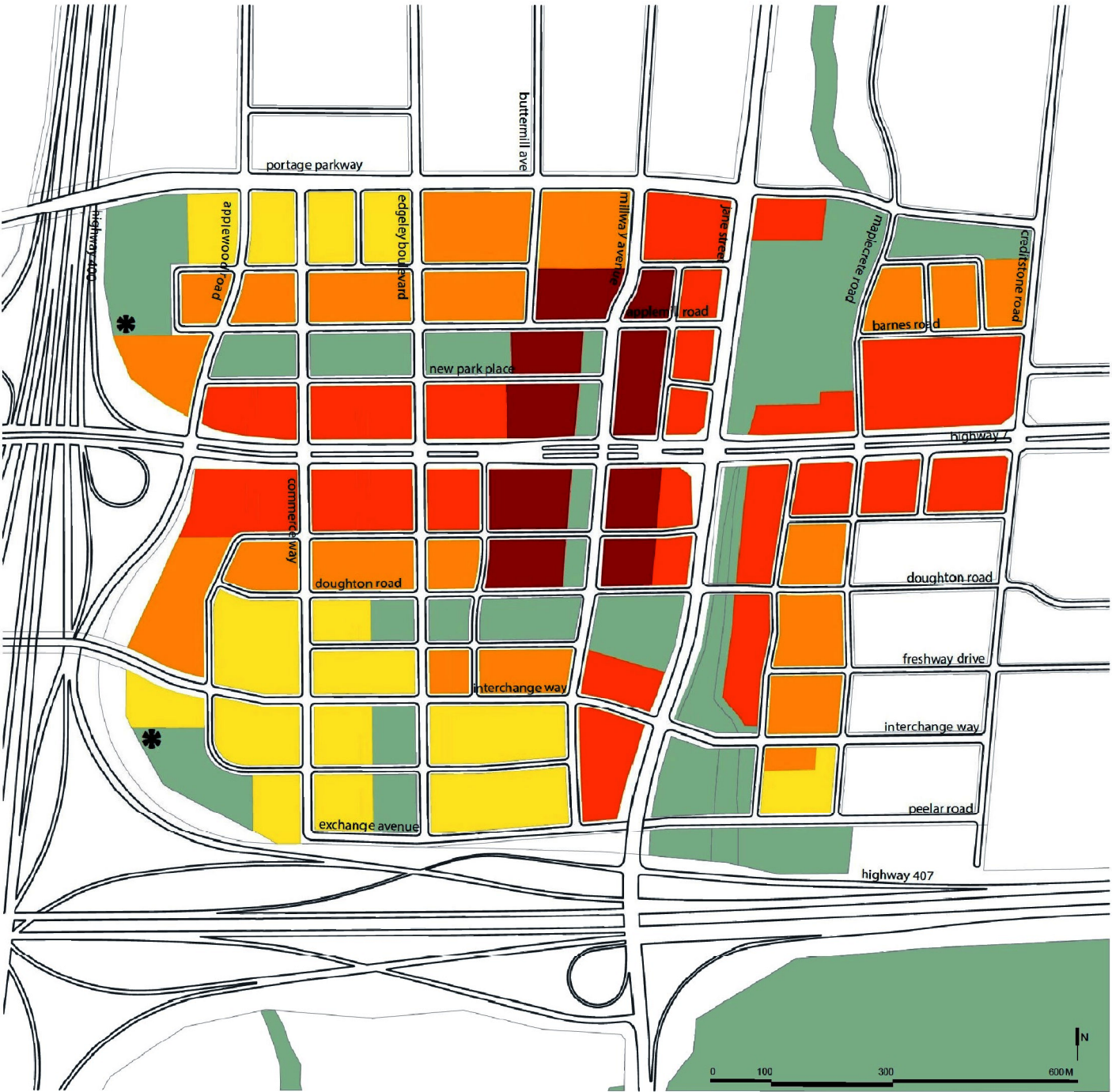
3. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the contributions identified in Recommendation 2b), which will be implemented through the Section 37 Density Bonusing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The \$3,450,000.00 Section 37 contribution, in the form of a \$200,000.00 payment for the contribution to the City's Community Centre/ Library and a \$3,250,000.00 Letter of Credit shall be provided to the City prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. \$650,000.00 of the Letter of Credit shall be applied to the Public Art Agreement, identified in Recommendation 4. 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 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 a gateway feature installation at the corner of Jane Street and Portage Parkway as a public art contribution with a budget of \$650,000.00, secured through the \$650,000.00 Letter of Credit identified in and provided through the Section 37 Density Bonusing Agreement, consistent with the principles of 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 will own and maintain the gateway installation.
5. THAT prior to the enactment of the implementing Zoning By-law, the Mayor and the City Clerk be authorized to execute the Section 37 Density Bonusing Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2(b) and 3.
6. THAT the Mayor and the City Clerk be authorized to execute the Public Art Agreement for the implementation of the gateway feature installation at the corner of Jane Street and Portage Parkway identified in Recommendation 4.
7. 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.
8. The road allowances included within Development shall be named to the satisfaction of the City and York Region

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. 43

FILE:OP.18.018
RELATED FILE: Z.18.030, DA.18.074
LOCATION: Part of Lots 6 and 7, Concession 5
APPLICANT: Penguin-Calloway (Vaughan) Inc.
CITY OF VAUGHAN