

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 106-2019

A By-law to adopt Amendment Number 46 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 46 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “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 12th day of June, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 46
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1”, “2” and “3” constitute Amendment Number 46 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

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 1 - Schedule 13, and Volume 2, Section 13 - "Site Specific Policies" to permit a 30 and a 35-storey residential apartment buildings connected by a podium, with a maximum of 790 units and at grade retail and a 26-storey mixed-use building comprised of office, hotel and retail uses on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, "Area Subject to Amendment No.46" on Schedule "1" attached hereto:

1. permit a maximum building height of 26, 30 and 35 storeys;
2. permit a maximum density Floor Space Index of 4.4 FSI; and,
3. permit a maximum of 790 residential units within 2 residential buildings.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located south of Centre Street, west of Bathurst Street, municipally known as 1 Promenade Circle, being Part of Lots 4 and 5, Concession 2, City of Vaughan, as shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 46."

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010) is based on the following considerations:

1. The Provincial Policy Statement 2014 (PPS) provides policy direction on matters of Provincial interest related to land use planning and establishes the framework for regulating the development of land. The PPS is applied province-wide and provides direction to support complete communities, a strong economy and a clean and healthy environment. The policies of the PPS focus growth and development to "Settlement Areas". This Amendment is consistent with the policy objectives of the PPS, as the Subject Lands are located within a settlement area and the Development would add to the range and mix of housing types and office, hotel and additional retail uses in the community, and efficiently utilize the Subject Lands. The Development is proposed in an area where appropriate levels of infrastructure and public service facilities exist, are under construction, or are planned. The proposed density more efficiently uses the Subject Lands, resources, infrastructure and public service facilities in a compact development form. On this basis, the Development is consistent with the PPS.

2. A Place to Grow: The Growth Plan for the Greater Golden Horseshoe 2019 (“Growth Plan”) builds on the PPS to establish a unique land use planning framework that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. The Growth Plan enables the development of regional growth plans that guide government investments and land use planning policies. The Growth Plan promotes the achievement of complete communities that are designed to support healthy and active living, prioritizes intensification and higher densities that make efficient use of land and infrastructure, protects the natural environment, supports transit viability, and encourages a range and mix of housing options. This Amendment is consistent with the objectives of the Growth Plan as it optimizes the use of the existing land supply in incorporating a compact built-form, makes efficient use of existing and planned infrastructure, is located in close proximity to a Regional Transit Priority Network and a Regional Transit Corridor, and provides for a range and mix of housing and office, hotel and retail uses at a density that is transit-supportive and supportive of complete communities.
3. The York Region Official Plan 2010 (“YROP”) designates the Subject Lands “Urban Area”, which permits a range of residential, commercial, employment and institutional uses. The Subject Lands are accessed by Centre Street a Regional Rapid Transit Corridor and Bathurst Street a Regional Transit Priority Network and Special Study Area and a Regional Rapid Transit Corridor. In support of transit-infrastructure, the YROP establishes a policy framework that encourages a broad range of housing types within efficient and compact communities at an overall transit-supportive density. The range of housing includes different forms and types and tenures to satisfy the needs of the Region’s residents. The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. This Amendment is in conformity with the YROP as the proposed development is located within proximity to multiple existing and planned transportation networks, offers a variety of mixed-uses, residential, hotel, office and commercial making efficient use of the Subject Lands. A number of pedestrian connections are proposed from the development to the surrounding lands and roads. The proposed development is in an urban form and design that is compact, pedestrian and cyclist-friendly, and transit supportive.
4. York Region on January 21, 2019, exempted this Amendment from approval by the Regional Planning Committee and Council, in accordance with Regional Official Plan Policy 8.3.8, as it does not adversely affect Regional planning policies or interests.
5. VOP 2010 identifies Primary Centres as the location for the accommodation of growth and the greatest mix of uses and densities. The entirety of the Promenade Shopping Centre lands,

including the Subject Lands are located within an Intensification Area - "Primary Centre" by Schedule 1 - Urban Structure of VOP 2010, Volume 1, with access to and frontage (overall Promenade Shopping Centre Lands) on a "Regional Rapid Transit Corridor" along Centre Street and onto a "Regional Transit Priority Network Corridor and Special Study Area" along Bathurst Street.

VOP 2010 provides that Primary Centres will be locations for intensification accommodated in the form of predominantly mixed-use, high and mid-rise buildings, developed at an intensity supportive of transit. These areas are identified in VOP 2010 as Intensification Areas, which are the primary locations for the accommodation of growth and the greatest mix of uses, heights and densities.

The Subject Lands are designated "High-Rise Mixed-Use" with no prescribed maximum building height or density (FSI) by VOP 2010, Volume 1, Schedule 13. This designation is in effect on the Subject Lands and permits a range and mix of residential, retail, office, hotel, community and institutional uses.

The development as proposed is primarily contained within the overall development footprint of the existing Promenade Shopping Centre and meets the use intent (i.e. "High-Rise Mixed-Use") of the VOP 2010. The Development will support and transform the existing retail uses, ensure a range of housing options, support transit-oriented development, introduce office, hotel and additional retail uses onto the Subject Lands, provide an attractive pedestrian friendly built form by locating active uses at grade and achieve an appropriate transition of intensity to uses in the surrounding community. The Promenade Shopping Centre is separated from existing low-rise residential uses by public and private roads, and existing high density residential, and by commercial uses, a school and a park. The proposed development conforms with VOP 201 and is compatible and consistent with the surrounding land uses.

6. The statutory Public Hearing was held on January 22, 2019. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 22, 2019, 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 on June 12, 2019, ratified the June 4, 2019, Committee of the Whole recommendation, to approve Official Plan and Zoning By-law Amendment Files OP.18.013 and Z.18.020 (Promenade Limited Partnership).

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010) is hereby amended by:

1. Amending Volume 1, Schedule 13 - "Land Use" of VOP 2010, attached hereto as Schedule "2", by identifying a maximum permitted Floor Space Index ("FSI") of 4.4 times the area of the Subject Lands.
2. Amending Volume 1, Schedule 14-C – "Areas Subject to Site Specific Policies" by adding the Subject Lands identified on Schedule "1" to this Amendment attached hereto municipally known as 1 Promenade Circle, identified on Schedule 14-C as Item 48.
3. Amending Volume 2, Section 13.1 – "Site Specific Policies" by adding the following policy, to be renumbered in sequential order:

"(OPA 46) 13.1.1.48 The lands known as 1 Promenade Circle are identified on Schedule 14-C as Item 48 are subject to the policies set out in Section 13.49 of this Plan."
3. Adding the following policies to Volume 2, Section 13 "Site Specific Policies", and renumbering in sequential order, including a location map of the Subject Lands shown on Schedule "1":

"(OPA #46) 13.49 1 Promenade Circle

 13.49.1 General

 13.49.1.1 The following policies shall apply to the lands identified on Map 13.49.A

 13.49.1.2 Notwithstanding the High-Rise Mixed-Use Policy 9.2.2.6 b)

 - i. Gas Station uses shall not be permitted;
 - ii. Buildings "A" and "B" and associated podium shall only permit residential, retail and office uses;
 - iii. No residential dwelling units, with the exception of residential lobby and residential amenity space, shall be permitted on the same floor as retail and office uses within Buildings "A" and "B";
 - iv. Retail and Office uses shall only be permitted on the first floor and P1 level (lower mall level) of Buildings "A" and "B";
 - v. The maximum total number of residential units within Buildings "A" and "B" and associated podiums is 790 units;
 - vi. Building C and associated podiums shall only permit retail, hotel and office uses.

vii. Retail uses shall only be permitted within the first two floors and P1 level (lower mall level) of Building “C”.

13.49.1.3 Volume 1 Policy 9.2.2.6.c shall not apply

13.49.1.4 The buildings shall be developed according to the maximum heights as outlined below

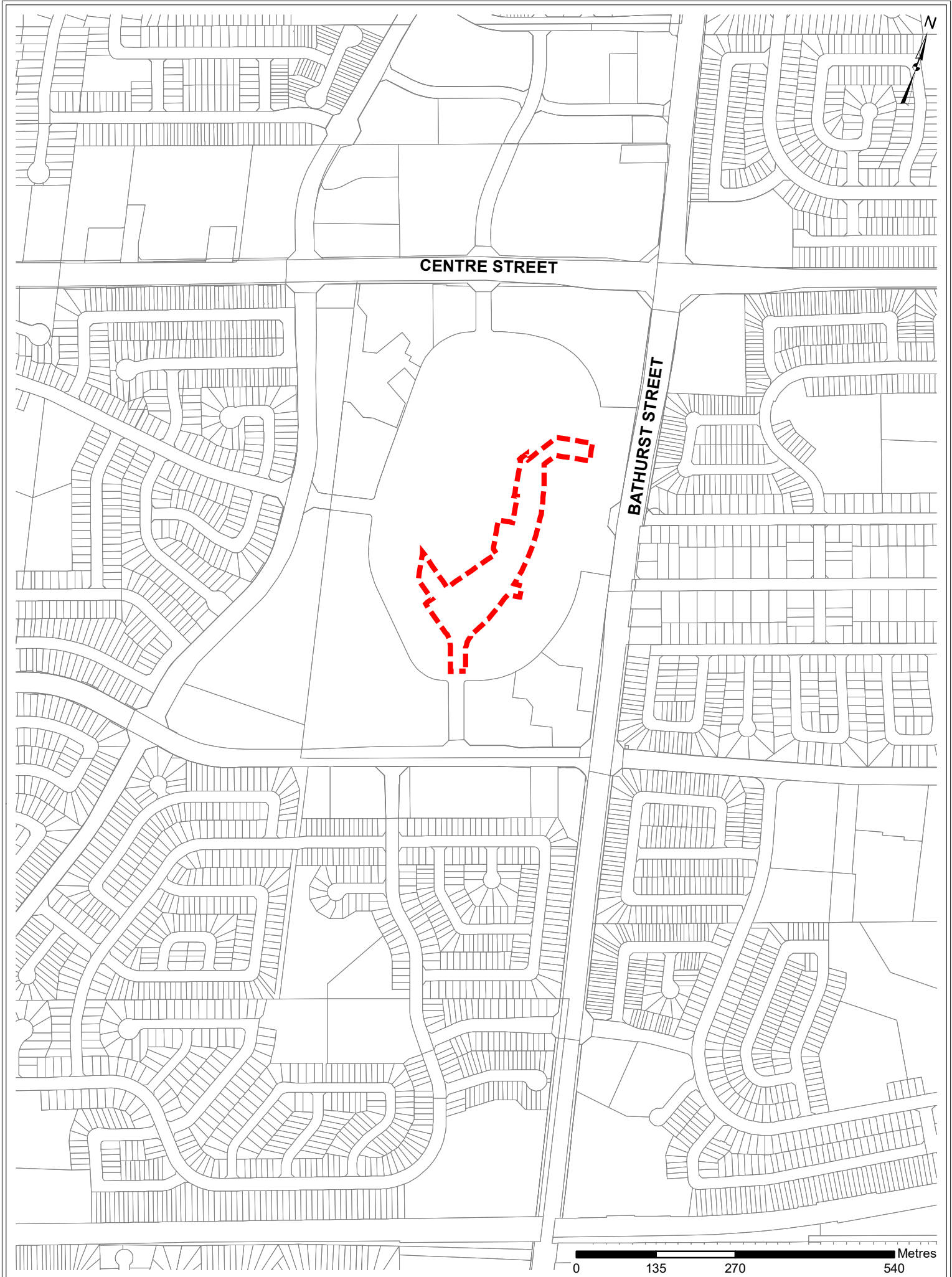
- i. Building A - 30 storeys
- ii. Building B - 35 storeys
- iii. Building C - 26 storeys

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*.

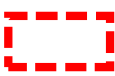
VI INTERPRETATION

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.

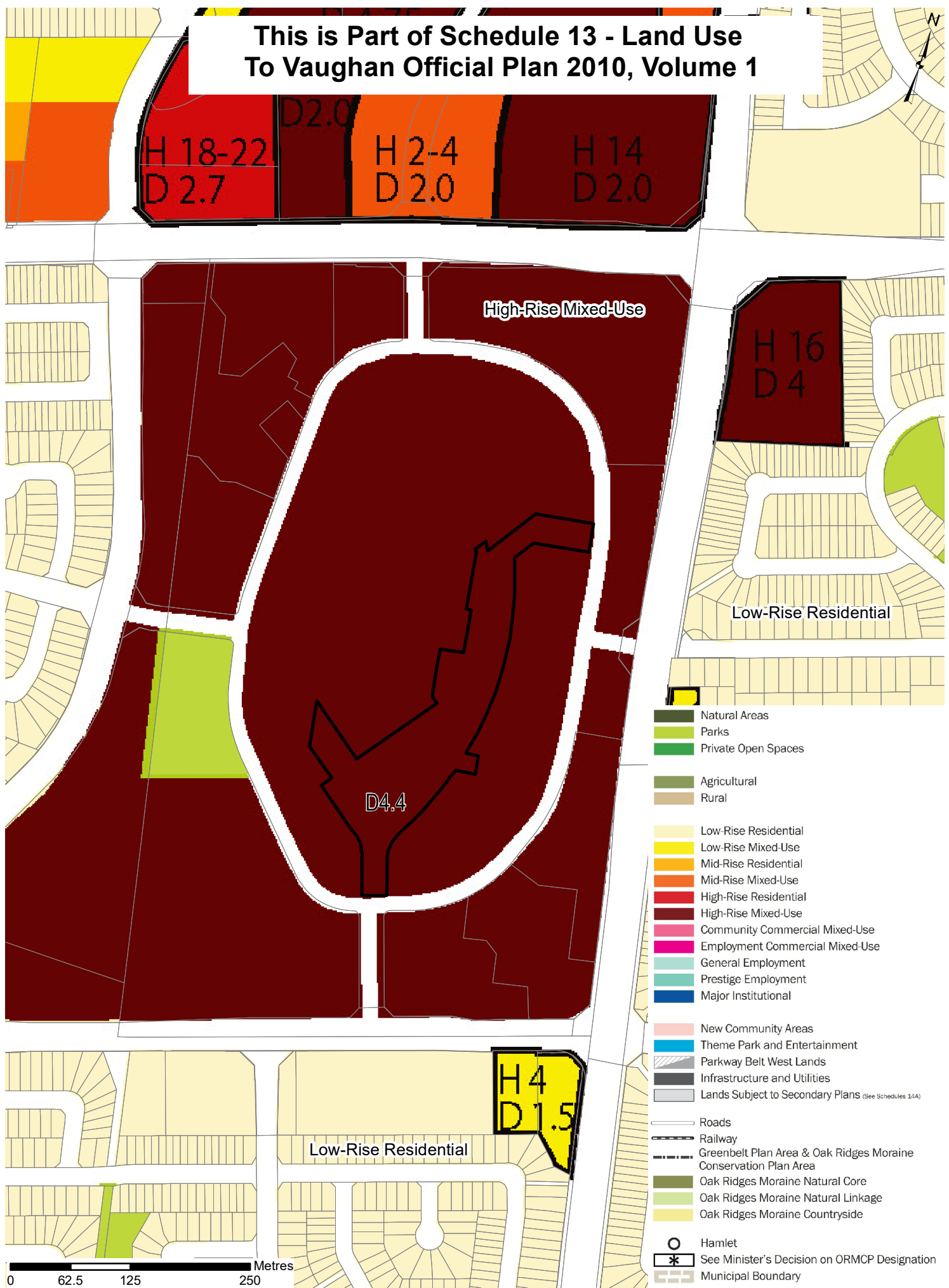


This is Schedule '1'
To Official Plan Amendment No. 46
Adopted the 12th Day Of June, 2019

File: OP.18.013
Related Files: Z.18.020
Location: Part of Lot 4 and 5, Concession 2
Applicant: Promenade Limited Partnership
City of Vaughan


 Lands Subject to
Amendment No. 46

This is Part of Schedule 13 - Land Use
To Vaughan Official Plan 2010, Volume 1



This is Schedule '2'
To Official Plan Amendment No. 46
Adopted the 12th Day Of June, 2019

File: OP.18.013
Related Files: Z.18.020
Location: Part of Lot 4 and 5, Concession 2
Applicant: Promenade Limited Partnership
City of Vaughan

 Lands Subject to
Amendment No. 46

Map 13.49.A - 1 Promenade Circle



This is Schedule '3'
To Official Plan Amendment No. 46
Adopted the 12th Day Of June, 2019

File: OP.18.013

Related Files: Z.18.020

Location: Part of Lot 4 and 5, Concession 2

Applicant: Promenade Limited Partnership

City of Vaughan



Lands Subject to
Amendment No. 46

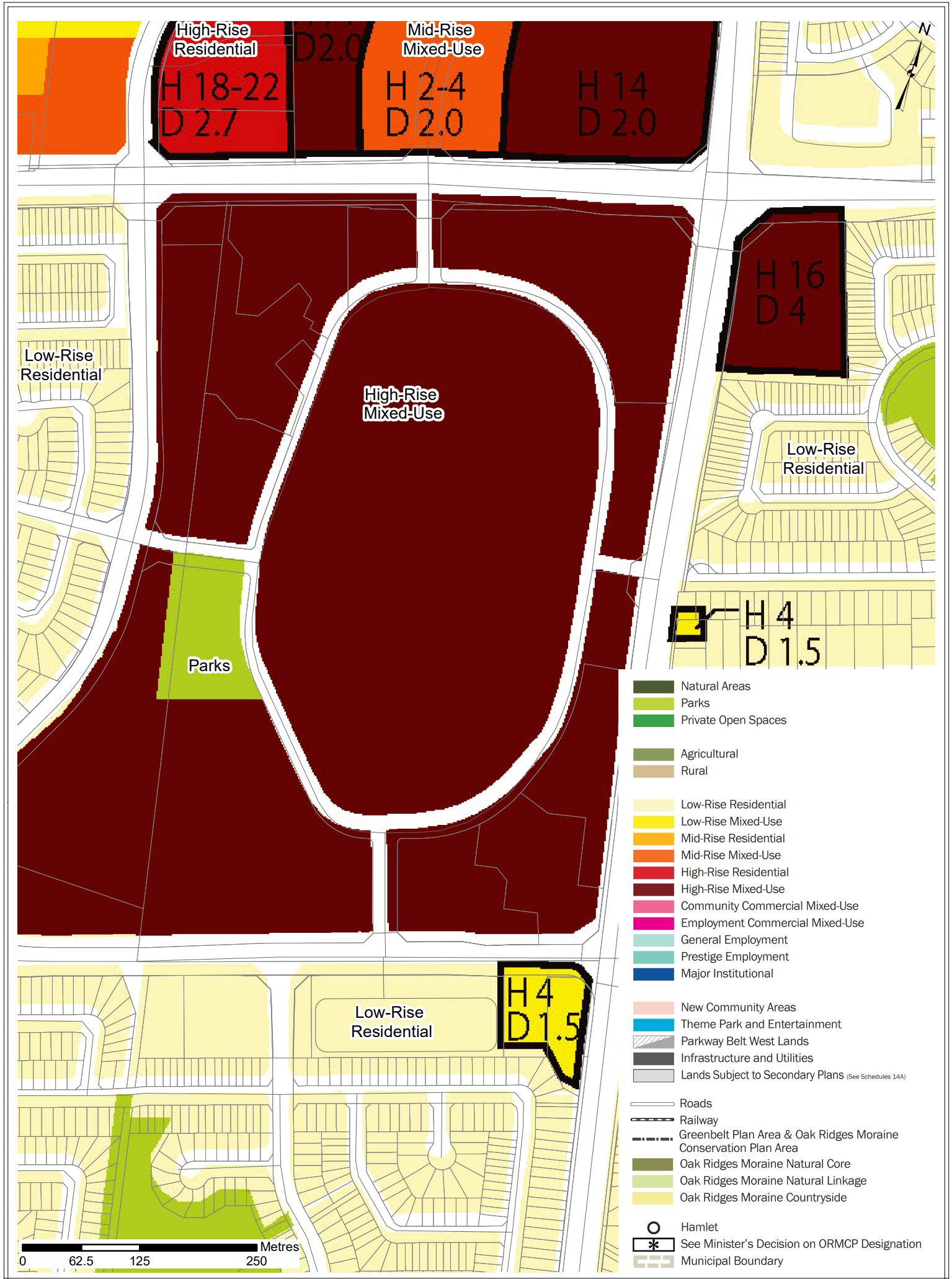
APPENDIX I

The Subject Lands are located south of Centre Street, west of Bathurst Street, municipally known as 1 Promenade Circle, Part of Lots 4 and 5, Concession 2, in the City of Vaughan.

The purpose of this Amendment is to permit a 30 and a 35-storey residential apartment buildings connected by a 6-storey podium (maximum of 790 units) with at grade retail and a 26-storey mixed-use building comprised of office, hotel and retail uses on the Subject Lands.

On June 12, 2019, Vaughan Council ratified the June 4, 2019 Committee of the Whole recommendation, to approve Official Plan Amendment File OP.18.013 (Promenade Limited Partnership) as follows:

- “1. THAT Vaughan Council permit Official Plan Amendment File OP.18.003 and Zoning By-law Amendment File Z.18.020 (Promenade Limited Partnership) for the subject lands only, to proceed in advance of the requirement for a Secondary Plan as set out in Policy 10.1.1.6 of Vaughan Official Plan 2010, Volume 1.
2. That Official Plan Amendment File OP.18.003 (Promenade Limited Partnership) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 1, for the subject lands shown on Attachments 1 as follows:
 - a) amend Schedule 13 - Land Use, to permit a 26-storey mixed-use retail, hotel and office building and 30 and 35-storeys mixed-use residential building and a maximum Floor Space Index of 4.4 times the area of the Subject Lands, whereas neither are prescribed by VOP 2010;
 - b) permit a maximum of 790 residential units within 2 residential buildings.
3. THAT Zoning By-law Amendment File Z.18.020 (Promenade Limited Partnership) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments 1 and 2, from “C5 Community Commercial Zone,” subject to site-specific Exception 9(480) to “RA5 High Density Residential Town Centre Zone” with a Holding Symbol “(H)” together with the site-specific zoning exceptions identified in Table 1 of this report.
4. That the Holding Symbol “(H)” shall not be removed from Phase 1 of the Subject Lands or any portion thereof, until the following condition is addressed to the satisfaction of the City:
 - a) the Owner shall update the plans and reports for the required ultimate sanitary service for Phase 1 of the Subject Lands, and sanitary tributary areas to the satisfaction of the City;
 - b) the Owner shall enter into a development agreement and/or any other agreement(s) with the City for Phase 1 of the Subject Lands for the design and construction of the necessary municipal services and utilities. The said agreement shall be registered against the Subject Lands; and,
 - c) a Record of Site Condition shall be filed on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation, and Parks covering the residential portion of Phase 1 of the Subject Lands.
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 for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.”



Appendix II

Existing Land Uses

Official Plan Amendment No. 46

File: OP.18.013
Related Files: Z.18.020
Location: Part of Lot 4 and 5, Concession 2
Applicant: Promenade Limited Partnership
City of Vaughan