

## Committee of the Whole (2) Report

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**DATE:** Tuesday, January 21, 2020

**WARD(S):** 4

**TITLE: BENTALLGREENOAK  
VAUGHAN MILLS SECONDARY PLAN AREA**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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### **Purpose**

To seek Council's permission to allow BentallGreenOak to submit an Official Plan Amendment application before the second anniversary of the day on which the implementing Vaughan Mills Centre Secondary Plan came into effect, pursuant to subsection 22(2.2) of the *Planning Act*, R.S.O 1990, Chapter P. 13.

### **Report Highlights**

- Subsection 22(2.1.1.) of the *Planning Act* restricts a person's ability to request an amendment to a secondary plan before the second anniversary of the first day any part of it comes into effect. Subsection 22(2.2) provides that subsection 22(2.1.1) does not apply if Council declares by resolution that such requests are permitted.
- The Owner is seeking permission to apply for an Official Plan Amendment application before the second anniversary of the day (August 27, 2020) in which the implementing Vaughan Mills Centre Secondary Plan came into effect on the subject lands.

## **Recommendations**

1. “THAT Council grant its’ permission to BentallGreenOak pursuant to subsection 22(2.2) of the Planning Act to allow it to apply for an Official Plan Amendment application before the second anniversary of the day on which the implementing Vaughan Mills Centre Secondary Plan came into effect.”

## **Background**

On March 18, 2014 the City adopted the Vaughan Mills Centre Secondary Plan (“VMCSP”). The VMCSP was approved by the Region on July 11, 2014.

Several appeals of the VMCSP were filed to the then Ontario Municipal Board (“OMB”), now Local Planning Appeal Tribunal (“LPAT”). There were also several outstanding appeals of Vaughan Official Plan 2010 as it related to lands within the VMCSP. Most of the appeals were consolidated within the VMCSP appeal proceedings. By November 2018 there were four (4) appeals settled resulting in partial approvals of the VMCSP.

A Decision regarding the first form of approval of any portion of the VMCSP was granted by the LPAT on August 27, 2018. Given subsection 22 (2.1.1) of the *Planning Act*, that identifies there is a 2-year moratorium, BentallGreenOak would have to wait until August 27, 2020 to submit a formal application.

## **Previous Reports/Authority**

N/A

## **Analysis and Options**

***The Planning Act permits Vaughan Council to pass a resolution to permit a land Owner to apply for an Official Plan Amendment application, if required, within 2 years of the day on which the implementing Secondary Plan came into effect (August 27, 2020)***

Subsection 22 (2.2) of the *Planning Act* permits a Council to pass a resolution to allow an Owner to apply for an Official Plan Amendment application before the second anniversary of the day on which the implementing VMCSP came into effect.

BentallGreenOak owns a parcel of land within the approved portion of the VMCSPP and represents Leons. The lands affected by this specific request, representing 7.2 hectares (17.79 acres), are located in the northeast quadrant of the Bass Pro Mills and Highway 400 interchange area, as shown on Attachment 1. BentallGreenOak was not an appellant nor a party to the proceedings related to the various appeals before the OMB/LPAT for the VMCSPP.

BentallGreenOak have approached the City seeking to submit an Official Plan Amendment (“OPA”) application to redevelop their lands. The OPA application would seek to amend the height and density, similar with the heights and densities approved by the OMB on adjacent sites in the VMCSPP.

Any application submitted would need to be co-ordinated with the outstanding OMB/LPAT matters, as well as the remaining developments in the VMCSPP. Matters to be addressed would include, but not be limited to, the requisite hard and soft services required to support the proposed development in the context of existing approvals. More specifically, existing approvals are phased based on the provision of certain services due to issues with capacity.

Vaughan Council has previously considered a similar request. In December 2017 Council adopted a resolution permitting an application (File OP.17.003) in the Vaughan Metropolitan Centre prior to the two-year anniversary of the Secondary Plan.

### **Financial Impact**

There are no financial requirements for new funding associated with this report.

### **Broader Regional Impacts/Considerations**

There are no requirements from the York Region Community Planning Department.

### **Conclusion**

The Policy Planning and Environmental Sustainability Development Planning Department supports the request to permit the Owner to submit an Official Plan Amendment application before the second anniversary of the day on which the implementing VMCSPP came into effect. The proposed amendments to the VMCSPP would allow this development to be considered on a similar basis within the larger VMCSPP area, thereby allowing for a more comprehensive land use planning approach going forward.

**For more information**, please contact: Bill Kiru, Director, Policy Planning and Environmental Sustainability Department, Extension 8633.

**Attachments**

1. Location Map

**Prepared by**

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