

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 093-2020

A By-law to adopt Amendment Number 57 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 57 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedules “1” and “2”, is hereby adopted; AND
2. 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 29th day of June, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 57
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1” and “2” constitute Amendment Number 57 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.1 of Report No. 22
of the Committee of the Whole
Adopted by Vaughan City Council on
June 29, 2020.

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 mixed-use development on the Subject Lands.

This Amendment will facilitate the following with respect to the Subject Lands identified as, “Lands Subject to Amendment No. 57” on Schedule “1” attached hereto, subject to the requirements for a Section 37 Agreement:

1. To permit a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
2. To permit no minimum building height requirements for stand-alone commercial buildings and structures.
3. To permit a maximum Floor Space Index (“FSI”) of 7.8 times the area of the lot.
4. To permit a maximum floor plate size of 820 m².
5. To permit a publicly accessible pedestrian mews with a localized pinch-point of 10 m towards Highway 7, whereas the balance of the mews shall have generally a minimum width of 15 m.
6. To permit a minimum floor to floor height of 3.3 m where residential units are located on the ground floor of buildings.
7. To permit an amendment to Schedule “K”, Site-Specific Policy area, of the VMC Secondary Plan to add the Subject Lands and include the above amendments.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located immediately on the south side of Highway 7, between Commerce Street and Interchange Way, being Part of Lot 5, Concession 5, and are municipally known as 3301 Highway 7 in the VMC, City of Vaughan, as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 57.”

III BASIS

The decision to amend VOP 2010 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 SmartVMC Bus Terminal, the Toronto Transit Commission ("TTC") VMC Subway Station, and the VivaNext Bus Rapid Transit ("BRT") along Highway 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 2020 ("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 and high density built form 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 while efficiently utilizing land and resources within a designated Urban Growth Centre (a "UGC"). The future residents of the development would have direct access to a vibrant, urbanized privately-owned, publicly accessible open space, as well as be within a 10-minute walking distance to the Black Creek Channel, the planned future urban park in the southwest quadrant of the VMC, the VMC Mobility Hub and the Edgeley Pond and Park, together providing areas for programmed activities that encourage 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 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 within a designated UGC. The development is consistent with the policies of the PPS and promotes its goals and objectives.

3. The Provincial A Place to Grow – Growth Plan for the Greater Golden Horseshoe (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 unit types that would assist in improving social equity and access to housing options for users at varying incomes and stages of life. It contributes to the betterment of human health with access to privately-owned, publicly accessible open spaces and amenity areas. It further contributes to 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 in close proximity to higher-order transit, and supports the UGC designation.

The Development contributes to achieving a complete community by introducing a housing form in the VMC that has direct access to open spaces, a pedestrian-

oriented retail spine and significant amenity areas to serve its residents. The building design and streetscape promotes a high-quality of life that is focused on the neighbourhood scale where the demand for vehicles is reduced due to the proximity of the Subject Lands to higher-order transit, which reduces greenhouse gas emissions, and promotes 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, and supports the UGC designation

4. The York Region Official Plan ("YROP") designates the Subject Lands "Urban Area", which is in a "Regional Centre.", which is also identified within a provincially designated UGC. 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 2,470 residential units that range from bachelor units to two-bedroom unit sizes, in high-rise and grade-related built forms that are compact and contribute to a diverse housing stock in York Region near higher-order transit options. The development integrates a pedestrian-friendly retail courtyard and urban form that integrates with and is enhanced by the high-quality designed buildings and landscape. 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 retail courtyard, streetscapes and the introduction of the high-rise and grade-related units complements the existing and planned surrounding commercial, office, retail, cultural and community 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 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 density 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, including off-site improvements and adequate infrastructure.

6. On December 17, 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 November 5, 2019. The recommendation of the Committee of the Whole to receive the November 5, 2019, Public Hearing report, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on November 19, 2019. Vaughan Council approved Official Plan Amendment File OP.19.006 (2748355 Canada Inc.) on June 29, 2020, having considered a comprehensive report at a Committee of the Whole meeting on June 9, 2020.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

1. Amending Schedule “K”, attached hereto as Schedule “2”, thereby identifying the Subject Lands located immediately on the south side of Highway 7, between Commerce Street and Interchange Way as “Area J”.
2. Adding the following after Policy 9.3.11 Area I:

“(OPA #57) **Area J**

9.3.12 1. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, the maximum permitted density (Floor Space Index (FSI)) shall not exceed 7.8 times the area of the lot and the maximum building envelope shall not exceed 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the 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.

2. Notwithstanding Schedule I, Height and Density Parameters, of the VMC Secondary Plan, no minimum

building height shall be applied for stand-alone commercial and accessory buildings and/or structures.

3. Notwithstanding Policy 8.7.19 of the VMC Secondary Plan, the maximum permitted tower floor plate size shall be 820 m².

4. Notwithstanding Policies 4.3.3 and 4.3.16 and Schedule C, Street Network, of the VMC Secondary Plan, the publicly accessible pedestrian mews shall generally have a minimum width of 15 m except at a localized pinch-point towards Highway 7 where the minimum width may be 10 m wide.

5. Notwithstanding Policy 8.6.3 and Schedule H, Areas for Retail, Service Commercial or Public Uses, of the VMC Secondary Plan, ground floor residential units shall be permitted to have a minimum floor to floor height of 3.3 m.

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, 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.

APPENDIX I

The Subject Lands are located immediately on the south side of Highway 7, between Commerce Street and Interchange Way and municipally known as 3301 Highway 7 in the Vaughan Metropolitan Centre (“VMC”), City of Vaughan.

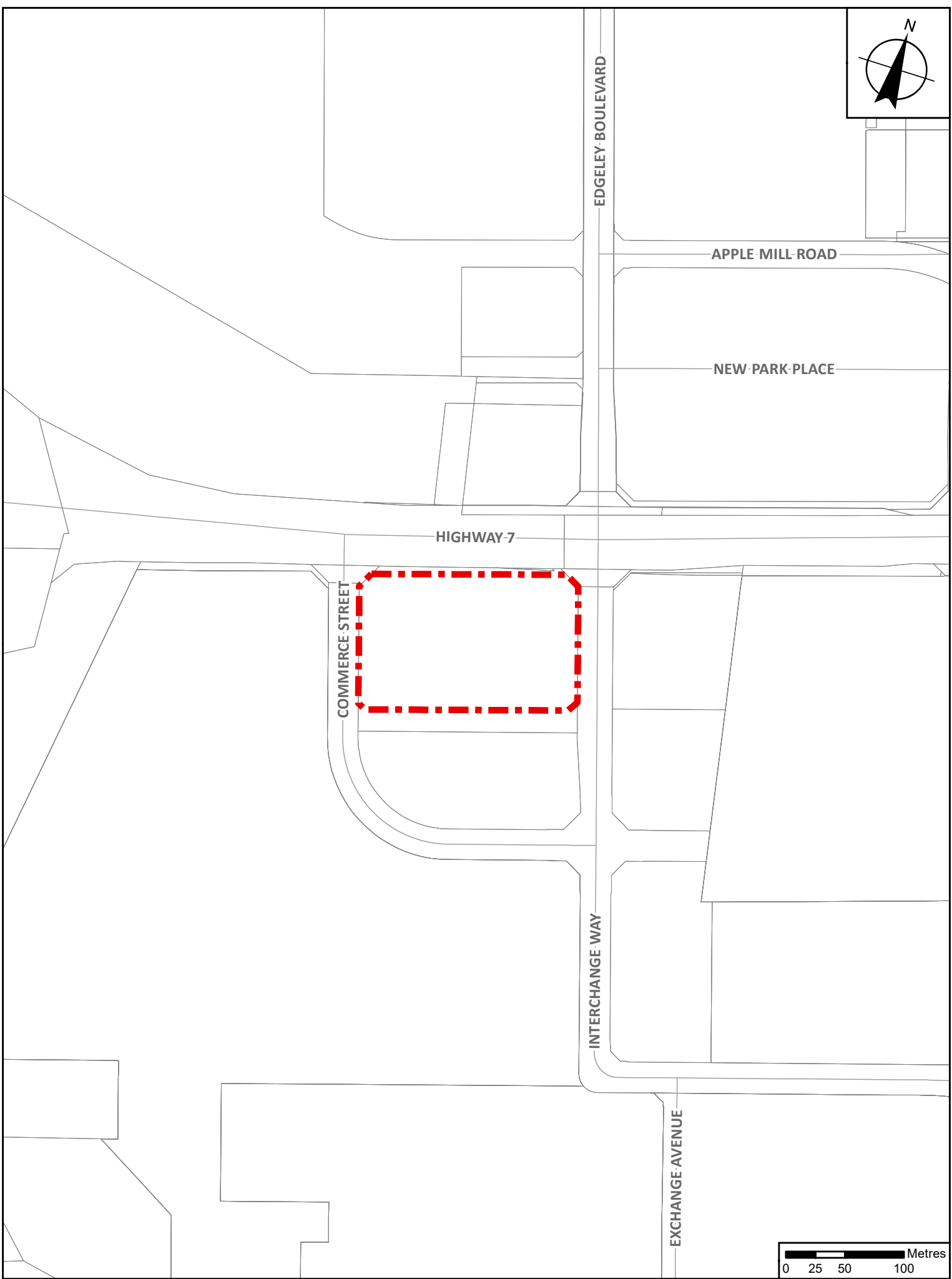
The purpose of this Amendment is to permit the following on the Subject Lands:

- a) a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law, subject to the requirements for a Section 37 Agreement, pursuant to the *Planning Act*
- b) No minimum building height requirements for stand-alone commercial and accessory buildings and/or structures
- c) a maximum permitted density (Floor Space Index (FSI)) of 7.8 times the area of the lot
- d) a maximum permitted tower floor plate size of 820 m²
- e) a reduced width of a publicly accessible pedestrian mews measuring 10 m at a localized pinch-point towards Highway 7
- f) a reduced floor to floor height of 3.3 m where residential units are located on the ground floor of a building and along frontages where retail, service commercial or public uses are recommended on Schedule H of the Secondary Plan
- g) an amendment to Schedule “K”, Site-Specific Policy Area, of the VMC Secondary Plan to include the above amendments

On June 29, 2020, Vaughan Council ratified the June 9, 2020 Committee of the Whole recommendations, as amended, to approve Official Plan Amendment File OP.19.006 (and the corresponding Zoning By-law Amendment File Z.19.017 and Site Development Plan File DA.18.075). Vaughan Council approved the following recommendations:

1. THAT Official Plan Amendment File OP.19.006 (2748355 Canada Inc.) BE APPROVED; to amend Vaughan Official Plan 2010 (‘VOP 2010’) and Volume 2 of VOP 2010, specifically the Vaughan Metropolitan Centre Secondary Plan (VMCSP), to add a new Site-Specific Policy Area on Schedule ‘K’ to permit the following:
 - a. An increase to the maximum permitted building height from 30-storeys to a maximum building envelope not exceeding 59-storeys in height, in which each individual tower shall be limited to and not exceed the maximum geodetic height permissions prescribed in the Zoning By-law.
 - b. No minimum building heights for stand-alone commercial and accessory buildings and/or structures.
 - c. An increase to the maximum permitted density (Floor Space Index (FSI)) from 5.0 times the area of the lot to an FSI of 7.8 times the area of the lot.
 - d. An increase to the maximum permitted tower floor plate size from 750 m² to 820 m².
2. THAT Zoning By-law Amendment File Z.19.017 (2748355 Canada Inc.) and Zoning By-law Amendment File Z.19.018 (Mobilio Developments Ltd.) BE APPROVED; to amend By-law 1-88, as amended, as shown on Attachment 1 to permit:
 - a. the transfer of 55,741.82 m² of unused Gross Floor Area from the Donor Site to the Receiver Site.
 - b. a maximum permitted Gross Floor Area of 105,177.48 m² on the Donor Site.
3. THAT Zoning By-law Amendment File Z.19.017 BE APPROVED to:
 - a. amend By-law 1-88, as amended, in the manner shown on Attachment 2, together with the site-specific zoning exceptions as generally identified in Table 1 of this report.

- b. permit the bonusing for increased building height and density for the proposed development shown on Attachments 2 to 18 in return for the following provision of off-site community benefits totaling \$1,093,781.00, pursuant to the *Planning Act*, the policies of VOP 2010 and the VMCSPP, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* :
 - i. \$377,000.00 related to enhancements to the Millway Avenue Linear Park between Interchange Way and Exchange Avenue; and
 - ii. \$716,781.00 towards a reserve for a future cultural / community hub located south of the Subject Lands.
4. 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 3b. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 191-2019 for Planning Applications, prior to the execution of the Section 37 Agreement.
5. THAT prior to the enactment of the implementing Zoning By-law, the Owner submit all outstanding and applicable planning fees to the satisfaction of the VMC Program.
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 Site Development File DA.18.075, BE DRAFT-APPROVED SUBJECT TO THE CONDITIONS identified on Attachment 20, to the satisfaction of the VMC Program to permit the proposed development.
8. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:
 - a. "THAT Site Plan Development Application DA.18.075 (Phase 1) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,295 residential apartment units (2,862 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Allocation of Servicing Capacity Policy in the event that the development does not proceed to registration and/or building permit issuance within 36 months."
 - b. "THAT Site Plan Development Application DA.18.075 (Phase 2) be reserved servicing capacity from the York Sewage Servicing / Water Supply System for a total of 1,175 residential apartment units (2,597 persons equivalent). At the discretion of the City, this reservation shall automatically be revoked after a period of twelve (12) months in accordance with the City's Allocation of Servicing Capacity Policy."

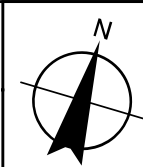


This is Schedule '1'
To Official Plan Amendment No. 57
Adopted the 29th Day Of June, 2020

File: OP.19.006
Related File: Z.19.017, DA.18.075
Location: Part of Lot 5, Concession 5
Applicant: 2748355 Canada Inc.
City of Vaughan



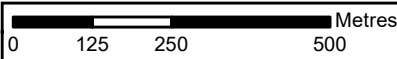
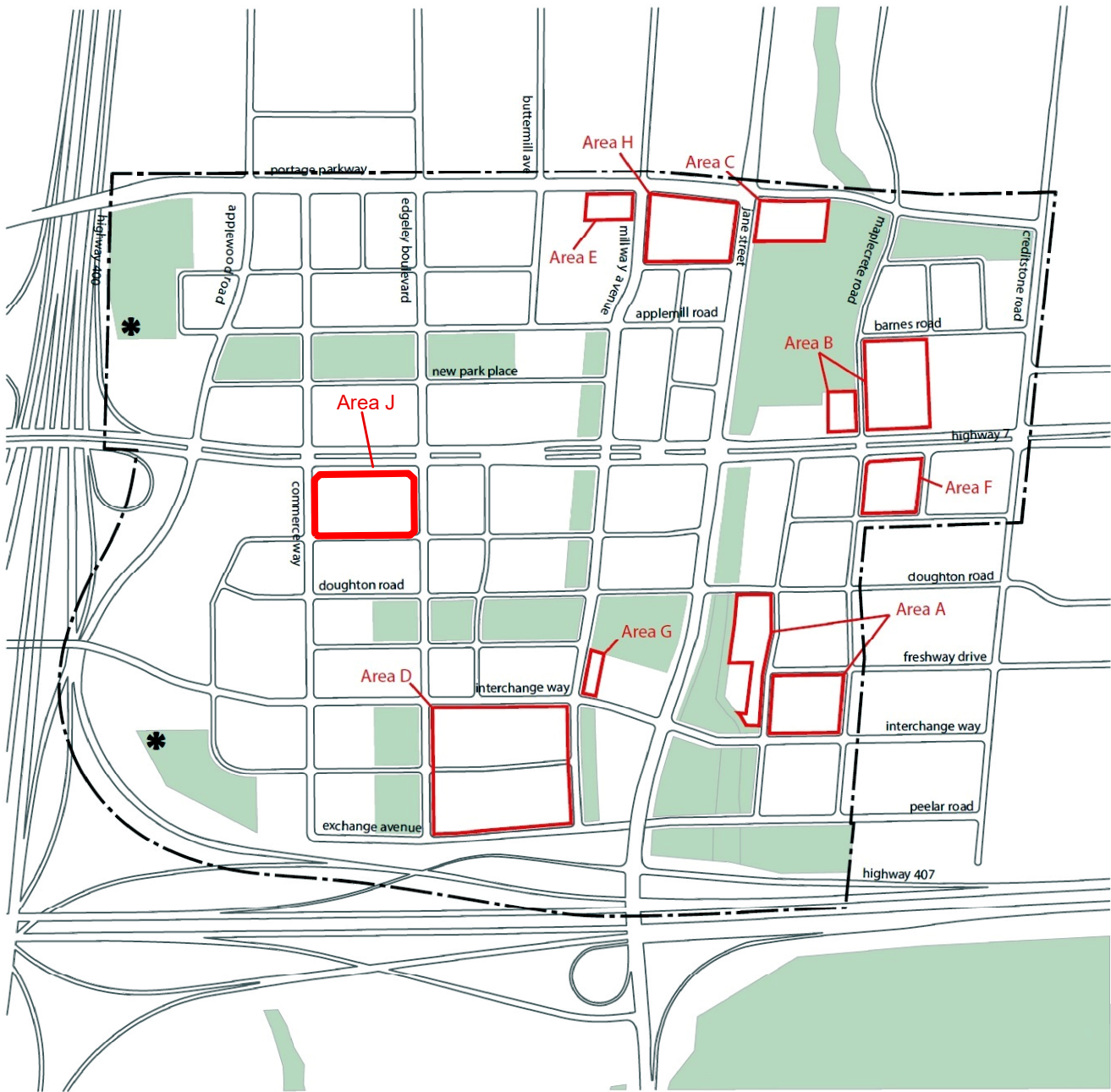
Lands Subject to
Amendment No. 57



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 '2'
To Official Plan Amendment No. 57
Adopted the 29th Day Of June, 2020

File: OP.19.006
Related File: Z.19.017, DA.18.075
Location: Part of Lot 5, Concession 5
Applicant: 2748355 Canada Inc.
City of Vaughan

Lands Subject to
Amendment No. 57