

Item:



Committee of the Whole (Public Hearing) Report

DATE: Monday, September 17, 2018

WARD: 4

**TITLE: PROPOSED OFFICIAL PLAN AMENDMENT
SECTION 37 POLICIES VAUGHAN METROPOLITAN CENTRE
SECONDARY PLAN FILE NO. 26.16**

FROM:

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

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on a proposed amendment to Policy 8.1.23 of the Vaughan Metropolitan Centre Secondary Plan. The policy would waive the need for an Official Plan Amendment application for an increase to height and/or density for a proposed development, in conjunction with a Council supported contribution under Section 37 of the *Planning Act*.

Report Highlights

- Council's decision dated June 19, 2018 directed staff to hold a Statutory Public Hearing on September 5, 2018 to amend the Vaughan Metropolitan Centre Secondary Plan to permit an increase in height and/or density for a proposed development through a rezoning application within the Vaughan Metropolitan Centre Secondary Plan area without the need for an Official Plan Amendment application if there is an associated Council supported Section 37 contribution.
- To receive input from the public and Committee of the Whole regarding the proposed amendment to the Vaughan Metropolitan Centre Secondary based on Council's decision.
- A technical report will be prepared by the Policy Planning and Environmental Sustainability Department for consideration to a future Committee of the Whole meeting in Q1 of 2019.

Recommendations

1. That the Public Hearing Report on the proposed amendment to Policy 8.1.23 of the Vaughan Metropolitan Centre Secondary Plan (Section 11.12 of Vaughan Official Plan 2010 Volume 2) BE RECEIVED; and
2. That any matters identified through the Public Hearing process be reviewed and addressed by the Policy Planning and Environmental Sustainability Department in a comprehensive report to the Committee of the Whole in Q1 of 2019.

Background

On December 11, 2017, Council resolved through Communication C2, Item No. 3, responding to a staff report pertaining to Official Plan Amendment File OP.17.002 (Item 3, Report No. 45) from the Deputy City Manager, Planning and Growth Management, and the Director of Policy Planning and Environmental Sustainability and resolved the following:

That staff be directed to report no later than June 30, 2018 on an amendment to the VMC Secondary Plan to clarify that modifications to height and/or density in the VMC Secondary Plan area, that are being requested through Section 37 bonusing shall be implemented through a Section 34 zoning by-law amendment and that an official plan amendment would not be required notwithstanding policy 9.4.4 in the VMC Secondary Plan and policy 10.2.1.7 in Volume 1 of the Vaughan Official Plan 2010 (VOP 2010).

Committee of the Whole on June 5, 2018 considered report C5, Item No.13 from the Deputy City Manager, Planning and Growth Management requesting an extension to consider the proposed Official Plan Amendment in the context of the new planning regime established by Bill 139. The recommendation to the June 5, 2018, Committee of Whole was further amended through Communication C6, Item No. 13 to move forward with an amendment the Vaughan Metropolitan Centre Secondary Plan. The following recommendation was approved by Committee of the Whole on June 5, 2018 and Council on June 19, 2018.

That Recommendation 1 of the staff report dated June 5, 2018 be deleted and replaced with the following as Recommendation 1:

- i. That staff be directed to provide Notice in accordance with the Planning Act for a Statutory Public Hearing to be held in September 5, 2018; and*
- ii. That staff bring forward an Official Plan Amendment to the Vaughan Official Plan 2010, Volume 2, (Vaughan Metropolitan Secondary Plan Chapter 11.12) in the first quarter of 2019 for Council Adoption.*

Previous Reports/Authority

The extract from the Council meeting minutes and communications of December 11, 2017 – including Item No. 3, Report 45 (Official Plan Amendment File OP.17.002 Committee of the Whole staff report) and Communication Item C2, Item No. 3 can be accessed through the following link: ([here](#))

The June 5, 2018 Committee of Whole Report (C5, Item No.13) can be accessed through the following link: ([here](#))

The June 5, 2018 Committee of Whole Communication (C6, Item No. 13) can be accessed through the following link: ([here](#))

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol.

Notification of this meeting was provided through the following methods:

- a) The notice of Public Hearing was mailed to those within 200 metres from the Vaughan Metropolitan Centre Secondary Plan area on August 10, 2018, exceeding both the *Planning Act* and Council notification protocol requirements.
- b) Notification was provided on the City Page at www.vaughan.ca.
- c) Notification was provided to individuals who had requested notification, as well as community and ratepayers' associations citywide.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a communication item. All written comments that are received will be reviewed by the Policy Planning and Environmental Sustainability Department as input through the review process and will be addressed in a technical report to be considered at a future Committee of the Whole meeting in Q1 of 2019.

Analysis and Options

The Vaughan Metropolitan Centre (VMC) is Vaughan's new downtown and includes a subway station, bus terminal and a York Viva bus rapid way station (see Attachment 1 - Area of VMC). The effective and efficient approvals of development applications in the VMC is paramount to the continued success of the creation of a downtown and a world

class transit hub. The current Vaughan Metropolitan Centre Secondary Plan (VMC SP) establishes heights and densities through Schedule I of the Plan. Development applications currently being approved and submitted in the VMC have sought and established greater building heights and densities than those prescribed by Schedule I of the VMC SP. Based on the type of development being built in the VMC, flexibility is required to ensure the timely approval of development applications to support growth adjacent to the transit hub.

Section 37 of the *Planning Act* permits Council to authorize an increase in building height and/or density in return for the provision of community benefits. Policy 8.1.23 of the VMC SP outlines the general requirements for the use and necessary agreement(s) to implement a Section 37 community benefit contribution and is appended to this report as Attachment #2.

Policy 9.4.4, Volume 2 of the VMC SP requires an Official Plan Amendment to increase the maximum prescribed building height and/or density within the VMC, even if a Section 37 contribution is provided. Therefore, an amendment to Policy 8.1.23 of the VMC SP is required to waive the need for an Official Plan Amendment to permit an increase to building height and/or density through a Zoning By-law Amendment, if a Section 37 contribution is approved by Council.

Proposed Official Plan Amendment 8.1.23(c)

The proposed policy 8.1.23(c) to the VMC SP (see Attachment 2) would permit Council to authorize an increase to building height and/or density of a development without the need for an Official Plan Amendment application in conjunction with the approval of a rezoning application and a community benefit (Section 37) contribution. If the proposal does not comply with other applicable policies of Volume 1 of the Official Plan or the VMC SP, in addition to Schedule I of the VMC SP (height and density), an Official Plan Amendment application would still be required.

Financial Impact

The overall financial impact of this VMC policy initiative will be addressed in tandem with the comprehensive review of the Zoning By-law and other strategic corporate initiatives.

Broader Regional Impacts/Considerations

N/A

Conclusion

Consistent with Council's June 19, 2018 direction, exempting the need for an Official Plan Amendment within the VMC for an increase to building height and/or density

through a rezoning application in conjunction with a Council approved community benefit (Section 37) contribution, will provide flexibility to allow development applications to proceed in a timely manner.

For more information, please contact: David Marcucci, Senior Planner-LPAT, Policy Planning and Environmental Sustainability, ext. 8410

Attachments

1. Location Map Vaughan Metropolitan Centre.
2. Proposed Official Plan Amendment to Policy 8.1.23 of the Vaughan Metropolitan Centre Secondary Plan.

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