

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 025-2016

A By-law to adopt Amendment Number 749 to the Official Plan of 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 749 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule “1” 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 16th day of February, 2016.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

AMENDMENT NUMBER 749
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 749 to the Official Plan of the Vaughan Planning Area and Schedule "1" constitute Amendment Number 749.

Also attached hereto but not constituting part of the Amendment is Appendices "I" and "II".

Authorized by Item No. 14 of Report No. 7
of the Committee of the Whole
Adopted by Vaughan City Council on
February 16, 2016

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment Number 500 (Vaughan Corporate Centre Plan), as amended by Amendment Numbers 528, 663 (The Avenue 7 Land Use Future Study Plan), and 698.

The subject Amendment pertains to the lands shown as “Area Subject to Amendment No. 749” on Schedule “1” attached hereto. The purpose of this Amendment is to include site-specific policies for the Subject Lands (7895 Jane Street), specifically:

- a) a definition of “Net Density”;
- b) permitting a maximum density of 4.15 Floor Space Index (FSI) and maximum building height of 35-storeys (113 m); and,
- c) provisions of community benefits in the Vaughan Metropolitan Centre (VMC), in accordance with Section 37 of the Planning Act.

II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands") are shown on Schedule "1" attached hereto as “Area Subject to Amendment No. 749.” The Subject Lands are located on the southeast corner of Jane Street and the future extension of Portage Parkway, municipally known as 7895 Jane Street, being part of Lots 6 and 7, Concession 4, City of Vaughan.

III BASIS

The decision to amend the Official Plan to permit site-specific policies on the Subject Lands 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 development. The PPS aims to achieve appropriate development while ensuring resources of provincial interest, public health and safety, and quality of natural environment are protected. All planning decisions in Ontario must be consistent with these policies.

The PPS includes policy direction related to building strong communities and encourages a variety of land uses within communities, including a range and mix of residential uses, and encourages development that make an efficient use of infrastructure. The Subject Lands are located in close proximity to the VMC Subway Station and the planned regional transit system and will promote a transit-supportive density for intensification and transit infrastructure

investment. The development accommodates a range of housing forms (apartment units, ground-related back-to-back townhouses, and traditional townhouses) that optimizes the existing and planned infrastructure.

The development is consistent with the goals, objectives, policies of the PPS, is transit-supportive, located within walking distance of major transportation infrastructure, and supports active transportation in an area targeted for intensification and infrastructure investment.

2. The Provincial Growth Plan for the Greater Golden Horseshoe ("Growth Plan") provides direction on the management of growth within the Greater Golden Horseshoe and provides further direction (compact built form, vibrant and complete communities) in conjunction with the PPS. The Growth Plan contains principles that support intensification of the existing built-up areas, with focus on urban growth centres and supports the efficient use of land and infrastructure in order to ensure the development of healthy, safe, and balanced communities.

The development conforms to the policy framework of the Growth Plan as it optimizes the use of the existing land supply within an urban growth centre (VMC), contributes to the objective of creating a compact complete community by providing transit-supportive development within 500m of the VMC Subway Station and the planned regional transit system.

3. The development is located in the "Urban Area", specifically identified as being within a "Regional Centre", in the partially approved York Region Official Plan ("Regional Plan"). Regional Centres are the primary locations identified for the most intensive and greatest mix of development in the Region. The policy framework of the Regional Plan includes an urban built form that is designed and oriented to people and the creation of attractive streets. The Regional Centre designation encourages the highest development densities and greatest mix of uses in York Region in order to facilitate higher transit usage. The development implements the policies of the Regional Plan being a high-density, transit-oriented residential development located within 500m of the VMC Subway Station and the planned Regional Transit system in an identified Regional Centre.

4. The development is located in the boundaries of the VMC and has regard for the adopted VMC Secondary Plan and meets the general intent and purpose of the policy framework set out therein for the VMC and the Subject Lands.

5. It is contemplated that the VMC will be developed with an extension of Portage Parkway from Jane Street to Creditstone Road; a portion of which is anticipated to traverse the northerly portion of the Subject Lands. It shall be a priority of the City to acquire the right-of-way for the future

extension of Portage Parkway east from Jane Street to Creditstone Road through a land dedication as a condition of development approvals or outright purchase.

6. Having received a statutory Public Hearing held on November 3, 2015, on February 16, 2016, Vaughan Council approved Official Plan Amendment Application File OP.15.003 to include a site-specific definition of net density, permit a maximum density of 4.15 FSI and maximum building height of 35-storeys (113m) on the Subject Lands, and include provision of community benefits in the VMC, in accordance with Section 37 of the Planning Act, under Amendment No. 749.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 500, as amended by OPA Nos. 528, 663, and 698 to the Official Plan of the Vaughan Planning Area is hereby further amended by:

1. Adding the following Paragraph 6.3 c) to Section 6.3 Site-Specific Policies, after Paragraph 6.3 b):

“(OPA 749) c) 7895 Jane Street:

- i) Notwithstanding Policy 3.1.c), General, for the purposes of calculating the Net Density (Floor Space Index (FSI)), net developable land shall include the land used for buildings, private landscaped open space, off street parking and servicing areas, new city streets, city street widenings / extensions, but shall exclude street widenings acquired by a public authority through expropriation or acquisition for compensation, or dedication of lands to a public authority for public open space;
- ii) Notwithstanding Section 3.4.3 d), Policies, the maximum density shall be 4.15 FSI for the Subject Lands;
- iii) Notwithstanding Section 4.2.2 c), Road Network, development of the Subject Lands shall proceed by way of development agreement and site plan agreement;
- iv) Notwithstanding Section 6.4.10, Increased Height and Density By-law, the maximum building height shall be 35-storeys (113m).
In accordance with Section 37 of the Planning Act, Vaughan Council authorizes an increase in building height to 35-storeys, that will be established in the implementing zoning by-law, in return for the payment of \$135,000.00 to the City of Vaughan

towards the provision of community benefits to be applied within the boundary of the Vaughan Metropolitan Centre (VMC), that will be implemented through an agreement between the Owner of the Subject Lands and the City of Vaughan. Payment of the Section 37 amount shall be prior to the issuance of the first above grade Building Permit.

In addition to the community benefits identified in Policy 10.1.2.9 of Volume 1 of the Vaughan Official Plan 2010 that may qualify for bonusing, the following benefits may also qualify:

- Subway entrances in buildings adjacent to Millway Avenue;
- Cultural facilities within the VMC, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City of Vaughan as desirable for the VMC area, but which are beyond the City of Vaughan's standard levels of service or facilities;
- Public amenities within identified environmental open spaces within the VMC, including but not limited to permanent pathways, recreational trails and bridges that are not accommodated by the City of Vaughan's standard levels of service;
- Structured parking for vehicles and/or bicycles (below or above grade) to be transferred to a public authority for use as public parking;
- Streetscape, mews and open space design enhancements within the VMC that are above the City of Vaughan's standard levels of service;
- Upgrades to community facilities within the VMC that are beyond the City of Vaughan's standard levels of service; and,
- Other community facilities identified by the City of Vaughan as desirable for the VMC, but which are not accommodated in the City's standard levels of service.

v) It is intended that the development of the Subject Lands will

include the provision of a reference plan that establishes:

- a new north property line, to the satisfaction of the City, to accommodate the portion of the Portage Parkway Extension that traverses through the northern portion of the Subject Lands to be conveyed to the City; and
- a new south property line, to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA) to accommodate a 10 metre buffer between the development and the top-of-bank of the Edgeley Pond.

Based on the location of the final north and south property lines as determined in the reference plan to the satisfaction of the City, and the TRCA as applicable, the development may extend into the portion of the Subject Lands identified in the site-specific zoning by-law as OS2 Open Space Park Zone, provided that a 10 metre buffer between the development and the top-of-bank of the Edgeley Pond is maintained. (OPA 749)”

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the Vaughan Zoning By-law and Site Development approval, pursuant to the Planning Act. A minor variance to the site-specific zoning by-law may also be required to address any changes to the area of the zones impacted by the ultimate location and alignment of Portage Parkway and reflected in a reference plan, to the satisfaction of the City. Should any changes be required to the boundary of the Open Space zone as identified in the site-specific zoning by-law, both the City and the TRCA must be satisfied.

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.

APPENDIX I

The Subject Lands are located on the east side of Jane Street, south of the future Portage Parkway, municipally known as 7895 Jane Street, being Part of Lots 6 and 7, Concession 4, City of Vaughan.

On February 16, 2016, Vaughan Council considered applications to amend the Official Plan, Zoning By-law and resolved the following (in part), with respect to the Official Plan Amendment application:

“The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Official Plan Amendment File OP.15.003 (Berkley Commercial (Jane) Inc.) BE APPROVED, specifically to amend OPA #500 (The Vaughan Corporate Centre Plan), as amended by OPA #528, OPA #663 (The Avenue 7 Land Use Future Study Plan), and OPA #698 on the subject lands shown on Attachments #1 and #2, to:
 - a) increase the maximum permitted Floor Space Index (FSI) from 2.5 FSI to 4.15 FSI; and,
 - b) include a site-specific definition of “net density” on the subject lands, in accordance with Table 1 of this report.
2. THAT the implementing site-specific Official Plan Amendment permit a maximum building height of 35-storeys (113 m) on the subject lands.
4. 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 payment of \$135,000.00 towards, but not limited to, public art, cash contribution for community benefits, and enhanced streetscaping, to be applied within the boundary of the Vaughan Metropolitan Centre (VMC), that will be implemented through an agreement between the Owner and the City of Vaughan to be executed prior to final approval of the Official Plan and Zoning By-law Amendments. Payment of the Section 37 amount shall be prior to the issuance of the first Building Permit for any above grade structure(s).
5. THAT Official Plan Amendment File OP.15.003 and Zoning By-law Amendment File Z.15.008 BE reserved servicing capacity from the York / Water Supply System for a total of 1,364 persons equivalent (593 units). This reservation shall automatically be revoked after a period of 12 months in the event that a Site Plan Agreement has not been executed.”