

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013

Item 41, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

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**PLANNING ACT
SECTION 37
DENSITY BONUSSING AGREEMENTS
WARDS 3 AND 5**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Legal & Administrative Services/City Solicitor and the Commissioner of Planning, dated June 18, 2013:

Recommendation

The Commissioner of Legal & Administrative Services/City Solicitor and the Commissioner of Planning recommend:

1. That a by-law be enacted to authorize the execution of Section 37 Density Bonussing agreements with 2150645 Ontario Inc. and 1541677 Ontario Limited in a form satisfactory to the City Solicitor and the Commissioner of Planning.

Contribution to Sustainability

The owners of both developments have proposed or will be proposing many sustainable features to be incorporated into the developments.

Economic Impact

The City will receive \$600,000 in Density Bonussing from the development at the north east corner of Weston Road and Regional Road 7, \$300,000 at the time of issuance of each of the two building permits. The City will receive \$150,000 in park improvements for the development at the south west corner of Bathurst Street and Beverley Glen Blvd.

Communications Plan

The applicants will be advised of Council's action.

Purpose

The purpose of this report is to obtain Council authorization for execution of two Section 37 Density Bonussing Agreements

Background - Analysis and Options

Section 37 authorizes a municipality with appropriate Official Plan provisions to pass zoning by-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law, in return for the provision by the owner of community benefits. The community benefits must be set out in the zoning by-law. The community benefits may be secured in an agreement which may be registered on title.

The term "community benefits" reflects the City's priority on providing public benefits within the local community in which the contributing development project is located. The increase in height and/or density is an incentive to the developer to provide community benefits at no cost to the City.

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These proposed agreements contain standard provisions acknowledging that the facilities, services and matters to be provided do not constitute Development Charges, nor do they qualify as a development charge credit, and they do not constitute a parks levy payment. The agreements will be registered on title to the lands and correspondingly be binding on successors in title.

Agreement 1 – Ward 3

Northeast corner of Weston Road and Regional Road 7
7777 Weston Road
2150645 Ontario Inc., C/O Liberty Development Corporation

On June 26, 2012, Council approved Official Plan Amendment File OP.08.005 and Zoning Bylaw Amendment File Z.08.022 on the lands municipally known as 7777 Weston Road. The approvals included conditions for density bonussing of a cash contribution of \$600,000 (\$300,000 per building) for community benefits, including public art and enhanced streetscaping to be agreed to through an executed density bonussing agreement between the Owner and the City.

This agreement provides for a payment of \$300,000 upon issuance of an above ground building permit for each building.

Agreement 2 – Ward 5

Southwest corner of Bathurst Street and Beverly Glen Boulevard
7890 Bathurst Street
1541677 Ontario Limited

On March 19, 2013, Council approved Official Plan Amendment File OP.11.007, Zoning Bylaw Amendment File Z.11.032, and Site Development File DA.12.057 on the lands municipally known as 7890 Bathurst Street. The approvals included conditions for density bonussing for community benefits, including public art, enhanced streetscaping and improvements to Thornhill Green Park to be agreed to through an executed density bonussing agreement.

This agreement provides for the Owner to design and install park improvements prior to the first occupancy of a residential unit on the site, including site furnishings (benches and picnic tables), playground expansion, shade structure, and woodlot improvements. The Owner shall post a Letter of Credit as security with the City which will be released after the work has been certified to the City's satisfaction and after a one year warranty has expired.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is consistent with the priorities previously set by Council.

Regional Implications

None

Conclusion

It is in order to enact a bylaw to authorize the execution of the density bonussing agreements as the next step in the development process.

Attachments

Attachment 1 – Location Map, Agreement 1
Attachment 2 – Location Map, Agreement 2

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)