

10.0 > IMPLEMENTATION

10.1 General

- 10.1.1 This Secondary Plan shall be implemented using some or all of the following, as provided for under the Planning Act:
- the approval of individual draft plans of subdivision/condominium and part lot control exemptions;
 - the enactment of zoning by-laws;
 - the use of density and height bonusing provisions;
 - the execution of Letters of Undertaking and/or registration of site plan agreements;
 - the use of the Holding Symbol “H”;
 - the dedication of parkland or cash-in-lieu of parkland;
 - the use of powers and incentives enabled by a Community Improvement Plan;
 - the use of development agreements registered on title.
- 10.1.2 The City shall work cooperatively with the Region of York, the Toronto and Region Conservation Authority and the relevant transit providers, in consultation with landowners, the public and developers, to facilitate and coordinate implementation of public and private development in the VMC, in accordance with this plan.
- 10.1.3 To attract development, businesses and people to the VMC, the City shall:
- actively promote the VMC to the Federal, Provincial and Regional governments as an appropriate location for government offices;
 - prepare an Economic Development and Marketing Plan for the VMC to promote office, institutional, educational and other development;
 - work with landowners and developers to facilitate the development of office space for public agencies and private tenants.
- 10.1.4 As an initial step to establishing the VMC as a civic destination, the City shall complete a Cultural Facilities and Public Art Plan for the VMC, as described in Section 7.4.
- 10.1.5 The City will undertake a fiscal impact analysis of planned development in the VMC to inform capital planning and the preparation of a community improvement plan.

10.2 Infrastructure

- 10.2.1 The City will continue to cooperate with the Region of York and transit agencies to expedite the planning, design and construction of the Spadina Line Subway Extension and regional transit improvements.
- 10.2.2 The City, in partnership with the Region of York and in consultation with the Ontario

Ministry of Transportation, will initiate a detailed study of potential road network improvements within and beyond the VMC to identify improvements that will significantly reduce truck traffic and through traffic generally in the VMC, supplementing the strategies of this plan. The study will consider alternatives to linking the planned VMC street network to Highway 400 and determine a preferred alternative. The study will include a strategy for implementing the recommended improvements.

10.2.3 The City and the Region of York, in cooperation with the Ontario Ministry of Transportation, will complete Environmental Assessments for major new or improved roads in the VMC that may be required in advance of development on affected lands, including the Creditstone-Portage-Applemill Bypass.

10.2.4 The City, through the development approval process, shall assist the Region of York in protecting and obtaining lands required for right-of-ways, road widening or other facilities for the provision of public transit services through the development approval process.

10.2.5 Where lands have been identified as required for the construction of the road network or for parkland, and where such lands are the subject of a development application, the dedication of such lands shall be required as a condition of development approval.

10.2.6 The City, at its discretion, may directly purchase or expropriate lands for planned infrastructure improvements, in order to foster the planned and orderly development of the VMC. It is the City's intention that the funds for such acquisition of land and for the construction of planned road or transit improvements be provided to the greatest extent practical through a charge against development in the VMC and/or the City and/or the Region under the provisions of the Development Charges Act, or by other means available to the City.

10.2.7 To encourage, support and expedite development of the VMC, the City shall include planned transportation improvements in the capital works forecasts and any Development Charges By-law, in such a fashion as to permit development without delay. The City will urge other levels of government to proceed likewise in circumstances where the jurisdiction for a transportation network improvement is not with the City. The specific need and timing for these improvements will be determined based on the monitoring program set out in Section 10.9 of this plan.

10.2.8 The City shall complete a District Energy Feasibility Study and prepare a Community Energy Plan for the VMC.

10.3 Plans of Subdivision

- 10.3.1 To secure the related infrastructure improvements and community facilities required, all new development in the VMC that requires the conveyance of land for roads, parks and/or other public facilities, as part of its initial development application process, shall proceed by way of the subdivision approval process. The City shall implement the planned network of minor collector and local roads through this process.
- 10.3.2 Plans of subdivision shall include the full extent of property ownership or other appropriate planning unit as agreed upon between the applicant and the City. Plan of subdivision applications shall include a Development Concept Report and Phasing Plan, as described in Policy 10.6.1, prepared to the City's satisfaction. The City shall approve only plans of subdivision/condominium that:
- conform with the policies and designations of this Secondary Plan;
 - can be provided with adequate services and facilities as required by this Plan; and,
 - are not premature and are in the best interest of the municipality.

10.4 Zoning By-law

- 10.4.1 To permit development in accordance with this plan and prevent development not in accordance with this plan, Council shall enact amendments to the City's Zoning By-law.
- 10.4.2 The City may, when enacting implementing zoning by-laws, apply the Holding Symbol "H" and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:
- a. A Development Concept Report has not been submitted and finalized to the City's satisfaction;
 - b. Public infrastructure and community facilities, such as sanitary sewers, water supply, stormwater management facilities, parks, recreation facilities and schools, are insufficient to serve the proposed development;
 - c. The existing road network does not have the capacity or is inadequately designed for the anticipated traffic from development and/or the access it requires;
 - d. Development relies upon other matters occurring first, such as the consolidation of land ownership and/or the finalization of an agreement among landowners regarding the development and funding of community infrastructure and services;
 - e. A Letter of Undertaking and/or a Site Plan Agreement is required;
 - f. Technical studies are required on matters related to traffic, stormwater management, noise and vibration, and/or environmental constraints.

- 10.4.3 Proposed developments that do not require the dedication of land for public roads or other

infrastructure may be approved through the rezoning and site plan review process. In such cases, rezoning applications shall include a Development Concept Report and other materials described in Policy 10.6.

10.5 Site Plan and Design Review

10.5.1 The VMC Secondary Plan area is subject to site plan control.

10.5.2 All development in the VMC, including private and public buildings, shall be subject to review by the City's Design Review Panel prior to Council approval. Any proposed development that may proceed prior to the establishment of the Design Review Panel shall be subject to a peer review process to be defined by the City, at the expense of the proponent.

10.6 Development Applications

10.6.1 To ensure private development is coordinated with public infrastructure, phased appropriately, and fully conforms to this plan, development applications, including Official Plan Amendment, Plan of Subdivision, Rezoning and Site Plan applications, for properties comprising one or more planned development blocks shall include a Development Concept Report. The Development Concept Report shall include the following:

- a. Lotting Plan that delineates and dimensions the lots proposed on each block;
- b. Development Block Master Plans that illustrate the conceptual site plans and proposed density and massing of buildings for individual blocks bounded by streets or public open spaces;
- c. Access and Circulation Plan for pedestrians, vehicles and cyclists;
- d. Streetscape and Open Space Plan;
- e. Street and relevant infrastructure design demonstrating consistency with the findings of the Black Creek Stormwater Optimization Master Plan Class Environmental Assessment Study and the City-Wide Drainage and Stormwater Management Criteria Study;
- f. Shadow and wind studies where high-rise and mid-rise buildings are proposed;
- g. Affordable Housing Plan, where required;
- h. Sustainable Development Report;
- i. Context Plan.

10.6.2 Development shall be phased to provide for the orderly development of the VMC, and to ensure the most efficient and economical use of existing and planned infrastructure. Phases are to be based upon the existence of, or commitment to construct planned transit facilities, components of the road network, utilities and community services. As a component of the Development Concept Report, development applications shall include a Phasing Plan that:

- a. describes and illustrates how existing and proposed development can be incorporated into the site to achieve the full development potential of the site;
- b. considers existing neighbouring uses and the potential need to buffer or stage uses;
- c. identifies the public infrastructure and facilities required to serve the development, including water, sewer, stormwater management, roads, transit, utilities, parks, streetscaping and other community facilities and services, and their proposed phased construction.

10.6.3 The following phasing criteria shall be considered in the review of all development applications:

- a. The development contributes to, or can be appropriately integrated within, the logical sequencing of all required sewer, water, stormwater and transportation facilities, including the subway station;
- b. The development satisfies all requirements regarding the provision of parkland and other public facilities, including streetscaping and landscaping;
- c. Traffic from the proposed development can be accommodated on the existing and planned road network.

10.6.4 Plan of subdivision and rezoning applications shall also include the following, prepared to the City's satisfaction:

- a. mobility study
- b. travel demand management plan;
- c. stormwater management plan;
- d. master servicing plan;
- e. noise and vibration study, where required by this plan;
- f. archaeological survey;
- g. affordable housing plan, where residential uses are proposed; and,
- h. other studies as identified in Section 10.1.3 of Volume 1 of the Official Plan, as determined to be required by the City.

The City shall establish specific requirements for the above plans/studies with development proponents. The costs for these studies shall be the responsibility of the applicant. The City at its discretion may require a peer review of any study at the cost of the applicant.

10.6.5 Each planned development block should be planned comprehensively. For blocks with multiple landowners, development applications should co-ordinate neighbouring development proposals in a mutually complementary fashion. Non-participating lands in the block shall be shown conceptually in the Development Concept Report and Phasing Plan.

10.6.6 Site plan applications shall include a Sustainable Development Report, as described in Policy 5.5.6.

10.7 Landowners' and Development Agreements

10.7.1 Prior to approving development in the VMC, the City may require that landowners enter into an agreement or agreements to coordinate development and equitably distribute the costs of shared infrastructure, including but not limited to roads and road improvements, water and wastewater services, parkland, stormwater management facilities, and land for schools and other community services. Alternatively, the City may implement other arrangements to address cost sharing.

10.7.2 Development agreements among landowners, the City and potentially other public agencies shall be required to ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land, without adverse impact on the City's financial capability. In some cases, front-ending agreements may be needed to advance the timing for required infrastructure and to address any acceleration in associated costs.

10.7.3 Where the bonusing of density and/or height in exchange for community benefits has been approved, an agreement will be required setting out the benefits to be provided and/or the financial contribution toward community benefits.

10.8 Community Improvement

10.8.1 The VMC is identified as a Community Improvement Area under Section 28 of the Planning Act. Further, the VMC may in whole or in part be further designated by by-law as a "Community Improvement Project Area", for which a detailed Community Improvement Plan will be prepared. The City will identify and delineate a "Community Improvement Project Area" in areas that display any or all of the following conditions:

- a. inadequate municipal infrastructure, including piped services, roads and streetscapes, public parking facilities and/or stormwater management facilities;
- b. inadequate community services such as social services, public recreational/cultural facilities, and public parks or open spaces;
- c. building and/or property deterioration to the extent that it negatively affects the overall image of the area;
- d. development at densities that are too low to support the planned transit facilities; and,
- e. site contamination levels that require environmental site remediation prior to development.

- 10.8.2 Upon adoption of a Community Improvement Plan for the VMC, the City may engage in the following activities:
- a. acquire, hold, clear, grade or otherwise prepare land for community improvement activities;
 - b. construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the Community Improvement Plan;
 - c. sell, lease, or otherwise dispose of land and any buildings acquired or held by it in conformity with the Community Improvement Plan; and,
 - d. make grants or loans to the registered owners or the assessed owners to pay for the whole or any part of the cost of developing or rehabilitating such lands and buildings in conformity with the Community Improvement Plan, and the policies of this Plan.
- 10.8.3 The strategy for the application of any financial or other incentives established by the Community Improvement Plan shall be tied to achieving the density targets, mix of uses, required infrastructure and public realm improvements identified in this plan.

10.9 Monitoring

- 10.9.1 Following completion of the Spadina Subway Line Extension, the City, in partnership with the Region of York, will establish a biennial program to monitor and report on the level of development in the Secondary Plan. The monitoring program will address:
- a. traffic volumes on key routes and at key intersections, based on periodic traffic counts in the VMC;
 - b. the amount of existing and proposed floor space for which subdivision, zoning or site plan approval has been granted, status of development approvals, completions and occupancy;
 - c. travel characteristics and modal split including trends in the volumes and travel patterns of pedestrians and cyclists;
 - d. population and employment generated by existing development and projected for approved but not yet occupied development;
 - e. evaluation of traffic volumes and transit ridership in the context of available capacity;
 - f. the effectiveness and need for Travel Demand Management strategies; and,
 - g. evaluation of existing and proposed Development Concept Reports to assist in identifying and planning transportation improvements or to assist in regulating the pace of development.
- 10.9.2 In addition monitoring development in the VMC and its impacts on a biennial basis, the City shall undertake a review of this plan, including its transportation components, and update it as necessary at least every five years, as required by the Ontario Planning Act.