

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 17(28) of
the Planning Act, RSO 1990, c.P.13

and

IN THE MATTER OF Amendment Number 648
to the Official Plan of the Vaughan Planning Area

I, **JOHN D. LEACH**, of the Town of Caledon, in the Regional Municipality of Peel, **MAKE OATH AND SAY:**

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** Official Plan Amendment Number 648 was adopted by the Council of the Corporation of the City of Vaughan on the 25th day of September, 2006, and written notice was given on the 10th day of October, 2006 in the manner and form and to the persons and public bodies that requested notification of the adoption, pursuant to Subsection 17(23) of the Planning Act, RSO 1990, as amended.
3. **THAT** no notice of appeal setting out an objection to Official Plan Amendment Number 648 was filed with me within twenty (20) days from the date of written notice of the adoption of the amendment.
4. **THAT** Official Plan Amendment Number 648 is deemed to have come into effect on the 31st day of October, 2006, in accordance with Subsection 17(27) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
1st day of November, 2006.)

JOHN D. LEACH

A Commissioner, etc.

Lenore Providence
a Commissioner, etc.,
Regional Municipality for York, For
The Corporation of the City of Vaughan
Expires February 10, 2007

THE CITY OF VAUGHAN

BY-LAW

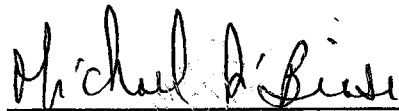
BY-LAW NUMBER 322-2006

A By-law to adopt Amendment Number 648 to the Official Plan of the Vaughan Planning Area.

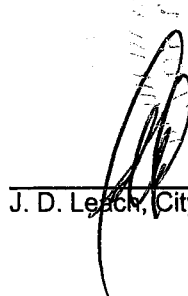
NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 648 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.

READ a FIRST, SECOND and THIRD time and finally passed this 25th day of September, 2006.



Michael Di Biase, Mayor



J. D. Leach, City Clerk

**AMENDMENT NUMBER 648
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 648 to the Official Plan of the Vaughan Planning Area and Schedule "1" constitute Amendment Number 648.

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

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 No. 350 (Maple Community Plan).

The subject Amendment will exempt the lands shown as "Area Subject to Amendment No. 648" on Schedule "1" hereto from the policy of the "Maple Commercial Core Area" designation which requires a minimum 70% of the frontage at grade level to be used for street-related retail, office and service uses.

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. 648". The Subject Lands are of 0.142 ha in size and are located on the east side of Keele Street, south of Major Mackenzie Drive, in part of Lot 20, Concession 3, City of Vaughan.

III BASIS

The decision to amend the Official Plan to exempt the Subject Lands from the policy of the "Maple Commercial Core Area" designation, which requires a minimum 70% of the frontage at grade level to be used for street-related retail, office and services uses is based on the following considerations:

1. The Provincial Policy Statement includes policies requiring a mix of residential uses that promote cost-effective development and development standards to minimize land consumption and encourage residential intensification, densities that make more efficient use of land and public infrastructure, and the provision for a full range of housing types. Development is also to be directed to settlement areas and promote land use patterns and densities that support public transit. The residential development is served by existing commercial uses located immediately adjacent to the subject lands to the south (Sharewell Investment Inc. lands). The development minimizes land consumption and servicing costs by introducing a greater number of potential residents into the area. The proposed Official Plan Amendment is consistent with the goals and objectives of the Provincial Policy Statement policies.
2. Places to Grow for the Greater Golden Horseshoe establishes principles of compact communities that provide a choice in housing and support transit. Places to Grow states that strong and healthy communities should have a broad mix of housing types, tenure opportunities and price ranges available to meet the needs of all potential residents. The development addresses these principles and policies through its proposed location, compact development form and support of a viable transit network. It also will meet these principles in that the development promotes intensification and a mix of housing types.

3. The Region of York Official Plan includes goals and policies that promote a mix of housing types, support compact communities and establish corridors to link urban centres. The proposed amendment to the "Maple Commercial Core Area" will contribute to the mix of housing types and assist in establishing a compact and efficient community. The Regional Official Plan designates the Subject Lands as an "Urban Area". The plan establishes various objectives, including the need to promote a transit supportive urban structure that includes compact development, and a broad mix and range of housing including different housing forms, types and tenures to satisfy the needs of the Region's residents. The Regional Plan identifies that the housing stock in the Region is primarily detached units. The housing market is faced with demands for a broader variety of housing forms to meet the needs of different kinds of households. The proposed development provides intensification on Keele Street within the Maple Commercial Core Area. The proposal is consistent with the goals and objectives of the Regional Plan.
4. The orientation of the Subject Lands to Keele Street, the minimal impact on soft and hard services, and the positive transportation impact, establishes the Subject Lands as a desirable location for the proposed Official Plan Amendment to exempt the Subject Lands from the policy of the "Maple Commercial Core Area" designation, which requires a minimum 70% of the frontage at grade level to be used for street-related retail, office and services uses.
5. The development, with the first 3-storeys to be restricted to residential dwelling units only and an amenity area within the terraced roofline, is considered to be appropriate. Specifically, the vitality and function of the existing commercial areas of Maple at the Major Mackenzie Drive and Keele Street crossroads will be reinforced by encouraging the redevelopment and intensification of property for businesses, residential and commercial purposes.

Having received a statutory Public Hearing held on February 6, 2006, Vaughan Council, on September 25, 2006 approved Official Plan Amendment Application File OP.05.025 (Leopard Lane Development Inc. and Sharewell Investments Inc.) to exempt the Subject Lands from the policy of the "Maple Commercial Core Area" designation, which requires a minimum 70% of the frontage at grade level to be used for street-related retail, office and service uses.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 350 to the Official Plan of the Vaughan Planning Area is hereby amended by:

1. Adding the following to Section 2.2 Maple Commercial Core Area, subparagraph 2.2 a) i);

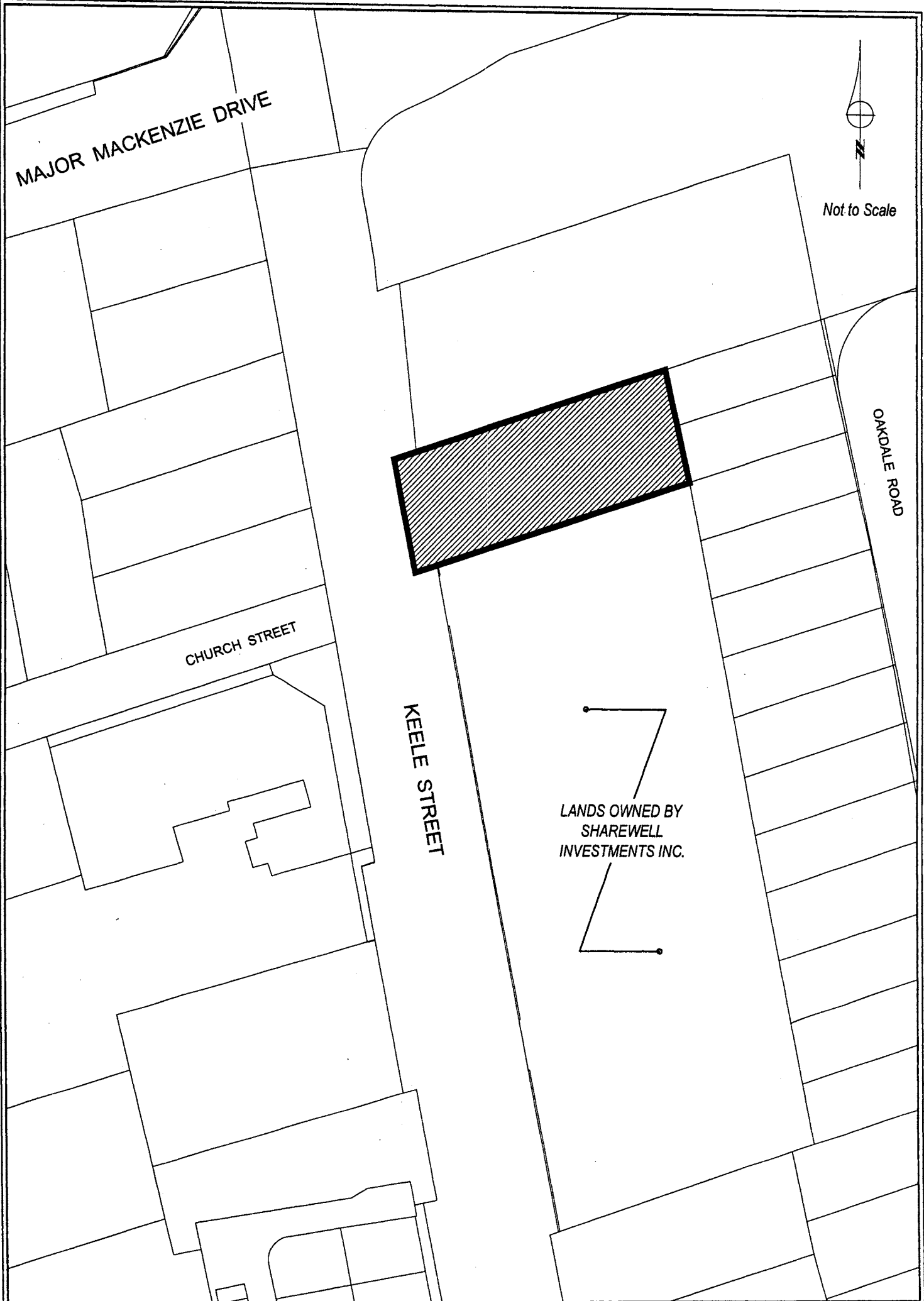
“Notwithstanding the above, Subparagraph 2.2 a) i) shall not apply to the lands located on the east side of Keele Street, south of Major Mackenzie Drive, in Part of Lot 20, Concession 3, municipally known as 9973 Keele Street and subject to Amendment No. 648”.

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 City of Vaughan Comprehensive Zoning By-law 1-88, and site plan approval, pursuant to the Planning Act.

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.



AREA SUBJECT TO
AMENDMENT No. 648

**THIS IS SCHEDULE '1'
TO AMENDMENT No. 648
ADOPTED THE 25th DAY OF SEPT, 2006**

FILE: OP.05.025 RELATED FILE(s): Z.05.051, DA.05.060
LOCATION: Part Lot 20, Concession 3
APPLICANT: LEOPARD LANE DEVELOPMENT INC.
& SHAREWELL INVESTMENTS INC.
CITY OF VAUGHAN

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SIGNING OFFICERS

[Signature]
MAYOR

[Signature]
CLERK

APPENDIX I

The subject lands are located on east side of Keele Street, south of Major Mackenzie Drive, in Lot 20, Concession 3, City of Vaughan.

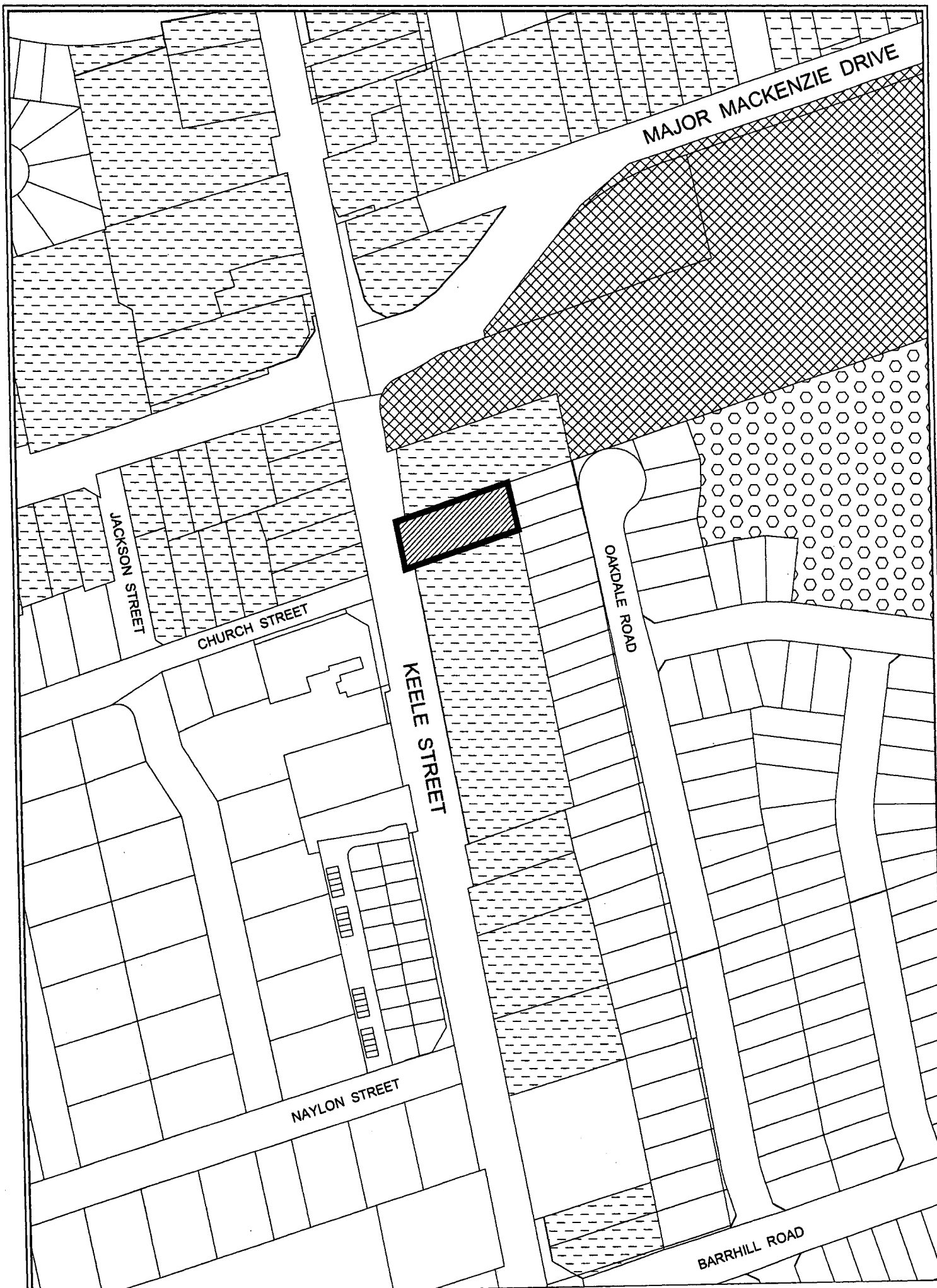
On June 19, 2006, The Committee of the Whole considered a report and the following recommendation from the Commissioner of Planning with respect to Official Plan Amendment File OP.05.025, Zoning By-law Amendment File Z.05.051 and Site Development File DA.05.060 (Leopard Lane Development Inc. and Sharewell Investments Inc.):

"The Commissioner of Planning recommends:

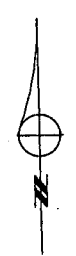
1. THAT Official Plan Amendment File OP.05.025 (Leopard Lane Development Inc. and Sharewell Investments Inc.) BE APPROVED, to exempt the subject lands shown on Attachment #1, from the policy of the "Maple Commercial Core Area" designation in OPA #350 (Maple Community Plan) which requires a minimum of 70% of the frontage at grade level to be used for street-related retail, office and service uses, in order to facilitate a 30 unit residential condominium apartment building.
2. THAT Zoning By-law Amendment File Z.05.051 (Leopard Lane Development Inc. and Sharewell Investments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically Exception 9(157) to rezone the subject lands as shown on Attachment #1 from C6 Highway Commercial Zone and C1 Restricted Commercial Zone, subject to Exception 9(157) (Sharewell lands) to RA3 (H) Apartment Residential Zone with the Holding Symbol "(H)". The site-specific Zoning By-law will also have site-specific zoning exceptions to implement the final approved site plan to permit a 30 unit residential condominium apartment building (Building "C") and to maintain the existing commercial development (Buildings "A" and "B") on the balance of the reconfigured Sharewell lands, as shown on Attachment #2. The site-specific zoning standards will implement the proposed development and maintain the existing commercial plaza.
3. THAT Site Development File DA.05.060 (Leopard Lane Development Inc. and Sharewell Investments Inc.) BE APPROVED, subject to the following conditions:
 - a) That prior to the execution of the site plan agreement:
 - i) the Development Planning Department shall approve the final site plan, landscaping plan and cost estimate, and building elevations;
 - ii) the Engineering Department shall approve the final site servicing and grading plan, stormwater management report, access, parking and on-site vehicular circulation;
 - iii) all hydro requirements of PowerStream Inc. shall be satisfied;
 - iv) a functional servicing, external lighting plan, and noise report shall be submitted and approved to the satisfaction of the Engineering Department;
 - v) an external lighting plan shall be submitted and approved to the satisfaction of the Engineering Department;
 - vi) an archaeological report shall be approved to the satisfaction of the Cultural Services Division;
 - vii) prior to the execution of the site plan agreement, the Holding Zone applicable to the subject lands shall be lifted;
 - viii) a Consent application be approved by the Committee of Adjustment and shall be final and binding;
 - ix) the availability of water and sanitary servicing capacity for the proposal must be identified and allocated by Council; and
 - x) the Owner shall satisfy all requirements of the Region of York Transportation and Works Department;
 - b) That the site plan agreement shall include the following provisions:

- i) a clause requiring that the residential development shall proceed by way of plan of condominium;
 - ii) "For residential development, the Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate, whichever is higher, in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approval appraisal shall form the basis of the cash-in-lieu payment";
 - iii) a maintenance clause respecting that any enhanced landscaping or features other than tree planting on the Regional Road right-of-way will require the Owner to be subject to a one time dollar amount payment to be determined by the Development Planning Department in consultation with the Parks and Forestry Operations Department; and
 - iv) a clause identifying that snow removal and garbage pick-up shall be privately administered and the responsibility of the condominium corporation, which shall also be included in all offers of sale, purchase and/or lease;
- c) That the necessary amendment to the existing site plan agreement and zoning by-law for the commercial plaza (Sharewell Investments Inc.) be undertaken to implement the proposed residential development."

The Committee of the Whole recommended approval of the recommendation contained in the report of The Commissioner of Planning, dated June 19, 2006, which was subsequently ratified by Council on June 26, 2006.



APPENDIX II TO AMENDMENT No. 648 EXISTING LAND USE



Not to Scale

FILE: OP.05.025 RELATED FILE(s): Z.05.051, DA.05.060
 LOCATION: Part Lot 20, Concession 3
 APPLICANT: LEOPARD LANE DEVELOPMENT INC.
 & SHAREWELL INVESTMENTS INC.
 CITY OF VAUGHAN

- RESIDENTIAL
- OPEN SPACE
- COMMERCIAL
- INSTITUTIONAL

AREA SUBJECT TO
AMENDMENT No. 648