

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 38
to the Vaughan Official Plan (2010) of the Vaughan Planning Area


I, **TODD COLES**, of the Township of King City, **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** Vaughan Official Plan (2010) Amendment Number 38 was adopted by the Council of the Corporation of the City of Vaughan on the 19th day of March, 2019, and written notice was given on the 27th day of March, 2019, 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** a notice of appeal setting out objections to Vaughan Official Plan (2010) Amendment Number 38 and the reasons in support of the said objections were filed with me within twenty (20) days from the date of written notice of the adoption of the amendment.
4. **THAT** Vaughan Official Plan (2010) Amendment Number 38 and supporting documentation were forwarded to the Local Planning Appeal Tribunal on the 2nd day of May, 2019.
5. **THAT** THE Local Planning Appeal Tribunal advised by letter dated June 16, 2020 that the appeal has been withdrawn.
6. **THAT** Vaughan Official Plan (2010) Amendment Number 38 is deemed to have come into effect on 15th day of June, 2020, in accordance with Subsection 17(30) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City
of Vaughan, in the Regional
Municipality of York, this
2nd day of July, 2020.

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TODD COLES



A Commissioner, etc.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 042-2019

A By-law to adopt Amendment Number 38 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 38 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "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 19th day of March, 2019.



Hon. Maurizio Bevilacqua, Mayor



Todd Coies, City Clerk

**AMENDMENT NUMBER 38
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text and Schedule "1" constitutes Amendment Number 38 to the Official Plan of the Vaughan Planning Area.

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

I PURPOSE

The purpose of this Amendment to Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically Volume 1 and Volume 2, to permit the development of 111 townhouse units to be served by common element roads.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan, shown on Schedule "1" attached hereto as "Lands Subject to Amendment No. 38".

III BASIS

The decision to amend VOP 2010 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 is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment. The proposed development is consistent with the intent of the settlement areas and housing policies of the PPS, which promote the efficient use of land and support a healthy community.

The Subject Lands are located within a defined settlement area identified by the PPS. The Development achieves the intention of the Settlement Areas and Housing policies of the PPS by making efficient use of the Subject Lands, as it minimizes land consumption, proposes a housing typology that adds to the range and mix of housing types in the City.

2. The Provincial Growth Plan for the Greater Golden Horseshoe 2017 ("Growth Plan") is intended to: guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

The proposed development conforms with the policy framework of the Growth Plan as it makes a more efficient use of the Subject Lands and existing infrastructure and provides a housing type at

a density that is supportive of the Growth Plan objectives.

3. The York Region Official Plan 2010 ('YROP 2010') designates the Subject Lands as "Urban Area" by Map 1 - "Regional Structure", which permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. York Region advised that Official Plan Amendment File OP.17.011 is considered to be of local significance in accordance with York Region Official Plan 2010 policy 8.3.8, as the proposed Amendment does not adversely affect Regional planning policies or interests. The proposed development conforms to YROP 2010. On May 29, 2018, York Region exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 8.3.8, as it does not adversely affect Regional planning policies or interests.

4. The Subject Lands are designated "Low-Rise Residential" by VOP 2010, which permits detached, semi-detached and townhouse units. The lands are also within a "Community Area" as identified in Schedule 1, "Urban Structure" of VOP 2010, and subject to Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 regarding compatibility criteria, urban design and built form. There is no associated density requirement prescribed by this designation. The compatibility criteria directs that new development should be designed to respect and reinforce the physical character of the established neighbourhood within which it is located.

In recognition of the increased development pressure stable residential neighbourhoods are facing, Council directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in October 2015. Following Council's direction, the Policy Planning and Environmental Sustainability Department initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods ('Guidelines') and the Community Area Policy Review for Low-Rise Residential Designations Study ('Study'). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017, and Official Plan Amendment Number 15, to implement the Study recommendations, was adopted by Council on September 27, 2018, which has been forwarded to York Region for approval.

The Guidelines identify the Subject Lands as being part of a "Large Lot Neighbourhood". The Applications were submitted on August 27, 2017 (Applications) and were deemed "Complete" on February 14, 2018. The commencement of the Applications pre-date the approval of OPA Number 15. However, the Development has regard for the following provisions of the Guidelines:

- The townhouse blocks contain a maximum of 6 units
- The minimum unit size is 6 m x 12 m (with the exception of 2 units)
- The common amenity areas are located in prominent locations that are visible and easily accessed from all units
- The majority of the front and interior yard setbacks are consistent with the Guideline requirements of 4.5 m and 1.5 m respectively
- A minimum 50% of each front yard consists of soft landscaping (with exception of 2 units)
- Each townhouse has a private backyard as set out in the Guidelines
- The total number of visitor parking spaces complies with Zoning By-law 1-88, although a variance for the width of certain parallel spaces within the private road is required.

In consideration of the above, the Development Planning Department is satisfied that the proposed development has regard for the "Community Area" policies of VOP 2010, and the Council approved Guidelines. The proposal provides a low-rise residential development that is appropriate, but not identical, with the surrounding development(s).

5. Vaughan Council considered the Applications at 2 Public Hearings. Additionally, a non-statutory community meeting was held.

A Statutory Public Hearing was held on April 4, 2018, to consider Application OP.17.011, Z.17.031 and 19T-17V011. Vaughan Council on April 11, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting

6. On January 29, 2019, Vaughan Council ratified the January 22, 2019 recommendation of the Vaughan Committee of the Whole to approve Official Plan Amendment Application File OP.17.011.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 38 to the Official Plan of the Vaughan Planning Area, hereby amends VOP 2010 by:

1. Modifying Volume 1, Schedule 14-C "Areas Subject to Site Specific Plans" as #44 by adding the Subject Lands on Schedule 1 to this Amendment attached hereto 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street.

2. Amending Volume 2, Section 13.1 "Areas Subject to Site Specific Policies" by adding the following policy to be renumbered in sequential order:

"(OPA #38) 13.1.1.44 The lands known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street are identified on Schedule 14-C as Item 44 and are subject to the policies set out in Section 13.45 of this Plan."

3. Amending Volume 2, Section 13 "Site Specific Policies", by adding the location map attached on Schedule 1 and adding the following policies in sequential order:

"(OPA #38) 13.45 6061 and 6079 Rutherford Road, 134 and 140 Simmons Street

13.45.1 General

13.45.1.1 The following policies shall apply to the lands identified on Map 13.45.A.

13.45.1.2 Notwithstanding Sections 9.1.2.2., 9.1.2.3 and 9.2.3.2 respecting new development within established "Community Areas", 111 townhouse units are permitted on the Subject Lands identified on Map 13.45.A. Site-specific development standards shall be established in the implementing zoning by-law."

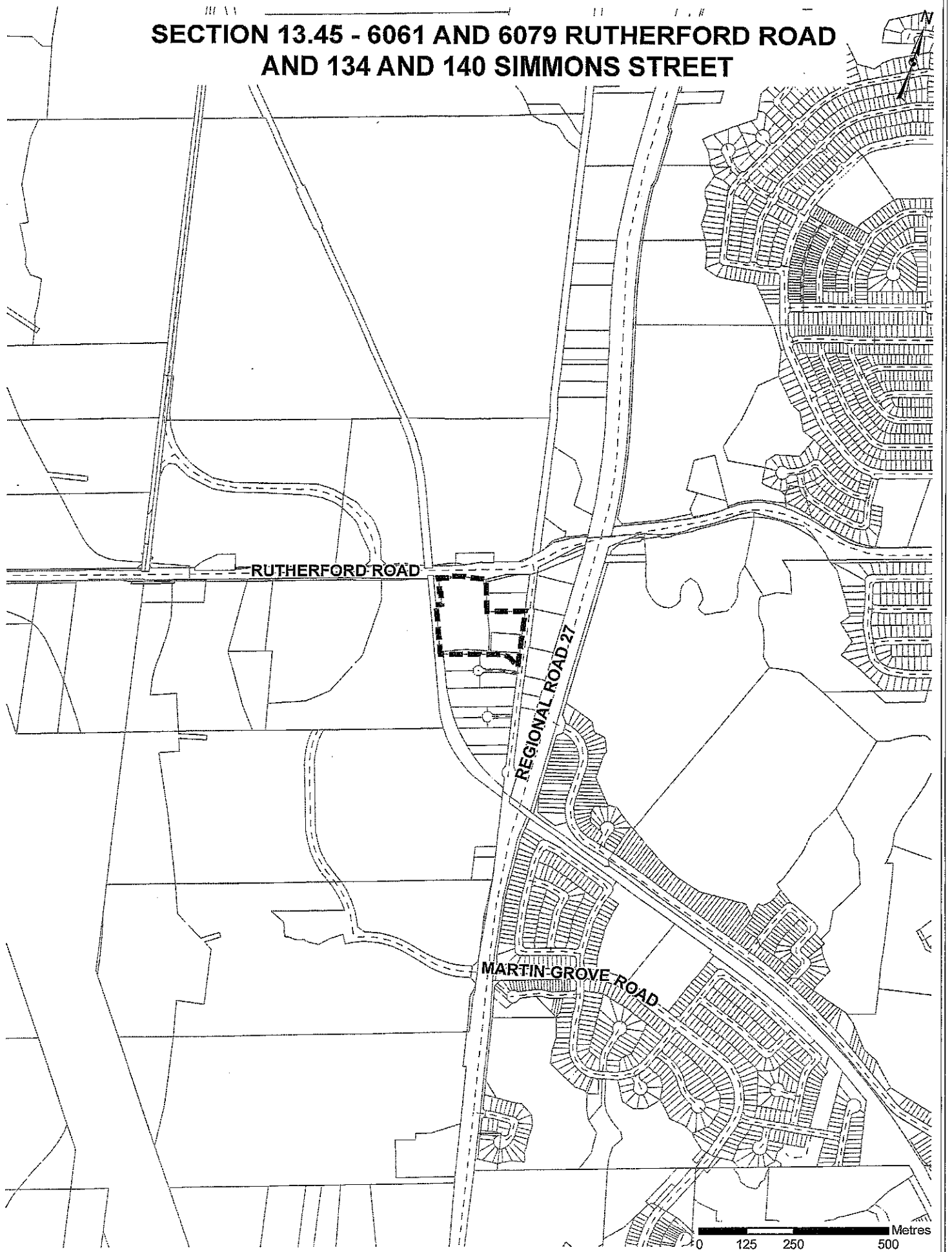
V IMPLEMENTATION

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, Draft Plan of Subdivision Approval and Site Development approvals, pursuant to the *Planning Act*, R.S.O. 1990, c. P.13.

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.

**SECTION 13.45 - 6061 AND 6079 RUTHERFORD ROAD
AND 134 AND 140 SIMMONS STREET**



**THIS IS SCHEDULE '1'
TO OFFICIAL PLAN AMENDMENT NO. 38
ADOPTED THE 19TH DAY OF MARCH, 2019**

FILE: OP.17.011
RELATED FILES: Z.17.031, 19T-17V011
LOCATION: Part of Lot 15, Concession 9
APPLICATION: Gemini Urban Design (W) Corp.
CITY OF VAUGHAN

 **LANDS SUBJECT TO
AMENDMENT NO. 38**

APPENDIX I

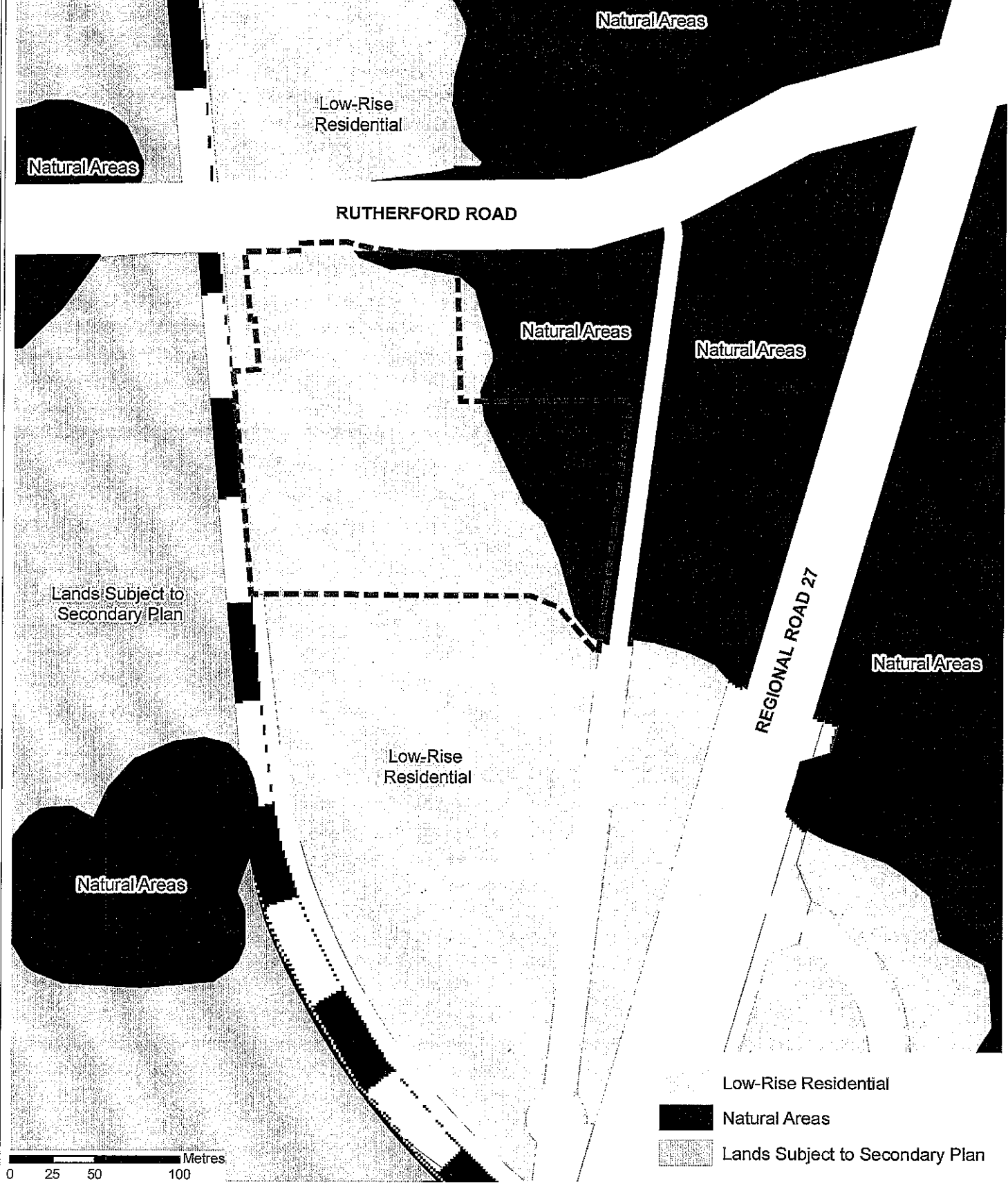
The lands subject to this By-law are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, being Part of the East Half of Lot 15, Concession 9, City of Vaughan.

The purpose of this Amendment is to amend the Vaughan Official Plan 2010 ("VOP 2010"), to permit the development of 111 townhouse units to be served by common element roads. Site-specific development standards shall be established in the implementing zoning by-law.

On January 29, 2019 Vaughan Council ratified the January 22, 2019 recommendation of the Committee of the Whole, to approve Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) as follows (in part):

- "1. THAT Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend the following policies of Vaughan Official Plan 2010 ("VOP 2010") for the Subject Lands:
 - a) Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 respecting new development within established "Community Areas" to permit the development of 111 townhouse units."

**6061 AND 6079 RUTHERFORD ROAD
AND 134 AND 140 SIMMONS STREET
THIS IS PART OF SCHEDULE 13 - LAND USE
TO VAUGHAN OFFICIAL PLAN 2010, VOLUME 1**



**APPENDIX II
EXISTING LAND USES
OFFICIAL PLAN AMENDMENT NO. 38**

FILE: OP.17.011
RELATED FILES: Z.17.031, 19T-17V011
LOCATION: Part of Lot 15, Concession 9
APPLICANT: Gemini Urban Design (W) Corp.
CITY OF VAUGHAN

 **LANDS SUBJECT TO
AMENDMENT NO. 38**