

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 136-2019

A By-law to adopt Amendment Number 19 to the Vaughan Official Plan 2010 for the Vaughan Planning Area, as effected by the Local Planning Appeal Tribunal.

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

1. THAT the attached Amendment Number 19 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, as effected by the Local Planning Appeal Tribunal Order Issue, dated the 28th day of August, 2019 (LPAT File No. PL170805), attached hereto as Schedule “B” consisting of the attached text, Schedule “1” and Appendices “I” and “II” is hereby adopted.

Enacted by City of Vaughan Council this 23rd day of October, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: August 28, 2019

CASE NO.:

PL170805

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Richard Rodaro
Subject: Proposed Plan of Subdivision
Property Address/ Description: 11, 31, 51 Woodend Place/ Part of Lot 20, Concession 6
Municipality: City of Vaughan
Municipal File No.: 19T-15V011
OMB Case No.: PL170805
OMB File No.: PL170805
OMB Case Name: Rodaro v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 17(24) of the *Planning Act*, R.S.O. 1990, C. P. 13, as amended

Appellant: Richard Rodaro
Subject: Proposed Official Plan Amendment No. 19 (OPA 19)
Municipality: City of Vaughan
OMB Case No.: PL170805
OMB File No.: PL171309

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: Richard Rodaro
Subject: By-law No. 131-2017
Municipality: City of Vaughan
OMB Case No.: PL170805
OMB File No.: PL171310

BEFORE:

C. CONTI)	Wednesday, the 28 th
VICE-CHAIR)	day of August, 2019
)	

THIS MATTER having come on for public hearing and after the hearing, the Tribunal in its Decision issued December 20, 2018 allowed the appeals in part and withheld its Order and directed the Applicant to modify and amend the proposal and submit revised instruments generally in accordance with the Applicant's initial proposal found at Exhibit 2B, TAB F, which the Tribunal finds conforms to the 2017 Growth Plan and PPS, has regard to s. 2 of the Act, conforms to the Region's and City's OP, constitutes good planning and is in the public interest; subject further to the direction that the proposal and instruments be modified, if and as necessary, to reflect the Tribunal's reasons and findings in respect of the appropriate minimum protection vegetation protection zone to be provided for;

AND THE TRIBUNAL having been provided with the revised instruments and received confirmation from the Toronto Region Conservation Authority and the City of Vaughan that they were satisfied with the form of the revised instruments;

THE TRIBUNAL ORDERS that the Draft Plan of Subdivision and conditions, attached as 'Schedule A', the Official Plan Amendment, attached as 'Schedule B', and the Zoning By-law Amendment, attached as 'Schedule' C', are approved.

A handwritten signature in black ink, reading "Ma Hurwicks". The signature is written in a cursive, flowing style.

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elfo.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario – Environment and Land
Website: www.elfo.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

SCHEDULE B

AMENDMENT NUMBER 19 TO THE VAUGHAN OFFICIAL PLAN 2010 OF THE VAUGHAN PLANNING AREA

The following text and Schedule "1" constitute Amendment Number 19 to the Official Plan of the Vaughan Planning Area.

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

I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 ("VOP 2010") is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically Volume 1, Sections 9.1.2.2 and 9.1.2.3 regarding the compatibility criteria of new development within established Community Areas, to permit 21 townhouse blocks, containing 107 townhouse dwelling units, fronting onto an extension of Via Borghese, Woodend Place and two new public streets.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", are located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, and are municipally known as 11, 31 and 51 Woodend Place, and the lands legally known as Block 42, Registered Plan 65M-4149, all being in Part of Lot 20, Concession 6, City of Vaughan, and as shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 19."

III BASIS

This decision to amend VOP 2010 is based on the following:

1. On June 5, 2017, Vaughan Council approved Official Plan Amendment File OP.16.003, thereby approving the Subject Lands for the development of 64 lots for detached dwellings and 4 townhouse blocks, containing 22 townhouse dwelling units, fronting onto an extension of Via Borghese, Woodend Place and two new public streets (authorized by Item No. 21 of Report No. 21 of the Committee of the Whole). An Official Plan Amendment (Official Plan Amendment No. 19) was approved by Vaughan Council on October 24, 2017. On November 21, 2017, the Official Plan Amendment was appealed to the Local Planning Appeal Tribunal ("LPAT").

On December 20, 2018, the LPAT rendered a decision (the "Decision") and directed the Applicant to amend its proposal generally in accordance with its original proposal for the development of 113 townhouses, with a 10 m open space buffer as measured from the southerly property line of the Subject Lands (the "Development").

This amendment to VOP 2010 implements the Decision on the Subject Lands, based on the following considerations:

- i. The Provincial Policy Statement, 2014 (PPS) provides policy direction on matters of provincial interest related to land use planning and establishes the framework for

regulating the development of land. The PPS is applied province-wide and provides direction to support complete communities, a strong economy and a clean and healthy environment. The policies of the PPS focus growth and development to “Settlement Areas”. The Subject Lands are located within a defined “Settlement Area” by the PPS. Land use patterns within Settlement Areas will support a mix of uses at densities that effectively use land and resources, are appropriate for and efficiently utilize planned and existing infrastructure and public service facilities, and are transit-supportive where transit is planned, exists or may be developed.

- ii. The Provincial Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”) builds on the PPS to establish a unique land use planning framework that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. The Growth Plan enables the development of regional growth plans that guide government investments and land use planning policies. The Growth Plan promotes the achievement of complete communities that are designed to support healthy and active living, prioritizes intensification in locations coordinated with existing or planned transit at higher densities to make efficient use of land and infrastructure, protects the natural environment, supports transit viability, and encourages a range and mix of housing options.
- iii. The York Region Official Plan (“YROP”) designates the Subject Lands as “Urban Area”, which permits a range of residential, commercial, employment and institutional uses. The Subject Lands front onto Major Mackenzie Drive, which is a “Regional Transit Priority Network” and a planned regional cycling route. In support of transit infrastructure, the YROP establishes a policy framework that encourages a broad range of housing types within efficient and compact communities at an overall transit-supportive density. The range of housing includes different forms, types and tenures to satisfy the needs of the Region’s residents. The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes.
- iv) The Subject Lands are designated “Low-Rise Residential” and “Natural Areas” by VOP 2010, and are located within the “Community Areas” by Schedule 1 – ‘Urban Structure’. The Low-Rise Residential designation of VOP 2010 permits detached dwellings, semi-detached dwellings and townhouses, up to 3-storeys in height and subject to compatibility criteria. Compatibility criteria is established by Sections 9.1.2.2 and 9.1.2.3 of VOP 2010, and directs that new development in “Community Areas” be designed to respect and reinforce the physical character of the surrounding area, with particular regard for the

local patterns of lots, streets and blocks; the size and configuration of lots; the building type of nearby residential properties; and the height, scale and building setbacks of nearby residential properties. While Community Areas are anticipated to remain stable as the City grows and matures, incremental change is expected as a natural part of maturing neighbourhoods.

2. The Decision directs the Applicant to amend its proposal generally in accordance with its original proposal, with the inclusion of a 10 m open space buffer, at a transit-supportive density in a low-rise residential form that respects the existing and established neighbourhoods located on either side of the Subject Lands in a manner that has regard for Section 2 of the *Planning Act*, is consistent with the PPS, conforms with the Growth Plan, the YROP and VOP 2010, constitutes good planning and is in the public interest.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010) is hereby amended by:

1. Amending Volume 1, Schedule 14-C “Areas Subject to Site Specific Plans” of VOP 2010 by adding the Subject Lands on Schedule “1” to this Amendment, attached hereto as “#37 – 11, 31, 51 Woodend Place and Block 42, Registered Plan 65M-4149”.
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 #19) 13.1.1.37 The lands municipally known as 11, 31, 51 Woodend Place in addition to lands legally known as Block 42, Registered Plan 65M-4149 are identified on Schedule 14-C (as Item #37) and are subject to the policies set out in Section 13.38 of this Plan.”

3. Adding the following policies to Volume 2, Section 13 - “Site Specific Policies”, and renumbered in sequential order including a location map of the Subject Lands as per Schedule “1”:

“(OPA #19) 13.38 11, 31, 51 Woodend Place and Block 42, Registered Plan 65M-4149

13.38.1 General

13.38.1.1 The following policies shall apply to the lands identified on Map 13.38.A.

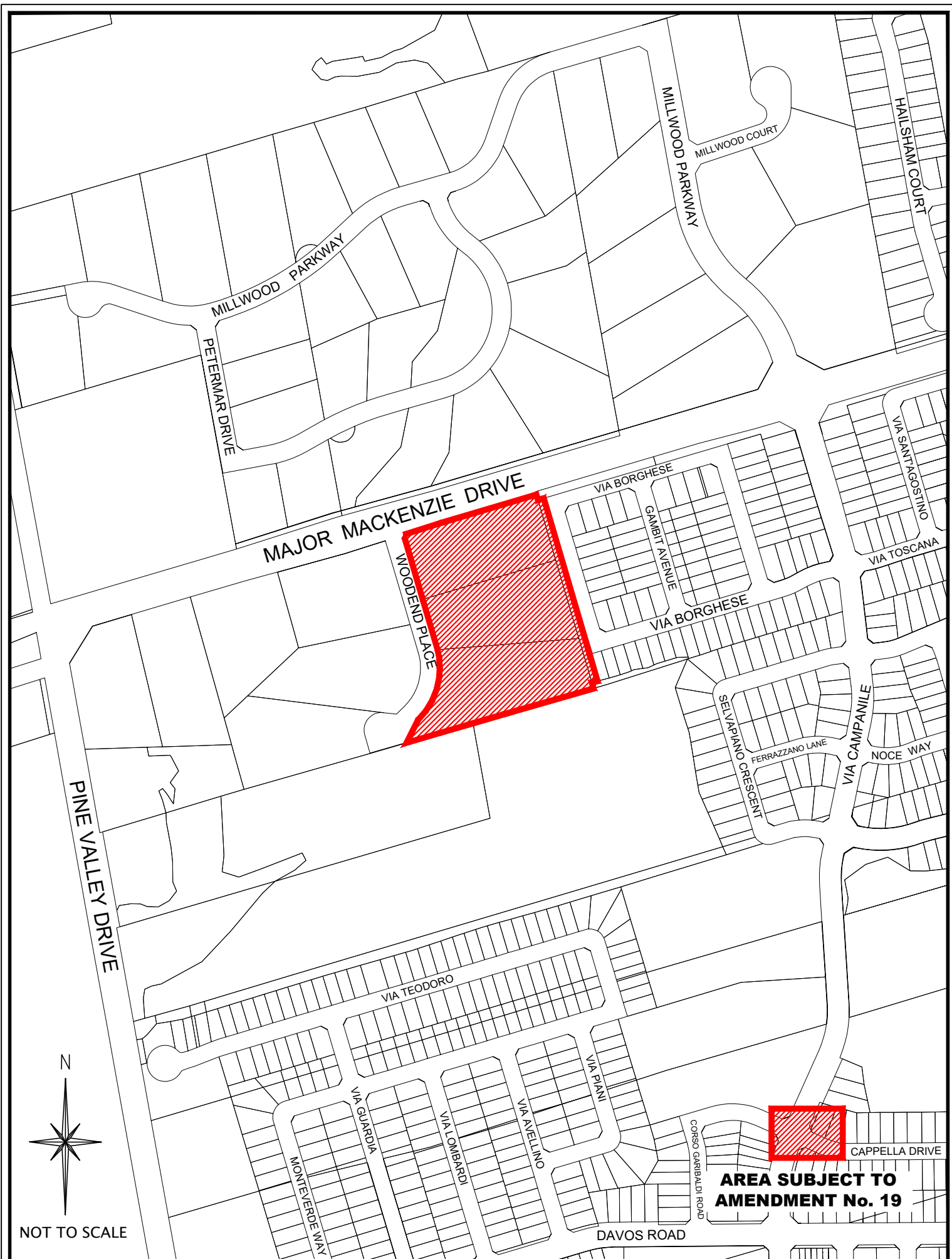
- 13.38.1.2 Notwithstanding the policies of Sections 9.1.2.2 and 9.1.2.3 respecting new development within an established Community Area, the lands identified on Map 13.38.A, shall be permitted to be developed with 21 townhouse blocks, containing 107 townhouse dwelling units, fronting onto an extension of Via Borghese, Woodend Place and two new public streets. 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 shall be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, and Draft Plan of Subdivision Approval, 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.



**AREA SUBJECT TO
AMENDMENT No. 19**

**THIS IS SCHEDULE '1'
TO AMENDMENT No. 19
ADOPTED THE 23rd DAY OF OCTOBER, 2019**

FILE No. OPA #19 & OP.16.003
 RELATED FILES: Z.15.032 & 19T-15V011
 LOCATION: Part of Lot 20, Concession 6
 APPLICANT: COUNTRYWIDE HOMES WOODEND PLACE INC.
 CITY OF VAUGHAN

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SIGNING OFFICERS
BOARD ORDER: PL170805
AUGUST 28, 2019
 MAYOR
 CLERK

APPENDIX I

The lands subject to this Amendment are located on the south side of Major Mackenzie Drive, east of Pine Valley Drive, and include the lands municipally known as 11, 31 and 51 Woodend Place, and the lands legally known as Block 42, Registered Plan 65M-4149; all being in Part of Lot 20, Concession 6, City of Vaughan (the "Subject Lands").

The purpose of this Amendment is to amend the policies of the Vaughan Official Plan 2010 ("VOP 2010"), specifically the compatibility criteria outlined in Sections 9.1.2.2 and 9.1.2.3, to permit the development of 21 townhouse blocks, containing 107 townhouse dwelling units, fronting onto an extension of Via Borghese, Woodend Place and two new public streets.

On June 5, 2017, Vaughan Council approved Official Plan Amendment File OP.16.003, thereby approving the Subject Lands for the development of 56 lots for detached dwellings, 8 part blocks to be combined with future part blocks on the adjacent lands to the east (being Block 42, Registered Plan 65M-4149) to create 8 full lots for future detached dwellings, and 4 townhouse blocks containing 22 townhouse dwelling units fronting onto an extension of Via Borghese, Woodend Place and two new public streets (authorized by Item No. 21 of Report No. 21 of the Committee of the Whole). Official Plan Amendment No. 19 which implemented this development proposal was approved by Vaughan Council on October 24, 2017.

On November 21, 2017, Official Plan Amendment No. 19 was appealed to the Local Planning Appeal Tribunal ("LPAT"). The LPAT rendered a decision on December 20, 2018 (the "Decision") and directed the Applicant to amend its proposal generally in accordance with its original proposal for the development of 113 townhouses with a modification to the plan to include a 10 m open space buffer as measured from the southerly property line, and instructed the Applicant to submit revised instruments to the Tribunal for approval. The Plan includes 21 residential townhouse blocks, for a total of 107 townhouse dwellings with frontage on an extension of Via Borghese, Woodend Place and two new public streets, and a 10 m environmental buffer as measured from the southerly property line. The Plan includes Block 42, Registered Plan 65M-4149, which is necessary to create full blocks with frontage onto Via Borghese and is required to implement the Decision.

The Decision directs the Applicant to amend its proposal generally in accordance with its original proposal, with the inclusion of a 10 m open space buffer, at a transit supportive density in a low-rise residential form that respects the existing and established neighbourhoods located on either side of the Subject Lands in a manner that has regard for Section 2 of the *Planning Act*, is consistent with the PPS, conforms with the Growth Plan, the YROP and VOP 2010, constitutes good planning and is in the public interest.



APPENDIX II EXISTING LAND USE OFFICIAL PLAN AMENDMENT No. 19

NOT TO SCALE

AREA SUBJECT TO
AMENDMENT No. 19



Legend

- Natural Areas
- Parks
- Low-Rise Residential

FILE No. OPA #19 & OP.16.003
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