I, JEFFREY A. ABRAMS, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 728 to the Official Plan of the Vaughan Planning Area, which was approved by the Regional Municipality of York, without modification, on the 13th day of July, 2012.

Jeffrey A. Abrams City Clerk City of Vaughan

DATED at the City of Vaughan this 3) day of August, 2012.

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#### Certificate of Approval

#### **AMENDMENT No. 728**

#### TO THE

#### OFFICIAL PLAN FOR THE

#### CITY OF VAUGHAN PLANNING AREA

This official plan document which was adopted by the Council of the Corporation of the City of Vaughan is approved pursuant to Sections 17 and 21 of the Planning Act and came into force on July 13, 2012

Date: July 20, 2012

Heather Konefat, M.C.I.P., R.P.P. Director of Community Planning The Regional Municipality of York

### THE CITY OF VAUGHAN

## BY-LAW

#### **BY-LAW NUMBER 65-2012**

A By-law to adopt Amendment Number 728 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 728 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "1", "2" and "3" is hereby adopted.
- AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number 728 to the Official Plan of the Vaughan Planning Area.
- AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

Enacted by City of Vaughan Council this 8<sup>th</sup> day of May, 2012.

Jeffrey A Abrams, City Clerk

Authorized by Item No. 22 of Report No. 8 of the Committee of the Whole Adopted by Vaughan City Council on March 20, 2012

#### **AMENDMENT NUMBER 728**

#### TO THE OFFICIAL PLAN

#### OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 728 and Schedules "1", "2", and "3" of the Official Plan of the Vaughan Planning Area constitute Amendment Number 728.

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

#### I <u>PURPOSE</u>

The purpose of this Amendment is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Official Plan Amendment #600 to provide policies to facilitate a residential apartment building and to maintain the rehabilitated valleylands and stream corridor for the lands identified as "Area Subject to Amendment No. 728" on Schedule "1" attached hereto.

The subject Amendment facilitates the following with respect to the lands identified as "Area Subject to Amendment No. 728" on Schedule "1" attached hereto in accordance with the following:

- 1. Redesignate the Subject Lands from:
  - i) "Estate Residential", "Valleylands" and "Stream Corridor" to "Medium Density Residential-Commercial" to:
    - a) permit a maximum of only one (1) residential apartment building which shall not exceed a maximum building height of 6-storeys (maximum building height of 19 m);
    - b) permit a maximum net residential density which shall not exceed 115.3 units per hectare and shall not exceed a maximum of 98 dwelling units; and,
    - c) permit a maximum Floor Space Index (FSI) which shall not exceed 2.0 (based on a residential gross floor area of 16,823.99 m² and a net lot area of 8,500 m²);
  - ii) "Estate Residential" to "Valleylands" and "Stream Corridor" to maintain the rehabilitated open space/valleylands and stream corridor; and,
  - "Tableland Woodlots" to "Valleylands" and "Stream Corridor" to reflect the realignment of the rehabilitated open space/valleylands and stream corridor.
- Include policies for the following in the "Medium Density Residential-Commercial Area" designation in
   OPA #600 for the lands identified as "Area Subject to Amendment No. 728" on Schedule "1":
  - establish a maximum building height and a maximum building (footprint) envelope in the
     Zoning By-law;

- ii) require that the minimum landscaped areas and requirements along Pine Valley Drive and on the Subject Lands shall be established in the implementing Zoning By-law; and,
- iii) require that loading and unloading shall not be permitted between a building and a street.
- 3. Include policies requiring, through the Site Development application process, that the following conditions are addressed for the Subject Lands, to the satisfaction of the City of Vaughan (City):
  - i) require enhanced building elevations and architectural features including the integration of the rooftop mechanical equipment into the roof building form;
  - ii) require that the surface parking area and ramps to the underground parking area be screened from the street with landscaping;
  - require that sustainable community objectives be implemented through the site plan process that support cycling and walking, neighbourhood connectivity to the broader community, transit opportunities, water and energy efficiencies and alternatives, green building design including addressing light pollution, and sustainable site development, including developing a LEED Certified apartment building; and,
  - iv) require that prior to the approval of the Site Development application, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, to the satisfaction of the City.
- 4. Include a policy to address the removal of the Holding Symbol "(H)", where indicated, from the Subject Lands.
- 5. Include a policy respecting the Region protecting for a 36 m wide right-of-way along Pine Valley Drive.

#### II <u>LOCATION</u>

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", comprise approximately 5.03 ha (Gross), and are identified on Schedules "1", "2" and "3" attached hereto, as "Area Subject to Amendment No. 728". The Subject Lands are located on the east side of Pine Valley Drive, south of Major Mackenzie Drive, in Part of Lots 19 and 20, Concession 6, City of Vaughan.

#### III BASIS

The decision to amend the Official Plan is based on the following considerations:

- 1. An amendment to the Official Plan is required for the Subject Lands to redesignate from:
  - i) "Estate Residential", "Valleylands" and "Stream Corridor" to "Medium Density Residential-Commercial" and to incorporate policies to facilitate a residential development comprised of:
    - a) a maximum of one (1) residential apartment building, not to exceed a maximum building height of 6-storeys (maximum building height of 19 m);
    - b) a maximum of 98 residential dwelling units;
    - c) a maximum net residential density not to exceed of 115.3 unit per hectare; and,
    - d) a maximum FSI not to exceed 2.0; and,
  - ii) redesignate from "Estate Residential" to "Valleylands" and "Stream Corridor" to maintain the rehabilitated open space/valleylands and stream corridor; and,
  - redesignate from "Tableland Woodlots" to "Valleylands" and "Stream Corridor" to reflect the realignment of the rehabilitated open space/valleylands and stream corridor.
- 2. The *Provincial Policy Statement* (PPS), identifies the Subject Lands as being within a Settlement Area, which provides for a range of land uses in a manner that promotes efficient land use and development patterns to support a livable and healthy community.

The "Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns"

Policy 1.1 of the PPS supports the efficient development of land and land uses as follows (in part):

- "1.1.1 Healthy, livable and safe communities are sustained by:
  - promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
  - accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet the long-term needs;

- 1.1.3.2 Land use patterns within settlement areas shall be based on:
  - a) densities and a mix of land uses which:
    - 1. efficiently use land and resources;
    - are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion...;
  - b) a range of uses and opportunities for *intensification and redevelopment* in accordance with the criteria in Policy 1.1.3.3.
- 1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

The "Natural Heritage" Policy 2.1 of the PPS provides the policy framework to support the proposal with respect to restoring and enhancing the natural features, as follows (in part):

"2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features."

In conjunction with the PPS, the Province's *Growth Plan for the Greater Golden Horseshoe* (Places to Grow), also includes policies to support the development proposal, as indicated in the "Managing Growth" Policy 2.2.2 in accordance with the following (in part):

- "2.2.2.1 Population and employment growth will be accommodated by:
  - a) directing a significant portion of new growth to the built-up areas of the community through intensification; and,

h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services."

The Amendment meets and exceeds the PPS density target of 50 residents and jobs combined per hectare. The Amendment will provide for 196 residents (98 units @ 2 people per unit), with a maximum net residential density of 115.3 unit per hectare and a maximum FSI of 2.0. The Amendment will meet and also allow the City to meet the objectives of providing for a range of land uses in a manner that promotes efficient land use and development patterns to support a livable and healthy community within the built-up area in accordance with the policies of the PPS and Places to Grow

- 3. The Subject Lands are designated "Urban Area" and "Regional Greenlands System" by the York Region Official Plan currently in effect (1994, as amended). The "Urban Area" permits a wide range of residential, commercial, industrial and institutional land uses. Major Mackenzie Drive is identified as a Local Corridor in the York Region Official Plan (1994, as amended). Local Corridors are intended to support an urban structure that facilitates intensification and promotes opportunities for residential and employment growth servicing the local communities, as determined through local municipal planning exercises. The Amendment is consistent with the in-force Regional Official Plan policies that direct development to existing built-up portions of urban areas; and provides a mix and range of different types, forms and sizes of housing.
- 4. The following reports were submitted in support of this Amendment for the Subject Lands:
  - i) Planning Justification Report Official Plan Amendment, dated October 2008 by KLM Planning Partners Inc.;
  - ii) Visual Impact Analysis Report, dated November 2011 and revised December 2011 by KLM Planning Partners Inc.;
  - Vegetation Assessment, Edge Management and Preservation Plan Report Royal Pine
     Homes, Capo Di Monte Lands, Pine Valley Drive, City of Vaughan, dated September 23,
     2008 by Kuntz Forestry Consulting Inc.;
  - iv) Marigold Creek, Humber River Tributary Geomorphic Assessment, dated August 2008 by Parish Geomorphic;

- v) Functional Servicing Report Capo Di Monte, City of Vaughan, dated August 2008 by Schaeffers Consulting Engineers; and,
- vi) Traffic Impact Study Proposed Adult Living Condominium (Capo Di Monte), dated July 18, 2006 and revised March 31, 2008 by Sernas Transtech Associates.

The supporting documentation concluded that the proposed development represents good planning, is consistent with the policies of the PPS and Places to Grow, and conforms to the Region of York Official Plan

- 5. The statutory Public Hearing was held on June 14, 2011. The recommendation of the Committee of the Whole to receive the Public Hearing report on June 14, 2011, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on June 28, 2011. On March 20, 2012, Vaughan Council ratified the February 28, 2012 Committee of the Whole recommendation, to approve Official Plan Amendment File OP.06.002 (1668872 Ontario Inc.) and the related Zoning By-law Amendment File Z.06.005 (1668872 Ontario Inc.).
- 6. The Regional Municipality of York (York Region) must approve this Amendment to the Official Plan. York Region has reviewed Official Plan Amendment File OP.06.002, in conjunction with Zoning Bylaw Amendment File Z.06.005. All requirements of York Region shall be satisfied.

#### IV <u>DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO</u>

The lands subject to this Amendment, hereinafter referred to as the "Subject Lands", comprise approximately 5.03 ha (Gross), and are identified on Schedules "1", "2" and "3" attached hereto, as "Area Subject to Amendment No. 728". The Subject Lands are located on the east side of Pine Valley Drive, south of Major Mackenzie Drive, in Part of Lots 19 and 20, Concession 6, City of Vaughan. Official Plan Amendment (OPA) #600 to the Official Plan of the Vaughan Planning Area is hereby amended by:

- Deleting Schedule "B" to OPA #600, and substituting therefor Schedule "B" attached hereto as Schedule "2", thereby redesignating the Subject Lands identified as "Area Subject to Amendment No. 728" on Schedule "1", attached hereto, from:
  - 1.1 "Estate Residential", "Valleylands" and "Stream Corridor" to "Medium Density Residential-Commercial" to permit a residential apartment building;

- 1.2 "Estate Residential" to "Valleylands" and "Stream Corridor" to maintain the rehabilitated open space/valleylands and stream corridor; and,
- 1.3 "Tableland Woodlots" to "Valleylands" and "Stream Corridor" to reflect the realignment of the rehabilitated open space/valleylands and stream corridor.
- 2. Adding Schedule "B4" to OPA #600, attached hereto as Schedule "3", thereby delineating the structural and ecological buffers on the Subject Lands.
- 3. Adding the following after paragraph c) of Sub-section 4.2.1.3.1, Medium Density Residential-Commercial Areas, Exceptions:

#### "(OPA #728)

- d) Notwithstanding paragraphs ii) to vi) inclusive and x) of Sub-section 4.2.1.3.1, Medium Density Residential-Commercial Areas above, the following shall apply:
  - The only permitted uses shall be one (1) residential apartment building, not to exceed a maximum of 98 residential dwelling units and a maximum building height of 6-storeys (maximum building height of 19 m), where the front elevation of the building shall be used to determine the maximum building height and storeys.
  - ii) The maximum net residential density shall not exceed 115.3 units per hectare.
  - iii) The maximum Floor Space Index (FSI) shall not exceed 2.0 (based on a residential gross floor area of 16,823.99 m² and a net lot area of 8,500 m²).
  - iv) The building elevations shall include enhanced architectural features/treatments and shall include the integration of the rooftop mechanical equipment into the roof building form.
  - v) There shall be no loading and/or unloading permitted between a building and a street.
  - vi) All recycling and refuse areas shall be located internally within a building.
  - vii) The surface parking area and ramps to the underground parking area shall be screened from the street with landscaping.

- viii) Sustainable community objectives be implemented through the Site Development process that support cycling and walking, neighbourhood connectivity to the broader community, transit opportunities, water and energy efficiencies and alternatives, green building design including addressing light pollution, and sustainable site development, including developing a LEED Certified apartment building.
- The Regional Municipality of York (York Region) shall require a minimum 36 m wide right-of-way on Pine Valley Drive and any additional lands required for turning lanes at intersections, which shall be conveyed to York Region, for public highway and transit purposes, free of all costs and encumbrances to the satisfaction of York Region.
- x) The maximum building height and building (footprint) envelope, and minimum landscaped areas along Pine Valley Drive and on the site shall be established in the Zoning By-law.
- xi) The Holding Symbol "(H)" shall not be removed from the lands zoned Residential until such time that the following conditions are addressed for the Subject Lands to the satisfaction of the City of Vaughan (City):
  - the water supply and sewage servicing capacity has been identified and allocated to the Subject Lands by the City;
  - the approval of a Site Development Application by Vaughan Council for the Subject Lands, which shall include the following:
    - a) the transfer of the tableland woodlot, free of all charges and encumbrances, to the City; and,
    - b) the details pertaining to the monitoring program and Letter of Credit or other financial security for the proposed realigned channel has been submitted and approved, to the satisfaction of the City and the Toronto and Region Conservation Authority (TRCA).
- xii) The Owner shall contribute their proportionate share towards the provision of major community and infrastructure facilities such as schools, parks, greenways, roads and

road improvements, external services and stormwater management facilities. The Owner will be required to enter into one or more agreements as a condition of development approval, providing for the equitable distribution of the costs of the land and community facilities. The Trustee for Block 39 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 39 Developers' Group Agreement.

- xiii) The Owner, prior to the approval of the Site Development application, shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment, to the satisfaction of the City.
- ivx) All requirements of York Region shall be satisfied for the Subject Lands shown on Schedule "B". (OPA #728)"
- 4. Adding the following to the end of paragraph 8) of Sub-section 5.9.1, Valley and Stream Corridor, Policies:

"(OPA #728)

- An ecological buffer ranging in width between 6 m and 10 m as shown Schedule "B4", outside of the development limits adjoining the valleylands and stream corridor shall be established and dedicated to either the Toronto and Region Conservation Authority or City of Vaughan, free of all charges and encumbrances. (OPA #728)"
- 5. Adding the following after sub-paragraph vii) of paragraph 4 of Sub-section 5.11.1, Terrestrial (Woodland) Resources Protection, Policies:

"(OPA #728)

viii) The tableland woodlot on the Subject Lands shall be dedicated to the City of Vaughan, free of all charges and encumbrances, as part of the Site Development approval process. (OPA #728)"

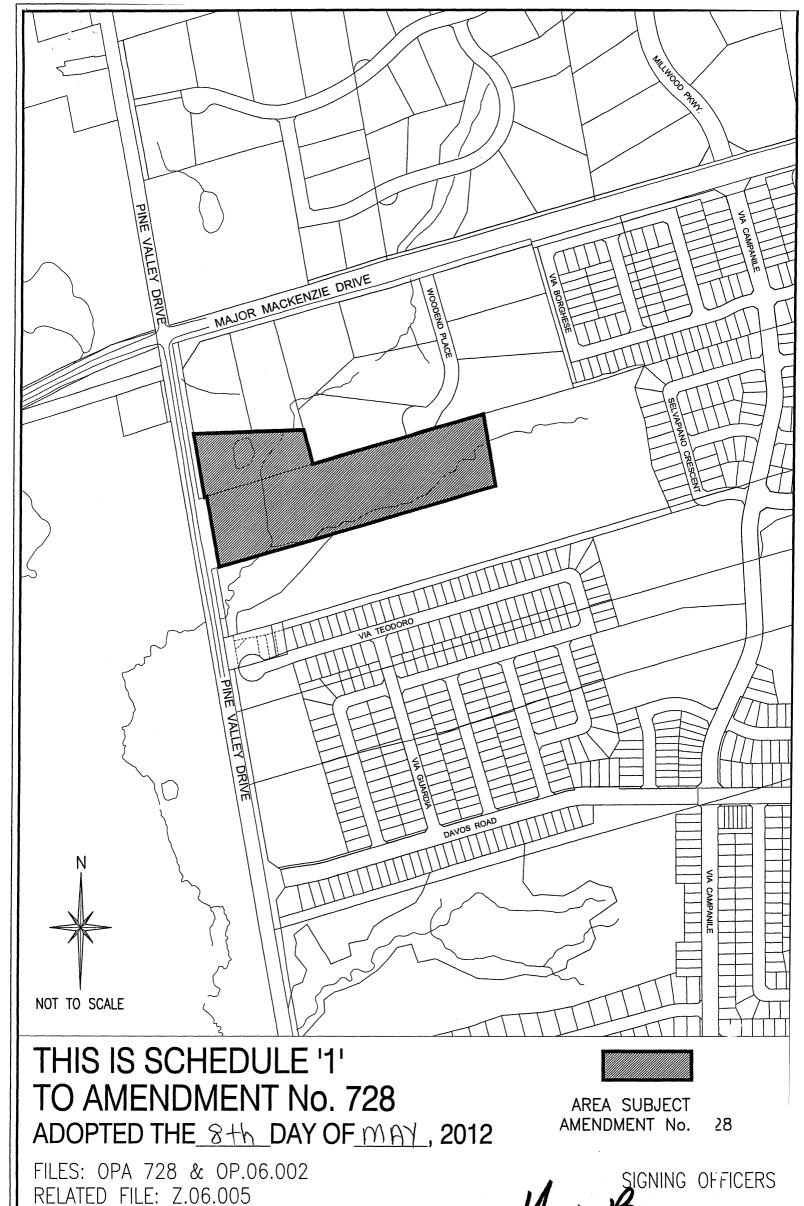
#### V. <u>IMPLEMENTATION</u>

It is intended that the policies of the Official Plan of the City of Vaughan Planning Area pertaining to the Subject lands shall be implemented by way of an amendment to the Vaughan Zoning By-law, and Site Development approval, pursuant to the *Planning Act*.

#### VI <u>INTERPRETATION</u>

The provisions of the Official Plan of the City of Vaughan Planning Area, as amended from time to time regarding the interpretation of the Plan, shall apply to this Amendment.

Notwithstanding Schedule "B", for the purposes of this Amendment, Schedule "B4" shall prevail in the case of any conflict.

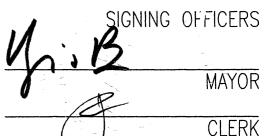


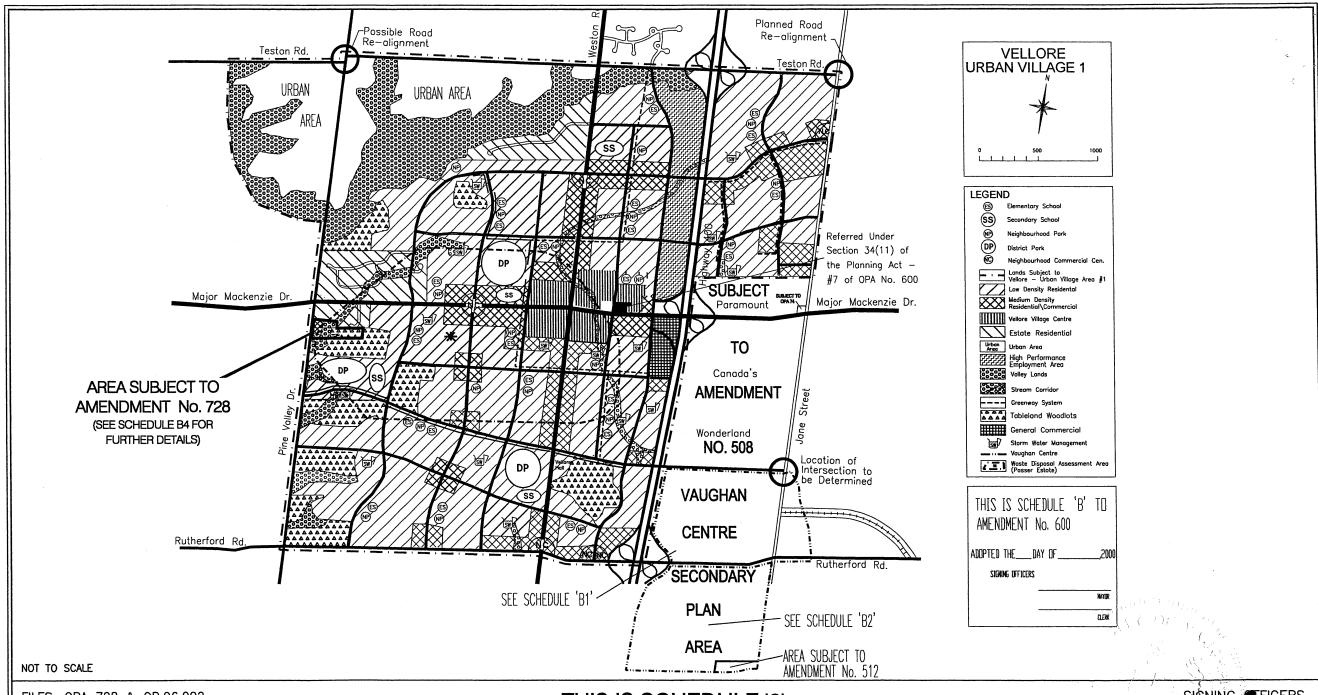
LOCATION: Part of Lots 19 & 20, Concession 6

APPLICANT: 1668872 Ontario Inc.

CITY OF VAUGHAN

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FILES: OPA 728 & OP.06.002

RELATED FILE: Z.06.005

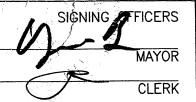
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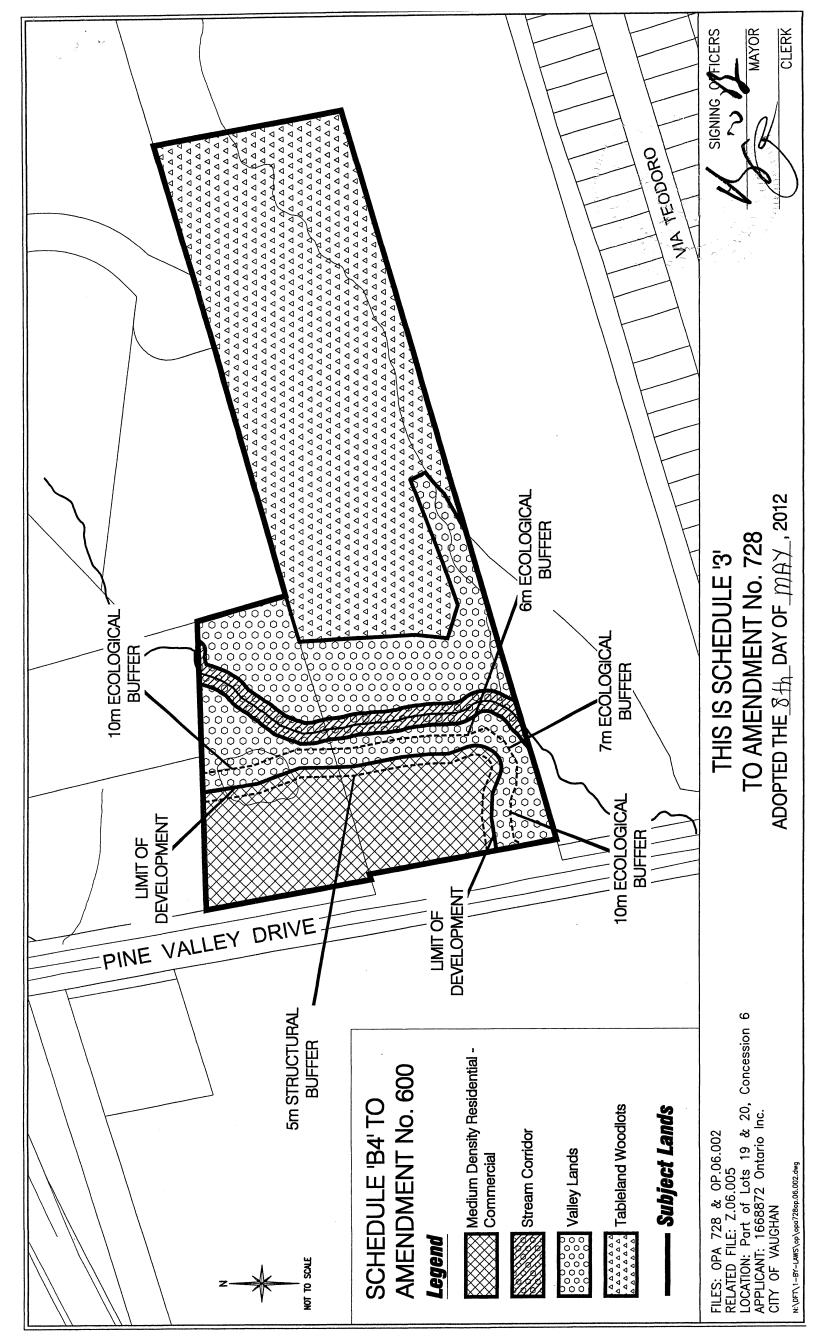
LOCATION: Part of Lots 19 & 20, Concession 6

APPLICANT: 1668872 Ontario Inc.

CITY OF VAUGHAN

THIS IS SCHEDULE '2'
TO AMENDMENT No. 728
ADOPTED THE \$ +h DAY OF MAY, 2012





#### APPENDIX I

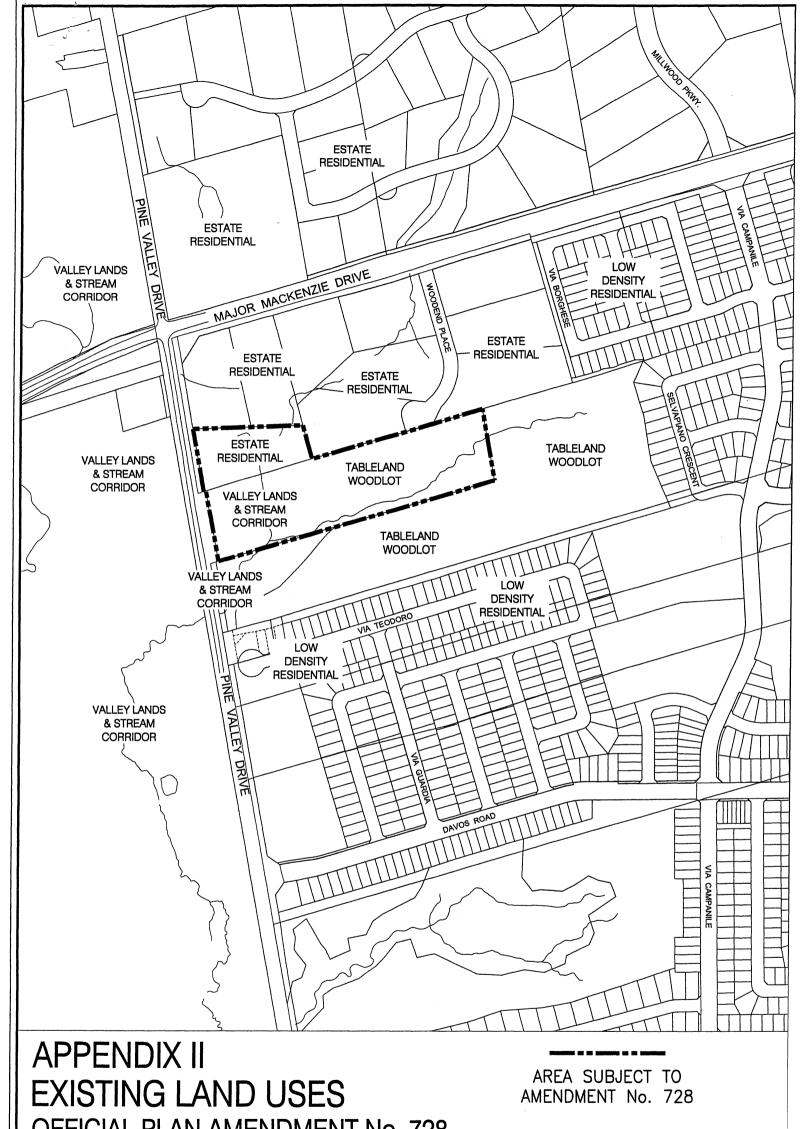
The Subject Lands are located on the east side of Pine Valley Drive, south of Major Mackenzie Drive, in Part of Lots 19 and 20, Concession 6, City of Vaughan.

On March 20, 2012 Council ratified the February 28, 2012 Committee of the Whole recommendation, without amendment, to approve the proposal for the Official Plan Amendment. Council approved the recommendation as follows:

"The Commissioner of Planning recommends:

- 1. THAT the recommendation contained in the following report of the Commissioner of Planning, dated February 28, 2012, be approved, subject to replacing the word "High" in recommendation 1.a with the word "Medium".
- 2. THAT Official Plan Amendment File OP.06.002 (1668872 Ontario Inc.) BE APPROVED, to amend Official Plan Amendment #600 for the subject lands shown on Attachments #1 and #2, specifically to redesignate the subject lands to permit a residential apartment building as shown on Attachments #3 to #5 inclusive, as follows:
  - a) redesignate Parts 1 and 2 (Attachment #6) of the subject lands from "Estate Residential" and "Valley and Stream Corridor" to "Medium Density Residential-Commercial" to permit a maximum 6-storey (maximum height of 19 m) residential apartment building with a maximum of 98 apartment dwelling units, a maximum density of 115.3 units per hectare (98 units/0.85 ha) and a maximum Floor Space Index of 2.0 (16,823.99 m² GFA/8,500 m² Lot Area); and,
  - b) redesignate Part 3 (Attachment #6) from "Estate Residential" to "Valley and Stream Corridor" to maintain the open space/valley and stream corridor.
- 3. THAT the implementing Official Plan Amendment include the following but not limited to sitespecific policies:
  - a) require enhanced building elevations and architectural features including the integration of the rooftop mechanical equipment into the roof building form;
  - b) require minimum landscaped areas along Pine Valley Drive and on the property, with the minimum requirements to be established in the implementing Zoning By-law;
  - c) require sustainable community objectives to be implemented through the site plan process that support cycling and walking, neighbourhood connectivity to the broader community, transit opportunities, water and energy efficiencies and alternatives, green building design including addressing light pollution, and sustainable site development, including developing a LEED Certified apartment building;
  - d) require an ecological buffer ranging from 6m to 10m as shown on Attachment #10, outside of the development limits adjoining a valley and stream corridor to be established and dedicated to a public agency to form part of the public open space system:
  - e) the valley and stream corridor shall be dedicated to either the Toronto and Region Conservation Authority (TRCA) or City of Vaughan, free of all charges and encumbrances;
  - f) the tableland woodlot shall be dedicated to the City of Vaughan, free of all charges and encumbrances;
  - g) loading and unloading shall not be permitted between a building and a street, and all surface parking areas and ramps shall be screened from the street with landscaping; and,
  - h) require a maximum height and building (footprint) envelopes to be established in the Zoning By-law.
- 4. THAT should the implementing Official Plan Amendment File OP.06.002 (1668872 Ontario Inc.) be approved by the Region of York (approval authority), that the Region of York be requested to endorse a modification to the City of Vaughan Official Plan 2010, adopted by Vaughan Council on September 7, 2010, as modified on September 27, 2011, specifically Schedules 1, 2, 3, 13, 13-M and 14C to redesignate the subject lands from "Low-Rise Residential" and "Natural Areas" to "Mid-Rise Residential" and "Natural Areas" to accurately reflect the development limits of the subject lands and with the same site-specific policies identified in Recommendations 1 a) and b) above to be included in Volume 2, Section 13 (Land Subject to Site Specific Policies) of the City of Vaughan Official Plan 2010, as

amended. As the VOP 2010 has been appealed, the final approval authority rests with the Ontario Municipal Board (OMB).  $\dot{}$ 



# OFFICIAL PLAN AMENDMENT No. 728

FILES: OPA 728 & OP.06.002

RELATED FILE: Z.06.005

LOCATION: Part of Lots 19 & 20, Concession 6

APPLICANT: 1668872 Ontario Inc.

CITY OF VAUGHAN

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