

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 040-2013

A By-law to adopt Amendment Number 733 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 733 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1” and “2” 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 14th day of May, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 17 of Report No. 14
of the Committee of the Whole
Adopted by Vaughan City Council on
April 23, 2013.

AMENDMENT NUMBER 733
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

The following text to Amendment Number 733 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 733.

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

Authorized by Item No.17 of Report No.14
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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. 600, as amended by No. 638 by redesignating certain lands from “High Density Residential Commercial” to “Low Density Residential” designation.

II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands), are shown on Schedules "1" and "2" attached hereto as Area Subject to Amendment No. 733. The Subject Lands are comprised of 1.95 ha and are located on the west side of Bathurst Street south of Teston Road in Planning Block 12, being Part of 25, Concession 2, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the Subject Lands from “High Density Residential/Commercial” to “Low Density Residential” is based on the following considerations:

1. The Provincial Policy Statement provides broad based policy direction on matters of Provincial interest related to land use planning and development. The Provincial Policy Statement promotes redevelopment that accommodates an appropriate range and mix of, housing and other land uses. This Amendment facilitates low density residential development on a parcel of land while maintaining the opportunity for high density residential development on the balance of the lands, thereby providing a broader range of housing types and accommodation choices than currently permitted on the overall site. The proposed development conforms to the goals, objectives and policies of the Provincial Policy Statement.
2. The policies of the Growth Plan are intended to guide the development of land in the Greater Golden Horseshoe; 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. Moreover, the Growth Plan outlines opportunities to direct growth to existing urban areas as well as creating complete communities. The Growth Plan states that a focus for transit and infrastructure investments to support future growth can be provided by concentrating new development in these areas

and creating complete communities. The proposal is considered infill development within the built up area of Planning Block 12, will facilitate the development of a vacant lot within a developed area and maintain an opportunity for higher density development than currently exists in Block 12. The proposal meets the intent of the Places to Grow Plan.

3. The Region of York Official Plan designates the Subject Lands “Urban Area” which permits a wide range of residential, commercial, industrial and institutional uses. Under the partially approved new Regional Official Plan (2010), the subject lands are designated “Urban Area”. The Region has introduced policies, although not in full force and effect, that prohibit the reduction of densities without a municipal comprehensive review. Through the new Vaughan Official Plan 2010 municipal comprehensive review the subject site was redesignated from “High Density Residential/Commercial” to “Mid-Rise Mixed-Use” and the policies within Volume 2 of the Vaughan Official Plan 2010 permit “Low-Rise Buildings” including but not limited to single-detached dwelling units. This reduction in density has therefore been assessed through a municipal review.
4. The proposal to reduce the density and to permit low density residential uses complies with the Region’s planned urban structure to reduce high density developments that are not located along a Regional Corridor or in a Regional Centre. In addition, the Community Planning Department of the Region of York identified that the Official Plan Amendment application is a routine matter of local significance and in accordance with Regional Official Plan Policy 7.2.7, it does not adversely affect Regional planning policies or interest. Accordingly, the Region of York has exempted the Official Plan Amendment application from Regional approval by Regional Planning Committee and Council.
5. Prior to OPA #638, the subject lands were designated “Low Density Residential” with a “Neighbourhood Commercial” overlay by OPA #600. The “Low Density Residential” designation permits the proposed single-detached dwelling units with a maximum permitted net density of 22 units per hectare. The proposal to redesignate the subject lands back to “Low Density Residential” will re-establish the “Low Density Residential” policies within OPA #600 prior to the approval of OPA #638. Therefore, the proposal is appropriate and maintains the original intent of OPA #600 and is compatible with surrounding land uses.

Having received a statutory Public Hearing held on November 27, 2012, Vaughan Council on April

23, 2013, approved Official Plan Amendment File OP.12.013 (Nonnodesto Income Inc.) under Amendment No. 733 to redesignate the Subject Lands from “High Density Residential/Commercial” to “Low Density Residential”.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 600 as amended by Amendment No. 638 to the Official Plan of the Vaughan Planning Area, is hereby further amended by:

1. Redesignating the lands shown as “Area Subject to Amendment No. 733” on Schedules “1” and “2” attached hereto from “High Density Residential/Commercial” to “Low Density Residential” in the manner shown on the said Schedules.
2. Deleting Schedule “C” in Official Plan Amendment No. 600 and substituting therefor the Schedule “C”, attached hereto as Schedule “2”.

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, and Draft Plan of Subdivision* 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.

APPENDIX I

The subject lands are located at the southwest corner of Teston Road and Bathurst Street, being, in Part of Lot 25, Concession 2, City of Vaughan.

On April 23, 2013, Vaughan Committee of the Whole considered a report and the following recommendation from the Commissioner of Planning with respect to Official Plan Amendment File OP.12.013, Zoning By-law Amendment File Z.12.031, and Draft Plan of Subdivision File 19T-12V006 (Nonnodesto Income Inc.) and adopted the following resolution:

- “1. THAT Official Plan Amendment File OP.12.013 (Nonnodesto Income Inc.) BE APPROVED, specifically to amend OPA #600, as amended by site-specific OPA #638, as follows:
 - i) redesignate 1.95 ha of the subject lands, identified as Part “A” on Attachment #3, from “High Density Residential/Commercial” to “Low Density Residential” to facilitate the development of 34 lots for single detached dwelling units, in the manner shown on Attachment #4; and,
 - ii) maintain the current “High Density Residential/Commercial” designation on Part “B” (0.88 ha) of the subject lands, as identified on Attachment #3, which permits as-of-right apartment dwelling units at a maximum density of 250 units/ha, Floor Space Index (FSI) of 2.95, and a maximum building height of 12 storeys.
2. THAT Zoning By-law Amendment File Z.12.013 (Nonnodesto Income Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to:
 - i) rezone 1.95 ha of the subject lands identified as Part “A” on Attachment #3, from RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” and subject to Exception 9(1261) to RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” (single detached dwelling units on minimum 12 m frontage lots), RD4(H) Residential Detached Zone Four with the Holding Symbol “(H)” (single detached dwelling units on minimum 9 m frontage lots) and OS2 Open Space Park Zone (landscaped buffer), in the manner shown on Attachment #4; and,
 - ii) maintain the existing RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” subject to Exception 9(1261) on Part “B” of the subject lands, as identified on Attachment #3, which permits as-of-right site-specific zoning exceptions.
3. THAT Draft Plan of Subdivision File 19T-12V006 (Nonnodesto Income Inc.) BE APPROVED, to facilitate a plan of subdivision for 34 lots for single detached dwellings as shown on Attachment #4, subject to the conditions of approval set out in Attachment #1.”

Vaughan Council on April 23, 2013, approved the Committee of the Whole’s recommendation.