

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 083-2013

A By-law to adopt Amendment Number 739 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 739 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 25th day of June, 2013.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

**AMENDMENT NUMBER 739
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 739 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 739.

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. 600, as amended by site-specific Amendment No's. 656 and Amendment No. 714.

The subject Amendment redesignates the lands shown as "Area Subject to Amendment No. 739" from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" and establishes a maximum density of 47 units per hectare in the "Medium Density Residential/Commercial" designation on the Subject Lands.

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. 739". The Subject Lands are located on the south side of Major Mackenzie Drive between Dufferin Street and Bathurst Street known municipally as 1331 and 1381 Major Mackenzie Drive and a portion of 1221 Major Mackenzie Drive, being Part of Lot 20, Concession 2, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the Subject Lands from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" and to provide a site-specific policy to establish a maximum density of 47 units per hectare and maintain a "Valley Lands" designation on the undevelopable portion of the Subject Lands is based on the following considerations:

1. The *Provincial Policy Statement* (PPS) includes policies that encourage new growth within urban areas. The Subject Lands are located within the urban area and the proposed medium density residential designation meets the intent of the PPS with respect to the efficient use of land and infrastructure and would promote development patterns to support a livable and healthy community. The proposed development will also make efficient use of existing public service facilities within the surrounding area. This Amendment will facilitate development that conforms to the goals, objectives and policies of the PPS.
2. *Places to Grow* policies guide the development of the Greater Golden Horseshoe area; encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, directs growth to settlement areas that offer municipal

water and wastewater systems. Opportunities for the efficient use of land and infrastructure are provided for by the Growth Plan by directing growth to existing urban areas. The Subject Lands are located within the built up area of the City of Vaughan. The Growth Plan encourages intensification throughout the built-up area and includes infill development and development of under-utilized lots. The Subject Lands are currently developed with an estate residential dwelling. This Amendment will facilitate the redevelopment of under-utilized lots.

The Growth Plan also encourages a range and mix of housing types, high quality public open spaces, and easy access to local stores and services. This Amendment will facilitate the development of townhouse and semi-detached dwellings, within an area of the community which is generally developed with single detached dwellings. The Subject Lands are located within a built up area and within a serviced community, supported by existing municipal water, sewer systems, and existing public transit. This Amendment is consistent with the goals of the Growth Plan.

3. The Subject Lands are designated "Urban Area" by the Region of York Official Plan, which permits a range of uses including residential, commercial, industrial and institutional uses. The Regional Official Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit supportive density. This Amendment facilitates the development of the Subject Lands with townhouses and semi-detached dwellings to provide for a variety of housing forms to meet the needs of different households, which is consistent with the Region of York's Official Plan. The proposed Amendment is consistent with the Regional Official Plan policies that direct development to existing built-up portions of urban areas.

The Subject Lands are located along Major Mackenzie Drive, which is identified as a Regional Transit Route in the Regional Official Plan. The Plan recognizes the relationship between transportation and urban form. The medium density residential use with a compact urban form encourages and supports a higher level of public transit use. The Subject Lands are located within walking distance of existing commercial uses located on the north side of Major Mackenzie Drive, and at the intersection of Major Mackenzie Drive and Dufferin Street. The proximity of the Subject Lands to existing facilities and services within the surrounding community reduces the overall parking demand and the length of trips to destinations. The Region has indicated that the proposed development does not adversely affect Regional interest. Accordingly, on February 5, 2013, the Region of York exempted Official Plan Amendment File OP.12.016 from Regional approval.

4. The Subject Lands are located within the Urban Village 2 Carrville District Planning Block 11. The westerly portion of the Subject Lands (1381 and 1331 Major Mackenzie Drive) are designated "High Density Residential/Commercial" and "Valley Lands" by in-effect OPA #600, as amended by site-specific OPA #656 and OPA #714, which permits apartment buildings at a maximum density of 600 apartment units (282 uph) and a maximum building height of 14-storeys or 43 m on the "High Density" lands.

The easterly portion of the Subject Lands (1221 Major Mackenzie Drive) is designated "Medium Density Residential/Commercial" and "Valley Lands" by in-effect OPA #600, which permits semi-detached and block townhouse uses with a maximum density of between 17 and 40 units per hectare (uph). The proposal for medium density uses on a portion of 1221 Major Mackenzie Drive does not conform to the in-effect site-specific Official Plan policies. An Official Plan Amendment is required to permit a mix of semi-detached and block townhouse dwellings on the tableland at a maximum density of 47 uph.

Having received a statutory Public Hearing held on February 5, 2013, on June 25, 2013, Vaughan Council approved Official Plan Amendment File OP.12.016 (King Jane Developments Inc. and Tony and Germana Guglietti) to redesignate the Subject Lands from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" to provide a site-specific policy to permit a maximum density of 47 units per hectare on the lands designated "Medium Density Residential/Commercial" and maintain a "Valley Lands" designation on the undevelopable portion of the Subject Lands.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 600 to the Official Plan of the Vaughan Planning Area, as amended by Amendments Nos. 656 and 714, is hereby further amended by:

1. Recinding Official Plan Amendment No. 656 in its entirety;
2. Recinding Official Plan Amendment No. 714 in its entirety;
3. Redesignating the lands shown as "Area Subject to Amendment No. 739" on Schedules "1" and "2", attached hereto from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" in the manner shown on Schedule "1".
4. Adding the following site-specific development policies to Section 4.2.1.3 "Medium Density Residential/Commercial Area" of Amendment No. 600:

“4.2.1.3.1 Exceptions

d) (739) Notwithstanding the above, the lands identified as “Area Subject to Amendment No. 739, located on the south side of Major Mackenzie Drive between Dufferin Street and Bathurst Street, are hereby subject to the following policies:

- i. The maximum permitted residential density shall be 47 units per hectare. (739)”

- 5. 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 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.

APPENDIX I

The Subject Lands are located on the south side of Major Mackenzie Drive, between Dufferin Street and Bathurst Street, municipally known as 1221, 1331 and 1381 Major Mackenzie Drive, in Lot 20, Concession 2 , City of Vaughan.

On June 18, 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.12.016, Zoning By-law Amendment File Z.12.037, and Site Development File DA.12.089 King Jane Developments Inc. and Tony and Germana Guglietti) and adopted the following resolution (in part) which was adopted by Vaughan Council on June 25, 2013, as 17 pertains to the Official Plan Amendment applicaitons:

- “1. THAT Official Plan Amendment File OP.12.016 (King Jane Developments Inc. and Tony and Germana Guglietti) BE APPROVED, specifically to amend OPA #600, as amended by OPA #656 and OPA #714 to redesignate the Subject Lands shown as Parts “A”, “B”, and “C” on Attachment #3, as follows:
 - i) Parts “A” and “B”

Redesignate Parts “A” and “B” (1381 and 1331 Major Mackenzie Drive) from “High Density Residential/Commercial” and “Valley Lands” to “Medium Density Residential/Commercial” (consistent with the tableland designation on Part “C”) and “Valley Lands”; and,
 - ii) Parts “A”, “B” and “C”

To permit a maximum density of 47 units per hectare on the combined developable tableland portions of the Subject Lands (Parts “A”, “B” and “C”) proposed to be designated “Medium Density Residential/Commercial”, and maintain a “Valley Lands” designation for the undevelopable portion of the Subject Lands.”