

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 111-2014

A By-law to adopt Amendment Number 7 to the Vaughan Official Plan 2010 for 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 7 to the Vaughan Official Plan 2010 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 24th day of June, 2014.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

Authorized by Item No. 52 of Report No. 30
of the Committee of the Whole
Adopted by Vaughan City Council on
June 24, 2014

AMENDMENT NUMBER 7
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1” and “2” constitutes Amendment Number 7 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 2, Section 13.23 respecting Policy 13.23.1, 77 Eagleview Heights, (Originally OPA #723) by redesignating the Subject lands identified as Area Subject to Amendment 7 from “High Rise Residential” to “Low Rise Residential”, to permit a maximum of 200 building block townhouse units on the Subject Lands subject to the policies in this Amendment.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the west side of Highway 400, south of Major Mackenzie Drive, known municipally 77 Eagleview Heights, City of Vaughan, as shown on Schedule “1” attached hereto as “Area Subject to Amendment No. 7.”

III BASIS

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

1. The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. The PPS includes policies that direct new growth to urban areas and promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents, which contribute to the creation of strong and safe communities, healthy environments and long term economic growth.

The development of the Subject Lands for block townhouse units will facilitate the development of an underutilized parcel of land and meets the intent of the PPS with respect to efficient use of land and infrastructure, and providing a range of housing types on lands that are environmentally safe and will not compromise public safety.

2. The Provincial Places to Grow Plan (Growth Plan) sets out a framework to provide overall leadership and guidance to municipalities as they plan for growth in their communities. The plan sets out policy on a wide range of issues including, managing growth, general intensification, infrastructure planning, among other policies. The Growth Plan states that intensification makes more efficient use of land by accommodating growth within existing urban areas and that intensification is the key to revitalizing city centres and making them more people focused and

liveable. The proposed development of the Subject Lands with a low rise building form conforms to the Provincial Growth Plan as it proposes development in a built-up area designated for higher density development by the City's Official Plan.

3. The York Region Official Plan (YROP) designates the Subject Lands as "Urban Area", which permits a wide range of residential, commercial, industrial and institutional uses. The objectives of the YROP include targeting growth to existing built up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The proposed development is consistent with the policies of the York Region Official Plan.
4. The Ontario Municipal Board approved site-specific OPA #723 on January 6, 2012, which designated the Subject Lands "High Density Residential/Commercial", and permits a maximum of 864 residential units in two apartment buildings with maximum building heights of 6 to 10-storeys and 6 to 12-storeys and 54, 2-storey block townhouse units. The proposed townhouse development does not conform to the site-specific provision of the official plan, and therefore, an Official Plan Amendment Application is required.

Ontario Municipal Board approved OPA #723 was carried forward in its' entirety into VOP 2010, Volume 2, Section 13.23 - 77 Eagleview Heights Drive. The Subject Lands are identified as an "Area Subject to Site-Specific Plans" on Schedule 14C, Volume 1. The subject lands are designated "High-Rise Residential" by Vaughan Official Plan 2010 (VOP 2010).

The proposed redesignation of the Subject Lands from "High-Rise Residential" to "Low-Rise Residential" to permit the use of the land for a maximum of 200 townhouse units or a similar low rise built form is appropriate as it is consistent with the land use within the vicinity of the Subject Lands. Section 9.2.2.1 Low-Rise Residential and Section 9.2.3.2 Building Types and Development Criteria for Townhouses in VOP 2010 states that townhouse units up to three-storeys in height situated on a single parcel and part of a row of at least three but no more than six attached units are permitted. The proposed development includes block townhouse units with more than six attached units, but maintains the permitted building height and density. This is a minor variation to the development criteria within VOP 2010 and can be supported as the proposed building height and density is being maintained and is consistent with the surrounding built form.

5. The statutory Public Hearing was held on March 25, 2014. The recommendation of the Committee of the Whole to receive the Public Hearing report of March 25, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan

Council on April 8, 2014. Subsequently on June 24 2014, Vaughan Council ratified the June 17, 2014, Committee of the Whole recommendation, to approve Official Plan and Zoning Amendment Files OP.14.002, and Z.14.003 (1678573 Ontario Inc.).

6. On March 21, 2014, 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.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

1. Modifying Schedule 13 “Land Use” of Schedule 13 “Land Use” to VOP 2010 attached hereto as Schedule ‘1’, thereby redesignating the subject lands from “High-Rise Mixed-Use” to “Low-Rise Residential”.
2. Modifying Schedule 14C “Areas Subject to Site Specific Plans”, Site Specific Area 22, “77 Eagleview Heights Drive” by removing the word “Drive” to read “77 Eagleview Heights”.
3. Deleting Site Specific Policy 13.23, in VOP 2010, Volume 2 and substituting therefor the following:

“(OPA #7) 13.23 77 Eagleview Heights

13.23.1.1: Notwithstanding Policy 9.2.2.1, respecting permitted uses and Policy 9.2.3.2 respecting Building Types and Development Criteria, the subject lands located at 77 Eagleview Heights identified on Map 13.23.A, attached hereto as Schedule “2” are subject to the following policies:

- i) A maximum of 200 townhouse units shall be permitted. A maximum of 7 townhouse units shall be permitted in each townhouse block.
- ii) The maximum building height for a townhouse shall not exceed 3- storeys and 13 m.

- iii) Minor variations from the numerical requirements in this Amendment may be permitted without an Official Plan Amendment provided that the general intent of the plan is maintained. A minor variation shall mean a maximum of 5% variation from the identified numerical requirement. Minor variations to Schedule “2” (Map 13.23.A) to this Amendment may be permitted without an Official Plan Amendment, provided the general intent of the plan is maintained.
- iv) Visitor parking shall be provided on the subject lands at a ratio of .20 spaces per unit. An additional 10 temporary visitor parking spaces may be located along the east lot line within the Ministry of Transportation 9-10m setback, however shall not be used to calculate the minimum required visitor parking on the subject lands.
- v) A minimum 714 m² amenity/parkette shall be permitted on the subject lands and shall be designed to the satisfaction of the City of Vaughan.

13.23.1.2

Prior to Site Plan approval on the subject lands or phase thereof, the following shall be addressed to the satisfaction of the City of Vaughan and/or respective approval authority:

1. A detailed Noise and Vibration Report shall be submitted in support of development and the recommendations of the noise and vibration Report shall be implemented at the final Site Plan stage;
2. A comprehensive Transportation Demand Management Program;
3. Site Plan matters including, but not limited, to transportation and servicing including traffic circulation, site access, emergency access, site grading, noise, including berms and buffering adjacent to Highway 400, proper pedestrian connections, and appropriate conveyances and easements, if required;

4. A facility fit plan including a children's play area and equipment together with a well-designed landscape treatment plan for the parkette/amenity area;
5. An Urban Design and Architectural Design Brief, and a Landscape Master Plan to address the following:
 - pedestrian walkways, lighting, and parking
 - a barrier free pedestrian connection to the abutting GO Transit Commuter Station, which shall function as a secondary emergency access
on site traffic circulation
 - landscaping and planting including fencing and visual screening and buffering
 - sustainable development objectives and features
 - appropriate amenity area size and location
 - a plan detailing the community garden plots located within the Ministry of Transportation right-of-way
 - berming and fencing along the Highway 400 frontage in accordance with the recommendations of the Noise Study
6. The necessary Environmental Site Assessment works and clearances shall be completed and a Record of Site Condition (RSC) shall be registered. The approval of the Site Development application will be conditional on, if required, the review and approval of a Remediation Plan.
7. Cash-in-lieu of Parkland Dedication will be required at 5% cash-in-lieu or 1 hectare per 300 dwelling units, prior to the issuance of a Building Permit, in accordance with the Planning Act, and the City of Vaughan Cash-in-Lieu of Parkland Policy in effect at the time.
8. The proposed townhouse development may occur in phases. A phasing plan is required for approval by the City of Vaughan if the property is developed in phases.
9. The Owner shall contribute their proportionate share towards the following but not limited to major community and infrastructure facilities

such as schools, parks, greenways, roads and road improvements to the satisfaction of the Block 32 West Cost Sharing Agreement. The Trustee for Block 32 West shall provide the City of Vaughan with a letter indicating that the owner has fulfilled all cost sharing and other obligations for the Block 32W Developers Group Agreement.

13.23.1.3. A Holding Symbol “(H)” shall be placed on the subject lands and shall not be removed until the following conditions are addressed to the satisfaction of the City of Vaughan:

- a. Vaughan Council should identify and allocate sewer and water allocation;
- b. written clearance from the Trustee for Block 32W that the owner has entered into and signed the Block 32W Cost Sharing Agreement;
- c. a Record of Site Condition (RSC) shall be registered with the Ministry of Environment to the satisfaction of the City of Vaughan;
- d. Any requirements of the City of Vaughan external review consultant (Decommissioning Consulting Services Limited) as delineated in their latter of October 18, 2010, shall be addressed to the satisfaction of the City of Vaughan (OPA #7).”

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 Site Development 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 west side of Highway 400, south of Major Mackenzie Drive, known municipally as 77 Eagleview Heights, City of Vaughan.

The purpose of this Amendment is to redesignate the subject lands from 'High-Rise Residential' to 'Low-Rise Residential' and to delete Site Specific Policy 13.23 "77 Eagleview Heights Drive" in its entirety and replace it with the policies included in this Amendment.

The Amendment will permit the Subject Land to be developed with 200, 3-storeys (13 m) townhouse units subject to specific policies in this amendment.

On June 24, 2014, Vaughan Council ratified the June 15, 2013, Committee of the Whole recommendation, with amendments as set out in Communication C11 dated November 18, 2013, to approve Official Plan Amendment File OP.12.008. Vaughan Council approved the following recommendation (in part):

- "1. THAT Official Plan Amendment File OP.14.002 (1678573 Ontario Inc.), BE APPROVED, to amend Vaughan Official Plan 2010 (VOP 2010), specifically Volume 2, Site-Specific Policy 13.23 (Originally OPA #723) by redesignating the subject lands from "High-Rise Residential" to "Low-Rise Residential" to permit the development of a low-rise built form consisting of block townhouses, as shown on Attachment #6.
2. THAT Site-Specific Policy 13.23 in VOP 2010 be deleted in its entirety and replaced with the following, but not limited to, implementing policies:
 - a. the subject lands shall be developed with a maximum of 200 townhouse units with a maximum building height of 3-storeys or 13m, as shown on Attachments #6 and #7;
 - b. a maximum of 7 townhouse dwelling units shall be permitted in each townhouse block;
 - c. visitor parking shall be provided at a minimum ratio of 0.2 spaces per unit; 10 additional visitor parking spaces may be located along the east lot line within the Ministry of Transportation 9-10m setback, however, shall not be used to calculate the minimum required visitor parking for the development;
 - d. the amenity/parkette area for any development on the subject lands shall be designed to the satisfaction of the City of Vaughan;
 - e. a minor variation from numerical requirements in the Amendment shall be permitted without an Official Plan Amendment, provided that the general intent of the Plan is maintained. Minor variations, in this site-specific amendment shall mean a maximum of 5% variation from the identified numerical requirement;
 - g. prior to Site Plan approval for the subject lands or phase thereof and to the satisfaction of the City of Vaughan and/or respective approval authority, the owner shall:
 - i. develop and implement a comprehensive Transportation Demand Management Program;
 - ii. a detailed noise and vibration study shall be submitted in support of a development application on the subject lands and the recommendation of the noise and vibration study shall be implemented at the Site Plan stage, to the satisfaction of the City of Vaughan;
 - iii. address Site Plan matters including but not limited to transportation and servicing including traffic circulation, site access, emergency access, site grading, noise (including berms, fencing/screening, and/or buffering adjacent to Highway 400), proper pedestrian connections, and appropriate conveyances and easements, if required;
 - iv. the owner shall provide a facility fit plan showing a children's play area and equipment together with a well-designed landscape treatment plan for the parkette/amenity area to the satisfaction of the City of Vaughan;
 - v. an Urban Design and Architectural Design Brief, and a Landscape Master Plan shall be provided to address the following:

- pedestrian walkways through the site, lighting, and parking
 - a barrier free pedestrian connection to the GO Transit Commuter Station, which shall function as a secondary emergency access
 - on-site traffic circulation
 - landscaping and planting including fencing, visual screening and buffering
 - sustainable development objectives and features
 - appropriate amenity area size and location
 - berm and fence along the Highway 400 frontage, if required; treatment along the Highway 400 frontage shall be in accordance with a Noise Study, approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
- h. the proposed development may occur in phases, and the owner will be required to submit a phasing plan for approval by the City of Vaughan;
- i. the owner shall carry out all necessary Environmental works and shall register a Record of Site Condition (RSC), to the satisfaction of the City of Vaughan Development/Transportation Engineering Department; and,
- j. the owner shall participate in and satisfy all requirements of the Block 32 West Cost Sharing Agreement.”