

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 17(28) of
the Planning Act, RSO 1990, c.P.13

and

IN THE MATTER OF Amendment Number 710
to the Official Plan of the Vaughan Planning Area

I, **SYBIL FERNANDES**, of the Town of Newmarket, in the Regional Municipality of York, **MAKE OATH AND SAY:**

1. **THAT** I am the Deputy City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** Official Plan Amendment Number 710 was adopted by the Council of the Corporation of the City of Vaughan on the 8th day of June, 2010, and written notice was given on the 22nd day of June, 2010 in the manner and form and to the persons and public bodies that requested notification of the adoption, pursuant to Subsection 17(23) of the Planning Act, RSO 1990, as amended.
3. **THAT** a notice of appeal setting out objections to Official Plan Amendment Number 710 and the reasons in support of the said objections was filed with me within twenty (20) days from the date of circulation of the Official Plan Amendment.
4. **THAT** the said Official Plan Amendment and supporting documentation were forwarded to the Ontario Municipal Board on July 26, 2010.
5. **THAT** the Ontario Municipal Board advised by letter dated October 29, 2010, that the appeal has been withdrawn.
6. **THAT** Official Plan Amendment Number 710 is deemed to have come into effect on the 29th day of October, 2010, in accordance with Subsection 17(30) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this 5th)
day of November, 2010.)



SYBIL FERNANDES



A Commissioner, etc.

James Todd Coles,
a Commissioner, etc.,
Regional Municipality of York, for
The Corporation of the City of Vaughan.
Expires March 27, 2013.

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
Fax: (416) 326-5370
Website: www.elto.gov.on.ca

**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de L'Ontario

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 326-5370
Site Web: www.elto.gov.on.ca



VIA EMAIL & REGULAR MAIL

October 29, 2010

Mr. Jeffrey Abrams, Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mr. Abrams:

**RE: OMB Case No. PL100782
OMB File Nos. PL100782 & PL100783
City of Vaughan File Nos. Z.08.047 & OP 08.012
Zoning By-law No. 134-2010 (OMB File No. PL100782) & Official Plan
Amendment No. 710 (OMB File No. PL100783)
Applications by 1541677 Ontario Limited
Appeals under Subsections 17(24) & 34(19) of the Planning Act by York Region
Standard Condominium Corporation 1053
Southeast Corner of New Westminster Drive and North Park Road, being Block 5
on Registered Plan 65M-3872
City of Vaughan**

Subsection 17(30) of the *Planning Act* provides;

(30) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn and the time for filing appeals has expired, the secretary of the Municipal Board shall notify the clerk of the municipality that made the decision and,

(a) the decision or part of the decision that was the subject of an appeal is final; and

(b) the plan or part of the plan that was adopted and in respect of which all appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.

Subsection 34(23.1) of the *Planning Act* provides;

(23.1) If all appeals to the Municipal Board under subsection (19) are withdrawn and the time for appealing has expired, the secretary of the Board shall notify the clerk of the municipality and the decision of the council is final and binding.

I am writing to advise that the above noted appeals by the York Region Standard Condominium Corporation 1053 were withdrawn by letter dated October 29, 2010.

As a result of the withdrawal of the above noted appeals, the prehearing conference that was scheduled for Monday, November 1, 2010 has been cancelled and no appearance is required.

There are no outstanding appeals in this matter, and the above noted case and files are now closed.

Yours truly,

Donna Mondinski
for

Patrick Hennessy
SECRETARY

c: Mr. Denis Kelly, Clerk, Regional Municipality of York
Mr. Robert Miller, Senior Counsel, Regional Municipality of York
Mr. Gabriel Szobel, Associate Counsel, Regional Municipality of York
Ms. Claudia Storto, Solicitor, City of Vaughan
Mr. Barry Horosko, Bratty & Partners, LLP
Ms. Caterina Facciolo, Bratty & Partners, LLP
Mr. Steven Zakem, Aird & Berlis, LLP
Mr. Scott Morrison, OMB Coordinator, Municipal Programs & Education Branch,
Ministry of Municipal Affairs & Housing

THE CITY OF VAUGHAN

BY-LAW

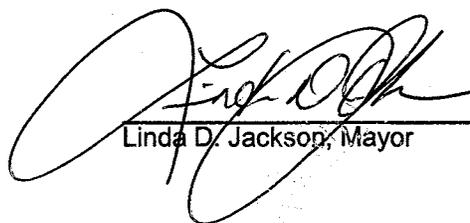
BY-LAW NUMBER 133-2010

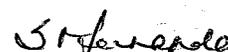
A By-law to adopt Amendment Number 710 to the Official Plan of the Vaughan Planning Area.

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

1. THAT the attached Amendment Number 710 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) " 1 ", " 2 ", and " 3 " 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.

READ a FIRST, SECOND and THIRD time and finally passed this 8th day of June, 2010.


Linda D. Jackson, Mayor


Sybil Fernandes, Deputy City Clerk

**AMENDMENT NUMBER 710
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 710 to the Official Plan of the Vaughan Planning Area and Schedules "1", "2" and "3" constitute Amendment Number 710.

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

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. 210 (Thornhill-Vaughan Community Plan), as amended by site-specific Amendment No. 621. The subject Amendment is site-specific and will permit an increase in the maximum number of units permitted on the "Subject Lands" from 1598 residential units within a maximum of 7 apartment buildings to a maximum of 1872 residential units within a maximum of 9 apartment buildings. This would result in an additional 274 apartment units within two additional apartment buildings on the subject lands shown on Schedules "1" and "2", to facilitate the development of the following:

- A 18 -storey residential condominium apartment building (Building "G") containing 195 units (previously approved under Amendment No. 621).
- A 16-storey residential condominium apartment building (Building "H") containing 216 units.
- A 4-storey residential condominium apartment building (Building "K") containing 81 units.

II LOCATION

The lands subject to this Amendment hereinafter referred to as "Subject Lands", are shown on Schedules "1" and "2" and Appendix II attached hereto as "Area Subject to Amendment No. 710 ". The specific area of the Amendment pertains to the lands located at the southeast corner of New Westminster Drive and North Park Road on Block 5 of Registered Plan 65M-3872, City of Vaughan.

III BASIS

The decision to amend the Official Plan to permit an increase in the maximum number of units and the maximum number of buildings permitted on the Subject Lands is based on the following considerations:

1. The Subject Lands are designated "High Density Residential" by Amendment #210, (Thornhill-Vaughan Community Plan), as amended by OPA #621, which permits a maximum total of 1598 units within the amendment area (Liberty Master Plan), comprised of 93 townhouse units and 1,505 apartment units, or a combination thereof, with the number of apartment buildings not to exceed 7 buildings with a maximum height of 22-storeys. A review of existing Provincial, Regional and local policies indicates that the proposed increase in density on the subject lands is consistent with the policies established with respect to efficient use of land uses, infrastructure and public service. The Provincial Policy Statement (PPS) promotes a full range of housing types

and densities to meet projected demographic and market requirements of current and future residential intensification in parts of built-up areas having sufficient infrastructure to create a potential supply of new housing units. The PPS also promotes land use patterns and densities that minimize land consumption and support public transit. The proposal is consistent with the existing land use context in the surrounding area and is consistent with the intent of the Provincial Policy Statement.

2. The Provincial Places to Grow Plan (Growth Plan) establishes principles for compact communities that provide a choice in housing and support transit. The proposed high density development addresses these principles and policies through its location, compact development form and supports existing public transit. The Growth Plan states that strong and healthy communities should have a broad mix of housing types, tenure opportunities and price ranges available to meet the needs of all potential residents. The proposed density increase is consistent with these principles.
3. The Region of York Official Plan identifies the Subject Lands as an "Urban Area" serviced by major transportation corridors and future transit systems. Objectives of the Regional Plan are to target growth to existing built up portions of urban areas, to encourage carefully planned intensification, and to provide for a broad range of housing types consistent with the policies contained in the Regional Official Plan. The York Region Official Plan encourages opportunities for high density development in established areas where the development would be compatible with the area. The proposed density increase is consistent with the policies in the Regional Official Plan. The York Region Planning Department has not identified any concerns respecting the proposed density increase for the Subject Lands. The Region of York has granted an exemption from Regional approval for the Official Plan Amendment which allows the Amendment to come into effect following its adoption by Vaughan Council and the expiration of the required appeal period.
4. The proximity of the Subject Lands relative to Bathurst Street and Centre Street, within an established area within the Thornhill Community, and on lands currently designated for higher density residential development and in consideration of the minimal impact on soft and hard services and the transit supportive nature of the proposed development establishes the Subject Lands as a desirable location for an increase in density. The location of the Subject Lands as well as the compatibility of the proposed development with the existing residential and community uses is complementary and considered appropriate and represents good planning.

Having received a statutory Public Hearing held on October 6, 2008, Vaughan Council approved Official Plan Amendment Application OP.08.012 (154'677 Ontario Limited) on March 9, 2010 to increase the total number of units permitted and the total number of apartment buildings permitted on the Subject Lands in order to facilitate the development of 274 additional units within 2 additional apartment buildings.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No.210 (Thornhill-Vaughan Community Plan) to the Official Plan of the Vaughan Planning Area, as amended by Amendment No. 621, is hereby amended by:

1. Increasing the maximum number of units permitted on the Subject Lands shown as "Area Subject to Amendment No. 621, as amended by Amendment No. 710" on Schedules "1" and "2", attached hereto, by deleting from Section IV "DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO" in Subsection 2, Sub-clause f), the first bullet point and replacing it with the following new bullet point:
 - "- a maximum density of 1872 units comprising 61 townhouse units and 1811 apartment units, shall be permitted, and the number of apartment buildings shall not exceed 9;"
2. Deleting Schedule "A" to Amendment #210 (Thornhill-Vaughan Community Plan) and substituting therefor the Schedule "A" 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 and Draft Plan of Condominium approvals, 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.

REGISTERED

PLAN

65M-

3392

ABBNEYWOOD GATE

KINGSBRIDGE CIRCLE

BEVERLEY GLEN BOULEVARD

NEW WESTMINSTER DRIVE

DRIVE

NORTH PARK ROAD

NORTH PARK ROAD

BATHURST STREET (REGION ROAD No. 38)

NOT TO SCALE

RESIDENTIAL

 HIGH DENSITY RESIDENTIAL

 OPEN SPACE (PARK)

 AREA SUBJECT TO AMENDMENT 710

FILE: OPA 710
 RELATED FILE: OP.08.012
 LOCATION: PART LOT 6, CONCESSION 2, BLOCK 5, PLAN 65M-3872
 APPLICANT: 1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
 CITY OF VAUGHAN

THIS IS SCHEDULE '1'
 TO AMENDMENT 710
 ADOPTED THE 8th DAY OF JUNE, 2010

SIGNING OFFICERS

 MAYOR

 CLERK

MODIFICATION #14

LAND USE Thornhill-Vaughan Community Schedule A Updated March, 1997

OPA 398 - ALTERNATIVE PARKLAND
APPLIES TO ENTIRE CITY

KEY PLAN



Legend

- Residential**
 - Low Density
 - Medium Density
 - High Density
 - Further Study Area
 - Village of Thornhill Heritage District
- Commercial**
 - General Commercial
 - Neighbourhood Commercial
 - Town Centre Commercial
 - Service Station
 - Mixed Commercial & Residential
 - Local Convenience Commercial
- Open Space**
- Parkway Belt**
- Pedestrian System**
- Pedestrian Grade Separation**

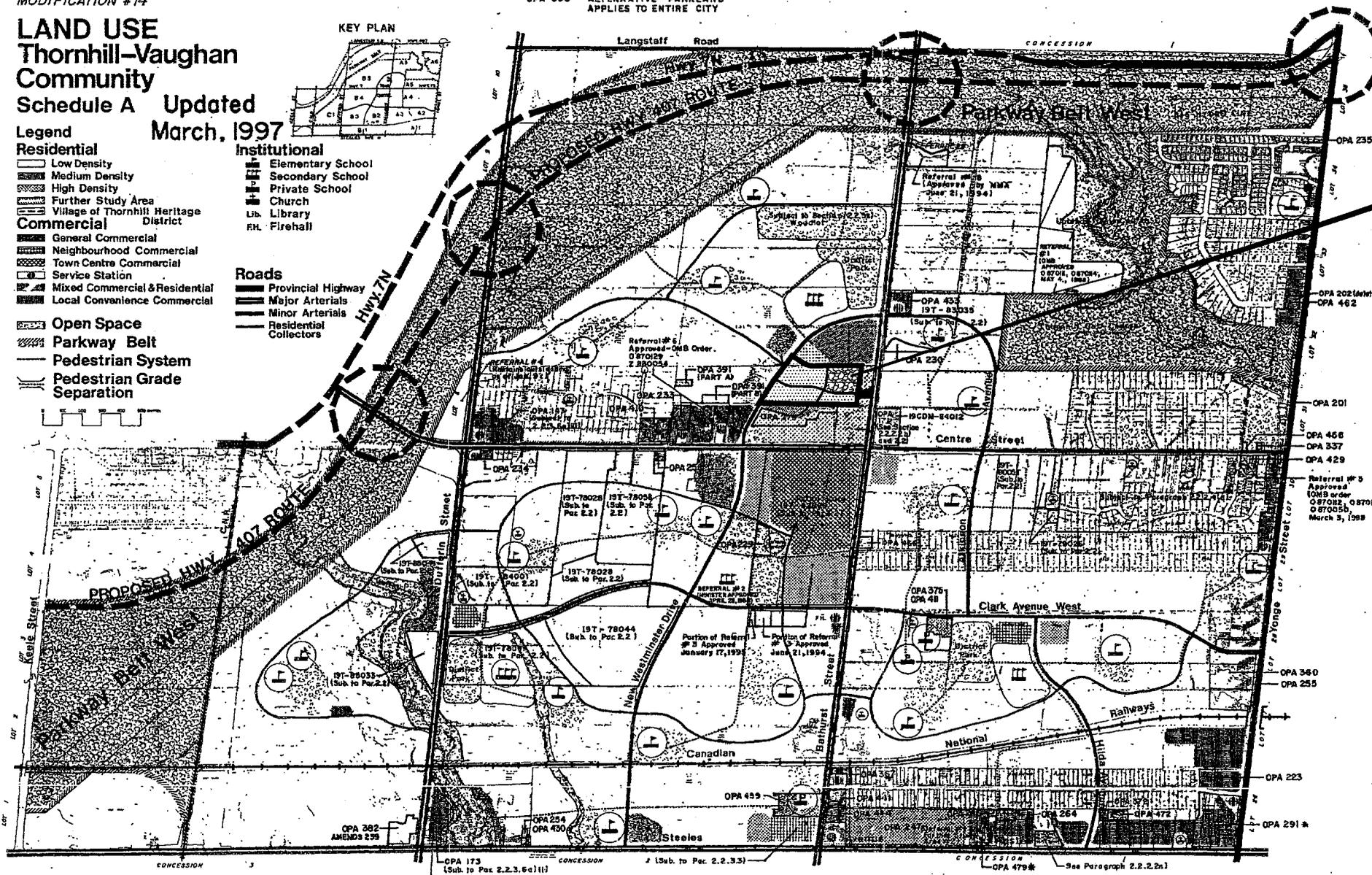
Institutional

- Elementary School
- Secondary School
- Private School
- Church
- Lib. Library
- FL Firehall

Roads

- Provincial Highway
- Major Arterials
- Minor Arterials
- Residential Collectors

NOT TO SCALE



AREA SUBJECT TO
AMENDMENT 710

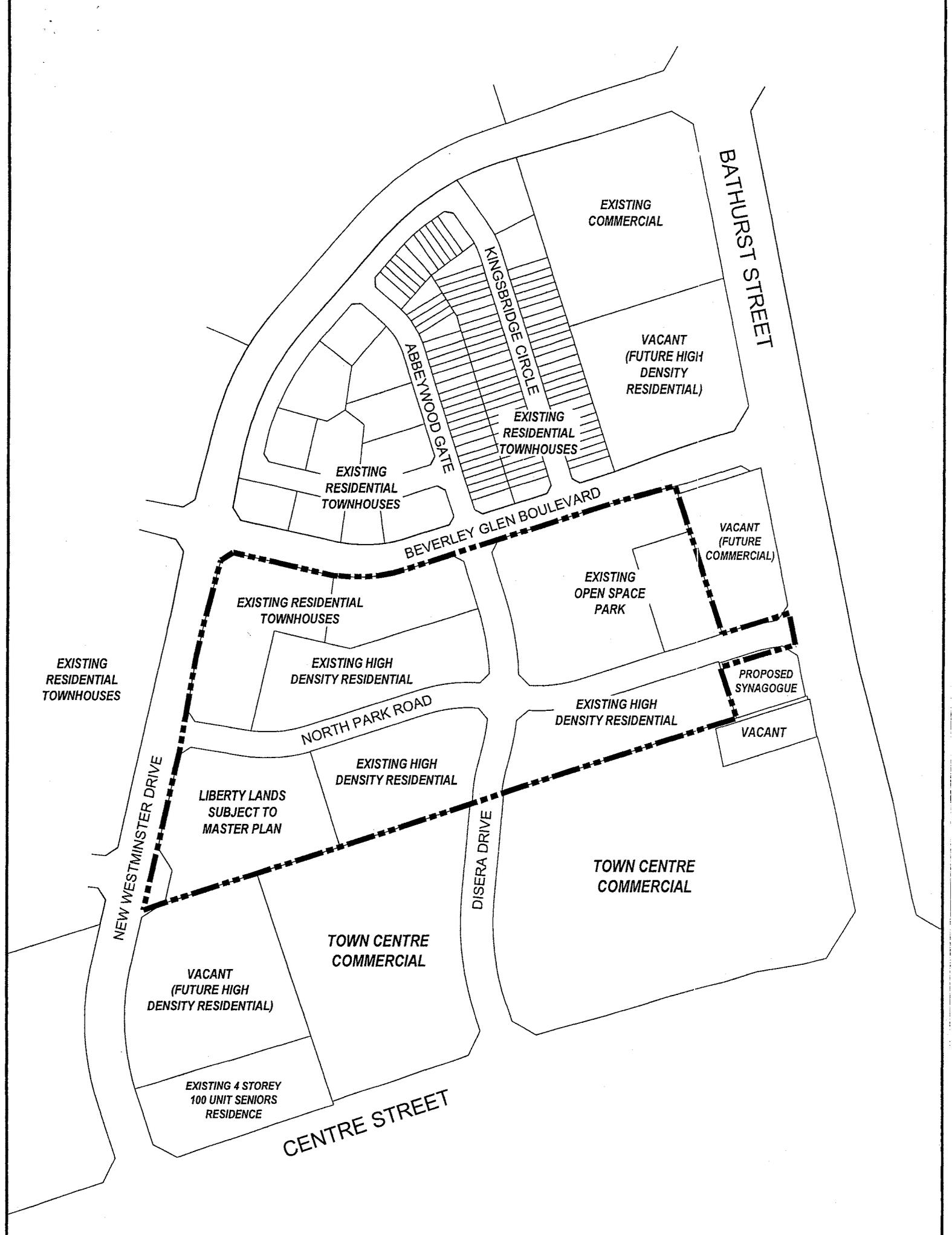
* OPAS ADOPTED BY COUNCIL
BUT NOT YET APPROVED AS
OF MARCH 1, 1997

Amendment 210 to the Official Plan of the City of Vaughan
NOTE: THIS MAP IS PREPARED FOR CONVENIENCE PURPOSES ONLY.
IN ALL CASES, REFERENCE SHOULD BE MADE TO THE ORIGINAL DOCUMENTS.

FILE: OPA 710
 RELATED FILE: OP.08.012
 LOCATION: PART LOT 6, CONCESSION 2; BLOCK 5, PLAN 65M-3872
 APPLICANT: 1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
 CITY OF VAUGHAN

**THIS IS SCHEDULE '2'
 TO AMENDMENT 710
 ADOPTED THE 8th DAY OF JUNE, 2010**

SIGNING OFFICERS
 MAYOR
 CLERK



NOT TO SCALE

APPENDIX II

EXISTING LAND USES

OFFICIAL PLAN AMENDMENT 710

SUBJECT LANDS



FILE: OPA 710

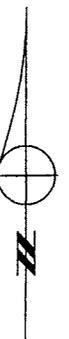
RELATED FILE: OP.08.012

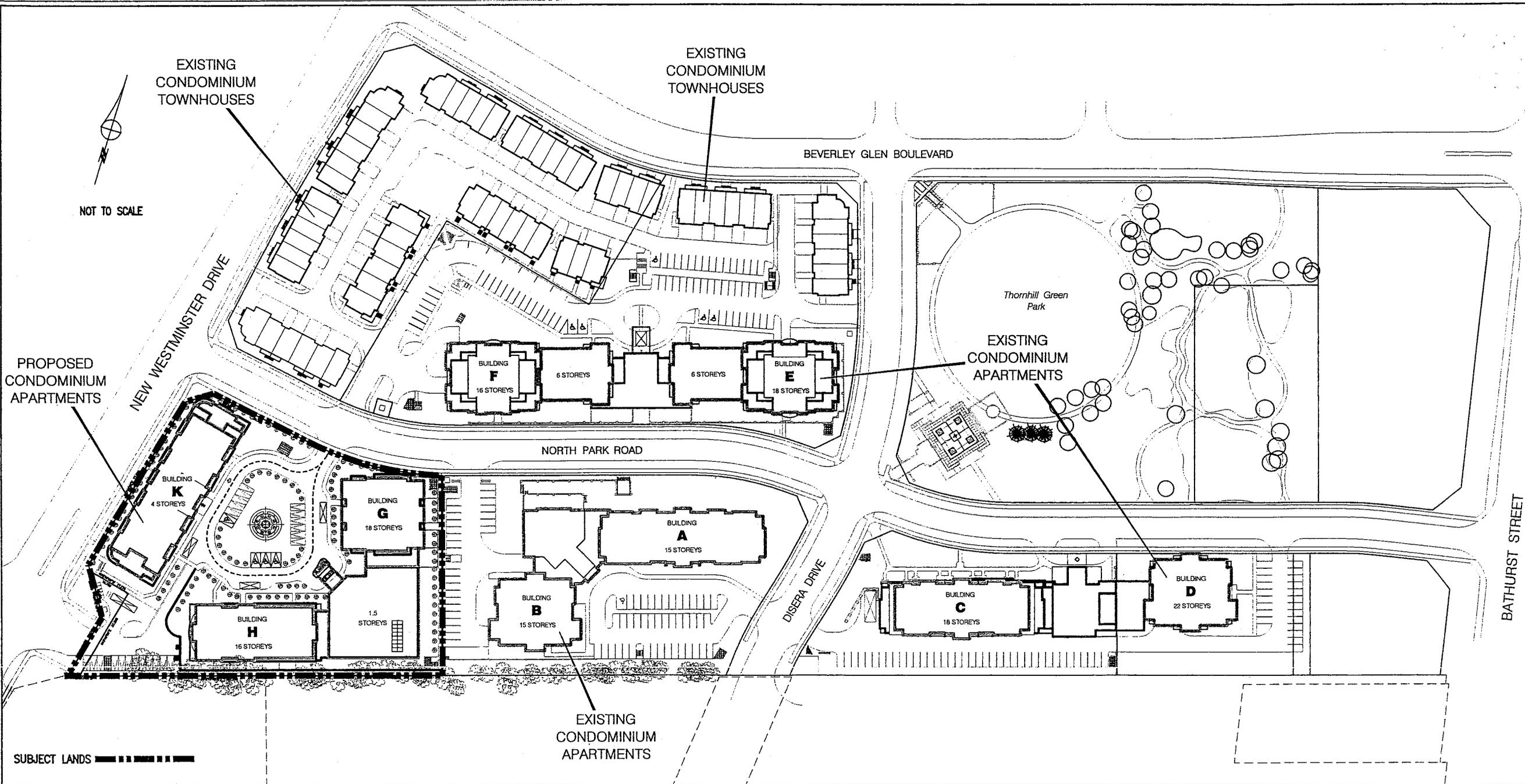
LOCATION: PART LOT 6, CONCESSION 2, BLOCK 5, PLAN 65M-3872

APPLICANT: 1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)

CITY OF VAUGHAN

N:\DFT\1-BY-LAWS\op\opa710.dwg

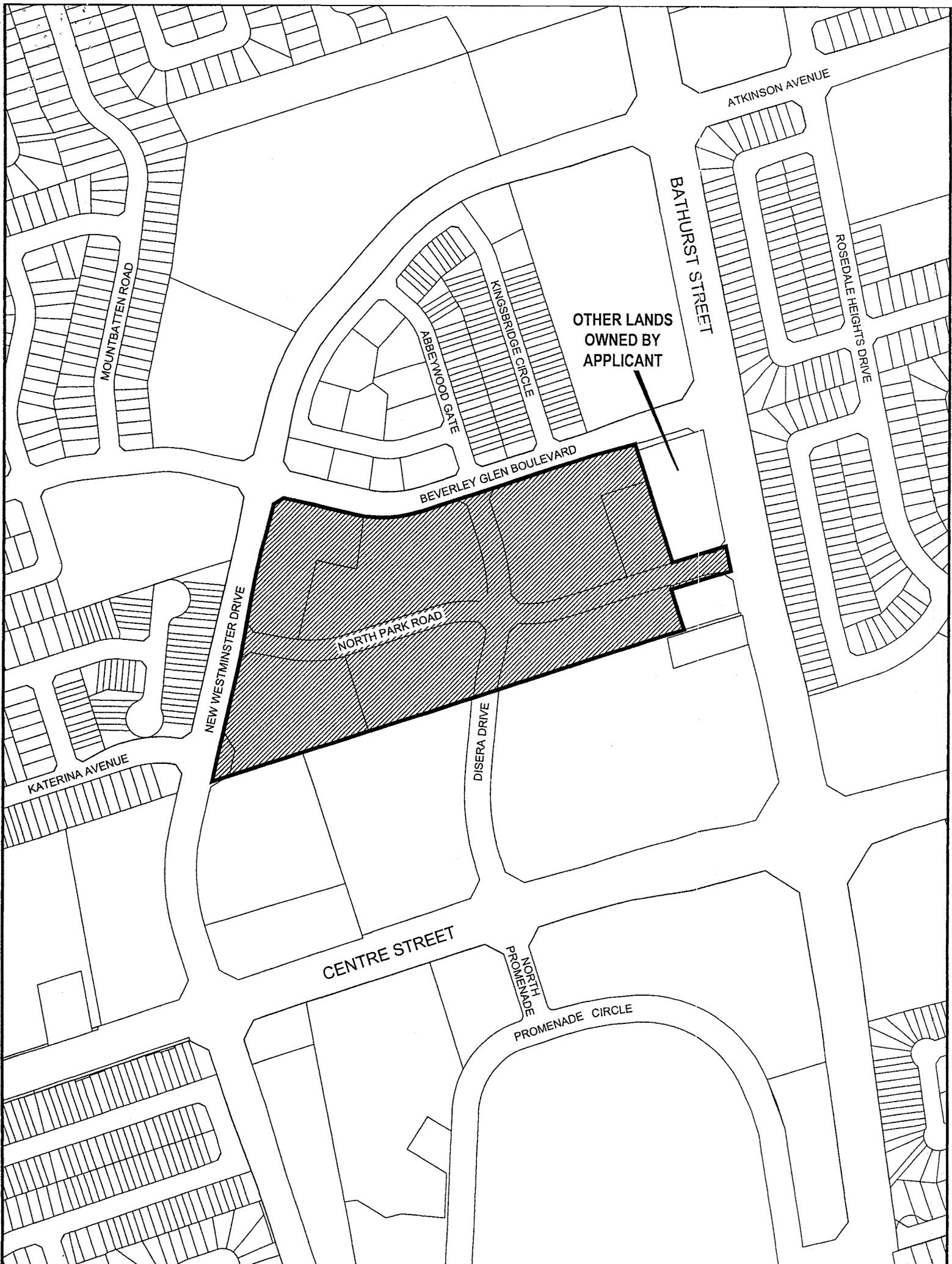




FILE: OPA 710
 RELATED FILE: OP.08.012
 LOCATION: PART LOT 6, CONCESSION 2, BLOCK 5, PLAN 65M-3872
 APPLICANT: 1541677 ONTARIO LIMITED (LIBERTY DEVELOPMENT CORPORATION)
 CITY OF VAUGHAN

APPENDIX III
 MASTER PLAN
 OFFICIAL PLAN AMENDMENT 710

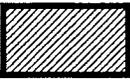
N:\DFT\1-BY-LAWS\op\opa710.dwg

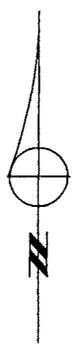


NOT TO SCALE

APPENDIX IV LOCATION MAP

FILE: OPA 710
 RELATED FILE: OP.08.012
 LOCATION: PART LOT 6, CONCESSION 2,
 BLOCK 5, PLAN 65M-3872
 APPLICANT: 1541677 ONTARIO LIMITED,
 (LIBERTY DEVELOPMENT CORPORATION)
 CITY OF VAUGHAN


 AREA SUBJECT TO
 AMENDMENT 710



APPENDIX I

The subject lands are located on the southeast corner of New Westminster Drive and North Park Road , being Block 5 on Registered Plan 65M-3872, City of Vaughan.

On March 9, 2010, Vaughan Council considered an application to amend the Official Plan and resolved the following:

1. "THAT Official Plan Amendment File OP.08.012 (154677 Ontario Limited) BE APPROVED, specifically to amend Amendment No.210 (Thornhill-Vaughan Community Plan), as amended by Amendment No. 621 to:
 - a) increase the maximum permitted density on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 1598 residential units to 1872 residential units (an additional 274 apartment units); and,
 - b) increase the maximum number of permitted apartment buildings on the approved Liberty Development Master Plan (2004) as shown on Attachment #9, from 7 apartment buildings to 9 apartment buildings."