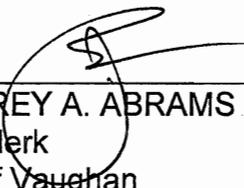


I, JEFFREY A. ABRAMS, City Clerk of the Corporation of the City of Vaughan, in the Regional Municipality of York, do hereby certify that attached is a true copy of Amendment Number 718 to the Official Plan of the Vaughan Planning Area, which was approved by the Ontario Municipal Board as per Order issued on the 22nd day of February, 2011.



JEFFREY A. ABRAMS
City Clerk
City of Vaughan

DATED at the City of Vaughan
this 8 day of March, 2011.

ISSUE DATE:

FEB. 22, 2011



RECEIVED

FEB 23 2011

CITY OF VAUGHAN 100348
CLERKS DEPARTMENT

Ontario
Ontario Municipal Board

Commission des affaires municipales de l'Ontario

2174824 Ontario Inc., has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed site specific amendment to the Official Plan for the City of Vaughan to redesignate the lands respecting 8294, 8298 and 8302 Islington Avenue from "Medium Density Residential" to "High Density Residential" and to increase the maximum permitted density from 1.0 FSI to 1.53 FSI and the maximum permitted building height from 3 ½-storeys to 4-storeys in order to facilitate the development of two apartment buildings

Municipal File No.: OP.08.013

OMB File No.: PL100348

(OPA 718)

2174824 Ontario Inc., has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's neglect to enact a proposed amendment to Zoning By-law 1-88 to rezone the lands respecting 8294, 8298 and 8302 Islington Avenue from "R2 Residential Zone" to "RA3 Apartment Residential Zone" with exceptions in order to facilitate the development of two apartment buildings

Municipal File No.: Z.08.048

OMB File No.: PL100349

APPEARANCES:

Parties

Counsel*/Agent

2174824 Ontario Inc.

G. Borean*

City of Vaughan

C. Storto*

Toronto Region and Conservation Authority

C. Smith

DECISION DELIVERED BY J. CHEE-HING AND PARTIAL ORDER OF THE BOARD

At the onset of the hearing, the Board was advised that these matters have now been settled among the Parties.

By way of background, the Applicant and Appellant to these matters (2174824 Ontario Inc.) own the lands located at 8294, 8298 and 8302 Islington Avenue (the "subject lands") in the City of Vaughan ("Vaughan"). In 2008, the Applicant had initially

proposed to consolidate these properties and construct an 85 unit residential condominium complex consisting of two four-storey buildings connected by a walkway bridge. The proposed density as measured by the Floor Space Index ("FSI") for that proposal was 1.53 FSI. Site specific amendments to the Official Plan ("OP") and the Zoning By-Law ("ZBL") were required to permit this development proposal. The OP would be amended to change the designation of the subject lands from Medium to High Density Residential, increase the density from 1.0 FSI to 1.53 FSI and increase the maximum permitted building height from 3.5 to 4 storeys. The ZBL would be amended to rezone the subject lands from R2 Residential Zone to RA3 Apartment Residential Zone with site specific performance standards to permit the proposal. Vaughan Council failed to make a decision on these applications within the statutory period and the Applicant subsequently appealed Council's non-decision to this Board in March of 2010.

Since the original proposal was presented to Vaughan in 2008, the Applicant has redesigned his proposal several times and the most recent iteration was considered by Vaughan Council on January 25, 2011. That proposal was for a seven storey residential apartment building consisting of 94 units with an FSI of 1.53. While the density (FSI) remained the same, the building design changed in that a greater height was sought and one rather than two buildings was proposed. Vaughan Council refused the applications for amendment to the OPA and ZBL for the seven storey proposal. Several Prehearing Conferences were held by this Board in preparation for the hearing into these appeals.

At the hearing and on consent of all the Parties, the Applicant's planner (Ms R. Humphries) gave professional planning evidence on the Minutes of Settlement and the proposed amendments to the OP and the ZBL.

The Settlement:

Ms Humphries testified that the Minutes of Settlement (Exhibit 6) provide for the following:

1. The Applicant will reduce the proposal from seven storeys to a tiered building height ranging from three to five storeys.
2. The maximum permitted density has been reduced from 1.53 to 1.35 FSI. The unit count is 88 units.

3. The subject lands have been re-designated High Density Residential and Environmental Protection Area and rezoned as Apartment Residential (RA3H) and Open Space Conservation (OS1).
4. A Holding Symbol "H" has been placed on the subject lands.
5. The Applicant has agreed to complete a number of sustainability features listed in Schedule "C", a more extensive green roof system, intensive landscaping and planting plans for the site to the satisfaction of the City and the Toronto Region Conservation Authority.
6. Amendments to the OP and the ZBL to reflect the revised changes to the building proposal, the site layout and the building envelope as shown in Exhibits 7 and 8;
7. The Applicant agrees that no subsequent land use planning applications that may be permitted under the *Planning Act* to increase height or density for the subject lands shall be filed or brought forward by the Applicant. The Minutes of Settlement shall be registered against title to the subject lands.

It is the planner's evidence that the revised proposal as detailed in Exhibit 5 is a less intense use of the site when compared with the previous proposal and would be more compatible with the surrounding built forms found in the area. It is her planning opinion that the development is appropriate for the subject lands and responds to the provincial and regional direction for accommodating residential intensification in areas that are supported by public transit.

It is her opinion that the proposed amendments to the OP and ZBL, to implement the revised proposal, represent good planning. The proposed OPA conforms to the Vaughan and the Region Official Plans. It is consistent with the residential intensification policies of the Provincial Policy Statement (2005) and conforms to similar residential intensification policies found in the Growth Plan. The proposed amendment to the ZBL conforms to the Vaughan OP and it is not premature.

The Board accepts the planning evidence of the Planner on the Minutes of Settlement and the proposed amendments to the OP and the ZBL to permit the revised proposal. The Parties have requested the Board to approve the proposed OPA and

allow the appeal of the ZBL, but withhold its Order with respect to the amendment to the ZBL pending execution of a Site Plan Agreement between the Applicant and Vaughan.

Based on the foregoing, it is the decision of the Board that the appeal with respect to Zoning By-law 1-88 of the City of Vaughan is allowed and is hereby amended in the manner set out in Attachment "1". The Board will withhold its Order pending the execution of a Site Plan Agreement between the Applicant and Vaughan.

→ With respect to the Official Plan appeal, the **BOARD ORDERS** that the appeal is allowed, and the Official Plan for the City of Vaughan is amended as set out in Attachment "2" to this Order and as amended is approved.

So Orders the Board.

"J. Chee-Hing"

J. CHEE-HING
MEMBER

ATTACHMENT "2"

PL100348

AMENDMENT NO. 718
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA

The following text to Amendment No. 718 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment No. 718.

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend Amendment No. 240 as amended by OPA 597. The subject Amendment will redesignate the subject lands from "Medium Density Residential" to "High Density Residential" and "Environmental Protection Area" with a site specific exception to increase the maximum permitted density from 1.10 FSI to 1.35 FSI and a tiered building height ranging from 3 storeys and or 11 metres reaching a maximum of 5 storeys and or 17 metres.

II LOCATION

The lands subject to this Amendment (hereinafter referred to as Subject lands, as shown in Schedules "1" and "2" attached hereto as Area Subject to Amendment 116. The subject lands are located on the west side of Islington Avenue, across from Hartman Avenue, in Part of Lot 9, Concession 7, municipally known as 8294, 8298 and 8302 Islington Avenue, City of Vaughan.

III BASIS

This Official Plan Amendment is the result of an Ontario Municipal Board Hearing Decision in accordance with Case No. PL100348 and PL100349

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No., 240 (Woodbridge Community Plan), as amended by Amendment No. 597 (Islington Avenue Corridor Plan), to the Official Plan of the Vaughan Planning Area, is hereby further amended by:

1. Deleting Schedule "A" to Amendment No. 597 and substituting therefore Schedule "A" attached hereto as Schedule "1".
2. Deleting Schedule "A" to Amendment No. 240 and substituting Schedule "A" attached hereto as Schedule "2".
3. Adding the following Paragraph to Section 3.4, " Residential Specific Policies":

"x) (OPA XXX) Redesignating the lands subject to this amendment No. XXX , and located on the west side of Islington Avenue, opposite Hartman Avenue, municipally known as 8294, 8298, and 8302 Islington Avenue, in Part Lot 9, Concession 7 from " Medium Density Residential" to "High Density Residential" and "Environmental Protection Area" in the manner shown on the Schedule "1" to permit a tiered building ranging from three (3)storeys and or 11 metres to five (5) storeys and or 17 metres and an FSI of 1.35. All development shall be on full municipal services. The specific development standards shall be set out in the implementing zoning by-law.

- a) The maximum building height shall be 5 storeys and/or 17m and shall include tiering of 3 and 4 storey elements. The tiering shall be defined in the implementing zoning by-law.
- b) The high density residential development shall be based on a Floor Space Index which shall not exceed 1.35 of the extended lot area being 5022.49m². For the purposes of calculating density, the FSI means the ratio of gross floor area to the lot area extended which includes 50% of the area of Islington Avenue fronting the subject site. The gross floor area means the total of all floors in a building above or below grade, measured from the outside of the exterior walls but excluding below grade vehicular parking areas, bicycle storage area, garbage rooms, elevator shafts, storage lockers, and any other below grade amenity space area/common area.

- c) Notwithstanding the maximum FSI permitted on the land as noted in b) above, a maximum gross floor area of 6780.40m² will be permitted.
- d) An increase in height and density from the provisions of OPA 597 is permitted in return for the provision of the following:
 - (i) sustainability features as detailed in the zoning by-law";
 - (ii) more extensive green roof system with sedum carpet base and additional mixed planting;
 - (iii) -intensive landscaping/planting for the open areas on the site inclusive of the front yard and boulevard along Islington Avenue, and along the north and south lot lines to the satisfaction of the City and the TRCA;
 - (iv)- intensive landscaping/planting for the Open Space zone at the rear of the site to the satisfaction of the City and the TRCA;-(OPA XXX).

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 Vaughan Zoning By-law, 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.

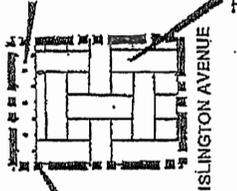
APPENDIX 1

This Official Plan Amendment is the result of an OMB Decision in accordance with Case No. PL100348 and PL100349.

THIS IS SCHEDULE 'A'
TO AMENDMENT No. 597

ENVIRONMENTAL
PROTECTION
AREA

HIGH
DENSITY
RESIDENTIAL



10.5m SETBACK

DETAIL 'A'

AREA 1

LANDS SUBJECT
TO OPA #692

LANDS SUBJECT TO
OPA # 587

LANDS SUBJECT TO
OPA # 586

LANDS SUBJECT TO
OPA # 596

LANDS SUBJECT
TO OPA # _____
(SEE DETAIL 'A')



LEGEND	
[Pattern]	LOW DENSITY RESIDENTIAL
[Pattern]	MEDIUM DENSITY RESIDENTIAL
[Pattern]	HIGH DENSITY RESIDENTIAL
[Pattern]	GENERAL COMMERCIAL
[Pattern]	SERVICE STATION
[Pattern]	INDUSTRIAL
[Pattern]	UTILITY
[Pattern]	ENVIRONMENTAL PROTECTION AREA
[Symbol]	CHURCH
[Symbol]	ELEMENTARY SCHOOL
[Symbol]	SECONDARY SCHOOL
[Symbol]	BOUNDARY OF ISLINGTON AVENUE CORRIDOR
[Symbol]	CONCEPTUAL REGIONAL TRAIL

NOTE: DRAWING NOT TO SCALE

L A N D U S E S C H E D U L E

THIS IS SCHEDULE '1'
TO AMENDMENT No. 718

NOT TO SCALE

ADOPTED THE _____ DAY OF _____, 2011

FILE No. OP.08.013
RELATED FILE No. Z.08.048
LOCATION: 8294, 8298, 8302 Islington Avenue
APPLICANT: 2174824 ONTARIO INC.
CITY OF VAUGHAN

SIGNING OFFICERS

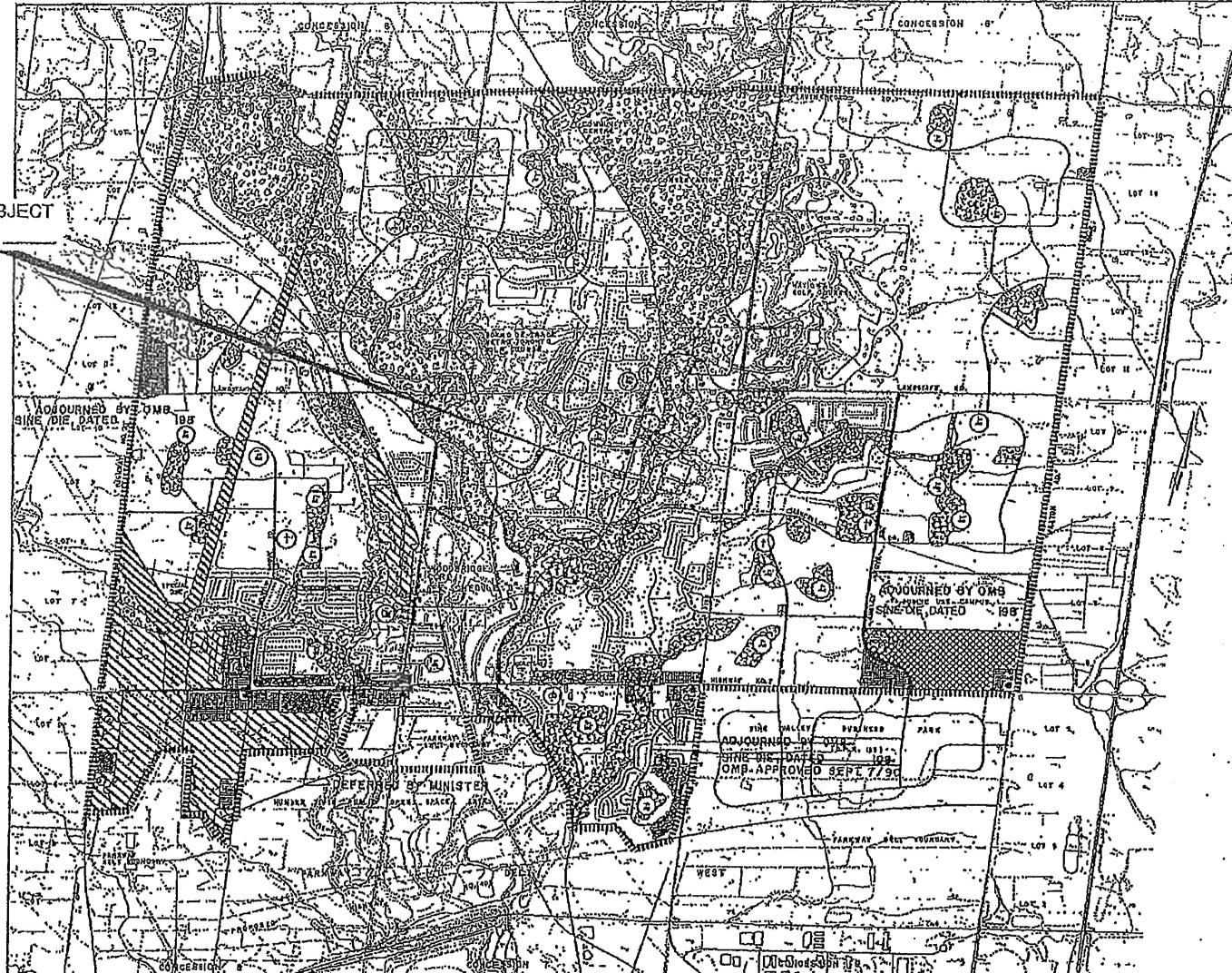
BOARD ORDER ISSUE DATE:
FEBRUARY 22, 2011

MAYOR

CLERK

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AREA SUBJECT
TO OPA #

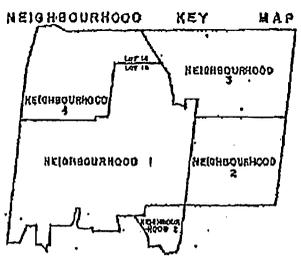


THIS IS SCHEDULE "A"
TO AMENDMENT NO. 240
ADOPTED THE 22 DAY OF JUNE 1987
L.D. JACKSON,
MAYOR
R.M. PRENTICE
DEPUTY CLERK

- LEGEND
- [Symbol] LOW DENSITY RESIDENTIAL
 - [Symbol] MEDIUM DENSITY RESIDENTIAL
 - [Symbol] HIGH DENSITY RESIDENTIAL
 - [Symbol] COMMUNITY COMMERCIAL
 - [Symbol] LOCAL CONVENIENCE COMMERCIAL
 - [Symbol] GENERAL COMMERCIAL
 - [Symbol] SERVICE STATION
 - [Symbol] SERVICE COMMERCIAL
 - [Symbol] INDUSTRIAL
 - [Symbol] UTILITY
 - [Symbol] OPEN SPACE
 - [Symbol] DRAINAGE TRIBUTARY
 - [Symbol] CHURCH
 - [Symbol] SPECIAL USE
 - [Symbol] CONSERVATION AUTHORITY FLOODLINE
 - [Symbol] ELEMENTARY SCHOOL
 - [Symbol] SECONDARY SCHOOL
 - [Symbol] BOUNDARY OF WOODBRIDGE CORE - SEE SCHEDULE "B"
 - [Symbol] BOUNDARY OF WOODBRIDGE COMMUNITY PLAN
 - [Symbol] PARKWAY BELT BOUNDARY

SCALE 0 500 1000 M

WOODBRIDGE COMMUNITY PLAN



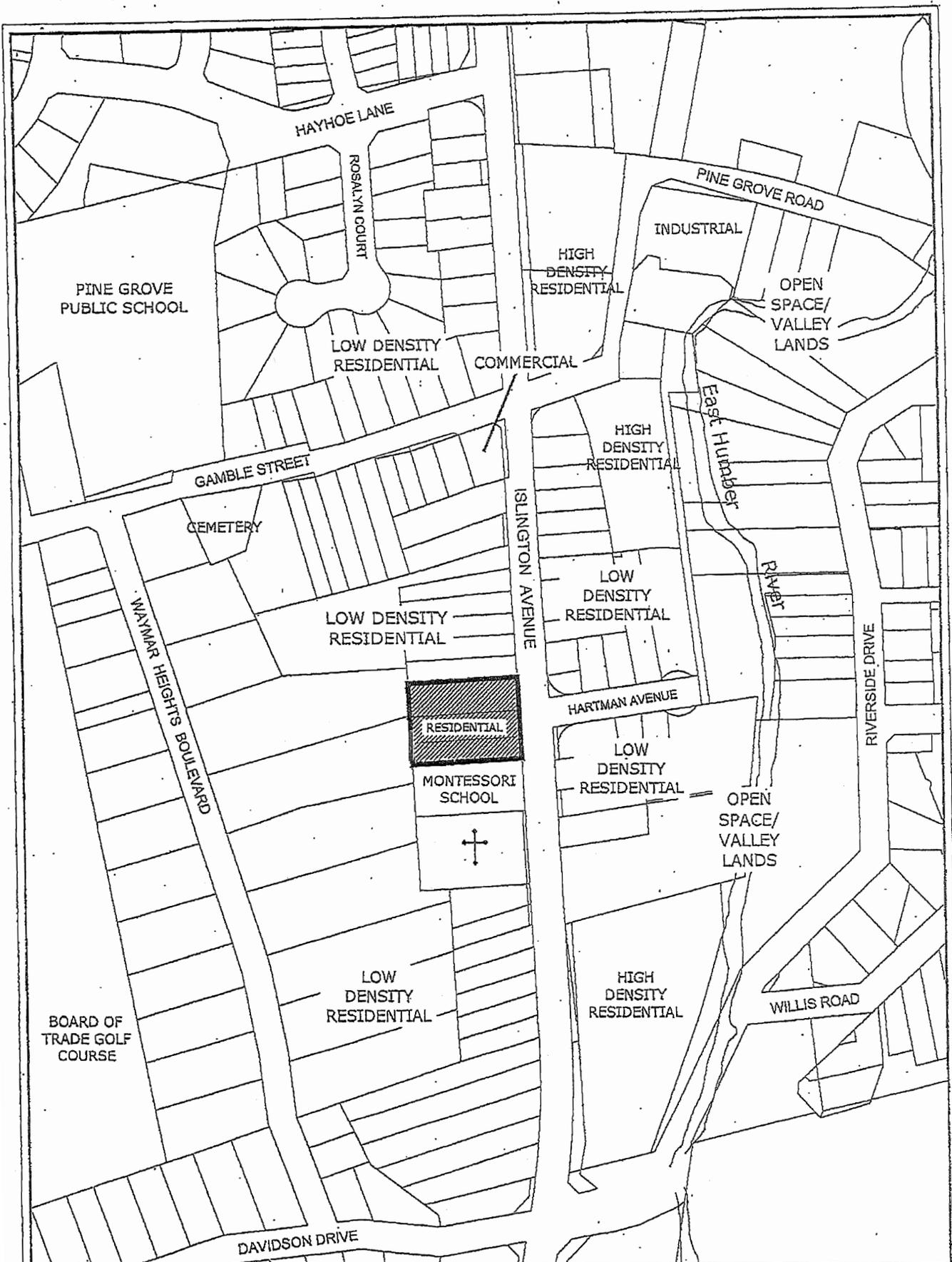
FILE No. OP.08.013
RELATED FILE No. Z.08.048
LOCATION: 8294, 8298, 8302 Islington Avenue
APPLICANT: 2174824 ONTARIO INC.
CITY OF VAUGHAN

THIS IS SCHEDULE '2'
TO AMENDMENT No. 118
ADOPTED THE ___ DAY OF ___, 2011

SIGNING OFFICERS

BOARD ORDER ISSUE DATE: MAYOR
FEBRUARY 22, 2011 CLERK

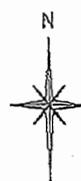
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**APPENDIX II
EXISTING LAND USE
OFFICIAL PLAN AMENDMENT No. 718**

FILE No. OP.08.013
 RELATED FILE No. Z.08.048
 LOCATION: 8294, 8298, 8302 Islington Avenue
 APPLICANT: 2174824 ONTARIO INC.
 CITY OF VAUGHAN

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NOT TO SCALE

AREA SUBJECT TO
AMENDMENT No. 718



CHURCH

