

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 253-2022

A By-law to adopt Amendment Number 91 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 91 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedules '1', '2' '3' and '4' is hereby adopted.
2. AND THAT the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and take effect the day it is passed.

Enacted by City of Vaughan Council this 29th day of November, 2022.

Steven Del Duca, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 91
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules '1', '2', '3' and '4' constitute Amendment Number 91 to the Official Plan of the Vaughan Planning Area.

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

Authorized by Item No. 5 of Report No. 36
of the Committee of the Whole
Adopted by Vaughan City Council on
September 28, 2022.

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 1, Schedule 1 – Urban Structure; Volume 1, Schedule 13 – Land Use; Volume 2, Section 12.3 - Keele Valley Landfill Area policies; and Volume 2, Section 12.3 - Keele Valley Landfill Area Map 12.3.A: Keele Valley Landfill Area – Land Use Plan to redesignate the Subject Lands from “Private Open Spaces” to “High-Rise Residential” and “Private Open Spaces” to permit the development of two, 28-storey residential apartment buildings and two, 12-storey apartment buildings together with a 0.43 ha privately owned public space ('POPS') on the lands subject to this Amendment as shown on Schedules “1”, “2”, “3” and “4” attached hereto as “Area Subject to Amendment No. 91”. The POPS will be owned and maintained by the future condominium corporation(s) and/or another private entity.

This Amendment will facilitate the following with respect to the lands identified as, “Area Subject to Amendment No. 91” on Schedule ‘1’ attached hereto:

1. Permit the development of two, 28-storey residential apartment buildings and two, 12-storey apartment buildings with a total of 1,125 residential units.
2. Permit a maximum Floor Space Index (FSI) of 4.1 times the areas of the lot.
3. Permit a maximum building height of 28-storeys.
4. Permit the portions of high-rise buildings above 12-storeys to be setback a minimum of 0 m from the rear lot lines whereas 15 m is required.
5. Permit the distance between any portions of the high-rise buildings above 12-storeys to be at least 28.8 m whereas 30 m is required where more than one high-rise building is located on the same lot.
6. Permit amendments to the policies of VOP 2010 Volume 2, Area Specific Policy 12.3 - Keele Valley Landfill Area applicable to the Subject Lands.
7. Permit amendments to the land uses identified in VOP 2010 Volume 1, Schedule 1 – Urban Structure and Schedule 13 – Land Use; and Volume 2, Map 12.3.A: Keele Valley Landfill Area – Land Use Plan for the Subject Lands.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located at 10,000 Dufferin Street (a portion of) on the northeast corner of Major Mackenzie Drive West and McNaughton Road East, being Part of Lot 21, Concession 3, City of Vaughan, as shown on Schedule ‘1’ attached hereto as “Area Subject to Amendment No. 91.”

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010) is based on the following considerations:

1. In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 (‘PPS’). The PPS provides policy direction on matters of provincial interest related to land use planning and development. Key policy objectives include building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context is important. The Amendment is consistent with the PPS, specifically Sections 1.1.1, 1.1.2, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.2.6.1, 1.4.3 b) and f), 1.5, 1.6.6.1, 1.6.6.2 and 1.6.7.2, regarding: accommodating a market-based range and mix of residential types, and promoting land use planning, growth management and intensification to minimize land consumption and servicing costs; focusing development to development areas; appropriate development standards to facilitate transit-supportive intensification; providing a range of housing options and densities to meet projected market-based and affordable needs of current and future residents, densities which efficiently uses land resources infrastructure and public service facilities; supports the use of active transportation and transit in areas where it exists or is to be developed; the use of existing infrastructure and public service facilities should be optimized; healthy, active communities should be promoted by planning and providing for a full range of built and natural settings for recreation, including facilities, parklands, public

spaces, open space areas, trails and linkages; promoting intensification and redevelopment within settlement areas to optimize the use of municipal services; efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible; and major facilities and sensitive land uses shall be planned and developed to avoid and mitigate any potential adverse effects to public health and safety.

The Subject Lands are located within a Settlement Area as defined by the PPS and within the Urban Boundary on Schedule 1 – Urban Structure of VOP 2010.

2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2020 ('Growth Plan'), as amended, is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe, by encouraging the concentration of population and employment growth within the settlement areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities and connections to municipal water and wastewater systems. Vaughan Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Growth Plan's emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of existing infrastructure and public service facilities, and less on continuously expanding the Urban Boundary. The Amendment will facilitate a development that conforms to the policy framework of the Growth Plan, as the built form would efficiently and appropriately intensify the Subject Lands at a density supportive of Growth Plan objectives, specifically policies with respect to supporting the achievement of Complete Communities which are designed to support healthy and active living; supports a range and mix of uses and housing options which includes types and sizes which also include public open spaces; directing growth to Settlement Areas in built-up locations and have existing or planned municipal water and wastewater systems; providing

densities to meet the needs of current and future residents; and supporting the achievement of a complete community.

The Subject Lands are also located within the Maple GO Major Transit Station Area ('MTSA') which is intended by the Province and Region to accommodate intensification that is transit supportive. The Subject Lands are approximately 600m or an 8-minute walk from the Maple GO Station. The Amendment contributes to providing a built form that utilizes the Subject Lands more efficiently and at a density that would meet the needs of future and current residents while also supports a development which prioritizes MTSA's. The Amendment is also compatible with the existing built form in the surrounding community, while also making efficient use of available infrastructure.

The Subject Lands are located within a Settlement Area, as defined by the Growth Plan, and located within the "Urban Boundary" and the Growth Plan's "Built Boundary". The Subject Lands are in proximity to existing public facilities including North Maple Regional Park, Maple Station Park and Glengarry Square along with the proposed POPS (Section 2.2.1(2)(c)).

The Barrie GO Rail Corridor is identified as a priority transit corridor on Schedule 5 of the Growth Plan. Intensification has already been occurring around the Maple GO Station through the approval and build out of the Maple GO Station Secondary Plan. The Growth Plan seeks to prioritize planning and growth in MTSA's on priority transit corridors. The Subject Lands are within the Maple GO MTSA and propose intensification through the introduction of high-density residential uses, in a compact urban form within walking distance of the station (Section 2.2.4.1 & 2.2.4.9).

3. The York Region Official Plan 2010 ('YROP') guides economic, environmental, and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1: Regional Structure, of the YROP and are also located with a "Built-up Area" which permits a range of residential, industrial, commercial, and institutional uses. Section 5.0 of the YROP states that "intensification within the Urban Area will accommodate a significant portion of the

planned growth in the Region”.

The Amendment is consistent with the policy framework of the YROP, specifically with the following policies:

- Section 3.5.4 - Requires that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.
- Section 5.0 - States that intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.
- Section 5.3.1 - Encourages a minimum 40% of residential development to occur within the built-up area, as defined by the Growth Plan.
- Section 7.1 - Measures to reduce single occupant vehicle trips in the Region and supporting transit use and active transportation.

The Amendment achieves the objectives outlined in the policies above by providing a mix and range of housing units and sizes, is located within an already built-up area and benefits from its central location to a wide variety of transportation options. As per Map 11 – Transit Network of the YROP, the Subject Lands have direct access to Major Mackenzie Drive which is an identified Regional Rapid Transit Corridor. In addition, the development is in close proximity to Bathurst Street and Rutherford Road which are an identified Regional Rapid Transit Corridor and Regional Transit Priority Networks, respectively.

The Maple GO Station is located within walking distance of the development. The proposed access to public transit will allow future residents alternative modes of transportation.

4. The Subject Lands are located within the “Natural Areas and Countryside” as identified on Schedule 1 - Urban Structure Map of VOP 2010 and are also within the “Oak Ridges Moraine Settlement Area” of the Oak Ridges Moraine Conservation Plan (ORMCP) as identified on Schedule 4 - Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas of VOP 2010. The Subject Lands are designated “Private Open Spaces” by Schedule 13 – Land Use Map of VOP 2010

and are also located within the Waste Disposal Assessment Area of Section 12.3 - Keele Valley Landfill Area Specific Plan of VOP 2010. The Subject Lands are also designated “Private Open Spaces” and located within the Secondary Buffer, “Policy Area 3” of the Keele Valley Landfill Area Specific Plan.

The Amendment is appropriate for the following reasons:

- The Subject Lands are located on the Oak Ridges Moraine and are subject to the provisions of the ORMCP. The Subject Lands are located within the “Settlement Area” designation of the ORMCP. Development within a “Settlement Area” is permitted provided that the Owner demonstrates that the use or location will not adversely affect the ecological integrity of the plan area. The Owner submitted an Oak Ridges Moraine Conformity Report in accordance with the requirements of the ORMCP which identifies that the development meets the intent of the ORMCP policies. Major development is permitted within the ORMCP and there are no Key Natural Heritage Features or Key Hydrological Features located on or directly adjacent to the Subject Lands. Therefore, the development conforms to the ORMCP.
- Policy 12.3.3.3 states an application for an amendment to the Official Plan to permit development within the Waste Disposal Assessment Area shall meet a number of requirements including studies to the satisfaction of the City and the TRCA, which indicate that the development can safely take place. This includes a Compatibility and Mitigation Study as well as a Hydrogeology and Water Balance Assessment. A Compatibility and Mitigation Study as well as a Hydrogeology and Water Balance Assessment by SLR Consulting were both submitted in support of the development. The Compatibility Study concluded that the development is anticipated to be compatible with surrounding land uses including Keele Valley Landfill Site (‘KVLS’) and that minor mitigation measures are proposed to limit any complaints in the unlikely case of infrequent odour issues associated with the methane gas collection system including flare venting system and the leachate control system of KVLS. During construction, dewatering will be required to install footings and elevator shafts however no long-term dewatering is required. No long-term impacts to groundwater flows

and quality from the development are anticipated on the KVLS. The Owner has submitted a preliminary Geotechnical Investment Report dated March 2, 2021 by Geoterre Limited with regard to structural stability, safety and integrity of any or all structures and is found to be satisfactory.

- Furthermore, as a result of the information provided by the Owners consulting team, the Ministry of the Environment, Conservation and Parks ('MECP') approved amendment No. 49 to Environmental Compliance Approval ('ECA') A230610 which removes the Subject Lands from the Secondary Buffer associated with the closed KVLS.
- Section 2.2.5.12 notes: Primary Intensification Corridors are designed to evolve over time. The introduction of the development is part of that evolution and seeks to introduce a high-density, urban built form to the area along Major Mackenzie Drive. The development would provide appropriate, transit-supportive intensification within 600 m of the Maple GO Station and is furthermore situated completely within the York Regional adopted Maple GO MTSA 62 and will also complement the existing non-residential uses (commercial) to the west.

The development is supported by the existing road and transit networks, subject to the proposed improvements being implemented through the future site development application(s) and increase in visitor parking ratio.

The development will help contribute to the goal of creating a complete community by increasing the supply of apartment residential housing within a broader community. The proposed development would assist the City and Region achieve intensification targets of the Primary Intensification Corridor and MTSA.

- Policy 9.2.3.6.d(ii) requires that the portions of High-Rise Buildings above 12-storeys shall be setback a minimum of 15 m from any property line.
 - A future limiting distance agreement will be required prior to final site plan approval and/or severance. This will ensure that no future high-rise development will occur on the adjacent lands with a distance smaller than the required 30 m tower setback. After the Subject

Lands are severed from the broader Eagles Nest Golf Course through a future consent application, the adjacent lands will remain as a private golf course and will continue to be subject to an ECA from the MECP related to the long-term monitoring of the KLVS.

- Policy 9.2.3.6.d(iii) provides that where more than one High-Rise Building is located on the same lot, the distance between any portions of the High-Rise Buildings above 12-storeys should generally be at least 30 m. The reduced tower separation from 30 m to 28.8 m can be supported as the towers are triangular shaped and provide for unobstructed views with minimal reduction from the required standard.
5. The statutory Public Hearing was held on September 13, 2021. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 13, 2021, and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on September 27, 2021.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

The Vaughan Official Plan 2010 (VOP 2010), Volume 1 (Schedules 1 and 13) and Volume 2, Section 12.3 - Keele Valley Landfill Area and Map 12.3.A is hereby amended by:

1. Amending Volume 1, Schedule 1 – Urban Structure of VOP 2010, identified on Schedule ‘4’ attached hereto, by redesignating the Subject Lands from “Natural Areas and Countryside” to “Community Areas”.
2. Amending Volume 1, Schedule 13 - Land Use of VOP 2010, identified on Schedule ‘3’ attached hereto, by redesignating the Subject Lands from “Private Open Spaces” to “High-Rise Residential” and “Private Open Spaces” and to identify a Maximum Building Height (“H” – Height) of 28-storeys and a maximum FSI (“D” – Density) on the Subject Lands of 4.1 times the area of the lot.
3. Amending Map 12.3.A: Keele Valley Landfill Area – Land Use Plan of Volume 2 of VOP 2010, identified on Schedule ‘2’ attached hereto, to identify the Subject Lands shown on Schedule ‘1’ as “Lands Subject to Amendment No. 91” to redesignate

the Subject Lands from “Private Open Spaces” with the Policy Area 3 Overlay to “High-Rise Residential” and “Private Open Spaces” and to identify a Maximum Building Height (“H” – Height) of 28-storeys and a maximum FSI (“D” – Density) on the Subject Lands of 4.1 times the area of the lot.

4. Adding the following policies to VOP 2010 Volume 2, Section 12.3 – Keele Valley Landfill Area, in numerical order:

“(OPA #91) **Northeast Corner of Major Mackenzie Drive & McNaughton Road East**

12.3.2.20. The following uses are permitted as identified on Map 12.3.A:

- a) A High-Rise Residential use shall be permitted up to a maximum of 28-storeys in height and density of 4.1 times the area of the lot; and,
- b) Park uses within the POPS (having a minimum size of 0.43 hectares).

12.3.2.21. Notwithstanding policy 9.2.3.6 d.ii. of Volume 1, the following apply:

- a) The portions of High-Rise Buildings above 12-storeys shall be setback a minimum of 0 metres from any property line.

12.3.2.22. Notwithstanding policy 9.2.3.6 d.iii. of Volume 1, the following apply:

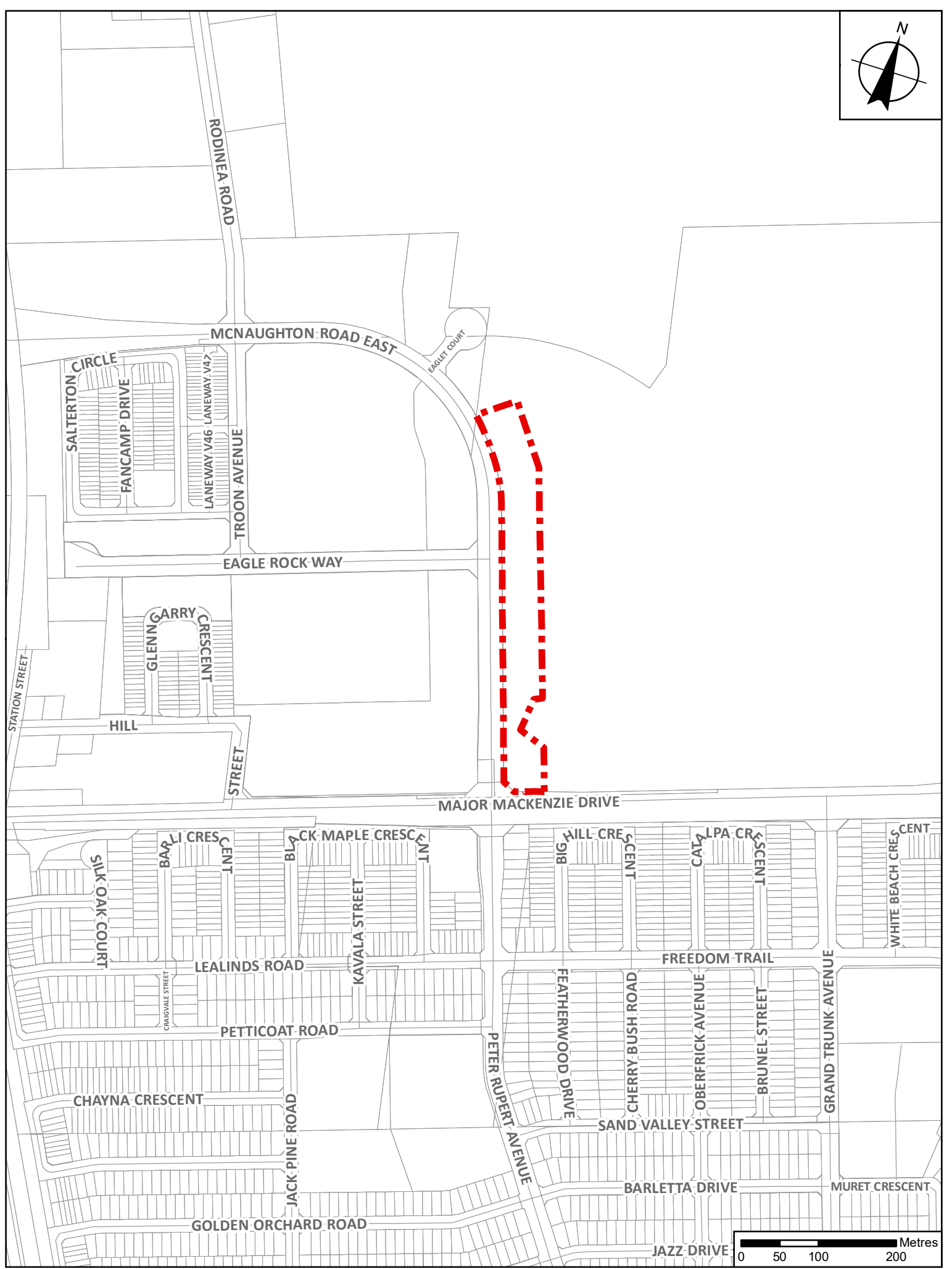
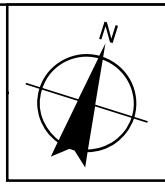
- a) Where more than one High-Rise Building is located on the same lot, the distance between any portions of the High-Rise Buildings above 12-storeys should generally be at least 28.8 metres.”

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*, R.S.O. 1990, c. P.13.


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.

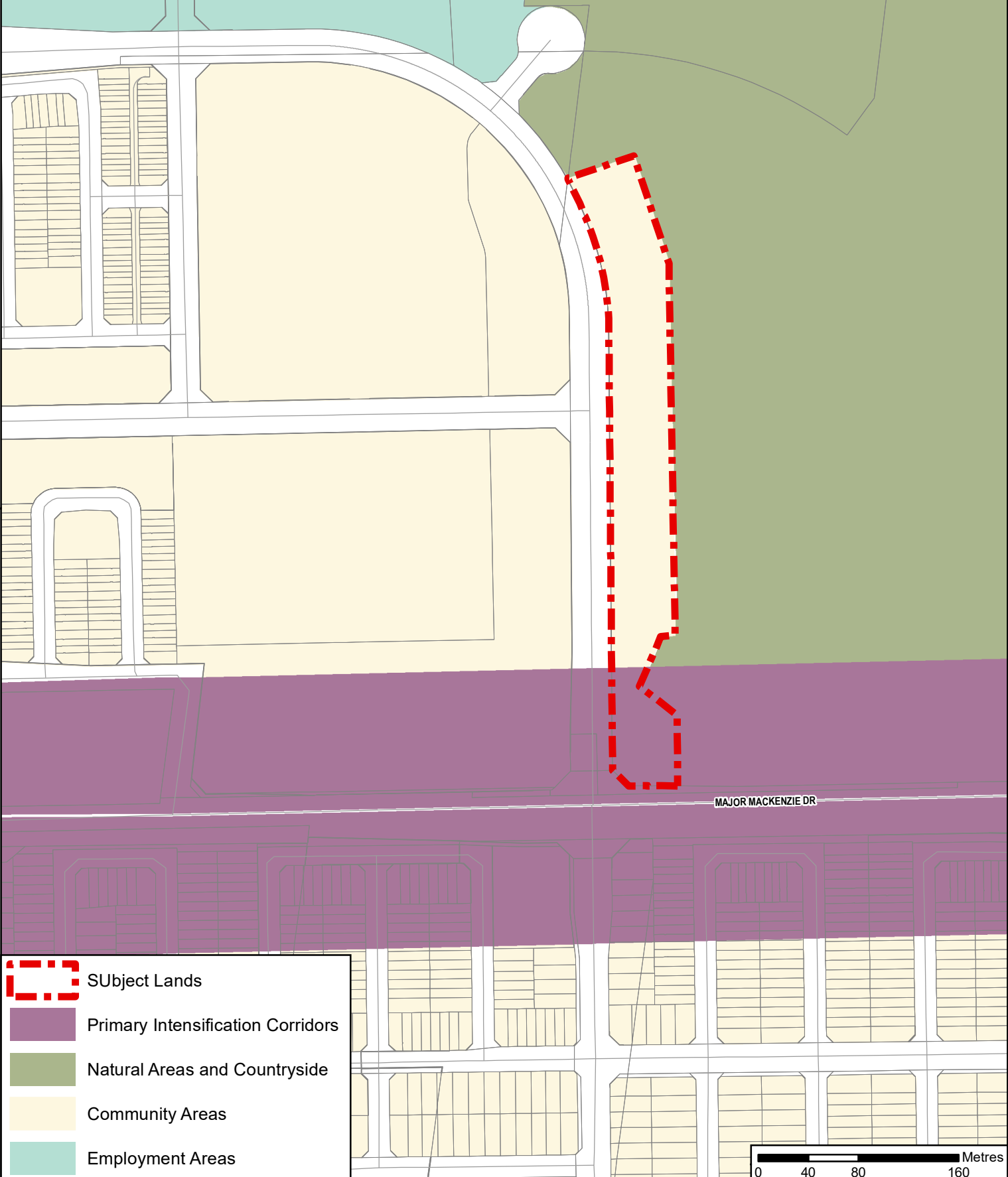
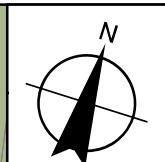







This is Schedule '1'
 To Official Plan Amendment No. 91
 Adopted the 29th Day Of November, 2022

File: OP.21.010
Related File: Z.21.014
Location: Part of Lots 21 and 22, Concession 3
 10,000 Dufferin Street
Applicant: York Major Holdings Inc.
City of Vaughan

 Lands Subject to
 Amendment No. 91

**This is Part of Schedule 1 - Urban Structure
To Vaughan Official Plan 2010, Volume 1**



-  Subject Lands
-  Primary Intensification Corridors
-  Natural Areas and Countryside
-  Community Areas
-  Employment Areas

**This is Schedule '2'
To Official Plan Amendment No. 91
Adopted the 29th Day Of November, 2022**

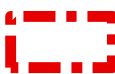
File: OP.21.010

Related File: Z.21.014

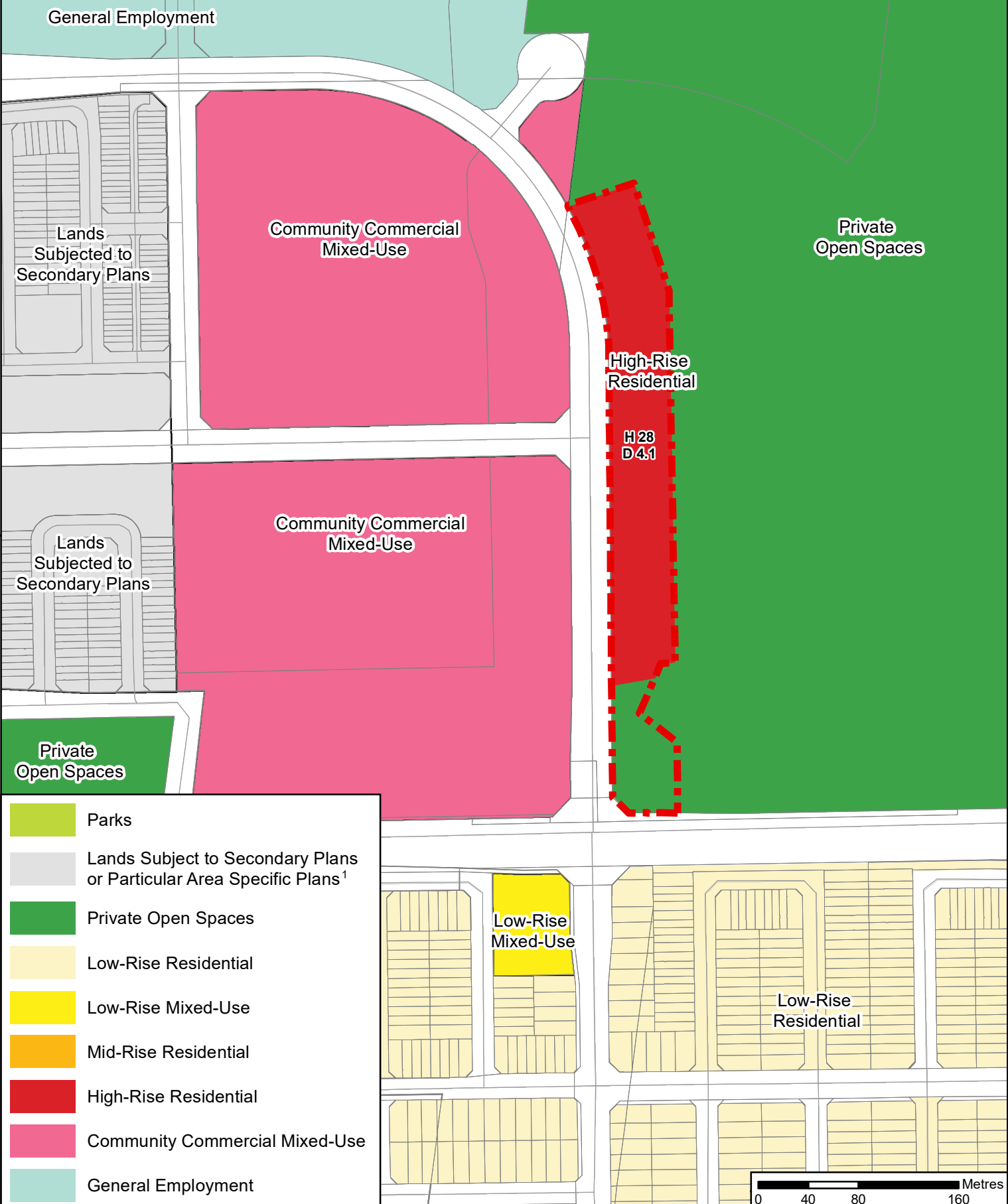
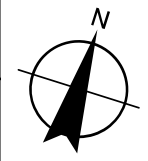
Location: Part of Lots 21 and 22, Concession 3
10,000 Dufferin Street

Applicant: York Major Holdings Inc.

City of Vaughan

 Lands Subject to
Amendment No. 91

**This is Part of Schedule 13 - Land Use
To Vaughan Official Plan 2010, Volume 1**



- Parks
- Lands Subject to Secondary Plans or Particular Area Specific Plans¹
- Private Open Spaces
- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- High-Rise Residential
- Community Commercial Mixed-Use
- General Employment

**This is Schedule '3'
To Official Plan Amendment No. 91
Adopted the 29th Day Of November, 2022**

File: OP.21.010

Related File: Z.21.014

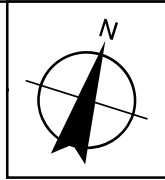
Location: Part of Lots 21 and 22, Concession 3
10,000 Dufferin Street

Applicant: York Major Holdings Inc.

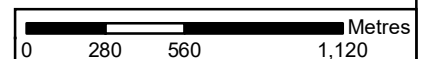
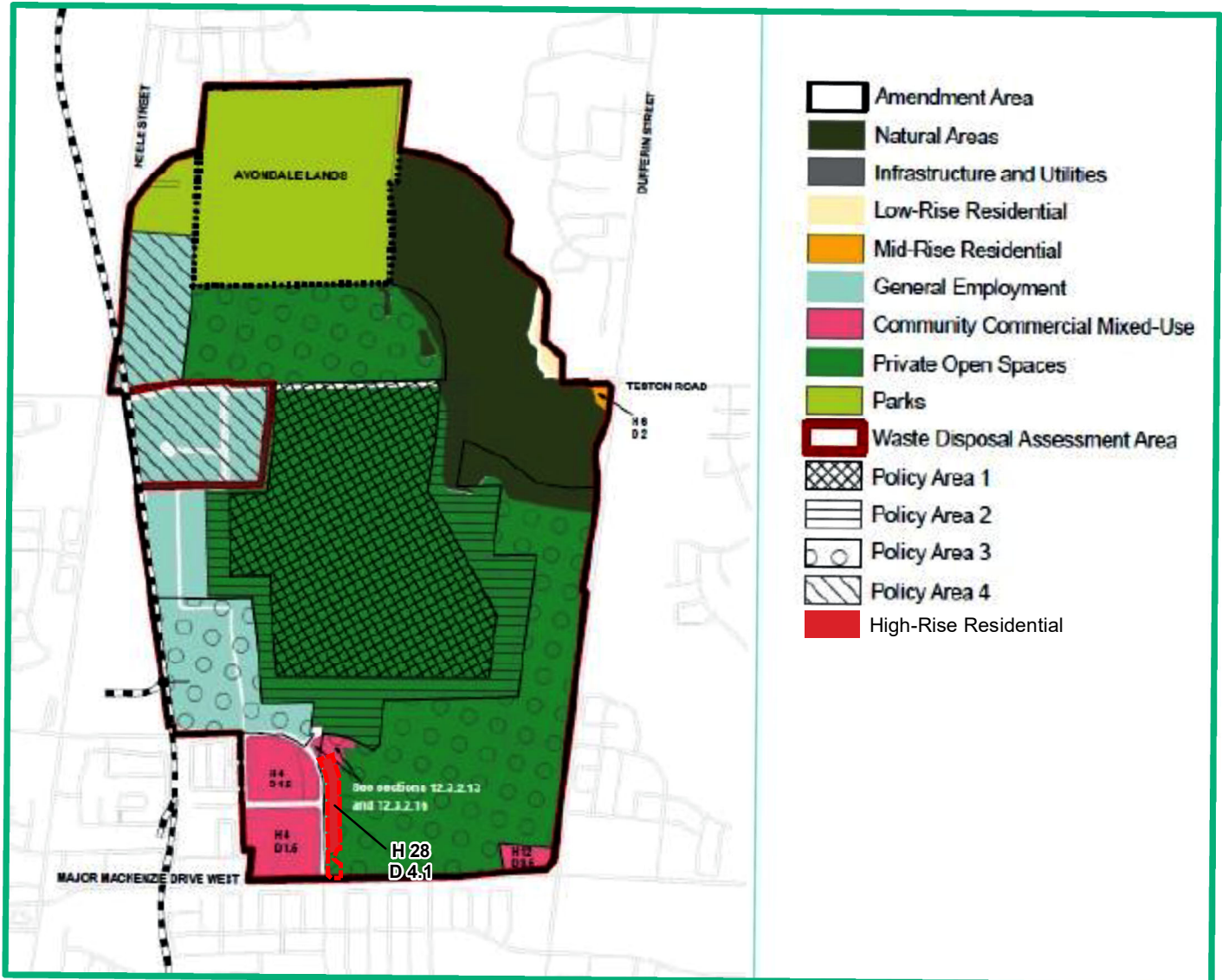
City of Vaughan



Lands Subject to
Amendment No. 91



Map 12.3.A:
Keele Valley Landfill Area – Land Use Plan



This is Schedule '4'
To Official Plan Amendment No. 91
Adopted the 29th Day Of November, 2022

File: OP.21.010
Related File: Z.21.014
Location: Part of Lots 21 and 22, Concession 3
 10,000 Dufferin Street
Applicant: York Major Holdings Inc.
City of Vaughan

**Lands Subject to
 Amendment No. 91**

APPENDIX I

The Subject Lands are located at 10,000 Dufferin Street (a portion of) on the east side of McNaughton Road East, north of Major MacKenzie Drive West, in the City of Vaughan.

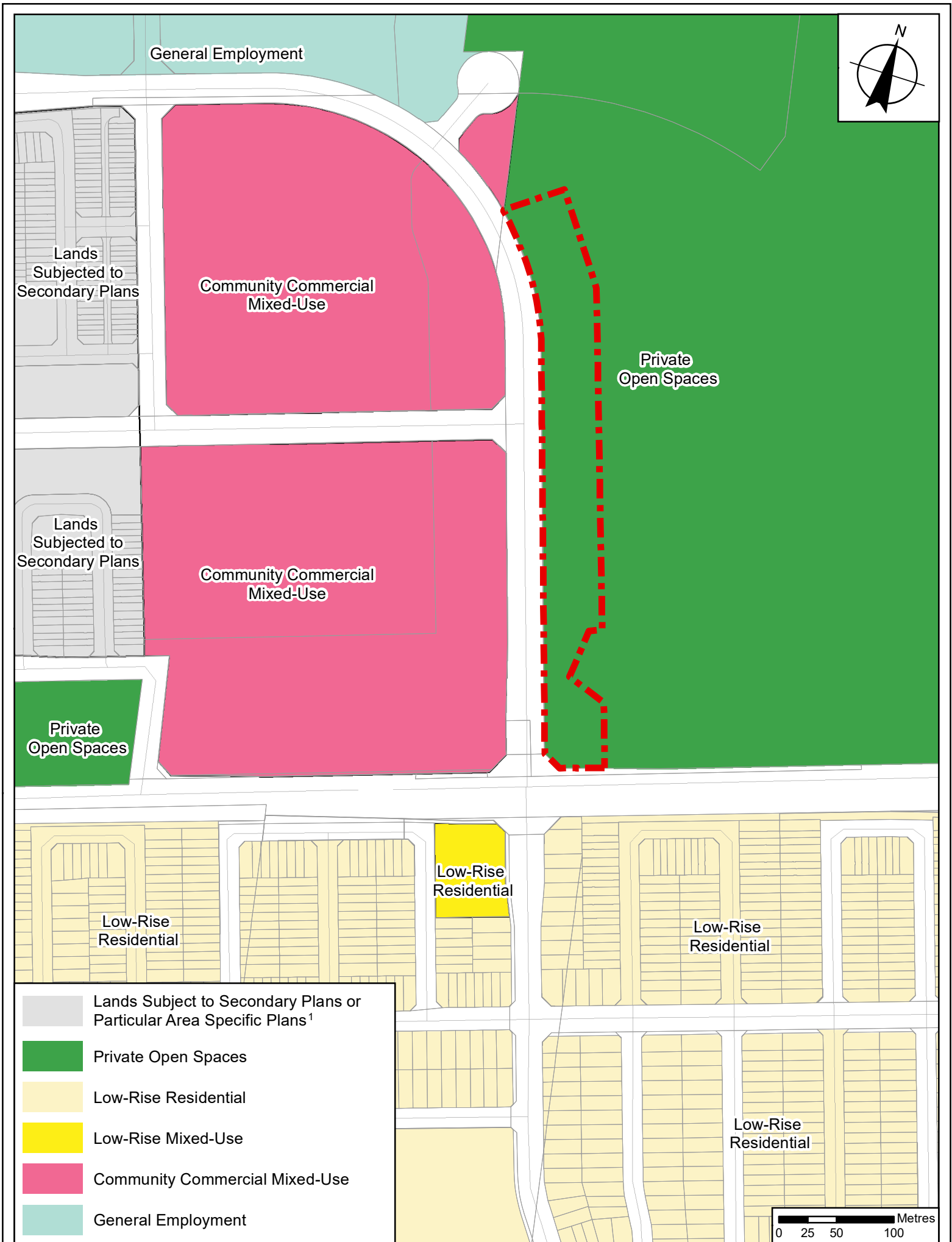
The purpose of this Amendment is to redesignate the Subject Lands from “Private Open Spaces” to “High-Rise Residential” and “Private Open Spaces” and to identify a Maximum Building Height of 28-storeys and a maximum FSI of 4.1 times the area of the lot to permit the development of two, 28-storey residential apartment buildings and two, 12-storey apartment buildings on the Subject Lands.

On September 28th, 2022, Vaughan Council ratified the September 20th, 2022 recommendation of the Committee of the Whole recommendation, to approve Official Plan Amendment File OP.21.010, (York Major Holdings Inc.) as follows:

“YORK MAJOR HOLDINGS INC. OFFICIAL PLAN AMENDMENT FILE
OP.21.010 ZONING BY-LAW AMENDMENT FILE Z.21.014 - 10000 DUFFERIN
STREET VICINITY OF MCNAUGHTON ROAD EAST AND EAGLE ROCK WAY

The Committee of the Whole recommends:

- 1) That the recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated September 20, 2022, be approved;
- 2) That Communication C3 from Ryan Mino-Leahan, Partner, KLM Planning Partners Inc., Jardin Drive, Concord, dated September 19, 2022, be received; and
- 3) That the following be approved in accordance with Communication C6, Memorandum from the Deputy City Manager, Planning and Growth Management, dated September 19, 2022:
THAT Recommendation #5 e) in the Committee of the Whole (2) September 20, 2022, staff report for Official Plan and Zoning By-law Amendment staff report for Files OP.21.010 & Z.21.014 York Major Holdings Inc., be deleted and replaced as follows:
“5 e) The Owner submits a methane gas investigation for the subject lands completed to the satisfaction of the City of Vaughan.”.



Appendix II Existing Land Uses Official Plan Amendment No. 91

File: OP.21.010

Related File: Z.21.014

Location: Part of Lots 21 and 22, Concession 3
10,000 Dufferin Street

Applicant: York Major Holdings Inc.

City of Vaughan

 Lands Subject to
Amendment No. 91