

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 103-2023

A By-law to adopt Amendment Number 81 to 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 81 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedules “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 20th day of June, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

**AMENDMENT NUMBER 81
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA**

The following text and Schedules “1” and “2” constitute Amendment Number 81 to the Official Plan of the Vaughan Planning Area.

Also attached hereto but not constituting part of the Amendment is Appendix “I”.

Authorized by Item No. 3 of Report No. 11
of the Committee of the Whole
Adopted by Vaughan City Council on
March 21, 2023.

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, Section 12.13 and Map 12.13.A: Block 40/47 – Land Use of VOP 2010, Volume 2, and Section 9.2.3.2 of VOP 2010, Volume 1 (the 'Amendment').

This Amendment will facilitate the following with respect to the Subject Lands identified as "Lands Subject to Amendment No. 81" on Schedule "1" attached hereto:

1. Amend Section 12.13 of VOP 2010, Volume 2, to permit common element street townhouses, dual frontage townhouses and back-to-back townhouses, private parkettes and a private stormwater management pond with access from a private common element road in the "Low-Density Residential" designation and to permit an increased gross density for the "Low-Density Residential" designation between 5 and 11.43 units per hectare for the Block 40/47 Block Plan area and a maximum site-specific density of 45 units per hectare for the Subject Lands.
2. Amend Section 9.2.3.2 of VOP 2010, Volume 1 to permit the following:
 - a) townhouses with frontage on a private common element condominium road
 - b) a maximum of eight (8) townhouse units in a row for street townhouse dwellings
 - c) a maximum of ten (10) units per block for back-to-back townhouse units
 - d) a facing distance of less than 18 metres between the townhouses blocks
3. Amend Map 12.13.A: Block 40/47 – Land Use, VOP 2010, Volume 2, to identify the Lands Subject to Amendment No. 81".

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are located on the south side of Teston Road, west of Weston Road, and municipally known as 3911 Teston Road, being Part of Lot 25, Concession 6, City of Vaughan, as shown on Schedule “1” attached hereto as “Lands Subject to Amendment No. 81.”

III BASIS

The decision to amend Volumes 1 and 2 of 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, 1.1.3, 1.4, 1.6 and 2.1 regarding: accommodating a market-based range and mix of residential types, and using land use planning to promote growth management and intensification to minimize land consumption and servicing costs; focusing development to settlement areas; applying appropriate development standards to facilitate transit-supportive intensification; providing a range of housing options required to meet the social, health, economic and needs of residents to support their well-being, and in locations and at densities required to address the short-term and long-term projected market-based and affordable needs of current and future residents, while also efficiently using land resources, infrastructure, and public service facilities, and also supporting the use of active transportation and transit in areas

where it exists or is to be developed; establishing development standards for residential intensification to facilitate compact form; optimizing the use of existing infrastructure and public service facilities, and protection of natural features for the long term.

The Subject Lands are located within a Settlement Area as defined by the PPS. The Development is consistent with the policies of the PPS because it makes efficient use of the Subject Lands by minimizing land consumption and providing a transit-supportive compact built form, contributes to a range and mix of residential housing types and protects the environment to the greatest extent possible by locating the majority of development away from natural features and applies the appropriate buffers to protect the features, utilizes planned water and sanitary connections along Teston Road, and provides private parkettes to meet the needs of future residents. On this basis, the Development is consistent with the PPS.

2. The Greenbelt Plan (2017) provides land use direction for development within and adjacent to sensitive environmental lands. Vaughan Council's planning decisions are required by the *Planning Act* to conform, or not conflict with the Greenbelt Plan. The Subject Lands contain natural features including a valley corridor with a tributary of the Humber River Watershed, a Provincially Significant Wetland ('PSW') of the Humber River Wetland Complex and a woodland. The portion of the Subject Lands that is subject to development is located in a settlement area outside of the Greenbelt. The watercourse that traverses the Subject Lands is identified as a "Urban River Valley" by the Greenbelt Plan. In accordance with Section 6 of the Greenbelt Plan, only publicly owned lands are governed by the policies of the "Urban River Valley" designation. All other lands within the "Urban River Valley" designation are governed by the applicable VOP 2010 policies. Section 3.2.3 of VOP 2010 identifies that sensitive environmental features such as urban river valleys shall be conveyed to the City and/or the Toronto and Region Conservation Authority and that where infrastructure is necessary and deemed in

the public interest after all alternatives have been considered, such projects shall minimize negative impacts on the “Core Features”. The Amendment conforms to the Greenbelt Plan, as the sensitive environmental areas located on the Subject Lands will be conveyed to the Toronto and Region Conservation Authority through the Site Development Application process, and the Owner has demonstrated best efforts in minimizing impacts on the natural environment.

3. A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (‘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 Subject Lands are located within a “Designated Greenfield” and “Greenbelt Area” as identified by the Growth Plan. The Amendment will facilitate 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 Sections 1.2.1, 2.2.7, 2.2.1.4, 3.2.6 and 4.2.4 with respect to supporting a diverse range and mix of housing options; providing densities to meet the needs of current and future residents; and supporting the achievement of a complete community. The Amendment contributes to the achievement of a complete community by supporting a range and mix of housing types and unit sizes and providing a built form that utilizes the Subject Lands more

efficiently, at a density that would meet the needs of future and current residents and protects sensitive environmental features to the greatest extent possible by locating development outside of the “Greenbelt Area”. The Amendment is also compatible with the existing built form in the surrounding community, while also making efficient use of planned infrastructure. Accordingly, the Development conforms to the Growth Plan.

4. The York Region Official Plan, 2010 (‘YROP’) contains policies that guide economic, environmental and community building decisions to manage growth across York Region. These policies strengthen the connections between the natural and built environment, job opportunities, human services, transportation, public health and fiscal capacity. The YROP 2010 policies also coordinate and set the stage for more detailed planning by local municipalities. VOP 2010, with its prescribed land uses, transportation and urban design policies, together with the maximum building heights and densities, conform to the YROP 2010 and York Region’s planned urban structure and intensification hierarchy.

The Subject Lands are located within a designated “Urban Area” and “Regional Greenlands System” on Map 1: Regional Structure of the YROP 2010 and contain a “Significant Woodland” as identified on Map 5: Woodlands. The Subject Lands also abut and will have access from Teston Road, a regional road that has a planned right of way width of 36 metres. The “Urban Area” designation permits a range of residential, industrial, commercial, and institutional uses, and is located where growth is intended to be accommodated in York Region (Section 5.0), while the “Regional Greenlands” designation and “Woodlands” policies promote the identification, protection and enhancement of natural features and areas (Sections 2.1 and 2.2).

On May 24, 2022, York Region exempted this Amendment from Regional approval in accordance with Regional Official Plan Policy 8.3.8, as it was determined to be a matter of local significance that does not adversely affect Regional planning

policies or interests. The Development conforms to the YROP because it protects and provides the appropriate buffers from environmentally sensitive lands to the greatest extent possible, it utilizes vacant lands within the “Urban Area” where there is planned infrastructure and it provides a mix and range of new housing options for the area in a compact built form that is supportive of future transit infrastructure investments. Accordingly, the Development conforms to the YROP 2010.

5. York Region Official Plan 2022 (“YROP 2022”) was adopted by Regional Council on June 30, 2022 and was approved with modifications by the Ministry of Municipal Affairs and Housing on November 4, 2022. Transition provision 7.4.13 of the YROP 2022 identifies that development applications which have not been deemed complete by the date of the Plan’s approval shall be subject to the policies of the Plan. The Applications were deemed complete on December 23, 2021 and are therefore subject to the YROP 2010; however an analysis of YROP 2022 has been provided below to demonstrate that the Development does not conflict with the policies of the YROP 2022.

The Subject Lands are identified as “Urban Area” and “Regional Greenlands” on Map 1: Regional Structure and are designated as “Community Areas” on Map 1A – Land Use Designations and “Designated Greenfield Area” on Map 1B – “Urban System Overlays” in the YROP 2022. “Community Areas” form part of the “Urban Area” which accommodates the majority of residents, personal services, retail, arts, culture, recreational facilities and human service needs as well as employment opportunities. “Community Areas” shall provide a balance of residential uses including a wide range and mix of housing types, sizes, tenures that are affordable and compatible employment uses that provide services to residents (Section 4.2). Within the “Regional Greenlands” System, environmental features such as the water resource system, features and functions are to be protected, restored and enhanced (Section 3.1.1). “Designated Greenfield Areas” are defined as lands within the “Urban Area” that are outside the Built-Up Areas

that have been designated in a local Official Plan for development required to accommodate forecasted growth to the horizon of this Plan. Development within “Designated Greenfield Areas” shall meet or exceed the municipal population and employment targets as set out by this plan (Section 4.2.7). The primary location for growth and development within the Region will take place within the Urban System, which includes the “Urban Area” (Section 4.1.1). The Amendment is consistent with the policies of the YROP, 2022 because it provides new housing opportunities in a compact built form, at an increased density that helps to achieve the population and density targets as outlined in this Plan and protects the environment to the greatest extent possible.

6. Section 12.13 – Block 40/47 of VOP 2010, Volume 2, was approved by the Local Planning Appeal Tribunal, now Ontario Land Tribunal on June 19, 2020. Section 12.13.1.3 states: “in accordance with Section 10.2.1.8 of Volume 1, VOP 2010, the policies of Section 12.13 and OPA 600 prevail over the land use designations and any other conflicting or inconsistent policy in Volume 1 for the Subject Lands”. The Subject Lands are designated “Low-Density Residential” and “Valley Lands” on Map 12.13A of VOP 2010, Volume 2, Section 12.13 – Block 40/47. In accordance with Section 4.2.1.1ii OPA 600, the “Low-Density Residential” designation permits single detached and semi-detached homes, and parks and open spaces, whereas the “Valley Lands” designation permits parks and open spaces that protect and enhance identified natural features (Section 4.2.5, OPA 600). Section 4.2.1.1.iii of OPA 600 also permits townhouse dwellings in the “Low-Density Residential” designation, subject to: being adjacent to another more intensive land use designation as a transitional use, in instances where their physical form assists in mitigating the impacts of a noise source, such a road or highway and where they would be of use in addressing a topographical constraint. “Low-Density Residential” areas are predominantly residential in character and urban design in these areas will emphasize attractive streetscapes which are pedestrian friendly so that residents can walk to greenways, linear park systems, primary streets with transit services, elementary schools, neighborhood parks and commercial

facilities. The Development meets the intent of the “Low-Density Residential” designation because it provides a compact built form at an increased density which encourages active transportation such as walking, cycling or taking public transit. The Development also meets the intent of the “Valley Lands” designation by protecting sensitive environmental features on the Subject Lands to the greatest extent possible. In accordance with Section 12.13.2.5 of VOP 2010, Volume 2, the overall range of permitted gross density for “Low-Density Residential Areas” within the Block 40/47 Plan Area shall be between 5.0 and 11.0 units per hectare, calculated on the area of developable lands. The Amendment permits a gross density increase of 11.43 units per hectare on the area of developable lands, which results in a site density of 45 units per hectare. The increased density is appropriate because it provides additional housing opportunities for the area in a compact and transit-supportive built form that is consistent with the policies of the PPS and conforms to the policies of the Growth Plan, Greenbelt Plan, York Region Official Plan and maintains the intent of the “Low-Density Residential” designation of VOP 2010.

Notwithstanding Section 10.2.1.8 of VOP 2010, Volume 1, the built-form policies for townhouses in Section 9.2.3.2 of VOP 2010, Volume 1, also apply to the Subject Lands. The Amendment is appropriate for the following reasons:

- The townhouse blocks of eight (8) to ten (10) attached units shall achieve a pedestrian oriented development
- Street townhouses, dual frontage and back-to-back townhouses with frontage on a common element road and private parkettes are considered appropriate to be located within the “Low-Density Residential” designation as they will provide additional housing and recreation options for the area at a density that is transit-supportive and encourages active transportation
- The private road provided for the Development simulates a public street where possible in accordance with Section 9.1.1.5 of VOP 2010

- The decreased separation distances between the townhouses are considered appropriate as they will still provide adequate daylight, landscaping and privacy for the development.

7. The statutory Public Meeting was held on September 14, 2021. The recommendation of the Committee of the Whole to receive the Public Meeting report and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on September 27, 2022. Vaughan Council on June 28, 2022, deferred consideration of the Committee of the Whole (2) recommendation report of June 21, 2022, to approve Official Plan Amendment File OP.21.005, subject to modifications, to September 13, 2022. Vaughan Council on September 28, 2022, deferred the Committee of the Whole (1) recommendation report of September 13, 2022, to approve Official Plan Amendment File OP.21.005, subject to modifications, to Q1 of 2023. Vaughan Council on March 21, 2023, approved the Committee of the Whole (2) recommendation report of February 28, 2022, to approve Official Plan Amendment File OP.21.005, without modifications and subject to staff communications (3911 Teston Road Inc).

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

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

1. Amending Map 12.13.A of VOP 2010, Volume 2, attached hereto as Schedule “2”, thereby identifying the Subject Lands shown on Schedule “1” as “Lands Subject to Policy 12.13.2.15”
2. Amend Section 9.2.3.2 of VOP 2010, Volume 1 and Section 12.13 of VOP 2010, Volume 2, by adding the following policies to Section 12.13 - Block 40/47, to be renumbered in sequential order:

“(OPA #81) (12.13.2.15) Notwithstanding the above, the following policies shall apply to “Lands Subject to Policy 12.13.2.15”, identified on

Map 12.13.A:

- a. Notwithstanding Policy 12.13.1.3, the policies of this section shall prevail over any conflicting or inconsistent policies in OPA 600 or VOP 2010, as it pertains to the lands subject to amendment no. 81;
- b. Notwithstanding Policy 12.13.2.5.v.A of VOP 2010, Volume 2, the overall range of permitted gross density will be between 5.0 and 11.43 units per hectare and a maximum site density of 45 units per hectare, calculated on the area of developable lands. Notwithstanding Section 4.2.1.1.vii of OPA 600, for the purpose of calculating density, the area of developable lands shall include: private roads, land for dwelling units and private parkettes, but all other lands including private stormwater management ponds and environmental lands shall be excluded.
- c. Notwithstanding Policy 12.13.2.5.v.B of VOP 2010, Volume 2 and Sections 4.2.1.1.ii and 4.2.1.1.iii of OPA 600 (the uses permitted in the “Low-Density Residential” designation), the following uses are permitted:
 - i. Street townhouses
 - ii. Dual frontage townhouses
 - iii. Back-to-back townhouses
 - iv. Private parkettes and a private stormwater management pond and associated facilities
 - v. All of the above shall be permitted to be accessed by a private common element condominium road;

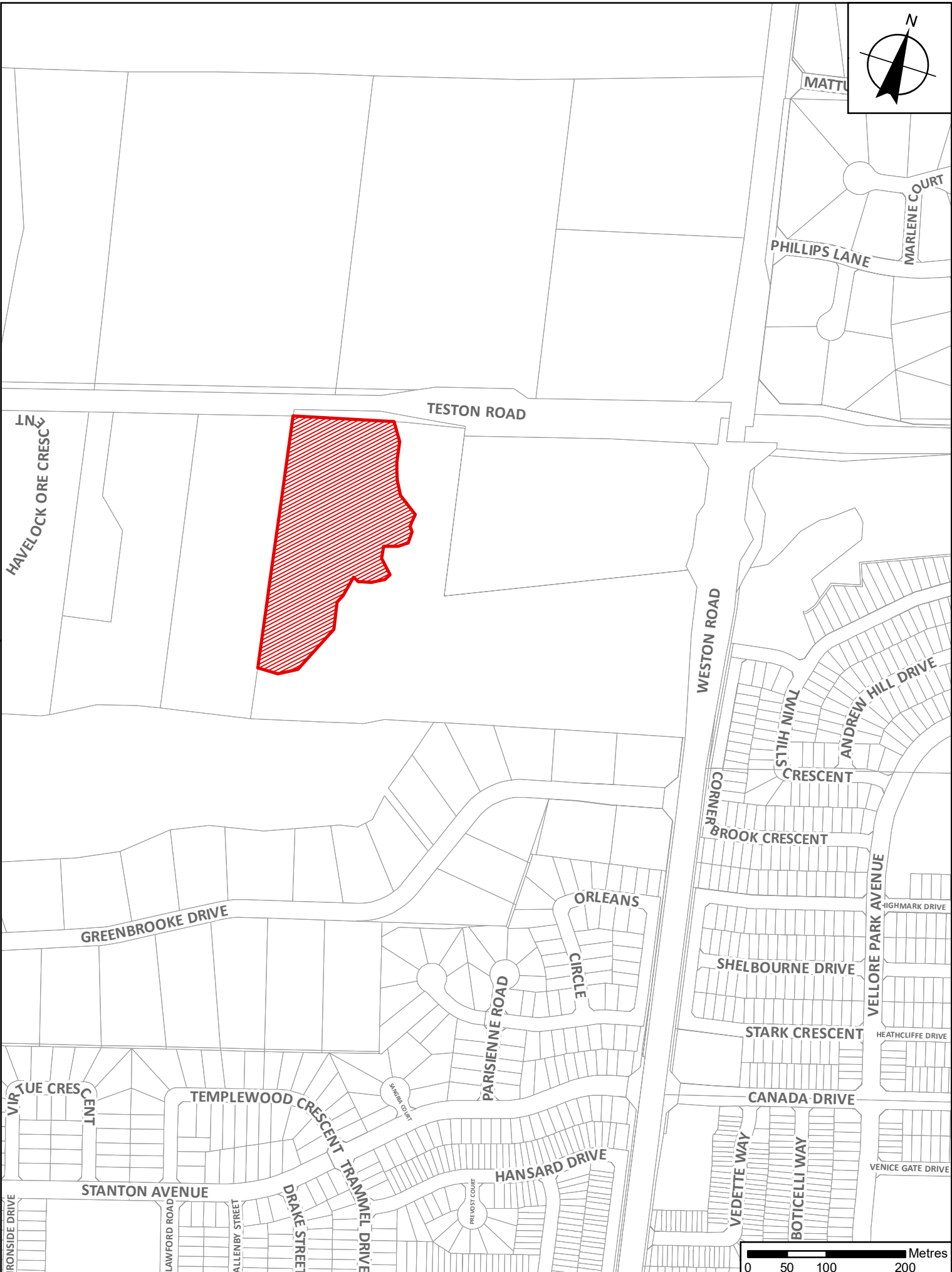
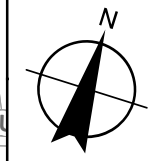
- d. Notwithstanding Policy 9.2.3.2.a) of VOP 2010, Volume 1:
 - i. a street townhouse or dual frontage townhouse or back-to-back townhouses shall consist of at least three (3) but no more than eight (8) attached residential units
 - ii. a back-to-back townhouse on a single parcel shall consist of at least three (3) but no more than ten (10) attached residential units
- e. Notwithstanding Policy 9.2.3.2.d of VOP 2010, Volume 1, townhouses shall be permitted to front onto a private common element condominium road; and
- f. Notwithstanding Policy 9.2.3.2.e of VOP 2010, Volume 1, townhouses that are separated by a private street shall have a minimum facing distance of 16.9 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, Draft Plan of Subdivision Approval, and Site Development Approval, pursuant to the *Planning Act*, R.S.O. 1990, c. P. 13.

VI INTERPRETATION

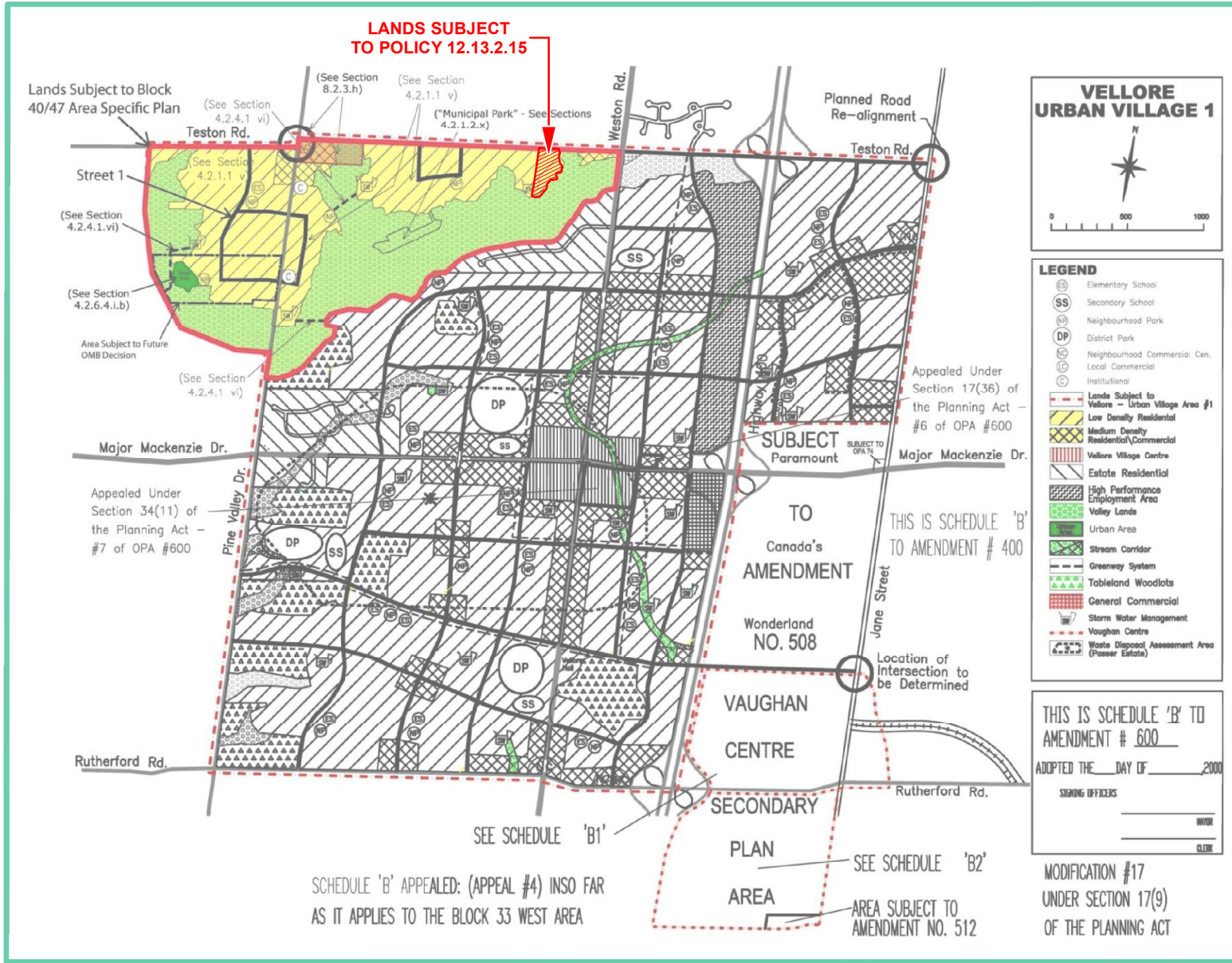
The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.



This is Schedule '1'
 To Official Plan Amendment No. 81
 Adopted the 20TH Day Of JUNE, 2023

File: OP.21.005
Related Files: Z.21.008, 19T-21V002, DA.21.069
Location: Part of Lot 25, Concession 6
Applicant: 3911 Teston Road Inc.
City of Vaughan

 **Lands Subject To
 Amendment No. 81**



File: OP.21.005
Related Files: Z.21.008, 19T-21V002, DA.21.069
Location: Part of Lot 25, Concession 6
Applicant: 3911 Teston Road Inc.
City of Vaughan

This is Schedule '2'
To Official Plan Amendment No. 81
Adopted the 20TH Day Of JUNE, 2023

 **Lands Subject To Amendment No. 81**

APPENDIX I

The Subject Lands are located on the south side of Teston Road, west of Weston Road and are municipally known as 3911 Teston Road, in the City of Vaughan.

The purpose of this Amendment is to create a site-specific amendment to the “Low Density Residential” designation of VOP 2010 Volume 2, Section 12.13, to permit common element: street townhouses, dual frontage townhouses, back-to-back townhouses, private parkettes and a private stormwater management pond, all with access from a private common element condominium road with a gross density between 5 and 11.43 units per hectare for the Block 40/47 Block Plan area and a maximum site density of 45 units per hectare. Amendments to the maximum number of units in a row and minimum facing distances between townhouse blocks are also proposed for the Subject Lands.

On March 21, 2023, Vaughan Council ratified the February 28, 2023 recommendation of the Committee of the Whole recommendation, as amended to approve Official Plan Amendment File OP.21.005 (3911 Teston Road Inc.) as follows (in part):

By approving the recommendation contained in the report Deputy City Manager, Planning and Growth Management, dated February 28, 2023, subject to approving the following in accordance with Communication C8, Deputy City Manager, Planning and Growth Management, dated March 15, 2023, as follows:

1. That Recommendation 1b) of the report be revised to approve a gross density of 11.43 units per hectare for the Block 40/47 Plan Area, resulting in a site density of 45 units per hectare on the Subject Lands and all references to 11.41 units per hectare in the report shall be replaced with 11.43 units per hectare; and

That the Committee of the Whole recommends:

1. That no parkland will be required on site for these applications that will result in a loss of units to this project.
2. To give effect to such, amendments to the staff recommendations contained in the report of the Deputy City Manager, Planning and Growth Management dated June 21, 2022, be approved, subject to the following changes:
 - a) Recommendation 1 a) be deleted in its entirety;
 - b) Recommendation 1 b) be revised to approve a gross density of 11.41 units per net hectare;

Recommendations

Council, at its meeting of September 28, 2022, adopted the following recommendation (Item 9, Committee of the Whole, Report No. 32), without amendment:

Recommendations of the Committee of the Whole of September 13, 2022 (in part):

1. That consideration of this matter be deferred to the Q1 of 2023, Committee of the Whole meeting; and

Council, at its meeting of June 28, 2022, adopted the following recommendation, (Item 9, Committee of the Whole, Report No. 30), without amendment:

Recommendation of the Committee of the Whole of June 21, 2022 (in part):

1. That consideration of this matter be deferred to the September 13, 2022, Committee of the Whole meeting; and

Report/recommendations of the Report of the Deputy City Manager, Planning and Growth Management, dated June 21, 2022 (in part):

1. "THAT Official Plan Amendment File OP.21.005 (3911 Teston Road Inc.) BE APPROVED to amend Vaughan Official Plan 2010 and Official Plan Amendment 600 for the Subject Lands shown on Attachment 2, to permit the Development within the "Low-Density Residential" designation, together with the site-specific exceptions identified in Table 1, SUBJECT TO THE FOLLOWING MODIFICATIONS:
 - a. Back-to-Back Townhouse Blocks 7 and 8 as shown on Attachment 5, are removed to accommodate a centralized parkette, and;
 - b. The gross density be revised from 5 to 11.3 units per hectare rather than 5 to 11.41 units per hectare to account for the net loss of 20 dwelling units due to the above noted modification".