

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 102-2019

A By-law to adopt Amendment Number 44 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 44 to the Vaughan Official Plan 2010 of the Vaughan Planning Area, consisting of the attached text and Schedule(s) “1”, “2”, “3”, “4”, and “5” 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 12th day of June, 2019.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

AMENDMENT NUMBER 44
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA

The following text and Schedules “1”, “2”, “3”, “4” and “5” constitute Amendment Number 44 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), specifically Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan, is to redesignate the Subject Lands identified as “Area Subject to Amendment 44” on Schedule “1” from “Low-Rise Mixed-Use” and “Low-Rise Residential B” to “Low-Rise Residential B” and to amend the policies of the Official Plan to permit a 3-storey purpose built residential rental apartment building containing a maximum of 45 units with a Floor Space Index (FSI) of 1.94 times the area of the lot, a maximum lot coverage of 70% and a 2.5 m building setback from Kipling Avenue.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands” are located on the west side of Kipling Avenue, north of Woodbridge Avenue, being in the north half of Lot 7, Concession 8, also known as Lot 9, Deposited Plan 546 Woodbridge and known municipally as 8010 Kipling as shown on Schedule “1” attached hereto as “Area Subject to Amendment No. “44.”

III BASIS

The decision to amend City of Vaughan Official Plan 2010 (VOP 2010) Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan, is based on the following considerations:

1. The Provincial Policy Statement, 2014 (PPS) provides the overall direction on matters of provincial interest related to land use planning and development and includes policies that encourage new growth to urban areas, complete communities, and promotes efficient, cost effective development and land use patterns. The PPS Section 1.1.3 Settlement Areas, specifically Sections 1.1.3.1 and 1.1.3.2 a) states (in part) that settlement areas shall be the focus of growth and development, and that the land use patterns shall be based on densities and mix of land uses that efficiently use land and resources, are appropriate for and efficiently use existing and planned infrastructure and public service facilities (support transit) and avoid the need for their unjustified and/or uneconomical expansion.

The PPS Section 1.4 Housing and specifically Section 1.4.3 states that Planning Authorities shall provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market by establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households; permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents including special needs requirements: and all forms of residential (including secondary units).

This Amendment facilitates the development that is consistent with the policies of the PPS by promoting the efficient use of land and the provision of a housing tenure (rental), which is affordable to low and moderate-income households.

2. A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 (“Growth Plan”) is intended to guide development of land; encourage compact built-form, transit-supportive communities, diverse land uses, and direct growth to settlement areas. The Growth Plan outlines opportunities to make better use of land and infrastructure by directing growth to existing urban areas as well as creating complete communities. Section 2.2.1 Managing Growth directs growth to built-up areas and locations with existing or planned transit to achieve complete communities that provide a diverse range and mix of housing options, including affordable housing to accommodate the needs of all household sizes and incomes, and to improve social equity and overall quality of life, including human health, for people of all ages, abilities and incomes. Section 2.2.6 Housing and specifically, Section 2.1.6.1 a) states (in part) that municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that supports the achievement of the minimum intensification and density targets in this plan, as well as the other policies of this Plan by:

- identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and
- establishing targets for affordable ownership housing and rental housing.

The Development conforms to the Growth Plan as it utilizes a compact building form within a built-up area, is in close proximity to existing and planned transit facilities and introduces an affordable housing option (rental) that adds to the diversity and mix of

housing options which is important to achieving a complete community.

3. The Subject Lands are designated “Urban Area” on Map 1 ‘Regional Structure’ by the York Region Official Plan (YROP) which permits a range of residential, industrial, commercial and institutional uses. The YROP encourages intensification within the Urban Area and throughout York Region and encourages a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability including rental units within each community. The proposed development represents a compact built form, which, utilizes existing services and infrastructure. The development introduces additional density on an underutilized lot and expands the range of housing types.
4. VOP 2010, Schedule 1 - Urban Structure, identifies the planned Urban Structure of the City of Vaughan and establishes a hierarchy of Intensification Areas, including Local Centres. Intensification areas have been established to make efficient use of underutilized sites with high level of existing or planned transit and will be developed with a mix of uses and appropriate densities to support transit use and promote walking and cycling.

Section 2.2.5.7 in VOP 2010 (Volume 1) states (in part) that Local Centres shall be planned to:

- a) develop with a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing;
- b) be predominantly residential in character but include a mix of uses including retail office and community facilities intended to serve the local population and attract activity throughout the day; and
- c) develop at densities supportive of planned or potential public transit, taking into account the local urban fabric of each Local Centre.

VOP 2010 Section 7.5 Housing Options, specifically Section 7.5.1.1, (in part) encourages and supports the provision of a full range of housing options including rental housing, to meet the needs of Vaughan’s diverse population.

The Development Planning Department supports the proposed 1.94 FSI as the Subject Lands are located within a Local Centre, which is an intensification area planned to provide a mix of housing types and tenures, supports existing and planned public transit facilities and provides a different housing option/tenure in the

community.

5. The Applications to amend the KACSP and policy 11.5.2.6 to develop the Subject lands independently is consistent with the Local Centre policies, which encourage a mix of housing types and tenures, including housing suitable for seniors and families with children and affordable housing at densities supportive of planned or potential public transit. The proposed building design is also respectful of the neighbouring heritage contributing buildings, provides a development that fronts onto Kipling Avenue and establishes an alternative housing option (rental) within the community.
6. To ensure this development will function as a purpose-built rental apartment building the Owner shall register a restrictive covenant on the title of the property requiring that the building be operated as a private market purpose built residential rental apartment building for a minimum period of 20 years.
7. On July 6, 2018, York Region exempted Official Plan Amendment File OP.18.012 from Regional approval as it determined that the proposed amendment is a matter of local significance and does not adversely affect Regional Planning policies or interests.
8. The statutory Public Hearing was held on December 5, 2018. The recommendation of the Committee of the Whole to receive the Public Hearing report of December 5, 2018 and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on December 12, 2018. Vaughan Council, on June 4, 2019 ratified the June 4, 2019 Committee of the Whole recommendation, to approve Official Plan and Zoning By-law Amendment Files OP.18.003, Z.18.007, and Site Development Application File DA.18.012 (1567855 Ontario Ltd.).

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Vaughan Official Plan 2010 (VOP 2010), Volume 2, Section 11.5 Kipling Avenue Corridor

Secondary Plan is hereby amended by:

1. Deleting Map 11.5.A Kipling Avenue – Land Use and substituting therefore the Map 11.5.A Kipling Avenue - Land Use attached hereto as Schedule 1, thereby redesignating the Subject Lands from “Low-Rise Residential B” and “Low-Rise Mixed-Use” to “Low-Rise Residential B” and to add “Area A - Policy 11.5.31.1”.
2. Deleting Map 11.5.I Building Frontages, Orientation and Corner and Terminus Sites and substituting therefore the Map 11.5.I - Building Frontages, Orientation and Corner and Terminus Sites attached hereto as Schedule 2, to remove the reference to “Building Frontage onto Public Realm” along the western lot line of the Subject Lands and to add “Area A - Policy 11.5.31.1”.
3. Deleting Map 11.5.J Kipling Avenue – Minimum Front-yard Building Setbacks and substituting therefore the Map 11.5.J Kipling Avenue - Minimum Front-yard Building Setbacks attached hereto as Schedule 3, thereby removing the 3 m Setback requirement from the Subject Lands and to add “Area A - Policy 11.5.31.1”.
4. Deleting Map 11.5.M Kipling Avenue – Projected New Counts and Density and substituting therefore the Map 11.5.M Kipling Avenue – Projected New Unit Counts and Density attached hereto as Schedule 4, to add “Area A - Policy 11.5.31.1”.
5. Deleting Map 11.5.N – Kipling Avenue - The Rainbow Creek South Industrial Lands Low Density Residential Neighbourhood and substituting therefore the Map 11.5.N – Kipling Avenue - The Rainbow Creek South Industrial Lands Low Density Residential Neighbourhood attached hereto as Schedule 5, to add “Area A - Policy 11.5.31.1”.
6. Adding the following after Policy 11.5.30.4:

“(OPA 44) 11.5.31 Site Specific Policies”
7. Adding the following after Policy 11.5.31:

“(OPA 44) 11.5.31.1 The following shall apply to the lands municipally known as 8010 Kipling Avenue, identified as “Area A - Policy 11.5.31.1”:

- a) Notwithstanding Policies 11.5.2.6, 11.5.12 and 11.5.14 the following shall apply:
 - i) Permitted use shall be only a 3-storey, Low-Rise Building;
 - ii) The maximum lot coverage shall be 70%;
 - iii) The minimum setback to Kipling Avenue shall be 2.5 m;
 - iv) The maximum density shall be 1.94 FSI;
 - v) The maximum number of residential units shall be 45.
- b) As conditions of Site Plan approval, the Owner shall:
 - i) provide an easement for the purposes of a pedestrian walkway connection, should it be required in the future, to the satisfaction of the City;
 - ii) register a restrictive covenant on the title of the property requiring that the building be operated as a private market purpose built residential rental apartment building for a minimum of 20 years.”

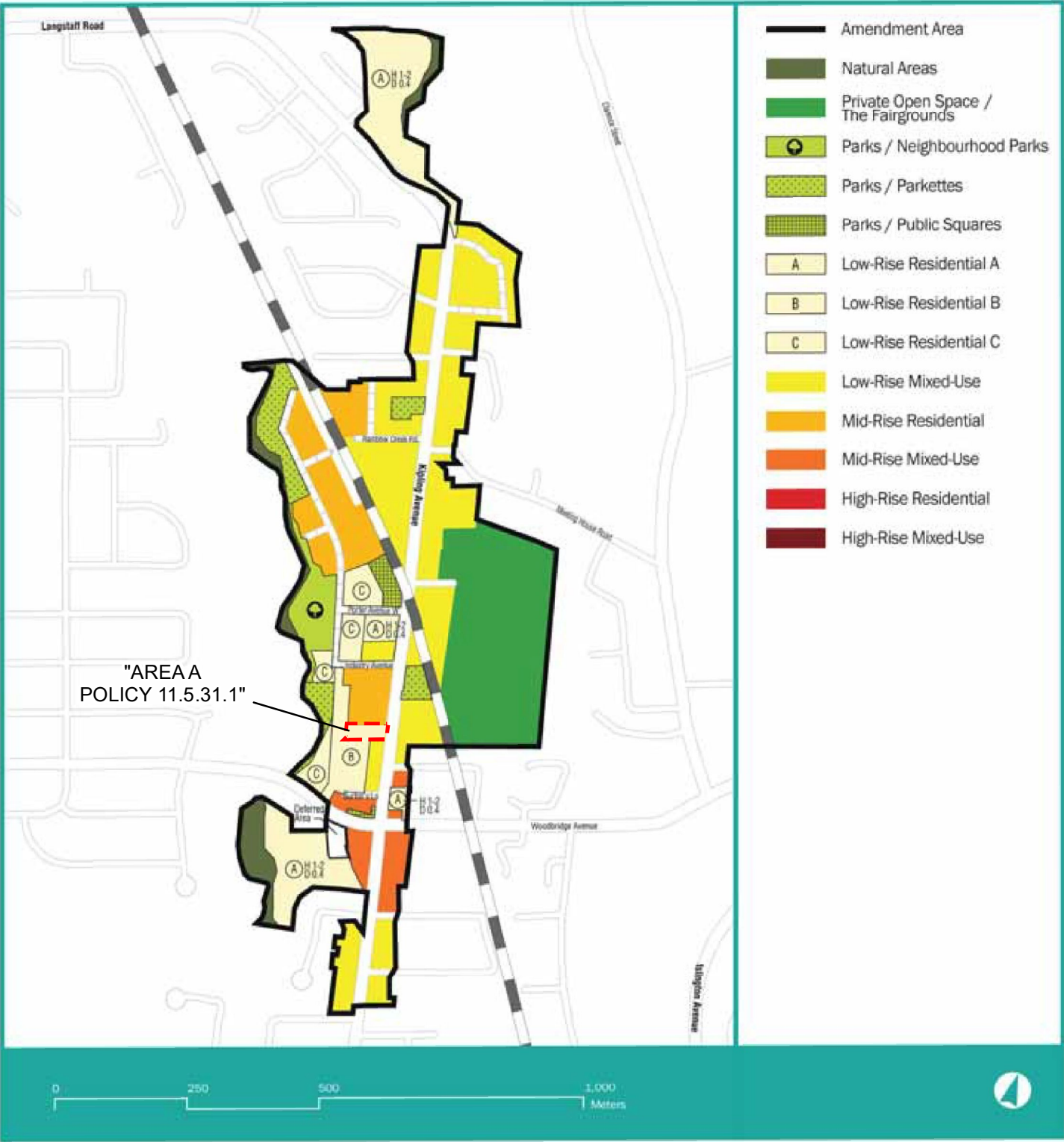
V IMPLEMENTATION

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 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.

▼ Map 11.5.A
Kipling Avenue - Land Use

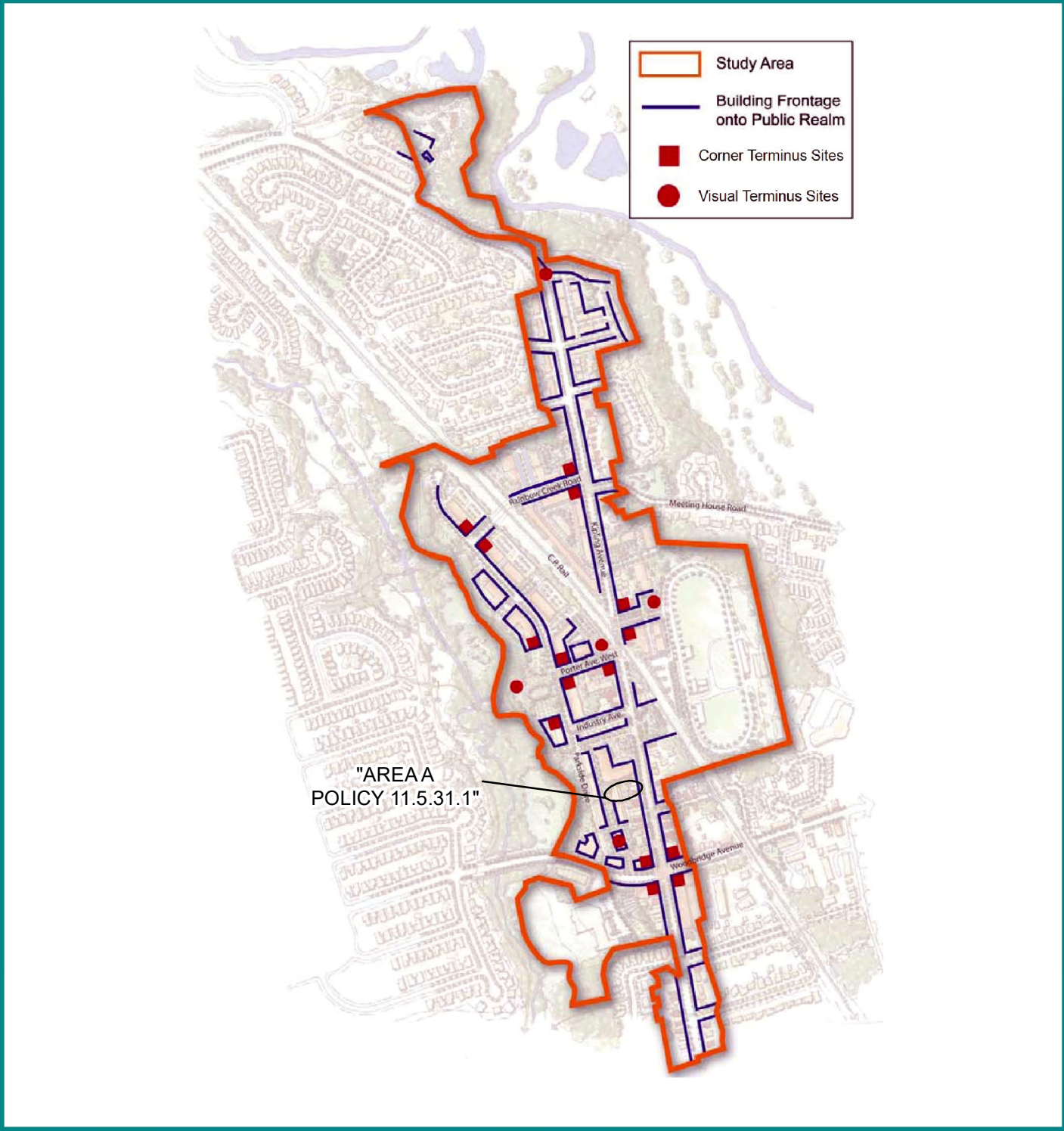


This is Schedule '1' to the
Kipling Avenue Corridor Secondary Plan
Amendment No. 44
Adopted the 12th Day Of June, 2019

File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan

 Lands Subject to
Amendment No. 44

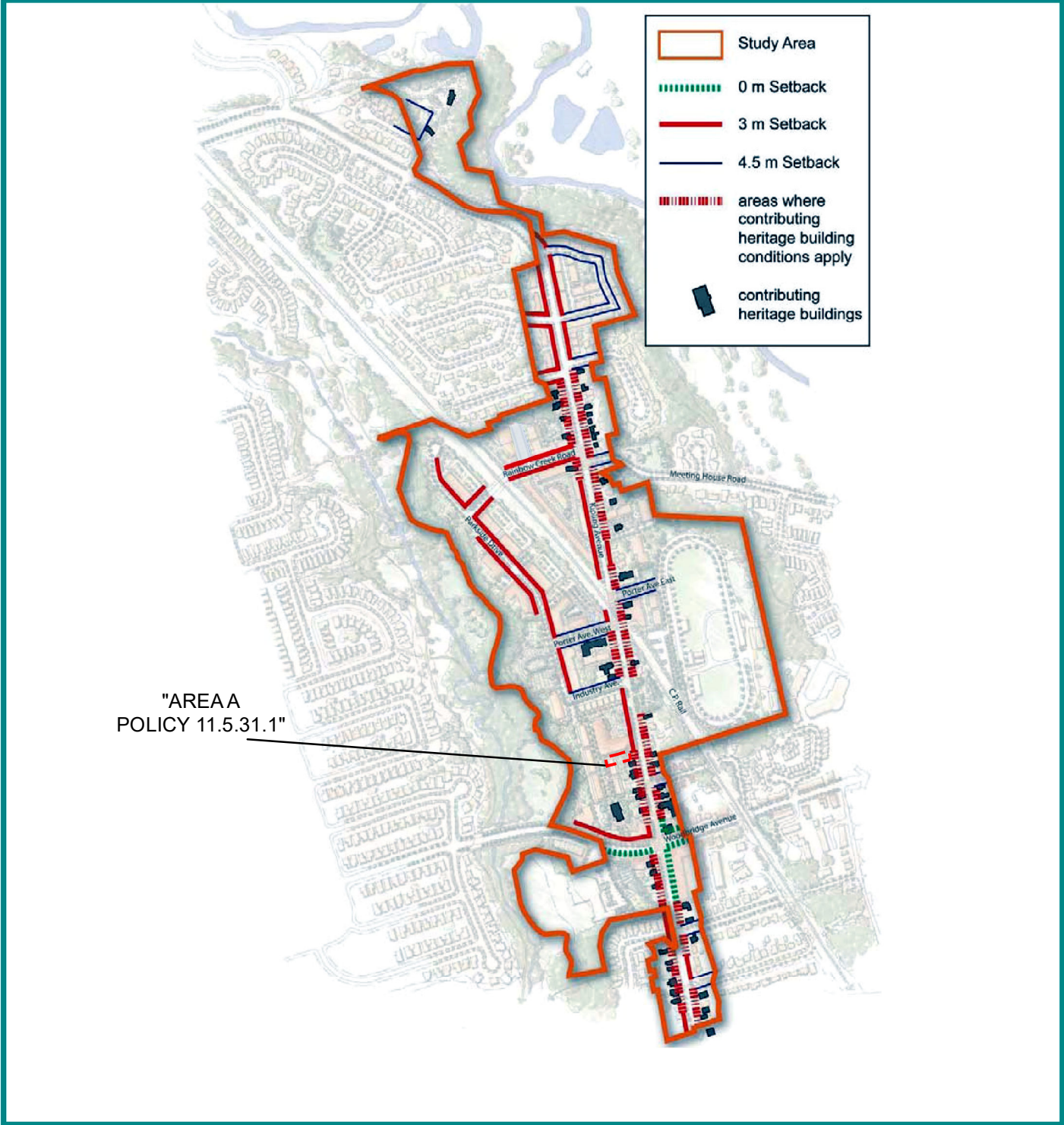
▼ Map 11.5.1
Building Frontages, Orientation and, Corner and Terminus Sites



This is Schedule '2' to the
Kipling Avenue Corridor Secondary Plan
Amendment No. 44
Adopted the 12th Day Of June, 2019


File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan

▼ Map 11.5.J
Minimum Front-yard Building Setbacks



This is Schedule '3' to the
Kipling Avenue Corridor Secondary Plan
Amendment No. 44
Adopted the 12th Day Of June, 2019

File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan


 Lands Subject to
Amendment No. 44

Map 11.5.M
Kipling Avenue - Projected New Unit Counts and Density

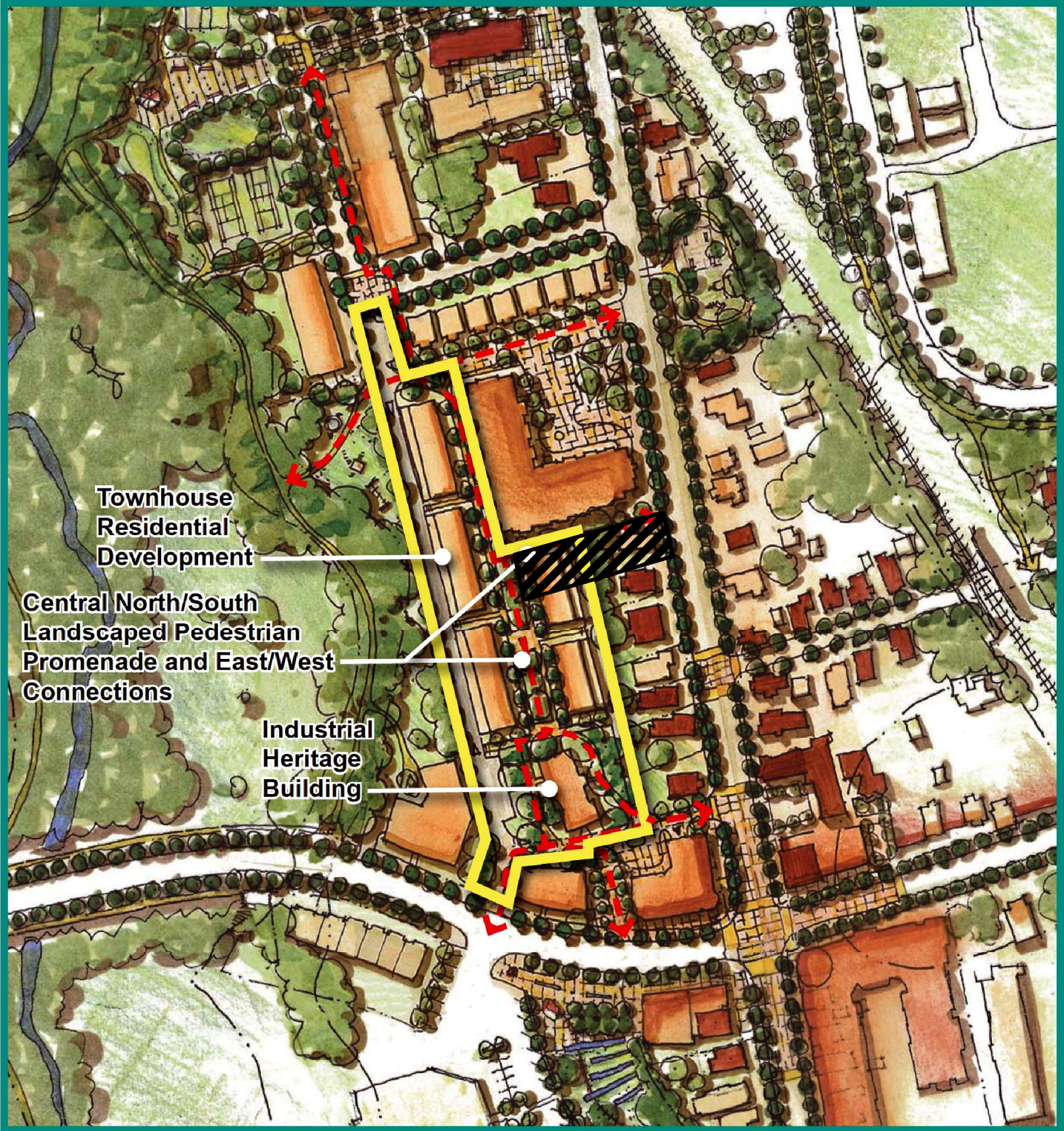


This is Schedule '4' to the
Kipling Avenue Corridor Secondary Plan
Amendment No. 44
Adopted the 12th Day Of June, 2019

File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan


 Lands Subject to
Amendment No. 44

Map 11.5.N
Kipling Avenue - The Rainbow Creek South Industrial Lands Low Density Residential Neighbourhood



This is Schedule '5' to the
Kipling Avenue Corridor Secondary Plan
Amendment No. 44
Adopted the 12th Day Of June, 2019

File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan

 Lands Subject to
Amendment No. 44
"Area A Policy 11.5.31.1"

APPENDIX I

The Subject Lands are located on west side of Kipling Avenue, north of Woodbridge Avenue, being the north half of Lot 7, Concession 8, also known as Lot 9, Deposited Plan 546 Woodbridge, and known municipally as 8010 Kipling Avenue, City of Vaughan.

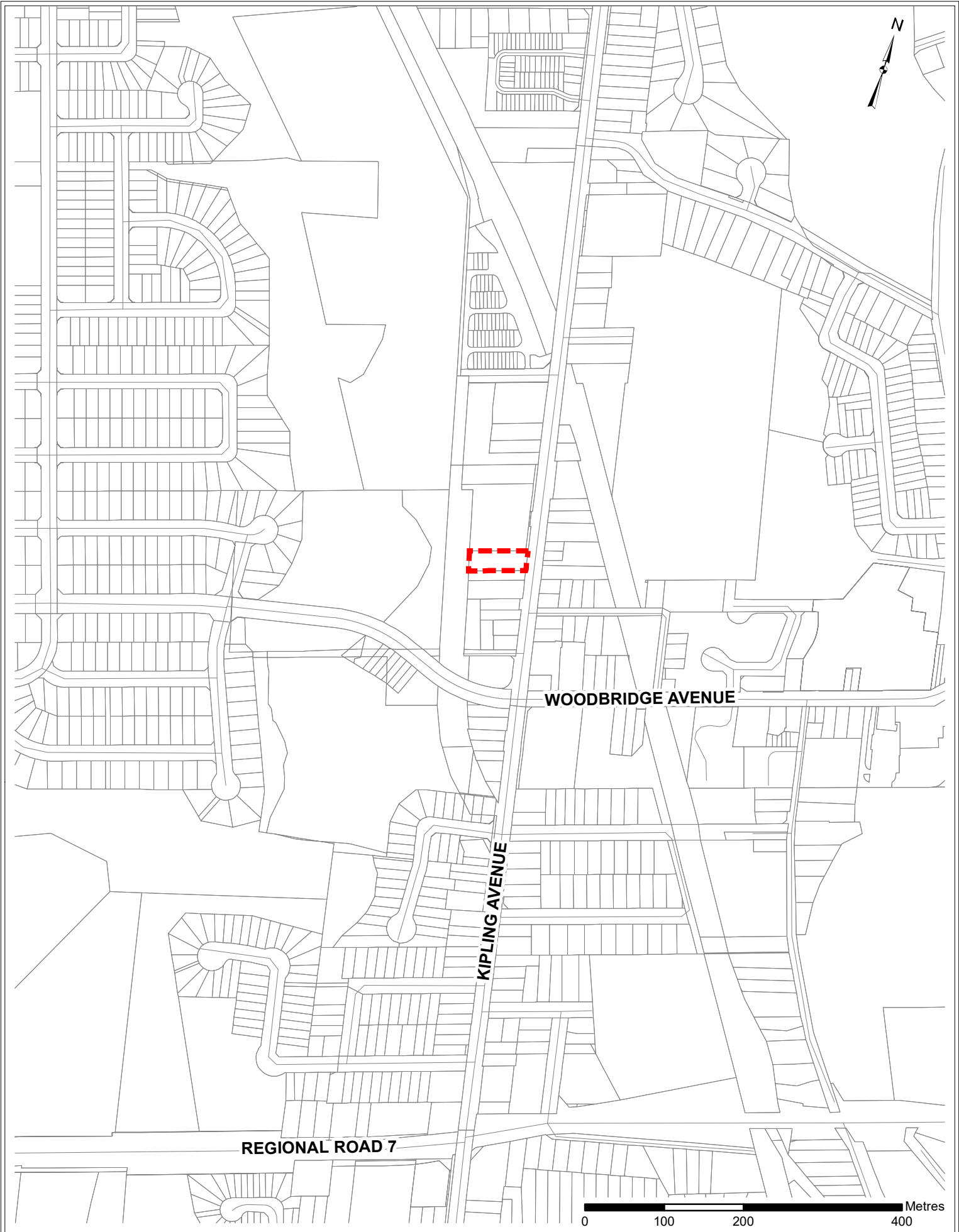
The purpose of this Amendment is to amend the policies of Vaughan Official Plan 2010 ("VOP 2010") Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan, by redesignating the Subject Lands identified as "Area Subject to Amendment 44" from "Low-Rise Residential B" and "Low-Rise Mixed Use" to "Low-Rise Residential B" to permit a 3-storey, purpose built residential rental apartment building containing a maximum of 45 units with a Floor Space Index (FSI) of 1.94, a maximum lot coverage of 70 %, and a 2.5 m building setback from the Kipling Avenue right-of-way.

The site-specific official plan includes policies which require that the Site Plan Agreement contain conditions that the Owner provide the City with an easement to facilitate a pedestrian connection along the western lot line of the subject lands (rear yard) should it be required in the future, and that a restrictive covenant is registered on the title of the property, requiring that the building be operated as a private market purpose built residential rental apartment building for a minimum of 20 years.

On June 12, 2019, Vaughan Council ratified the June 4, 2019, recommendation of the Committee of the Whole, to approve Official Plan Amendment File OP.18.003 (1567855 Ontario Ltd.) as follows:


1. THAT Official Plan Amendment File OP.18.003 (1567855 Ontario Ltd.) BE APPROVED to amend the policies of Vaughan Official Plan 2010, Volume 2, Section 11.5 Kipling Avenue Corridor Secondary Plan as follows:
 - a) redesignate the Subject Lands from "Low-Rise Mixed-Use" and "Low-Rise Residential B" to "Low-Rise Residential B";
 - b) amend Sections 11.5.2.6, 11.5.12 and 11.5.14 of Vaughan Official Plan 2010, Volume 2 to:
 - i) increase the maximum permitted Floor Space Index from minimum 0.5 to 1.94 times the area of the lot;
 - ii) increase the permitted lot coverage from 50% to 70%;
 - iii) permit a 3-storey low-rise purpose built residential rental apartment building containing 45 rental units;
 - iv) permit a minimum building setback of 2.5 m along Kipling Avenue.
 - c) that the implementing Official Plan Amendment include a policy to secure, a pedestrian connection along the rear lot line of the subject lands to be determined at the Site Plan approval stage.

APPENDIX II



Location Map
To Official Plan Amendment No. 44
Adopted the 12th Day Of June, 2019

File: OP.18.003
Related Files: Z.18.007, DA.18.012
Location: Part of Lot 7, Concession 8
Applicant: 1567855 Ontario LTD
City of Vaughan

 Lands Subject to
Amendment No. 44