

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 088-2020

A By-law to adopt Amendment Number 31 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 31 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 29th day of June, 2020.

Hon. Maurizio Bevilacqua, Mayor

Todd Coles, City Clerk

**AMENDMENT NUMBER 31
TO THE VAUGHAN OFFICIAL PLAN 2010
OF THE VAUGHAN PLANNING AREA**

The following text and Schedules “1” and “2” constitute Amendment Number 31 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) is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Volume 1 and Volume 2, to re-designate the Subject Lands from “Mid-Rise Mixed Use” to “High-Rise Mixed-Use”; increase the maximum permitted building height from 10-storeys to 15-storeys; and increase the maximum permitted Floor Space Index (“FSI”) from 2.5 to 2.61 times the area of the lot, to implement land uses for Subject Lands as approved by the Ontario Municipal Board (“OMB”), now the Local Planning Appeal Tribunal (“LPAT”) through an appeal to VOP 2010, Volume 1.

This Amendment will facilitate the following with respect to the Subject Lands identified as “Area Subject to Amendment No. 31” on Schedule “1” attached hereto:

1. re-designate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use”;
2. permit an increase to the maximum building height from 10 to 15-storeys;
3. permit an increase to the maximum FSI from 2.5 to 2.61 times the area of the lot; and
4. require a 10 m vegetation protection zone (“VPZ”) along the rear yard as measured from the stable top-of-bank, and a 10 m VPZ with encroachments along the interior side yard as measured from the east property line.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as the “Subject Lands”, are municipally known as 77 Woodstream Boulevard, located east of Martin Grove Road, south of Regional Road 7, being Part of Lot 5, Concession 8, City of Vaughan, as shown on Schedule “1” attached hereto as “Lands subject to Amendment No. 31”.

III BASIS

The decision to amend VOP 2010 is based on the following considerations:

1. The Owner on June 21, 2012, filed an appeal to VOP 2010, Volume 1 (identified as Appeal #25 in the City of Vaughan List of VOP 2010 Appeals) with respect to its “General Employment” land use designation. The Owner requested that the “General Employment” designation of VOP 2010 on the Subject Lands be re-designated to “Mid-Rise Mixed-Use”.

The OMB on May 28, 2013, considered Appeal #25, for the employment land use conversion of 77 Woodstream Boulevard. At the Hearing, the OMB rendered an Oral Decision approving the employment land use conversion for the Subject Lands, approving the “Mid-Rise Mixed-Use” land use designation with a maximum building height of 10-storeys and maximum density of 2.5 FSI. The OMB withheld issuing a final written Order pending executed Minutes of Settlement between the Owner and Vaughan Council.

The LPAT on February 13, 2019, issued its written Order, having received the executed Minutes of Settlement, thereby bringing the “Mid-Rise Mixed-Use” land use designation into full force and effect for the Subject Lands, and permitting a maximum building height of 10-storeys and a maximum density of 2.5 FSI.

2. The *Provincial Policy Statement, 2020* (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development, and establishes the policy foundation for regulating the development and use of land. Together with municipal official plans, the PPS provides the framework for the establishment of strong communities, a clean and healthy environment, and economic growth for the long-term.

The Subject Lands are located within a defined “Settlement Area” by the PPS. Land use patterns within Settlement Areas will support a mix of uses at densities that effectively use land and resources, are appropriate for and efficiently utilize planned and existing infrastructure and public service facilities, and are transit-supportive where transit is planned, exists or may be developed. The LPAT’s Order approved the “Mid-Rise Mixed-Use” designation for the Subject Lands permitting the residential and commercial uses, with a maximum building height of the 10-storeys and maximum density of 2.5 FSI.

This Official Plan Amendment will: implement the LPAT’s Order respecting the Subject Lands; re-designate the Subject Lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” to recognize the proposed building heights consistent with the high-rise building criteria of Section 9.2.3.6 of VOP 2010; increase the maximum permitted building height from 10-storeys to 15-storeys; and increase the maximum permitted FSI from 2.5 to 2.61 times the area of the lot, in order to implement the land uses approved by the LPAT.

3. A Place to Grow – The Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”) builds on the PPS to establish a unique land use planning framework that supports the achievement of complete communities, a thriving economy, a clean and healthy environment, and social equity. The Growth Plan enables the development of regional growth plans that guide government investments and land use planning policies. The Growth Plan promotes the achievement of complete communities that are designed to support healthy and active living, prioritizes intensification and higher densities that make efficient use of land and infrastructure, protects the natural environment, supports transit viability, and encourages a range and mix of housing options. The LPAT’s Order approved the “Mid-Rise Mixed-Use” designation, permitting residential and commercial uses for the Subject Lands, and permitting a maximum building height of 10-storeys, and a maximum density of 2.5 FSI.

This Official Plan Amendment also permits a re-designation to “High-Rise Mixed-Use”, an additional 5-storeys in building height, and an increase in density of 0.11 FSI to the approved use of the Subject Lands by the LPAT. This Amendment provides for a compact built form at a building height and density marginally higher than the height and density approved by the LPAT.

4. The York Region Official Plan (“YROP”) 2010 designates the Subject Lands as “Urban Area” and “Regional Greenlands System within the Parkway Belt West Plan”. The “Urban Area” permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. The LPAT Order approved the “Mid-Rise Mixed-Use” designation, with a maximum building height of the 10-storeys and maximum density of 2.5 FSI for the Subject Lands. This Amendment represents an additional 5-storeys in building height and an increase to the FSI equal to 0.11 times the area of the lot, and is consistent with the LPAT Order for the Subject Lands. This Amendment assists in restoring and bringing the portion of the Subject Lands within the “Regional Greenlands System” into public ownership.
5. The LPAT’s Order established that the proposed uses, form and density for the Subject Lands is appropriate, and can accommodate development in a form that is supportive of higher-order transit. The development proposal includes a mix of residential and commercial uses consistent with the “High-Rise Mixed-Use” designation of VOP 2010. Woodstream Boulevard is designated a “Minor Collector” by Schedule 9-Future Transportation Network of VOP 2010. The “High-Rise Mixed-Use” designation permits townhouses on streets that are not arterial or major collector streets for transition purposes. The proposed townhouse units on the Subject Lands will help to serve as a transitional built form from Buildings “A” and “B” to the natural heritage feature located to the east of the Subject Lands. The proposed re-designation to “High-Rise Mixed-Use” has no impact on the LPAT approval, save and except for the building height and density permitted on the Subject Lands, and maintains conformity with the

permitted uses of the “Mid-Rise Mixed-Use” designation and the intent of the LPAT Order.

The LPAT approved a maximum density of 2.5 FSI for the Subject Lands, whereas a density of 2.61 FSI is proposed, and represents an approximate 4% increase over the permitted density. The proposed density increase is nominal and will not have an adverse impact on the development of the Subject Lands or adjacent lands. With regards to the proposed building height, the site density is being redistributed vertically as opposed to horizontally, over the Subject Lands. The Subject Lands are an irregular triangular shape. In order to create a functional pedestrian environment at grade, the site density has been redistributed through an increase in the overall heights of Buildings “A” and “B”. The impact of the additional 5-storeys for Building “A” and 3-storeys for Building “B” is minor in consideration of the surrounding context, and does maintain the overall intent of the LPAT Order.

6. Section 3.2.3.4.a) of VOP 2010 requires a minimum VPZ of 10 m from the valley corridor as measured from the staked top-of-bank. The Toronto and Region Conservation Authority (“TRCA”) has reviewed the development proposal and is satisfied that the existing VPZ located along the rear yard of the Subject Lands, plus an additional 10 m VPZ as taken from the east property line (along the interior side yard), is appropriate. The portion of the north-east corner of the Subject Lands that is located within the stable top-of-bank will be zoned “OS1 Open Space Conservation Zone” and will be dedicated into public ownership. The approximately 1,105 m² VPZ located outside the stable top-of-bank will also be zoned “OS1 Open Space Conservation Zone”; however, given the existing and proposed encroachments into the VPZ, will not be dedicated into public ownership, but will form part of the common elements of the future condominium corporation who will be responsible for its long-term protection. The intent of the environmental policies of Section 3.2.3.4 is maintained, wherein the adjusted VPZ provides an overall net ecological gain for the Subject Lands and brings the

portion of the valley and woodland within the stable top-of-bank into public ownership, ensuring its long-term protection.

7. The proposed increase to the maximum building height and density will be achieved through the Section 37 provisions of the *Planning Act*, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act* (the “Guidelines”), where Vaughan Council may authorize an increase in building height and/or density in return for the provision of community benefits. Section 10.1.2.9 of VOP 2010 includes a framework to permit bonusing for increased building height and/or density in return for the provision of community benefits in the form of facilities, services or other matters provided that the development represents good planning. The development of the Subject Lands is considered good planning as it implements the LPAT Order permitting residential and commercial uses, and this Amendment represents a minor increase in the permitted building height and density as approved by the LPAT for the Subject Lands. This Amendment achieves the following: implements a LPAT-approved land use for the Subject Lands; ensures the protection of core features by providing edge management restoration and a VPZ from the adjacent valley-lands; and utilizes high-quality architectural design through the use of materiality, landscaping and the overall site organization.

8. Statutory Public Hearings were held on June 14, 2011, and May 3, 2016. The Committee of the Whole recommended the Public Hearing reports be received and to forward a comprehensive report to a future Committee of the Whole meeting. Vaughan Council on June 28, 2011 and May 17, 2016 respectively, ratified the recommendations of the Committee of the Whole. Vaughan Council on September 27, 2018, ratified the September 17, 2018 Committee of the Whole recommendation to approve the Official Plan Amendment (File OP.11.003), Zoning By-law Amendment (File Z.11.009) and Site Development (File DA.15.072) applications.

9. York Region on January 31, 2020, exempted this Amendment from Regional approval, in accordance with Regional Official Plan Policy 8.3.8, as it does not adversely affect Regional planning policies or interests.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Volumes 1 and 2 of VOP 2010 are hereby amended by:

1. Amending Volume 1, Schedule 13-Land Use by re-designating the Subject Lands as shown on Schedule “2” from “Mid-Rise Mixed-Use” with a maximum permitted building height of 10-storeys and maximum permitted FSI of 2.5 times the area of the lot, to “High-Rise Mixed-Use”, with a maximum permitted building height of 15-storeys and a maximum permitted FSI of 2.61 times the area of the lot.
2. Amending Volume 1, Schedule 14C-Areas Subject to Site Specific Plans, by adding the Subject Lands on Schedule “1” to this Amendment, attached hereto as “#41 – 77 Woodstream Boulevard”.
3. Amending Volume 2, Section 13.1-Areas Subject to Site Specific Policies, by adding the following policy to be renumbered in sequential order:

"(OPA #31) 13.1.41 The lands municipally known as 77 Woodstream Boulevard are identified on Schedule 14-C as Item 41, and are subject to the policies set out in Section 13.42 of this Plan."

4. Amending Volume 2, Section 13-Site Specific Policies, by adding the location map attached as Schedule “2” and adding the following policies in sequential order:

"(OPA #31) 13.42

77 Woodstream Boulevard

13.42.1 General

13.42.1.1 The following policies shall apply to the lands identified on Map 13.42.A.

13.42.1.2 Notwithstanding the policies contained in Section 3.2.3.4 respecting minimum vegetation protection zones to valley and stream corridors and woodlands, the lands identified on Map 13.42.A, shall be permitted to be developed with a minimum 10 m vegetation protection zone along the rear yard as measured from the stable top-of-bank, and a minimum 10 m vegetation protection zone with minor encroachments along the interior side yard as measured from the east property line.

13.42.1.3 Notwithstanding the policies contained in Section 9.2.3.6 respecting the design criteria for "High-Rise Buildings", the Subject Lands identified on Map 13.42.A shall be permitted to be developed with a maximum 15 and 13-storey residential building connected by a maximum 3-storey podium, containing a maximum 1079 m² of commercial uses, and a maximum 28 townhouse units on the Subject Lands. Site-specific development standards shall be established in the implementing Zoning By-law."

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*.

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.

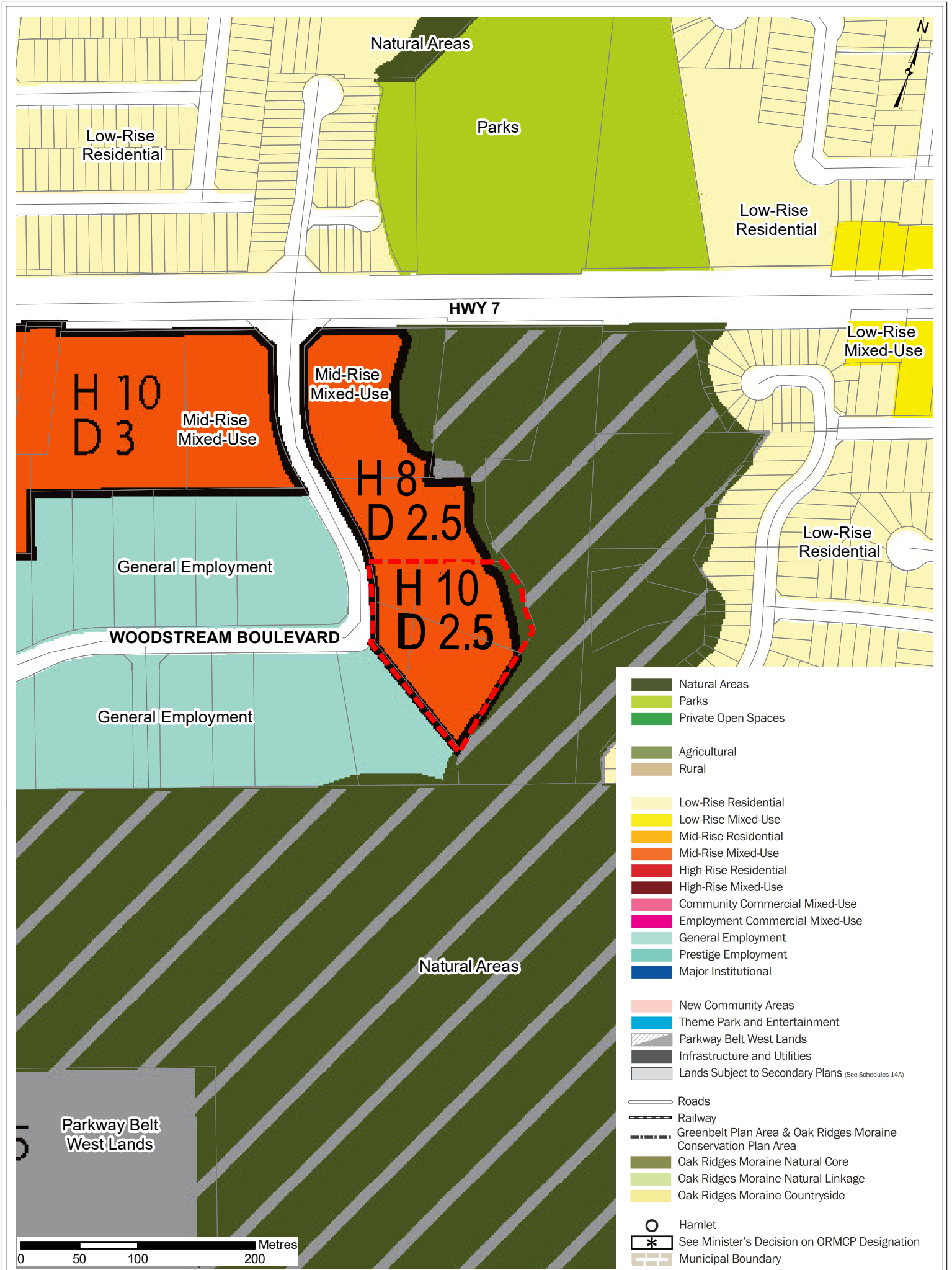
APPENDIX I

The Subject Lands are municipally known as 77 Woodstream Boulevard, and are located east of Martin Grove Road, south of Regional Road 7, being Part of Lot 5, Concession 8, City of Vaughan.

The purpose of this Amendment is to amend the policies of Vaughan Official Plan 2010 ("VOP 2010") specifically to: implement the LPAT Order respecting the Subject Lands; redesignate the Subject Lands from "Mid-Rise Mixed-Use" to "High-Rise Mixed-Use"; permit a maximum building height of 15-storeys and a maximum floor space index ("FSI") of 2.61 times the area of the lot; permit a 10 m vegetation protection zone ("VPZ") along the rear yard as measured from the stable top-of-bank, and a 10 m VPZ with encroachments along the interior side yard as measured from the east property line; and to permit the development of the Subject Lands with 15 and 13-storey residential buildings connected by a 3-storey podium, containing 1079 m² of commercial uses and 28 townhouse units.

Vaughan Council on September 27, 2018, ratified the September 17, 2018, recommendation of the Committee of the Whole to approve Official Plan Amendment File OP.11.003 (77 Woodstream Inc.) as follows (in part):

- "1. THAT Official Plan Amendment File OP.11.003 (77 Woodstream Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 ("VOP 2010"), Volume 1, for the Subject Lands shown on Attachments #1 and #2, as follows:
 - a) amend Schedule 13-Land Use, to re-designate the Subject Lands from "Mid-Rise Mixed-Use" with a maximum permitted building height of 10-storeys and a maximum Floor Space Index ("FSI") of 2.5 times the area of the lot to "High-Rise Mixed-Use" with a maximum permitted building height of 15-storeys and a maximum FSI of 2.61 times the area of the lot;
 - b) Section 3.2.3.4, to permit a 10 m vegetation protection zone ("VPZ") from the stable top-of-bank (along the rear yard) and 10 m from the property line (along the interior side yard) with encroachments, as shown on Attachment #3, whereas VOP 2010 requires a minimum 10 m VPZ as measured from the stable top-of-bank without encroachments; and
 - c) Section 9.2.3.6 respecting the "High-Rise Building" design criteria."

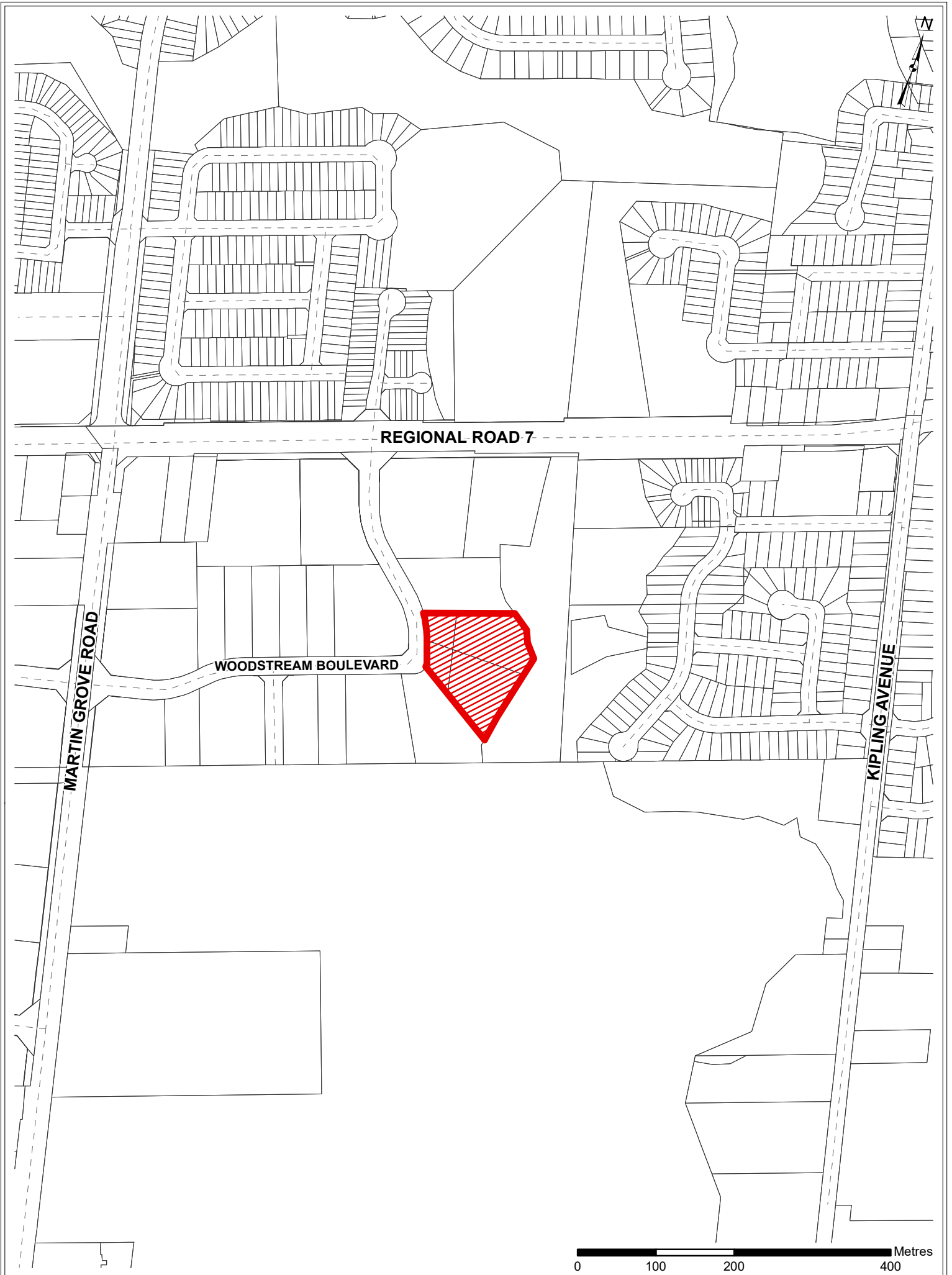


APPENDIX II EXISTING LAND USES OFFICIAL PLAN AMENDMENT NO. 31

FILE: OP.11.003
 RELATED FILES: Z.11.009, DA.15.072
 LOCATION: PART OF LOT 5, CONCESSION 8
 APPLICANT: 77 WOODSTREAM INC.
 CITY OF VAUGHAN



**LANDS SUBJECT TO
AMENDMENT NO. 31**



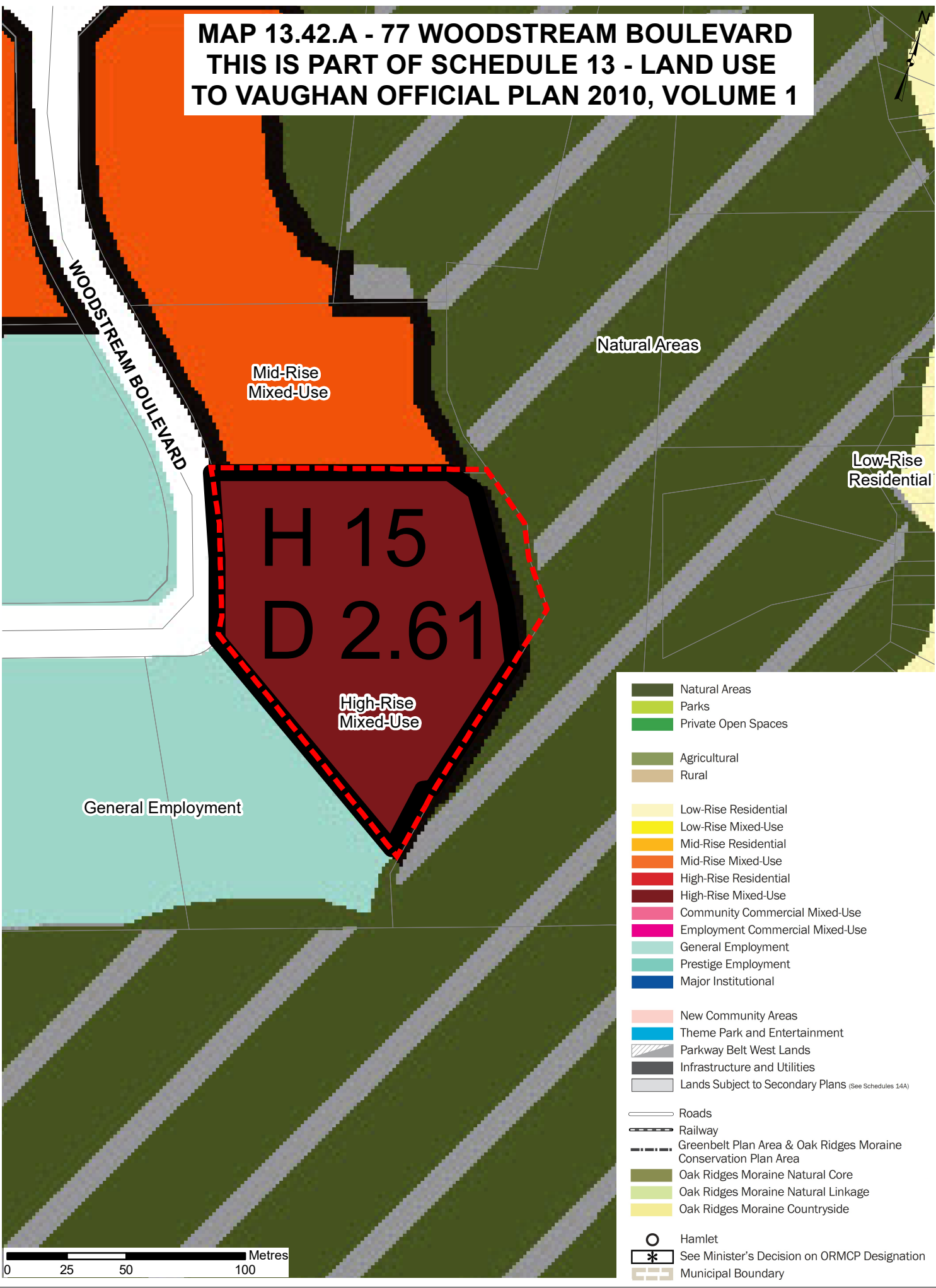
**THIS IS SCHEDULE '1'
TO OFFICIAL PLAN AMENDMENT NO. 31
ADOPTED THE 29TH DAY OF JUNE, 2020**

FILE: OP.11.003
 RELATED FILES: Z.11.009, DA.15.072
 LOCATION: PART OF LOT 5, CONCESSION 8
 APPLICANT: 77 WOODSTREAM INC.
 CITY OF VAUGHAN



**LANDS SUBJECT TO
AMENDMENT NO. 31**

**MAP 13.42.A - 77 WOODSTREAM BOULEVARD
THIS IS PART OF SCHEDULE 13 - LAND USE
TO VAUGHAN OFFICIAL PLAN 2010, VOLUME 1**



**THIS IS SCHEDULE '2'
TO OFFICIAL PLAN AMENDMENT NO. 31
ADOPTED THE 29TH DAY OF JUNE, 2020**

FILE: OP.11.003
RELATED FILES: Z.11.009, DA.15.072
LOCATION: PART OF LOT 5, CONCESSION 8
APPLICANT: 77 WOODSTREAM INC.
CITY OF VAUGHAN


**AREA SUBJECT TO
AMENDMENT NO. 31**