

THE CORPORATION OF THE CITY OF VAUGHAN

IN THE MATTER OF Section 17(28) of
the Planning Act, RSO 1990, c.P.13

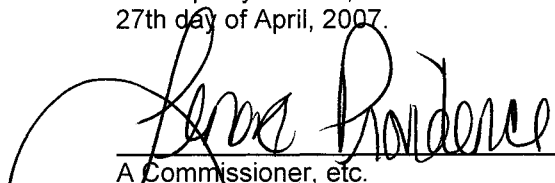
and

IN THE MATTER OF Amendment Number 659
to the Official Plan of the Vaughan Planning Area

I, **JOHN D. LEACH**, of the Town of Caledon, in the Regional Municipality of Peel, **MAKE OATH AND SAY:**

1. **THAT** I am the City Clerk of the Corporation of the City of Vaughan and as such, have knowledge of the matters hereinafter deposed to.
2. **THAT** Official Plan Amendment Number 659 was adopted by the Council of the Corporation of the City of Vaughan on the 2nd day of April, 2007, and written notice was given on the 5th day of April, 2007 in the manner and form and to the persons and public bodies that requested notification of the adoption, pursuant to Subsection 17(23) of the Planning Act, RSO 1990, as amended.
3. **THAT** no notice of appeal setting out an objection to Official Plan Amendment Number 659 was filed with me within twenty (20) days from the date of written notice of the adoption of the amendment.
4. **THAT** Official Plan Amendment Number 659 is deemed to have come into effect on the 26th day of April, 2007, in accordance with Subsection 17(27) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
27th day of April, 2007.)


A Commissioner, etc.

Lenore Providence
a Commissioner, etc.,
Regional Municipality for York, For
The Corporation of the City of Vaughan.
Expires February 10, 2010.



JOHN D. LEACH

THE CITY OF VAUGHAN

BY-LAW

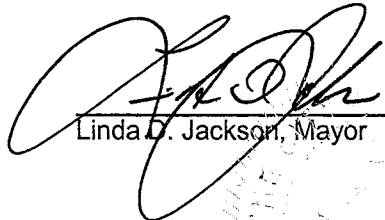
BY-LAW NUMBER 101-2007

A By-law to adopt Amendment Number 659 to the Official Plan of 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 659 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "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.

READ a FIRST, SECOND and THIRD time and finally passed this 2nd day of April, 2007.



Linda D. Jackson, Mayor



Sybil Fernandes, Deputy City Clerk

**AMENDMENT NUMBER 659
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 659 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 659.

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

I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment No. 240 (Woodbridge Community Plan), as amended by Amendment No. 356 (Kipling Avenue Corridor Plan), Amendment No. 440 (Woodbridge Core Area Plan) and site-specific Official Plan Amendments (OPA) No. 615 and No. 627. This Amendment will maintain the "Mixed Use Commercial" land use designation for the subject lands shown as "Area Subject to Amendment No. 659" on Schedules "1" and "2", attached hereto, and will permit a 6-storey mixed residential/commercial condominium building with a maximum of 215 residential units and ground floor commercial uses. The subject Amendment will provide appropriate policies and standards to ensure an appropriate form of development with the surrounding land uses.

The site-specific Amendments No. 615 and No. 627 that currently apply to the subject lands will be repealed, and the site-specific policies included therein will be consolidated into Amendment No. 659, together with new policies respecting building height and density to facilitate comprehensive development policies for the Subject Lands, instead of the two phased development that was originally approved.

II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands", are shown on Schedules "1" and "2" attached hereto as "Area Subject to Amendment No. 659" and are located on the southeast corner of Woodbridge Avenue and Kipling Avenue, in Lot 7, Concession 7, known municipally as 7913, 7925, 7927, 7929, 7933, 7937 and 7945 Kipling Avenue and 281 Woodbridge Avenue, City of Vaughan.

III BASIS

The decision to maintain the "Mixed Use Commercial" land use designation for the Subject Lands to permit a mixed use residential/commercial development and to amend the Official Plan to permit a maximum building height of 6-storeys and to increase the maximum number of permitted residential units from 185 to 215, with ground floor commercial uses, is based on the following considerations:

1. The proposal is consistent with the Provincial Policy Statement (PPS) which supports efficient land use, a range and mix of housing types and densities, residential intensification, and the use of public transit.
2. The proposed development is identified as a gateway location for the Woodbridge Core Community and represents development and intensification in a settlement area that makes efficient use of the existing infrastructure, consistent with the policies of the Places to Grow Act, 2005.

3. The Regional Official Plan identifies the Subject Lands as an "Urban Area" served by major transportation corridors and transit systems. Objectives of the Regional Plan include targeting growth to existing built-up portions of urban areas, encouraging carefully planned intensification, and providing for a broad range of housing types. The proposed development is consistent with the policies in the Regional Official Plan.
4. Official Plan Amendments No. 615 and No. 627 included policies to permit a phased development comprised of 4-storey and 6-storey buildings and 185 residential units on the Subject Lands. The subject Amendment will delete the above-noted site-specific amendments and consolidate the relevant and applicable policies together with new policies to permit a maximum 6-storey building height on Kipling Avenue and an increase in the maximum number of residential units the Subject Lands from 185 to 215 units. The subject Amendment will also introduce policies that will identify the types of commercial uses that will be permitted on the ground floor and provide restrictions on maximum gross floor areas for such uses, specifically related to a business and professional office, eating establishment and retail store use, as indicated in the Details Section. The policies will ensure a comprehensive development that represents a gateway leading into the Woodbridge Core Area that conforms to the provisions in the Woodbridge Core Urban Design Guidelines.
5. The proposed development will be comprehensively developed and conform to the policies and criteria outlined in OPA No. 440 for properties within the "Mixed Use Commercial" designation to ensure a high quality and compatible development with the surrounding Woodbridge Core community.
6. The Subject Lands front onto Woodbridge Avenue and Kipling Avenue, within the Woodbridge Core Area. The Core Area has been undergoing intensification in the form of mixed-use commercial/high density residential development, particularly along Woodbridge Avenue, with properties on Kipling Avenue also being subject to development applications proposing higher residential densities and mixed uses. In light of the evolving character of the surrounding area, and the location of the subject property at the westerly edge of the Woodbridge Core Area, in an area which promotes higher intensity mixed use development, the proposed development is consistent with the original approved proposal as the land use designation is maintained and the built form is similar and, therefore, it is considered to be an appropriate and compatible form of development within the area.
7. The applicant has submitted a Traffic and Parking Study in support of the proposed development, both of which have been reviewed by City Staff and were found to be acceptable. Prior to site plan approval, any additional required studies will be required to be submitted for approval by the City.

8. Having received a statutory Public Hearing held on September 5, 2006, on February 26, 2007 Vaughan Council approved Official Plan Amendment Application OP.06.021 (Woodbridge Gates Inc.), in accordance with the resolution contained in Appendix 1, attached hereto.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 240 (Woodbridge Community Plan) to the Official Plan of the Vaughan Planning Area, as amended by Official Plan Amendments No. 356, No. 440 and site-specific Official Plan Amendments No. 615 and No. 627 are hereby further amended by:

1. Repealing Official Plan Amendments No. 615 and No. 627.
2. Deleting Schedule "B" to Official Plan Amendment No. 240, as amended by Amendment No. 440 attached thereto, and substituting therefor the Schedule "B" attached hereto as Schedule "1", thereby maintaining the current "Mixed Use Commercial" land use designation under previous site-specific Amendments No. 615 and No. 627.
3. Deleting Paragraph o) of Section 4.2.7, "Site Specific Policies" of Amendment No. 440, and adding the following Paragraph:

"o) The following policies shall apply to the Subject Lands designated "Mixed Use Commercial", and located on the southeast corner of Woodbridge Avenue and Kipling Avenue, in Lot 7, Concession 7, known municipally as 7913, 7925, 7927, 7929, 7933, 7937 and 7945 Kipling Avenue and 281 Woodbridge Avenue, City of Vaughan, and identified as "Area Subject to Amendment No. 657":

- i) through the finalization of the site development process, the Subject Lands shall be developed with a mixed-use residential/commercial condominium building having a maximum of 215 residential units, a maximum building height of 6-storeys, and wrapping around Kipling Avenue and Woodbridge Avenue. The elevation along Woodbridge Avenue will be designed with consideration of the existing slope and has resulted in an increase in building height only where the grade drops considerably. The design will also ensure that the façade is architecturally treated to prevent the exposure of the slab wall of the underground garage;

- ii) retail/commercial and office uses compatible with residential uses shall be restricted to the ground floor only to a maximum gross floor area of 1,675m², and comprised of the following:
 - 70% business and professional office use;
 - 20% eating establishment use;
 - 10% retail store use;
- iii) the building shall be designed in a manner that provides an appropriate transition with the adjacent property to the south by providing a tiering of the building from 4-storeys up to a maximum of 6-storeys; and
- iv) the commercial to be provided on the ground floor of the building shall be designed and defined in a manner that separates it from the residential uses above, and allows easy pedestrian access to the commercial units."

V IMPLEMENTATION

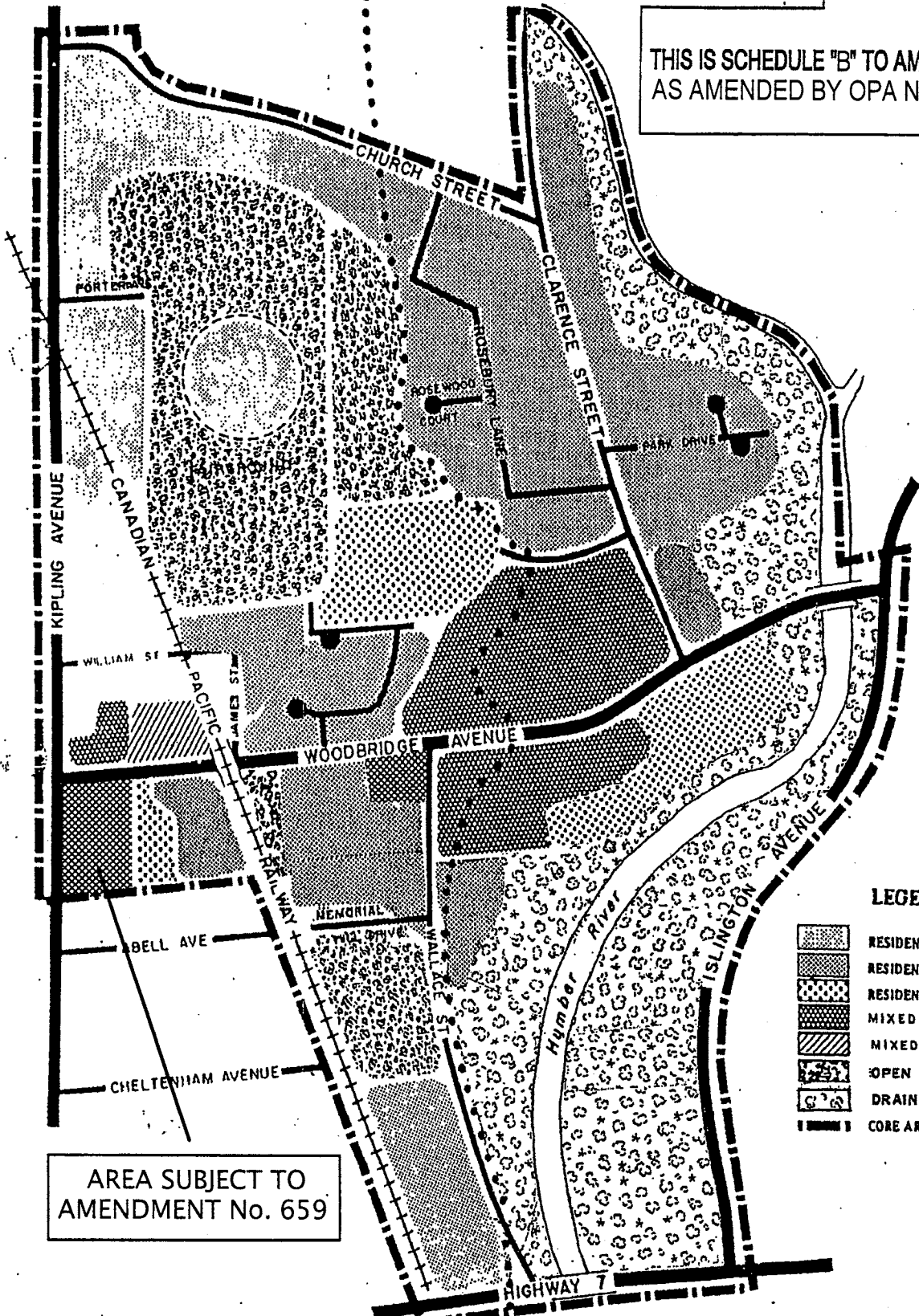
It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented by way of an amendment to the Vaughan Zoning By-law and Site Plan approval, pursuant to the Planning Act.

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.

M.T.R.C.A. SPECIAL POLICY AREA

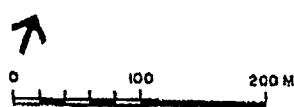
THIS IS SCHEDULE "B" TO AMENDMENT No. 240 AS AMENDED BY OPA No. 440



LEGEND

- RESIDENTIAL LOW DENSITY
- RESIDENTIAL MEDIUM DENSITY
- RESIDENTIAL HIGH DENSITY
- MIXED USE COMMERCIAL
- MIXED USE OFFICE
- OPEN SPACE
- DRAINAGE TRIBUTARY
- CORE AREA BOUNDARY

AREA SUBJECT TO AMENDMENT No. 659



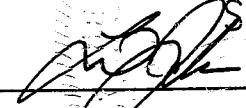
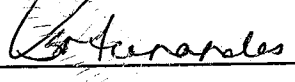
M.T.R.C.A. SPECIAL POLICY AREA

NOTE: THIS PLAN FORMS PART OF THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT.

THIS IS SCHEDULE '1' TO AMENDMENT No. 659

ADOPTED THE 2ND DAY OF APRIL, 2007

FILE: OP.06.021
 LOCATION: Part of Lot 7, Concession 7
 APPLICANT: WOODBRIDGE GATES INC.
 CITY OF VAUGHAN

SIGNING OFFICERS

 MAYOR

 CLERK

KIPLING AVENUE



Not to Scale

4 STOREY
PORTION

FIFTH FLOOR
TERRACE

SIXTH FLOOR
TERRACE

6 STOREY
MIXED USE BUILDING

EXISTING
RESIDENTIAL

ORIGINAL 4 STOREY PORTION
INCREASED TO 5 & 6 STOREYS
AS PER OPA# 659

RETAIL
PARKING

LANDSCAPED COURTYARD

WOODBIDGE AVENUE

SIXTH FLOOR ROOF

AREA SUBJECT TO
AMENDMENT No. 659

**THIS IS SCHEDULE '2'
TO AMENDMENT No. 659**

ADOPTED THE 2ND DAY OF APRIL, 2007

FILE: OP.06.021
LOCATION: Part of Lot 7, Concession 7
APPLICANT: WOODBRIDGE GATES INC.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

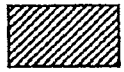
APPENDIX I

The lands subject to Amendment No. 659 are located on the southeast corner of Woodbridge Avenue and Kipling Avenue, known municipally as 7913, 7925, 7927, 7929, 7933 and 7945 Kipling Avenue and 281 Woodbridge Avenue, in Lot 7, Concession 7, City of Vaughan.

On February 26 2007, Council approved applications to amend the Official Plan and Zoning By-law, and resolved the following:

- "1. THAT Official Plan Amendment File OP.06.021 (Woodbridge Gates Inc.) BE APPROVED, to permit a mixed-use residential/commercial development comprised of one, 4 to 6 storey building as shown on Attachment #2, and to permit an increase in the maximum number of residential units from 185 to 215 units, and that the implementing Official Plan Amendment include the following additional development policy:
 - a) permit commercial uses on the ground floor only, to a maximum gross floor area of 1,671m² and comprised of: 70% business and professional office use; 20% eating establishment use; and 10% retail store use.

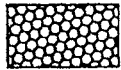
2. THAT Zoning By-law Amendment File Z.05.018 (Woodbridge Gates Inc.) BE APPROVED, to rezone the subject lands from R3 Residential Zone, RM2 Multiple Residential Zone and C1 Restricted Commercial Zone to RA2 Apartment Residential Zone, and that:
 - a) the implementing zoning by-law shall include the following zoning exceptions:
 - permit commercial uses on the ground floor only, to a maximum gross floor area of 1,671m² and comprised of: 70% business and professional office use; 20% eating establishment use; and 10% retail store use;
 - permit a maximum of 215 residential units on the subject lands;
 - permit a minimum 0m front yard setback along Woodbridge Avenue, whereas 7.5m is required;
 - permit a minimum 0m interior side yard (east), whereas 4.5m is required;
 - permit a minimum 2.5m exterior side yard setback along Kipling Avenue, whereas 7.5m is required;
 - permit a reduction in the required number of parking spaces from 482 to 365 parking spaces;
 - permit a maximum building height of 4 to 6-storeys in accordance with the approved site plan as shown on Attachment #2;
 - permit a minimum lot area of 38m²/unit, whereas 80m²/unit is required;
 - permit a minimum rear yard setback (south) of 2.5m, whereas 7.5m is required;
 - permit any other zoning exception(s) that are required to implement the final approved site plan."



Single Detached Residential



High Density Residential



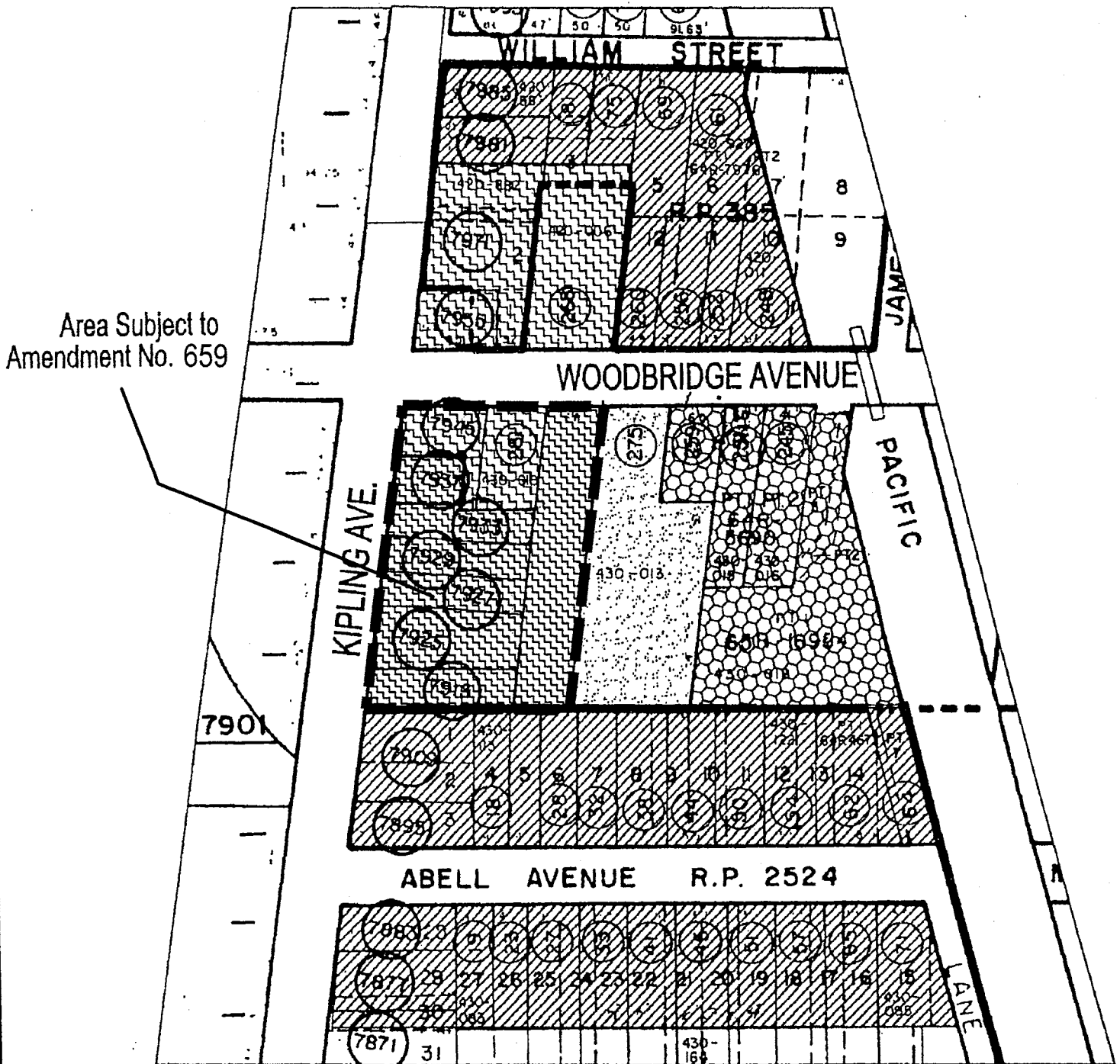
Medium Density Residential



Mixed Use Commercial



Area Subject to
Amendment No. 659



NOT TO SCALE

APPENDIX II EXISTING LAND USE

FILE No. OP.06.021

LOCATION: Part of Lot 7, Concession 7

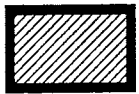
APPLICANT: WOODBRIDGE GATES INC.

CITY OF VAUGHAN



LOCATION MAP TO BY-LAW 101 - 2007

FILE: OP.06.021
 LOCATION: Part of Lot 7, Concession 7
 APPLICANT: WOODBRIDGE GATES INC.
 CITY OF VAUGHAN



AREA SUBJECT TO
 AMENDMENT No. 659