

THE CORPORATION OF THE CITY OF VAUGHAN

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

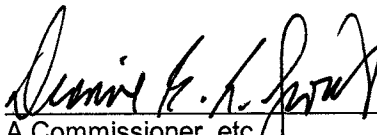
and

IN THE MATTER OF Amendment Number 611
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 611 was adopted by the Council of the Corporation of the City of Vaughan on the 28th day of June, 2004, and written notice was given on the 5th day of July, 2004 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** notices of appeal setting out objections to Official Plan Amendment Number 611 and the reasons in support of the said objections were filed with me within twenty (20) days from the date of circulation of the Official Plan Amendment.
4. **THAT** the said Official Plan Amendment and supporting documentation were forwarded to the Ontario Municipal Board on August 6, 2004.
5. **THAT** the Ontario Municipal Board advised by letter dated September 1, 2004, that the appeals have been withdrawn per the appellant's letter dated August 31, 2004.
6. **THAT** Official Plan Amendment Number 611 is deemed to have come into effect on the 31st day of August, 2004, in accordance with Subsection 17(30) of the Planning Act, RSO 1990, as amended.

SWORN BEFORE ME in the City)
of Vaughan, in the Regional)
Municipality of York, this)
28th day of September, 2004.)


A Commissioner, etc.

DIANNE ELIZABETH LILY GROUT
a Commissioner, etc.
Regional Municipality of York, for
The Corporation of The City of Vaughan.
Expires April 24, 2007



JOHN D. LEACH

THE CITY OF VAUGHAN

BY-LAW

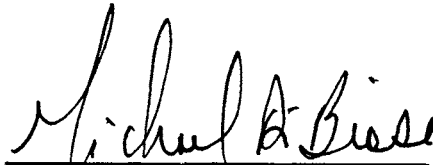
BY-LAW NUMBER 221-2004

A By-law to adopt Amendment Number 611 to the Official Plan of the Vaughan Planning Area.

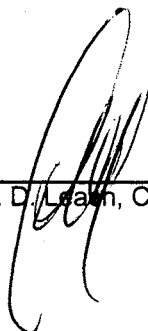
NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 611 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule " 1 " 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 28th day of June, 2004.



Michael Di Biase, Mayor



J. D. Leach, City Clerk

**AMENDMENT NUMBER 611
TO OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text and Schedule "1" to Amendment Number 611 of the Official Plan of the Planning Area constitutes Amendment Number 611.

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

I PURPOSE

The purpose of this amendment is to further amend the provisions of the Official Plan of the Vaughan Planning Area as amended by Official Plan Amendment No.240 and OPA #440 to permit a 6 storey apartment building comprised of 56 residential units and ground floor commercial uses, and to provide policies to ensure the integration of the mixed use development with the restoration of the Historical Building (Inkerman House).

II LOCATION

The lands subject to this amendment, herein referred to as the Subject Lands are shown on Schedules A1" and A2" attached hereto as Area Subject to Amendment No 611. The lands are located on the northside of Woodbridge Avenue, between Fairground Lane and Clarence Street, being part of Lots A, B, and C, Registered Plan 1200, in Lot 7 Concession 7, (154 to 166 Woodbridge Avenue), City of Vaughan.

III BASIS

The decision to amend the Official Plan to permit a 6 storey, mixed use condominium building is based on the following reasons:

1. The Provincial Policy Statement promotes a full range of housing types and densities to meet projected demographic and market requirements of current and future residential intensification in parts of built up areas having sufficient infrastructure to create a potential supply of new housing units.
2. The Provincial Policy Statement also encourages the conservation of significant heritage structures, which are identified as being important to a community.
3. Official Plan Amendment #440 permits a mixed use development at a scale compatible with the existing development and encourages the preservation and restoration of historic buildings and their incorporation into development proposals in a functionally integrated manner.

4. Official Plan Amendment #440 restricts the permitted use to 4 storeys as the Owner proposes 6 storeys and Official Plan Amendment is required. Although there are 2 additional storeys proposed the actual height of the building and design is consistent with other new buildings within the core area.

IV Details of the Actual Amendment And Policies Relative Thereto

The Official Plan of the Vaughan Planning Area as amended by Official Plan Amendment #240 as amended by OPA #440 is further amended as follows:

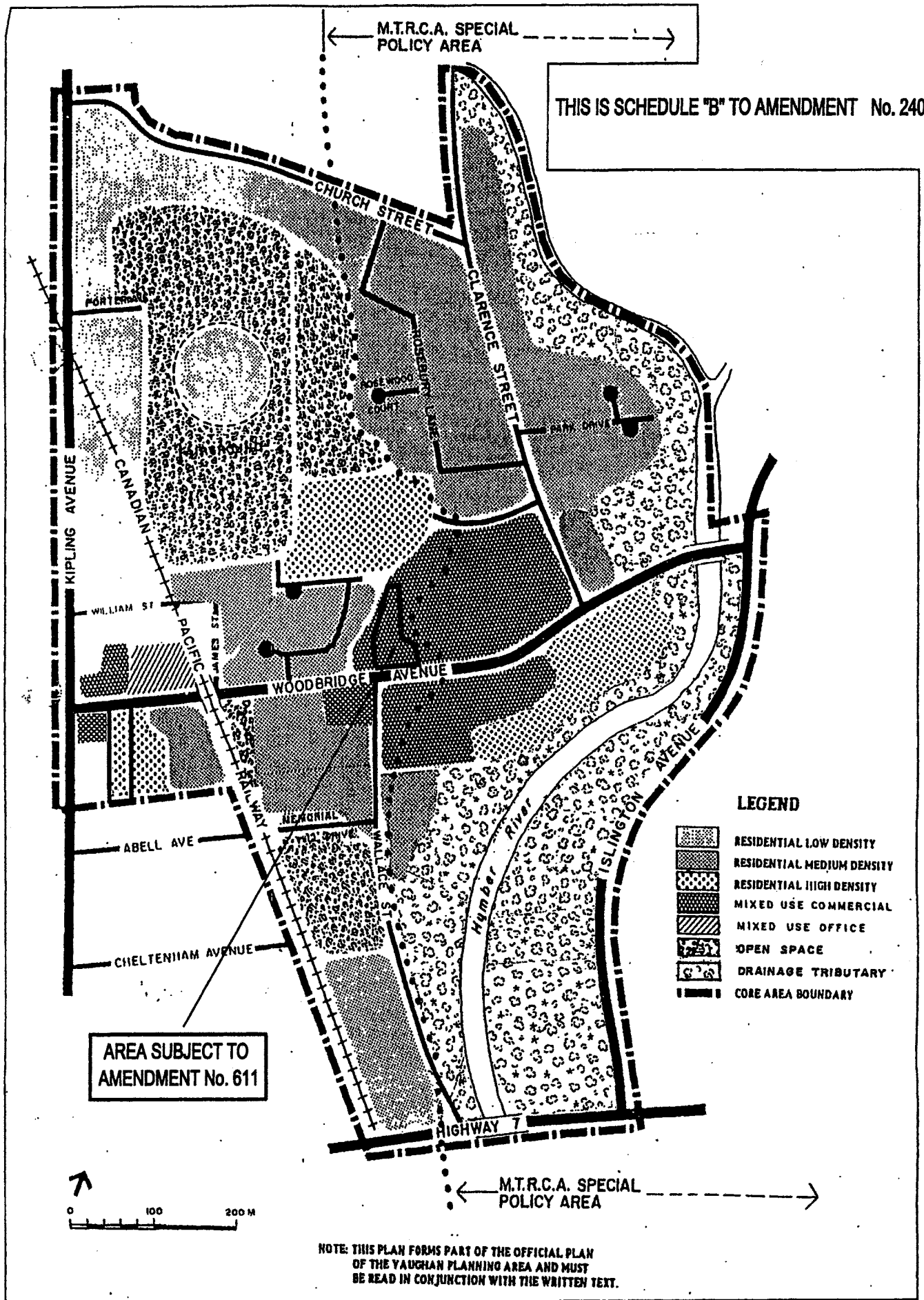
1. Deleting Schedule "B" attached thereto and substituting therefore Schedule "B" attached hereto as Schedule "1"
2. Adding the following to Section 4.2.7 Site Specific Policies
 - n) The lands subject to OPA #611 located on the north side of Woodbridge Avenue, being part of Lots A, B, and C, Registered Plan 1200 and known Municipally as 154 to 166 Woodbridge Avenue, in Lot 7, Concession 7, City of Vaughan, shall be subject to the following development policies:
 - the retail/commercial portion of the development shall be restricted to the permitted uses of business and professional offices and personal service type uses that are compatible with the residential uses.
 - the necessary studies/reports (ie. noise, traffic, parking, environmental, restoration strategy plan etc.) be submitted in support of the site development application.
 - In order to appropriately restore and sympathetically integrate the historic structure at 166 Woodbridge Avenue (the Inkeman House) into the development and in conformity with the Woodbridge Core Design Guidelines, the Owner shall retain a qualified heritage consultant (CAPHC) to advise on aspects related to architectural restoration of the historic component.
 - A maximum of 56 residential units shall be permitted
 - The maximum height shall not exceed 6 storeys, 4 storeys along Woodbridge Avenue and tiering back to 6 storeys away from the streetline.
 - retail/commercial use shall only be permitted on the ground floor level
3. Prior to approval of a site development application the City shall confirm that water and sewage capacity is available for the subject lands.

V Implementation

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands should be implemented by way of an amendment to the Vaughan Zoning By-law, Site Development Agreement and Draft Plan of Condominium, pursuant to the Planning Act.

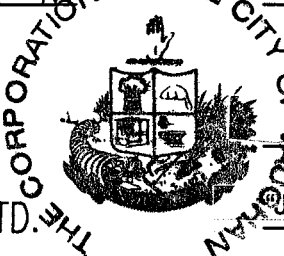
VI Interpretation

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.



THIS IS SCHEDULE '1'
TO AMENDMENT No. 611
 ADOPTED THE 28th DAY OF JUNE, 2004

FILE No. OP.02.019
 RELATED FILE: Z.02.068
 LOCATION: Lot 7, Concession 7
 APPLICANT: MARKET LANE HOLDINGS LTD.
 CITY OF VAUGHAN



SIGNING OFFICERS

"Michael Di Biase"

MAYOR

"J.D. Leach"

CLERK

APPENDIX '1'

The subject lands are located on the north side of Woodbridge Avenue, between Fairground lane and Clarence Street, being part of Lots A, B and C, Registered Plan 1200, (154 to 166 Woodbridge Avenue) in Lot 7, Concession 7, City of Vaughan. At the Council Meeting of May 25, 2004 Council considered applications to amend the official plan and resolved:

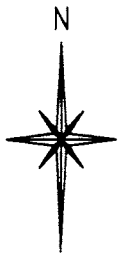
"The Committee of the Whole recommends:



That this matter be referred to the Committee of the Whole meeting of June 7, 2004, to allow an opportunity for the applicant to meet with the Ward 2 Sub-Committee, the ratepayers association, friends of the Village and Staff to discuss the concerns raised; at which time Council recommended, in part approval of the following:

1. "THAT Official Plan Amendment File OP.02.019 (Market Lane Holdings Ltd.) Be Approved, to provide an exception to the "Mixed Use Commercial" policy of OPA#440 (Woodbridge Core Area), to permit an increase in the maximum height of the building on the subject lands from 4 to 6 storey, and that the Official Plan Amendment include the following development policies:
 - a) restricting the permitted uses to business and professional offices, personal service type uses and commercial uses which are compatible with the residential uses;
 - b) that the necessary studies 91e. Noise, traffic, environmental, parking, etc.) be submitted in support of the site plan application; and
 - c) policies ensuring the proper incorporation and restoration of the inkerman house, and conformity of the development with the Woodbridge Core Urban design Guidelines.

At the June 14, 2004 Council meeting Council Resolved the following:

2. That Zoning By-law Amendment File Z.02.068 (Market Lane Holdings Ltd.) BE APPROVED to rezone the lands RA2(H) Apartment Residential Zone with a Holding (H) Provision to permit a 6-storey residential apartment building, together with the appropriate development standards. The Holding (H) provision shall remain on the lands until such time as servicing capacity has been identified and allocated by the City for this specific development application and Council has approved the required site development application.



-  LOW DENSITY RESIDENTIAL
-  MEDIUM DENSITY RESIDENTIAL
- C** COMMERCIAL

HIGH DENSITY RESIDENTIAL / COMMERCIAL MIX

HIGH DENSITY RESIDENTIAL / COMMERCIAL MIX


AREA SUBJECT TO AMENDMENT No. 611

APPENDIX II EXISTING LAND USE OFFICIAL PLAN AMENDMENT No. 611

NOT TO SCALE

FILE No. OP.02.019
RELATED FILE: Z.02.068
LOCATION: Lot 7, Concession 7
APPLICANT: MARKET LANE HOLDINGS LTD.
CITY OF VAUGHAN