

THE CORPORATION OF THE CITY OF VAUGHAN

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

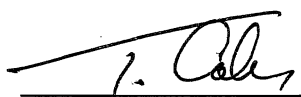
and

IN THE MATTER OF Amendment Number 711
to the Official Plan of the Vaughan Planning Area

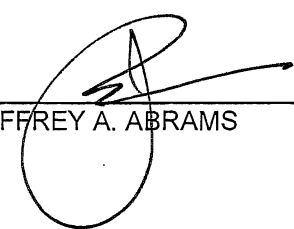
I, **JEFFREY A. ABRAMS**, of the City of Toronto, **MAKE OATH AND SAY:**

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 711 was adopted by the Council of the Corporation of the City of Vaughan on the 8th day of June, 2010, and written notice was given on the 18th day of June, 2010 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** a notice of appeal setting out objections to Official Plan Amendment Number 711 and the reasons in support of the said objections was 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 July 23, 2010.
5. **THAT** the Ontario Municipal Board advised by letter dated October 15, 2010, that the appeal has been withdrawn.
6. **THAT** Official Plan Amendment Number 711 is deemed to have come into effect on the 8th day of October, 2010, 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)
27th day of October, 2010.)


_____)
A Commissioner, etc.

James Todd Coles,
a Commissioner, etc.,
Regional Municipality of York, for
The Corporation of the City of Vaughan.
Expires March 27, 2013.



JEFFREY A. ABRAMS

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

655 Bay Street, Suite 1500
Toronto ON M5G 1E5
Telephone: (416) 212-6349
Toll Free: 1-866-448-2248
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**Tribunaux de l'environnement et de
l'aménagement du territoire Ontario**

Commission des affaires municipales
de l'Ontario

655 rue Bay, suite 1500
Toronto ON M5G 1E5
Téléphone: (416) 212-6349
Sans Frais: 1-866-448-2248
Télécopieur: (416) 326-5370
Site Web: www.elto.gov.on.ca



October 15, 2010

VIA: Regular Mail

The Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Subject:	Case Number:	PL100784
	File Number:	PL100784
	Municipality:	Vaughan
	Official Plan Number:	OP.06.003
	Property Location:	9589 Keele Street
	Applicant(s):	Aquatella Falls Homes Ltd.
	Appellant(s):	Antonio & Ida Incerto

Subsection 17(30) of the *Planning Act* provides;

(30) If all appeals under subsection (24) in respect of all or part of the decision of council are withdrawn and the time for filing appeals has expired, the secretary of the Municipal Board shall notify the clerk of the municipality that made the decision and,

(a) the decision or part of the decision that was the subject of an appeal is final; and

(b) the plan or part of the plan that was adopted and in respect of which all appeals have been withdrawn comes into effect as an official plan or part of an official plan on the day the last outstanding appeal has been withdrawn.

I am writing to advise that the appeal by Antonio & Ida Incerto was withdrawn by letter dated October 8th, 2010.

As a result, the hearing scheduled for November 24, 2010 is cancelled.

There are no outstanding appeals in this matter, and our file is closed.

Yours truly,


Patrick Hennessy
SECRETARY

c.c. List

THE CITY OF VAUGHAN

BY-LAW

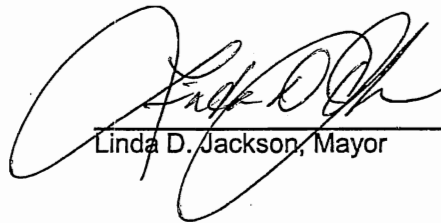
BY-LAW NUMBER 135-2010

A By-law to adopt Amendment Number 711 to the Official Plan of the Vaughan Planning Area.

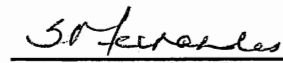
NOW THEREFORE the Council of the Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 711 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) " 1 ", " 2 ", and " 3 " 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 8th day of June, 2010.



Linda D. Jackson, Mayor



Sybil Fernandes, Deputy City Clerk

**AMENDMENT NUMBER 711
TO THE OFFICIAL PLAN
OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 711 to the Official Plan of the Vaughan Planning Area and Schedules "1", "2" and "3" constitute Amendment Number 711.

Also attached hereto but not constituting part of the Amendment is 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. 350, herein referred to as OPA #350 (Maple Community Plan).

The subject Amendment will redesignate the lands shown as "Area Subject to Amendment No. 711" on Schedule "1", attached hereto, from "Low Density Residential" to "Low Density Residential" and "Open Space Area" and to provide site-specific policies in the "Low Density Residential" designation to facilitate the development of a 2,137 m², 2 and 3-storey residential apartment building comprised of 22 units.

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. 711". The lands are located on the east side of Keele Street, between Rutherford Road and Major Mackenzie Drive (municipally known as 9589 Keele Street), in Part of Lot 18, Concession 3, City of Vaughan.

III BASIS

The decision to amend the Official Plan to redesignate the Subject Lands from "Low Density Residential" to "Low Density Residential" and "Open Space Area" and to provide site-specific policies in the "Low Density Residential" designation is based on the following considerations:

1. The *Provincial Policy Statement* (PPS) provides broad based policy direction on matters of Provincial interest related to land use planning and development. The PPS also promotes cost-effective development standards to minimize land consumption and servicing costs, supports and encourages residential intensification to accommodate an appropriate range and mix of housing and densities that make more efficient use of land and public infrastructure, and public transit supportive developments. The development of the subject lands provides additional accommodation choices while utilizing the existing municipal infrastructure efficiently through compact form and densities, and will ensure the surrounding environmental features are protected and enhanced.
2. *Places to Grow* sets out policies applicable to the Greater Golden Horseshoe. The policies of the Growth Plan encourage compact built forms, transit supportive communities, diverse land uses, a range and mix of housing types, and directs growth to settlement areas that offer municipal water and wastewater systems.

The development of a 2 and 3-storey, 22-unit residential apartment building, which is supported by municipal water and wastewater systems, would provide an alternative housing form that maximizes the use of land. As a result, the development achieves the goals of the Growth Plan.

3. The subject lands are designated "Urban Area" in the Region of York Official Plan. The Plan encourages within urban areas a broad range of housing types with efficient and mixed use compact communities at an overall transit-supportive density. The range of housing includes different forms, types and tenures to satisfy the needs of the Region's residents. The Regional Plan identifies that the housing stock in the Region is primarily detached units. The housing market is faced with demands for a broader variety of housing forms to meet the needs of different kinds of households. The Plan further encourages pedestrian scales, safety, comfort, mobility and the enrichment of existing areas with attractive building, landscaping and public streetscapes. The development includes an amenity area and 9 buffer area in the rear yard, which will enhance the streetscape and provide protection to the open space system, respectively. The development is consistent with the policies of the Regional Official Plan.
4. The subject lands are designated "Low Density Residential" by OPA #350 (the City of Vaughan's Maple Community Plan).

The Owner proposes a 2 and 3-storey, 22-unit, 2,137m² residential apartment building on the Subject Lands with an open space area at the east side of the property. In light of the Provincial and Regional policies encouraging intensification and providing a mix of housing types in the community, the official plan amendment can be supported.

5. Having received a statutory Public Hearing held on November 10, 2009, on June 1, 2010, Vaughan Council approved Official Plan Amendment Application OP.06.003 to redesignate the lands from "Low Density Residential" to "Low Density Residential" and "Open Space Area" and to provide site-specific policies in the "Low Density Residential" designation to facilitate the development of a 2,137 m², 2 and 3-storey residential apartment building comprised of 22 units under Amendment No. 711.

IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 350 (Maple Community Plan) to the Official Plan of the Vaughan Planning Area, is hereby amended by:

1. Redesignating the lands shown as "Area Subject to Amendment No. 711" on Schedules "1", "2" and "3" attached hereto from "Low Density Residential" to "Low Density Residential" and "Open Space".

2. Adding to Section 1.1 Low Density Residential Area the following:
 - "f) Notwithstanding the policies of Section 1.1(b), 1.5(b), and 4.2(b), the subject lands located on the east side of Keele Street, between Rutherford Road and Major Mackenzie Drive and known municipally as 9589 Keele Street shall be subject to the following policies:
 - i) the maximum permitted density on the subject lands shall be 105 units per net residential hectare;
 - ii) a 22-unit residential apartment building shall be permitted on the subject lands;
 - iii) a portion of the lands identified as Buffer Area within the "Open Space Area" designation shall prohibit any building or structure with the exception of patios, steps, landscaping, an underground storage/infiltration bed, and a flow separator."
3. Deleting Schedule 'A' to Amendment No. 350 and substituting therefor the Schedule 'A' attached hereto as Schedule "3".

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands will be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88 and Letter of Undertaking, pursuant to the Planning Act.

VI INTERPRETATION

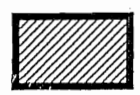
The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.



**THIS IS SCHEDULE '1'
TO AMENDMENT No. 711**
ADOPTED THE 8th DAY OF JUNE, 2010

NOT TO SCALE

AREA SUBJECT TO
AMENDMENT No. 711



SIGNING OFFICERS

FILES: OPA #711 & OP.06.003
RELATED FILES: Z.06.006 & DA.06.007
LOCATION: Part of Lot 18, Concession 3
APPLICANTS: AQUATELLA FALLS HOMES LTD.
CITY OF VAUGHAN

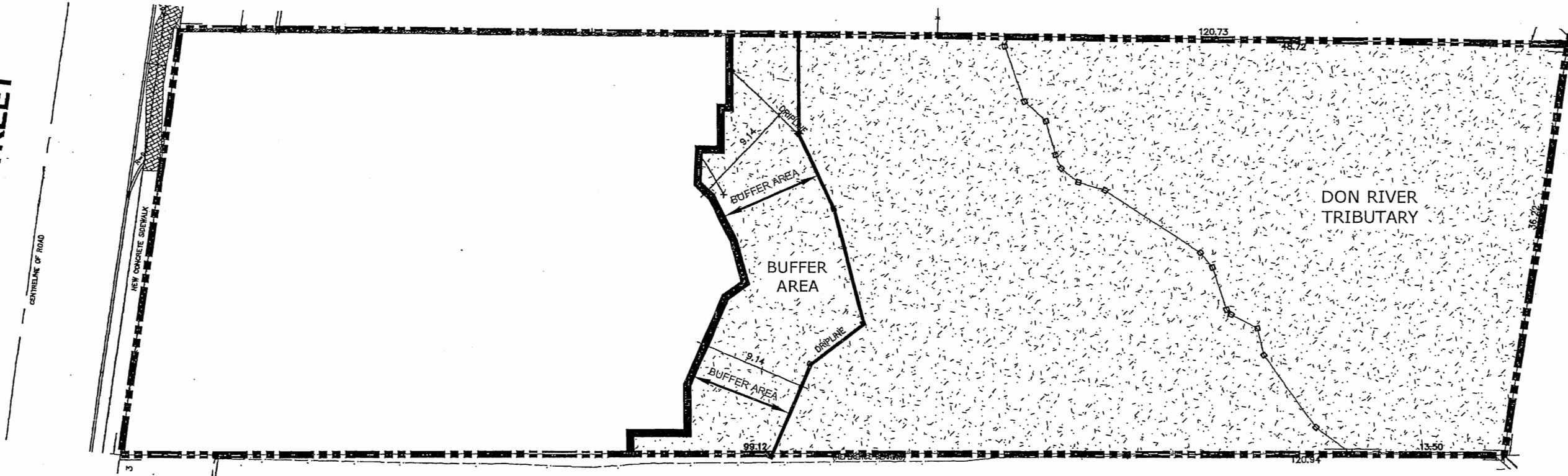
[Signature] MAYOR

[Signature] CLERK


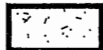

KEELE STREET

CENTRELINE OF ROAD

NEW CONCRETE SIDEWALK



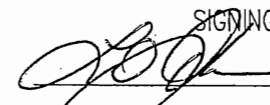
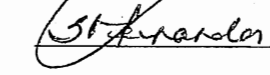
NOT TO SCALE

-  AREA SUBJECT TO AMENDMENT No. 711
-  OPEN SPACE AREA
-  LOW DENSITY RESIDENTIAL AREA

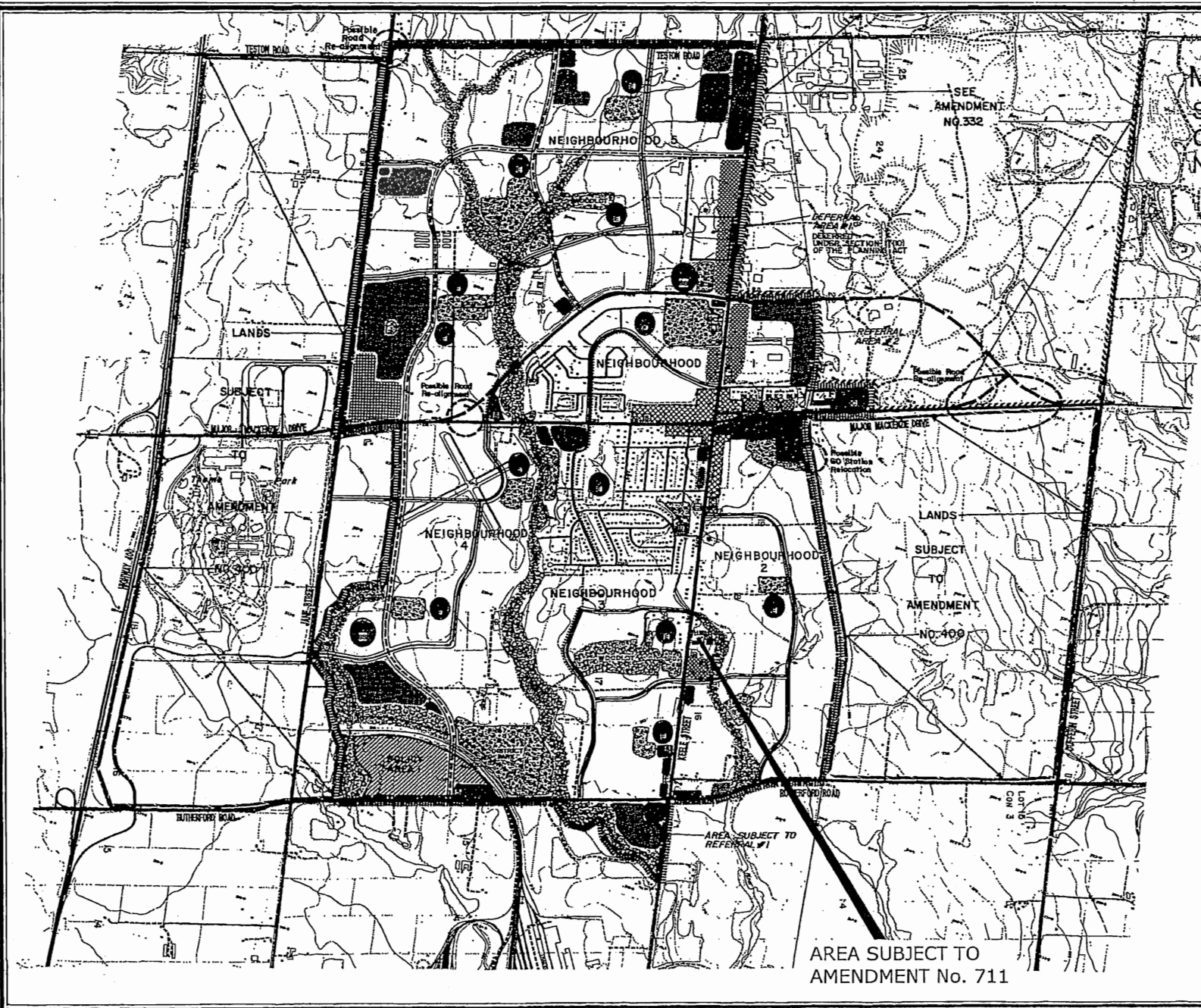
FILES: OPA #711 & OP.06.003
 RELATED FILES: Z.06.006 & DA.06.007
 LOCATION: Part of Lot 18, Concession 3
 APPLICANTS: AQUATELLA FALLS HOMES LTD.
 CITY OF VAUGHAN

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THIS IS SCHEDULE '2'
 TO AMENDMENT No. 711
 ADOPTED THE 8th DAY OF JUNE, 2010

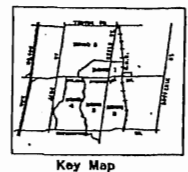
SIGNING OFFICERS

 MAYOR

 CLERK

MAPLE COMMUNITY PLAN
SCHEDULE 'A' TO
OFFICIAL PLAN AMENDMENT
NO. 350



LEGEND

- Low Density Residential
- Medium Density Residential
- Park
- Open Space
- Institutional
- Elementary School
- Secondary School
- Firehall
- Library
- Community Centre
- Church
- Cemetery



Commercial

- Maple Commercial Core Area
- Community Commercial Centre
- Neighbourhood Commercial Area
- Local Convenience Commercial
- Office Commercial
- Service Centre

- Prestige Industrial
- Policy Area 1
- Pedestrian and Bicycle Path System
- Existing Arterial
- Proposed Arterial
- Collector
- Feeder
- Community Boundary

Planning Area Boundary

SCALE: 1:10000



DEC./93

NOT TO SCALE

AREA SUBJECT TO
AMENDMENT No. 711

FILES: OPA #711 & OP.06.003
RELATED FILES: Z.06.006 & DA.06.007
LOCATION: Part of Lot 18, Concession 3
APPLICANTS: AQUATELLA FALLS HOMES LTD.
CITY OF VAUGHAN

THIS IS SCHEDULE '3'
TO AMENDMENT No. 711
ADOPTED THE 8th DAY OF JUNE, 2010

SIGNING OFFICERS
 MAYOR
 CLERK

APPENDIX I

The subject lands are located on the east side of Keele Street, between Rutherford Road and Major Mackenzie Drive, and known municipally as 9589 Keele Street, in Lot 18, Concession 3, City of Vaughan.

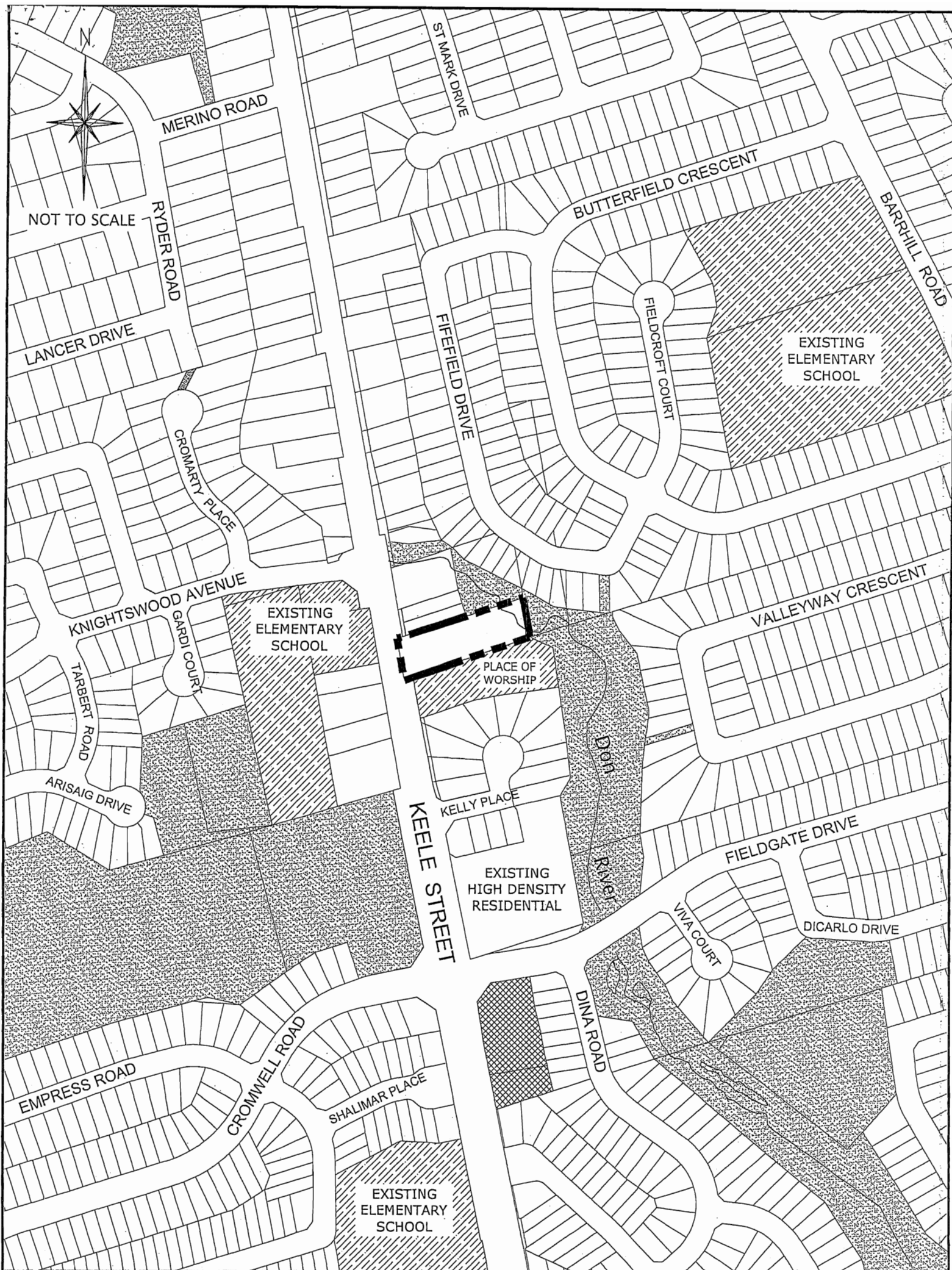
On June 1, 2010, Council considered a report and the following recommendation from the Commissioner of Planning with respect to Official Plan Amendment File OP.06.003 (Aquatella Falls Homes Ltd.):

"The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.06.003 (Aquatella Falls Homes Ltd.) BE APPROVED, to redesignate the eastern half of the subject lands from "Low Density Residential" to "Open Space Area", in the manner shown on Attachment #3, and to amend the "Low Density Residential" and "Open Space Area" policies in OPA #350 (Maple Community Plan), in accordance with Table 1 in this staff report.
2. THAT Zoning By-law Amendment File Z.06.006 (Aquatella Falls Homes Ltd.) BE APPROVED, to rezone the subject lands from R1 Residential Zone and A Agricultural Zone to RA2 Apartment Residential Zone (0.211 ha tableland) and OS1 Open Space Conservation Zone in the manner shown on Attachment #4. The proposed rezoning of the tableland will facilitate the development of a 22-unit residential apartment building with the site-specific exceptions identified in Table 2 of this staff report.
3. THAT Site Development File DA.06.007 (Aquatella Falls Homes Ltd.) BE APPROVED, to facilitate the development of a 22-unit residential apartment building subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the final site plan, building elevation plan, landscape plan, and landscape cost estimate shall be approved by the Vaughan Development Planning Department;
 - ii) the final building materials package with brick and colour samples be approved to the satisfaction of the Vaughan Development Planning Department and the Vaughan Cultural Services Division;
 - iii) the final stormwater management report, functional servicing report, site servicing and grading plan, and retaining wall details shall be approved by the Vaughan Engineering Department;
 - iv) the final development plans shall be in accordance with the City of Vaughan Waste Collection Design Standards Policy and approved to the satisfaction of the Vaughan Public Works Department;
 - v) the final tree inventory and preservation plan shall be reviewed and approved by the Vaughan Development Planning Department in consultation with the Toronto and Region Conservation Authority; and,
 - vi) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and,
 - b) that the Site Plan Letter of Undertaking include the following provision:
 - i) "For residential high-density development, the Owner shall pay to Vaughan by way of a certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy."
4. THAT Vaughan Council pass the following resolution with respect to the allocation of sewer and water servicing capacity to Site Development Application DA.06.007:

"IT IS HEREBY RESOLVED THAT Site Development Application DA.06.007 is allocated sewage capacity from the York Sewage Servicing System and water capacity from the York Water Supply System for a total of 22 residential units subject to confirmation from the Region of York that the required upgrades to the Duffin Creek Water Pollution Control Plant are on schedule and servicing capacity is available, and that a Site Plan Letter of Undertaking has been executed."

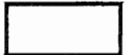


The Committee of the Whole recommended approval of the recommendation contained in the report of the Commissioner of Planning, dated June 1, 2010, which was subsequently ratified by Council on June 8, 2010.



APPENDIX II EXISTING LAND USES OFFICIAL PLAN AMENDMENT No. 711

AREA SUBJECT TO
AMENDMENT No. 711

FILES: OPA #711 & OP.06.003
 RELATED FILES: Z.06.006 & DA.06.007
 LOCATION: Part of Lot 18, Concession 3
 APPLICANTS: AQUATELLA FALLS HOMES LTD.
 CITY OF VAUGHAN

- RESIDENTIAL 
- INSTITUTIONAL 
- OPEN SPACE 
- COMMERCIAL 