19-01-7500 405

I. JOHN D. LEACH, Clerk of The Corporation of the City of Vaughan in the Regional Municipality of York, do hereby certify that the attached is an original copy of By-law Number 235-92, passed by the Council of the City of Vaughan on the 20th day of July, 1992.

J.D. Leach, Clerk City of Vaughan

DATED at the City of Vaughan this 24th day of July, 1992.

REPEALED By BYLLAW NO. 288-94



THE CITY OF VAUGHAN BY-LAW

BY-LAW NUMBER 235-92

A By-law to adopt Amendment Number 405 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 405 to the Official Plan of the Vaughan Planning Area, consisting of the attached text, and Schedules "1" and "2" is hereby adopted.
- 2. AND THAT the City Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of the aforementioned Amendment Number 405 to the Official Plan of the Vaughan Planning Area.
- 3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed this 20th day of July 1992.

L. D. Jackson, Mayor

J. D. Leach, City Clerk

AMENDMENT NUMBER 405

TO THE VAUGHAN OFFICIAL PLAN

OF THE VAUGHAN PLANNING AREA

The following text and Schedules "1" and "2" to Amendment Number 405 of the Official Plan of the Vaughan Planning Area constitute Amendment Number 405.

Also attached hereto, but not constituting part of the ${\tt Amendment}$ are ${\tt Appendices}$ I and II.



I. <u>PURPOSE</u>

The purpose of this amendment is to amend Amendment No. 4 of the Vaughan Planning Area to redesignate the subject lands from "Rural Area" to "Rural Residential" and "Open Space".

II. LOCATION

The lands subject to this amendment, hereinafter referred to as the "Subject Lands", are shown on Schedule "1" as "Area Subject to Amendment No. 405". The lands are located on the south side of Kirby Road, west of Pine Valley Drive, being part of Lot 30, Concession 7, in the City of Vaughan.

III. BASIS

The decision to amend the Official Plan is based on Vaughan Council's resolution of May 4, 1992. Council's resolution is as follows:

- 1. That Official Plan Amendment OP.3.89 (F. P. Rossetto, H. Bernstein and 565898 Ontario Limited), BE APPROVED, subject to the following conditions:
 - a) That the Official Plan Amendment redesignate the subject lands "Rural Residential" and "Open Space" subject to the policies contained in Official Plan Amendment No. 400 respecting rural residential development.
 - b) That the Official Plan Amendment include policies regarding buffering and screening of the development and also include subdivision design criteria consistent with the policies included in Official Plan Amendment No. 400.
 - c) That in accordance with the request from MNR, the text of the official plan amendment give recognition of the value of the fisheries and forestry resources and that development occur in a manner minimizing negative impacts on these areas.
 - d) That prior to Council's consideration of the draft plan of subdivision the applicant shall submit a 'Tree Inventory and Impact Assessment Study' to the satisfaction of the Vaughan Parks

Planning and Development Division. The study shall include an inventory of the woodlots and trees, detailing species, calliper range and health. The study shall also assess the impact of development on the existing vegetation.

e) That the official plan amendment provide for a significant public open space corridor in accordance with the red-lined concept plan included as Attachment #2 to the Staff report.

IV <u>DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE</u> THERETO

- a) Schedule "A" to Amendment No. 4 to the Official Plan of the Vaughan Planning Area is hereby amended by redesignating the lands shown as "Lands subject to Amendment No. 405" on Schedule "1" attached hereto, from "Rural Area" to "Rural Residential" and "Open Space" in the manner shown on Schedule "2" hereto.
- b) The development of the Subject Lands shall occur on the basis of a Plan of Subdivision and shall be permitted subject to the following specific development and implementation policies:
 - i) Each lot shall be serviced by a private well and a septic tank to the satisfaction of the Regional Medical Officer of Health and all other approval agencies;
 - ii) The minimum lot size for lots within the amendment area shall be 6000 square metres, with the average lot size to be not less than 8000 square metres. The development shall meet the requirements of the Region of York's "Regional Policy on Rural Communities Servicing" as amended from time to time;
 - iii) The design of the subdivision shall provide for a range of lot sizes directly related to the Subject Land's topography, vegetation, soil and drainage characteristics, the governing criterion being to retain a semi-rural character in

the development and to discourage urban density forms. Lot areas larger than the minimum will be required in specific instances where the topographic and environmental characteristics of the site warrant a larger area. For each lot, sufficient area will be set aside for the installation of two septic tilebeds and a recreational amenity area;

- iv) Access to the Subject Lands shall be by way of a paved road to ensure accessibility for all vehicular traffic. The developer shall provide the paved road in accordance with municipal standards to the entrance of the Subject Lands from Pine Valley Drive;
- v) The maximum number of lots shall be 24;
- The rural character of the surrounding area vi) shall be maintained by the provision of landscaped buffer areas positioned in such a manner as to screen the view of the Subject Lands from Kirby Road, Pine Valley Drive and from adjacent rural areas. buffer areas shall consist of a combination earthen berm and plant materials. design of the landscaped screen shall be the subdivision implemented through All residential building agreement. envelopes shall be setback a minimum of 30 metres from Pine Valley Drive and Kirby Road;
- vii) Woodland areas in and adjacent to stream valleys and watercourses shall be maintained in a natural undisturbed state due to their environmental sensitivity and aesthetics to ensure proper flood and erosion control;
- viii) Floodplains, and valleylands including valley side slopes shall be conveyed to the Municipality or the Metropolitan Toronto and Region Conservation Authority as open space areas. The extent of the lands to be

conveyed shall be determined through the draft plan of subdivision process. The provision of access to these public open space areas shall be encouraged;

- ix) Valleylands are defined to include all lands located in a valley, and shall generally extend a minimum of 10 metres inland from the crest of a stable valley wall. The associated 10 metre buffer may be extended to include significant ecological areas;
- x) Normally required minimum setbacks or such setbacks as are determined by detailed site study shall be measured from the crest of the valley slope as defined prior to development;
- xi) The City, in consultation with the MTRCA, may impose setbacks for underground structures from stable or unstable valley slopes so as to maintain the stability of the valley slope and/or protect unstable slopes from slumping or erosion;
- xii) Storm sewer discharge into defined and ill-defined valley systems shall only be permitted in accordance with best management practices;
- xiii) The linkage of public open spaces shall be required in order to connect woodlots, river valleys and areas of severe terrain and to provide continuous open space corridors;
 - A natural vegetative buffer area with a minimum width of 30m from watercourses and will required, or to ponds be top-of-bank, whichever is greater, in order to minimize the impacts of development on the watercourse. Development in the buffer be restricted through the strip will implementing zoning by-law;
 - xiv) Resource features including wetlands, woodlands and tributaries to the Humber River are located on the lands subject to

Amendment No. 405. Significant resource features have been designated "Open Space" shown on Schedule "2" and development be prohibited in these areas to shall minimize impact. The preservation of other resource features not designated "Open Space" shall be encouraged through sensitive design and implementation where appropriate, through zoning and other land use restrictions;

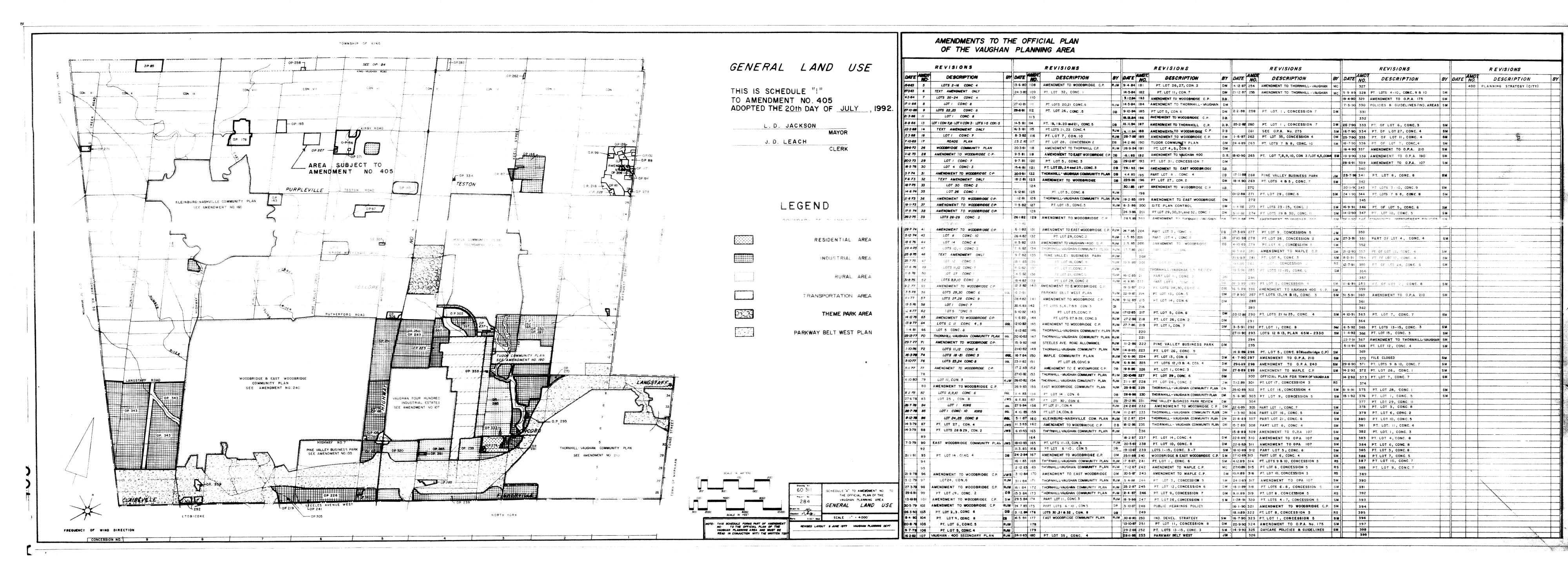
- xvi) Ponds may be zoned separately in the implementing by-law in a zone recognizing their environmental significance;
- xvii) Roads in rural residential developments should follow the topography of the Subject Lands;
- xviii) The precise limits of the Open Space designation shall be determined at the plan subdivision stage of the approval process to the satisfaction of the City and Ministry of Natural Resources Metropolitan Toronto and Region Conservation Authority. Not all the lands designated as Open Space shall come under public ownership. The precise limits of Public Open Space lands shall be the plan of subdivision determined at stage;
 - xix) Recognizing the importance of the fishery and forestry resources, development shall take place in such a manner as to minimize negative impacts to resource features including the use of proper stormwater management and erosion and sedimentation control measures both during and after development;
 - xx) Notwithstanding Schedule "2", a road across the open space lands shall be permitted provided it is to the satisfaction of the City.

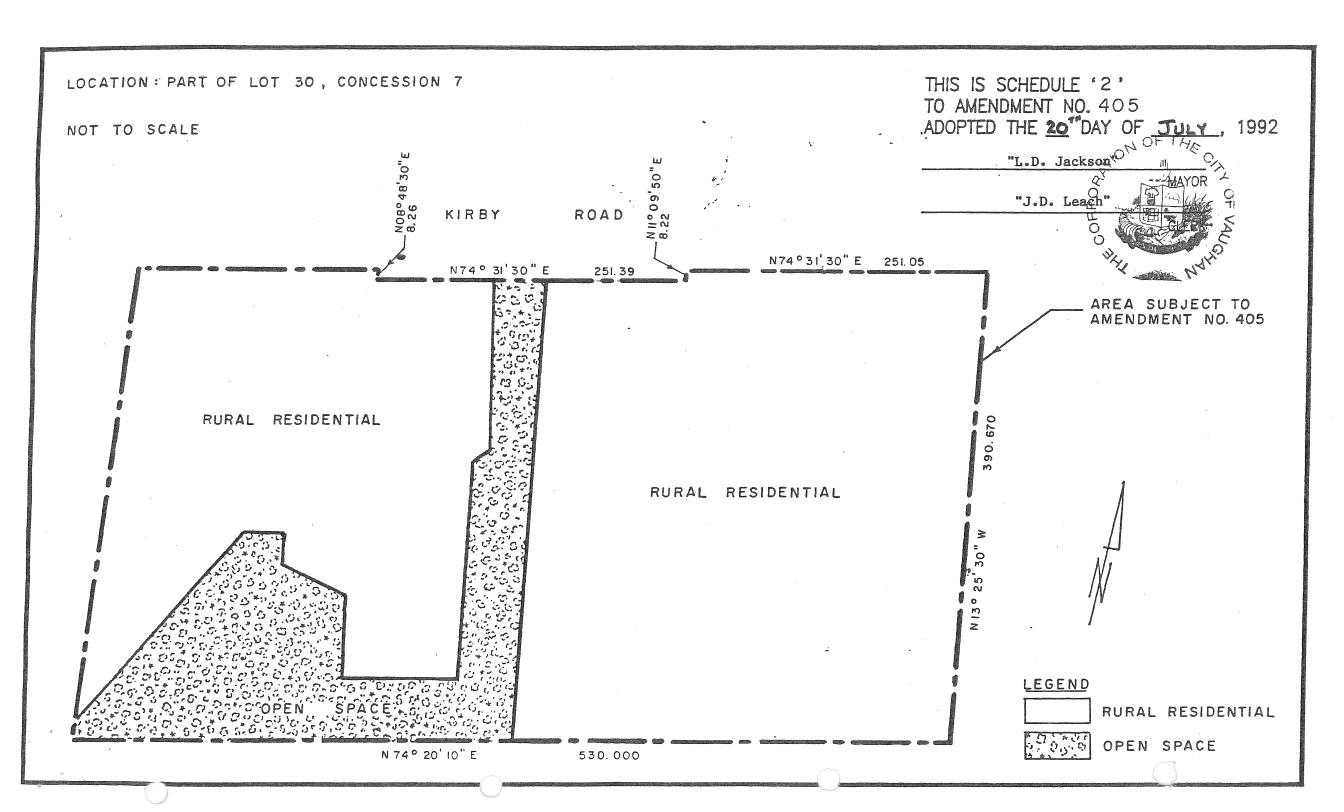
V. <u>IMPLEMENTATION</u>

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands shall be implemented through an amendment to the Vaughan Zoning By-law, a plan of subdivision and a subdivision agreement pursuant to the Planning Act.

VI. <u>INTERPRETATION</u>

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





APPENDIX I

The subject lands are located on the south side of Kirby Road, west of Pine Valley Drive, being part of Lot 30, Concession 7, in the City of Vaughan.

The subject lands comprise approximately 28.3 ha and are currently designated "Rural Area" by Official Plan Amendment No. 4, as amended. The purpose of this amendment is to redesignate the subject lands to "Rural Residential" and "Open Space".

On May 4, 1992, Vaughan Council resolved the following:

- "1. That Official Plan Amendment OP.3.89 (F. P. Rossetto, H. Bernstein and 565898 Ontario Limited), BE APPROVED, subject to the following conditions:
 - a) That the Official Plan Amendment redesignate the subject lands "Rural Residential" and "Open Space" subject to the policies contained in Official Plan Amendment No. 400 respecting rural residential development.
 - b) That the Official Plan Amendment include policies regarding buffering and screening of the development and also include subdivision design criteria consistent with the policies included in Official Plan Amendment No. 400.
 - c) That in accordance with the request from MNR, the text of the official plan amendment give recognition of the value of the fisheries and forestry resources and that development occur in a manner minimizing negative impacts on these areas.
 - d) That prior to Council's consideration of the draft plan of subdivision, the applicant shall submit a 'Tree Inventory and Impact Assessment Study' to the satisfaction of the Vaughan Parks Planning and Development Division. The study shall include an inventory of the woodlots and trees, detailing species, calliper range and health. The study shall also assess the impact of development on the existing vegetation.
 - e) That the official plan amendment provide for a significant public open space corridor in accordance with the red-lined concept plan included as Attachment #2 to the Staff report."

APPENDIX II

EXISTING LAND USE

OFFICIAL PLAN AMENDMENT NO. 405
CITY OF VAUGHAN

LOCATION: PART OF LOT 30, CONCESSION 7

AGRICULTURAL RURAL RESIDENTIAL OPEN SPACE	DATE: 92/06/30 SCALE: 0 1000 FT.
AVENUE	LEY DRIVE
AREA SUBJECT TO AMENDMENT NO. 405	PINE
TRANS CANADA PIP	E LINE