

Clause No. 7 in Report No. 13 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 11, 2014.

Council also received the following communications:

1. Gillian Evans and David Toyne, Landowners, City of Vaughan, dated September 10, 2014.
2. Quinto Annibale, Partner, Loopstra Nixon LLP, on behalf of Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo and Cathy Campione, dated September 10, 2014.

**7**

**AMENDMENT NO. 744 TO THE VAUGHAN OFFICIAL PLAN –  
THE BLOCK 40/47 SECONDARY PLAN**

**Committee of the Whole recommends:**

1. **Receipt of the following communications:**
  1. **David Donnelly, Barrister & Solicitor, Donnelly Law, on behalf of Ms. Gillian Evans and Mr. David Toyne, dated August 7, 2014.**
  2. **Quinto Annibale, Partner, Loopstra Nixon LLP, on behalf of Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo and Cathy Campione, dated September 3, 2014.**
2. **Receipt of the following deputations:**
  1. **Quinto Annibale, Partner, Loopstra Nixon LLP, on behalf of Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo and Cathy Campione regarding 10390 Pine Valley Drive, City of Vaughan.**
  2. **Mark Yarranton, Partner, KLM Planning Partners Inc. on behalf of Block 40/47 Developers Group regarding the Block 40/47 lands.**
  3. **Gillian Evans, Landowner, City of Vaughan, regarding 10240 Pine Valley Drive, City of Vaughan.**

3. **Receipt of the private verbal update from the Regional Solicitor.**
4. **Adoption of the following recommendations contained in the report dated August 13, 2014 from the Commissioner of Transportation and Community Planning:**

## 1. **RECOMMENDATIONS**

It is recommended that:

1. Council approve the Block 40/47 Secondary Plan, subject to the modification described in *Attachments 2 and 3*.
2. The Director of Community Planning and Development Services be authorized to issue notice of Council's decision to approve as modified the Block 40/47 Secondary Plan.
3. Regional staff be authorized to appear before the Ontario Municipal Board in support of the Region's position, if required, and the Commissioner of Transportation and Community Planning, or designate, be authorized to execute Minutes of Settlement, if appropriate.

## 2. **PURPOSE**

This report provides an overview and recommends approval, as modified, of the Secondary Plan.

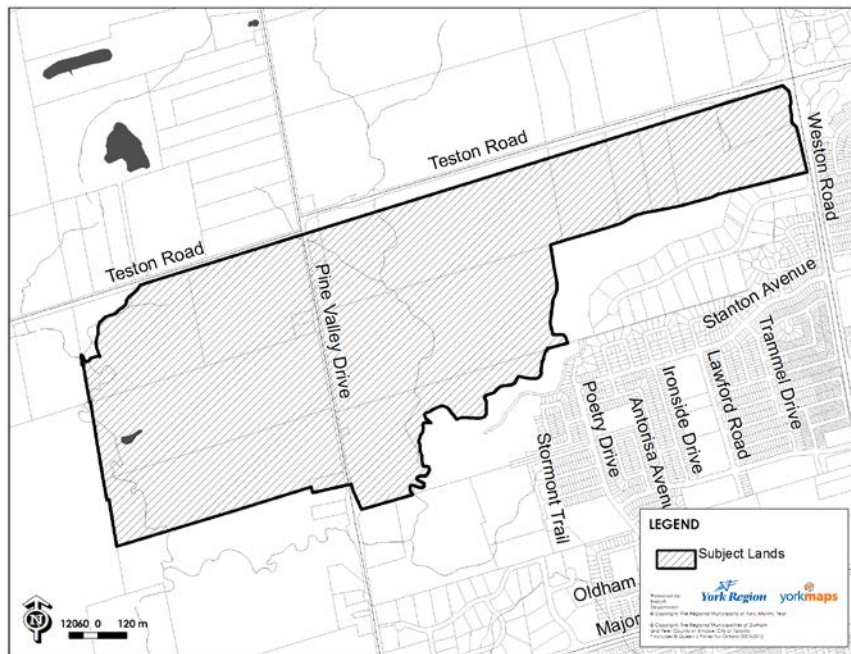
## 3. **BACKGROUND**

### **Amendment No. 600 to the City of Vaughan Official Plan requires a comprehensive Secondary Plan be prepared for this area**

Official Plan Amendment No. 600 (OPA 600) to the City of Vaughan Official Plan was adopted by Vaughan Council on September 25, 2000 and approved by York Region on June 29, 2001. OPA 600 requires a comprehensive plan with technical basis to support the proposed land use designations in the Secondary Plan area. Residential units are to be 'executive housing' in nature, located on large lots with full municipal services and a gross density between 5 to 7.5 units per hectare, and a projected housing unit yield of 1,000 low density units to accommodate a population of 3,490.

The Secondary Plan area is approximately 234 hectares and is bounded by Teston Road to the north, Weston Road and the existing community to the east, a valley land system to the west, and will guide development in Blocks 40/47 in the City of Vaughan (Figure 1).

**Figure 1**  
Block 40/47 Secondary Plan Area



### **The Secondary Plan was initially submitted in 2003**

The Official Plan Amendment (OPA) application was submitted by the proponents to the City of Vaughan in February 2003. The OPA application is being processed under the Planning Act that was in-force at the time of commencement and is subject to York Region Official Plan 1994 (YROP-1994) and Vaughan's OPA 600.

On May 20, 2003, the Official Plan Amendment application was considered by Vaughan's Committee of the Whole. The initial application did not proceed to approval and was subsequently revised to reflect changes desired by the landowners and input received from agencies as well as stakeholders. Considering the OPA was submitted prior to the adoption of the 2010 Vaughan Official Plan, the application is being evaluated under the policies of OPA 600. The Block 40/47 Secondary Plan, OPA 744, will be incorporated into Chapter 12 (Volume 2) of the 2010 Vaughan Official Plan.

### **The Secondary Plan provides policy direction for the development of a residential community**

The Secondary Plan (*Attachment 1*) amends OPA 600 by providing more specific land use designations related to low and medium density residential uses, neighbourhood commercial, stormwater management, parks, an elementary school, institutional uses, greenway system and urban area. An overall range of gross density between five and 11 units per hectare is permitted. Street townhouses on lands adjacent to Pine Valley Drive are permitted but shall not exceed a net density of 18 units per hectare. This is a shift to a slightly higher density than set out in OPA 600, which is supported as the current Official Plans for the City of Vaughan, and York Region encourage these increased densities.

The modified policies, along with the modified land use schedule, are shown in *Attachments 2* and *3* respectively. The Secondary Plan supports 1,242 single detached units and approximately 59 townhouse units with the potential of the medium density/commercial block containing an additional 87 townhouse units to accommodate a population of approximately 4,893. The Secondary Plan requires the completion and approval of a Block Plan to provide more detailed direction for future draft plans of subdivision submissions.

### **Vaughan Council adopted OPA 744 on February 18, 2014 and endorsed modifications on June 24, 2014**

A statutory Public Hearing for the Secondary Plan was held on June 26, 2012 and on February 18, 2014, Vaughan Council adopted OPA 744 and forwarded it to the Region for approval. On June 24, 2014, Vaughan Council endorsed modifications to OPA 744, which were sent to the Region for approval.

## **4. ANALYSIS AND OPTIONS**

### **The Secondary Plan is consistent with the Provincial Policy Statement 2014**

Provincial Policy Statement 2014 (PPS), which came into effect on April 30, 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS does not include transitional policies that would allow for the Secondary Plan, OPA 744, to be considered under the previous 2005 Provincial Policy Statement. This Secondary Plan is consistent with the policies in the PPS, as it specifically develops a variety of housing types and uses, protects cultural heritage features by considering the interests of the First Nations communities, and ensures the natural heritage features are protected for the long-term.

### **The Secondary Plan precedes, yet reflects the guiding principles of the Growth Plan 2006**

The Growth Plan for the Greater Golden Horseshoe 2006 (Growth Plan) is a framework for implementing the Province's vision for building stronger, prosperous communities by better managing growth to the 2031 planning horizon. The Secondary Plan, that was a privately initiated Official Plan Amendment application, precedes and is not subject to, the Growth Plan 2006. Notwithstanding this, the new community is being planned to reflect some of the guiding principles of the Growth Plan. The Secondary Plan:

- Provides for a range of residential unit types
- Directs growth within the urban boundary
- Protects natural areas through the greenway designation
- Includes conservation of cultural heritage and archeological sites

### **The Secondary Plan precedes the Greenbelt Plan 2005**

The Greenbelt Plan 2005 identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological features and functions occurring on the landscape within the Greater Golden Horseshoe. The Greenbelt Plan provides for the transition of applications submitted under the Planning Act prior to December 16, 2004. The Secondary Plan was submitted in 2003 and is therefore transitioned under the Greenbelt Plan. The Greenbelt area located within the Secondary Plan is being protected by the valley lands and the greenway designations.

### **The Secondary Plan is in keeping with the York Region Official Plan 1994**

The Secondary Plan provides for a range and mix of housing types including low and medium density residential, and provides local land use designations for neighbourhood commercial, parks, institutional uses and a historical site. These designations meet the intent of the YROP-1994 by providing diverse, self-sufficient green and pedestrian-oriented communities. Additionally, the Secondary Plan provides a policy framework, vision and protection of natural and cultural heritage features in the area. There are policies that protect the Skandatut First Nation site along with a natural buffer surrounding the site. The Regional Greenbelt System is protected and enhanced through the designation of Valley Lands and Greenway System.

### **Development of the Secondary Plan included input and consultation with the public, First Nations, key agency stakeholders and Regional staff**

The Secondary Plan was initially submitted to the City of Vaughan in 2003 with the first revision submitted in 2011. A second revision was submitted to the City of Vaughan in 2012 along with additional supporting studies, including responses that addressed any concerns. The City of Vaughan solicited input from York Region, Provincial Ministries, First Nations and the Toronto and Region Conservation Authority.

Upon adoption of the Secondary Plan, York Region completed its own circulation process. Comments were solicited from Provincial Ministries, the Toronto and Region Conservation Authority, First Nations and Regional staff.

### **York Region undertook an extensive First Nations circulation pertaining to the Skandatut site**

The Secondary Plan area is unique, as it includes the Skandatut First Nation site within the boundaries of the plan area.

The Skandatut First Nation site was an ancestral Huron-Wendat village that is now a nationally significant cultural heritage site located in the Greenbelt. The Secondary Plan recognizes the significance of this cultural heritage site by incorporating it into the Greenbelt Protection Area along with a one hectare park as a buffer. The Skandatut First Nation site is approximately 2.4 hectares in size and is subject to a conditional donation agreement between the landowner and the Toronto and Region Conservation Authority. This agreement allows for the lands to be transferred into public ownership. The lands have been assessed and surveyed by the Ministry of Tourism and Culture as well as qualified archeologists.

Under the PPS there is a requirement to consult the First Nations communities if impacted. Acknowledging the potential impact that future development may have on the Skandatut First Nation site, a comprehensive First Nations circulation was undertaken. The circulation was sent to thirteen different First Nations groups soliciting comments including the Huron-Wendat. Comments were received from the Hiawatha First Nation Mississaugas of Scugog Island First Nation and the Chippewa's of Rama First Nation. Each group indicated that they did not have any concerns with the Secondary Plan as it pertained to their rights. As well, each First Nations group provided comments relating to First Nations consultation and the role they play in the planning process.

### **The future Teston Road jog elimination at Pine Valley Drive has been protected for within the Secondary Plan**

The Region has planned for the possible future jog elimination at the Teston Road and Pine Valley Drive intersection. The jog elimination remains under review with the preferred alignment still being considered through the Environmental Assessment process. The Secondary Plan contains policies that protect all realignment options. The lands that may be affected by the realignment are subject to Holding Symbol provisions of the Planning Act and shall be implemented through subsequent development applications.

### **Pine Valley Drive will require road improvements to facilitate the development of the Secondary Plan**

Road improvements to Pine Valley Drive will be required to facilitate the development of the Secondary Plan. A traffic Impact Study was submitted to the City of Vaughan in support of the application and comments on this study were provided by the Region. These comments include the requirement for revisions to the analysis component of the study and the preparation of a comprehensive Transportation Demand Management plan.

Any road and intersection improvements, including turning lanes and signalization of accesses along Pine Valley Drive required to facilitate this development, will be implemented through the subdivision process and will be at the cost of the proponents. Additionally, any property required to achieve the ultimate right-of-way along Regional roads will be acquired through the subdivision process, free of all costs and encumbrances.

### **Block 40/47 Secondary Plan will be serviced by the Region's Jane Rutherford Sewer System and is within the Region's Water Pressure District 7 service area**

Block 40/47 Secondary Plan can be serviced by the existing Regional capacity assignment to the City, which is contingent on the completion of trigger projects including Southeast Collector, Leslie Street Pumping Station Upgrades and PD7 Pugsley Water Pumping Station Upgrade. In the event that the City does not allocate capacity to Block 40/47 using existing assigned capacity, development of Block 40/47 may be subject to additional Regional projects including Duffin Creek Outfall and Northeast Vaughan Servicing.

### **On June 24, 2014 the City of Vaughan Council endorsed modifications to the Secondary Plan for Approval**

A full and detailed listing of the modifications can be found in *Attachment 2* along with the accompanying modified Land Use Schedule in *Attachment 3*. To summarize, the modifications include:

- Amending the Land Use Schedule by redesignating the lands located at the southeast corner of Pine Valley Drive and the southerly Primary Road access (Street 1) from "Medium Density Residential/Commercial" to "Low Density Residential".
- Amending the Land Use Schedule by redesignating the "Peninsula lands" within Block 40 to "Municipal Park" and adding corresponding policies in the plan for implementation.
- Permitting street townhouses in the "Low Density Residential" area, provided that they are located adjacent to Pine Valley Drive and/or south of 'Street 1' and provided that no townhouse lots shall abut the southerly residential boundary of Block 47.

Additionally, the maximum permitted density within these areas shall not exceed 18 units per net residential hectare.

- The addition of policies to ensure that future development of the lands is completed in a manner that is compatible with the adjacent rural uses.

### **Link to key Council-approved plans**

The Secondary Plan implements Vision 2051 through the creation of housing for all ages and stages. The plan provides a mix and range of housing types within the low to medium density category, which also meets the requirements of the 2011 to 2015 Strategic Plan. The Strategic Plan identifies the need to support healthy communities through a broad range of housing choices and supports to meet the diverse needs of residents.

## **5. FINANCIAL IMPLICATIONS**

Approval of the Secondary Plan supports the subsequent approval of development applications that facilitate future growth, resulting in Regional and local development charges being paid. Development charge revenue collected as a result of new development within this Secondary Plan area will support infrastructure projects throughout the Region.

## **6. LOCAL MUNICIPAL IMPACT**

The recommendations of this report are consistent with the position of the City of Vaughan Council. The Secondary Plan provides local policy direction to manage growth in the area consistent with the policies and vision outlined in the Vaughan Official Plan.

## **7. CONCLUSION**

The Block 40/47 Secondary Plan (OPA 744) is being recommended for approval as modified in *Attachment 2* and *3*. The modifications reflect a City of Vaughan Council requested change to the adopted plan to address the compatibility of future development with the adjacent rural uses and to relocate the street townhouses within the Plan area. The Secondary Plan is consistent with provincial policies and conforms to the York Region Official Plan 1994. The Secondary Plan went through a comprehensive consultation process.

Key Regional interests, such as the Teston Road jog elimination at Pine Valley Drive have been protected.




Regional staff recommends the Block 40/47 Secondary Plan be approved, subject to the modifications as described in *Attachments 2 and 3*.

For more information on this report, please contact Augustine Ko, Senior Planner at ext. 71524.

The Senior Management Group has reviewed this report.

*Attachments (3)*

I, JEFFREY A. ABRAMS, City Clerk for 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 018-2014, passed by the Council of the Corporation of the City of Vaughan on the 18th day of February, 2014.

  
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JEFFREY A. ABRAMS  
City Clerk

DATED at the City of Vaughan,  
this 4<sup>th</sup> day of March, 2014.



# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 018-2014**


**A By-law to adopt Amendment Number 744 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 744 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 the City Clerk is hereby authorized and directed to make application to the Regional Municipality of York for approval of the aforementioned Amendment Number 744 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

Enacted by City of Vaughan Council this 18<sup>th</sup> day of February, 2014.

  
Maurizio Bevilacqua, Mayor

  
Jeffrey A. Abrams, City Clerk

**AMENDMENT NUMBER 744**  
**TO THE OFFICIAL PLAN**  
**OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 600 to the Official Plan of the Vaughan Planning Area and Schedules "1", "2" and "3" constitute Amendment Number 744.

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

Authorized by Item No. 44 of Report No. 52  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
December 10, 2013

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. 600.

This Amendment will designate the lands shown as "Area Subject to Amendment No. 744" on Appendix II hereto as "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "Urban Area". The Amendment will provide a secondary plan level of policies as prescribed in OPA 600 to permit the development of the lands while maintaining the complex ecosystem functions and cultural heritage attributes associated with the plan area.

II LOCATION

The lands subject to this Amendment (hereinafter referred to as "Subject Lands"), are shown on Appendix II hereto as "Area Subject to Amendment No.744". The lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek, being part of Lots 23, 24, and 25, Concessions 6 and 7, City of Vaughan.

III BASIS

The decision to amend the Official Plan to provide land use designations for residential uses and valley land, and provide the general locations of neighbourhood parks, schools, neighbourhood commercial uses and stormwater management ponds for the purpose of facilitating the review of development applications is based on the following considerations:

1. Official Plan Amendment No. 744 (OPA 744) constitutes an amendment to Official Plan Amendment No. 600 (OPA 600). By virtue of the originating date of the Official Plan Amendment application, OPA 744 is exempt from the provisions of the Provincial Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan and has been prepared in consideration of the standards and requirements in place at the time the application was submitted.
2. The Provincial Policy Statement, 1997 (PPS) provides a satisfactory level of regulation to ensure the appropriate development of the site. The policies provide for the protection of natural heritage features from incompatible development, including limiting site alteration to significant wetlands and significant portions of the habitat of endangered or threatened species. The PPS,1997 requires that there are to be no negative impacts on natural features or the ecological functions where adjacent development and site alteration is permitted, and that the diversity of natural

features and the natural connections between them is maintained and improved where possible. Additionally, the PPS, 1997 requires that the quality and quantity of ground water and surface water and the function of sensitive ground water recharge/discharge areas, aquifers and headwaters will be protected or enhanced. The policies of OPA 744 are consistent with these principles.

3. The Region of York Official Plan, 1994 includes goals and policies that guide community-building at the secondary plan level, with the objective of developing diverse, self-sufficient, accessible, safe, green, economically vibrant and pedestrian-oriented communities. The proposed land use designations of Low and Medium-Density Residential, Neighbourhood Commercial, Parks, Greenway System, Institutional and Valley Lands contribute to achieving these goals. The Region of York Official Plan, 1994 requires the preparation of comprehensive secondary plans for urban areas. OPA 744, in combination with the underlying policies of OPA 600, will provide for a level of detail consistent with the secondary plan criteria and achieve the community development objectives.

4. Official Plan Amendment No. 600 provides implementation requirements which will lead to the submission and approval of Draft Plan of Subdivision and Zoning By-law Amendment applications. The requirements include:

**The Secondary Plan:** OPA 600 requires the preparation of a comprehensive plan for the amendment area, which is to provide the technical basis to support secondary plan land use designations consistent with the approach of OPA 600. The area is to be predominantly planned for "executive housing" on large lots with full municipal services.

**Block Plan Approval:** The Block Plan will form the basis for the submission of the implementing Zoning By-law Amendment and Draft Plan of Subdivision applications. OPA 600 requires that all block plans include a detailed description of the location and scope of the components described in the Plan, and specifically address the policies of OPA 600 pertaining to environmental protection; city-wide transportation and public transit networks; housing mix and densities; urban and neighbourhood structure, form and design; the hierarchy of parks and open space; and, phasing of development, to the satisfaction of the City.

Prior to the approval of the Block Plan, OPA 600 requires the completion of a Master Environmental Servicing Plan (MESP) to the satisfaction of the Ministry of Natural Resources (MNR), the Toronto and Region Conservation Authority (TRCA) and the City of Vaughan. The MESP shall address a number of areas of concern including

ground and surface water management, terrestrial resources management and restoration opportunities, protection of Environmentally Significant Areas and Areas of Natural and Scientific Interest, wetland protection and landform conservation, and the phasing and location of major infrastructure.

Having received a statutory Public Hearing held on June 26, 2012, on December 10, 2013, Vaughan Council approved Official Plan Amendment Application OP.03.008 (Pine Heights Estates) to redesignate the Subject Lands from "Urban Area" and "Valley Lands" to "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "Urban Area".

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 600 to the Official Plan of the Vaughan Planning Area, is hereby amended by:

1. Redesignating the Subject Lands identified on Schedule "1" of this Amendment from "Urban Area" and "Valley Lands" to "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "Urban Area" in the manner shown on Schedule "1";
2. Amending Schedule "B" – Vellore Urban Village 1 to Official Plan Amendment No. 600 as identified in Schedule "1", attached hereto;
3. Amending Schedule "G1" – Wetlands to Official Plan Amendment No. 600 as identified in Schedule "2", attached hereto;
4. Amending Schedule "J" –Transportation City Road Network to Official Plan Amendment No. 600 as identified in Schedule "3", attached hereto;
5. Deleting Section 4.2.1.1.v in its entirety and substituting therefor the following:
  - v. Notwithstanding the above, within the lands of Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive and designated as Low Density Residential on Schedule "B", the following shall apply:
    - a. The overall range of permitted gross density will be between 5.0 and 11.0 units per hectare (2 and 4.5 units per acre), calculated on the area of developable lands.



- b. Street Townhouses may also be permitted within the Low Density Residential Areas within the above noted lands, provided that they are located adjacent to Pine Valley Drive and that the maximum permitted net density on a site does not exceed 18.0 units per net residential hectare."

6. Deleting Section 4.2.1.2 in its entirety and substituting therefor the following policies:

- i. The lands within Blocks 40 and 47, being north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are identified on Schedule "B" as "Low Density Residential", "Valley Lands", "Medium Density Residential-Commercial", "Stormwater Management Ponds", "Neighbourhood Commercial Centre", "Parks", "Elementary School", "Institutional", "Greenway System" and "Urban Area". Significant Wildlife Habitat, Significant Woodlands, Significant Valleylands and Provincially Significant Wetlands are located within and adjacent to this area. Prior to the determination of the development limits for Blocks 40 and 47, an Environmental Impact Study (EIS) is required to identify the locations and demonstrate the protection of these features such that all proposed development will not result in a negative impact to the features and their associated functions, including the hydroperiod, and consistent with an integrated, ecosystems approach to planning as set out in Section 5.4.2 of this Plan. Sufficient reference data and site specific observations must be completed to the satisfaction of the City, TRCA and Ministry of Natural Resources. The following policies shall apply to the lands described above, in addition to any other requirements in this Plan:

- ii. Water Quality and Quantity

The appropriate permitted development pattern for this area shall be confirmed based on the following being completed to the satisfaction of the City and TRCA, prior to the approval of the Block Plan and subsequent Draft Plan of Subdivision:

- a. An assessment that confirms pre-development ground and surface water flows will be maintained post-development from head water drainage features that may be proposed to be removed or realigned to ensure sustainable flows to downstream features.
- b. An approximate post development water balance calculation to demonstrate that any infiltration deficit will be mitigated to protect the features and functions relying on surface or ground water contributions.
- c. An exploration of any proposed mitigation measures to demonstrate no negative impact on the features and functions and the hydroperiod of the natural features.
- d. A features-based Water Balance for all woodlands, wetlands and watercourses, and demonstrated maintenance of the hydroperiod for natural features to be retained.

- iii. A hydrogeological study as part of the ME/SP for this area will be used to define the local pre-development water balance and establish site specific water balance criteria that maintain the ecological functions of related features and demonstrate how the appropriate proportions of infiltration and evaporation/reuse measures for stormwater management will achieve water balance objectives to the satisfaction of the City in consultation with the TRCA.
- iv. To ensure the maintenance of ground and surface water quality and quantity throughout the Block 40/47 area, the following policies shall apply to all development within the subject lands:
  - a. All development and site alteration, infrastructure and recreational uses meet TRCA's stormwater management criteria for water quantity, water quality, erosion control and water balance for groundwater recharge and for natural features, as more specifically described in TRCA's Stormwater Management Criteria document.
  - b. Approaches to stormwater management shall use a series of measures that form a treatment 'train', including low impact approaches to achieve the criteria listed above and to mitigate potential impacts.
  - c. As the development progresses through all stages of the development process, increasingly detailed reports may be required to demonstrate consistency with the criteria outlined in (a) and (b) above. At each stage of the process, studies shall be completed and implemented to the satisfaction of the City of Vaughan and the TRCA.
- v. Notwithstanding Policy 5.9.1.3 of this Plan, where it has been demonstrated through a comprehensive technical report that there are no reasonable alternative sites and alignments, underground infrastructure and related structures may be permitted in the valley corridor where it is demonstrated that:
  - a. Impacts to the quality and quantity of groundwater and surface water including stream baseflow are minimized and mitigated.
  - b. Impacts on groundwater flow and discharge are minimized and mitigated.
  - c. Erosion hazards are avoided.
  - d. All options for horizontal and vertical alignments to avoid, minimize and or mitigate impacts on aquifers and surface water receptors have been considered.
  - e. Dewatering and dewatering discharge during and post construction will be managed.
  - f. Design and construction technologies are used to reduce risk of hydrological and ecological impacts and minimize grade alterations to existing topography.
  - g. A contingency plan is provided to address maintenance and spills.
- vi. Sensitive Land Features  
 Appropriate buffers will be required around all sensitive land features in accordance with the City, TRCA and Provincial requirements. To ensure the implementation of appropriate buffers, the following requirements shall be applied when establishing buffer areas around

sensitive land features:

- a. A minimum 10 metre restored buffer from the greatest extent of the stable top of bank, long-term stable top of slope, flood plain, predicted meander belt, or drip-line of the significant vegetation contiguous to the valley/stream corridor, for all development and site alteration.
  - b. For grading associated with stormwater management ponds, a minimum 5 metre restored buffer is required from the drip-line of significant vegetation and wetlands provided it can be demonstrated that there will be no negative impact on the features and functions. Where public trails are provided adjacent to stormwater management ponds, they should be located along the street frontage of such facilities.
  - c. All buffers will be established in accordance with Provincial requirements. Where a conflict exists between Provincial requirements and the above policies, the more restrictive provision or standard shall apply.
- vii. Known evaluated wetlands in Block 40/47 shall be assessed for their significance in accordance with the criteria defined in the Ontario Wetland Evaluation System and if determined to be Provincially Significant Wetlands, no development shall be permitted.
- viii. An adjacent lands analysis for lands with 120 metres of all wetlands in the Block 40/47 area identified on Schedule "G1" and those determined to be Provincially Significant in accordance with Policy 4.2.1.2.vii must be completed prior to development, and demonstrate that:
- a. There will be no loss of wetland features and functions, including the hydroperiod of the wetland (timing, volume, and duration of water).
  - b. There will be no loss of contiguous wetland area.
  - c. Subsequent demand for development will not cause increased pressure on the wetland in the future.
  - d. The minimum vegetation protection zone between the wetland and the proposed development is sufficient to address items (a) through (c) above.
- ix. Notwithstanding Policy 4.2.1.2.viii, where it is determined by the City and TRCA that it is appropriate to relocate wetlands that are not Provincially Significant, the recreated wetland habitat must be established in accordance with the following requirements:
- a. Wetland habitat must be of a similar nature, character and area.
  - b. Be outside of existing significant features and habitats and that any relocation within the defined valley is in addition to the wetlands that occur in the valley, will constitute an enhancement to the ecological valley system and will be designed with appropriate wetland hydrology.
  - c. Minimize the extent of earth works which may cause additional habitat losses.
  - d. Be outside of the regulated habitat for Redside Dace, or be subject to compliance with

Endangered Species Act requirements.

- e. Suitable for wetland creation in terms of soils and hydrologic conditions.
- f. Construction (including access) of these wetlands will not damage other features.
- x. With respect to the land feature identified as the "Peninsula Lands" within the Block 40 proposed Block Plan, the precise limits of the valley land, and development land, in proximity of and inclusive of the "Peninsula Lands" will be established to the satisfaction of the City and the TRCA through the Block Plan process based on studies and criteria as established by the City in conjunction with the TRCA. If it is determined by the City in conjunction with the TRCA that developable land is identified through these studies and in accordance with the criteria prescribed by the City and TRCA then the Low Density Residential designation will apply to the developable lands without further amendment to this Plan.
- xi. If it is demonstrated that development in the "Peninsula Lands" is appropriate based on policy 4.2.1.2.x, then prior to the approval of any development applications associated with this area, in addition to all requirements of this Plan, the impact on the features adjacent to the Peninsula, including valleylands and seeps, shall be assessed and the following shall be completed to the satisfaction of the City, TRCA and Province:
  - a. That the access to the peninsula be designed and located to minimize alteration of, and intrusion into, the valley.
  - b. That any areas outside of the area deemed appropriate for development be planted in a manner that discourages human entry and enhances the features and functions of the area.
  - c. A cultural/archaeological heritage study be completed and that such features be maintained in situ or removed.
  - d. All development permitted on the Peninsula Lands shall use Low Impact Development (LID) stormwater management techniques, and there shall not be any stormwater management ponds located on the peninsula. Where LID techniques convey surface water into the valley system, it shall also be demonstrated that such conveyance will not have a negative impact on the features or functions within the valley.
- xii. Endangered and Threatened Species and Significant Wildlife Habitat:

The lands within Blocks 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries and wetlands. Both valley land and table land wetland features are present. A substantial, continuous block of forest exists within the well-

defined valley systems, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds and the endangered butternut tree, and provides a range of ecosystem services, meeting the criteria for Significant Wildlife Habitat in the Provincial Policy Statement.

The above aquatic, terrestrial, and landscape attributes combine to create a significant valley system within the context of the Provincial Policy Statement. It is essential that any impacts resulting from urbanization of the area be carefully considered through ecologically-based site design, in accordance with Section 2.7 of this Plan, in order to protect and enhance the long term health, function and ecology of the natural and open space systems within the community and broader watershed landscape, including the population viability of endangered and threatened species and significant wildlife habitat.

- a. Within the lands described above, the habitat of Species at Risk has been identified. Through the preparation of the ME/SP, Block Plan and conditions of development approval, arrangements shall be made for the protection or enhancement of habitat to the satisfaction of the agency having jurisdiction.
- b. The habitat of endangered and threatened species and significant wildlife habitat shall be identified and mapped.
- c. Development or site alteration is not permitted on adjacent lands to significant habitat of endangered and threatened species or significant wildlife habitat unless it is demonstrated that there will be no negative impacts on the feature or its ecological function, or where compliance with Endangered Species Act requirements has been demonstrated.

xiii. Greenbelt Plan

The Block Plan and any further Planning Act applications required to implement the permitted uses within Block 40/47 are subject to the transitional provisions of Section 24(2) of the Greenbelt Act.

xiv. Monitoring:

To provide for testing and maintenance of the final development form in the future for the lands identified in this Section, a monitoring program shall be established through the MESP process, which may assess the following:

- a. Success/functions of buffer restoration areas.
- b. Success/functions of habitat compensation areas.
- c. Function of Low Impact Development (LID) measures.
- d. Features that are subject to features-based water balance (headwater drainage features and small tributaries and wetlands) to confirm their post development function, including flows and erosion.

- e. Erosion and sediment controls (including pond clean outs) in terms of water quality.
- f. Other areas related to ground and surface water conditions as required by TRCA and the City."

7. Amending Section 4.2.1.3.1 by adding the following policy:

- "d. Notwithstanding the above, within the lands of Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive designated as Medium Density Residential-Commercial on Schedule B, the following shall apply:
  - i. The minimum net residential density on any site shall be 11 units per net residential hectare. The maximum net residential density on any site shall be 40 units per hectare, with the exception of the lands at the south east corner of Pine Valley Drive and Teston Road which shall permit a maximum net density of 80 units per hectare and stacked townhouses and low rise apartment buildings to a maximum building height of 5 storeys shall also be permitted.
  - ii. Notwithstanding Policy 4.2.1.3, commercial uses shall not be permitted within the Medium Density Residential-Commercial designation located on the west side of Pine Valley Drive south of the Primary Road."

8. Amending Section 4.2.2.4.1, Neighbourhood Commercial Centre, by adding subsection ii., as follows:

- "ii. Notwithstanding the policies above, the following shall apply to the lands located on the southeast corner at the intersection of Teston Road and Pine Valley Drive and designated Neighbourhood Commercial Centre on Schedule "B":
  - a. The Gross Leasable Area (GLA) may be less than 5,000 square metres."

9. Amending Section 4.2.4.1 – Greenway Systems by adding the following section:

- "vi. The identified Greenway System on Schedule "B" within Block 40/47 is considered conceptual to allow the City to investigate the feasibility of providing public trails and crossings within the valley system and to evaluate connections with other potential public trail initiatives within the Humber River. The feasibility shall consider, amongst other matters, the impact on features and functions within the Valley in consultation with the TRCA and MNR. In the event it is determined that the construction of the Trail is not feasible, an amendment to the Official Plan will not be required to approve the Block Plan."

10. Amending Section 4.2.6.4, Planning for Cultural Heritage Conservation, by numbering the first paragraph of section 4.2.6.4.i as paragraph "a", and adding the following subsections:

- "b. Block 40/47

- i. Heritage impact assessments shall be required for all properties or structures listed within the City's Inventory of Significant Structure prior to Block Plan approval to determine the need for any mitigation. In addition, the potential realignment of Teston Road and Pine Valley Drive shall consider the potential impact on the existing property that has been listed in the City's Inventory located at the southeast corner of Teston Road and Pine Valley Drive, municipally known as 10733 Pine Valley Drive.

The Stage 1 and Stage 2 Archaeological Assessments prepared for the area have identified a number of archaeological sites or find spots. Prior to development proceeding, further archaeological assessment will be submitted for approval to the Ministry of Tourism and Culture as required.

- ii. Prior to any development occurring in Blocks 40 and 47, a heritage impact assessment for the area of the East Humber River tributary shall be conducted to determine whether or not the area constitutes a cultural heritage landscape.
- iii. Lands designated "Urban Area" within Block 40/47 are shown on Schedule "B". As of May 9, 2012, these lands are subject to a conditional donation agreement between the owner and the Toronto and Region Conservation Authority (TRCA) that contains provisions for these lands to be transferred into public ownership. The lands have been assessed and surveyed by the Ministry of Tourism and Culture and qualified archaeologists. As part of the preparation of the Block Plan, Urban Design Guidelines and Landscape Master Plan, an appropriate interface with the adjoining residential development, including incorporating other forms of creditable parkland adjacent to the lands designated as "Urban Area", shall be established. As an ongoing land donation process has been entered into between the owners of the lands identified as "Urban Area" and the TRCA, the following policies shall apply to the "Urban Area" until completion of the donation process, at which time a redesignation shall be initiated by the City through an Official Plan Amendment in consultation with the Province and First Nations:
  - A. The lands designated as "Urban Area" shall be the subject of a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA 600. Subsequent detailed planning of the area shall address the requirements of the Block Plan process.
  - B. The lands designated as "Urban Area" shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA 600 until such time as they are redesignated to specific urban land use categories, by an amendment to this Plan, adopted by the City and approved."

11. Amending Section 5.10 "Wetland Protection", by deleting the first paragraph and substituting therefor the following:
  - \*1. The Provincially Significant King-Vaughan Wetland Complex, the Provincially Significant Phillips-Bond Thompson Lake Wetland Complex located in Vaughan and the Provincially Significant East Humber Wetland Complex within the Block 40 and 47, north of Cold Creek, south of Teston Road, east and west of Pine Valley Drive are identified on Schedule "G1". The locally significant Tormore Wetland Complex and the locally significant Keele Wetland are also identified on Schedule "G1".\*
  
12. Deleting Subsection 1 of Section 5.10.1 in its entirety and substituting therefor the following:
  - \*1. The Provincially Significant King-Vaughan Wetland Complex, the Provincially significant Phillips-Bond Thompson Lake Wetland Complex and the Provincially Significant East Humber Wetland Complex is identified on Schedule "G1". These wetland complexes shall be protected from incompatible development.\*
  
13. Amending Section 8.2.3, Arterial Roads, by adding the following subsections after paragraph "g":
  - \*h. The Pine Valley Drive and Teston Road realignment for the purposes of eliminating the existing jog remains under review. The preferred alignment is being considered by the Region of York and all options for right-of-way requirements are being protected. As such, the general location of lands within Blocks 40 and 47 that may be affected by the realignment are shown on Schedule "B". These lands may be subject to Holding Symbol provisions under the Planning Act, implemented through subsequent development applications. If it is determined through the Environmental Impact Assessment review that the lands are not required for the realignment, the underlying land use designations identified in this Plan shall prevail, without the need for further amendment to this Plan.
  - i. Road intersections within the Regional road system shall be designed in conformity with York Region's Road Design Guidelines.\*
  
14. Amending Section 8.2.4, Primary Roads and Collector Roads, by adding subsection "viii" to paragraph "c", as follows:
  - \*viii. Notwithstanding Section 8.2.4.c.i., Primary Roads in the Block 40/47 area shall consist of 20.0m and 23.0m public right-of-ways and shall be established through the approval of the Block 40/47 Block Plan and Draft Plans of Subdivision.\*

V IMPLEMENTATION

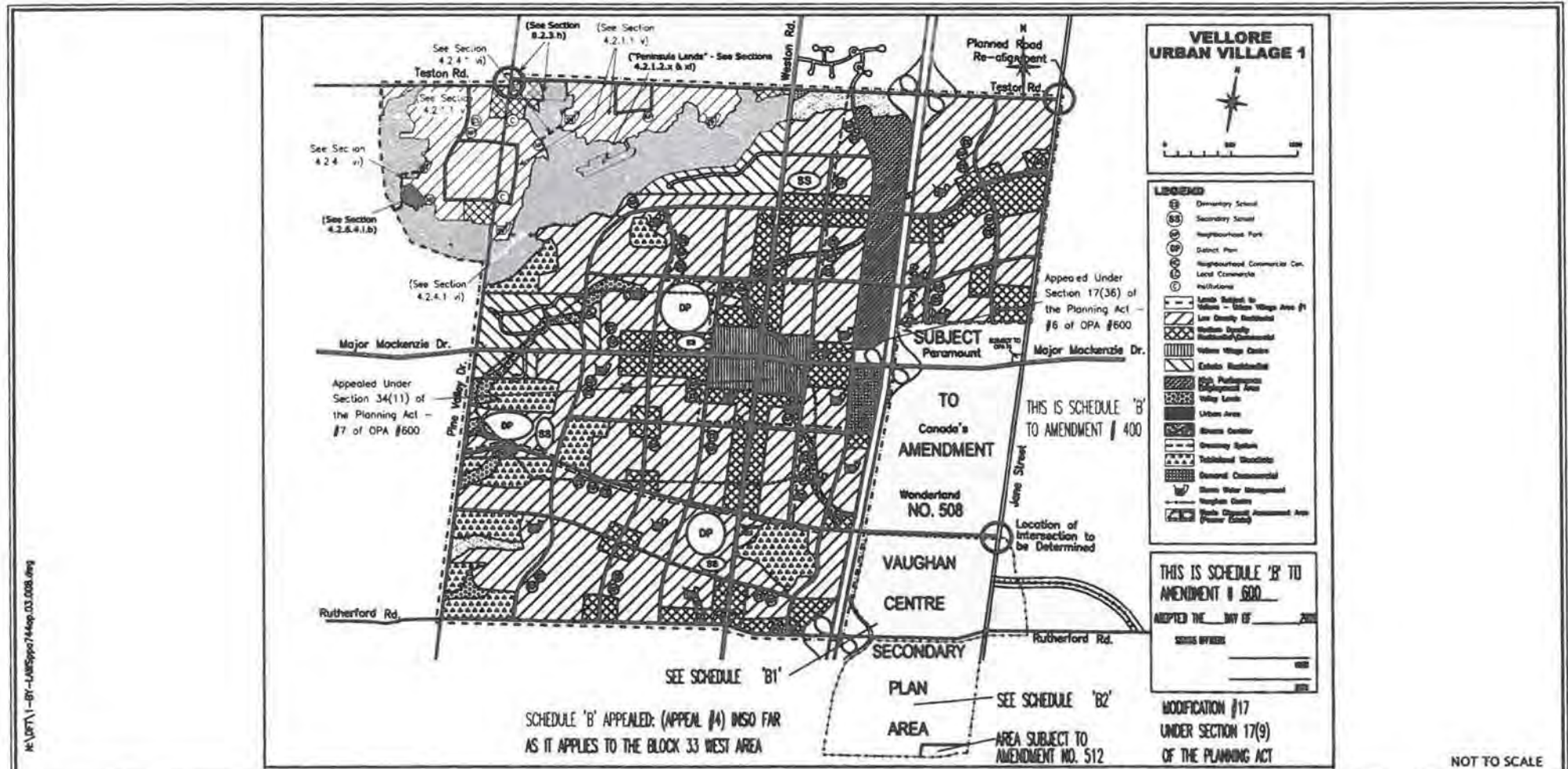
It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the subject lands



will be implemented by way of preparation and approval of Block Plan(s), plans of subdivision, amendments to the zoning by-law and site plan approval(s), pursuant to the Planning Act and the requirements of OPA 600.

## 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.



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FILE No.: OPA 744  
 RELATED FILE: OP.03.008  
 LOCATION: Part Lots 23-25, Concessions 6 & 7  
 APPLICANT: PINE HEIGHTS ESTATES  
 CITY OF VAUGHAN

**THIS IS SCHEDULE '1'  
 TO AMENDMENT No. 744**  
 ADOPTED THE 18<sup>th</sup> DAY OF FEB., 2014

SIGNING OFFICERS  
 \_\_\_\_\_ MAYOR  
 \_\_\_\_\_ CLERK

TOWNSHIP OF KING

THIS IS SCHEDULE 'G1' TO AMENDMENT NO. 600

ADOPTED THE 25<sup>th</sup> DAY OF SEPTEMBER, 2000

SIGNING OFFICERS

L. JACKSON

J. LEITCH

Wetland Designation  
Provisionally Designated  
Natural Heritage

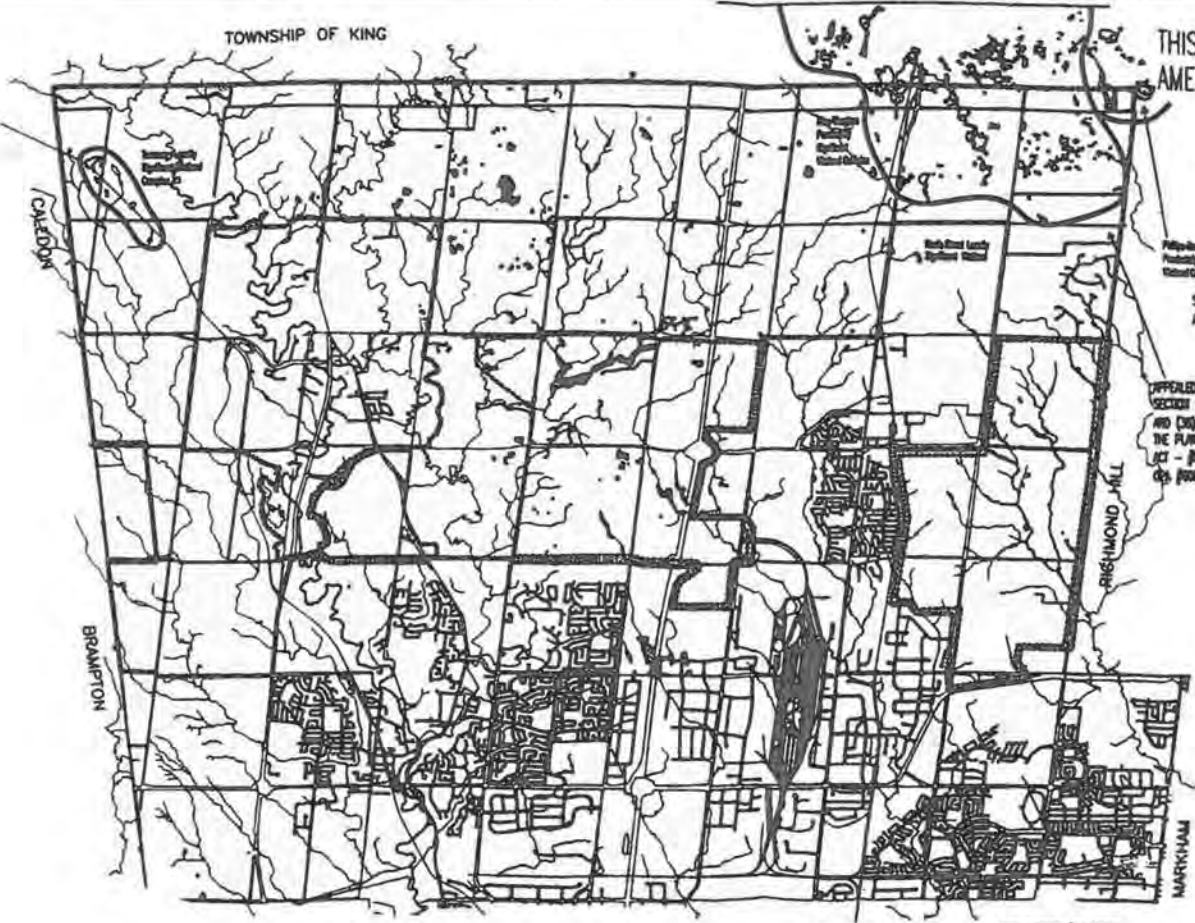
SCHEDULE 'G1' APPLIED: (APPENDIX A) NOT FOR AS IT APPLIES TO THE BLOCK 33 TEST AREA.

OFFERED UNDER  
SECTION 17(24)  
AND (26) OF  
THE PLANNING  
ACT - Pt. II OF  
O.P.A. 600

WETLANDS

**LEGEND**

- DEVELOPMENT AREAS
- OPA 600 AREA
- PROVISIONAL WETLAND
- CLASSIFIED WETLAND
- WETLAND ACCORD BY OPA 600



TORONTO

MODIFIED #17 UNDER SECTION 17(24) OF THE PLANNING ACT

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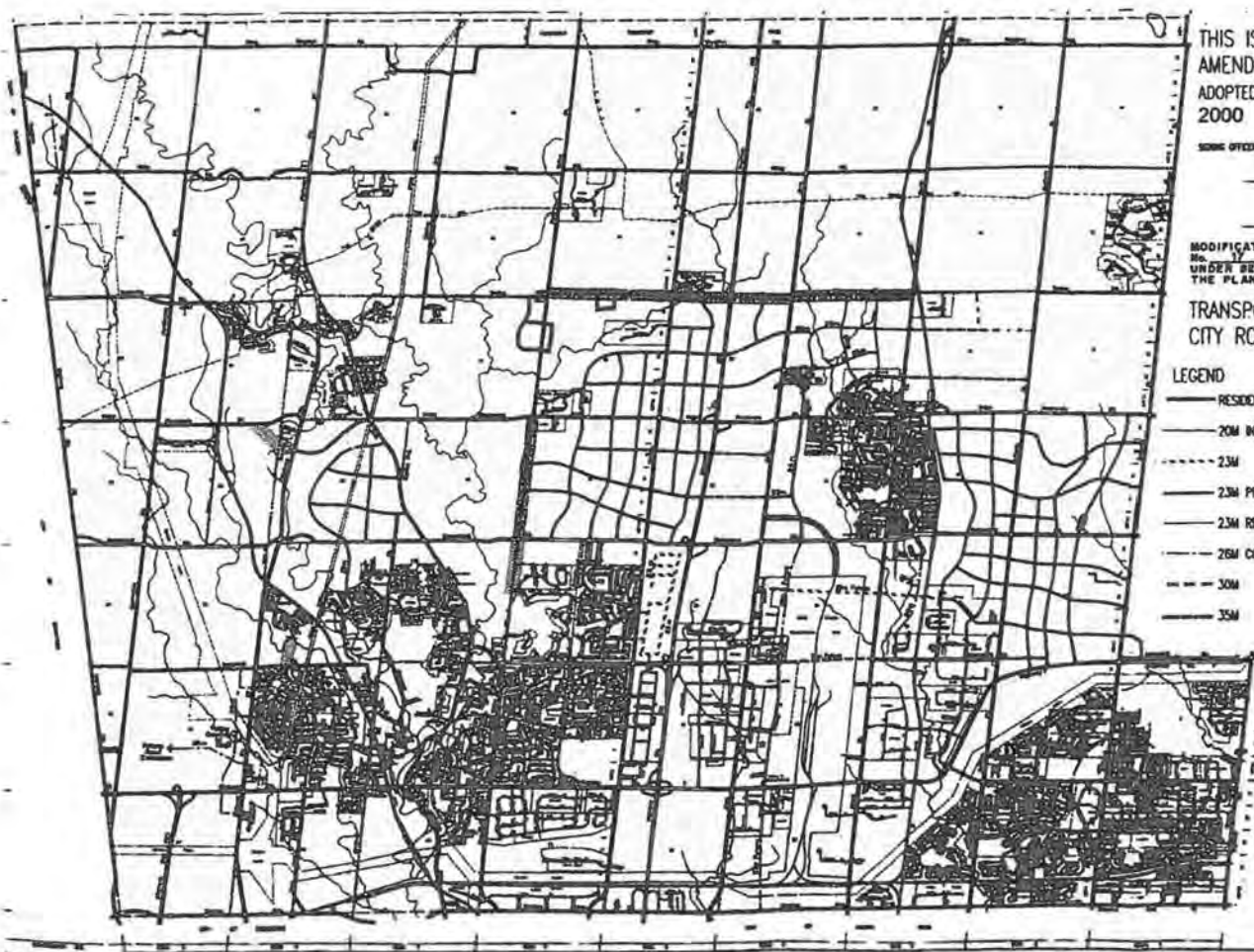
NOT TO SCALE

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FILE No.: OPA 744  
 RELATED FILE: OP.03.008  
 LOCATION: Part Lots 23-25, Concessions 6 & 7  
 APPLICANT: PINE HEIGHTS ESTATES  
 CITY OF VAUGHAN

THIS IS SCHEDULE '2'  
 TO AMENDMENT No. 744  
 ADOPTED THE 18<sup>th</sup> DAY OF FEB. , 2014

SIGNING OFFICERS  
  
 MAYOR  
  
 CLERK



THIS IS SCHEDULE 'J' TO  
 AMENDMENT NO. 600  
 ADOPTED THE      DAY OF       
 2000

SIGNING OFFICERS  
 \_\_\_\_\_  
 \_\_\_\_\_

MODIFICATION  
 No.       
 UNDER SECTION 17(1) OF  
 THE PLANNING ACT

TRANSPORTATION -  
 CITY ROAD NETWORK

- LEGEND
- RESIDENTIAL LOCAL
  - 20M INDUSTRIAL
  - - - 25M
  - 25M PRIMARY (PLANNED)
  - 25M RESIDENTIAL FEEDER
  - - - 26M COLLECTOR
  - - - 30M
  - 35M
  - PARTIAL HIGHWAY 400 INTERCHANGE
  - 25M PRIMARY (FUTURE)

SCHEDULE 'J' APPEALS:  
 (APPEALS BY A RD BY SOFAR  
 AS IT APPLIES TO THE  
 IMPLEMENTATION OF THE PINE  
 VALLEY LINK, (APPEAL #1)  
 IN SO FAR AS IT APPLIES TO  
 THE BLOCK 23 WEST AREA.

IMPROVEMENTS  
 (AS PER CITY WIDE  
 TRANSPORTATION STUDY)

NEW LINKS

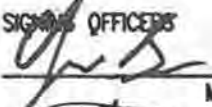

\*The Ministry of Transportation consultation and approval is required to implement the following initiatives: several extensions of Highway 400 to Union Village 1; the extension of Highway 400 to the Creditview Point station; the new link immediately west of Highway 400 in the location relative to the proximity of the range of Major Mackenzie Interchange; and three proposed roads in the Union Village 2 intersecting with Highway 7.

THIS IS SCHEDULE 'J' TO  
 AMENDMENT NO. 200

NOT TO SCALE

FILE No.: OPA 744  
 RELATED FILE: OP.03.008  
 LOCATION: Part Lots 23-25, Concessions 6 & 7  
 APPLICANT: PINE HEIGHTS ESTATES  
 CITY OF VAUGHAN

THIS IS SCHEDULE '3'  
 TO AMENDMENT No. 744  
 ADOPTED THE 18th DAY OF FEB., 2014

SIGNING OFFICERS  
  
 \_\_\_\_\_ MAYOR  
  
 \_\_\_\_\_ CLERK

## APPENDIX I

The subject lands are located on the south side of Teston Road, east and west of Pine Valley Drive, north of Cold Creek, being part of Lots 23, 24, and 25, Concessions 6 and 7, City of Vaughan.

On November 26, 2013, Committee of the Whole considered a report and the following recommendations from the Commissioner of Planning with respect to Official Plan Amendment File OP.03.008 (Pine Heights Estates):

1. Official Plan Amendment Application OP.03.008 (Pine Heights Estates) BE APPROVED, as an amendment to OPA 600, and that the amendment forming Attachments 3, 4A, 4B and 4C to this report be brought forward for adoption, subject to final staff review;
2. That upon approval, the amendment be incorporated into Volume 2 of the Vaughan Official Plan 2010."

At the November 26, 2013 Committee of the Whole meeting the following resolution was recommended for adoption:

*"The Committee of the Whole recommends:*

- 1) *That the recommendation contained in the following report of the Commissioner of Planning, dated November 26, 2013, be approved, subject to the addition into section 10.3 of the draft amendment of the policy language referred to in Communication C1, from Mr. John Zipay, Gilbert Court, Burlington, dated November 12, 2013, and Communication C7, from the Commissioner of Planning, dated November 26, 2013;*
- 2) *That the following be approved:*
  1. *That Official Plan Amendment Application OP.03.008, be approved as an amendment to OPA 600, and that the amendment forming Attachments 3, 4A, 4B and 4C to this report be brought forward for adoption, subject to final staff review and Council consideration of the proposed revisions contained in the submission dated November 25, 2013, from KLM Planning Partners Inc.;*
  2. *That upon Council approval of this amendment and upon withdrawal or resolution of owners OMB appeals of the Vaughan Official Plan 2010, this amendment become part of site specific policies of volume 2 of the VOP 2010;*
  3. *That subject to staff review and confirmation by appropriate authorities, the limits of development for Block 40/47, save and except storm water management ponds shown in the MESP and Block Plan, shall be the greater of the development limit staked by the Schaeffer and Dzaldov Limited, June 2004 (including top-of-bank and significant vegetation), the long term stable top of bank, flood plain, predicated meander belt, and the Provincially Significant Wetlands within the valley, plus the appropriate buffers as required in the approved Official Plan Amendment;*
  4. *That staff include an appropriate mitigating measure between the proposed block plan farmland to the south including but not limited to a fence and or vegetation buffer; and*
  5. *That staff report back to Council on their assessment of the above recommendations;*
- 3) *That the deputation of Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, and Communication C17, dated November 25, 2013, be received; and*
- 4) *That the coloured elevation drawings submitted by the applicant be received."*

On December 10, 2013, Vaughan Council considered the November 26, 2013 recommendation of Committee of the Whole to amend Official Plan Amendment No. 600 and resolved the following:

"Item 44, Report No. 52, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on December 10, 2013, as follows:

*By striking out recommendations 1) and 2) of the Committee of the Whole, dated November 26, 2013 and approving the following:*

*That the recommendation in the report of the Commissioner of Planning, dated November 26, 2013, be approved, subject to the following amendments:*

- 1) *THAT Council adopt the modified language set out in proposed Policy 4.2.6.4 (b) (iii), forming Attachment 2 to Communication C9 of the Commissioner of Planning, dated December 10, 2013, to maintain the original intent of Policy 4.2.1.2 of OPA 600, until completion of the conditional donation process for the subject lands, at which time a redesignation to a more appropriate land*

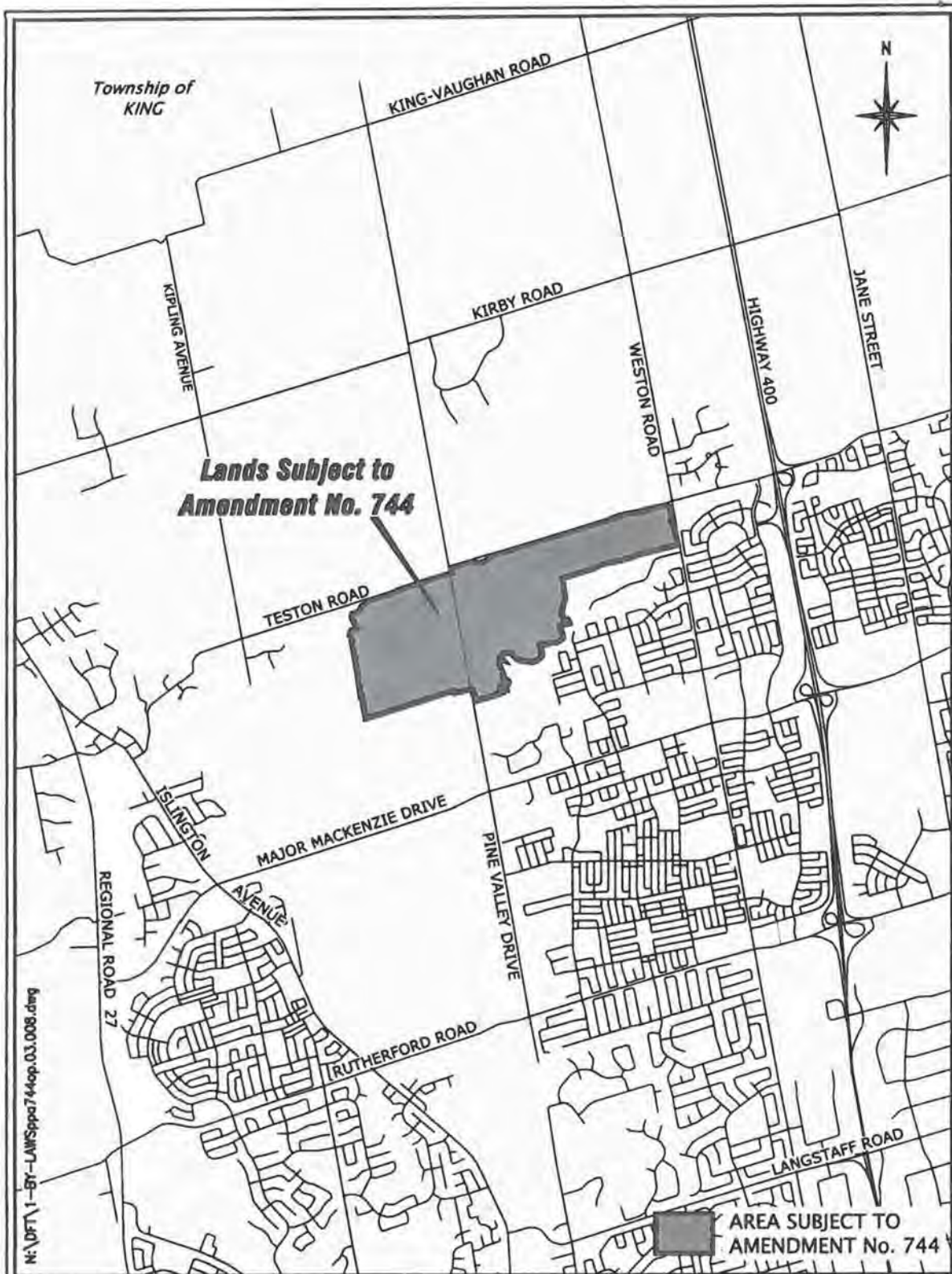
*use such as the Historical Site designation described above shall be initiated by the City through an Official Plan Amendment in consultation with the Province and First Nations.;*

- 2) *THAT the detailed development limits will be subject to additional assessment and refinement through the Block Plan process; and*

*That the following Communications be received:*

*C3. Mr. David Toyne, dated November 25, 2013; and*

*C12. Mr. Mark Yarranton, KLM Planning Partners Inc., Jardin Drive, Concord, dated December 6, 2013."*



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## APPENDIX II

NOT TO SCALE

# LANDS SUBJECT TO AMENDMENT No. 744

## OFFICIAL PLAN AMENDMENT No. 744

FILE No.: OPA 744  
 RELATED FILE: OP.03.008  
 LOCATION: Part Lots 23-25, Concessions 6 & 7  
 APPLICANT: PINE HEIGHTS ESTATES  
 CITY OF VAUGHAN

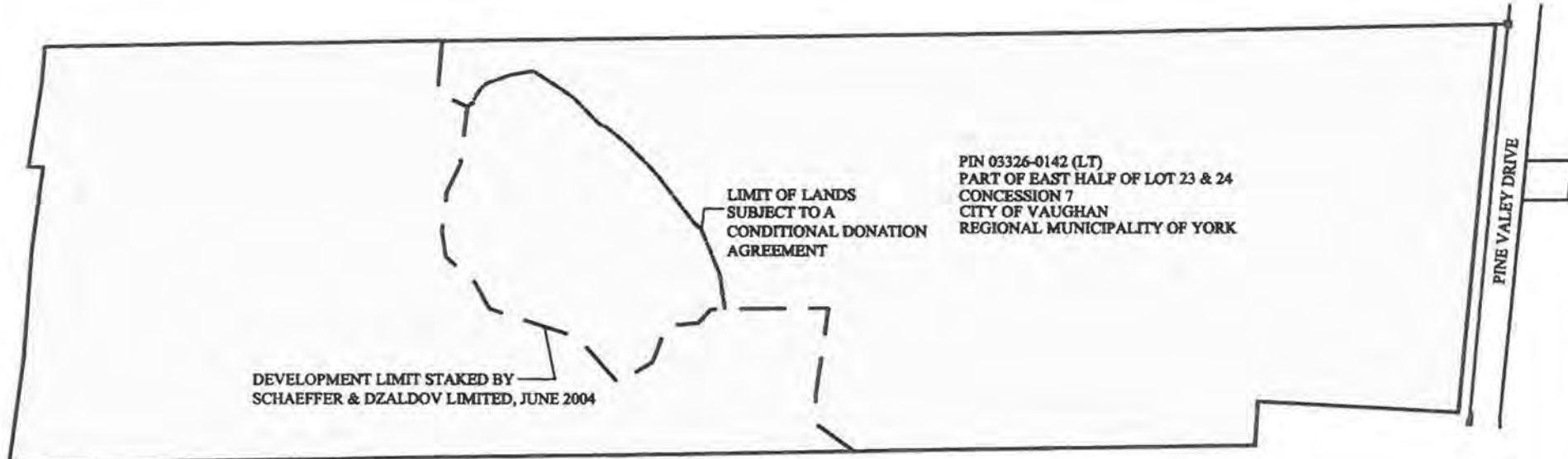
SIGNING OFFICERS

 MAYOR

 CLERK







PIN 03326-0142 (LT)  
 PART OF EAST HALF OF LOT 23 & 24  
 CONCESSION 7  
 CITY OF VAUGHAN  
 REGIONAL MUNICIPALITY OF YORK

LIMIT OF LANDS  
 SUBJECT TO A  
 CONDITIONAL DONATION  
 AGREEMENT

DEVELOPMENT LIMIT STAKED BY  
 SCHAEFFER & DZALDOV LIMITED, JUNE 2004

PINE VALEY DRIVE

SOURCE: SCHAEFFER DZALDOV BENNETT LTD.  
 DRAWING FILE 00-246-28\_MAY\_7\_12.dwg

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NOT TO SCALE

**APPENDIX IV**  
**LANDS SUBJECT TO A CONDITIONAL**  
**DONATION AGREEMENT**  
**OFFICIAL PLAN AMENDMENT No. 744**

FILE No.: OPA 744  
 RELATED FILE: OP.03.008  
 LOCATION: Part Lots 23-25, Concessions 6 & 7  
 APPLICANT: PINE HEIGHTS ESTATES  
 CITY OF VAUGHAN



**YORK REGION MODIFICATIONS**

1. Amending Schedule 1 to Amendment No.744, by changing the land use designation for lands located at the southwest corner of Pine Valley Drive and the southerly Primary Road access (Street 1) from “Medium Density Residential/Commercial” to “Low Density Residential”.
2. Amending Paragraph 5, Section IV, by deleting clause v.b. and substituting therefore the following:
  - b. Street Townhouses shall also be permitted in the Low Density Residential Area, within the above noted lands, provided that they are located adjacent to Pine Valley Drive and/or south of Street 1, as shown on Schedule 1, provided that no Townhouse lots shall abut the southerly residential boundary of Block 47. The maximum permitted density within the areas specified above shall not exceed 18 units per net residential hectare.
3. Amending Paragraph 6, Section IV by adding the following clause xv:
  - xv. Compatibility with adjacent Rural Uses  
 Residential Uses, as provided for in this Plan, shall be developed in a manner that is compatible with adjacent Rural/Agricultural Uses. Measures to ensure compatibility will be considered and implemented through the draft plan of subdivision/zoning approval process. Such measures may include: the provision of buffer areas, landscaping and screening, setbacks, building massing and grading measures that minimize the use of retaining structures.
4. Amending Section IV, Paragraph 7, by deleting clause d.ii., removing the specified restriction for the commercial use within the “Medium Density Residential-Commercial” designations on the west side of Pine Valley Drive south of the Primary Road.
5. Amending Paragraph 6, Section IV, by deleting clause x. and xi. and by further amending Schedule “1” being Schedule “A” “Land Use” to OPA 600 by redesignating the “Peninsula lands” to “Municipal Park” and adding the following clause:
  - x. With respect to the land feature identified as the Peninsula Lands within the Block 40 proposed Block Plan, the precise limits of the “Municipal Park” designation for the Peninsula lands as shown on Schedule “1” of this Plan will be established in consultation with the Toronto and Region Conservation

Authority. Such determination will be made through the Draft Plan of Subdivision process for the subject lands and will be reflected in the implementing Zoning By-law subject to the following:

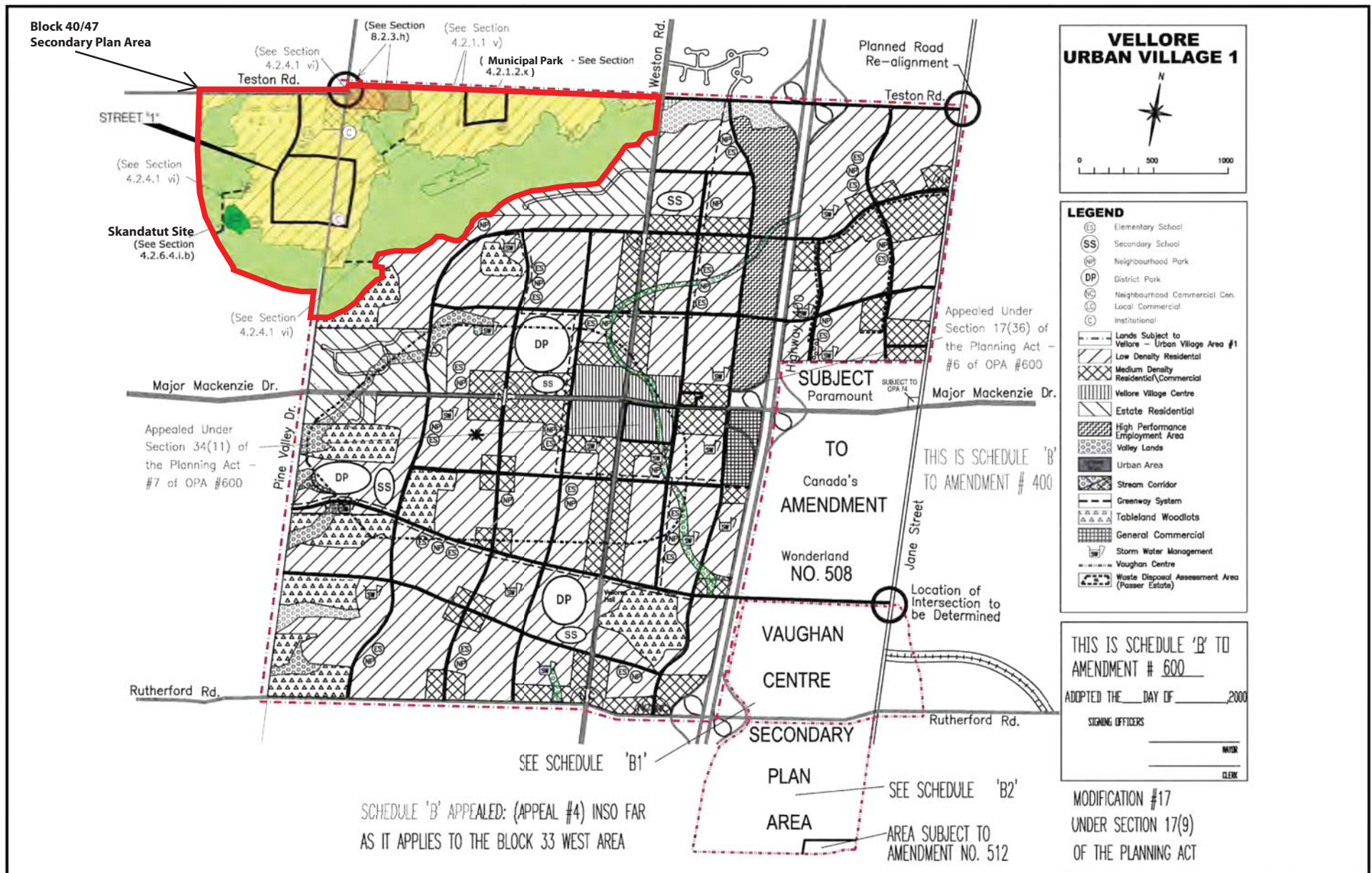
(New Policy V.X.A)

That subject to the final determination of the Municipal Park limits, those lands will be considered creditable park area under the Planning Act. The final determination of the park area will be based on the limits of the greater of the staked top-of-bank, stable top-of-slope and limit of significant vegetation, excluding any land encumbered by easements and any residual areas that are constrained for park use by virtue of the irregular configuration that is not usable for park purposes, to the satisfaction of the City of Vaughan; and

That any access to the Peninsula lands be designed and located to minimize alteration of, and intrusion into the valley lands to the satisfaction of the City, the TRCA and Province;

That notwithstanding the above, the park shall be provided in accordance with the standard terms and conditions of the City's subdivision agreement.

6. Amending Paragraph 6, Section IV, by renumbering xii, xiii and xiv to xi, xii and xiii.



**SOURCE: City of Vaughan, Policy Planning as modified by York Region, Community Planning and Development Services**



**David R. Donnelly, MES LLB**  
**david@donnellylaw.ca**

August 7, 2014

**Via E-mail to [regional.chair@york.ca](mailto:regional.chair@york.ca)**

Bill Fisch, Chairman and CEO  
Regional Municipality of York  
17250 Yonge St., P.O. Box 147  
Newmarket, ON L3Y 6Z1

Dear Chairman Fisch,

**Re: City of Vaughan Official Plan Amendment No. 744  
Development of Block 40/47**

Donnelly Law represents Ms. Gillian Evans and Mr. David Toyne, residents of Upper Cold Creek Farm, located at 10240 Pine Valley Dr., Woodbridge, directly adjacent to the proposed new large-scale sub-division development located at Part of Lots 8 and 9, Concession 8, City of Vaughan ("Block 40/47"). Block 40/47 comprises 1,392 units of single and semi-detached houses, townhouses and commercial development. The Plan has been revised several times, with increased density at each new iteration and has become non-conforming to the original OPA 600 which called for estate lots

Until very recently, my client was never consulted about the compatibility of locating such intense urban development adjacent to a working farm. Agricultural land and farm operations are a priority of the Government of Ontario.

Upper Cold Creek Farm was originally owned and operated by Mr. Grant Glassco, Ms. Evans' grandfather, as a thriving beef cattle farm until his death in the late 1960's.

At that time Mr. Glassco gave almost 500 acres of the land to the Ontario Heritage Trust, to be protected as a natural landscape in perpetuity. Upper Cold Creek Farm is also located within southern Ontario's Greenbelt.

On June 24, 2014, the City of Vaughan (the "City") Council approved City staff's recommendations to adopt Official Plan Amendment No. 744 ("OPA 744"), along with revisions, in relation to Block 40/47.

My client is concerned that if OPA 744 is approved as recommended by City Council, the vagueness of Section 5 a iii) will lead to a lack of protection and potential conflict between the current agricultural land use and the proposed adjacent urban land use, forcing the family to appeal OPA 744 to the Ontario Municipal Board.

OPA 744 does not provide sufficient protection for Upper Cold Creek Farm and other adjacent agricultural lands. The dramatically different urban environment will create near certain conflicts, as the noise, dust, odours, etc. of the farm operation smack up against new homeowners expecting perfect tranquility as they sit out on their back decks.

In our client's opinion, at present there is a lack of sufficient transition measures proposed between the agricultural and urban landscapes that are of specific concern. The City's proposed amendment to Section 5a iii) of OPA 744 states:

**xv. Compatibility with Adjacent Rural Uses**

Residential Uses, as provided for in this Plan, shall be developed in a manner that is compatible with adjacent Rural/Agricultural Uses. Measures to ensure compatibility will be considered and implemented through the draft plan of subdivision/zoning approval processes. Such measures may include: the provision of buffer areas, landscaping and screening, setbacks, building massing and grading measures that minimize the use of retaining structures;

This provision is not sufficient to protect our client's existing land uses and rights. The farm was there first and has a right to continue its present operations of beef cattle ranching as well as contemplate other farm activities including possible chicken/egg farming and wind farming. The need to buffer the adjacent farm properties from the proposed development is paramount to protect individuals and livestock from each other. The safety of future residents and their families as well as the livestock that graze the fields abutting the development must be a priority. Fencing and aggressive buffering must be included on the

development lands to clearly place responsibility for these measures on the developer or the City, not the existing land owners.

Common sense would also seem to dictate that where the Greenbelt has been established and encouraged uses are flourishing e.g. agriculture, the City, York Region and the Ministry of Municipal Affairs and Housing, not to mention the Ontario Ministry of Agriculture, Food and Rural Affairs, would ensure Greenbelt values are protected in the same manner existing industrial operations are pro-actively buffered in new land use plans against residential encroachment. We can think of numerous examples where this has been the case.

Please accept this letter as notice that our client seeks notice of any upcoming Regional consideration of Block Plan 40/47, with an intention to appeal, if approved as is.

Please feel free to contact me at [david@donnellylaw.ca](mailto:david@donnellylaw.ca), copying [daniela@donnellylaw.ca](mailto:daniela@donnellylaw.ca) or 416-572-0464 to discuss this matter.

Yours Truly,

A handwritten signature in black ink, appearing to read 'D. R. Donnelly', with a long horizontal flourish extending to the right.

David R. Donnelly



# LOOPSTRA NIXON LLP

BARRISTERS AND SOLICITORS

Quinto M. Annibale\*  
\*Quinto Annibale Professional Corporation  
Direct Line: 416-748-4757  
E-mail: qannibale@loonix.com

September 3, 2014

**By E-Mail**  
**Original by Courier**

Corporate Services Department  
Regional Municipality of York  
York Region Administration Building  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

**Attention: Regional Chair and Members of Regional Council**

Dear Regional Chair and Members of Regional Council:

**RE: OPA No. 744**  
**Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo,**  
**and Cathy Campione**  
**Part of Lot 23, Concession 7 and Part of Lot 24, Concession 7, Being Part 1**  
**of Plan 65R32195 S/T Interest in VA85349, City of Vaughan**  
**10390 Pine Valley Drive, City of Vaughan**

I am the solicitor for Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo, and Cathy Campione respecting the aforementioned matter.

I have reviewed a copy of Mr. Donnelly's letter dated August 7, 2014, written for his clients Gillian Evans and David Toyne related to this matter. My client's lands abut Mr. Donnelly's clients' lands immediately to the north. On behalf of my clients I wish to respond as follows:

*Lack of Consultation with Mr. Donnelly's Clients:*

1. Mr. Donnelly's clients received the same notice that everyone else did respecting OPA No. 744. Notice was given and was in accordance with the requirements of the *Planning Act*. In fact, I understand that the requirements may have exceeded the requirements of the *Planning Act*.

It is apparent from the correspondence on the records that Mr. Toyne made submissions on OPA No. 744 to the City of Vaughan and Vaughan Regional Councillors as early as November 26, 2013, June 17, 2014, and as recently as Tuesday of this week.

*Vagueness of Section 5(a)(iii):*

2. Section 5(a)(iii) (section IV, Paragraph 6, sub paragraph XV) is not vague. It is clear and extremely comprehensive as to the measures that may be incorporated to screen and buffer the Evans/Toyne lands from my clients' lands. There is no limit on the number and type of measures that may be imposed to deal with the issue raised by Mr. Donnelly's clients and it is fully expected that these measures will be implemented at the Draft Plan Approval and Re-





Zoning stages. Accordingly, this does not give rise to a reason for an appeal and any such appeal in my view would be frivolous.

*Separation of Agricultural and Urban Uses:*

3. OPA No. 744 recognizes that there will be a transition between uses and provides for the mitigation of any negative impacts of those uses by the inclusion of the requirement of section 5(a)(iii) (section IV, Paragraph 6, sub paragraph XV).

NAK Design Strategies has prepared a landscape plan which was submitted to the City of Vaughan. Vaughan staff reviewed the proposed landscape plan and provided comments, including a request that my clients remove a proposed retaining wall which my clients agreed to do. It should be evident through these actions that my clients are prepared to implement appropriate screening and buffering. These matters are more appropriately dealt with, however, at the plan of subdivision stage, not at the Official Plan stage.

*Greenbelt Conformity:*

4. The Province, the Region, and the City are satisfied that OPA No. 744 is transitioned under the Greenbelt Plan. To quote from the Region's Report: "The Secondary Plan was submitted in 2003 and is therefore transitioned under the Greenbelt Plan. The Greenbelt area located within the Secondary Plan is being protected by the valley lands and the greenway designations".

*Continuation of Existing Agricultural Uses:*

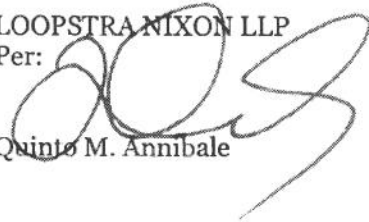
5. Nothing in my clients' application or OPA No. 744 restricts Mr. Donnelly's clients' lawful agricultural operations.

We agree with the Report of the Commissioner of Transportation and Community Planning which states that OPA No. 744 is consistent with the Provincial Policy Statement 2014, reflects the guiding principles of the Growth plan 2006, is in keeping with the York Region Official Plan 1994, protects all regional interests, and should be approved by Regional Council.

Should you have any questions with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours truly,

LOOPSTRA NIXON LLP  
Per:

  
Quinto M. Annibale

cc: Mr. Dennis Kelly, Regional Clerk  
Client

QMA/scf



**Attention: Regional Chair and Members of Regional Council**

Dear Regional Chair and Members of Regional Council:

**RE: OPA No. 744 – Buffering between housing and farming**

We are writing today to the York Regional Chair and Councilors as they consider the matter of buffering active farmland in the City of Vaughan (and the Region in general) from urban development and as they weigh the need to balance development against their commitment and legal responsibility to the safety of area residents and farming practices.

We have made deputations at both Committee of the Whole meetings in Vaughan and York Region over the past 10 days. The Ontario Federation of Agriculture, The York Region Agriculture Committee and Friends of the Greenbelt Foundation have submitted letters of strong support for our case. These organizations represent the interests of thousands of area residents. **Our plea is for leadership, reason and common sense to prevail** in the policy direction you give planners as it relates to aggressively buffering farmland from urban development. At stake are the safety of area residents and the future of our farming practices. We urge you not to let this opportunity pass.

Our farm, Upper Cold Creek Farm is situated immediately adjacent to the Omega Development lands in the southern and western most area of Block 40/47. The 200 acres are active lands used by our cattle throughout the spring, summer and fall. And it is here that we need a best practice buffer. We harbour grave concerns around the safety of future residents as they come into proximity with farm animals and farming practices. And from our perspective, our concerns as abutting land owners and farmers are based on the issues of trespass, harassment of livestock, conflict around use of farm machinery, *bio-security*, invasive plants, liability, litter, vandalism and privacy. We were here first, we are not changing the land use and to be clear, we are in the Greenbelt and we **cannot** change the land use. The developer is – the onus must be on the developer to accommodate the buffer.

One of the reasons we are so concerned that Regional Council exert leadership in this situation is the very discouraging draft plan of subdivision, which was reported on and submitted by the planning department of the City of Vaughan last week. **It made no mention of the Special Provisional Area 1, which is the area Vaughan City Councilors', called out for proper buffering to reflect the incompatible nature of the abutting land uses.** I consider this a firm slap to the face of policy and I am extraordinarily disappointed that City staff allowed this plan to pass their

muster and City Councilors' did not call them nor the developers out on this gross oversight or arrogant abuse of respect for authority.

Furthermore, for the record the buffer recommendation approved by Vaughan was left out (an apparent error) in the original OPA744 submission to York Region, and when it was re-inserted in June it was watered down after lobbying by the developer. And, in the Vaughan City staff report on conditions of block plan approval submitted **yesterday**, the condition to establish a suitable buffer respecting compatibility issues with the adjacent farm uses was NOT included. This important issue is being swept under the carpet.

We continue writing in an effort to maintain our farming lifestyle and help create an environment that will allow our children and future generations to continue in the traditions set out by our grandfather, Grant Glassco (who donated 500 acres of his farm land to the Ontario Heritage Trust to preserve this land in the public interest). Soon the developers will be gone with their profits while we and the future landowners/residents to our north will live on to deal with the issues of incompatibility between our properties and all that brings to local government and the community.

In this respect, we appeal to the common sense and responsibility of the City of Vaughan and Region of York to take a leadership role in establishing a fulsome and respectful buffering policy when urban development abuts active farming and Greenbelt lands.

To do anything short of this is an abdication of responsibility to the safety and enjoyment of future resident's homes and the destruction of a way of life and contribution to Ontario's economy and food supply.

Sincerely,

Gill Evans and David Toyne  
Upper Cold Creek Farm  
10240 Pine Valley Drive  
Woodbridge, Ontario

Cc

Jeff Leal, Minister of Agriculture, Food and Rural Affairs  
Ted McMeekin, Minister of Urban Affairs and Housing  
Steven Del Duca, Minister of Transportation and MPP for Vaughan  
Premier Kathleen Wynne  
Mark Wales, President of the Ontario Federation of Agriculture  
Kim Empringham, York Region Agriculture Committee  
Burkhard Mausberg, Friends of the Greenbelt Foundation  
Suzanne Karajaberkian, Environmental Defence



# LOOPSTRA NIXON LLP

BARRISTERS AND SOLICITORS

**Quinto M. Annibale\***

**\*Quinto Annibale Professional Corporation**

Direct Line: 416-748-4757

E-mail: qannibale@loonix.com

September 10, 2014

## **By E-Mail Only**

Corporate Services Department  
Regional Municipality of York  
York Region Administration Building  
17250 Yonge Street  
Newmarket, Ontario  
L3Y 6Z1

### **Attention: Regional Chair and Members of Regional Council**

Dear Regional Chair and Members of Regional Council:

**RE: OPA No. 744  
Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo,  
and Cathy Campione  
Part of Lot 23, Concession 7 and Part of Lot 24, Concession 7, Being Part 1  
of Plan 65R32195 S/T Interest in VA85349, City of Vaughan  
10390 Pine Valley Drive, City of Vaughan**

As you may be aware, I am the solicitor for Maria Pandolfo, Yolanda Pandolfo, Laura Pandolfo, Giuseppe Pandolfo, and Cathy Campione respecting the aforementioned matter.

I have reviewed a copy of Ms. Evans and Mr. Toyne's letter related to this matter which I believe was provided to the Region of York on September 10, 2014 and which will be considered by Regional Council tomorrow. On behalf of my clients I wish to respond as follows:

#### *Leadership by City and Regional Council:*

1. In their letter, Ms. Evans and Mr. Toyne (the "Objectors") ask for leadership, reason, and common sense to prevail in the decision made by Regional Council respecting this matter. In my respectful submission, City and Regional Staff and Councils have acted with great leadership, reason, and common sense in this matter by balancing the interests of all landowners and recommending the approval of Official Plan Amendment No. 744 ("OPA No. 744") with the proposed modifications. Moreover, in recommending the approval of OPA No. 744, City and Regional Staff and Councils have been guided by good planning principles and all applicable Provincial planning instruments as opposed to the mere conjecture and rhetoric offered by the Objectors.

#### *The Buffering Requested by the Objectors Is Contemplated In OPA No.744:*

2. As you are no doubt aware, OPA No. 744 recognizes that there will be a transition between the uses and provides for the mitigation of any negative impacts of those uses by the inclusion of the requirement of section IV, Paragraph 6, sub paragraph XV. To put it frankly, the Objector's request that "the City of Vaughan and Region of York [to] take a leadership role in establishing a fulsome and respectful buffering policy when urban development



abuts active farming and Greenbelt lands” has been addressed, and will continue to be addressed at the plan of subdivision phase of the proposed development where it is more appropriately dealt with.

My clients have stated for the record on many occasions, and most recently in my letter to Regional council dated September 3, 2014, that they are willing to work with the City and Region to implement reasonable buffering and screening measures.

My clients have attempted to work with the Objectors to come to a reasonable and amicable resolution to this matter, but they have been met with an unwillingness to resolve the issue. In fact, the Objectors have chosen to ignore the efforts and concessions made by my clients by continuing to reference the original plan which has been modified to address the issues they have raised.

*The Concerns Raised by the Objectors:*

3. The concerns raised by the objectors are: (i) trespass; (ii) harassment of livestock; (iii) vandalism; (iv) privacy; (v) the use of farm equipment; (vi) bio security; (vii) invasive plants; and, (viii) litter. None of these concerns relate to land use planning issues and it is therefore inappropriate to consider these concerns or to address the concerns in the context of an official plan amendment.

Moreover, in my opinion the Objectors have not raised any genuine concerns, but rather have just provided Regional Council with a list of potential concerns without any description of what may occur or an explanation as to why such things would be caused by permitting residential development adjacent to their property. For example, it is not enough to simply say the Objectors are concerned with vandalism without proffering any evidence whatsoever as to why this is a real and genuine concern.

It should also be noted that concerns (i), (ii), and (iii) (as numbered above) relate to criminal or quasi-criminal matters addressed by Federal and Provincial statutes including the *Criminal Code* and the *Trespass to Property Act* while issue (viii) (as numbered above) is addressed by the City of Vaughan’s *Dumping and Littering By-law No. 3-2004*. These are matters of enforcement and are not matters of land use planning.

Development of residential communities adjacent to and/or abutting agricultural operations is a common reality in Vaughan and throughout York Region. In my respectful submission, there is nothing proposed in OPA No. 744 which is unique.

*Other Claims Made by the Objectors:*

4. In their letter the Objectors claim that City of Vaughan Staff and “the developers” have committed “gross oversight or arrogant abuse of respect for authority”. This comment is highly inappropriate and is likely defamatory.
5. In their letter the Objectors allege that the buffering issue “is being swept under the carpet”. This allegation is incorrect in fact. As you are aware, and as I noted above, the buffering issue is squarely dealt with in OPA No. 744 at section IV, Paragraph 6, sub paragraph XV.
6. In their letter the Objectors maintain that they are making submissions in an effort to maintain their farming lifestyle. I reiterate that nothing in my clients’ application or OPA No. 744 prevents or even restricts the Objector’s lawful agricultural operations. Throughout the Region’s history many agricultural operations have successfully continued alongside residential developments and I see no reason why this would be any different here.



We agree with the Report of the Commissioner of Transportation and Community Planning which states that OPA No. 744 is consistent with the Provincial Policy Statement 2014, reflects the guiding principles of the Growth plan 2006, is in keeping with the York Region Official Plan 1994, protects all regional interests, and should be approved by Regional Council. We trust that Region Council will make the right decision and not accede to the mere conjecture, rhetoric, and likely defamatory comments submitted by the Objectors.

Should you have any questions with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours truly,

LOOPSTRA NIXON LLP

Per:

A handwritten signature in blue ink, appearing to read 'Quinto M. Annibale', is written over the printed name. The signature is stylized and somewhat illegible due to the cursive nature of the handwriting.

Quinto M. Annibale

cc: Mr. Dennis Kelly, Regional Clerk  
Client

QMA/scf