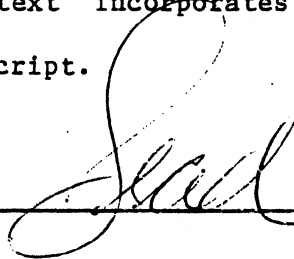


I, JOHN D. LEACH, City Clerk of The Corporation of the City of Vaughan in the Regional Municipality of York, do hereby certify that the attached is a true copy of Amendment Number 94 to the Official Plan of the Vaughan Planning Area which was approved by the Ministry of Municipal Affairs, with modifications, on the 18th day of January, 1980. The attached text incorporates said modifications which are typed in script.



DATED at the City of Vaughan
this 8th day of June, 1994.

THE CORPORATION OF THE TOWN OF VAUGHAN

BY-LAW NUMBER 179-78

A By-law to adopt Amendment Number 94 to the Official Plan of the Vaughan Planning Area.

The Council of The Corporation of the Town of Vaughan

ENACTS AS FOLLOWS:

1. THAT the attached Amendment Number 94 to the Official Plan of the Vaughan Planning Area, consisting of the attached explanatory text and accompanying Schedules "A", "B", "C" and "D" is hereby adopted.
2. THAT the Clerk is hereby authorized and directed to make application to the Ministry of Housing for approval of the aforementioned Amendment Number 94 to the Official Plan of the Vaughan Planning Area.
3. This By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST and SECOND time this 18th day of September, 1978.

G. Williams MAYOR

A. J. [Signature] CLERK

READ a THIRD time and finally passed this 18th day of September, 1978.

G. Williams MAYOR
A. J. [Signature] CLERK
CORPORATION OF THE TOWN OF VAUGHAN

OFFICIAL PLAN AMENDMENT NUMBER 94

TO THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA

TITLE OF AMENDMENT

This Amendment shall be known as "Official Plan Amendment Number 94 to the Official Plan of the Vaughan Planning Area".

COMPONENTS OF THIS AGREEMENT

The following text and accompanying maps entitled Schedules "A", "B" and "C" shall constitute Official Plan Amendment Number 94.

Also attached hereto but not constituting part of the Amendment is Appendix 1 which contains the background of the Amendment.

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PURPOSE

The purpose of this Amendment is to incorporate into the Official Plan of the Vaughan Planning Area, a land severance policy statement. This Amendment is intended to advise the York Regional Land Division Committee of the matters which the Council of the Town of Vaughan deems important and should be considered in arriving at a decision, but shall not be interpreted as being a directive from the Council of the Town of Vaughan to the York Regional Land Division Committee.

LOCATION

This Amendment shall apply to the entirety of the Town of Vaughan Planning Area.

BASIS

In 1963, Amendment Number 6 which amended Amendment Number 4 to the Official Plan for the Vaughan Planning Area, was approved by the Minister and established general policies for "Rural Residential" (Country Residential Estates) development in areas designated "Rural".

In January 1976, Official Plan Amendment Number 57 was approved by the Minister with Modifications. The Minister's Modification respecting the "Purpose" of the Amendment clearly notes that Official Plan Amendment Number 57 is to replace the policies governing rural residential development outlined in Amendment Number 6.

However, Official Plan Amendment Number 57 aims primarily at controlling development of a scale which requires a rural residential plan of subdivision and is not designed to deal efficiently with individual severances. Regardless of the scale of proposed residential development in Areas designated "Rural", an Official Plan Amendment is necessary prior to rezoning for Rural Residential purposes.

In the past, Council has adopted a number of site specific Official Plan Amendments (e.g. Amendments No. 61, 65, 67, 68, 69) to permit individual severances

BASIS cont'd

in the Rural Areas. On May 10, 1977, the Regional Municipality of York indicated its objection to the above noted Amendments and recommended that the Council of the Town of Vaughan "consider incorporating into the Official Plan by Amendment, a general policy statement relating to the creation of residential lots in the Rural Areas, which policy would serve as a guideline for the Land Division Committee".

On June 8, 1977, approval of the said Amendments were refused by the Ministry of Housing with the suggestion that "Council give serious consideration to the submission of one Amendment, containing general policies for land severances in the Rural Areas".

DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO

1.0 GENERAL PROVISIONS

1.1 The Planning Act in Subsection 3 of Section 42, provides that the York Regional Land Division Committee shall only grant a consent to convey if it is satisfied that a Plan of Subdivision of the land described in the application is not necessary for the proper and orderly development of the municipality. Council considers that a Plan of Subdivision shall be deemed necessary in the following cases:

- (a) The number of new lots created is greater than three;
- (b) The extension of a public road allowance is required;
- (c) The extension of municipal services is required;
- (d) Agreements or conditions are required by any municipality or Ministry with regard to any part of the remaining lands:
 - * Provided that insofar as paragraphs b, c and d, if the Applicant reaches a satisfactory agreement with the authorities in question, a plan of subdivision may not be required.

1.2 The Land Division Committee in assessing each application is required to consider the matter set out in Section 33(4) of The Planning Act.

In addition to the matters set out in Section 33(4) of The Planning Act, the Council considers the following to apply:

- (a) In the case of non-conformity with the approved Official Plan, no consent should be granted.
- (b) In the case of non-conformity with the approved Zoning By-law, the Applicant shall file concurrently, a Zoning Amendment application with the Town of Vaughan and a consent application with the York Regional Land Division Committee.

2.0 SPECIAL CRITERIA

2.1 Adjacent Uses

Regard should be had for the compatibility of the proposed size, shape and use of the lot to be created with the present and potential uses in the adjacent areas.

2.2 Access

The recommendation of the appropriate engineer should be sought before conditions of approval are applied, but the York Regional Land Division Committee's decision should be based on the following guidelines:

- (a) Consent to sever a lot should be permitted only when both the lot and the remaining parcel front on an existing *assumed public highway, or upon a dedicated public road allowance upon which* the Applicant is constructing a road pursuant to an Agreement with the municipality. *Valley lands acquired for conservation purposes by the Metropolitan Toronto and Region Conservation Authority are exempt from these access requirements.*
- (b) If the proposed lot or remaining parcel has frontage on a Provincial Highway, any consent should be subject to the requirements of the Ministry of Transportation and Communications. The granting of the road widening (free of all encumbrances) necessary to establish the width required by either the Official Plan of the Vaughan Planning Area, or the Regional Road Needs Study and approval of driveway location by the Town or Regional Engineer, should be conditions of granting the consent to sever a lot. Additional widenings may be required in areas of rolling

terrain to allow for cut and fill, and the actual width shall be determined by the Town or Regional Engineer.

- (c) Creation of lots fronting on designated major traffic corridors (such as Regional Roads) should be discouraged, as granting of an entrance permit to serve a new lot provides another point of conflict with the smooth flow of traffic for which the road is designed, particularly in areas where strip development already poses problems.
- (d) Lands at intersections may be required to be dedicated in order to improve visibility for traffic movement. Daylighting triangles may be required according to the following schedule:

<u>Intersection</u>	<u>Triangle Dimensions</u>
Two Regional Roads	100' x 100'
Regional Road & Town Collector	50' x 50'
Regional Road & Town Street	25' x 25'
Intersections involving Provincial Highways	As per Province's Specifications.
Other Intersections	As required by the Official Plan of the Vaughan Planning Area.

- (e) A one foot reserve may be required to be deeded to the Region of York or the Town if requested by the Regional or Town Engineer, as a means of controlling access.
- (f) All applications should be reviewed by the appropriate Engineer for entrance location approval. The general requirements will be for a minimum sight distance of 900 feet in each direction for rural locations. Entrances on Regional Roads should be located at least 500 feet away from any intersection in the rural area and at least 200 feet away in an urban area. Provisions of the Official Plan of the Vaughan Planning Area shall apply on other roads.
- (g) The creation of any lot, the driveway access of which will interfere with storm water drainage along a road allowance, should be conditional upon the necessary drainage works having been carried out to the satisfaction of the Town or Regional Engineer as the

case may be, of the Town or Region having advised that an Agreement has been entered into to ensure that the works will be carried out at an approved standard. *If the storm drainage channel is a permanent or an intermittent watercourse, then the prior approval of the Ministry of Natural Resources and the Conservation Authority shall be required.*

2.3 Services

It must be demonstrated that all proposed lots can be serviced by either a public water supply or other adequate supply of potable water, and either a connection to a public sanitary sewer system or provision for other sanitary waste treatment facility on the site appropriate to the proposed use, approved by the Medical Officer of Health. Where a proposed lot is located in an area serviced by a municipal water system and/or sanitary sewer, the York Regional Land Division Committee should seek evidence from the appropriate Town and Regional authority that servicing capacity can be allotted to the proposed use without straining the capacity of the present system or jeopardizing anticipated development by Plan of Subdivision. Any land requiring fill should be graded so that surface drainage does not detrimentally affect adjacent land and further, should any agency reviewing the application for consent request topographical information, the Applicant should supply a plan showing the contours or natural drainage pattern of the site. The methods whereby surface drainage of the site and storm water from roofs and paved areas will be dealt with, should be indicated. Where drainage works are necessary, consent should be conditional upon the necessary works being carried out to the satisfaction of the appropriate authority or the authority advising that an Agreement has been reached with the Applicant.

2.4 Conservation

The Ministry of Natural Resources and the Conservation Authority should be consulted in respect of applications for consent in areas which are subject to flooding, wind or water erosion, or are characterized by steep slopes (e.g. greater than 15%), watercourses, unsuitable

soils or topography, valuable wildlife and fish habitat, mature tree stands and areas of high aggregate potential.

2.5 Financial Implications

Creation of lots should be permitted only where capital expenditures by a public authority would not be required for the extension of any major service of facility.

3.0 SPECIAL PROVISIONS FOR URBAN AREAS

3.1 Infilling

Severances may be granted for the purpose of infilling in an existing urban area, but should not significantly extend the existing urbanized area. Infilling which economizes the use of urban space without disturbing the existing pattern of development or perpetuating the undesirable pattern of development or prejudicing the layout of future development may be acceptable.

In particular, where an Applicant's land is situate within an existing settlement or designated by the Official Plan of the Vaughan Planning Area for redevelopment, and the size of the parcel is large and it is apparent that an application for a severance could be a forerunner of other similar applications on the original holding, such individual severances from the parcel should be discouraged in favour of development by a Plan of Subdivision.

Where existing developed lots have the potential for redevelopment on a more comprehensive scale, proposed severances which would block potential points of access or further fragment ownership of these lands, should be refused pending study of the area and approval of an overall development plan in favour of a comprehensive plan of subdivision.

4.0 SPECIAL PROVISIONS FOR RURAL AREAS

4.1 Reference to Existing Policies

In considering an application for consent in a rural area, *good*

agricultural land (ARDA, Classes 1 - 4) which can be put into production except for land which by reason of size, topography or as exempted by the Ministry of Agriculture, lands in watercourses and defined flood plains, high potential recreation lands, aggregate lands and critical water recharge areas should be preserved and the rural character of the area should be maintained. Subject to that criteria, the types of residential development which may occur in rural areas include farm dwellings, estate residential, seasonal dwellings and limited additions to existing minor rural service centres in the form of infilling. They should be subject always to compliance with the Town or Regional policies and/or by-laws.

4.2 Agricultural Lots

It is the intention of the Town not to hinder agricultural activities, therefore, severances which comply with the terms of the Ontario Food Land Guidelines should be given favourable consideration.

Severances may also be permitted for the following purposes without the need to amend the Official Plan:

1. *To provide a separate lot for a son and/or daughter working on the farm;*
2. *To provide a separate lot for a retiring farmer or his widow or her widower on the farm provided that the farmer has owned the lands for a minimum of ten (10) years.*

4.3 Non-Farm Residential

(a) Location

Applications for non-farm residential lots should be considered having regard to the following criteria:

- (1) Lots for residences should be considered only if it is infilling in existing rural hamlets: such infilling should not significantly extend the bounds of present settlements. The location of these hamlets is shown on Schedule "A".

- (2) Severances should be discouraged in areas having soils in ARDA Classifications 1 to 4 except where the parcels of land each remain as viable farm units as defined by the Ministry of Agriculture and Food. Speciality and unique crop growing areas (e.g. fruits and vegetables) should be included in this classification.
- (3) Severances in areas where Classes 5 - 7 soils predominate may be acceptable, subject to compliance in other respects with these policies.
- (4) Where severances are granted, lots created should be limited to a size that will be compatible with their intended use, so that large tracts of land will not be left idle. Any tendency towards strip residential development should be discouraged. Such severances should not impair the viability of any agricultural operations on the remaining lot.

(b) Adjacent Uses

The nature and intensity of land uses in the vicinity of the proposed lot, such as intensive agricultural operations, industry, quarrying and sand and gravel extraction areas, should be taken into serious consideration. In reaching its decision, the York Regional Land Division Committee should be satisfied that any agricultural operation that presently conforms to the Agricultural Code of Practice will be able to continue as a conforming operation if the proposed non-farm lot is created. The advice of the Ministry of Agriculture and Food should be sought before consent is granted to permit a residential dwelling adjacent to land being used for livestock or poultry operations. In such cases, the Ministry of the Environment, Regional Office, should be consulted regarding adequate buffer zones. Where adjacent lands are being used for livestock or poultry operations, evidence that the Applicant has so informed the prospective purchaser of the proposed lot should accompany the application for consent.

Where conflicting land uses could result from the granting of a consent to sever a parcel of land, agricultural uses will be favoured.

4.4 Commercial and Industrial Development

Applications to sever a lot for commercial or industrial purposes, should only be considered favourably if the proposal conforms with Town and Regional Policies, approved official plans and/or amendments thereto and/or zoning By-laws, and careful analysis shows that the use can be properly integrated with adjacent activities and the rural qualities of the area. Any tendency toward strip development should be discouraged.

4.5 Sand and Gravel Operations

Special consideration should be given to proposals related to aggregate workings in areas designated by regulation under the Pits and Quarries Control Act, 1971. (All municipalities are presently designated). Consent of the York Regional Land Division Committee should be conditional on the issuance of a license by the Ministry of Natural Resources and reaching of agreement with the Town on the development of the site.

5.0 SPECIAL PROVISIONS FOR THE OAK RIDGES MORAINÉ

5.1 Environmental preservation

In addition to the other policies embodied in this report when the site of a proposed severance is located in the area known as the Oak Ridges Moraine, as shown on Schedule "C" attached hereto, reference should be made to the policies established in the Regional "Oak Ridges Moraine Study". Any proposed severance of land which appears to be either wholly or partly in the first, second or third priority areas for environmental preservation, should not be encouraged. Nothing withstanding the foregoing, where it can be demonstrated that any development proposal is not of a size or form

as to cause significant environmental change or prejudice to the area's outdoor recreational capability, then more favourable consideration may be given to the proposal.

6.0 SPECIAL PROVISIONS FOR CRITICAL GROUNDWATER RECHARGE AREAS

6.1 Protection of Recharge Areas

A proposed severance located in a critical recharge area as determined by the Conservation Authority should be discouraged but if it is considered otherwise acceptable, such conditions as may be recommended by the Conservation Authority to compensate for any loss of permeable ground surface resulting from construction, alteration or paving of areas should be given due consideration. (Reference should be had to Schedule "B" Significant Groundwater Recharge Areas). Such conditions may include any or all of the following:

- (a) Direction of surface water drainage from impervious areas to permeable areas, e.g. direction eavestrough drains from houses onto lawns or fields.
- (b) Restriction of storm sewers and lined drainage courses with preference given to ponding schemes for stormwater retention within permeable areas.
- (c) Preservation of vegetation, particularly trees and grass.

In evaluating a severance application involving land located within a critical recharge area, regard should be had for the pollution potential of the proposed uses on the parcel to be severed and on the remaining parcel.

Until such time as detailed studies are completed on the capability of the over-burden to transmit pollutants to the aquifer system, severances to permit the following high potential projects should be prohibited unless the Ministry of the Environment has indicated that the proposed use is acceptable:

- sanitary landfills

- Sewage lagoons
- Storage of toxic chemicals or oil products
- Feedlots
- Uses similar to the above

As additional significant groundwater recharge areas are identified by the Conservation Authority, Schedule B of this amendment shall be formally amended to identify these within the planning area.

6.2 Fill and Construction Limits

All conditions required by the Ministry of Natural Resources and the Conservation Authority with regard to slope erosion and flood susceptibility should be applied as described in part of Section 2.4.

7.0 PARKWAY BELT

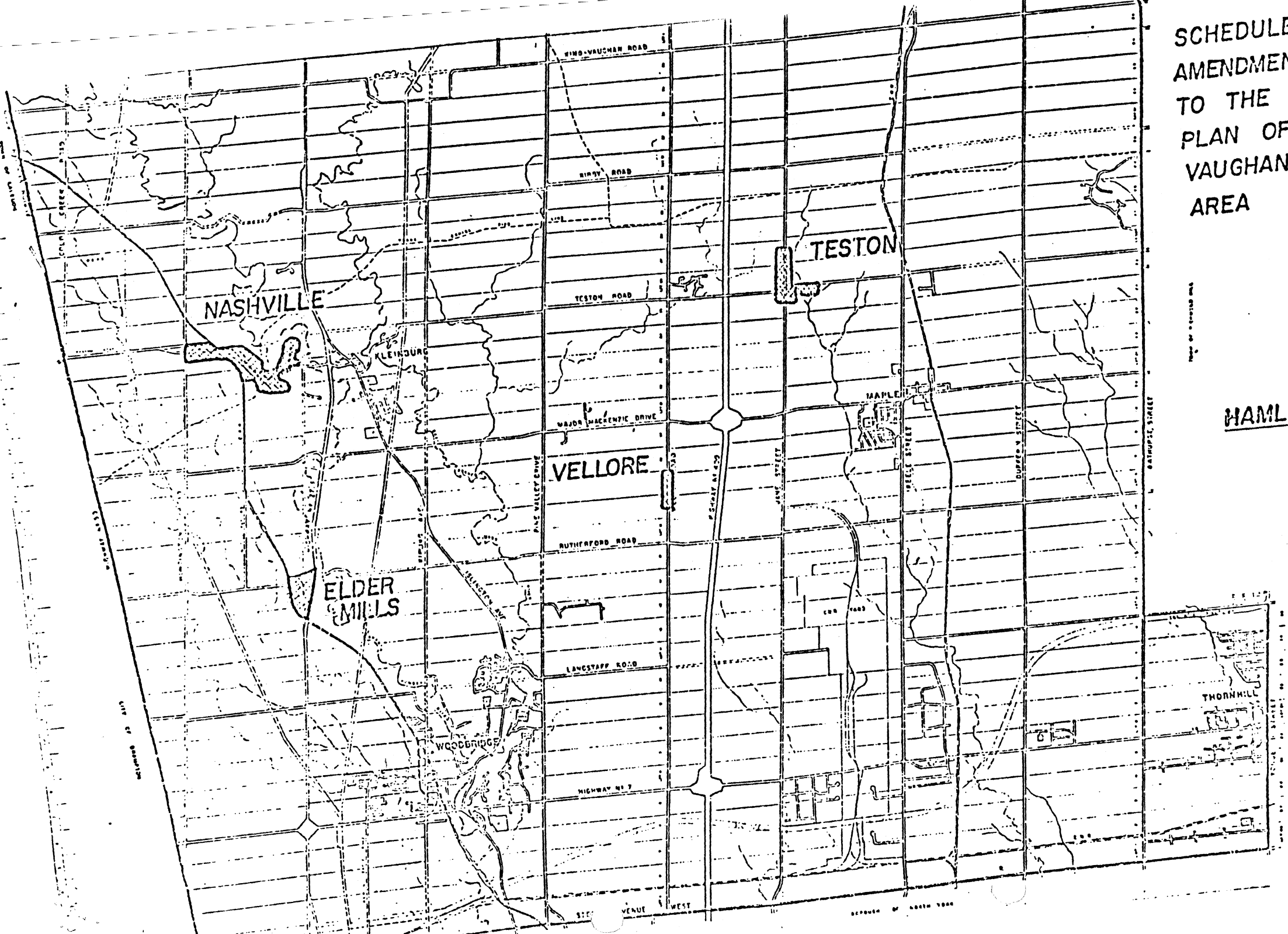
An application for a severance from a parcel which lies within an area covered by a Minister's Order (e.g. Parkway Belt West) either in whole or in part, should not be granted unless it complies with the restrictions imposed by the Order. If the proposed use requires an amendment to the Order, a severance may be granted with the condition that the severance not become final until the Minister has approved any necessary amendment to the Order.

8.0 *Deleted*

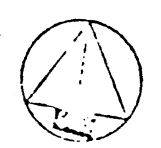
INTERPRETATION

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.

SCHEDULE 'A' TO
AMENDMENT NO. 94
TO THE OFFICIAL
PLAN OF THE
VAUGHAN PLANNING
AREA



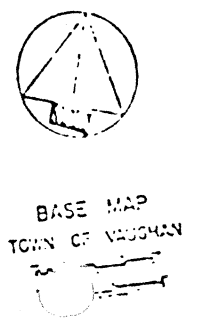
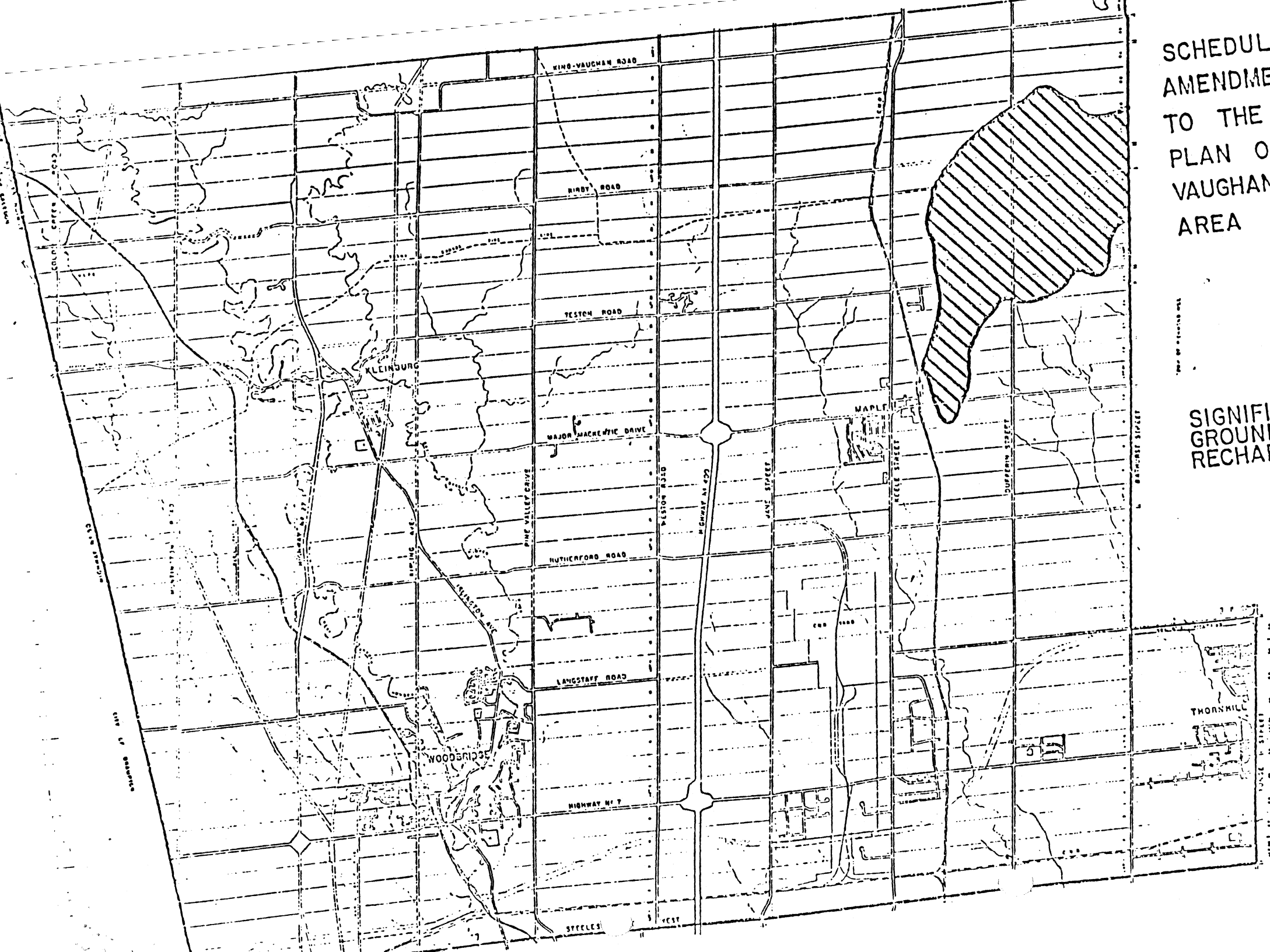
HAMLET AREAS

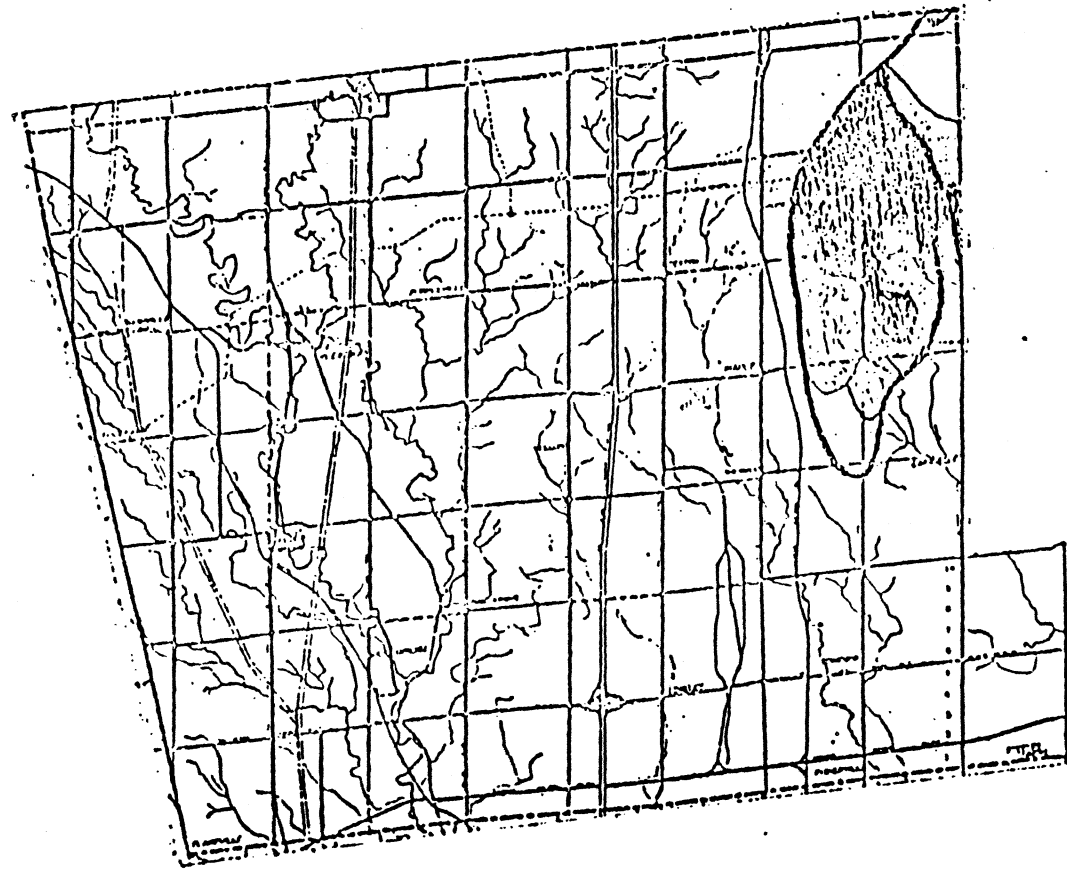


BASE MAP
TOWN OF VAUGHAN

SCHEDULE "B" TO
AMENDMENT NO. 94
TO THE OFFICIAL
PLAN OF THE
VAUGHAN PLANNING
AREA




SIGNIFICANT
GROUNDWATER
RECHARGE AREAS

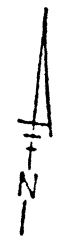




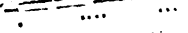
OAK RIDGES MORaine

ENVIRONMENTAL PRESERVATION AREAS

-  First Priority Areas
-  Second Priority Areas
-  Third Priority Areas



SCALE IN FEET



APPENDIX 1

to

AMENDMENT NUMBER 94

APPENDIX 1

SUMMARY OF PUBLIC HEARING & COUNCIL ACTION

A Public Hearing was held on April 4, 1978 at which time the Vaughan Planning Committee considered the proposed Official Plan Amendment Number 94 entitled "Land Severance Policy". Several members of the audience spoke on the matter requesting clarification of certain provisions of the proposed Amendment and raising concerns respecting the policy's affect on existing 10 acre lots, on Regional Roads, and on the processing of future applications for severances in the rural areas of the Town.

Committee members generally agreed that, when this matter comes back to Planning Committee, it should be by way of a further Public Hearing. It was finally resolved:

"THAT Official Plan Amendment Number 94 be accepted and referred to Land Division Committee for their comments and referral to this Committee upon receipt of their comments, and further that Committee Members be requested to place their comments in writing, and furthermore, referred to the Agricultural Federation for comment."

The Resolution carried.

A further Public Hearing respecting the proposed O.P.A. #94 was held on September 6, 1978. Several members of the audience spoke on the matter and requested clarification of the purpose and processing of the Amendment. A member of the audience representing the owner of certain lands, requested that his client's lands be included in the exception section of the Amendment. It was indicated to Committee Members that Planning Committee had previously approved an application to facilitate the severance of the said lands. Upon brief dicussion of the matter, Planning Committee resolved:

"THAT the Simone application for severance be added to the list of exceptions in Amendment No. 94."

There being no further comments from the audience, Committee Members reviewed the Amendment and it was finally resolved that the proposed Official Plan Amendment No. 94 be approved.