

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: June 19, 2020

CASE NO.: PL111184

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 17(40) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: 1042710 Ontario Limited (aka Royal Centre)
Appellant: 1096818 Ontario Inc.
Appellant: 11333 Dufferin St et al
Appellant: 1191621 Ontario Inc.; and others
Subject: Failure to announce a decision respecting Proposed New Official Plan
Municipality: City of Vaughan
OMB Case No.: PL111184
OMB File No.: PL111184
OMB Case Name: Duca v. Vaughan (City)

BEFORE:

M.A. SILLS) Friday, the 19th
VICE-CHAIR)
) day of June, 2020

THESE MATTERS having come on for a public hearing;

THE TRIBUNAL ORDERS that Appeals 28, 163 and 166 are allowed in part and that in accordance with the provisions of section 17(50) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, (the “**Act**”) Volume 1, Schedules 1, 1A, 2, 13, 14-B and 14-C of the City of Vaughan Official Plan (2010) (the “**Plan**”), as adopted by the City of Vaughan

(the “**City**”) on September 7, 2010 subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, as modified and endorsed by the Regional Municipality of York (the “**Region**”) on June 28, 2012, shall be modified as set out in ‘Schedule A’ attached and as modified approved, in respect of the lands subject to Appeals 28 and 163 (Block 40/47 Developers Group II Inc. and Country Wide Homes (Pine Valley Estates Inc.));

AND THE TRIBUNAL ORDERS that in accordance with the provisions of section 17(50) of the Act, Volume 2, Chapter 13 of the Plan, as adopted by the City on September 7, 2010 subject to Council modifications on September 27, 2011, March 20, 2012 and April 17, 2012, as modified and endorsed by the Region on June 28, 2012, shall be modified by:

- a) deleting Site Specific Policy 13.10 “Block 40” in Chapter 13,
- b) adding Area Specific Policy 12.13 “Block 40/47” set out in ‘Schedule B’ attached to and forming part of this Order, and
- c) that, except for policy 12.13.2.10(b)(iii), Area Specific Policy 12.13 “Block 40/47” is approved together with such necessary updates to the lists of Area and Site Specific policies in Chapters 12 and 13;

AND THE TRIBUNAL ORDERS that Appeals 28 and 163 are otherwise dismissed and the balance of Appeal 166, including 12.13.2.10(b)(iii), is to be heard at a date to be set.

“Evelyn Dawes”

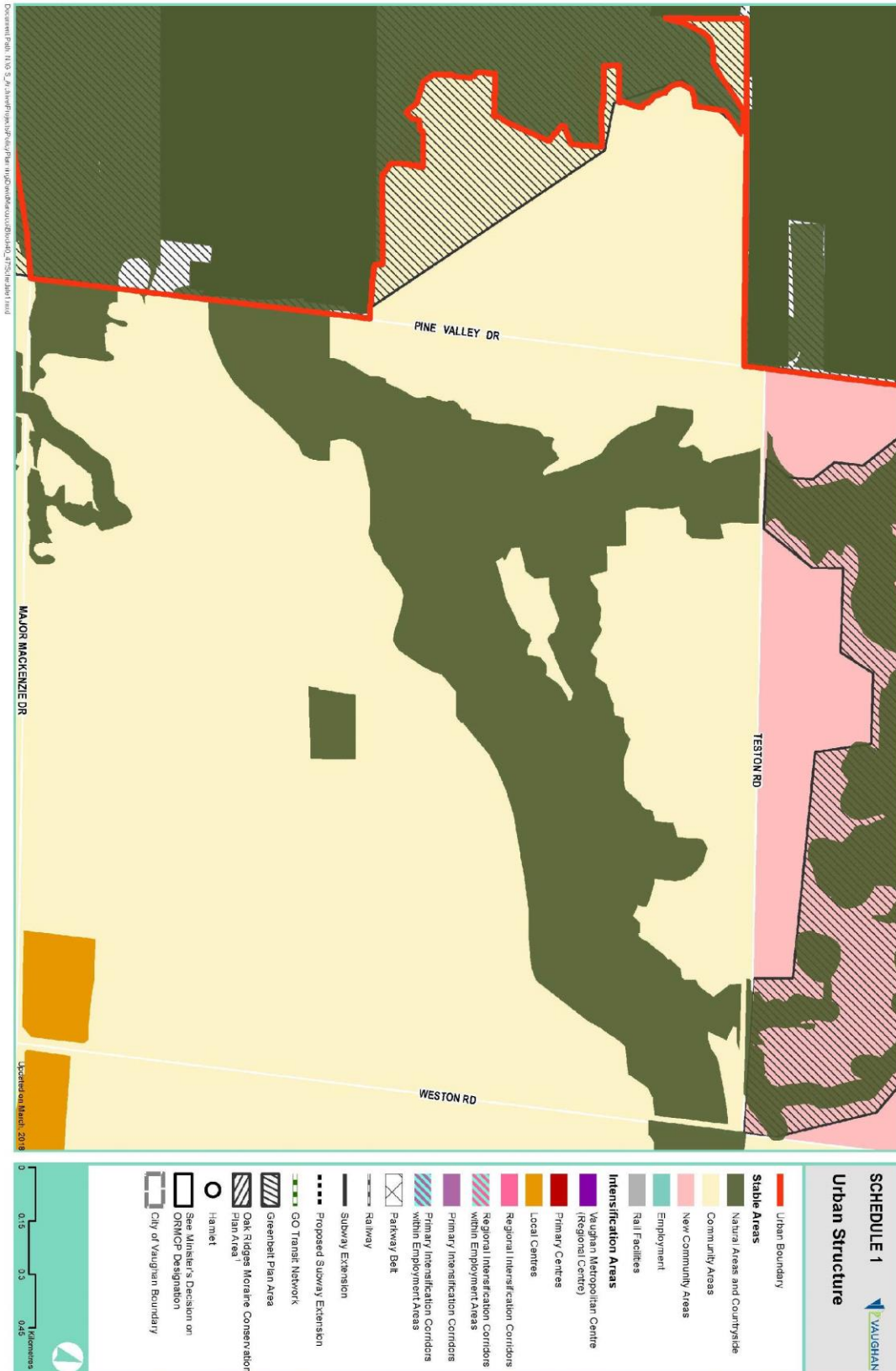
EVELYN DAWES
DEPUTY REGISTRAR

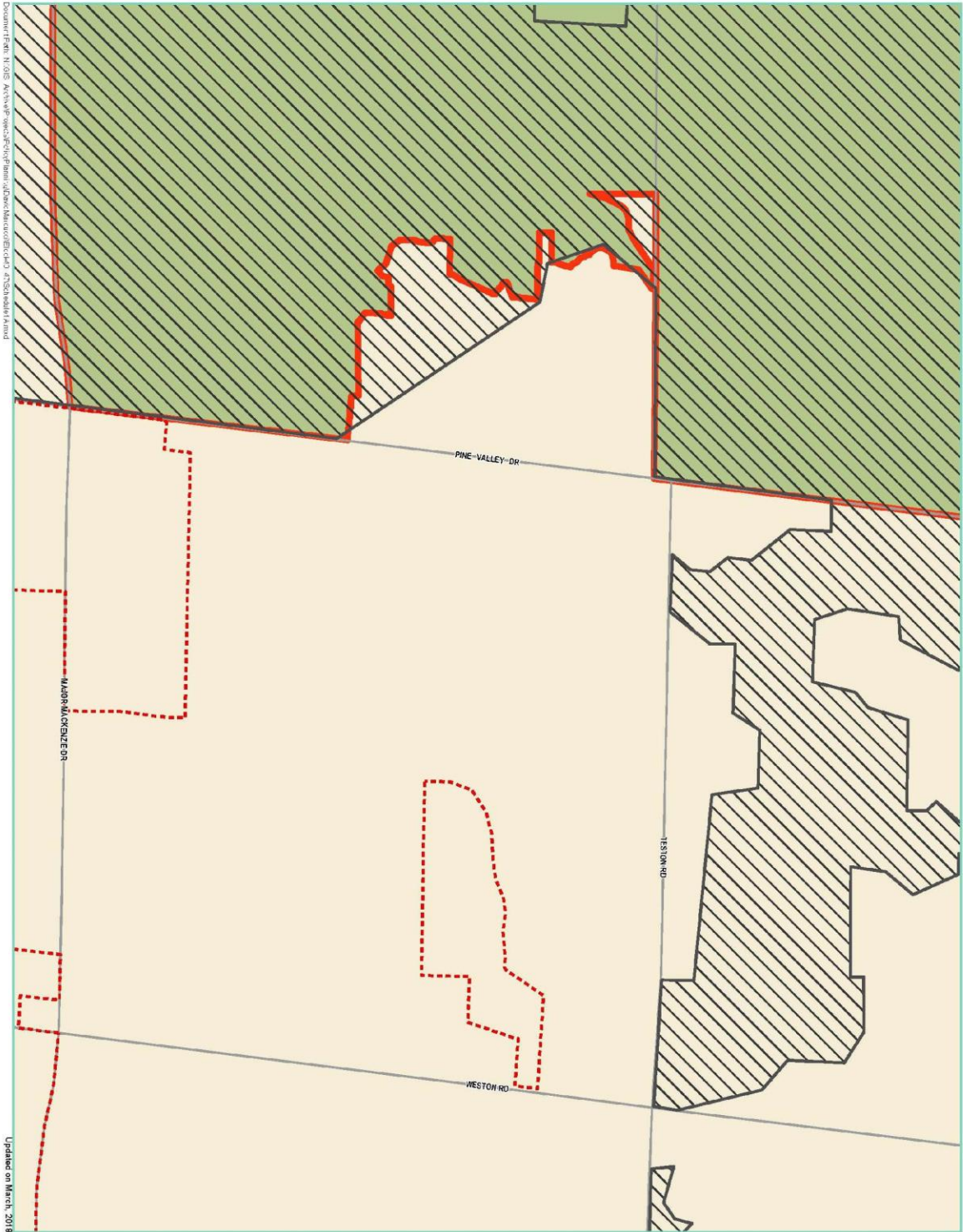
If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario – Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

SCHEDULE A













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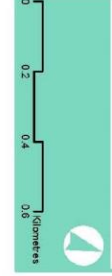
Updated on March, 2018

SCHEDULE 1A

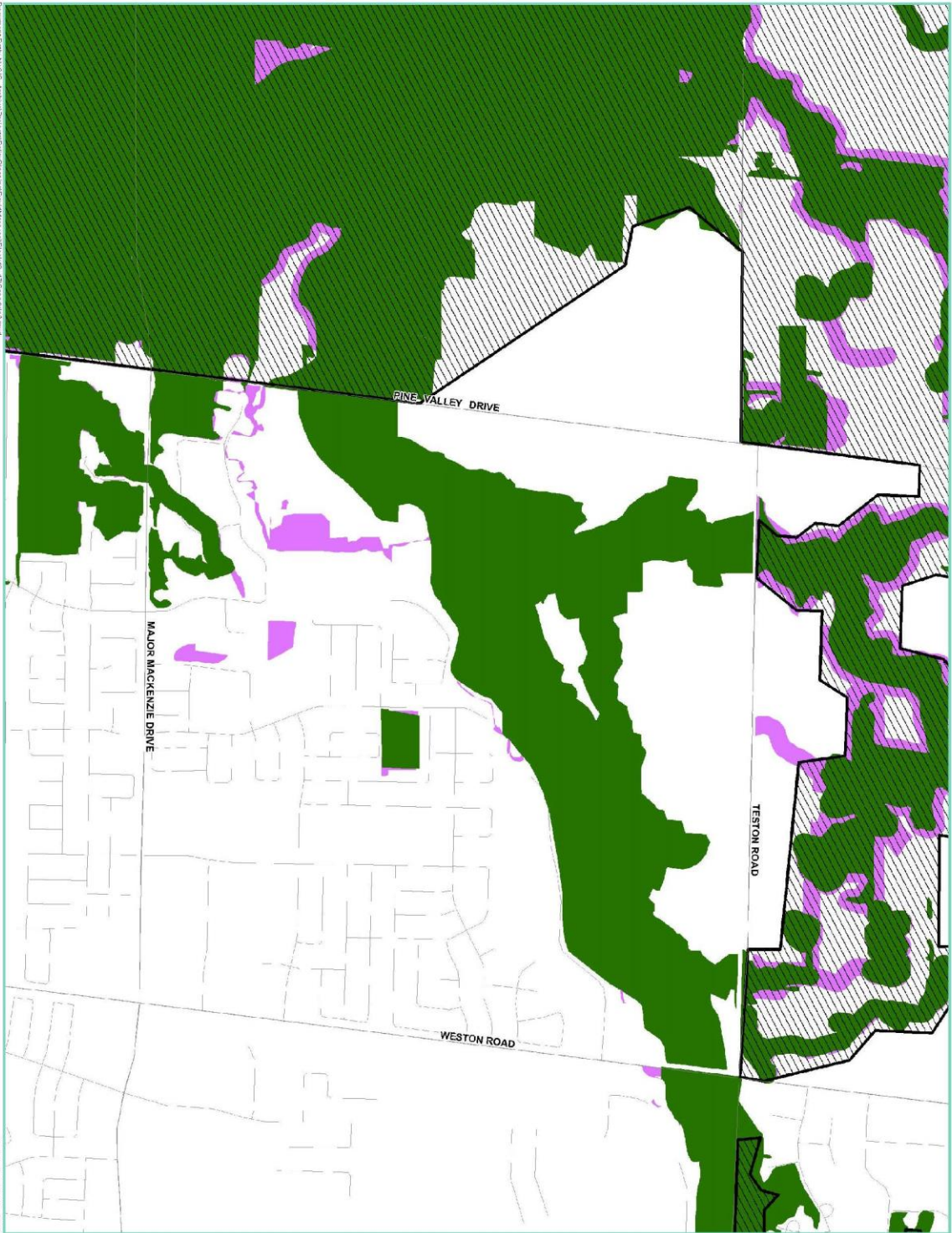
Urban Area



-  Urban Boundary
-  Growth Plan 2006 Built Boundary
-  Urban Area
-  Non-Urban Area
-  Greenbelt Plan Area¹
-  Oak Ridges Moraine Conservation Plan Area¹
-  See Minister's Decision on CRMCP Designation
-  City of Vaughan Boundary



¹ See Schedule 4 for limits and land use information of the Greenbelt Plan Area and Oak Ridges Moraine Conservation Plan Area



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Updated on March, 2018

SCHEDULE 2

Natural Heritage Network

- Core Features
- Enhancement Areas
- Built-Up Valley Lands¹
- Unapproved¹
- Greenbelt
- Greenbelt Plan Area Boundary²
- Greenbelt Natural Heritage System
- ORM Conservation Plan
- Oak Ridges Moraine
- ORM Conservation Plan Boundary²
- Natural Core Area
- Natural Linkage Area
- Area Subject to ORM/CA Minister's Zoning Order
- City of Vaughan Boundary

The policy text in Chapter 3 prevails over the mapping shown on Schedule 2 in determining the Natural Heritage Network. Core features shall be precisely delineated on a site-by-site basis through the approval of *Planning Act* applications supported by appropriate technical studies, refinement to the NHN may occur through secondary plan or development approval processes and shall be reflected on this schedule without the need for an Official Plan Amendment. Where the schedule does not accurately reflect an existing development approval, the schedule may be updated without the need for an Official Plan Amendment.

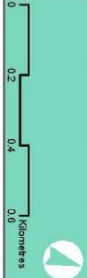
For watercourses and watersheds outside of well-defined valleys, the vegetated protection zone is to be established according to the policies in Chapter 3.

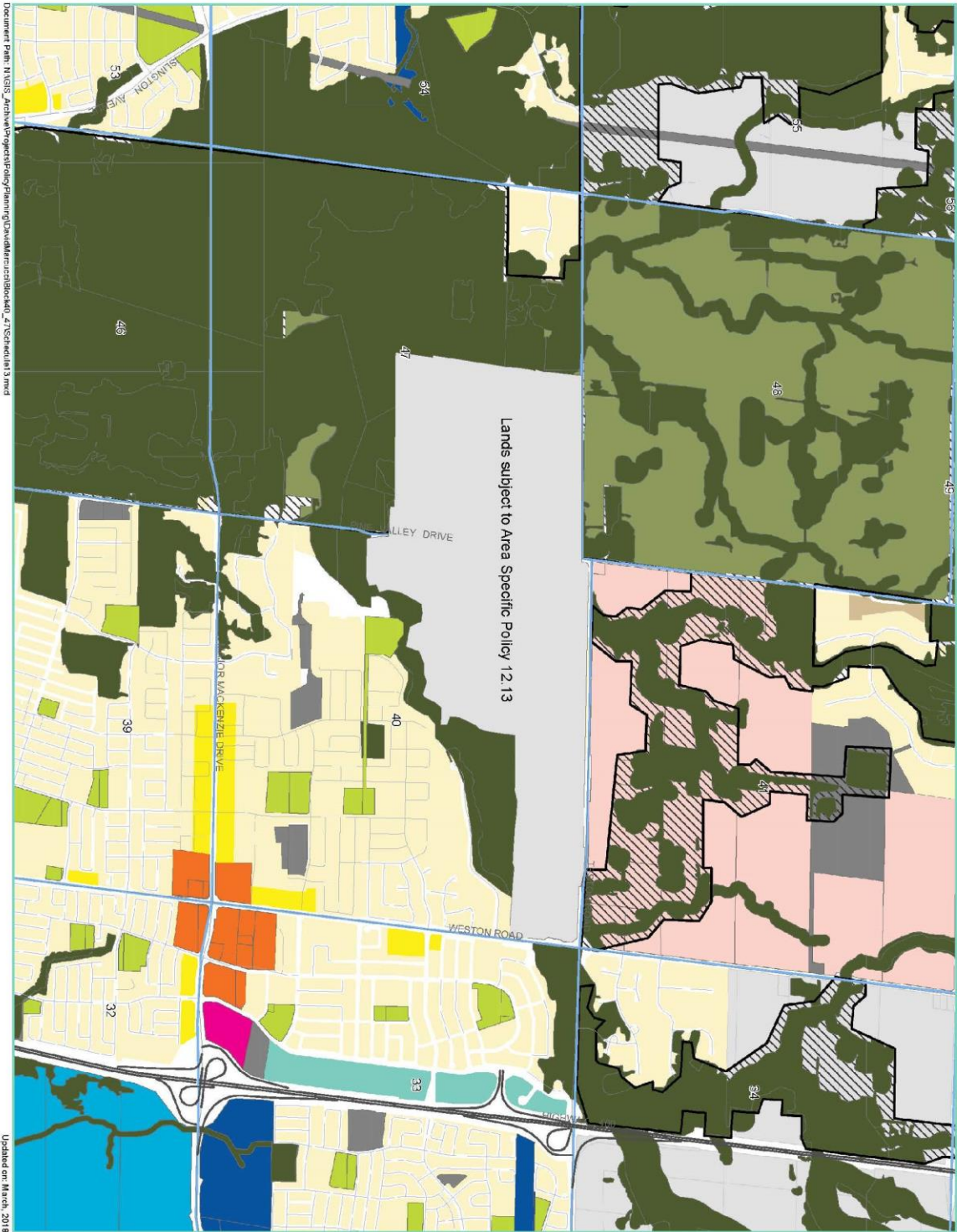
Enhancement areas are identified conceptually on Schedule 2 and the text shall be consulted to determine the final location and design.

(1) Data provided by Urban Strategies.

(2) See Schedule 2 for the list of the land use intensification of the Greenbelt Plan. You see the Oak Ridges Moraine Conservation Plan Area.

(3) Site-specific conservation for Core Feature address. Core Feature 2's density or certification as an Enhancement Area.





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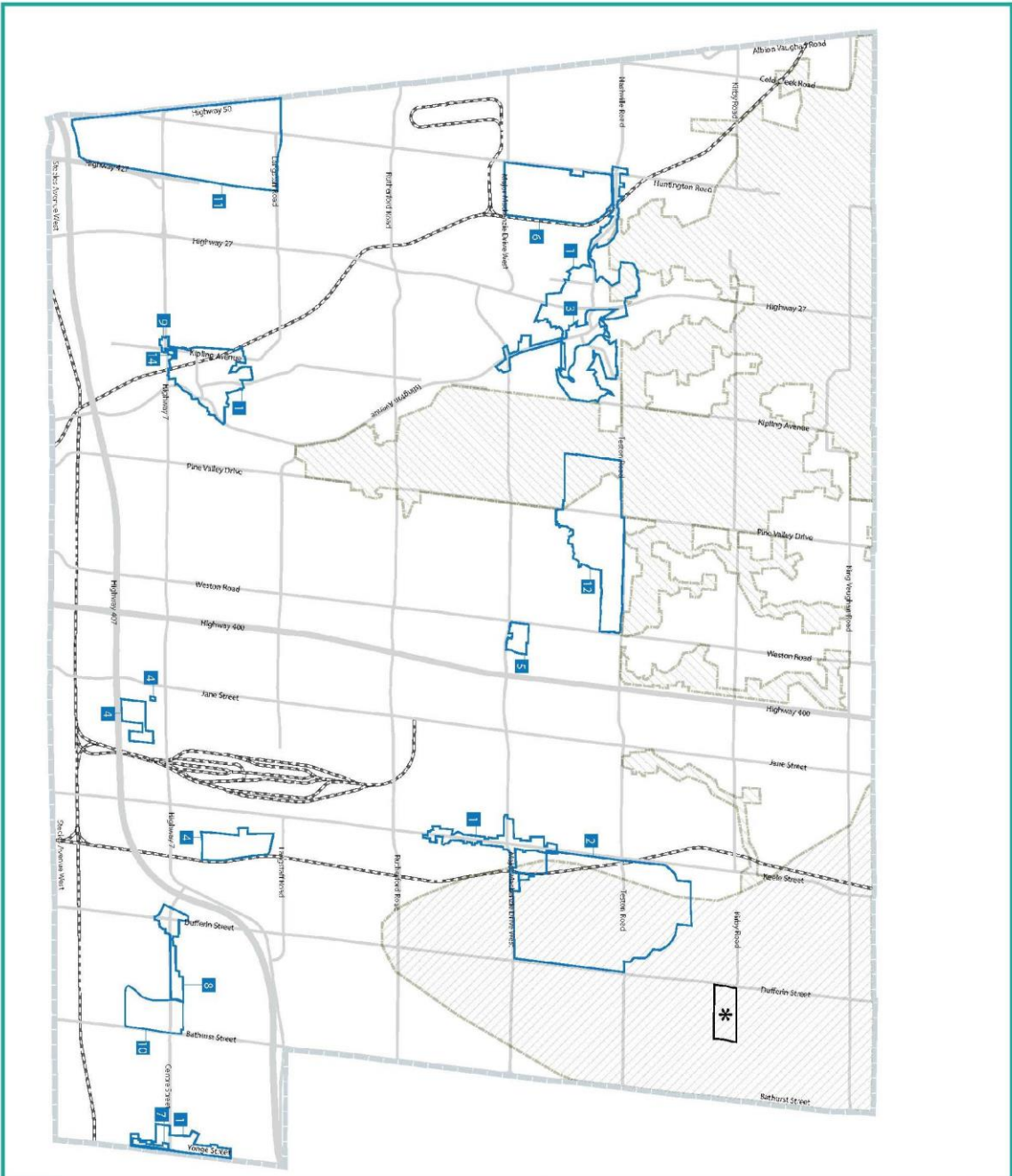
Updated on: March, 2018

SCHEDULE 13

Land Use

- Natural Areas
- Parks
- Private Open Spaces
- Agricultural
- Rural
- Low-Rise Residential
- Low-Rise Mixed-Use
- Mid-Rise Residential
- Mid-Rise Mixed-Use
- High-Rise Residential
- High-Rise Mixed-Use
- Community Commercial Mixed-Use
- Employment Commercial Mixed-Use
- General Employment
- Prestige Employment
- Major Institutional
- New Communities
- Theme Park and Entertainment
- Parkway Ball Field Lands
- Infrastructure and Utilities
- Lands Subject to Secondary Plans or Particular Area Specific Plans (See Schedules 14A or 14B)
- Greenbelt Plan Area & Oak Ridges Moraine Conservation Plan Area
- Oak Ridges Moraine
- Natural Core Area
- Natural Linkage Area
- Countryside
- Area Subject to OPMCA Minister's Zoning Order
- Municipal Boundary

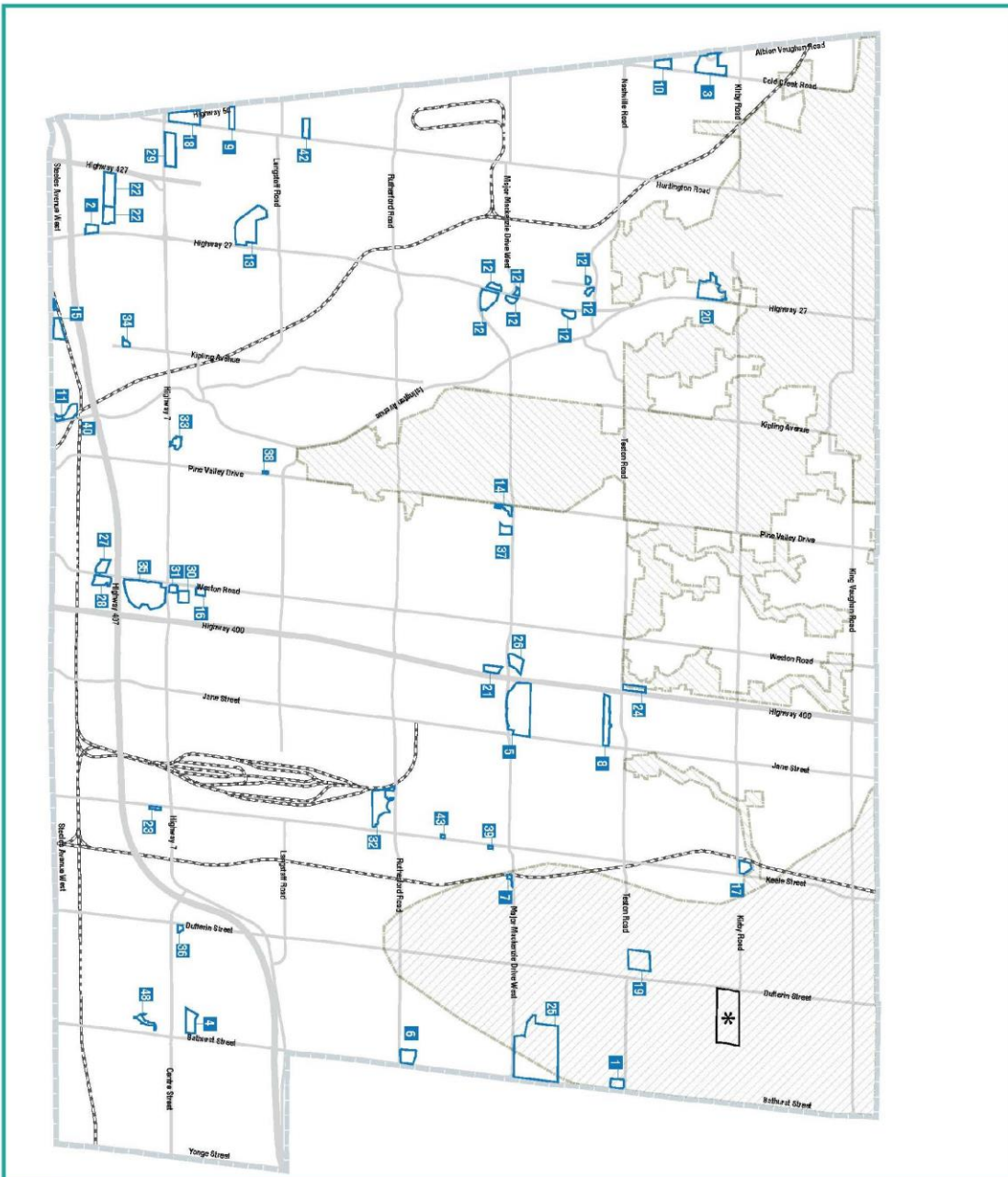
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SCHEDULE 1.14-B
Areas Subject to
Area Specific Plans

- Area Specific Areas - Chapter 12
- 1 Heritage Conservation Districts - 12.2
- 2 Keele Valley Landfill Area - 12.3
- 3 Kipling Core - 12.4
- 4 Adult Entertainment Uses - 12.5
- 5 NE Quadrant of Major Mackenzie Dr. & Weston Rd. - 12.6
- 6 Block 61 W. Nashville Heights - 12.7
- 7 Yonge St. Corridor in Thornhill - 12.8
- 8 Centre St. Corridor - 12.9
- 9 Kipling Ave. & Highway 7 - 12.10
- 10 Barnhart & Centre St. - 12.11
- 11 Huntington Business Park - 12.12
- 12 Block 40/41 - 12.13
- 13 Durham Centre - 12.14 - Not Yet Approved
- 14 NE Quadrant of Kipling Ave. & Highway 7 - 12.15
- See Minister's Decision on CRIMP Designation
- Municipal Boundary





SCHEDULE 14-C
Areas Subject to
Site Specific Plans



- 1 Site Specific Areas - Chapter 13 (Continued on Next Page)
- 2 SW Corner of Bathurst St. & Teston Rd. - 13.2
- 3 7242 Highway 27 - 13.3
- 4 11245 Highway 50 - 13.4
- 5 Thornhill Liberty Lands - 13.5
- 6 Vaughan Healthcare Campus - 13.6
- 7 NW Corner of Redburn Rd. & Bathurst St. - 13.7
- 8 2551 Major Mackenzie Dr. - 13.8
- 9 Armada's Campus - 13.9
- 10 8151 Highway 50 - 13.10
- 11 10901 Highway 50 - 13.11
- 12 Steeles/Birchton Ave. Services Review Area - 13.12
- 13 Valley Hills Areas - 13.13
- 14 2107639/Roclan/SRP Vaughan - 13.14
- 15 SE Corner of Major Mackenzie Dr. & Pine Valley Dr. - 13.15
- 16 NW Corner of Steeles & Kipling/Ave S - 13.16
- 17 7579 Weston Rd. - 13.17
- 18 NW Corner of Keele St. & Kipling Rd. - 13.18
- 19 Huntington South - 13.19
- 20 1500 Teston Rd. - 13.20
- 21 North Humber Extension - 13.21
- 22 77 Englewood Heights - 13.22 (OPA #17)
- 23 Parkway/ West Amendment Areas - 13.23
- 24 7315-7675 Keele St. - 13.24
- 25 3400 Teston Rd. - 13.25
- 26 NW Corner of Major Mackenzie Dr. & Bathurst St. - 13.26
- 27 NE Corner of Cleveview Blvd. & Major Mackenzie Dr. - 13.27
- 28 30 & 70 Aviva Park Dr. - 13.28 (OPA #5)
- 29 SE Corner of Weston Rd. & Highway 407 - 13.29
- 30 NW Corner of Highway 427 & Highway 7 - 13.30
- 31 140 Northview Blvd. - 13.31
- 32 NE Corner of Weston Rd. & Highway 7 - 13.32
- 33 600, 800 & 1000 Temira Way - 13.33
- 34 4650 Highway 7 - 13.34 (OPA #11)
- 35 Kipling Ave S - 13.35
- 36 Colossus Centre - 13.36
- 37 7603 & 7315 Dufferin St. - 13.37 (OPA #17)
- 38 Continued on Next Page

See Minister's Decision on ORMDP Designation



**SCHEDULE 14-C****Areas Subject to
Site Specific Plans** Site Specific Areas – Chapter 13 (*Continued*)

- 37** 11, 31 & 51 Woodend Pl. & Blk 4265m-4149 – 13.38 (OPA #19)
- 38** Rear Portion of 61, 71 & 83 Hayhoe Ave. – 13.39 (OPA #18)
- 39** 9869, 9881 & 9891 Keele St. – 13.40 (OPA #25)
- 40** 7082 Islington Ave. – 13.41(OPA #27)
- 41** Not Yet Approved
- 42** 8500 Huntington Rd. – 13.43 (OPA #32)
- 43** 9560 and 9570 Keele St. – 13.44 (OPA #36)
- 44** Not Yet Approved
- 45** Not Yet Approved
- 46** Not Yet Approved
- 47** Not Yet Approved
- 48** 1 Promenade Cir. – 13.49 (OPA #46)

SCHEDULE B

City of Vaughan Official Plan – Volume 2 – 2019 Office Consolidation
As Partially Approved by the Ontario Municipal Board

12.13 Block 40/47

PARTIALLY APPROVED BY THE ONTARIO MUNICIPAL BOARD ON JUNE 17, 2016

12.13.1 General

- 12.13.1.1. The following policies and Schedules "1" to "3" constitute the policies of the Block 40/47 Area Specific Plan, as identified on Schedule 14-B to the Vaughan Official Plan 2010. The policies and information provided on Maps 12.13.A to 12.13.C (Schedules 1 to 3 to OPA 744) were approved by the Ontario Municipal Board on December 14, 2015 as Official Plan Amendment No. 744.
- 12.13.1.2. This Amendment is based on the policy framework in Official Plan Amendment No. 600 in accordance with Section 12.13.2 below.
- 12.13.1.3. In accordance with Policy 10.2.1.8 of Volume 1 of this Plan, the policies of Section 12.13 and Official Plan Amendment No. 600 prevail over the land use designations and any other conflicting or inconsistent policy in Volume 1 for the lands identified on Schedule 14-B as the Block 40/47 Area Specific Plan.
- 12.13.1.4. The policies and schedules of this plan do not apply to the area identified as "Area Subject to Future OMB Decision" on Schedule "1". This area is subject to an outstanding appeal and the policies and land use designations applicable to the site will be determined by the Ontario Municipal Board at a future date and will be incorporated into this Area Specific Plan at that time without the need for an amendment to this Plan.

12.13.2 The Amendment to Official Plan Amendment #600

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

- 12.13.2.1. 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";
- 12.13.2.2. Amending Schedule "B" – Vellore Urban Village 1 to Official Plan Amendment No. 600 as identified in Schedule "1", attached hereto;
- 12.13.2.3. Amending Schedule "G1" – Wetlands to Official Plan Amendment No. 600 as identified in Schedule "2", attached hereto;
- 12.13.2.4. Amending Schedule "J" –Transportation City Road Network to Official Plan Amendment No. 600 as identified in Schedule "3", attached hereto;
- 12.13.2.5. 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 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.
- 12.13.2.6. 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.

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As Partially Approved by the Ontario Municipal Board

- 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.

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- x. With respect to the land feature identified as the “Municipal Park” within the Block 40 proposed Block Plan, the precise limits of the “Municipal Park” designation 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:
 - 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;
 - B. That any access to the Municipal Park 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; and
 - C. That notwithstanding the above, the park shall be provided in accordance with the standard terms and conditions of the City’s subdivision agreement.
- xi. 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.

xii. 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.

xiii. 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.

xiv. 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.

- 12.13.2.7. 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.
- 12.13.2.8. 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.
- 12.13.2.9. 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.

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As Partially Approved by the Ontario Municipal Board

12.13.2.10. 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.

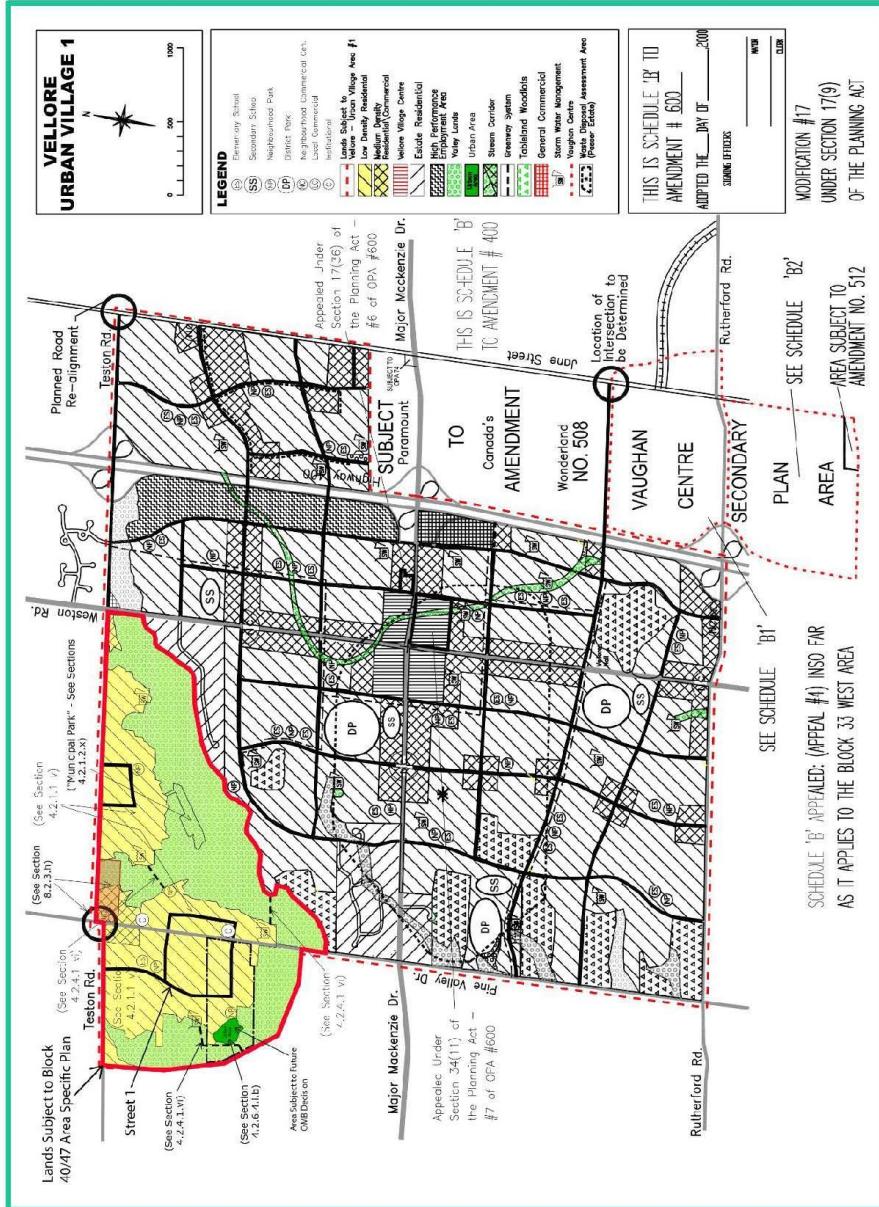
- ii. Prior to any development occurring in Blocks 40 and 47, a heritage impact assessment for the area of the East Humber River tributary shall be conducted to determine whether or not the area constitutes a cultural heritage landscape.
- iii. Lands designated "Urban Area" within Block 40/47 are shown 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.
- 12.13.2.11. 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”.
- 12.13.2.12. 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.
- 12.13.2.13. 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.
- 12.13.2.14. 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

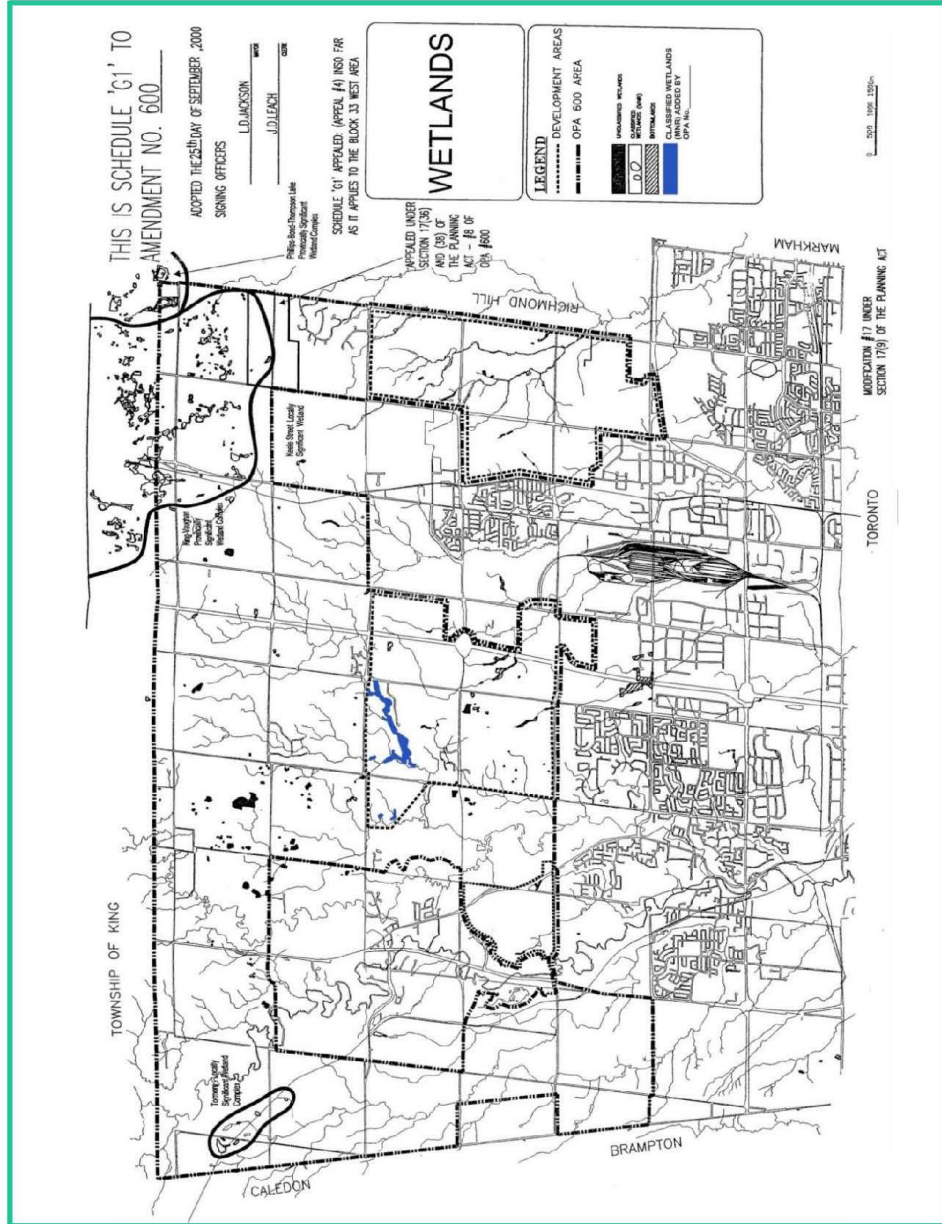
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established through the approval of the Block 40/47 Block Plan and Draft
Plans of Subdivision.

Map 12.13.A:
Block 40/47 – Land Use (Schedule 1 to OPA 744)



Map 12.13.B:
Block 40/47 – Wetlands (Schedule 2 to OPA 744)



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Map 12.13.C:
Block 40/47 – Transportation (Schedule 3 to OPA 744)

