THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 067-2018

A By-law to designate by Number an amendment to City of Vaughan By-law Number 1-88, as effected by the Ontario Municipal Board.

The Council of The Corporation of the City of Vaughan **ENACTS AS FOLLOWS**:

1. THAT the Amendment to City of Vaughan By-law 1-88, as effected by the Ontario Municipal Board Order Issue, dated the 27th day of April 2018 (OMB File No. PL150868), attached hereto as Exhibit "E" is hereby designated as By-law Number 067-2018.

Enacted by City of Vaughan Council this 23rd day of May, 2018.

_____
Hon. Maurizio Bevilacqua, Mayor

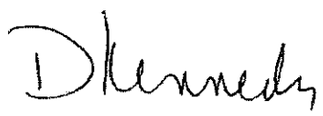
_____
Todd Coles, City Clerk

Authorized by Item No. 11 of Report No. 29
of the Special Committee of the Whole
Adopted by Vaughan City Council on
July 16, 2015.

THIS IS EXHIBIT "E" REFERRED TO IN THE AFFIDAVIT OF

MARK D. YARRANTON

SWORN BEFORE ME THIS 20TH DAY OF OCTOBER 2017



A Commissioner for Taking Affidavits

Draga Louise Kennedy, a Commissioner
etc., Regional Municipality of York for
KLM Planning Partners Inc.
Expires September 5, 2018

September 28, 2017
Prima Vista

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 067-2018

A By-law to amend City of Vaughan By-law 1-88.

WHEREAS the matters herein set out are in conformity with the Vaughan Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

AND WHEREAS there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:

   a) Rezoning the lands shown as "Subject Lands" on Schedule "1" and Schedule "2" attached hereto, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One with the Holding Symbol "(H)", RD2(H) Residential Detached Zone Two with the Holding Symbol "(H)", RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, and OS2 Open Space Park Zone, in the manner shown on the said Schedule "1" and Schedule "2".

   b) Adding the following Paragraph to Section 9.0 'EXCEPTIONS':

"(1455)"

A. Lands zoned with the Holding Symbol "(H)" shall be used only for a use legally existing as of the date of the enactment of By-law 067-2018, or the production of field crops.

   1. Prior to the removal of the Holding Symbol "(H)" from that portion of the Subject Lands identified as Lots 161 to 172 inclusive and Lots 267 to 272 inclusive, and Lots 292 to 298 inclusive as zoned in the manner shown on Schedule 'E-~~YYYY~~ 1585B', with the Holding Symbol "(H)", the detailed design of the proposed pedestrian bridge (included approaches) and stormwater management ponds / infiltration galleries is completed to the satisfaction of the City of Vaughan and Toronto and Region Conservation Authority (TRCA).

   2. Prior to the removal of the Holding Symbol "(H)" from the Subject Lands as shown on Schedule 'E-~~XXXX~~ 1585A' and 'E-~~YYYY~~ 1585B', the requirements of a Remedial Action Plan and the submission of a record of site condition must be successfully filed with the Ministry of the Environment on the Environmental Site Registry to the satisfaction of the City.

B. Notwithstanding the provisions of:

   a. Subsections 4.22.3 and 3.14 a) respecting Permitted Yard Encroachments and Restrictions in an RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, and RD3 Residential Detached Zone Three;

b. Subsections 4.22.3 and 3.14 c) respecting Permitted Yard Encroachments and Restrictions in an RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, and RD3 Residential Detached Zone Three;

c. Subsections 4.22.2 and 4.22.3 respecting Encroachment of an Unenclosed Porches (Covered or Uncovered), Cold Cellars and Architectural Features and Balconies;

d. Subsection 4.22.3 and Note 3. i) on Schedule "A3" respecting Minimum Interior Side Yard Abutting a non-residential use;

e. Subsection 4.22.3 and Note 5. on Schedule "A3", respecting the Minimum Exterior Side Yard Abutting a sight triangle;

The following provision shall apply to the lands shown as "Subject Lands" on Schedule "E-1585A 1585B ~~XXXX~~" and Schedule "E-~~YYYY~~":

ai. Sills, air conditioners other than central air conditioning units, belt courses, cornices, eaves, gutters, canopies, chimney pilasters, fireplaces and windows, provided however, that the same shall not project more than 0.5 metres into a required yard;

bi. Subject to Paragraph (b), exterior stairways, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 metres and may extend into a required front, exterior side or rear yard to a maximum of 1.8 metres. In addition, a bay or box window or similar window projection which is constructed with footings shall be permitted and may extend into a required front, exterior side or rear yard to a maximum of 0.6 metres;

ci. The following provisions shall apply: In addition to the requirements of Subsection 3.14, Permitted Yard Encroachments and Restrictions, encroachments (in addition to eaves and gutters) are permitted into the minimum required front yard, exterior yard, rear yard and into the minimum required interior side yard for a lot abutting a greenway, walkway, buffer block or stormwater management pond as follows:

i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres;

ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a site triangle;

iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the front yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer

block or stormwater management pond, shall not exceed 1.2 metres above finished grade;

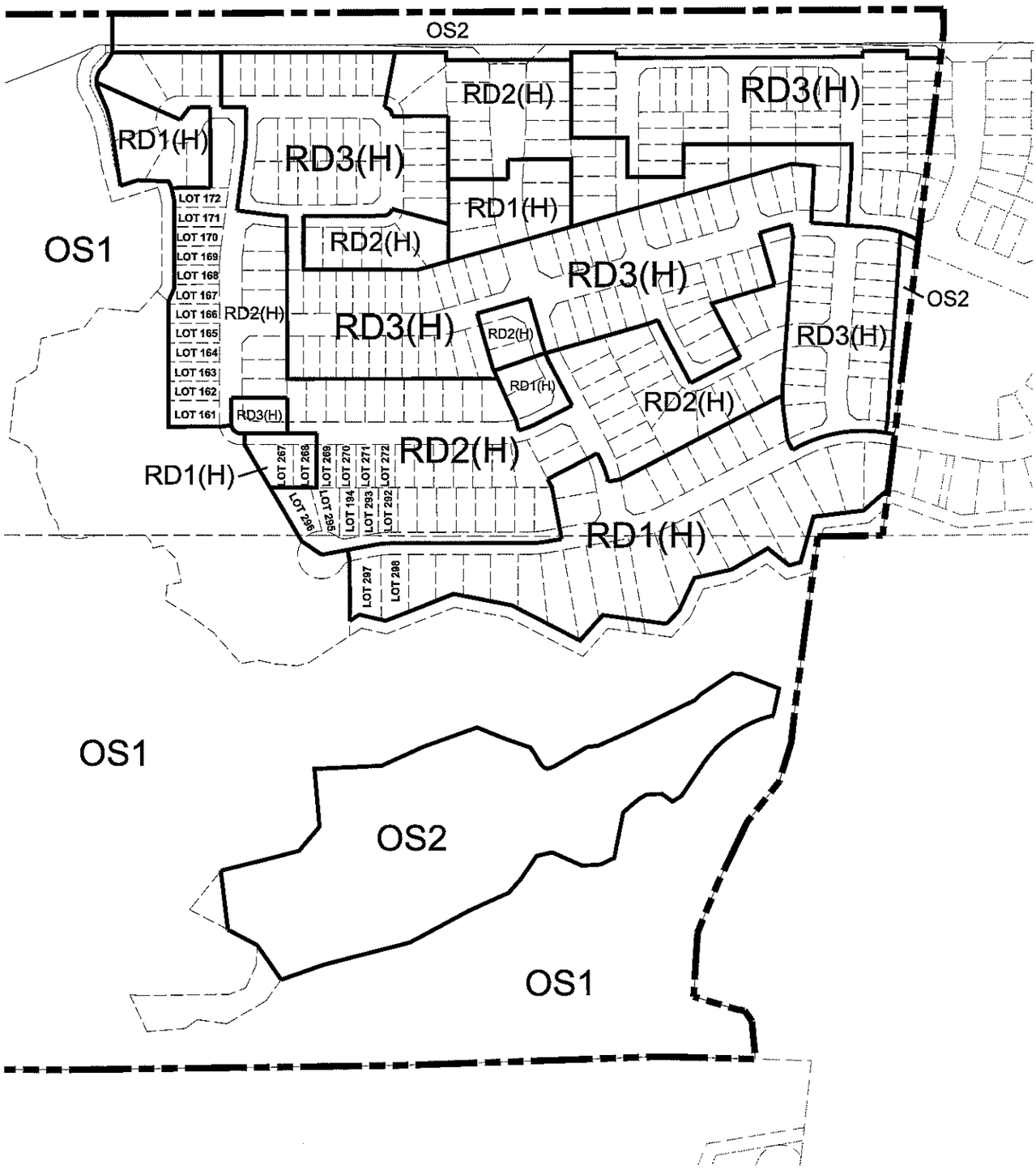
di. The minimum interior side yard shall be 1.5m on a lot abutting a non-residential use including a cemetery, walkway, Greenway, buffer block or stormwater management pond;

ei. The minimum exterior side yard: (i) shall be 3.0m abutting a public lane; (ii) shall be 1.5m abutting a sight triangle; (iii) shall be 1.5m for a yard abutting a cemetery, walkway, Greenway, buffer block or storm water management pond;

b. Adding Schedule "E-~~YYYY~~ 1585B" and "E-~~XXXX~~ 1585A" respectively attached hereto as Schedule "1" and Schedule "2".

c. Deleting Key Map 6E and substituting therefore the Key Map 6E attached hereto as Schedule "3",

2. Schedules "1", "2" and "3" shall be and hereby form part of this By-law.



THIS IS SCHEDULE 'E-~~YYYY~~' 1585
TO BY-LAW 1-88
SECTION 9(1455)

SUBJECT LANDS

NOT TO SCALE

THIS IS SCHEDULE '1'
TO BY-LAW 067 -2018
PASSED THE 23rd DAY OF MAY ,2018

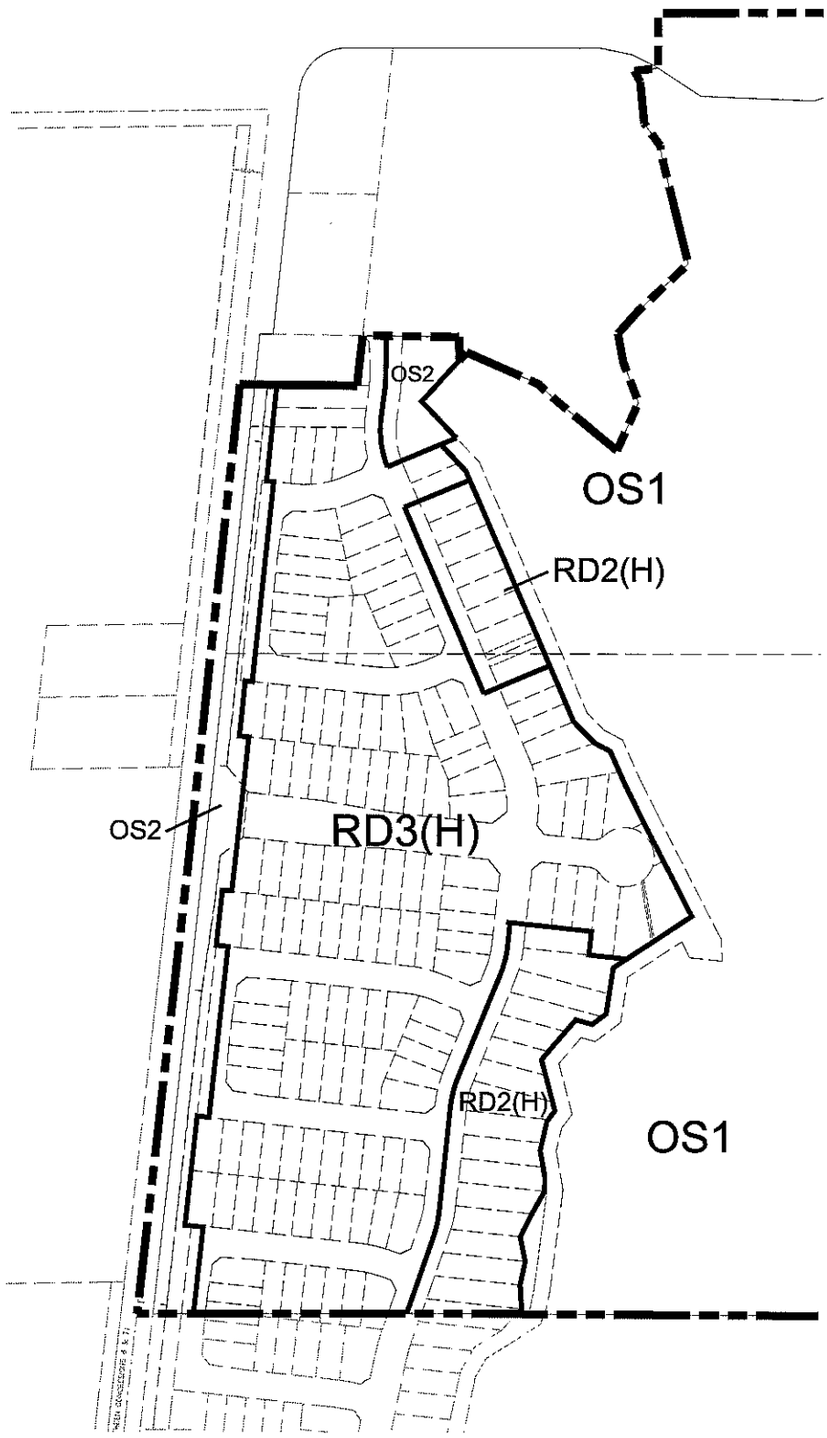
FILE: Z.03.024
RELATED FILE: 19T-03V05
LOCATION: PART OF LOTS 24 AND 25, CONCESSION 6
APPLICANT: PRIMA VISTA ESTATES INC. AND 840999 ONTARIO LTD
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

BOARD ORDER: PL150868
APRIL 27, 2018



THIS IS SCHEDULE 'E-~~XXXX~~ 1585A'
TO BY-LAW 1-88
SECTION 9(1455)

SUBJECT LANDS

NOT TO SCALE

THIS IS SCHEDULE '2'
TO BY-LAW 067 -2017~~8~~
PASSED THE 23rd DAY OF MAY ,2017~~8~~

FILE: Z.03.024
RELATED FILE: 19T-03V05
LOCATION: PART OF LOTS 24 AND 25, CONCESSION 6
APPLICANT: PRIMA VISTA ESTATES INC. AND 840999 ONTARIO LTD.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

BOARD ORDER: PL150868
APRIL 27, 2018

KEY MAP 6E
BY-LAW 1-88

NOT TO SCALE

THIS IS SCHEDULE '3'
TO BY-LAW 067 -2017 8
PASSED THE 23rd DAY OF MAY ,2017 8

FILE: Z.03.024
RELATED FILE: 19T-03V05
LOCATION: PART OF LOTS 24 AND 25, CONCESSION 6
APPLICANT: PRIMA VISTA ESTATES INC. AND 840999 ONTARIO LTD.
CITY OF VAUGHAN

SIGNING OFFICERS

MAYOR

CLERK

BOARD ORDER: PL150868
APRIL 27, 2018

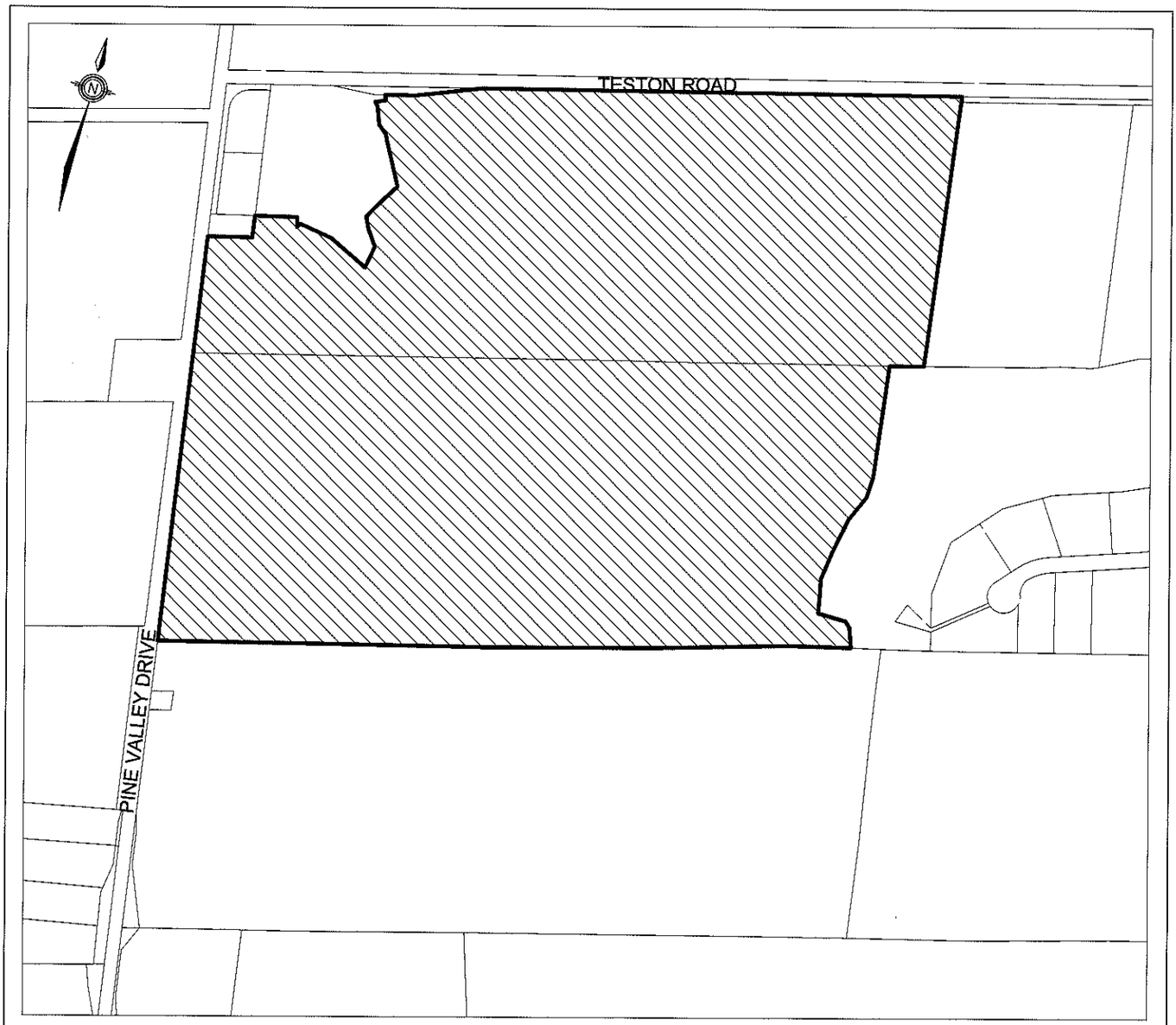
September 28, 2017
Prima Vista

SUMMARY TO BY-LAW 051-2018

The lands subject to this By-law are located on the east side of Pine Valley Drive and on the south side of Teston Road, being in Part of Lots 24 and 25, Concession 6, City of Vaughan.

The purpose of this By-law is to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1 (H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two and RD3(H) Residential Detached Zone Three all with the Holding Symbol "(H)", OS1 Open Space Conservation Zone and OS2 Open Space Park Zone to facilitate 458.5 detached dwelling units, of which 15 are to develop with the adjacent lands, a park, a stormwater management facility, open space, open space buffers and road widenings, and to maintain the existing valleylands in the 76.43 ha Plan of Subdivision 19T-03V05.

The By-law further provides exceptions to the permitted yard encroachments, permitted use, minimum interior side yard and minimum exterior side yard.



NOT TO SCALE

LOCATION MAP

TO BY-LAW 067 -2017

FILE: Z.03.024
RELATED FILE: 19T-03V05
LOCATION: PART OF LOTS 24 AND 25, CONCESSION 6
APPLICANT: PRIMA VISTA ESTATES INC. & 840999 ONTARIO LIMITED
CITY OF VAUGHAN

SUBJECT LANDS

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

Ontario

ISSUE DATE: April 27, 2018

CASE NO(S).: PL150822
PL150872 PL150866
PL150684 PL150868
PL150870

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 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	2097500 Ontario Limited
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD3, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 83.5 dwelling units, parkland/open space and maintenance of valley lands
Property Address/Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.07.002
OMB Case No.:	PL150822
OMB File No.:	PL150822
OMB Case Name:	2097500 Ontario Limited v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	2097500 Ontario Limited
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4077 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-07V01
OMB Case No.:	PL150822
OMB File No.:	PL150823

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Liliana Damiani
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Agricultural Zone A, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 94 lots for detached dwellings, 14 residential blocks, as well as to maintain 1 existing residential building and to provide open space/buffer blocks
Property Address/Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	Z.14.010
OMB Case No.:	PL150866
OMB File No.:	PL150866
OMB Case Name:	Damiani v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Liliana Damiani
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4801 Teston Road
Municipality:	City of Vaughan
Municipal File No.:	19T-14V004

OMB Case No.:	PL150866
OMB File No.:	PL150867

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A and Open Space Conservation Zone OS1
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Neighbourhood Commercial Zone C4, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 536.5 dwelling units, a commercial block, parkland/open space, a stormwater management pond and maintenance of the valley lands
Property Address/Description:	4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	Z.03.024
OMB Case No.:	PL150868
OMB File No.:	PL150868
OMB Case Name:	Gold Park Homes Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Gold Park Homes Inc., 840999 Ontario Limited and Prima Vista Estates Inc.
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	4333 Teston Road, 10601, 10699 and 10733 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	19T-03V05
OMB Case No.:	PL150868
OMB File No.:	PL150869

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Mosaik Pinewest Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A and Open Space Conservation Zone OS1
Proposed Zoning:	Residential Detached Zone RD2, Residential Detached Zone RD3 and Open Space Conservation Zone OS1
Purpose:	To permit the development of a plan of subdivision consisting of 43 residential detached lots and 8 residential blocks (4 lots), open space buffer blocks and a stormwater management pond
Property Address/Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	Z.06.058
OMB Case No.:	PL150870
OMB File No.:	PL150870
OMB Case Name:	Mosaik Pinewest Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	Mosaik Pinewest Inc.
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	10355 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	19T-06V10
OMB Case No.:	PL150870
OMB File No.:	PL150871

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited

Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	Agricultural Zone A
Proposed Zoning:	Residential Detached Zone RD1, Residential Detached Zone RD2, Residential Detached Zone RD3, Residential Townhouse Zone RT1, Open Space Conservation Zone OS1 and Open Space Park Zone OS2
Purpose:	To permit the development of a plan of subdivision consisting of 418 dwelling units, an elementary school block, parkland/open space, a stormwater management pond and maintenance of the valley lands
Property Address/Description:	10460 and 10640 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	Z.03.107
OMB Case No.:	PL150872
OMB File No.:	PL150872
OMB Case Name:	Lindvest Properties (Pine Valley) Limited v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(39) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant:	1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (pine valley RB) Limited
Subject:	Proposed Plan of Subdivision
Property Address/ Description:	10460 and 10640 Pine Valley Drive
Municipality:	City of Vaughan
Municipal File No.:	19T-03V25
OMB Case No.:	PL150872
OMB File No.:	PL150873

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Country Wide Homes (Pine Valley Estates) Inc.
Subject:	Application to amend Zoning By-law No. 1-88, as amended – Refusal or neglect of the City of Vaughan to make a decision
Existing Zoning:	"A Agricultural Zone"

Proposed Zoning:	"RD1 Residential Detached Zone One", "RD2 Residential Detached Zone Two", "RD3 Residential Detached Zone Three", "RT1 Residential Townhouse Zone", "OS1 Open Space Conservation Zone" and "OS2 Open Space Park Zone"
Purpose:	To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development
Property Address/Description:	10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan
Municipality:	City of Vaughan
Municipal File No.:	Z.06.064
OMB Case No.:	PL150684
OMB File No.:	PL150684
OMB Case Name:	Country Wide Homes (Pine Valley Estates) Inc. v. Vaughan (City)

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant:	Country Wide Homes (Pine Valley Estates) Inc.
Subject:	Proposed Plan of Subdivision - Failure of the City of Vaughan to make a decision
Purpose:	To permit the development of a residential plan of subdivision consisting of 162 detached dwellings, 34 townhouse dwellings contained within six (6) blocks, a neighbourhood park (approximately 1.3 hectares [3.2 acres] in size), valley land (approximately 10.7 hectares [26.4 acres] in size) as well as valley and landscape buffers, a road widening and a block for future development
Property Address/Description:	10390 Pine Valley Drive/ Part of Lots 23 & 24, Concession 7, City of Vaughan
Municipality:	City of Vaughan
Municipal File No.:	19T-06V12
OMB Case No.:	PL150684
OMB File No.:	PL150685

Heard: Written Submissions, filed February 5, 2018

APPEARANCES:

Parties	Counsel
Mosaik Pinewest Inc., (case PL150870)	M. Melling
1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (Pine Valley RB) Limited, (case PL150872)	M. Melling
840999 Ontario Limited and Prima Vista Estates Inc., (case PL150868)	M. Melling
City of Vaughan	C. Storto
Toronto and Region Conservation Authority	J. Wigley

DECISION DELIVERED BY SUSAN de AVELLAR SCHILLER AND ORDER OF THE TRIBUNAL

[1] On April 6, 2016, the Ontario Municipal Board ("Board") issued its decision on several site-specific zoning by-law amendments and associated draft plans of subdivision, with conditions, for lands within blocks 40 and 47 in the City of Vaughan ("City"). The lands that are the subject of these planning instruments are all within the geographic area of, and governed by, City Official Plan Amendment 744 ("OPA 744"). The reader is referred to the April 6, 2016 decision for additional background.

[2] These cases had been administratively grouped to be heard together but were not consolidated. In the April 6, 2016 decision, the Board dealt with each of these cases and ordered:

> that the appeals of the proposed zoning by-law amendments to the City of Vaughan Zoning By-law No. 1-88 are allowed. The appeals of the applications for draft plans of subdivision approval are allowed. Zoning By-law No. 1-88 is amended and the draft plans of subdivision are approved, subject to conditions...

[3] In addition, the Board stated in its decision that:

> The Board withholds its final order on each of these zoning by-law amendments in each of these cases until the Board is advised that the Master Environmental Servicing Plan is completed and that revisions to the particular zoning by-law amendment, if any, are agreed upon to the satisfaction of the City of Vaughan and the Toronto and Region Conservation Authority.

[4] This work having been completed, written submissions with revised zoning by-law amendments have now come to the Tribunal. In some cases, these submissions seek approval for changes to the draft plans of subdivision and to the conditions of draft plan approval.

[5] In general, these various proposed changes arise from discussions between the proponents, the City and the Toronto and Region Conservation Authority ("TRCA") that resulted from the further work on environmental servicing, natural heritage considerations, the results of archeological examination and consideration of the Growth Plan for the Greater Golden Horseshoe 2017 ("GGH 2017") and the Greenbelt Plan 2017 ("GBP 2017").

[6] All matters before the Tribunal in this decision now come to the Tribunal with the consent of the City and with the consent or no objection from the TRCA.

[7] Section 2.1 of the *Planning Act*, R.S.O. 1990 c. P.13, as amended ("Act") requires the Tribunal to have regard to any decision made by the municipal council on the same matter that is before the Tribunal and, similarly, to have regard to any information and material that the municipal council considered when making its decision.

[8] In this case, the Tribunal has considered the fact that all matters before the Tribunal in these proceedings have come on the consent of the City. Additionally, the

Tribunal has considered the reports and materials before City Council, as set out in the various Affidavits filed in these proceedings.

[9] This decision deals with case PL150870 for Mosaik Pinewest Inc. ("Mosaik"), case PL150872 for 1387700 Ontario Limited, Roybridge Holdings Limited, Lindvest Properties (Pine Valley) Limited and Lindvest Properties (Pine Valley RB) Limited (together "Roybridge") and case PL150868 for 840999 Ontario Limited and Prima Vista Estates Inc. (together "Prima Vista").

Case PL150870: Mosaik

[10] For Mosaik, the Tribunal had before the Affidavit of Rosemarie Humphries, a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario. In addition to her *curriculum vitae*, the Tribunal had a signed copy of the Acknowledgement of Expert's Duty form. Ms. Humphries was qualified to provide independent expert opinion evidence in land use planning matters in the oral hearing that resulted in the April 6, 2016 decision. The Tribunal is satisfied that Ms. Humphries continues to be qualified to provide independent expert opinion evidence in land use planning.

[11] There are no proposed modifications to OPA 744 and no proposed revisions to the draft plan of subdivision. There are some minor changes to the proposed zoning by-law amendment that are primarily stylistic. These changes also include the removal of the holding provision.

[12] The conditions of draft plan approval have been revised to remove a condition regarding pedestrian bridges, stormwater management ponds and infiltration galleries since this condition has been satisfied. The Tribunal finds that these revised conditions of draft plan approval are reasonable.

[13] On the Affidavit evidence of Ms. Humphries as filed in these proceedings, the Tribunal finds that the proposed zoning by-law amendment, found at Exhibit E to the

Affidavit of Ms. Humphries, and the revised conditions of draft plan approval, found at Exhibit D to the Affidavit of Ms. Humphries:

1. have had regard for, and appropriately implement, matters of provincial interest as set out in s. 2 of the Act;

2. are consistent with the Provincial Policy Statement 2014 ("PPS");

3. conform to the GGH 2017;

4. conform to the GBP 2017;

5. conform to the Region of York Official Plan ("ROP"); and

6. conform to the City Official Plan Amendment 600, as modified by OPA 744.

Case PL150872: Roybridge

[14] For Roybridge, the Tribunal had before the Affidavit of Mark Yarranton, a full Member of the Canadian Institute of Planners and a Registered Professional Planner in Ontario. In addition to his *curriculum vitae*, the Tribunal had a signed copy of the Acknowledgement of Expert's Duty form. Mr. Yarranton was qualified to provide independent expert opinion evidence in land use planning matters in the oral hearing that resulted in the April 6, 2016 decision. The Tribunal is satisfied that Mr. Yarranton continues to be qualified to provide independent expert opinion evidence in land use planning.

[15] There are no proposed changes to OPA 744. There are revisions to the draft plan of subdivision and changes to the conditions of draft plan approval and to the implementing zoning by-law amendment.

[16] The draft plan of subdivision has two revisions. In keeping with the Provincial emphasis in the PPS and the GGH 2017 to make efficient use of land and infrastructure

and intensify development where appropriate, the revised draft plan has a decrease in the number of detached dwelling units by removing 15 such units. At the same time, the revised draft plan has increased the number of Street Townhouses by 41.5 of such units for an overall net increase of 26.5 residential units.

[17] In making this change to increase the number of residential units, the City turned its mind to the matter of allocation of servicing capacity for the developments in question. The minutes of the applicable City Council meeting show that the City adopted the staff recommendation to grant the additional allocation for the revised draft plan of subdivision.

[18] The second change to the draft plan of subdivision deals with blackline revisions to the draft plan. A condition had previously required that changes to a buffer block, a walkway extension and side lot lines in the townhouse block be shown as redline revisions. The necessary changes are now shown as blackline revisions.

[19] Changes to the conditions for draft plan approval involve updates to the references to the revised draft plan, removal of the condition that required certain redline revisions that are now blackline revisions and the deletion of the earlier condition 3. The earlier condition 3 dealt with the detailed design of a pedestrian bridge and stormwater management ponds and infiltration galleries, all of which have now been addressed to the satisfaction of the City and TRCA. The Tribunal finds that the revised conditions of draft plan approval are reasonable.

[20] Changes to the proposed zoning by-law amendment include removal of the Holding symbol related to the stormwater management ponds and infiltration galleries, changes to the zoning and certain performance standards to recognize the additional Street Townhouses and other minor edits and stylistic changes sought by the City.

[21] On the Affidavit evidence of Mr. Yarranton, as filed in these proceedings for Roybridge, the Tribunal finds that the revised draft plan of subdivision found at Exhibit D to Mr. Yarranton's Affidavit for Roybridge, the revised conditions of draft plan approval

found at Exhibit E to Mr. Yarranton's Affidavit for Roybridge, and the proposed zoning by-law amendment found at Exhibit F to Mr. Yarranton's Affidavit for Roybridge:

1. have had regard for, and appropriately implement, matters of provincial interest as set out in s. 2 of the Act;

2. are consistent with the PPS;

3. conform to the GGH 2017;

4. conform to the GBP 2017;

5. conform to the ROP; and

6. conform to the City Official Plan Amendment 600, as modified by OPA 744.

Case PL150868: Prima Vista

[22] For Prima Vista, the Tribunal had before it a further Affidavit of Mr. Yarranton. As set out above, the Tribunal had qualified Mr. Yarranton previously to provide independent expert opinion evidence in land use planning matters and is satisfied that he remains qualified in this regard.

[23] There are no proposed modifications to OPA 744 and no proposed revisions to the draft plan of subdivision for Prima Vista. There are changes to the conditions of draft plan approval and to the proposed zoning by-law amendment.

[24] A wetland water balance analysis has been completed and the final requirements incorporated into the Master Environmental Servicing Plan. The detailed design of pedestrian bridges, stormwater management ponds and infiltration galleries has progressed to the point that the City and the TRCA are content to remove a related condition and zoning by-law holding provision.

[25] The Region completed a Schedule C Municipal Class Environmental Assessment Study ("EA Study") that identified solutions to certain anticipated traffic management challenges. One solution involves re-aligning Pine Valley Drive. The result of the proposed re-alignment would displace the former Purpleville Post Office building. This building is an identified heritage resource in the approved draft plan of subdivision. To reduce the impacts on this heritage resource, the EA Study required Prima Vista to prepare a conservation strategy for this building to determine how best to conserve the heritage attributes of the property. This heritage conservation strategy is to be prepared with the involvement of local stakeholders, including the City and the Heritage Vaughan Committee.

[26] Condition 60 of the conditions of draft plan approval had called for the completion of what would be essentially the same heritage conservation study for the Purpleville Post Office building, to be done to the satisfaction of the City.

[27] The City is content to have the study undertaken as required by the EA Study and to remove condition 60 as redundant.

[28] The Tribunal finds that the revised conditions of draft plan approval are reasonable.

[29] A holding provision had been in place for Lot 1 until an appropriate structural setback from adjacent cemeteries could be determined. An archeological study confirmed that there are no human graves associated with the cemetery on this lot. On this basis, City staff recommended removal of this hold.

[30] Like Roybridge, the holding provision regarding the allocation of water and sewer services has been lifted with the decision of the City to reserve the necessary allocation for this development.

[31] Block 489 of the Prima Vista draft plan of subdivision is a Neighbourhood Commercial block. Access to this block has been an ongoing issue regarding

appropriate intersection spacing as a result of the road realignment identified in the EA Study. Prima Vista has suggested a possible solution that would affect Block 467 and part of Block 474 but there has not yet been full agreement on any solution with the relevant public agencies.

[32] As a result, Prima Vista now asks that Block 489, Block 467 and part of Block 474 be excluded from the proposed amended zoning by-law amendment now before the Tribunal. Prima Vista acknowledges that doing so means that a further zoning by-law amendment will be required at some point in the future. No objection to this proposed course of action was presented to the Tribunal. On this basis, the Tribunal agrees to these deletions.

[33] On the Affidavit evidence of Mr. Yarranton, as filed in these proceedings for Prima Vista, the Tribunal finds that the revised conditions of draft plan approval found at Exhibit D to Mr. Yarranton's Affidavit for Prima Vista, and the proposed zoning by-law amendment found at Exhibit E to Mr. Yarranton's Affidavit for Prima Vista:

1. have had regard for, and appropriately implement, matters of provincial interest as set out in s. 2 of the Act;

2. are consistent with the PPS;

3. conform to the GGH 2017;

4. conform to the GBP 2017;

5. conform to the ROP; and

6. conform to the City Official Plan Amendment 600, as modified by OPA 744.

ORDER

[34] For case PL150870:

1. Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit E to the Affidavit of Rosemarie Humphries, as filed in these proceedings.

2. Pursuant to s. 51(56) of the *Planning Act,* the Tribunal orders that the revised conditions of draft plan approval, found at Exhibit D to the Affidavit of Rosemarie Humphries, as filed in these proceedings, are approved.

3. Pursuant to s. 51(56.1) of the *Planning Act*, final approval of this plan of subdivision, for the purposes of s. 51(58) of the *Planning Act*, continues to be given to the City of Vaughan.

[35] For case PL150872:

1. Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit F to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Roybridge.

2. Pursuant to s. 51(56) of the *Planning Act, t*he Tribunal orders that the revised conditions of draft plan approval, found at Exhibit E to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Roybridge, are approved.

3. Pursuant to s. 51(56) of the *Planning Act,* the Tribunal orders that the revised draft plan of subdivision, found at Exhibit D to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Roybridge, is approved subject to the conditions found at Exhibit E to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Roybridge.

4. Pursuant to s. 51(56.1) of the *Planning Act*, final approval of this plan of subdivision, for the purposes of s. 51(58) of the *Planning Act*, continues to be given to the City of Vaughan.

[36] For case PL150868:

1. Pursuant to s. 34(11.0.2) of the *Planning Act*, the Tribunal orders that City of Vaughan Zoning By-law No. 1-88, as amended, is further amended in accordance with Exhibit F to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Prima Vista.

2. Pursuant to s. 51(56) of the *Planning Act, t*he Tribunal orders that the revised conditions of draft plan approval, found at Exhibit E to the Affidavit of Mark Yarranton, as filed in these proceedings on behalf of the parties together known as Prima Vista, are approved.

3. Pursuant to s. 51(56.1) of the *Planning Act*, final approval of this plan of subdivision, for the purposes of s. 51(58) of the *Planning Act*, continues to be given to the City of Vaughan.

"Susan de Avellar Schiller"

SUSAN de AVELLAR SCHILLER
VICE-CHAIR

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