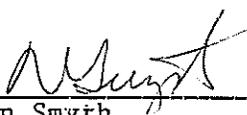


I, NORMAN SMYTH, Deputy City Clerk of The Corporation of the City of Vaughan in the Regional Municipality of York, do hereby certify that the attached is a true copy of Amendment Number 352 to the Official Plan of the Vaughan Planning Area, which was approved with modifications by the Ontario Municipal Board on the 28th day of February, 1994. The attached document, being Schedule "B" to the Board Order (O 920224), is the revised Official Plan Amendment Number 352 mentioned above.

  
\_\_\_\_\_  
Norman Smyth  
Deputy City Clerk  
City of Vaughan

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



# THE TOWN OF VAUGHAN BY-LAW

## BY-LAW NUMBER 208-90

A By-law to adopt Amendment Number 352 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 352 to the Official Plan of the Vaughan Planning Area, consisting of the attached text, and Schedules "1" and "2" is hereby adopted.
2. AND THAT the Town Clerk is hereby authorized and directed to make application to the Ministry of Municipal Affairs for approval of the aforementioned Amendment Number 352 to the Official Plan of the Vaughan Planning Area.
3. AND THAT this By-law shall come into force and take effect on the day of the final passing thereof.

READ a FIRST and SECOND time this 19th day of June, 1990.

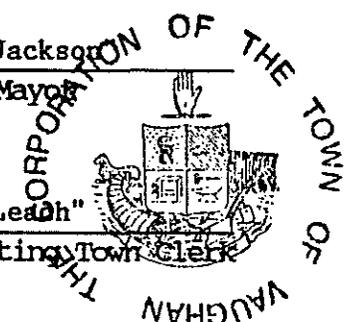
"L.D. Jackson"  
 \_\_\_\_\_  
 L.D. Jackson, Mayor

"J.D. Leach"  
 \_\_\_\_\_  
 J.D. Leach, Acting Town Clerk

READ a THIRD time and finally passed this 19th day of June, 1990.

"L.D. Jackson"  
 \_\_\_\_\_  
 L.D. Jackson, Mayor

"J.D. Leach"  
 \_\_\_\_\_  
 J.D. Leach, Acting Town Clerk





Ontario

Ontario Municipal Board  
Commission des affaires municipales de l'Ontario

SCHEDULE "B"

O 920224  
R 900477

DRAFT OFFICIAL PLAN AMENDMENT  
FABRI  
FILE: OP.51.89

REVISED OPA 352  
DATE: DECEMBER 1ST, 1993  
PURSUANT TO INTERIM OMB DECISION  
RE: FABRI

AMENDMENT NUMBER 352  
TO THE OFFICIAL PLAN  
OF THE VAUGHAN PLANNING AREA

The following text and Schedules "1" and "2" to Amendment Number 352 to the Official Plan of the Vaughan Planning Area constitute Amendment Number 352.

Also attached hereto but not constituting part of the Amendment is Appendices I and II.

I. PURPOSE

The purpose of this Amendment is to amend Amendment No. 139 to the Official Plan of the Vaughan Planning Area by redefining the limits of the "Development Area" and "Non Development Area" on Schedule "B" as they pertain to Lot 7, Registered Plan 65M-2138. Secondly, this Amendment adds policies to Official Plan Amendment No. 139 to restrict the location of the dwelling to a specific envelope established in the implementing zoning by-law. The amendment also provides that site plan control shall apply to the subject lands.

II. LOCATION

The area subject to this Amendment comprises Lot 7, Registered Plan 65M-2138, being part of Lot 29, Concession 2, Town of Vaughan. The Subject Lands are located at the east end of Silver Fox Place in the Woodland Acres Subdivision and are shown on Schedule "1" attached hereto.

III. BASIS

The Subject Lands are designated "Rural Residential" by OPA No. 139. Part of the lands are included in a "Development Area" and part in "Non Development Area" in OPA No. 139. The decision to amend the Official Plan is based on the following considerations:

- a) On January 23, 1989 the Council of the Town of Vaughan considered the Official Plan and Zoning By-law Amendment application at a Council meeting. At the meeting Council approved the application to provide for amended development area, and to include the upland forest area at the front of the lot in the non-development area of the lot.
- b) The upland forest area located at the front of the lot will be protected and will serve to screen the proposed residence from Silver Fox Place, providing a rural estate ambience to the lot. The proposed amendment was supported by plans prepared by a qualified landscape architect.

- c) The policies of OPA No. 39 and OPA No. 139 regarding the protection of environmentally sensitive features shall still apply to the Subject Lands.

IV. DETAILS OF ACTUAL AMENDMENT

Amendment No. 4 to the Official Plan of the Vaughan Planning Area, as amended by Amendment No. 139 to the Official Plan of the Vaughan Planning Area is hereby further amended by:

1. Amending Schedule "B" to show the "Development Area" and "Non Development Area" of the Subject Lands in the manner shown on Schedule "1" attached hereto.
2. Adding the following to Subsection 4(b):
  - vi) For Lot 7 of Registered Plan M-2138 the implementing zoning by-law will define a development envelope to restrict the location of the dwelling.
  - vii) Notwithstanding the classes of development which are exempt from the site plan control provisions outlined in Official Plan Amendment Number 200, the land shown as "Area Subject to Official Plan Amendment No. 352" on Schedule 1 is hereby designated as a Site Plan Control Area in accordance with Section 41 of the Planning Act. Site plans for the development of the single detached residence on the lands shown in Schedule "1" shall be approved by the City Council.
  - viii) Notwithstanding the objectives of the City of Vaughan in exercising site plan control through Official Plan Amendment No. 200, the following additional objective will apply to the land shown as "Area Subject to Official Plan Amendment No. 352".
    - a) To minimize removal of the existing woodlot and to ensure its long term viability.
  - ix) Before development is permitted on the lands shown as "Area Subject to Official Plan Amendment Number 352" on Schedule 1 the Office of the Regional Medical Officer of Health shall have issued a written approval or certificate approving the proposed

private sewage system.

- x) The site plan approval and subsequent preparation of the site plan agreement for the lands shown as "Area subject to Official Plan Amendment No. 352" will have consideration for the following:
- a) Removal of vegetation within the reserve tile bed area, as defined on the site plan, should be discouraged unless deemed required by the Regional Medical Officer in the event of irreparable primary tile bed failure.
  - b)
    - (1) Specific measures will be implemented through the site plan agreement to prevent soil erosion into the existing wooded areas and to promote minimal disturbance to existing tree root systems.
    - (2) Buffering of the existing homes to the south will be respected through implementation of a tree replanting policy in the site plan agreement for lands along the southerly lot boundary. It is the policy of this plan that a minimum of 14 specimen quality live trees, tagged and removed to accommodate the building envelope as defined on the site plan, be replanted along the southerly lot boundary. Trees that die are to be replaced.
    - (3) It is the policy of this plan to protect, where possible, specimen trees which are defined as trees above 4 inches in calliper as tagged by a qualified landscape architect.
    - (4) Specific measures will be implemented in the site plan agreement so that specimen trees will be tagged by the landscape architect for retention or removal and approved by the City.
    - (5) It is the policy of this plan that measures be implemented in the site plan agreement to ensure that existing drainage patterns are not substantially altered such as to impact adjacent lots.

V. IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning area pertaining to the

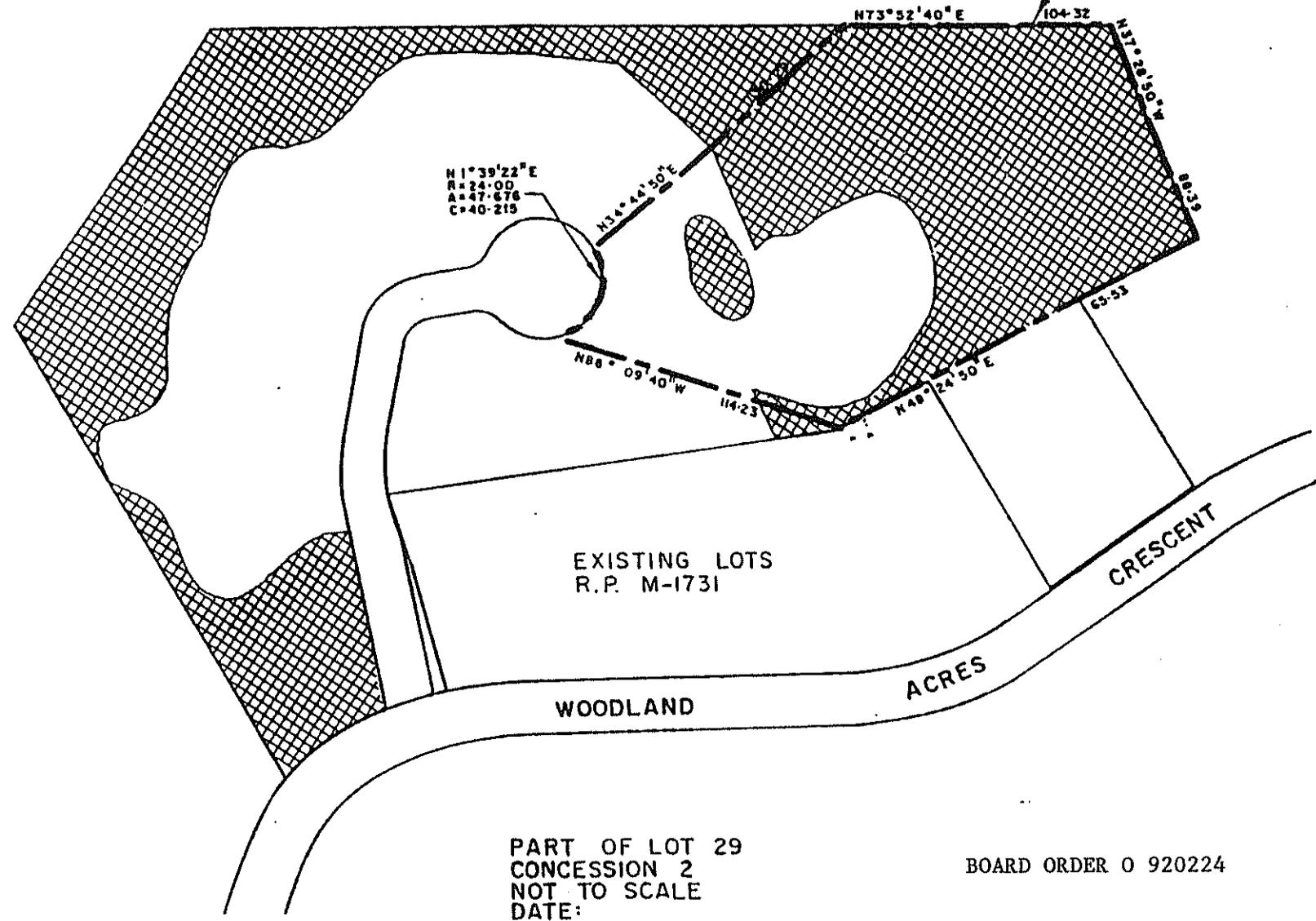
DRAFT OFFICIAL PLAN AMENDMENT  
FABRI  
FILE: OP.51.89

Subject Lands shall be implemented through an amendment to the Vaughan Zoning By-law and site plan approval agreements pursuant to the Planning Act.

VI. INTERPRETATION

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

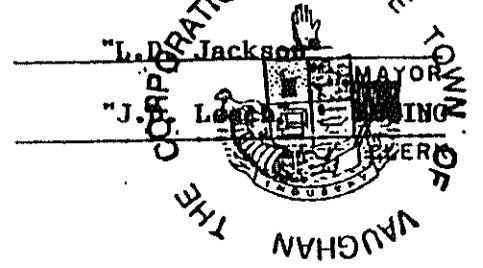
AREA SUBJECT TO  
AMENDMENT NO. 352



LEGEND

- LIMIT OF THIS AMENDMENT
- DEVELOPMENT AREA
- ▨ NON-DEVELOPMENT AREA

THIS IS SCHEDULE '1'  
TO AMENDMENT NO. 352  
ADOPTED THE DAY OF \_\_\_\_\_, 1990



PART OF LOT 29  
CONCESSION 2  
NOT TO SCALE  
DATE:

BOARD ORDER 0 920224

APPENDIX 1

RECORD OF COUNCIL ACTION

The lands subject to this amendment comprise Lot 7, Registered Plan M-2138 being part of Lot 29, Concession 2, Town of Vaughan. The purpose of this amendment is to amend Amendment No. 139 to the Vaughan Official Plan to redefine the limits of the "Development Area" and "Non Development Area" on Schedule "B". In addition the amendment provides that the implementing zoning by-law will define a development envelope to restrict the location of the dwelling. The Official Plan Amendment also provides for the lands to be subject to site plan control.

At a public hearing on October 12, 1989 Council considered Official Plan Amendment Application OP.51.89 and rezoning application Z.41.89 to permit the construction of one single family residence on a portion of the subject lot currently identified as a "Non-Development Area" by OPA No. 139 and zoned OS1 Open Space Conservation Zone. At the hearing, an adjacent landowner opposed the development plans but expressed a willingness to negotiate with the applicant. Council passed the following motion.

"That Official Plan Amendment OP.51.89 and Zoning By-law Amendment Application Z.41.89 Nello Fabbri (Fabbri Construction Limited), BE RECEIVED and referred to a future Council Committee meeting after October 26, 1989."

Council Committee considered the applications on January 15, 1990 and on January 23, 1990, Vaughan Council passed the following resolution:

"That Official Plan Amendment Application OP.51.89 and Zoning By-law Amendment Application Z.41.89, BE APPROVED, subject to the following conditions:

1. a) That the Official Plan Amendment provide for a development area substantially in the location of the proposed residence shown as Attachment No. 4 in the October 12, 1989 Staff Report and include the upland forest area at the front of the lot in the non-development area of the lot.
- b) The implementing zoning by-law shall identify the location of a building envelope and driveway substantially in the location shown on Attachment #4.
2. Prior to the enactment of the Official Plan Amendment and Zoning By-law, the Vaughan Engineering, Planning and Recreation Departments shall have reviewed and approved a grading plan for the development of the Subject Lands.
3. That prior to regrading and prior to the issuance of a building permit:
  - a) all conditions of the subdivision agreement be fulfilled;
  - b) a temporary snow fence be erected along the approved limits of grading;
  - c) all specimen trees above 4" calliper be tagged by the landscape architect for retention or removal, approved and recorded by the Town;
  - d) all trees to be retained have been recorded and proposed grades adjusted to maintain minimal disturbance to their root systems;
  - e) all specimen quality live trees tagged for retention but that need to be removed to accommodate the modified building envelope shall be replanted wherever possible along the southerly lot boundary. A minimum of 14 trees shall be replanted. Any of these that die are to be replaced."

APPENDIX 2

RECORD OF ONTARIO MUNICIPAL BOARD ACTION

The Ontario Municipal Board considered Official Plan Amendment No. 352, on a referral to the Board and the Board also considered an appeal of Zoning By-law No. 209-90 of the City of Vaughan. In an interim decision dated August 26th, 1993, the Board in dealing with the issue of the need for additional landscaping buffering along the south property line adjacent to the rear of Lots 31, 32 and 33, indicated that Council's decision as to trees as reflected in condition 3(e) set out in Appendix 1, if embodied in a site plan control agreement (s.41 Agreement) would be sufficient buffering for the adjacent lots.