

# *THE CITY OF VAUGHAN*

# *BY-LAW*

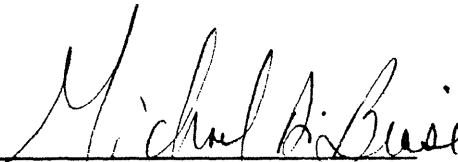
## BY-LAW NUMBER 121-2003

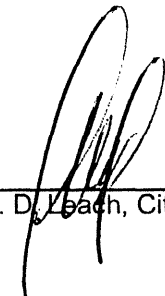
**A By-law to consolidate and update By-law 415-90 (adopting Official Plan Amendment No. 332) and all amendments thereto which are in full force and effect as of April 1, 2003.**

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

1. THAT By-law 121-2003 be enacted to consolidate By-law 415-90, as amended, adopting OPA No. 332, and all amendments to said By-law 415-90, which are in full force and effect as of April 1, 2003 attached hereto.
2. THAT By-law 121-2003 be cited as Consolidated OPA No. 332.

READ a FIRST, SECOND and THIRD time and finally passed this 14<sup>th</sup> day of April, 2003.

  
Michael Di Biase, Mayor

  
J. D. Leach, City Clerk

**CONSOLIDATION  
AMENDMENT NUMBER 332  
TO THE OFFICIAL PLAN  
OF THE VAUGHAN PLANNING AREA**

The following text, and Schedules "1", "2A", "3", "4" and "5" and Appendix "III" to Amendment No. 332 to the Official Plan of the Vaughan Planning Area constitutes Amendment Number 332.

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

**This Edition of OPA 332  
adopted by the Council  
of the Corporation of the City of Vaughan  
on APRIL 14<sup>TH</sup> 2003 as a Consolidation of  
OPA 332 approved by the  
Ontario Municipal Board July 30, 1998  
and all amendments thereto which are in full force and effect  
as of April 1, 2003.**

**SUMMARY TO BY-LAW 121-2003**

A By-law to consolidate and update Official Plan Amendment No. 332 and all amendments thereto which are in full force and effect as of April 1, 2003.

**TABLE OF CONTENTS**

I PURPOSE ..... 3

II LOCATION ..... 4

III BASIS ..... 4

IV DETAILS OF THE ACTUAL AMENDMENT AND POLICIES RELATIVE THERETO ..... 4

V IMPLEMENTATION ..... 28

VI NON-CONFORMING USES ..... 31

VII INTERPRETATION ..... 32

## I PURPOSE

The purpose of this Amendment is:

1. To provide the planning framework and policies to guide the future land use and development of the subject lands bounded by Keele Street, Kirby Road, Dufferin Street, and Major Mackenzie Drive, as shown on Schedule "3" attached hereto.
2. To establish certain land use designations within the Amendment area, as set out below:
  - a) A "Prestige-Industrial" designation on parts of the frontages of the subject lands on the east side of Keele Street, north of MacNaughton Road, and an "Industrial" designation in certain areas which are set back from these frontages.
  - b) An "Open Space" designation on the area known as the Avondale clay extraction area, and on a second area associated with a tributary of the Don River.
  - c) An "Open Space Special Policy Area 1" designation on the area comprising the existing licensed fill area of the Keele Valley Landfill Site, recognizing its use as a waste disposal area, subject to a maximum approved *volumetric capacity* (which may be breached only under the special powers provided for by the Waste Management Act and a Minister's report issued in 1991 pursuant to Section 29 of the Environmental Protection Act), and providing for its future use for open space purposes.
  - d) An "Open Space Special Policy Area 2" designation on the Primary Buffer Area of the Keele Valley Landfill Site, to provide for its long term use as an area for the monitoring and mitigation of the effects of waste disposal.
  - e) An "Open Space Special Policy Area 3" designation on *an* area which *is* considered to be subject to significant land use constraints, due to the effects of waste disposal.
  - f) A "North Maple Residential Area" designation made up of a "Special Residential Area" and an "Executive Residential Area" which would apply to land in the northern part of the Amendment Area, extending from south of Teston Road west of Dufferin Street to Kirby Road, in accordance with Schedule "2A" attached hereto.
3. To delineate one "Waste Disposal Assessment Area" associated with waste disposal facilities in or adjacent to the Amendment Area subject to and in accordance with the requirements of the Ministry of the Environment and Energy.
4. To define permitted uses and land use controls in the "Industrial", "Prestige Industrial", "Open Space", "Open Space Special Policy Areas", and "North Maple Residential Area" designations.
5. To introduce new policies to specify conditions under which development may be approved in the "Waste Disposal Assessment Area".
6. To confine the disposal of waste to the "Open Space Special Policy Area 1" designation.

## II LOCATION

The lands affected by this Amendment are located within the area bounded by Keele Street, Kirby Road, Dufferin Street and Major Mackenzie Drive in the City of Vaughan save and except those lands west of the CN Rail Line south of McNaughton Road and the Maple Cemetery, west to the rail line. The subject lands are delineated on Schedule "3" as "Area Subject to Amendment No. 332".

## III BASIS

The policies contained in this Amendment arise from the findings of the North Maple Planning Study, which was approved by Vaughan Council on October 12, 1989 and through subsequent modifications approved by Council. The study was initiated in response to concerns about the expansion of clay extraction activities proposed by the Municipality of Metropolitan Toronto and the cumulative effects of aggregate extraction, waste disposal, and rehabilitation (or "transitional") uses in the Amendment Area. The resulting policies are intended to contain the further growth of the transitional uses to the extent consistent with sound planning principles; to ensure that the potential environmental effects of waste disposal are taken into consideration in relation to development proposals which may be subject to these effects; and to introduce land use designations which are intended to form a basis for the future development of the Amendment Area, taking into consideration current and proposed uses in and around the Amendment Area, and the required environmental safeguards.

Part III of the Waste Management Act and a Minister's Report issued in 1991 pursuant to Section 29 of the Environmental Protection Act require Metropolitan Toronto to provide for a further vertical expansion to the Keele Valley Landfill Site. If this expansion is implemented, the maximum height and contours provided for in the 1983 Certificate of Approval for the landfill would be exceeded. The City's overall intent to contain the further growth of transitional uses including landfilling is maintained, however, and would apply in relation to any proposal to expand the landfill outside the framework of the Minister's Report and the Waste Management Act.

Modifications have been incorporated over time to accommodate an administrative restructuring of the plan, agency and public comments and a revised development regime for the northern part of the Amendment Area as reflected in the proposed modification redesignating the "Future Rural Residential and Open Space Area" to the "North Maple Residential Area". In the latter instance the modifications were proposed by landowners and supported by technical submissions including a study entitled "Analysis of Compliance with Provincial Guidelines – North Maple Secondary Plan".

This amendment includes areas formerly covered by Amendment Nos. 4 (as amended by Amendment Nos. 6 and 57), 121, 144, 150, 242 and 273, and introduces new and modified land use designations and policies in relation to those Amendments.

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

The Official Plan of the Vaughan Planning Area is hereby amended by:

- 1.0 Amending Schedule "A", "General Land Use", to the Official Plan of the Vaughan Planning Area by redesignating the lands indicated on Schedule "A" attached hereto as Schedule "1" to

Amendment No. 332, in the manner shown on Schedules "2A" and "3" attached hereto, thereby reflecting the following amendments, as shown on Schedule "3" also attached hereto.

- a) The designation of Parts "A" and "B" is changed from "Industrial" as defined in Official Plan Amendment Nos. 4 and 150 to "Prestige Industrial" as defined in Section 3 of this Amendment.
  - b) The designation of Part "C" is changed from "Rural" as defined in Official Plan Amendment No. 4 and "Industrial" as defined in Official Plan Amendments No. 144 to "Prestige Industrial" as defined in Section 3 of this Amendment.
  - c) The designation of Part "D" is changed from "Rural" as defined in Official Plan Amendment No. 4 and "Industrial" as defined in Official Plan Amendment No. 144 to "North Maple Residential Area" as defined in Section 3 of this Amendment.
  - d) The designation of Part "E" is changed from "Industrial" and "Rural" as defined in Official Plan Amendment No. 4 to "Open Space" as defined in Section 3 of this Amendment.
  - e) The designation of Part "F" is changed from "Industrial" as defined in Official Plan Amendment No. 144 to "Open Space" as defined in Section 3 of this Amendment.
  - f) The designation of Part "G" is changed from "Disposal Industrial" as defined in Official Plan Amendments Nos. 121 and 273 to "Open Space Special Policy Area 1" as defined in Section 3 of this Amendment.
  - g) The designation of Part "H" is changed from "Industrial" as defined in Official Plan Amendments Nos. 4 and 273 to "Open Space Special Policy Area 2" as defined in Section 3 of this Amendment.
  - h) The designation of Parts "I" and "J" are changed from "Rural" and "Industrial" as defined in Official Plan Amendments Nos. 4 and 242 to "Open Space Special Policy Area 3" as defined in Section 3 of this Amendment.
  - i) The designation of Part "K" is changed from "Rural" as defined in Official Plan Amendment No. 4 and "Industrial" as defined in Official Plan Amendment No. 144 to "North Maple Residential Area" as defined in Section 3 of this Amendment.
  - j) Subject to the provisions of this Plan, boundaries have been added to Schedules "2A" and "3" to delineate a "Waste Disposal Assessment Area" as defined in Section 3 of this Amendment.
- 2.0 Incorporating policies contained in this Amendment to reflect changes to Official Plan Amendment No. 332 as originally adopted by Council on October 12, 1989, and Council approved modifications and additional changes based on consultation with affected parties.
- 3.0 Including the following provisions which apply to the lands within this Amendment Area, identified on the attached Schedule "3".

### 3.1 INDUSTRIAL AREAS

#### a) Definition

- i) The "Industrial" classification of land shall mean that the use of land in areas so designated shall be processing, manufacturing, assembling, warehousing, contractor and building material yards, vehicular service and repair garages, and office uses which are clearly ancillary to the primary industrial uses. Limited retail commercial facilities for the sale of goods manufactured and/or assembled on the premises are also permitted.
- ii) Uses related to the monitoring and mitigation of waste disposal activities are permitted in those parts of the "Industrial" designation lying within the "Waste Disposal Assessment Area".
- iii) Other compatible uses which do not conflict with development or operation of the primary industrial uses and other commercial uses directly servicing the industrial enterprises and their employees, are also permitted. Such uses include financial institutions, restaurants, and personal service establishments.
- iv) Excluded from these areas will be such uses which by the nature of their operation or material employed, are considered hazardous or noxious and a sanitary landfill site, or waste disposal area.

#### b) Objectives

- i) To provide an opportunity for the development of an industrial area that complements the overall structure of the community, and creates economically viable, functional and a visually pleasant land use element in the community.
- ii) To direct industrial development to an area where it will not conflict with the existing and future residential and other conflicting land uses.
- iii) To provide for increased employment opportunity for the residents of the community in an environment that is pleasant, satisfying and convenient.
- iv) To actively encourage industries locating in the area to incorporate in the design of their facilities energy-saving measures and/or alternative energy production sources.
- v) To ensure that monitoring and mitigation of the effects of waste management activities may proceed without amendment to the Official Plan.

#### c) Policies

- i) Industrial uses shall be separated from any residential and other such incompatible uses by means of increased yards, and such screening devices as berms and fencing, supplemented by natural planting.



- ii) All new industrial development shall occur on the basis of a municipal water system and sewer system. Industrial development serviced by municipal water and sanitary sewer facilities shall be subject to the policies of Section 4 regarding sanitary and water servicing capacity and allocation of such capacity to the respective developments by City Council.
  
- iii) Development of the industrially designated area shall occur on the basis of block design, which design will:
  - i) establish overall street layout;
  - ii) ensure the provision of convenient vehicular and pedestrian linkages within the industrial area and the rest of the community;
  - iii) establish a streetscape/landscape master plan to provide a co-ordinated landscape and buffer treatment. Ensure that individual industrial sites are developed in accordance with the streetscape master plan;
  - iv) identify any environmentally sensitive areas requiring either protection or special consideration in the development process;
  - v) provide for maximum accessibility to the CNR rail line facilities; and
  - vi) establish appropriate locations for common open space recreation areas for the use of the area's employees.
  
- iv) Development occurring on industrial lots fronting on arterial roads shall adhere to strict development standards with respect to such matters as the physical design of buildings, provision of adequate landscaping and berms, and the location of any outside storage.
  
- v) Access points to industrial lots will be oriented to collector roads interior to the industrial area.
  
- vi) Off-street parking areas and service areas shall be screened to minimize adverse visual effects, and whenever practical, directed to back and/or side yard locations.
  
- vii) Commercial uses permitted to locate in industrial areas shall be encouraged to locate in areas fronting on arterial roads, and shall be so designed as to ensure a harmonious architectural style and overall compatibility, in terms of building materials, signs and landscaping provisions, with the adjacent industrial development.
  
- viii) In the event that industrial enterprise undertakes to incorporate energy-saving measures that will either effect extensive energy consumption reductions or introduce alternative energy sources (such as roof solar collectors, etc.), requirements normally applied to industrial development may be appropriately adjusted to accommodate such measures.
  
- ix) Industrial development shall be subject to site plan control under the Planning Act, and the City's Site Plan Control Policy.

- x) Any development on lands identified as Parts L, M, or N on Schedule "3" hereto, shall provide that all necessary lands are available into the future for the purposes of monitoring and remediation of any effects of waste disposal and shall recognize that the lands are subject to the Ministry of Environment Certificate of Approval A-230610. Any change in actual use will require an amendment to the Certificate of Approval.
- xi) Lands identified as Part N shall gain access only via an extension of Rodinea Road.
- xii) On lands designated "Industrial Area", Open Storage shall be permitted in accordance with the provisions of Zoning By-law 1-88.
- xiii) Prior to rezoning lands or as a condition of lifting an "H" Holding Zone for any lands within the "Prestige Industrial" or "Industrial Areas", the City will require studies with respect to:
  - i) the detailed alignment of the Rodinea Road extension to McNaughton Road;
  - ii) method of implementation;
  - iii) an urban design/streetscape masterplan;
  - iv) satisfying the requirements of Section 3.5 (Waste Disposal Assessment Area) of this Amendment (332); and,
  - v) any other studies required pursuant to the policies of this amendment or as determined by the City in consultation with other levels of government.
- xiv) An open storage and contractors yard(s) not to exceed a total area of 12 ha may be permitted as a temporary use on lands designated "Prestige Industrial", "Industrial" or the "Special Policy Area 3" area adjacent to the proposed Rodinea Road extension north of McNaughton Road subject to an amendment to the Zoning By-law in the form of a Temporary Use By-law. No such by-law shall authorize said temporary use to continue beyond the earlier of 12 months after the Keele Valley landfill reaches the volumetric capacity of waste, daily and interim cover of 33,125,254 cubic metres or 12 months after the end of a 12 month period where less than 500,000 tonnes of waste have been disposed of in the landfill or the commencement of construction of the golf course whichever occurs first. Any change in actual use will require an Amendment to the MOE Certificate of Approval A-230610.

- xv) Such temporary use shall be in accordance with the following criteria:
- i) the proposed use shall entail limited capital investment;
  - ii) the proposed use shall not require municipal water or sewer service;
  - iii) any new buildings shall be of a temporary/portable nature;
  - iv) the proposed use shall not be automotive in nature;
  - v) any required open storage shall be screened from public streets; and,
  - vi) the requirements of Section 3.5 b)ii) (Waste Disposal Assessment Area) of this Amendment (332) shall be satisfied.

### 3.2 PRESTIGE INDUSTRIAL AREAS

- a) The "Prestige Industrial" classification of land means that all uses permitted within the "Industrial" classification shall be allowed except that contractor and building material yards, vehicular service, and repair garages, and other uses requiring open storage of products or materials are prohibited. Offices may be permitted as a primary use in the "Prestige Industrial" area. All other policies contained in Section 3.1 shall apply. In addition Retail Warehousing may be permitted subject to the policies of Section 2.2.7.1 of OPA #450.
- b) Uses related to the monitoring and mitigation of the effects of waste disposal activities are permitted in those parts of the "Prestige Industrial" designation lying within the "Waste Disposal Assessment Area".
- c) Where lots fronting on the east side of Keele Street lie within both an "Industrial" and a "Prestige Industrial" designation, contractor and building material yards shall be permitted provided that any open storage of products or materials shall be permitted only on that part of the lot designated "Industrial".
- d) Notwithstanding Section 3.2 a) above, on lands identified as Part "L" and Part "M" on Schedule "3" attached hereto, commercial development including retail and retail warehousing uses, shall also be permitted provided that the maximum total gross floor area devoted to all such use does not exceed 25,000 m<sup>2</sup>. Such uses shall be further defined in the implementing zoning by-law but shall not include a supermarket, a drug store or pharmacy unless a market study confirming that

there will be no significant detrimental impact on other existing or planned commercial centers within the City has been undertaken to the satisfaction of the City. Any commercial development in excess of the maximum total gross floor area of 25,000 m<sup>2</sup> shall require:

- For all commercial uses, other than "Retail Warehousing", an official plan amendment;
- For all retail warehousing uses the policies of Section 2.2.7.1 of OPA #450 shall apply.

### 3.3 OPEN SPACE AND PARK AREAS

#### a) Definition

- i) The "Open Space Area" designation permits only community parks, neighbourhood parks, and pedestrian-bicycle linkways, subject to policies contained in Section 3.3 b).
- ii) The "Open Space Area" designation permits only valley lands, woodlots, and other environmental protection areas together with appropriate hazard control and passive recreational uses, subject to the policies contained in Section 3.3 c).
- iii) Uses related to the monitoring and mitigation of the effects of the waste disposal activities are permitted in those parts of the "Open Space" and Park Areas lying within the "Waste Disposal Assessment Area".
- iv) Notwithstanding Section 3.3 a) ii), the lands known as East Part of Lot 24, Concession 3, City of Vaughan, and as shown on Schedule "4" attached hereto, may be used for recreational uses including a ski chalet and dining facilities.

#### b) Park Policies

- i) Parks will be located in a manner satisfactory to the City.
- ii) Within the "North Maple Residential Area", open space areas shall be defined through the "Comprehensive Development Plan" process established in Section 3.4, with detailed implementation occurring through draft plans of subdivision/condominium, site development agreements and required zoning amendments and related approvals.

#### c) Open Space Policies

- i) Where lands designated as "Open Space Area" are under private ownership, this Amendment does not indicate that these lands will necessarily remain designated as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public, nor that such lands will be purchased by the municipality or by any other public agency. Where such lands other than valley lands and woodlots are not acquired by a public body, application for their designation for other uses will be given due consideration by the municipality.
- ii) Any area deemed environmentally sensitive by virtue of special characteristics or hazard shall be designated "Open Space". While the current "Open Space" designation includes

areas of known hazard, changing conditions within any watershed and improvements in the methods used to define such lands may result in additional lands being so defined. Where appropriate, these lands may be considered for inclusion in a pedestrian-bicycle system.

- iii) No buildings shall be constructed on lands designated "Open Space" except where such buildings are intended for flood and erosion control and meet the requirements of the Toronto and Region Conservation Authority except in the case of the lands designated "Open Space" lying within Lots 27 and 28 in the west half of Concession 3, where temporary buildings or structures may be permitted, subject to clause viii) hereof, provided they are utilized solely to support the leaf and yard waste composting operations, and provided they are removed upon closure of the composting facility.
- iv) The valley lands shall include the slopes, valley, and floodplain lands of the East Don River and its tributaries as determined by the Toronto and Region Conservation Authority and the Ministry of Natural Resources. The precise limits of these lands will be determined in conjunction with the Authority in considering development proposals. Where detailed engineering has not been prepared, the proponent may be required to carry out studies to determine the extent and severity of the hazard. The dedication of valley lands to the Toronto and Region Conservation Authority shall be encouraged as a condition of subdivision approval.

The Maple Uplands Kettle Wetlands ANSI and the McGill Forest ESA are identified on Schedule "2A". These lands shall be subject to Section 5.10 "Wetland Protection" and Section 5.12 "Environmentally Significant Areas and Areas of Natural and Scientific Interest" of OPA #400. Expansion of the golf course use planned on adjacent lands into a portion of the ANSI/ESA may be permitted subject to an amendment to the Zoning By-law provided it has been demonstrated to the satisfaction of the City in consultation with the Region of York, the Toronto and Region Conservation Authority, and Ministry of Natural Resources that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

- v) There will be no development or placing of fill or alterations to any watercourse in areas regulated by the Toronto and Region Conservation Authority and the Ministry of Natural Resources.
- vi) Any lands in areas regulated by the Toronto and Region Conservation Authority will, if such lands are released from the above-mentioned regulation by the Toronto and Region Conservation Authority, be considered for development, subject to the processing of an Official Plan Amendment.
- vii) Any storm water facilities shall only be placed in the valley lands if no other technically feasible location exists and shall preserve the significant natural environmental feature and present minimal safety hazards to the public.
- viii) In the lands designated "Open Space" lying within Lots 27 and 28 in the west half of Concession 3, the composting of leaf and yard wastes may be permitted as a temporary

use without permanent buildings or structures. Council may pass temporary use by-laws under Section 39 of the Planning Act to allow this use subject to setbacks and provisions controlling temporary buildings or structures. No such by-law shall authorize the use, buildings or structures to continue beyond the earlier of 12 months after the Keele Valley Landfill within "Open Space Special Policy Area 1" (without the Waste Management Act expansion referred to in 3.3 d) i) (1) below) reaches a volumetric capacity of waste, daily and interim cover of 33,125,254 m<sup>3</sup> or 12 months after any 12 month period where less than 500,000 tonnes of waste have been disposed of in the landfill within "Open Space Special Policy Area 1". Upon commencement of the implementation of the Waste Management Act expansion referred to in 3.3 d) i) (1), no further such by-law extending the temporary use of the lands buildings or structures shall be passed.

- ix) For the purpose of Section 3.3 c) viii) evidence as to remaining volumetric capacity of waste, daily and interim cover to reach 33,125,254 m<sup>3</sup>, with the aid of computer model(s) or other tools, shall be made available to the City by the operator of the landfill, on request, twice annually or more frequently if available.
- x) Nothing in this Amendment shall prevent or limit the City from exercising its authority under the Regional Municipality of York Act or any other Act in respect of any right license or power provided to the City in respect of waste management facilities, actions, powers, activities, functions or uses.
- xi) In the lands designated "Open Space" lying within Lots 27 and 28 in the west half of Concession 3, occasional recreational shooting may be provided for in an implementing zoning by-law as a permitted use as well as a temporary tree nursery.

d) Open Space Special Policy Area 1

- i) The following specific objectives apply to the area designated "Open Space Special Policy Area 1":
  1. To provide for the completion of the Keele Valley Landfill Site as a major sanitary landfill operation until the landfill within "Open Space Special Policy Area 1" has reached a volumetric capacity of waste, daily and interim cover of 33,125,254 m<sup>3</sup>. In the event that an expansion to the landfill is implemented pursuant to the 1991 Minister's Report issued under Section 29 of the Environmental Protection Act and the requirements of the Waste Management Act, the Keele Valley Landfill Site would be deemed to have been completed when the volumetric capacity is reached pursuant thereto. In such a circumstance, Council shall pass Official Plan Amendments and/or Zoning By-laws to recognize the landfill as constructed.
  2. To encourage the continual rehabilitation of the site for the intended after-use as a public open space area.
  3. To confirm that the design, operation, maintenance, monitoring, remediation, and rehabilitation of the Keele Valley Landfill Site within the parameters of Subsections 1 and 2 in the "Open Space Special Policy Area 1" is subject to the provisions of the Environmental Protection Act and its regulations and other

applicable legislation. It is not the policy or intent of Council to control such ongoing matters in the context of its Official Plan policies or zoning provisions although it will control the use, location, and volumetric capacity of waste, daily and interim cover of waste management facilities as well as providing for notice requirements as specified in subparagraph iv) and Part V h) hereof.

4. To enhance the compatibility of the site with surrounding uses and to protect the disposal site from the encroachment of conflicting uses.

ii) The permitted uses shall comprise the following:

1. The extraction of sand and gravel only for the completion of the Keele Valley Landfill Site;
2. Waste disposal by landfilling excluding the disposal of liquid and hazardous wastes;
3. Rehabilitation on a progressive basis;
4. Extraction and processing of landfill gas; and,
5. Upon completion of the sanitary landfilling operation, public open space uses in combination with uses related to the monitoring and mitigation of the effects of waste disposal activities, are permitted.

iii) For greater certainty, nothing herein is intended to derogate from the provisions of the Waste Management Act. Should the Keele Valley Landfill be expanded pursuant to this legislation, no further expansion would be permitted without amendment to the Official Plan. Save and except as expressly provided in the foregoing, it is the policy of Council that no by-law may be passed and no public work be undertaken that would permit the Keele Valley Landfill, within "Open Space Special Policy Area 1", to exceed a volumetric capacity of waste, daily and interim cover of 33,125,254 m<sup>3</sup>.

iv) Council shall endeavour to provide notice and an opportunity for the public to provide comment on proposed developments and agreements related to the Keele Valley Landfill prior to adoption of any Council associated approval.

e) Open Space Special Policy Area 2

i) The objectives for the "Open Space Special Policy Area 2" designation are as follows:

1. To provide adequate buffering and screening around the Keele Valley Landfill Site and operations;
2. To protect adjacent lands from encroachment of the landfill operations;

3. To provide for on-going monitoring and control of groundwater, stormwater and landfill gas conditions around the landfill site; and,
4. To confirm that the design operation, maintenance, monitoring, remediation, and rehabilitation of the lands in the "Open Space Special Policy Area 2" are subject to the provisions of the Environmental Protection Act, its regulations and other applicable legislation.

- ii) Permitted uses within the "Open Space Special Policy Area 2" designation comprise the monitoring and mitigation of the effects of waste disposal and activities required for the completion, remediation, and rehabilitation of the Keele Valley Landfill Site, or as may be required to implement an expansion required pursuant to Section 18 of the Waste Management Act.
- iii) No industrial activities or extraction of materials such as sand or gravel will be permitted, other than those works or activities essential to the primary objective of establishing the necessary screening of the Keele Valley Landfill Site in conformance with any conditions imposed by Certificate A-230610, or as may be required to implement any conditions imposed through approvals pursuant to Section 18 of the Waste Management Act.
- iv) The disposal of waste shall not be permitted in lands designated "Open Space Special Policy Area 2".
- v) Despite anything in the Official Plan of the City of Vaughan Planning Area, on land located in Part Lot 22, Concession 3, City of Vaughan, more particularly described as "Subject Lands" on Schedule "5" attached hereto, an electrical power generating facility fuelled by landfill gas shall be permitted, in accordance with the terms and conditions of a Certificate of Approval as may be required by the Ministry of the Environment and Energy pursuant to the Environment Protection Act, and in accordance with the terms and conditions of Vaughan Hydro with respect to connecting to the local hydro grid. The final siting of the facility shall be determined through the enactment of an implementing zoning by-law.
- vi) Council may pass by-laws, including temporary use by-laws under Section 39 of the Planning Act to allow uses accessory to a permitted use or to recognize an existing use and subject to setbacks and provisions controlling temporary buildings or structures related thereto. No such by-law shall authorize the use, buildings, or structures to continue beyond the earlier of when the Keele Valley Landfill, within "Open Space Special Policy Area 1", reaches a volumetric capacity of waste, daily and interim cover of 33,125,254 m<sup>3</sup> or the end of a 12 month period where less than 500,000 tonnes of waste have been disposed of in the landfill, within "Open Space Special Policy Area 1". Upon commencement of the implementation of the WMA expansion referred to in 3.3 d) i) (1), no further such by-law extending the temporary use of the lands, buildings or structures shall be passed.

f) Open Space Special Policy Area 3

- i) The objective for the "Open Space Special Policy Area 3" designation is to:



1. Ensure that lands other than the "Open Space Special Policy Area 1" and "Open Space Special Policy Area 2" which have been identified as being subject to significant environmental constraints, or which are required for monitoring or other purposes due to the effects of waste disposal, are maintained for such purposes as groundwater, stormwater and landfill gas monitoring and control, and the attenuation of leachate.
  2. Confirm that the design, operation, maintenance, remediation and rehabilitation of the lands in the "Open Space Special Policy Area 3" are subject to the provisions of the Environmental Protection Act, its regulations and other applicable legislation.
- ii) Permitted uses within the "Open Space Special Policy Area 3" designation comprise the monitoring and mitigation of the effects of waste disposal, and other uses such as drainage works and passive recreation uses including pedestrian and bicycle trails. On lands identified as "Special Policy Area 3" south of Teston Road. Permitted uses shall also include a golf course and ancillary uses and a golf driving range/training centre and ancillary uses. Prior to rezoning lands or as a condition of lifting an "H" Holding Zone for any public open space use permitted within the "Open Space Special Policy Area 3" the requirements of Section 3.5 of this Amendment shall be satisfied. Any change in actual use will require an amendment to the MOE Certificate of Approval A-230610.
  - iii) The disposal of waste shall not be permitted on lands designated "Open Space Special Policy Area 3".
  - iv) On lands identified as Part "E" on Schedule "3" hereto, temporary uses shall be permitted limited to an off road vehicle testing/training centre only and restricted to a limited and defined area of the site. No permanent buildings shall be permitted. Such use shall be implemented by a temporary use by-law and any amendments as required to the Ministry of Environment Certificate of Approval. No such by-law shall authorize said temporary use to continue beyond the earlier of 12 months after the Keele Valley Landfill reaches the volumetric capacity of waste, daily and interim cover of 33,125,254 m<sup>3</sup> or 12 months after the end of a 12 month period where less than 500,000 tonnes of waste have been disposed of in the landfill or the commencement of construction of the golf course whichever occurs first. Any change in actual use will require an amendment to the MOE Certificate of Approval A-230610.

### 3.4 North Maple Residential Area

#### 3.4.1 General

- a) The "North Maple Residential Area" designation shall provide housing opportunities for two specific market segments through the development of an adult lifestyle residential community (age 55 and older) in a "Special Residential" area and the development of a low density residential area in an "Executive Residential" area as shown on Schedule "2A".

- b) Development shall only occur in a manner that is sensitive to the environmental constraints which characterize the area. Special consideration will be given to lands on and adjacent to the Oak Ridges Moraine in order to ensure that hydrological, hydrogeological and ecological functions are maintained.
- c) Opportunities to enhance or improve the function of natural systems shall be identified and implemented through the development process.
- d) The base density in the North Maple Residential Area shall be 18.0 persons per net residential ha, with population being calculated on an occupancy rate of 1.5 persons/unit in the "Special Residential" designation and 3.7 persons/unit in the "Executive Residential" designation. Density bonusing for the "Special Residential" designation will be available in consideration of the provision of public benefits. For the purposes of calculating density, a net residential hectare means the lands used for residential development, public and private roads and private recreation facilities.
- e) Densities provided for in this plan are acknowledged to be maximums. The final density on any particular site shall be determined by an evaluation of the relevant environmental constraints. The density achieved shall allow for the maintenance or enhancement of existing environmental functions.
- f) To ensure that development takes place in a comprehensive manner, no development shall occur in either the "Special Residential" or "Executive Residential" areas until such time as Council has approved a "Comprehensive Development Plan" for each designation. Where individual landowners do not participate in the Comprehensive Development Plan, then their lands will be dealt with conceptually and will require further study to the satisfaction of the City. The comprehensive development plan shall be based on the following:
  - i) An Environmental Impact Study prepared by a qualified professional in accordance with the requirements of the City of Vaughan Environmental Management Guideline.

The study shall, where appropriate, deal with the following matters:

- ground water resources management, protection of recharge areas, and waste water management requirements;
- surface water management (hydrology and water quality) and the protection of aquatic habitat;
- valley and stream corridor management, and restoration opportunities;
- terrestrial resources management and restoration opportunities; protection of Environmentally Significant Areas and Areas of Natural and Scientific Interest;
- wetland protection; and,

- landform conservation for landforms on or adjacent to the Oak Ridges Moraine.

The report shall be to the satisfaction of the City of Vaughan, in consultation with the Ministry of Natural Resources and the Toronto and Region Conservation Authority.

- ii) A servicing report prepared by a qualified engineer which shall address the provision of municipal sewage and water services and the provision of storm water management facilities including quantity and quality control ponds. The report shall also address the effects of development on the hydrology and hydrogeology of the headwaters area of the Don River to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority and the Ministry of Natural Resources.
  - iii) A land use plan, prepared in accordance with the policies of this Plan and the above referenced studies, showing the location of the residential areas based on the achievable densities together with the detailed road pattern and public/private open space system.
  - iv) A phasing plan showing the proposed road pattern (including temporary and permanent connections to the arterial road system), open space network, recreation facilities, and number and type of dwelling units within each phase. The phasing plan shall also address the provision of services, including storm water management facilities, within each phase.
  - v) A plan showing the location of a public trail system through the subject lands including the internal and external connections. The trail shall be designed to be incorporated into a larger Oak Ridges Moraine trail system.
- g) No residential development shall occur within 300 metres of the active composting area of the Avondale leaf and yard waste composting facility, located on the Avondale Clay Borrow area. The active composting area shall not extend closer than 100 metres from the boundaries of the area known as the Avondale Clay Borrow area, lying north of Teston Road and designated "Open Space" on Schedule "3". Despite the above, residential development shall not be located within 250 metres of the northern property boundary of the Avondale Clay Borrow area as it existed on November 16, 1995. The residential setback shall cease to be in effect upon the cessation of the leaf and yard composting use.
- h) Development of the North Maple Residential Area shall occur on the basis of full municipal services (sewer, water, stormwater management). Stormwater management facilities shall be provided in accordance with best management practices in terms of both quantity and quality control.

- i) The precise limits of the Open Space areas shall be delineated in the implementing plans of subdivision/condominium, site development agreements, required zoning amendments and related approvals.

### 3.4.2 Special Residential

#### 3.4.2.1 Definition

The "Special Residential Area" as shown on Schedule "2A" shall be developed as a self contained adult lifestyle community serving the special needs and interests of those in the post 55 year age group, by providing an alternate form of year-round community living in the City of Vaughan. The Special Residential community shall contain a range of housing types and unit sizes, a variety of on-site recreational, social and personal service facilities and programs designed specifically to serve the needs and desires of its residents.

#### 3.4.2.2 Development Policies

##### a) Uses Permitted

- i) The "Special Residential Area" shall be marketed and developed as a condominium community intended to serve the needs of those in the post-55 age group, without school-aged children living in the community on a permanent basis.
- ii) A variety of housing types shall be provided to meet the particular needs of the post-55 age group. In order to meet the changing needs of community residents over time, permitted residential uses shall include detached, semi-detached, cluster and townhouse dwelling units and mid-rise and garden court apartments; and various forms of assisted living housing for less active members of the community. The mix of unit types is expected to be approximately:
  - single detached 40% - 50%
  - cluster units 20% - 25%
  - apartments and assisted living units 30% - 35%

The proportions of housing types may be adjusted in the Comprehensive Development Plan without amendment to this plan, provided the overall intent of this Plan with respect to providing a mix and range of housing types is maintained. The mix of the housing in each phase in terms of type, size and design of units shall be addressed in the Comprehensive Development Plan.

- iii) Passive recreational facilities such as private parks, walkways and open space areas that complement the Special Residential Community shall be provided. The passive recreation area shall include a trail system, linking all areas of the Community, as well as a landscaped buffer area around the perimeter of the property.

- iv) Active recreational uses such as tennis courts, swimming pools, and a recreational complex(es) containing facilities such as exercise rooms, game rooms, meeting rooms, food services and library facilities intended to meet the needs of those in the post-55 age group shall be provided. In addition to the active recreation facilities noted above, on lands identified as Part "D" on Schedule "3" hereto, such active recreational facilities may include "Recreational Use" as defined in Zoning By-law 1-88.
- v) Commercial uses serving the day-to-day needs of the residents of the development shall be provided. These uses may include a tuck shop, postal services, banking services, barber shop and beauty parlour, medical and dental services, cafeteria, and restaurant. As these commercial facilities are intended for the use of residents, their guests and families, they will not have direct access or visibility to an external municipal road but rather will be located internally, within the community.
- vi) In the "Special Residential Area", the permitted uses shall be limited to those permitted by the "Rural Area" designation contained in Official Plan Amendment No. 4 as amended by Official Plan Amendment No. 6 until such time as a Comprehensive Development Plan has been approved for all the lands included within the "Special Residential" designation.

b) Density

- i) The "Special Residential Area" as shown on Schedule "2A" shall be developed with a base density of 12 units per net hectare.
- ii) Notwithstanding the provisions of paragraph b) i) above a maximum of 1,300 residential units may be developed within the "Special Residential Area". Additional units in excess of the number allowed by the base density may be permitted in accordance with paragraphs b) iii) and b) iv) below.
- iii) Bonusing for the provision of public benefits shall be permitted under the following terms:
  - 1. Where tableland woodlots or other developable tableland is conveyed to a public authority for conservation purposes, the area of the dedicated lands may be included in the density calculations for developable land within the designation at a rate of twice (2-times) the base density.
  - 2. Where an agreement has been entered into to rehabilitate or restore ecological function to publicly owned lands in or adjacent to the "Special Residential" designation, in accordance with a study and plan approved by the City and other pertinent authorities, the lands subject to the restoration plan shall be assigned a density of up to one times the base density per hectare which may then be included in the density calculation for developable lands within the "Special Residential" designation.

3. Additional density of up to 1 unit per net hectare of developable land may be allocated to the "Special Residential Area" for the provision of each of the following facilities:

- Landscaped areas and features in excess of City standards in areas adjacent to Keele Street, Kirby Road and the major open space areas to the east and south of the "Special Residential" designation.
- Meeting rooms and recreational facilities which will be made available to the City of Vaughan for use by senior citizens residing in the City.
- An allocation of units within the "Special Residential" area for use by the Vaughan Non-Profit Housing Corporation.
- An agreement to provide private transit services for the residents of the "Special Residential Area".

iv) The maximum additional density which may be granted pursuant to paragraph b) iii) above shall not exceed 8.5 units per net hectare (3.4 units per acre). The precise amount of additional density permitted shall be established in the Comprehensive Development Plan based on the extent and nature of the amenities provided and shall be implemented through measures such as the amending zoning by-law, subdivision agreements and/or agreements entered into pursuant to Section 37 of the Planning Act.

c) Design Criteria

- i) In recognition of the target market of the "Special Residential Area", the developer shall provide details at the time of site plan approval indicating the design features which have been incorporated into the development which cater specifically to an adult lifestyle. Any such features shall be secured through an agreement or other required approvals satisfactory to the City.
- ii) The "Special Residential Area" shall be developed on the basis of a private road system, which shall be designed to provide easy and direct access between the residential area, central recreation and community facilities and the external road network. Security gates may be provided at key entrances to the Community on the private road system.
- iii) Extensive open space areas, designed for both passive and active recreation uses shall be provided throughout the Community. Wherever possible, existing natural features and the proposed stormwater management facilities shall be enhanced through the provision of additional landscaping and buffer areas.
- iv) The existing TransCanada Pipeline easement shall be incorporated as an element of the open space and walkway system. All permanent structures and

excavations must be located at least ten metres from the limits of the TransCanada Pipeline right-of-way.

- v) Ground oriented residential units shall be developed in a series of self contained clusters, linked by a series of small parkettes and a continuous walkway system.
- vi) Condominium or assisted living apartments shall generally be located adjacent to the Community Centre and central recreation elements or adjacent to the major open space system.
- vii) Building heights shall generally be limited to 1-2 storeys for detached, semi-detached or townhouse units and a maximum of 4-storeys for apartment buildings.

### 3.4.3 Executive Residential

#### 3.4.3.1 Definition

The "Executive Residential Area" as shown on Schedule "2A" shall be developed as a prestige residential community. The emphasis of the design, unit deployment and construction arrangements shall be directed towards maintaining the special environmental features and functions and the conservation of landforms. Accordingly, development of the Executive Residential Community shall be subordinated to the maintenance and enhancement of existing topography, natural vegetation, wildlife habitat and other ecological functions.

#### 3.4.3.2 Development Policies

##### a) Uses Permitted

The "Executive Residential Area" shall be developed with single detached dwellings or other housing forms or styles which will minimize the impact on areas of environmental sensitivity. The permitted uses shall be limited to those permitted by the "Rural Area" designation until such time as a Comprehensive Development Plan has been approved for all the lands within the "Executive Residential" designation.

##### b) Density

The maximum density shall be five (5) units per net residential hectare. Despite this density and recognizing the provision of the following requirements, the density may be increased from 5 to 5.5 units per net residential hectare:

- i) the construction of Kirby Road to City standards from Dufferin Street to the westerly second access point;
- ii) the dedication of tableland woodlots or other tableland to be conveyed to a public authority for conservation purposes; and,

- iii) the provision of parkland in a location, size and road frontage in a manner satisfactory to the City.

c) Design Criteria

- i) The "Executive Residential Area" shall define the limits of significant topography, natural vegetation and wildlife habitat:
  - primarily through the creation of open space areas for public ownership; and,
  - secondly through the adoption of design and development policies designed to maintain the natural environment on private property.
- ii) The Environmental Impact Study shall identify public open space areas which shall be delineated by steeply rolling topography, important tree stands and regenerating woodlots. The Environmental Impact Study shall also identify other features of environmental importance which need to be protected in order to maintain ecological function. These features will include areas with gently rolling topography, residential plantings and plantations and noteworthy hedgerows. The important elements of such features shall be brought under public ownership except where it can be demonstrated that their retention in private ownership will not comprise their function.
- iii) The "Executive Residential Area" comprises part of the Hope Greenlands Management Unit as defined by the Region of York. It is described as one of the two largest forested areas remaining in southern York Region. It performs many environmental functions. Therefore, maintaining and enhancing the continuity of this forest management unit shall be a priority.
- iv) The recharge/discharge hydrological and hydrogeological characteristics of the area shall be retained through very low densities, the incorporation of well planned and engineered stormwater management systems, and minimal use of impervious construction materials.
- v) Roads shall be located so as to avoid areas of significant topographical and natural features to the maximum extent practicable, by following the existing terrain and the minimization of grading, filling and removal of vegetation.
- vi) Where important environmental features must be crossed by roads, wherever possible, the roads shall be located to follow the alignment of existing laneways and areas where the environment has already been disturbed.
- vii) Physical landforms and natural features shall be retained in the subdivision design. Wherever possible such features shall be incorporated into the public open space system.



- viii) Topographical and natural features of particular importance and vulnerability shall be approached by a cul-de-sac or paralleled by streets with deep lots to minimize disturbance through construction and changes to the natural hydrological and hydrogeological regime.
- ix) The existing Trans Canada Pipeline Easement shall be located in rear or side yards of residential lots which shall be appropriately sized to accommodate the required 10 metre setback from residential dwellings. Road crossings of the Pipeline Easement shall be kept to a minimum.

### 3.5 WASTE DISPOSAL ASSESSMENT AREA

- a) One "Waste Disposal Assessment Area" is identified on Schedules "2A" and "3". The purpose of this designation is to ensure that any development which takes place within these areas is considered with due regard for the possible effects of waste disposal operations. Development will not necessarily be permitted within any designation in this Amendment which lies within a "Waste Disposal Assessment Area".
- b) A "Waste Disposal Assessment Area" is classified as a potentially environmentally sensitive area for future uses. Since the use of land for the disposal of waste has long-term effects on these, and possibly adjacent lands, the following policies will safeguard any future use of the lands:
  - i) Within the "Waste Disposal Assessment Area" indicated on Schedules "2A" and "3", no development may proceed until waste disposal and final cover operations within 500 metres and associated with the assessment area have ceased. Only land uses compatible with the potential impacts of a waste disposal site and its engineered controls, may be permitted.
  - ii) An application for an amendment to the Official Plan or Zoning By-law to permit development in a "Waste Disposal Assessment Area" shall meet the following requirements:
    1. Studies of gas, leachate, stormwater management and hydrogeology being carried out by a qualified engineer as may be required to the satisfaction of the City of Vaughan, in consultation with the Toronto and Region Conservation Authority, Ministry of Natural Resources and the Ministry of the Environment and Energy which indicate that development can safely take place.
    2. Implementation of such remedial measures indicated by the required studies, to the satisfaction of the City in consultation with the Ministry of the Environment. Prior to a change of use, approval under S. 46 of the Environmental Protection Act may be required.
    3. The construction and phasing of all development to coincide with the control of any problems identified by the engineering studies.

4. The City being satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any or all structures.
  5. Studies to demonstrate to the satisfaction of the City in consultation with the Ministry of Environment and the City of Toronto that:
    - the existing or closed landfill will not cause an adverse impact on the proposed use;
    - the proposed use will not cause or potentially cause any change to ground water quality;
    - the proposed use will not effect the implementation of long term environmental controls related to landfilling; and,
    - required on going monitoring and maintenance of the site will not be disrupted.
- iii) Any undertaking which is subject to the Environmental Assessment Act shall not be permitted until such time as an approval or exemption under that Act has been given by the appropriate authority.
  - iv) The City may implement the provisions of Section 3.5 through the enactment of "H" Holding By-laws pursuant to Section V. IMPLEMENTATION subsection k) of this Amendment. However, prior to lifting the "H" Holding zone within the Seconday Buffer Area or change of use on lands covered by the Certificate of Approval, the City of Vaughan shall have received the approval of the zoned use from the Ministry of Environment and Energy.

### 3.6 TRANSPORTATION

#### a) Definition

- i) The road system indicated on Schedule "3" shows four basic types of existing and proposed roads:
  1. Existing arterial roads (Keele Street, Dufferin Street, Teston Road, Major Mackenzie Drive);
  2. Proposed arterial roads (including Kirby Road and part of the McNaughton Road Extension east of Keele Street);
  3. Feeder roads in industrial areas; and,
  4. Existing local roads (proposed local roads are not shown on Schedule "3").

b) Arterial Roads

- i) Direct access to individual residential lots will not be permitted to arterial roads. Access from blocks for open space uses, institutional, industrial and commercial uses will be controlled but not prohibited.
- ii) The standard, ultimate right-of-way widths for arterial roads shall be as shown in Appendix "III".
- iii) Arterial will connect to feeder roads. Connections from local streets will be minimized, but not prohibited.
- iv) Sidewalks may be required on both sides.

c) Feeder Roads

- i) Feeder roads are intended to afford organization for the local street system and provide the main connecting points to the arterial system. They are designed to be reasonably continuous, but are expected to carry relatively low traffic volumes.
- ii) The standard, ultimate right-of-way widths for feeder roads and other streets shall be as shown in Appendix "III".
- iii) Sidewalks may be required on both sides.
- iv) Access from abutting properties shall be permitted and may be controlled.

d) Local Streets

- i) Local streets are intended to provide access to individual properties within the neighbourhood.
- ii) The standard, ultimate right-of-way widths for local and other streets shall be as shown in Appendix "III".
- iii) Sidewalks, if required, may be on one or both sides.

e) Public Transportation

- i) The City of Vaughan shall facilitate the planning of a comprehensive transit system, including the location of a site for a GO Commuter Station, for the Maple Community in consultation and cooperation with the Toronto Area Transit Operating Authority, the Regional Municipality of York, and other appropriate agencies.
- ii) The Amendment assumes that public transportation servicing the area will include local and express bus routes on arterial and local bus routes on some feeder roads.

iii) The City will acquire any lands needed to provide a right-of-way for a future transit system using the roads system on Schedule "3". However, prior to obtaining any lands for any proposed right-of-way, the City shall investigate the type of transit system and the constraints and requirements for such right-of-way.

iv) The City shall facilitate the use of public transit by providing for adequate pedestrian access to planned bus stops when development applications are approved, and by providing for the construction of bus bays and bus shelters, in accordance with need.

f) Grade Separations

i) Grade separations between the road and the rail systems shall be provided as needed at arterial-rail junctions without amendment to this Plan.

3.7 GENERAL COMMERCIAL

a) Lands designated as "General Commercial" on Schedule "3" hereto may be used for uses related to the monitoring and mitigation of waste disposal activities and for "General Commercial" purposes, including only one Service Station/Gas Bar, in accordance with Sections 4.2.2.6 and 4.2.2.7 (i-iv) respectively of OPA #400.

b) Any development shall include provisions to ensure that all necessary lands are available into the future for the purposes of monitoring and remediation of any effects of waste disposal and shall recognize that the lands are subject to the Ministry of Environment Certificate of Approval A-230610. Any change in actual use will require an amendment to the Certificate of Approval.

c) Prior to rezoning said lands or as a condition of lifting an "H" Holding Zone for any lands within the "General Commercial Area" the City will require studies with respect to:

- market impact of the proposed development on other existing or planned commercial centres within the City for any proposed development which includes a supermarket, a drug store or pharmacy;
- urban design policies and guidelines;
- a transportation study examining in particular the detailed alignment of McNaughton Road; and its method of implementation;
- satisfying the requirements of Section 3.5 (Waste Disposal Assessment Area) of this Amendment (332); and,
- any other studies required pursuant to the policies of this Amendment or as determined by the City in consultation with other levels of government.

4.0 SERVICES AND UTILITIES

The following provisions shall apply to the "Industrial", "Prestige Industrial" and "Residential" uses:

#### 4.1 WATER SUPPLY

- a) The development of the Amendment Area, shall be dependent upon the availability of water supply from the York Regional Water System.
- b) As a condition of draft approval for any subdivision, condominium, or site development plan in an area for which capacity has not previously been granted, the Regional Commissioner of Environmental Services shall certify that an adequate municipal water supply is available to service the proposed subdivision.

#### 4.2 SANITARY SEWERS

- a) Sewage capacity has been assigned within the Amendment Area to the Keele Valley Landfill Site. The further development of the Amendment Area, shall be dependent upon the availability of sewer capacity in the York-Durham sewer system, and must be consistent with the objectives of this Amendment, including the following:
  - i) establishment of a cohesive and sequential internal road network;
  - ii) creation of functional and economic internal systems of trunk watermains and sanitary sewers;
  - iii) establishment of a basic storm drainage system which will mitigate effects of development on downstream properties; and,
  - iv) provision for public park facilities and other community services.
- b) The flows from the Amendment Area will be monitored by the Region of York as development proceeds. If it is thereby determined to the satisfaction of the Region of York that there is unused sewage capacity, City Council may allocate such capacity based upon the criteria in Section 4.2 a).

#### 4.3 STORM WATER

- a) No new development shall occur until storm water drainage management for the drainage area in which the proposed development is located has been prepared satisfactory to the City of Vaughan, in consultation with the Toronto and Region Conservation Authority, Ministry of Natural Resources and other appropriate agencies. Such drainage areas may be natural or modified.
- b) if permitted retention ponds and open drainage channels may be used as part of the storm drainage system and incorporated into the valley land and drainage tributary in the Amendment Area and used for recreational purposes to the extent practicable without amendment to this Plan.
- c) Natural streams shall be retained within valley lands designated as "Open Space". Under Ontario Regulation 293/86 (and subsequent amendments thereto), permission must be received from the Conservation Authority and the Ministry of Natural Resources under the Lakes and Rivers

Improvement Act to, among other things, straighten, change, divert, or interfere in any way with the existing channel of a river, creek, stream, or watercourse.

- d) Sediment retention basins may be required to control the large quantities of suspended matter washed off sites during the period of construction.
- e) Subject to paragraph (a) above, although all or part of the storm drainage system may be designed to accommodate a less severe storm, provision must be made to accommodate the greater of the 1 in 100 year or regional storm to ensure there will be no detrimental effects on properties or human lives caused by flooding.
- f) Council, recognizing that the development of the watersheds located in the Amendment Area could have an adverse effect on downstream municipalities shall, in considering development proposals, have regard for the cumulative effect, particularly in terms of flood control and water conservation of such development on downstream municipalities prior to permitting such development to proceed.

#### 4.4 UTILITIES

- a) The City may require electrical power lines to be located underground where appropriate.
- b) The City may require telephone lines, TV cables, and other energy distribution systems to be located underground where appropriate. Suitable setbacks will be required from all such facilities.
- c) Other rights-of-way and associated facilities for utilities, pipelines, and similar facilities may be provided without amendment to this Plan.

#### V IMPLEMENTATION

Implementation of this Amendment and of the preceding policies will entail the following steps:

- a) Council approval of a Comprehensive Development Plan(s) for the North Maple Residential Area pursuant to Subsection 3.4.
- b) Processing of individual subdivision/condominium/site development plans under the Planning Act will be in accordance with the policies set forth in this Amendment. Where an application for a new plan of subdivision is received on land abutting a residential area existing on the date of approval of this Amendment, the City of Vaughan will endeavour to notify the residents of such areas as a part of the process of considering the subdivision plan.
- c) The policies of this Amendment will be implemented by Council's enactment and approval of appropriate Zoning By-laws and Development Control Agreements pursuant to the Planning Act. Lands in the Amendment area shall be subject to site plan control under the Planning Act.
- d) Establishment of a Local Architectural Conservation Advisory Committee under the Ontario Heritage Act and processing of By-laws under Parts IV and V of the Act.

- e) Construction of public works and community facilities in accordance with policies set forth in this Amendment and under the direction, of the City of Vaughan and other appropriate authorities.
- f) The City of Vaughan may accept cash-in-lieu of land conveyance for park purposes as permitted under the Planning Act.
- g) The initiation of a system whereby the portions of costs of major roads, trunk utilities, and other public facilities serving the whole Amendment Area, which may be chargeable to private development, will be shared by all benefiting development, appropriately pro-rated among the owners affected. The system will be administered through subdivision and development agreements attached to development proposals, and/or the provisions of the Development Charges Act.
- h) To the degree practicable, upon knowledge of any applications for new or amended Certificates of Approval pursuant to the Environmental Protection Act or proposed agreements between local, Regional, Metropolitan, or Provincial Governments or agencies in relation to waste management activities in the Amendment Area, the City shall afford its inhabitants a reasonable opportunity to review and take a position on the application, prior to any final determination of the matter.
- i) The "Special Residential Area" in the "North Maple Residential Area" shall be designed to afford accommodation exclusive to persons aged fifty-five years and over, shall be subject to site plan control, and may be developed by plan of condominium or any other means acceptable to the City. Council shall be satisfied that the lands will be developed as such before providing final approval to all or any part of the "Special Residential Area".
- j) In recognition of the diversity of uses located in the amendment area there is the potential for impacts on sensitive land uses by virtue of noise, dust, odour or other contaminants. Warning clauses will be required where warranted. Such warnings shall be required at the time of subdivision/condominium/site plan approval and shall be in a form satisfactory to the City of Vaughan, in consultation with the MOEE and the agency requesting such warning.
- k) In addition to any other provision herein, Council may apply the Holding Symbol "H" to zones or parts of zones within the Amendment Area where a specific land use has been determined to be appropriate but where such development is considered to be premature until the following have been provided or their necessity evaluated to the satisfaction of Council:
- sanitary sewers, water supply, stormwater management including infiltration and hydrogeological conditions;
  - transportation facilities;
  - special design features;
  - studies relating to the timeliness of development, such as market impact or opportunity studies;

- matters relating to health and safety in regard to the long term management of the effects of existing or discontinued landfilling operations such as gas and leachate control and monitoring and stormwater management;
- approval of implementing development applications; and,
- in respect to any portion(s) of the composting envelope at Avondale located within Part "F" on Schedule "3" affected by a Holding Symbol "H", the Holding Symbol will be removed by an amendment to the By-law once a certificate of approval therefore under the Environmental Protection Act has been issued.

The Holding Symbol shall not be removed until the reason for the imposition of the Holding Symbol no longer applies. Not limiting the applicability of the foregoing, the following specific policies shall apply to the removal of the Holding Symbol "H":

i) North Maple Residential Area

A Holding Symbol applied to lands located in the "Special Residential" area shall not be removed until:

1. The execution of site plan and bonusing agreements;
2. The cessation of composting at the Avondale composting facility, which will allow the development to be permitted within the setbacks described in Section 3.4.1 (g) to this Amendment;
3. The submission of a demographic study, satisfactory to the City in terms methodology and research design, demonstrating that any phase of the "Special Residential" area is meeting its intended market and is not imposing an excessive burden on municipal or other public services; and,
4. That the applicant provide to the satisfaction of the City an agreement, or any other assurances deemed appropriate, detailing the methods to be provided, through a condominium declaration and by-laws or otherwise, the means by which the residential dwelling units will be designed, marketed and continued to be used as a retirement community catering to the use and occupation of senior citizens.

ii) All lands located within the Waste Disposal Assessment Area

Where a Holding Symbol is applied to lands located within the "Waste Disposal Assessment Area" shown on Schedules "2A" and "3", it shall not be removed except in respect of temporary use permission until the requirements set out in Section 3.5 for "Waste Disposal Assessment Areas" have been addressed to the satisfaction of the City of Vaughan, in consultation with the Ministry of the Environment and Energy.



iii) Lands subject to Industrial Designations

In addition to any requirements of ii) above, a Holding Symbol applied to lands located within the "Industrial" and "Prestige Industrial" designations shall not be removed until servicing capacity is demonstrated and any required development applications have been approved.

VI NON-CONFORMING USES

- a) Any land, building or structure lawfully used for a purpose prohibited by a Zoning By-law on the day of the passing of the by-law is termed "a non-conforming use".
- b) In principle, non-conforming uses within the Planning Area shall not be extended and should eventually cease to exist. The land affected should revert to a use than conforms to this Amendment, and to the provisions of the implementing Zoning By-law. However, in cases where refusal to permit the expansion of a non-conforming use would create undue hardship, limited extension or enlargement of such a use may be permitted consistent with the policies of this Amendment for that type of use.
- c) The City may amend a Zoning By-law so as to permit the extension or enlargement of any land, building or structure used for any purposes prohibited by the by-law and/or which does not conform to the provisions of this Amendment, provided:
  - i) that such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed; and,
  - ii) that the extension or enlargement of the non-conforming use will not adversely affect the welfare of the community in which it is located.
- d) In considering an application for the extension or enlargement of a non-conforming use, the City shall determine if it is not possible to relocate such a use in a place where it will conform to the designated land use. Council may then consider passing a Zoning By-law pursuant to the Planning Act. Such a by-law may then be passed without an amendment to the Official Plan, provided it complies with the policies of this Amendment for that type of use.
- e) Before making any decision on an application, Council will refer such application to the Planning Committee for a report on the various aspects of the matter for the information of Council. Before passing such a by-law, Council shall be satisfied that the following requirements or any of them, as considered relevant to each specific application, will be fulfilled in order to safeguard the wider interests of the general public:
  - i) that the proposed expansion or enlargement of the established non-conforming uses shall not unduly aggravate the situation created by the existence of the use; especially in regard to the requirements of the Zoning By-law applying to the area;

- ii) that the characteristics of the non-conforming use and the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, and traffic-generating capacity. No amendment to the zoning by-law shall be made if one or more of such nuisance factors will be created or increased so as to add the incompatibility of the use with the surrounding area;
- iii) that the neighbouring conforming uses will be protected where necessary by the provision of areas for landscaping, buffering or screening, appropriate setbacks for buildings and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations shall be applied to the proposed extension or enlargement and, where feasible, shall also be extended to the established non-conforming use in order to improve its compatibility with the surrounding area; and
- iv) that in all cases where an existing non-conforming use seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application for extension or enlargement of the non-conforming use, especially where public health and welfare are directly affected.

## VII INTERPRETATION

- a) The boundaries between the land use designations shown on Schedules "2A" and "3" are approximate, except where they coincide with arterial roads, railway lines, valley lands within the open space designations, or other clearly defined physical features. Minor adjustments will not require an amendment to this Plan as long as the intent of its policies is maintained.
- b) The location of the proposed arterial feeds and collector road system is approximate, and minor adjustments will not require an amendment to this Plan as long as the intent of its policies is maintained.
- c) The rights-of-way widths are approximate and should be regarded as flexible.
- d) The residential and industrial development planning process may include the preparation of Plans of Subdivision and/or Site Plans, or combination thereof.

## APPENDIX II

### Record of Council Action

On October 12, 1989 Vaughan Council held a public hearing meeting in respect of the "North Maple Planning Study" (Files OP.57.89 and Z.123.89) which forms the basis for this Official Plan Amendment. The following constitutes the minutes of that meeting.

#### BACKGROUND

On 2 March 1989, the Council of the Town of Vaughan held a Public Meeting to discuss an application by Metropolitan Toronto to extract clay from a site in the north part of the Maple community. Based on discussions and public concerns expressed at that time, Council instructed its solicitors to initiate studies to assist it in reaching a final position on this matter. The North Maple Planning Study forms part of the work undertaken by the Town's consultants. It attempts to provide a broad perspective for the consideration of the Metro application, in the context of the historical and ongoing extraction and waste disposal activities (termed "transitional uses" in this report) in the north part of Maple, and their effects on the community. The study suggests land use planning measures which may be taken to respond to the identified concerns, in the form of a proposed Official Plan Amendment.

#### PURPOSE

The purpose of the study is as follows:

1. To examine the effects of "transitional" uses on the North Maple area in terms of temporary and longer term environmental effects, the extent and duration of the "sterilization" of land, and effects on the pattern of growth of the Maple community.
2. To suggest appropriate land uses which may be introduced into the study area as transitional uses are rehabilitated, or as environmental effects change, and as land uses change in the surrounding area.
3. To prepare an Official Plan Amendment which would provide for the prescribed changes in land use designation and policy.

#### STUDY AREA

The Study Area for the North Maple Planning Study comprises those lands bounded by Keele Street to the west, the unopened Kirby Sideroad allowance to the north, Dufferin Street to the east, and Major Mackenzie Drive to the south. The North Maple Planning Study is seen as being complementary to the ongoing preparation of the new Maple Community Plan. A small part of the Study Area, comprising a strip of land lying between the Trans-Canada gas pipeline which forms the north boundary of the Maple Community Plan Study Area and Kirby Sideroad, falls outside of the Maple Community Plan study area. The incorporation of this land into the new Study Area was seen as being necessary, to ensure that it includes the current Metropolitan Toronto clay extraction proposal, which, if approved, would comprise a further "transitional" use.

Mr. Steven Rowe, appeared on behalf of Walker, Wright, Young, stating that it is the responsibility of Council to withhold approval of the application from Metropolitan Toronto to extract clay from the Avondale North site pending the receipt of a report from the Town's consultant.

Mrs. Judith Tenenbaum, President of Woodland Acres Ratepayers Association, indicated the Association's desire to have the subject area designated as residential land. An open space designation would be acceptable in addition to the residential areas provided this qualified as park space. Further to this, a request was forwarded to designate this entire area as a quiet zone.

Mr. Mark Yarranton, of Weston & Associates Limited on behalf of clients in the study area, reiterated the request for the inclusion of residential development within this area.

Mr. Peter Badali, on behalf of Maple Ratepayers Association, concurred with requests to have the areas of concern designated as residential land only.

Mr. Mario Ferri, President of Vaughan C.A.R.E.S., urged Council to approve and adopt the recommendations cited within the report issued by the Town's consultants. Support was expressed for plans to designate various lands as open space and prestige industrial with the provision that open storage be prohibited.

Mr. Louis Rice, owner of Lots 31 and 32, indicated his approval of the proposed plans.

Mr. Robert Colelli, on behalf of The Recreation Advisory Committee - Maple (TRAC-M) commented the staff report. In particular, the designation of open space land would serve to preserve the natural habitat of the area and to protect the environment as well as to provide facilities for recreational use, i.e. baseball diamonds and a golf course.

Mr. David Estrin, representing his clients Rizmi Holdings and Luciana Milani, indicated satisfaction with the report provided that he be notified during deliberations concerning the wording of the final report. Several modifications to the wording of the documents were requested in order to specify the intended use of these lands.

Mr. Dennis Wood, McCarthy & McCarthy, Solicitors representing Metropolitan Toronto, stated that the late receipt of the North Maple Planning Study did not allow sufficient time for the preparation of comments. Additionally, a copy of the draft By-law to amend the Official Plan had not been made available to Mr. Wood for perusal.

A letter from K.J. Beamish Construction was read indicating opposition to the staff report based on the understanding that the land on which they currently operate would be rezoned preventing continued operation as a construction company. Councillor Meffe clarified this item, stating that the Town would allow existing operations to continue until such time as these operations during which time the lands would be rezoned.

The Director of Planning forwarded an objection to the study by the Maple Nursing Home. This organization requested that the subject lands be designated as a quiet zone.

MOVED by Councillor Meffe

seconded by Councillor Rosati

1. THAT the North Maple Planning Study (Files OP.57.89 and Z.123.89) BE APPROVED as the basis for the preparation of an official plan amendment and implementing zoning by-law amendment;
2. That any additional policies or changes identified by Council at the public hearing be incorporated into the draft amendment; and,
3. That the draft amendment be brought forward to Council for adoption at the first opportunity and that the implementing zoning by-law amendment be prepared and be brought forward to Council for enactment, as required.

CARRIED

**APPENDIX III**

**TABLE 1**

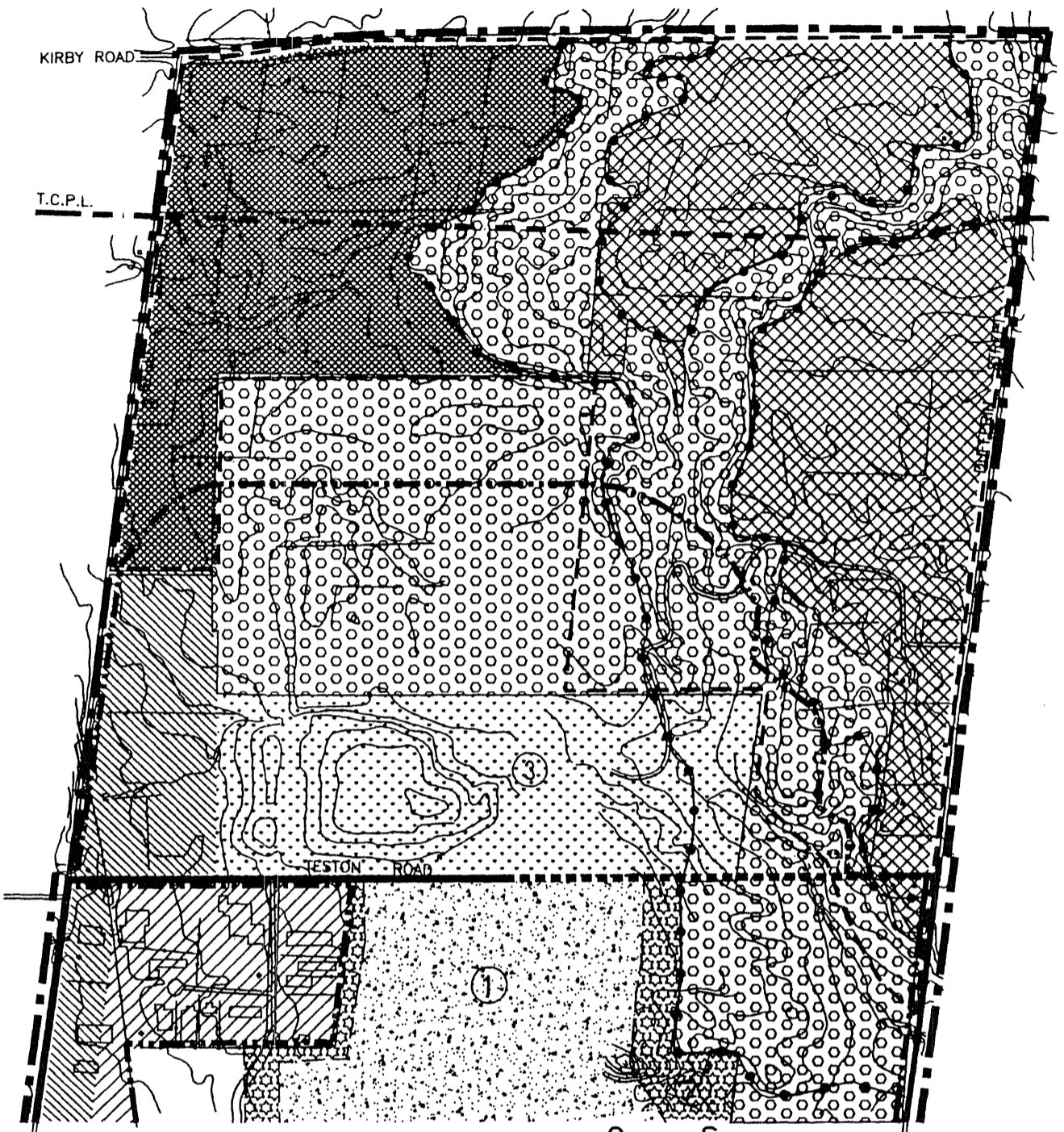
**VAUGHAN RIGHT-OF-WAY WIDTH STANDARDS**

All measurements shall be metric, with no "Imperial" conversion:













5-Lane Arterial	35.0 metres
4-Lane Arterial	30.0 metres
Collector	26.0 metres
Industrial	23.0 metres
Feeder	23.0 metres
Local (two sidewalks)	20.0 metres
Local (one sidewalk)	18.5 metres
Local (no sidewalk)	17.0 metres

Regional roads shown on Schedule "2" will have a 36 metre road allowance except in the Maple core area where they shall have a 30 metre road allowance.





THIS IS SCHEDULE "2A" TO AMENDMENT NO.332



LEGEND

-  Industrial
-  Prestige Ind.
-  Open Space
-  North Maple Residential Area
-  Executive Residential
-  Special Residential
-  Area Subject To Amendment No. 332
-  Waste Disposal Assessment Area
-  Roads
-  Existing Arterial
-  Feeder
-  Proposed 35m Arterial

Open Space  
Special Policy Areas

-  Special Policy Area 1
-  Special Policy Area 2
-  Special Policy Area 3
-  Approx. Limits of ESA/ANSI

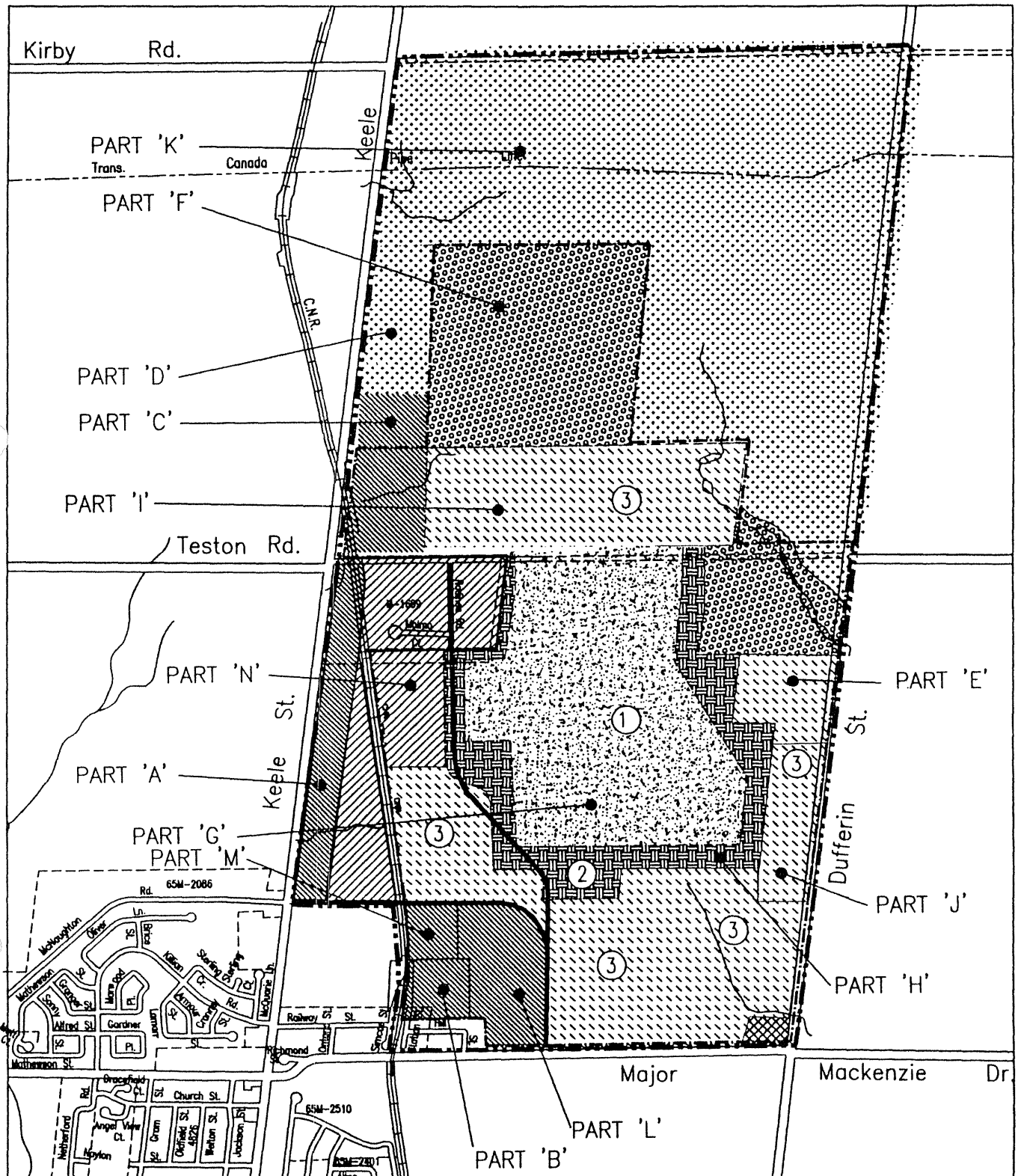
SCALE  
50 0 100 200m

NOTE: This Schedule is prepared for convenience purposes only. In all cases reference should be made to the original documents.

# THIS IS SCHEDULE "3" TO AMENDMENT NO. 332

Updated April 2003.

NOTE: This Schedule is prepared for convenience purposes only. In all cases reference should be made to the original documents.



### LEGEND

- Industrial
- Prestige Ind.
- Open Space
- North Maple Residential Area
- General Commercial

- Waste Disposal Assessment Area
- Area Subject To Amendment No. 332

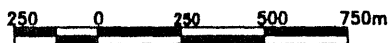
### Open Space Special Policy Areas

- Special Policy Area 1
- Special Policy Area 2
- Special Policy Area 3

### Roads

- Existing Arterial
- Feeder
- Proposed 35m Arterial
- 23m Primary (Future)

### SCALE





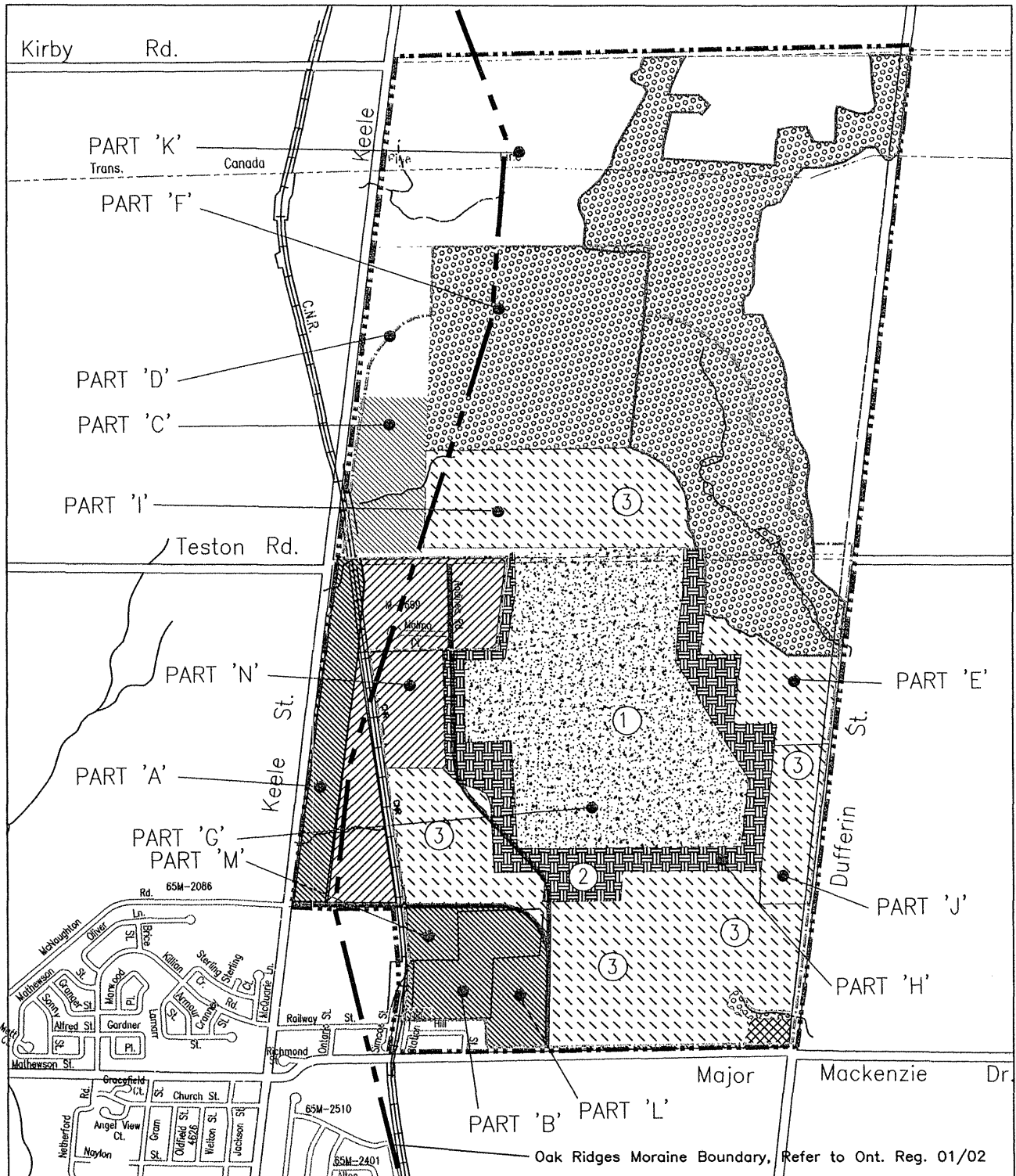
# THIS IS SCHEDULE "4" TO AMENDMENT NO. 604

ADOPTED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

SIGNING OFFICERS

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK



## THIS IS SCHEDULE "3" TO AMENDMENT NO. 332

### LEGEND

- Industrial
- Prestige Ind.
- Open Space
- General Commercial

### Open Space Special Policy Areas

- Special Policy Area 1
- Special Policy Area 2
- Special Policy Area 3

Oak Ridges Moraine Boundary, Refer to Ontario Regulation 01/02

- Waste Disposal Assessment Area
- Area Subject To Amendment No. 332

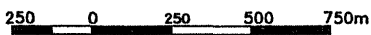
### North Maple Residential Area

- Special Residential
- Executive Residential

### Roads

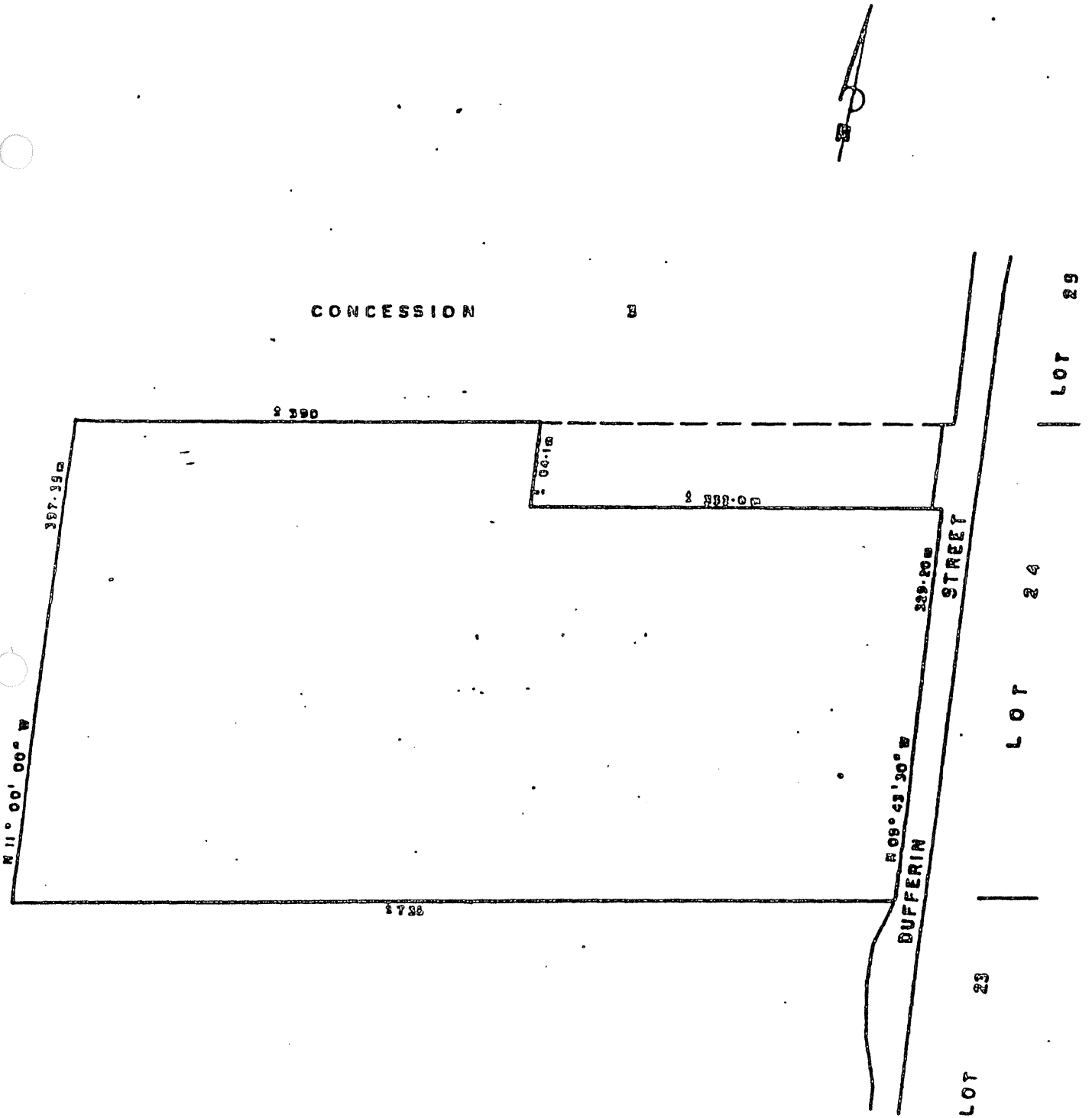
- Existing Arterial
- Feeder
- Proposed 35m Arterial
- 23m Primary (Future)

SCALE



THIS IS SCHEDULE '4'  
TO AMENDMENT NO. 332

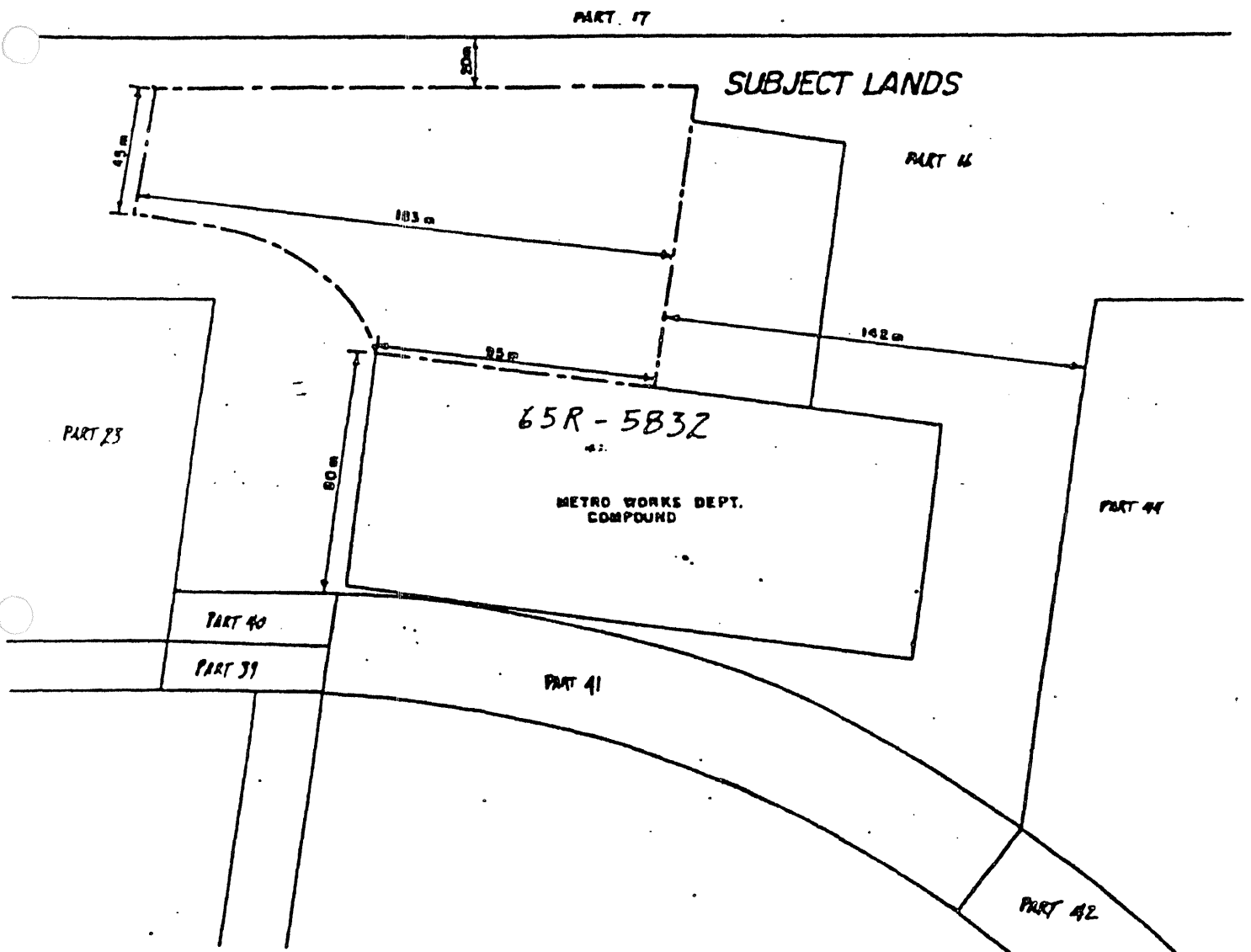
Updated April 2003.



**NOTE: This Schedule is prepared for convenience purposes only. In all cases reference should be made to the original documents.**

THIS IS SCHEDULE '5'  
TO AMENDMENT NO. 332

Updated April 2003.



**NOTE: This Schedule is prepared for convenience purposes only. In all cases reference should be made to the original documents.**










APPENDIX I

# EXISTING LAND USE

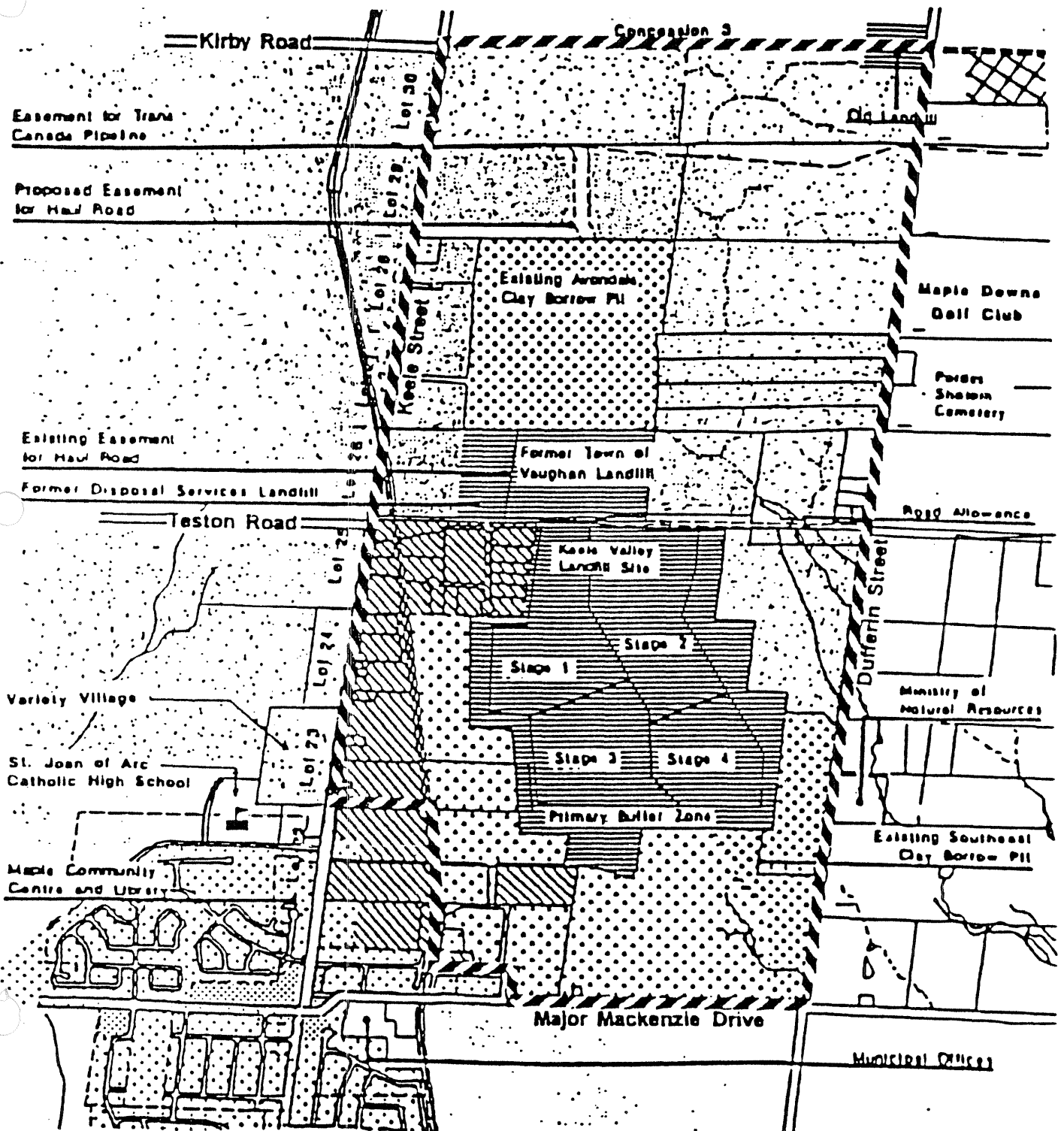
OFFICIAL PLAN AMENDMENT NO. 332

CITY OF VAUGHAN

LEGEND

- |   |                                       |   |                    |
|---|---------------------------------------|---|--------------------|
|  | Landfill                              |  | Other Industry     |
|  | Sand & Gravel Extraction              |  | Agricultural/Rural |
|  | Clay Extraction (Existing & Proposed) |  | Commercial         |
|  | Abandoned Pit                         |  | OPA 332 Boundary   |
|  | Residential                           |   |                    |

SCALE: 



SOURCE: WALKER WRIGHT YOUNG LAND USE SURVEY, MARCH 1989.

Revised: Walker Nott Dragicevic Assoc. Ltd., 1995