

9

REGIONAL OFFICIAL PLAN AMENDMENT NO. 49 AND ASSOCIATED CITY OF VAUGHAN OFFICIAL PLAN AMENDMENT NO. 618 - DAVID AND ROSE BEATTY

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, April 10, 2006, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Commissioner of Planning and Development Services issue Notice of Adoption for Amendment No. 49 to the York Region Official Plan given that a conservation easement, imposed as a condition of approval of the amendment application, has now been granted.
2. The Commissioner of Planning and Development Services issue Notice of Approval for Amendment No. 618 to the City of Vaughan Official Plan given that a conservation easement, imposed as a condition of approval of the amendment application, has now been granted.

2. PURPOSE

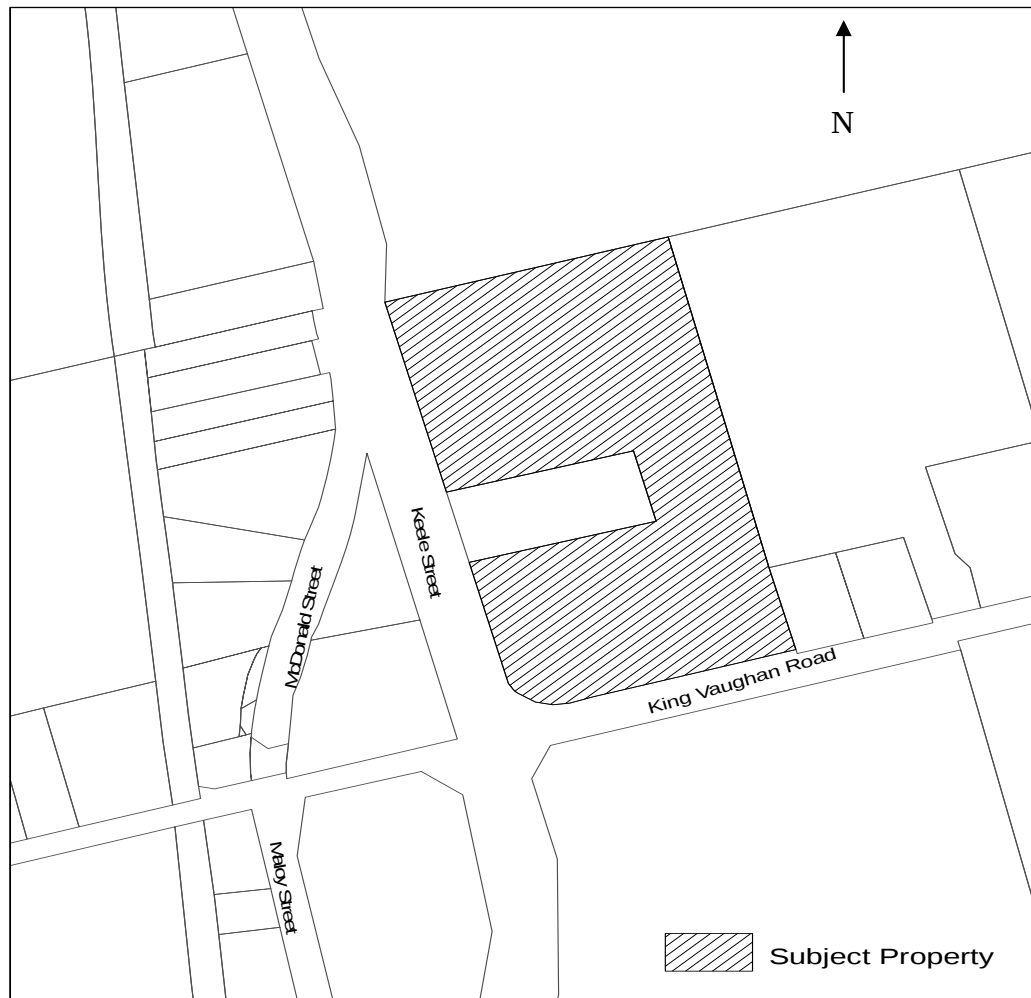
The granting of a natural heritage easement was a condition of Regional Council's June 23, 2005 decision to adopt Amendment No. 49 to the York Region Official Plan and to approve Amendment No. 618 to the City of Vaughan Official Plan to permit a severance for two non-farm residential lots at the northeast corner of Keele Street and King Vaughan Road in the City of Vaughan. This report confirms that an easement over Part of Lot 1, (King) Concession 3 (formerly King Township), municipally known as 12295 Keele Street., Maple) has been granted to the Toronto and Region Conservation Authority (TRCA). The June 23, 2005 Regional Council decision is appended as *Attachment No. 1*.

3. BACKGROUND

3.1 Amendment No. 618 to the City of Vaughan Official Plan

In June, 2000, David and Rose Beatty filed an Official Plan Amendment application with the City of Vaughan to permit the severance of two vacant non-farm residential lots (0.65 ha and 0.68 ha in size) from a larger 6.5 ha property (refer to *Attachments No. 2 and No. 3*). City Council adopted Official Plan Amendment No. 618 (OPA 618) on December 6,

2004, which was subsequently forwarded to the Regional Municipality of York for approval.



The related consent applications were also approved by the City of Vaughan Committee of Adjustment in 2004, subject to fulfilling various terms/conditions including that OPA 618 be in force and effect.

3.2 Regional Official Plan Amendment No. 49

Regional staff prepared a report dated April 6, 2005 for consideration at Planning and Economic Development Committee, which recommended refusal of OPA 618.

Consideration of the April 6, 2005 report was deferred by the Committee to allow the applicant to submit a Regional Official Plan Amendment application needed to address conformity with the Regional Official Plan.

The proposed Regional Official Plan Amendment (ROPA 49) and the Local Official Plan Amendment (OPA 618) were considered by Regional Planning and Economic Development Committee on June 15, 2005 at which time the Committee recommended approval of the amendments, subject to the applicants granting a natural heritage easement over the northerly portion of the lands to be retained (refer to *Attachment No. 2*). These lands are identified as "Natural Core Area" and "Natural Linkage Area" in the Oak Ridges Moraine Plan (ORMP).

The Committee recommended approval of the applications, subject to the provision of the natural heritage easement. This recommendation was adopted, without amendment, by Regional Council on June 23, 2005 (refer to *Attachment No. 1*). Pursuant to the June 23, 2005 Council decision, staff were not to issue Notice of Decision to adopt ROPA 49 and approve OPA 618 until such time as:

- The easement was granted.
- A further report was brought to Council respecting the details of the easement.

The approvals granted for the consent applications in 2004 lapsed thereby requiring the applicant to reapply. New consent applications were approved by the City of Vaughan Committee of Adjustment on March 17, 2006. Again, the applications were approved subject to fulfilling a number of terms/conditions including that the Regional and Local OPAs be in force and effect.

4. ANALYSIS AND OPTIONS

The Toronto and Region Conservation Authority (TRCA) at the request of the Regional Municipality of York agreed to be the recipient of the easement in the form of Conservation Easement in accordance with the Conservation Land Act. The easement was registered on February 28, 2006. The Conservation Easement encompasses the northerly 3.38 ha (8.35 acres) of the lands to be retained by the applicant as illustrated on Attachments No. 2 and No. 3. The northerly portion of the property contains significant wetland, significant forest and is considered an Area of Natural and Scientific Interest as well as an Area of High Aquifer Vulnerability, and as noted earlier is designated "Natural Core Area" and "Natural Linkage Area" in the ORMP.

The Conservation Easement Transfer Document is appended as *Attachment No. 4*. The terms of the easement include restrictions on alterations and access to the lands as well as providing access rights to the TRCA for inspections, maintenance, and related items.

Staff are satisfied that the recent registration of the 3.38 ha (8.35 acres) conservation easement in favour of the TRCA serves to meet the condition imposed by Regional Council as part of the decision to adopt ROPA 49 and approve OPA 618.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The approval of ROPA 49 and OPA 618 would facilitate the creation of the two non-farm residential lots. Further, through the approval of the amendments, 3.38 ha (8.35 acres) of environmentally significant lands will be subject to a conservation easement that will ensure their future protection.

7. CONCLUSION

Staff are satisfied that the recent registration of the 3.38 hectare conservation easement in favour of the TRCA serves to meet the condition imposed by Regional Council as part of the decision to adopt Amendment No. 49 to the York Region Official Plan and approve Amendment No. 618 to the City of Vaughan Official Plan. Upon endorsement of this report by Regional Council, staff will proceed to issue the Notice of Adoption of ROPA 49 and the Notice of Decision to approve OPA 618 in accordance with the requirements of the Planning Act.

The Senior Management Group has reviewed this report.

(The attachments referred to in this clause are included with this report.)