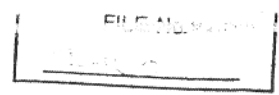


**Amendment 2
to the
Official Plan
for the
Regional Municipality
of York**

File No.: 19-OP-1994-002
Municipality: Region of York

Date of Decision: July 29, 1996
Date of Notice: July 31, 1996
Last Date of Appeal: August 20, 1996



NOTICE OF DECISION

With respect to an Official Plan Amendment
Subsection 17(35) and 21 of the Planning Act

A decision was made on the date noted above to **APPROVE ALL** of Amendment No. 2 to the Official Plan for the Regional Municipality of York as adopted by By-law OP-3-96-80.

Purpose and Effect of the Official Plan Amendment

The Official Plan Amendment provides comprehensive policies for Resort/Recreational Development throughout the Region of York. A copy of the decision is attached.

When and How to File An Appeal

Any appeal to the Ontario Municipal Board must be filed with the Minister of Municipal Affairs and Housing no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Area Planner, at the address shown below and it must,

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies,
- (2) set out the reasons for the request for the appeal, and
- (3) be accompanied by the fee prescribed under the Ontario Municipal Board Act in the amount of \$125.00 payable to the Minister of Finance, Province of Ontario.

Who Can File An Appeal

Only individuals, corporations or public bodies may appeal the decision of the Ministry of Municipal Affairs and Housing to the Ontario Municipal Board. An appeal may not be filed by an unincorporated association or group. However, an appeal may be filed in the name of an individual who is a member of the association or group.

When the Decision is Final

The decision of the Minister of Municipal Affairs and Housing is final if a Notice of Appeal is not received on or before the last date of appeal noted above.

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the Ministry of Municipal Affairs and Housing at the address noted below or from the .

Mailing Address for Filing a Notice of Appeal

Ministry of Municipal Affairs and Housing
Provincial Planning Services Branch
777 Bay St 14th Flr
Toronto ON M5G 2E5
Attention: Victor Doyle
Tele: (416) 585-6064
Fax: (416) 585-4006

REGION OF YORK PLANNING DEPARTMENT	
AUG 08 1996	
REF.	INT.

*Copy to
Planning
Dept.
July 27/96*

DECISION

With respect to an Official Plan Amendment
Subsection 17(34) of the Planning Act

I hereby:

1. Approve all of proposed Amendment No. 2 to the Official Plan for the Regional Municipality of York as adopted by By-law No. OP-3-96-80.

Dated at Toronto this 29th of July, 1996.



Patricia Boeckner

Manager

Provincial Planning Services Branch

Ministry of Municipal Affairs and Housing

THE REGIONAL MUNICIPALITY OF YORK

BILL NO. 80

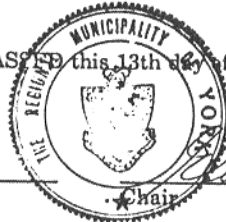
BY-LAW NO. OP-3-96-80

A By-law To adopt Official Plan
Amendment No. 2 for The Regional
Municipality of York

The Council of The Regional Municipality of York under Section 17(15) of the Planning Act, R.S.O. 1990, c. P.13, as amended, HEREBY ENACTS as follows:

1. Official Plan Amendment No. 2 for The Regional Municipality of York (OPA #2) consisting of the attached text is hereby adopted.
2. The Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs for approval of the Official Plan Amendment No. 2 for The Regional Municipality of York.
3. This By-law shall come into force and take effect on the day of the final passing thereof.

ENACTED AND PASSED this 13th day of June, 1996.




Clerk


Chair

PROPOSED AMENDMENT TO THE OFFICIAL PLAN OF REGION OF YORK

PART A - THE PREAMBLE1. Purpose of the Amendment:

The purpose of Official Plan Amendment 2 is to provide for a limited amount of resort/recreational development in the Rural Policy Area of the Region of York subject to certain criteria or performance standards.

2. Location:

This Amendment is non-site specific and applies to all lands within the Rural Policy Area as identified on Map 6; Agriculture and Rural Area, of the Official Plan of the Region of York.

3. Basis:

The Region of York Official Plan was approved in October 1994. In the Rural Policy Area, the Regional Plan protects viable agricultural areas, permits recreational businesses such as golf courses and equestrian facilities and provides for a limited amount of estate residential development subject to criteria.

This Amendment provides for the development of high quality resort/recreational uses and the development of small scale secondary residential uses, including both permanent and temporary accommodation in conjunction with established resort/recreational developments.

Resort/recreational developments are prestigious, high quality, land extensive recreational development that depend on the natural environmental features and attributes of the Region. The developments incorporate support facilities such as, educational, conference or overnight accommodation. These premier, destination developments involve a substantial capital investment, enhance the reputation of the Region and cater to tourists and visitors to York Region.

Small scale residential development may be permitted secondary to resort/recreational developments. These residential components typically total 30 - 80 units in clusters, with the residential component and on-site recreational amenities integrated in terms of servicing and access to on-site recreational facilities.

The residential component of resort/recreational developments are not intended to be large scale residential developments. Large-scale developments, including "retirement" or "lifestyle communities" are best located in municipally serviced communities where a full range of retail, commercial and support services are available.

The residential component of resort/recreational developments will maintain the open space nature and rural character of the site and reduce the visual impact of the development on surrounding areas. It is intended that the residential development will occupy a small portion of the site, in the general ratio of 15% residential areas to 85% recreational or natural landscape use. The recreational use is intended to be permanent, not a temporary use.

Servicing of the residential components of resort/recreational developments are predicated on privately owned and operated communal sewage treatment and disposal systems and privately owned and operated potable water supplies.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the attached policy changes constitutes Amendment 2 to the Official Plan of the Region of York.

- A) Policy 5.9.6 j) is hereby amended to read as follows: "areas adjacent to or nearby *resort/recreational development* or an existing estate residential development where the number of estate lots would exceed 30 in total;"
- B) That a new Policy Section 5.11 be added as follows:

"5.11 RESORT/RECREATIONAL DEVELOPMENT

Resort/recreational development policies provide for the development of new high quality resort/recreational uses and the development of secondary residential uses, including both permanent and temporary accommodation in conjunction with established *resort/recreational developments* in the Rural Policy Area of the Region.

Resort/recreational developments are prestigious, high quality, land extensive recreational developments that depend on the natural environmental features and attributes of the Region for their attractiveness and economic vitality. The developments incorporate support facilities such as, educational, conference or overnight accommodation. These premier, destination developments represent a substantial capital investment, enhance the reputation of the Region and cater to tourists and visitors to York Region. Because of the exclusive nature of the developments, it is not expected that many *resort/recreational developments* will ultimately be approved in the Region. These developments are based on the Region's unique environmental features and attributes, and are only suitable where the environmental and social impacts are properly addressed and where there is sufficient financial viability has been proven.

The permanent residential component of *resort/recreational developments* are small in scale, developed through plan of condominium, with the residential component and recreational amenities integrated in terms of servicing and access to on-site recreational facilities. The total number of units permitted on any one resort/recreational development will be based on an assessment of the site's environmental constraints and capability, impact on the surrounding community, financial and economic impact and ability of the development to provide the required financial guarantees.

Objective

To provide for the development of prestigious, high quality, *resort/recreational developments* in the Rural Policy Area, based on a demonstrated need and in a manner that will minimize the impact on the natural environment, on agricultural operations and on servicing costs.

It is the Policy of Council that:

1. *Resort/recreational developments* may be permitted in the Rural Policy Area through a site specific area municipal official plan amendment, subject to the policies of this section and all other relevant policies of this Plan.
2. Proposals for new *resort/recreational development* shall address all the policies of this Plan, in particular the Sustainable Natural Environment policies in Section 2 and the Cultural Heritage policies in Section 4 and the criteria of policy 5.7.2.
3. The site specific area municipal official plan amendment shall deal comprehensively with the entire resort/recreational site and phasing arrangements to ensure establishment of the resort/recreational uses prior to any secondary residential development that may be proposed under Policy 5 below.
4. An economic/fiscal impact analysis be completed to confirm the financial viability of the proposal, the proposed economic benefits to the Region and to ensure that the local and Regional financial impacts are accounted for in keeping with policy 7.3.8. of this Plan.
5. Small scale residential developments may be permitted as an accessory or secondary use to established *resort/recreational developments*, subject to the following:
 - a) an area municipal official plan amendment which deals comprehensively with the entire resort/recreational site;

- 4 -

- b) servicing by a privately owned and operated communal wastewater treatment system and privately owned and operated communal water system, as approved by a Class Environmental Assessment or equivalent process which includes the following:
 - i) an inventory of the existing environment and possible impacts;
 - ii) evaluation of alternatives in consultation with affected agencies;
 - iii) preliminary design of the preferred alternative, that will ensure construction of collection and distribution systems to municipal standards;
 - iv) specifications of the interrelationship with the adjacent recreational use; and,
 - v) preparation of a maintenance, monitoring and system failure contingency plan;
- c) a Responsibility Agreement(s) being executed for the communal wastewater treatment and water systems, identifying among other things:
 - i) operation and maintenance standards;
 - ii) definition of default and required remediation;
 - iii) financial guarantees that no public funds will be required in the case of a malfunction;
 - iv) easements, rights of entry and inspection; and
 - v) monitoring systems;
- d) the residential component and on-site recreational amenities being fully integrated in terms of servicing and access to on-site recreational facilities;
- e) the total number of residential units per development being determined on a site by site basis, taking into account:
 - i) the environmental conditions of the site;
 - ii) the population range of the smaller hamlets in the area municipality;
 - iii) the potential impact on the surrounding area including, servicing, water supply, and hamlet expansion;
 - iv) the extent to which the residential development retains the rural character of the area;
- f) the residential development being held under the same ownership as the resort/recreational components of the development or being developed by plan of condominium;

- g) the proposal not being adjacent or nearby a Town, Village or Urban Area; and
- h) the proposal being integrated, using a site plan, with the existing topography to preserve existing vegetation communities, steep slopes, existing drainage patterns and other natural features as identified through a landscape analysis and site plan in accordance with the Sustainable Natural Environment policies of this Plan.

That the following phrase " or where communal wastewater treatment systems to service resort/recreational developments are appropriate" be added to Policy 6.7.17 so that the Policy reads as follows:

"That where private individual sewage systems are appropriate, or where communal wastewater treatment systems to service *resort/recreational developments* are appropriate, the proposed plan must be supported by a hydrogeological study which will determine specific site-related minimum lot sizes or development standards. All draft approved plans of subdivision/condominium shall contain a provision requiring, the recommendations of the hydrogeological study to be reconfirmed prior to registration. Further, where private individual sewage systems are permitted on the basis of a Settlement Capability Study which is more than five years old, final approval of a draft plan of subdivision shall only occur if the proponent updates the Settlement Capability Study or reconfirms the base line data for ground and surface water quality identified in the preparation of the Study."

D) The Definitions Section of the Plan be amended by the addition of the following:

"RESORT/RECREATIONAL DEVELOPMENT

A prestigious, high quality, land extensive recreational development which is based on the natural environmental features and attributes of the Region. The developments incorporate support facilities such as, educational, conference or overnight accommodation. These premier, destination developments involve a substantial capital investment, enhance the reputation of the Region and cater to tourists and visitors to York Region."