

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2018

Item 3, Report No. 6, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 21, 2018.

**3 ZONING BY-LAW AMENDMENT FILE Z.16.037
 DRAFT PLAN OF SUBDIVISION FILE 19T-16V008
 SITE DEVELOPMENT FILE DA.16.079
 DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENT)
 FILE 19CDM-16V005
 WYCLIFFE CLARK LIMITED
 VICINITY OF CLARK AVENUE WEST AND BATHURST STREET**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated February 6, 2018, be approved; and**
- 2) That the deputation by Ms. Gail Blackman and Communication C5, dated February 6, 2018, be received.**

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment, Draft Plan of Subdivision, Site Development and Draft Plan of Condominium (Common Element) Files Z.16.037, 19T-16V008, DA.16.079, and 19CDM-16V005 (Wycliffe Clark Limited) to permit the development of the subject lands shown on Attachments #3 and #4, with 82, three-storey townhouse units, as shown on Attachments #6 to #8.

Recommendations

- 1. THAT Zoning By-law Amendment File Z.16.037 (Wycliffe Clark Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone the subject lands (shown on Attachments #3 and #4) from A Agricultural Zone, as shown on Attachment #4, to RT1 Residential Townhouse Zone, in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.**
- 2. THAT Draft Plan of Subdivision File 19T-16V008 (Wycliffe Clark Limited) BE APPROVED, to create one development block, in the manner shown on Attachment #5, subject to the Conditions of Approval set out in Attachment #1 of this report.**

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3. THAT Site Development File DA.16.079 (Wycliffe Clark Limited) BE APPROVED, to permit the development of 82 townhouse units, serviced by a private common element condominium road, as shown on Attachments #6 to #9, subject to the following conditions:
 - a) prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
 - ii) The Owner shall improve the City's existing walkway, which is located west of the subject lands at Tansley Road and connected to Clark Avenue West, as shown on Attachment # 4, to the satisfaction of the City of Vaughan;
 - iii) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, functional servicing and stormwater management report and drawings, geotechnical and hydrogeological assessment, external lighting plan, the utility coordination plan, environmental noise assessment, Transportation Impact Study, and the Transportation Demand Management Plan;
 - iv) the Owner shall satisfy all requirements of the Development Engineering Department, including the posting of a Letter of Credit with the City in the amount of \$85,000.00 for the improvements to the existing signalized intersection at South Promenade and Clark Avenue West;
 - v) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division;
 - vi) the Owner shall satisfy all requirements of York Region; and
 - vii) Draft Plan of Subdivision File 19T-16V008 shall be registered.
 - b) the Site Plan Letter of Undertaking shall include the following clauses:
 - i) "Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division."

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- ii) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”
- iii) “The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-In-Lieu of Parkland Policy.

The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

- c) Prior to the issuance of a Building Permit, the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board.
- 4. THAT Draft Plan of Condominium (Common Element) File 19CDM-16V005 (Wycliffe Clark Limited) BE APPROVED, to facilitate the condominium tenure of the common elements that will include the internal private roads, 20 visitor parking spaces, and landscaped areas and sidewalks, as shown on Attachment #9, subject to the Conditions of Approval set out in Attachment #2.
 - 5. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

"IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V008 and Site Development Application File DA.16.079 (Wycliffe Clark Limited) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 82 residential units (251 persons equivalent)."
 - 6. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V008 (Wycliffe Clark Limited) shall include the following clause:

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“The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

Report Highlights

- The Owner proposes an 82-unit common element condominium townhouse development.
- The proposed development includes freehold lots with frontage on a common element private road and accessed by a single driveway from Clark Avenue West.
- The Development Planning Department supports the approval of the proposed development as it conforms to the Official Plan and is consistent with the existing and planned land uses in the surrounding area.

Background

The 1.79 ha subject lands are located on the south side of Clark Avenue West, west of Bathurst Street. The surrounding land uses are shown on Attachment #4.

On December 16, 2016, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City’s website at www.vaughan.ca and a Notice Sign was installed on the Clark Avenue West street frontage, in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on January 17, 2017, to receive comments from the public and the Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of January 17, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on January 24, 2017.

The following individuals made a deputation at the Public Hearing on January 17, 2017, or submitted written correspondence regarding the proposed development:

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- a) Mr. Kurt Franklin, Weston Consulting Group, Millway Avenue, Vaughan, on behalf of the Owner;
- b) Mr. Joseph Goldstein, Tansley Road, Thornhill;
- c) Ms. Daniela Palma, Golden Orchard Road, Maple;
- d) Mr. Eddy Bi, McMorran Crescent, Thornhill;
- e) Mr. Leslie Fluxgold, FIJ Law LLP, West Pearce Street, Richmond Hill, representing Reena and Batay Reena;
- f) Ms. Sarah Robbins, McMorran Crescent, Thornhill;
- g) Mr. Avi Moyal, McMorran Crescent, Thornhill;
- h) Ms. Gail Blackman, Eddy Green Court, Thornhill;
- i) Mr. Miles Robbins, McMorran Crescent, Thornhill; and
- j) Mr. Jeffery Stone (via email).

The following issues were identified by the community through the written submissions received by the Development Planning Department and by deputations at the Public Hearing on January 17, 2017. The Development Planning Department offers the following responses to the concerns raised by the community below and in the relevant sections throughout the report.

- i) The community wants to maintain the current pedestrian linkages through the subject lands

Over time, the existing pedestrian paths that traverse over private property have been established across the subject lands by residents of the local area. These ad hoc paths originate at the terminus of Mullen Drive, as shown on Attachment #4, and connect to a bus stop and the signalized intersection of Clark Avenue West and South Promenade. The subject lands, and the other lands owned by applicant, do not connect to the terminus of Mullen Drive as they are bounded by privately-owned existing residential dwellings to the south and the lands municipally known as 927 Clark Avenue West to the west, as shown on Attachment #4. As such, a pedestrian connection cannot be provided over the subject lands and would require the consent of the land owner to the west.

When the subdivisions for this area were created in 1979 and 1983, two pedestrian connections were established to allow the surrounding community direct access to Clark Avenue West (at Tansley Road) and Bathurst Street (at McMorran Crescent), as shown on Attachment #4.

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In June 19, 2015, the City sold a portion of the Mullen Drive right-of-way to the abutting landowner (Rena) to the west. An opportunity to establish a pedestrian connection from the surrounding community to Clark Avenue West will be considered by staff should the abutting lands to the west be developed.

- ii) The subject lands, which are currently vacant, should be maintained as an open space

The subject lands are privately owned and do not form part of the City's open space or parkland system and are designated "Low-Rise Residential" by Vaughan Official Plan 2010 (VOP 2010), which permits townhouse dwellings. The subject lands are also identified to be located within a stable community area in the City of Vaughan Urban Design Guidelines for Community Areas and Low-Rise Residential Areas. As the subject lands are currently zoned A Agricultural by Zoning By-law 1-88, the Owner has submitted to the City a Zoning By-law Amendment application to rezone the subject lands to permit the proposed development, which conforms to VOP 2010.

- iii) Will the lay-by parking for the proposed development have an impact on existing and future rapid transit?

The original development concept included lay-by parking along Clark Avenue West, but it has been removed to respond to York Region's operational and safety concerns. This is reflected on the site plan as shown on Attachment #6.

- iv) The community wants to know what the construction timing is for the proposed development

The timing of the commencement of any construction activity is unknown at this time. Construction timing is at the discretion of the Owner and cannot occur until all required approvals are in place. The City will require the Owner to provide a construction management plan prior to the commencement of construction activity.

On January 25, 2018, a notice of this Committee of the Whole Meeting was sent to those individuals who submitted written correspondence to the Development Planning Department, made deputation at the Public Hearing, or requested notification regarding these applications.

Previous Reports/Authority
[Committee of the Whole Public Hearing](#)

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Analysis and Options

The proposed development conforms to Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010) and are located within a “Community Area”, as identified on Schedule “1” - Urban Structure of VOP 2010. The “Low-Rise Residential” designation permits townhouse dwellings subject to the compatibility criteria in Section 9.1.2.2 of VOP 2010 and there is no maximum density provision associated with this designation.

Section 9.1.2.2 of VOP 2010 states that, “new developments be designed to respect and reinforce the existing physical character and uses of the surrounding area”. The proposed development is considered to be compatible for the following reasons:

- a) The location of the driveway into the proposed development has been aligned with the existing signalized intersection at South Promenade and Clark Avenue West taking into account the local street pattern. Traffic signal upgrades will be required which will have to be provided by the Owner.
- b) The proposed development includes townhouse units that front onto Clark Avenue West with elevations that provide a “front door” to the public realm.
- c) The road pattern and landscape strip widths within the townhouse development provide a 15 m separation distance from the rear property line to the townhouse built form which provides a buffer and transition to the existing detached residential homes to the south.

Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods

Council in October 2015, directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in recognition of the increased development pressure in stable residential neighbourhoods. The Policy Planning and Environmental Sustainability Department subsequently initiated the Community Area Policy Review for Low-Rise Residential Designations, which resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (“Guidelines”) and the Community Area Policy Review for Low-Rise Residential Designations Study (“Study”). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017, and

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an Official Plan Amendment to implement the Study recommendations will be forwarded to Vaughan Council for adoption at a future date.

The subject development applications were deemed “Complete” on September 9, 2016, prior to the Vaughan Guidelines approved by Council however, the proposed development has regard to the following Guidelines:

- a) Eight of the sixteen townhouse Blocks front onto Clark Avenue West;
- b) Blocks A through G, and Block Z provide a front façade on both the Clark Avenue West (north) elevation and the internal (south) elevation so that the internal Blocks H through K, do not front onto a rear elevation;
- c) Townhouse units in Blocks H through O have private rear yards; and
- d) Townhouse units in Blocks A through G and Block Z have private front yard and balcony amenity space.

The proposed site-specific zoning exceptions would permit a development that is compatible with the existing and planned built form in the area

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, which does not permit the proposed townhouse development. A Zoning By-law amendment is required to rezone the subject lands to RT1 Residential Townhouse Zone, in the manner shown on Attachment #5, and to permit the following site-specific zoning exceptions:

Table 1:

	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition of “Gross Floor Area”	Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the areas of any cellar, or car parking area above or below grade within the building or within a separate structure.	Means the aggregate of the floor areas of all storeys of a building, measured to the exterior of the outside walls, but not including the area of any cellar, or car parking area above or below grade within the building or within a separate structure, or mechanical penthouse or rooftop laundry room.

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	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
b.	Definition of a "Lot"	Means a parcel of land fronting on a public street.	Means a parcel of land fronting on a public or a private street.
c.	Definition of a "Street Line"	Means the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street.	Means the dividing line between a lot and a public or private street
d.	Visitor Parking Requirements	82 units @ 0.25 spaces/unit = 21 spaces	82 units @ 0.24 spaces/unit = 20 spaces
e.	Minimum Landscape Strip Width (Along Clark Avenue)	6 m	1.2 m
f.	Maximum Yard Encroachments	<p><u>Exterior stairways</u></p> <p>Maximum 0.3 m into a required interior side yard</p> <p><u>Porches and balconies</u> (uncovered, unexcavated and unenclosed)</p> <p>Maximum 1.8 m into a required rear yard</p>	<p><u>Exterior stairways</u></p> <p>Maximum 0.9 to 0.95 m encroachment for stairs into a required interior side yard (Blocks A, B, C, D, E, F, and Z)</p> <p><u>Porches and balconies</u> (uncovered, unexcavated and unenclosed)</p> <p>Maximum 4.4 m into a required rear yard</p>

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	Zoning By-law 1-88 Standards	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
		<u>Minimum Encroachments of Unenclosed Porches</u> Minimum 1.5 m no encroachment zone The maximum finished floor elevation of an unenclosed porch shall not exceed 1.2 m above finished grade.	A 0 m no encroachment zone shall be maintained within the front yard and exterior side yards and within the interior side yard abutting a walkway The maximum finished floor elevation of an unenclosed porch shall not exceed 1.75 m above finished grade.
g.	Frontage on a Public Street	A building or structure shall front on a public street.	A building or structure shall have access to a private road or driveway that provides access to a public street.
h.	Minimum Soft Landscaped Area	60%	58.4%
i.	Maximum Width of a Driveway	3.75 m	5.9 m (main driveway from Clark Avenue West)
j.	Minimum Lot Frontage	6 m	5.5 m (Blocks H, I, J, K, L, M, N, O) 5.9 m (Blocks A, B, C, D, E, F, G, Z)
k.	Minimum Lot Area	162 m ²	Ranging from 117 m ² per to 129 m ²

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m.	Minimum Front Yard	4.5 m	2.55 m (Block G) 2.61 m (Block F) 3.35 m (Blocks A, B, C, D, E, Z)
n.	Minimum Front Yard Setback to the Stairs	4.5 m	0 m (Blocks A, B, C, D, E, F, G, and Z)
o.	Minimum Rear Yard Setback	7.5 m	5.65 m (Blocks H and L) 6.0 m (Blocks B, C, G, I, J, K, M, N, O) 6.6 m (Blocks A, D, E, F, Z)
p.	Minimum Interior Side Yard Setback (End Unit)	1.2 m	0.9 m (Blocks D, E, F and G) 0.95 m (Blocks A, B, C, Z)
q.	Minimum Exterior Side Yard Setback	4.5 m 3 m (abutting a sight triangle)	0.875 m 0 m (abutting a site triangle)
r.	Minimum Lot Depth	27 m	19 m (Block G) 20.35 m (Block F) 21 m (Blocks A, B, C, D, E, Z) 23.5 m (Blocks H, I, J, K, L, M, N, O)

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s.	Maximum Building Height	11 m	14.1 m (Blocks A, B, C, D, E, F, G) 12.82 m (Blocks H, I, J, K, L, M, N, O)
t.	Maximum Number of Townhouse Units in a Row	6 units	7 units (Blocks H, I, J, L, M and N)
u.	Maximum Interior Garage Width	3 m	5.5 m (All Blocks)

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions for the following reasons:

a) Definitions

The proposal to amend the definition of “Gross Floor Area” is being requested so that the laundry room can be located on the roof top, within the mechanical room.

The proposal to amend the definition of a “Lot” and “Street Line” is technical in nature as the development proposal will contain freehold lots having access from a private common element condominium road. This will ensure zoning compliance for the future freehold lots.

b) Minimum Yard Setbacks, Encroachments, Landscape Width Frontages, and Lot Depths

The proposed yard setbacks, encroachments and landscape strip widths will enable the development to be designed in an urban contemporary form consistent with other townhouse developments. The proposed lot depth and frontages are consistent with other approved common element condominium townhouse developments that have been approved across the City.

c) Building Height

The proposed townhouse designs are 3-storeys and a maximum 14.1m in height, whereas the RT1 Residential Townhouse Zone of Zoning By-law 1-88 permits a maximum 11 m building height. The lands abutting the subject site to the south

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are zoned R4 Residential Zone, which permits a maximum building height of 9.5m.

The subject lands are located along Clark Avenue West, which is a major arterial road and across the road from higher density developments. In addition, the land uses surrounding the subject lands include a private community centre to the west, and a fire hall to the east.

A common element road is proposed along the rear (south) property line, which will provide a greater separation distance between the proposed townhouse units and the existing detached homes. The homes located south of the subject lands are constructed with a minimum 7.5 m rear yard setback. The proposed 17.2 m setback of the most southerly units of the proposed development together with the existing 7.5 m rear yard condition results in a separation distance of 24.7 m between the buildings. Staff have assessed the relationship between the proposed development and existing community utilizing a 45 degree angular plane in order to determine any potential impacts associated with height, shadow and privacy concerns. The proposed development is within a 45 degree angular plane measured from the rear property line of the subject lands. In addition, within the 24.7 m setback a 1.8 m privacy fence and a 3.12 m landscape strip are also proposed along the south property line in order to mitigate any potential impacts of the proposed development.

Based on the existing surrounding lands uses and the inclusion of a separation buffer and landscaping strip, staff can support the increased building height.

d) Garage and Driveway Widths

The proposed modifications to the garage widths and driveway widths will allow for the provision of two car garages for the proposed development thereby accommodating more on-site parking.

In consideration of the above, the Development Planning Department is satisfied that the proposed amendments to Zoning By-law 1-88 will facilitate a development that maintains the intent of the Official Plan and permit a residential development that is compatible with the existing and planned land uses in the surrounding area.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision, subject to the Conditions of Approval

The proposed Draft Plan of Subdivision shown on Attachment #5 will create one residential block to facilitate the proposed site plan, the future common element condominium, and the creation of 82 individual freehold lots for each townhouse unit through a future Part Lot Control Application. The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision shown on

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Attachment #5, subject to the Conditions of Approval included in Attachment #1.

The Development Planning Department has no objection to the proposed Draft Plan of Condominium, subject to the Conditions of Approval

The Owner has submitted Draft Plan of Condominium (Common Elements) File 19CDM-16V005, to facilitate the proposed condominium tenure of the common elements. The common elements will be privately-owned and maintained by a future Condominium Corporation and will include the private roads, landscaped areas, the 20 visitor parking spaces, and internal sidewalks, as shown on Attachment #9.

The Development Planning Department is satisfied with the proposed site plan and building elevations, subject to the comments and recommendations in this report

Site Layout

The proposed site plan and building elevations are shown on Attachments #6 to #8. The site plan includes 16 townhouse blocks, ranging from 3 to 7 units per block, for a total of 82 townhouse units. Access to the proposed units will be provided by a private common element road.

A total of 20 visitor parking spaces are proposed along the common element road, which are located on the east and west sides of the proposed development. The common element road, together with the 1.8 m high privacy fence and the 3.12 m wide landscape strip is located along the rear property line, will provide noise and visual mitigation measures and an increased separation distance between the proposed development and the existing detached homes located south of the subject lands.

Access to the subject lands is proposed from a full move signalized intersection located at Clark Avenue West and South Promenade. The Development Engineering Department is currently working with the Owner to finalize the design details for this intersection. A condition is included in the recommendation section of this report requiring the Owner to satisfy all requirements of the Development Engineering Department.

Two pedestrian walkways are included along the east and west sides of the proposed development in order to provide connections to Clark Avenue West. The Owner proposes additional improvements and enhancements, such as planting beds and benches, to the existing City walkway, which is located west of the subject lands at Tansley Road and connected to Clark Avenue West, which must be designed and coordinated to the satisfaction of the City, prior to the execution of the Site Plan Agreement the Owner must post a Letter of Credit to secure the walkway improvements. A condition to this effect is included in the recommendation of this report.

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Building Elevations

The typical building elevations for the proposed townhouse dwelling units are shown on Attachments #7 and #8. The townhouse dwellings are proposed to be constructed with brick and stucco, there will be a variation of brick colours, and include a square rectangular flat roof design and private amenity spaces in the form of balconies, roof top decks, and rear yards. Garages are provided for each unit and access will be provided by the internal private road. In Blocks H, I, J, K, L, M, N, and O, the stone veneer proposed for the main building elevation of the ground floor should also wrap around the front porches, to the satisfaction of the Development Planning Department.

The Development Engineering Department supports the proposed development subject to the comments and conditions of this report

Environmental

Based on the review of the Phase One and Phase Two Environmental Site Assessment reports and the Reliance Letter, the Environmental Engineering Division is satisfied with the submitted documents and have no further concerns.

Transportation

The proposed access on Clark Avenue West will add a fourth section to an existing signalized intersection located at Clark Avenue West and South Promenade, thereby requiring the installation of additional traffic signal equipment and upgrades. The City requires all associated design and construction costs to be entirely incurred by the Owner with respect to the new installations, such as, but not limited to traffic signal and pedestrian countdown heads, pedestrian push-buttons, signal timing plan modifications, pedestrian crosswalks and ramps. The Traffic Impact Study (TIS) shall include an analysis of the required intersection improvements and the City will require a Letter of Credit for the amount of \$85,000.00 to ensure the above noted works are completed to the satisfaction of the City. A condition to this effect is included in the recommendation of this report.

The review of the Clark Avenue West and South Promenade signal design, Transportation Demand Management (TDM) Plan measures, the revised TIS and pedestrian connectivity are still under review by Transportation staff. Notwithstanding the continued review, the Development Engineering Department is generally satisfied with the overall site design and will continue to work with the Owner to finalize the site plan and approval of the reports submitted in support of the development applications. A condition to this effect is included in the recommendation of this report.

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Allocation of Sewage and Water Capacity

The proposed water connection for the development will be provided from an existing Regional watermain located on the south side of Clark Avenue West. The proposed development site area has been accounted for in the sanitary sewer design, in accordance with the “As-Constructed – July 1989” drawing prepared by Fred Schaeffer and Associates Limited. As such, a connection to the existing municipal sewer on Clark Avenue West is proposed to service the lands, which is acceptable to staff.

On December 13, 2016, the City’s latest annual servicing capacity allocation strategy report was endorsed by Vaughan City Council. It confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Therefore, servicing capacity for the proposed development is available and unrestricted. Accordingly, staff are recommending that Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V008 and Site Development File DA.16.079 (Wycliffe Clark Limited) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 82 residential units (251 persons equivalent).”

Environmental Noise/Vibration Impact

The Owner submitted an Environmental Noise and Vibration Impact Report to address potential noise sources and their impacts on the proposed development. The report recommends the following Noise Warning Clauses to be included as part of the relevant legal documents, including all Offers of Purchase/Sale or Lease:

Blocks K and O:

- Purchasers/tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the noise criteria of the Municipality and the Ministry of the Environment and Climate Change.
- This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment and Climate Change.
- Purchases are advised that due to the proximity of the nearby fire station, sound levels from these locations may at time be audible.

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Blocks A to G, Z

- Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasion interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment and Climate Change.
- This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of Environment and Climate Change.
- Purchases are advised that due to the proximity of the nearby fire station, sound levels from these locations may at time be audible.

Blocks H to J, L to N

- Purchases are advised that due to the proximity of the nearby fire station, sound levels from these locations may at time be audible.

The Development Engineering Department has no objections to the proposed development and will continue to work with the Owner to finalize all plans and reports, subject to the conditions of approval contained in Attachment #1c).

The Environmental Services Department, Solid Waste Management Division, has no objection to the proposed development

The Environmental Services Department, Solid Waste Management Division has reviewed the proposed development. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the recommendation of this report.

Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Letter of Undertaking

The Real Estate Department has provided the following conditions for approval:

“The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-In-Lieu of Parkland Policy.

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The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

The Financial Planning and Development Finance Department has no objection to the proposed development subject to the condition below

The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including Development Charges. The Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board. A condition to this effect is included in the recommendation of this report.

The Parks Development Department has no objection to the approval of the proposed development

The Parks Development Department have reviewed a revised Community Services and Facilities Impact Study, dated December 2017, and have no further comments.

The School Boards have no objection to the proposed development

The York Region District School Board and York District Catholic School Board have reviewed the proposed development and advised that they have no objection to or any conditions of approval for the proposed development.

Canada Post has no objection to the proposed development

Canada Post has no objection to the proposed development, subject to the Owner installing mail box facilities and equipment to the satisfaction of Canada Post. Conditions to this effect are included in Attachment #1d) of this report.

Enbridge Gas Distribution Inc. has no objection to the proposed development

Enbridge Gas Distribution Inc. has no objection to the development applications subject to the conditions included in Attachment #1e) of this report.

Bell Canada requires the Owner to confirm that sufficient wire-line communications and telecommunications infrastructure is available

The Owner is required to confirm that sufficient wire-line communications and telecommunications infrastructure is available within the proposed development. In the

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event that such infrastructure is not available, the Owner is advised that the Owner may be required to pay for the connection to and/or extension of the existing communication and telecommunication infrastructure. The Owner will also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1f) of this report.

Financial Impact

There is no requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

York Region has reviewed the proposed development and has advised that the proposed development is located within the Maple South wastewater area and will be serviced from Water Pressure District 5Y. Residential development requires servicing capacity allocation prior to final approval. The City's Development Engineering Department has confirmed that servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the subject development is available and unrestricted.

York Region is generally satisfied with the site plan design and continues to work with the Owner to finalize the plans and reports. York Region has no objection to draft approval of the Draft Plan of Subdivision and Draft Plan of Condominium (Common Elements) subject to the Schedule of Pre-Conditions and Schedule of Conditions contained in Attachment #1a) and #1b) of this report.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.037, Draft Plan of Subdivision File 19T-16V008, Draft Plan of Condominium (Common Elements) File 19CDM-16V005, and Site Development File DA.16.079, in consideration of with the policies of Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The Owner seeks approval of an 82-unit freehold residential townhouse development on lots fronting onto a private common element condominium road. The development proposal conforms to the Official Plan and is compatible with the existing and planned uses in the surrounding area.

On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium (Common Element) and Site Development applications, subject to the recommendations in this report, and the Conditions of Subdivision and Condominium Approval, as set out in Attachments #1 and #2, respectively.

This report has been prepared in consultation with the Director of Development Planning and Senior Manager of Development Planning. For more information, please contact: Carol Birch, Planner, extension 8485

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Attachments

1. Conditions of Draft Plan of Subdivision Approval File 19T-16V008
2. Conditions of Draft Plan of Condominium Approval File 19CDM-16V005
3. Context Location Map
4. Location Map
5. Proposed Zoning and Draft Plan of Subdivision
6. Site Plan
7. Building Elevations Fronting Clark Avenue West
8. Building Elevations Fronting Internal Road
9. Draft Plan of Condominium (Common Elements) File 19CDM-16V005

Prepared by

Carol Birch, Planner, extension 8485

Stephen Lue, Senior Planner, extension 8210

(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)