

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 23, 2013.

18

**OFFICIAL PLAN AMENDMENT FILE OP.03.007
ZONING BY-LAW AMENDMENT FILE Z.08.037
DRAFT PLAN OF SUBDIVISION FILE 19T-08V06
1422174 ONTARIO LTD. - LEA VIVOT IN-TRUST
WARD 1 - VICINITY OF REGIONAL ROAD 27 AND KIRBY ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 2013:

Recommendation

The Commissioner of Planning recommends:

1. THAT Official Plan Amendment File OP.03.007 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) BE APPROVED, specifically to amend OPA #601 (Kleinburg-Nashville Community Plan), for the subject lands shown on Attachments #2 and #3, in accordance with the designations shown on Attachment #5, as follows:
 - a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18m and minimum lot areas between 684 m² and 774 m²;
 - b) redesignate Block 41 from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit one (1) residential block for up to a maximum of four (4) detached dwelling units, and an artist's studio and accessory uses (i.e., private functions/events and teaching) on an area totaling 0.67 ha;
 - c) redesignate Block 42 from "Future Residential - Humber North Extension" to "Open Space" to permit a 30 m wide linear park totaling an area of 1.04 ha;
 - d) redesignate Block 43 from "Future Residential - Humber North Extension" to "Open Space" to permit a 24 m wide landscape buffer area and acoustical barrier/berming totaling an area of 0.44 ha;
 - e) redesignate Block XX (1.04 ha) from "Valley and Stream Corridor" to "Open Space" to facilitate a 6 m wide right-of-way access to Block 44 for the Toronto and Region Conservation Authority, and overland flow route for stormwater management purposes for the City; and,
 - f) maintain the "Valley and Stream Corridor" designation on Block 45 for the 12.11ha private open space, and on Block 46 for the 14.32ha valley and stream corridor lands.
2. THAT the implementing Official Plan Amendment include the following:
 - a) permit an average density of between 5 to 7.779 units per ha for the subject lands shown on Attachment #5, when combined with the lands designated "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A'", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 2

- b) require that the community edge buffer along Regional Road 27 shall be a minimum width of 24 m, which shall include naturalized landscaping and an acoustical barrier/berming to the satisfaction of the City of Vaughan, and the community edge buffer shall not form part of the parkland dedication and shall be dedicated to the City free of all costs and encumbrances, to the satisfaction of the City;
 - c) require that sustainable community objectives be implemented through neighbourhood designs that support cycling and walking, ensures neighbourhood connectivity to the broader community, and provides transit opportunities, water and energy efficiencies, energy alternatives, and green building design and site development;
 - d) a site-specific policy for Block 42 to facilitate a 5 m wide ecological buffer in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA;
 - e) a site-specific policy for Block 45 to permit the following uses in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA:
 - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
 - ii) informal grassed trails;
 - iii) the maintenance of one (1) existing 16 m² cabin/artist's studio for artistic purposes;
 - iv) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
 - v) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
 - vi) the installation and maintenance of a fenced horse paddock area; and,
 - f) an amendment to Table "A" Kleinburg-Nashville Community Plan Population Estimates to indicate a population of 541 instead of 389 for the Humber North Residential Area (shown on Table "A" as "Future Residential 2B - West of Regional Road 27 - Fully Serviced) representing a population increase of 152 people, and a total population of 1,111 people within the Phase 2B Future Residential Humber North Extension Area.
3. THAT should the implementing Official Plan Amendment for File OP.03.007 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) be approved by York Region (approval authority), that the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board be further modified as follows:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 3

- a) “Residential Area - Humber North Extension” to be shown as “Low-Rise Residential” and permit detached houses, and detached houses and an artist’s studio and accessory uses in a residential block;
 - b) “Open Space” to be shown as “Low-Rise Residential” to facilitate a 24 m wide landscape buffer area and acoustical barrier/berming;
 - c) “Open Space” to be shown as “Parks” to facilitate a 30 m wide linear park on 1.04 ha;
 - d) “Valley and Stream Corridor” (Block 44) to be shown as “Natural Areas” to facilitate a 5 m wide ecological buffer, in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA;
 - e) “Valley and Stream Corridor” (Block 45) to be shown as “Natural Areas” to permit the following uses, in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA:
 - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
 - ii) informal grassed trails;
 - iii) the maintenance of one (1) existing 16 m² studio for artistic purposes;
 - iv) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
 - v) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
 - vi) the installation and maintenance of a fenced horse paddock area;
 - f) “Open Space to be shown as “Infrastructure and Utilities” to facilitate a 6 m wide right-of-way access to the Private Open Space and as an overland flow route for stormwater management purposes; and,
 - g) “Valley and Stream Corridor” to be shown as “Natural Area” to maintain the valleylands and stream corridor, and private open space areas.
4. THAT Zoning By-law Amendment File Z.08.037 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone and OS3 Open Space Commercial Zone to the following zone categories in the manner shown on Attachment #11, and with the following exceptions identified below and in Table 1 and Attachment #13:
- a) rezone Lots 1 to 8 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 774 m² and a minimum lot depth of 43 m for detached dwelling units;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 4

- b) rezone Lots 9 to 16 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m² and a minimum lot depth of 38 m for detached dwelling units, and permit a temporary parking area on Lot 16 for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- c) rezone Lots 17 to 32 inclusive, to R1 Residential Zone to facilitate 16 lots with a minimum lot frontage of 18 m, a minimum lot area of 756 m² and a minimum lot depth of 42 m for detached dwelling units, and permit the existing detached dwelling unit across Lots 19 and 20;
- d) rezone Lots 33 to 40 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m² and a minimum lot depth of 38 m for detached dwelling units, and permit model homes on Lots 33, 34, 36 and 37, and permit a temporary driveway access from Regional Road 27 across Lot 35, subject to approval of York Region, for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plans of Subdivision 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- e) rezone Block 41 to R1 Residential Zone for a residential block to permit the following uses:
 - i) detached dwelling units, not to exceed a maximum of four (4) units;
 - ii) an artist's studio and accessory uses (i.e., private functions/events, teaching); and,
 - iii) that the implementing zoning by-law require that all development on Block 41 be subject to Site Plan Approval.

The zoning by-law, together with a restrictive covenant to be registered on title, shall prohibit the erection of any pool, deck or any other building or structure, at-grade, below grade or above grade, or outside of the delineated building envelopes as shown on Attachment #13;
- f) rezone Block 42 to OS2 Open Space Park Zone to facilitate a 30 m wide linear park on 1.04 ha;
- g) rezone Block 43 to OS2 Open Space Park Zone to facilitate a 24 m wide landscape buffer with an acoustical berm, the lands of which, shall not be included as part of any parkland dedication;
- h) rezone Block 44 to OS1 Open Space Conservation Zone to facilitate a 5 m wide ecological buffer in temporary private ownership to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted, without the prior written consent of the Toronto and Region Conservation Authority and where landscaping shall remain in a natural state;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 5

- i) rezone Block 45 to OS1 Open Space Conservation Zone to permit the following additional uses, in temporary private ownership to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA and in accordance with the following definitions:
 - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail and accessory uses (i.e., private functions/events, teaching);
 - ii) grassed trails, which are to remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the Toronto and Region Conservation Authority;
 - iii) the maintenance of one (1) existing artist's studio for artistic purposes, that cannot be enlarged, upgraded, replaced with a large more intensive structure, serviced with water, electricity or sanitary septic systems or used for any purpose other than artistic endeavours, without the prior written consent of the Toronto and Region Conservation Authority;
 - iv) the upkeep and maintenance of up to four (4) horses on a seasonal basis between the months of April to November;
 - v) the maintenance of one (1) in-run shed, to be used on a seasonal basis between the months of April to November;
 - vi) the installation and maintenance of a fenced horse paddock area; and,
 - vii) the definitions, for the purposes of this by-law, for the proposed uses on Block 45:
 - 1) Artist's Studio: is defined as the existing unserviced structure, approximately 4 m x 4 m (16 m²) in size and located within Block 45 in the Humber River valley, which is utilized by the Owner for personal artistic inspiration and endeavours;
 - 2) In-run Shed: is defined as a structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m and shall only be used on a seasonal basis (from the months of April to November); and,
 - 3) Fence: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material that effectively confines the horses to the said enclosed field.

Filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted without the prior written consent of the Toronto and Region Conservation Authority and landscaping shall remain in a natural state;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 6

- j) rezone Block XX to OS1 Open Space Conservation Zone to facilitate a 6 m wide right-of-way for access to the private open space for the Toronto and Region Conservation Authority and an overland flow route for stormwater management purposes for the City;
 - k) rezone Block 46 to OS1 Open Space Conservation Zone to maintain the existing valleylands and stream corridor; and,
 - l) include any necessary site-specific zoning exceptions required to implement the approved Draft Plan of Subdivision.
5. THAT Draft Plan of Subdivision 19T-08V06 (1422174 Ontario Ltd. - Lea Vivot In-Trust.), revised to May 16, 2012, and shown on Attachment #12, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
6. THAT the Notice of Approval for Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) not be issued until such time as the implementing Official Plan Amendment is in full force and effect.
7. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-08V06 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) shall contain the following provisions:
- a) parkland shall be dedicated 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 that the Owner shall enter into a Developer's Group Agreement to convey Lots 11 and 12 in Plan of Subdivision File 19T-03V02 and Part of Lot 32, Lots 33 to 38 inclusive, and the south Part of Lot 39 in Plan of Subdivision 19T-08V04 shown on Attachment #4, or other lands to the satisfaction of the City, to be developed as open space and conveyed to the City as parkland, free of all costs and encumbrances, to the satisfaction of the City, should the linear park identified in Draft Plan of Subdivision File 19T-08V06 not be conveyed to the City within two (2) years of the December 1, 2011 draft approval of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05); or,
 - b) parkland shall be dedicated (linear park of 1.04 ha) and cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands be paid, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy" should the linear park identified in Draft Plan of Subdivision 19T-08V06 be conveyed to the City within two (2) years (December 1, 2011) of the approval of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05. The Owner shall submit an approved appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
8. THAT prior to final approval of Draft Plan of Subdivision File 19T-08V06, the Subdivision Owner shall be part of the Developer's Group Agreement to convey lands to be developed as open space and conveyed to the City as parkland or as a linear park, free of all costs and encumbrances, to the satisfaction of the City.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 7

9. THAT Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Plan of Subdivision 19T-08V06 (1422174 Ontario Ltd. - Lea Vivot In-Trust), be allocated sewage capacity from the Kleinburg Servicing Scheme and water supply from the York Water Supply System for a total of 44 detached residential dwelling units.”

Contribution to Sustainability

The applications implement the following Goals and Objectives of Green Directions Vaughan:

Goal 1: To significantly reduce our use of natural resources and the amount of waste we generate.

- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan's watersheds.

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy – 2031, and by ensuring that the strategy is subject to periodic review and renewal.
- Objective 2.3: To create a City with sustainable built form.

In accordance with the goals and objectives identified above, the Owner has advised that the following, but not limited to, sustainable site and building features will be included in the proposed development:

The sustainable features for the development of the subject lands shown on Attachment #2 will be implemented through the development of the Plan of Subdivision. The development of the subject lands will involve using innovative Low Impact Development Design (LID) measures that have been reviewed by the City and the Toronto and Region Conservation Authority. The LID measures and/or sustainable features proposed are as follows:

- i) stormwater management strategies that include a rural inspired approach to stormwater management with bio-retention swales within the road allowance that provide for stormwater to collect and infiltrate into the groundwater system instead of the typical urban curb and gutter approach where stormwater is piped into a storm sewer system leading to a stormwater management pond;
- ii) balanced ground water infiltration on a pre-development and post-development basis due to treating stormwater at the source rather than at the end (i.e., in the pipe) as the impact of large rain events on receiving streams and outfalls is reduced as the volume and speed of stormwater is mitigated through the outfall process;
- iii) roof drains from the dwelling units will be connected to rain barrels to collect stormwater instead of the underground storm sewer, and the topsoil depths on the lot will be increased to provide for a greater pervious area to increase the amount of storage for stormwater infiltration and evapotranspiration thereby accommodating the stormwater collected in the rain barrels;
- iv) reduced road right-of-way with surface drainage swales and sub-surface infiltration trenches instead of a wider right-of-way with curbs and gutters; and,
- v) permeable pavement for the driveways with material as permeable interlocking pavers or porous asphalt.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 8

Economic Impact

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

Communications Plan

File OP.03.007 for the subject lands shown as Parcel “D” on Attachment #8, along with Files Z.03.008 and 19T-03V02 (1321362 Ontario Inc.), shown as Parcel “C” and Parcel “D” on Attachment #8, where Parcel “D” was later severed and sold and now is the subject lands under File 19T-08V06, were previously considered by the Committee of the Whole at the March 24, 2003, Public Hearing. The recommendation of the Committee of the Whole to receive the Public Hearing report on March 24, 2003 (which proposed 53 detached lots on a 40.52 ha plan of subdivision for File 19T-03V02 and included the southerly lands that are now within File 19T-08V06), and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Council on March 31, 2003.

On December 12, 2005, Council adopted the Committee of the Whole recommendation of December 5, 2005, which responded to the Council resolution of September 26, 2005 for the Development Planning Department to review two concept development proposals brought forward by the applicants, Kleinburg and Area Ratepayers' Association and the Hedgerow Lane Residents to establish a buffer area along the southern limits of the subject lands adjacent to the Hedgerow Lane Subdivision as shown on Attachment #8. The recommendation also stated that the community edge buffer of 30 m to 50 m was appropriate, and that Council receive the “Principles of Development Concepts” submitted by the applicants respecting the terms of development for the subject lands, as shown on Attachment #9.

On August 22, 2008, a Notice of Public Hearing respecting Files OP.03.007, Z.08.037 and 19T-08V06 was circulated to all property owners within 120 m of the subject lands, and to the Kleinburg and Area Ratepayers' Association. The Public Hearing was held on September 15, 2008, and the recommendation to receive the Public Hearing was ratified by Vaughan Council on September 22, 2008. To date, five letters have been received with the following comments:

- i) Charles Sjaarda, on Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development on his property value, road safety, and safety of the water from his well during the construction of the development;
- ii) Stephen Cappe, on behalf of Michael and Dawn O'Leary, on Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development, traffic, and valleylands/open space affecting their property and the surrounding community;
- iii) the Kleinburg and Area Ratepayers' Association, correspondence dated October 27, 2008, respecting the provision of a buffer between the proposed development and the existing residential community on Hedgerow Lane to the south, the provision of a 30 m naturally landscaped buffer without noise attenuation walls adjacent to Regional Road 27, and the development of trails for biking and walking and linkage to the Regional Road 27 and Humber Valley Trail System, along with other development matters;
- iv) the Kleinburg and Area Ratepayers' Association, correspondence dated May 30, 2011, stating that many of their concerns regarding the development of the Humber North Extension Area as outlined in their October 27, 2008 correspondence have been addressed except for the provision of a passive buffer with a natural berm, which should be placed at the southerly limits of the subject lands and the properties within the Hedgerow Lane community; and, the provision of a centrally located park; and,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 9

- v) the Hedgerow Estates Homeowners' Association, correspondence dated June 6, 2011, respecting the location of a park, in a central location along the southerly limits of the subject lands, in order to be used by both the residents that will be in Humber North Extension Area community and the Hedgerow Lane community, and the provision of an alternative location of a park, should development of the subject lands not proceed.

Related Files

The Humber North Extension Area, shown on Attachments #3 and #4, includes four Plans of Subdivision: File 19T-03V02 (1321362 Ontario Inc.) registered in December 2012 as Plan 65M-4371, File 19T-08V04 (11336 Highway 27 Limited Partnership) registered in December 2012 as Plan 65M-4377 and File 19T-08V05 (Kleinvit Estates Inc.) registered in December 2012 as Plan 65M-4370, along with the subject lands File 19T-08V06. All four of the Plans were considered at the same Public Hearing, however, File 19T-08V06 (the subject lands) had outstanding issues to address, and therefore, did not proceed with the other applications, and was to be considered at a later date.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3:

1. Official Plan Amendment File OP.03.007 to amend the Official Plan policies of OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #6, to redesignate the subject lands in the manner shown on Attachment #5, as follows:
 - a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18m and minimum lot areas between 684 m² and 774 m²;
 - b) redesignate Block 41 from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit one (1) residential block for up to a maximum of four (4) detached dwelling units, and an artist studio and accessory uses (i.e., private functions/events and teaching) on an area totaling 0.67 ha;
 - c) redesignate Block 42 from "Future Residential - Humber North Extension" to "Open Space" to permit a 30 m wide linear park totaling an area of 1.04 ha;
 - d) redesignate Block 43 from "Future Residential - Humber North Extension" to "Open Space" to permit a 24 m wide landscape buffer area and acoustical barrier/berming totaling an area of 0.44 ha;
 - e) include a site-specific policy for Block 44 to facilitate a 5 m wide ecological buffer in temporary ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to a Management Agreement with the TRCA, to the satisfaction of the TRCA;
 - f) redesignate Block XX (11.04 ha) from "Valley and Stream Corridor" to "Open Space" to facilitate a 6 m wide right-of-way access to the Private Open Space for the Toronto and Region Conservation Authority, and an overland flow route for stormwater management purposes for the City;
 - g) maintain the "Valley and Stream Corridor" designation on Block 45 for the 12.11ha private open space, and on Block 46 for the 14.32ha valleylands and stream corridor;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 10

- h) include a site-specific policy for Block 45 to permit the following uses in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to a Management Agreement with the TRCA:
 - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
 - ii) informal grassed trails;
 - iii) the maintenance of one (1) existing 16 m² studio for artistic purposes;
 - iv) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
 - v) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
 - vi) the installation and maintenance of a fenced horse paddock area; and,
 - i) amend Table "A" Kleinburg-Nashville Community Plan Population Estimates to indicate a population of 541 instead of 389 for the Humber North Residential Area (shown on Table "A" as "Future Residential 2B - West of Regional Road 27 - Fully Serviced) representing a population increase of 152 people, and a total population of 1,111 people within the Phase 2B Future Residential Humber North Extension Area.
2. Zoning By-law Amendment File Z.08.037 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS3 Open Space Commercial Zone to R1 Residential Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #11, together with site-specific zoning exceptions identified in Table 1 and on Attachment #13.
 3. Draft Plan of Subdivision File 19T-08V06 to facilitate a plan of subdivision consisting of detached dwellings, a residential block for detached dwelling units, and an artist studio and accessory uses, private open space to facilitate a sculpture garden/trail and accessory uses, linear park, and open space for landscape buffer/berming and access, as well as to maintain the valley and stream corridor on 33.23 ha for the subject lands shown on Attachment #12. The Draft Plan of Subdivision development statistics are as follows:

<u>Lots/Blocks</u>	<u>Land Use</u>	<u>Units</u>	<u>Area (ha)</u>
1 - 40	Detached Dwellings	40	3.26
41	Residential Block	4	0.67
42	Linear Park *		1.04
43	24 m Wide Landscape Buffer with Berming *		0.44
44	5 m Wide Ecological Buffer in Private Open Space*		0.07
XX	6 m Wide Access/Overland Flow Route *		0.03
45	Private Open Space *		12.11
46	Open Space (Valley & Stream Corridor) *		14.32
	0.3 m Reserves		0.01
	<u>Roads</u>		<u>1.28</u>
	Total	44	33.23

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 11

* Land uses excluded from the calculation of residential density: 28.01 ha
Net residential area: 5.22 ha
Density for Plan 19T-08V06: 8.429 units per net residential hectare
Density when the lands are included within Humber North Extension Area: 7.779 units per net residential area
Population estimate for Plan 19T-08V06: 152 people (based on 3.44 people per unit)

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Regional Road 27, south of Kirby Road, in Part of Lot 29, Concession 9, City of Vaughan. The subject lands have an area of 33.23 ha, with 168 m of frontage on Regional Road 27.

Supporting Documentation

The following reports were submitted in support of the applications within the Humber North Extension Area:

- *Planning Analysis - Humber North Extension*, dated June 2008 by Humphries Planning Group Inc., and revised March 15, 2010, October 22, 2010 and February 2012;
- *North Humber Extension Proposed Low Impact Subdivision - Functional Servicing Report*, dated February 2012 by The Municipal Infrastructure Group Ltd.;
- *Geotechnical Investigation - Proposed Residential Subdivision*, Part of East Half of Lot 29, Concession 9, dated January 9, 2008 by Terraprobe Limited;
- *Hydrogeological Investigation - Proposed Residential Development*, 11336 & 11270 Regional Road 27, dated June 23, 2008 by Terraprobe Limited;
- *Phase I Environmental Assessment - 11336 Regional Road 27 & 11270 Regional Road 27*, dated December 10, 2007 by Try Environmental Services Inc.;
- *Environmental Report - Vivot Property, Highway 27, City of Vaughan*, dated February 2012 by Ages Limited;
- *Traffic Impact Assessment - Proposed Street "A" Intersection At Regional Road 27*, dated May 30, 2007 by Sernas Transtech;
- *Noise Feasibility Study - Residential Development, West side of Regional Road 27, South of Kirby Road*, dated June 2008 by Howe Gastmeier Chapnik (HGC) Engineering Ltd.; and revised *Noise Impact Study*, dated June 18, 2012; and,
- *North Humber Extension Area - Community Design Guidelines*, dated August 17, 2010 by the Sorbara Development Group, and revised November 26, 2010.

Land Use Policies/Planning Considerations

The Development Planning Department has reviewed the Official Plan Amendment Application to redesignate and modify the in-effect Official Plan for the subject lands shown on Attachment #2, in light of the following land use policies:

i) Provincial Policy Statement and Places To Grow

The subject lands are located within a Settlement Area, and are defined in accordance with the Provincial Policy Statement (PPS) as follows (excerpt), which is consistent with the definition in the Province's Places to Grow Plan - Growth Plan:

"Settlement areas: means urban and rural settlement areas within a municipality (such as cities, towns, villages and hamlets) that are:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 12

- a) built up areas where development is concentrated and which have a mix of land uses; and,
- b) lands which have been designated in an Official Plan for development over the long term planning horizon provided for in Policy 1.1.2.”

The “Settlement Areas” Policy 1.1.3 of the PPS further supports the development of land in the Settlement (Urban) Area, as follows:

“1.1.3.2 Land use patterns within settlement areas shall be based on:

a) Densities and a mix of land uses which:

- 1) efficiently use land and resources;
- 2) are appropriate for, and efficiently use, the infrastructure and public service facilities, which are planned or available, and avoid the need for their unjustified and/or uneconomical extension; and,”

“1.1.3.7 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

The Settlement Area provisions support development that is not in a built-up area, specifically the “Designated Greenfield Area” Policy 2.2.7 in accordance with the following:

“2.2.7.1 New development taking place in designated Greenfield area will be planned, designated and zoned in a manner that:

- a) contributes to creating complete communities;
- b) creates street configurations, densities and an urban form that supports walking, cycling, and the early integration and sustained viability of transit services;
- c) creates high quality public open spaces with site design and urban design standards that support opportunities for transit, walking and cycling.”

In-effect OPA #601 (Kleinburg-Nashville Community Plan) designates part of the subject lands, “Future Residential - Humber North Extension”, as shown on Attachment #6, which recognizes that residential uses would be permitted on these lands and that an Official Plan Amendment is necessary to address the housing and population growth, sanitary and water servicing, and road improvement requirements, prior to permitting development on the subject lands. There are existing communities located to the south and east of the subject lands. The proposed development is in accordance with the settlement area policies in the PPS and Places to Grow.

The proposal requires servicing, transportation and community infrastructure to support the proposed development to allow for an efficient and safe community as required by the following “Infrastructure and Public Service Facilities” Policy 1.6 in the PPS:

“1.6.1 Infrastructure and public service facilities shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 13

Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs.”

Places to Grow, requires efficient infrastructure with the establishment of compact developments as indicated in the following “Infrastructure Planning” Policy 3.2.1:

- “3.2.1.1. Infrastructure planning, land use planning and infrastructure investment will be co-ordinated to implement this Plan (Places To Grow). Infrastructure includes, but is not limited to, transit, transportation corridors, water and wastewater systems, waste management systems and community infrastructure.”

The City’s Kleinburg-Nashville Water and Wastewater Servicing Strategy Master Plan, and City-Wide Master Plan identify the servicing infrastructure improvements (i.e., water supply and sanitary services) required to support the build out of the planned and proposed developments for the Kleinburg-Nashville Community. The Official Plan requires all new development to be on full municipal water supply and sanitary services. The details respecting the provision of services to support the development of the subject lands are discussed in this report under the Vaughan Development/Transportation Engineering Department comments. The proposal is in keeping with the infrastructure policies of the PPS and Places To Grow.

ii) Region of York Official Plan

The subject lands shown on Attachment #2 are designated “Towns and Villages” by the Region of York Official Plan, approved by the Minister of Municipal Affairs and Housing on September 7, 2012, which permits urban uses. The Region will be required to approve the Official Plan Amendment, if adopted by Vaughan Council, as the Region did not exempt the subject lands from Regional Official Plan approval.

In accordance with Section 7.3 “Water and Waste Water Servicing” of the Regional Official Plan, it requires that development within the Regionally designated “Towns and Villages” be on full municipal water and sewer services. The City’s Kleinburg-Nashville Water and Wastewater Servicing Strategy Master Plan, and City-Wide Master Plan for the Kleinburg-Nashville Service Area identifies the servicing infrastructure required for the subject lands to develop.

The Regional Official Plan includes policies that encourage the managed growth of land uses within the urban area, which is supported by the appropriate servicing infrastructure, and therefore, the proposal conforms to the Regional Official Plan.

iii) City of Vaughan Official Plan 2010

The subject lands are designated “Agricultural” and “Natural Areas” by the new City of Vaughan Official Plan 2010, which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 20, 2012, and April 17, 2012) as further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The “Low-Rise Residential” designation in Official Plan 2010 will implement the proposed development for the subject lands. The “Valley and Stream Corridor” designation in OPA #601 will be designated “Natural Areas” in Official Plan 2010.

Should the implementing Official Plan Amendment for File OP.03.007 be approved by the Region of York (the approval authority), the designations in VOP 2010 must be redesignated from “Residential Area – Humber North Extension” to “Low Rise Residential”, and from “Valley and Stream Corridor” to “Natural Areas”, in accordance with the new land use designations in City of Vaughan Official Plan 2010.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 14

iv) Kleinburg-Nashville Community Plan (OPA #601) – The In-effect Official Plan

The subject lands are designated “Future Residential - Humber North Extension” and “Valley and Stream Corridor” by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #6. The valleylands are also identified as being in a “Potential Groundwater Discharge Area”, Schedule “B1” - Hydrogeologically Sensitive (Groundwater Recharge and Discharge Areas); the “Kirby Road Plantation Forest South”, Schedule “B2” - Habitat Enhancement Opportunities, Forest Regeneration and Linkages; and “Kirby Road Humber Valley Forest East” and “Kirby Road Plantation Forest South”, Schedule “B4” - Significant Woodlands, in OPA #601. The Toronto and Region Conservation Authority (TRCA) has reviewed the supporting documentation, as discussed earlier in this report, to address the Official Plan policies respecting the natural environmental features. The TRCA has required the establishment of ecological buffers, and restoration of the valleylands, as well as, supported the implementation of a Low Impact Development (LID) design concept for a more sustainable community, and is satisfied that the ecological matters have been addressed.

A portion of the subject lands fall within the “Natural Heritage System of the Protected Countryside” of the Greenbelt Plan. In a letter dated November 9, 2006, the Ministry of Municipal Affairs and Housing accepted the City’s position that Section 5.2.1 (Decisions on Applications Related to Previous Site Specific Approvals) of the Greenbelt Plan applied to OPA #601, as the Official Plan was amended prior to December 16, 2004, and stated in the letter, “that approval may continue to be recognized and that any further applications to implement the Official Plan approval are not required to conform with the Greenbelt Plan.”

The policies of the “Future Residential - Humber North Extension” require that growth management issues be addressed prior to the approval of any amendment to the Official Plan Amendment to allow future development as follows:

- a) a review assessing the extent of housing and population growth in Phases;
- b) remaining servicing capacity for residential growth in Phase 1;
- c) completion of the Kleinburg-Nashville Servicing Strategy as defined in Section 4.12 (Servicing);
- d) the identification of the preferred sanitary and water servicing option;
- e) necessary road improvements being established with respect to Regional Road 27 and Kirby Road; and,
- f) the development of a comprehensive plan for the Humber North Neighbourhood Extension establishing neighbourhood focus, environmental features, terrestrial linkages, parkland, pedestrian linkages, integrated road pattern, servicing and appropriate density in accordance with the density policies of this Plan.

v) Housing and Population

The proposed Draft Plan of Subdivision includes 40 lots for detached residential dwelling units and a Block for up to a maximum of 4 detached dwelling units, the residential block of which is to be developed by site development and condominium approvals, for a total of 44 dwelling units yielding a density of 8.429 units per net residential hectare on 5.22 ha. The density for the Humber North Extension Area, west of Regional Road 27, is averaged across Draft Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05 and the subject lands (File 19T-08V06) yielding a density of 7.779 units per net hectare on 20.18 ha. The density at 7.779 units per net

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 15

residential hectare is slightly higher than the maximum density of 7.5 units per net residential hectare permitted in in-effect OPA #601. This is due to the provision of a greater amount of environmental tableland buffers being provided in the development and to the establishment of the valleyland and tableland development limits through the Toronto and Region Conservation Authority's review of the proposal resulting in an increase in the amount of developable land. The housing form proposed is in keeping with the existing housing to the south of the subject lands.

Accordingly, the in-effect Official Plan is to be amended as follows to facilitate the residential use:

- a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18 m and minimum lot areas between 684 m² and 774 m²; and,
- b) permit an average density of between 5 to 7.779 units per ha for the subject lands shown on Attachment #5, when combined with the lands designated "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7, whereas the Official Plan specifies a density between 5 to 7.5 units per ha for the "Future Residential - Humber North Extension Area" for the subject lands shown on Attachment #5; the density currently ranges between 5 to 7.55 units per ha for the "Future Residential - Humber North Extension Area" "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7.

The area included in the calculation of residential density in OPA #601 is based on a net residential hectare which includes the local and primary roads, the land for the dwelling units, environmental linkages located on tablelands, and tableland valley buffer areas. The density is also calculated on a draft plan or block plan basis. The Official Plan allows for the density to be calculated on a block plan basis, which is how overall density in Draft Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06 within the Humber North Extension Area was calculated.

A population of 152 people is proposed on the subject lands, thereby increasing the population from 389 people to 541 people for the fully serviced Humber North Extension Area on the west side of Regional Road 27, as indicated in Table "A" - Kleinburg-Nashville Community Plan Population Estimates of the OPA #601, as amended by OPA #719, a site-specific Official Plan Amendment for the Humber North Extension Area on the west side of Regional Road 27, shown on Attachments #3 and #4. The population totals in Table "A" Kleinburg-Nashville Community Plan Population Estimates are to be amended to indicate a population of 541 instead of 389 to reflect a population increase of 152 people for the Humber North Residential Area (shown on Table "A" as "Future Residential 2B - West of Regional Road 27 - Fully Serviced).

The land use details for the subject lands, including the rest of the plans within the Humber North Extension Area, shown on Attachments #3 and #4, are as follows

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 16

The Humber North Extension Area

(Draft Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 & 19T-08V06)

<u>Land Use</u>	<u>Units</u>	<u>Area (ha)</u>
Detached Dwellings	150	13.19
Residential Block 41 - Detached Dwellings	4	0.67
6 Future Residential Blocks **	3	0.24
Open Space – Block 45 *		12.11
Linear Park *		1.04
Open Space/Valleylands/Stream Corridor *		24.24
Tableland Woodlot *		0.63
Valley Buffers		1.68
5 m Wide Ecological Buffer – Block 44*		0.07
24 m Landscape Buffer with Berming *		1.40
6 m Emergency Road Access		0.04
6 m Overland Flow Route/Access *		0.07
Pumping Station *		0.05
Regional Road 27 Widening *		0.19
0.3 m Reserves *		0.04
<u>Roads</u>		<u>4.32</u>
Total	157	59.98

* Land uses excluded from the calculation of residential density: 39.80 ha

** Blocks in Draft Plan of Subdivision Files 19T-03V02 and 19T-08V04 - create lots for 3 detached dwelling units

Net residential area: 20.18 ha

Density for the Humber North Extension Area: 7.779 units per net residential hectare

Population estimate: 541 people (based on 3.44 people per unit)

In addition to proposing 40 detached dwelling units on the subject lands, a 0.67 ha block of land for residential purposes is also proposed. This residential block, being Block 41 as shown on Attachment #13, will permit a maximum of 4 detached dwelling units, which will have driveway access from the intersection of Street “B” and Street “D”. The residential block will be developed through a Site Development Application, and may require a condominium application, should more than one dwelling unit be developed. The residential block will allow for residential use, as well as an artist studio and accessory uses (i.e., private functions/events and teaching) for the Owner, Lea Vivot, who is an artist, and the site will be redesignated as follows to permit the proposed uses:

- a) redesignate Block 41 from “Future Residential - Humber North Extension” and “Valley and Stream Corridor” to “Residential Area - Humber North Extension” to permit one (1) residential block for up to a maximum of four (4) detached dwelling units, and an artist’s studio and accessory uses (i.e., private functions/events and teaching) on an area totaling 0.67 ha;

In addition, Lea Vivot intends to temporarily retain ownership of the 0.07 ha ecological buffer being Block 44 and the 12.11 ha valleylands, being Block 45 for artist purposes, shown on Attachment #14. Specifically, the uses permitted for Block 45 are as follows:

- a) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
- b) informal grassed trails;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 17

- c) the maintenance of one (1) existing 16 m² studio for artistic purposes;
- d) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
- e) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
- f) the installation and maintenance of a fenced horse paddock area.
Valleylands typically are transferred to a public agency, in this case, the Toronto and Region Conservation Authority (TRCA). However, given the unique use proposed, the TRCA and Lea Vivot have worked together to create a management framework and agreement to allow for the proposed uses in Blocks 44 and 45 and for the conservation of the natural features. Generally, the management agreement will allow for Lea Vivot to lease Blocks 44 and 45 from the TRCA as a not-for-profit corporation, in accordance with specific criteria, where the Blocks will ultimately be transferred to the Toronto and Region Conservation Authority subject to the terms per the Management Agreement. The Official Plan policies will be amended to facilitate the proposed uses for Blocks 44 and 45, as indicated in the recommendations of this report.

For the purposes of this report for the subject lands, the Owner is 1422174 Ontario Ltd. - Lea Vivot In-Trust, pending the submission of the documents respecting the transfer of title. For the purposes of TRCA comments respecting Blocks 44 and 45, Lea Vivot is the former Owner or applicant.

vi) Servicing Infrastructure

The servicing policies of the in-effect Official Plan require all development to be on full municipal water supply and sanitary sewer services, and that the appropriate reviews of the servicing strategies are undertaken to accommodate growth. The details respecting the provision of services to support the development of the subject lands are discussed in this report under the Vaughan Development/Transportation Engineering Department comments.

vii) Transportation

The findings from York Region's Western Vaughan Transportation Individual Environmental Assessment (IEA), which is examining the road network for the western portion of the City, including Regional Road 27, and the City's Transportation Master Plan, which is examining the overall layout and alignment of the collector and local road network including Kirby Road, will provide the recommendations and preferred options for the required road improvements to accommodate future growth. The traffic report, *Traffic Impact Assessment - Proposed Street "A" Intersection At Highway 27*, dated May 30, 2007, as amended by Sernas Transtech, prepared and submitted for the subject lands, includes the road improvements and design details required for the proposal.

viii) Comprehensive Plan

The development details for a comprehensive plan for the Humber North Extension Area establishing neighbourhood focus, environmental features, terrestrial linkages, parkland, pedestrian linkages, integrated road pattern, servicing and appropriate density in accordance with the density policies of the in-effect Official Plan will be addressed through Draft Plan of Subdivision File 19T-08V06, as was the case in the related registered Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05. The reports, *North Humber Extension Development Functional Servicing Report*, dated June 2008 by The Municipal Infrastructure Group Ltd., and

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 18

revised March 2010; *North Humber Extension Proposed Low Impact Subdivision - Functional Servicing Report*, dated February 2012 by The Municipal Infrastructure Group Ltd.; *Geotechnical Investigation - Proposed Residential Subdivision, Part of East Half of Lot 29, Concession 9*, dated January 9, 2008 by Terraprobe Limited; *Geotechnical Investigation - Proposed Residential Subdivision - 11336 Regional Road 27, Village of Kleinburg*, dated February 20, 2008 by Terraprobe Limited; *Environmental Report - Humber North Extension Area*, dated May 20, 2008, by Ages Limited; *Environmental Report - Vivot Property, Highway 27, City of Vaughan*, dated February 2012 by Ages Limited, and revised as *Environmental Impact Report*, dated October 2010; and *North Humber Extension Area - Community Design Guidelines*, dated August 17, 2010, by the Sorbara Development Group, and revised November 26, 2010, were submitted to address the Official Plan policies. The servicing, road and density requirements have been addressed earlier in this report.

The City will require the subject lands, as was the case for Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05 for the Humber North Extension Area, the provision of pedestrian urban connections between streets, built forms, parks, open spaces and any woodlots, to be detailed through the submission of a Landscape Master Plan for approval by the City as a condition of approval at the Draft Plan of Subdivision stage. Further, the City will also require that the provision of a pedestrian trail system with access points into the valleylands be explored as part of the Landscape Master Plan. The City and the Toronto and Region Conservation Authority (TRCA) will require buffer blocks to protect the valleylands and natural features which will be secured through the Draft Plan of Subdivision process.

ix) Community Edge Buffer

Subsection 4.7 Community Edge Buffer of in-effect OPA #601 requires that a naturalized community edge buffer in the range of a minimum of 30 m to 50 m in width be provided on lands abutting Regional Road 27 to address urban design issues. In a recent Ontario Municipal Board (OMB) decision, specifically, the April 2008 OMB decision for Kerrowood Developments Limited, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications for 45 detached dwelling units on the west side of Regional Road 27, north of Nashville Road, a minimum 20 m wide landscaped buffer with a raised berm as the community edge buffer was approved by the OMB. The buffer proposed for the subject lands will be 24 m wide, which will be wider than the Kerrowood buffer, as shown on Attachments #5 and #10, and will incorporate a naturalized landscaped earth berm to a height (approximately 3.9 m) sufficient to address the Noise Study requirements along Regional Road 27.

The proposed 24m wide community edge buffer adjacent to Regional Road 27 on the subject lands is consistent with the requirement in OPA #719 (as adopted by Vaughan Council on June 28, 2011 and approved by the Region of York on September 7, 2011) that applies to the 3 subdivisions directly to the north as shown on Attachments #4 and #7.

The "Principles of Development Concepts" submitted by the Owners in 2005 respecting the terms of development for the subject lands, as shown on Attachment #9, which includes a community edge buffer in the range of 30 m to 50 m, as shown on the original concept plans for the area (Attachment #8), and was adopted by Council on December 12, 2005, predates the OMB decision respecting the Kerrowood Developments Limited proposal of 20 m, and the policies in OPA #719 that apply to the 3 subdivision to the north. The buffer proposed on the subject lands will be 24 m wide along Regional Road 27, as shown on Attachment #5, which will include a naturalized landscaped earth berm, with a width ranging between 20 m to 24m and an approximate height of 3.9 m. The proposed 24 m wide buffer is appropriate for the area as the naturalized landscaped earth berm will screen the development from Regional Road 27 and provide for a rural landscape setting in keeping with the intent of the Official Plan. The *Noise Feasibility Study - Residential Development, West side of Highway 27, South of Kirby Road*,

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 19

dated June 2008 by Howe Gastmeier Chapnik Engineering Ltd., and revised as *Noise Impact Study* dated June 18, 2012, recommended that a fence is not required. However, to delineate the residential lands from the buffer lands and for safety purposes, where the buffer abuts the residential lot, a fence will be provided. The fence will not be visible from Regional Road 27 as the 3.9 m high berm will be between it and the road. The 24 m wide buffer will be in public ownership and dedicated to the City free of all costs and encumbrances. Conditions are included in the plans of subdivision respecting the details for fencing (type and design), landscaping (naturalized plantings), and dedication of the buffer into public ownership.

The 24 m buffer width facilitates a community design that includes the provision of Low Impact Development (LID) features as discussed earlier in the contribution to sustainability section of this report, which include measures such as stormwater management strategies with a rural inspired approach to stormwater management with bioretention swales within the road allowance that provides for stormwater to collect and infiltrate into the groundwater system instead of the typical urban curb and gutter approach, to facilitate a development with a high degree of sustainable features and that incorporates rural elements.

In keeping with the continuation of the 24 m wide community edge buffer requirement in OPA #719 for the other 3 subdivisions directly to the north, the Kerrowood OMB Decision, as well as, the Provincial Policy Statement and Places to Grow Plan - Growth Plan policies respecting the efficient use of land, the reduction in the width of the landscape buffer can be supported subject to the provision of naturalized landscaping and berming being to the satisfaction of the City. A condition of approval to this effect is included in Attachment #1. Accordingly, the Official Plan will be amended to facilitate a 24 m wide community edge landscape buffer with berming.

x) Linear Park

In addition the community edge buffer, The "Principles of Development Concepts" also provided for a buffer between residential lands in the existing Hedgerow Subdivision located to the immediate south, shown on Attachment #3, and the Plans of Subdivision within the Humber North Extension Area. In-effect Official Plan Amendment #601 (Kleinburg-Nashville Community Plan), Subsection 4.6 permits linear parks subject to certain criteria, including creating linkages to connect parks, open spaces and environmental features of a minimum of 25 m wide and includes public trails, bicycle paths, seating areas, signage and lighting. The linear park is proposed to be developed with a playground, and public walkway connections from Regional Road 27 to the Humber Valley and from the Hedgerow Subdivision to the proposed subdivisions to the north, and will include seating areas, signage and lighting. The provision of the linear park on the subject lands, is in accordance with the Official Plan. The proposed linear park is 30 m wide and 1.04 ha in size, in accordance with the Official Plan. This park will be dedicated to the City, subject to the Conditions of Draft Approval in Attachment #1 to this report.

xi) Valleylands/Open Space

The development limits, as well as, the ecological buffers, shown on Attachment #5 have been approved by the Toronto and Region Conservation Authority (TRCA). Block 44, the ecological buffer abutting Lots 1 to 8 inclusive, is 5 m wide instead of 10 m since the Block abuts Block 45 containing the valleylands, both of which will temporarily be in private ownership, and will be subject to a management agreement with the TRCA, as well as restrictive covenants, to provide for the restoration and long-term protection of the natural features, and restrictions on the use of the lands, thereby allowing for a reduction to the buffer, to the satisfaction of the TRCA and the City.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 20

The Official Plan will be amended to provide for Block 44, which contains the 5 m wide ecological buffer on 0.07 and Block 45, which contains the valleylands and is to be used for artistic purposes on 12.11 ha, shown on Attachment #5, to both be in temporary private ownership and subject to a Management Agreement, to the satisfaction of the TRCA. Block 46, containing the valleylands and stream corridor on 14.32 ha will be dedicated to the TRCA.

The Development Planning Department can support the approval of the Official Plan Amendment Application OP.03.007, to appropriately redesignate the subject lands and apply appropriate land use policies to implement the proposed residential plan of subdivision.

Zoning

The subject lands are currently zoned A Agricultural Zone and OS3 Open Space Commercial Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision, as shown on Attachment #12, a zoning by-law amendment is required to rezone the subject lands, in the manner shown on Attachment #11, together with the site-specific zoning exceptions identified in Table 1 and on Attachment #13, as follows:

i) Residential Lands

The Draft Plan of Subdivision is proposed to be zoned R1 Residential Zone, utilizing Schedule “A” of Zoning By-law 1-88, as follows:

- a) rezone Lots 1 to 15 inclusive, Lots 17 to 32 inclusive, and Lots 38 to 40 inclusive to R1 Residential Zone to facilitate 34 lots for detached dwelling units, and permit the existing detached dwelling unit across Lots 19 and 20;
- b) rezone Lot 16 to R1 Residential Zone to facilitate 1 lot for a detached dwelling unit, and to permit a temporary parking area for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Draft Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- c) rezone Lots 33, 34, 36 and 37 to R1 Residential Zone to facilitate 4 lots for detached dwelling units, and to permit model homes for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Draft Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- d) rezone Lot 35 to R1 Residential Zone to facilitate one (1) lot for a detached dwelling unit, and to permit a temporary driveway access from Regional Road 27 subject to approval of York Region, for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Draft Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- e) rezone Block 41 to R1 Residential Zone for a residential block to permit the following uses:
 - i) detached dwelling units, not to exceed a maximum of four (4) units;
 - ii) artist's studio and accessory uses (i.e., private functions/events, teaching); and
 - iii) require site plan approval for all development within Block 41.

The implementing zoning by-law, as well as, a restrictive covenant registered on title, shall prohibit the erection of any pool, deck or any other building or structure, at-grade, below grade or above grade, or outside of the delineated building envelopes as shown on Attachment #13.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 21

The minimum lot frontage, area and side yard requirements in the R1 Residential Zone in Zoning By-law 1-88 are as follows:

Standard	Zoning By-law 1-88 R1 Residential Zone Requirements
Minimum Lot Frontage	18 m
Minimum Lot Area	540 m ²
Minimum Side Yard	1.5 m

The proposed zoning is illustrated on Attachment #5. The following site-specific zoning exceptions to the R1 Residential Zone of Zoning By-law 1-88 are required to facilitate the proposal:

Table 1: Proposed Zoning Exceptions

	Standard	Zoning By-law 1-88 R1 Residential Zone Requirements	Exceptions to the R1 Residential Zone
a.	Minimum Front Yard (Block 41)	18 m	27.5 m
b.	Minimum Lot Area i. Lots 1 to 8 inclusive ii. Lots 9 to 16 inclusive and Lots and Lots 33 to 40 inclusive iii. Lots 17 to 32 inclusive iv. Block 41	540 m ²	i. 774 m ² ii. 684 m ² iii. 756 m ² iv. 6690 m ²
c.	Minimum Lot Depth i. Lots 1 to 8 inclusive ii. Lots 9 to 16 inclusive, and Lots 33 to 40 inclusive iii. Lots 17 to 32 inclusive	No Standard in the By-law	i. 43 m ii. 38 m iii. 42 m
d.	<u>Block 41</u> Minimum Rear Yard Minimum Interior Side Yard Minimum Exterior Side Yard Maximum Lot Coverage	1.5 m 1.5 m 4.5 m 35%	Building Envelopes in the manner shown on Attachment #13

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 22

e.	Minimum Interior Side Yard Lots 1 to 40 inclusive	1.5 m	1.2 m
f.	Minimum Exterior Side Yard (For the existing house across Lots 19 and 20)	4.5 m	3.5 m

The exceptions to the minimum lot area are proposed in order to provide for large lots in keeping with the 2005 “Principles of Development Concepts” respecting the terms of development, where lot areas of approximately 929 m² (10,000 ft²) were to be provided for the subject lands, as proposed by the applicant's and adopted by Council at its December 12, 2005 meeting. The development provides lot sizes ranging from 684 m² to 774 m², which are relatively in keeping with the “Principles of Development Concepts”. The minimum lot depth facilitates a sufficient lot size to provide appropriate front and rear yards, and address urban design requirements. The proposed lot sizes are also compatible with the lot sizes in the three plans of subdivision to the north.

The smaller lot sizes of 684 m² are mainly the lots abutting the 24 m wide landscaped buffer along Regional Road 27, which will be screened with a 3.9 m high landscaped earth berm, as shown on Attachment #10, in accordance with the Noise Study. Several lots at the north end of the plan (Lots 13 to 16 inclusive) have a lot area of 684 m² due to the road alignment.

The interior side yard setback for dwellings in the R1 Residential Zone is proposed to be reduced from 1.5 m to 1.2 m in order to provide for greater flexibility in the floor plan designs for the dwelling units. The Vaughan Development Planning has reviewed the proposal and has determined that the reduction of 0.3 m to the interior side yard requirement on an 18 m wide lot will continue to provide for a positive streetscape. This exception is consistent with the exception granted to the three plans of subdivision to the north.

The Owner has requested to maintain the existing house, which occupies both of Lots 19 and 20, as shown on Attachment #11. Exceptions to the zoning requirements in the R1 Residential Zone are required to maintain the existing detached dwelling on 2 lots and allow for a detached dwelling unit on each of Lots 19 and 20 in the event the existing house is removed/demolished. The Owner has also requested to have several lots used for model homes, parking area and access, on a temporary basis, to serve as a Model Homes Sales Centre Campus for the Humber North Extension Area on the west side of Regional Road 27 for Plans of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06 rather than develop sales centres on each of the four plans. The Development Planning Department has no objection to this request subject to the Owner entering into a Model Home Agreement with the City.

ii) Non-Residential Lands

The Draft Plan of Subdivision will be developed in accordance with Schedule “A” in Zoning By-law 1-88. The proposed draft plan, as shown on Attachment #12, provides for open space uses, which will be zoned as follows and in the manner shown on Attachment #11:

- a) rezone Block 42 to OS2 Open Space Park Zone to facilitate a 30 m wide linear park on 1.04 ha;
- b) rezone Block 43 to OS2 Open Space Park Zone to facilitate a 24 m wide landscaped buffer with an acoustical berm, the lands of which are not included as part of any parkland dedication;

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 23

- c) include a site-specific requirement for Block 44 to facilitate a 5 m wide ecological buffer in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted, without the prior written consent of the Toronto and Region Conservation Authority and where landscaping shall remain in a natural state;
- d) rezone Block 45 to OS1 Open Space Conservation Zone to permit the following additional uses and definitions, in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA:
 - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail and accessory uses (i.e., private functions/events, teaching);
 - ii) informal grassed trails, which are to remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the Toronto and Region Conservation Authority;
 - iii) the maintenance of one (1) existing artist's studio for artistic purposes, that cannot be enlarged, upgraded, replaced with a large more intensive structure, serviced with water, electricity or sanitary septic systems or used for any purpose other than artistic endeavours, without the prior written consent of the Toronto and Region Conservation Authority;
 - iv) the upkeep and maintenance of up to four (4) horses on a seasonal basis between the months of April to November;
 - v) the maintenance of one (1) in-run shed, to be used on a seasonal basis between the months of April to November;
 - vi) the installation and maintenance of a fenced horse paddock area; and,
 - vii) the definitions, for the purposes of this by-law, for the proposed uses on Block 45:
 - 1) Artist's Studio: is defined as the existing unserviced structure, approximately 4 m x 4 m (16 m²) in size and located within Block 45 in the Humber River valley. It is utilized by the applicant for personal artistic inspiration and endeavours;
 - 2) In-run Shed: is defined as structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m and used on a seasonal basis (from the months of April to November);
 - 3) Fence: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material that effectively confines the horses to the said enclosed area.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 24

Filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted without the prior written consent of the Toronto and Region Conservation Authority and landscaping shall remain in a natural state;

- e) rezone Block XX to OS1 Open Space Conservation Zone to facilitate a 6 m wide right-of-way for access to the private open space for the Toronto and Region Conservation Authority and an overland flow route for stormwater management purposes for the City; and,
- f) rezone Block 46 to OS1 Open Space Conservation Zone to maintain the existing valleylands and stream corridor.

The Development Planning Department has no objections to the above exceptions, which will provide for the linear park to serve the broader community, the buffer adjacent to Regional Road 27 that is consistent with the 3 registered subdivision plans to the north, and reflects the negotiations between the applicant and the TRCA to facilitate temporary use of the open space area for her art and horses. The Development Planning Department can therefore support the approval of the Zoning By-law Amendment application.

iv) Holding Symbol - Proposed Alternative Park/Linear Park

A 1.04 ha, 30 m wide linear park (Block 42) to be located at the south limits of the plan, shown on Attachment #12, will be dedicated to the City, as part of the applicant's parkland dedication requirement. The conveyance of the linear park to the City, is subject to conditions included in Attachment #1, which must be addressed, prior to the City removing the Holding Symbol "(H)" from the alternative park location on Lots 11 and 12 in Plan of Subdivision File 19T-03V02 and Part of Lot 32, Lots 33 to 38 inclusive, and the south Part of Lot 39 in Plan of Subdivision 19T-08V04, shown on Attachment #4.

The alternative park location proposed for Lots 11 and 12 in Plan of Subdivision File 19T-03V02 and Part of Lot 32, Lots 33 to 38 inclusive, and the south Part of Lot 39 in Plan of Subdivision 19T-08V04, should the proposed linear park not be conveyed to the City within two (2) years of the first Draft Plan of Subdivision approval of Draft Plan of Subdivision Files 19T-03V02, 19T-08V04 or File 19T-08V05, which occurred on December 1, 2011 for all of the plans, to which Lots 11 and 12 in Plan of Subdivision File 19T-03V02 and Part of Lot 32, Lots 33 to 38 inclusive, and the south Part of Lot 39 in Plan of Subdivision 19T-08V04, will be developed as open space and conveyed to the City as parkland. Should parkland be conveyed from Plan of Subdivision File 19T-08V06, to the satisfaction of the City, then the Holding Symbol "(H)" can be removed from these lots and permit their development for detached residential dwelling units.

Subdivision Design

The proposed 33.23 ha Draft Plan of Subdivision is shown on Attachment #12. The Plan includes the north-south traversing Street "A", with a 19 m wide right-of-way, which joins with Sculpture Garden Lane to the north in Plan of Subdivision File 19T-03V02 (Plan 65M-4371). Sculpture Garden Lane intersects with Vivot Boulevard, a primary road with a 23 m wide right-of-way (east side of Sculpture Garden Lane), which intersects with Regional Road 27 and tapers to a 19 m wide right-of-way (west side of Sculpture Garden Lane), as shown on Attachment #12. The Plan also includes a 19 m wide north-south street that connects with Street "B" (Artist View Avenue in Draft Plan of Subdivision File 19T-03V024) to the north, as shown on Attachment #12.

The Owner has advised that the existing dwelling unit, which lies across both of Lots 19 and 20, is to be maintained. The final plan will show Lots 19 and 20 as one Block. The ultimate use will be

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 25

for a detached dwelling unit on each of Lots 19 and 20, which will require a future consent application to create the lots. The implementing zoning by-law will allow permissions for a detached dwelling unit on both Lots 19 and 20, to facilitate the future severance and creation of the two lots.

Block 41 will allow for up to four (4) detached dwelling units (for the Vivot family members) with access from one driveway from the intersection of Street “B” and Street “D”. Development of these lands will be subject to Site Plan approval, to the satisfaction of the City of Vaughan and in consultation with the Toronto and Region Conservation Authority (TRCA) as per the terms of the executed Management Agreement. Condominium approval will be required should more than one (1) detached dwelling unit be developed. Conditions in this respect are included in Attachment #1.

At the west limit of the plan, the open space lands specifically Block 44, which can only be used for a 5 m ecological buffer and Block 45, which will include a private not-for-profit sculpture garden and trail and accessory uses, and one (1) existing 16 m² studio for artistic purposes, will remain in the temporary ownership of Lea Vivot. The Owner must prepare a Master Plan to be approved by the TRCA, which will include, but not be limited to, the location of the proposed uses and the restoration planting plan, in accordance with a Management Agreement that must be executed between the Owner and TRCA. Blocks 44 and 45 will ultimately be dedicated to the TRCA. Conditions in this respect are included in Attachment #1.

All development within the draft plan is subject to architectural approval. The *Architectural Design Guidelines for the North Humber Extension Area* (Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06), prepared by John G. Williams Architect Ltd., were approved by Vaughan Council on December 11, 2012. Prior to the submission of individual building permit applications, the Control Architect must stamp and sign the building drawings certifying compliance with the approved *Architectural Design Guidelines for the North Humber Extension Area*. A condition in this respect is included in Attachment #1.

Prior to final approval, the Owner is required to submit urban design guidelines, and a streetscape and open space landscape master plan, prepared in conjunction with the Humber North Extension Area Plans of Subdivision 19T-03V02, 19T-08V04 and 19T-08V05, in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The urban design guidelines, and streetscape and open space landscape master plan shall address items, including but not limited to, the urban design/streetscape elements including entrance features, parkettes, trail heads, medians and fencing, community edge treatment along Regional Road 27 including a berm and landscaping details for low maintenance plantings on the buffer/berm and fencing details for the fence along the rear of the lots and block abutting the buffer/berm, valleylands/woodlot edge management rehabilitation planting, pedestrian trail system and access points into the valleylands in consultation with TRCA, a continuous pedestrian/bicycle route with urban connections between the streets and within the neighbourhood, as well as, incorporate sustainability design elements into the overall urban fabric, and the telecommunication and hydro utility buildings and easements. Any telecommunication and hydro buildings and easements will be required to be included in the draft plan.

It is noted that Block XX on the proposed Draft Plan of Subdivision, as shown on Attachment #12, splits Block 44 into two separate Blocks without assigning a Block number to the southerly portion. The plan must be red-lined to assign a number to the Block and all Conditions of Approval in Attachment #1 that are applicable to Block 44 will also apply to this Block.

The Development Planning Department is satisfied with the proposed subdivision design, subject to the comments in this report, and the pre-conditions and conditions of approval in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 26

Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the proposed Draft Plan of Subdivision and provides the following comments:

i) Water Servicing

The draft plan is part of the North Humber Extension Development and located within the Kleinburg-Nashville service area. In 2007, the Region of York conducted a Class Environmental Assessment (EA) to identify the preferred method of providing sewage and water servicing capacity for the growth in the Kleinburg-Nashville area identified by OPA #601. The Kleinburg-Nashville Water and Wastewater Servicing Master Plan and City-Wide Water and Wastewater Master Plan both detail a similar water servicing scheme for the Kleinburg-Nashville service area. Regional Road 27, from the existing elevated water storage tank and north, requires a 400 mm-diameter watermain to accommodate new growth and the ultimate water distribution network. This 400 mm diameter watermain will ultimately exist along Regional Road 27, Kirby Road and Kipling Avenue, along with a 200 mm diameter or 300 mm diameter watermain along Stegman's Mill. At some point in the future there may be a connection to the Pressure District (PD) 7 system from the east. Project W7 - Block 55 Pressure District - Kleinburg-Nashville Watermain Servicing, from the aforementioned City-Wide Water and Wastewater Master Plan, reinforces the requirement for this ultimate water servicing scheme. Therefore, the ultimate 400 mm diameter watermain is required to be constructed from the elevated water storage tank to the northern 400mm diameter water connection (easement connection) with consideration for a future extension further north on Regional Road 27 and east along Kirby Road and Kipling Avenue.

ii) Sanitary Servicing

The Kleinburg-Nashville Water and Wastewater Servicing Master Plan details a sanitary servicing scheme for the Humber North Extension lands. It involves the installation of a sanitary pump station on the west side of Regional Road 27, south of Kirby Road, within the Humber North Extension lands boundary. The pumping station is required for the Humber North Extension lands, on the west side of Regional Road 27, for now and will be constructed as such. The pumping station block is sized to accommodate future growth, along the east side of Regional Road 27, south of Kirby Road and the existing lands north of Kirby Road. The ultimate forcemain size will be installed now in conjunction with the initial pump station construction. Future pump station expansion costs will be borne by new growth on the east side of Regional Road 27 and/or the existing properties along Kirby Road. The development of these lands will trigger downstream sanitary sewer improvements.

iii) Storm Drainage and Stormwater Management Facility

According to the Functional Servicing Report (FSR), the existing drainage patterns within the developments will generally be maintained under a post-development condition. Rather than the use of stormwater management ponds, the FSR proposes the implementation of innovative solution and stormwater management techniques, Low Impact Development Guidelines (LID) to provide the water quantity and quality controls and erosion controls, that includes roof leaders to be drained in rear yards and into rainwater barrels, and increased topsoil depth within the lot limits. Also, the FSR proposes LID techniques, such as infiltration trenches and swales, permeable pavement and stormwater tree clusters to be constructed within a proposed 19 m wide right-of-way.

The LID design concept is part of the study entitled, Low Impact Development Evaluation, commissioned by Environmental Canada and supported by the Toronto and Region Conservation Authority (TRCA). The general approach of the study was to assemble an evaluation matrix to

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 27

select the most appropriate LID practice that could be employed on the lands such that a more sustainable community is established, and to demonstrate to the development community, as a whole that LID is an attainable method of urban growth with benefits to the entire community and the authorities having jurisdiction.

iv) Servicing Capacity Allocation

On June 26, 2012, Council reserved 47 residential units (174 person population equivalent) of servicing capacity for the above noted draft plan. Therefore, in accordance with the City's Servicing Capacity Distribution Protocol, as adopted by Council on June 26, 2012, formal allocation of servicing capacity will be required by Council, in conjunction with Draft Plan Approval. The recommended wording for allocation to Plan File 19T-08V06 is as follows:

"That Council pass the following resolution with respect to the allocation of sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System, in accordance with the approved Servicing Capacity Distribution Protocol, dated June 26, 2012:

IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-08V06 is allocated sewage capacity from the Kleinburg Servicing Scheme and water supply capacity from the York Water Supply System for a total of 44 residential units."

v) Environmental Site Assessment

In December 2010, the Vaughan Development/Transportation Engineering Department's Environmental Engineer confirmed the acceptance of the Environmental Site Assessment (Phase 1) report for the proposed residential development.

vi) Environmental Noise Impact

The Preliminary Noise Feasibility Study, dated June 18, 2012, prepared by HGC Engineering for the North Humber Extension Residential Development recommends the construction of an approximate 3.1 m high acoustic barrier to reduce the noise level to 56 dBA in the outdoor living area (OLA) for the lots abutting Regional Road 27. In keeping with past practice in the Kleinburg-Nashville Community, the Vaughan Development/Transportation Engineering Department recommends that an earth berm be used as the acoustic barrier in this development area rather than the more traditional berm/fence combination. The design of the earth berm should have side slopes no steeper than 3:1 to permit ease of maintenance, and the berm width varies from 20 m to 24 m in width to accommodate the berm height for noise attenuation measures on the subject development. The noise barrier is to be consistent with the lands to the north and should be located entirely or in part within the buffer block next to Regional Road 27. The buffer block should be appropriately landscaped. The Owner will be required to submit a detailed noise report for review and approval by the City, as part of the detailed design stage of the development.

vii) Road Network

The FSR proposes only one road access in the adjacent Plan 19T-03V02 to Regional Road 27 and a 6 m wide emergency access within Plan 19T-08V04, north of the draft plan for the entire North Humber Extension Development, which satisfies the fire route requirement as consulted with of the City of Vaughan Fire and Rescue Services Department. Further, the roads within the draft plan are proposed as 19 m wide right-of-way cross-sections including ditch and infiltration swale to accommodate the proposed LID design, which is an exception to the current City road standards.

The Vaughan Development/Transportation Engineering Department has no objections to the development, subject to the conditions of approval in Attachment #1.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 28

Vaughan Cultural Services Division

The Cultural Services Division has received the Ministry of Citizenship, Culture and Recreation's clearance of archaeological concerns respecting the subject lands. As such, the Cultural Services Division has no objection to the approval of the Draft Plan of Subdivision.

Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposal and advises that the City's parkland dedication requirement of 5% of net developable land for this draft plan would yield a requirement of 1.08 ha of parkland. The current proposed linear park, shown on Attachment #12 as Block 42, is 1.04 ha in size. Cash-in-lieu of parkland will be required for the difference in the park size. However, if the park site is encumbered by any easement, this value would need to be further reviewed and deducted from the proposed park block contribution and the additional value of cash-in-lieu of parkland would need to be paid to the City. The inclusion of any easement in parkland that is dedicated to the City is not recommended. The Vaughan Parks Development Department has no objections to the development, subject to the conditions of approval in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the plan, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 62 (Humber North Extension Area) to the satisfaction of the City. The agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 62. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and provides the following comments:

i) Technical Comments Letter - April 26, 2012

The TRCA correspondence dated April 26, 2012, provided the applicant (Lea Vivot) with technical comments on the subject applications. The TRCA Staff have completed their review of the revised technical resubmission provided by the applicant, and all outstanding TRCA water management engineering and ecology comments have been satisfactorily addressed.

ii) Sale of Subject Lands

It has come to the attention of the TRCA, that the original Owner, Lea Vivot, has recently sold her lands and is now referred to as the former Owner or applicant, respecting TRCA comments. However, TRCA understands that any commitments and agreements made between the TRCA and the former Owner (Lea Vivot) will be applicable to the new Owner of the subject lands.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 29

iii) Open Space Lands

TRCA staff have been in comprehensive discussions with the applicant (Lea Vivot) on the treatment of the open space valleylands and the long-term strategy for the management of the open space lands, specifically Blocks 44 and 45, which are to remain temporarily in private ownership.

iv) Artistic Work

The former Owner and applicant, Lea Vivot, is a world renowned sculptor whose work has been commissioned and displayed throughout Canada and internationally. She is a long-term resident of Kleinburg, whose rural property is now within the urban boundary. Mrs. Vivot has requested to temporarily retain a portion of the valleyland/open space block associated with her existing artistic studio and maintain a private sculpture garden/park on a not-for-profit basis. The property will continue to be utilized on a passive basis, maintaining her inspirational artistic studio (4 m x 4 m cabin in the valley), horses and the existing informal trails throughout the valleyland block. These lands are presently utilized formally in this fashion.

Given that the property is now to be developed and to recognize this unique vision, as well as maintaining the goals for the long-term protection and preservation of the adjacent natural features, the applicant and her representatives have worked alongside TRCA staff in establishing a management framework and agreement which achieves the aforementioned goals. It is noted that this management agreement mutually achieves Mrs. Vivot's vision of establishing a sculpture garden to display her life's work in an idealic open setting, while achieving TRCA's goal of conserving and ultimately dedicating the valleylands into public ownership. Given the unique circumstances associated with this proposal and the not-for-profit purpose, TRCA is prepared, in this instance only, to offer appropriate conditions of draft plan approval to facilitate this vision.

v) Official Plan Amendment

In light of the above comments, TRCA staff have no objections to the approval of Official Plan Amendment Application File OP.03.007 as it relates to the subject lands. The designation of the valleylands and open space lands with an open space designation will accomplish the TRCA's long-term conservation and management goals.

vi) TRCA on Zoning Amendment Application

TRCA staff have no objections to the approval of the Zoning Amendment Application Z.08.037, subject to the following permitted uses and provisions being included within an open space zone of the implementing zoning by-law:

- a) Permit one (1) existing studio structure within Block 45. The studio will not be expanded, upgraded, serviced with water, electricity or septic, or replaced with a larger, more intensive structure or used for any purpose other than or not keeping with artistic endeavours, without the prior written consent of the TRCA. The location of this studio will be depicted on a schedule of the implementing zoning by-law;
- b) Permit one (1) proposed in-run shed for horses to be used on a temporary basis between the months of April to November of each year on Block 45. The potential building location for this shed will be depicted in the applicant's Master Plan and the implementing zoning by-law, to the satisfaction of the TRCA;
- c) Permit the upkeep and maintenance of horses (numbering no more than four (4)) on Block 45 on a seasonal basis (from the months of April to November);

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 30

- d) Permit informal grassed trails throughout Block 45. These trails will remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or use of other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the TRCA;
- e) Permit the installation and maintenance of artistic pieces for the purposes of a Sculpture Garden/Trail in Block 45. The location of these pieces will be determined through a future analysis done as part of the Master Plan, to the satisfaction of the TRCA;
- f) Permit the installation and maintenance of a horse paddock area with a fence in Block 45. The proposed location of the paddock area will be determined as part of the applicant's Master Plan and will be depicted in the implementing zoning by-law, to the satisfaction of the TRCA;
- g) Filling, grading and/or tree removal, with the exception of dead or diseased hazard trees will not be permitted on Blocks 44 and/or 45, without the prior written consent of the TRCA;
- h) Require that the landscaped planted areas in Blocks 44 and/or 45 will remain in a natural state; and,
- i) Provide the definitions as follows:
 - 1) Artist's Studio: is defined as the existing unserviced structure, approximately 4 m x 4 m in size and located within Block 45 in the Humber River valley. It is utilized by the applicant for personal artistic inspiration and endeavours.
 - 2) In-run Shed: is defined as structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m) and used on a seasonal basis (from the months of April to November).
 - 3) Fence: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material which effectively confines the horses to said enclosed area.

The TRCA has no objections to the proposal, subject to the Owner and applicant addressing their conditions as set out in the recommendations and Conditions of Approval, as set out in Attachment #1, of this report.

School Boards

The York Region District (Public) School Board, the York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have reviewed the proposal and advise that they have no objection to the proposal.

Canada Post

Canada Post has no objections to the proposal, subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, which will be subject to the conditions of approval in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the following initiatives set forth in Vaughan Vision 2020/Strategic Plan:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 31

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report.

ii) Plan and Manage Growth & Economic Vitality

The proposed development implements the City's current Official Plan and the Growth Management Strategy as set in Vaughan Official Plan 2010.

Servicing for the proposed development has been identified in accordance with the annual servicing/allocation report approved by Vaughan Council.

iii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park to enhance the City's existing inventory of public amenity space.

Regional Implications

The Region of York provides the following comments:

i) Sanitary Servicing

Municipal sanitary servicing can be provided to this development through one or more of the following options, subject to allocation, from the City of Vaughan:

- a) Kleinburg Water Pollution Control Plant, which has been recently expanded to a maximum capacity of 7,500 people; and,
- b) Connection to the York Durham Sewage System (YDSS), provided that the current maximum capacity assigned to City of Vaughan is not exceeded (refer to York Region letter to City of Vaughan, dated December 1, 2011).

Additional capacity will be made available in future, through the West Vaughan Sanitary Servicing project, which is currently at an environmental assessment stage and expected to be completed in 2016.

ii) Water Servicing

On December 1, 2011, York Region advised the City of Vaughan that a maximum capacity 7,000 people in PD 6 Service Area and 5,500 people in PD-KN Service Area will be available in Kleinburg-Nashville contingent on the completion of the following works:

- a) Huntington Road watermain;
- b) Phase 1 of the Nashville Road watermain from Huntington Road to Whisper Lane;
- c) Booster Pumping Station at the existing Wells 3 and 4 sites;
- d) Booster Pumping Station at the existing elevated tank site; and,
- e) Islington Road watermain.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 32

Water capacity to service the development will be available to the subject lands, through the above water supply works, currently under construction and expected to be completed in its entirety in the first quarter (Q1) of 2013, subject to allocation from City of Vaughan.

Additional capacity will be made available in the future based on the progress of the following works:

- f) Phase 2 of the Nashville watermain from Whisper Lane to the existing elevated tank site is currently under detailed design and expected to be completed in the summer of 2014; and,
- g) future water works are to be identified through an Environmental Assessment study that is expected to be initiated in late 2012 for completion as early as 2016.

In accordance with York Region's servicing protocol respecting draft plans receiving approval prior to servicing allocation being available, York Region staff are requesting that all residential lands be subject to various restrictions (i.e. Holding Symbol "(H)") to ensure that the water and sewer servicing are available prior to occupancy, should allocation not be available. York Region has no objection to draft plan approval of the plan of subdivision, subject to the attached conditions of draft approval in Attachment #1.

Conclusion

The Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications propose to implement a residential development shown on Attachment #12, proposing 44 residential units resulting in a density of 7.779 units per hectare on 20.18 ha within the Humber North Expansion Area. The proposal will result in a future community with a population of 541 people with an additional 152 people to the current estimated 389 people for the Humber North Extension Area on the west side of Regional Road 27. The increase in density and units from the Kleinburg-Nashville Community is due to an increase in the environmental table lands when the valleyland and tableland development limits were established through the City and Toronto and Region Conservation Authority's review of the proposal.

The housing form proposed is in keeping with the existing and approved housing to the south and north of the subject lands, respectively, and in accordance with policy initiatives of the Province (PPS and Places to Grow), Region (Official Plan) and the City Official Plan for the efficient use of developable land, which provides sustainable community objectives that can be implemented through neighbourhood designs that provide bicycling and walking opportunities, and ensures neighbourhood connectivity to the broader community and provides water and energy efficiencies, energy alternatives and green building design and site development. The sustainable objectives for the subject lands propose low impact development (LID) measures such as: a reduced road right-of-way with surface drainage swales and sub-surface infiltration trenches instead of a wider right-of-way with curbs and gutters; residential lots with increased topsoil depths to increase the pervious area and the amount of storage for stormwater infiltration and evapotranspiration; and, permeable pavements for the driveways with material as permeable interlocking pavers or porous asphalt.

The policy in OPA #601 (Kleinburg-Nashville Community Plan), which requires that the housing and population growth, sanitary and water servicing, and road improvement requirements be addressed prior to permitting development on the subject lands designated "Future Residential - Humber North Extension", have been addressed as discussed in this report. The proposal will result in development that is appropriate and compatible with the context of the existing community.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 18, CW Report No. 14 – Page 33

Conditions of Draft Plan of Subdivision approval are included in Attachment #1 to ensure the protection of ecological features including the valleylands and buffers, and the conveyance of linear parks and open spaces.

The Vaughan Development Planning Department is satisfied that the proposed residential development as shown on Attachment #12 is appropriate and compatible with the existing and permitted uses in the surrounding area and can be developed in a manner that is appropriate and compatible with the existing community. The Development Planning Department can support the approval of the Official Plan Amendment Application, Zoning By-law Amendment Application and Draft Plan of Subdivision, subject to the recommendations in this report, and the Conditions of Subdivision Approval as set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Consolidated Plan with Alternative Park
5. Proposed Official Plan Land Use Designations
6. Kleinburg-Nashville Community Plan OPA #601 - Schedule "A" Land Use
7. OPA #601 - Schedule "A3" Land Use-Humber North Extension
8. Concept Development Plans
9. Principles of Development (2005)
10. Cross Section of Earth Berm/Buffer
11. Proposed Zoning
12. Draft Plan of Subdivision File 19T-08V06 – Red Line
13. Block 41 - Proposed Building Envelopes
14. Blocks 45 and 46 - Private Open Space

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(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.)