

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016

Item 2, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2016.

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**DRAFT PLAN OF SUBDIVISION FILE 19T-15V009
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005
SITE DEVELOPMENT FILE DA.16.012
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.
WARD 3 - VICINITY OF HIGHWAY 400 AND MAJOR MACKENZIE DRIVE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning, dated June 21, 2016, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) to facilitate the creation of one block under a single registered M-Plan, in the manner shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
2. THAT Draft Plan of Condominium (Common Elements) File 19CDM-15V005 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit a condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, amenity area and landscaped areas, in the manner shown on Attachment #6, subject to the Conditions of Approval set out in Attachment #2.
3. THAT Site Development File DA.16.012 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit the development of 206 freehold townhouse units on a private road (with walkways, 41 visitor parking spaces, amenity areas and landscaped areas) as shown on Attachments #7 to #10 inclusive, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Letter of Undertaking:
 - i) the Vaughan Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
 - ii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plans, Functional Servicing and Stormwater Management Reports, Traffic Impact Study, Traffic Demand Management Study and Environmental Noise Analysis reports;
 - iii) the Owner shall submit the following to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department:
 1. Phase One Environmental Site Assessment (ESA) report and, if required, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan.

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2. Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment and Climate Change (MOECC) document “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*” (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all the lands within the Plan.
 3. Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
- iv) the Owner shall satisfy all requirements of the Ministry of Transportation (MTO);
 - v) the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
 - vi) the Owner shall submit a revised Block 32 West Plan to the satisfaction of the Vaughan Development Planning Department;
 - vii) the City shall enact a Zoning By-law to remove the Holding Symbol “(H)”;
 - viii) the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and City's Woodlot Acquisition Front-end Agreement;
- b) the Site Plan Letter of Undertaking shall include the following provisions:
 - i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare per 300 units of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.
 - ii) Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time.
 - iii) The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Cultural Heritage Division, immediately in the case of the following:

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1. Should archaeological resources be found on the property during construction activities; and
 2. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.
- iv) The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
- v) The Owner shall agree that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection shall be submitted for approval.
- vi) Prior to final approval, the Owner shall provide a copy of the Executed Site Plan Letter of Undertaking to the York Region Corporate Services Department.
4. THAT Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:
- “THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) be allocated servicing capacity from the York Sewage/ Water Supply System for a total of 206 residential units (630 persons equivalent).”

Contribution to Sustainability

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.3: To create a City with a sustainable built form

In accordance with the goal and objective 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 use of native and drought tolerant plant and tree species
- The use of permeable pavers with high Solar Reflectance Index along the internal walkways and adjacent to the visitor parking spaces
- Where possible along boulevards, large canopy trees to provide shade to pedestrians and buildings
- Upgraded building construction to include energy efficient appliances and features

Economic Impact

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

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Communications Plan

On January 8, 2016, a Notice of Public Hearing to consider the subject subdivision and condominium applications was circulated to all property owners within 150m of the subject lands, and to all individuals that requested notification of the related Official Plan Amendment File (OP.14.002) and Zoning By-law Amendment File (Z.14.003) that were considered at a previous Committee of the Whole Public Hearing on March 25, 2014. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice sign installed on the property. The Committee of the Whole's recommendation to receive the Public Hearing report of February 2, 2016, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on February 16, 2016.

Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands as shown on Attachments #3 and #4:

1. Draft Plan of Subdivision File 19T-15V009, as shown on Attachment #5, to create one block within a future Registered M-Plan for technical reasons that would facilitate the related Draft Plan of Condominium (Common Elements) File 19CDM-15V005, as shown on Attachment #6, consisting of the following:

Block 1 (206 Townhouse Units, Road, Visitor Parking and Amenity Area)	4.08ha
Total Area	4.08ha

2. Draft Plan of Condominium (Common Elements) File 19CDM-15V005 to permit the condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, and amenity area and landscaped areas, in the manner shown in Attachment #6.
3. Site Development File DA.16.012 to permit the development of 206 freehold townhouse units on a private road, as shown on Attachments #7 to #10 inclusive. The proposed development statistics are as follows:

Site and Building Details	
Total Site Area	4.08ha
Lot Coverage	39.5%
Floor Space Index (FSI)	0.89
Building Height	11m
Landscape Area	38.57%
Residential Use Details	
Number of Units	206
Parking Details	
Residential (2 Spaces/Unit)	412
Visitor Parking (0.20 Spaces/Unit)	41

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands, as shown on Attachments #3 and #4, with 206 freehold townhouse units having a condominium tenure for the common elements comprised of a private road and walkways, amenity space and 41 visitor parking spaces. The Vaughan

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Development Planning Department supports the approval of the proposed Draft Plan of Subdivision, Draft Plan of Condominium and Site Development applications and required minor variances, as the proposal implements the Vaughan Official Plan (VOP 2010), complies with Zoning By-law 1-88 with respect to use, and is compatible with the surrounding existing and planned land uses.

Location

The subject lands shown on Attachments #3 and #4 are 4.08 ha in size and located on the west side of Highway #400, south of Major Mackenzie Drive, and are municipally known as 77 Eagleview Heights. The lands are relatively flat and presently contain 7 buildings that were used for commercial sales of swimming pools and landscape material on the northerly portion of the property. The southerly portion of the site is undeveloped. All existing structures will be demolished to accommodate the proposed development. The surrounding land uses are identified on Attachment #4.

Previous Zoning By-law Amendment Application and Site Development Application

In October, 2008, the previous Owner (1678573 Ontario Inc.) of the subject lands submitted Official Plan Amendment File OP.08.016 and Zoning By-law Amendment File Z.08.062 to permit the development of the subject lands with 1,296 residential units in three apartment buildings. On January 25, 2011, Vaughan Council recommended that the Region of York be requested to modify the Vaughan Official Plan to remove the Mid-Rise Residential land use designation and replace it with a Study Area designation to review issues including access, density, traffic, and site environmental issues. Vaughan Council also recommended that the City establish a Ward 3 Sub-committee that would meet with the applicant and ratepayers to resolve the outstanding issues.

In May 2011, the previous Owner (1678573 Ontario Inc.) appealed the applications to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the timeframe prescribed by the *Planning Act*. On January 6, 2012, the OMB approved the site-specific Official Plan Amendment (OPA #723), which amended OPA #600, to redesignate the subject lands to "High Density Residential/Commercial". The OMB also approved the Zoning By-law Amendment application (By-law 7-2012, Exception 9(416)) to rezone the property to RA3(H) Apartment Residential Zone with a Holding Symbol "H". The approvals permitted a development concept comprised of 864 residential apartment units within two apartment buildings and 54 townhouse dwelling units. This development was not pursued.

In January, 2014, Official Plan Amendment (File OP.14.002) and Zoning By-law Amendment (File Z.14.003) applications were submitted by 1678573 Ontario Inc. to facilitate a townhouse development. The Owner submitted two conceptual development scenarios in support of the applications. On June 24, 2014, Council approved the applications resulting in the adoption of OPA #7 to Vaughan Official Plan 2010, and re-designated the subject lands from "High Density Residential/Commercial" to "Low Rise Residential". Through the enactment of Zoning By-law 112-2014, Exception 9(1410), the lands were rezoned to RVM2 "(H)" Residential Urban Village Multiple Dwelling Zone 2, with the following stipulations:

- Total number of units (200)
- Minimum lot area (200 m²)
- Minimum lot frontage for a townhouse block (24 m)
- Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- Maximum width of the access driveway (14 m at the street curb)
- An outdoor landscape strip around the periphery of an outdoor parking area or a landscape earthen berm for screening are not required

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The current Owner (Eagleview Heights Development Ltd.) has submitted a Draft Plan of Subdivision Application (File 19T-15V009), Draft Plan of Condominium (Common Elements) Application (File 19CDM-15V005) and Site Development Application (File DA.16.012), to facilitate the development of 206 townhouses on the subject lands, as shown on Attachments #5 to #10, inclusive. A number of minor changes have been made from the conceptual plan submitted in support of the Official Plan and Zoning By-law applications, as shown on Attachment #11, in comparison to the proposed site plan shown on Attachment #7. These changes include:

- The number of units has increased from 200 to 206
- The location of the parkette has moved from the south end to the north end of the site
- Orientation of the townhouse blocks
- Location of visitor parking spaces
- Configuration of the internal road and walkways

City of Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), Volume 2, Site-Specific Policy 13.23, which permits residential uses no greater than 3 storeys in height and in the form of detached houses, semi-detached houses and townhouses in addition to public and private institutional buildings.

The site-specific policies include the following:

- i. A maximum of 200 townhouse units
- ii. A maximum of 7 townhouse units in a block
- iii. A minimum lot frontage for a townhouse block of 24m
- iv. A minimum area of 714 m² for a parkette/amenity area
- v. A maximum of 3 storeys in height or 13 metres
- vi. Visitor parking ratio of 0.20 spaces per unit

Section 10.2.1.7 of VOP 2010, Volume 1 allows for up to a 5% variation of the numerical requirements, except for variations to floor space index (FSI), height or environmental standards. The proposed increase of 6 units from 200 to 206 units is permitted by the Official Plan because it is less than a 5% variation. The proposed Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Application proposals conform to the Official Plan.

Zoning

The subject lands are zoned RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 by Zoning By-law 1-88, subject to Exception 9(1410), which includes the following specific provisions:

- i. Total number of units (200), with a maximum of 7 units per townhouse block
- ii. Minimum lot area (200 m²)
- iii. Minimum lot frontage for a townhouse block shall be 24m (4 units) and shall be considered to front on a private road for future compliance for sheds, decks, etc.
- iv. Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- v. Maximum width of the access driveway (14 metres at the street curb)
- vi. A landscape strip around the periphery of an outdoor parking area shall not be required
- vii. Maximum building height for the block townhouse units shall be 3-storeys or 13m
- viii. Subject lands shall be deemed to be one lot
- ix. Screening consisting of an earthen berm shall not be required

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a) Holding Symbol

The subject lands are zoned with a Holding Symbol “(H)”. In order for Vaughan Council to approve the removal of the Holding Symbol “(H)”, four conditions are required to be fulfilled:

- i. The identification and allocation by Vaughan Council of the water supply and sewage servicing capacity
- ii. Written clearance from the Trustee for Block 32 West to the City of Vaughan that the owner has entered into and signed the Block 32 West Cost Sharing Agreement
- iii. A Site Development application is approved by Vaughan Council for the subject lands
- iv. A Record of Site Condition (RSC) shall be registered with the Ministry of Environment and Climate Change (MOECC) to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department

The applicant has submitted a Zoning By-law Amendment Application to remove the Holding Symbol “(H)”. However, all of the four conditions have not been satisfied. Once all of the conditions have been satisfied, a Zoning By-law will be prepared for a future Council meeting for enactment. The removal of the Holding Symbol “(H)” is required prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

b) Minor Variances

The following Minor Variances to the RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 standards are required to facilitate the proposed site development:

Table 1:

	Zoning By-law Standard	Zoning By-law 1-88 Requirements of the RVM2 Zone Subject to Exception 9(1410)	Proposed Exceptions to the RVM2 Zone Subject to Exception 9(1410)
a.	Maximum Number of Units	200 units	206 units
b.	Minimum Parking Space Size	2.7m by 6.0m	2.7m by 5.8m (Blocks 1 to 9) 2.7m by 5.6m (End of Blocks 1 and 6)
c.	Minimum Lot Area (per unit)	200 sq.m	94 sq.m

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d.	Minimum Lot Frontage (per unit)	6m	5.7m
e.	Minimum Front Yard Setback(per unit)	3m	1.25m
f.	Minimum Rear Yard Setback(per unit)	4.5m	1.25m
g.	Minimum Interior Side Yard Setback	1.2m	1.1m
h.	Minimum Exterior Side Yard Setback	2.4m	0.38
i.	Permitted Yard Encroachments and Restrictions	Porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings, may extend into a required front, exterior side or rear yard to a maximum of 1.8m	Second floor terraces and balconies, as well as their associated footings and columns, may encroach into the front, exterior side, and rear yard up to a maximum of 1.8m.

In June 2014, Vaughan Council approved the related Official Plan (OP.14.002) and Zoning By-law Amendment (Z.14.003) applications. At that time, the Owner had not submitted a Site Development application, and therefore, did not have a detailed site plan and urban design/architectural details for the proposed development. As a result, site-specific Zoning By-law 112-2014 reflects the conceptual plan provided in support of the Official Plan and Zoning By-law Amendment applications as approved by Council. The proposal as shown on Attachments #5 to #10 have been subject to the detailed site plan and urban design work that has now finalized the number of units, parking space size, lot area, lot frontage, and front, rear and exterior side yard setbacks.

Maximum Number of Units

The Zoning By-law includes a maximum number of units of 200, whereas 206 units are proposed. VOP 2010 permits up to a 5% variation for numerical requirements. Therefore, the increase in units can be supported through the Committee of Adjustment because it complies with the Official Plan.

Parking Space Size

Parking spaces are proposed at a minimum length of 5.8m for Blocks 1 to 9, and 5.6m for the ends of Blocks 1 and 6, whereas a 6m minimum length is required. The Applicant has confirmed that a 6m depth for a parking space will be provided for the parking of vehicles, however, 0.2m to 0.4m of this area (the curb) is located within the common element. This proposal is deemed to be acceptable by the Building Standards Department and the DEIP Department.

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Lot Area

The Zoning By-law (By-law 112-2014) requires a minimum lot area of 200m² per unit. The intent of By-law 112-2014 and OPA #7 was to provide for approximately 200 units on the subject lands. The applicant has submitted that it would not be possible to provide 206 units on the site at a minimum lot area of 200m² per lot. Therefore, a minor variance has been requested for a reduced lot area of 94m². The proposed variance meets the intent of the original Official Plan and Zoning By-law Amendments.

Lot Frontage

The previous lot frontage standard required a minimum lot frontage of 24m per townhouse block (4 units), which equated to a minimum lot frontage of 6m per unit. The current development proposal includes some units with a frontage of 5.7m. This reduction is deemed to be minor and is considered to conform to the intent of the By-law.

Building Setbacks

When the previous By-law was adopted, the lands were considered as one lot and did not include any internal lot lines. As such, the minimum front, rear and exterior side yard setbacks only applied to the setbacks of buildings from the outer property lines. The Administrative Correction By-law removed the standard that deemed the subject lands as one single comprehensive lot. Based on the current proposal, setbacks need to be established for the individual lots, and as such, the variances being proposed as noted in Table 1, are acceptable.

Porches and Balconies

Some of the units are designed with balconies that are supported by columns instead of cantilevers, and overlook the rear lane, to ensure uninhibited access to the parking spaces.

The site-specific Zoning By-law for the subject lands was based on a conceptual plan. Although, there was a subsequent Zoning By-law to consider technical matters with the original Zoning By-law, variances are now required as the site has been thoroughly designed with 206 residential units. The Development Planning Department can support the proposed variances as they are considered minor in nature, maintain the intent of the Official Plan, reflect the nature and layout of a Common Element Condominium, and are required to implement the proposed development which is appropriately designed for a residential community.

Future Minor Variance Application

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment for the approval of the variances to Zoning By-law 1-88, as noted in Table 1. The Committee's decision shall be final and binding and the Owner must satisfy all conditions of the Committee. A condition to this effect is included in the recommendation of this report.

Block 32W Land Use Plan

The subject lands are located within the Block 32 West Plan, as shown on Attachment #12. The Block 32 West Developers Group was responsible to front-end finance and provide, among other matters, the requisite infrastructure for services and roads. As a condition of removing the Holding Symbol "(H)" and prior to the execution of the Site Plan Letter of Undertaking, the Owner will be required to enter into an agreement with the Block 32 West Developers Group respecting cost sharing.

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The approved Block 32 West Land Use Plan, as shown on Attachment #12, designates the subject lands as “General Commercial”. The latest revision to the Block Plan was approved by Vaughan Council on August 21, 2014 and implements the Vaughan Official Plan 2010. The proposed residential development does not reflect the designation on the Block Plan, and a revised Block Plan is required to be submitted to the Vaughan Development Planning Department so that City records can be updated for administrative purposes. A condition in this respect is included in the recommendation of this report.

Subdivision Design

The proposed Draft Plan of Subdivision will create one residential block, shown as Block “1” on Attachment #5, which is required to facilitate common elements such as the common access (road), amenity areas, visitor parking spaces and landscape areas through the related Condominium Application and to facilitate the creation of 206 individual freehold lots through a future Part Lot Control Application. The concurrent Draft Plan of Condominium (Common Element) File 19CDM-15V005 will create the proposed private road and walkways, visitor parking and common amenity space.

The Vaughan Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the conditions as set-out in Attachment #1.

Site Plan Review

The applications for the Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) have been reviewed concurrently and in conjunction with the proposed Site Development Application, shown on Attachment #7, and are consistent.

The Owner is proposing to develop the subject lands with 206 freehold townhouse units, as shown on Attachments #5 to #7. The proposed layout includes 35 blocks of units ranging from 4 to 7 three-storey front-loaded (Blocks 1-9) and rear-loaded (Blocks 10-35) townhouse units. Each unit includes a private garage and amenity space, consisting of a deck above the garage. The internal blocks feature a landscaped courtyard and sidewalk. A sidewalk and landscape berm are provided on the eastern boundary of the site for Blocks 10-15. An amenity area of 1,300m² is proposed at the north end of the project, and will include a grassed area, gazebo and benches.

Access to the site will be provided via Eagleview Heights. A total of 412 parking spaces are proposed for the townhouses, and 41 visitor parking spaces are located throughout the site. While there is no dedicated area for snow storage provided for on-site, the Owner is proposing to collect and remove snow directly from the site. A clause to this effect will be included within the Condominium Agreement and forms a condition of Draft Plan of Condominium approval.

The landscape plan shown on Attachment #8 consists of coniferous and deciduous trees along the length of the landscape berm, around the perimeter of the amenity area, and adjacent to the walkways within the development. The proposed landscape berm is located within the MTO setback which measures between 9m and 10m at different points. In addition to the planting, the berm will feature a 1.8m privacy fence. The closest townhouse units to the landscape berm are separated from the berm by a 1.5m wide sidewalk spanning the length of the berm.

The Vaughan Development Planning Department is generally satisfied with the proposed development subject to finalizing details related to the site plan, landscaping plan, landscape cost estimate, and building elevations, as shown on Attachments #7 to #9. Staff will continue to work with the Owner to finalize these details. Prior to the execution of the Site Plan Letter of

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Undertaking, the final site plan, building elevations, landscape cost estimate and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

Draft Plan of Condominium (Common Element)

The Owner has submitted a Draft Plan of Condominium (Common Element) File 19CDM-15V005 for the subject lands shown on Attachments #3 and #4, for the creation of common elements comprising of a private road, amenity space, visitor parking spaces and landscaped areas, as shown on Attachment #6. The Vaughan Development Planning Department is satisfied with the proposed common element condominium, subject to the Conditions of Approval as set out in Attachment #2.

City Departments

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Cultural Heritage Division has confirmed there are no heritage concerns and has no objection to the approval of the residential development, subject to the inclusion of the standard archaeological conditions in the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has reviewed the applications and provides the following comments:

a) Servicing Allocation

On May 19, 2015, Vaughan Council approved the extension of the site's allocation for 200 units for 1-year, expiring May 19, 2016. The Vaughan DEIP Department has confirmed that servicing capacity is available for the 6 additional units. The recommendation section of this report includes a resolution for the allocation from the York Sewage Servicing/Water Supply System for a total of 206 residential units.

b) Environmental Site Assessment (ESA)

The Owner submitted a Phase 1 Environmental Site Assessment (ESA) Report, a Letter of Reliance, and a Remedial Action Plan (RAP) for the subject lands, which were reviewed to the satisfaction of the DEIP Department.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Record of Site Condition (RSC) to the Environmental Site Registry of the Ministry of the Environment and Climate Change (MOECC), which includes the acknowledgement from the MOECC and a signed copy of the RSC by a Qualified Person, and any environmental reports relied upon for the RSC to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

c) Noise Attenuation

The proposed 41 units within the 6 Blocks fronting Highway 400 will feature noise attenuation measures built into the townhouses, including locating the non-habitable living space so that they front onto Highway 400. The measures include upgraded wall and window construction, and a requirement for air conditioning within specific blocks as detailed within the warning clauses in Attachment #1.

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The Owner has submitted a revised noise report to verify the noise sources surrounding the development, which also identifies noise control measures for the proposed development. These noise control measures need to be finalized with the DEIP Department. A condition to this effect is included in the recommendation of this report.

d) Services

The Vaughan DEIP Department has reviewed the site plan, site servicing and grading drawings, as well as the Functional Servicing and Stormwater Management Reports submitted in support of the application. The Vaughan DEIP Department will continue to work with the Owner to finalize these reports and plans prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report. It is noted that the subject lands do not require any additional municipal servicing.

Vaughan Environmental Services Department - Solid Waste Management Division

The Vaughan Environmental Services Department - Solid Waste Management Division has advised that they do not have any objections to the proposal.

Vaughan Financial Planning and Development Finance Department

The Vaughan Financial Planning and Development Finance Department advises that City, York Region, York Regional District School Board and York Catholic District School Board Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

In addition, prior to the execution of the Site Plan Letter of Undertaking, the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement. A condition to this effect is included in the recommendation section of this report.

Vaughan Office of the City Solicitor, Real Estate Division Department

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

External Public Agencies

Ministry of Transportation (MTO)

The subject lands are located adjacent to Highway 400. The proposed development includes a setback that ranges from 9m to 10m abutting Highway 400, which has been accepted by the MTO. The MTO has reviewed the applications and has confirmed that the proposed landscape berm, planting and fencing is acceptable within the setback. Full approval by MTO will be granted following the satisfactory review of the Traffic Impact Study and the requirements as set out in Attachment #1. In addition, an MTO Building and Land Use Permit is required and must be obtained prior to any construction being undertaken.

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GO Transit

The subject lands are located to the south of the MTO-owned and Metrolinx operated Park and Ride Facility, which is serviced by two bus routes. GO Transit has recommended the construction of a 1.5m wide sidewalk between the proposed site and the Park and Ride Facility. This sidewalk is intended to connect to the public sidewalk located along Major Mackenzie Drive. This matter will be finalized prior to the execution of the Site Plan Letter of Undertaking.

In addition, GO Transit suggested a 4.27m high noise wall adjacent to the exit ramp to Highway 400 due to the future transition towards the double-decker GO Transit buses. It has been determined that this height would block most daylight to the units that front onto Highway 400. As such, the proposed 1.8m fence and noise attenuation measures are considered sufficient to address GO Transit's concerns.

Canada Post

Canada Post has no objections to the proposed development subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post. Conditions regarding this request are contained in the Draft Plan of Subdivision approval in Attachment #1.

Part Lot Control

The Owner is required to submit a Part Lot Control application to facilitate the creation of individual freehold lots for the proposed 206 townhouse units, which form part of the Site Plan, as shown on Attachment #7. The proposed lots (frontage, area and depth) must comply with the RVM2 Multiple Residential Zone requirements of Zoning By-law 1-88, subject to Exception 9(1410), and the approved site plan.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Re-establish the urban tree canopy
- ii) Continue to cultivate an environmentally sustainable city

Regional Implications

The York Region Community Planning and Development Services Department has reviewed the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Applications and have no objections to the approval of the proposed development, subject to the conditions as set out in Attachment #1.

Conclusion

Draft Plan of Subdivision File 19T-15V009, Draft Plan of Condominium (Common Elements) File 19CDM-15V005, and Site Development File DA.16.012, have been reviewed in consideration of the Vaughan Official Plan 2010, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The applications facilitate a residential development comprised of 206 freehold townhouses to be served by a private condominium road and other common elements. The proposal conforms to the Official Plan and is compatible with the existing and permitted uses in the surrounding area. On this basis, the Vaughan Development Planning Department can support the approval of the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development applications.

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Attachments

1. Conditions of Draft Approval, Draft Plan of Subdivision
2. Conditions of Draft Approval, Draft Plan of Condominium
3. Context Location Map
4. Location Map
5. Draft Plan of Subdivision File: 19T-15V009
6. Draft Plan of Condominium (Common Elements) File: 19CDM-15V005
7. Proposed Site Plan File: DA.16.012
8. Landscape Plan
9. Typical Elevations- Block 1
10. Elevation and Cross-Section
11. Conceptual Site Plan (Proposed Townhouses) Considered with Files: OP.14.002 + Z.14.003
Considered with Files OP.14.002 and Z.14.003
12. Block 32 West Land Use Plan

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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.)