

**CITY OF VAUGHAN**

**EXTRACT FROM SPECIAL COUNCIL MEETING MINUTES OF JULY 16, 2015**

Item 13, Report No. 29, of the Special Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on July 16, 2015.

**13**

**ZONING BY-LAW AMENDMENT FILE Z.07.002  
DRAFT PLAN OF SUBDIVISION FILE 19T-07V01  
2097500 ONTARIO LIMITED  
WARD 3 - VICINITY OF PINE VALLEY DRIVE AND TESTON ROAD**

**The Special Committee of the Whole recommends approval of the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated July 16, 2015:**

**Recommendation**

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.07.002 (2097500 Ontario Limited) BE APPROVED to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone to RD1 Residential Detached Zone One, RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited), BE APPROVED, subject to the Conditions of Approval set out in Attachment #1 to this report.
3. THAT the Notice of Approval for Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited) not be issued until the implementing Official Plan Amendment (OPA) #744 is approved by the Ontario Municipal Board (OMB) and is in full force and effect, and a fully executed Landowner's Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works.
4. THAT should the approval of Official Plan Amendment (OPA) #744 result in modifications to the Official Plan or the Block 40/47 Plan, the zoning and Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited) and supporting documents including the Master Environmental Servicing Plan (MESP) shall be revised to conform to the approved OPA #744 and the Block 40/47 Plan.
5. THAT prior to the registration of the first Draft Plan of Subdivision or any phase thereof of any Draft Plan of Subdivision located within the Block 40/47 Plan, the MESP must be approved to the satisfaction of the Toronto and Region Conservation Authority, York Region and the City of Vaughan.
6. THAT Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited) shall be consistent with the approved Master Environmental Servicing Plan and Block 40/47 Plan.
7. THAT Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 83.5 residential units (299 persons equivalent).
8. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-07V01 (2097500 Ontario Limited) shall include the following clause:

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

#### **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 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

Goal 3: To ensure that getting around in Vaughan is easy and has a low environmental impact

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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:

a) Subdivision:

- i) A stormwater management pond with an infiltration gallery and cooling trench and on-lot infiltration trenches to reduce/remove pollutants/sediments infiltrating into the ground water;
- ii) Transportation Demand Management (TDM) measures with a pedestrian focused development approach promoting open space or park areas within a 5-minute walk to the majority of dwellings, ensuring attractive, pedestrian-scaled streets and a valley crossing system that is coordinated with the sidewalk network;

b) Heating and Ventilation:

- i) High-efficiency furnaces to save energy by reducing heating costs;

c) Water Use:

- i) High-efficiency plumbing fixtures to reduce water consumption and sewage volumes;

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- d) Building Materials and Technology:
  - i) Energy efficient construction including steel insulated doors, basement insulation, blown insulation in the attic, high-efficiency furnaces, Energy Star equivalent standard light fixtures, Low Emissivity Energy Star windows and patio doors and locally sourced building materials where feasible;
  - ii) Waste management practices to ensure that all trades work efficiently to reduce and eliminate waste, including on-site waste management, and the re-use and recycling of materials;
- e) Native Vegetation Protection:
  - i) educate the future homeowners, where the lots abut open space lands, about the importance of maintaining the native plants and discouraging/prohibiting the installation of gates to avoid unwanted intrusion into the natural area and disposal of refuse in natural areas;
  - ii) prohibit the planting of ornamental plants beyond the backyards; and,
  - iii) provide native vegetation barrier plantings (ie. raspberries) in areas of higher accessibility to deter human intrusion into the natural areas.

#### **Economic Impact**

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

#### **Communications Plan**

On August 8, 2014, a Notice of Public Hearing was circulated to an extended polling area of all property owners beyond 150 m (Attachment #2) of the subject lands and to the Millwood Woodend Ratepayers' Association and the Kleinburg and Area Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 2, 2014, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on September 9, 2014. To date, correspondence has been received with the following comments:

- i) C. R. Piersanti, Piersanti & Company, representing residents on Greenbrooke Drive, correspondence dated August 19, 2014, objecting to Files Z.07.002 and 19T-07V01 (2097500 Ontario Limited) and the subject lands due to their concerns that the Greenbrooke Drive subdivision does not have municipal water or sanitary sewer services, which is a health risk, and the approval of further development will result in increased stormwater being directed into the creek, a portion of which is owned by the objectors and the Greenbrooke Drive residents, and that stormwater into this creek will be considered trespassing. Further, the City and subdivision owners must contribute to providing municipal water, sanitary sewer, and stormwater services to the Greenbrooke Drive residents.

The Vaughan Development Engineering and Infrastructure Planning Services Department (DEIPS) advised that they are not aware of any stormwater management issues within the Greenbrooke Drive Subdivision. Typically storm drainage is controlled on-site and/or conveyed to an approved outlet via a stormwater management pond. According to the latest Master Environmental Servicing Plan (MESP), the storm drainage is conveyed to a stormwater management pond located within the adjacent

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Draft Plan of Subdivision File 19T-03V05 to the west. There have been discussions between the Greenbrooke Drive subdivision area residents and the City (Vaughan Capital Delivery and Asset Management Department) to provide municipal services as part of a “Local Improvement” project. However, there are no current plans to provide municipal services to the Greenbrooke Drive subdivision at this time.

A Notice of this Committee of the Whole meeting was sent to the Solicitor representing the residents on Greenhouse Drive, on June 26, 2015.

#### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3:

1. Zoning By-law Amendment File Z.07.002 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone to RD1 Residential Detached Zone One, RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision for 83.5 dwelling units.
2. Draft Plan of Subdivision File 19T-07V01 to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5, consisting of the following:

<b>Lot/Block Number</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Units</b>
Lots 59-74	Detached Residential Units (18.3 m frontage)	1.287	16
Lots 1-5, 9-28, 33-58 & 75-80	Detached Residential Units (14.3 m frontage)	2.998	57
Blocks 82-87		0.147	3
Lots 6-8 & 29-32	Detached Residential Units (12.4 m frontage)	0.328	7
Block 81		0.045	0.5
Block 88	Park	1.226	
Block 89	Valley	1.120	
Block 90	Open Space	0.082	
Blocks 91-92	Buffers	0.105	
Block 93	Road Widening (Pine Valley Drive & Teston Road)	0.057	
Block 94	Valley Buffer	0.364	
Blocks 95-106	0.3 m Reserve	0.009	
Block 107	Storm Sewer / Potential Future Wakway	0.024	
	Roads/Streets	1.940	
	<b>Total</b>	<b>9.732</b>	<b>83.5</b>

#### **Background - Analysis and Options**

##### *Synopsis:*

*The Owner is proposing to develop the subject lands for a residential plan of subdivision for 83.5 dwelling units including a park and open space lands and to maintain the valleylands, as shown on Attachment #5. The Vaughan Planning Department supports the Zoning By-law Amendment*

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*and Draft Plan of Subdivision Applications since they implement the Vaughan Council approved Official Plan and the proposed development is compatible with the surrounding existing and planned land uses.*

Location

The subject lands are located on the south side of Teston Road, east of Pine Valley Drive, known municipally as 4077 Teston Road, City of Vaughan, as shown on Attachments #2 and #3.

Provincial Policies

The subject Official Plan amendment and Block Plan approval applications were submitted in advance of the Provincial Growth Plan for the Greater Golden Horseshoe – *Places to Grow*, the Greenbelt Plan and the Provincial Policy Statement of 2005 and 2014. As such, the processing of this Plan continues under the Provincial Policies in effect at the time of the originating application.

Official Plan Amendment (OPA) #600 and #744

The subject lands are designated “Urban Area” and “Valley Lands” by OPA #600 and form part of the Vellore Urban Village and are subject to the following policies (in-part):

- The lands designated Urban Area shall be subject to a comprehensive plan providing the technical basis to support secondary plan land use designations consistent with the planning approach of OPA #600;
- The lands or area will be planned for predominantly “executive housing” on large lots with full municipal services, with a gross density between 5.0 and 7.5 units per hectare;

The lands designated as “Urban Area” shall remain subject to the Rural Use Area, Rural-General and Agricultural Area policies of OPA #600 until such time as they are redesignated to specific urban land use categories by an approved amendment to this plan.

An application to amend OPA #600 was submitted by the Block 40/47 Developers’ Group on February 19, 2003, to redesignate the subject lands in a manner that would fulfill the requirements of OPA #600 for a Secondary Plan/Block Plan process and establish land use designations to develop the Block 40/47 planning area for a predominantly low residential built form. On February 18, 2014, Vaughan Council adopted site-specific Official Plan Amendment (OPA) #744 for the area designated “Urban Area” in Block 40/47, which includes the subject lands.

The subject lands are designated “Low Density Residential”, “Neighbourhood Park” and “Valley Lands” by OPA #744, which was adopted by Vaughan Council. York Region, the approval authority of this amendment, issued its Notice of Decision to approve OPA #744 with modifications, which was subsequently appealed and scheduled to be considered by the Ontario Municipal Board (OMB) at a Hearing commencing on September 28, 2015.

The proposed Draft Plan of Subdivision implements the Block 40/47 Plan, which facilitates the development of a complete community, with a mix of land-uses and housing types, and an overall gross density between 5.0 and 11.0 units per hectare (uph). The subdivision has an average gross density of 10.124 uph. The proposed Draft Plan of Subdivision is consistent with the Block 40/47 land use plan approved by Vaughan Council on June 24, 2014 (Attachment #6). However, should the OMB approve OPA #744, and the OMB’s decision results in modifications to the Official Plan, the Block 40/47 Plan and the proposed Draft Plan of Subdivision and implementing

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zoning must be revised to conform to the final approved Official Plan Amendment. A condition to this effect is included in the recommendation of this report and set out in the Conditions of Approval in Attachment #1a).

The Notice of Approval of Draft Plan of Subdivision File 19T-07V01 will not be issued until such time as OPA #744 is approved by the OMB and is in full force and effect, and a fully executed Landowners Cost Sharing Agreement is in place that includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works. The final OMB approved OPA #744 will be incorporated into Vaughan Official Plan (VOP) 2010 as a site-specific amendment in Volume 2 of VOP 2010.

#### Block 40/47 Plan

In February 2003, the City of Vaughan received Block Plan File BL.40/47.2003 from the Developers' Group for Blocks 40 and 47, to establish the comprehensive planning framework for these blocks including, but not limited to, the proposed land uses, housing mix and densities, protection and enhancement of the natural environment, the location of parks and community facilities, servicing infrastructure, transportation (road) network, public transit, urban design, and, phasing for the Blocks to manage growth.

The Block 40/47 Plan was originally considered by Vaughan Council at a Public Hearing on June 21, 2004. On February 18, 2014, Vaughan Council enacted By-law 18-2014 to adopt OPA #744, to establish secondary plan level policies for Block 40/47. Since the initial submission of the Block 40/47 Plan, it has been modified to respond to the policies of OPA #600, as amended by OPA #744, and to respond to comments from various public agencies, stakeholders and Ratepayers Associations. OPA #744 designates the lands within the Block 40/47 Plan as required by OPA #600, to guide development in the Blocks and maintain the complex ecosystem functions and cultural heritage attributes associated with the Block Plan area.

A Public Hearing for the revised Block Plan submission, which responds to the policies of OPA #600 as amended by OPA #744, was held on February 25, 2014, and the recommendation to receive the Public Hearing report, was ratified by Vaughan Council on March 18, 2014. On June 24, 2014, Vaughan Council approved the Block 40/47 Plan, subject to York Region approval of OPA #744, and fulfillment by landowners of additional conditions required by staff and agencies. Modifications to the Block 40/47 Plan, arising from comments from the public, external public agencies and the City, has resulted in the approval of an updated Block 40/47 Plan and conditions (Attachment #6). The Draft Plan of Subdivision and Zoning By-law Amendment Applications will facilitate development that is consistent with the Vaughan Council approved Block 40/47 Plan shown on Attachment #6.

#### Zoning

The subject lands are zoned A Agricultural Zone by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision, as shown on Attachment #5, an amendment to the zoning by-law is required to rezone the subject lands in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

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Table 1: Proposed Zoning Exceptions

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, RD1 and RD3 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to the RD1 and RD3 Residential Detached Zone Requirements</b>
a.	Fireplace or Chimney Pilaster Yard Encroachment	Sections 3.14 (a) and (d) in the By-law permit a maximum 0.5 m encroachment into a required yard, with no encroachment in an interior side yard to be closer than 1.2 m to the property line.	Permit a fireplace or chimney pilaster to encroach a maximum of 0.5 m into any yard.
b.	Permitted Encroachment of an Unenclosed Porch (Covered and Uncovered) and Balcony	Section 4.22.2 in the By-law makes reference to “front” and “exterior side” yards, which is proposed to be changed to “rear” and “exterior side” yards.	<p>Permit a covered and unenclosed porch and/or balcony both excavated and unexcavated as permitted encroachments into the rear yard, subject to the following:</p> <ul style="list-style-type: none"> <li>i) an unenclosed porch (covered or uncovered) to a maximum of 2.5 metres, and eaves, gutters and steps may encroach an additional 0.5 metres;</li> <li>ii) a 1.5 metre no encroachment zone shall be maintained inside the property line within the rear yard and exterior side yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle;</li> <li>iii) the maximum finished floor elevation of an unenclosed porch (covered or uncovered, with or without a cold cellar) located in the rear yard or exterior side yard, or in the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, shall not exceed 1.2 metres above finished grade.</li> </ul>

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c.	Bay or Box Window Encroachment	Schedule “A3”, Note “D” in the By-law also includes an encroachment into the interior side yard, which is proposed to be excluded.	Bay or box windows, or similar window projections constructed with or without footings may encroach into a required front, exterior side or rear yard a maximum of 0.6 m.
d.	Minimum Exterior Side Yard Abutting a Sight Triangle	3 m	1.5 m

#### Proposed Zoning Exceptions

The Owner has requested exceptions to the yard encroachment requirements and exterior side yard setback for the proposed residential zones in order to maximize interior dwelling floor space and provide for building articulation. These exceptions are similar to those approved by Vaughan Council for the Block 40 South area and are considered acceptable.

The Vaughan Planning Department is satisfied that the proposed rezoning of the subject lands in the manner shown on Attachment #4, together with the requested site-specific zoning exceptions discussed above are appropriate for the development of the subject lands.

#### Block Plan

The Owner, as a result of addressing the City and external agency requirements, and the continuous work on the detailed design as part of the Block 40/47 Plan, must submit an updated Block Plan, Master Environmental Servicing Plan (MESP), and any related reports, to the satisfaction to the City and TRCA. Conditions to this respect are included in Attachment #1a).

#### Subdivision Design

The 9.732 ha Draft Plan of Subdivision is comprised of lots and blocks for 83.5 dwelling units (80 detached dwellings, which includes blocks to be developed with blocks on the adjacent lands to form 7 full lots) and parkland/open space, and the maintenance of the valleylands, as shown on Attachment #5. Prior to final approval, the Owner shall prepare Architectural and Urban Design Guidelines, and all development within the Draft Plan of Subdivision shall proceed in accordance with the approved Architectural Design Guidelines and Urban Design Guidelines. Conditions to this effect are included in Attachment #1a).

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

#### Developers' Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. The Owner of the subject lands is a member of the Block 40/47 Developers' Group, and will be required to participate in the cost sharing for the Block, which includes addressing stormwater management and other infrastructure including providing sidewalks, roads and other municipal services. In addition, on June 23, 2015, Council adopted the following motion:



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“That prior to the City Clerk issuing Notice of Draft Plan Approval for any of the draft plans of subdivision in Block 40/47, the City receive confirmation that a fully executed Landowner’s Cost Sharing Agreement is in place which includes the funding arrangements and conveyances for the Block 40/47 Sanitary Pumping Station and associated works.”

The parties to this agreement shall include all benefiting landowners within Block 40 South, Block 40/47 North, Block 55, and Block 41. Conditions to this effect are included in the recommendation section and Attachment #1a) of this report.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department (DEIPS) has provided the following comments:

a) Road Network

The subject lands will have one road connection to Teston Road and a minor collector road and a local road connecting to Draft Plan of Subdivision File 19T-03V05 to the west. York Region is expected to widen and urbanize Teston Road between Weston Road and Pine Valley Drive.

York Region is currently undertaking an Environmental Assessment (EA) Study for the realignment/jog elimination of Teston Road at Pine Valley Drive.

b) Water Distribution

The subject lands are within Pressure District (PD) 7 of the York Water Supply System. Block 40/47 will be serviced within PD 7 by the extension of the existing 450 mm diameter watermain on Teston Road from its current terminus just west of Weston Road. A secondary watermain feed for security and looping purposes will be provided via a connection to the existing system in Block 40 South. This secondary feed will require the crossing of the valley and the location coincides with the sanitary sewer crossing to the Pine Valley North Sewage Pumping Station (PVNSPS) from the west.

The Owner shall upfront finance the cost to design, tender and construct the required external watermain on Teston Road, west of Weston Road, taking into account the Region’s plans for upgrading Teston Road, as a component of the first phase works to the satisfaction of the City. A portion of the watermain will be funded from Development Charges in accordance with the City’s current Background Study.

c) Sanitary Servicing

The lands are ultimately tributary to the Jane-Rutherford Sanitary Trunk located within the Maple Service Area of the York-Durham Sewage System. The closest gravity sewer to the subject lands is currently located in Block 40 South at Lawford Road, north of Major Mackenzie Drive, west of Weston Road. From this point, a sanitary forcemain will be extended northerly in conjunction with the development of Block 40 South to the future Pine Valley North Sewage Pump Station (PVNSPS).

d) Pine Valley North Sanitary Pump Station

The development of the westerly portion (23 ha) of Block 40 South and all of the participating Block 40/47, Block 55 and Block 41 lands are dependent on the construction of the PVNSPS, which will discharge flows to Block 40 South. The PVNSPS will be located on the east side of Cold Creek on lands external to the Plan being Draft Pan of Subdivision File 19T-06V10 and surrounded by open space/valleylands.

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A Developers' Group Cost Sharing Agreement specifically for the design and construction of the PVNSPS and related trunk sewers/force main is necessary to ensure an adequate outlet is readily available for all benefitting lands. The parties to this Cost Sharing Agreement shall include all benefitting land owners within Block 40 South, Block 40/47, Block 55 and Block 41.

#### e) Stormwater Management

The subject lands are located within the Cold Creek basin of the East Humber River Sub-watershed. The lands are traversed by three branches of Cold Creek; the west tributary runs parallel to the west limit of the lands, the central tributary runs north and is located 300 m east of Pine Valley Drive, and the east tributary runs east from the central tributary past Weston Road and Teston Road. The stormwater management (SWM) plan for lands within Block 40/47 proposes the establishment of three SWM facilities, two being within Block 40/47, and one located immediately to the west within Draft Plan of Subdivision File 19T-03V05, which services the subject lands. The SWM facilities are proposed to control the urban stormwater runoff to the target release rates established for the East Humber River watershed. These facilities will also provide water quality treatment and erosion control.

In order to achieve the necessary water balance requirements for the Block, infiltration galleries are proposed within each of the stormwater management pond blocks. The proposed groundwater recharge/balance analysis included in the recent re-submission of the MESP remains under review by the Toronto and Region Conservation Authority (TRCA), Ministry of Natural Resources and Forestry (MNRF) and City within Draft Plan of Subdivision File 19T-03V05. Accordingly, a Holding Symbol "(H)" shall be applied to the amending zoning by-law for Lots 1 to 113 inclusive, Lots 359 to 372 inclusive and Block 373 adjacent to the proposed stormwater management pond blocks to ensure development does not proceed until such time that the City is satisfied with the detailed design of the ponds and the infiltration galleries. Additional conditions may be included to address issues identified, including but not limited to, the presence of Species at Risk in this part of the Humber River Watershed.

#### f) Sewage and Water Allocation

On May 19, 2015, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City. Servicing capacity was reserved specifically to the Block 40/47 Trustee in the amount of 1,350 residential units (7,456 persons equivalent). Accordingly, servicing capacity to the draft plans within the Block 40/47 Plan is available and unrestricted.

#### g) Environmental Site Assessment

The Owner submitted an Updated Phase One Environmental Site Assessment (ESA) report, dated April 2015, and a Phase Two ESA report, dated June 2015, which the City determined to be acceptable. The Owner is required to submit a Phase Two ESA for any open space/park lands that are to be conveyed to the City, in accordance with the City's standards and requirements, with the investigation conducted only after the certification of the rough grading, but prior to the placement of topsoil.

#### h) Environmental Noise/Vibration Impact

Acoustic measures shall be utilized to mitigate noise impacts from traffic on Teston Road. A Noise/Acoustic Report shall be submitted at the detailed design stage that meets Ministry of Environment Guidelines and City criteria. The Owner shall implement all noise abatement measures as recommended in the report and to the satisfaction of the City and York Region.

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i) Streetlighting

Light-emitting diode (LED) streetlighting shall be utilized throughout the Plan in accordance with the approved Urban Design Guidelines and in accordance with the City's latest design standards and specifications.

j) Pedestrian/Servicing Bridges

The subject lands are part of the Block 40/47 Plan, where two pedestrian/servicing bridge structures are proposed to cross the Cold Creek valley systems. These structures will provide multi-use pedestrian and cycling connectivity between the east and west neighbourhoods within Block 40 North. In addition, the structures will be used as a utility corridor to support the necessary watermain and sanitary sewer crossings of the valley. Extensive consultation with the Ministry of Natural Resources and Forestry (MNR) and Toronto and Region Conservation Authority (TRCA) was undertaken in order to finalize the proposed bridge and abutment locations based on existing environmental considerations within the valleys.

To date a preliminary design of the proposed bridge structures has been prepared, peer reviewed and approved in principle. The City's peer review consultant will continue to assist with the review of the detailed design, which may affect the approaches to the bridge structures and adjacent lots. On-going operation and maintenance/access requirements will be finalized in conjunction with review of the detailed design to the satisfaction of the City of Vaughan, the TRCA and the MNR.

As the subject lands are within the Block 40/47 Plan, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Block 40/47, respecting all cost sharing for municipal services, such as the pedestrian/servicing bridge structures, among other matters, to the satisfaction of the City.

The Vaughan Development Engineering and Infrastructure Planning Services Department and the Parks Development Department have no objection to the development, subject to the conditions of approval in Attachment #1a).

Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Urban Design and Cultural Heritage Division of the Vaughan Development Planning Department advises that the subject lands have been assessed for archaeological concerns by a licensed archaeologist as required by Provincial policy and that the archaeologist's report, Revised Report on the 2011 Stage 1 and 2 Archaeological Assessment, dated November 9, 2012, has been entered into the Ontario Public Register of Archaeological Reports, in accordance with the Ministry of Tourism, Culture and Sport's letter of December 11, 2012. The report recommendations state that there are no further concerns for impacts to archaeological resources on the subject lands. Therefore, the City of Vaughan does not have any further concerns in this respect. The standard archaeological resource conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities, are included as conditions of approval in Attachment #1a).

Vaughan Parks Development Department

The Vaughan Parks Development Department has no objection to the proposed development, subject to the conditions of approval in Attachment #1a). The department advises that the Owner as part of the Block 40/47 Developers Group, is required to enter into an agreement with the City respecting the total amount of parkland to be conveyed and/or credited to the City, prior to the

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registration of the first Draft Plan of Subdivision in the Block. Also, prior to the execution of the first Subdivision Agreement, the Owner shall design and agree to construct all off-road pedestrian paths and trails in accordance with the approved Block 40/47 Landscape Master Plan, and Streetscape and Urban Design Guidelines, to the satisfaction of and at no cost to the City.

The Department advises that one park block (Block 88) is identified on the Draft Plan, which is to be developed in conjunction with the adjacent park block in Draft Plan of Subdivision 19T-03V05. For each park block, a Landscape Master Plan must be prepared and shall include, but not be limited to, the details respecting the limits of the parks, permitted programming and planting plan, and be submitted for approval to the satisfaction of the Vaughan Parks Development Department.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that it is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Cost Sharing Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. The Owner of the subject lands is a member of the Block 40/47 Developers' Group, and is required to participate in the cost sharing for the Block, which includes addressing stormwater management and providing sidewalks. In addition, the Owner shall enter into a Developers' Group Cost Sharing Agreement specifically for the design and construction of the Pine Valley North Sanitary Pump Station and related trunk sewers/force main. The parties to this agreement shall include all benefiting land owners within Block 40 South, Block 40/47 North, Block 55, and Block 41. Conditions are included in Attachment #1a) of this report regarding the Trustees for the Block 40/47 Developers' Group and the Pine Valley North Sanitary Pump Station advising the City in a letter that all cost sharing for the provision of parks, cash-in-lieu of parkland, roads, municipal services and sanitary pump station have been addressed.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has provided the following comments:

a) Environmental Features

Block 40/47 includes significant environmental features located within the East Humber watershed, and more specifically traversed by several tributaries of the Cold Creek system. Cold Creek is a high quality, sensitive cold water system that supports a diverse range of aquatic species and provides habitat for the endangered Redside Dace. Ground and surface water sensitivities are also present given the network of tributaries. Provincially significant valleylands, woodlands, wildlife habitat and wetlands, and table land wetland features are present. A significant, continuous block of forest exists within the well-defined valley systems in the Block Plan, supporting a number of flora and fauna species of concern including a number of area sensitive, forest dependent breeding birds. This part of the Humber Watershed was identified as one of the "centres of biodiversity" in the City of Vaughan's natural heritage background report for the new Official Plan, and as such provides a range of ecosystem services.

These aquatic, terrestrial, and landscape attributes combined creates a valley system considered significant within the context of the Provincial Policy Statement (PPS). As part of the City's Natural Heritage System, it is essential that any negative impacts resulting from urbanization of the area be carefully considered through an ecologically-based site design in order to protect the long term health, function and ecological services of the natural system and open space amenity within the Block Plan area, and the broader watershed landscape.

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##### b) Block Plan

The Block Plan includes a trail along the valley wall from the future northern pedestrian bridge. The location and details associated with the trail, given that it will also provide vehicular access, will be subject to review through the permit process. This condition is applicable to the subdivisions to the west of the subject lands and for the trail proposed in Block 94 and Block 107 in this subdivision.

##### c) Draft Plan of Subdivision

The Master Environmental and Servicing Plan (MESP) forms the background work to the Block Plan and supports the development pattern proposed. As the MESP requires further work, the TRCA requests that the Block Plan conditions related to the MESP be carried forward into the subdivision conditions. It is important to recognize that some of the outstanding matters relate to all of the subdivision plans in the Block as they drain through each other and ultimately into the valley system. The maintenance of water flow to surrounding natural features is an outstanding matter that may specifically impact the layout of the subdivisions as proposed. Given the nature of this outstanding matter, the TRCA anticipates future red-line revisions and a condition of approval reflecting water flow has been included in Attachment #1c).

The TRCA notes that OPA #744 is before the OMB. The Draft Plan of Subdivision conditions are being provided on a “without prejudice” basis based on plans and information provided to date and the Plans of Subdivision referenced in each set of conditions in TRCA correspondence dated June 12, 2015, and the Block 40/47 Plan. Should the OMB make any changes to OPA #744 (and by default the Block 40/47 Plan) that will impact the Draft Plans of Subdivision, the conditions attached hereto may no longer be valid and the TRCA will need to provide updated conditions of draft plan approval.

The TRCA has no objection to the proposal subject to the conditions of approval in Attachment #1c), which include the consolidation of matters discussed above, typical subdivision conditions (stormwater, erosion and sediment control, grading, etc.), and the conditions respecting the MESP.

##### 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 advised that they have no objection to the proposal and have no conditions of approval.

##### Enbridge Gas Distribution

Enbridge Gas Distribution has no objection to the applications. Enbridge advises that the Owner is required to contact Enbridge's Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to, tree planting, Silva cells, and/or soil trenches) and/or asphalt paving. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the Owner. In the event that an easement(s) are required to service this development, the Owner will provide the easement(s) to Enbridge Gas Distribution at no cost. This requirement is included in Enbridge Gas Distribution's conditions of approval in Attachment #1d).

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##### **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 are subject to the conditions of approval in Attachment #1e).

##### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

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 Well-Being**

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 neighbourhood public park, and pedestrian and bicycle trail systems to enhance the City's existing inventory of public amenity space.

##### **Regional Implications**

York Region has advised that the Draft Plan of Subdivision is located within the Maple North Wastewater Service Area and will be serviced from Water Pressure District PD 7. York Region understands that Vaughan Council has committed (reserved or assigned) 2013/Post 2013 water and wastewater servicing capacity allocation for 1,350 units for distribution by the Block 40/47 Group Trustee. If the City does not grant the subject development the required allocation from the Region's existing capacity assignments to date, then the development may require additional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek Water Pollution Control Plant (WPCP) Outfall - 2017 expected completion;
- Duffin Creek Water Pollution Control Plant (WPCP) Stages 1 and 2 Upgrades - late 2017 expected completion;
- West Vaughan Sewage Servicing - 2018 expected completion;
- West Vaughan Water Servicing - 2018 expected completion;
- East Vaughan Water and Wastewater Servicing - 2021 expected completion; and,
- Other projects as may be identified in the future Water and Wastewater Master Plan Update and/or studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

York Region has no objection to draft plan approval of the Plan of Subdivision subject to the conditions in Attachment #1b).

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#### **Conclusion**

Zoning By-law Amendment File Z.07.002 and Draft Plan of Subdivision File 19T-07V01, if approved, will facilitate the development of the subject lands with 83.5 dwelling units (80 detached dwellings, which include blocks to developed with blocks on the adjacent lands to form 7 full lots) and parkland/open space, and the maintenance of the valleylands to be in public ownership, as shown on Attachment #5. The proposed zoning and Draft Plan of Subdivision conforms to York Region and City approved Official Plan policies, and is in accordance with the approved Block 40/47 Plan. Should any modifications occur to the development as a result of the OMB decision on OPA #744, or to address City departments and external public agency requirements, the proposed zoning and Draft Plan of Subdivision must be modified to correspond to the OMB approved Official Plan and/or the updated Block 40/47 Plan which reflects any required modifications.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #5, and the zoning and site-specific exceptions, will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment and the Draft Plan of Subdivision Applications, subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

#### **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed zoning for Draft Plan of Subdivision File 19T-07V01
5. Draft Plan of Subdivision File 19T-07V01
6. Approved Block 40/47 Plan (May 19, 2015)

#### **Report prepared by:**

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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.)