

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015**

Item 14, Report No. 12, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on March 24, 2015.

**14**

**ZONING BY-LAW AMENDMENT FILE Z.14.022  
DRAFT PLAN OF SUBDIVISION FILE 19T-14V005  
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V006  
SITE DEVELOPMENT FILE DA.14.044  
ANDRIN BATHURST HOMES LIMITED  
WARD 4 - VICINITY OF BATHURST STREET AND TESTON ROAD**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated March 3, 2015, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

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

1. THAT Zoning By-law Amendment File Z.14.022 (Andrin Bathurst Homes Limited) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the subject lands shown on Attachments #3 and #4 from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol "(H)" and OS2 Open Space Park Zone, subject to Exception 9(1261), to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-14V005 (Andrin Bathurst Homes Limited) BE APPROVED, to facilitate the creation of five blocks (development block and reserves and road widenings) under a single registered M-Plan, in the manner shown on Attachment #5, subject to the Conditions of Draft Approval in Attachment #1.
3. THAT the subdivision agreement for Draft Plan of Subdivision File 19T-14V005 (Andrin Bathurst Homes Limited) shall contain the following clause:

"The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu 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."
4. THAT Draft Plan of Condominium (Common Element) File 19CDM-14V006 (Andrin Bathurst Homes Limited) BE APPROVED, to permit 5 private condominium common element roads, 26 visitor parking spaces, a 436 m<sup>2</sup> parkette, and walkways, in the manner shown on Attachment #6, subject to the Conditions of Draft Approval in Attachment #2.

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5. THAT Site Development File DA.14.044 (Andrin Bathurst Homes Limited) BE APPROVED, to facilitate the development of 117 townhouse dwelling units (freehold) served by 5 private condominium common element roads, 26 visitor parking spaces, a 436 m<sup>2</sup> parkette, and walkways, as shown on Attachments #8 to #15 inclusive, subject to the following conditions:
- a) Prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Draft Plan of Subdivision (File 19T-14V005) shall be registered;
    - ii) the Vaughan Planning Department shall approve the final site plan, building elevation drawings and landscape plan;
    - iii) the Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan, stormwater management report and functional servicing report;
    - iv) the Owner shall satisfy all requirements of the York Region Transportation and Community Planning Department including entering into a Site Plan Agreement with York Region; and,
    - v) the Owner shall pay to the City of Vaughan, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement.
6. THAT Draft Plan of Subdivision File 19T-14V005 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 117 residential units (358 persons equivalent).

**Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment

- 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 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public 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:

- stormwater management techniques that minimize the impact on local infrastructure
- the use of shade trees to reduce energy consumption and the heat island effect
- drought tolerant native species to reduce water consumption and promote sustainable design
- low flow pumping fixtures to reduce water consumption
- EnergyStar appliances and energy efficient light fixtures to reduce energy consumption

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- low E and argon filled glazing/window units to reduce heat loss/heat gain
- air seal / foam insulation package to all doors and windows to reduce air infiltration/heat loss
- promoting the use of transit by providing a Presto Card for each dwelling unit
- providing support tools for Traffic Demand Management (TDM) education and monitoring program in this development
- providing internal pedestrian sidewalks and crossings to enhance access to existing bus stops and sidewalks
- providing bicycle racks at strategic locations on-site

#### **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 all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a notice sign was 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.

Mr. Klein, on Torah Gate, identified the following concerns at the September 2, 2014, Public Hearing:

#### a) Traffic and Access

The two access points proposed from Torah Gate will result in increased traffic and on-street parking.

#### Response

Based on comments received at the Public Hearing, the Owner has relocated one access point from Torah Gate to Lady Dolores Avenue, as shown on Attachments #7 and #8. The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the revised proposal and is satisfied with the proposed site access points. Comments respecting traffic and the road network are discussed further in the Vaughan Development Engineering and Infrastructure Planning Services Department section of this report.

The proposal includes four visitor parking areas distributed throughout the site, for a total of 26 visitor parking spaces. The proposed visitor parking is discussed further in the Zoning section of this report.

#### b) Density

The proposed density of 117 townhouse units is too high and should be reduced to approximately 80 to 90 townhouse units.

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#### Response

The lands were subject to previous Official Plan Amendment Files OP.05.018 and OP.12.013 and Zoning By-law Amendment Files Z.05.039 and Z.12.031 by the former Owner of the subject lands (Nonnodesto Income Inc.) that were approved by Vaughan Council on July 18, 2006 and April 23, 2012.

The current as-of-right zoning for the subject lands permit 34 single detached dwellings and 220 apartment dwelling units, for a total of 254 units on the subject lands. The current proposal for 117 townhouse units results in a reduction of 137 units from the as-of-right permitted density on the lands. In addition, the proposed development conforms to the requirements, policies, and objectives of Vaughan Official Plan 2010 (VOP 2010).

A notice of this subject Committee of the Whole meeting was sent to individuals that attended the Public Hearing, requested notice, or have provided written correspondence to date.

#### **Purpose**

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

1. Zoning By-law Amendment File Z.14.022 to amend Zoning By-law 1-88, specifically to rezone the subject lands from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol "(H)" and OS2 Open Space Park Zone, subject to Exception 9(1261), to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-14V005 to facilitate the creation of five blocks (development block and reserves and road widenings) as shown on Attachment #5, to facilitate Draft Plan of Condominium (Common Elements) File 19CDM-14V006, consisting of the following:

Block 1 (Condominium Block for 117 Townhouse Units, Private Roads, Visitor Parking and Private Parkette)	2.773 ha
Block 2 (Road Widening along Bathurst Street)	0.018 ha
Blocks 3 and 4 (0.3 m reserves)	0.015 ha
<u>Block 5 (Utilities)</u>	<u>0.008 ha</u>
Total Area	2.814 ha

3. Draft Plan of Condominium (Common Element) File 19CDM-14V006 to create common elements including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #6.
4. Site Development File DA.14.044 to facilitate the development of the subject lands with 117, two and three-storey freehold townhouse dwelling units served by five private roads, 26 visitor parking spaces, a 436 m<sup>2</sup> private parkette, and walkways, as shown on Attachments #8 to #15 inclusive.

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

##### Location

The 2.814 subject lands shown on Attachments #3 and #4 are located on the west side of Bathurst Street, south of Teston Road, within Planning Block 12. The site is developed with a

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temporary sales and construction office, which will be removed to facilitate the proposed development. The surrounding land uses are shown on Attachment #4.

Official Plan

The subject lands are designated “Mid-Rise Mixed-Use” with a maximum building height of 12-storeys and a maximum density of 3.5 FSI (Floor Space Index) by Vaughan Official Plan 2010 (VOP 2010). The lands are also subject to site-specific Exception 13.2 in Volume 2 of VOP 2010, which permits a Low-Rise Building form. Townhouses are identified as a permitted Low-Rise Building form in VOP 2010.

The “Mid-Rise Mixed-Use” designation also permits townhouse dwellings within 70 metres of lands designated “Low-Rise Residential” in order to provide for an appropriate transition to a “Low Density Residential” area. The subject lands abut lands designated “Low-Rise Residential” to the west and south. Accordingly, the proposed two and three-storey townhouse units conform to VOP 2010.

Zoning

The subject lands are zoned RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol “(H)” and OS2 Open Space Park Zone, which does not permit the proposed street townhouse residential uses. Therefore, a Zoning By-law Amendment is required to rezone the subject lands to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, and to permit the following site-specific zoning exceptions to facilitate the development:

Table 1

	<b>By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RT1 Zone</b>	<b>Proposed Exceptions to the RT1 Zone</b>
a.	Frontage on a Public Street	A lot must front onto a public street	Permit a lot to front onto a private road
b.	Definition of Exterior Lot Line for Lots Abutting a Private Road	Means the lot line, on a corner lot, which is a street line and which is not the front lot line.	Means the lot line, on a corner lot, which is abutting a private road and which is not the front lot line.
c.	Definition of Hydro and Gas Meter Screen Wall	Zoning By-law 1-88 does not include a definition of a “Hydro and Gas Meter Screen Wall”	A “Hydro and Gas Meter Screen Wall” shall be defined as follows:  Means a structure for the purposes of total or partial physical and/or visual separation or enclosure of a hydro or gas meter utility.

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d.	Permitted Yard Encroachments for a Hydro and Gas Meter Screen Wall	Zoning By-law 1-88 does not include a permitted yard encroachment for a "Hydro and Gas Meter Screen Wall"	The maximum permitted yard encroachment into any required yard for a hydro and gas meter screen wall with or without foundation shall be 0.5 m
e.	Minimum Development Standards for Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate:  i. Lot Frontage ii. Lot Area iii. Front Yard Setback iv. Rear Yard Setback v. Lot Depth	i. 6 m / unit ii. 162 m <sup>2</sup> iii. 4.5 m iv. 7.5 m v. 27 m	i. 5.4 m / unit ii. 115 m <sup>2</sup> iii. 3 m iv. 6 m to a Garage; 4 m to a Porch; and, 3 m to a Deck, Unenclosed Porch or Balcony v. 21.5 m
f.	Minimum Exterior Side Yard Setback:  i. Where the exterior lot line abuts a Private Road ii. Where the exterior lot line abuts Torah Gate	i. 4.5 m ii. 4.5 m	i. 1.2 m ii. 3 m
g.	Minimum Setback to a Non-Residential Use (Parking Area, Parkette, Walkway, Easement, or the Dead End of a Private Road)	3.5 m	0.8 m
h.	Minimum Setback to a Sight Triangle	4.5 m	i. 2 m to a Dwelling Unit ii. 1 m to a Porch or Balcony
i.	Maximum Building Height for Dwelling Units on Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate	11 m	12.3 m

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j.	Minimum Lot Depth for all Lots fronting onto a Private Road	27 m	26 m
k.	Minimum Rear Yard Setback for all Lots fronting onto a Private Road	7.5 m	7 m
l.	No Encroachment Zone for Unenclosed Porches (Covered or Uncovered), Cold Cellars and Architectural Features and Balconies	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle.	A 1 m no encroachment zone shall be maintained within the front and exterior side yards and sight triangle for units fronting onto Bathurst Street, Lady Dolores Avenue and Torah Gate.
m.	Minimum Side Yard Setback to a Central Air Conditioning Unit for Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate	1.2 m	0 m
n.	Minimum Number of Visitor Parking Spaces	30 spaces (0.25 spaces / unit x 117 units)	26 spaces (0.22 spaces / unit x 117 units)

The Vaughan Planning Department can support the proposed site-specific zoning exceptions to the RT1 Residential Townhouse Zone for the following reasons:

a) Frontage onto a Private Road and Definition of Exterior Lot Line

Zoning By-law 1-88 requires street townhouse dwellings to front onto a public street. The proposed development consists of a number of townhouse units fronting onto a private road as part of a common element condominium. Accordingly, an exception is required to permit the proposed townhouse units to front onto a private road.

Similarly, modification to the definition of exterior lot line is required for all corner lots with a side lot line abutting a private road, as Zoning By-law 1-88 requires an exterior lot line to abut a public street. The Vaughan Planning Department has no objections to these zoning exceptions.

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b) Definition of Hydro and Gas Meter Screen Wall and Permitted Encroachment

The proposed townhouse dwellings that front onto Bathurst Street, Lady Dolores Avenue and Torah Gate utilize a “dual frontage” elevation, where the main entrance of the dwelling faces the public street and the rear yard of each townhouse unit consists of a driveway, garage, porch and balcony fronting onto a private road.

A screen wall projection from the proposed porch in the rear yard will appropriately mitigate the visual impact of hydro and gas meter utility boxes from the internal streetscape. On this basis, the Vaughan Planning Department is satisfied with the definition of “Hydro and Gas Meter Screen Wall” and the proposed 0.5 m encroachment into the required yard.

c) Minimum Lot Frontage, Lot Area and Lot Depth Requirements

The Vaughan Planning Department has no objections to the proposed lot frontage, lot area and lot depth requirements, as they will facilitate an appropriate medium intensity housing form while maintaining a suitable integration into the existing adjacent low-rise residential area, as stipulated by the Official Plan.

d) Minimum Yard Requirements

The proposal to reduce the minimum yard setbacks, minimum setback to the sight triangle, and minimum building encroachments will facilitate an attractive public realm along Bathurst Street, Lady Dolores Avenue and Torah Gate, and will assist in creating a strong urban housing form for the proposed townhouse units located internal to the subject lands.

e) Maximum Building Height

The proposed maximum building height of 12.3 m is to facilitate three-storey townhouse units located on Bathurst Street, Lady Dolores Avenue and Torah Gate. Two-storey townhouse units are proposed for lots located internal to the subject lands, and comply with the 11 m maximum building height requirement of the RT1 Zone. The Vaughan Planning Department is of the opinion that the proposed building height for the townhouse units fronting on a public street will facilitate an urban housing form that provides an appropriate variation in height and massing to the internal townhouse units.

f) Minimum Setback to Central Air Conditioning Units

An exception to the minimum setback to a central air conditioning unit is required as a result of air conditioning units being located on the balcony of the proposed townhouse units fronting Bathurst Street, Lady Dolores Avenue and Torah Gate. The units will be concealed from abutting properties by a 1.8 m high privacy wall. Accordingly, the Vaughan Planning Department has no objections to the reduction in minimum setback to an air conditioning unit.

g) Minimum Visitor Parking

Zoning By-law 1-88 requires a minimum visitor parking requirement of 0.25 spaces / unit for all residential units except Single Detached, Semi-Detached and Street Townhouse dwellings. The proposed development consists of a number of townhouse units fronting onto or requiring vehicular access to a private road as part of a common element



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condominium. Accordingly, the proposal requires a minimum of 30 visitor parking spaces (0.25 visitor spaces / unit x 117 units = 29.25 spaces rounded to 30 spaces), whereas the owner is proposing 26 visitor parking spaces (0.22 visitor spaces / unit x 117 units = 25.74 spaces rounded to 26 spaces).

The Owner has submitted a Parking Addendum by Poulos and Chung, dated February 2015, justifying the reduction in visitor parking. The Parking Addendum concludes that the proposed rate of 0.22 spaces / unit exceeds the recommended visitor parking rate of 0.20 spaces / unit outlined in the City-wide Parking standards study prepared by the IBI Group in March, 2010.

The Vaughan Development and Infrastructure Planning Department has reviewed the Parking Addendum and has no objections to its findings, as the proposed visitor parking rate is consistent with the IBI Report. Accordingly, the Vaughan Planning Department is satisfied with the proposed visitor parking requirement of 26 spaces.

#### h) Summary

The proposed zoning conforms to the applicable Official Plan policies and the site-specific zoning exceptions will facilitate a housing form that is consistent with the existing and planned built form in the area. The Vaughan Planning Department has no objections to the proposed zoning, and supports the approval of Zoning By-law Amendment File Z.14.022.

#### Subdivision Design

The proposed Draft Plan of Subdivision will create one residential block, shown as Block “1” on Attachment #5, to facilitate the proposed site plan, condominium common elements, and the creation of 117 freehold townhouse lots through a future Part Lot Control Application. The concurrent Draft Plan of Condominium (Common Element) (File 19CDM-14V006) will create the proposed private roads, visitor parking, walkways, and parkette/amenity space.

The Draft Plan of Subdivision consists of four additional blocks, shown as Blocks “2” to “5” on Attachment #5, for the purposes of a widening along Bathurst Street, utility easements, and 0.3 m reserves.

All development within the Draft Plan of Subdivision must proceed in accordance with the approved Block 12 Urban Design and Architectural Design Guidelines prepared by Watchorn Architects Inc. A condition to this effect is included in Attachment #1.

The subject lands are located within Block 12, which is subject to a Developer's Group Agreement. The Owner is required to satisfy all obligations, financial or otherwise, of the Block 12 Developer's Group Agreement to the satisfaction of the Block 12 Trustee. A condition to this effect is included in Attachment #1.

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

#### Site Plan

The proposed overall site plan is shown on Attachment #8. The subject lands are bounded by an existing bank and gas station to the north, Bathurst Street to the east, low-rise residential land uses to the west, and an existing place of worship to the south. The subject lands are bounded by Lady Dolores Avenue to the south and Torah Gate to the west, both being public right-of-ways

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measuring 20 m in width. An existing park (Forest View Park) is located approximately 200 m southwest of the subject lands on the south side of Lady Dolores Avenue, west of Lady Nadia Drive.

The proposed plan consists of 117 freehold townhouse units served by five private condominium roads, walkways, a 436 m<sup>2</sup> parkette and 26 visitor parking spaces located throughout the interior of the development, as shown on Attachment #8. Access to the subject lands is proposed from Lady Dolores Avenue and Torah Gate. The Condominium Corporation will privately administer off-site snow storage, garbage and 3-stream recycling pick-up. A community mailbox pad location is proposed on Street “D”, as shown on Attachment #8.

Five private condominium roads with single-loaded sidewalks are located interior to the subject lands, and consist of controlled and uncontrolled pedestrian crosswalks strategically located within the site to provide a safe walking route, as shown on Attachment #7. Additional pedestrian walkways are located at the northeast corner of the subject lands and through the proposed parkette area.

Buildings “1” to “5” and “15” to “21”, as shown on Attachment #8, are located interior to the subject lands, and are designed as traditional two-storey townhouse units with a backyard and a garage located in the front of the dwellings, as shown on Attachments #9 and #14. Buildings “6” to “16”, as shown on Attachment #8, front onto Bathurst Street, Lady Dolores Avenue and Torah Gate, and are designed as “dual-frontage” three-storey townhouse units, as shown on Attachments #10 and #15. Building entrances for the dual-frontage townhouse units are provided on both the private road and public street, with access to a single car garage door from the private road. Each townhouse unit will provide one car in the garage and one on the driveway.

The townhouse dwellings are proposed to be constructed using brick as the main building façade material, with stone veneer at the base of the unit. The units reflect traditional building forms that are consistent with the surrounding neighbourhood. The rear elevation of each townhouse unit fronting onto Bathurst Street, Lady Dolores Avenue and Torah Gate consist of a balcony at the second level of each unit.

The Vaughan Planning Department will continue to work with the Owner to finalize the details of the proposed development. The final site plan, building elevations, landscape plan and landscape cost estimate must be approved to the satisfaction of the Vaughan Planning Department. Prior to the execution of the Site Plan Letter of Undertaking, the Draft Plan of Subdivision File 19T-14V005 shall be registered. Conditions to this effect are included in the recommendation of this report.

Draft Plan of Condominium (Common Element)

The Owner has submitted Draft Plan of Condominium (Common Element) File 19CDM-14V006 for the subject lands shown on Attachments #3 and #4, for the creation of common elements comprised of the 7.5 m wide private roads, parkette/amenity space area, walkways, and visitor parking areas, as shown on Attachment #6.

A 6 m wide private storm sewer easement in favour of the future Condominium Corporation is located within the condominium plan area in the rear yards of all townhouse units located interior to the site, as shown on Attachment #6. The easement is required for stormwater collected from rear lot catchbasins for conveyance to the common element private road.

The Vaughan Planning Department is satisfied with the proposed common elements condominium, subject to the Conditions of Draft Approval in Attachment #2.

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Vaughan Development Engineering and Infrastructure Planning Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the applications and provides the following comments:

a) Road Network

Site access is proposed via access points from Torah Gate and Lady Dolores Avenue, which are local roads.

b) Traffic and Transportation

The Owner has submitted a Traffic Impact Assessment and Transportation Demand Management Report prepared by Poulos and Chung, dated October, 2014. Respecting comments made by the deputant at the September 2, 2014 Public Hearing, the Development Engineering and Infrastructure Planning Services Department concurs with the conclusions of the submitted Traffic Impact Study, which indicates that traffic flows generated by the proposed development can be satisfactorily accommodated by the existing roadway network, and that all site entrances operate at satisfactory levels of service without disrupting primary vehicle flows on the boundary roads.

In addition, the report concludes that the proposed internal roadway network, including the site entrances, are sufficient to facilitate the movement of all emergency and service vehicles, and that the internal sidewalk plan, as shown on Attachment #7, will provide a high level of pedestrian connectivity through the site.

c) Sanitary and Water Servicing

The Owner has submitted a Functional Servicing Report entitled “Functional Servicing Report, Andrin Homes, Townhouse Development, Block 12, City of Vaughan”, dated November 2014, prepared by Schaeffers Consulting Engineers. Existing sanitary and storm sewers located at Lady Dolores Avenue and Torah Gate are proposed to service the site. Prior to final approval, the Functional Servicing Report shall be to the satisfaction of the Development Engineering and Infrastructure Planning Services Department.

d) Stormwater Management

Stormwater management for the proposed development consists of on-site detention to reduce the post-development flows to levels that are equal or less than corresponding target flows. Water quantity and quality control measures are to be provided by the Block 12 stormwater management pond “4”, which is designed to provide enhanced water quality, erosion and quantity control in accordance with the Ministry of the Environment and Climate Change (MOECC) “Stormwater Management Planning and Design (SWMPD) Manual” dated March, 2003.

e) Noise

The Owner has submitted an addendum letter to the noise report entitled “Update, Environmental Noise Analysis, Block 12, Nonnodesto Subdivision, Proposed Residential Development, Teston Road and Bathurst Street, City of Vaughan”, dated November 3, 2014, prepared by Valcoustics Canada Ltd. The addendum letter recommends mandatory air conditioning for units along Bathurst Street together with noise attenuation and warning clauses. The recommendations and warning clauses are included as conditions of approval in Attachments #1 and #2.

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f) Environmental Site Assessment (ESA)

The Owner submitted the following environmental site assessment documents in support of the proposal:

- Site Screening Questionnaire
- SPL Consultants Ltd. (SPL) report entitled "Phase Two Environmental Site Assessment, 10640 Bathurst Street, City of Vaughan, Ontario, Draft Plan 19T-12V06" dated March 15, 2013
- Ministry of Environment and Climate Change (MOECC) Record of Site Condition (RSC) #81315

The Department has reviewed the above-noted reports and has no objections to the proposal. No further environmental documents are required for the subject applications.

g) Lot Grading

Lot grading shall be designed in accordance with the City of Vaughan design criteria and standards.

h) Servicing Capacity Allocation

On October 29, 2013, Vaughan Council endorsed the City's annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City of Vaughan over the next three years. Accordingly, servicing capacity for the subject development is available and unrestricted for the proposed 117 freehold townhouse units. A condition to this effect is included in the recommendation of this report.

Vaughan Legal Services Department, Real Estate Division

The Owner is required to pay cash-in-lieu of parkland dedication in accordance with the recommendation in this report.

School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications, and require no conditions.

Canada Post

Canada Post Corporation has no objection to the proposed development applications, subject to the conditions of subdivision approval in Attachment #1, and conditions of condominium approval in Attachment #2. The Vaughan Planning Department, in consultation with Canada Post Corporation, has no objections to the location of the proposed community mailbox, as shown on Attachment #8.

Utilities

Bell Canada has no objection to the proposed Draft Plans of Subdivision and Condominium, subject to the conditions of condominium approval in Attachment #2.

Enbridge Gas Distribution has no objection to the proposed applications, subject to their conditions in Attachment #1.

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PowerStream Inc. has advised that it is the responsibility of the Owner to contact PowerStream Inc. to determine the type of available service in the area to supply this project and assess PowerStream Inc.'s charges.

#### **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 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.

#### **Regional Implications**

The development is located within the Bathurst Trunk Wastewater Service Area of the York-Durham Sewage System, and will be serviced from Water Pressure District No. 7.

The York Region Transportation and Community Planning Department has reviewed the applications and provided technical comments, and Conditions of Draft Approval, in a letter dated November 17, 2014. York Region has no objection to the proposed Draft Plan of Subdivision and Draft Plan of Condominium (Common Element), subject to their conditions identified in Attachments #1 and #2.

In addition, York Region requests that the City of Vaughan apply a lapsing provision to the Draft Plan of Subdivision, 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 reviewed the Site Development application and has no objections to the proposal, in principle. York Region will enter into a Regional Site Plan Agreement with the Owner for this development. Prior to the issuance of final Regional approval and any conditional, partial and/or Building Permits by the City of Vaughan, the Owner must be in receipt of a fully executed Regional Site Plan Agreement.

#### **Conclusion**

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.14.022, Draft Plan of Subdivision File 19T-14V005, Draft Plan of Condominium File 19CDM-14V006, and Site Development File DA.14.044, in accordance with the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications facilitate a residential development comprised of 117 freehold block townhouse units on private common element condominium roads. The proposal conforms to the Official Plan, and is compatible with the existing and planned uses in the surrounding area. On this basis, the Vaughan Planning Department can support the approval of the Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and Site Development applications, subject to the recommendations in this report, and the Conditions of Draft Plan of Subdivision and Condominium Approval set out in Attachments #1 and #2.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF MARCH 24, 2015**

Item 14, CW Report No. 12 – Page 14

**Attachments**

1. Conditions of Draft Plan of Subdivision Approval
2. Conditions of Draft Plan of Condominium Approval
3. Context Location Map
4. Location Map
5. Proposed Draft Plan of Subdivision (File 19T-14V005)
6. Proposed Draft Plan of Condominium (Common Element - File 19CDM-14V006)
7. Transportation and Sidewalk Master Plan
8. Overall Site Plan and Proposed Zoning
9. Site Plan - Typical Interior Block
10. Site Plan- Typical Exterior Block
11. Overall Landscape Plan
12. Landscape Plan - Typical Interior Block
13. Landscape Plan - Typical Exterior Block
14. Typical Block 1 (Interior) Building Elevations
15. Typical Block 2 (Dual Frontage) Building Elevations

**Report prepared by:**

Mark Antoine, Planner, ext. 8212

Christina Napoli, Senior Planner, ext. 8483

(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.)

**COMMITTEE OF THE WHOLE MARCH 3, 2015**

**ZONING BY-LAW AMENDMENT FILE Z.14.022  
DRAFT PLAN OF SUBDIVISION FILE 19T-14V005  
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V006  
SITE DEVELOPMENT FILE DA.14.044  
ANDRIN BATHURST HOMES LIMITED  
WARD 4 - VICINITY OF BATHURST STREET AND TESTON ROAD**

**Recommendation**

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

1. THAT Zoning By-law Amendment File Z.14.022 (Andrin Bathurst Homes Limited) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the subject lands shown on Attachments #3 and #4 from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol "(H)" and OS2 Open Space Park Zone, subject to Exception 9(1261), to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-14V005 (Andrin Bathurst Homes Limited) BE APPROVED, to facilitate the creation of five blocks (development block and reserves and road widenings) under a single registered M-Plan, in the manner shown on Attachment #5, subject to the Conditions of Draft Approval in Attachment #1.
3. THAT the subdivision agreement for Draft Plan of Subdivision File 19T-14V005 (Andrin Bathurst Homes Limited) shall contain the following clause:

"The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu 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."
4. THAT Draft Plan of Condominium (Common Element) File 19CDM-14V006 (Andrin Bathurst Homes Limited) BE APPROVED, to permit 5 private condominium common element roads, 26 visitor parking spaces, a 436 m<sup>2</sup> parkette, and walkways, in the manner shown on Attachment #6, subject to the Conditions of Draft Approval in Attachment #2.
5. THAT Site Development File DA.14.044 (Andrin Bathurst Homes Limited) BE APPROVED, to facilitate the development of 117 townhouse dwelling units (freehold) served by 5 private condominium common element roads, 26 visitor parking spaces, a 436 m<sup>2</sup> parkette, and walkways, as shown on Attachments #8 to #15 inclusive, subject to the following conditions:
  - a) Prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Draft Plan of Subdivision (File 19T-14V005) shall be registered;

- ii) the Vaughan Planning Department shall approve the final site plan, building elevation drawings and landscape plan;
  - iii) the Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan, stormwater management report and functional servicing report;
  - iv) the Owner shall satisfy all requirements of the York Region Transportation and Community Planning Department including entering into a Site Plan Agreement with York Region; and,
  - v) the Owner shall pay to the City of Vaughan, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement.
6. THAT Draft Plan of Subdivision File 19T-14V005 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 117 residential units (358 persons equivalent).

### **Contribution to Sustainability**

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

Goal 2: To ensure sustainable development and redevelopment

- 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 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit
- Objective 3.3: Reduce single occupant vehicle (SOV) trips by supporting active transportation, car pooling and public 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:

- stormwater management techniques that minimize the impact on local infrastructure
- the use of shade trees to reduce energy consumption and the heat island effect
- drought tolerant native species to reduce water consumption and promote sustainable design
- low flow pumping fixtures to reduce water consumption
- EnergyStar appliances and energy efficient light fixtures to reduce energy consumption
- low E and argon filled glazing/window units to reduce heat loss/heat gain
- air seal / foam insulation package to all doors and windows to reduce air infiltration/heat loss
- promoting the use of transit by providing a Presto Card for each dwelling unit
- providing support tools for Traffic Demand Management (TDM) education and monitoring program in this development
- providing internal pedestrian sidewalks and crossings to enhance access to existing bus stops and sidewalks
- providing bicycle racks at strategic locations on-site



## **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 all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a notice sign was 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.

Mr. Klein, on Torah Gate, identified the following concerns at the September 2, 2014, Public Hearing:

### a) Traffic and Access

The two access points proposed from Torah Gate will result in increased traffic and on-street parking.

#### Response

Based on comments received at the Public Hearing, the Owner has relocated one access point from Torah Gate to Lady Dolores Avenue, as shown on Attachments #7 and #8. The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the revised proposal and is satisfied with the proposed site access points. Comments respecting traffic and the road network are discussed further in the Vaughan Development Engineering and Infrastructure Planning Services Department section of this report.

The proposal includes four visitor parking areas distributed throughout the site, for a total of 26 visitor parking spaces. The proposed visitor parking is discussed further in the Zoning section of this report.

### b) Density

The proposed density of 117 townhouse units is too high and should be reduced to approximately 80 to 90 townhouse units.

#### Response

The lands were subject to previous Official Plan Amendment Files OP.05.018 and OP.12.013 and Zoning By-law Amendment Files Z.05.039 and Z.12.031 by the former Owner of the subject lands (Nonnodesto Income Inc.) that were approved by Vaughan Council on July 18, 2006 and April 23, 2012.

The current as-of-right zoning for the subject lands permit 34 single detached dwellings and 220 apartment dwelling units, for a total of 254 units on the subject lands. The current proposal for 117 townhouse units results in a reduction of 137 units from the as-of-right permitted density on the lands. In addition, the proposed development conforms to the requirements, policies, and objectives of Vaughan Official Plan 2010 (VOP 2010).

A notice of this subject Committee of the Whole meeting was sent to individuals that attended the Public Hearing, requested notice, or have provided written correspondence to date.

### **Purpose**

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

1. Zoning By-law Amendment File Z.14.022 to amend Zoning By-law 1-88, specifically to rezone the subject lands from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol "(H)" and OS2 Open Space Park Zone, subject to Exception 9(1261), to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-14V005 to facilitate the creation of five blocks (development block and reserves and road widenings) as shown on Attachment #5, to facilitate Draft Plan of Condominium (Common Elements) File 19CDM-14V006, consisting of the following:

Block 1 (Condominium Block for 117 Townhouse Units, Private Roads, Visitor Parking and Private Parkette)	2.773 ha
Block 2 (Road Widening along Bathurst Street)	0.018 ha
Blocks 3 and 4 (0.3 m reserves)	0.015 ha
<u>Block 5 (Utilities)</u>	<u>0.008 ha</u>
Total Area	2.814 ha

3. Draft Plan of Condominium (Common Element) File 19CDM-14V006 to create common elements including visitor parking spaces, private roads, walkways and a private parkette, as shown on Attachment #6.
4. Site Development File DA.14.044 to facilitate the development of the subject lands with 117, two and three-storey freehold townhouse dwelling units served by five private roads, 26 visitor parking spaces, a 436 m<sup>2</sup> private parkette, and walkways, as shown on Attachments #8 to #15 inclusive.

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

#### **Location**

The 2.814 subject lands shown on Attachments #3 and #4 are located on the west side of Bathurst Street, south of Teston Road, within Planning Block 12. The site is developed with a temporary sales and construction office, which will be removed to facilitate the proposed development. The surrounding land uses are shown on Attachment #4.

#### **Official Plan**

The subject lands are designated "Mid-Rise Mixed-Use" with a maximum building height of 12-storeys and a maximum density of 3.5 FSI (Floor Space Index) by Vaughan Official Plan 2010 (VOP 2010). The lands are also subject to site-specific Exception 13.2 in Volume 2 of VOP 2010, which permits a Low-Rise Building form. Townhouses are identified as a permitted Low-Rise Building form in VOP 2010.

The "Mid-Rise Mixed-Use" designation also permits townhouse dwellings within 70 metres of lands designated "Low-Rise Residential" in order to provide for an appropriate transition to a "Low Density Residential" area. The subject lands abut lands designated "Low-Rise Residential" to the

west and south. Accordingly, the proposed two and three-storey townhouse units conform to VOP 2010.

### Zoning

The subject lands are zoned RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone Three with the Holding Symbol “(H)” and OS2 Open Space Park Zone, which does not permit the proposed street townhouse residential uses. Therefore, a Zoning By-law Amendment is required to rezone the subject lands to RT1 Residential Townhouse Zone in the manner shown on Attachment #8, and to permit the following site-specific zoning exceptions to facilitate the development:

Table 1

	<b>By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RT1 Zone</b>	<b>Proposed Exceptions to the RT1 Zone</b>
a.	Frontage on a Public Street	A lot must front onto a public street	Permit a lot to front onto a private road
b.	Definition of Exterior Lot Line for Lots Abutting a Private Road	Means the lot line, on a corner lot, which is a street line and which is not the front lot line.	Means the lot line, on a corner lot, which is abutting a private road and which is not the front lot line.
c.	Definition of Hydro and Gas Meter Screen Wall	Zoning By-law 1-88 does not include a definition of a “Hydro and Gas Meter Screen Wall”	A “Hydro and Gas Meter Screen Wall” shall be defined as follows:  Means a structure for the purposes of total or partial physical and/or visual separation or enclosure of a hydro or gas meter utility.
d.	Permitted Yard Encroachments for a Hydro and Gas Meter Screen Wall	Zoning By-law 1-88 does not include a permitted yard encroachment for a “Hydro and Gas Meter Screen Wall”	The maximum permitted yard encroachment into any required yard for a hydro and gas meter screen wall with or without foundation shall be 0.5 m

	By-law Standard	Zoning By-law 1-88 Requirements of the RT1 Zone	Proposed Exceptions to the RT1 Zone
e.	<p>Minimum Development Standards for Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate:</p> <ul style="list-style-type: none"> <li>i. Lot Frontage</li> <li>ii. Lot Area</li> <li>iii. Front Yard Setback</li> <li>iv. Rear Yard Setback</li> <li>v. Lot Depth</li> </ul>	<ul style="list-style-type: none"> <li>i. 6 m / unit</li> <li>ii. 162 m<sup>2</sup></li> <li>iii. 4.5 m</li> <li>iv. 7.5 m</li> <li>v. 27 m</li> </ul>	<ul style="list-style-type: none"> <li>i. 5.4 m / unit</li> <li>ii. 115 m<sup>2</sup></li> <li>iii. 3 m</li> <li>iv. 6 m to a Garage; 4 m to a Porch; and, 3 m to a Deck, Unenclosed Porch or Balcony</li> <li>v. 21.5 m</li> </ul>
f.	<p>Minimum Exterior Side Yard Setback:</p> <ul style="list-style-type: none"> <li>i. Where the exterior lot line abuts a Private Road</li> <li>ii. Where the exterior lot line abuts Torah Gate</li> </ul>	<ul style="list-style-type: none"> <li>i. 4.5 m</li> <li>ii. 4.5 m</li> </ul>	<ul style="list-style-type: none"> <li>i. 1.2 m</li> <li>ii. 3 m</li> </ul>
g.	Minimum Setback to a Non-Residential Use (Parking Area, Parkette, Walkway, Easement, or the Dead End of a Private Road)	3.5 m	0.8 m
h.	Minimum Setback to a Sight Triangle	4.5 m	<ul style="list-style-type: none"> <li>i. 2 m to a Dwelling Unit</li> <li>ii. 1 m to a Porch or Balcony</li> </ul>
i.	Maximum Building Height for Dwelling Units on Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate	11 m	12.3 m

	<b>By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RT1 Zone</b>	<b>Proposed Exceptions to the RT1 Zone</b>
j.	Minimum Lot Depth for all Lots fronting onto a Private Road	27 m	26 m
k.	Minimum Rear Yard Setback for all Lots fronting onto a Private Road	7.5 m	7 m
l.	No Encroachment Zone for Unenclosed Porches (Covered or Uncovered), Cold Cellars and Architectural Features and Balconies	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a sight triangle.	A 1 m no encroachment zone shall be maintained within the front and exterior side yards and sight triangle for units fronting onto Bathurst Street, Lady Dolores Avenue and Torah Gate.
m.	Minimum Side Yard Setback to a Central Air Conditioning Unit for Lots fronting on Bathurst Street, Lady Delores Avenue, and Torah Gate	1.2 m	0 m
n.	Minimum Number of Visitor Parking Spaces	30 spaces (0.25 spaces / unit x 117 units)	26 spaces (0.22 spaces / unit x 117 units)

The Vaughan Planning Department can support the proposed site-specific zoning exceptions to the RT1 Residential Townhouse Zone for the following reasons:

a) Frontage onto a Private Road and Definition of Exterior Lot Line

Zoning By-law 1-88 requires street townhouse dwellings to front onto a public street. The proposed development consists of a number of townhouse units fronting onto a private road as part of a common element condominium. Accordingly, an exception is required to permit the proposed townhouse units to front onto a private road.

Similarly, modification to the definition of exterior lot line is required for all corner lots with a side lot line abutting a private road, as Zoning By-law 1-88 requires an exterior lot line

to abut a public street. The Vaughan Planning Department has no objections to these zoning exceptions.

b) Definition of Hydro and Gas Meter Screen Wall and Permitted Encroachment

The proposed townhouse dwellings that front onto Bathurst Street, Lady Dolores Avenue and Torah Gate utilize a “dual frontage” elevation, where the main entrance of the dwelling faces the public street and the rear yard of each townhouse unit consists of a driveway, garage, porch and balcony fronting onto a private road.

A screen wall projection from the proposed porch in the rear yard will appropriately mitigate the visual impact of hydro and gas meter utility boxes from the internal streetscape. On this basis, the Vaughan Planning Department is satisfied with the definition of “Hydro and Gas Meter Screen Wall” and the proposed 0.5 m encroachment into the required yard.

c) Minimum Lot Frontage, Lot Area and Lot Depth Requirements

The Vaughan Planning Department has no objections to the proposed lot frontage, lot area and lot depth requirements, as they will facilitate an appropriate medium intensity housing form while maintaining a suitable integration into the existing adjacent low-rise residential area, as stipulated by the Official Plan.

d) Minimum Yard Requirements

The proposal to reduce the minimum yard setbacks, minimum setback to the sight triangle, and minimum building encroachments will facilitate an attractive public realm along Bathurst Street, Lady Dolores Avenue and Torah Gate, and will assist in creating a strong urban housing form for the proposed townhouse units located internal to the subject lands.

e) Maximum Building Height

The proposed maximum building height of 12.3 m is to facilitate three-storey townhouse units located on Bathurst Street, Lady Dolores Avenue and Torah Gate. Two-storey townhouse units are proposed for lots located internal to the subject lands, and comply with the 11 m maximum building height requirement of the RT1 Zone. The Vaughan Planning Department is of the opinion that the proposed building height for the townhouse units fronting on a public street will facilitate an urban housing form that provides an appropriate variation in height and massing to the internal townhouse units.

f) Minimum Setback to Central Air Conditioning Units

An exception to the minimum setback to a central air conditioning unit is required as a result of air conditioning units being located on the balcony of the proposed townhouse units fronting Bathurst Street, Lady Dolores Avenue and Torah Gate. The units will be concealed from abutting properties by a 1.8 m high privacy wall. Accordingly, the Vaughan Planning Department has no objections to the reduction in minimum setback to an air conditioning unit.

g) Minimum Visitor Parking

Zoning By-law 1-88 requires a minimum visitor parking requirement of 0.25 spaces / unit for all residential units except Single Detached, Semi-Detached and Street Townhouse dwellings. The proposed development consists of a number of townhouse units fronting onto or requiring vehicular access to a private road as part of a common element

condominium. Accordingly, the proposal requires a minimum of 30 visitor parking spaces (0.25 visitor spaces / unit x 117 units = 29.25 spaces rounded to 30 spaces), whereas the owner is proposing 26 visitor parking spaces (0.22 visitor spaces / unit x 117 units = 25.74 spaces rounded to 26 spaces).

The Owner has submitted a Parking Addendum by Poulos and Chung, dated February 2015, justifying the reduction in visitor parking. The Parking Addendum concludes that the proposed rate of 0.22 spaces / unit exceeds the recommended visitor parking rate of 0.20 spaces / unit outlined in the City-wide Parking standards study prepared by the IBI Group in March, 2010.

The Vaughan Development and Infrastructure Planning Department has reviewed the Parking Addendum and has no objections to its findings, as the proposed visitor parking rate is consistent with the IBI Report. Accordingly, the Vaughan Planning Department is satisfied with the proposed visitor parking requirement of 26 spaces.

h) Summary

The proposed zoning conforms to the applicable Official Plan policies and the site-specific zoning exceptions will facilitate a housing form that is consistent with the existing and planned built form in the area. The Vaughan Planning Department has no objections to the proposed zoning, and supports the approval of Zoning By-law Amendment File Z.14.022.

Subdivision Design

The proposed Draft Plan of Subdivision will create one residential block, shown as Block "1" on Attachment #5, to facilitate the proposed site plan, condominium common elements, and the creation of 117 freehold townhouse lots through a future Part Lot Control Application. The concurrent Draft Plan of Condominium (Common Element) (File 19CDM-14V006) will create the proposed private roads, visitor parking, walkways, and parkette/amenity space.

The Draft Plan of Subdivision consists of four additional blocks, shown as Blocks "2" to "5" on Attachment #5, for the purposes of a widening along Bathurst Street, utility easements, and 0.3 m reserves.

All development within the Draft Plan of Subdivision must proceed in accordance with the approved Block 12 Urban Design and Architectural Design Guidelines prepared by Watchorn Architects Inc. A condition to this effect is included in Attachment #1.

The subject lands are located within Block 12, which is subject to a Developer's Group Agreement. The Owner is required to satisfy all obligations, financial or otherwise, of the Block 12 Developer's Group Agreement to the satisfaction of the Block 12 Trustee. A condition to this effect is included in Attachment #1.

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

## Site Plan

The proposed overall site plan is shown on Attachment #8. The subject lands are bounded by an existing bank and gas station to the north, Bathurst Street to the east, low-rise residential land uses to the west, and an existing place of worship to the south. The subject lands are bounded by Lady Dolores Avenue to the south and Torah Gate to the west, both being public right-of-ways measuring 20 m in width. An existing park (Forest View Park) is located approximately 200 m southwest of the subject lands on the south side of Lady Dolores Avenue, west of Lady Nadia Drive.

The proposed plan consists of 117 freehold townhouse units served by five private condominium roads, walkways, a 436 m<sup>2</sup> parkette and 26 visitor parking spaces located throughout the interior of the development, as shown on Attachment #8. Access to the subject lands is proposed from Lady Dolores Avenue and Torah Gate. The Condominium Corporation will privately administer off-site snow storage, garbage and 3-stream recycling pick-up. A community mailbox pad location is proposed on Street "D", as shown on Attachment #8.

Five private condominium roads with single-loaded sidewalks are located interior to the subject lands, and consist of controlled and uncontrolled pedestrian crosswalks strategically located within the site to provide a safe walking route, as shown on Attachment #7. Additional pedestrian walkways are located at the northeast corner of the subject lands and through the proposed parkette area.

Buildings "1" to "5" and "15" to "21", as shown on Attachment #8, are located interior to the subject lands, and are designed as traditional two-storey townhouse units with a backyard and a garage located in the front of the dwellings, as shown on Attachments #9 and #14. Buildings "6" to "16", as shown on Attachment #8, front onto Bathurst Street, Lady Dolores Avenue and Torah Gate, and are designed as "dual-frontage" three-storey townhouse units, as shown on Attachments #10 and #15. Building entrances for the dual-frontage townhouse units are provided on both the private road and public street, with access to a single car garage door from the private road. Each townhouse unit will provide one car in the garage and one on the driveway.

The townhouse dwellings are proposed to be constructed using brick as the main building façade material, with stone veneer at the base of the unit. The units reflect traditional building forms that are consistent with the surrounding neighbourhood. The rear elevation of each townhouse unit fronting onto Bathurst Street, Lady Dolores Avenue and Torah Gate consist of a balcony at the second level of each unit.

The Vaughan Planning Department will continue to work with the Owner to finalize the details of the proposed development. The final site plan, building elevations, landscape plan and landscape cost estimate must be approved to the satisfaction of the Vaughan Planning Department. Prior to the execution of the Site Plan Letter of Undertaking, the Draft Plan of Subdivision File 19T-14V005 shall be registered. Conditions to this effect are included in the recommendation of this report.

## Draft Plan of Condominium (Common Element)

The Owner has submitted Draft Plan of Condominium (Common Element) File 19CDM-14V006 for the subject lands shown on Attachments #3 and #4, for the creation of common elements comprised of the 7.5 m wide private roads, parkette/amenity space area, walkways, and visitor parking areas, as shown on Attachment #6.

A 6 m wide private storm sewer easement in favour of the future Condominium Corporation is located within the condominium plan area in the rear yards of all townhouse units located interior to the site, as shown on Attachment #6. The easement is required for stormwater collected from rear lot catchbasins for conveyance to the common element private road.



The Vaughan Planning Department is satisfied with the proposed common elements condominium, subject to the Conditions of Draft Approval in Attachment #2.

Vaughan Development Engineering and Infrastructure Planning Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed the applications and provides the following comments:

a) Road Network

Site access is proposed via access points from Torah Gate and Lady Dolores Avenue, which are local roads.

b) Traffic and Transportation

The Owner has submitted a Traffic Impact Assessment and Transportation Demand Management Report prepared by Poulos and Chung, dated October, 2014. Respecting comments made by the deputant at the September 2, 2014 Public Hearing, the Development Engineering and Infrastructure Planning Services Department concurs with the conclusions of the submitted Traffic Impact Study, which indicates that traffic flows generated by the proposed development can be satisfactorily accommodated by the existing roadway network, and that all site entrances operate at satisfactory levels of service without disrupting primary vehicle flows on the boundary roads.

In addition, the report concludes that the proposed internal roadway network, including the site entrances, are sufficient to facilitate the movement of all emergency and service vehicles, and that the internal sidewalk plan, as shown on Attachment #7, will provide a high level of pedestrian connectivity through the site.

c) Sanitary and Water Servicing

The Owner has submitted a Functional Servicing Report entitled "Functional Servicing Report, Andrin Homes, Townhouse Development, Block 12, City of Vaughan", dated November 2014, prepared by Schaeffers Consulting Engineers. Existing sanitary and storm sewers located at Lady Dolores Avenue and Torah Gate are proposed to service the site. Prior to final approval, the Functional Servicing Report shall be to the satisfaction of the Development Engineering and Infrastructure Planning Services Department.

d) Stormwater Management

Stormwater management for the proposed development consists of on-site detention to reduce the post-development flows to levels that are equal or less than corresponding target flows. Water quantity and quality control measures are to be provided by the Block 12 stormwater management pond "4", which is designed to provide enhanced water quality, erosion and quantity control in accordance with the Ministry of the Environment and Climate Change (MOECC) "Stormwater Management Planning and Design (SWMPD) Manual" dated March, 2003.

e) Noise

The Owner has submitted an addendum letter to the noise report entitled "Update, Environmental Noise Analysis, Block 12, Nonnodesto Subdivision, Proposed Residential Development, Teston Road and Bathurst Street, City of Vaughan", dated November 3, 2014, prepared by Valcoustics Canada Ltd. The addendum letter recommends

mandatory air conditioning for units along Bathurst Street together with noise attenuation and warning clauses. The recommendations and warning clauses are included as conditions of approval in Attachments #1 and #2.

f) Environmental Site Assessment (ESA)

The Owner submitted the following environmental site assessment documents in support of the proposal:

- Site Screening Questionnaire
- SPL Consultants Ltd. (SPL) report entitled "Phase Two Environmental Site Assessment, 10640 Bathurst Street, City of Vaughan, Ontario, Draft Plan 19T-12V06" dated March 15, 2013
- Ministry of Environment and Climate Change (MOECC) Record of Site Condition (RSC) #81315

The Department has reviewed the above-noted reports and has no objections to the proposal. No further environmental documents are required for the subject applications.

g) Lot Grading

Lot grading shall be designed in accordance with the City of Vaughan design criteria and standards.

h) Servicing Capacity Allocation

On October 29, 2013, Vaughan Council endorsed the City's annual servicing capacity allocation strategy report. The report confirmed servicing capacity is available to support continued urban growth throughout the City of Vaughan over the next three years. Accordingly, servicing capacity for the subject development is available and unrestricted for the proposed 117 freehold townhouse units. A condition to this effect is included in the recommendation of this report.

Vaughan Legal Services Department, Real Estate Division

The Owner is required to pay cash-in-lieu of parkland dedication in accordance with the recommendation in this report.

School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications, and require no conditions.

Canada Post

Canada Post Corporation has no objection to the proposed development applications, subject to the conditions of subdivision approval in Attachment #1, and conditions of condominium approval in Attachment #2. The Vaughan Planning Department, in consultation with Canada Post Corporation, has no objections to the location of the proposed community mailbox, as shown on Attachment #8.

Utilities

Bell Canada has no objection to the proposed Draft Plans of Subdivision and Condominium, subject to the conditions of condominium approval in Attachment #2.

Enbridge Gas Distribution has no objection to the proposed applications, subject to their conditions in Attachment #1.

PowerStream Inc. has advised that it is the responsibility of the Owner to contact PowerStream Inc. to determine the type of available service in the area to supply this project and assess PowerStream Inc.'s charges.

### **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 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.

### **Regional Implications**

The development is located within the Bathurst Trunk Wastewater Service Area of the York-Durham Sewage System, and will be serviced from Water Pressure District No. 7.

The York Region Transportation and Community Planning Department has reviewed the applications and provided technical comments, and Conditions of Draft Approval, in a letter dated November 17, 2014. York Region has no objection to the proposed Draft Plan of Subdivision and Draft Plan of Condominium (Common Element), subject to their conditions identified in Attachments #1 and #2.

In addition, York Region requests that the City of Vaughan apply a lapsing provision to the Draft Plan of Subdivision, 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 reviewed the Site Development application and has no objections to the proposal, in principle. York Region will enter into a Regional Site Plan Agreement with the Owner for this development. Prior to the issuance of final Regional approval and any conditional, partial and/or Building Permits by the City of Vaughan, the Owner must be in receipt of a fully executed Regional Site Plan Agreement.

### **Conclusion**

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.14.022, Draft Plan of Subdivision File 19T-14V005, Draft Plan of Condominium File 19CDM-14V006, and Site Development File DA.14.044, in accordance with the policies of VOP 2010, Zoning By-law 1-88, comments from City Departments and external public agencies, and the area context. The applications facilitate a residential development comprised of 117 freehold block townhouse units on private common element condominium roads. The proposal conforms to the Official Plan, and is compatible with the existing and planned uses in the surrounding area. On this basis, the

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

**Attachments**

1. Conditions of Draft Plan of Subdivision Approval
2. Conditions of Draft Plan of Condominium Approval
3. Context Location Map
4. Location Map
5. Proposed Draft Plan of Subdivision (File 19T-14V005)
6. Proposed Draft Plan of Condominium (Common Element - File 19CDM-14V006)
7. Transportation and Sidewalk Master Plan
8. Overall Site Plan and Proposed Zoning
9. Site Plan - Typical Interior Block
10. Site Plan- Typical Exterior Block
11. Overall Landscape Plan
12. Landscape Plan - Typical Interior Block
13. Landscape Plan - Typical Exterior Block
14. Typical Block 1 (Interior) Building Elevations
15. Typical Block 2 (Dual Frontage) Building Elevations

**Report prepared by:**

Mark Antoine, Planner, ext. 8212  
Christina Napoli, Senior Planner, ext. 8483

Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

MAURO PEVERINI  
Manager of Development Planning

**ATTACHMENT NO. 1**

**STANDARD CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-14V005  
ANDRIN BATHURST HOMES LIMITED (OWNER)  
PART OF LOT 25, CONCESSION 2, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE  
SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF  
PLAN OF SUBDIVISION (PLAN) FILE 19T-14V005, ARE AS FOLLOWS:**

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., drawing #14-2286, dated November 24, 2014.
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of The Planning Act.
3. The Owner shall pay any and all outstanding application fees in accordance with the in-effect Tariff of Fees By-law.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block 12 Plan, if required, to reflect any significant alterations caused from this Draft Plan of Subdivision approval.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to the transfer of land.
7. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
8. Prior to application for Building Permit, site plan approval may be required for certain types of development under the City's Site Plan Control By-law, for development on draft approved Block 1.
9. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the York Region Transportation and Community Planning Department. Proposed street names shall be submitted by the Owner for approval by Vaughan Council and shall be included on the first engineering drawings.
10. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
11. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3 m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.

12. Final engineering design(s) may result in minor variations to the Plan (eg., in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
13. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and York Region.
14. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City.
15. Prior to final approval, or prior to the initiation of grading or stripping of topsoil, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan, including topsoil storage plan, detailing the location, size, side slopes, stabilization methods and time period, for approval by the City; topsoil storage shall be limited to the amount required for final grading with the excess removed from the site and shall not occur on park or school Blocks.
16. The Owner shall agree to enter into a Site Plan Letter of Undertaking and any other necessary agreements, satisfactory to the City or any other appropriate authority, prior to any development within the Plan. The Agreement may deal with matters including, but not limited to, the following: engineering matters such as municipal services; road widening; construction and reconstruction; signals; grading; fencing; noise mitigation, and warning clauses; financial issues, such as cash contributions, levies (development charges); land dedications or reserves; securities, or letters of credit; planning matters such as residential reserve blocks, buffer blocks, site plan and landscape plan approvals, and conservation heritage matters.
17. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
18. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
19. The Owner shall agree in the subdivision agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
20. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the plan.
21. The Owner shall agree that on Lots with flankages on a collector or primary road, as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and the Director of Development Planning, prior to issuance of a Building Permit.
22. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
23. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis as determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.

24. a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit environmental site assessment report(s) in accordance with the "Ministry of Environment and Climate Change Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
- b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment and Climate Change (MOECC).
- c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
- d) Where lands are being conveyed to the City for parkland purposes, the Owner shall agree that prior to issuance of any Building Permits, the Owner shall submit a Phase 2 environmental site assessment report(s) addressing all park Blocks in the Plan, in accordance with the Ministry of Environment and Climate Change Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
25. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:
- a) A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
- i. plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
  - ii. the location and description of all outlets and other facilities;
  - iii. storm water management techniques which may be required to control minor or major flows; and,
  - iv. proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
- The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
26. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.

- b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.
- 27. The Owner shall prepare a noise report at the Owner's expense and shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the noise consultant recommendations in the report to the satisfaction of the City.
  - 28. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with City standards and specifications.
  - 29. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with an Urban Design and Architectural Design Guidelines.
  - 30. Prior to execution of the Site Plan Agreement, 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.
  - 31. Prior to final approval, the Owner shall submit a tree assessment, including an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting; the Owner shall agree to undertake the measures identified in the City-approved assessment.
  - 32. Prior to final approval, the Owner shall submit an Urban Design Guidelines Report which shall identify all the objectives of the approved Urban Design Guidelines for the Block 12 Plan.
  - 33. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a Fill Permit issued by the City, and a development agreement, if necessary.
  - 34. Prior to final approval, Architectural Design Guidelines shall be submitted for Vaughan Council's approval; the Owner shall agree that:
    - a) a control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved architectural design guidelines;
    - b) prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
    - c) the City may undertake periodic reviews to ensure compliance with the architectural guidelines; should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect at the expense of the Owner.
  - 35. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all Lots/Blocks within the entire Plan:
    - a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is



included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling.”

- b) “Purchasers and/or tenants are advised that proper grading of all lots in conformity with the subdivision grading plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord.”

- c) “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

- d) “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-law 1-88, as amended, as follows:

- a) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
- b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6 - 6.99 m <sup>1</sup>	3.5 m
7 - 8.99 m <sup>1</sup>	3.75 m
9 - 11.99 m <sup>1</sup>	6 m
12 m and greater <sup>2</sup>	9 m

<sup>1</sup>The Lot Frontage for Lots between 6 - 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

<sup>2</sup>The Lot Frontage for Lots 12 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.”

- e) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office."
- f) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- g) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the construction drawings."
- h) "The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement."
- i) "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation features and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the construction drawings."

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is NOT a requirement of this subdivision agreement.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or York Region and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the Lot Owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by York Region and maintained by the City with the exception of the usual grass maintenance."

- j) "Purchasers and/or tenants are advised that this Plan is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the construction drawings and the location is subject to change without notice."
- k) "Purchasers and/or tenants are advised that Bathurst Street may be used as transit routes in the future."
- l) "The Owner shall inform the public and all purchasers and tenants that this development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marketing material, etc."

Any additional warning clause as noted in the subdivision agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.

36. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails.
- the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at \* \_\_\_\_\_".

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

*[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]*

37. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.
38. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the Plan as and when each dwelling unit is constructed.

39. Prior to final approval of the Plan, the Trustee for Block 12 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 12 Landowners Cost Sharing Agreement.

#### York Region Conditions

40. Prior to draft plan approval for any residential units, the Owner shall enter into an indemnity agreement with York Region, which agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions of draft approval as part of the draft approval of Plan of Subdivision File 19T-14V005, or any phase thereof, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the Owner.
41. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this Plan or any phase thereof. Registration of the Plan shall occur in phases based on the availability of water supply and sewage servicing allocation.
42. The Owner shall agree in the subdivision agreement that 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.
43. Prior to final approval, engineering drawings showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management branch for review.
44. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this Plan. The report/plan, submitted to the Transportation and Community Planning Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
45. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Community Planning Department to implement the recommendations of the Functional Transportation Report/Plan as approved by the Transportation and Community Planning Department.
46. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Transportation and Community Planning Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Transportation and Community Planning Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
47. Prior to final approval, the Owner shall provide a set of engineering drawings, approved by the City, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto York Region roads, for all lands within this Plan, to the Transportation and Community Planning Department for verification that all York Region's concerns have been satisfied.

48. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOECC) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Community Planning and Development Services Branch, Attention: Manager, Development Engineering, that includes the following drawings:
- a) Plan and Profile for the York Region road and intersections;
  - b) Grading and Servicing
  - c) Intersection/Road Improvements, including the recommendations of the Traffic Report
  - d) Construction Access Design
  - e) Utility and underground services Location Plans
  - f) Signalization and Illumination Designs
  - g) Line Painting
  - h) Traffic Control/Management Plans
  - i) Erosion and Siltation Control Plans
  - j) Landscaping Plans, including tree preservation, relocation and removals
  - k) Requirements of York Region Transit/Viva
49. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Development Engineering and Infrastructure Planning Services Department of the City. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOECC forms together with any supporting information shall be submitted to the Transportation and Community Planning Department, Attention: Mrs. Eva Pulnicki, P.Eng.
50. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Transportation and Community Planning Department and illustrated on the engineering drawings.
51. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department that elevations along the streetline shall be 0.3 metres above the centreline elevations of the York Region roadway, unless otherwise specified by the Transportation and Community Planning Department.
52. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region:
- a) All existing woody vegetation within the York Region road right-of-way;
  - b) Tree protection measures to be implemented on and off the York Region road right-of-way to protect right-of-way vegetation to be preserved;
  - c) Any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region's road rights-of-way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal;
  - d) A planting plan for all new and relocated vegetation to be planted within the York Region road right-of-way, based on the following general guideline:

Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are required, as a condition of approval set out by the City of Vaughan, it is our explicit understanding

that the City of Vaughan will assume responsibility for the maintenance for the enhanced landscaping.

53. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Community Planning Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Transportation and Community Planning Department.
54. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Community Planning Department, that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment and Climate Change guidelines and the York Region Noise Policy.
55. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the Lots or Blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."
56. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to York Region's Transportation and Community Planning Department, the following:
  - a) That no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
  - b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
  - c) That maintenance of the noise barriers and fences bordering on York Region right-of-ways shall not be the responsibility of York Region; and,
  - d) That any landscaping provided on York Region right-of-way by the Owner or the City for aesthetic purposes must be approved by the Transportation and Community Planning Department and shall be maintained by the City with the exception of the usual grass maintenance.
57. The Owner shall convey, prior to the execution of the Regional Site Plan Agreement, the following lands to York Region, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
  - a) A widening across the full frontage of the site where it abuts Bathurst Street of sufficient width as described as Part 10 on Plan 65R-34896, deposited date April 10, 2014;
  - b) A temporary limited easement across the full frontage of the site where it abuts Bathurst Street, from January 2019 to December 2024, of sufficient width as described as Parts 6, 7, 8 and 9 on Plan 65R-34896, deposited date April 10, 2014.
58. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to the York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.

59. Prior to final approval, the Region requires the Owner to submit, in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition Part XV.1 of the Act (as amended) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of York Owner's lands that are the subject of the application, including the lands to be conveyed to York Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to York Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to York Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that York Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to York Region.
60. Prior to final approval, the Owner shall also provide the York Region Transportation and Community Planning Department with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to York Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by York Region or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.
- The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to York Region.
61. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Community Planning Department, to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable provincial legislation and guidelines and to the satisfaction of the City.
62. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, to provide direct walking and cycling connections to boundary roadways and adjacent developments to promote the usage of non-auto travel modes. York Region and the City will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections and facilities.
63. Prior to final approval, the Owner must submit, to the satisfaction of the Transportation and Community Planning Department, a comprehensive Transportation Demand Management (TDM) program to support the proposed development to the satisfaction of York Region. Traffic Impact Assessment (TIA) assumes 23% trip reduction rates to account for Transit and TDM trips,

however, no TDM and transit improvement measures are recommended in the report. The TDM plan shall include but not limited to the following measures:

- a) A check list that identifies the programs/measures, associated costs, the Owner's responsibility and specific actions to carry out the TDM implementation;
  - b) A drawing shall be provided to illustrate the locations of the pedestrian/cycling facilities and connections to adjacent developments and roadways;
  - c) Illustrate the proposed locations of the bicycle racks on the site plan or a concept plan and should be added to the study, where appropriate;
  - d) Provide carefully planned, safe, illuminated and convenient pedestrian walkways and sidewalks linking the subdivision to bus stops and transit stations/ terminals;
  - e) Where appropriate, install adequate signage for pedestrians, including directions to nearest transit stops and terminals; and,
  - f) Provide high quality pedestrian amenities such as benches and garbage receptacles, where appropriate.
64. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer or easement to the City, at no cost to York Region.
65. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Transportation and Community Planning Department that the Owner will be responsible for determining the location of all utility plants within a York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
66. Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Regional Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
67. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

#### Canada Post

68. The Owner will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
69. The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City.



70. The Owner agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
71. The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.
72. The Owner agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
- a) A Community Mailbox concrete base pad per Canada Post specifications;
  - b) Any required walkway across the boulevard, as per municipal standards; and,
  - c) Any required curb depressions for wheelchair access.
73. The Owner further agrees to determine, provide and fit up (a) suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent Community Mail Box site locations (a gravel area with a single row of patio stones - spec to be provided). This will enable Canada Post to provide mail service to new residences as soon as homes are occupied. The Owner further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time (The Owner should provide evidence of how they intend to co-ordinate this activity in a timely manner to a safe and clean usable area).

#### Enbridge Gas Distribution Inc.

74. The Owner shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com 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.
75. 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 shall be the responsibility of the Owner.
76. In the event that easement(s) are required to service this development, the Owner shall provide the easement(s) to Enbridge Gas Distribution at no cost.
77. In the event a pressure reducing regulator station is required, the Owner shall provide a 3 metre by 3 metre exclusive use location that cannot project into the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details, contact SalesArea30@enbridge.com.
78. The Owner shall grade all road allowances to a final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

#### Other Conditions

79. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:

- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
  - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 78 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
80. The City shall advise that Conditions 1 to 39 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
81. York Region shall advise that Conditions 40 to 67 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
82. Canada Post shall advise that Conditions 68 to 73 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
83. Enbridge Gas Distribution Inc. shall advise that Conditions 74 to 78 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

## **ATTACHMENT NO. 2**

### **CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM FILE 19CDM-14V006  
ANDRIN BATHURST HOMES LIMITED (OWNER)  
PART OF LOT 25, CONCESSION 2, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (PLAN) FILE 19CDM-14V006, ARE AS FOLLOWS:**

#### **City of Vaughan Conditions**

1. The Plan shall relate to a Draft Plan of Condominium, prepared by J.D. Barnes Limited, drawing #14-21-555-00-draftplan, dated November 18, 2014.
2. Prior to the execution of the condominium agreement, the Owner shall submit a pre-registered plan of condominium to the Vaughan Planning Department, and the related Site Plan Letter of Undertaking shall have been registered on title.
3. The Owner shall enter into a condominium agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary.
4. The following provisions shall be included in the condominium agreement:
  - a) the Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
  - b) snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation;
  - c) the following warning clauses shall be included in all Offers of Purchase and Sale or Lease:
    - i. "The Owner shall inform the public and all purchasers and tenants that this development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marketing material, etc."
    - ii. "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
    - iii. "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office."
5. The condominium agreement shall be registered on title against the lands to which it applies, at the cost of the Owner.
6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.

7. Prior to final approval, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
8. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Development Finance & Investments Department.

#### York Region

9. Prior to final approval, the Owner shall provide confirmation that all of the Regional conditions of site plan approval issued for the subject property under Regional File No. SP-V-048-12, have been satisfied.
10. Prior to final approval, the Owner shall execute all Regional agreements and obtain all of the necessary Regional permits required as part of the Site Plan Approval for the subject property issued under Regional File No. SP-V-048-12.
11. Prior to final approval, the Owner shall confirm that all of the works within the Regional right-of-way have been completed to the satisfaction of the Region or that the Region holds sufficient securities to cover the cost of any outstanding works. Should there be insufficient security to cover the cost of the remaining works, the Owner shall arrange for the deposit of additional securities in the amount sufficient to cover the cost of all outstanding works.
12. Prior to final approval, the Owner shall provide confirmation that all transfers of obligation have been completed where Regional agreements require responsibility to change from the Owner to the Condominium Corporation.

#### Canada Post

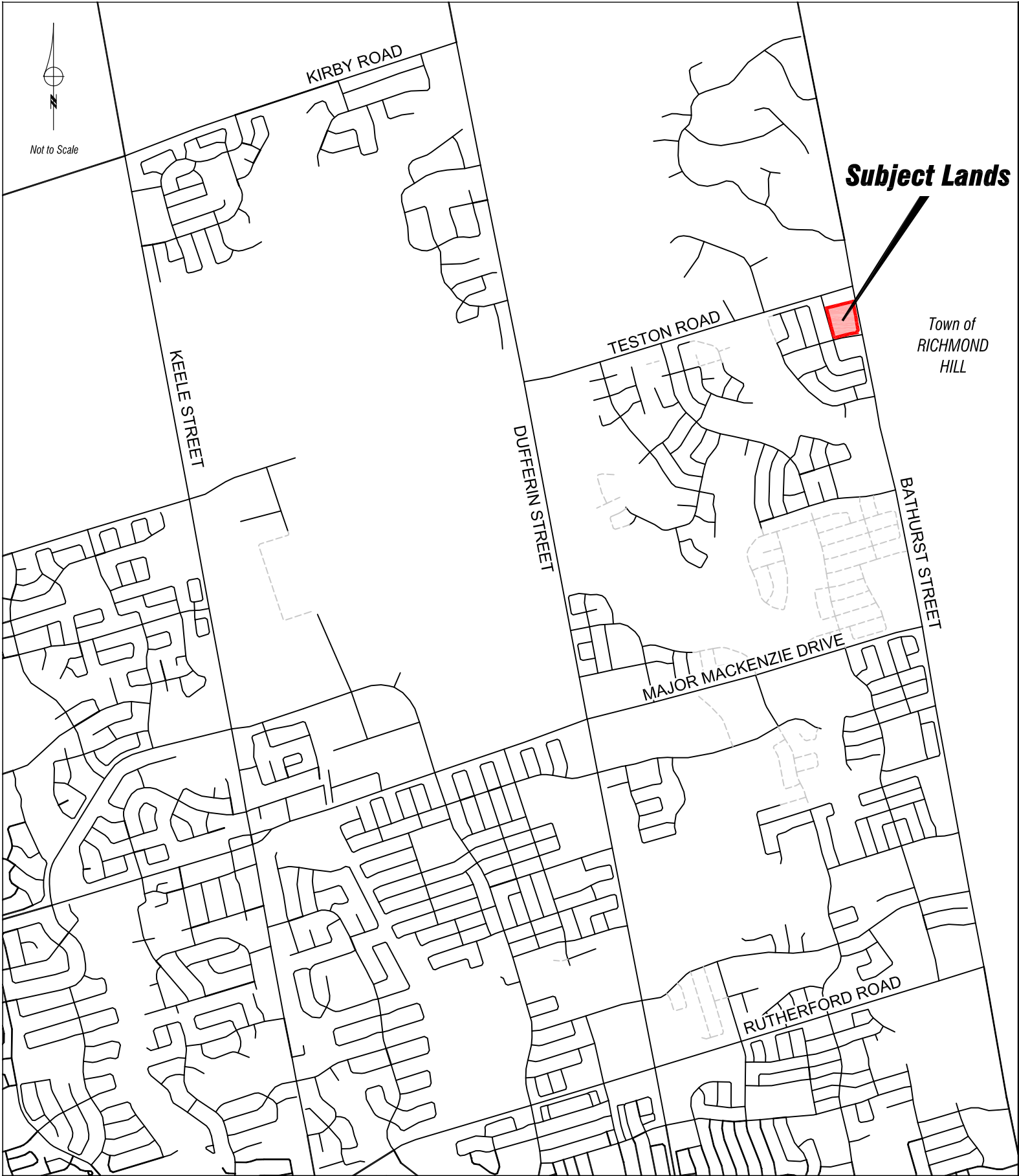
13. The Owner shall address the following conditions of Canada Post:
  - a) The Owner will consult with Canada Post to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
  - b) The Owner agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Vaughan.
  - c) The Owner agrees to include in all Offers of Purchase and Sale, a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
  - d) The Owner will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign-off.
  - e) The Owner agrees to provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
    - 1) A Community Mailbox concrete base pad per Canada Post specifications.
    - 2) Any required walkway across the boulevard, as per municipal standards.
    - 3) Any required curb depressions for wheelchair access.

#### Bell Canada

14. The Owner shall address the following conditions of Bell Canada:
  - a) The Owner shall agree in the Condominium Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
  - b) Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

#### Clearances

15. The City (Vaughan Planning Department) shall advise that Conditions 1 to 8 have been satisfied.
16. York Region shall advise the Vaughan Planning Department in writing that Conditions 9 to 12 inclusive have been satisfied.
17. Canada Post Corporation shall advise the Vaughan Planning Department in writing that Condition 13 has been satisfied.
18. Bell Canada shall advise the Vaughan Planning Department in writing that Condition 14 has been satisfied.



# Context Location Map

LOCATION:  
Part of Lot 25, Concession 2

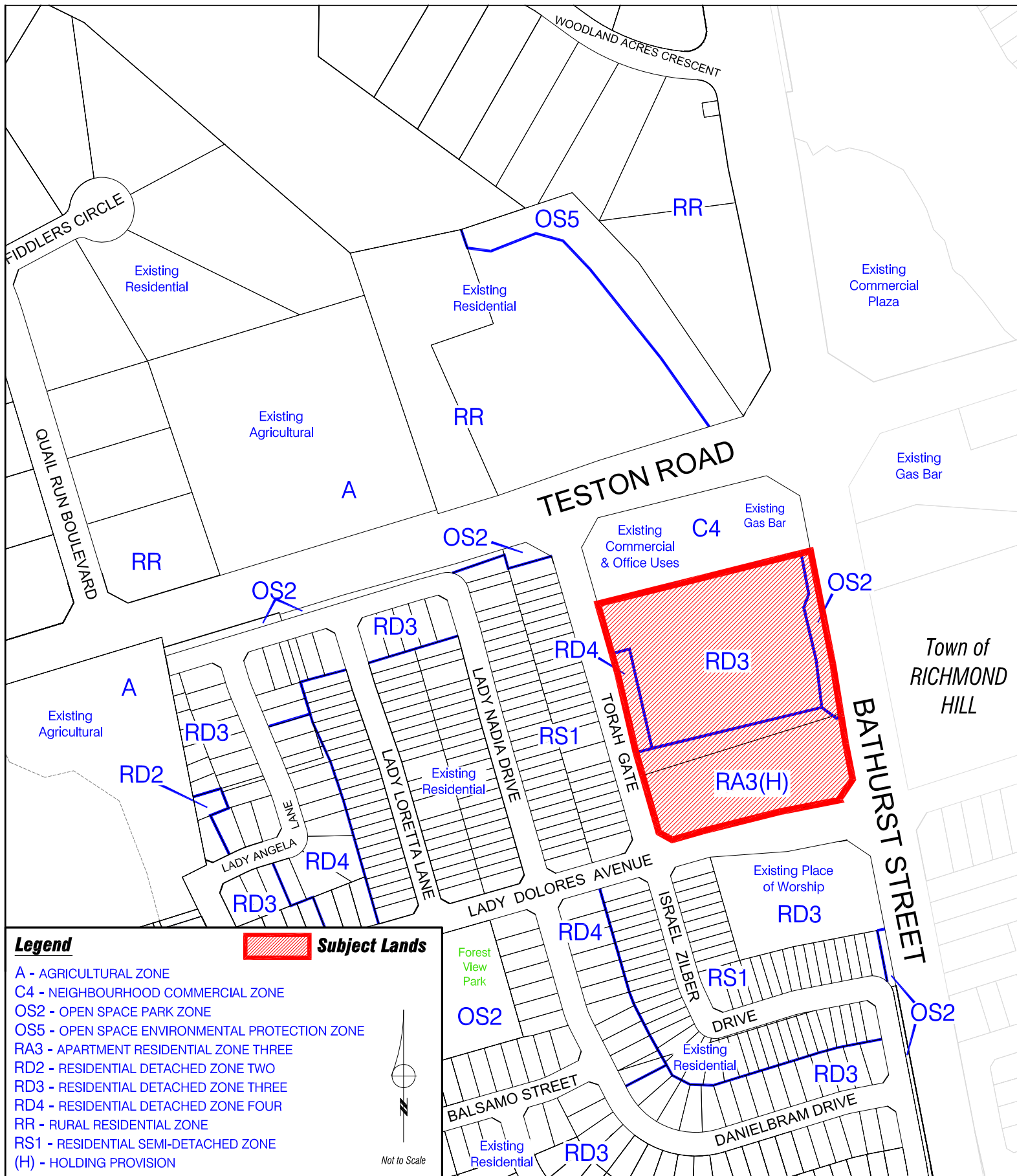
APPLICANT:  
Andrin Bathurst Homes Limited



Attachment  
**3**

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015



## Location Map

LOCATION:  
Part of Lot 25, Concession 2

APPLICANT:  
Andrin Bathurst Homes Limited

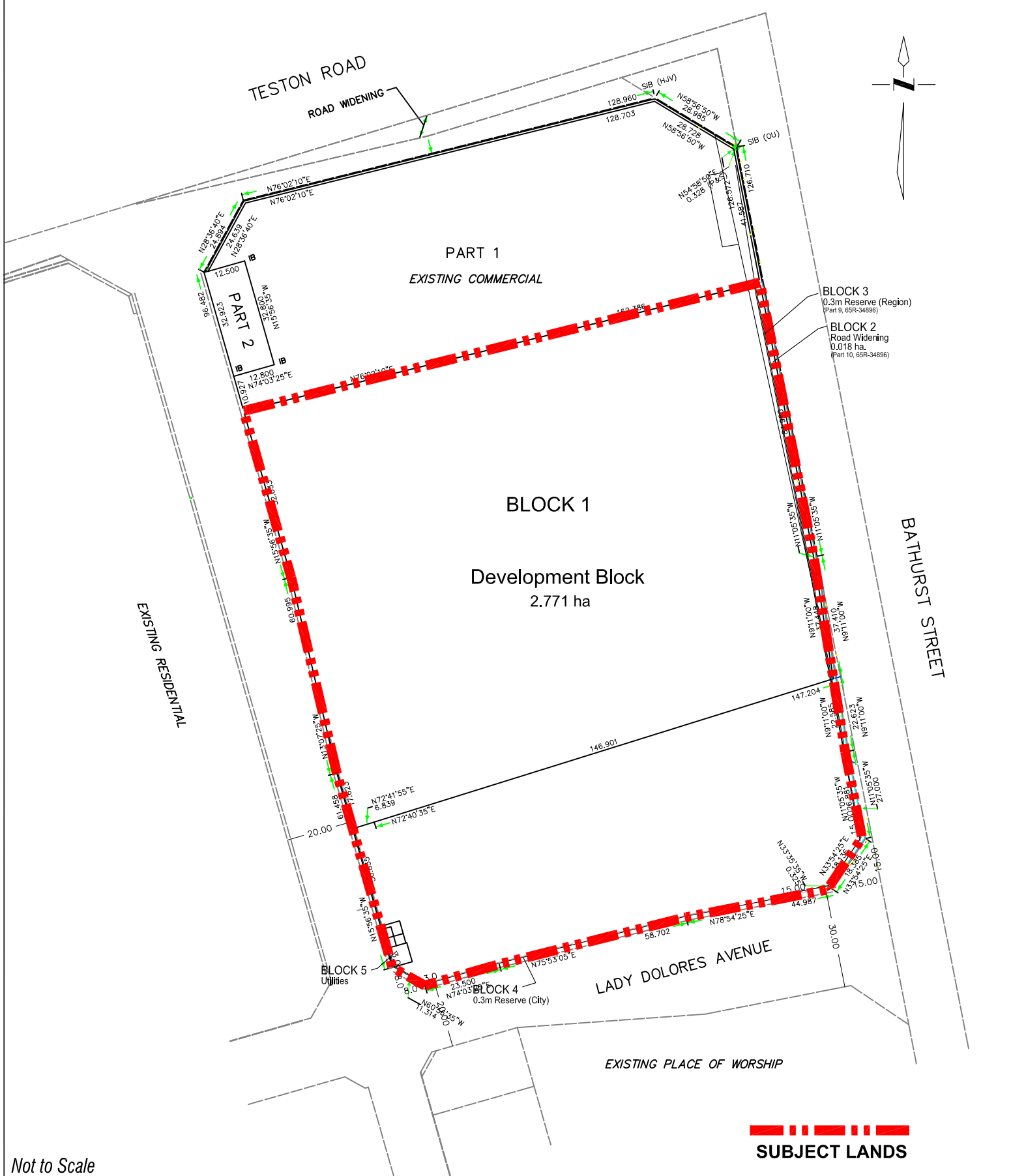


## Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

**4**



# Proposed Draft Plan of Subdivision (File 19T-14V005)

APPLICANT: Andrin  
Bathurst Homes Limited

LOCATION: Part of  
Lot 25, Concession 2



## Attachment

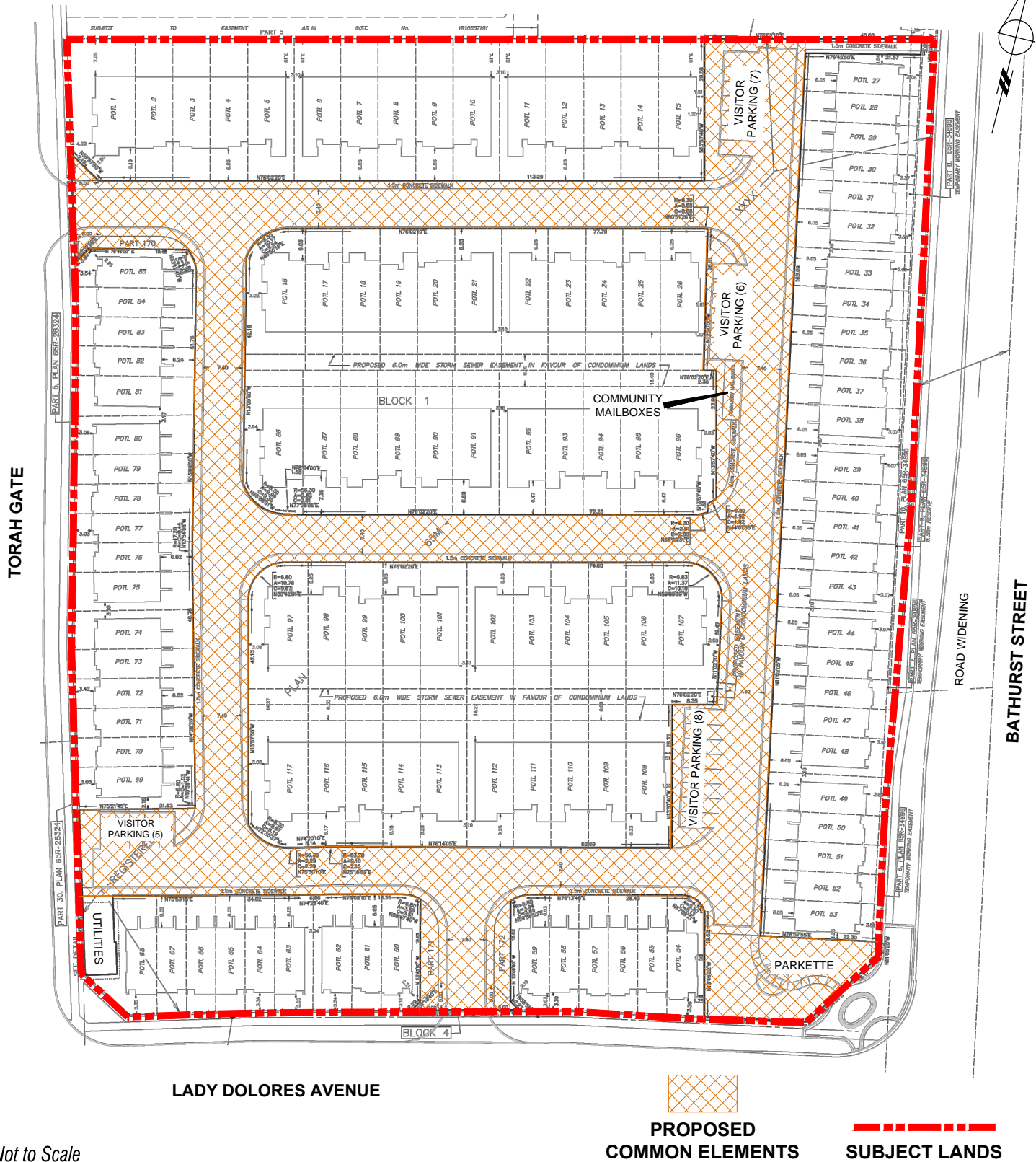
FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

5



# EXISTING COMMERCIAL BUILDINGS



Proposed Draft Plan of  
Condominium (Common Elements -  
File 19CDM-14V006)

APPLICANT: Andrin  
Bathurst Homes Limited

LOCATION: Part of Lot 25,  
Concession 2

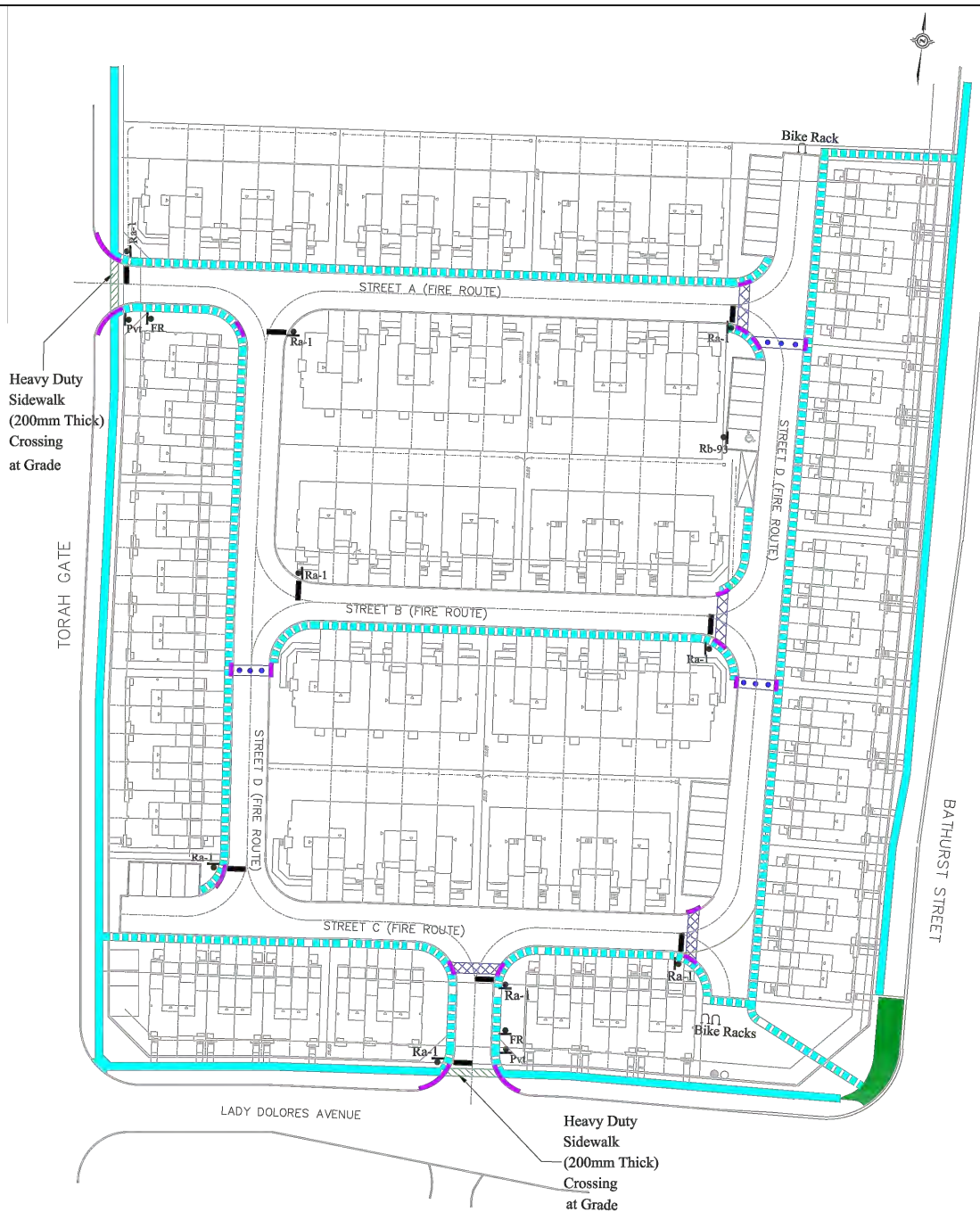
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Attachment  
6

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015



#### Legend:

##### Traffic Calming & Signage

- Sidewalk ( Existing )
- Sidewalk ( Proposed )
- White Stop Bar
- Textured Pedestrian Crosswalk - Uncontrolled
- Textured Pedestrian Crosswalk - Controlled
- Yellow Line Painting
- Bus Stop With Concrete Pad
- Heavy Duty Sidewalk ( 200mm Thick ) Crossing at Grade
- Bike Rack ( Inverted U Style )
- Curb Depression

- Ra-1 ( Stop Sign )
- Pvt " Private Roadway "
- FR " Fire Route - No Parking in Laneway "
- Rb - 93 " Handicap Parking by Permit Only "

##### NOTES:

1. SITE LOCATIONS ARE APPROXIMATE ONLY
2. SIGN INSTALLATION SHOULD CONFORM TO ONTARIO TRAFFIC MANUAL

*Not to Scale*

## Transportation & Sidewalk Master Plan

APPLICANT:  
Andrin Bathurst Homes Limited

LOCATION: Part of  
Lot 25, Concession 2

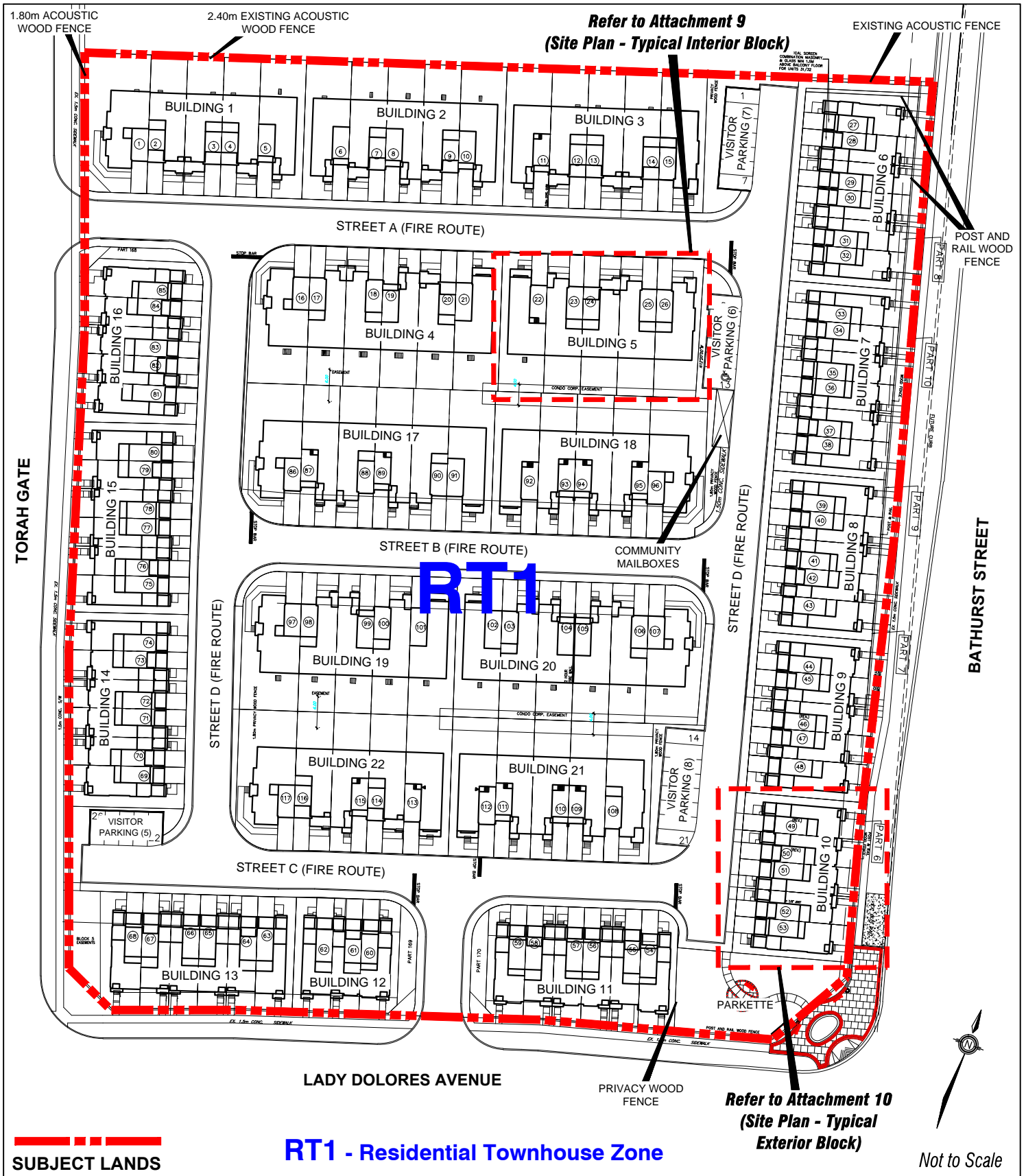


## Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

7



# Overall Site Plan & Proposed Zoning

APPLICANT:  
Andrin Bathurst Homes Limited

LOCATION: Part of  
Lot 25, Concession 2

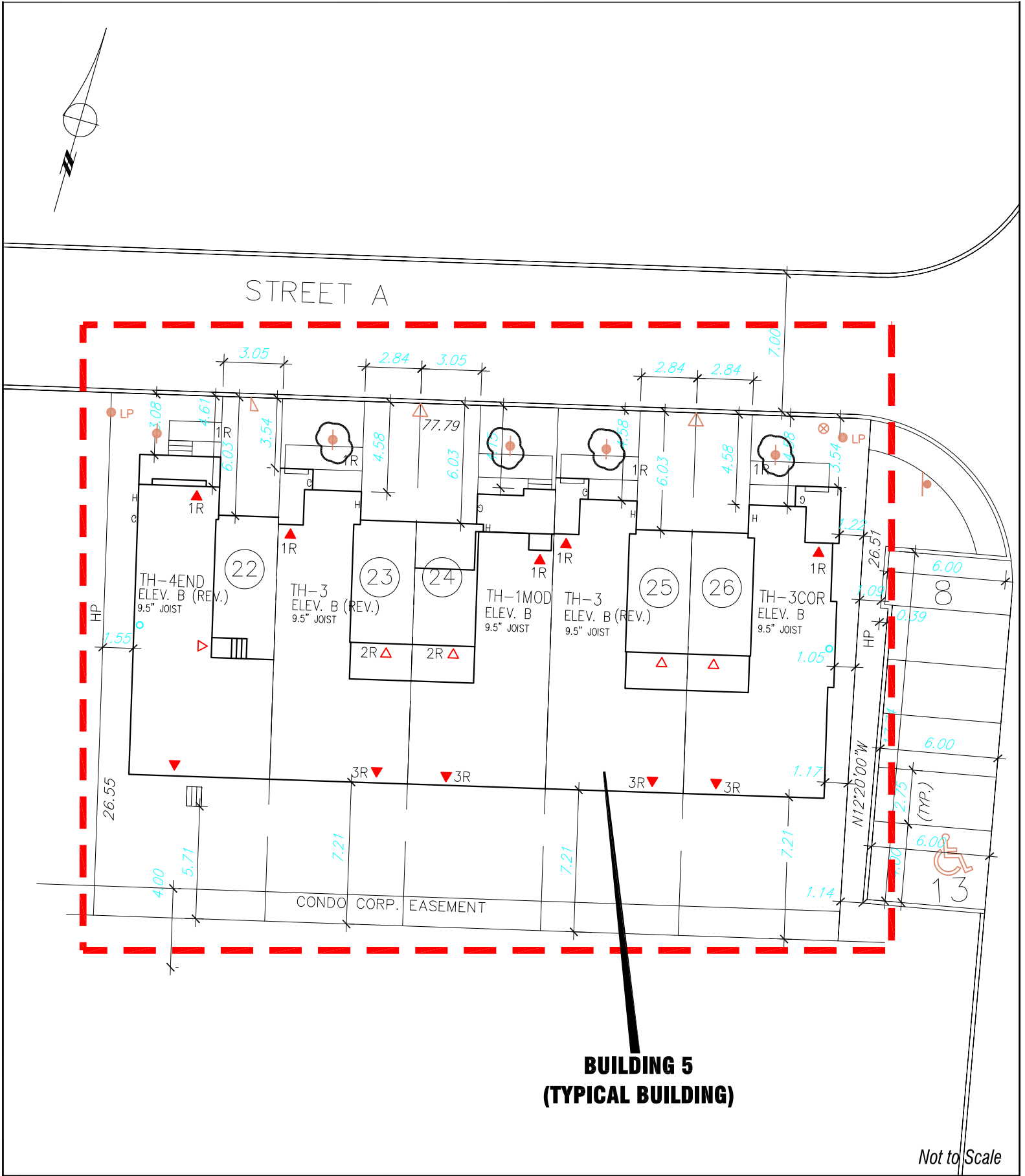


## Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

8

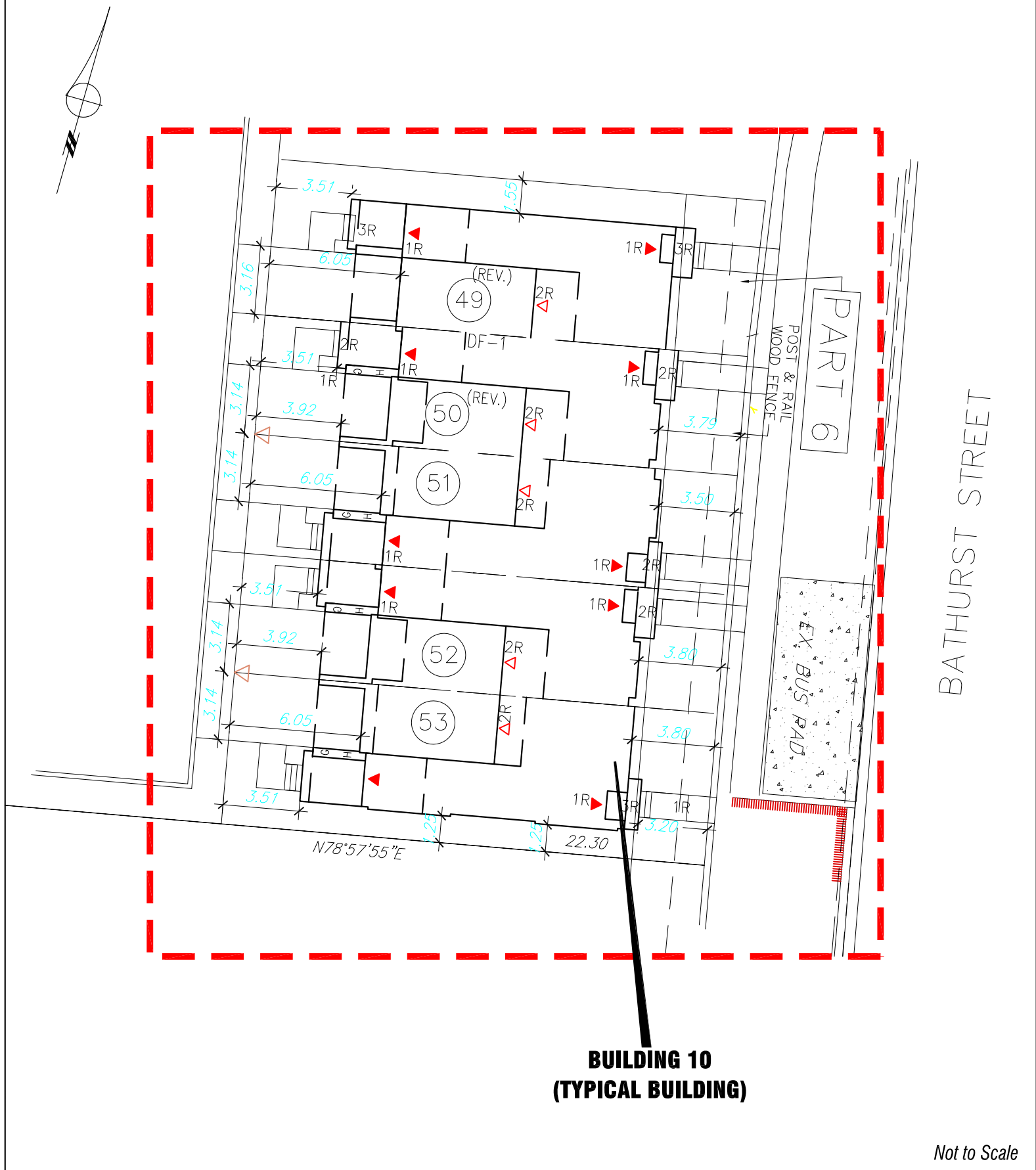


# Site Plan - Typical Interior Block

APPLICANT: Andrin Bathurst Homes Limited  
 LOCATION: Part of Lot 25, Concession 2



Attachment  
 FILES: Z.14.022, 19T-14V005, DA.14.044, & 19CDM-14V006  
 DATE: March 3, 2015  
 9



## Site Plan - Typical Exterior Block

APPLICANT:  
Andrin Bathurst Homes Limited

LOCATION: Part of  
Lot 25, Concession 2



Attachment  
**10**

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

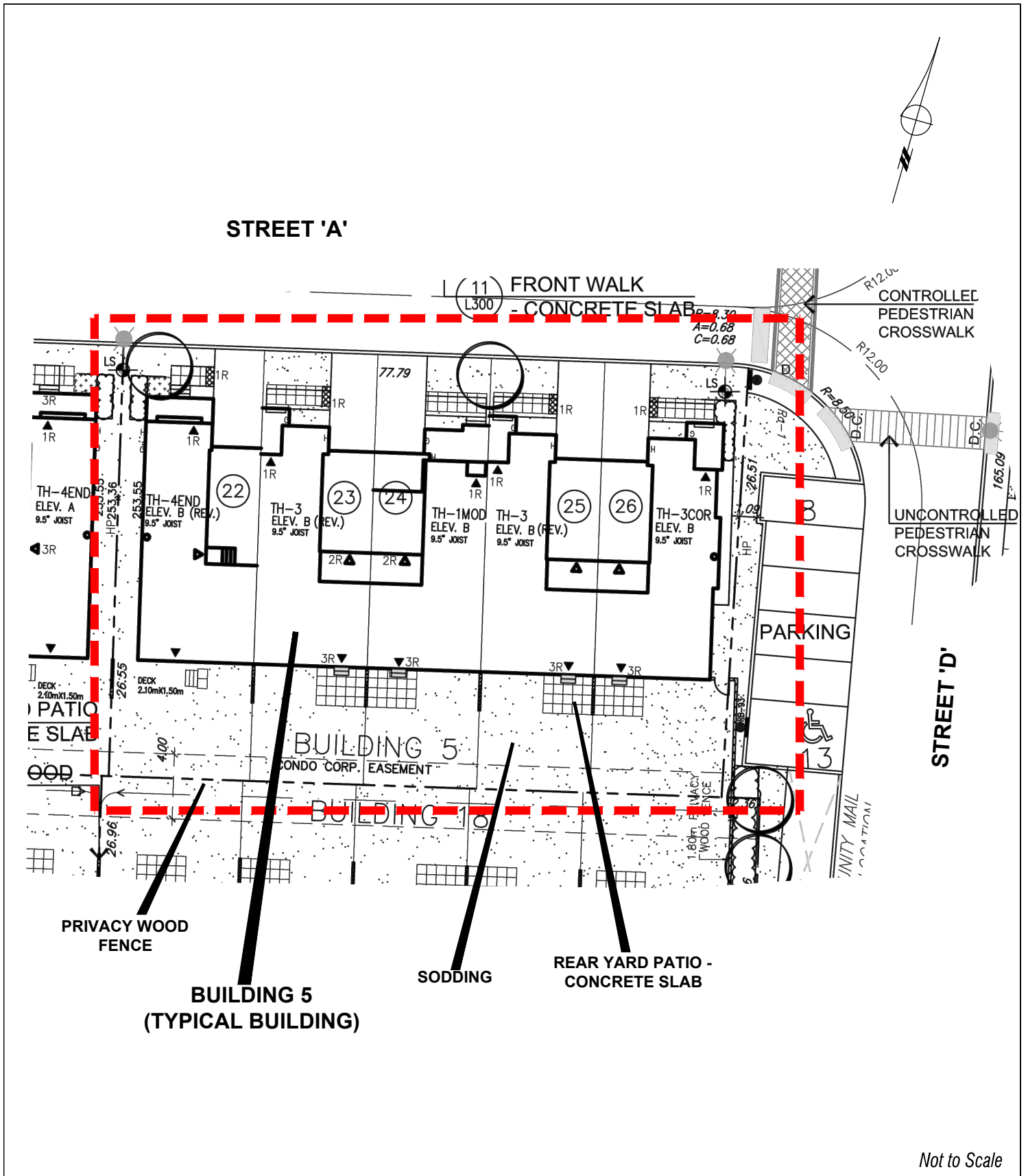
DATE: March 3, 2015



***Refer to Attachment 12  
(Landscape Plan -  
Typical Interior Block)***



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## Landscape Plan - Typical Interior Block

APPLICANT: Andrin Bathurst Homes Limited  
LOCATION: Part of Lot 25, Concession 2

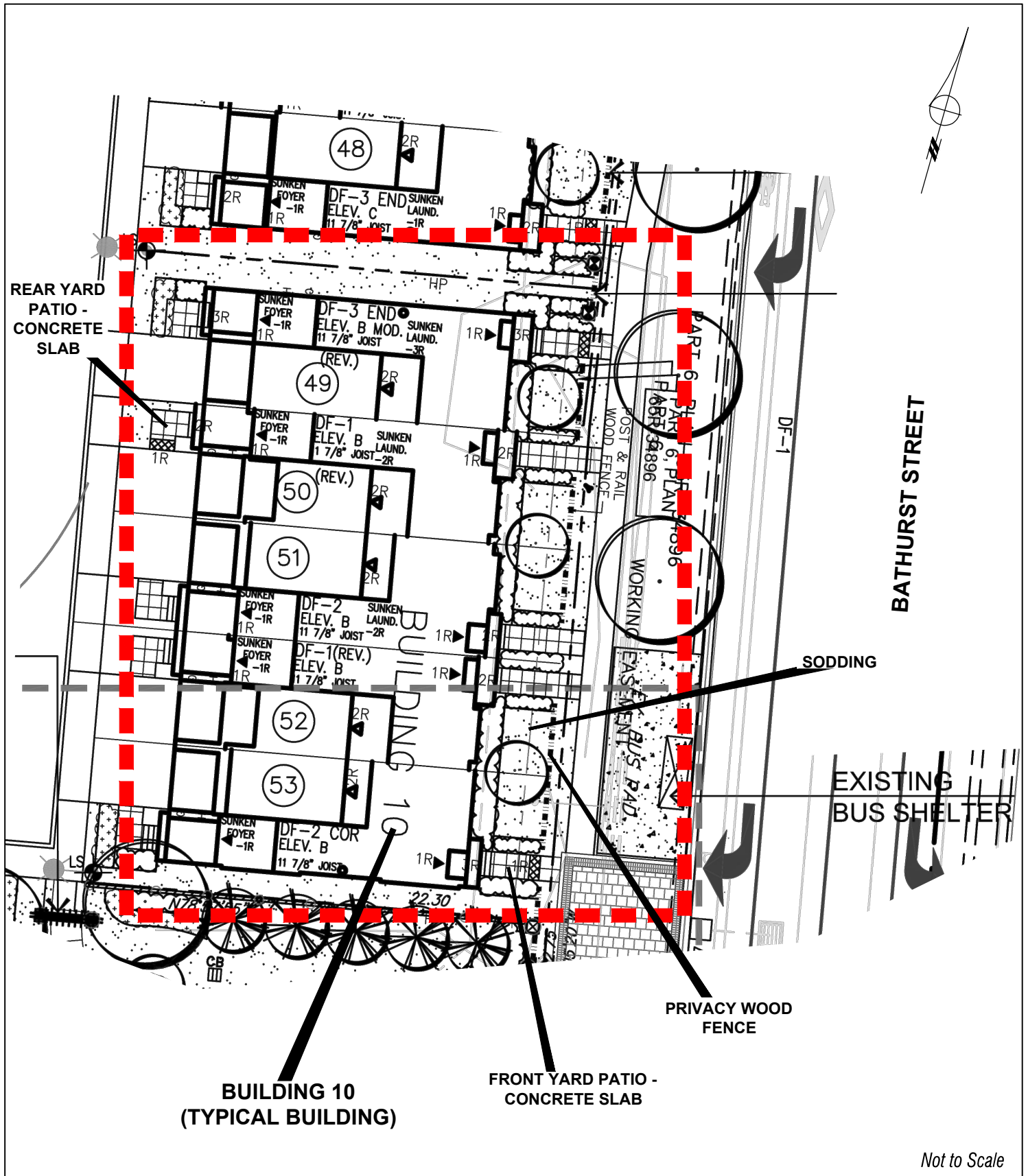


Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

12



## Landscape Plan - Typical Exterior Block

APPLICANT:  
Andrin Bathurst Homes Limited

LOCATION: Part of  
Lot 25, Concession 2



Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

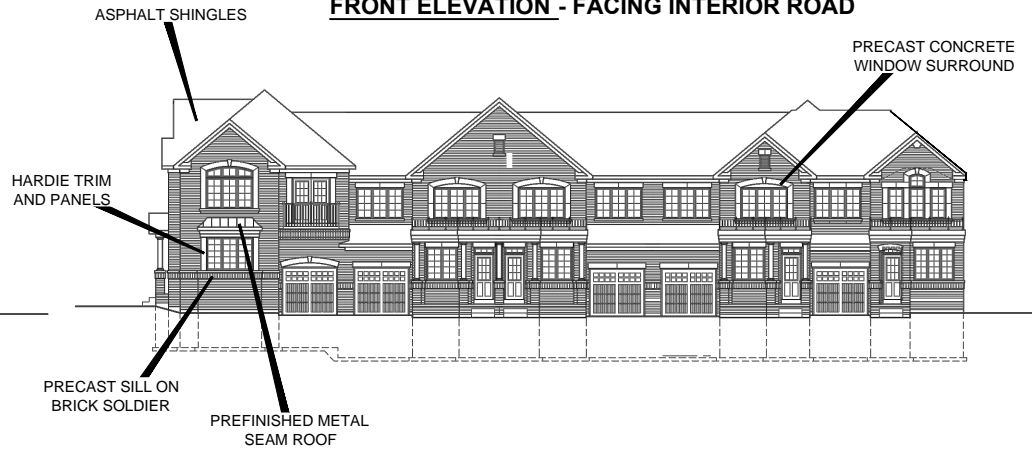
13



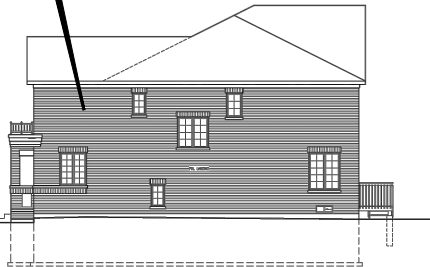
**LEFT SIDE ELEVATION -  
FACING TORAH GATE**



**FRONT ELEVATION - FACING INTERIOR ROAD**

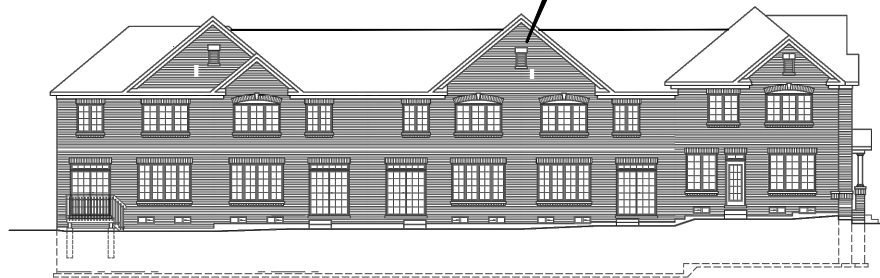


**BRICK VENEER**



**RIGHT SIDE ELEVATION**

**MODIFIED GABLE AND  
RELOCATED LOUVRE**



**REAR ELEVATION**

*Not to Scale*

## Typical Block 1 (Interior) Building Elevations

LOCATION: Part of Lot 25, Concession 2

APPLICANT: Andrin Bathurst Homes Limited

N:\DFT\1 ATTACHMENTS\DA\da.14.044etol.dwg



Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

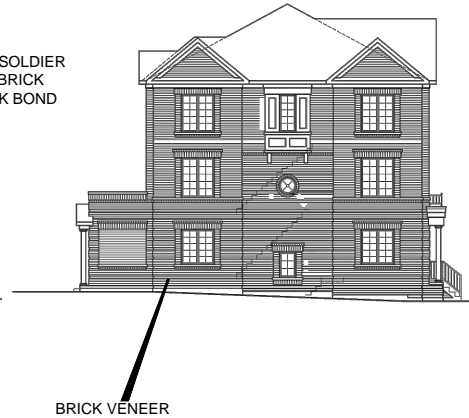
DATE: March 3, 2015

**14**

**FRONT ELEVATION - FACING INTERIOR ROAD**



**LEFT SIDE ELEVATION**



ASPHALT SHINGLES



**REAR ELEVATION - FACING LADY DOLORES AVENUE**

**RIGHT SIDE ELEVATION**



*Not to Scale*

## Typical Block 13 (Dual Frontage) Building Elevations

LOCATION: Part of Lot 25, Concession 2

APPLICANT: Andrin Bathurst Homes Limited



Attachment

FILES: Z.14.022, 19T-14V005,  
DA.14.044, & 19CDM-14V006

DATE: March 3, 2015

15

# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 051–2015**

**A By-law to amend City of Vaughan By-law 1-88.**

**WHEREAS** the matters herein set out are in conformity with the Vaughan Official Plan of the Vaughan Planning Area, which is approved and in force at this time;

**AND WHEREAS** there has been no amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are not in conformity;

**NOW THEREFORE** the Council of the Corporation of the City of Vaughan **ENACTS AS FOLLOWS:**

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto, from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone to RT1 Residential Townhouse Zone, in the manner shown on the said Schedule “1”.
  - b) Deleting Exception 9(1261) from Section 9.0 “EXCEPTIONS” and substituting therefor the following paragraph:

“(1261) Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting Definitions of a Street Townhouse Dwelling, Exterior Lot Line and Hydro and Gas Meter Screen Wall, and Subsection 3.21 respecting Frontage on a Public Street;
    - b) Subsection 3.8 c) respecting Parking Requirements for Residential Uses;
    - c) Subsection 3.14 respecting Permitted Yard Encroachments and Restrictions;
    - d) Subsections 4.22.2 i) and ii) respecting Encroachment of an Unenclosed Porch (Covered or Uncovered), Cold Cellars, and Architectural Features and Balconies;
    - e) Subsection 5.1.4 and 5.5 respecting Permitted Uses in the C4 Neighbourhood Commercial Zone;
    - f) Subsection 5.1.5 and Schedule “A” respecting Minimum Zone requirements in the C4 Neighbourhood Commercial Zone, and Subsection 4.22.3 and Schedule “A3” respecting Minimum Zone requirements in the RT1 Residential Townhouse Zone;

The following provisions shall apply to the lands shown as subject lands on Schedule “E-1389”:

- ai) For the purposes of this By-law, the following definitions shall apply:

DWELLING, STREET TOWNHOUSE – Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which lot fronts onto a public street or private road;

LOT LINE, EXTERIOR – Means the lot line, on a corner lot, which is abutting a street line, private road, parking area, parkette, walkway, easement, or the dead end of a private road, and which is not the front lot line;

- aii) For the purposes of this By-law, the following definition shall also apply:  
HYDRO AND GAS METER SCREEN WALL - Means a structure for the purposes of total or partial physical and/or visual separation or enclosure of a hydro or gas meter utility;
- aiii) Subsection 3.21 shall not apply to the RT1 Residential Townhouse Zone;
- bi) The minimum number of visitor parking spaces for Street Townhouses shall be 0.22 spaces / unit;
- ci) The maximum permitted yard encroachment into any required yard for a hydro and gas meter screen wall, as defined by this By-law, with or without foundation shall be 0.5 m;
- cii) The minimum interior side yard setback to an air conditioning unit shall be 0 m for Blocks “6” to “16” inclusive;
- di) An unenclosed porch or balcony (covered or uncovered) including eaves, gutters and steps may encroach into the minimum required front yard and exterior yard to a maximum of 2.5 m;
- dii) An unenclosed porch or balcony (covered or uncovered) with one side open, including eaves, gutters and steps may encroach into the minimum required front yard and exterior yard to a maximum of 0.7 m;
- diii) A 1 m no encroachment zone shall be maintained inside the property within the front and exterior side yards and sight triangle for Blocks “6” to “16” inclusive;
- ei) In addition to the uses permitted for the lands zoned C4 Neighbourhood Commercial, the following additional uses shall be permitted:
  - i) automobile gas bar;
  - ii) car wash;
  - iii) drive-through in association with a bank or financial institution;
- fi) The following minimum zone requirements shall apply:

RT1 Residential Townhouse Zone

- i) the minimum exterior side yard setback shall be:
  - 1.2 m where the exterior lot line abuts Streets “A”, “B”, “C” “D” and “E”;
  - 3 m where the exterior lot line abuts Torah Gate;

- 0.8 m where the exterior lot line abuts a non-residential use including a parking area, parkette, walkway, easement, or the dead end of a private road;
- ii) the minimum setback to a sight triangle shall be:
  - 2 m to a dwelling unit; and,
  - 1 m to a porch or balcony;
- iii) Notes 3 and 5 of Schedule “A3” shall not apply;
- iv) the following standards shall apply to Blocks “1” to “5” inclusive and Blocks “17” to “22” inclusive:
  - the minimum rear yard setback shall be 7 m;
  - the minimum lot depth shall be 26 m;
- v) the following standards shall apply to Blocks “6” to “16” inclusive:
  - the minimum lot frontage shall be 5.4 m / unit;
  - the minimum lot area shall be 115 m<sup>2</sup>;
  - the minimum lot depth shall be 21.5 m;
  - the maximum building height shall be 12.3 m;
  - the minimum front yard setback shall be 3 m;
  - the minimum rear yard setback shall be 6 m to a garage and 3 m to a deck, unenclosed porch or balcony (covered or uncovered);

#### C4 Neighbourhood Commercial

- i) the minimum front yard setback shall be 6 m;
- ii) the minimum rear yard setback shall be 6 m;
- iii) the minimum exterior yard setback shall be 6 m;
- iv) the minimum setback from an “R” Zone to:
  - a) a car wash shall be 3 m;
  - b) any other building or structure shall be 6 m.”
- c) Deleting Schedule “E-1389” and substituting therefor the Schedule “E-1389” attached hereto as Schedule “2”
- d) Deleting Key Map 2E and substituting therefor the Key Map 2E attached hereto as Schedule “3”.

2. Schedules “1”, “2” and “3” shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 24<sup>th</sup> day of March, 2015.

\_\_\_\_\_  
Hon. Maurizio Bevilacqua, Mayor

\_\_\_\_\_  
Jeffrey A. Abrams, City Clerk

Authorized by Item No. 14 of Report No. 12  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
March 24, 2015

### **SUMMARY TO BY-LAW 051-2015**

The lands subject to this By-law are located on the west side of Bathurst Street, north of Lady Dolores Avenue, in Part of Lot 25, Concession 2, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four, RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone to RT1 Residential Townhouse Zone. The by-law also provides site-specific zoning exceptions to the RT1 Residential Townhouse Zone in order to facilitate the development of 117 townhouse dwelling units (freehold) served by common element roads, visitor parking spaces, a parkette and walkways.