

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013**

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

**18**

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

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

**Recommendation**

The Commissioner of Planning recommends:

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



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



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



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- b) rezone Lots 9 to 16 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m<sup>2</sup> and a minimum lot depth of 38 m for detached dwelling units, and permit a temporary parking area on Lot 16 for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- c) rezone Lots 17 to 32 inclusive, to R1 Residential Zone to facilitate 16 lots with a minimum lot frontage of 18 m, a minimum lot area of 756 m<sup>2</sup> and a minimum lot depth of 42 m for detached dwelling units, and permit the existing detached dwelling unit across Lots 19 and 20;
- d) rezone Lots 33 to 40 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m<sup>2</sup> and a minimum lot depth of 38 m for detached dwelling units, and permit model homes on Lots 33, 34, 36 and 37, and permit a temporary driveway access from Regional Road 27 across Lot 35, subject to approval of York Region, for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plans of Subdivision 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- e) rezone Block 41 to R1 Residential Zone for a residential block to permit the following uses:
  - i) detached dwelling units, not to exceed a maximum of four (4) units;
  - ii) an artist's studio and accessory uses (i.e., private functions/events, teaching); and,
  - iii) that the implementing zoning by-law require that all development on Block 41 be subject to Site Plan Approval.

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



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

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



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



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

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

#### **Contribution to Sustainability**

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

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

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

Goal 2: To ensure sustainable development and redevelopment

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

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

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

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



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#### Economic Impact

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

#### Communications Plan

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

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

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

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



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

#### **Related Files**

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

#### **Purpose**

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

1. Official Plan Amendment File OP.03.007 to amend the Official Plan policies of OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #6, to redesignate the subject lands in the manner shown on Attachment #5, as follows:
  - a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18m and minimum lot areas between 684 m<sup>2</sup> and 774 m<sup>2</sup>;
  - b) redesignate Block 41 from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit one (1) residential block for up to a maximum of four (4) detached dwelling units, and an artist studio and accessory uses (i.e., private functions/events and teaching) on an area totaling 0.67 ha;
  - c) redesignate Block 42 from "Future Residential - Humber North Extension" to "Open Space" to permit a 30 m wide linear park totaling an area of 1.04 ha;
  - d) redesignate Block 43 from "Future Residential - Humber North Extension" to "Open Space" to permit a 24 m wide landscape buffer area and acoustical barrier/berming totaling an area of 0.44 ha;
  - e) include a site-specific policy for Block 44 to facilitate a 5 m wide ecological buffer in temporary ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to a Management Agreement with the TRCA, to the satisfaction of the TRCA;
  - f) redesignate Block XX (11.04 ha) from "Valley and Stream Corridor" to "Open Space" to facilitate a 6 m wide right-of-way access to the Private Open Space for the Toronto and Region Conservation Authority, and an overland flow route for stormwater management purposes for the City;
  - g) maintain the "Valley and Stream Corridor" designation on Block 45 for the 12.11ha private open space, and on Block 46 for the 14.32ha valleylands and stream corridor;



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

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



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

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

##### Location

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

##### Supporting Documentation

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

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

##### Land Use Policies/Planning Considerations

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

##### i) Provincial Policy Statement and Places To Grow

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

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



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

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

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

a) Densities and a mix of land uses which:

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

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

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

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

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

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

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

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



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

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

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

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

ii) Region of York Official Plan

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

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

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

iii) City of Vaughan Official Plan 2010

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

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



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

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

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

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

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

v) Housing and Population

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



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

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

- a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18 m and minimum lot areas between 684 m<sup>2</sup> and 774 m<sup>2</sup>; and,
- b) permit an average density of between 5 to 7.779 units per ha for the subject lands shown on Attachment #5, when combined with the lands designated "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7, whereas the Official Plan specifies a density between 5 to 7.5 units per ha for the "Future Residential - Humber North Extension Area" for the subject lands shown on Attachment #5; the density currently ranges between 5 to 7.55 units per ha for the "Future Residential - Humber North Extension Area" "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7.

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

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

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



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The Humber North Extension Area

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

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

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

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

Net residential area: 20.18 ha

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

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

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

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

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

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



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- c) the maintenance of one (1) existing 16 m<sup>2</sup> studio for artistic purposes;
- d) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
- e) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
- f) the installation and maintenance of a fenced horse paddock area.  
Valleylands typically are transferred to a public agency, in this case, the Toronto and Region Conservation Authority (TRCA). However, given the unique use proposed, the TRCA and Lea Vivot have worked together to create a management framework and agreement to allow for the proposed uses in Blocks 44 and 45 and for the conservation of the natural features. Generally, the management agreement will allow for Lea Vivot to lease Blocks 44 and 45 from the TRCA as a not-for-profit corporation, in accordance with specific criteria, where the Blocks will ultimately be transferred to the Toronto and Region Conservation Authority subject to the terms per the Management Agreement. The Official Plan policies will be amended to facilitate the proposed uses for Blocks 44 and 45, as indicated in the recommendations of this report.

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

vi) Servicing Infrastructure

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

vii) Transportation

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

viii) Comprehensive Plan

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



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

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

ix) Community Edge Buffer

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

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

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



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

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

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

#### x) Linear Park

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

#### xi) Valleylands/Open Space

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



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

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

#### Zoning

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

#### i) Residential Lands

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

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

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



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

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

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

Table 1: Proposed Zoning Exceptions

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



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

The exceptions to the minimum lot area are proposed in order to provide for large lots in keeping with the 2005 “Principles of Development Concepts” respecting the terms of development, where lot areas of approximately 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) were to be provided for the subject lands, as proposed by the applicant's and adopted by Council at its December 12, 2005 meeting. The development provides lot sizes ranging from 684 m<sup>2</sup> to 774 m<sup>2</sup>, which are relatively in keeping with the “Principles of Development Concepts”. The minimum lot depth facilitates a sufficient lot size to provide appropriate front and rear yards, and address urban design requirements. The proposed lot sizes are also compatible with the lot sizes in the three plans of subdivision to the north.

The smaller lot sizes of 684 m<sup>2</sup> are mainly the lots abutting the 24 m wide landscaped buffer along Regional Road 27, which will be screened with a 3.9 m high landscaped earth berm, as shown on Attachment #10, in accordance with the Noise Study. Several lots at the north end of the plan (Lots 13 to 16 inclusive) have a lot area of 684 m<sup>2</sup> due to the road alignment.

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

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

ii) Non-Residential Lands

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

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



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



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

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

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

#### iv) Holding Symbol - Proposed Alternative Park/Linear Park

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

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

#### Subdivision Design

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

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



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

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

At the west limit of the plan, the open space lands specifically Block 44, which can only be used for a 5 m ecological buffer and Block 45, which will include a private not-for-profit sculpture garden and trail and accessory uses, and one (1) existing 16 m<sup>2</sup> studio for artistic purposes, will remain in the temporary ownership of Lea Vivot. The Owner must prepare a Master Plan to be approved by the TRCA, which will include, but not be limited to, the location of the proposed uses and the restoration planting plan, in accordance with a Management Agreement that must be executed between the Owner and TRCA. Blocks 44 and 45 will ultimately be dedicated to the TRCA. Conditions in this respect are included in Attachment #1.

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

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

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

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



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Vaughan Development/Transportation Engineering Department

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

i) Water Servicing

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

ii) Sanitary Servicing

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

iii) Storm Drainage and Stormwater Management Facility

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

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



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

iv) Servicing Capacity Allocation

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

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

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

v) Environmental Site Assessment

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

vi) Environmental Noise Impact

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

vii) Road Network

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

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



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##### Vaughan Cultural Services Division

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

##### Vaughan Parks Development Department

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

##### Vaughan Real Estate Division

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

##### Toronto and Region Conservation Authority

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

i) Technical Comments Letter - April 26, 2012

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

ii) Sale of Subject Lands

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



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iii) Open Space Lands

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

iv) Artistic Work

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

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

v) Official Plan Amendment

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

vi) TRCA on Zoning Amendment Application

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

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



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

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

School Boards

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

Canada Post

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

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

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



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i) Lead and Promote Environmental Sustainability

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

ii) Plan and Manage Growth & Economic Vitality

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

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

iii) Enhance and Ensure Community Safety/Health and Wellness

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

#### **Regional Implications**

The Region of York provides the following comments:

i) Sanitary Servicing

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

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

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

ii) Water Servicing

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

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



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

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

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

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

#### **Conclusion**

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

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

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



## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013**

#### **Item 18, CW Report No. 14 – Page 33**

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

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

#### **Attachments**

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

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

Judy Jeffers, Planner, ext. 8645  
Carmela Marrelli, Senior Planner, ext. 8791  
Mauro Peverini, Manager of Development Planning, ext. 8407

(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    APRIL 9, 2013**

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

**Recommendation**

The Commissioner of Planning recommends:

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



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



- a) "Residential Area - Humber North Extension" to be shown as "Low-Rise Residential" and permit detached houses, and detached houses and an artist's studio and accessory uses in a residential block;
- b) "Open Space" to be shown as "Low-Rise Residential" to facilitate a 24 m wide landscape buffer area and acoustical barrier/berming;
- c) "Open Space" to be shown as "Parks" to facilitate a 30 m wide linear park on 1.04 ha;
- d) "Valley and Stream Corridor" (Block 44) to be shown as "Natural Areas" to facilitate a 5 m wide ecological buffer, in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA;
- e) "Valley and Stream Corridor" (Block 45) to be shown as "Natural Areas" to permit the following uses, in temporary private ownership, to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA:
  - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
  - ii) informal grassed trails;
  - iii) the maintenance of one (1) existing 16 m<sup>2</sup> studio for artistic purposes;
  - iv) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
  - v) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
  - vi) the installation and maintenance of a fenced horse paddock area;
- f) "Open Space to be shown as "Infrastructure and Utilities" to facilitate a 6 m wide right-of-way access to the Private Open Space and as an overland flow route for stormwater management purposes; and,
- g) "Valley and Stream Corridor" to be shown as "Natural Area" to maintain the valleylands and stream corridor, and private open space areas.

4. THAT Zoning By-law Amendment File Z.08.037 (1422174 Ontario Ltd. - Lea Vivot In-Trust.) BE APPROVED, specifically to amend Zoning By-law 1-88, to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone and OS3 Open Space Commercial Zone to the following zone categories in the manner shown on Attachment #11, and with the following exceptions identified below and in Table 1 and Attachment #13:

- a) rezone Lots 1 to 8 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 774 m<sup>2</sup> and a minimum lot depth of 43 m for detached dwelling units;



- b) rezone Lots 9 to 16 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m<sup>2</sup> and a minimum lot depth of 38 m for detached dwelling units, and permit a temporary parking area on Lot 16 for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plan of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- c) rezone Lots 17 to 32 inclusive, to R1 Residential Zone to facilitate 16 lots with a minimum lot frontage of 18 m, a minimum lot area of 756 m<sup>2</sup> and a minimum lot depth of 42 m for detached dwelling units, and permit the existing detached dwelling unit across Lots 19 and 20;
- d) rezone Lots 33 to 40 inclusive, to R1 Residential Zone to facilitate 8 lots with a minimum lot frontage of 18 m, a minimum lot area of 684 m<sup>2</sup> and a minimum lot depth of 38 m for detached dwelling units, and permit model homes on Lots 33, 34, 36 and 37, and permit a temporary driveway access from Regional Road 27 across Lot 35, subject to approval of York Region, for the Model Homes Sales Centre for the Humber North Extension Area on the west side of Regional Road 27 for Plans of Subdivision 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06;
- e) rezone Block 41 to R1 Residential Zone for a residential block to permit the following uses:
- i) detached dwelling units, not to exceed a maximum of four (4) units;
  - ii) an artist's studio and accessory uses (i.e., private functions/events, teaching); and,
  - iii) that the implementing zoning by-law require that all development on Block 41 be subject to Site Plan Approval.

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

- f) rezone Block 42 to OS2 Open Space Park Zone to facilitate a 30 m wide linear park on 1.04 ha;
- g) rezone Block 43 to OS2 Open Space Park Zone to facilitate a 24 m wide landscape buffer with an acoustical berm, the lands of which, shall not be included as part of any parkland dedication;
- h) rezone Block 44 to OS1 Open Space Conservation Zone to facilitate a 5 m wide ecological buffer in temporary private ownership to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted, without the prior written consent of the Toronto and Region Conservation Authority and where landscaping shall remain in a natural state;
- i) rezone Block 45 to OS1 Open Space Conservation Zone to permit the following additional uses, in temporary private ownership to be dedicated to the Toronto Region and Conservation Authority (TRCA), subject to the Owner entering into a



Management Agreement with the TRCA, to the satisfaction of the TRCA and in accordance with the following definitions:

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

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

- j) rezone Block XX to OS1 Open Space Conservation Zone to facilitate a 6 m wide right-of-way for access to the private open space for the Toronto and Region Conservation Authority and an overland flow route for stormwater management purposes for the City;



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

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



## **Contribution to Sustainability**

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

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

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

Goal 2: To ensure sustainable development and redevelopment

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

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

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

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

## **Economic Impact**

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



## **Communications Plan**

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

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

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

- i) Charles Sjaarda, on Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development on his property value, road safety, and safety of the water from his well during the construction of the development;
- ii) Stephen Cappe, on behalf of Michael and Dawn O'Leary, on Kirby Road, correspondence dated September 15, 2008, respecting the impact of the proposed development, traffic, and valleylands/open space affecting their property and the surrounding community;
- iii) the Kleinburg and Area Ratepayers' Association, correspondence dated October 27, 2008, respecting the provision of a buffer between the proposed development and the existing residential community on Hedgerow Lane to the south, the provision of a 30 m naturally landscaped buffer without noise attenuation walls adjacent to Regional Road 27, and the development of trails for biking and walking and linkage to the Regional Road 27 and Humber Valley Trail System, along with other development matters;
- iv) the Kleinburg and Area Ratepayers' Association, correspondence dated May 30, 2011, stating that many of their concerns regarding the development of the Humber North Extension Area as outlined in their October 27, 2008 correspondence have been addressed except for the provision of a passive buffer with a natural berm, which should be placed at the southerly limits of the subject lands and the properties within the Hedgerow Lane community; and, the provision of a centrally located park; and,
- v) the Hedgerow Estates Homeowners' Association, correspondence dated June 6, 2011, respecting the location of a park, in a central location along the southerly limits of the subject lands, in order to be used by both the residents that will be in Humber North Extension Area community and the Hedgerow Lane community, and the provision of an alternative location of a park, should development of the subject lands not proceed.



## **Related Files**

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

## **Purpose**

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

1. Official Plan Amendment File OP.03.007 to amend the Official Plan policies of OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #6, to redesignate the subject lands in the manner shown on Attachment #5, as follows:
  - a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18m and minimum lot areas between 684 m<sup>2</sup> and 774 m<sup>2</sup>;
  - b) redesignate Block 41 from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit one (1) residential block for up to a maximum of four (4) detached dwelling units, and an artist studio and accessory uses (i.e., private functions/events and teaching) on an area totaling 0.67 ha;
  - c) redesignate Block 42 from "Future Residential - Humber North Extension" to "Open Space" to permit a 30 m wide linear park totaling an area of 1.04 ha;
  - d) redesignate Block 43 from "Future Residential - Humber North Extension" to "Open Space" to permit a 24 m wide landscape buffer area and acoustical barrier/berming totaling an area of 0.44 ha;
  - e) include a site-specific policy for Block 44 to facilitate a 5 m wide ecological buffer in temporary ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to a Management Agreement with the TRCA, to the satisfaction of the TRCA;
  - f) redesignate Block XX (11.04 ha) from "Valley and Stream Corridor" to "Open Space" to facilitate a 6 m wide right-of-way access to the Private Open Space for the Toronto and Region Conservation Authority, and an overland flow route for stormwater management purposes for the City;
  - g) maintain the "Valley and Stream Corridor" designation on Block 45 for the 12.11ha private open space, and on Block 46 for the 14.32ha valleylands and stream corridor;
  - h) include a site-specific policy for Block 45 to permit the following uses in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to a Management Agreement with the TRCA:



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

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

\* Land uses excluded from the calculation of residential density: 28.01 ha

Net residential area: 5.22 ha

Density for Plan 19T-08V06: 8.429 units per net residential hectare

Density when the lands are included within Humber North Extension Area: 7.779 units per net residential area

Population estimate for Plan 19T-08V06: 152 people (based on 3.44 people per unit)



## **Background - Analysis and Options**

### **Location**

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

### **Supporting Documentation**

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

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

### **Land Use Policies/Planning Considerations**

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

#### **i) Provincial Policy Statement and Places To Grow**

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

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

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



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

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

a) Densities and a mix of land uses which:

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

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

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

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

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

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

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

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

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

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



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

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

ii) Region of York Official Plan

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

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

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

iii) City of Vaughan Official Plan 2010

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

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

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

The subject lands are designated “Future Residential - Humber North Extension” and “Valley and Stream Corridor” by in-effect OPA #601 (Kleinburg-Nashville Community Plan), as shown on Attachment #6. The valleylands are also identified as being in a “Potential Groundwater Discharge Area”, Schedule “B1” - Hydrogeologically Sensitive (Groundwater Recharge and Discharge Areas); the “Kirby Road Plantation Forest South”, Schedule “B2” - Habitat



Enhancement Opportunities, Forest Regeneration and Linkages; and “Kirby Road Humber Valley Forest East” and “Kirby Road Plantation Forest South”, Schedule “B4” - Significant Woodlands, in OPA #601. The Toronto and Region Conservation Authority (TRCA) has reviewed the supporting documentation, as discussed earlier in this report, to address the Official Plan policies respecting the natural environmental features. The TRCA has required the establishment of ecological buffers, and restoration of the valleylands, as well as, supported the implementation of a Low Impact Development (LID) design concept for a more sustainable community, and is satisfied that the ecological matters have been addressed.

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

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

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

v) Housing and Population

The proposed Draft Plan of Subdivision includes 40 lots for detached residential dwelling units and a Block for up to a maximum of 4 detached dwelling units, the residential block of which is to be developed by site development and condominium approvals, for a total of 44 dwelling units yielding a density of 8.429 units per net residential hectare on 5.22 ha. The density for the Humber North Extension Area, west of Regional Road 27, is averaged across Draft Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05 and the subject lands (File 19T-08V06) yielding a density of 7.779 units per net hectare on 20.18 ha. The density at 7.779 units per net residential hectare is slightly higher than the maximum density of 7.5 units per net residential hectare permitted in in-effect OPA #601. This is due to the provision of a greater amount of environmental tableland buffers being provided in the development and to the establishment of the valleyland and tableland development limits through the Toronto and Region Conservation Authority’s review of the proposal resulting in an increase in the amount of developable land. The housing form proposed is in keeping with the existing housing to the south of the subject lands.



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

- a) redesignate Lots 1 to 40 inclusive from "Future Residential - Humber North Extension" and "Valley and Stream Corridor" to "Residential Area - Humber North Extension" to permit 40 detached dwelling units with minimum lot frontages of 18 m and minimum lot areas between 684 m<sup>2</sup> and 774 m<sup>2</sup>; and,
- b) permit an average density of between 5 to 7.779 units per ha for the subject lands shown on Attachment #5, when combined with the lands designated "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7, whereas the Official Plan specifies a density between 5 to 7.5 units per ha for the "Future Residential - Humber North Extension Area" for the subject lands shown on Attachment #5; the density currently ranges between 5 to 7.55 units per ha for the "Future Residential - Humber North Extension Area" "Residential Area - Humber North Extension Area" and "Residential Area - Humber North Extension Area "A"", within the Humber North Extension Area (West Side of Regional Road 27) shown on Attachment #7.

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

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

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

The Humber North Extension Area

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

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



Pumping Station *		0.05
Regional Road 27 Widening *		0.19
0.3 m Reserves *		0.04
<u>Roads</u>		<u>4.32</u>
<b>Total</b>	<b>157</b>	<b>59.98</b>

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

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

Net residential area: 20.18 ha

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

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

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

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

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

- a) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail, and accessory uses (i.e., private functions/events and teaching);
- b) informal grassed trails;
- c) the maintenance of one (1) existing 16 m<sup>2</sup> studio for artistic purposes;
- d) the upkeep and maintenance of up to four (4) horses on a temporary basis between the months of April to November;
- e) the maintenance of one (1) in-run shed on a temporary basis between the months of April to November; and,
- f) the installation and maintenance of a fenced horse paddock area.

Valleylands typically are transferred to a public agency, in this case, the Toronto and Region Conservation Authority (TRCA). However, given the unique use proposed, the TRCA and Lea Vivot have worked together to create a management framework and agreement to allow for the proposed uses in Blocks 44 and 45 and for the conservation of the natural features. Generally, the management agreement will allow for Lea Vivot to lease Blocks 44 and 45 from the TRCA as a not-for-profit corporation, in accordance with specific criteria, where the Blocks will ultimately be transferred to the Toronto and Region Conservation Authority subject to the terms per the



Management Agreement. The Official Plan policies will be amended to facilitate the proposed uses for Blocks 44 and 45, as indicated in the recommendations of this report.

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

vi) Servicing Infrastructure

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

vii) Transportation

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

viii) Comprehensive Plan

The development details for a comprehensive plan for the Humber North Extension Area establishing neighbourhood focus, environmental features, terrestrial linkages, parkland, pedestrian linkages, integrated road pattern, servicing and appropriate density in accordance with the density policies of the in-effect Official Plan will be addressed through Draft Plan of Subdivision File 19T-08V06, as was the case in the related registered Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05. The reports, *North Humber Extension Development Functional Servicing Report*, dated June 2008 by The Municipal Infrastructure Group Ltd., and revised March 2010; *North Humber Extension Proposed Low Impact Subdivision - Functional Servicing Report*, dated February 2012 by The Municipal Infrastructure Group Ltd.; *Geotechnical Investigation - Proposed Residential Subdivision, Part of East Half of Lot 29, Concession 9*, dated January 9, 2008 by Terraprobe Limited; *Geotechnical Investigation - Proposed Residential Subdivision - 11336 Regional Road 27, Village of Kleinburg*, dated February 20, 2008 by Terraprobe Limited; *Environmental Report - Humber North Extension Area*, dated May 20, 2008, by Ages Limited, *Environmental Report - Vivot Property, Highway 27, City of Vaughan*, dated February 2012 by Ages Limited, and revised as *Environmental Impact Report*, dated October 2010; and *North Humber Extension Area - Community Design Guidelines*, dated August 17, 2010, by the Sorbara Development Group, and revised November 26, 2010, were submitted to address the Official Plan policies. The servicing, road and density requirements have been addressed earlier in this report.

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



part of the Landscape Master Plan. The City and the Toronto and Region Conservation Authority (TRCA) will require buffer blocks to protect the valleylands and natural features which will be secured through the Draft Plan of Subdivision process.

ix) Community Edge Buffer

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

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

The "Principles of Development Concepts" submitted by the Owners in 2005 respecting the terms of development for the subject lands, as shown on Attachment #9, which includes a community edge buffer in the range of 30 m to 50 m, as shown on the original concept plans for the area (Attachment #8), and was adopted by Council on December 12, 2005, predates the OMB decision respecting the Kerrowood Developments Limited proposal of 20 m, and the policies in OPA #719 that apply to the 3 subdivision to the north. The buffer proposed on the subject lands will be 24 m wide along Regional Road 27, as shown on Attachment #5, which will include a naturalized landscaped earth berm, with a width ranging between 20 m to 24m and an approximate height of 3.9 m. The proposed 24 m wide buffer is appropriate for the area as the naturalized landscaped earth berm will screen the development from Regional Road 27 and provide for a rural landscape setting in keeping with the intent of the Official Plan. The *Noise Feasibility Study - Residential Development, West side of Highway 27, South of Kirby Road*, dated June 2008 by Howe Gastmeier Chapnik Engineering Ltd., and revised as *Noise Impact Study* dated June 18, 2012, recommended that a fence is not required. However, to delineate the residential lands from the buffer lands and for safety purposes, where the buffer abuts the residential lot, a fence will be provided. The fence will not be visible from Regional Road 27 as the 3.9 m high berm will be between it and the road. The 24 m wide buffer will be in public ownership and dedicated to the City free of all costs and encumbrances. Conditions are included in the plans of subdivision respecting the details for fencing (type and design), landscaping (naturalized plantings), and dedication of the buffer into public ownership.

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

In keeping with the continuation of the 24 m wide community edge buffer requirement in OPA #719 for the other 3 subdivisions directly to the north, the Kerrowood OMB Decision, as well as, the Provincial Policy Statement and Places to Grow Plan - Growth Plan policies respecting the efficient use of land, the reduction in the width of the landscape buffer can be supported subject



to the provision of naturalized landscaping and berming being to the satisfaction of the City. A condition of approval to this effect is included in Attachment #1. Accordingly, the Official Plan will be amended to facilitate a 24 m wide community edge landscape buffer with berming.

x) Linear Park

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

xi) Valleylands/Open Space

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

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

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

Zoning

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

i) Residential Lands

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



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

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

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

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

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



Table 1: Proposed Zoning Exceptions

	Standard	Zoning By-law 1-88 R1 Residential Zone Requirements	Exceptions to the R1 Residential Zone
a.	Minimum Front Yard (Block 41)	18 m	27.5 m
b.	Minimum Lot Area <ul style="list-style-type: none"> <li>i. Lots 1 to 8 inclusive</li> <li>ii. Lots 9 to 16 inclusive and Lots 33 to 40 inclusive</li> <li>iii. Lots 17 to 32 inclusive</li> <li>iv. Block 41</li> </ul>	540 m <sup>2</sup>	<ul style="list-style-type: none"> <li>i. 774 m<sup>2</sup></li> <li>ii. 684 m<sup>2</sup></li> <li>iii. 756 m<sup>2</sup></li> <li>iv. 6690 m<sup>2</sup></li> </ul>
c.	Minimum Lot Depth <ul style="list-style-type: none"> <li>i. Lots 1 to 8 inclusive</li> <li>ii. Lots 9 to 16 inclusive, and Lots 33 to 40 inclusive</li> <li>iii. Lots 17 to 32 inclusive</li> </ul>	No Standard in the By-law	<ul style="list-style-type: none"> <li>i. 43 m</li> <li>ii. 38 m</li> <li>iii. 42 m</li> </ul>
d.	<u>Block 41</u> Minimum Rear Yard Minimum Interior Side Yard Minimum Exterior Side Yard Maximum Lot Coverage	1.5 m 1.5 m 4.5 m 35%	Building Envelopes in the manner shown on Attachment #13
e.	Minimum Interior Side Yard Lots 1 to 40 inclusive	1.5 m	1.2 m
f.	Minimum Exterior Side Yard (For the existing house across Lots 19 and 20)	4.5 m	3.5 m

The exceptions to the minimum lot area are proposed in order to provide for large lots in keeping with the 2005 “Principles of Development Concepts” respecting the terms of development, where lot areas of approximately 929 m<sup>2</sup> (10,000 ft<sup>2</sup>) were to be provided for the subject lands, as proposed by the applicant’s and adopted by Council at its December 12, 2005 meeting. The development provides lot sizes ranging from 684 m<sup>2</sup> to 774 m<sup>2</sup>, which are relatively in keeping with the “Principles of Development Concepts”. The minimum lot depth facilitates a sufficient lot size to provide appropriate front and rear yards, and address urban design requirements. The proposed lot sizes are also compatible with the lot sizes in the three plans of subdivision to the north.

The smaller lot sizes of 684 m<sup>2</sup> are mainly the lots abutting the 24 m wide landscaped buffer along Regional Road 27, which will be screened with a 3.9 m high landscaped earth berm, as shown on Attachment #10, in accordance with the Noise Study. Several lots at the north end of the plan (Lots 13 to 16 inclusive) have a lot area of 684 m<sup>2</sup> due to the road alignment.



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

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

ii) Non-Residential Lands

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

- a) rezone Block 42 to OS2 Open Space Park Zone to facilitate a 30 m wide linear park on 1.04 ha;
- b) rezone Block 43 to OS2 Open Space Park Zone to facilitate a 24 m wide landscaped buffer with an acoustical berm, the lands of which are not included as part of any parkland dedication;
- c) include a site-specific requirement for Block 44 to facilitate a 5 m wide ecological buffer in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA, and where filling, grading and/or tree removal, with the exception of dead or diseased hazard trees shall not be permitted, without the prior written consent of the Toronto and Region Conservation Authority and where landscaping shall remain in a natural state;
- d) rezone Block 45 to OS1 Open Space Conservation Zone to permit the following additional uses and definitions, in temporary private ownership to be dedicated to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA:
  - i) the installation and maintenance of artistic pieces for the purposes of a private not-for-profit sculpture garden and trail and accessory uses (i.e., private functions/events, teaching);
  - ii) informal grassed trails, which are to remain informal and are not to be upgraded or formalized through the placement of fill, gravel, paving or other similar material, other than a trail or path which may be maintained as part of the Sculpture Trail, to the satisfaction of the Toronto and Region Conservation Authority;



- iii) the maintenance of one (1) existing artist's studio for artistic purposes, that cannot be enlarged, upgraded, replaced with a large more intensive structure, serviced with water, electricity or sanitary septic systems or used for any purpose other than artistic endeavours, without the prior written consent of the Toronto and Region Conservation Authority;
- iv) the upkeep and maintenance of up to four (4) horses on a seasonal basis between the months of April to November;
- v) the maintenance of one (1) in-run shed, to be used on a seasonal basis between the months of April to November;
- vi) the installation and maintenance of a fenced horse paddock area; and,
- vii) the definitions, for the purposes of this by-law, for the proposed uses on Block 45:
  - 1) Artist's Studio: is defined as the existing unserviced structure, approximately 4 m x 4 m (16 m<sup>2</sup>) in size and located within Block 45 in the Humber River valley. It is utilized by the applicant for personal artistic inspiration and endeavours;
  - 2) In-run Shed: is defined as structure having walls on three (3) sides and the fourth side being open with a roof, constructed of wood or other material and no larger than 13.7 m x 9.1 m and used on a seasonal basis (from the months of April to November);
  - 3) Fence: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material that effectively confines the horses to the said enclosed area.

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

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

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

iv) Holding Symbol - Proposed Alternative Park/Linear Park

A 1.04 ha, 30 m wide linear park (Block 42) to be located at the south limits of the plan, shown on Attachment #12, will be dedicated to the City, as part of the applicant's parkland dedication requirement. The conveyance of the linear park to the City, is subject to conditions included in Attachment #1, which must be addressed, prior to the City removing the Holding Symbol "(H)"



from the alternative park location on Lots 11 and 12 in Plan of Subdivision File 19T-03V02 and Part of Lot 32, Lots 33 to 38 inclusive, and the south Part of Lot 39 in Plan of Subdivision 19T-08V04, shown on Attachment #4.

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

### Subdivision Design

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

The Owner has advised that the existing dwelling unit, which lies across both of Lots 19 and 20, is to be maintained. The final plan will show Lots 19 and 20 as one Block. The ultimate use will be for a detached dwelling unit on each of Lots 19 and 20, which will require a future consent application to create the lots. The implementing zoning by-law will allow permissions for a detached dwelling unit on both Lots 19 and 20, to facilitate the future severance and creation of the two lots.

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

At the west limit of the plan, the open space lands specifically Block 44, which can only be used for a 5 m ecological buffer and Block 45, which will include a private not-for-profit sculpture garden and trail and accessory uses, and one (1) existing 16 m<sup>2</sup> studio for artistic purposes, will remain in the temporary ownership of Lea Vivot. The Owner must prepare a Master Plan to be approved by the TRCA, which will include, but not be limited to, the location of the proposed uses and the restoration planting plan, in accordance with a Management Agreement that must be executed between the Owner and TRCA. Blocks 44 and 45 will ultimately be dedicated to the TRCA. Conditions in this respect are included in Attachment #1.

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



compliance with the approved *Architectural Design Guidelines for the North Humber Extension Area*. A condition in this respect is included in Attachment #1.

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

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

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

#### Vaughan Development/Transportation Engineering Department

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

i) Water Servicing

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



ii) Sanitary Servicing

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

iii) Storm Drainage and Stormwater Management Facility

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

The LID design concept is part of the study entitled, Low Impact Development Evaluation, commissioned by Environmental Canada and supported by the Toronto and Region Conservation Authority (TRCA). The general approach of the study was to assemble an evaluation matrix to select the most appropriate LID practice that could be employed on the lands such that a more sustainable community is established, and to demonstrate to the development community, as a whole that LID is an attainable method of urban growth with benefits to the entire community and the authorities having jurisdiction.

iv) Servicing Capacity Allocation

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

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

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

v) Environmental Site Assessment

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



vi) Environmental Noise Impact

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

vii) Road Network

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

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

Vaughan Cultural Services Division

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

Vaughan Parks Development Department

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

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the plan, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 62 (Humber North Extension Area) to the satisfaction of the City. The agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 62. This agreement shall also provide a provision for additional developers to join the



Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1.

#### Toronto and Region Conservation Authority

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

i) Technical Comments Letter - April 26, 2012

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

ii) Sale of Subject Lands

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

iii) Open Space Lands

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

iv) Artistic Work

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

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

v) Official Plan Amendment

In light of the above comments, TRCA staff have no objections to the approval of Official Plan Amendment Application File OP.03.007 as it relates to the subject lands. The designation of the



valleylands and open space lands with an open space designation will accomplish the TRCA's long-term conservation and management goals.

vi) TRCA on Zoning Amendment Application

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

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



- 3) Fence: is defined as a post and rail or page wire barrier to enclose a field, made of wood or other material which effectively confines the horses to said enclosed area.

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

#### School Boards

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

#### Canada Post

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

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

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

- i) Lead and Promote Environmental Sustainability

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

- ii) Plan and Manage Growth & Economic Vitality

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

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

- iii) Enhance and Ensure Community Safety/Health and Wellness

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

#### **Regional Implications**

The Region of York provides the following comments:

- i) Sanitary Servicing

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

- a) Kleinburg Water Pollution Control Plant, which has been recently expanded to a maximum capacity of 7,500 people; and,



- b) Connection to the York Durham Sewage System (YDSS), provided that the current maximum capacity assigned to City of Vaughan is not exceeded (refer to York Region letter to City of Vaughan, dated December 1, 2011).

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

ii) Water Servicing

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

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

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

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

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

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

**Conclusion**

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



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

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

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

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

### **Attachments**

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



**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/CM



# **ATTACHMENT NO. 1**

## **CONDITIONS OF APPROVAL**

### **DRAFT PLAN OF SUBDIVISION 19T-08V06 (REVISED TO MAY 16, 2012) 1422174 ONTARIO LTD. - LEA VIVOT IN-TRUST PART OF LOT 29, CONCESSION 9, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-08V06, ARE AS FOLLOWS:**

#### **CONDITIONS OF APPROVAL**

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

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Humphries Planning Group Inc., dated March 10, 2008, and revised to May 16, 2012.
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 to the Vaughan Development Planning Department, in accordance with the applicable and in-effect Tariff of Fees By-law.
4. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized to accommodate the development of the Plan.
6. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning and Development Services Department. Proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
8. The road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m 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.
9. Any dead ends or open sides of road allowances created by this Draft Plan of Subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.



10. The Owner acknowledges that the final engineering design(s) may result in amendments to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, block configuration and size, etc.), which may be reflected in the Final Plan to the satisfaction of the City.
11. The Owner shall 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 coordinated and completed at the cost of the Owner, to the satisfaction of the City.
12. 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.
13. 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.
14. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
15.
  - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc. (formerly Hydro Vaughan Distribution Inc.), its successors and assigns, 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 Inc. and the City.
16. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
17. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
18. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the proposed Plan of Subdivision 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 subdivision as and when each dwelling unit is constructed.
19. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
20. The Owner shall agree in the subdivision agreement that construction access and access for the model homes sales centre shall be provided only in a location approved by the City and Region.



21. Prior to final approval of the Plan, the Owner shall submit for review and approval a final Functional Servicing Report (FSR) to the satisfaction of the City. The final Functional Servicing Report (FSR) to be coordinated with the recommendations and conclusions of the Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment. The Owner shall implement the recommendations of the approved Final Functional Servicing Report (FSR) to the satisfaction of the City.
22. The Owner shall submit the detailed design and drawings as per the final approved functional servicing report for review and approval to the satisfaction of the City.
23. The Owner shall agree in the subdivision agreement to design and construct the municipal services in the Plan in accordance with the recommendations and conclusions of the final Functional Servicing Report (FSR) and Kleinburg-Nashville Servicing Strategy Master Plan Class Environmental Assessment to the satisfaction of the City.
24. The Owner shall agree in the subdivision agreement to provide its proportionate share of the financial contribution towards the ultimate Kleinburg-Nashville Servicing Strategy to the satisfaction of the City.
25. The Owner shall agree in the subdivision agreement to provide its proportionate share of financial contribution towards the Nashville Watermain Local Improvement to the satisfaction of the City.
26. The Owner shall agree in the subdivision agreement to provide its proportionate share of financial contribution, if required, towards municipal infrastructure as recommended in the following Environmental Assessment Studies to the satisfaction of the City:
  - a) City-Wide Water/Wastewater Master Plan EA and associated final servicing strategy for the West Vaughan Employment Area Secondary Plan;
  - b) City-Wide Storm Drainage/Stormwater Management Master Plan EA, and associated final servicing strategy; and,
  - c) City-Wide Transportation Master Plan EA.
27. The Owner shall agree in the subdivision agreement to design and construct the municipal services in the Plan as recommended in the following Environmental Assessment Studies to the satisfaction of the City:
  - a) City-Wide Water/Wastewater Master Plan EA and associated final servicing strategy;
  - b) City-Wide Storm Drainage/Stormwater Management Master Plan EA and associated final servicing strategy; and,
  - c) City-Wide Transportation Master Plan EA.
28. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted for review and approval to the satisfaction of the City. It shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply is available to service the proposed development including the fire flow demands.
29. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that may be necessary for development of the Plan, which may include any required municipal easements and/or additional lands within and/or external to the Plan to the satisfaction of the City.



30. Prior to final approval of Plan, the Owner shall provide a phasing plan, if required for review and approval to the satisfaction of the City.
31. a) Prior to final approval of the Plan, the Owner shall enter into a Kleinburg North Landowner's Group Agreement with the other participating landowners within the Plan and external to the Plan to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within the Plan and external to the Plan. This agreement shall also include a provision for additional developers to participate within the Developer's Group Agreement when they wish to develop their lands.
- b) Prior to final approval of the Plan, the Trustee for the Landowner's Group shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Landowners Cost Sharing Agreement to the satisfaction of the City.
32. Prior to final approval of the Plan, a detailed environmental noise study, prepared by a qualified consultant, at the Owner's expense shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network according to the Ministry of Environment and Energy Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendation set out in the approved noise report, to the satisfaction of the City.
33. Prior to final approval of Plan, the Owner shall submit a detailed noise report for review and approval by the City. The Owner shall implement the design, and construct the noise barrier on Block 43 and on any additional lands/buffer blocks necessary to construct the noise barrier on Lots 33 to 40 inclusive on the Draft Plan as per the recommendation of the approved noise report to the satisfaction of the City.
34. Prior to final approval of the Plan, and/or any conveyance of land, and/or any initiation of grading or construction, the Owner shall submit the Environmental Site Assessment (ESA) Phase 1 Report, and if required, Phase 2 Report and the Remedial Action Plan for the lands within the Plan, in accordance with Ontario Regulation 153/04, "Soil, Ground Water and Sediment Standards" for Use Under Part XV.1 of the Environmental Protection Act. In addition, for park blocks and open space blocks, a Phase II Environmental Site Assessment (ESA) report is to be carried out in accordance with the "Guideline Phase II Environmental Assessment, Proposed Parkland, City of Vaughan" and submitted to the City for review and approval. This said ESA is to be conducted following the completion of rough grading, but prior to the placement of topsoil and landscaping. Prior to final approval of the Plan, and/or any conveyance of lands, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
- a) should site remediation be required to meet the applicable soil and ground water criteria set out in the above noted regulation, the Owner shall submit to the City the report delineating the successful implementation of the approved Remediation Action Plan with verifying samplings and chemical analysis for review and approval by the Vaughan Development/Transportation Engineering Department;
- b) 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 and the Region, and meet the applicable soil and groundwater criteria noted above;
- c) documented proof of the satisfactory registration of the Record of Site Condition (RSC) with the Environmental Site Registry (ESR) of the Ministry of Environment (MOE), which includes the acknowledgement from MOE and a signed copy of the RSC by a qualified person, and must be submitted to the Vaughan Development/Transportation Engineering Department for review and approval; and,



- d) reimburse the City for the costs of peer review of the above-noted reports.
- 35. In the event that remediation is required, a Remediation Action Plan will be submitted for review and approval by the City.
  - 36. The Owner shall reimburse the City for the cost of the City's peer review of any Environmental Site Assessment report(s).
  - 37. Prior to final approval of the Plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality, which could interfere with its intended use.
  - 38. Prior to final approval, the Owner shall submit a Record of Site Condition acknowledged by an Officer of the Ministry of the Environment.
  - 39. Prior to final approval of the Plan, the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
  - 40. Prior to final approval of the Plan and assumption of the linear park (Block 42) for park development and maintenance purposes, free of all charge and encumbrances, by the City, the Owner shall address the following:
    - a) the park Block shall include adequate sized servicing connections along the main frontage of the park, including a water chamber manhole, complete with a curb stop and a storm water manhole;
    - b) the subdivision development electrical distribution plan is to include a 120/240 volt, single phase, three wire power supply to park blocks. The power supply drop is to consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the park blocks. The cable feed is to originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2" X 4" wood stake, visible above grade.
    - c) proposed park Block is to be unencumbered by natural heritage systems, cultural heritage systems or environmentally sensitive vegetation which will impact the development of the park block or require restrictions in developing the future park block;
    - d) a survey is to be provided (AutoCAD, latest version), indicating all existing structures/features, property lines, contours at 0.25 m intervals and existing vegetation, etc. Trees to be retained must be clearly identified;
    - e) park Block shall not be encumbered by any easements, utility services, transformer boxes, Canada Post mail boxes, etc.;
    - f) park Block is to be unencumbered by overland flow routes from adjacent property abutting the park blocks;
    - g) ensure that all minor and major storm events and overland flows are designed to ensure that no adjacent properties are flooded or encumbered by storm events;
    - h) park Block is to be graded with a flat topography (2% slope) to at least 75% of the proposed block area;



- i) park Block is to be graded to conform to the overall grading plan of the subdivision with clean engineered fill material compacted to 95% Standard Proctor Dry Density (SPDD), and no fill shall be placed on existing topsoil. There shall be no stockpiling of topsoil allowed on the proposed park block. Spreading and fine grading of topsoil evenly to a depth of 150 mm over the entire park block, the topsoil shall be fertile friable, natural loam containing four percent (4%) minimum organic matter for clay loams and two percent (2%) minimum organic matter for sandy loams. Acidity of topsoil shall range from 6.0pH to 7.5 pH (levels of NPK and Mg are to be noted) and shall be capable of sustaining vigorous plant growth. A chemical analysis shall be conducted by a qualified testing laboratory and the results of the testing provided to the Parks Development Department prior to the placing of topsoil. Topsoil shall be free of any mixture of subsoil, clay lumps, stones, and roots over 50 mm in diameter and any toxic materials or foreign objects shall be reasonably free of weed and weed seeds.
  - j) park Block shall be seeded with a seed mix that has been approved by the City's Parks Development Department, fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the park Block; and,
  - k) provide geotechnical investigation, conducted by a qualified professional engineer to the satisfaction of the City. Minimum 5 boreholes are required per park Block.
41. Prior to final approval of the Plan, and/or any conveyance of land, the Owner shall prepare for review and approval of the linear park (Block 42):
- a) a Phase II Environmental Site Assessment (ESA) report to the satisfaction of the City. On-site sampling contained in the Phase II ESA report shall be conducted following completion and certification of the rough grading of the park block(s) but prior to the placement of topsoil and landscaping. Testing may include, but not be limited to, surface and subsurface soil, ground water, sediment, soil vapour, plant and aquatic species sampling, and testing of building materials;
  - b) the Owner shall incorporate the recommendations of the Phase II ESA report and ensure that adequate field inspection is provided to validate the recommendations in the Phase II ESA report to the satisfaction of the City;
  - c) should the Phase II ESA investigation identify that remediation of the park block(s) is required to meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended) for parkland property use, the Owner shall undertake the required remediation to the satisfaction of the City;
  - d) the Owner shall provide a certificate letter prepared by a qualified professional that all park Block(s) within the Plan, and any park Block(s) external to the Plan to be dedicated to the City, meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended) for parkland property use.
42. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision as follows:
- a) a base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the Plan (whichever occurs first) and shall include as a minimum requirement the following tests:



- i) Bacteriological Analysis – total coliform and E-coli counts;
  - ii) Chemical Analysis - Nitrate Test;
  - iii) Water level measurement below existing grade;
- b) in the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results;
  - c) well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes; and,
  - d) well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.

The Owner shall provide temporary water supply to the affected residents upon notice by the City. If the quantity and quality of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Owner will engage the services of a recognized hydrogeologist to evaluate the wells and recommend solutions including deepening the wells or provide a permanent water service connection from the municipal watermain system.

- 43. Prior to the initiation of grading or stripping of vegetation or topsoil, the Owner shall implement the following items to the satisfaction of the City:
  - a) obtain a fill permit from the City;
  - b) agree that all lots or blocks left vacant shall be graded, seeded, maintained, fenced and signed to prohibit dumping and trespassing;
  - c) submit an erosion and sedimentation control plan, and topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period;
  - d) ensure that the topsoil storage be limited to the amount required for final grading with the excess removed from the site; and,
  - e) ensure that the topsoil is not stock piled on park, walkway, open space or valleyland blocks.
- 44. Prior to final approval, a soils report prepared at the Owner's expense 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 recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
- 45. Prior to the initiation of grading, and prior to registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City and TRCA for approval the following:
  - a) detailed engineering report that describes the storm drainage system for the proposed development within this Draft Plan of Subdivision, which report shall include:
    - i) plans illustrating how this drainage system will be tied 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) stormwater management techniques which may be required to control minor or major flows;
  - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
  - iv) the location and description of all outlets and other facilities which may require permits under Ontario Regulation 166/06 and/or the Lakes and Rivers Improvement Act;
  - v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction;
  - vi) retain an environmental monitor and report on the implementation and on-going maintenance of erosion and sediment controls; and,
  - vii) overall grading plans for the Plan.
- b) 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 and TRCA.
46. The Owner shall agree that if there is any phasing in the Plan, all disturbed lands within phases other than the first phase of the subject Plan left vacant (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100 mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
47. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued for any lot or block, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, recycling pickup, garbage pickup, snow removal, fire service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.
48. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
49. Notwithstanding the provisions (Subsection 5.1) generally included within the subdivision agreement, the City may issue model home building permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the subdivision agreement are fulfilled.
50. Prior to the issuance of a building permit for any lot or block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Department/Transportation Engineering Department and the Vaughan Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the Plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
51. No building permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of the subdivision agreement.



52. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the subdivision agreement have been included in the offers of purchase and sale or lease for such lot or block.
53. 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:
- a) the plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.;
  - b) 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;
  - c) the location of parks, open space, stormwater management facilities and trails;
  - d) the location of institutional uses, including schools, places of worship, community facilities;
  - e) the location and type of commercial sites;
  - f) colour-coded residential for singles, semis, multiples, and apartment units; and,
  - g) 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 Development Planning Department, at 2141 Major Mackenzie Drive, 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.]
54. 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:
- a) within the entire Subdivision Plan:
    - i) "Purchasers and/or tenants are advised that roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
    - ii) "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."



- iii) "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
- iv) "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
- v) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. A drawing depicting conceptual locations for boulevard trees is included as a schedule in this subdivision agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice."
- vi) "Purchasers and/or tenants are advised that the City has not imposed 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 a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
- vii) "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 dwelling occupants."
- viii) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:
  - 1) The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.
  - 2) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Width of Driveway
6.0 – 6.99 m	3.5 m
7.0 – 8.99 m	3.75 m
9.0 – 11.99 m <sup>1</sup>	6.0 m
12.0 m and greater <sup>2</sup>	9.0 m

<sup>1</sup>The Lot Frontage for Lots between 9.0 – 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 12.0 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."



- ix) "Purchasers and/or tenants are advised that proper grading of all lots/blocks 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 for 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."

- x) "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."

- xi) "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.

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."

- xii) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- xiii) "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."
- xiv) "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to park, open space, woodlot and/or storm water management facility are prohibited."

- b) abutting or in proximity of either a primary roadway, collector roadway, or arterial roadway:

- i) "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, may be of concern and occasionally interfere with some activities of the dwelling occupants."

- c) abutting or in proximity of streets ending in a dead end:



- i) "Purchasers and/or tenants are advised that Streets "A" and "B", ending in a temporary hammerhead turn-around or cul-de-sac will be extended in the future to facilitate development of adjacent lands without further notice."
  - d) abutting or in proximity of any open space, valleylands, woodlots, stormwater facility or noise berm/landscape buffer:
    - i) "Purchasers and/or tenants are advised that the adjacent open space, valleylands, woodlots, stormwater facility or noise berm/landscape buffer may be left in a naturally vegetated condition and receive minimal maintenance."
  - e) abutting a public highway, laneway, walkway, park, open space, valleylands, woodlots, stormwater facility, noise berm/landscape buffer or other similar public space:
    - 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 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.  
  
The City has taken a Letter of Credit from the Owner 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."
  - f) abutting or in proximity of a park (block/linear) or open space:
    - i) "Purchasers and/or tenants are advised that a lot that abuts or is in proximity of a park and/or open space, should expect noise and lighting from the designed active use of the park and/or open space."
  - g) abutting or in proximity of a park, open space, woodlot, watercourse corridor, or stormwater management facility respecting gate of access point:
    - i) "Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the park, open space, woodlot, watercourse corridor, or stormwater management facility is prohibited."
55. Prior to final approval, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees/vegetation, without written approval by the City.
56. The Owner shall agree in the subdivision agreement that:
- a) prior to final approval, urban design guidelines shall have been prepared in accordance with Council Policy and approved by Council;
  - b) all development shall proceed in accordance with the Council approved urban design guidelines; and,
  - c) a qualified consultant shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the urban design guidelines.



57. Prior to final approval, the Owner shall prepare a landscape master plan, in conjunction with Plans of Subdivision 19T-03V02 (1321362 Ontario Inc.), Plan of Subdivision 19T-08V04 (11336 Regional Road 27 Limited Partnership) and Plan of Subdivision 19T-08V05 (Kleinvit Estates Inc.), in accordance with the Kleinburg-Nashville Community Plan (OPA #601) policies. The plan shall address, but not limited to, the following:
- a) co-ordination of the urban design/streetscape elements as they relate to approved urban design guidelines, including entrance features, parkettes, trail heads, medians and fencing;
  - b) the appropriate integration with the urban design policies outlined in the Kleinburg-Nashville Community Plan;
  - c) the submission of an environmental report for the open space lands;
  - d) the provision valleylands/woodlot/open space edge management restoration/rehabilitation planting plan;
  - e) the appropriate landscape edge treatment along Regional Road 27, with low maintenance plant material;
  - f) the provision of a pedestrian trail system and access points into the valleylands in consultation with TRCA;
  - g) a continuous pedestrian/bicycle route with urban connections between streets and within the neighbourhood, including throughout the community, in addition to complying with the Council approved Pedestrian Bicycle Master Plan;
  - h) the provision of comprehensive pedestrian urban connections between streets, built forms, promenades, parks, open spaces, and woodlots through the entire Plan;
  - i) the incorporation of sustainability design elements into the overall urban fabric; and,
  - j) the appropriate landscape/streetscape design for telecommunication and hydro easements.
58. The Owner shall agree in the subdivision agreement that:
- a) all development within the Draft Plan is subject to architectural approval, in accordance with The Architectural Design Guidelines for the North Humber Extension Area (Plans of Subdivision Files 19T-03V02, 19T-08V04, 19T-08V05 and 19T-08V06), prepared by John G. Williams Architect Ltd., and approved by Vaughan Council, at its December 11, 2012 meeting, where John G. Williams Architect Ltd. was also approved as the Control Architect;
  - 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 design 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.



59. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot Owner. Landscaping provided on the Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.
60. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 m high black galvanized chain-link fence or approved equal along the limits of the residential lots that abut the woodlot, valleylands, open space or buffer with an acoustical berm/barrier.
61. Prior to final approval of the Plan, the Owner shall convey to the City, the buffer and acoustic berm/barrier (Block 43), on the Plan for the construction of an acoustic berm/barrier and landscaping purposes, free of all costs and encumbrances, to the satisfaction of the City.
62. Prior to final approval of the Plan, the Owner shall convey valleyland/open space (Block 46) and open space/access and overland flow route (Block XX) to the City or TRCA, free of all cost and encumbrances, to the satisfaction of the City or TRCA.

#### Region of York Conditions

63. The road allowances included within the Draft Plan of Subdivision shall be named to the satisfaction of the area municipality and York Region.
64. 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 Draft Plan of Subdivision or any phase thereof. Registration of the Draft Plan of Subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
65. Prior to the final approval of any residential lands the following shall occur:
  - a) The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or
  - b) York Region has advised, in writing, that it is no earlier than six (6) months prior to the expected completion of required water and wastewater infrastructure pertaining to the allocation that the City made available to this development; or
  - c) The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the Council of the City of Vaughan has allocated adequate water supply and sewage servicing capacity to the subject development.
66. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
67. Prior to final approval, satisfactory arrangements for conveyance of the water tower lands to the Region of York shall be established to the satisfaction of the Capital Planning and Delivery Branch of the Environmental Services Department.



68. Prior to final approval, the Owner shall agree to provide pedestrian and cycling connections from the proposed development to adjacent streets and land uses. York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections.
69. 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 subdivision. 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. This report/plan may be prepared in association with Draft Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05.
70. Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation and Community Planning Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation and Community Planning Department.
71. 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.
72. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Transportation and Community Planning Department, Attention: Mrs. Eva Pulnicki, P.Eng.
73. Prior to final approval, the Owner shall submit an updated functional servicing report for review and approval to the satisfaction of the Regional Transportation Services Department.
74. The Owner shall agree in the subdivision agreement, to implement the recommendations of the functional servicing report as approved by the Regional Transportation Services Department.
75. Prior to final approval, the Owner shall incorporate sanitary flows discharging from the Copper Creek Golf Course into the proposed sanitary servicing on the west side of Regional Road 27 at the golf course entrance and abandon the existing forcemain servicing the Copper Creek Golf Course located on the east side of Regional Road 27, to the satisfaction of the Regional Transportation Services Department.
76. The Owner shall agree in the subdivision agreement, that prior to the commencement of any site works such as site preparation, site servicing, grading and internal road construction, that the intersection works required at the intersection of Regional Road 27 and Street "A" (Vivot Boulevard) in Draft Plan of Subdivision File 19T-03V02 shall be designed, approved, secured and constructed to the satisfaction of the Transportation and Community Planning Department. The intersection of Regional Road 27 and Street "A" (Vivot Boulevard) or an area immediately adjacent to Street "A" shall act as the construction access for the properties identified in Draft Plans of Subdivision Files 19T-03V02, 19T-08V04 and 19T-08V05. Independent construction access for this development will not be permitted.



77. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all existing driveway(s) along the Regional road frontage of this subdivision not part of the final subdivision approval will be removed as part of the subdivision work, at no cost to York Region.
78. 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 0.2 m above the centreline elevations of the York Region roadway, unless otherwise specified by the Transportation and Community Planning Department.
79. Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
80. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- 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 road right's-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; and,
  - 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.
81. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation and Community Planning Department recommending noise attenuation features.
82. 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.
83. 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 guidelines and the York Region Noise Policy.
84. 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."

85. 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, as follows:
- 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 shall be constructed on the private side of the Highway 27 right-of-way 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 area municipality for aesthetic purposes must be approved by the Transportation and Community Planning Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
86. 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 area municipality.
87. 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 area municipality, at no cost to the Region.
88. 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 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.
89. 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 DC-0007-2007-040, as amended by By-law # 2010-49.



#### Toronto and Region Conservation Authority (TRCA) Conditions

90. That prior to the initiation of grading and prior to the registration of this Plan or any phase thereof, the applicant shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Report for the North Humber Extension Proposed Low Impact Subdivision (prepared by The Municipal Infrastructure Group, dated February 2012). This report shall include:
- a) plans illustrating how this drainage system will tie into surrounding drainage systems, (i.e., Is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?);
  - b) stormwater management techniques which may be required to control minor or major flows;
  - c) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
  - d) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
  - e) location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) Regulation;
  - f) overall grading plans for the subject lands; and,
  - g) supplementary measures, including additional source and conveyance measures, to enhance infiltration and reduce runoff volumes.
91. That the Draft Plan of Subdivision, be red-line revised, in order to meet the requirements of the condition above, if necessary.
92. That the Owner successfully obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading, development, and for any infrastructure relating to the proposed Low Impact Development Measures for the Humber North Extension Area.
93. That the Owner submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction ([www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca)).
94. That the Owner successfully obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for site grading, development, and for any infrastructure relating to the upkeep and maintenance of horses (e.g., paddock, in-run shed) on Block 45.
95. That the implementing zoning by-law recognize Open Space Blocks 45 and 46 inclusive and Buffer Block 44 in an open space, or other suitable zoning category, which has the effect of prohibiting development and is subject to TRCA's required detailed, site specific provisions, to the satisfaction of the TRCA, as requested in writing in October 2012.
96. That Block 41 (Residential) be subject to the site plan agreement/approval process, and if required, the draft plan of condominium process, to the satisfaction of the TRCA.



97. That a restrictive covenant be placed on title for portions of Block 41 (Residential), with the effect of prohibiting the erection of any pools, decks or other structures outside of the delineated building envelopes as depicted in attached Schedule "B" to TRCA's letter dated December 11, 2012.
98. That a copy of the adopted implementing zoning by-law be provided to the TRCA, when available, to facilitate the clearance of conditions of draft approval.
99. That Open Space Block 46 be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges or encumbrances.
100. That prior to registration of the Plan of Subdivision or any phase thereof, the Owner will have entered into and executed a Management Agreement or similar, of the Toronto and Region Conservation Authority letter dated December 11, 2012, as noted in Appendix II, which provides details on the long-term management of Private Open Space Blocks 44 and 45.
101. That prior to registration of the Plan of Subdivision or any phase thereof, the applicant shall submit a Master Plan for Blocks 44 and 45, to the satisfaction of the TRCA, that contains the following:
- a) examination of potential locations and treatment of the horse paddock area(s) in Block 45;
  - b) analysis and assessment of potential locations for Vivot's artistic sculptures in Block 45 along with associated minor infrastructure (i.e., sculpture staging areas, access, benches);
  - c) comprehensive and robust compensatory and restoration planting plan for the following two areas: a) an area within Block 44 and located immediately behind the rear lot lines of Lots 1-8 inclusive on the Draft Plan; and b) an area within Block 45, to be identified in future consultations with the applicant and to the satisfaction of TRCA;
  - d) demarcation of the boundary between Blocks 45 and 46 with surveyors stake or bar with coloured top; and,
  - e) the TRCA will determine what elements contained within the Master Plan will require an application for permit under Ontario Regulation 166/06.
102. That an easement in favour of the TRCA be granted along Block XX, for purposes of inspection and access to Block 45.
103. That the Owner agree in the subdivision agreement, in wording acceptable to the TRCA:
- a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition No. 90;
  - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
  - d) to erect a permanent fence to the satisfaction of the TRCA for Lots 1 to 8 inclusive;



- e) that no grading works will take place within Buffer Block 44. Should minimal grading be proposed, the applicant will clearly provide an analysis providing a rationale/justification for grading and explore options to minimize grading to the furthest extent and effectively demonstrate a net environmental gain; and,
  - f) that no retaining wall structures or systems be erected on Buffer Block 44, Open Space Block 45 and/or on the property limit for Residential Condominium Block 41.
104. That a copy of the executed subdivision agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.
105. That the applicant submit a detailed assessment of how each TRCA condition of draft plan approval has been satisfied, in order to expedite the clearance of conditions of draft plan approval.

#### Canada Post Conditions

106. The Owner shall agree to:
- a) consult with Canada Post to determine the locations of the community mailboxes and indicate the community mailbox locations on the appropriate servicing plans and provide Canada Post with 2 copies of the utility co-ordination plan for use in identifying the community mailbox location;
  - b) provide the following for each community mailbox site, as shown on the servicing plans:
    - i) a sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailboxes;
    - ii) any required walkway across the boulevard, as per municipal standards; and,
    - iii) any required curb depressions;
  - c) provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s);
  - d) include in all offers of purchase and sale, or lease for all lots/blocks that mail delivery shall be from a designated community mailbox, and notify the purchasers and/or tenants of the exact community mailbox locations prior to the closings of any dwelling unit; and,
  - e) provide a copy of the executed subdivision agreement to Canada Post.

#### Enbridge Gas Distribution Conditions

107. Prior to final approval of the Plan, the Owner shall agree to:
- a) discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department;
  - b) prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities;
  - c) construct streets in accordance with composite utility plans previously submitted and approved by all utilities;



- d) grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
- e) additional conditions will be provided at the Site Plan review stage.

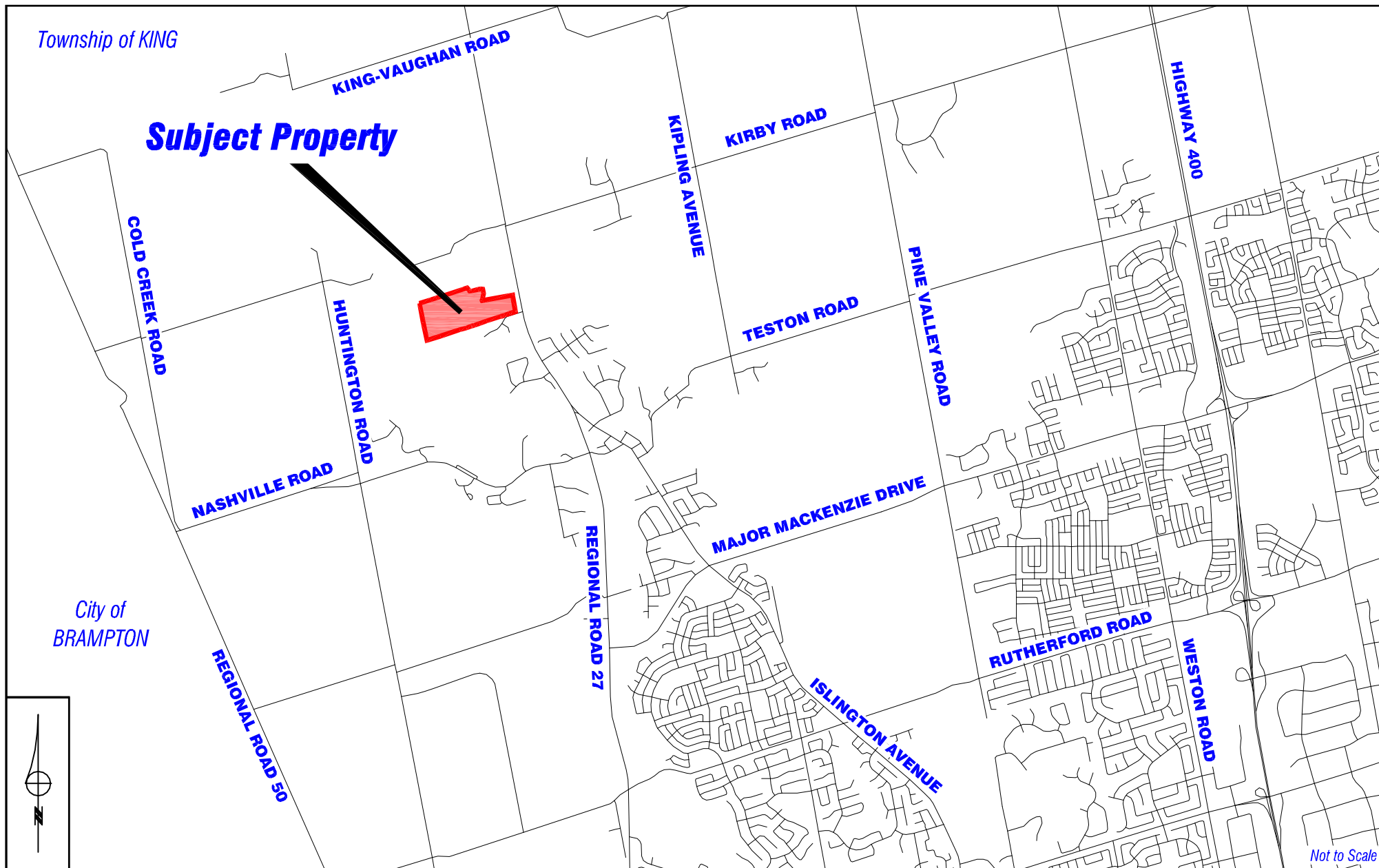
#### York Region School Boards Conditions

108. Prior to final approval, the City shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the Owner and the School Boards.

#### Clearances

109. 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 109 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
110. The City shall advise that Conditions 1 to 62 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
111. The Region of York shall advise that Conditions 63 to 89 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
112. The Toronto and Region Conservation Authority shall advise that Conditions 90 to 105 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
113. Canada Post shall advise that Condition 106 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
114. Enbridge Gas shall advise that Condition 107 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
115. The York Catholic District School Board shall advise that Condition 108 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
116. The York Region School Board shall advise that Condition 108 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
117. The Conseil Scolaire de District Catholique Centre - Sud shall advise that Condition 108 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.





## Context Location Map

LOCATION:  
Part of Lot 29, Concessions 9

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot in-Trust



## Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

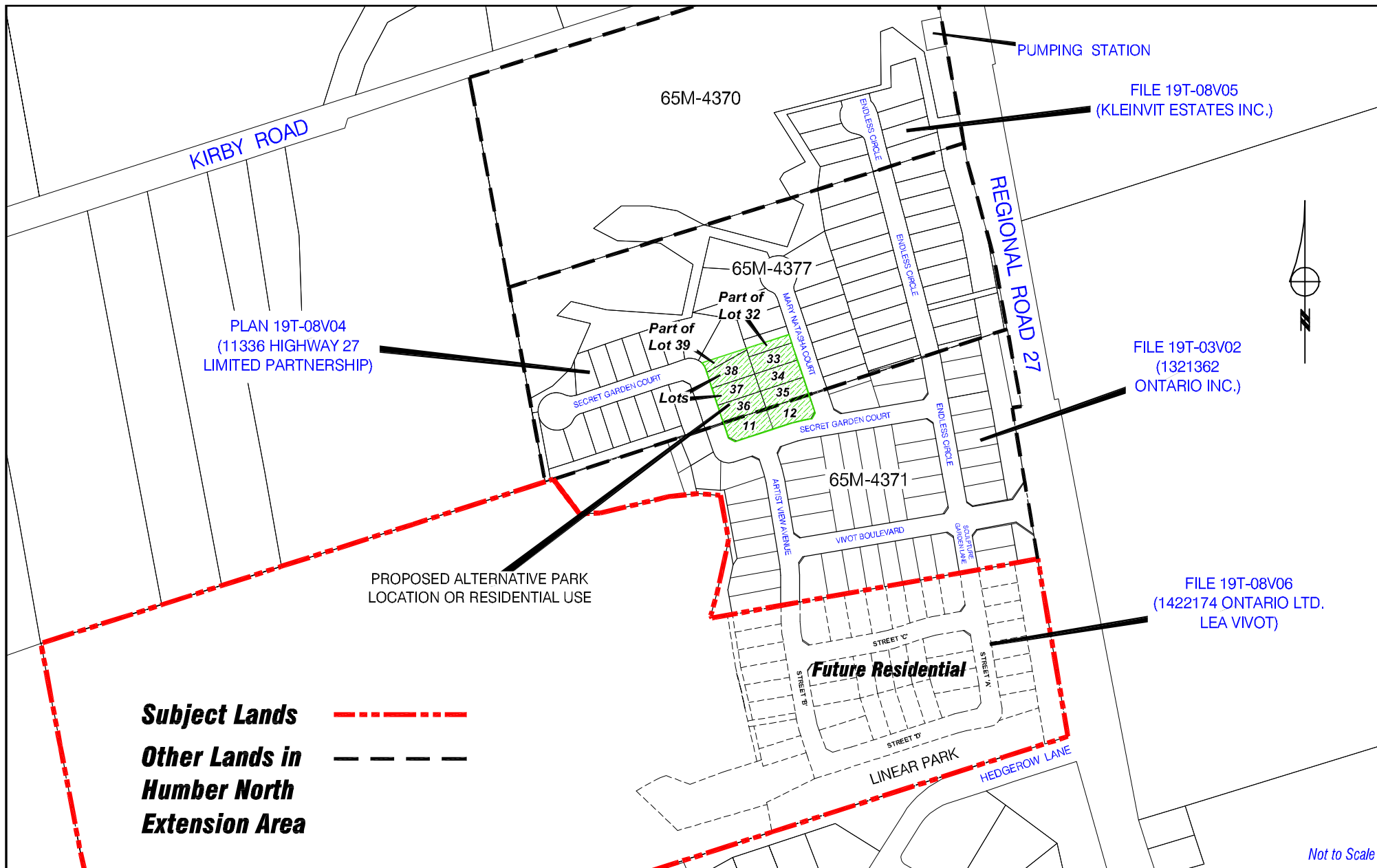
DATE: March 08, 2013

2









# Consolidated Plan with Alternative Park

APPLICANT: 1422174 Ontario Ltd. -  
Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concessions 9



Development Planning Department

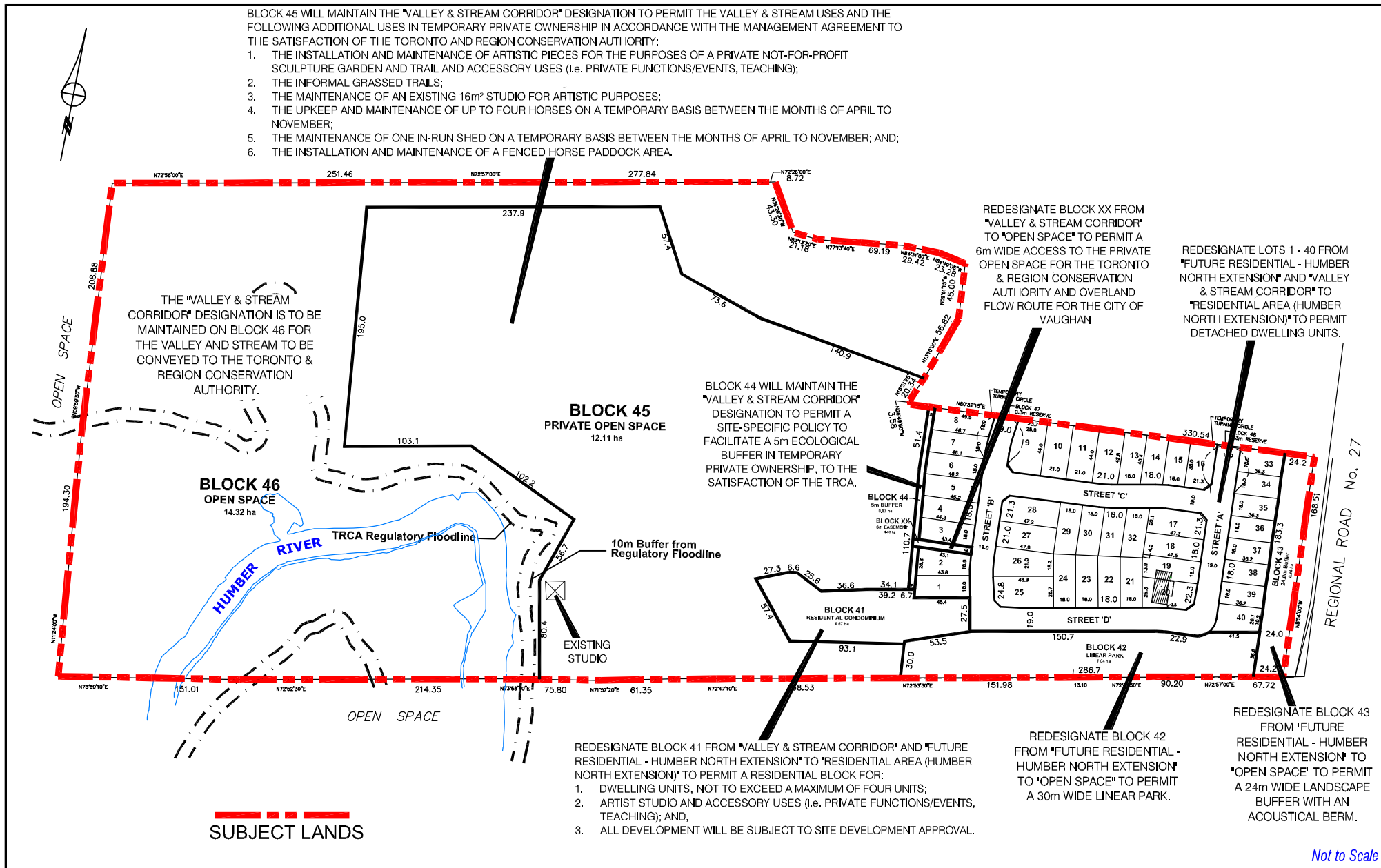
## Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

# 4





# Proposed Official Plan Land Use Designations

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9



## Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

# 5



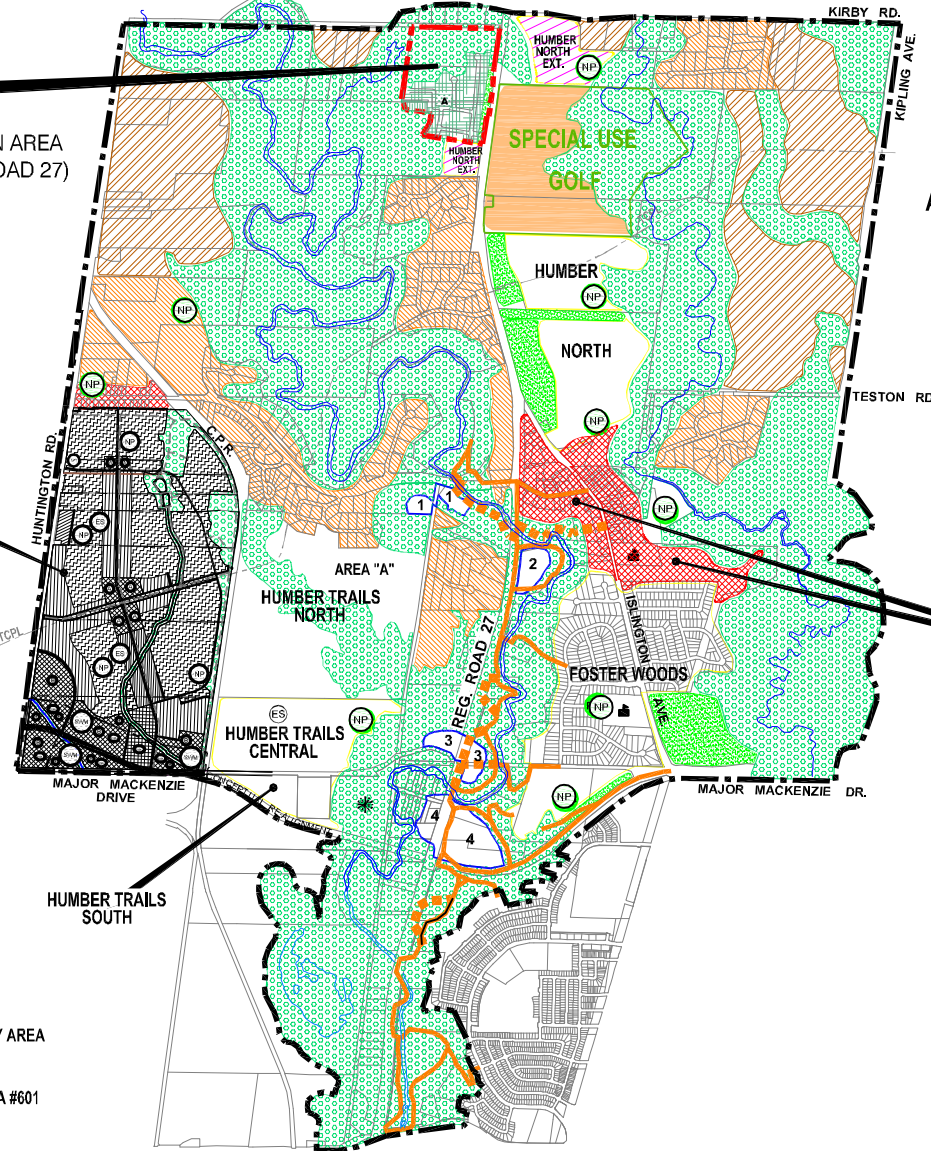
## LEGEND

- SERVICED RESIDENTIAL
- FUTURE RESIDENTIAL
- SUBURBAN RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MIXED USE - RESIDENTIAL / COMMERCIAL AREA 'A'
- MIXED USE - RESIDENTIAL / COMMERCIAL AREA 'B'
- GENERAL COMMERCIAL
- CORE AREA
- SPECIAL USE - GOLF
- RURAL AREA
- VALLEY & STREAM CORRIDOR
- ELEMENTARY SCHOOL
- VALLEY POLICY AREA 1 TO 4
- OPEN SPACE
- COMMUNITY CENTRE / PARKLAND (PROPOSED)
- NEIGHBOURHOOD PARK
- LINEAR PARK
- INTER-REGIONAL TRAIL
- REGIONAL ROAD 27 TRAIL ROUTE (PREFERRED)
- REGIONAL ROAD 27 TRAIL ROUTE (ALTERNATE)
- GREENWAY SYSTEM
- NASHVILLE CEMETERY
- STORM WATER MANAGEMENT
- WATER TOWER
- WASTE DISPOSAL ASSESSMENT AREA
- ARTERIAL ROAD
- COLLECTOR ROAD
- PRIMARY ROAD
- TABLELAND WOODLOT
- RESIDENTIAL AREA "A" - HUMBER NORTH EXTENSION
- RESIDENTIAL AREA - HUMBER NORTH EXTENSION
- MAJOR MACKENZIE DRIVE ALIGNMENT SPECIAL STUDY AREA
- PROPERTY LINE
- AMENDMENT AREA FOR OPA #601

## Area Subject to Amendment No. 719

HUMBER NORTH EXTENSION AREA  
(WEST SIDE OF REGIONAL ROAD 27)  
See Schedule "A3"  
for Further Details

NASHVILLE  
HEIGHTS  
See Schedule "A2"  
for Further Details



THIS IS SCHEDULE 'A'  
TO AMENDMENT No. 601  
ADOPTED THE \_\_\_\_ DAY OF \_\_\_\_, 2001

## KLEINBURG NASHVILLE COMMUNITY PLAN

KLEINBURG CORE AREA and  
MAINSTREET COMMERCIAL  
See Schedule "A1"  
for Further Details

## SCHEDULE 'A' LAND USE

SCALE  
0 500 1000 1500m

Not to Scale

# OPA #601 - Schedule 'A' Land Use

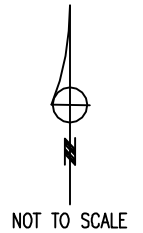
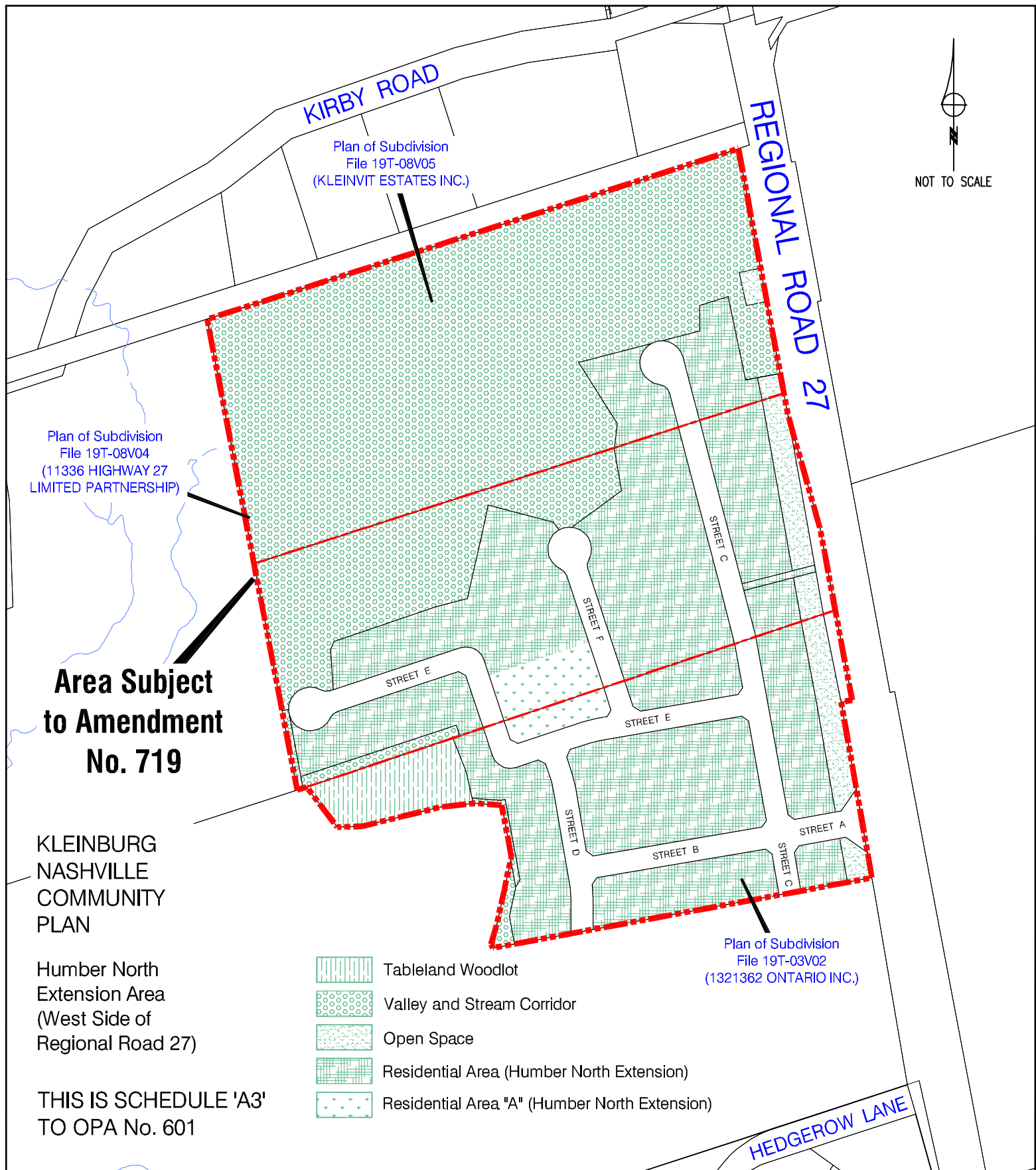


Attachment  
FILES:  
OP.03.007, Z.08.037, &  
19T-08V06  
DATE: March 08, 2013  
**6**

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9





## OPA #601 - Schedule 'A3' Land Use - Humber North Expansion

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9

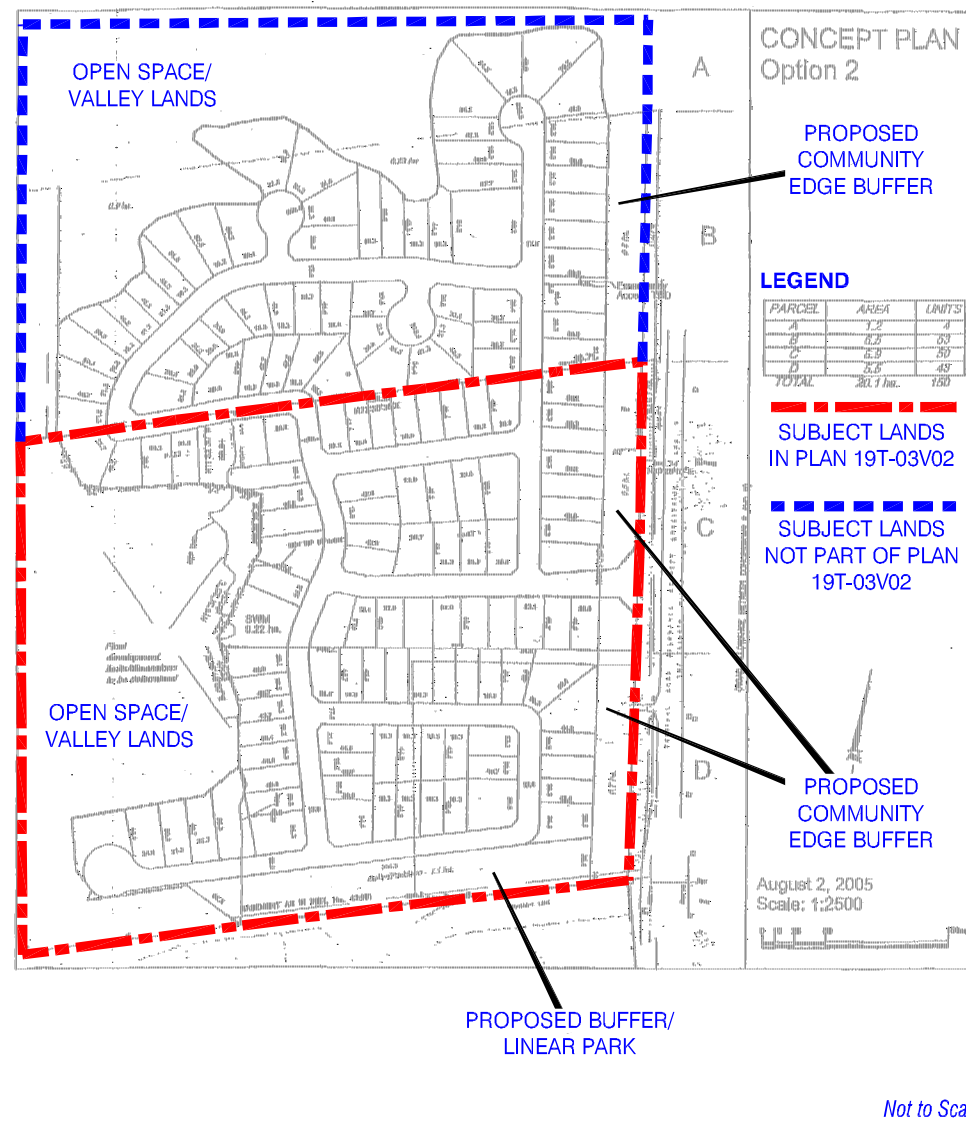
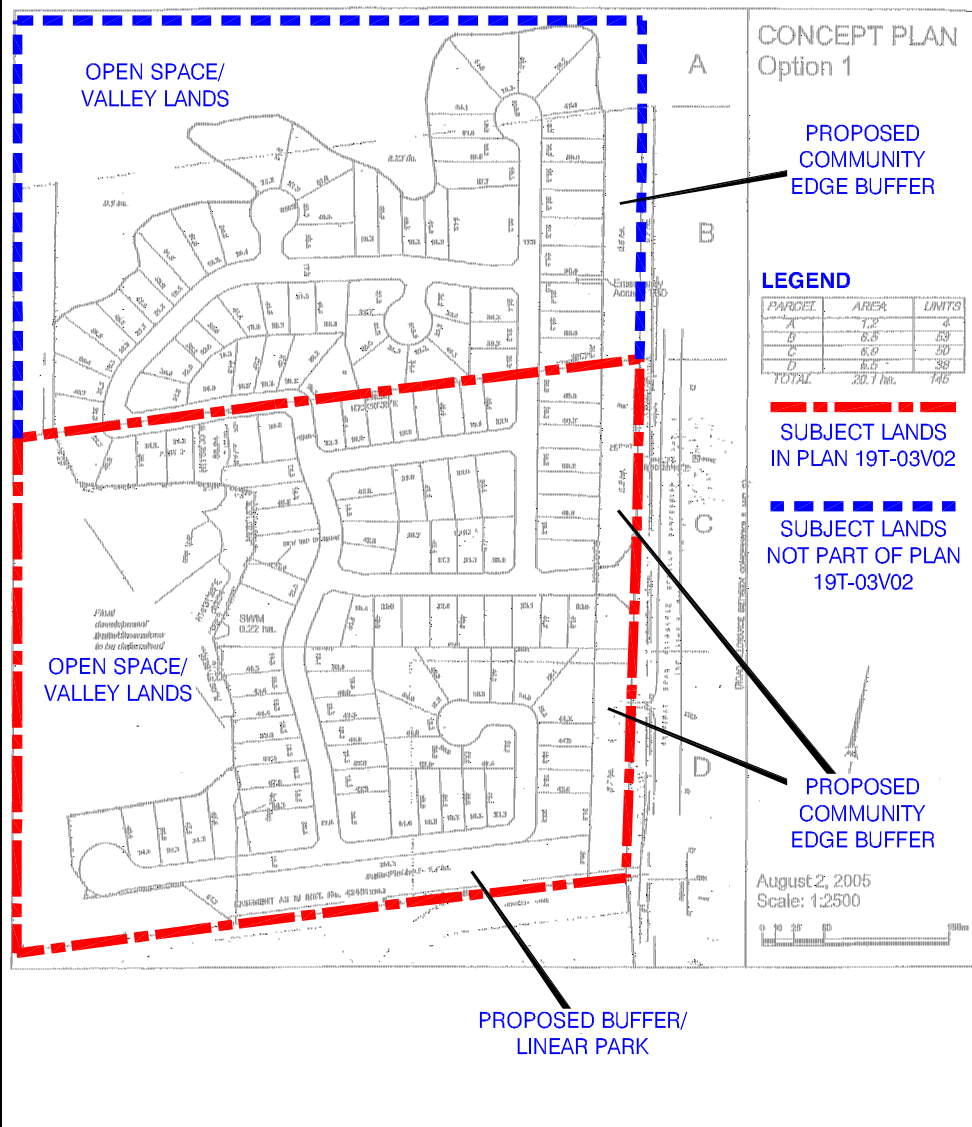


Attachment  
**7**

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 08, 2013





Not to Scale

# Concept Development Plans

APPLICANT: 1422174 Ontario Ltd. -  
Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concessions 9



## Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

# 8



**Principles of Development Concepts (Options 1 and 2) as discussed with KARA and Hedgerow Lane Ratepayers Representative**

1. One main access from HWY 27 supplemented by one emergency access also from HWY 27. Final location of these access points shall be determined with the Region of York as required.
2. Buffer/Parkland area to be calculated based on 5% of the net developable area of the final limits of development to be determined through the land use planning process.
3. Buffer/parkland area to be linear in fashion and located at the south end of the plan area, directly north of the Hedgerow Lane subdivision. This area is to be passive in nature and require no maintenance upon construction. (Status of 6.1m easement in favour of Bell Telephone Company registered as instrument number 42481 in 1959 to be determined).
4. The buffer/parkland block, shall have frontage on a single loaded road. Such road shall have a maximum right-of-way width of 15m.
5. Easterly boundary (along HWY 27) to contain a buffer strip 30m in width. It is recognized that this area is largely occupied by a berm of varied heights. This berm is stable and shall be maintained. Additional height and landscaping of the berm in various locations will be evaluated/determined at the draft plan of subdivision stage. The final berm is to be natural, with no maintenance requirements.
6. The westerly limit of development is conceptual in natural. Final limits of development will be determined at the draft plan of subdivision stage with the appropriate commenting and review agencies.
7. Stormwater management block shown on the plan is conceptual in natural. Final location, limits and area shall be determined at the draft plan of subdivision stage.
8. Average lot size will be approximately 10,000 square feet.
9. Final unit count for properties will be subject to detailed application submissions and approvals.

*Not to Scale*

## Principles of Development (2005)

**APPLICANT:**  
1422174 Ontario Ltd. - Lea Vivot In-Trust

**LOCATION:**  
Part of Lot 29, Concession 9



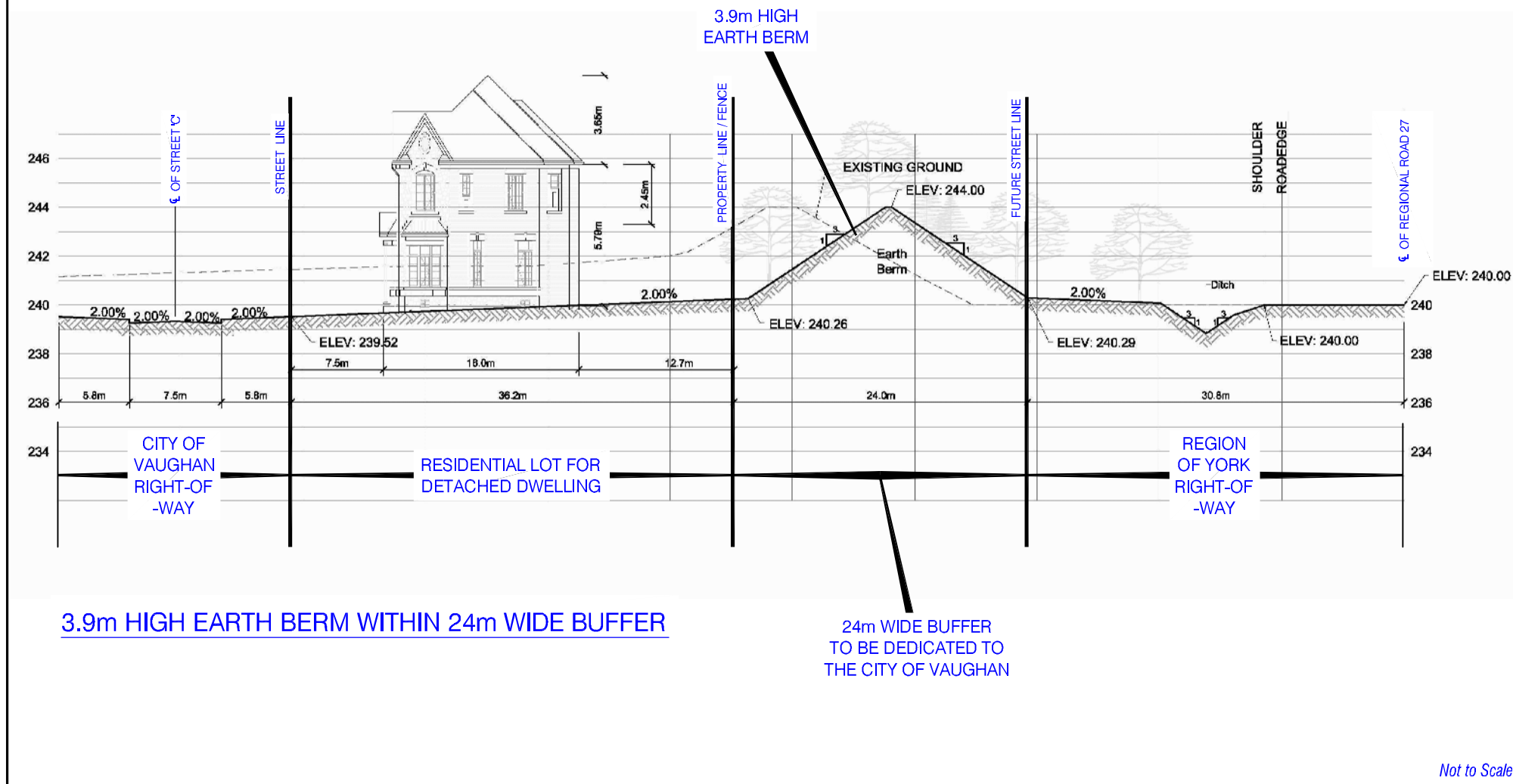
## Attachment

**FILES:**  
OP.03.007, Z.08.037, &  
19T-08V06

**DATE:** March 08, 2013

# 9





# Cross Section of Earth Berm / Buffer

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9

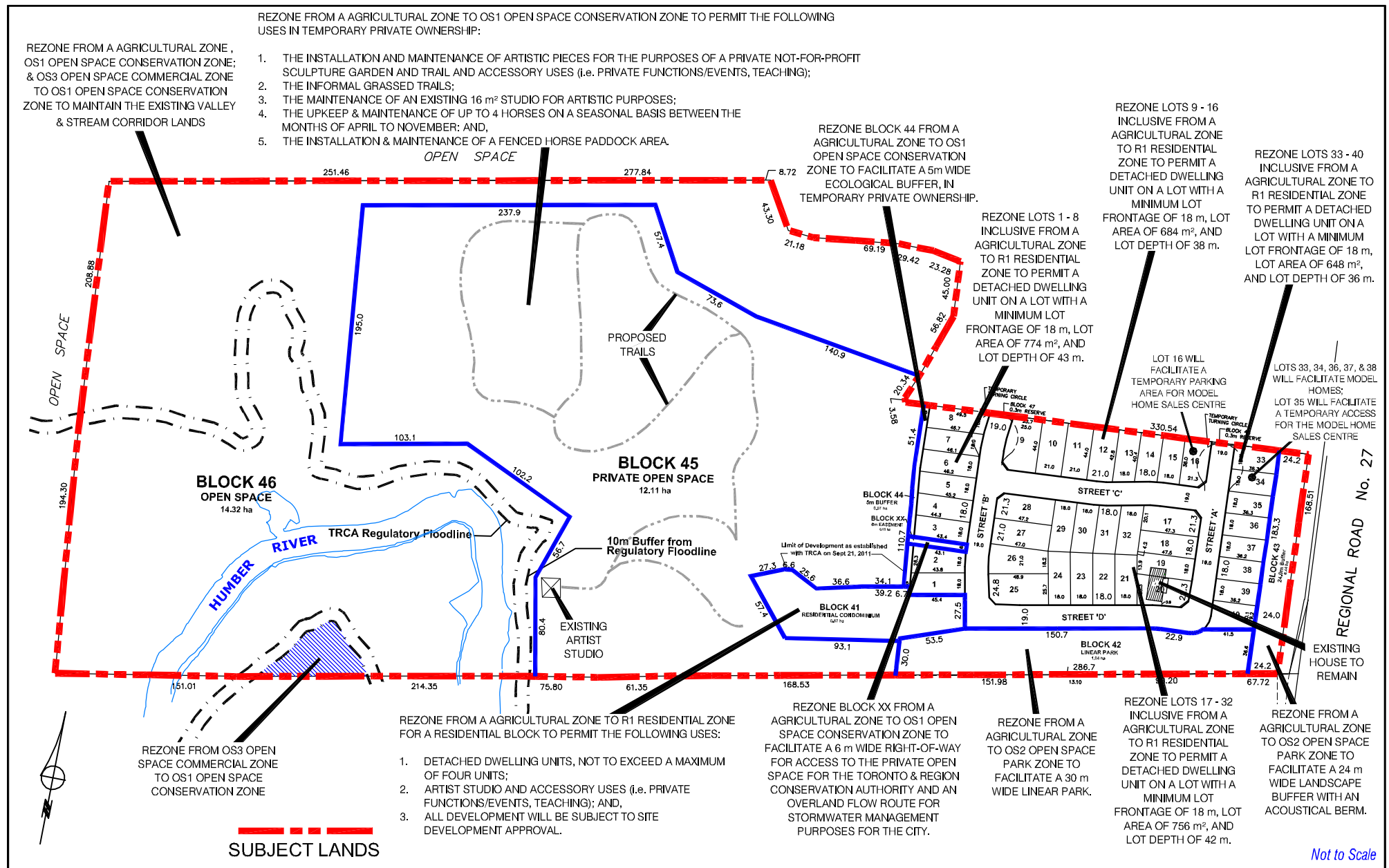


Attachment  
10

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 08, 2013





# Proposed Zoning

LOCATION:  
Part of Lot 29, Concession 9

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust



Development Planning Department

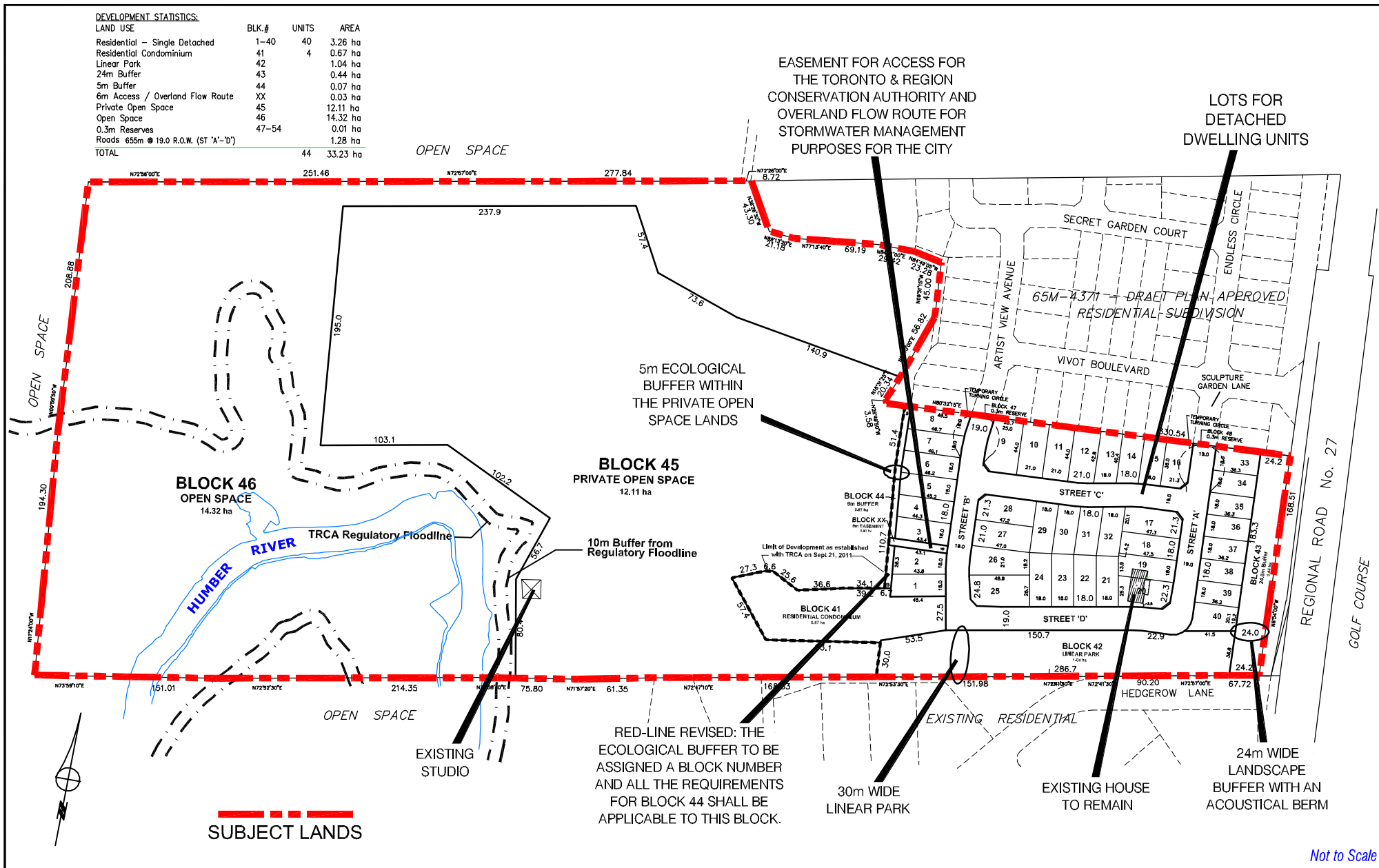
# Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

11





# Draft Plan of Subdivision File 19T-08V06 - Red-Line

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9



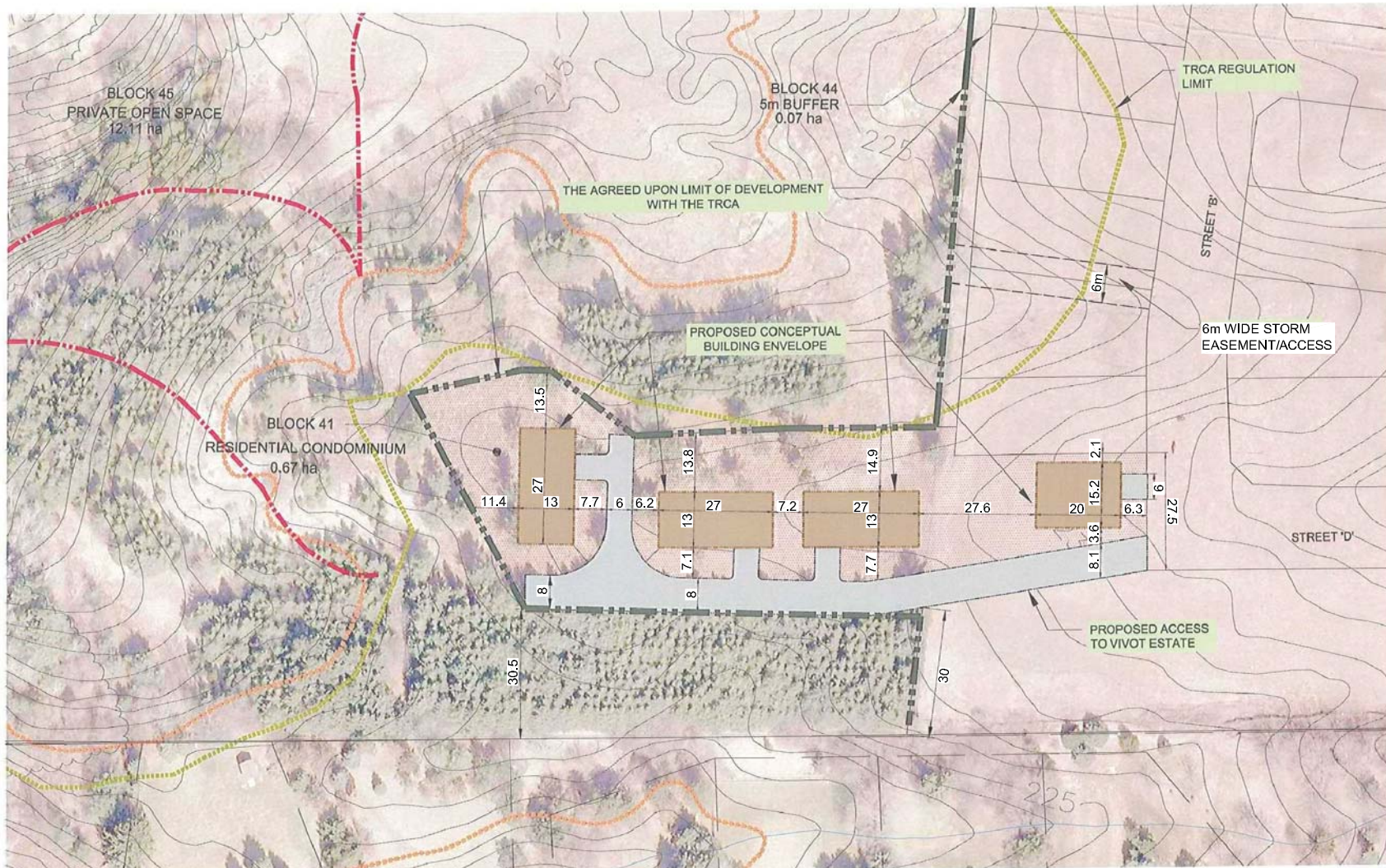
## Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

# 12





Not to Scale

# Block 41 - Proposed Building Envelopes

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

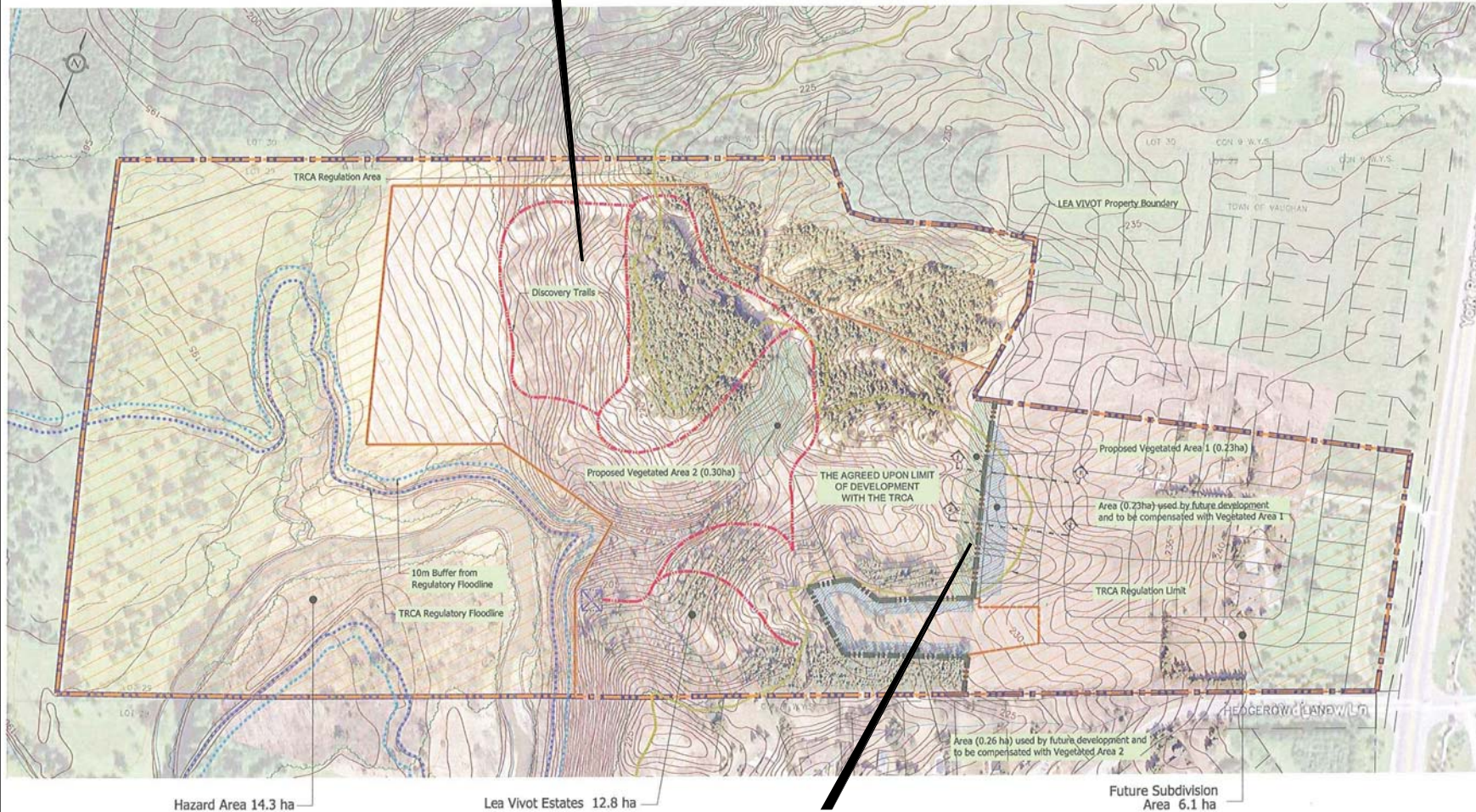
LOCATION:  
Part of Lot 29, Concession 9



Attachment  
FILES:  
OP.03.007, Z.08.037, &  
19T-08V06  
DATE: March 15, 2013  
**13**



BLOCK 45



**LEGEND**

- ..... TRCA REGULATION FLOODLINE
- ..... 10m BUFFER FROM FLOODLINE
- ..... TRCA REGULATION LIMIT
- AGREED UPON DEVELOPMENT LIMIT BETWEEN FUTURE SUBDIVISION & VIVOT ESTATES
- DISCOVERY TRAILS
- LEA VIVOT PROPERTY BOUNDARY
- AREA BEYOND TOP OF BANK WILL BE USED BY PROPOSED DEVELOPMENT
- PROPOSED VEGETATED AREAS TO COMPENSATE FOR AREAS BEYOND STAKED TOP OF BANK WHICH WILL BE USED BY THE FUTURE DEVELOPMENT

*Not to Scale*

# Blocks 45 & 46 - Private Open Space

APPLICANT:  
1422174 Ontario Ltd. - Lea Vivot In-Trust

LOCATION:  
Part of Lot 29, Concession 9



Attachment

FILES:  
OP.03.007, Z.08.037, &  
19T-08V06

DATE: March 15, 2013

14