

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013

Item 19, 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.

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**ZONING BY-LAW AMENDMENT FILE Z.12.014
DRAFT PLAN OF SUBDIVISION FILE 19T-12V004
SITE DEVELOPMENT FILE DA.12.060
WOODBIDGE CROSSING LTD.
WARD 2 - VICINITY OF KIPLING AVENUE AND PORTER AVENUE**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 2013, be approved;**
- 2) That staff be requested to review the east elevations of the proposed townhouses to ensure compatibility with the proposed sidewalk;**
- 3) That staff consider the objective of activating the public square in their review of the application; and**
- 4) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.014 (Woodbridge Crossing Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88, to:
 - a) rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and A Agricultural Zone, in the manner shown on Attachment #4;
 - b) that the Holding Symbol "(H)" shall not be removed from the subject lands until servicing for the subject lands has been identified and allocated by Vaughan Council; and,
 - c) permit the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-12V004 (Woodbridge Crossing Ltd.), as shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1 to this report.
3. THAT Site Development File DA.12.060 (Woodbridge Crossing Ltd.) BE APPROVED, to facilitate the residential development of the subject lands shown on Attachments #2 and #3 with 53 freehold townhouse units including public square blocks, a pedestrian trail block in private ownership (subject to a public easement), and a private buffer block and private visitor parking areas as shown on Attachments #4, and #6 to #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the final site plan and building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department;

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- ii) the final landscape plan and landscape cost estimate, including the detailed design of the public square blocks shall be approved to the satisfaction of the Vaughan Development Planning and Parks Development Departments;
- iii) the final site grading, servicing, stormwater management and lighting plans shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
- iv) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department;
- v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;
- vi) the Owner shall convey an easement in favour of the City of Vaughan over Block 2 (Pedestrian Trail);
- vii) the Owner shall arrange with the adjacent property Owner to the west (Canuck Properties) to convey an easement over a portion of the future Porter Avenue West as shown on Attachment #4; the easement shall be of sufficient size and configuration to facilitate two way traffic movements from the west limit of the existing private driveway to the future Porter Avenue West and shall be to the satisfaction of the City of Vaughan;
- viii) the Owner shall satisfy all requirements of CP Railway; and,
- ix) the Draft Plan of Subdivision 19T-12V004 shall be registered;
- b) that the Site Plan Agreement include the following conditions:
 - i) Prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) The Condominium Corporation shall maintain ownership of Block 6 (the berm and noise fence), and Block 2 (Pedestrian Trail) with the necessary easement(s) over Block 2 granted in favour of the City of Vaughan.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment.

Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

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

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

Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

The following sustainable building features are proposed to be provided in the development of the subject lands:

- i) high efficiency fixtures, fittings and appliances (ie: dual flush toilets, low flow shower heads and faucets);
- ii) heating ventilation and air conditioning equipment that uses no CFC refrigerants;
- iii) to the greatest extent possible, use of building materials and products that are extracted and manufactured within the region;
- iv) low E double glazed windows;
- v) high efficiency furnaces, air conditioning units and bathroom fans; and,
- vi) spray foam insulation will be used in all garage ceilings.

Economic Impact

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

Communications Plan

On May 11 2012, a Notice of Public Hearing for Zoning By-law Amendment File Z.12.014, proposing 49 (revised at a later date to 53) residential townhouse units and a public square was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on June 5, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on June 26, 2012.

At the Public Hearing, a representative of the West Woodbridge Homeowners Association expressed concern with the proposed conceptual site plan and building designs, and indicated that the development should be in keeping with the policies of OPA #695. The individual also requested that the Owner meet with the representatives from the Homeowners Association to discuss their concerns. A representative of an adjacent landowner (Canuck Properties) also addressed Council at the Public Hearing and advised that he attended the meeting to understand the issues of Council and the public.

On September 21, 2012, a Notice of Public Hearing for Draft Plan of Subdivision File 19T-12V004, which includes 9 blocks for 53 townhouse dwelling units, was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on October 15, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on November 6, 2012. At this Public Hearing, a representative of the West Woodbridge Homeowners Association expressed the same concerns identified at the Public Hearing on June 5, 2012, and advised that the Owner/agent has not met with the Association to discuss their concerns. On November 12, 2012, the Owner met with a representative of the West Woodbridge Homeowners Association and the Local Councillor to discuss their concerns.

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Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3, to facilitate the residential development of fifty-three (53) freehold townhouse units served by a private condominium road and visitor parking as shown on Attachment #4:

1. Zoning By-law Amendment File Z.12.014 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone as shown on Attachment #3 to RM2(H) Multiple Residential Zone with the Holding Symbol “(H)” and OS2 Open Space Park Zone, in the manner shown on Attachment #4 together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-12V004 to facilitate a proposed residential Plan of Subdivision, shown on Attachment #5, consisting of the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue West - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

3. Site Development File DA.12.060 to facilitate the development of the subject lands with 53, 3-storey freehold townhouse dwellings and visitor parking serviced by a private common element condominium road, public square/open space and buffer blocks, as shown on Attachments #4 and #6 to #8 inclusive.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Kipling Avenue and south of the Canadian Pacific Railway line, opposite of Porter Avenue East, known municipally as 8100 Kipling Avenue, City of Vaughan.

The 1.65 ha property has 37 m frontage on Kipling Avenue. The parcel is triangular in shape with the southern lot line having a length of 112 m and narrowing to 0 m at the north limit of the site. The parcel was previously occupied by the Woodbridge Lumber Yard and is currently developed with a brick and frame storage building and a frame shed, which are proposed to be demolished.

- i) **Official Plan Amendment #240 as amended by Official Plan Amendment #695**

The subject lands are designated “High Density Residential Neighbourhood” (northerly portion), “Mid Density Residential Neighbourhood” (south portion) and “Public Square” (abutting the CP line) by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study). The “Mid Density Residential Neighbourhood” designation permits townhouse dwellings and a public square and provides for a maximum lot coverage of 80%, a

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maximum Floor Space Index (FSI) of 2.0, a minimum/maximum building height of 2 and 4 storeys, respectively, and a minimum setback of 4.5 m along future Porter Avenue West. The “High Density Residential Neighbourhood” designation also permits townhouse units and a public square and provides for a maximum building height of 2-storeys, a minimum lot coverage of 80%, and a maximum density of 2.0 FSI.

The proposed development, as shown on Attachment #4 conforms to these policies of the Official Plan. The 53 freehold townhouse dwelling units provide for approximately 36% lot coverage, yield an FSI of 1.17 (based on the net developable area of 9,917.35 m²), and are 3-storeys in height. A 4.5 m building setback from the street (future Porter Avenue West) is also proposed. The proposed townhouse development conforms to the Official Plan.

As part of the review of the applications, consideration was given to Section 3.1, General Land Use Policies of OPA #695, and specifically, the policies and development principles and objectives dealing with Parks and Open Space and Special Character Streets.

Public Square

Official Plan Amendment #695 designates a portion of the subject lands “Public Square”. A public square is intended to be a formal space for passive recreation in support of the adjacent development. OPA #695 provides the following guidelines (in part) that should be considered in the design:

- they should be designed as focal points;
- their relationships with adjacent buildings should provide optimal sunlight penetration, sky view and wind conditions;
- the streetscape and buildings that abut a public square should be designed to reinforce an interactive relationship between the open space and its adjacent land use;
- buildings should front onto a public space; entry and access points should be located conveniently and incorporate civic design themes; and,
- hard and soft landscape elements and features shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

The applicant is proposing public square and open space blocks (Blocks 3 and 4, respectively) to be conveyed to the City of Vaughan. These blocks are connected by a linear pedestrian trail (Block 2), which lies parallel to a 25 m wide buffer block (Block 6) extending along the easterly property limits and is required along the CP Rail right-of-way, as shown on Attachment #5. Blocks 2 and 6 will be owned and maintained by the future Condominium Corporation, with the necessary access easements registered on title in favour of the City.

The proposed public square (Block 3) located at the southeast portion of the site has been designed with a main passive focal point feature at the junction of future Porter Avenue West, Kipling Avenue and the CP Railway crossing, with a secondary focal point (Block 4) at the north end of the site. The public square and open space blocks, as shown on Attachment #5, will be treated with soft and hard landscaping materials in a manner that provides formal spaces for passive recreational uses for both the future residents of this development and for the existing residents within the area. The public square (Block 3) affords easy access to pedestrian activity from Kipling Avenue and provides opportunity for plantings and furnishings to implement the vision set out in OPA #695. The proposed landscape plan (Attachment #6) shows a public square and open space block including the conceptual design treatment for Block 3 (the main focal point) to establish a gateway feature for the area. The sloped berm area (Block 6) abutting the CP Railway line does not form part of the public square, however, it will be landscaped and maintained by the future Condominium Corporation. The Owner is also proposing to animate the berm by incorporating seating areas into the design as part of the pedestrian trail experience.

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The majority of the corner units adjacent to the public square and trail system are oriented with the main door, windows and wrap around porches that face the public square and trail system. OPA #695 requires that parkland be provided at a rate of 5% of the gross land area or 1 hectare for each 300 dwelling units or a combination of 5% and 1 ha/300 dwelling units, whichever yields the greater provided for in the Planning Act. The size of the public square shown on Schedule 2.4 "Proposed Parks, Parkettes and Public Squares" of OPA #695 for the subject lands is 0.31 ha, including the berm, which is based on a more intense form of development that is being proposed by the Owner. The proposed public square, open space, buffer and pedestrian trail blocks total approximately 0.375 ha in size, which is consistent with OPA #695, however, only the public square and open space blocks (Blocks 3 and 4) totaling 0.123 ha (Blocks 3 and 4) will be considered towards satisfying the parkland requirement of the Official Plan since the berm (Block 6) and pedestrian trail (Block 2) will remain in private ownership with access easements granted in favour of the City of Vaughan. The balance of the parkland requirement will be provided as cash-in-lieu of parkland.

The Development Planning Department and Parks Development Department are generally satisfied with the design of the public square and open space blocks given the site constraints and are satisfied that they are planned a manner that will facilitate a public square that is consistent with the intent of the Official Plan.

Character Street (Porter Avenue West)

Official Plan Amendment #695 identifies the existing private driveway as shown on Attachment #4 as Porter Avenue West, a Special Character Street that should function as a major public east/west pedestrian and bicycle link from Rainbow Creek, easterly to the Fairgrounds and beyond. This street is planned to terminate at the west limit of the site, and connect to a future north-south road (Parkside Drive). OPA #695 indicates that Porter Avenue West should function as a one-way road, out to Kipling Avenue, due to the CP Railway setback and sight-line restrictions at this location.

OPA #695, Appendix B, Streetscape Master Plan, includes guidelines for the design of Porter Avenue West to be considered as follows:

- a right-of-way width of 17.5 m;
- one-way eastbound lane with a lay-by parking lane and a 6.0 m pavement width;
- no left turning lane; and,
- sidewalks on the north and south sides of Porter Avenue West - 2.5 m and 1.5 m wide, respectively.

OPA #695 also states that a 4.5 m setback should be provided between the Porter Avenue West right-of-way and any building to accommodate enhanced landscaping, special streetscape features and green connections to major open spaces.

The main access to the subject lands is proposed from future Porter Avenue West, which serves the subject lands and the industrial lands further to the west (owned by Canuck Properties and currently occupied with Woodbridge Foam). Porter Avenue West is designed with a 17.5 m right-of-way including a pavement width of 8.0 m and a 3.0 m sidewalk on the north side of the street as shown on Attachment #9. The Owner is proposing that Porter Avenue West function as a two-way street with no lay-by parking since it provides the only opportunity to access the subject lands at this time. OPA #695 indicates that Porter Avenue West should function as a one-way street out to Kipling Avenue, due to the CP Railway line setback and sight line restrictions at this location. However, CP Railway has provided comments (identified in the CP Rail Section of this report) indicating that they have no objection to Porter Avenue West functioning as a two-way

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street, provided the proper traffic and directional signage is installed. Further comments are provided by the Vaughan Development/Transportation Engineering Department later in this report that will require the applicant to submit drawings showing the revised right-of-way details including two way vehicular movement to allow this development to function.

The Development Planning Department is satisfied with the revised design intent of Porter Avenue West, which includes the required road width, sidewalks, and building setbacks consistent with the general intent of the Character Street, as outlined in OPA #695.

ii) City Of Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated 'Low Density Residential C', "Mid-Rise Residential" and "Parks and Public Squares" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 23, 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 policies of OPA #695 were incorporated into Volume 2 of VOP 2010 (Section 11.5) as an area specific amendment. The proposed development conforms to VOP 2010.

Zoning

The subject lands are zoned M2 General Industrial Zone and M3 Transportation Industrial Zone by Zoning By-law 1-88 as shown on Attachment #3, which does not permit the proposed residential development. A Zoning By-law Amendment is required to rezone the subject lands to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone in the manner shown on Attachment #4. In addition, the following site-specific zoning exceptions are required to facilitate the proposed development:

Table 1

	By-law Standard	By-law 1-88 RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone
a.	Permitted Uses	<ul style="list-style-type: none">- Block Townhouse Dwelling- Apartment Dwelling- Multiple Family Dwelling	Permit 53, 3-storey Freehold Townhouse Units on a Private (Common Element) Condominium Road
b.	Minimum Setback to a Garage (All Units)	6.4 m	6 m
c.	Minimum Amenity Area Per Unit (All 3 bedroom units)	90 m ² per unit	52.5 m ² per unit

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d.	Minimum Lot Area Per Unit	230 m ² per unit	104 m ² per unit
e.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2 m
f.	Minimum Parking Requirement	120 parking spaces (106 residential spaces and 14 visitor spaces)	118 parking spaces (106 residential spaces and 12 visitor spaces)
g.	Minimum Driveway Aisle Width	6 m	4.5 m for the portion of the road along the majority of the western lot line (except at the westerly access location), which will function as a one way street
h.	Accessory Uses, Buildings and Structures	Accessory buildings for the individual lots shall be located in the rear yard.	For the purpose of the freehold townhouse units, the rear yard shall be based on the individual freehold lot
i.	Definition of a Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, RSO. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.	For the purpose of zoning conformity, the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions.

The proposed zoning exceptions would facilitate a development that is compatible with the existing and planned built form in the area. The reduction to the minimum setback from a garage from 6.4 m to 6.0 m, the reduced landscape strip around an outdoor parking area from 3 m to 2 m and the reduction of visitor parking from 14 to 12 spaces are considered to be minor in nature and will not adversely impact the development or adjacent properties. The reduction in the amenity area per unit can also be supported as a public square, pedestrian trail and open space area are proposed as part of the development, thereby providing convenient access to additional amenity space, together with the front and rear yard amenity space that is already provided for each townhouse lot. The reduction in the minimum lot area per unit from 230 m² to 104 m² applies to

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all the interior lots on the plan, with the end unit lots being slightly larger, however still deficient of the minimum By-law requirement. The reduced lot area is similar to other condominium townhouse developments in the area and in other parts of the City. The remaining exceptions respecting the definition of a lot and location of accessory structures will facilitate future development of the site as a common element condominium.

Block 5 (at the very north end of the property) as shown on Attachment #5 is an irregular shaped parcel of land that is currently zoned M3 Transportation Industrial Zone by Zoning By-law 1-88 and is intended to be developed in the future with the lands to the west. At this point in time, the Owner does not have development intentions for this land, and therefore, the appropriate residential zone category cannot be determined. Accordingly, the Development Planning Department recommends that Block 5 be rezoned to A Agricultural Zone in order to eliminate the industrial zoning from this Block, which in the future must be rezoned to facilitate a comprehensive development with the lands to the west. A recommendation to rezone Block 5 as part of this process is included in the recommendation section of this report.

The Development Planning Department can support the proposed rezoning of the property and all of the required site-specific exceptions to By-law 1-88, in order to implement the proposed development.

Proposed Subdivision Design

The Owner has submitted a Draft Plan of Subdivision as shown on Attachment #5, to facilitate the proposed development, which includes the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

The total area of the proposed Draft Plan of Subdivision is 1.649 ha, which is intended to be registered as a 65M Plan and will facilitate the creation of the blocks for the residential development, public square, public open space park, pedestrian trail (in private ownership, subject to a public easement), private buffer block, future development block, and Porter Avenue West. The registered plan will facilitate a future Site Plan and Part Lot Control Applications to create the lots for the 53 freehold townhouse units. A Common Elements Condominium Application will also be required to create the private visitor parking area, and the private internal road.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the Conditions of Draft Approval shown on Attachment #1. The approval of the Plan of Subdivision and Site Plan will facilitate further applications to be submitted (Part Lot Control and Condominium for Common Elements) for approval by Council, in order to implement the townhouse development. The Owner is proposing to retain ownership of Block 5 for future development to be combined with other lands to create a developable parcel, which will require future review of new development applications and approval by Council at a later time.

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Proposed Site Plan

The proposed site plan is shown on Attachment #4. The subject lands are irregular in shape and are bounded by an existing industrial use to the west (Woodbridge Foam), the Canadian Pacific Railway (CPR) line and Kipling Avenue to the east and future Porter Avenue West (existing private driveway) to the south. A CPR/Kipling Avenue level crossing is located north of the property. The proposed site plan shown on Attachment #4 is designed to respond to these development constraints. The plan includes 1 residential block for 53 townhouse units, a public square, an open space block, a buffer block and a pedestrian trail. The proposed townhouse units are designed as either traditional units with rear yard amenity areas or as units with rear garages as shown on Attachments #7 and #8. The visitor parking is organized within the interior of the site abutting the future public square/pedestrian trail, and away from the view from Kipling Avenue and Porter Avenue West.

Access to the subject lands is proposed from the future Porter Avenue West as shown on Attachment #4. As noted previously, Porter Avenue West is a Character Street designed to respond to the guidelines in OPA #695. The Owner currently owns Porter Avenue West, as shown on Attachments #4 and #5, along the frontage of the subject lands. The landowner to the west (Canuck Properties) has an easement in their favour for access over a portion of Porter Avenue West in order to access their lands. However, the west limit of Porter Avenue West does not align with the west limit of the subject lands and therefore, the Owner requires an easement from Canuck Properties over the general area shown on Attachment #4, in order to facilitate full two-way traffic movement from the most westerly proposed access driveway of the subject lands. A condition requiring the Owner to obtain an easement from Canuck Properties is included in the recommendation of this report.

The public square block (Blocks 3) has been designed as a main passive focal point feature at the junction of Porter Avenue West and Kipling Avenue with a second focal point, the open space block (Block 4), located at the north end of the site, connected by a pedestrian trail system.

The design of the public square and open space blocks are conceptual at this time. It is intended that the final design will provide formal space for passive recreational uses for the future residents of this development and for the existing residents within the area. The public square will be treated mainly with hard landscaping. The Parks Development Department has advised that they are working with the Owner's Landscape Architect to finalize the design details of the public square and open space and that they are to be shown as concepts. In addition, the public square and open space blocks will be developed by the Owner to City standards, which will require an agreement between the City and the developer. The cost for the construction of this development will be paid through the collected development charges for the specific site. Detailed plans for Blocks 3 and 4 will be finalized prior to the execution of the Site Plan Agreement. A condition of Site Plan Approval is included that the final landscape plans and design shall be approved by the Parks Development and Development Planning Departments.

The buffer berm (Block 6) and the pedestrian trail (Block 2) as shown on Attachment #5, will be landscaped and animated with built in seating areas. Blocks 2 and 6 will remain in private ownership until a Condominium Corporation is registered for the subject lands, which they will ultimately be responsible for the maintenance.

a) Building Elevations

Typical building elevations for the proposed townhouse dwellings are shown on Attachments #7 and #8. The townhouse dwellings are proposed to be constructed using brick as the main building façade material with a corresponding colour scheme for each model type. A majority of the units are traditional in design with a private backyard amenity area. The units fronting onto

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Porter Avenue West reflect a more urban form and design with a second level walkout deck and small front yard amenity area instead of a backyard. The townhouse blocks are comprised primarily of 6 residential units with the exception of Block “B”, which has 7 units and Block “J” which is comprised of 8 units. The Development Planning Department and the Cultural Services Division are satisfied with the proposed building elevations.

b) Urban Design Comments

The Development Planning Department has reviewed the draft plan of subdivision, landscape plans and streetscape design for Porter Avenue West (Attachment #9) and have no objections, subject to the conditions of draft approval in Attachment #1.

Based on the above, the Development Planning Department can support the approval of the Site Plan, Landscape Plan, Building Elevations, and the Streetscape Design for Porter Avenue West, subject to the comments in this report and the conditions in the recommendation of this report.

Vaughan Development/Transportation Engineering Department Comments

The Vaughan Development/Transportation Engineering Department has provided the following comments regarding the proposed Draft Plan of Subdivision and Site Development Applications:

a) Servicing Capacity Allocation

In accordance with the City's Servicing Capacity Distribution Protocol, which was adopted by Council on June 26, 2012, servicing allocation capacity for the proposed development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for these applications may be revisited at this time based on the status of the subject development applications.

b) Sanitary and Water Servicing

The Functional Servicing Report submitted by the Owner and prepared by Cole Engineering indicates that the proposed development will be connected to an existing 300mm diameter Sanitary Sewer on Kipling Avenue by a proposed manhole on the subject lands flowing south to an existing 300 mm diameter sanitary sewer flowing east on Woodbridge Avenue. This sanitary servicing scheme shall be analyzed in detail as per the updated City Wide Servicing Master Plan and the Functional Servicing Report shall be revised accordingly. The proposed development is part of pressure District Four (PD4). The existing watermain system consists of a piped municipal system with 350 mm diameter PVC watermain on the east side of Kipling Avenue and 200 mm diameter watermain on the south side of Porter Avenue West. The proposed development will be connected to a 200 mm diameter watermain on Porter Avenue West. The developer should verify for second services to loop the system.

c) Storm Water Management

The Functional Servicing Report (FSR) dated April 2012, as prepared by Cole Engineering Group Limited, indicates that the lands are currently serviced and the future storm drainage will be subject to a release rate based on the current conditions of the commercial site where post development peak flows for all events shall be controlled to the pre-development flows, and as per City Standards. There is an existing 600 mm diameter storm water sewer located on Kipling Avenue. The existing manhole may need to be relocated or replaced with a control manhole closer to the property line as per City Standards. Stormwater quality will be treated on-site with an oil grit separator located prior to the control manhole. The internal storm drainage system for the site will consist of private underground storm sewers.

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d) Road Network

Access to the units will be from a common element condominium driveway, two access points off of the future Porter Avenue West extension that connects to Kipling Avenue to the east. Porter Avenue West has been proposed as a 17.5 metre right-of-way with two-way traffic movement and shall be conveyed to the City. The Kipling Avenue Corridor Study by MMM Group identified Porter Avenue West with a different right-of-way configuration, and being a one-way eastbound road out to Kipling Avenue and only right-out movement onto Kipling Avenue, as per the close proximity to the CPR crossing that is approximately 40 metres to the north of the future intersection.

The following shall be addressed:

- i) Two accesses are required for a development exceeding 40 units;
- ii) Resolve the Porter Avenue West right-of-way configuration and traffic movement discrepancies from the City/Regional Study;
- iii) Illustrate a proper termination of Porter Avenue West at the west limit of the site/road and connection to the industrial lands; and,
- iv) The Railway crossing gate will be required at the intersection of the railway track, Kipling Avenue and Porter Avenue West for safety.

The comments received from CP Railway in the next section of this report also supports two way movement along Porter Avenue West.

e) Traffic/Transportation

The Vaughan Development/Transportation Engineering Department has reviewed the latest conceptual site plan submitted by the Owner which includes a vehicle turnaround, as shown on Attachment #4. The details of the turnaround satisfies the requirements of the Vaughan Development/Transportation Engineering Department.

Staff have also reviewed the Conceptual Context Plan and have no comments with regards to the site traffic circulation. The applicant is required to include dimensions of the proposed road, including road width and curb radii. Additional details on the Conceptual Context Plan shown on Attachment #4 must be provided, to the satisfaction of the City.

f) Environmental Noise Impact

The applicant has provided a preliminary environmental noise and vibration feasibility study report dated March 14, 2012, prepared by HGC Engineering that identify noise sources that will impact the Draft Plan through railway noise from the CP railway and roadway noise from Kipling Avenue. This report provides recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses, and potentially upgraded building components and foundations.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City shall require all dwelling units that abut or face a railway and/or arterial road such as Kipling Avenue to be constructed with mandatory central air-conditioning. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3 m road reserve.

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g) Environmental Reports

The Development/Transportation Engineering Department, Environmental Division has reviewed the submitted environmental reports and have indicated that they are satisfactory and that a peer review is not required. Therefore, the only outstanding item that remains is the Record of Site Condition (RSC) to be filed with the Environmental Site Registry and acknowledged by the Ministry of the Environment along with any updated ESA reports that were used to support the filing of the RSC.

A condition of draft approval is included on Attachment #1 that requires the Owner to provide the City with a copy of the RSC for the subject lands, which has been acknowledged and approved by the MOE.

Canadian Pacific Railway Company (CP Railway)

CP Railway has reviewed the proposal and has advised that the property is located adjacent to the MacTier Subdivision, which is classified as a principle main line. The applicant has submitted a drawing prepared by JSW and Associates supporting a 25 m setback instead of the 30 m setback typically required by the railways. The drawing depicts an engineered berm using a Terramesh Berm System and 1.83 m high noise fence to mitigate against railway impact and noise levels. CP Railway has indicated that the proposed setback is acceptable and has been approved elsewhere, but requires a report to be prepared by JSW and Associates to substantiate the drawing. CP Railway has also reviewed the Access and Parking Study prepared by Cole Engineering which included the future development for the Woodbridge Foam/Canuck lands and adjusted volumes to account for a two way intersection and are in support of their recommendations. With the appropriate signage, CP Railway can support the two way movement along Porter Avenue West, subject to the conditions of draft approval included in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that: prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;

Vaughan Fire Prevention Services Department

The Vaughan Fire Prevention Services Department has reviewed the proposal and has no objections to the proposal, subject to the following:

- i) that fire route signage is installed as per the Ontario Fire Code and City of Vaughan By-law 1-96;
- ii) fire routes shall be maintained and unobstructed; and,
- iii) snow to be removed off-site.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the proposed development subject to the inclusion of Conditions of Approval in Attachment #1 respecting the standard archaeological

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resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority staff has reviewed the proposed applications and have indicated that they have no objection subject to their Conditions of Draft Approval in Attachment #1.

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be costs for servicing this site. The Owner is to contact the Enbridge Customer Connection Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This is included in the conditions of approval in Attachment #1.

Canada Post

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

School Boards

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

Relationship to Vaughan Vision 2020

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, specifically with the built form by using building materials and products that are extracted and manufactured within the region and by using high efficiency fixtures, fittings and appliances.

The Owner is providing an environmental benefit to the community with the full remediation and clean-up of an underutilized and contaminated site and safely preparing it for intensification.

ii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park and public square, and a trail system that is publicly accessible, which enhances the City's existing inventory of public amenity and trail network system.

iii) Plan and Manage Growth to Economic Vitality

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

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Regional Implications

The Region of York has no objections to the proposed development, and their conditions of approval are included in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications that propose to implement a residential development comprised of 53 freehold townhouse units on a private common element condominium road that will have access to a new public road (Porter Avenue West). The proposed development is consistent with the intent of the Official Plan, and the proposed zoning amendments will facilitate a development that is compatible with the existing and planned uses in the surrounding area. The development will also include a public square, public open space park, and a pedestrian trail that is publically accessible (but maintained by the Condominium Corporation) and links the two areas, which will facilitate the vision of the Official Plan for this community.

On this basis, the Development Planning Department is satisfied that the proposed residential development is appropriate and can support the approval of the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications, subject to the recommendations in this report, and the Conditions of Subdivision Approval set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Conceptual Site Plan with Proposed Zoning
5. Draft Plan of Subdivision File 19T-12V004
6. Landscape Plan
7. Typical Elevations – Block B, Porter Avenue West
8. Typical Elevations – Block D, Interior Blocks
9. Street Profile (Porter Avenue West, OPA #695)

Report prepared by:

Eugene Fera, Planner, ext. 8064
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

**ZONING BY-LAW AMENDMENT FILE Z.12.014
DRAFT PLAN OF SUBDIVISION FILE 19T-12V004
SITE DEVELOPMENT FILE DA.12.060
WOODBIDGE CROSSING LTD.
WARD 2 - VICINITY OF KIPLING AVENUE AND PORTER AVENUE**

Recommendation

The Commissioner of Planning recommends:

1. THAT Zoning By-law Amendment File Z.12.014 (Woodbridge Crossing Ltd.) BE APPROVED, specifically to amend Zoning By-law 1-88, to:
 - a) rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and A Agricultural Zone, in the manner shown on Attachment #4;
 - b) that the Holding Symbol "(H)" shall not be removed from the subject lands until servicing for the subject lands has been identified and allocated by Vaughan Council; and,
 - c) permit the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-12V004 (Woodbridge Crossing Ltd.), as shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1 to this report.
3. THAT Site Development File DA.12.060 (Woodbridge Crossing Ltd.) BE APPROVED, to facilitate the residential development of the subject lands shown on Attachments #2 and #3 with 53 freehold townhouse units including public square blocks, a pedestrian trail block in private ownership (subject to a public easement), and a private buffer block and private visitor parking areas as shown on Attachments #4, and #6 to #8, subject to the following conditions:
 - a) that prior to the execution of the Site Plan Agreement:
 - i) the final site plan and building elevations shall be approved to the satisfaction of the Vaughan Development Planning Department;
 - ii) the final landscape plan and landscape cost estimate, including the detailed design of the public square blocks shall be approved to the satisfaction of the Vaughan Development Planning and Parks Development Departments;
 - iii) the final site grading, servicing, stormwater management and lighting plans shall be approved to the satisfaction of the Vaughan Development/Transportation Engineering Department;
 - iv) the Owner shall satisfy all requirements of the Region of York Transportation and Community Planning Department;
 - v) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority;

- vi) the Owner shall convey an easement in favour of the City of Vaughan over Block 2 (Pedestrian Trail);
 - vii) the Owner shall arrange with the adjacent property Owner to the west (Canuck Properties) to convey an easement over a portion of the future Porter Avenue West as shown on Attachment #4; the easement shall be of sufficient size and configuration to facilitate two way traffic movements from the west limit of the existing private driveway to the future Porter Avenue West and shall be to the satisfaction of the City of Vaughan;
 - viii) the Owner shall satisfy all requirements of CP Railway; and,
 - ix) the Draft Plan of Subdivision 19T-12V004 shall be registered;
- b) that the Site Plan Agreement include the following conditions:
- i) Prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment; and,
 - ii) The Condominium Corporation shall maintain ownership of Block 6 (the berm and noise fence), and Block 2 (Pedestrian Trail) with the necessary easement(s) over Block 2 granted in favour of the City of Vaughan.

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment.

Objective 2.2: To develop Vaughan as a City with maximum green space and an urban form that supports our expected population growth.

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

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

Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation.

The following sustainable building features are proposed to be provided in the development of the subject lands:

- i) high efficiency fixtures, fittings and appliances (ie: dual flush toilets, low flow shower heads and faucets);
- ii) heating ventilation and air conditioning equipment that uses no CFC refrigerants;

- iii) to the greatest extent possible, use of building materials and products that are extracted and manufactured within the region;
- iv) low E double glazed windows;
- v) high efficiency furnaces, air conditioning units and bathroom fans; and,
- vi) spray foam insulation will be used in all garage ceilings.

Economic Impact

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

Communications Plan

On May 11 2012, a Notice of Public Hearing for Zoning By-law Amendment File Z.12.014, proposing 49 (revised at a later date to 53) residential townhouse units and a public square was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on June 5, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on June 26, 2012.

At the Public Hearing, a representative of the West Woodbridge Homeowners Association expressed concern with the proposed conceptual site plan and building designs, and indicated that the development should be in keeping with the policies of OPA #695. The individual also requested that the Owner meet with the representatives from the Homeowners Association to discuss their concerns. A representative of an adjacent landowner (Canuck Properties) also addressed Council at the Public Hearing and advised that he attended the meeting to understand the issues of Council and the public.

On September 21, 2012, a Notice of Public Hearing for Draft Plan of Subdivision File 19T-12V004, which includes 9 blocks for 53 townhouse dwelling units, was circulated to all land owners within 150 m of the subject lands and to the West Woodbridge Homeowners Association. The Public Hearing was held on October 15, 2012, and the recommendation of the Commissioner of Planning to receive the Public Hearing report was ratified by Vaughan Council on November 6, 2012. At this Public Hearing, a representative of the West Woodbridge Homeowners Association expressed the same concerns identified at the Public Hearing on June 5, 2012, and advised that the Owner/agent has not met with the Association to discuss their concerns. On November 12, 2012, the Owner met with a representative of the West Woodbridge Homeowners Association and the Local Councillor to discuss their concerns.

Purpose

The Owner has submitted the following applications on the subject lands shown on Attachments #2 and #3, to facilitate the residential development of fifty-three (53) freehold townhouse units served by a private condominium road and visitor parking as shown on Attachment #4:

1. Zoning By-law Amendment File Z.12.014 to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3 from M2 General Industrial Zone and M3 Transportation Industrial Zone as shown on Attachment #3 to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone, in the manner shown on Attachment #4 together with the site-specific zoning exceptions identified in Table 1 of this report.

2. Draft Plan of Subdivision File 19T-12V004 to facilitate a proposed residential Plan of Subdivision, shown on Attachment #5, consisting of the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue West - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

3. Site Development File DA.12.060 to facilitate the development of the subject lands with 53, 3-storey freehold townhouse dwellings and visitor parking serviced by a private common element condominium road, public square/open space and buffer blocks, as shown on Attachments #4 and #6 to #8 inclusive.

Background - Analysis and Options

Location

The subject lands shown on Attachments #2 and #3 are located on the west side of Kipling Avenue and south of the Canadian Pacific Railway line, opposite of Porter Avenue East, known municipally as 8100 Kipling Avenue, City of Vaughan.

The 1.65 ha property has 37 m frontage on Kipling Avenue. The parcel is triangular in shape with the southern lot line having a length of 112 m and narrowing to 0 m at the north limit of the site. The parcel was previously occupied by the Woodbridge Lumber Yard and is currently developed with a brick and frame storage building and a frame shed, which are proposed to be demolished.

i) Official Plan Amendment #240 as amended by Official Plan Amendment #695

The subject lands are designated “High Density Residential Neighbourhood” (northerly portion), “Mid Density Residential Neighbourhood” (south portion) and “Public Square” (abutting the CP line) by in-effect OPA #240 (Woodbridge Community Plan) as amended by OPA #695 (Kipling Avenue Corridor Study). The “Mid Density Residential Neighbourhood” designation permits townhouse dwellings and a public square and provides for a maximum lot coverage of 80%, a maximum Floor Space Index (FSI) of 2.0, a minimum/maximum building height of 2 and 4 storeys, respectively, and a minimum setback of 4.5 m along future Porter Avenue West. The “High Density Residential Neighbourhood” designation also permits townhouse units and a public square and provides for a maximum building height of 2-storeys, a minimum lot coverage of 80%, and a maximum density of 2.0 FSI.

The proposed development, as shown on Attachment #4 conforms to these policies of the Official Plan. The 53 freehold townhouse dwelling units provide for approximately 36% lot coverage, yield an FSI of 1.17 (based on the net developable area of 9,917.35 m²), and are 3-storeys in height. A 4.5 m building setback from the street (future Porter Avenue West) is also proposed. The proposed townhouse development conforms to the Official Plan.

As part of the review of the applications, consideration was given to Section 3.1, General Land Use Policies of OPA #695, and specifically, the policies and development principles and objectives dealing with Parks and Open Space and Special Character Streets.

Public Square

Official Plan Amendment #695 designates a portion of the subject lands "Public Square". A public square is intended to be a formal space for passive recreation in support of the adjacent development. OPA #695 provides the following guidelines (in part) that should be considered in the design:

- they should be designed as focal points;
- their relationships with adjacent buildings should provide optimal sunlight penetration, sky view and wind conditions;
- the streetscape and buildings that abut a public square should be designed to reinforce an interactive relationship between the open space and its adjacent land use;
- buildings should front onto a public space; entry and access points should be located conveniently and incorporate civic design themes; and,
- hard and soft landscape elements and features shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

The applicant is proposing public square and open space blocks (Blocks 3 and 4, respectively) to be conveyed to the City of Vaughan. These blocks are connected by a linear pedestrian trail (Block 2), which lies parallel to a 25 m wide buffer block (Block 6) extending along the easterly property limits and is required along the CP Rail right-of-way, as shown on Attachment #5. Blocks 2 and 6 will be owned and maintained by the future Condominium Corporation, with the necessary access easements registered on title in favour of the City.

The proposed public square (Block 3) located at the southeast portion of the site has been designed with a main passive focal point feature at the junction of future Porter Avenue West, Kipling Avenue and the CP Railway crossing, with a secondary focal point (Block 4) at the north end of the site. The public square and open space blocks, as shown on Attachment #5, will be treated with soft and hard landscaping materials in a manner that provides formal spaces for passive recreational uses for both the future residents of this development and for the existing residents within the area. The public square (Block 3) affords easy access to pedestrian activity from Kipling Avenue and provides opportunity for plantings and furnishings to implement the vision set out in OPA #695. The proposed landscape plan (Attachment #6) shows a public square and open space block including the conceptual design treatment for Block 3 (the main focal point) to establish a gateway feature for the area. The sloped berm area (Block 6) abutting the CP Railway line does not form part of the public square, however, it will be landscaped and maintained by the future Condominium Corporation. The Owner is also proposing to animate the berm by incorporating seating areas into the design as part of the pedestrian trail experience.

The majority of the corner units adjacent to the public square and trail system are oriented with the main door, windows and wrap around porches that face the public square and trail system. OPA #695 requires that parkland be provided at a rate of 5% of the gross land area or 1 hectare for each 300 dwelling units or a combination of 5% and 1 ha/300 dwelling units, whichever yields the greater provided for in the Planning Act. The size of the public square shown on Schedule 2.4 "Proposed Parks, Parkettes and Public Squares" of OPA #695 for the subject lands is 0.31 ha, including the berm, which is based on a more intense form of development that is being proposed by the Owner. The proposed public square, open space, buffer and pedestrian trail blocks total approximately 0.375 ha in size, which is consistent with OPA #695, however, only the public square and open space blocks (Blocks 3 and 4) totaling 0.123 ha (Blocks 3 and 4) will be considered towards satisfying the parkland requirement of the Official Plan since the berm (Block 6) and pedestrian trail (Block 2) will remain in private ownership with access easements granted in favour of the City of Vaughan. The balance of the parkland requirement will be provided as cash-in-lieu of parkland.

The Development Planning Department and Parks Development Department are generally satisfied with the design of the public square and open space blocks given the site constraints

and are satisfied that they are planned a manner that will facilitate a public square that is consistent with the intent of the Official Plan.

Character Street (Porter Avenue West)

Official Plan Amendment #695 identifies the existing private driveway as shown on Attachment #4 as Porter Avenue West, a Special Character Street that should function as a major public east/west pedestrian and bicycle link from Rainbow Creek, easterly to the Fairgrounds and beyond. This street is planned to terminate at the west limit of the site, and connect to a future north-south road (Parkside Drive). OPA #695 indicates that Porter Avenue West should function as a one-way road, out to Kipling Avenue, due to the CP Railway setback and sight-line restrictions at this location.

OPA #695, Appendix B, Streetscape Master Plan, includes guidelines for the design of Porter Avenue West to be considered as follows:

- a right-of-way width of 17.5 m;
- one-way eastbound lane with a lay-by parking lane and a 6.0 m pavement width;
- no left turning lane; and,
- sidewalks on the north and south sides of Porter Avenue West - 2.5 m and 1.5 m wide, respectively.

OPA #695 also states that a 4.5 m setback should be provided between the Porter Avenue West right-of-way and any building to accommodate enhanced landscaping, special streetscape features and green connections to major open spaces.

The main access to the subject lands is proposed from future Porter Avenue West, which serves the subject lands and the industrial lands further to the west (owned by Canuck Properties and currently occupied with Woodbridge Foam). Porter Avenue West is designed with a 17.5 m right-of-way including a pavement width of 8.0 m and a 3.0 m sidewalk on the north side of the street as shown on Attachment #9. The Owner is proposing that Porter Avenue West function as a two-way street with no lay-by parking since it provides the only opportunity to access the subject lands at this time. OPA #695 indicates that Porter Avenue West should function as a one-way street out to Kipling Avenue, due to the CP Railway line setback and sight line restrictions at this location. However, CP Railway has provided comments (identified in the CP Rail Section of this report) indicating that they have no objection to Porter Avenue West functioning as a two-way street, provided the proper traffic and directional signage is installed. Further comments are provided by the Vaughan Development/Transportation Engineering Department later in this report that will require the applicant to submit drawings showing the revised right-of-way details including two way vehicular movement to allow this development to function.

The Development Planning Department is satisfied with the revised design intent of Porter Avenue West, which includes the required road width, sidewalks, and building setbacks consistent with the general intent of the Character Street, as outlined in OPA #695.

ii) City Of Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated 'Low Density Residential C', 'Mid-Rise Residential' and "Parks and Public Squares" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 23, 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 policies of OPA #695 were incorporated into Volume 2 of VOP 2010 (Section 11.5) as an area specific amendment. The proposed development conforms to VOP 2010.

Zoning

The subject lands are zoned M2 General Industrial Zone and M3 Transportation Industrial Zone by Zoning By-law 1-88 as shown on Attachment #3, which does not permit the proposed residential development. A Zoning By-law Amendment is required to rezone the subject lands to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)" and OS2 Open Space Park Zone in the manner shown on Attachment #4. In addition, the following site-specific zoning exceptions are required to facilitate the proposed development:

Table 1

	By-law Standard	By-law 1-88 RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone
a.	Permitted Uses	<ul style="list-style-type: none"> - Block Townhouse Dwelling - Apartment Dwelling - Multiple Family Dwelling 	Permit 53, 3-storey Freehold Townhouse Units on a Private (Common Element) Condominium Road
b.	Minimum Setback to a Garage (All Units)	6.4 m	6 m
c.	Minimum Amenity Area Per Unit (All 3 bedroom units)	90 m ² per unit	52.5 m ² per unit
d.	Minimum Lot Area Per Unit	230 m ² per unit	104 m ² per unit
e.	Minimum Landscape Strip Width around the Periphery of an Outdoor Parking Area	3 m	2 m
f.	Minimum Parking Requirement	120 parking spaces (106 residential spaces and 14 visitor spaces)	118 parking spaces (106 residential spaces and 12 visitor spaces)
g.	Minimum Driveway Aisle Width	6 m	4.5 m for the portion of the road along the majority of the western lot line (except at the westerly access location), which will function as a one way street

	By-law Standard	By-law 1-88 RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone
h.	Accessory Uses, Buildings and Structures	Accessory buildings for the individual lots shall be located in the rear yard.	For the purpose of the freehold townhouse units, the rear yard shall be based on the individual freehold lot
i.	Definition of a Lot	Means a parcel of land fronting on a street separate from any abutting land to the extent that a Consent contemplated by Section 49 of the Planning Act, RSO. 1983 would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the street.	For the purpose of zoning conformity, the subject lands shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan of condominium, part lot control, consent, and any easements or restrictions.

The proposed zoning exceptions would facilitate a development that is compatible with the existing and planned built form in the area. The reduction to the minimum setback from a garage from 6.4 m to 6.0 m, the reduced landscape strip around an outdoor parking area from 3 m to 2 m and the reduction of visitor parking from 14 to 12 spaces are considered to be minor in nature and will not adversely impact the development or adjacent properties. The reduction in the amenity area per unit can also be supported as a public square, pedestrian trail and open space area are proposed as part of the development, thereby providing convenient access to additional amenity space, together with the front and rear yard amenity space that is already provided for each townhouse lot. The reduction in the minimum lot area per unit from 230 m² to 104 m² applies to all the interior lots on the plan, with the end unit lots being slightly larger, however still deficient of the minimum By-law requirement. The reduced lot area is similar to other condominium townhouse developments in the area and in other parts of the City. The remaining exceptions respecting the definition of a lot and location of accessory structures will facilitate future development of the site as a common element condominium.

Block 5 (at the very north end of the property) as shown on Attachment #5 is an irregular shaped parcel of land that is currently zoned M3 Transportation Industrial Zone by Zoning By-law 1-88 and is intended to be developed in the future with the lands to the west. At this point in time, the Owner does not have development intentions for this land, and therefore, the appropriate residential zone category cannot be determined. Accordingly, the Development Planning Department recommends that Block 5 be rezoned to A Agricultural Zone in order to eliminate the industrial zoning from this Block, which in the future must be rezoned to facilitate a comprehensive development with the lands to the west. A recommendation to rezone Block 5 as part of this process is included in the recommendation section of this report.

The Development Planning Department can support the proposed rezoning of the property and all of the required site-specific exceptions to By-law 1-88, in order to implement the proposed development.

Proposed Subdivision Design

The Owner has submitted a Draft Plan of Subdivision as shown on Attachment #5, to facilitate the proposed development, which includes the following:

Blocks(s)	Purpose	Area
1	Road and 53 townhouse dwelling units	9,917.35 m ²
2	Pedestrian Trail	412.61 m ²
3	Public Square	391.81 m ²
4	Public Square/Park	838.20 m ²
5	Future Development Block	923.71 m ²
6	CP Rail buffer block	2,111.21 m ²
7, 8, 9	0.3 m reserve	57.59 m ²
10	Porter Avenue - Public Road	1,844.01 m ²
Total Site Area		1.649 ha

The total area of the proposed Draft Plan of Subdivision is 1.649 ha, which is intended to be registered as a 65M Plan and will facilitate the creation of the blocks for the residential development, public square, public open space park, pedestrian trail (in private ownership, subject to a public easement), private buffer block, future development block, and Porter Avenue West. The registered plan will facilitate a future Site Plan and Part Lot Control Applications to create the lots for the 53 freehold townhouse units. A Common Elements Condominium Application will also be required to create the private visitor parking area, and the private internal road.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the Conditions of Draft Approval shown on Attachment #1. The approval of the Plan of Subdivision and Site Plan will facilitate further applications to be submitted (Part Lot Control and Condominium for Common Elements) for approval by Council, in order to implement the townhouse development. The Owner is proposing to retain ownership of Block 5 for future development to be combined with other lands to create a developable parcel, which will require future review of new development applications and approval by Council at a later time.

Proposed Site Plan

The proposed site plan is shown on Attachment #4. The subject lands are irregular in shape and are bounded by an existing industrial use to the west (Woodbridge Foam), the Canadian Pacific Railway (CPR) line and Kipling Avenue to the east and future Porter Avenue West (existing private driveway) to the south. A CPR/Kipling Avenue level crossing is located north of the property. The proposed site plan shown on Attachment #4 is designed to respond to these development constraints. The plan includes 1 residential block for 53 townhouse units, a public square, an open space block, a buffer block and a pedestrian trail. The proposed townhouse units are designed as either traditional units with rear yard amenity areas or as units with rear garages as shown on Attachments #7 and #8. The visitor parking is organized within the interior of the site abutting the future public square/pedestrian trail, and away from the view from Kipling Avenue and Porter Avenue West.

Access to the subject lands is proposed from the future Porter Avenue West as shown on Attachment #4. As noted previously, Porter Avenue West is a Character Street designed to respond to the guidelines in OPA #695. The Owner currently owns Porter Avenue West, as shown on Attachments #4 and #5, along the frontage of the subject lands. The landowner to the west (Canuck Properties) has an easement in their favour for access over a portion of Porter Avenue West in order to access their lands. However, the west limit of Porter Avenue West does

not align with the west limit of the subject lands and therefore, the Owner requires an easement from Canuck Properties over the general area shown on Attachment #4, in order to facilitate full two-way traffic movement from the most westerly proposed access driveway of the subject lands. A condition requiring the Owner to obtain an easement from Canuck Properties is included in the recommendation of this report.

The public square block (Blocks 3) has been designed as a main passive focal point feature at the junction of Porter Avenue West and Kipling Avenue with a second focal point, the open space block (Block 4), located at the north end of the site, connected by a pedestrian trail system.

The design of the public square and open space blocks are conceptual at this time. It is intended that the final design will provide formal space for passive recreational uses for the future residents of this development and for the existing residents within the area. The public square will be treated mainly with hard landscaping. The Parks Development Department has advised that they are working with the Owner's Landscape Architect to finalize the design details of the public square and open space and that they are to be shown as concepts. In addition, the public square and open space blocks will be developed by the Owner to City standards, which will require an agreement between the City and the developer. The cost for the construction of this development will be paid through the collected development charges for the specific site. Detailed plans for Blocks 3 and 4 will be finalized prior to the execution of the Site Plan Agreement. A condition of Site Plan Approval is included that the final landscape plans and design shall be approved by the Parks Development and Development Planning Departments.

The buffer berm (Block 6) and the pedestrian trail (Block 2) as shown on Attachment #5, will be landscaped and animated with built in seating areas. Blocks 2 and 6 will remain in private ownership until a Condominium Corporation is registered for the subject lands, which they will ultimately be responsible for the maintenance.

a) Building Elevations

Typical building elevations for the proposed townhouse dwellings are shown on Attachments #7 and #8. The townhouse dwellings are proposed to be constructed using brick as the main building façade material with a corresponding colour scheme for each model type. A majority of the units are traditional in design with a private backyard amenity area. The units fronting onto Porter Avenue West reflect a more urban form and design with a second level walkout deck and small front yard amenity area instead of a backyard. The townhouse blocks are comprised primarily of 6 residential units with the exception of Block "B", which has 7 units and Block "J" which is comprised of 8 units. The Development Planning Department and the Cultural Services Division are satisfied with the proposed building elevations.

b) Urban Design Comments

The Development Planning Department has reviewed the draft plan of subdivision, landscape plans and streetscape design for Porter Avenue West (Attachment #9) and have no objections, subject to the conditions of draft approval in Attachment #1.

Based on the above, the Development Planning Department can support the approval of the Site Plan, Landscape Plan, Building Elevations, and the Streetscape Design for Porter Avenue West, subject to the comments in this report and the conditions in the recommendation of this report.

Vaughan Development/Transportation Engineering Department Comments

The Vaughan Development/Transportation Engineering Department has provided the following comments regarding the proposed Draft Plan of Subdivision and Site Development Applications:

a) Servicing Capacity Allocation

In accordance with the City's Servicing Capacity Distribution Protocol, which was adopted by Council on June 26, 2012, servicing allocation capacity for the proposed development has not been reserved nor assigned potential future capacity at this time. Therefore, servicing allocation capacity is currently not available to support the proposed development. The City intends to undertake an annual review of the status of the available and unused servicing capacity affecting the Distribution Protocol. The availability of servicing allocation capacity for these applications may be revisited at this time based on the status of the subject development applications.

b) Sanitary and Water Servicing

The Functional Servicing Report submitted by the Owner and prepared by Cole Engineering indicates that the proposed development will be connected to an existing 300mm diameter Sanitary Sewer on Kipling Avenue by a proposed manhole on the subject lands flowing south to an existing 300 mm diameter sanitary sewer flowing east on Woodbridge Avenue. This sanitary servicing scheme shall be analyzed in detail as per the updated City Wide Servicing Master Plan and the Functional Servicing Report shall be revised accordingly. The proposed development is part of pressure District Four (PD4). The existing watermain system consists of a piped municipal system with 350 mm diameter PVC watermain on the east side of Kipling Avenue and 200 mm diameter watermain on the south side of Porter Avenue West. The proposed development will be connected to a 200 mm diameter watermain on Porter Avenue West. The developer should verify for second services to loop the system.

c) Storm Water Management

The Functional Servicing Report (FSR) dated April 2012, as prepared by Cole Engineering Group Limited, indicates that the lands are currently serviced and the future storm drainage will be subject to a release rate based on the current conditions of the commercial site where post development peak flows for all events shall be controlled to the pre-development flows, and as per City Standards. There is an existing 600 mm diameter storm water sewer located on Kipling Avenue. The existing manhole may need to be relocated or replaced with a control manhole closer to the property line as per City Standards. Stormwater quality will be treated on-site with an oil grit separator located prior to the control manhole. The internal storm drainage system for the site will consist of private underground storm sewers.

d) Road Network

Access to the units will be from a common element condominium driveway, two access points off of the future Porter Avenue West extension that connects to Kipling Avenue to the east. Porter Avenue West has been proposed as a 17.5 metre right-of-way with two-way traffic movement and shall be conveyed to the City. The Kipling Avenue Corridor Study by MMM Group identified Porter Avenue West with a different right-of-way configuration, and being a one-way eastbound road out to Kipling Avenue and only right-out movement onto Kipling Avenue, as per the close proximity to the CPR crossing that is approximately 40 metres to the north of the future intersection.

The following shall be addressed:

- i) Two accesses are required for a development exceeding 40 units;
- ii) Resolve the Porter Avenue West right-of-way configuration and traffic movement discrepancies from the City/Regional Study;
- iii) Illustrate a proper termination of Porter Avenue West at the west limit of the site/road and connection to the industrial lands; and,
- iv) The Railway crossing gate will be required at the intersection of the railway track, Kipling Avenue and Porter Avenue West for safety.

The comments received from CP Railway in the next section of this report also supports two way movement along Porter Avenue West.

e) Traffic/Transportation

The Vaughan Development/Transportation Engineering Department has reviewed the latest conceptual site plan submitted by the Owner which includes a vehicle turnaround, as shown on Attachment #4. The details of the turnaround satisfies the requirements of the Vaughan Development/Transportation Engineering Department.

Staff have also reviewed the Conceptual Context Plan and have no comments with regards to the site traffic circulation. The applicant is required to include dimensions of the proposed road, including road width and curb radii. Additional details on the Conceptual Context Plan shown on Attachment #4 must be provided, to the satisfaction of the City.

f) Environmental Noise Impact

The applicant has provided a preliminary environmental noise and vibration feasibility study report dated March 14, 2012, prepared by HGC Engineering that identify noise sources that will impact the Draft Plan through railway noise from the CP railway and roadway noise from Kipling Avenue. This report provides recommendations that include typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses, and potentially upgraded building components and foundations.

The applicant is required to submit final noise and railway vibration reports for review and approval by the City as part of the detailed engineering submission when grading design is typically established. The City shall require all dwelling units that abut or face a railway and/or arterial road such as Kipling Avenue to be constructed with mandatory central air-conditioning. All required acoustic barriers abutting public lands shall be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3 m road reserve.

g) Environmental Reports

The Development/Transportation Engineering Department, Environmental Division has reviewed the submitted environmental reports and have indicated that they are satisfactory and that a peer review is not required. Therefore, the only outstanding item that remains is the Record of Site Condition (RSC) to be filed with the Environmental Site Registry and acknowledged by the Ministry of the Environment along with any updated ESA reports that were used to support the filing of the RSC.

A condition of draft approval is included on Attachment #1 that requires the Owner to provide the City with a copy of the RSC for the subject lands, which has been acknowledged and approved by the MOE.

Canadian Pacific Railway Company (CP Railway)

CP Railway has reviewed the proposal and has advised that the property is located adjacent to the MacTier Subdivision, which is classified as a principle main line. The applicant has submitted a drawing prepared by JSW and Associates supporting a 25 m setback instead of the 30 m setback typically required by the railways. The drawing depicts an engineered berm using a Terramesh Berm System and 1.83 m high noise fence to mitigate against railway impact and noise levels. CP Railway has indicated that the proposed setback is acceptable and has been approved elsewhere, but requires a report to be prepared by JSW and Associates to substantiate the drawing. CP Railway has also reviewed the Access and Parking Study prepared by Cole

Engineering which included the future development for the Woodbridge Foam/Canuck lands and adjusted volumes to account for a two way intersection and are in support of their recommendations. With the appropriate signage, CP Railway can support the two way movement along Porter Avenue West, subject to the conditions of draft approval included in Attachment #1.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that: prior to the issuance of a Building Permit, the Owner shall provide to Vaughan, by way of the dedication of parkland being Blocks 3 and 4 as shown on Attachment #5 and pay by way of certified cheque cash-in-lieu of parkland for the balance totalling 5% or 1 ha per 300 units of the value of the subject lands, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;

Vaughan Fire Prevention Services Department

The Vaughan Fire Prevention Services Department has reviewed the proposal and has no objections to the proposal, subject to the following:

- i) that fire route signage is installed as per the Ontario Fire Code and City of Vaughan By-law 1-96;
- ii) fire routes shall be maintained and unobstructed; and,
- iii) snow to be removed off-site.

Vaughan Cultural Services Division

The Vaughan Cultural Services Division has no objection to the proposed development subject to the inclusion of Conditions of Approval in Attachment #1 respecting the standard archaeological resources conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities.

Toronto and Region Conservation Authority (TRCA)

The Toronto and Region Conservation Authority staff has reviewed the proposed applications and have indicated that they have no objection subject to their Conditions of Draft Approval in Attachment #1.

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that at this time, there is not a commitment by Enbridge Gas Distribution to service this site, or to service this site by a given date or that there will be costs for servicing this site. The Owner is to contact the Enbridge Customer Connection Department at their earliest convenience to discuss the installation and clearance requirements for service and metering facilities. This is included in the conditions of approval in Attachment #1.

Canada Post

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

School Boards

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

Relationship to Vaughan Vision 2020

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, specifically with the built form by using building materials and products that are extracted and manufactured within the region and by using high efficiency fixtures, fittings and appliances.

The Owner is providing an environmental benefit to the community with the full remediation and clean-up of an underutilized and contaminated site and safely preparing it for intensification.

ii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park and public square, and a trail system that is publicly accessible, which enhances the City's existing inventory of public amenity and trail network system.

iii) Plan and Manage Growth to Economic Vitality

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

Regional Implications

The Region of York has no objections to the proposed development, and their conditions of approval are included in Attachment #1.

Conclusion

The Vaughan Development Planning Department has reviewed the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications that propose to implement a residential development comprised of 53 freehold townhouse units on a private common element condominium road that will have access to a new public road (Porter Avenue West). The proposed development is consistent with the intent of the Official Plan, and the proposed zoning amendments will facilitate a development that is compatible with the existing and planned uses in the surrounding area. The development will also include a public square, public open space park, and a pedestrian trail that is publically accessible (but maintained by the Condominium Corporation) and links the two areas, which will facilitate the vision of the Official Plan for this community.

On this basis, the Development Planning Department is satisfied that the proposed residential development is appropriate and can support the approval of the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications, subject to the recommendations in this report, and the Conditions of Subdivision Approval set out in Attachment #1.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Conceptual Site Plan with Proposed Zoning
5. Draft Plan of Subdivision File 19T-12V004
6. Landscape Plan
7. Typical Elevations – Block B, Porter Avenue West
8. Typical Elevations – Block D, Interior Blocks
9. Street Profile (Porter Avenue West, OPA #695)

Report prepared by:

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Respectfully submitted,

JOHN MACKENIZE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

ATTACHMENT NO. 1

STANDARD CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION 19T-12V004
WOODBIDGE CROSSINGS LTD.
PART OF LOTS 8 AND 9, CONCESSION 8, 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 19T-12V004, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by Rady-Pentek and Edwards Surveyors Ltd., dated March 1st, 2013.
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. Particular zoning categories to be applied are as follows:

RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone, and A Agricultural Zone.
3. The Owner shall pay any and all outstanding application fees to the 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 to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The road allowances included within this Draft Plan of Subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
6. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes, which shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
7. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning 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 within the Plan shall be designed in accordance with the City's engineering standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments; and shall be dedicated to the City free of all charge and encumbrances (Porter Avenue West).
9. Any dead end or open side of a road allowance created by this Draft Plan of Subdivision shall be terminated in a 0.3m reserve, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for a future road allowance or development of adjacent lands.
10. Final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final plan to the satisfaction of the City.
11. The Owner shall agree that the location and design of the construction access shall be approved by the City.
12. 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.
13. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be co-ordinated and completed at the cost of the Owner.
14. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
15. The Owner shall agree that no Building Permits will be applied for until the City is satisfied that adequate access, municipal water, sanitary sewers and storm drainage facilities are available.
16. 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.
17.
 - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit environmental site assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports;
 - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.

- c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above; and,
 - d) Where lands are being conveyed to the municipality for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 environmental site assessment report(s) addressing all park blocks in the plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
18. a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
- i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
 - ii) the location and description of all outlets and other facilities;
 - iii) stormwater management techniques which may be required to control minor and major flows;
 - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction;
 - v) overall grading plans for the subject lands; and,
 - vi) stormwater management practices 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.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.

19. The Owner shall agree:
 - a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
 - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and,
 - c) to provide a copy of the executed subdivision agreement to The Toronto and Region Conservation Authority.
20. Prior to final approval, the Owner shall pay the proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the Plan.
21.
 - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
 - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.
22. Prior to final approval, the Owner shall submit a noise and/or vibration study, prepared by a qualified consultant for approval by both the City and the Region of York. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network and the number of trips related to the CP Railway. The Owner shall agree in the subdivision agreement to implement the approved abatement measures.
23. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
 - a) Blocks 3 and 4 for a public square and open space;
 - b) Block 10 (Porter Avenue West); and,
 - c) Blocks 7 and 8 for 0.3 m reserves and daylight triangle purposes.
24. The Owner shall agree in the subdivision agreement to design, purchase materials and install a street lighting system for Porter Avenue West in accordance with City standards and specifications.
25. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City.
26. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain system within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City

or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.

The Owner shall provide the City with a report showing the chlorine residual results on a weekly basis. If at any time the water quality test results do not comply with the Safe Drinking Water Act, the Owner shall notify the City immediately and take corrective action as directed by the City and prepare a report of all actions taken.

The City will charge the Owner the current retail water and sewer rates for the water consumed in this program. The Owner's licensed water operator will meter the consumption of water for each flush and report the readings to the City on a monthly basis. The City will audit the consumption reports and inspect the flushing points periodically to ensure that the water consumption reported accurately reflects the program.

27. Prior to final approval, the Owner shall provide a Tree Preservation Study, if required 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 without written approval by the City.
28. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
29. The Owner shall agree to notify both the Ministry of Tourism and Culture and the City of Vaughan Recreation and Culture Department (Cultural Services Division) and Vaughan Policy and Development Planning Departments immediately in the event that:
 - a) archaeological resources are found on the property during grading or construction activities, to which the proponent must cease all grading or construction activities; and,
 - b) where human remains are encountered during grading or construction activities, the proponent must cease all grading or construction activities. The proponent shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
30. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No building permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:
 - the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.;

- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
- the location of parks, open space, stormwater management facilities and trails;
- the location of institutional uses, including schools, places of worship, community facilities;
- the location and type of commercial sites;
- colour-coded residential for singles, semis, multiples, and apartment units; and,
- 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, L6A 1T1; (905)832-8585."

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

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

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

31. Where the Owner and the City determine that the Owner will develop the public square and open space blocks, Blocks 3 and 4, the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #600 and future lands".
32. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.
33. Prior to final approval of the Plan, the final site grading and servicing plan, stormwater management report, Environmental Noise and Vibration Report, and Porter Avenue design and downstream sanitary sewer analysis shall be submitted for review and approval, to the satisfaction of the Vaughan Development/Transportation Engineering Department.

34. 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.
35. The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.
36. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications 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 telecommunications provider.
37. Prior to final approval of the Plan or prior to initiation of any grading or stripping of topsoil to any lands included in the Plan, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side-slopes, stabilization methods and time period, for approval by the City; topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
38. The Owner shall agree in the subdivision agreement that the final engineering design(s) may result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
39. 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 Development/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.
40. 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.
41. 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.

42. 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 and/or the Condominium Corporation until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the Condominium Corporation/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.
43. 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:
- “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.”
 - “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.”
 - “Purchasers and/or tenants are advised that this dwelling unit is in proximity to an industrial manufacturing facility whose activities may at times be audible.”
 - “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.”
 - “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.”
 - “The Owner shall inform the public and all purchasers and tenants that this development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marketing material etc.”

- “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.”

- “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.”
- “Purchasers and/or tenants are advised that Porter Avenue West will be extended in the future to facilitate development of adjacent lands without further notice.”
- “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.”

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

- “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 any open space or noise berm/landscape buffer:

- “Purchasers and/or tenants are advised that the adjacent open space or noise berm/landscape buffer may be left in a naturally vegetated condition and receive minimal maintenance.”

d) abutting a public highway, open space, noise berm/landscape buffer or other similar public space:

- “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."

- e) "Purchasers and/or tenants are advised that where Canadian National or Canadian Pacific Railway company(s), or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
 - f) "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."
 - g) abutting a park block:
 - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park/Parkette/Public Square", and that noise and lighting should be expected from the designed active use of the park."
44. Prior to final approval of the Plan, the Owner shall provide an updated Traffic Impact Study for review and approval, to the satisfaction of the Development/Transportation Engineering Department.
45. Prior to final approval of the Plan, the Owner shall submit a detailed design for the intersection of Porter Avenue West/Kipling Avenue. The design should detail the curb radii, throat width, lane configuration and Traffic/Warning signage to the satisfaction of Development/Transportation Engineering Department and CP Railway.
46. a) Prior to final approval of the Plan, the Owner shall prepare a Developers' Group Agreement for the Rainbow Creek Neighbourhood to the satisfaction of the City. The agreement shall be regarding, but not limited to, all cost sharing for the particular phase of development, for the provision of parks, cash-in-lieu of parkland, roads and municipal services within the development area. This agreement shall include a provision for additional developers to participate in the Developers' Group Agreement when they wish to develop their lands by way of draft plan of subdivision/draft plan of condominium and site development plans.
- b) Prior to final approval the Trustee for the Rainbow Creek Neighbourhood shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Rainbow Creek Neighbourhood Landowners Cost Sharing Agreement.

47. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within this Draft Plan, which report shall include:

- i) plans illustrating how this drainage system will 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.

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.

48. Prior to final approval of the Plan, and/or 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 the 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, the Owner shall submit a Phase II Environmental Site Assessment (ESA) report in accordance with the "Guideline Phase II Environmental Assessment, Proposed Parkland, City of Vaughan", 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 land, 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 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) document proof of the satisfactory registration of the Record of Site Condition (RSC) for the lands within the Plan 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, which is to be submitted to the Development/Transportation Engineering Department for review and approval; and,
 - (d) reimburse the City for the cost of peer review of the above reports.
49. Prior to final approval of the Plan, the Owner shall make the necessary arrangements for the conveyance of the necessary lands to the City, free of charge and encumbrances, to complete the right-of-way requirements for Porter Avenue West at the west driveway access to the site, to the satisfaction of the City.
50. Servicing allocation capacity for the above noted development application has not been reserved nor assigned potential future capacity in conjunction with the last annual servicing capacity report that was approved by Council on June 26, 2012. Therefore, servicing allocation capacity is not available for this Draft Plan of Subdivision at this time. If the draft plan proceeds to Council for approval, then a Holding Symbol ("H") is to be placed on the zoning of the lands, and the Owner shall be required to enter into Agreements of No-Sale with the City.
51. The Owner shall agree in the subdivision agreement to pay its proportionate share of the cost of downstream sanitary sewer system improvements that are required to service the Kipling Avenue Corridor development area including the plan.
52. Prior to final approval, the Owner shall prepare a Landscape Master Plan, and the plan shall address, but not limited to:
- the appropriate community edge treatment along the future right-of-way.
53. Prior to the execution of the Subdivision Agreement, the Owner shall file a Letter of Credit in the amount of \$56,347.45 to guarantee the enhanced landscaping treatment and streetscape design works required for the Porter Avenue West right-of-way. The Letter of Credit shall be kept in force by the Owner until all the required works have been completed to the satisfaction of the City of Vaughan.

Region of York Conditions

54. The road allowances included within the Draft Plan of Subdivision shall be named to the satisfaction of the area municipality and the Regional Transportation and Community Planning Department.
55. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation and Community Planning Department and the local municipality that the services to be installed by the Owner within or in conjunction with the plan will provide a concrete pedestrian access connection as follows:

- From Porter Avenue West to Kipling Avenue.

The concrete pedestrian access connection shall meet the local municipality's standards for sidewalks and shall be owned and maintained by the area municipality.

56. The Owner shall agree in the subdivision agreement to convey lands to the local municipality to provide for such pedestrian access connection referred to on Condition 55 above.
57. Prior to approval, the Owner shall submit drawings showing, as applicable, the sidewalk locations, concrete pedestrian access, passenger standing areas and shelter pads to the satisfaction of York Region Transportation and Community Planning Department.
58. Prior to final approval, the Owner shall satisfy the Regional Municipality of York Transportation and Community Planning Department that the services to be installed with or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have sidewalks and pedestrian access.
59. Prior to final approval, the Owner shall agree to provide to each of the new residents including but not limited to York Region Transit Route Map and Community Plan including pedestrian connections, trails, cycling facilities, etc, to the satisfaction of the York Region Transportation and Community Planning Department.
60. Prior to final approval, the Owner shall provide a copy of the subdivision agreement to the Regional Transportation Services Department, outlining all requirements of the Regional Transportation Services Department.
61. The Owner shall agree to provide walking and cycling connections to the existing and/or future facilities on the boundary road(s) and nearby transit stops to promote the usage of alternative modes of transportation. York Region and City of Vaughan will not assume any responsibility for implementing the provision of the walking and cycling connections, trails cycling connections to the satisfaction of the Regional Transportation Services Department.
62. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law #2012-36.

York Region School Boards

63. 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 Board(s).

Canadian Pacific Railway

64. The Owner shall agree to:
- a) provide a suitable safety berm to be constructed on adjoining property, parallel to the railway right-of-way. The berm is to be designed to mitigate against railway impact and such design must be substantiated by a design report;
 - b) ensure that dwellings must be constructed such that the interior noise levels meet MOE criteria in accordance with recommendation of the Environmental Noise and Vibration Feasibility Study as prepared by GC Engineering (Revise to include 25m);
 - c) revise the JSW and Associates' Design Report for the safety berm to substantiate the reduction in setback from 30 m to 25 m for the dwelling units;
 - d) inform the Canadian Pacific Railway of any proposed alterations to the existing drainage pattern affecting railway property and any supporting drainage reports must be approved by the Railway;
 - e) to install and maintain a 1.83 metre high chain-link fence along the common property line of the Railway at their expense, and the developer/owner is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in satisfactory condition at their expense; and,
 - f) that any proposed utilities under or over railway property to serve the development must be approved prior to installation and be covered by the Railway's standard agreement.

Canada Post Conditions

65. 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,
- d) provide a copy of the executed subdivision agreement to Canada Post.

Enbridge Gas Distribution Conditions

66. 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;
- e) current City approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development. The gas location must be a minimum of 0.6 m from the street line;
- e) arrange for the installation of a gas plant prior to the commencement of the asphalt paving or landscaping; and,
- f) provide any easements required to service this development at no cost to Enbridge Gas Distribution.

Toronto and Region Conservation Authority (TRCA)

67. Prior to final approval, the Owner shall agree to:

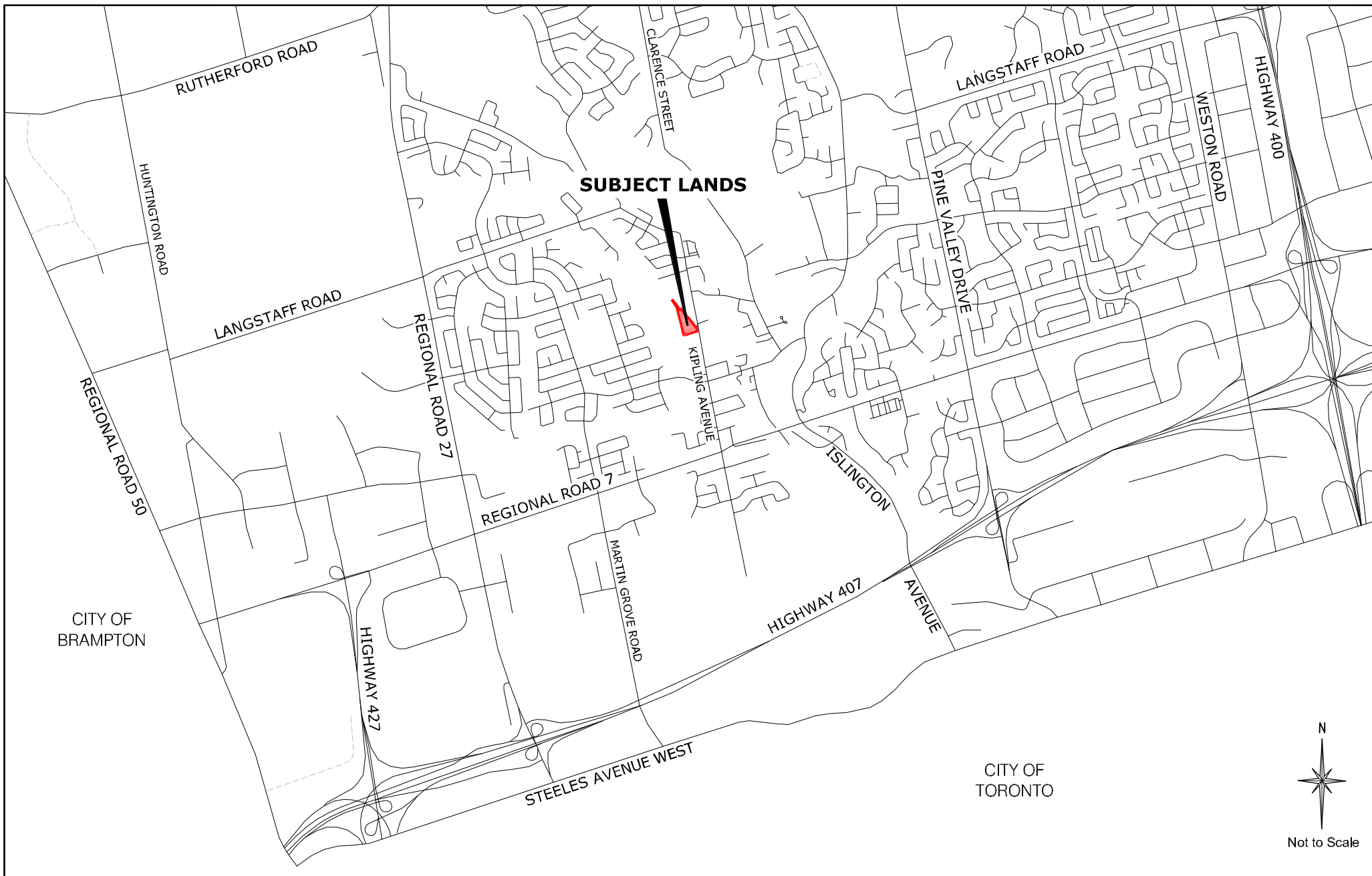
- a) provide a revised Functional Servicing Report and revised Engineering Drawings to address the following to the satisfaction of the TRCA:

- the water balance for this site should be addressed through the on-site retention of run-off from a 5mm storm event. The TRCA advises the applicant that a variety of Low Impact Development (LID) measures can be considered to help achieve this target even if infiltration is deemed to be not feasible;
 - documentation/confirmation of the watercourse that will receive discharge from this site and also determine the allowable flow rates based upon an established unit flow relationship rather than post to pre-development levels;
 - provide sizing details of the Oil Grit Separator (OSG);
 - provide additional measures to OSG in order to achieve Level 1 water quality control; and,
 - provide the major flow routing path on a plan including the ultimate discharge location and how it will be dispersed. Expected ponding depths around catchbasins is also required when available;
- b) comply with the recommendations of the revised Functional Servicing Report and associated Engineering drawings as amended per condition a) to the satisfaction of the TRCA;
 - c) red-line the Draft Plan of Subdivision in order to meet the requirements of Conditions a) and b) above, if necessary, to the satisfaction of the TRCA;
 - d) install and maintain all stormwater management control structures operating and in good repair during and post construction to the satisfaction of the TRCA; and,
 - e) provide a copy of the fully executed Subdivision Agreement to the TRCA when available, in order to expedite the clearance of conditions of draft plan approval.

Other Conditions

- 68. 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 67 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 69. The City shall advise that Conditions 1 to 53 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

70. The Region of York shall advise that Conditions 54 to 62 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
71. The York Region District School Board, the York Catholic District School Board and the Conseil Scolaire de District Catholique Centre shall each advise that Condition 63, has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
72. Canadian Pacific Railway shall advise that Condition 64, has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
73. Canada Post shall advise that Condition 65, has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
74. Enbridge Gas Distribution shall advise that Condition 66, has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.
75. Toronto and Region Conservation Authority shall advise that Condition 67, has been satisfied; the clearance letter shall include a brief statement detailing how this condition has been met.



Context Location Map

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

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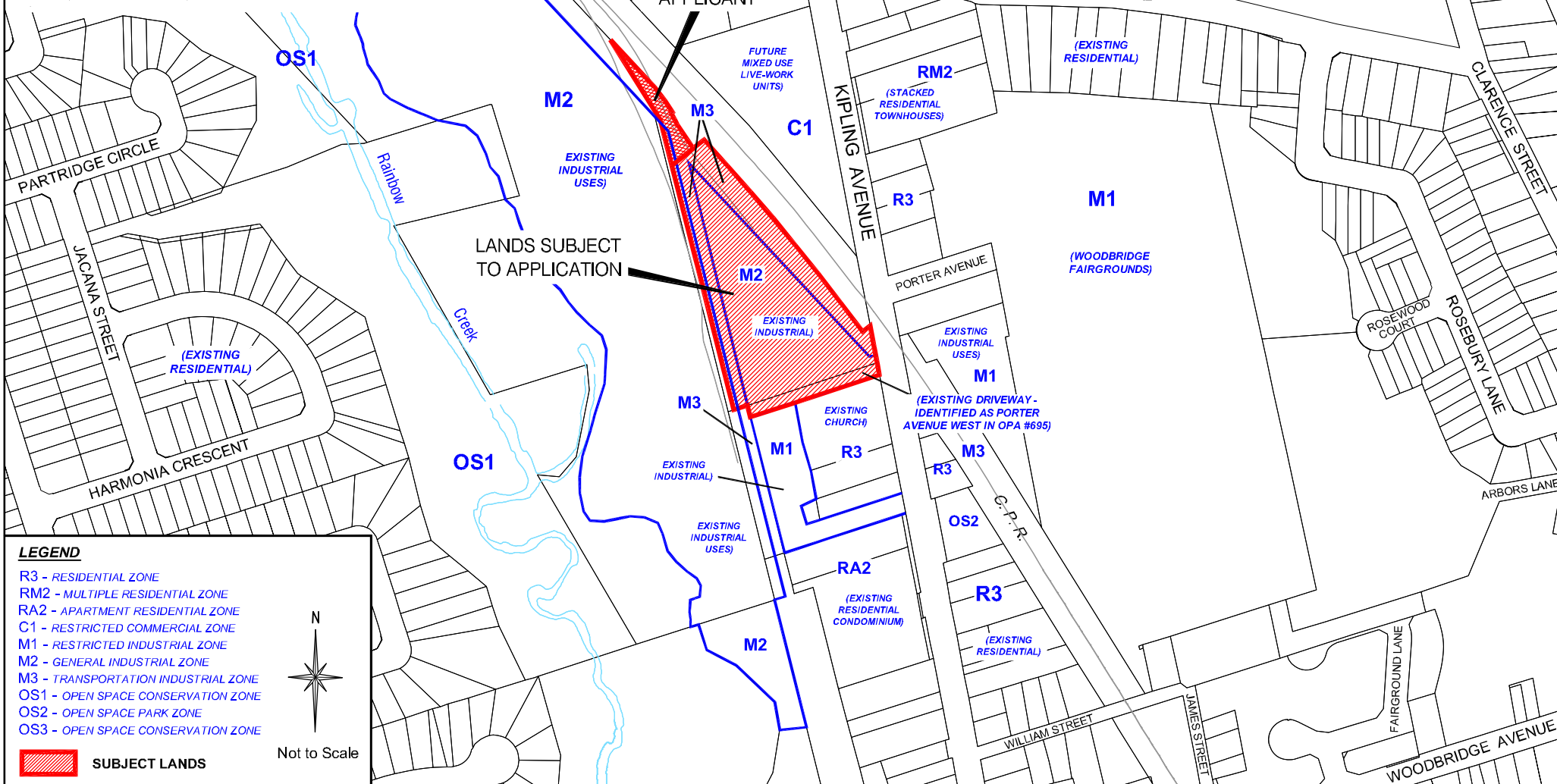
Attachment

Files: 19T-12V004,
Z.12.014 & DA.12.060

Date: March 14, 2013

2

APPLICATION TO REZONE THE SUBJECT LANDS FROM M2 & M3 GENERAL INDUSTRIAL AND TRANSPORTATION INDUSTRIAL ZONE RESPECTIVELY TO RM2 MULTIPLE RESIDENTIAL ZONE & OS1 OPEN SPACE CONSERVATION ZONE; AND DRAFT PLAN OF SUBDIVISION APPROVAL TO CREATE BLOCKS OF LAND (AS SHOWN ON ATTACHMENT #5) TO FACILITATE THE FUTURE SITE DEVELOPMENT OF THE PROPERTY FOR 53 FREEHOLD RESIDENTIAL TOWNHOUSE UNITS, PUBLIC ROAD, OPEN SPACE AND PUBLIC SQUARE.



Location Map

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

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Attachment

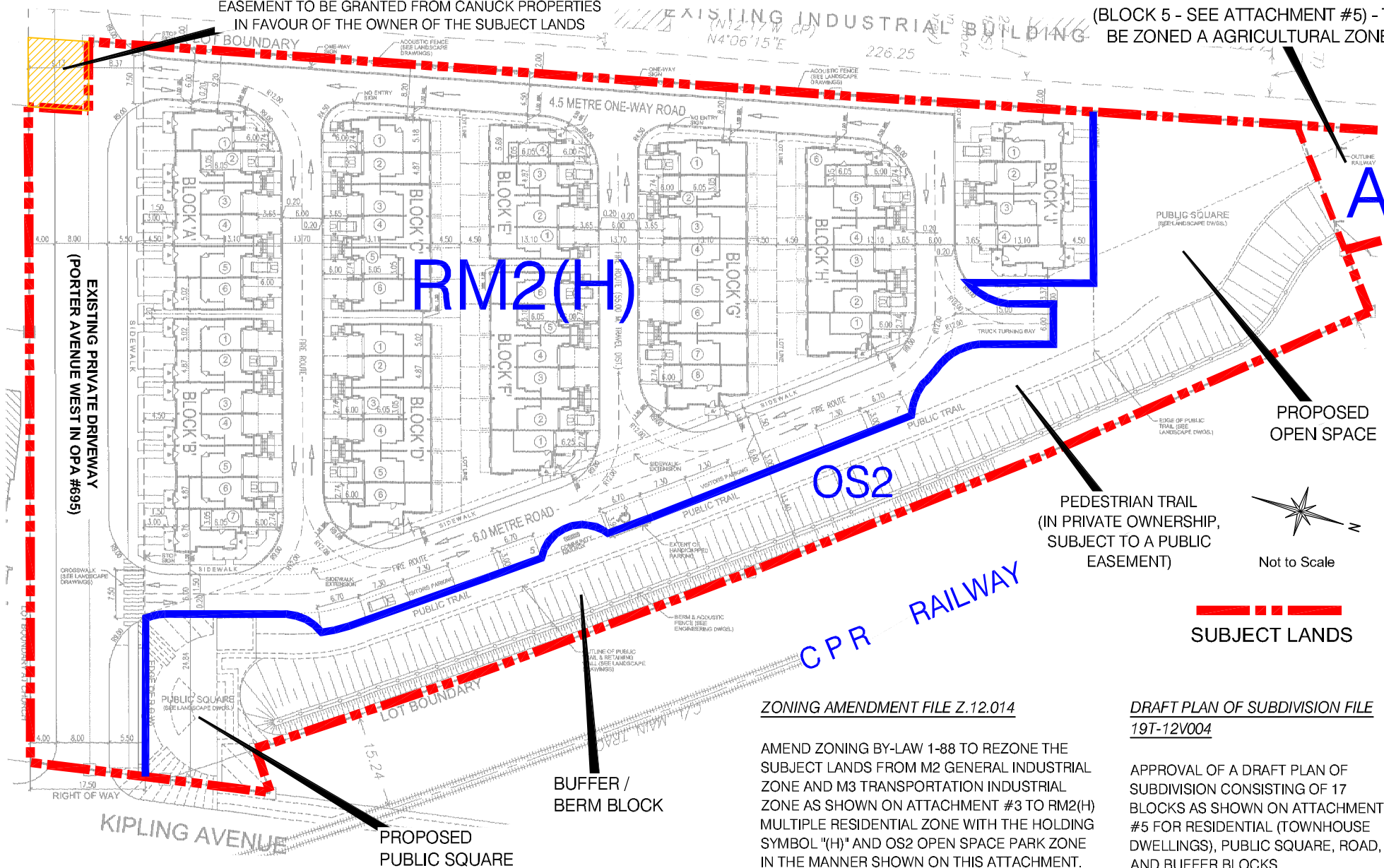
Files: 19T-12V004,
Z.12.014 & DA.12.060

Date: March 14, 2013

3

PORTION OF PORTER AVENUE WEST REQUIRING AN EASEMENT TO BE GRANTED FROM CANUCK PROPERTIES IN FAVOUR OF THE OWNER OF THE SUBJECT LANDS

OTHER LANDS OWNED BY APPLICANT (BLOCK 5 - SEE ATTACHMENT #5) - TO BE ZONED A AGRICULTURAL ZONE



ZONING AMENDMENT FILE Z.12.014

AMEND ZONING BY-LAW 1-88 TO REZONE THE SUBJECT LANDS FROM M2 GENERAL INDUSTRIAL ZONE AND M3 TRANSPORTATION INDUSTRIAL ZONE AS SHOWN ON ATTACHMENT #3 TO RM2(H) MULTIPLE RESIDENTIAL ZONE WITH THE HOLDING SYMBOL "(H)" AND OS2 OPEN SPACE PARK ZONE IN THE MANNER SHOWN ON THIS ATTACHMENT.

DRAFT PLAN OF SUBDIVISION FILE 19T-12V004

APPROVAL OF A DRAFT PLAN OF SUBDIVISION CONSISTING OF 17 BLOCKS AS SHOWN ON ATTACHMENT #5 FOR RESIDENTIAL (TOWNHOUSE DWELLINGS), PUBLIC SQUARE, ROAD, AND BUFFER BLOCKS.

Conceptual Site Plan With Proposed Zoning

Applicant:
Woodbridge Crossing Ltd.

Location: Part of Lots 8 & 9,
Concession 8



Attachment

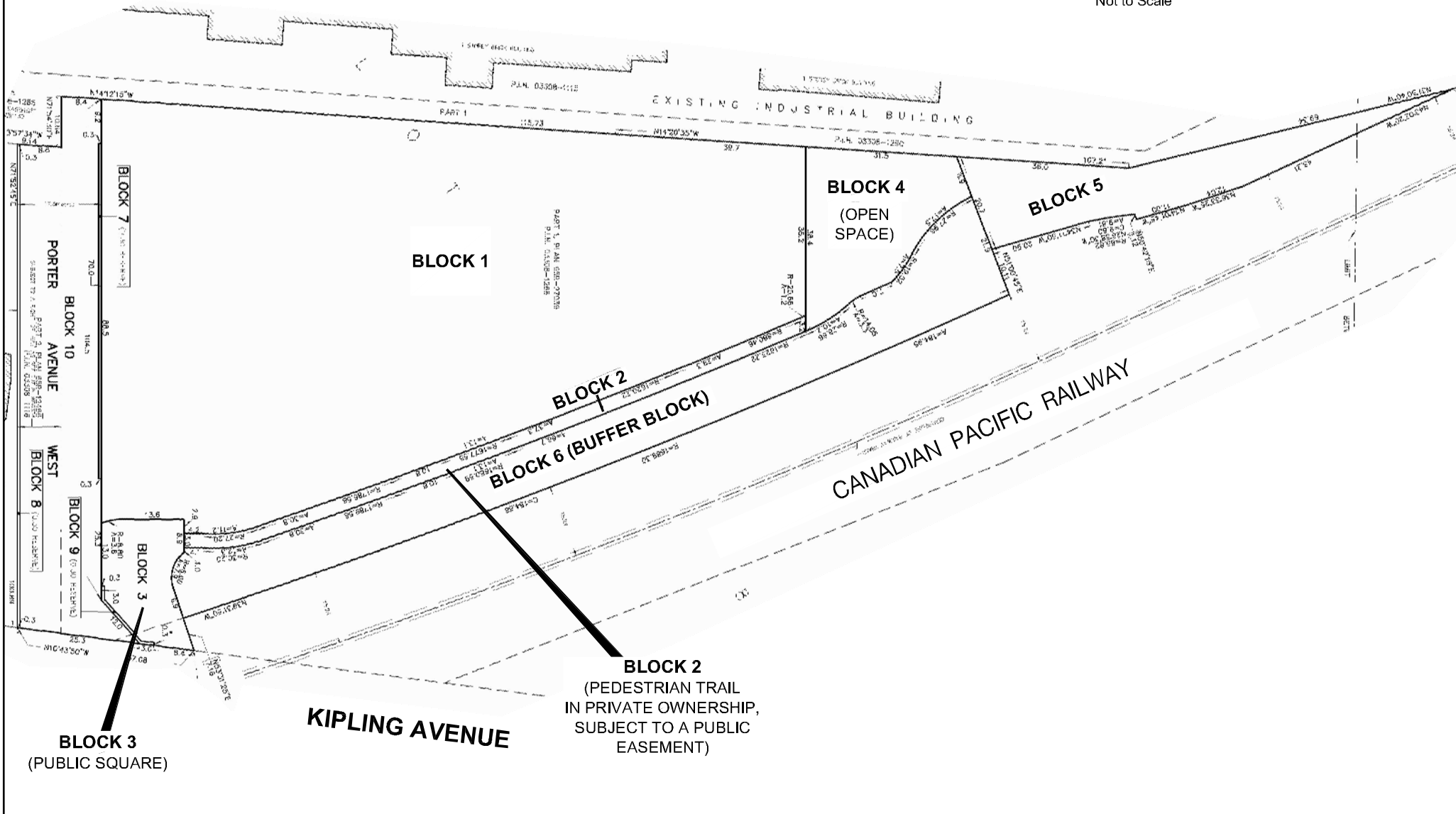
Files: 19T-12V004,
Z.12.014 & DA.12.060

Date: March 14, 2013

4



Not to Scale



Draft Plan of Subdivision - File 19T-12V004

Applicant:
Woodbridge Crossing Ltd.

Location: Part of Lots 8 & 9,
Concession 8

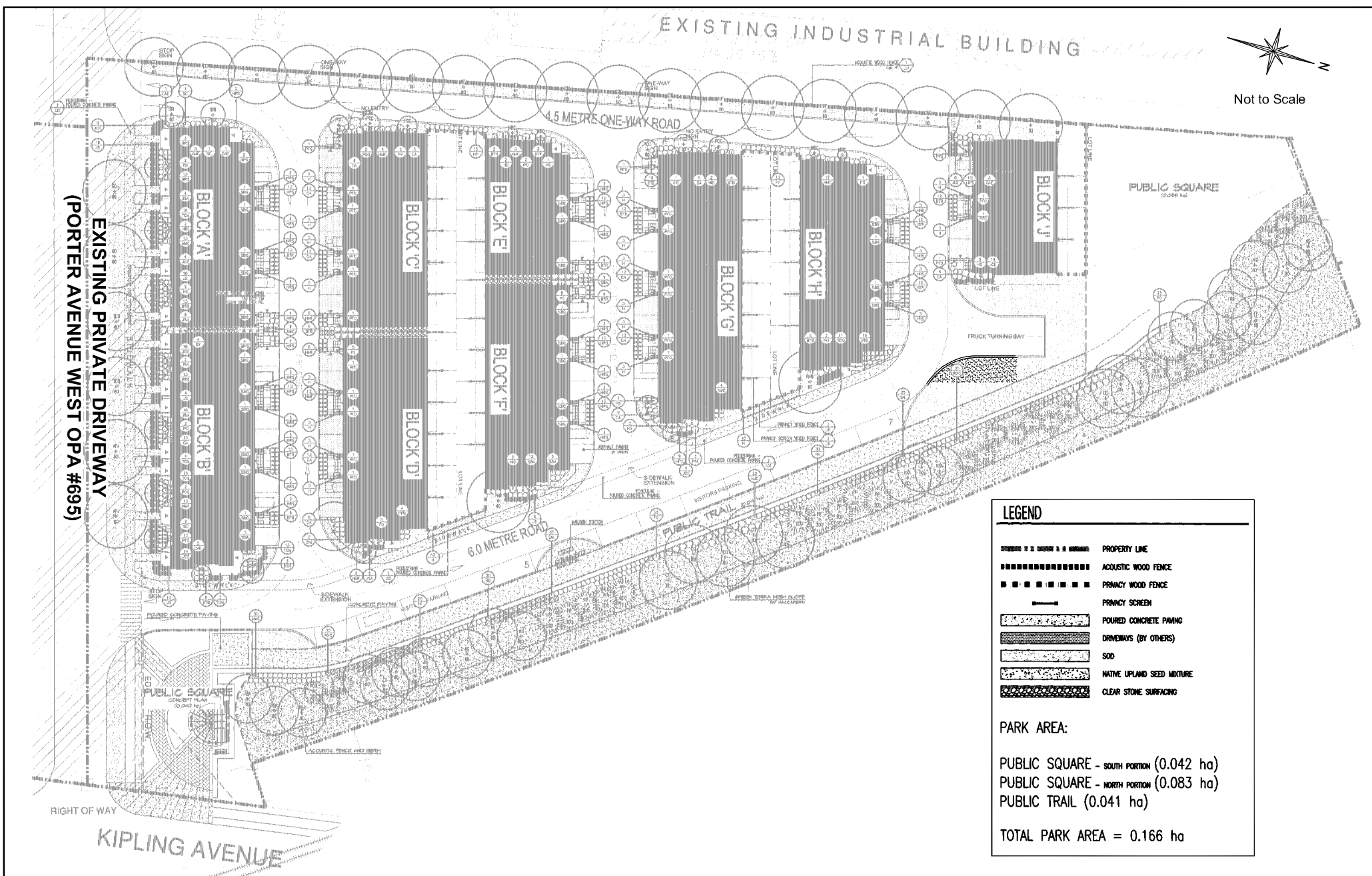


Attachment

Files: 19T-12V004,
Z.12.014 & DA.12.060

Date: March 14, 2013

5



Landscape Plan

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

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Attachment

Files: 19T-12V004, Z.12.014& DA.12.060

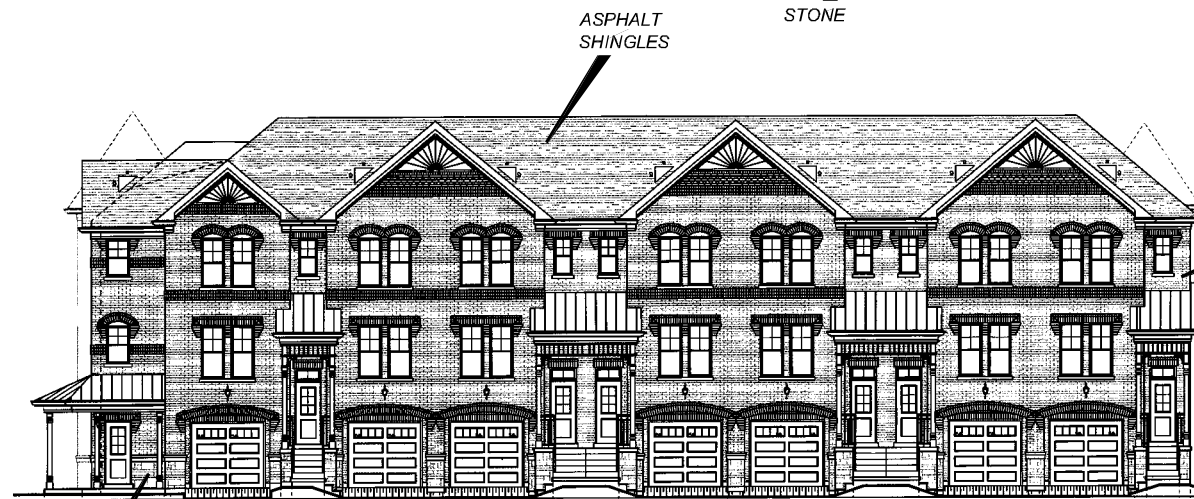
Date: March 14, 2013

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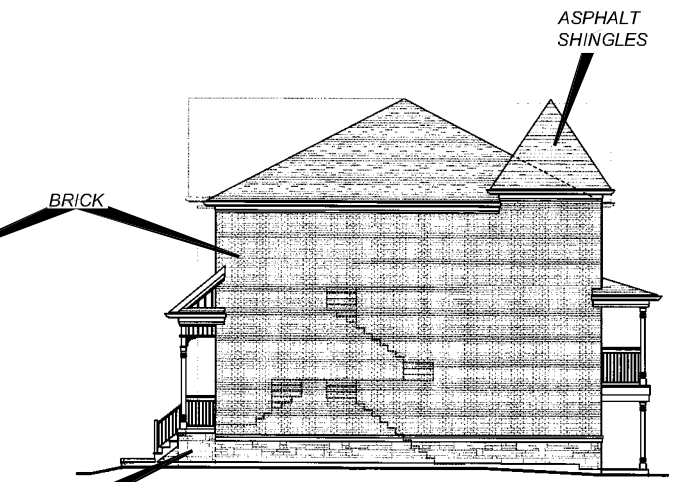


**BLOCK 'B' ELEVATION - FLANKAGE (FACING
KIPLING AVENUE & PUBLIC SQUARE)**

BLOCK 'B' ELEVATION - (FACING PORTER AVE W)



BLOCK 'B' ELEVATION - (FACING LANEWAY)



**BLOCK 'B' ELEVATION - INTERIOR SIDE
(BETWEEN RESIDENTIAL BLOCKS)**

Not to Scale

Typical Elevations - Block 'B'

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

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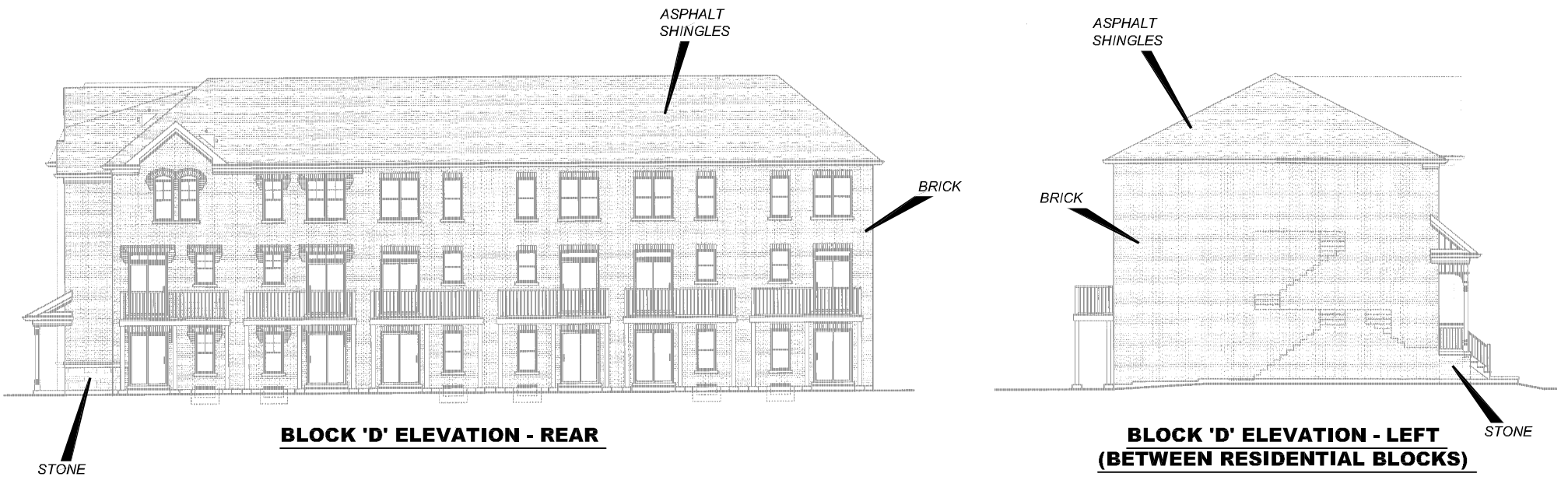
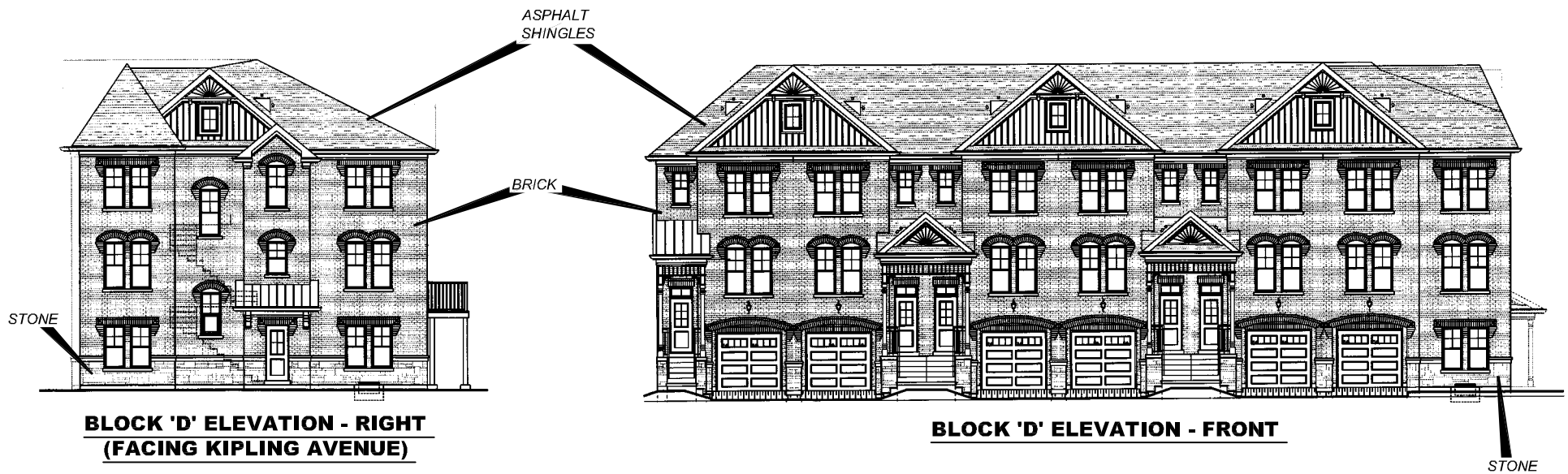


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Files: 19T-12V004,
Z.12.014 & DA.12.060

Date: March 14, 2013

7



Not to Scale

Typical Elevations - Block 'D'

Location:
Part of Lots 8 & 9, Concession 8

Applicant:
Woodbridge Crossing Ltd.

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Attachment

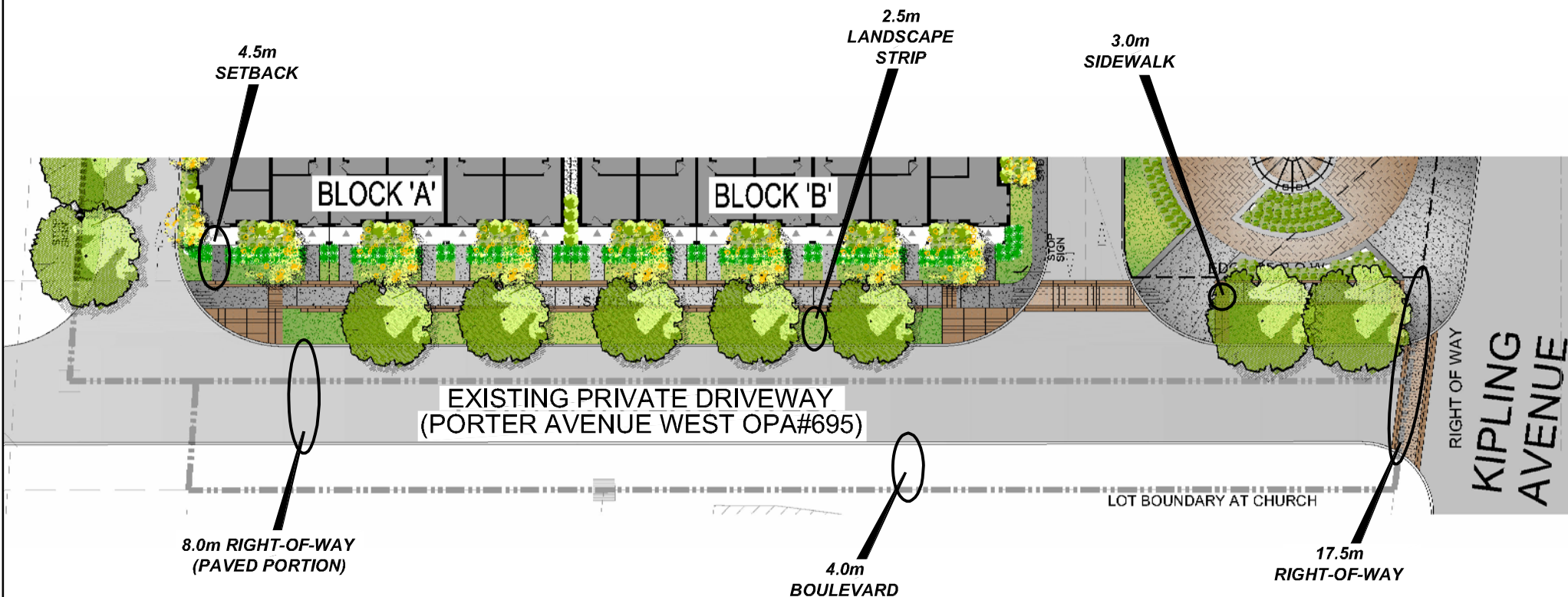
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DA.12.060 & Z.12.014

Date: March 14, 2013

8



Not to Scale



Street Profile (Porter Avenue OPA #695)

Applicant:
Woodbridge Crossing Ltd.

Location:
Part of Lots 8 & 9, Concession 8



Attachment

Files: 19T-12V004,
DA.12.060 & Z.12.014

Date: March 14, 2013

9