

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

By approving that the proposed conveyance of 2.25 ha of land suitable for parkland satisfies the City's parkland dedication requirement for this development; and

By receiving Communication C20 from the Commissioner of Planning and the Interim Commissioner of Legal & Administrative Services/City Solicitor, dated April 21, 2015.

**37 ZONING BY-LAW AMENDMENT FILE Z.11.006
 SITE DEVELOPMENT FILE DA.13.050
 165 PINEGROVE INVESTMENTS INC.
WARD 2 - VICINITY OF ISLINGTON AVENUE AND PINE GROVE ROAD**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated April 14, 2015, be approved;
- 2) That prior to the issuance of occupancy permits, the improvements to the existing Pine Grove pumping station shall have been completed to the satisfaction of the Development Engineering and Infrastructure Planning Services Department which will consider by means of a third party peer review (by a firm mutually agreed to by staff and the applicant), whether a fibre glass storage tank is in fact cost-effective, feasible and appropriate, as it should be given that the City is responsible for 25% of the costs;
- 3) That Confidential Communication C1, from the Commissioner of Legal & Administrative Services, dated April 2, 2015, be received; and
- 4) That the following deputations be received:
 1. Mr. Adam Brown, Sherman Brown Dryer Karol, representing the applicant;
 2. Mr. Eric Ward, Pine Grove Road, Woodbridge; and
 3. Ms. Mary Pataki, Pine Grove Road, Woodbridge.

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

1. a) THAT Zoning By-law Amendment File Z.11.006 (165 Pinegrove Investments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone, R3 Residential Zone, EM1 Prestige Employment Area Zone, OS1 Open Space Conservation Zone and A Agricultural Zone to RM2(H) Multiple Residential Zone with the Holding Symbol “(H)”, OS2 Open Space Park Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to permit a development consisting of a maximum of 103, 4-storey (12.5 m) stacked townhouse units and 1 residential dwelling unit in the existing heritage dwelling (229 Pine Grove Road - Fred Hicks House) as shown on Attachments #3 to #6, together with the site-specific zoning exceptions identified in Table 1 of this report.

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- b) THAT the Holding Symbol "(H)" shall remain on the subject lands until such time as:
- i) The Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP) and is in receipt of a Record of Site Condition (RSC) filed with the Ministry of Environment and Climate Change's (MOECC) Environmental Site Registry; and,
 - ii) The Owner has entered into a development agreement with the City respecting the necessary improvements to the existing Pine Grove wastewater pumping station to the satisfaction of the City.
- c) THAT the implementing Zoning By-law restrict the use of lands zoned RM2 Multiple Residential Zone and located east of the flood plain limit to berming, landscaping and a portion of the access driveway for the north parcel (Blocks "A" and "B") of the subject lands. No structures including gazebos, decks, etc. shall be permitted within the Regulatory Flood Limit.
2. THAT prior to the enactment of the implementing Zoning By-law:
- a) The Ontario Municipal Board (OMB) shall have issued a Decision Order regarding the approved settlement for 165 Pine Grove Investments Inc. appeal to Vaughan Official Plan 2010 for the subject lands; and,
 - b) The Owner shall execute to the City of Vaughan a Letter of Undertaking committing the Owner to enter into a Heritage Conservation Easement Agreement for the protection and long-term maintenance of the John Hicks House, in the form and content to the satisfaction of the Commissioner of Planning and the Toronto and Region Conservation Authority (TRCA) and registered on title; together with security in the in form of a Letter of Credit or certified cheque to the City of Vaughan in an amount calculated at \$100.00 per square foot of the John Hicks House (heritage structure at 229 Pine Grove Road), to secure its the safe relocation and conservation.
3. THAT prior to the initiation of grading and prior to the registration of the Site Plan Agreement, the Owner shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Report, prepared by Cole Engineering, dated January 2015. This report shall include:
- plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
 - stormwater management techniques which may be required to control minor or major flows;
 - appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, and 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;
 - proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;

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- location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) Regulation;
 - overall grading plans for the subject lands; and,
 - supplementary measures including additional source and conveyance measures to enhance infiltration and reduce run-off volumes.
4. THAT the final site plan be red-lined/revised in order to meet the requirements of the TRCA, if necessary.
5. THAT Site Development File DA.13.050 (165 Pinegrove Investments Inc.) BE APPROVED, to permit the development of 103, 4-storey stacked townhouse units and the retention of the existing heritage structure (Fred Hicks House) for 1 residential dwelling unit, served by two private condominium roads and 142 parking spaces as shown on Attachments #3 to #6, subject to the following conditions:
- a) Prior to the execution of the Site Plan Agreement:
- i) The Vaughan Planning Department shall approve the final site plan, building elevations, and landscape plans;
 - ii) The Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan, underground parking plan, stormwater management report, functional servicing report and floodplain analysis, photometric lighting plan, and the engineering reports submitted in support of the development;
 - iii) The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City of Vaughan with regard to such matters the municipality may consider necessary including payment of development levies, the provision of roads and municipal services, landscaping, fencing, cost sharing, and the design and construction of the necessary improvements to the Pine Grove Sanitary Pumping Station and appurtenances. This Agreement shall be registered on title against the lands to which it applies and be to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department. Prior to Site Plan approval, the Development Agreement shall be registered with the City and the construction drawings approved;
 - iv) The Owner shall obtain all necessary approvals from the TRCA and Region of York;
 - v) The Vaughan Environmental Services Department shall approve the final waste management plan and waste collection design standards;
 - vi) The heritage structure (Fred Hicks House) shall be protected, conserved, relocated and maintained on-site and the City and the Owner shall negotiate and execute a Heritage Conservation Easement Agreement for the protection and long term maintenance of the Fred Hicks House that will be registered on title, to the satisfaction of the Manager of Urban Design and Cultural Heritage;

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- vii) The Owner shall submit to the Vaughan Planning Department, Urban Design and Cultural Heritage Section, a Heritage Conservation Plan, including a complete set of architectural and landscape design drawings for the Fred Hicks House and the surrounding property, prepared by a qualified heritage professional all to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- viii) The Owner shall submit a Commemoration Plan prepared by a qualified heritage professional, addressing the history of the hamlet of Pine Grove, the Fred Hicks House and the Hayhoe Mill silos to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- ix) The Owner shall submit to the City of Vaughan, a security in the form of a Letter of Credit in the amount calculated at \$100.00 per square foot of the Fred Hicks House for its safe relocation and conservation. The Letter of Credit shall reference the Heritage Conservation Easement Agreement as discussed in this report. Prior to the release of the Letter of Credit, the Owner shall:
 - fulfil the requirements of the relocation of the Fred Hicks House on a secure foundation and the proposed work in accordance with the approved Heritage Conservation Plan and obtain a Heritage Permit to the satisfaction of the Manager of Urban Design and Cultural Heritage;
 - connect the relocated heritage structure to municipal services;
 - verify that the relocated heritage structure meets the standards of occupancy as confirmed by the Chief Building Official; and,
 - submit final as-built photographs of the heritage structure and surrounding lands to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- x) For the lands municipally known as 180 Pine Grove Road (located outside of the development limit) as shown on Attachment #3, the Owner shall satisfy the following archaeological conditions of approval:
 - The Owner shall at their expense carry out an archaeological assessment and mitigate through preservation or resource removal and documentation all adverse impacts to any significant archaeological resources found;
 - No demolition, grading or other soil disturbances shall take place prior to the approval authority confirming that all archaeological resource concerns have met resource conservation requirements;
 - The lands shall be assessed by a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990); and any significant sites found will be properly mitigated (avoided or excavated), prior to the initiation of construction, servicing, landscaping or other land disturbances;

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- The consultant archaeologist will submit 1:10,000 scale mapping that clearly outlines the limits of the property subject to assessment and the locations of any new archaeological site locations; and a copy of the relevant assessment report(s) all to the Vaughan Development Planning Department, Urban Design and Cultural Heritage Section, in accordance with the Ministry of Tourism, Culture and Sport *Standards and Guidelines for Consultant Archaeologists, 2011*;
 - The Owner shall consult with the First Nations communities for the archaeological assessments that meet certain criteria, including but not limited to all Stage 3 to Stage 4 assessments. More information regarding consultation with First Nations communities can be found in the living document *Engaging Aboriginal Communities in Archaeology, 2010* available on the Ministry of Tourism, Culture and Sport website;
 - Areas deemed to have no remaining archaeological integrity by a licensed consultant archaeologist will be excluded from the zone of archaeological potential;
- xi) The Owner shall successfully obtain a permit from the TRCA under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for the following:
- cut/fill grading works and topsoil stripping works, in order to conform to the hydraulic modeling submitted by Cole Engineering (Flood Plain Analysis Report, dated July 2014);
 - the proposed bank wall removal and remediation along the edge of the Humber River; and,
 - final site grading/development and restoration to facilitate the construction of the proposed development and related infrastructure;
- xii) The Owner shall submit documentation executed by a Professional Engineer confirming that works to conduct the cut/fill grading works (referenced above) have been completed and comply with modeling from Cole Engineering. This includes the submission of an as-completed grading drawing and revised detailed modeling confirming the reduction in the Regulatory Flood Plain on the subject lands;
- xiii) The Owner shall provide a detailed hydraulic analysis, which is conducted to TRCA standards and includes the preparation of topographic mapping following the completion of proposed cut/fill grading works, to the satisfaction of the TRCA;
- xiv) The Owner shall submit documentation from a qualified geotechnical/structure engineer, indicating that the reconstruction of the valley slope wall on the southern parcel has been completed in accordance with the proposed plans from Cole Engineering and is stable and sound;

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- xv) The Owner shall submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction;
- xvi) The Owner shall submit restoration planting plans for both the bank wall removal/remediation works and grading work, consisting of native and non-invasive species and which complies with TRCA Planting Guidelines; and,
- xvii) The Traffic Impact Study (TIS) and Transportation Demand Management (TDM) plan shall be finalized to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.

6. THAT the Site Plan Agreement shall include the following provisions:

- a) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;
- b) The heritage structure (the Fred Hicks House) shall be protected and maintained pursuant to the Heritage Conservation Easement Agreement, on-site and the Owner/Condominium Corporation shall agree to maintain the heritage structure according to the Heritage Conservation Easement Agreement;
- c) That prior to occupancy, the Owner shall submit an Emergency Response/Management Plan to the TRCA and to the City of Vaughan for review and approval;
- d) Prior to occupancy, the Owner shall implement all possible measures to mitigate the risk associated with flooding and provide approved emergency plans and procedures for the future residents/occupants to the satisfaction of the TRCA and City of Vaughan;
- e) In areas where there is no identified archaeological potential, the following standard clauses apply for lands being disturbed for development/construction, as required by the Ministry of Tourism, Culture and Sport:
 - i) Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Section shall be notified immediately;
 - ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Services;

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- iii) Prior to Building Permit application, the Owner shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the subject lands, until such time as protective measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Tourism, Culture and Sport (Archaeology Unit) and the City of Vaughan;
- f) Owner shall submit restoration planting plans for the areas disturbed as part of the proposed cut/fill grading works and which complies with TRCA Planting Guidelines;
- g) That all openings to the relocated Fred Hicks House and the underground parking structures including ramps, walk-outs and/or ventilation openings will be floodproofed (raised above) to the Regulatory Storm Flood Plain elevation plus freeboard, as determined by the TRCA;
- h) The Owner shall submit documentation from a qualified structural engineer, indicating that the foundation walls for the relocated Fred Hicks House are able to withstand the depths and velocities associated with the Regulatory Storm Flood Event;
- i) All electrical equipment for the heritage dwelling including fuse boxes/electrical panel shall be located above the Regulatory Flood Plain elevation;
- j) Restriction on amenity areas/structures such as decks, gazebos and other structures within the buffer from the Regulatory Flood Plain. Only at-grade patio pavers/stones shall be permitted;
- k) Restriction on fencing around the heritage dwelling within the buffer from the Regulatory Flood Plain, shall be approved by the TRCA;
- l) That the Open Space/Park lands outside of the new property limit be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges or encumbrances;
- m) A warning clause shall be included in all Agreements of Purchase and Sale or Lease, and in the Condominium Agreement and Condominium Declaration advising all future owners/tenants/lessees that the development will not be served by municipal garbage pick-up/recycling or snow plowing, and that such services will be privately administered by the Condominium Corporation;
- n) That the Purchase and Sale Agreement and Condominium Agreement and Declaration shall include a clause(s) advising all purchasers that:
 - the underground parking structure has been designed and located in such a manner as to account for the current location of the Regulatory Storm Flood Plain and that future expansion closer towards this hazard will not be permitted;
 - that portions of the subject property are located within the Regulatory Storm Flood Plain and that lands may be inundated during a storm;

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- o) Prior to the issuance of a building permit, the improvements to the existing Pine Grove wastewater pumping station shall have been completed to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department;
 - p) The Owner shall agree in the site plan agreement to implement the approved Transportation Demand Management (TDM) plan to the satisfaction of the City; and,
 - q) No basement habitable space or below grade structure, other than a foundation structure required for support under the relocated heritage dwelling shall be permitted to the satisfaction of the TRCA.
7. THAT Vaughan Council shall adopt the following resolution with respect to the allocation of sewage and water supply capacity:

“IT IS HEREBY RESOLVED THAT Site Development File DA.13.050 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 98 residential units (300 persons equivalent), subject to completing the Pine Grove Pump Station upgrade works to the satisfaction of the City.”

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

Goal 4: To create a vibrant community where citizens, business and visitors thrive

- To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage

In accordance with the goals and objectives identified above, the Owner has advised that the following sustainable features, but not limited to, will be provided within the building and site design:

- low flow water shower heads, faucets and toilets
- use of low toxicity volatile organic compound (VOC) emitting paints, sealants, etc.
- EnergyStar appliances and windows
- integrated mechanical systems
- upgraded roof shingles (30 year life)
- use of local drought resistant plant material
- permeable pavers along portions of the internal walkways
- pavers with a high solar reflectance index

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Economic Impact

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

Communications Plan

On May 6, 2011, a Notice of Public Hearing for the May 31, 2011, meeting was circulated to all property owners within 150 m of the subject lands and to those individuals that requested notification, to consider the original development proposal shown on Attachment #7, consisting of 5 residential buildings with 132 stacked townhouse units. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Sign Procedures and Protocol.

A number of residents addressed Vaughan Council at the Public Hearing, and expressed concerns with the following:

- the development is too dense for the area and is located within a Special Policy Area (SPA)
- the development does not respect and/or reinforce the existing historical significance of the site (Hayhoe Mills)
- the proposal will result in increased traffic, thereby raising safety concerns and placing a strain on existing infrastructure
- a traffic light should be provided at the intersection of Islington Avenue and Pine Grove Road

These issues are discussed in further detail throughout this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of May 31, 2011, was ratified by Vaughan Council on June 7, 2011, and amended to include the following:

- “1. That staff be directed to convene a stakeholder's group to discuss and resolve issues of concern to all parties and such group to be comprised of:
 - the Ward Councillor;
 - the Mayor and Regional Councillors, should they wish to attend;
 - representatives of the proponent; and,
 - up to six local residents, three of which will be residents of that portion of Pine Grove Road west of the Humber River;
2. That the Ward Councillor be appointed the Chair of the Stakeholder's group;
3. That the group report on its discussion no later than Labour Day 2011;
4. That the Planning Department be represented at meetings of the group; and,
5. That all deputations and communications be received.”

A Stakeholders Group meeting was held at the Al Palladini Community Centre on July 6, 2011, and was attended by the Local Ward 2 Councillor, the Director of Development Planning, a City Planner, representatives of the Owner and their consultants, and 6 residents. The following issues were identified by the residents:

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- i) The residents that live on Pine Grove Road next to the subject lands raised concerns about the current state of the existing buildings on the subject lands and asked the Owner to provide additional security measures and maintain the grass. The Owner advised that they have a security and maintenance management plan in place, but will re-evaluate the plan in consideration of the comments.
- ii) Residents had a concern about the method of calculating the proposed density for the development using the entire site rather than the developable portion only. The residents requested that the Vaughan Planning Department and the Owner provide them with the density calculations for the land use designations under OPA #240, as amended by OPA #597 and under VOP 2010, and that the density be calculated only on the developable area of the property. The development limits have since been established to the satisfaction of the TRCA that would permit the number of units subject to this report.
- iii) Vaughan Planning Staff indicated that the City's Parks Development Department requested a trail through the property and would not accept the open space lands as parkland dedication. The residents and Owner indicated that they were in favour of a trail system. The residents also wanted to determine if the open space lands could be used for active recreational fields (e.g. soccer fields) with no permanent structures. Vaughan Planning Staff indicated that this request would need to be addressed with the TRCA and internal departments and that the lands will not be subject to parkland credit as they are located below the physical top-of-bank.
- iv) Issues regarding the quality of the building materials were discussed and the Owner agreed to work with the residents and provide material sample boards. On May 11, 2011, a meeting was held at the Al Palladini Community Centre and was attended by members of the community, the Owner, the Planning Consultant and the Architect to discuss among other issues the materials and design of the proposed stacked townhouse units. Specifically, some of the residents indicated that they do not support siding or wood as an exterior finish material. Other residents were concerned about the size and low price of the units and their impact on the value of the surrounding properties. The current proposed building elevations include brick, stone, glazing and asphalt shingles as shown on Attachments #4 and #5.
- v) The residents stated that this development will adversely impact a poor traffic situation and that options, including a traffic light, should be considered at the intersection of Islington Avenue and Pine Grove Road to help alleviate traffic conditions. A Traffic Impact Study (TIS) has since been submitted by the Owner and approved by the Vaughan Development Engineering and Infrastructure Planning Services Department, which concludes that a traffic light signal at the Islington Avenue and Pine Grove Road intersection is not warranted.
- vi) The residents expressed concern that information related to the Special Policy Area (SPA) and the development limits were not available for the meeting. Vaughan Planning Department staff informed the residents that a meeting with the TRCA was scheduled for July 7, 2011 (discussed below), to which additional information could be provided. The development limits were ultimately established, as shown on Attachment #3.

On July 7, 2011, a meeting was held at the City of Vaughan municipal offices attended by representatives from the TRCA, the Vaughan Development and Policy Planning Departments, and the Owner and their consultants. The meeting resulted in an overview of the issues, the status of the Woodbridge Special Policy Area (SPA) Review, and details regarding specific technical information. The TRCA indicated that they required additional time to review the applications and that a formal letter would be issued in mid-August 2011.

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Several meetings have taken place since 2011 to the time of the approval of the SPA by the Province on November 3, 2014, the approval of the Woodbridge Centre Secondary Plan by the OMB on February 24, 2015, and afterwards to March 2015, between the applicant and their consultants, the City and the TRCA, to resolve issues and confirm the details of development and limits, which has led to the preparation of this technical report for consideration by the Committee of the Whole.

On April 1, 2015, the City of Vaughan mailed a courtesy notice of this Committee of the Whole meeting to the individuals who addressed the Committee of the Whole at the Public Hearing, and to those individuals who attended the stakeholders meeting and requested notification.

Purpose

To seek approval from the Committee of the Whole for the following applications:

1. Zoning By-law Amendment File Z.11.006, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachment #2 from R2 Residential Zone, R3 Residential Zone, EM1 Prestige Employment Area Zone, OS1 Open Space Conservation Zone, and A Agricultural Zone to RM2 Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to permit the development of a maximum of 103 stacked townhouse units and to relocate and maintain an existing heritage structure (Fred Hicks House) to be used for 1 residential dwelling unit, as shown on Attachments #3 to #6, together with the site-specific exceptions identified in Table 1 of this report.
2. Site Development File DA.13.050 to permit the development of 103, 4-storey stacked townhouse units and the relocation and retention of the existing heritage structure (Fred Hicks House) for 1 residential apartment unit served by two private condominium roads and 142 parking spaces, as shown on Attachments #3 to #6.

Background Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located east of Islington Avenue on the north and south sides of Pine Grove Road, known municipally as 165, 170, 180, 192, 201, and 229 Pine Grove Road, and have a total lot area of 3.44 ha. The property has a varying topography with 201 and 229 Pine Grove Road characterized by a steep slope on the east limits of the properties. The site is developed with detached dwellings and the remnants of the Hayhoe Mills building, all of which are proposed to be demolished except the heritage structure at 229 Pine Grove Road (Fred Hicks House), which is proposed to be relocated and maintained on site as it is identified as having historical significance. The surrounding land uses are shown on Attachment #2.

Official Plan

On September 20, 2012, the Owner appealed Volume 1 and Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) on the basis that no decision was made on the Official Plan within 180 days as required by the Planning Act. Specifically, the Owner's appeals dealt with the policies of Volume 2 of VOP 2010 - Woodbridge Centre Secondary Plan that apply to the subject lands, which did not permit the "Low-Rise Residential" built-form (i.e. stacked townhouses) proposed for the subject lands.

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On February 24, 2015, the OMB approved the Woodbridge Centre Secondary Plan save and except those lands under site-specific appeals. On the same day, the OMB considered and approved a settlement of a site-specific appeal to VOP 2010 from 165 Pine Grove Investments Inc. to redesignate the subject lands to “Low Rise Residential (2)”, “Parks” and “Natural Areas” to permit a maximum of 103 stacked townhouse units and 1 detached dwelling (Fred Hicks House) and with the following site-specific policies:

- all development shall be setback a minimum of 6 m from the Regulatory Flood Limit, unless otherwise permitted by the TRCA
- the maximum building height shall not exceed 4-storeys
- the maximum combined density for the lands shall not exceed a Floor Space Index (FSI) of 1.0. The portions of Area A designated “Natural Areas” and “Parks” within the developable limit (property line) may be used for the purpose of calculating density, but shall not be used for the purposes of parkland dedication
- a maximum lot coverage of 30% based on the approved development limits
- any lands designated “Low Rise Residential (2)” within the Regulatory Flood Limit, as determined through the site plan process, shall only be used for berming, landscaping and part of the access driveway for the north parcel. No structures including decks, gazebos etc., shall be permitted within the Regulatory Flood Limit.

The proposed development conforms to VOP 2010 and specifically, the Woodbridge Centre Secondary Plan as approved by the OMB on February 24, 2015.

Official Plan Amendment Application

The Owner originally filed Official Plan Amendment File OP.11.001, which was considered together with the subject Zoning By-law Amendment File Z.11.006 at a Public Hearing held on May 31, 2011. The Owner originally proposed to amend the Official Plan (OPA #240 – Woodbridge Community Plan, as amended by OPA #597) to redesignate the subject lands from “Low Density Residential”, “Industrial” and “Environmental Protection Area” to “Low Rise Residential (2)” and “Open Space Area” to facilitate the proposal. As a result of the OMB decision regarding the Owner’s appeal of VOP 2010, the Official Plan Amendment application is no longer required.

Ministry of Municipal Affairs and Housing Approval of the Woodbridge Special Policy Area (SPA)

Portions of the subject lands were located in a Special Policy Area (SPA) as defined by the now former OPA #240 (Woodbridge Community Plan). VOP 2010, Volume 2 - Woodbridge Centre Secondary Plan (WCSP) states that the existing SPA boundary and policy (OPA #240) would remain in-effect until the SPA boundary and policies are approved by the Ministry of Municipal Affairs and Housing (MMAH) and Ministry of Natural Resources (MNR). In 2009, the MMAH directed the City to undertake a comprehensive review of the Woodbridge SPA. This review was undertaken in cooperation with the TRCA and the Province of Ontario and approved by Vaughan Council on May 6, 2014, and subsequently forwarded to the MMAH. On November 3, 2014, the Woodbridge SPA received approval from the MMAH and MNR, and is in full force and effect.

The final SPA report reduced the overall area of the SPA from 40.1 ha to 29.8 ha, which was achieved, in part, by removing all lands owned by the TRCA from the SPA limits and in the case of the subject lands, by removing the SPA designation from the majority of the subject lands, with

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the exception of a portion of the property proposed to be zoned OS2 Open Space Park Zone as approved by the OMB and shown on Attachment #3. The lands designated “Parks” located within the development limits shall be permitted to be used in the calculation of the lot area, but will not be used for parkland dedication as approved by the OMB on February 24, 2015. The portion of lands designated “Parks” and located below the Regulatory Flood Plain Limit shall not be permitted to be used for parkland dedication.

The proposed site plan shown on Attachment #3 identifies the new property lines for the north and south parcels of the developable portions of the subject lands and the flood limits. The current site plan is based on the recommendation of the SPA Report, which removed the subject lands from the SPA and shifted and set the flood limit to the east, thereby allowing a majority of the proposed development to be located outside of the flood limit with the exception of the landscaped berms, landscaped area and a small portion of the driveway access for the north parcel. The proposed development is supported through various studies dealing with emergency preparedness and ensuring that the ingress and egress is safe for vehicular and pedestrian movement.

Zoning

The subject lands shown on Attachment #2 are zoned as follows:

- 165 and 170 Pine Grove Road - OS1 Open Space Conservation Zone, subject to Exception 9(38)
- 180 Pine Grove Road - A Agricultural Zone and OS1 Open Space Conservation Zone
- 192 and 229 Pine Grove Road - R3 Residential Zone, and R2 Residential Zone and OS1 Open Space Conservation Zone, respectively
- 201 Pine Grove Road - EM1 Prestige Employment Area Zone, subject to Exception 9(38) and OS1 Open Space Conservation Zone.

The current zoning of the subject lands does not permit the proposed residential stacked townhouse development. The Owner is proposing to amend Zoning By-law 1-88 to rezone the subject lands to RM2 Multiple Residential Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
a.	Minimum Lot Area	230 m ²	North Parcel - 120 m ² /unit South Parcel - 95 m ² /unit Lot area shall be calculated based on the respective north and south parcels, as shown on Attachment #3.
b.	Heritage Dwelling	The heritage dwelling shall be setback in accordance with the requirements of Zoning By-law 1-88	The heritage dwelling shall be setback a minimum of 6 m from the Regulatory Flood Plain limit and the garbage structure shall be located as shown on Attachment #3.

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c.	Setback to Underground Parking Structures (To Flood Plain Limit)	By-law 1-88 does not include a standard for a setback to a Flood Plain Limit.	The underground parking garage structure shall be setback 6 m from the Regulatory Flood Plain limit as approved by the site plan, and any openings for both the Fred Hicks House and the underground parking structure, including ramps, walkouts, roads and ventilation openings shall be setback from the Regulatory Flood Plain Limit in accordance with the approved site plan and will be flood proofed above the Regulatory Flood Plain elevation plus freeboard as determined by the TRCA.
d.	Minimum Parking Requirement (103 stacked townhouse units plus one residential unit – Fred Hicks House)	<p>104 units @ 1.5 spaces/unit = 156 spaces + 0.25 visitors spaces/unit= 26 spaces Total parking required = 182 spaces</p> <p>Visitor parking shall be provided on site</p>	<p>104 units @ 1.1 spaces/unit = 115 spaces + 104 units @ 0.20 visitor spaces/unit = 21 spaces Total parking proposed = 136 spaces Total parking Provided = 142 spaces</p> <p>Visitor parking shall be provided on the north parcel and shall serve the entire development (north and south parcels).</p>
e.	Minimum Parking Space Size Dimensions	<p>2.7 m x 6 m 3.9 m x 6 m (barrier-free parking)</p>	<p>2.6 m x 5.7 m 3.9 m x 5.7 m (barrier-free parking)</p>
f.	Permitted Uses	All uses permitted under Section 4.1.7 and Block Townhouse, Apartment Dwelling, Multiple Family Dwelling	<p>Only the following uses shall be permitted on the subject lands:</p> <ul style="list-style-type: none"> • The existing heritage dwelling (Fred Hicks House) containing 1 apartment unit on the north parcel • 103 condominium stacked townhouse dwelling units distributed as follows: North Parcel - 51 units South Parcel - 52 units

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			<p>The portion of the lands zoned RM2 and located within the Regulatory Flood Plain Limit line shall be used only for the purposes of landscaping and berming and part of the driveway access (north parcel).</p> <p>No structures, gazebos, fencing, decks, etc. shall be permitted on these lands. Furthermore no structures, fencing, decks, gazebos, sheds, etc. accessory to the Fred Hicks House shall be permitted within 6 m of the Regulatory Flood Plain Limit. Only at grade patio pavers/stones are permitted.</p>
g.	Definition of a Stacked Townhouse	N/A	<p>Dwelling, Stacked Townhouse - Means an attached low-rise residential building form containing 3 or more dwelling units, each of which has: (1) direct access from the outside ground level; (2) one or two party walls with abutting units; and (3) is above or below another dwelling unit. The maximum building height shall be 4-storeys or 12.5 m.</p>
h.	Definition of a Lot	<p>Lot means a parcel of land fronting on a street separate from any abutting land to the extent that 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 lot.</p>	<p>The north and south parcels shall each be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and or lots by way of plan of condominium, consent or other permission, and any easements or registrations that are granted.</p>
i.	Maximum Building Height	11 m	12.5 m
j.	Maximum Width of an Access Driveway for the North Parcel	7.5 m	9 m

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k.	Definition of Building Height	<p>Means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and,</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of accessory roof construction such as chimney, tower, steeple, elevator, mechanical room, or television antenna.</p>	<p>Means the vertical distance between the average finished grade along the front wall of the building (for the purpose of this definition, the front wall of this building shall be a wall that does not contain the garage door to the underground parking; and,</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of accessory roof construction such as chimney, tower, steeple, elevator, mechanical room, or television antenna.</p> <p>The portion of the underground garage wall for Blocks “C” and “D” (South Parcel) that extends above grade, shall not be considered a storey for the purpose of this By-law.</p>
l.	Minimum Yard Setbacks, and Maximum Encroachments for all Porches, Balconies and Stairs	<ul style="list-style-type: none"> - Minimum Setbacks as per the RM2 Zone standards. - Maximum permitted encroachments of 0.3 m into a front or exterior side yard and 1.8 m into a rear yard. 	Setbacks and encroachments for all porches, stairs and balconies shall be as shown on Attachment #3.
m.	Permitted Yard Encroachments and Restrictions	Exterior stairways are permitted in the rear yard only except that an exterior stairway not exceeding one-half storey in height shall be permitted in any yard.	All exterior stairs, including stairs to a porch, platform, terrace, or underground garage, shall not exceed 6.5 m in height and shall be allowed to encroach into any yard.

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n.	Accessory Structure (Retaining Walls)	<p>The maximum height of any retaining wall constructed on a property line between two (2) residential lots shall be one (1) metre. A retaining wall which exceeds one (1) metre in height must be setback from the nearest property line a distance equal to its height.</p> <p>Any architectural design element, used in hard landscaping of any yard, which is greater than 1.8 m in height shall be setback from the property line a distance equal to the height of the said structure.</p>	<p>The maximum height of a retaining wall shall be 5.5 m and shall not be setback from the property line a distance equal to its height.</p>
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Zoning By-law 1-88 does not include a specific zone category, definition or development standards for stacked townhouse dwelling units. Consequently, a site-specific use permission and development standards are required to implement the proposed development shown on Attachments #3 to #6.

The Vaughan Planning Department has reviewed the proposed site-specific zoning exceptions identified in Table 1, and is of the opinion that they are appropriate and facilitate a development compatible with the existing built form in the immediate area and implements the Official Plan. The proposed zoning exceptions for minimum lot area, minimum lot frontage, and building height will facilitate an infill project that is compatible with the surrounding area. The lands zoned OS1 Open Space Conservation Zone will remain as open space. The lands where the park is proposed south of Pine Grove Road will be zoned OS2 Open Space Park Zone.

The proposed parking supply is supported by a parking study prepared by Cole Engineering, which has been reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning Services Department.

It is recommended that the entirety of the subject lands be zoned with the Holding Symbol “(H)”, until such time as the Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP), is in receipt of a Record of Site Condition (RSC) filed with the MOECC’s Environmental Site Registry, and that the pumping station is upgraded, in order for the site to receive servicing allocation, to the satisfaction of the City of Vaughan.

Site Plan

The proposed site plan shown on Attachment #3 includes 103 stacked townhouse units distributed over four, 4-storey residential buildings and 1 additional dwelling unit located within the heritage structure (Fred Hicks House), which is proposed to be relocated from its current location on the southerly parcel to the northerly parcel. The proposal is served by Pine Grove Road and consists of two development blocks; a north and south parcel each having their own residential underground parking levels and refuse areas. A surface visitor parking area for the entire development is provided on the north parcel.

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Building Elevations and Landscaping

The proposed stacked townhouse buildings are 4-storeys (12 m) in height and utilize brick, stone and glazing as finishing materials as shown on Attachments #4 and #5.

The landscape plan for the proposed development is shown as Attachment #6. A majority of the planting is located east of the flood plain limit and includes a landscaped berm area abutting the open space lands.

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Section is satisfied with the proposed development and will continue working with the Owner to finalize the details of the proposal. A condition to this effect is included in the recommendation of this report.

Heritage Dwelling - 229 Pine Grove Road (Fred Hicks House)

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Section can confirm the Owner has been working with staff to incorporate the existing heritage structure (Fred Hicks House) into the development. In the period from January 2014 to March 2014, Heritage Vaughan Committee reviewed the Built Heritage Evaluation (BHE) for the Fred Hicks House, the Heritage Impact Assessment and the review of staff's BHE submitted by the Owner. From this review, Heritage Vaughan Committee recommended to Vaughan Council that the Fred Hicks House be conserved and be considered for Designation under Part IV of the Ontario Heritage Act.

On May 21, 2014, and on June 24, 2014, Heritage Vaughan and Vaughan Council, respectively, approved a recommendation that Designation of the property not be pursued at this time and instead, that staff and the Owner negotiate a Heritage Easement Agreement and continue to work to incorporate the Fred Hicks House into the development. Vaughan Council adopted a recommendation to negotiate a Heritage Easement Agreement with the property Owner of 229 Pine Grove Road that includes the requirement of the Owner to secure and maintain the Fred Hicks House on the development site, on terms and conditions satisfactory to the Commissioner of Planning and the City Solicitor. Conditions regarding the Heritage Easement Agreement are included in the recommendation of this report.

The Owner is proposing to relocate the existing heritage dwelling in advance of final approvals. In order to secure the preservation of the heritage dwelling, the Owner shall enter into a Letter of Undertaking with the City including the requirement of the Owner to provide a certified cheque in the amount of \$100.00 per square foot. Prior to the execution of the Site Plan Agreement, the Owner will be required to enter into a Heritage Conservation Easement Agreement and post a Letter of Credit also in an amount calculated at \$100.00 per square foot, at which time the certified cheque posted with the Letter of Undertaking will be returned to the Owner.

City Department and Agency Comments

Vaughan Emergency Planning Department

The Vaughan Emergency Planning Department has reviewed the proposed development and the emergency preparedness manual submitted in support of the applications and has indicated that they are satisfied with the site plan, which identifies that almost the entire development is located outside of the flood limit. However, City Staff in the Emergency Planning Department requires that the emergency preparedness plan be updated to their satisfaction, prior to occupancy. A condition in this respect is included in the recommendation of this report.

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School Boards

The York Catholic District School Board and the York Region District School Board have indicated that they have no comments or objections to the proposed development.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the drawings and technical material submitted in support of the applications and has provided the following comments:

i) OMB Settlement

The TRCA is satisfied that the following matters were addressed in the OMB settlement:

- appropriate wording that recognizes any lands designated “Low Rise Residential (2)” within the Regulatory Flood Plain limit, will only be used for berming, landscaping and for a portion of the driveway for the north parcel. Future development on these lands will be restricted;
- the land use designations are appropriate;
- appropriate wording regarding the phasing of works and when construction of the habitable buildings may be permitted; and,
- appropriate wording regarding the timing of the bank wall removal/remediation and construction of the habitable structures.

ii) Underground Parking Structure

Previously, through discussions with the Owner and their consulting team, revisions were made to the underground structure in order that an appropriate buffer was provided between the development and the limit of the Regulatory Flood Plain. With minor exceptions made for ventilation shafts and stairs, the TRCA is satisfied with the changes provided, as shown on Drawing Nos. A201 and A202, prepared by SRN Architects Inc., dated February 19, 2015.

iii) Site Plan Agreement

The following matters shall be addressed in the final plans and incorporated into the Site Plan Agreement as it relates to the relocated Fred Hicks House on the subject site:

- all openings to the relocated heritage dwelling including doors, windows, etc., shall be located above the Regulatory Flood Plain elevation, plus freeboard, as determined by the TRCA;
- no basement below grade structure other than a foundation structure required for support under the relocated heritage dwelling is permitted;
- all electrical equipment for the heritage dwelling including fuse boxes/electrical panel shall be located above the Regulatory Flood Plain elevation;
- the foundation walls for the relocated home will be designed and constructed to withstand uplift conditions and withstand Regulatory Flood depths and flows;

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- restriction on amenity areas/structures such as decks, gazebos and other structures within the buffer from the Regulatory Flood Plain. Only at-grade patio pavers/stones shall be permitted; and,
- restriction on fencing around the heritage dwelling within the buffer from the Regulatory Flood Plain.

The Owner is required to obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) prior to site grading, servicing and the development of the subject property, including the relocation and construction of a foundation for the relocated Fred Hicks House as a condition of approval.

Vaughan Parks Development Department

The Vaughan Parks Development Department has advised that By-law 139-90, as amended, for the required conveyance of land for park or other public recreational purpose as a condition of development or redevelopment is applicable. The By-law states that where land is to be conveyed to the City for park and other recreational purposes that lands located below the top-of-bank as defined by the TRCA pursuant to their regulations shall be excluded from parkland dedication. The portion of the lands designated "Parks" and located within the Regulatory Flood Plain Limit shall be excluded from parkland dedication. Therefore, the collection of cash-in-lieu of parkland shall be required as per the approved policies and procedures of the City of Vaughan. All open space lands are to be conveyed to the TRCA.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has reviewed the submitted plans and reports for the Site Development File DA.13.050 and provided the following comments:

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has completed the review of the submitted plans and reports for the Site Development Application DA.13.050 and offers the following comments:

a) Road Network:

All four buildings will have their main accesses from Pine Grove Road. Traffic report confirms that the access and intersection of Pine Grove and Islington Avenue will function adequately.

b) Water/Sanitary Servicing:

The north and south sites will be serviced by existing municipal services on Pine Grove Road by providing service connections to the property line as follows:

- watermain connections for domestic and fire from the existing 350 mm diameter watermain
- sanitary sewer connections from the existing 200 mm diameter sanitary sewer, which drains to an existing wastewater pumping station located at the end of Pine Grove Road.

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This existing pumping station requires improvements and the introduction of emergency sewage storage to adequately service the proposed development. This matter is further discussed later in this report.

The Owner shall design and construct the required improvements to the existing pumping station to the satisfaction of the City of Vaughan.

c) Stormwater Management:

Storm drainage from the north and south parcels will be managed and controlled through the use of bioswale / infiltration galleries. The site will provide on-site storage and outlet to storm sewer and ultimately to the Humber River via overland flow.

General Comments/Conditions

1. The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the municipality may consider necessary including payment of development levies, the provision of roads and municipal services, landscaping, fencing, cost sharing and the design and construction of the necessary implementation to the Pine Grove Sanitary Pumping Station and appurtenances. This Agreement shall be registered on title against the lands to which it applies and be to the satisfaction of the Development Engineering and Infrastructure Planning Services Department. Prior to Site Plan approval, the Development Agreement shall be registered with the City and the Construction Drawings approved.
2. The final detailed site grading and servicing plans, stormwater management report, functional servicing report and flood plain analysis, prepared by Cole Engineering shall be approved to the satisfaction of the City of Vaughan.
3. A revised photometric lighting plan shall be provided.

d) Floodplain Analysis Report, prepared by Cole Engineering, dated July 2014

The study indicates that the development will have no impact on the existing floodline beyond the site boundaries and is feasible from a flood protection perspective, avoiding impacts upstream and downstream of the study property. The proposed buildings will be flood proofed to the 350-year event and will be located outside of the Regional floodlines.

e) Pine Grove Pumping Station Upgrades

The existing Pine Grove Pumping Station is located at the east end of Pine Grove Road, as shown on Attachment #3. Based on measured flow, the sanitary pumping station currently receives peak sewage flow of approximately 2.23 litres/second (l/s) from an area of 5.5 ha by gravity sewers on Pine Grove Road. The Pumping Station discharges to a 100 mm forcemain that extends under the Humber River and outlets to the 200 mm sanitary sewer on Woodview Road. The original pumping station was constructed in 1974 and the pumps and control panels were replaced in 2007-2009. There is no emergency sewage storage capacity at this station.

The Owner is redeveloping the Hayhoe Mills lands and proposing an additional 98 units on the subject lands, which will need to be serviced by this existing Pumping Station. Given the limitations of the exiting pumping station, staff requested the Owner to undertake a thorough condition and operational assessment of the station so the required

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improvement needs could be identified. The Owner retained Cole Engineering to undertake this assessment. The general scope of the investigative work included an evaluation of the existing and proposed sewage flows, condition and capacity assessments of the pumping station, forcemain and appurtenances together with emergency storage requirements. Cole Engineering conducted several visits to the pumping station and assessed the structural, process mechanical, and electrical engineering design and analysis.

Based on this review, Cole Engineering submitted a study titled “Physical Condition Assessment Report”, dated November 27, 2014. The Assessment Report indicates that the structure, mechanical and electrical systems are in good state of repair. There were no major deficiencies noted in regard to the systems of the pumping station but the report did identify the need to carry out some minor concrete repairs to the wet well structure, and the replacement of some corroding components, pipes and valves in the near future. The pumping capacity of the station was rated at approximately 9.0 litres per second.

To adequately identify system upgrades associated with the proposed development, flow monitoring was conducted from January 31, 2014 to October 8, 2014. Based on collected monitoring data, theoretical calculations and a condition assessment of the existing pipes and pumping station, the proposed development is expected to increase the flows to the pumping station from 2.23 l/s to 8.73 l/s. This increase in sewage flow can theoretically be accommodated by the existing station but staff has requested the Owner to undertake additional pump testing to confirm the capacity and efficiency rating of the existing pumps and undertake any upgrades that may be required to the pumps.

For a number of years, the city has had a requirement for the provision of two hours of emergency storage at all new wastewater pumping stations. This requirement reduces the risk of system back-ups and accommodates operational response times in the event of a station failure. Given its age, the Pine Grove wastewater pumping station has no existing provisions for emergency storage. The additional sewage flows from the development will increase this risk. This issue becomes even more important given the station's proximity to the Humber River. Accordingly, staff is requiring the Owner to retrofit the existing station with 2 hours of emergency storage as a condition of development approval.

Staff has requested the Owner to design and construct the emergency sewage storage tank to accommodate both the existing and proposed development that drains to the station. This approach is supported by the city's Environmental Services Department. The Owner is prepared to undertake the additional work but has requested that the city reimburse him for the incremental cost of enlarging the tank for the existing users on the system.

Cole Engineering has prepared a preliminary cost estimate which includes the construction for the emergency storage tank. The Owner is requesting that the tank construction be cost shared on a proportionate flow basis (2.23 l/s from the existing development and 6.5 l/s from the Pine Grove development project), which is reasonable. On this basis, the city's share of the tank works would be approximately 26% and the Owner's share would be 74%. Based on the preliminary cost estimate of the works, the incremental cost of enlarging the tank for the existing users on the system is approximately \$106,000 as detailed in the table below.

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Preliminary Cost Estimate	
Emergency Storage Works	\$ 356,430
15% Contingency	\$ 53,465
*Total Anticipated Cost	\$ 409,895
Estimated city share (26%)	\$ 106,572

The design and construction of this wastewater infrastructure will be facilitated through the terms and conditions of a development agreement with the Owner. Staff has advised the Owner that he will be required to up-front finance of the works and the reimbursement of the city's share of the works would only occur when funds are available through an approved capital budget. Given the nature of the work, funding of the city's share of the works could potentially come from the Water/Wastewater Reserve.

As a condition of development approval, the Owner shall be required to design and construct the necessary improvements and upgrades to the existing Pine Grove wastewater pumping station that are required to service the proposed development to the satisfaction of the city. The Owner is also required to enter into a development agreement with the City to provide for the implementation of these works.

f) Lighting Plan

The outside lighting shall be directed downward and inward and designed to maintain zero cut-off light level distribution at the property line.

g) Transportation/Traffic Impact and Parking Study

The Owner has provided a Traffic Impact and Parking Study dated July, 2014 and parking addendum letter dated February, 23, 2015 both prepared by Cole Engineering Group Ltd. The parking study concludes that the proposed parking supply of 136 spaces will be sufficient as it meets the City's minimum draft parking standard requirements of 1.1 spaces per 2 bed unit plus 0.2 visitor parking spaces per unit, for a total of 104 units.

The Development Engineering and Infrastructure Planning Services Department has reviewed the study and is satisfied with the conclusion. However, below are a few outstanding comments pertaining to Active Transportation and TDM.

h) Cycle Parking/Transportation Demand Management (TDM)

The following items pertaining to cycling such as bicycle locker details, bike repair station and their respective cost stated in the TDM Plan, will be addressed later as part of the Development Agreement.

i) Environmental

The Vaughan Development Engineering and Infrastructure Planning Services Department, Environmental Section has indicated that the Environmental Site Assessment (ESA) documents submitted in support of the proposed development address the outstanding environmental site assessment comments to this point and have no objection for the development applications to proceed to a technical report to the Committee of the Whole.

The Phase One and Phase Two Environmental Site Assessments (ESAs) were submitted to the City for review and impacts were identified in soil and ground water. The proposed Remedial Action Plan (RAP) was reviewed and found to be satisfactory. The

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Vaughan Development Engineering and Infrastructure Planning Services Department has no objection for the implementation of work on site to facilitate the remediation and filing of a Ministry of the Environment and Climate Change (MOECC) Record of Site Condition (RSC).

Given that contamination and remediation has been identified for the subject lands, in accordance with City policy, the Holding Symbol “(H)” shall be applied to the implementing Zoning By-law with removal of the Holding Symbol “(H)” being conditional upon the successful implementation of the accepted RAP and the City's receipt of a RSC filed on the MOECC Environmental Site Registry.

j) Environmental Noise Impact Study prepared by HGC Engineering, dated May 28, 2013

The Owner submitted an Environmental Noise Impact Study prepared by HGC Engineering, dated May 28, 2013. The ultimate traffic volume data for Islington Avenue north of Regional Road 7 was obtained from York Region. Sound levels were predicted at the closest façade to the roadway for each block. The report indicated that the future traffic sound levels will be within the MOECC guidelines at all of the dwelling units in the development. The dwelling units may have patio area or balconies that are less than 4 m in depth. These patios are too small to be considered as outdoor living areas under MOECC guidelines. Any exterior wall and double glaze window construction meeting the minimum requirements of the Ontario Building Code (OBC) will provide adequate sound insulation for the dwelling units. There are no specific noise warning clauses required for the development.

k) Sewage and Water Allocation

The Vaughan Development Engineering and Infrastructure Planning Services Department, Planning and Studies Division has indicated that there is existing water and wastewater service connection on the subject land for 6 residential units which will be deducted to the overall approved unit count of 104 residential units as follows:

Proposed Residential Units =	104 units
Minus Existing Service Connection 6 units =	<u>6 units</u>
Total Allocation Required =	98 units

On October 29, 2013, the City's latest allocation strategy report was endorsed by Vaughan Council. The report confirmed capacity is available to support continued urban growth throughout the City over the next three years. Although capacity was not specifically reserved for this development, sufficient residual capacity is available and has been reserved for active developments throughout the City. Therefore, a Council resolution to allocate capacity to the subject development has been provided in the recommendation of this report.

Vaughan Environmental Services Department, Solid Waste Division

The Vaughan Environmental Services Department, Solid Waste Division has approved a Waste Collection Design Standard Policy for this development. The design of the proposed stacked townhouse buildings makes it difficult to allow for a common internal waste collection facility for each building, and therefore, the Owner is proposing to locate a free standing garbage building at the north corner of the site to serve Blocks “A” and “B”. The proposed outdoor waste facility building will be completely enclosed and designed with materials consistent with the main residential buildings. The Vaughan Environmental Services Department has reviewed the latest plans and is satisfied.

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Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that should the Site Development Application be approved, the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, 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.

Canada Post

Canada Post has reviewed the applications and has no objection to the proposed development, subject to the Owner satisfying all their conditions, which will be included in the Site Plan Agreement, should the applications be approved.

Bell Canada

Bell Canada has reviewed the applications and has no objection, however, they have indicated that an easement may be required to service the subject property.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report. The proposed landscape plan includes local drought tolerant plant material and pavers with a high solar reflectance index to promote water efficiency and proper stormwater management.

ii) Plan and Manage Growth and Economic Vitality

The development facilitates intensification within a neighbourhood of the Woodbridge Community with a compatible form that will support and strengthen the identity of the neighbourhood.

iii) Preserve Our Heritage and Support Diversity, Arts and Culture

The Owner is proposing to retain and incorporate the Fred Hicks House (229 Pine Grove Road) in the development and has agreed to implement a commemoration plan for the area to the satisfaction of the Vaughan Planning Department, Urban Design and Cultural Heritage Section.

Regional Implications

The Ministers of Municipal Affairs and Housing and Natural Resources approved the SPA Justification Report through a letter dated November 3, 2014, thereby approving new Special Policy Area policies to be incorporated in the VOP 2010, Woodbridge Centre Secondary Plan. As the OMB approved the Woodbridge Centre Secondary Plan, the Region of York has no objections to the subject applications.

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Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.11.006 and Site Development File DA.13.050 to permit the proposed development shown on Attachments #3 to #6, in consideration of the applicable City Official Plan policies and the surrounding existing and planned land use context. The proposed rezoning of the subject lands to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS1 Open Space Conservation Zone and OS2 Open Space Park Zone together with the site-specific zoning standards identified in Table 1 of this report, will facilitate a stacked townhouse development that responds appropriately to the existing built form within the surrounding community. The Owner is also proposing to relocate and retain the existing heritage dwelling (Fred Hicks House) and the requirement to provide a heritage commemoration plan will contribute to establishing an identity for the area. Should the applications be approved, a corresponding Draft Plan of Condominium application is required to be submitted in the future for Vaughan Council approval. Accordingly, the Vaughan Planning Department can support the approval of the applications, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Typical Elevations Blocks A and B
5. Typical Elevations Blocks C and D
6. Proposed Landscape Plan
7. Original Conceptual Site Plan

Report prepared by:

Eugene Fera, Planner, ext. 8094

Carmela Marrelli, Senior Planner, ext. 8791

(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.)

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Item #37
Rpt. No. 17
CL-April 21/15

DATE: APRIL 21, 2015

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
HEATHER WILSON, INTERIM COMMISSIONER OF
LEGAL & ADMINISTRATIVE SERVICES/CITY SOLICITOR

RE: COMMUNICATION – COUNCIL MEETING – APRIL 21, 2015

REPORT NO. 17, ITEM 37, COMMITTEE OF THE WHOLE, APRIL 14, 2015

ZONING BY-LAW AMENDMENT FILE Z.11.006
SITE DEVELOPMENT FILE DA.13.050
165 PINEGROVE INVESTMENTS INC.
WARD 2 – VICINITY OF ISLINGTON AVENUE AND PINE GROVE ROAD

Recommendation

The Interim Commissioner of Legal & Administrative Services/City Solicitor and the Commissioner of Planning in consultation with the Director of Parks Development recommend:

1. That the request by the Applicant that the parkland dedication requirement be satisfied through remediation and grading works in the open space not be granted based on the information contained in this communication and earlier reports.

Background

On April 2, 2015 staff provided a confidential memorandum regarding the proposed acquisition of lands associated with the Pinegrove development for the purposes of developing a public soccer field.

At the April 14, 2015 meeting of the Committee of the Whole, the Owner's lawyer requested that the condition requiring cash-in-lieu of parkland be fully satisfied by the conveyance of 1.29 ha of valley lands for active park use. In response, staff requested that the Owner's request be deferred to the April 21, 2015 Council meeting for an opportunity to review and provide comments.

In addition to the memo provided on April 2, 2015, staff provides the following information to assist Council with responding to the Owner's request for parkland dedication credit:

1. The City's Active Together Master Plan strategic plan for Parks, Recreation and Libraries recommends that the City not accept valley lands, floodplains and hazard lands as part of the parkland dedication requirement;
2. The 1.29 ha lands proposed to be dedicated for public use are located below top of bank and accordingly, are not suitable for active parkland use. In addition, these lands are included in the current development application to be remediated as naturalized areas;

3. The value of Cash-in-Lieu of Parkland for this site is estimated to be either \$884,000 (104 units x \$8,500/unit) which is the City's per unit rate at 1 hectare per 300 units or 5% of the appraised value of the lands, whichever is greater. The site is low-rise residential and is proposed to be zoned for block townhouses and multiple family dwellings which is considered to be medium density;
4. The approximately \$400,000 in remediation and grading work that is being done by the Applicant on the site is required for the development to proceed in any event, as the TRCA requires this work to be completed to reduce the risk of flooding hazards upstream and downstream of the development area;
5. TRCA staff advised that any proposed recreational uses in the hazard lands such as these, would require additional technical reports and studies to be submitted to support and satisfy TRCA policies and objectives in areas below the top of bank. TRCA has clearly stated that the installation of any vertical structures (fencing, shade structures, play equipment, etc.) that could reduce, modify or obstruct flood water flows would be prohibited. The TRCA will, after its review process, provide a decision regarding approval for any recreational uses and/or structures related to a park use on these lands. This decision could impact the City's decision or ability to use these lands for active recreational purposes;
6. The work and value of park development improvements for the soccer field have yet to be determined, but are estimated to be approximately \$80,000 to \$100,000 over-and-above the Owner's cost for the work noted in Item 4;
7. If permitted by the TRCA, the operation and maintenance of parkland within floodplain valley and hazard lands is more challenging and costly, and greatly increases the City's risk and liability due to impacts of weather-related storms and flooding, and the associated damage to equipment, facilities and property; and
8. Provision of parkland dedication credits for valley floodplain lands would set a significant precedent City-wide that could negatively affect the City's ability to secure tableland parkland and/or collect Cash-in-Lieu of Parkland funding in the future.

Conclusion

Based on the foregoing, staff recommends that the provision of parkland dedication credits not be provided as requested by the Owner. Furthermore, staff recommends that the development of a soccer field at this location not be considered and that staff continue to pursue the acquisition and development of more suitable lands at alternative locations to meet the identified needs of the community and sports user groups.

Respectfully submitted,



HEATHER WILSON
Interim Commissioner of
Legal & Administrative Services/City Solicitor



JOHN MACKENZIE
Commissioner of Planning

Attachments

1. Confidential Memorandum Dated April 2, 2015

Copy to: Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk
Jamie Bronsema, Director of Parks Development

ZONING BY-LAW AMENDMENT FILE Z.11.006

SITE DEVELOPMENT FILE DA.13.050

165 PINEGROVE INVESTMENTS INC.

WARD 2 - VICINITY OF ISLINGTON AVENUE AND PINE GROVE ROAD

Recommendation

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

- 1.a) THAT Zoning By-law Amendment File Z.11.006 (165 Pinegrove Investments Inc.) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands from R2 Residential Zone, R3 Residential Zone, EM1 Prestige Employment Area Zone, OS1 Open Space Conservation Zone and A Agricultural Zone to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to permit a development consisting of a maximum of 103, 4-storey (12.5 m) stacked townhouse units and 1 residential dwelling unit in the existing heritage dwelling (229 Pine Grove Road - Fred Hicks House) as shown on Attachments #3 to #6, together with the site-specific zoning exceptions identified in Table 1 of this report.
 - b) THAT the Holding Symbol "(H)" shall remain on the subject lands until such time as:
 - i) The Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP) and is in receipt of a Record of Site Condition (RSC) filed with the Ministry of Environment and Climate Change's (MOECC) Environmental Site Registry; and,
 - ii) The Owner has entered into a development agreement with the City respecting the necessary improvements to the existing Pine Grove wastewater pumping station to the satisfaction of the City.
 - c) THAT the implementing Zoning By-law restrict the use of lands zoned RM2 Multiple Residential Zone and located east of the flood plain limit to berming, landscaping and a portion of the access driveway for the north parcel (Blocks "A" and "B") of the subject lands. No structures including gazebos, decks, etc. shall be permitted within the Regulatory Flood Limit.
2. THAT prior to the enactment of the implementing Zoning By-law:
- a) The Ontario Municipal Board (OMB) shall have issued a Decision Order regarding the approved settlement for 165 Pine Grove Investments Inc. appeal to Vaughan Official Plan 2010 for the subject lands; and,
 - b) The Owner shall execute to the City of Vaughan a Letter of Undertaking committing the Owner to enter into a Heritage Conservation Easement Agreement for the protection and long-term maintenance of the John Hicks House, in the form and content to the satisfaction of the Commissioner of Planning and the Toronto and Region Conservation Authority (TRCA) and registered on title; together with security in the in form of a Letter of Credit or certified cheque to the City of Vaughan in an amount calculated at \$100.00 per square foot of the John Hicks House (heritage structure at 229 Pine Grove Road), to secure its the safe relocation and conservation.

3. THAT prior to the initiation of grading and prior to the registration of the Site Plan Agreement, the Owner shall submit a detailed engineering report for the review and approval of the TRCA that describes the storm drainage system (quantity and quality), in accordance with the Functional Servicing Report, prepared by Cole Engineering, dated January 2015. This report shall include:
 - plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
 - stormwater management techniques which may be required to control minor or major flows;
 - appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, and 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;
 - proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
 - location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (*Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*) Regulation;
 - overall grading plans for the subject lands; and,
 - supplementary measures including additional source and conveyance measures to enhance infiltration and reduce run-off volumes.
4. THAT the final site plan be red-lined/revised in order to meet the requirements of the TRCA, if necessary.
5. THAT Site Development File DA.13.050 (165 Pinegrove Investments Inc.) BE APPROVED, to permit the development of 103, 4-storey stacked townhouse units and the retention of the existing heritage structure (Fred Hicks House) for 1 residential dwelling unit, served by two private condominium roads and 142 parking spaces as shown on Attachments #3 to #6, subject to the following conditions:
 - a) Prior to the execution of the Site Plan Agreement:
 - i) The Vaughan Planning Department shall approve the final site plan, building elevations, and landscape plans;
 - ii) The Vaughan Development Engineering and Infrastructure Planning Services Department shall approve the final site servicing and grading plan, underground parking plan, stormwater management report, functional servicing report and floodplain analysis, photometric lighting plan, and the engineering reports submitted in support of the development;
 - iii) The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City of Vaughan with regard to such matters the municipality may consider necessary including payment

of development levies, the provision of roads and municipal services, landscaping, fencing, cost sharing, and the design and construction of the necessary improvements to the Pine Grove Sanitary Pumping Station and appurtenances. This Agreement shall be registered on title against the lands to which it applies and be to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department. Prior to Site Plan approval, the Development Agreement shall be registered with the City and the construction drawings approved;

- iv) The Owner shall obtain all necessary approvals from the TRCA and Region of York;
- v) The Vaughan Environmental Services Department shall approve the final waste management plan and waste collection design standards;
- vi) The heritage structure (Fred Hicks House) shall be protected, conserved, relocated and maintained on-site and the City and the Owner shall negotiate and execute a Heritage Conservation Easement Agreement for the protection and long term maintenance of the Fred Hicks House that will be registered on title, to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- vii) The Owner shall submit to the Vaughan Planning Department, Urban Design and Cultural Heritage Section, a Heritage Conservation Plan, including a complete set of architectural and landscape design drawings for the Fred Hicks House and the surrounding property, prepared by a qualified heritage professional all to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- viii) The Owner shall submit a Commemoration Plan prepared by a qualified heritage professional, addressing the history of the hamlet of Pine Grove, the Fred Hicks House and the Hayhoe Mill silos to the satisfaction of the Manager of Urban Design and Cultural Heritage;
- ix) The Owner shall submit to the City of Vaughan, a security in the form of a Letter of Credit in the amount calculated at \$100.00 per square foot of the Fred Hicks House for its safe relocation and conservation. The Letter of Credit shall reference the Heritage Conservation Easement Agreement as discussed in this report. Prior to the release of the Letter of Credit, the Owner shall:
 - fulfil the requirements of the relocation of the Fred Hicks House on a secure foundation and the proposed work in accordance with the approved Heritage Conservation Plan and obtain a Heritage Permit to the satisfaction of the Manager of Urban Design and Cultural Heritage;
 - connect the relocated heritage structure to municipal services;
 - verify that the relocated heritage structure meets the standards of occupancy as confirmed by the Chief Building Official; and,
 - submit final as-built photographs of the heritage structure and surrounding lands to the satisfaction of the Manager of Urban Design and Cultural Heritage;

x) For the lands municipally known as 180 Pine Grove Road (located outside of the development limit) as shown on Attachment #3, the Owner shall satisfy the following archaeological conditions of approval:

- The Owner shall at their expense carry out an archaeological assessment and mitigate through preservation or resource removal and documentation all adverse impacts to any significant archaeological resources found;
- No demolition, grading or other soil disturbances shall take place prior to the approval authority confirming that all archaeological resource concerns have met resource conservation requirements;
- The lands shall be assessed by a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport under the provisions of the Ontario Heritage Act (R.S.O. 1990); and any significant sites found will be properly mitigated (avoided or excavated), prior to the initiation of construction, servicing, landscaping or other land disturbances;
- The consultant archaeologist will submit 1:10,000 scale mapping that clearly outlines the limits of the property subject to assessment and the locations of any new archaeological site locations; and a copy of the relevant assessment report(s) all to the Vaughan Development Planning Department, Urban Design and Cultural Heritage Section, in accordance with the Ministry of Tourism, Culture and Sport *Standards and Guidelines for Consultant Archaeologists, 2011*;
- The Owner shall consult with the First Nations communities for the archaeological assessments that meet certain criteria, including but not limited to all Stage 3 to Stage 4 assessments. More information regarding consultation with First Nations communities can be found in the living document *Engaging Aboriginal Communities in Archaeology, 2010* available on the Ministry of Tourism, Culture and Sport website;
- Areas deemed to have no remaining archaeological integrity by a licensed consultant archaeologist will be excluded from the zone of archaeological potential;

xi) The Owner shall successfully obtain a permit from the TRCA under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for the following:

- cut/fill grading works and topsoil stripping works, in order to conform to the hydraulic modeling submitted by Cole Engineering (Flood Plain Analysis Report, dated July 2014);
- the proposed bank wall removal and remediation along the edge of the Humber River; and,

- final site grading/development and restoration to facilitate the construction of the proposed development and related infrastructure;
- xii) The Owner shall submit documentation executed by a Professional Engineer confirming that works to conduct the cut/fill grading works (referenced above) have been completed and comply with modeling from Cole Engineering. This includes the submission of an as-completed grading drawing and revised detailed modeling confirming the reduction in the Regulatory Flood Plain on the subject lands;
 - xiii) The Owner shall provide a detailed hydraulic analysis, which is conducted to TRCA standards and includes the preparation of topographic mapping following the completion of proposed cut/fill grading works, to the satisfaction of the TRCA;
 - xiv) The Owner shall submit documentation from a qualified geotechnical/structure engineer, indicating that the reconstruction of the valley slope wall on the southern parcel has been completed in accordance with the proposed plans from Cole Engineering and is stable and sound;
 - xv) The Owner shall submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction;
 - xvi) The Owner shall submit restoration planting plans for both the bank wall removal/remediation works and grading work, consisting of native and non-invasive species and which complies with TRCA Planting Guidelines; and,
 - xvii) The Traffic Impact Study (TIS) and Transportation Demand Management (TDM) plan shall be finalized to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department.

6. THAT the Site Plan Agreement shall include the following provisions:

- a) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the subject lands, prior to the issuance of a Building Permit in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the Planning Act, prepared by an accredited appraiser for approval by the Vaughan Legal Services Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment;
- b) The heritage structure (the Fred Hicks House) shall be protected and maintained pursuant to the Heritage Conservation Easement Agreement, on-site and the Owner/Condominium Corporation shall agree to maintain the heritage structure according to the Heritage Conservation Easement Agreement;
- c) That prior to occupancy, the Owner shall submit an Emergency Response/Management Plan to the TRCA and to the City of Vaughan for review and approval;

- d) Prior to occupancy, the Owner shall implement all possible measures to mitigate the risk associated with flooding and provide approved emergency plans and procedures for the future residents/occupants to the satisfaction of the TRCA and City of Vaughan;
- e) In areas where there is no identified archaeological potential, the following standard clauses apply for lands being disturbed for development/construction, as required by the Ministry of Tourism, Culture and Sport:
 - i) Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Section shall be notified immediately;
 - ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer Services;
 - iii) Prior to Building Permit application, the Owner shall agree that no development or grading shall occur on any site identified as being archaeologically significant as a result of the archaeological evaluation carried out on the subject lands, until such time as protective measures of all significant archaeological sites have been fulfilled to the satisfaction of the Ministry of Tourism, Culture and Sport (Archaeology Unit) and the City of Vaughan;
- f) Owner shall submit restoration planting plans for the areas disturbed as part of the proposed cut/fill grading works and which complies with TRCA Planting Guidelines;
- g) That all openings to the relocated Fred Hicks House and the underground parking structures including ramps, walk-outs and/or ventilation openings will be floodproofed (raised above) to the Regulatory Storm Flood Plain elevation plus freeboard, as determined by the TRCA;
- h) The Owner shall submit documentation from a qualified structural engineer, indicating that the foundation walls for the relocated Fred Hicks House are able to withstand the depths and velocities associated with the Regulatory Storm Flood Event;
- i) All electrical equipment for the heritage dwelling including fuse boxes/electrical panel shall be located above the Regulatory Flood Plain elevation;
- j) Restriction on amenity areas/structures such as decks, gazebos and other structures within the buffer from the Regulatory Flood Plain. Only at-grade patio pavers/stones shall be permitted;
- k) Restriction on fencing around the heritage dwelling within the buffer from the Regulatory Flood Plain, shall be approved by the TRCA;
- l) That the Open Space/Park lands outside of the new property limit be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges or encumbrances;

- m) A warning clause shall be included in all Agreements of Purchase and Sale or Lease, and in the Condominium Agreement and Condominium Declaration advising all future owners/tenants/lessees that the development will not be served by municipal garbage pick-up/recycling or snow plowing, and that such services will be privately administered by the Condominium Corporation;
 - n) That the Purchase and Sale Agreement and Condominium Agreement and Declaration shall include a clause(s) advising all purchasers that:
 - the underground parking structure has been designed and located in such a manner as to account for the current location of the Regulatory Storm Flood Plain and that future expansion closer towards this hazard will not be permitted;
 - that portions of the subject property are located within the Regulatory Storm Flood Plain and that lands may be inundated during a storm;
 - o) Prior to the issuance of a building permit, the improvements to the existing Pine Grove wastewater pumping station shall have been completed to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department;
 - p) The Owner shall agree in the site plan agreement to implement the approved Transportation Demand Management (TDM) plan to the satisfaction of the City; and,
 - q) No basement habitable space or below grade structure, other than a foundation structure required for support under the relocated heritage dwelling shall be permitted to the satisfaction of the TRCA.
7. THAT Vaughan Council shall adopt the following resolution with respect to the allocation of sewage and water supply capacity:

“IT IS HEREBY RESOLVED THAT Site Development File DA.13.050 be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 98 residential units (300 persons equivalent), subject to completing the Pine Grove Pump Station upgrade works to the satisfaction of the City.”

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City's Consolidated Growth Management Strategy - 2031
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

Goal 4: To create a vibrant community where citizens, business and visitors thrive

- To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage

In accordance with the goals and objectives identified above, the Owner has advised that the following sustainable features, but not limited to, will be provided within the building and site design:

- low flow water shower heads, faucets and toilets
- use of low toxicity volatile organic compound (VOC) emitting paints, sealants, etc.
- EnergyStar appliances and windows
- integrated mechanical systems
- upgraded roof shingles (30 year life)
- use of local drought resistant plant material
- permeable pavers along portions of the internal walkways
- pavers with a high solar reflectance index

Economic Impact

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

Communications Plan

On May 6, 2011, a Notice of Public Hearing for the May 31, 2011, meeting was circulated to all property owners within 150 m of the subject lands and to those individuals that requested notification, to consider the original development proposal shown on Attachment #7, consisting of 5 residential buildings with 132 stacked townhouse units. The Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and a Notice Sign was installed on the property in accordance with the City's Sign Procedures and Protocol.

A number of residents addressed Vaughan Council at the Public Hearing, and expressed concerns with the following:

- the development is too dense for the area and is located within a Special Policy Area (SPA)
- the development does not respect and/or reinforce the existing historical significance of the site (Hayhoe Mills)
- the proposal will result in increased traffic, thereby raising safety concerns and placing a strain on existing infrastructure
- a traffic light should be provided at the intersection of Islington Avenue and Pine Grove Road

These issues are discussed in further detail throughout this report.

The recommendation of the Committee of the Whole to receive the Public Hearing report of May 31, 2011, was ratified by Vaughan Council on June 7, 2011, and amended to include the following:

- “1. That staff be directed to convene a stakeholder's group to discuss and resolve issues of concern to all parties and such group to be comprised of:
 - the Ward Councillor;
 - the Mayor and Regional Councillors, should they wish to attend;
 - representatives of the proponent; and,

- up to six local residents, three of which will be residents of that portion of Pine Grove Road west of the Humber River;
- 2. That the Ward Councillor be appointed the Chair of the Stakeholder's group;
- 3. That the group report on its discussion no later than Labour Day 2011;
- 4. That the Planning Department be represented at meetings of the group; and,
- 5. That all deputations and communications be received."

A Stakeholders Group meeting was held at the Al Palladini Community Centre on July 6, 2011, and was attended by the Local Ward 2 Councillor, the Director of Development Planning, a City Planner, representatives of the Owner and their consultants, and 6 residents. The following issues were identified by the residents:

- i) The residents that live on Pine Grove Road next to the subject lands raised concerns about the current state of the existing buildings on the subject lands and asked the Owner to provide additional security measures and maintain the grass. The Owner advised that they have a security and maintenance management plan in place, but will re-evaluate the plan in consideration of the comments.
- ii) Residents had a concern about the method of calculating the proposed density for the development using the entire site rather than the developable portion only. The residents requested that the Vaughan Planning Department and the Owner provide them with the density calculations for the land use designations under OPA #240, as amended by OPA #597 and under VOP 2010, and that the density be calculated only on the developable area of the property. The development limits have since been established to the satisfaction of the TRCA, that would permit the number of units subject to this report.
- iii) Vaughan Planning Staff indicated that the City's Parks Development Department requested a trail through the property and would not accept the open space lands as parkland dedication. The residents and Owner indicated that they were in favour of a trail system. The residents also wanted to determine if the open space lands could be used for active recreational fields (e.g. soccer fields) with no permanent structures. Vaughan Planning Staff indicated that this request would need to be addressed with the TRCA and internal departments and that the lands will not be subject to parkland credit as they are located below the physical top-of-bank.
- iv) Issues regarding the quality of the building materials were discussed and the Owner agreed to work with the residents and provide material sample boards. On May 11, 2011, a meeting was held at the Al Palladini Community Centre and was attended by members of the community, the Owner, the Planning Consultant and the Architect to discuss among other issues the materials and design of the proposed stacked townhouse units. Specifically, some of the residents indicated that they do not support siding or wood as an exterior finish material. Other residents were concerned about the size and low price of the units and their impact on the value of the surrounding properties. The current proposed building elevations include brick, stone, glazing and asphalt shingles as shown on Attachments #4 and #5.
- v) The residents stated that this development will adversely impact a poor traffic situation and that options, including a traffic light, should be considered at the intersection of Islington Avenue and Pine Grove Road to help alleviate traffic conditions. A Traffic Impact Study (TIS) has since been submitted by the Owner and approved by the Vaughan Development Engineering and Infrastructure Planning Services Department,

which concludes that a traffic light signal at the Islington Avenue and Pine Grove Road intersection is not warranted.

- vi) The residents expressed concern that information related to the Special Policy Area (SPA) and the development limits were not available for the meeting. Vaughan Planning Department staff informed the residents that a meeting with the TRCA was scheduled for July 7, 2011 (discussed below), to which additional information could be provided. The development limits were ultimately established, as shown on Attachment #3.

On July 7, 2011, a meeting was held at the City of Vaughan municipal offices attended by representatives from the TRCA, the Vaughan Development and Policy Planning Departments, and the Owner and their consultants. The meeting resulted in an overview of the issues, the status of the Woodbridge Special Policy Area (SPA) Review, and details regarding specific technical information. The TRCA indicated that they required additional time to review the applications and that a formal letter would be issued in mid-August 2011.

Several meetings have taken place since 2011 to the time of the approval of the SPA by the Province on November 3, 2014, the approval of the Woodbridge Centre Secondary Plan by the OMB on February 24, 2015, and afterwards to March 2015, between the applicant and their consultants, the City and the TRCA, to resolve issues and confirm the details of development and limits, which has led to the preparation of this technical report for consideration by the Committee of the Whole.

On April 1, 2015, the City of Vaughan mailed a courtesy notice of this Committee of the Whole meeting to the individuals who addressed the Committee of the Whole at the Public Hearing, and to those individuals who attended the stakeholders meeting and requested notification.

Purpose

To seek approval from the Committee of the Whole for the following applications:

1. Zoning By-law Amendment File Z.11.006, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachment #2 from R2 Residential Zone, R3 Residential Zone, EM1 Prestige Employment Area Zone, OS1 Open Space Conservation Zone, and A Agricultural Zone to RM2 Multiple Residential Zone with the Holding Symbol "(H)", OS2 Open Space Park Zone and OS1 Open Space Conservation Zone in the manner shown on Attachment #3, to permit the development of a maximum of 103 stacked townhouse units and to relocate and maintain an existing heritage structure (Fred Hicks House) to be used for 1 residential dwelling unit, as shown on Attachments #3 to #6, together with the site-specific exceptions identified in Table 1 of this report.
2. Site Development File DA.13.050 to permit the development of 103, 4-storey stacked townhouse units and the relocation and retention of the existing heritage structure (Fred Hicks House) for 1 residential apartment unit served by two private condominium roads and 142 parking spaces, as shown on Attachments #3 to #6.

Background Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located east of Islington Avenue on the north and south sides of Pine Grove Road, known municipally as 165, 170, 180, 192, 201, and 229 Pine Grove Road, and have a total lot area of 3.44 ha. The property has a varying topography with 201 and 229 Pine Grove Road characterized by a steep slope on the east limits of the properties. The site is developed with detached dwellings and the remnants of the Hayhoe Mills building, all of which are proposed to be demolished except the heritage structure at 229

Pine Grove Road (Fred Hicks House), which is proposed to be relocated and maintained on site as it is identified as having historical significance. The surrounding land uses are shown on Attachment #2.

Official Plan

On September 20, 2012, the Owner appealed Volume 1 and Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) on the basis that no decision was made on the Official Plan within 180 days as required by the Planning Act. Specifically, the Owner's appeals dealt with the policies of Volume 2 of VOP 2010 - Woodbridge Centre Secondary Plan that apply to the subject lands, which did not permit the "Low-Rise Residential" built-form (i.e. stacked townhouses) proposed for the subject lands.

On February 24, 2015, the OMB approved the Woodbridge Centre Secondary Plan save and except those lands under site-specific appeals. On the same day, the OMB considered and approved a settlement of a site-specific appeal to VOP 2010 from 165 Pine Grove Investments Inc. to redesignate the subject lands to "Low Rise Residential (2)", "Parks" and "Natural Areas" to permit a maximum of 103 stacked townhouse units and 1 detached dwelling (Fred Hicks House) and with the following site-specific policies:

- all development shall be setback a minimum of 6 m from the Regulatory Flood Limit, unless otherwise permitted by the TRCA
- the maximum building height shall not exceed 4-storeys
- the maximum combined density for the lands shall not exceed a Floor Space Index (FSI) of 1.0. The portions of Area A designated "Natural Areas" and "Parks" within the developable limit (property line) may be used for the purpose of calculating density, but shall not be used for the purposes of parkland dedication
- a maximum lot coverage of 30% based on the approved development limits
- any lands designated "Low Rise Residential (2)" within the Regulatory Flood Limit, as determined through the site plan process, shall only be used for berming, landscaping and part of the access driveway for the north parcel. No structures including decks, gazebos etc., shall be permitted within the Regulatory Flood Limit.

The proposed development conforms to VOP 2010 and specifically, the Woodbridge Centre Secondary Plan as approved by the OMB on February 24, 2015.

Official Plan Amendment Application

The Owner originally filed Official Plan Amendment File OP.11.001, which was considered together with the subject Zoning By-law Amendment File Z.11.006 at a Public Hearing held on May 31, 2011. The Owner originally proposed to amend the Official Plan (OPA #240 – Woodbridge Community Plan, as amended by OPA #597) to redesignate the subject lands from "Low Density Residential", "Industrial" and "Environmental Protection Area" to "Low Rise Residential (2)" and "Open Space Area" to facilitate the proposal. As a result of the OMB decision regarding the Owner's appeal of VOP 2010, the Official Plan Amendment application is no longer required.

Ministry of Municipal Affairs and Housing Approval of the Woodbridge Special Policy Area (SPA)

Portions of the subject lands were located in a Special Policy Area (SPA) as defined by the now former OPA #240 (Woodbridge Community Plan). VOP 2010, Volume 2 - Woodbridge Centre

Secondary Plan (WCSP) states that the existing SPA boundary and policy (OPA #240) would remain in-effect until the SPA boundary and policies are approved by the Ministry of Municipal Affairs and Housing (MMAH) and Ministry of Natural Resources (MNR). In 2009, the MMAH directed the City to undertake a comprehensive review of the Woodbridge SPA. This review was undertaken in cooperation with the TRCA and the Province of Ontario and approved by Vaughan Council on May 6, 2014, and subsequently forwarded to the MMAH. On November 3, 2014, the Woodbridge SPA received approval from the MMAH and MNR, and is in full force and effect.

The final SPA report reduced the overall area of the SPA from 40.1 ha to 29.8 ha, which was achieved, in part, by removing all lands owned by the TRCA from the SPA limits and in the case of the subject lands, by removing the SPA designation from the majority of the subject lands, with the exception of a portion of the property proposed to be zoned OS2 Open Space Park Zone as approved by the OMB and shown on Attachment #3. The lands designated "Parks" located within the development limits shall be permitted to be used in the calculation of the lot area, but will not be used for parkland dedication as approved by the OMB on February 24, 2015. The portion of lands designated "Parks" and located below the Regulatory Flood Plain Limit shall not be permitted to be used for parkland dedication.

The proposed site plan shown on Attachment #3 identifies the new property lines for the north and south parcels of the developable portions of the subject lands and the flood limits. The current site plan is based on the recommendation of the SPA Report, which removed the subject lands from the SPA and shifted and set the flood limit to the east, thereby allowing a majority of the proposed development to be located outside of the flood limit with the exception of the landscaped berms, landscaped area and a small portion of the driveway access for the north parcel. The proposed development is supported through various studies dealing with emergency preparedness and ensuring that the ingress and egress is safe for vehicular and pedestrian movement.

Zoning

The subject lands shown on Attachment #2 are zoned as follows:

- 165 and 170 Pine Grove Road - OS1 Open Space Conservation Zone, subject to Exception 9(38)
- 180 Pine Grove Road - A Agricultural Zone and OS1 Open Space Conservation Zone
- 192 and 229 Pine Grove Road - R3 Residential Zone, and R2 Residential Zone and OS1 Open Space Conservation Zone, respectively
- 201 Pine Grove Road - EM1 Prestige Employment Area Zone, subject to Exception 9(38) and OS1 Open Space Conservation Zone.

The current zoning of the subject lands does not permit the proposed residential stacked townhouse development. The Owner is proposing to amend Zoning By-law 1-88 to rezone the subject lands to RM2 Multiple Residential Zone, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #3, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
a.	Minimum Lot Area	230 m ²	North Parcel - 120 m ² /unit South Parcel - 95 m ² /unit

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
			Lot area shall be calculated based on the respective north and south parcels, as shown on Attachment #3.
b.	Heritage Dwelling	The heritage dwelling shall be setback in accordance with the requirements of Zoning By-law 1-88	The heritage dwelling shall be setback a minimum of 6 m from the Regulatory Flood Plain limit and the garbage structure shall be located as shown on Attachment #3.
c.	Setback to Underground Parking Structures (To Flood Plain Limit)	By-law 1-88 does not include a standard for a setback to a Flood Plain Limit.	The underground parking garage structure shall be setback 6 m from the Regulatory Flood Plain limit as approved by the site plan, and any openings for both the Fred Hicks House and the underground parking structure, including ramps, walkouts, roads and ventilation openings shall be setback from the Regulatory Flood Plain Limit in accordance with the approved site plan and will be flood proofed above the Regulatory Flood Plain elevation plus freeboard as determined by the TRCA.
d.	Minimum Parking Requirement (103 stacked townhouse units plus one residential unit – Fred Hicks House)	<p>104 units @ 1.5 spaces/unit = 156 spaces + 0.25 visitors spaces/unit= 26 spaces Total parking required = 182 spaces</p> <p>Visitor parking shall be provided on site</p>	<p>104 units @ 1.1 spaces/unit = 115 spaces + 104 units @ 0.20 visitor spaces/unit = 21 spaces Total parking proposed = 136 spaces Total parking Provided = 142 spaces</p> <p>Visitor parking shall be provided on the north parcel and shall serve the entire development (north and south parcels).</p>
e.	Minimum Parking Space Size Dimensions	<p>2.7 m x 6 m 3.9 m x 6 m (barrier-free parking)</p>	<p>2.6 m x 5.7 m 3.9 m x 5.7 m (barrier-free parking)</p>

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
f.	Permitted Uses	All uses permitted under Section 4.1.7 and Block Townhouse, Apartment Dwelling, Multiple Family Dwelling	<p>Only the following uses shall be permitted on the subject lands:</p> <ul style="list-style-type: none"> • The existing heritage dwelling (Fred Hicks House) containing 1 apartment unit on the north parcel • 103 condominium stacked townhouse dwelling units distributed as follows: <p style="margin-left: 40px;">North Parcel - 51 units South Parcel - 52 units</p> <p>The portion of the lands zoned RM2 and located within the Regulatory Flood Plain Limit line shall be used only for the purposes of landscaping and berming and part of the driveway access (north parcel).</p> <p>No structures, gazebos, fencing, decks, etc. shall be permitted on these lands. Furthermore no structures, fencing, decks, gazebos, sheds, etc. accessory to the Fred Hicks House shall be permitted within 6 m of the Regulatory Flood Plain Limit. Only at grade patio pavers/stones are permitted.</p>
g.	Definition of a Stacked Townhouse	N/A	<p>Dwelling, Stacked Townhouse - Means an attached low-rise residential building form containing 3 or more dwelling units, each of which has: (1) direct access from the outside ground level; (2) one or two party walls with abutting units; and (3) is above or below another dwelling unit. The maximum building height shall be 4-storeys or 12.5 m.</p>

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
h.	Definition of a Lot	Lot means a parcel of land fronting on a street separate from any abutting land to the extent that 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 lot.	The north and south parcels shall each be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of separate units and or lots by way of plan of condominium, consent or other permission, and any easements or registrations that are granted.
i.	Maximum Building Height	11 m	12.5 m
j.	Maximum Width of an Access Driveway for the North Parcel	7.5 m	9 m
k.	Definition of Building Height	<p>Means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and,</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of accessory roof construction such as chimney, tower, steeple,</p>	<p>Means the vertical distance between the average finished grade along the front wall of the building (for the purpose of this definition, the front wall of this building shall be a wall that does not contain the garage door to the underground parking; and,</p> <p>i) in the case of a flat roof, the highest point of the roof surface;</p> <p>ii) in the case of a mansard roof, the highest point on the roof surface;</p> <p>iii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;</p> <p>exclusive of accessory roof construction such as chimney, tower, steeple, elevator, mechanical room, or television antenna.</p>

	Zoning By-law 1-88 Standard	By-law 1-88, RM2 Multiple Multiple Residential Zone Requirements	Proposed Exceptions to the RM2 Multiple Residential Zone Requirements
		elevator, mechanical room, or television antenna.	The portion of the underground garage wall for Blocks "C" and "D" (South Parcel) that extends above grade, shall not be considered a storey for the purpose of this By-law.
I.	Minimum Yard Setbacks, and Maximum Encroachments for all Porches, Balconies and Stairs	<ul style="list-style-type: none"> - Minimum Setbacks as per the RM2 Zone standards. - Maximum permitted encroachments of 0.3 m into a front or exterior side yard and 1.8 m into a rear yard. 	Setbacks and encroachments for all porches, stairs and balconies shall be as shown on Attachment #3.
m.	Permitted Yard Encroachments and Restrictions	Exterior stairways are permitted in the rear yard only except that an exterior stairway not exceeding one- half storey in height shall be permitted in any yard.	All exterior stairs, including stairs to a porch, platform, terrace, or underground garage, shall not exceed 6.5 m in height and shall be allowed to encroach into any yard.
n.	Accessory Structure (Retaining Walls)	<p>The maximum height of any retaining wall constructed on a property line between two (2) residential lots shall be one (1) metre. A retaining wall which exceeds one (1) metre in height must be setback from the nearest property line a distance equal to its height.</p> <p>Any architectural design element, used in hard landscaping of any yard, which is greater than 1.8 m in height shall be setback from the property line a distance equal to the height of the said structure.</p>	The maximum height of a retaining wall shall be 5.5 m and shall not be setback from the property line a distance equal to its height.

Zoning By-law 1-88 does not include a specific zone category, definition or development standards for stacked townhouse dwelling units. Consequently, a site-specific use permission and development standards are required to implement the proposed development shown on Attachments #3 to #6.

The Vaughan Planning Department has reviewed the proposed site-specific zoning exceptions identified in Table 1, and is of the opinion that they are appropriate and facilitate a development compatible with the existing built form in the immediate area and implements the Official Plan. The proposed zoning exceptions for minimum lot area, minimum lot frontage, and building height will facilitate an infill project that is compatible with the surrounding area. The lands zoned OS1 Open Space Conservation Zone will remain as open space. The lands where the park is proposed south of Pine Grove Road will be zoned OS2 Open Space Park Zone.

The proposed parking supply is supported by a parking study prepared by Cole Engineering, which has been reviewed and approved by the Vaughan Development Engineering and Infrastructure Planning Services Department.

It is recommended that the entirety of the subject lands be zoned with the Holding Symbol "(H)", until such time as the Vaughan Development Engineering and Infrastructure Planning Services Department has approved the Remedial Action Plan (RAP), is in receipt of a Record of Site Condition (RSC) filed with the MOECC's Environmental Site Registry, and that the pumping station is upgraded, in order for the site to receive servicing allocation, to the satisfaction of the City of Vaughan.

Site Plan

The proposed site plan shown on Attachment #3 includes 103 stacked townhouse units distributed over four, 4-storey residential buildings and 1 additional dwelling unit located within the heritage structure (Fred Hicks House), which is proposed to be relocated from its current location on the southerly parcel to the northerly parcel. The proposal is served by Pine Grove Road and consists of two development blocks; a north and south parcel each having their own residential underground parking levels and refuse areas. A surface visitor parking area for the entire development is provided on the north parcel.

Building Elevations and Landscaping

The proposed stacked townhouse buildings are 4-storeys (12 m) in height and utilize brick, stone and glazing as finishing materials as shown on Attachments #4 and #5.

The landscape plan for the proposed development is shown as Attachment #6. A majority of the planting is located east of the flood plain limit and includes a landscaped berm area abutting the open space lands.

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Section is satisfied with the proposed development and will continue working with the Owner to finalize the details of the proposal. A condition to this effect is included in the recommendation of this report.

Heritage Dwelling - 229 Pine Grove Road (Fred Hicks House)

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Section can confirm the Owner has been working with staff to incorporate the existing heritage structure (Fred Hicks House) into the development. In the period from January 2014 to March 2014, Heritage Vaughan Committee reviewed the Built Heritage Evaluation (BHE) for the Fred Hicks House, the Heritage Impact Assessment and the review of staff's BHE submitted by the Owner. From this review, Heritage Vaughan Committee recommended to Vaughan Council that the Fred Hicks House be conserved and be considered for Designation under Part IV of the Ontario Heritage Act.

On May 21, 2014, and on June 24, 2014, Heritage Vaughan and Vaughan Council, respectively, approved a recommendation that Designation of the property not be pursued at this time and instead, that staff and the Owner negotiate a Heritage Easement Agreement and continue to work

to incorporate the Fred Hicks House into the development. Vaughan Council adopted a recommendation to negotiate a Heritage Easement Agreement with the property Owner of 229 Pine Grove Road that includes the requirement of the Owner to secure and maintain the Fred Hicks House on the development site, on terms and conditions satisfactory to the Commissioner of Planning and the City Solicitor. Conditions regarding the Heritage Easement Agreement are included in the recommendation of this report.

The Owner is proposing to relocate the existing heritage dwelling in advance of final approvals. In order to secure the preservation of the heritage dwelling, the Owner shall enter into a Letter of Undertaking with the City including the requirement of the Owner to provide a certified cheque in the amount of \$100.00 per square foot. Prior to the execution of the Site Plan Agreement, the Owner will be required to enter into a Heritage Conservation Easement Agreement and post a Letter of Credit also in an amount calculated at \$100.00 per square foot, at which time the certified cheque posted with the Letter of Undertaking will be returned to the Owner.

City Department and Agency Comments

Vaughan Emergency Planning Department

The Vaughan Emergency Planning Department has reviewed the proposed development and the emergency preparedness manual submitted in support of the applications and has indicated that they are satisfied with the site plan, which identifies that almost the entire development is located outside of the flood limit. However, City Staff in the Emergency Planning Department requires that the emergency preparedness plan be updated to their satisfaction, prior to occupancy. A condition in this respect is included in the recommendation of this report.

School Boards

The York Catholic District School Board and the York Region District School Board have indicated that they have no comments or objections to the proposed development.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the drawings and technical material submitted in support of the applications and has provided the following comments:

i) OMB Settlement

The TRCA is satisfied that the following matters were addressed in the OMB settlement:

- appropriate wording that recognizes any lands designated “Low Rise Residential (2)” within the Regulatory Flood Plain limit, will only be used for berming, landscaping and for a portion of the driveway for the north parcel. Future development on these lands will be restricted;
- the land use designations are appropriate;
- appropriate wording regarding the phasing of works and when construction of the habitable buildings may be permitted; and,
- appropriate wording regarding the timing of the bank wall removal/remediation and construction of the habitable structures.

ii) Underground Parking Structure

Previously, through discussions with the Owner and their consulting team, revisions were made to the underground structure in order that an appropriate buffer was provided between the development and the limit of the Regulatory Flood Plain. With minor exceptions made for ventilation shafts and stairs, the TRCA is satisfied with the changes provided, as shown on Drawing Nos. A201 and A202, prepared by SRN Architects Inc., dated February 19, 2015.

iii) Site Plan Agreement

The following matters shall be addressed in the final plans and incorporated into the Site Plan Agreement as it relates to the relocated Fred Hicks House on the subject site:

- all openings to the relocated heritage dwelling including doors, windows, etc., shall be located above the Regulatory Flood Plain elevation, plus freeboard, as determined by the TRCA;
- no basement below grade structure other than a foundation structure required for support under the relocated heritage dwelling is permitted;
- all electrical equipment for the heritage dwelling including fuse boxes/electrical panel shall be located above the Regulatory Flood Plain elevation;
- the foundation walls for the relocated home will be designed and constructed to withstand uplift conditions and withstand Regulatory Flood depths and flows;
- restriction on amenity areas/structures such as decks, gazebos and other structures within the buffer from the Regulatory Flood Plain. Only at-grade patio pavers/stones shall be permitted; and,
- restriction on fencing around the heritage dwelling within the buffer from the Regulatory Flood Plain.

The Owner is required to obtain permits under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) prior to site grading, servicing and the development of the subject property, including the relocation and construction of a foundation for the relocated Fred Hicks House as a condition of approval.

Vaughan Parks Development Department

The Vaughan Parks Development Department has advised that By-law 139-90, as amended, for the required conveyance of land for park or other public recreational purpose as a condition of development or redevelopment is applicable. The By-law states that where land is to be conveyed to the City for park and other recreational purposes that lands located below the top-of-bank as defined by the TRCA pursuant to their regulations shall be excluded from parkland dedication. The portion of the lands designated "Parks" and located within the Regulatory Flood Plain Limit shall be excluded from parkland dedication. Therefore, the collection of cash-in-lieu of parkland shall be required as per the approved policies and procedures of the City of Vaughan. All open space lands are to be conveyed to the TRCA.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has reviewed the submitted plans and reports for the Site Development File DA.13.050 and provided the following comments:

Vaughan Development Engineering and Infrastructure Planning Services Department

The Development Engineering and Infrastructure Planning Services Department has completed the review of the submitted plans and reports for the Site Development Application DA.13.050 and offers the following comments:

a) Road Network:

All four buildings will have their main accesses from Pine Grove Road. Traffic report confirms that the access and intersection of Pine Grove and Islington Avenue will function adequately.

b) Water/Sanitary Servicing:

The north and south sites will be serviced by existing municipal services on Pine Grove Road by providing service connections to the property line as follows:

- watermain connections for domestic and fire from the existing 350 mm diameter watermain
- sanitary sewer connections from the existing 200 mm diameter sanitary sewer, which drains to an existing wastewater pumping station located at the end of Pine Grove Road.

This existing pumping station requires improvements and the introduction of emergency sewage storage to adequately service the proposed development. This matter is further discussed later in this report.

The Owner shall design and construct the required improvements to the existing pumping station to the satisfaction of the City of Vaughan.

c) Stormwater Management:

Storm drainage from the north and south parcels will be managed and controlled through the use of bioswale / infiltration galleries. The site will provide on-site storage and outlet to storm sewer and ultimately to the Humber River via overland flow.

General Comments/Conditions

1. The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City with regard to such matters the municipality may consider necessary including payment of development levies, the provision of roads and municipal services, landscaping, fencing, cost sharing and the design and construction of the necessary implementation to the Pine Grove Sanitary Pumping Station and appurtenances. This Agreement shall be registered on title against the lands to which it applies and be to the satisfaction of the Development Engineering and Infrastructure Planning Services Department. Prior to Site Plan approval, the Development Agreement shall be registered with the City and the Construction Drawings approved.
2. The final detailed site grading and servicing plans, stormwater management report, functional servicing report and flood plain analysis, prepared by Cole Engineering shall be approved to the satisfaction of the City of Vaughan.
3. A revised photometric lighting plan shall be provided.

d) Floodplain Analysis Report, prepared by Cole Engineering, dated July 2014

The study indicates that the development will have no impact on the existing floodline beyond the site boundaries and is feasible from a flood protection perspective, avoiding impacts upstream and downstream of the study property. The proposed buildings will be flood proofed to the 350-year event and will be located outside of the Regional floodlines.

e) Pine Grove Pumping Station Upgrades

The existing Pine Grove Pumping Station is located at the east end of Pine Grove Road, as shown on Attachment #3. Based on measured flow, the sanitary pumping station currently receives peak sewage flow of approximately 2.23 litres/second (l/s) from an area of 5.5 ha by gravity sewers on Pine Grove Road. The Pumping Station discharges to a 100 mm forcemain that extends under the Humber River and outlets to the 200 mm sanitary sewer on Woodview Road. The original pumping station was constructed in 1974 and the pumps and control panels were replaced in 2007-2009. There is no emergency sewage storage capacity at this station.

The Owner is redeveloping the Hayhoe Mills lands and proposing an additional 98 units on the subject lands, which will need to be serviced by this existing Pumping Station. Given the limitations of the exiting pumping station, staff requested the Owner to undertake a thorough condition and operational assessment of the station so the required improvement needs could be identified. The Owner retained Cole Engineering to undertake this assessment. The general scope of the investigative work included an evaluation of the existing and proposed sewage flows, condition and capacity assessments of the pumping station, forcemain and appurtenances together with emergency storage requirements. Cole Engineering conducted several visits to the pumping station and assessed the structural, process mechanical, and electrical engineering design and analysis.

Based on this review, Cole Engineering submitted a study titled "Physical Condition Assessment Report", dated November 27, 2014. The Assessment Report indicates that the structure, mechanical and electrical systems are in good state of repair. There were no major deficiencies noted in regard to the systems of the pumping station but the report did identify the need to carry out some minor concrete repairs to the wet well structure, and the replacement of some corroding components, pipes and valves in the near future. The pumping capacity of the station was rated at approximately 9.0 litres per second.

To adequately identify system upgrades associated with the proposed development, flow monitoring was conducted from January 31, 2014 to October 8, 2014. Based on collected monitoring data, theoretical calculations and a condition assessment of the existing pipes and pumping station, the proposed development is expected to increase the flows to the pumping station from 2.23 l/s to 8.73 l/s. This increase in sewage flow can theoretically be accommodated by the existing station but staff has requested the Owner to undertake additional pump testing to confirm the capacity and efficiency rating of the existing pumps and undertake any upgrades that may be required to the pumps.

For a number of years, the city has had a requirement for the provision of two hours of emergency storage at all new wastewater pumping stations. This requirement reduces the risk of system back-ups and accommodates operational response times in the event of a station failure. Given its age, the Pine Grove wastewater pumping station has no existing provisions for emergency storage. The additional sewage flows from the development will increase this risk. This issue becomes even more important given the station's proximity to the Humber River. Accordingly, staff is requiring the Owner to retrofit the existing station with 2 hours of emergency storage as a condition of development approval.

Staff has requested the Owner to design and construct the emergency sewage storage tank to accommodate both the existing and proposed development that drains to the station. This approach is supported by the city's Environmental Services Department. The Owner is prepared to undertake the additional work but has requested that the city reimburse him for the incremental cost of enlarging the tank for the existing users on the system.

Cole Engineering has prepared a preliminary cost estimate which includes the construction for the emergency storage tank. The Owner is requesting that the tank construction be cost shared on a proportionate flow basis (2.23 l/s from the existing development and 6.5 l/s from the Pine Grove development project), which is reasonable. On this basis, the city's share of the tank works would be approximately 26% and the Owner's share would be 74%. Based on the preliminary cost estimate of the works, the incremental cost of enlarging the tank for the existing users on the system is approximately \$106,000 as detailed in the table below.

Preliminary Cost Estimate	
Emergency Storage Works	\$ 356,430
15% Contingency	\$ 53,465
*Total Anticipated Cost	\$ 409,895
Estimated city share (26%)	\$ 106,572

The design and construction of this wastewater infrastructure will be facilitated through the terms and conditions of a development agreement with the Owner. Staff has advised the Owner that he will be required to up-front finance of the works and the reimbursement of the city's share of the works would only occur when funds are available through an approved capital budget. Given the nature of the work, funding of the city's share of the works could potentially come from the Water/Wastewater Reserve.

As a condition of development approval, the Owner shall be required to design and construct the necessary improvements and upgrades to the existing Pine Grove wastewater pumping station that are required to service the proposed development to the satisfaction of the city. The Owner is also required to enter into a development agreement with the City to provide for the implementation of these works.

f) Lighting Plan

The outside lighting shall be directed downward and inward and designed to maintain zero cut-off light level distribution at the property line.

g) Transportation/Traffic Impact and Parking Study

The Owner has provided a Traffic Impact and Parking Study dated July, 2014 and parking addendum letter dated February, 23, 2015 both prepared by Cole Engineering Group Ltd. The parking study concludes that the proposed parking supply of 136 spaces will be sufficient as it meets the City's minimum draft parking standard requirements of 1.1 spaces per 2 bed unit plus 0.2 visitor parking spaces per unit, for a total of 104 units.

The Development Engineering and Infrastructure Planning Services Department has reviewed the study and is satisfied with the conclusion. However, below are a few outstanding comments pertaining to Active Transportation and TDM.

h) Cycle Parking/Transportation Demand Management (TDM)

The following items pertaining to cycling such as bicycle locker details, bike repair station and their respective cost stated in the TDM Plan, will be addressed later as part of the Development Agreement.

i) Environmental

The Vaughan Development Engineering and Infrastructure Planning Services Department, Environmental Section has indicated that the Environmental Site Assessment (ESA) documents submitted in support of the proposed development address the outstanding environmental site assessment comments to this point and have no objection for the development applications to proceed to a technical report to the Committee of the Whole.

The Phase One and Phase Two Environmental Site Assessments (ESAs) were submitted to the City for review and impacts were identified in soil and ground water. The proposed Remedial Action Plan (RAP) was reviewed and found to be satisfactory. The Vaughan Development Engineering and Infrastructure Planning Services Department has no objection for the implementation of work on site to facilitate the remediation and filing of a Ministry of the Environment and Climate Change (MOECC) Record of Site Condition (RSC).

Given that contamination and remediation has been identified for the subject lands, in accordance with City policy, the Holding Symbol “(H)” shall be applied to the implementing Zoning By-law with removal of the Holding Symbol “(H)” being conditional upon the successful implementation of the accepted RAP and the City’s receipt of a RSC filed on the MOECC Environmental Site Registry.

j) Environmental Noise Impact Study prepared by HGC Engineering, dated May 28, 2013

The Owner submitted an Environmental Noise Impact Study prepared by HGC Engineering, dated May 28, 2013. The ultimate traffic volume data for Islington Avenue north of Regional Road 7 was obtained from York Region. Sound levels were predicted at the closest façade to the roadway for each block. The report indicated that the future traffic sound levels will be within the MOECC guidelines at all of the dwelling units in the development. The dwelling units may have patio area or balconies that are less than 4 m in depth. These patios are too small to be considered as outdoor living areas under MOECC guidelines. Any exterior wall and double glaze window construction meeting the minimum requirements of the Ontario Building Code (OBC) will provide adequate sound insulation for the dwelling units. There are no specific noise warning clauses required for the development.

k) Sewage and Water Allocation

The Vaughan Development Engineering and Infrastructure Planning Services Department, Planning and Studies Division has indicated that there is existing water and wastewater service connection on the subject land for 6 residential units which will be deducted to the overall approved unit count of 104 residential units as follows:

Proposed Residential Units =	104 units
Minus Existing Service Connection 6 units =	<u>6 units</u>
Total Allocation Required =	98 units

On October 29, 2013, the City's latest allocation strategy report was endorsed by Vaughan Council. The report confirmed capacity is available to support continued urban growth throughout the City over the next three years. Although capacity was not specifically reserved for this development, sufficient residual capacity is available and has been reserved for active developments throughout the City. Therefore, a Council resolution to allocate capacity to the subject development has been provided in the recommendation of this report.

Vaughan Environmental Services Department, Solid Waste Division

The Vaughan Environmental Services Department, Solid Waste Division has approved a Waste Collection Design Standard Policy for this development. The design of the proposed stacked townhouse buildings makes it difficult to allow for a common internal waste collection facility for each building, and therefore, the Owner is proposing to locate a free standing garbage building at the north corner of the site to serve Blocks "A" and "B". The proposed outdoor waste facility building will be completely enclosed and designed with materials consistent with the main residential buildings. The Vaughan Environmental Services Department has reviewed the latest plans and is satisfied.

Vaughan Legal Services Department, Real Estate Division

The Vaughan Legal Services Department, Real Estate Division has advised that should the Site Development Application be approved, the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, 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.

Canada Post

Canada Post has reviewed the applications and has no objection to the proposed development, subject to the Owner satisfying all their conditions, which will be included in the Site Plan Agreement, should the applications be approved.

Bell Canada

Bell Canada has reviewed the applications and has no objection, however, they have indicated that an easement may be required to service the subject property.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

The Owner will be incorporating the sustainable site and building features identified in this report. The proposed landscape plan includes local drought tolerant plant material and pavers with a high solar reflectance index to promote water efficiency and proper stormwater management.

ii) Plan and Manage Growth and Economic Vitality

The development facilitates intensification within a neighbourhood of the Woodbridge Community with a compatible form that will support and strengthen the identity of the neighbourhood.

iii) Preserve Our Heritage and Support Diversity, Arts and Culture

The Owner is proposing to retain and incorporate the Fred Hicks House (229 Pine Grove Road) in the development and has agreed to implement a commemoration plan for the area to the satisfaction of the Vaughan Planning Department, Urban Design and Cultural Heritage Section.

Regional Implications

The Ministers of Municipal Affairs and Housing and Natural Resources approved the SPA Justification Report through a letter dated November 3, 2014, thereby approving new Special Policy Area policies to be incorporated in the VOP 2010, Woodbridge Centre Secondary Plan. As the OMB approved the Woodbridge Centre Secondary Plan, the Region of York has no objections to the subject applications.

Conclusion

The Vaughan Planning Department has reviewed Zoning By-law Amendment File Z.11.006 and Site Development File DA.13.050 to permit the proposed development shown on Attachments #3 to #6, in consideration of the applicable City Official Plan policies and the surrounding existing and planned land use context. The proposed rezoning of the subject lands to RM2(H) Multiple Residential Zone with the Holding Symbol "(H)", OS1 Open Space Conservation Zone and OS2 Open Space Park Zone together with the site-specific zoning standards identified in Table 1 of this report, will facilitate a stacked townhouse development that responds appropriately to the existing built form within the surrounding community. The Owner is also proposing to relocate and retain the existing heritage dwelling (Fred Hicks House) and the requirement to provide a heritage commemoration plan will contribute to establishing an identity for the area. Should the applications be approved, a corresponding Draft Plan of Condominium application is required to be submitted in the future for Vaughan Council approval. Accordingly, the Vaughan Planning Department can support the approval of the applications, subject to the recommendations in this report.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Typical Elevations Blocks A and B
5. Typical Elevations Blocks C and D
6. Proposed Landscape Plan
7. Original Conceptual Site Plan

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Eugene Fera, Planner, ext. 8094
Carmela Marrelli, Senior Planner, ext. 8791

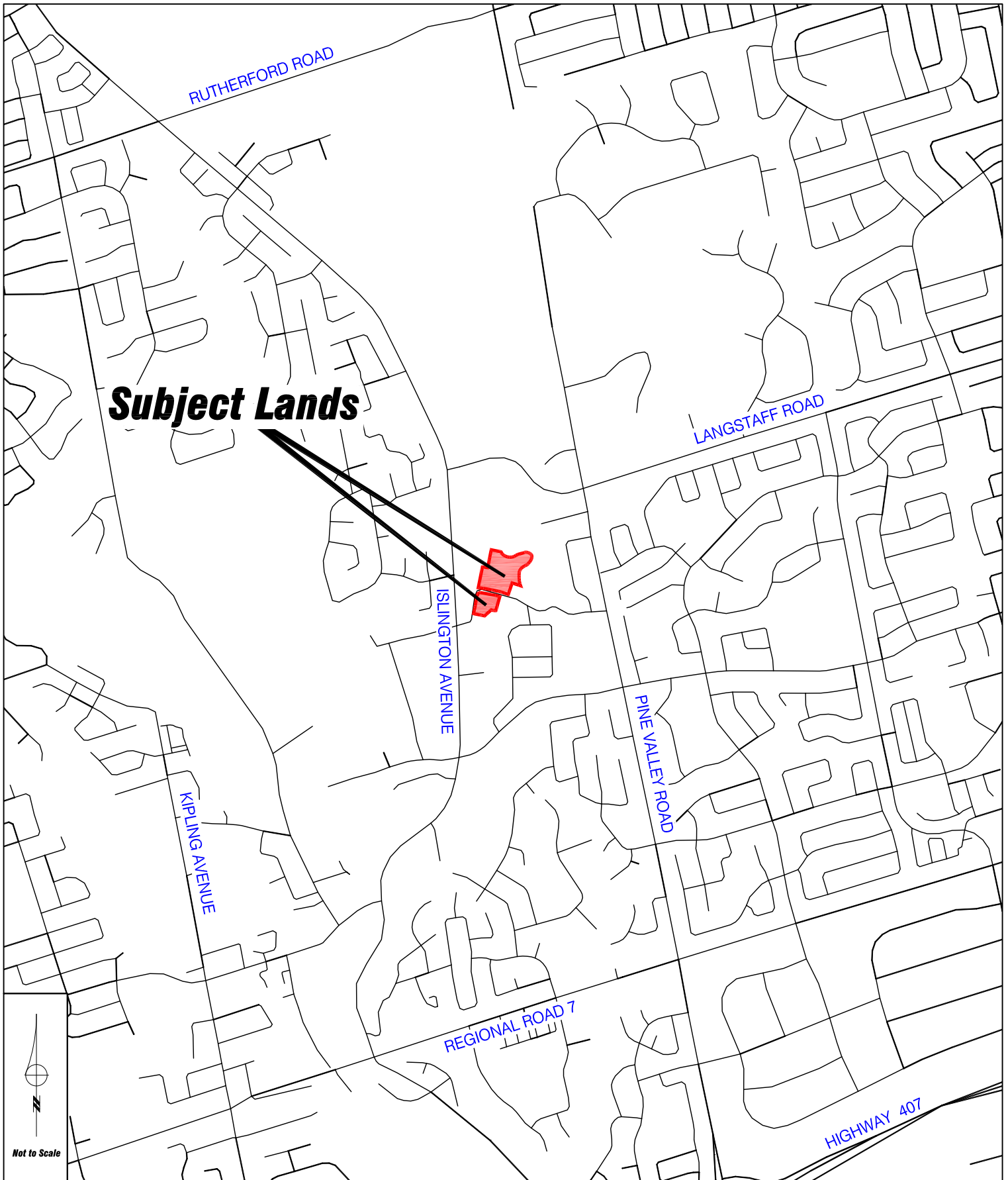
Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

/CM

MAURO PEVERINI
Manager of Development Planning



Context Location Map

LOCATION:
Part Lot 10, Concession 7

APPLICANT:
165 Pine Grove Investments Inc.

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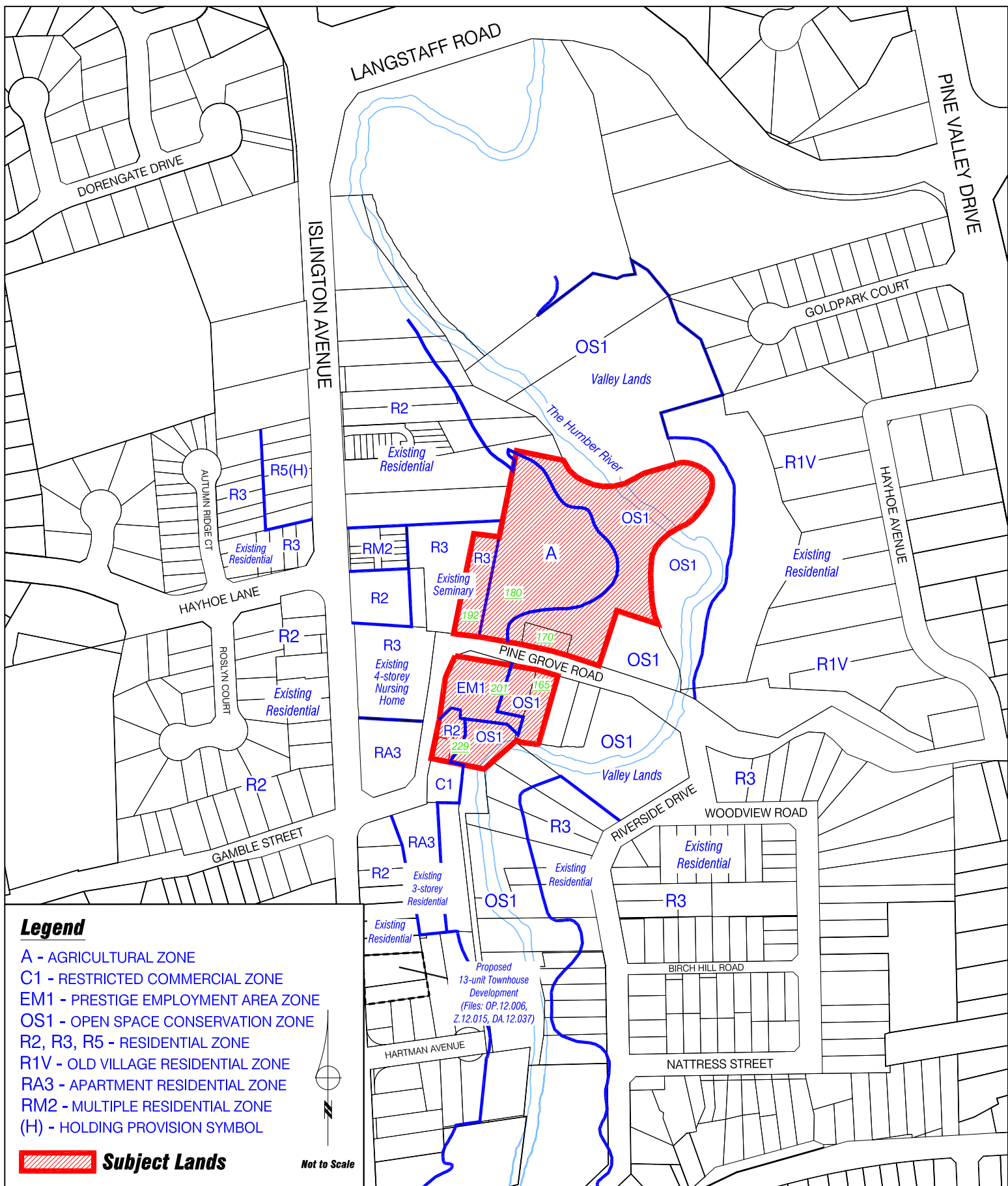


Attachment

FILES:
Z.11.006 &
DA.13.050

DATE:
March 3, 2015

1



Location Map

LOCATION:
Part Lot 10, Concession 7

APPLICANT:
165 Pine Grove Investments Inc.

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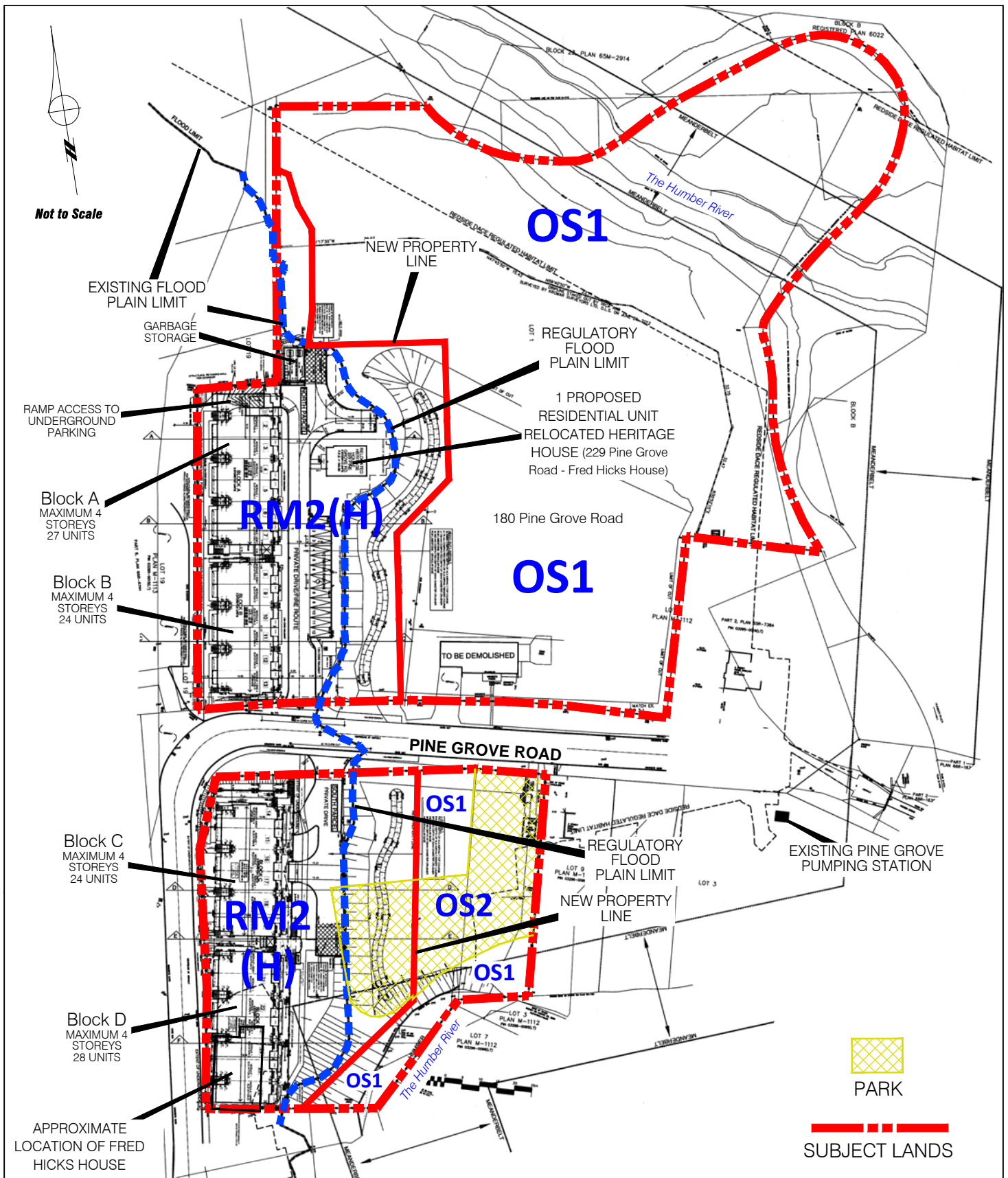


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DA.13.050

DATE:
March 3, 2015

2



Site Plan & Proposed Zoning

APPLICANT: 165 Pine Grove Investments Inc. LOCATION: Part Lot 10, Concession 7

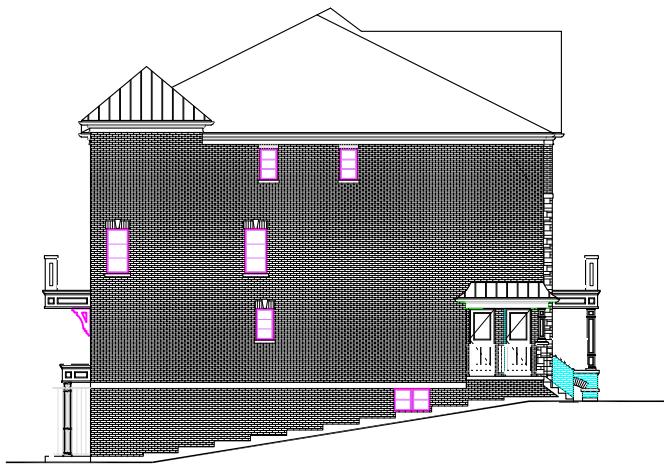
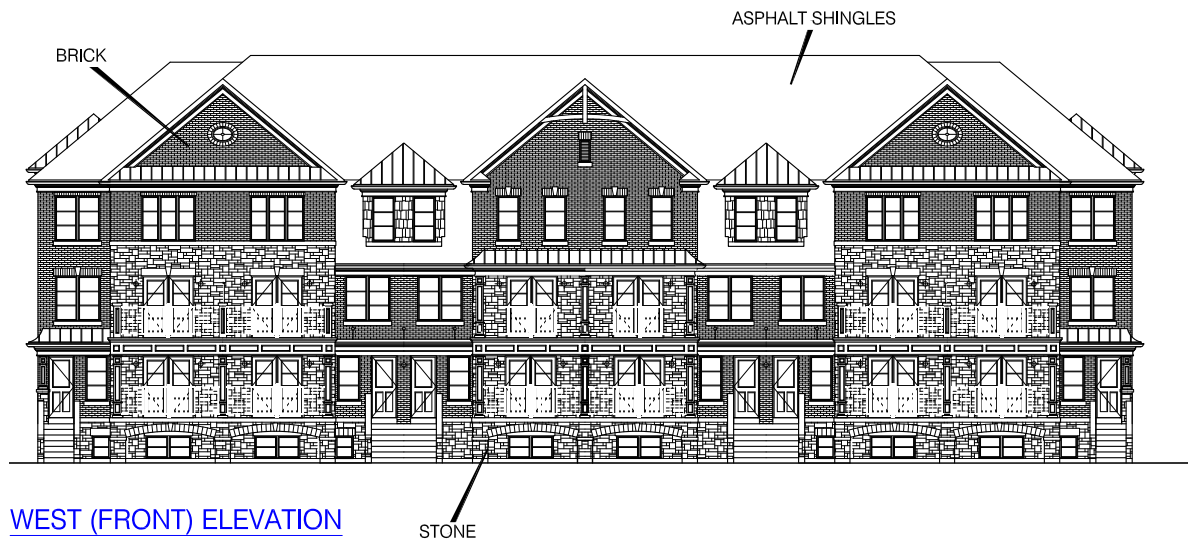


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DA.13.050

DATE:
March 3, 2015

3



Not to Scale

Typical Elevations - Blocks A & B

LOCATION:
Part Lot 10, Concession 7

APPLICANT:
165 Pine Grove Investments Inc.



VAUGHAN

Development Planning Department

Attachment

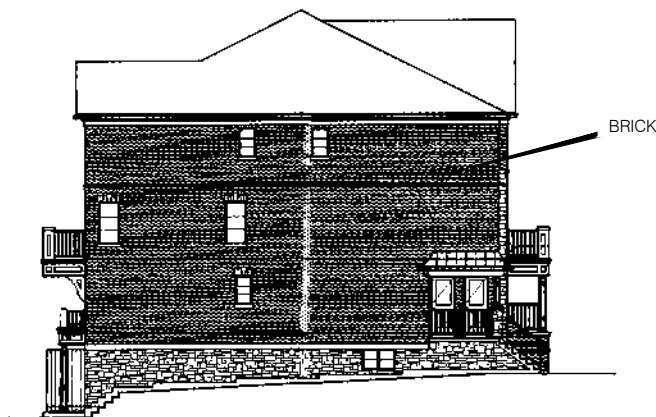
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DATE:
March 3, 2015

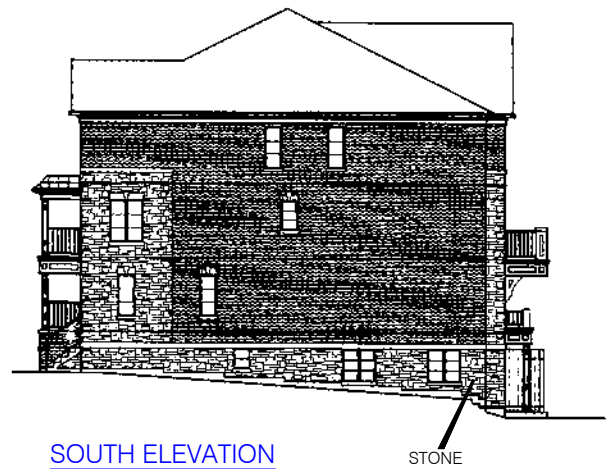
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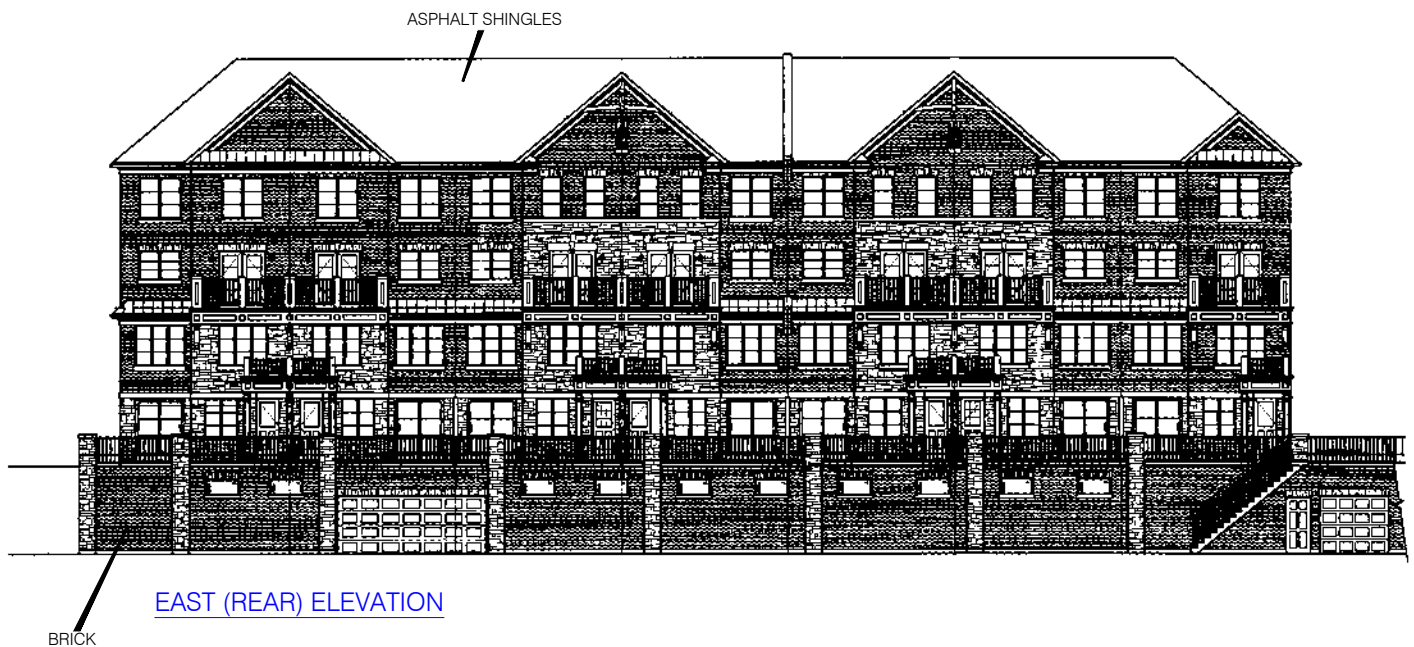
WEST (FRONT) ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



EAST (REAR) ELEVATION

Typical Elevations - Blocks C & D

LOCATION:
Part Lot 10, Concession 7

APPLICANT:
165 Pine Grove Investments Inc.



Attachment

FILES:
Z.11.006 &
DA.13.050

DATE:
March 3, 2015

5

