

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Regional Councillor Ferri declared an interest with respect to this matter as his son works for a company that may benefit from the outcome of the vote, and did not take part in the discussion or vote on the matter.

The Committee of the Whole recommends:

- ## Recommendation

1. THAT Zoning By-law Amendment File Z.14.031 (Poetry Living (The View) Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone subject to Exception 9(1172), and RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)” subject to Exception 9(1334) to RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-14V007 (Poetry Living (The View) Limited) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
3. THAT Vaughan Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

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4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-14V007 (Poetry Living (The View) Limited) include the following clause:

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

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

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

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

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

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

a) Heating and Ventilation:

- i) Heat recovery ventilator system in all homes to provide fresh air and improved climate control and save energy by reducing heating and cooling requirements;
- ii) Programmable electronic thermostat to regulate temperature;
- iii) Forced air hi-efficiency, variable speed gas furnace to reduce energy consumption;

b) Water Use:

- i) Low flow plumbing fixtures to reduce water consumption and sewage volumes;

c) Building Materials and Technology:

- i) Insulation applied around all windows and doors and in garage ceiling and walls, beyond the standard Building Code requirement, for heat conservation;
- ii) Sealed HVAC (Heating, Ventilation and Air Conditioner) duct work to reduce heat loss at duct joints;
- iii) EnergyStar rated Low ‘E’ and Aragon casement windows throughout the buildings to reduce energy consumption and drafts;
- iv) Hardwoods selected from sustainable forests;

d) Waste Management:

- i) Lumber and drywall material is recycled for efficient use of resources and to reduce waste.

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Economic Impact

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

Communications Plan

On November 7, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the Millwood Woodend Ratepayers' Association. A copy of 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 subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of December 2, 2014, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on December 9, 2014. To date, correspondence has been received with the following comments:

- i) Udon Do, Chatfield Drive, correspondence dated November 26, 2014, objecting to the proposal due to the perceived impact of an increase in population affecting the parkland;
- ii) Ryan and Lesley McNerney, Hatton Garden Road, correspondence dated December 2, 2014, objecting to the proposal due to the perceived increase in traffic creating a dangerous environment for children, as a result of more dwelling units being proposed than originally planned;
- iii) Waseem Ahmad, representing the Hatton Garden Road and Flourish Street Residents' Petition (32 residents), dated November 30, 2014, objecting to the proposal due to the perceived increase in density as a result of more dwelling units being proposed than originally planned, increase in traffic and parking congestion, and the negative impact of the proposed smaller homes/properties on the value of the existing large homes/properties; and,
- iv) Maxine Povering, Harvey Kalles Real Estate Ltd., correspondence dated December 2 and 12, 2014, objecting to the proposal due to the perceived increase in density as a result of more dwelling units being proposed than originally planned and misrepresentation by the builder(s) of the future use of the subject lands having the same homes and lot sizes as the existing homes and lot sizes in the area.

A number of individuals also addressed Vaughan Council at the December 2, 2014, Public Hearing and advised of issues related to increased traffic and safety concerns as a result of more units and population being proposed than originally planned, the impact on property values resulting from the smaller lots and that the original builder identified the subject lands for larger lots and dwellings.

These issues are addressed in the Previous Approvals of Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et al – "Majormack Lands"), and are discussed further in the Vaughan Development Engineering and Infrastructure Planning Services Department and Vaughan Parks Development Department sections of this report.

A notice of this Committee of the Whole meeting was sent to those individuals having expressed interest in the subject applications on April 2, 2015.

Purpose

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

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1. Zoning By-law Amendment File Z.14.031 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone subject to Exception 9(1122) and RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” subject to Exception 9(1334) to RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision for 20 detached dwelling units.
2. Draft Plan of Subdivision File 19T-14V007 to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5, consisting of the following:

Lot/Block Number	Land Use	Area (ha)	Units
Lots 1-8	Detached Dwelling Units (12.8 m frontage)	0.495	8
Block 21		0.002	0.5
Lot 9	Detached Dwelling Unit (12.2 m frontage)	0.049	1
Lots 10 - 19	Detached Dwelling Units (7.62 m frontage)	0.246	10
Block 20		0.003	0.5
	Total	0.795	20

Background - Analysis and Options

Location

The subject lands are located north of Major Mackenzie Drive and west of Weston Road, known municipally as 4020 Major Mackenzie Drive, as shown on Attachments #2 and #3, City of Vaughan.

Previous Approvals

On January 28, 2015, a number of residents met with the local Ward 3 Councillor and Vaughan Planning staff to discuss their concerns respecting the subject Poetry application and adjacent Draft Plan of Subdivision File 19T-14V009 (Belmont Properties Inc.). The response to concerns raised by the residents including in the Communications Plan section of this report and additional comments made by the public at the Public Hearing that they believed the builder had indicated to them that the future lots on the subject lands would have 12 m wide frontages on Hatton Garden Road, and that the 7.5 m wide frontage lots were already approved because they were pre-serviced, are explained as follows:

i) Previous Official Plan Approval for Existing Community

Official Plan Amendment (OPA) #600 was in effect in 2007 when the original Zoning By-law Amendment File Z.07.061 and Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc., et al – “Majormack Lands”) were submitted, which included a portion of the subject lands as shown on Attachment #3. The Majormack Lands were designated “Low Density Residential” and “Medium Density Residential/Commercial”, which permitted an average net density between 16 to 28 and 25 to 35 units per hectare, respectively, and permitted detached, semi-detached and street townhouse dwelling units. The Majormack Lands yielded a density of 17.16 and 21.22 units per hectare for the Low Density Residential and Medium Density Residential/Commercial areas, respectively, which conformed to the Official Plan.

OPA #600 did not specify minimum lot sizes for the permitted unit types. It is typical for a plan of subdivision to provide a range of lot sizes, and therefore, the proposal to provide detached dwelling units with 7.5 m frontages conformed to OPA #600.

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In a new community, the complete build-out can take many years and various factors result in changes to approved plans, which still comply with the Official Plan and Block Plan and facilitate a development that represents good planning. A development proposal is reviewed in accordance with the Official Plan and Block Plan having regard to the appropriate use and density, and the existing and planned uses in the community, to ensure that the intent and purpose of the Official Plan is maintained and the development is appropriate for the community.

i) Applications History

As noted, the subject lands previously formed part of the Majormack Lands. On March 9, 2010, Vaughan Council enacted Zoning By-law 55-2010, which zoned most of the Majormack Lands, including the subject lands, RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” which requires a minimum lot frontage of 12 m. The balance of the Majormack Lands along the westly frontage of Hatton Garden Road, Poetry Drive and the east extension of Isherwood Crescent were zoned RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” to permit street townhouse units on lots with a minimum frontage of 6 m.

In 2011, the Owner of the Majormack Lands submitted Zoning By-law Amendment File Z.11.021, to rezone a portion of the Majormack Lands from RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” to:

- RD3 Residential Detached Zone Three to permit 4 detached dwellings on 12 m lots along the south end of Hatton Garden Road; and, RD4 Residential Detached Zone Four to permit 18 detached dwellings on 7.5 m frontage lots (instead of minimum 9 m frontages as required by Zoning By-law 1-88).

On November 8, 2011, Vaughan Council approved the Zoning Amendment File Z.11.021, which resulted in modifications to draft approved Plan of Subdivision File 19T-07V06 (Majormack Lands). Overall, the changes resulted in a decrease of five units on the Majormack Lands.

Concerning the current Poetry lands on Hatton Garden Road, if they did develop as originally planned under the RD3 Zone at 12 m frontages, there would be 6 lots instead of the 10 lots proposed at 7.5 frontages under the RD4 Zone. This would translate into 4 additional lots if the proposed rezoning is approved by Vaughan Council, which is minimal and supportable. Similarly, if the southerly Belmont proposal under File 19T-14V009 was also being developed under the RD3 Zone, there would be 7 lots instead of the 11 lots being proposed under the RD4 Zone, thereby translating into an additional 5 lots if the proposed rezoning is approved. The combined 9 additional lots under the RD4 Zone for both the Belmont and Poetry developments is considered to be acceptable and can be supported by Planning staff.

ii) Servicing and Number of Units on Hatton Garden Road

The Vaughan Development Engineering and Infrastructure Planning Services Department has advised that the subject lands were originally included in Draft Plan of Subdivision File 19T-07V06 and zoned RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” for lots with a minimum 12m frontage on the east side of Hatton Garden Road, and were pre-serviced on the basis of the original proposal for 6 detached dwellings. The current proposal for Draft Plan of Subdivision File 19T-14V007 is for 10.5 lots for detached dwelling units fronting on Hatton Garden Road. Modifications will be required to the servicing plan to accommodate the additional units, should this application be approved.

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Expropriation - Block 40 South District Park, Extension of Lawford Road and Secondary School

The Block 40 South Plan requires a district park and the extension of Lawford Road, for the City of Vaughan, and a secondary school for the York Region District School Board, which total 13.359 ha of land that were not included within the land holdings of the participating Block 40 South Developers' Group. On April 13, 2010, Vaughan Council, directed staff to commence expropriation proceedings for the municipal district park and to work with the Block 40 South Developers' Group (extension of Lawford Road) and the York Region District School Board.

The expropriation process for the secondary school site was completed and the school is under construction, having received site plan approval (File DA.12.033) on February 19, 2013, from Vaughan Council. The expropriation process is complete and the conveyances of the required lands have occurred for the district park and the extension of Lawford Road. Remnant lands from the expropriation process, including the subject lands, were conveyed to developers to complete development in accordance with the approved Block 40 South Plan, shown in Attachment #6.

City of Vaughan Official Plan 2010

The subject lands are designated "Low-Rise Residential" by Vaughan Official Plan (VOP) 2010, and are located within a "Community Area". The "Low-Rise Residential" designation permits detached, semi-detached and townhouse dwelling units. There are no density provisions for the "Low-Rise" designation. The proposal to facilitate the development of detached dwellings conforms to the Official Plan.

Block 40 South Plan

Vaughan Council, at its meeting on April 24, 2006, approved the Block 40 South Plan, as revised, shown on Attachment #6, which provides the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth.

Zoning

The subject lands are currently zoned A Agricultural Zone subject to Exception 9(1172) and RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)" subject to Exception 9(1334) by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #5, an amendment to the Zoning By-law is required to rezone the subject lands in the manner shown on Attachment #4, together with the following site-specific zoning exceptions to the RD3 and RD4 Zones:

Table 1: Proposed Zoning Exceptions

	By-law Standard	Zoning By-law 1-88, RD3 Residential Detached Zone Three Requirements	Proposed Exception to the RD3 Residential Detached Zone Three Requirements
a.	Minimum Exterior Side Yard (Lots 7, 8 and 9)	4.5 m	3.5 m

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	By-law Standard	Zoning By-law 1-88, RD3 Residential Detached Zone Three Requirements	Proposed Exception to the RD3 Residential Detached Zone Three Requirements
b.	Permitted Yard Encroachments and Restrictions	No By-law standard for a fireplace or chimney encroachment	Permit a fireplace or chimney as additional encroachment, which may encroach up to a maximum of 0.5 m in any yard
c.	Minimum Interior Garage Dimensions (Width x Length)	5.5 m width x 6 m length	5.4 m width x 6 m length (Lot 5)

	By-law Standard	Zoning By-law 1-88, RD4 Residential Detached Zone Four Requirements	Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements
a.	Minimum Lot Frontage	9 m	7.5 m
b.	Minimum Lot Area	243 m ²	225 m ²
c.	Minimum Front Yard for an Attached Garage	6 m	5.8 m
d.	Minimum Rear Yard	7.5 m	7 m
e.	Minimum Interior Side Yard	1.2 m	The minimum interior side yard may be reduced to 0.45 m on one side where it abuts a minimum yard of 1.2 m.
f.	Permitted Yard Encroachments and Restrictions	No By-law standard for a fireplace or chimney encroachment	Permit a fireplace or chimney as additional encroachment, which may encroach up to a maximum of 0.5 m in any yard

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	By-law Standard	Zoning By-law 1-88, RD4 Residential Detached Zone Four Requirements	Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements
g.	Maximum Interior Garage Width (On a Lot Frontage Less than 11 m)	3.048 m	Maximum interior garage width of 3.05 m, which may be increased provided that the increased width shall: <ul style="list-style-type: none"> i) Only occur on an interior wall; ii) Be a maximum of 1.8 m in width; and, iii) Not occur within the first 1.2m immediately behind the garage face or door.

a) Proposed Zoning Exceptions

The proposed 0.5 m reduction to the exterior side yard for the RD3 Zone would affect three lots abutting a 17.5 m wide local road (crescent) with minimal through traffic and which are located near the secondary school site and the future district park. This exception is considered minor and the Vaughan Planning Department has no objection to the proposed 3.5 m exterior side yard, as well as the encroachments and garage width exceptions.

The Owner has requested the same exceptions for the RD4 Zone, which also apply to the RD4 Zone subject to Exception 9(1334) located along the west extension of Hatton Garden Road to develop those dwellings in accordance with the Council approved *Block 40 South Architectural Design Guidelines* by John G. Williams Limited, Architect. The proposed exceptions will provide a housing built form and design that integrates into the existing residential community.

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

Subdivision Design

The 0.795 ha Draft Plan of Subdivision is comprised of 19 lots for detached dwelling units and 2 blocks to be developed with blocks on the adjacent lands (for a total of 20 lots), as shown on Attachment #5. The subject lands will have access onto the existing local roads (Hatton Garden Road, Flourish Street and Garyscholl Road), as shown on Attachment #5, which were developed and constructed as part of Plan of Subdivision File 19T-07V06. A sidewalk is proposed along the east side of Flourish Street to connect with the existing sidewalk on the north side of Flourish. No sidewalk is proposed for Hatton Garden Road.

All development within the Draft Plan of Subdivision shall proceed in accordance with the approved Block 40 South Architectural Design Guidelines by John G. Williams Limited, Architect and the approved *Block 40 South Cold Creek Estates Master Landscape Plan* by NAK Design Group. Conditions to this respect are included in Attachment #1.

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

Developers' Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. The Owner of the subject lands is a member of the Block 40 Developers' Group, and will be required to participate in the cost sharing for the Block, which includes addressing stormwater management, and providing sidewalks. A condition is included in Attachment #1 of this report respecting the Trustee for the Block 40 Developers' Group advising the City in a letter that all cost sharing for the provisions of parks, cash-in-lieu of parkland, roads, and municipal services within Block 40 have been addressed.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed Draft Plan of Subdivision File 19T-14V007 and provides the following comments:

a) Road Network

The lots and blocks front onto the existing roads of Hatton Garden Road, Flourish Street and Garyscholl Road. A portion of Flourish Street will be constructed, as part of the development, in order to complete the connection, or crescent portion, between the north and south portions of Flourish Street. The east side of this portion of the road will be adjacent to the existing secondary school and district park. In accordance with the *Block 40 South Sidewalk Plan*, a sidewalk will be in front of the lots on Flourish Street and Garyscholl Road but not those on Hatton Garden Road.

b) Water Servicing

The lots were pre-serviced as part of the road works for the adjacent Plan of Subdivision File 19T-07V06. The servicing scheme, as proposed by the Owner's consultant, Schaeffer & Associates Ltd., shall utilize some of the existing water connections and add and/or relocate a number of service connections along Hatton Garden Road as the number of units will be increased. Restoration of the road to accommodate modifications to the servicing will be necessary and shall be in accordance with City standards.

c) Sanitary and Storm Servicing

Similar to the water servicing, the lots were pre-serviced for sanitary and storm connections and some of the existing sanitary and storm connections will be utilized and others will be added and/or relocated as required along Hatton Garden Road. Restoration of the road to accommodate modifications to the servicing will be necessary and shall be in accordance with City standards.

d) Storm Drainage

The drainage flow will be discharged to the existing Storm Water Management Pond built on the west side of Poetry Drive in accordance with the *Block 40 South Master Environmental Servicing Plan*.

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e) Sewage and Water Allocation

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the subject lands is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

"THAT Draft Plan of Subdivision File 19T-14V007 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 20 residential units (70 persons equivalent)."

f) Environmental Site Assessment

The *Updated Environmental Site Assessment Report and Reliance Letter* for the subject lands has been accepted, subject to the following conditions being included as conditions of Draft Plan of Subdivision approval and included in the Subdivision Agreement:

- i) A certification letter confirming the removal of the two stockpiles of material on-site including results of any chemical testing of the material undertaken;
- ii) Documented proof of the proper decommissioning of all monitoring wells on the subject lands in accordance with O. Reg. 903; and,
- iii) If applicable, a certification letter prior to conveyance of lands to the City confirming that the conveyed lands meet the applicable Ministry of the Environment and Climate Change (MOECC) standards and are suitable for the proposed land use.

g) Environmental Noise/Vibration Impact

The preliminary noise report indicated that there are no significant noise sources influencing the subject lands, and as such, there are no acoustic measures required.

h) Streetlighting

Streetlighting shall meet City criteria within the Draft Plan of Subdivision and match the existing adjacent conditions.

i) Summary

The Vaughan Development Engineering and Infrastructure Planning Services Department has no objections to the development, subject to the conditions of approval in Attachment #1.

Vaughan Cultural Heritage Section

The Cultural Heritage Section of the Vaughan Development Planning Department advises that there are no objections to the proposal. However, the subject lands are located in an area identified as a being of high archaeological potential in the City's database of archaeological resources. As such, the Owner is advised that the standard archaeological resource conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities, are included as conditions of approval in Attachment #1 to this report.

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Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed Draft Plan of Subdivision File 19T-14V007 and advises that two neighbourhood parks are proposed in the Block 40 South Plan, with their development to occur in the next two to three years, which will service the local community with basic outdoor recreational facilities. The expropriation of lands for the Block 40 South district park has also allowed the City to plan for more community-wide recreational uses such as a lit sport field, active play courts, water play and junior/senior playground. The public consultation process for the district park block is currently planned for the end of 2015, with funding for construction proposed in the capital budget cycle for 2016.

The total active parkland available in the Block 40 South Plan is approximately 11 ha. The parkland dedicated in the approved Block Plan has been satisfied and there is a slight over dedication of active parkland in the Block. The Vaughan Parks Development Department has reviewed the proposed residential development associated with the Poetry Living (The View) Ltd. Draft Plan of Subdivision File 19T-14V007 and the adjacent Belmont Properties (Weston) Inc. Draft Plan of Subdivision File 19T-14V009, estimated at approximately 61 dwelling units and have assessed that the impact to the planned parkland would be deemed to be negligible. The City will require cash-in-lieu of parkland for the additional residential units as per the City's approved Cash-in-Lieu of Parkland policies and procedures. Any monies collected will be put towards future parkland acquisitions to reduce the growing shortfall of active parkland at the City-wide level.

The Parks Development Department has no objections to the development, subject to the condition requiring cash-in-lieu of parkland, included in the recommendation of this report.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 40 South to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 40 South. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1.

School Boards

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

Canada Post

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

Enbridge Gas Distribution

Enbridge Gas Distribution has reviewed the proposal and has no objections to the applications. Enbridge advises that the Owner is required to contact Enbridge's Customer Connections Department for service and meter installation details and to ensure all gas piping is installed prior

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to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving. If the gas main needs to be relocated, as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the Owner. In the event that easement(s) are required to service this development, the Owner will provide the easement(s) to Enbridge Gas Distribution at no cost. This requirement is included in the conditions of approval in Attachment #1.

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) **Lead and Promote Environmental Sustainability**

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

ii) **Plan and Manage Growth & Economic Vitality**

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

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

Regional Implications

York Region has advised that this development is located within the Maple North Wastewater Service Area and will be serviced from Water Pressure District PD 6.

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

York Region has no objection to the approval of the Draft Plan of Subdivision, subject to the conditions in Attachment #1.

Conclusion

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 20 lots (including two blocks) for detached dwelling units, as shown on Attachment #5. The proposed Draft Plan of Subdivision conforms to York Region and City Official Plan policies, and is in accordance with the approved Block 40 South Plan. The proposal facilitates a final phase of development to complete the build out of the neighbourhood.

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

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Attachments

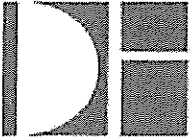
1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Draft Plan of Subdivision File 19T-14V007
6. Approved Block 40 South Plan

Report prepared by:

Judy Jeffers, Planner, ext. 8645
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.)

Regional Councillor Ferri declared an interest with respect to the foregoing matter, as his son works for a company that may benefit from the outcome of the vote, and did not take part in the discussion or vote on the matter.



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April 10, 2015

By E-Mail to jeffrey.abrams@vaughan.ca

The Honourable Mayor and Members of Council
c/o Jeffrey Abrams, City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Your Worship and Members of Council:

**Re: Belmont Properties (Weston) Inc. File Z.14.040 and 19T-14V009
Poetry Living (The View) Limited File Z.14.031 and 19T-14V007
Block 40 (South) Developers Group
Block 40 (South) Planning Area, City of Vaughan**

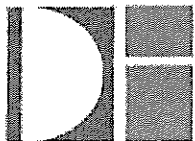
I am writing in our firm's capacity as Trustee to the Block 40 (South) Developers Group (the "Group") on behalf of Belmont Properties (Weston) Inc. ("Belmont") and Poetry Living (The View) Limited ("Poetry"), each participating members of the Group in good standing.

The Recommendations to the Committee of the Whole associated with the above-noted Zoning By-law Amendment and Draft Plan of Subdivision files include a requirement that the subdivision agreements include a clause requiring the applicable owners to pay cash-in-lieu of parkland (i.e. Recommendation #4).

The parkland dedication obligations for the development of land in the Block 40 (South) planning area have been addressed on a comprehensive basis with the City, as approved by Council. The result of these arrangements is a net over-contribution of parkland by the Group. In accordance with the Council-approved Wind-Up Agreement dated January 16, 2015 entered into between the City, the York Region District School Board, the Group, and our firm as Trustee, the Group's aggregate over-contribution of parkland was quantified at 7.96 acres, and the City agreed to pay compensation to the Group for the said parkland over-contribution. Pursuant to sections 5.2 and 5.3(a) of the Wind-Up Agreement, it is explicitly acknowledged that the lands governed by the above-noted Belmont and Poetry applications were included in the calculation of the Group's aggregate parkland over-contribution.

Please refer to: **Daniel Steinberg**
e-mail: daniels@davieshowe.com
direct line: 416.263.4505
File No. 701596

c <u>4</u>
Communication
cw: <u>April 14/15</u>
Item: <u>5</u>



Davies
Howe
Partners
LLP

Therefore, individual Group members (including Belmont and Poetry) are not required to pay cash-in-lieu of parkland obligations to the City.

We kindly request that Recommendation #4 be edited to state that the clause to be included in the subdivision agreements shall read as follows:

"It is acknowledged that the Owner has satisfied its parkland dedication requirements pursuant to comprehensive arrangements between the Block 40 (South) Developers Group and the City, as approved by Council. Therefore, the Owner is not obligated to pay cash-in-lieu of the dedication of parkland for this development."

Please give due consideration to this request in order to ensure that the Group's agreement with the City is properly implemented.

Yours truly,
DAVIES HOWE PARTNERS LLP

Daniel H. Steinberg

DHS:DS

Copy: H. Wilson, Director, Legal Services, City of Vaughan (by e-mail)
P. Salerno, Manager of Real Estate, City of Vaughan (by e-mail)
R. Virtanen, KLM Planning (by e-mail)
S. Crimi, SC Land Management (by e-mail)
J. Karavos, Holborn Group (by e-mail)

COMMITTEE OF THE WHOLE APRIL 14, 2015

**ZONING BY-LAW AMENDMENT FILE Z.14.031
DRAFT PLAN OF SUBDIVISION FILE 19T-14V007
POETRY LIVING (THE VIEW) LIMITED
WARD 3 - VICINITY OF MAJOR MACKENZIE DRIVE AND POETRY DRIVE**

Recommendation

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

1. THAT Zoning By-law Amendment File Z.14.031 (Poetry Living (The View) Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands shown on Attachments #2 and #3, from A Agricultural Zone subject to Exception 9(1172), and RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)” subject to Exception 9(1334) to RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-14V007 (Poetry Living (The View) Limited) as shown on Attachment #5, BE APPROVED, subject to the conditions set out in Attachment #1 to this report.
3. THAT Vaughan Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

“NOW THEREFORE BE AND IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-14V007 (Poetry Living (The View) Limited) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 20 residential units (70 persons equivalent).”

4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-14V007 (Poetry Living (The View) Limited) include the following clause:

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

Contribution to Sustainability

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

Goal 2: To ensure sustainable development and redevelopment

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

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

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

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

- a) Heating and Ventilation:
 - i) Heat recovery ventilator system in all homes to provide fresh air and improved climate control and save energy by reducing heating and cooling requirements;
 - ii) Programmable electronic thermostat to regulate temperature;
 - iii) Forced air hi-efficiency, variable speed gas furnace to reduce energy consumption;
- b) Water Use:
 - i) Low flow plumbing fixtures to reduce water consumption and sewage volumes;
- c) Building Materials and Technology:
 - i) Insulation applied around all windows and doors and in garage ceiling and walls, beyond the standard Building Code requirement, for heat conservation;
 - ii) Sealed HVAC (Heating, Ventilation and Air Conditioner) duct work to reduce heat loss at duct joints;
 - iii) EnergyStar rated Low 'E' and Aragon casement windows throughout the buildings to reduce energy consumption and drafts;
 - iv) Hardwoods selected from sustainable forests;
- d) Waste Management:
 - i) Lumber and drywall material is recycled for efficient use of resources and to reduce waste.

Economic Impact

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

Communications Plan

On November 7, 2014, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands and to the Millwood Woodend Ratepayers' Association. A copy of 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 subject lands in accordance with the City's Notice Sign Procedures and Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of December 2, 2014, and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on December 9, 2014. To date, correspondence has been received with the following comments:

- i) Udon Do, Chatfield Drive, correspondence dated November 26, 2014, objecting to the proposal due to the perceived impact of an increase in population affecting the parkland;
- ii) Ryan and Lesley McNerney, Hatton Garden Road, correspondence dated December 2, 2014, objecting to the proposal due to the perceived increase in traffic creating a dangerous environment for children, as a result of more dwelling units being proposed than originally planned;
- iii) Waseem Ahmad, representing the Hatton Garden Road and Flourish Street Residents' Petition (32 residents), dated November 30, 2014, objecting to the proposal due to the perceived increase in density as a result of more dwelling units being proposed than

originally planned, increase in traffic and parking congestion, and the negative impact of the proposed smaller homes/properties on the value of the existing large homes/properties; and,

- iv) Maxine Povering, Harvey Kalles Real Estate Ltd., correspondence dated December 2 and 12, 2014, objecting to the proposal due to the perceived increase in density as a result of more dwelling units being proposed than originally planned and misrepresentation by the builder(s) of the future use of the subject lands having the same homes and lot sizes as the existing homes and lot sizes in the area.

A number of individuals also addressed Vaughan Council at the December 2, 2014, Public Hearing and advised of issues related to increased traffic and safety concerns as a result of more units and population being proposed than originally planned, the impact on property values resulting from the smaller lots and that the original builder identified the subject lands for larger lots and dwellings.

These issues are addressed in the Previous Approvals of Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc. et al – “Majormack Lands”), and are discussed further in the Vaughan Development Engineering and Infrastructure Planning Services Department and Vaughan Parks Development Department sections of this report.

A notice of this Committee of the Whole meeting was sent to those individuals having expressed interest in the subject applications on April 2, 2015.

Purpose

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

1. Zoning By-law Amendment File Z.14.031 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone subject to Exception 9(1122) and RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” subject to Exception 9(1334) to RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four, in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report, to facilitate a proposed residential Draft Plan of Subdivision for 20 detached dwelling units.
2. Draft Plan of Subdivision File 19T-14V007 to facilitate a proposed residential Draft Plan of Subdivision as shown on Attachment #5, consisting of the following:

Lot/Block Number	Land Use	Area (ha)	Units
Lots 1-8	Detached Dwelling Units (12.8 m frontage)	0.495	8
Block 21		0.002	0.5
Lot 9	Detached Dwelling Unit (12.2 m frontage)	0.049	1
Lots 10 - 19	Detached Dwelling Units (7.62 m frontage)	0.246	10
Block 20		0.003	0.5
	Total	0.795	20

Background - Analysis and Options

Location

The subject lands are located north of Major Mackenzie Drive and west of Weston Road, known municipally as 4020 Major Mackenzie Drive, as shown on Attachments #2 and #3, City of Vaughan.

Previous Approvals

On January 28, 2015, a number of residents met with the local Ward 3 Councillor and Vaughan Planning staff to discuss their concerns respecting the subject Poetry application and adjacent Draft Plan of Subdivision File 19T-14V009 (Belmont Properties Inc.). The response to concerns raised by the residents including in the Communications Plan section of this report and additional comments made by the public at the Public Hearing that they believed the builder had indicated to them that the future lots on the subject lands would have 12 m wide frontages on Hatton Garden Road, and that the 7.5 m wide frontage lots were already approved because they were pre-serviced, are explained as follows:

i) Previous Official Plan Approval for Existing Community

Official Plan Amendment (OPA) #600 was in effect in 2007 when the original Zoning By-law Amendment File Z.07.061 and Draft Plan of Subdivision File 19T-07V06 (Majormack Investments Inc., et al – “Majormack Lands”) were submitted, which included a portion of the subject lands as shown on Attachment #3. The Majormack Lands were designated “Low Density Residential” and “Medium Density Residential/Commercial”, which permitted an average net density between 16 to 28 and 25 to 35 units per hectare, respectively, and permitted detached, semi-detached and street townhouse dwelling units. The Majormack Lands yielded a density of 17.16 and 21.22 units per hectare for the Low Density Residential and Medium Density Residential/Commercial areas, respectively, which conformed to the Official Plan.

OPA #600 did not specify minimum lot sizes for the permitted unit types. It is typical for a plan of subdivision to provide a range of lot sizes, and therefore, the proposal to provide detached dwelling units with 7.5 m frontages conformed to OPA #600.

In a new community, the complete build-out can take many years and various factors result in changes to approved plans, which still comply with the Official Plan and Block Plan and facilitate a development that represents good planning. A development proposal is reviewed in accordance with the Official Plan and Block Plan having regard to the appropriate use and density, and the existing and planned uses in the community, to ensure that the intent and purpose of the Official Plan is maintained and the development is appropriate for the community.

i) Applications History

As noted, the subject lands previously formed part of the Majormack Lands. On March 9, 2010, Vaughan Council enacted Zoning By-law 55-2010, which zoned most of the Majormack Lands, including the subject lands, RD3(H) Residential Detached Zone Three with the Holding Symbol “(H)” which requires a minimum lot frontage of 12 m. The balance of the Majormack Lands along the westly frontage of Hatton Garden Road, Poetry Drive and the east extension of Isherwood Crescent were zoned RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” to permit street townhouse units on lots with a minimum frontage of 6 m.

In 2011, the Owner of the Majormack Lands submitted Zoning By-law Amendment File Z.11.021, to rezone a portion of the Majormack Lands from RT1(H) Residential Townhouse Zone with the Holding Symbol “(H)” to:

- RD3 Residential Detached Zone Three to permit 4 detached dwellings on 12 m lots along the south end of Hatton Garden Road; and, RD4 Residential Detached Zone Four to permit 18 detached dwellings on 7.5 m frontage lots (instead of minimum 9 m frontages as required by Zoning By-law 1-88).

On November 8, 2011, Vaughan Council approved the Zoning Amendment File Z.11.021, which resulted in modifications to draft approved Plan of Subdivision File 19T-07V06 (Majormack Lands). Overall, the changes resulted in a decrease of five units on the Majormack Lands.

Concerning the current Poetry lands on Hatton Garden Road, if they did develop as originally planned under the RD3 Zone at 12 m frontages, there would be 6 lots instead of the 10 lots proposed at 7.5 frontages under the RD4 Zone. This would translate into 4 additional lots if the proposed rezoning is approved by Vaughan Council, which is minimal and supportable. Similarly, if the southerly Belmont proposal under File 19T-14V009 was also being developed under the RD3 Zone, there would be 7 lots instead of the 11 lots being proposed under the RD4 Zone, thereby translating into an additional 5 lots if the proposed rezoning is approved. The combined 9 additional lots under the RD4 Zone for both the Belmont and Poetry developments is considered to be acceptable and can be supported by Planning staff.

ii) Servicing and Number of Units on Hatton Garden Road

The Vaughan Development Engineering and Infrastructure Planning Services Department has advised that the subject lands were originally included in Draft Plan of Subdivision File 19T-07V06 and zoned RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)" for lots with a minimum 12m frontage on the east side of Hatton Garden Road, and were pre-serviced on the basis of the original proposal for 6 detached dwellings. The current proposal for Draft Plan of Subdivision File 19T-14V007 is for 10.5 lots for detached dwelling units fronting on Hatton Garden Road. Modifications will be required to the servicing plan to accommodate the additional units, should this application be approved.

Expropriation - Block 40 South District Park, Extension of Lawford Road and Secondary School

The Block 40 South Plan requires a district park and the extension of Lawford Road, for the City of Vaughan, and a secondary school for the York Region District School Board, which total 13.359 ha of land that were not included within the land holdings of the participating Block 40 South Developers' Group. On April 13, 2010, Vaughan Council, directed staff to commence expropriation proceedings for the municipal district park and to work with the Block 40 South Developers' Group (extension of Lawford Road) and the York Region District School Board.

The expropriation process for the secondary school site was completed and the school is under construction, having received site plan approval (File DA.12.033) on February 19, 2013, from Vaughan Council. The expropriation process is complete and the conveyances of the required lands have occurred for the district park and the extension of Lawford Road. Remnant lands from the expropriation process, including the subject lands, were conveyed to developers to complete development in accordance with the approved Block 40 South Plan, shown in Attachment #6.

City of Vaughan Official Plan 2010

The subject lands are designated "Low-Rise Residential" by Vaughan Official Plan (VOP) 2010, and are located within a "Community Area". The "Low-Rise Residential" designation permits detached, semi-detached and townhouse dwelling units. There are no density provisions for the "Low-Rise" designation. The proposal to facilitate the development of detached dwellings conforms to the Official Plan.

Block 40 South Plan

Vaughan Council, at its meeting on April 24, 2006, approved the Block 40 South Plan, as revised, shown on Attachment #6, which provides the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth.

Zoning

The subject lands are currently zoned A Agricultural Zone subject to Exception 9(1172) and RD3(H) Residential Detached Zone Three with the Holding Symbol "(H)" subject to Exception 9(1334) by Zoning By-law 1-88, as shown on Attachment #3. To facilitate the proposed Draft Plan of Subdivision as shown on Attachment #5, an amendment to the Zoning By-law is required to rezone the subject lands in the manner shown on Attachment #4, together with the following site-specific zoning exceptions to the RD3 and RD4 Zones:

Table 1: Proposed Zoning Exceptions

	By-law Standard	Zoning By-law 1-88, RD3 Residential Detached Zone Three Requirements	Proposed Exception to the RD3 Residential Detached Zone Three Requirements
a.	Minimum Exterior Side Yard (Lots 7, 8 and 9)	4.5 m	3.5 m
b.	Permitted Yard Encroachments and Restrictions	No By-law standard for a fireplace or chimney encroachment	Permit a fireplace or chimney as additional encroachment, which may encroach up to a maximum of 0.5 m in any yard
c.	Minimum Interior Garage Dimensions (Width x Length)	5.5 m width x 6 m length	5.4 m width x 6 m length (Lot 5)

	By-law Standard	Zoning By-law 1-88, RD4 Residential Detached Zone Four Requirements	Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements
a.	Minimum Lot Frontage	9 m	7.5 m
b.	Minimum Lot Area	243 m ²	225 m ²
c.	Minimum Front Yard for an Attached Garage	6 m	5.8 m

	By-law Standard	Zoning By-law 1-88, RD4 Residential Detached Zone Four Requirements	Proposed Exceptions to the RD4 Residential Detached Zone Four Requirements
d.	Minimum Rear Yard	7.5 m	7 m
e.	Minimum Interior Side Yard	1.2 m	The minimum interior side yard may be reduced to 0.45 m on one side where it abuts a minimum yard of 1.2 m.
f.	Permitted Yard Encroachments and Restrictions	No By-law standard for a fireplace or chimney encroachment	Permit a fireplace or chimney as additional encroachment, which may encroach up to a maximum of 0.5 m in any yard
g.	Maximum Interior Garage Width (On a Lot Frontage Less than 11 m)	3.048 m	Maximum interior garage width of 3.05 m, which may be increased provided that the increased width shall: <ul style="list-style-type: none"> i) Only occur on an interior wall; ii) Be a maximum of 1.8 m in width; and, iii) Not occur within the first 1.2m immediately behind the garage face or door.

a) Proposed Zoning Exceptions

The proposed 0.5 m reduction to the exterior side yard for the RD3 Zone would affect three lots abutting a 17.5 m wide local road (crescent) with minimal through traffic and which are located near the secondary school site and the future district park. This exception is considered minor and the Vaughan Planning Department has no objection to the proposed 3.5 m exterior side yard, as well as the encroachments and garage width exceptions.

The Owner has requested the same exceptions for the RD4 Zone, which also apply to the RD4 Zone subject to Exception 9(1334) located along the west extension of Hatton Garden Road to develop those dwellings in accordance with the Council approved *Block 40 South Architectural Design Guidelines* by John G. Williams Limited, Architect. The proposed exceptions will provide a housing built form and design that integrates into the existing residential community.

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

Subdivision Design

The 0.795 ha Draft Plan of Subdivision is comprised of 19 lots for detached dwelling units and 2 blocks to be developed with blocks on the adjacent lands (for a total of 20 lots), as shown on

Attachment #5. The subject lands will have access onto the existing local roads (Hatton Garden Road, Flourish Street and Garyscholl Road), as shown on Attachment #5, which were developed and constructed as part of Plan of Subdivision File 19T-07V06. A sidewalk is proposed along the east side of Flourish Street to connect with the existing sidewalk on the north side of Flourish. No sidewalk is proposed for Hatton Garden Road.

All development within the Draft Plan of Subdivision shall proceed in accordance with the approved Block 40 South Architectural Design Guidelines by John G. Williams Limited, Architect and the approved *Block 40 South Cold Creek Estates Master Landscape Plan* by NAK Design Group. Conditions to this respect are included in Attachment #1.

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

Developers' Group Agreement

It is a standard condition of Draft Plan of Subdivision approval that the participating landowners for the block execute a Developers' Group Agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces. The Owner of the subject lands is a member of the Block 40 Developers' Group, and will be required to participate in the cost sharing for the Block, which includes addressing stormwater management, and providing sidewalks. A condition is included in Attachment #1 of this report respecting the Trustee for the Block 40 Developers' Group advising the City in a letter that all cost sharing for the provisions of parks, cash-in-lieu of parkland, roads, and municipal services within Block 40 have been addressed.

Vaughan Development Engineering and Infrastructure Planning Services Department

The Vaughan Development Engineering and Infrastructure Planning Services Department has reviewed Draft Plan of Subdivision File 19T-14V007 and provides the following comments:

a) Road Network

The lots and blocks front onto the existing roads of Hatton Garden Road, Flourish Street and Garyscholl Road. A portion of Flourish Street will be constructed, as part of the development, in order to complete the connection, or crescent portion, between the north and south portions of Flourish Street. The east side of this portion of the road will be adjacent to the existing secondary school and district park. In accordance with the *Block 40 South Sidewalk Plan*, a sidewalk will be in front of the lots on Flourish Street and Garyscholl Road but not those on Hatton Garden Road.

b) Water Servicing

The lots were pre-serviced as part of the road works for the adjacent Plan of Subdivision File 19T-07V06. The servicing scheme, as proposed by the Owner's consultant, Schaeffer & Associates Ltd., shall utilize some of the existing water connections and add and/or relocate a number of service connections along Hatton Garden Road as the number of units will be increased. Restoration of the road to accommodate modifications to the servicing will be necessary and shall be in accordance with City standards.

c) Sanitary and Storm Servicing

Similar to the water servicing, the lots were pre-serviced for sanitary and storm connections and some of the existing sanitary and storm connections will be utilized and others will be added and/or relocated as required along Hatton Garden Road. Restoration of the road to accommodate modifications to the servicing will be necessary and shall be in accordance with City standards.

d) Storm Drainage

The drainage flow will be discharged to the existing Storm Water Management Pond built on the west side of Poetry Drive in accordance with the *Block 40 South Master Environmental Servicing Plan*.

e) Sewage and Water Allocation

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the subject lands is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject development may be recommended for Vaughan Council approval:

"THAT Draft Plan of Subdivision File 19T-14V007 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 20 residential units (70 persons equivalent)."

f) Environmental Site Assessment

The *Updated Environmental Site Assessment Report and Reliance Letter* for the subject lands has been accepted, subject to the following conditions being included as conditions of Draft Plan of Subdivision approval and included in the Subdivision Agreement:

- i) A certification letter confirming the removal of the two stockpiles of material on-site including results of any chemical testing of the material undertaken;
- ii) Documented proof of the proper decommissioning of all monitoring wells on the subject lands in accordance with O. Reg. 903; and,
- iii) If applicable, a certification letter prior to conveyance of lands to the City confirming that the conveyed lands meet the applicable Ministry of the Environment and Climate Change (MOECC) standards and are suitable for the proposed land use.

g) Environmental Noise/Vibration Impact

The preliminary noise report indicated that there are no significant noise sources influencing the subject lands, and as such, there are no acoustic measures required.

h) Streetlighting

Streetlighting shall meet City criteria within the Draft Plan of Subdivision and match the existing adjacent conditions.

i) Summary

The Vaughan Development Engineering and Infrastructure Planning Services Department has no objections to the development, subject to the conditions of approval in Attachment #1.

Vaughan Cultural Heritage Section

The Cultural Heritage Section of the Vaughan Development Planning Department advises that there are no objections to the proposal. However, the subject lands are located in an area identified as a being of high archaeological potential in the City's database of archaeological

resources. As such, the Owner is advised that the standard archaeological resource conditions requiring notification should archaeological resources and/or human remains be found on the property during grading or construction activities, and the Owner ceasing all grading or construction activities, are included as conditions of approval in Attachment #1 to this report.

Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed Draft Plan of Subdivision File 19T-14V007 and advises that two neighbourhood parks are proposed in the Block 40 South Plan, with their development to occur in the next two to three years, which will service the local community with basic outdoor recreational facilities. The expropriation of lands for the Block 40 South district park has also allowed the City to plan for more community-wide recreational uses such as a lit sport field, active play courts, water play and junior/senior playground. The public consultation process for the district park block is currently planned for the end of 2015, with funding for construction proposed in the capital budget cycle for 2016.

The total active parkland available in the Block 40 South Plan is approximately 11 ha. The parkland dedicated in the approved Block Plan has been satisfied and there is a slight over dedication of active parkland in the Block. The Vaughan Parks Development Department has reviewed the proposed residential development associated with the Poetry Living (The View) Ltd. Draft Plan of Subdivision File 19T-14V007 and the adjacent Belmont Properties (Weston) Inc. Draft Plan of Subdivision File 19T-14V009, estimated at approximately 61 dwelling units and have assessed that the impact to the planned parkland would be deemed to be negligible. The City will require cash-in-lieu of parkland for the additional residential units as per the City's approved Cash-in-Lieu of Parkland policies and procedures. Any monies collected will be put towards future parkland acquisitions to reduce the growing shortfall of active parkland at the City-wide level.

The Parks Development Department has no objections to the development, subject to the condition requiring cash-in-lieu of parkland, included in the recommendation of this report.

Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that prior to final approval of the Draft Plan of Subdivision, the Owner shall be required to enter into a Developers' Group Agreement with the other participating landowners within Planning Block 40 South to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of the dedication of parkland, and road and municipal services within Planning Block 40 South. This agreement shall also provide a provision for additional developers to join the Developers' Group Agreement, when they wish to develop their lands. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and the City's approved "Cash-in-Lieu of Parkland Policy". This is included in the recommendation of this report and conditions of approval in Attachment #1.

School Boards

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

Canada Post

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

Enbridge Gas Distribution

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

Relationship to Vaughan Vision 2020/Strategic Plan

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

i) Lead and Promote Environmental Sustainability

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

ii) Plan and Manage Growth & Economic Vitality

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

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

Regional Implications

York Region has advised that this development is located within the Maple North Wastewater Service Area and will be serviced from Water Pressure District PD 6.

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

York Region has no objection to the approval of the Draft Plan of Subdivision, subject to the conditions in Attachment #1.

Conclusion

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 20 lots (including two blocks) for detached dwelling units, as shown on Attachment #5. The proposed Draft Plan of Subdivision conforms to York Region and City Official Plan policies, and is in accordance with the approved Block 40 South Plan. The proposal facilitates a final phase of development to complete the build out of the neighbourhood.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #5 will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Vaughan Planning Department can support the approval of the Zoning By-law Amendment Application and the proposed zone

categories and exceptions, and the Draft Plan of Subdivision, subject to the recommendations in this report, and the Conditions of Approval set out in Attachment #1.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning
5. Draft Plan of Subdivision File 19T-14V007
6. Approved Block 40 South Plan

Report prepared by:

Judy Jeffers, Planner, ext. 8645
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

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-14V007
POETRY LIVING (THE VIEW) LIMITED (OWNER)
PART OF LOT 21, CONCESSION 6, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-14V007 (THE PLAN), ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, Drawing No. 15.3, prepared by KLM Planning Partners Inc., dated February 17, 2015.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of the *Planning Act*.
3. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
4. The Owner shall pay any and all outstanding application fees to the Vaughan Planning Department, in accordance with the in-effect Tariff of Fees By-law.
5. The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances included within the Plan shall be named to the satisfaction of the City and York Region.
8. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
9. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
10. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and York Region.
11. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate the Plan shall be coordinated and completed at the cost of the Owner.

12. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.
13. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes, which shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
14. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
15. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
16. Prior to the initiation of grading, and prior to the registration of the Plan or any phase thereof, the Owner shall submit to the City for review and approval the following:

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

 - a) Plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - b) The location and description of all outlets and other facilities;
 - c) Stormwater management techniques which may be required to control minor or major flows; and,
 - d) Proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
17. The Owner shall agree in the Subdivision Agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
18. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
19. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
20. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.

21. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the Plan prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
22. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
23.
 - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a Development Agreement with PowerStream Inc. which addresses the foregoing requirements.
 - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Inc. and the City.
24. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
25. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
 - b) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment and Climate Change (MOECC) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all the lands within the Plan.
 - c) Submit a certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) and signed by the Owner and QP stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MOECC document

"Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).

- d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
 - e) Provide a certification letter confirming the removal of the two stockpile material onsite including results of any chemical testing of material undertaken, to the satisfaction of the City.
 - f) Provide documented proof of the proper decommissioning of all monitoring wells on the Subject Property in accordance with O. Reg. 903, to the satisfaction of the City.
 - g) If applicable, provide a certification letter prior to conveyance of lands to the City confirming that the conveyed lands meet the applicable MOE standards and are suitable for the proposed land use, to the satisfaction of the City.
26. Prior to final approval, an environmental noise impact study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
27. Prior to the issuance of a Building Permit for any lot or block on the Plan, the Owner shall construct the remaining portion of Flourish Street flanking and fronting Lots 7 and 8, external to the Plan described as Parts 3 and 5 on Plan 65R-35085, in order to provide access and to complete the road network, to the satisfaction of the City.
28. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a Fill Permit issued by the City, and a Development Agreement, if necessary.
29. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
30. Blocks 20 and 21 shall be developed only in conjunction with abutting lands in Draft Plan of Subdivision File 19T-14V009 to the south, and Draft Plan of Subdivision File 19T-06V07 to the north, respectively. The City shall not issue a Building Permit for the said blocks until the lands are combined to the satisfaction of the City.
31. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
32. Prior to the issuance of a Building Permit for any lot or block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Services Department and the Vaughan Building Standards Department that the lot grading complies with the City of Vaughan lot grading criteria and the driveway as shown on the plan submitted for the construction of the building on that particular lot or block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.
33. The Owner shall agree to create easements for maintenance purposes for all lots providing side yards less than 1.2 m or having roof encroachments, prior to transfer of land.

34. No Building Permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the lot or block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
35. Notwithstanding the provisions (Subsection 5.1) generally included within the Subdivision Agreement, the City may issue model home Building Permits provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.
36. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance of the noise attenuation fence shall be the sole responsibility of the lot owner.
37. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire Plan:
- a) "Purchasers and/or tenants are advised that roads within the Plan may have been constructed using Alternative Development Standards. In April 1995, the Ministry of Housing and the Ministry of Municipal Affairs published the Alternative Development Standards as a guideline to municipalities. The Province of Ontario has been promoting the use of these guidelines which provide for reduced pavement widths."
 - b) "Purchasers and/or tenants are advised that traffic calming measures may have been incorporated into the road allowances."
 - c) "Purchasers and/or tenants are advised that public transit routes have not been determined for the area within the Plan, however, internal streets may be subject to public transit bus traffic."
 - d) "Purchasers and/or tenants are advised that the collector and primary roads within the development area are expected to support more traffic than local roads and, if demand warrants, transit routes in the future."
 - e) "Purchasers and/or tenants are advised that the Owner/Builder shall provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable)."
 - f) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling."
 - g) "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this Subdivision Agreement."

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

- h) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio-Television and Telecommunications Commission (CRTC) authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- i) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:

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

Lot Frontage	Maximum Width of Driveway
6.0 - 6.99m ¹	3.5m
7.0 - 8.99m ¹	3.75m
9.0 - 11.99m ¹	6.0m
12.0m and greater ²	9.0m

¹The Lot Frontage for Lots between 6.0 – 11.99m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

²The Lot Frontage for Lots 12.0m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2."

- j) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the Community Plan provided by the Owner in its sales office."
- k) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- l) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings."

- m) "The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this Subdivision Agreement."
- n) "Purchasers and/or tenants are advised that fencing along the lot lines of lots and blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

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

- o) "Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner's responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice."
- p) "Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each residential unit as a requirement of this Subdivision Agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City's waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC), 2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue."

Any additional warning clause as noted in the Subdivision Agreement shall be included in all Offers of Purchase and Sale or Lease for all lots and/or blocks within the Plan to the satisfaction of the City.

- 38. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the Plan abutting or in proximity of any parkland or walkway or school:
 - a) "Purchasers and/or tenants are advised that the Lot and/or Block abutting or in proximity of a "Neighbourhood Park" or school of which noise and lighting may be of concern due to the nature of the park or school for active recreation."

39. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the Plan abutting or in proximity of any open space lands (park/buffer):
- a) "Purchasers and/or tenants are advised that the adjacent open space lands (park/buffer) may be left in a naturally vegetated condition and receive minimal maintenance."
40. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the Plan abutting or in proximity of any open space lands (park/buffer) or school block:
- a) "Purchasers and/or tenants are advised that the installation of any gate or access point from the lot and/or block to open space lands or school block is prohibited."
41. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the offers of purchase and sale or lease for such lot or block.
42. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:
- The block plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
 - The location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
 - The location of parks, open space, stormwater management facilities and trails.
 - The location of institutional uses, including schools, places of worship, community facilities.
 - The location and type of commercial sites.
 - Colour-coded residential for singles, semis, multiples, and apartment units.
 - The following notes in BOLD CAPITAL TYPE on the map:

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

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

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

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

43. The Owner shall agree to notify both the Ministry of Tourism and Culture and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Section immediately in the event that:
- a) Archaeological resources are found on the property during grading or construction activities, to which the Owner must cease all grading or construction activities.
 - b) Human remains are encountered during grading or construction activities, the Owner must cease all grading or construction activities. The Owner shall contact York Region Police, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
44. Prior to final approval, the Owner shall agree in the Subdivision Agreement to the following:
- a) All development shall proceed in accordance with the Vaughan Council approved Block 40 South Architectural Design Guidelines prepared by John G. Williams Limited, Architect.
 - b) A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines.
 - c) Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved Architectural Design Guidelines.
 - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
45. Prior to final approval, the Owner shall agree in the Subdivision Agreement to the following:
- a) All development shall proceed in accordance with the approved Block 40 South Cold Creek Estates Master Landscape Plan prepared by NAK Design Group.
46. Prior to final approval, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.
47. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots and blocks that abut the parkland.
48. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.8 metre high galvanized chain-link fence or approved equal along the limits of the residential lots and blocks that abut the school lands.
49. The Owner shall agree in the Subdivision Agreement to erect permanent wood fence treatments for flanking residential lots and residential blocks, to be co-ordinated with the environmental noise report and architectural design guidelines.

York Region Conditions

50. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City for the development proposed within the Plan or any phase

thereof. Registration of the Plan shall occur in phases based on the availability of water supply and sewage servicing allocation.

51. The Owner shall agree in the subdivision agreement that the Owner shall save harmless the City and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
52. Prior to final approval, the engineering drawing showing the layout of the watermain and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
53. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Corporate Services Department, outlining all requirements of the Corporate Services Department.
54. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

Canada Post Condition

55. The Owner shall agree to:
 - a) Consult with Canada Post to determine the location(s) of the community mailboxes and indicate the community mailbox location(s) on the appropriate servicing plans and provide Canada Post with 2 copies of the utility co-ordination plan for use in identifying the community mailbox location(s).
 - b) Provide the following for each community mailbox site, as shown on the servicing plans:
 - i) A sidewalk section (concrete pad), as per municipal and Canada Post standards, to support the mailbox(es).
 - ii) Any required walkway across the boulevard, as per municipal standards.
 - iii) Any required curb depressions, to allow barrier free access.
 - c) Provide a suitable temporary community mailbox location(s) until the curbs, sidewalks and final grading have been completed at the permanent location(s).
 - d) Include in all Offers of Purchase and Sale, or Lease for all lots/blocks that mail delivery shall be from a designated community mailbox, and notify the purchasers and/or tenants of the exact community mailbox location(s) prior to the closings of any dwelling unit.
 - e) Provide a copy of the executed Subdivision Agreement to Canada Post.

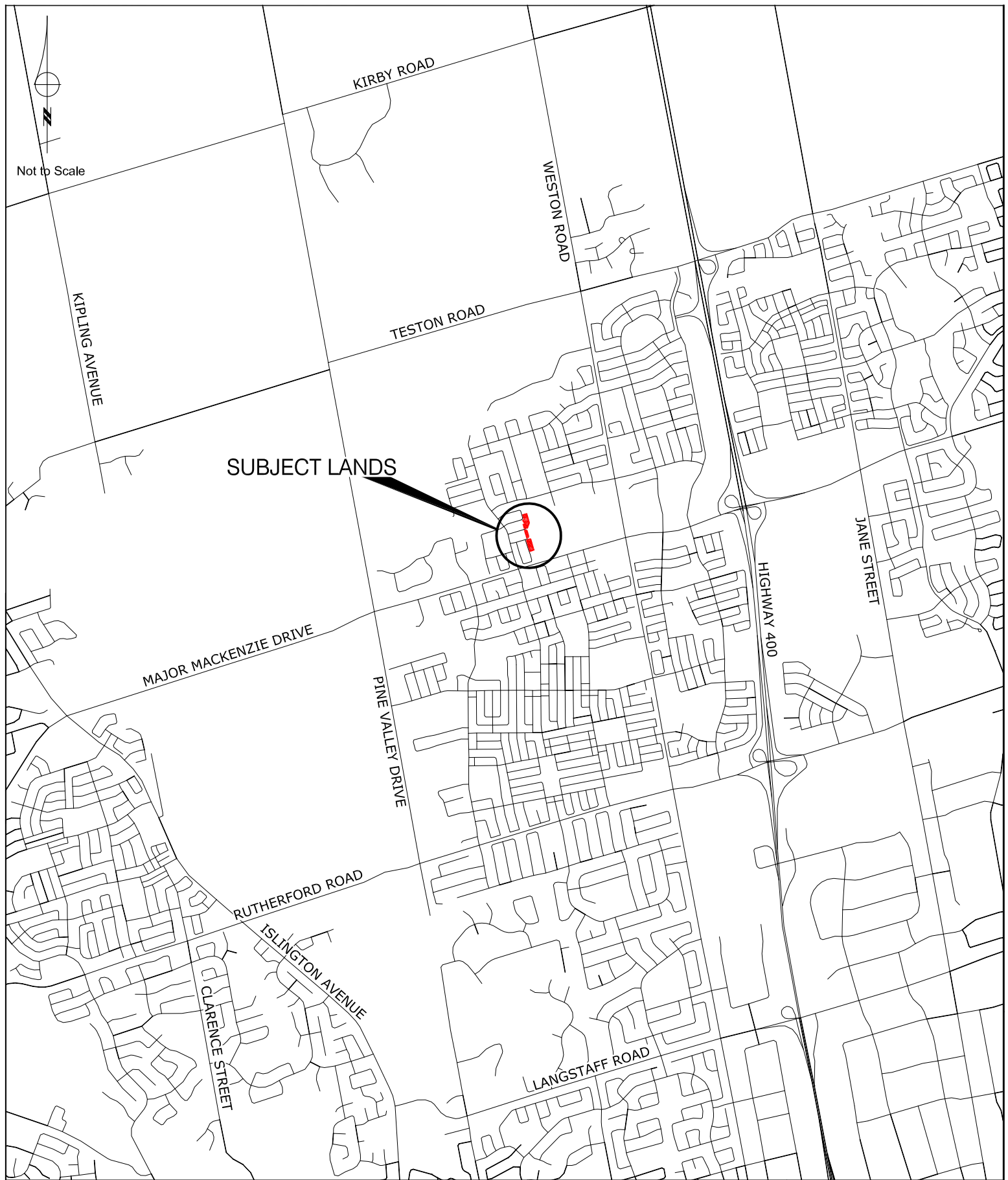
Enbridge Gas Distribution Condition

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

- d) Grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines.
- e) Provide the municipally approved road cross-sections showing all utilities in the configuration proposed for all of the street widths within the development.
- f) Ensure that the location of the gas main shall be a minimum of 0.6 m from the street line.

Clearances

- 57. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
 - a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services.
 - b) All government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 56 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 58. The City shall advise that Conditions 1 to 49 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
- 59. York Region shall advise that Conditions 50 to 54 inclusive, have been satisfied. The clearance letter shall include a brief statement detailing how each condition has been met.
- 60. Canada Post shall advise that Condition 55 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.
- 61. Enbridge Gas Distribution shall advise that Condition 56 has been satisfied. The clearance letter shall include a brief statement detailing how the condition has been met.



Context Location Map

LOCATION: Part of Lot 21,
Concession 6

APPLICANT: Poetry Living
(The View) Limited

N:\DFT\1 ATTACHMENTS\19\19T-14v007z.14.031.dwg



Development Planning Department

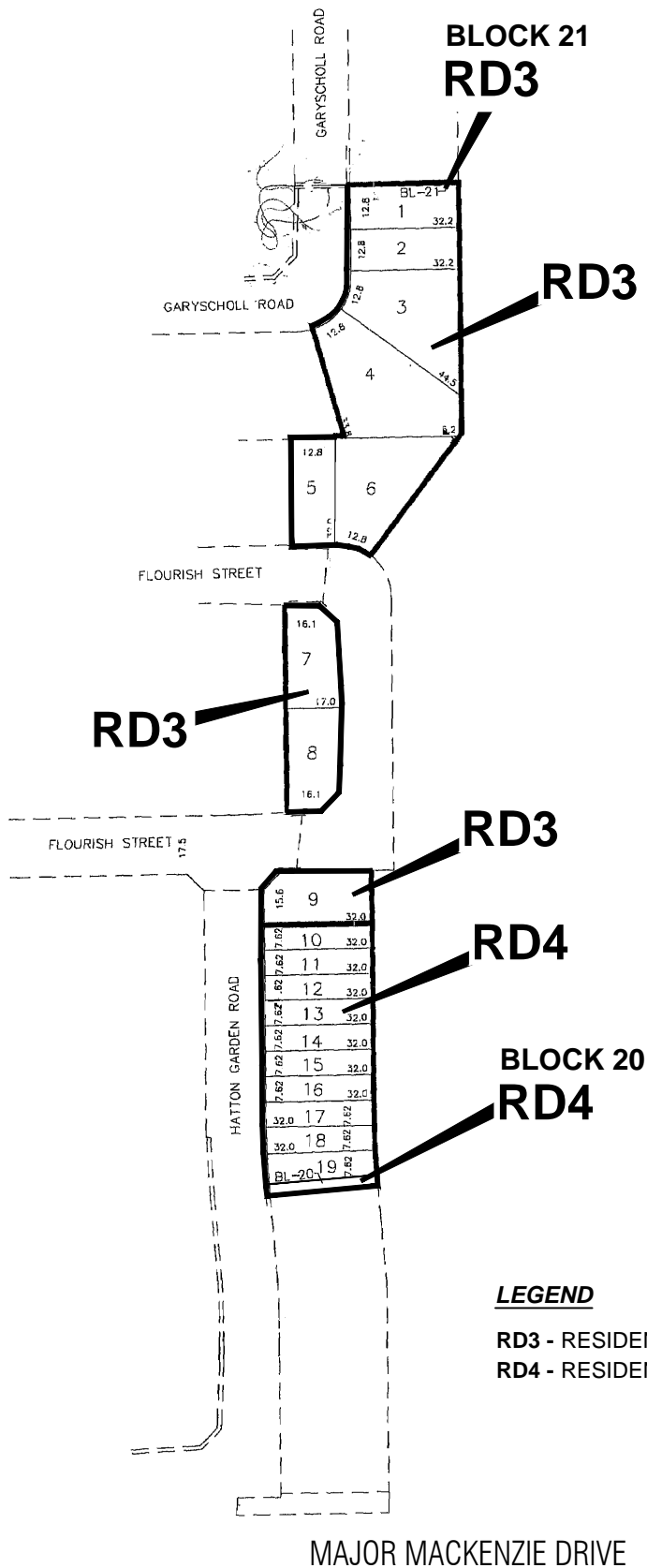
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FILES:
Z.14.031 &
19T-14V007

DATE:
March 3, 2015

2

3



Proposed Zoning

LOCATION: Part of Lot 21,
Concession 6

APPLICANT: Poetry Living
(The View) Limited

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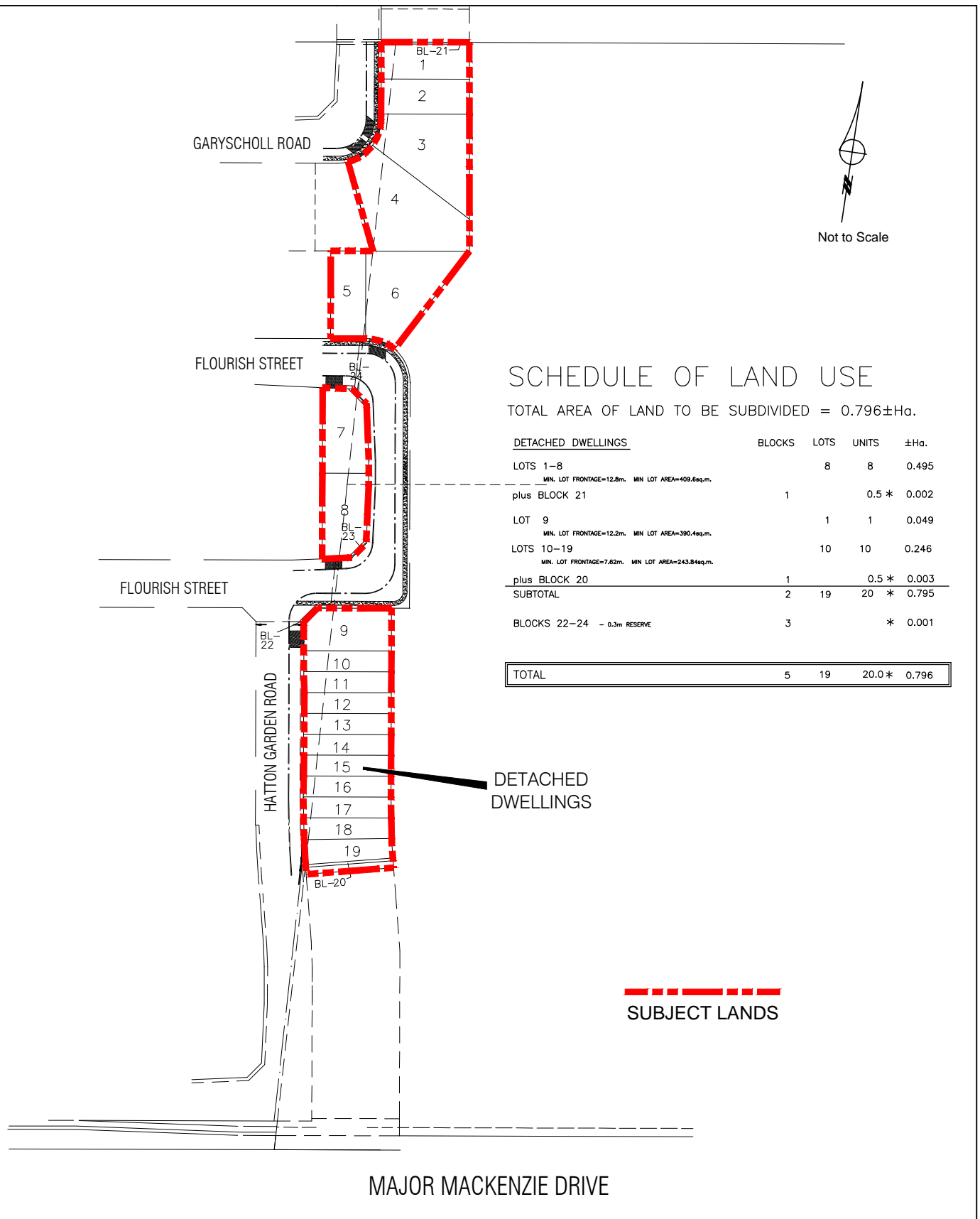
Development Planning Department

Attachment

FILES:
19T-14V007 &
Z.14.031

DATE:
March 18, 2015

4



Draft Plan of Subdivision
File 19T-14V007

APPLICANT: Poetry Living
(The View) Limited

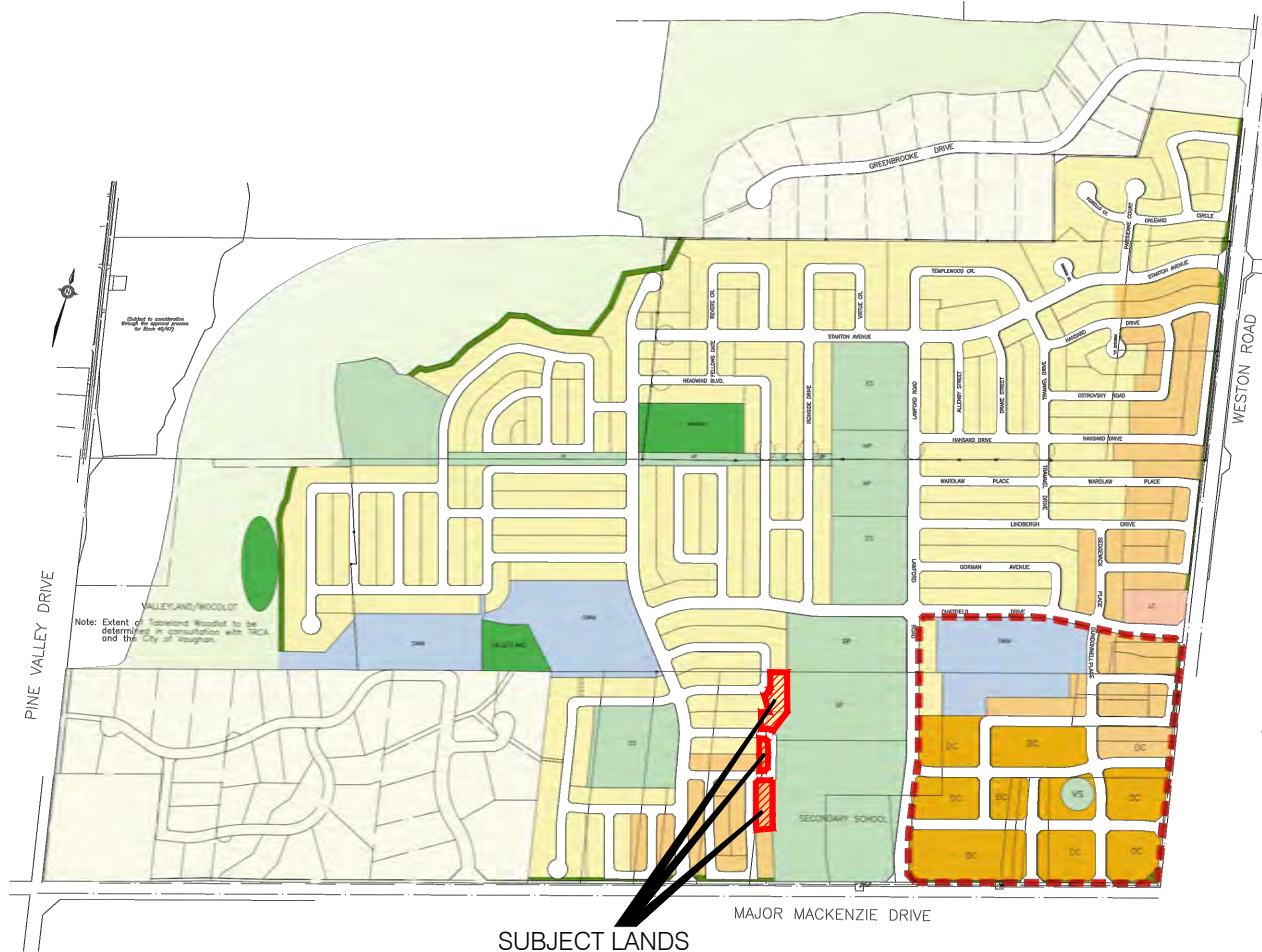
LOCATION: Part of Lot 21,
Concession 6



Development Planning Department

Attachment
FILES:
Z.14.031 &
19T-14V007
DATE:
March 18, 2015
5

BLOCK 40 (SOUTH) BLOCK PLAN



LEGEND

- EXISTING ESTATE RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- COMMERCIAL
 - NC - NEIGHBOURHOOD COMMERCIAL
 - LC - LOCAL COMMERCIAL
- DISTRICT CENTRE
- PARK \ INSTITUTIONAL
 - ES - ELEMENTARY SCHOOL
 - SS - SECONDARY SCHOOL
 - DP - DISTRICT PARK
 - NP - NEIGHBOURHOOD PARK
 - LP - LINEAR PARK
 - VS - VILLAGE SQUARE
- STORM WATER MANAGEMENT
- WOODLOT \ VALLEYLAND
- BUFFERS



SUBJECT LANDS

Not to Scale

Approved Block 40 (South) Block Plan

APPLICANT: Poetry Living
(The View) Limited

LOCATION: Part of Lot 21,
Concession 6

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Development Planning Department

Attachment

FILES:
Z.14.031 &
19T-14V007

DATE:
March 3, 2015

6

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 064-2015

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

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

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

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
 - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from A Agricultural Zone and RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)” to RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol “(H)”, RD4 Residential Detached Zone Four and RD4(H) Residential Detached Zone Four with the addition of the Holding Symbol “(H)”, in the manner shown on the said Schedule “1”.
 - b) Deleting Paragraph A in Exception 9(1334) and substituting therefor with the following:

“A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1462”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(3) or (4) of the Planning Act:

 - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 064-2015, or the production of field crops;
 - ii) Removal of the Holding Symbol “(H)” from the Subject Lands, or a portion thereof, shall be contingent on the following:
 - a) Block 20 shall only be developed in conjunction with the adjacent lands to the south (Plan of Subdivision 19T-14V009);
 - b) Block 21 shall only be developed in conjunction with the adjacent lands to the north (Plan of Subdivision 19T-07V06).”
 - c) Deleting clauses a) and b) after Paragraph B in Exception 9(1334) and substituting therefor with the following:

“a) Subsection 2.0 respecting Definitions (Lot Line, Front and Lot, Through);

b) Subsections 3.14 a) and d) respecting Permitted Yard Encroachments and Restrictions in a RD3 Residential Detached Zone Three and RD4 Residential Detached Zone Four;

- c) Subsection 4.22.3 and Schedule “A3” respecting the Minimum Yards and Minimum Interior Garage Width in a RD3 Residential Detached Zone Three;
 - d) Subsection 4.22.3 and Schedule “A3” respecting the Minimum Lot Frontage, Minimum Lot Area, Minimum Yards, Maximum Building Height and Minimum Interior Garage Width in a RD4 Residential Detached Zone Four;
 - e) Subsection 4.22.3 and Schedule “A3” respecting the Maximum Building Height in a RT1 Residential Townhouse Zone;”
- d) Deleting sub-clauses ai), aii), aiii) and bi) after clause b) in Exception 9(1334) and substituting therefor with the following:
- “ai) For the purposes of this By-law, the following shall apply:
 - The front lot line for Blocks 60 to 67 inclusive shall be Street “1”;
 - bi) A fireplace or chimney may be permitted as an additional encroachment, which may encroach up to a maximum of 0.5 m in any yard, where the yard is a minimum of 1.2 m;
 - ci) The lots zoned RD3 Residential Detached Zone Three shall have the following requirements:
 - minimum exterior side yard for Lots 2, 7A, 8A, 9A, 11, 14, 23, 42 and 68: 3.5 m, subject to Notes 1 and 5 on Schedule “A3”;
 - minimum exterior side yard for Block 92: 2.6 m, subject to Notes 1 and 5 on Schedule “A3”;
 - minimum interior garage dimensions (width x length) for Lot 5A: 5.4 m x 6 m, subject to Note A.1. on Schedule “A3”;
 - di) The lots zoned RD4 Residential Detached Zone Four shall have the following requirements:
 - minimum lot frontage: 7.5 m;
 - minimum lot area: 225 m²;
 - minimum front yard: 4.5 m (1)
 - (1) the minimum front yard setback to an attached garage that faces the lot line shall be 5.8 m;
 - minimum rear yard: 7 m;
 - minimum interior side yard: 1.2 m (2), subject to Note 3 on Schedule “A3”
 - (2) the minimum interior side yard setback on one side may be reduced to 0.45 m where it abuts a minimum yard of 1.2 m;
 - minimum exterior side yard: 4 m, subject to Notes 1 and 5 on Schedule “A3”;
 - maximum building height: 10 m;
 - maximum building height for Lots 10A, 11A, 12A, 13A, 14A, 15A, 16A, 17A, 18A and 19A, and Block 20A: 11 m;

- maximum interior garage width: 3.05 m (3), subject to Note A.1. on Schedule "A3"

(3) the maximum interior garage width may be increased on a lot with a frontage less than 11 m provided the increase in width shall:

- i) only occur on an interior wall;
- ii) be a maximum of 1.8 m in width, beyond the maximum permitted 3.05 m; and,
- iii) not occur within the first 1.2 m immediately behind the garage face or door;

- ei) The lots zoned RT1 Residential Townhouse Zone Four shall have the following requirement:

- maximum building height for Blocks 60 to 67: 10 m."

- e) Deleting Schedule "E-1462" and substituting therefor the Schedule "E-1462" attached hereto as Schedule "2".
- f) Deleting Schedule "E-1297" and substituting therefor the Schedule "E-1297" attached hereto as Schedule "3".
- g) Deleting Key Map 6E and substituting therefor Key Map 6E attached hereto as Schedule "4".

2. Schedules "1", "2", "3" and "4" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 21st day of April, 2015.

Hon. Maurizio Bevilacqua, Mayor

Jeffrey A. Abrams, City Clerk

SUMMARY TO BY-LAW 064-2015

The lands subject to this By-law are located north of Major Mackenzie Drive and west of Weston Road, in Lot 21, Concession 6, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from A Agricultural Zone and RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)" to RD3 Residential Detached Zone Three, RD3(H) Residential Detached Zone Three with the addition of the Holding Symbol "(H)", RD4 Residential Detached Zone Four and RD4(H) Residential Detached Zone Four with the addition of the Holding Symbol "(H)" to facilitate 19 detached dwelling units and 2 blocks for detached dwelling units on 0.79 ha in Plan of Subdivision 19T-14V007. The By-law also provides the requirements for removing the Holding Symbol "(H)".

The By-law further provides exceptions to the permitted yard encroachments and restrictions, minimum lot frontage, minimum lot area, minimum yards and maximum interior garage width standards.