

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

Item 37, Report No. 32, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 25, 2013.

**37**

**OFFICIAL PLAN AMENDMENT FILE OP.12.015  
ZONING BY-LAW AMENDMENT FILE Z.12.035  
DRAFT PLAN OF SUBDIVISION FILE 19T-12V009  
NINE-TEN WEST LIMITED  
WARD 4 - VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning and the Director of Development Planning, dated June 18, 2013, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.015 (Nine-Ten West Limited) BE APPROVED, specifically to amend OPA #600, as amended by OPA #651 (Carrville District Centre Plan), for the subject lands shown on Attachments #2 and #3, as follows:
  - a) to redesignate the subject lands from "Mixed Use 1", "High Density Residential", "Medium Density Residential", "Parks", and "Valleylands/Woodlots" to "Low-Rise Mixed-Use", "High-Rise Mixed-Use", "High-Rise Residential", "Parks", and "Natural Areas" in the manner shown on Attachment #5, thereby reconfiguring the land use designations approved through OPA #651 (Attachment #4) and re-naming the land use designations to be consistent with those used in Vaughan Official Plan 2010;
  - b) to modify the maximum permitted building height and density (Floor Space Index) in each land use designation in OPA #651 as shown on Attachment #4 to the maximum building heights and densities shown on Attachment #5, thereby permitting maximum building heights and densities that are more consistent with those approved for this area in Vaughan Official Plan 2010 (Attachment #7);
  - c) to reconfigure the approved road network shown on Attachment #4, in the manner shown on Attachment #6;
  - d) to require that the Open Space Greenway (Block 11) as shown on Attachment #9 located along Rutherford Road be conveyed to the Toronto and Region Conservation Authority (TRCA) free of all costs and encumbrances and that the said Open Space Greenway shall not form part of the parkland dedication to the satisfaction of the City;
  - e) to include policies that require sustainable community objectives be implemented through site designs that support cycling and walking, ensures connectivity to the broader community, and provide transit opportunities, water and energy efficiencies, energy alternatives, and green building design and site development; and,
  - f) to include policies for Blocks 15, 16a, 16b, 17 and 18 as shown on Attachment #9, to facilitate a 10 metre wide ecological buffer abutting the natural features in Blocks 8, 9a, 9b and 10, for dedication of said Blocks to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA.

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2. THAT Zoning By-law Amendment File Z.12.035 (Nine-Ten West Limited) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone as shown on Attachment #3 to RT1(H) Residential Townhouse Zone and RA3(H) Apartment Residential Zone each with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #8.
3. THAT the implementing Zoning By-law include the site-specific zoning exceptions identified in Table 1 of this report and any necessary exceptions resulting from Public Agency and/or City comments to implement the Draft Plan of Subdivision File 19T-12V009.
4. THAT the Holding Symbol "(H)" shall not be removed on the subject lands zoned RT1(H) and RA3(H) until such time as the following condition is addressed to the satisfaction of the City:
  - a) That the City of Vaughan Council adopt a resolution allocating sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the City's approved Servicing Capacity Distribution Protocol assigning capacity to the subject lands for the proposed townhouses and apartment dwelling units.
5. THAT Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) dated May 9, 2013, as shown on Attachment #9, BE APPROVED, subject to the conditions in Attachment #1.
6. THAT the Notice of Approval for Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) not be issued until such time as the implementing Official Plan Amendment (File OP.12.015) is in full force and effect.
7. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V009 contain the following provision:
  - a) the Owner shall dedicate parkland and/or 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 Department, Real Estate Division, and the approved appraisal shall for the basis of the cash-in-lieu payment.
8. THAT prior to final approval of Draft Plan of Subdivision File 19T-12V009, the Subdivision Owner shall provide the City with written confirmation from the Developers Group that the Owner is a member in good standing with the Group. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland dedication, roads and municipal services within Block 11. This Agreement shall also provide a provision for additional developers to participate within the Developers Group Agreement when they wish to develop their lands.
9. THAT the Transportation Management Plan/Sidewalk Plan for Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) as shown on Attachment #11, BE APPROVED, subject to the conditions in Attachment #1 of this report.

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#### Contribution to Sustainability

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

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

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

Goal 2: To ensure sustainable development and redevelopment

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

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 Design Guidelines submitted in support of the applications indicate that through the implementation of the site design, landscape design, and building design, the development will achieve energy star requirements and will include the following sustainable site and building features:

- i) compact urban form, walkability to transit, schools, parks, trail system, commercial and cultural activities;
- ii) represents intensification, utilizes existing infrastructure, presents opportunities for shared utilities and conservation of energy;
- iii) connected and permeable street network and enhanced streetscapes and pedestrian environment to encourage pedestrian activity, provide a safe comfortable pedestrian environment, facilitate efficient movement of pedestrians, cyclists, transit and vehicles through and within the community;
- iv) preservation of natural heritage and open space systems to provide an accessible, connected and diverse range of parks and gathering places to provide active and passive recreational opportunities for residents to encourage walking and cycling;
- v) promote passive solar orientation to permit enhanced efficiencies and optimal conditions for solar strategies;
- vi) reduction of indoor water use through use of high-efficiency plumbing, utilize outdoor landscaping which improves water quality and conservation through stormwater management quantity and quality controls, and use of native adaptive and drought tolerant plant species on the slope banks for erosion and sedimentation control;
- vii) bicycle and pedestrian routes throughout to encourage cycling and walking and public transit use; and,
- viii) construction waste will be managed on site by sorting, recycling and reusing materials wherever possible.

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**Economic Impact**

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

**Communications Plan**

On October 12, 2012, the Notice of a Public Meeting was circulated to all property owners within 150 m, the extended polling area shown on Attachment #3, and to the Valleys of Thornhill Ratepayers Association. A Public Hearing was held on November 6, 2012, and a number of residents attended and provided the following comments:

a) Traffic and Transit

Impact of the development on traffic in the area; no rapid transit in the area; and, GO Transit is at capacity at the Rutherford Station.

Response:

Traffic studies have been completed for the Carrville District Centre Plan through the OPA #651 approval process and the review of the subject applications. These studies have been reviewed and approved by the City of Vaughan Development / Transportation Engineering Department, the Region of York and GO Transit. If the applications are approved, development must comply with the recommendations in the approved Traffic Studies including pedestrian and traffic systems. Comments respecting traffic and the road network are discussed further in the Vaughan Development/Transportation Engineering Department section of this report.

b) Density

The proposed densities are too high and too many apartment units will be built within the area resulting in a change to the “community feeling”. Concern was expressed that the change may impact security and safety.

Response:

The density of the proposal is consistent with the objectives of OPA #651, to establish a District Centre in this area which is intended to become a centre of commercial and residential activities within the Carrville Community. The proposed density is consistent with VOP 2010 policies for the subject lands. The Owner is proposing to re-distribute the density, approved in OPA #651 (Attachment #4) in the manner shown on Attachment #5.

c) Building Height

Residents questioned the relationship of the high-rise building height in storeys (maximum 22-storeys) to the actual height in metres (approximately 77 m) and how the height ranges will be controlled. Since the site slopes downward to the east, there was a concern that it exaggerates the building height.

Response:

Revisions were made to the development concept which reduced the size of the high-rise residential block and relocated it further west to reduce the impacts. Maximum building heights will be controlled through the implementing Official Plan and Zoning By-law.

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d) Impact on Community

Residents questioned whether the buildings will improve the financial, social and aesthetic value of the community and suggested that the high density residential block be moved further west on the site, so that it would not overlook or create shadows on the townhouses.

Response:

The Carrville District Centre Plan (OPA #651) is an approved Official Plan Amendment. The high-rise block has now moved to the west to create a greater distance separation to the existing residential community to the east.

e) Timeline for Development

Residents questioned the timeline for development.

Response:

The Owner has been working with the City to approve plans for the development of the subject lands for approximately 10 years. The townhouses will be the first phase of development but full build out of the area could take many years.

f) Parkland

Vaughan Council expressed that the development should minimize impacts on the park, and that building heights adjacent to the parks should not create shadows on the parks. In addition, the trails and connections between the proposed parks should be addressed at the earliest stage of the development process and that the possibility of a connection to the MacMillan lands be investigated. A resident indicated more park along Crimson Forrest would be ideal.

Response:

The Owner agreed and has revised the plan to relocate the High-Rise Mixed Use block southwest to mitigate the impact of shadows on the parks and has positioned the park blocks adjacent to the natural areas such that a connectivity of the open space areas and the opportunity for a future connection to the MacMillan lands is provided.

g) Sidewalks - Rutherford Road

The lack of sidewalks along Rutherford Road and pedestrian safety were raised and it was suggested that the Owner provide temporary sidewalks.

Response:

At the Public Hearing, Vaughan Council discussed the Region's Rutherford Road Environmental Assessment, the future cross section of the roadway, provision of sidewalks on Rutherford Road and on Dufferin Street, and clarified the City and the Owner's responsibilities regarding sidewalks. The residents were advised that the EA process is lengthy and may not be completed for a period of up to 2 years. Temporary sidewalks are costly and landownership issues impact the immediate construction of the sidewalks. Through the development approval process, there will be a requirement for the Owner to construct the sidewalks along the frontage of the subject lands.

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h) Possibility of Commercial Uses on the Subject Lands

Suggestions were made to include office commercial development on the subject lands to provide employment opportunities within the area.

Response:

The Owner is also the primary landowner on the west side of Dufferin Street and commercial uses are approved through OPA #651 for the west side of Dufferin Street, so additional commercial uses are not necessary on the subject lands.

i) Garbage

The site is an area for unauthorized garbage dumping, particularly along Marc Santi Boulevard.

Response:

The Owner has taken measures to clean up the site, monitor the property with security cameras and provide fencing along the property to prevent further dumping. Redevelopment of the subject lands will prevent garbage being dumped on the site in the future.

j) Notice of Public Hearing

Resident indicated 20 days notice was inadequate for the meeting.

Response:

The City's Notification of the Public Hearing was sent in accordance with the requirements of the *Planning Act*. The standard polling area was expanded beyond the minimum Provincial requirement of 120 m and the City's minimum requirement of 150 m to include residents in a broader area within Blocks 10, 11, 17, and 18, as shown on Attachment #3.

k) Impact on Ecosystem

Concern was raised that the high rise building on Block 7 will have a shadowing impact on the park.

Response:

The Owner revised the development concept, reduced the size of Block 7 and the park block was relocated further north on Crimson Forest Drive. Shadow studies will be required prior to the approval of future Site Plan applications for all high-rise buildings.

l) Additional Community Meeting

Vaughan Council asked the Owner to work with the residents to resolve concerns raised at the Public Hearing.

Response:

The Owner considered the general and specific concerns raised by the public, and the review by City Departments and public agencies and the Vaughan Urban Design Review Panel, regarding the location, orientation and mix of residential land uses, roads and open space,

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and where practical and possible, changes were made to the original proposed development concept and Draft Plan of subdivision in response to the issues, comments, concerns and requests.

A community open house, hosted by the Owner, was held in February 2013, to present and discuss the revised development concept and the Draft Plan of Subdivision with area residents.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 6, 2012, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 20, 2012.

**Purpose**

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

1. Official Plan Amendment File OP.12.015 to amend the approved in-effect OPA #600, as amended by OPA #651 (Carrville District Centre Plan) to re-designate the subject lands from “Mixed Use 1”, “High Density Residential”, “Medium Density Residential”, “Parks”, and “Valleylands/Woodlots” as shown on Attachment #4 to “Low-Rise Mixed-Use”, “High-Rise Mixed-Use”, High-Rise Residential”, “Parks”, and “Natural Areas” in the manner shown on Attachment #5, thereby reconfiguring the land use designations approved through OPA #651 and re-naming the land use designations to be consistent with those used in Vaughan Official Plan 2010; and, to reconfigure the approved road network shown on Attachment #4, in the manner shown on Attachment #6.
2. Zoning By-law Amendment File Z.12.035, specifically to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone shown on Attachment #3 to the following zone categories in the manner shown on Attachment #8:
  - a) RT1(H) Residential Townhouse Zone (Standard Lot) with the Holding Symbol “(H)” (Blocks 1 and 6);
  - b) RT1(H) Residential Townhouse Zone (Lot accessed by Lane) with the Holding Symbol “(H)” (Blocks 2 to 5 inclusive);
  - c) RA3(H) Apartment Residential Zone with the Holding Symbol “(H)” (Block 7);
  - d) OS1 Open Space Conservation Zone (Blocks 10 and 15);
  - e) OS2 Open Space Park Zone (Blocks 11 to 14 inclusive); and,
  - f) OS5 Open Space Environmental Protection Zone (Blocks 8, 9a, 9b, 16a, 16b, 17, 18, 19, 20, and 21).
3. Draft Plan of Subdivision File 19T-12V009 to facilitate the Plan of Subdivision shown on Attachment #9 consisting of the following:

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a) Low-Rise Mixed-Use (Blocks 1 to 6 - 240 townhouse units)	5.08 ha
b) High-Rise Residential (Block 7 - 555 apartment units)	1.05 ha
c) Natural Areas (Blocks 8 to 10)	6.83 ha
d) Open Space Greenway (Block 11)	0.05 ha
e) Parks (Blocks 12 to 14)	2.46 ha
f) Buffer Areas (Blocks 15 to 21)	1.25 ha
g) <u>Public Rights-of-Way (Streets "A", "B" and "C")</u>	<u>1.07 ha</u>
Total	17.78 ha

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

##### Location

The 17.8 ha vacant subject lands shown on Attachments #2 and #3 are located in the Block 11 quadrant of the Carrville District Centre bounded by Dufferin Street, Rutherford Road, Crimson Forrest Drive, and the MacMillan Reserve located north of Marc Santi Boulevard. The subject lands include a number of natural features, woodlots, valley lands and stream corridors which are located along the northern property boundary, and in the southwest and southeast corners of the site. The remainder of the site is tableland. The surrounding land uses are shown on Attachment #3.

##### Supporting Documentation:

The following studies and reports were submitted in support of the applications:

- Planning Rationale Report, Planning Partnership, September 2012, revised March 2013;
- Environmental Noise Feasibility Study, Valcoustics, September 2012, revised March 2013;
- Slope Stability Report, AME Materials Engineering, September 2012;
- Environmental Impact Study, Beacon Environmental, September 2012, revised March 2013;
- Block 11 Tree Inventory Paul Cosburn Associates Limited, September 2012;
- Urban Design and Sustainable Design Guidelines/Brief, September 2012, revised March 2013;
- Landscape Master Plan, The Planning Partnership, September 2012, revised March 2013;
- Pedestrian and Bicycle Circulation Plan, The Planning Partnership, September 2012, revised March 2013;
- Park System Plan, The Planning Partnership, September 2012, revised March 2013;
- Road Hierarchy Plan, The Planning Partnership, September 2012, revised March 2013;
- MESP Update-Functional Servicing Report, by Schaeffers Consulting Engineers, September 2012, revised February 2013;
- Archaeological Assessment and Clearance Letters, Ministry of Culture, Province of Ontario, September 2012; and,
- Traffic Impact Overview Assessment Study, Poulos & Chung, September 2012, revised March 2013.

The studies and reports were reviewed by the respective City Departments and Public Agencies. Comments on these reports and related conditions of approval are discussed in the Land Use Policies and Planning Considerations section in this report.

##### Vaughan Design Review Panel (DRP)

The development proposal was reviewed by the Vaughan Design Review Panel in October 2012.

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The DRP made the following suggestions for consideration by the applicant and the Vaughan Development Planning Department:

- develop a distinct urban character park; use the topography and site slopes to take advantage of central park overlooks; consider step seating;
- reconfigure the main park (maintain its size) but reposition it more central and more continuous to the overall plan;
- there are large areas of open space in the proposal; explore design opportunities between the open space and urban areas;
- create connectivity across the centre of the plan and into adjacent lands, with a full intersection at Dufferin Street and Street “A”;
- refine the street network to replace curved Street ‘A’ with a street that approaches Marc Santi Boulevard at a 90 degree angle since a sharper corner creates a regular more efficient block shape resulting in better quality buildings, slower traffic, and makes for a prominent pedestrian connection to the urban park;
- provide a substantial pedestrian right-of-way (R.O.W) across the urban park and develop a landscape plan which enhances the importance of the east-west connection across the park;
- include a public art strategy integrating art into the public realm;
- shift the segment of Street ‘C’ between Blocks 1 and 2 northward for a more traditional block size to accommodate a greater variety of built form;
- improve the quality of place at the intersection of Streets ‘B’ and ‘C’ with 3 corners of townhouse units and 1 corner of urban park;
- townhouse blocks should have a more robust urban form to create an urban place;
- transition height and density on site from low density adjacent to Crimson Forrest Drive, to high density on the westerly portion of site;
- consider medium density development central to the site;
- consider how high-rise towers relate to the topography of Block 7;
- work with the topography and natural features to go beyond the usual sustainable design checklist; and,
- show how public transit integrates into the urban fabric and how people will move around the site without cars.

The applicant has since revised their plan to address the DRP comments in the manner shown on Attachments #8 and #9.

#### Land Use Policies and Planning Considerations

The Vaughan Development Planning Department has reviewed Official Plan Amendment File OP.12.015, to redesignate the subject lands in the manner shown on Attachment #5 in light of the following land use policies:

##### a) Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) includes policies that: encourage the focus of new growth within urban areas; direct new development to occur adjacent to the existing built up area; and require that new development shall have a compact form, and a mix of uses and densities that allow for the efficient use of the land, infrastructure and public service facilities. The subject lands are vacant lands within the serviced urban area of the City of Vaughan. The proposal for a development within the Carrville District Centre, which is planned for a mix of residential densities including townhouses, high-rise residential and high-rise mixed-use development meets the intent of the PPS with respect to the efficient use of land and infrastructure and will promote efficient land use and development patterns to support a livable and healthy community. The proposed development will also make efficient use of the existing facilities within the surrounding area. The proposed development conforms to the goals, objectives and policies of the PPS.

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b) Places to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan policies guide the development of the Greater Golden Horseshoe area, and contribute to creating complete communities by encouraging compact built form that supports walking, cycling, street configurations which provide for transit supportive communities, diverse land uses and densities which allow for efficient use of land, and a range and mix of housing types, and directs growth to “Settlement Areas” serviced with existing municipal water and wastewater systems. Opportunities for the optimal use of land and infrastructure are provided for by the Growth Plan by directing new growth to existing urban areas. The Growth Plan encourages new development within designated growth areas to occur adjacent to the existing built up areas, be of compact form, and incorporate a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands are a vacant greenfield area which is planned and designated for these uses, and located adjacent to a built up area. The Carrville Area is supported by existing municipal water and sewer systems and existing public transit. The proposed development conforms to the policies of the Growth Plan, will implement development as planned for by the City of Vaughan in its Official Plan and will contribute to creating a complete community. The proposed development provides for townhouse and apartment dwellings, with an opportunity for a mixed-use development on a portion of the site near Dufferin Street. The proposed development is consistent with the goals of the Growth Plan. The proposal will provide linked public open space systems connecting planned parks and natural areas, provide a mix of land uses and densities, and provide for a vibrant neighbourhood which supports walking, cycling and transit.

c) Region of York Official Plan

The Region of York Official Plan designates the subject lands “Urban Area”, which permits a wide range of residential, commercial, industrial and institutional uses. The Regional Official Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit supportive density. The “Carrville District Centre” is a local centre that has been planned to contain a broad mix of uses, be compact, pedestrian oriented and accessible. The proposal provides for townhouses and apartment dwellings for a variety of housing forms to meet the needs of different households, which is consistent with the Region of York’s policy to provide a variety of housing types. Most of the community surrounding the “Carrville District Centre” is developed with detached residential dwellings. The proposed amendment to the Vaughan Official Plan is consistent with the Regional Official Plan policies that direct development to the existing built-up portions of urban areas, and consistent with the Region’s policy to provide a variety of housing types.

The site is located adjacent to Rutherford Road which is identified in the Regional Official Plan as a Regional Transit Priority Network. The Regional Official Plan encourages pedestrian-scale development, safety, comfort and mobility, and the enrichment of the existing area with attractive buildings, landscaping and streetscapes. The Regional Official Plan recognizes the relationship between transportation and urban form. The proposed townhouse and apartment residential uses represent, compact urban form, and encourages and supports a higher level of public transit services as these housing forms, are within walking distance of Rutherford Road and existing transit. The subject lands are also located within walking distance of an existing commercial plaza located on the southwest corner of Dufferin Street and Rutherford Road. The proximity of the site to facilities and services within the existing community reduces the overall parking demand and the length of trips to destinations for work, shopping and school. Large areas of the subject lands are designated for parks and natural areas to provide for a quality open space amenity for residents, and also the configuration of the proposed development will preserve and protect these features within the community.

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The Region indicated that the subject amendment defines the development concept and improves the overall design and layout of the Carrville District. The Region has indicated that the proposed development does not adversely affect Regional interests or planning policies, and in a letter dated November 2, 2012, the Region of York exempted Official Plan Amendment File OP.12.035 from Regional approval. This allows the Amendment to come into effect following its adoption by City of Vaughan Council and the expiration of the required appeal period, if the application is approved.

- d) City of Vaughan Official Plan Policy Framework
- i) Official Plan Amendment #600 / Official Plan Amendment #651 (Carrville District Centre Plan)

The subject lands are located within the Urban Village 2 - Carrville District of OPA #600, which provides the policy framework for the development of the urban communities in Blocks 10, 11, 17 and 18. OPA #600 identified the area where the 4 quadrants of these blocks meet, as the "Carrville District Centre", being an area envisioned for more intense forms of urban development and required the approval of a Secondary Plan to provide the framework for future development.

The Carrville District Centre area has been the subject of comprehensive studies reviewed by the City and the Region of York for over 10 years. This has resulted in several approved policy documents, the first being, OPA #651 (Carrville District Centre Plan) which is the "Secondary Plan" for the lands at the four corners of Dufferin Street and Rutherford Road, in Blocks 10, 11, 17 and 18. OPA #651 was approved in 2006 and provided the land use framework, densities and heights for a mixed-use district centre at the intersection of Dufferin Street and Rutherford Road. Attachment #4 illustrates the land use designations, building heights and densities for development within the Carrville District Centre approved through OPA #651, which is the current in-effect Official Plan that applies to the subject lands.

- ii) Carrville District Centre Urban Design Streetscape Master Plan Study (2008)

Following the approval of OPA #651 (Carrville District Centre Plan) in 2006, the Carrville District Centre Urban Design Streetscape Master Plan Study was completed in 2008. This study enhanced and modified the policies of OPA #651 to achieve appropriate built form and massing for the Carrville District Centre. The study resulted in other modifications to OPA #651 including minor adjustments to the road and block pattern, increases to the permitted building heights, and maintained the overall densities within the District Centre, while reducing the size of the building floor plates. These modifications allow for taller buildings on podiums thereby reducing shadow impacts and creating a more interesting skyline. Vaughan Council adopted these revisions and enhancements in 2008 and they were incorporated into the City of Vaughan Official Plan 2010 as the Carrville Centre Secondary Plan (Volume 2, Section 11.2) shown on Attachment #7.

Should the Ontario Municipal Board, grant final approval of the City of Vaughan Official Plan 2010, OPA #651 will be superseded by the Carrville Centre Secondary Plan. The timing of the subject Official Plan Amendment is such that it is between the approved in force OPA #651 and final approval of VOP 2010. The proposed development does not conform to either OPA #651 or the not yet in effect VOP 2010, and therefore, an Official Plan Amendment is required.

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iii) Vaughan Official Plan 2010, Volume 2, Carrville Centre Secondary Plan (CCSP)

As discussed above, the subject lands are designated in the manner shown on Attachment #7 by the Carrville Centre Secondary Plan (CCSP). The CCSP made changes to the subject lands in terms of reconfigured land use designations, revised densities regulated by Floor Space Index (FSI) ratios and revised maximum building heights as shown on Attachment #5. The Owner's proposal further reconfigures the land use designations and the local street pattern, increases the permitted FSI on certain blocks resulting in minor increases in the FSI's and makes changes to some of the maximum building heights (in storeys) for the subject lands.

iv) Conformity with in-effect City Official Plan

The proposed development does not conform to the in-effect Official Plan policies of OPA #600 as amended by OPA #651. However, the policies of the Carrville District Centre Plan respecting the general intent of the Plan, anticipated changes to the original layout of the land use lots/blocks and the road pattern through the planning approval process, and the general intent of the policies indicate that there is inherent flexibility in the Plan and in the design process for comparable arrangements, provided it is demonstrated (by the Owner) that the intent of the Plan is maintained, and that Vaughan Council may consider revisions and amendments to implement more detailed planning and design with proper justification.

The Development Planning Department recognizes that the intent, objectives and policies of the Carrville District Centre Plan are maintained and that development proposal does not preclude the overall vision for the Carrville District Centre from being achieved. The Development Planning Department supports the proposed changes as appropriate and justified, and finds that the changes proposed for the subject lands represent good planning. Given that OPA #651 is the in-effect policy framework for this site, it must be amended to implement the development proposal.

v) Conformity with the 2008 Carrville District Centre Urban Design Streetscape Master Plan Study

The Owner prepared the subject development applications, in consideration of the Carrville Centre Secondary Plan (VOP 2010, Volume 2) which includes the changes from the Carrville District Centre Urban Design Streetscape Master Plan Study. Although the land use designations have been re-configured in the proposed development concept, the intent of the Carrville Centre Secondary Plan (CCSP) is maintained. The reconfiguring of the land use blocks results in a re-alignment of the local street pattern. However the alignment of the primary roads remain as originally approved and reflects the CCSP as adopted by Vaughan Council. In addition, Marc Santi Boulevard and Crimson Forest Drive are existing roads. The proposed development concept is consistent with the intent of the Carrville District Centre Urban Design Streetscape Master Plan Study respecting the following:

- i) the mixture and distribution of land uses and built form;
- ii) the road network and hierarchy;
- iii) the pedestrian and open space system;
- iv) the identification of important character areas within the community; and,
- v) achieving a pedestrian-oriented, urban neighbourhood with connected parks and open space systems.

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vi) Conformity with City of Vaughan Official Plan 2010: Volume 2, Carrville Centre Secondary Plan

The Development Planning Department is of the opinion that the proposed development concept as shown in Attachment #5, is consistent with the intent and principles of the VOP 2010, CCSP, including:

- i) facilitating development with a compact urban form;
- ii) implementing strong urban design principles;
- iii) supporting efficient transportation;
- iv) incorporating an ecosystem-based approach to planning in the plan;
- v) providing significant parks and open space lands;
- vi) the provision of a range of housing and unit types;
- vii) creating institutional opportunity; and,
- viii) anticipating future growth.

Like OPA #651, the VOP 2010 CCSP includes interpretation policies (Section 11.2.21.4) which permit minor variations to land use designation boundaries, land uses, road pattern and numerical requirements (maximum 5%) of the Plan, provided the specific development proposal satisfies the design objectives and general intent of the CCSP.

Revised Development Concept

The Owner considered the comments and recommendations from the Public Hearing, the Design Review Panel, the Toronto and Region Conservation Authority, and City Departments, and made revisions to the development concept and Draft Plan of Subdivision. These changes make for better connections of open space areas and views, and complement the existing site grades. The revised development concept shown on Attachment #5 continues to meet the general intent of the Official Plans and Master Plan Study (2008).

a) Reconfiguration of Land Uses and Road Pattern

Attachment #4 shows the approved land use and road pattern as planned by in-effect OPA #651. The revised Development Concept shown on Attachment #5 proposes a further reconfiguration of the approved land use designations for the area. The proposed reconfiguration of the land use designations provides for better transition in built form, height and density across the property. However, the overall amounts and distribution of the land use designations has remained generally the same. The revised Development Concept has resulted in changes to the local street pattern shown on Attachment #6. The reorientation of streets is more suitable for the natural areas and existing grades of the property to allow for a stepping down of the townhouses along the street frontages, rather than through the townhouse lots. These changes are minor in nature and maintain the general intent and objectives of the CCSP.

b) Parks and Open Space Reconfiguration

The revised Draft Plan of Subdivision, as shown on Attachment #9, proposes a connected system of urban type parks and open spaces to meet the recreational needs of the community. The proposed park spaces have been located to allow for linkages to connect the parks, open spaces and the natural features within the subject lands. This provides opportunities for public trails, bicycle paths, seating areas, signage and lighting to be provided throughout these open spaces. Block 13 will be developed as a central park and given the location of this block adjacent to the woodlot, it can be developed as a unique pedestrian park.

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The overall amount and distribution of parkland is reduced slightly in the revised Draft Plan of Subdivision compared to the CCSP. However, the decrease is negligible and compensation buffer areas around the natural areas (Blocks 19, 20 and 21 on Attachment #9) have been provided in the proposed Draft Plan of Subdivision as compensation for the decrease and the linkages and Open Space configurations.

The Development Planning Department is satisfied that the revised development concept meets the general intent and objectives of the Carrville District Plan (and the CCSP) and does not preclude the vision for the Carrville District Centre from being achieved. The changes proposed for the Carrville District Centre through this development proposal are justified, appropriate and represent good planning.

c) Valleylands/Woodlot Protection

The existing natural features (currently designated Valleylands/Woodlots within OPA #651) within the site will be maintained and protected. The Toronto and Region Conservation Authority (TRCA) has identified the natural features on site and has staked the limit of development. A ten (10) metre buffer area is required around these features and are identified on the proposed Draft Plan of Subdivision, as shown on Attachment #9. The natural areas and buffers have been approved by the TRCA. The TRCA concurs with the proposed compensation buffers. Marc Santi Boulevard is an existing road and a full 10 metre buffer width around the natural features is not possible in certain spots due to grading and the location of the road. The TRCA is satisfied that the proposed buffering provides sufficient protection of the natural area features on the subject lands. The valleyland portion of the natural area will be conveyed to TRCA through the subdivision approval process.

The Development Planning Department is satisfied with the proposed land use designations and that the Draft Plan of Subdivision provides sufficient protection of the natural features in a manner consistent with the Official Plan policies of OPA #651. The Development Planning Department can support the approval of the Official Plan Amendment File OP.12.015 to redesignate the subject lands in the manner shown on Attachment #5 and apply the appropriate land use policies to implement the proposed residential Draft Plan of Subdivision.

Phased Development

OPA #651 requires development within the Carrville District Centre to be phased to ensure the most efficient and economical use of existing and proposed infrastructure. The Owner proposes to develop the subject lands in phases. The proposed land use designations shown on Attachment #5 illustrates the planned land uses for the full build out of the site. The proposed Draft Plan of Subdivision shown on Attachment #9 represents the planned first phase of development. The townhouse development of Blocks 1 to 6 will occur in the first phase. The townhouse blocks are adjacent to Crimson Forrest Drive, which is an existing residential street. The townhouses are planned to be a maximum of 4-storeys in height and this low rise form of residential development, which is adjacent to the built up community to the east, will provide a transition to the higher buildings planned for the westerly portion of the site. Block 7, a high-rise residential block, is also planned for the first phase of development. The proposed land use designations as shown on Attachment #5 are consistent with the phasing policies of OPA #651.

The availability of municipal servicing allocation for the proposed first phase of development will determine the timing and the number of dwelling units to be developed in the first phase and subsequent phases of development for the proposed Draft Plan of Subdivision, and future site development applications will be required prior to the development of the subsequent phases.

All development within the Carrville District Centre area is subject to Site Plan Control and the requirement for Site Development Agreements will be required as a condition of development approval for each phase.

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Zoning

The subject lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88. To facilitate the proposed Draft Plan of Subdivision shown on Attachment #9, a Zoning By-law Amendment is required to rezone the subject lands, in the manner shown on Attachment #8, and to permit the following site-specific zoning exceptions identified in Table 1 below:

Table 1 Proposed Zoning Exceptions:

	<b>By-law Standard</b>	<b>By-law 1-88 RA3 Apartment Residential Zone Requirements (Block 7)</b>	<b>Proposed Exceptions to RA3 Apartment Residential Zone Requirements (Block 7)</b>
a)	Minimum Lot Area	67 m <sup>2</sup> /unit	Shall not apply
b)	<u>Minimum Yards</u> i) Minimum Front Yard (Rutherford Road) ii) Minimum Interior Side Yard (West) iii) Minimum Exterior Side Yard (East)	i) 7.5 m ii) 7.5 m iii) 7.5 m	3 m 4.5 m 6 m
c)	Maximum Building Height	44 m	65 m (22 storeys)
d)	Minimum Landscape Strip Width Abutting a Street (Rutherford Road)	6 m	3 m
e)	Definition of a Lot	“Lot - Means a parcel of land that fronts onto a street separate from any abutting land to the extent that a Consent (severance) contemplated by Section 49 of the <u>Planning Act</u> , R.S.O, 1983, would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.”	“Lot - Means Block 7 shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by Plan of Condominium, Part Lot Control, Consent, and any easements or restrictions.”

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	<b>By-law Standard</b>	<b>By-law 1-88 RT1 Residential Townhouse Zone (Standard Lot - Blocks 1 and 6)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Standard Lot - Blocks 1 and 6)</b>
a)	Minimum Lot Frontage	6.0 m	4.5 m
b)	Minimum Lot Area/Unit	162 m <sup>2</sup>	120 m <sup>2</sup>
c)	Minimum Exterior Side Yard Setback	4.5 m	2.4 m
d)	Maximum Building Height	11 m	12 m (4 storeys)
	<b>By-law Standard</b>	<b>By-law 1-88 RT1 Residential Townhouse Zone (Lot Accessed by a Lane - Blocks 2 to 5)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Lot Accessed by a Lane - Blocks 2 to 5)</b>
a)	Minimum Lot Frontage	6.0 m	4.5 m
b)	Minimum Lot Area	180 m <sup>2</sup>	120 m <sup>2</sup>
c)	Minimum Rear Yard i) with Attached Garage ii) with Detached Garage	7.5 m 15 m	6 m 12.5 m
d)	Minimum Exterior Side Yard to Dwelling/Garage	4.5 m	2 m
e)	Minimum Lot Depth	30 m	28 m
f)	Minimum Distance from Dwelling to Detached Garage	7.5 m	5 m
g)	Maximum Building Height	11 m	12 m (4 storeys)

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The Development Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88, for the following reasons:

RA3 Apartment Residential Exceptions (Block 7)

a) Maximum Building Height

The proposed maximum building heights are consistent with the intent of the Official Plan but exceptions to the maximum heights in Zoning By-law 1-88 are required to implement the proposed building heights since the maximum building height permitted in the RA3 Apartment Residential Zone is 44 metres. The building heights are consistent with the intent of the Official Plan. The Development Planning Department can support the increase in building height.

b) Definition of a Lot

An exception to the Zoning By-law 1-88 definition of “Lot” is requested to ensure that for zoning purposes, the subject lands are deemed to be one lot regardless of future severances that might change the shape, size and configuration of the lot. The proposed development for Block 7 and the future blocks will likely be developed as one or more condominiums, and it is appropriate to ensure that any approved zoning exceptions established in this proposal remain applicable to the entirety of Block 7. The proposed definition for a “lot” has been used elsewhere in the City for high rise condominium developments, and will assist in defining the building setbacks and avoiding future zoning compliance issues if separate condominiums are created in the future. The Development Planning Department supports this exception.

c) Minimum Landscape Strip Width

The exception for a reduction in the minimum landscape strip width requirement from 6.0 m to 3.0 m is appropriate when used in developing an urban streetscape along arterial roads and local streets. Similar reductions have been used in other more urban areas of the City, to locate a building close to the street while maintaining space for proper landscaping and for the placement of utilities.

RT1 Residential Townhouse Zone (Standard Lot) and (Lot Accessed By a Lane) Exceptions (Blocks 1 to 6) and (Blocks 2 to 5)

d) Minimum Lot Frontage

The Owner has requested a minimum lot frontage of 4.5 m, whereas 6 m is required. The Development Planning Department has reviewed the justification report submitted in support of the applications and is satisfied that the reduced frontages will create a more distinct urban form, as envisioned by the Carrville District Centre Plan and the Urban Design Guidelines submitted for the development proposal.

e) Minimum Lot Area

The Owner has requested an exception to reduce the minimum lot area from 162m<sup>2</sup>/unit (Standard) and 180 m<sup>2</sup> (Lot Accessed by a Lane), to 120 m<sup>2</sup>/unit for all townhouse units. The reduced minimum lot area is appropriate for the proposed townhouse development within the Carrville District Centre, which is planned for a more urban form of development at higher densities, than townhouse developments in the area surrounding the Carrville District Centre.

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f) Maximum Building Height

The Owner proposes to increase the maximum permitted building height for the townhouse units from 11 m to 12 m (4 storeys). The proposed increase in the maximum permitted building height is justified since it will provide a transition in building height from the low density residential (2-storey) community to the east, to the proposed high-rise residential buildings planned for the westerly portion of the subject lands.

g) Minimum Rear Yard Setback

The Owner proposes to reduce the minimum rear yard setback for a Lot Accessed by a Lane to 6.0 m for an attached garage, and 12.5 m for a detached garage. This reduction has been used elsewhere in the City.

Similar rear lane accessed townhouse blocks were approved by the City on the west side of Dufferin Street in Block 18. The provision of rear lanes allows for a desirable urban design streetscape with uninterrupted front facades, since the garages face the rear lane, and the reduced lot area provides for compact urban form of development.

h) Minimum Exterior Side Yard Setback

A minimum exterior side yard of 4.5 m is required by Zoning By-law 1-88, whereas the Owner is proposing 2.4 m. Exterior side yard reductions to 2.4 m have been used elsewhere and are justified within the Carrville District Centre area where a more urban form of development has been planned for and these reductions are considered minor.

f) Minimum Lot Depth

The Owner proposes a reduction in the required minimum lot depth from 30 m to 28 m. The Development Planning Department is of the opinion that the proposed reduction is minor in nature and will achieve proper siting within the proposed low-rise residential townhouse blocks.

g) Minimum Distance from a Dwelling to a Detached Garage

The Owner proposes to reduce the minimum distance from a dwelling to a detached garage for Lots Accessed by a Lane from 7.5 m to 5 m. The Owner is proposing this reduction to accommodate detached garages within the rear yards. This reduction has been used elsewhere in the City and is considered appropriate and minor for the proposed townhouse development.

Holding Symbol “(H)”

Should Vaughan Council find merit in the subject applications, the implementing Zoning By-law will rezone the residential portion of the subject lands to RA3(H) and RT1(H). The Holding Symbol “(H)” will not be removed until such time as water and sewage servicing capacity has been identified and allocated to the subject lands by Vaughan Council. A condition to this affect is included in the recommendation of this report.

The proposed development demonstrates good urban design principles, is compatible with the surrounding existing and planned land use context, and is consistent with the applicable Provincial and Regional planning policies. The Development Planning Department has no objections to the proposed zoning which will facilitate a development that provides parks, protects the natural areas and provides an open space system through the community and a greenway

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adjacent to Rutherford Road. The Development Planning Department can support the approval of the Zoning By-law Amendment File Z.12.035.

Subdivision Design

The proposed 17.78 ha Draft Plan of Subdivision is shown on Attachment #9. Marc Santi Boulevard is an existing east-west primary road, and Crimson Forest Drive is an existing local road along the easterly limit of the site. New local streets 'B' and 'C' will be 17.5 m in width and the proposed lanes off Street 'C' will be 8.0 m. The new streets will be the subject of alternative design standards for streets as provided for in OPA #651. The location, alignment and approval for the Street 'A' intersection with Dufferin Street requires approval from the Region of York. The subdivision design is consistent with the proposed land use designations shown on Attachment #5. The development of the 240 townhouses and high-rise apartment block (555 apartment units) in Block 11 are subject to architectural control, and therefore, will require the Control Architect to review and certify compliance with the approved Architectural Design Guidelines.

The proposed land use designations provide for blocks for future high rise residential and high rise mixed-use development. These lands are not included in the Draft Plan of Subdivision File 19T-12V009 (Phase I) and are shown as "Future Development" blocks. Development on these lands will be subject of future site development applications. The Draft Plan of Subdivision also includes large areas of land for open space and parks. The Development Planning Department has no objection to the design of the proposed Draft Plan of Subdivision shown on Attachment #9, subject to the conditions of draft plan approval identified on Attachment #1.

Vaughan Development / Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the applications and provide the following comments:

a) Sewage and Water Allocation

Servicing allocation capacity has not been reserved nor assigned potential future capacity at this time. Therefore, if this Plan proceeds to approval, an agreement of no sale will apply, and the subject lands shall be zoned with a Holding Symbol "(H)", which can be removed when servicing capacity has been allocated to the Plan.

The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development applications may be revisited at this time based on the status of the subject development applications.

b) Road Network

This application proposes changes to the road network approved in OPA #651 (Attachment #4), as shown on Attachment #6. Marc Santi Boulevard (primary road) and Crimson Forest Drive (local road) are two existing roads that run through the subject lands and constructed as part of the Block 11 Spine Services. Additional streets (Streets 'A', 'B', and 'C') are proposed using alternative road design standards. The reconfigured local streets are a minor change to the road network for the Carrville District and is justified, as it represents an overall improvement to the street layout.

c) Environmental Site Assessment (ESA)

The Development/Transportation Engineering Department has reviewed "Phase One Environmental Site Assessment" report and a "Letter of Reliance" by SPL Consultants

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Limited, dated May 6, 2013. Given that no areas of potential environmental concern were identified through the Phase One Environmental Site Assessment (ESA) report, a Record of Site Condition is not required at this time. However, a Phase Two Environmental Site Assessment conducted on the park lands shall be submitted to the City for review and approval.

#### d) Engineering Servicing

The Draft Plan of Subdivision is serviced by storm sewers, sanitary sewers and watermains that connect to existing services located on Crimson Forest Drive and Marc Santi Boulevard that were constructed as part of the Block 11 Spine Services, and as such, future connection points are available at the limits of the property. To maintain water quality, adequate supply and pressure, the proposed watermain on Street 'A' shall be interconnected to avoid a single feed system.

#### e) Transportation Management Plan (TMP)

The Owner has submitted a Transportation Management Plan (TMP), as shown on Attachment #11, that identifies proposed transit routes and bus stops, sidewalks, pedestrian network and proposed traffic control measures for the proposed Draft Plan of Subdivision. The adjacent minor collector road traffic calming measures and traffic control requirements have been identified on the Block 11 TMP. The final TMP must be approved by the Development/Transportation Engineering Department.

#### Vaughan Cultural Services Division

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

#### Vaughan Parks Development Department

The Nine Ten West development for Block 11 is expected to contain approximately 2500-3000 dwelling units that will comprise of medium to high density development. The total parkland that would be required for the proposed number of dwelling units is approximately 8.3-10 ha. The Draft Plan of Subdivision is proposing approximately 2.45 ha of parkland. The credit for any parkland conveyance will be applied against the number of units for the proposed high-rise development or the City will need to review the type of land use in order to determine the necessary credit. The shortfall of the required parkland will need to be paid as cash-in-lieu of parkland in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The parkland requirements are tied directly to the proposed number of dwelling units and will need to be addressed in a future report once additional information is provided regarding the site development application.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division requires the Owner to pay to the City of Vaughan by way of certified cheque, cash-in-lieu for the difference between landscaping dedicated and the total required dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy. A condition to this effect is included in the recommendation of this report.

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Vaughan Development Planning Department

a) Block Plan

The subject lands are located within the approved Block 11 Plan as shown on Attachment #10. Prior to the execution of the Subdivision Plan Agreement, the City must be in receipt of a letter from the Block 11 Trustee confirming that the Owner has satisfied the obligations of the Block 11 Developers Group Agreement. A condition of approval has been included in the recommendation of this report.

Should Vaughan Council find merit in the applications, the Owner must update the approved Block 11 Plan to reflect the Council's decision. The Owner must display a Community Plan that reflects the approved Block 11 Plan on the interior wall of the sales office, comprising information approved by the City of Vaughan, prior to offering any units for sale, and that no Building Permit shall be issued until such information is approved by the Vaughan Development Planning Department.

b) Environmental Impact Study / Tree Inventory Report

There are substantial natural features and woodlot areas on the subject lands. An Environmental Impact Study prepared by Beacon Environmental, dated September 2012, documents the existing environmental conditions on site and potential negative effects of the development plan. The report recognizes that the subject lands are within the "Settlement Area" boundary of the Oak Ridges Moraine Conservation Plan (ORMCP) and it also addressed how the proposed development conforms to the ORMCP. The report concludes that the environmental conditions and significant natural heritage features have been identified and described and that the proposed development is environmentally feasible subject to the implementation of the recommendations in the report. The report recommends TRCA's involvement in the review and approval, process, implementation of an edge management and grading adjustment zone adjacent to all natural features, an edge management plan as a condition of approval, runoff from developed areas to be directed to stormwater management ponds, and any vegetation clearing to take place outside of the breeding bird season in accordance with the Migratory Birds Conservation Act.

The Beacon Environmental Report also contained a Tree Inventory, which characterizes the treed resources within the proposed development area, save and except for the tableland woodlot, and no significant vegetation was identified in the inventory.

A Woodlot Water Balance Report forms part of the Beacon Environmental Report and concludes that the woodlot feature on site is mostly located on the top of a hill, and does not have continuous water flowing through it nor does it have water stored within it to be maintained, and that the external drainage areas are less than the area of the feature itself. A detailed water balance analysis for the site was determined not to be warranted.

The TRCA is involved in the Draft Plan Approval process and has provided conditions, which are included in Attachment #1 to address the implementation of an edge management plan and other ecological issues concerning grading adjacent to all natural areas as identified in this report.

c) Urban Design and Landscaping

The proposed development reflects comments obtained from the public agency review, the Vaughan Design Review Panel, and input from the public.

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In accordance with the initiatives to lead and promote sustainable site design such that the built form, vegetation, and landscape features are integrated into a sustainable system, the Development Planning Department has requested the Owner to provide an illustration demonstrating how the proposed high-rise (Block 7) could be integrated with the existing topography in the block.

With the removal of the north-south street in the High-Rise Blocks that are not part of the Phase 1 subdivision lands, the block width is approximately 220 m in length, which is undesirable as an urban scale for pedestrians. Consideration will be given to providing pedestrian permeability through this Block, when the future development plans for this block are submitted.

The Street 'A' configuration creates a less than ideal block configuration for the High-Rise Residential blocks, as noted by the Design Review Panel. Future development plans for these lots will be required to provide for pedestrian permeability through this Block.

As discussed above, the proposed plan contains a significant amount of valley lands and large areas of tableland woodlots. The total areas of each must clearly be identified on the proposed Draft Plan of Subdivision.

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

#### Vaughan Fire Services

The Vaughan Fire Services Department has no comments/concerns with the development applications.

#### School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications. The York Region District School Board has a future elementary school site located at Marc Santi Boulevard and Crimson Forest Drive. The School Board has indicated that it prefers the configuration of the original road pattern as approved in OPA #651 since the alignment of the proposed streets would not conflict with the future driveway entrances to a future school for this site. The School Board has no immediate plans for the construction of an elementary school on this site. Future driveway accesses for the school site will be reviewed at the time of consideration of a site plan application.

#### Canada Post

Canada Post has no objections to the development applications subject to conditions which are included in Attachment #1.

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

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and in a letter dated March 26, 2013, provided technical comments. The subject property is located in the TRCA's Regulated Area and the Regional Storm Flood Plain for the East Don River. The TRCA outlined where permits are required prior to development. The comments also indicate the TRCA's Valley and Stream Corridor Management Program (VSCMP) guidelines for properties influenced by valley and stream corridors. The VSCMP defines the boundary of the valley and stream corridor, plus 10 metres inland, and does not permit new development within the boundaries of valley and stream corridors.

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As indicated in the Beacon Environmental Report, the entire property is located within the “Settlement Area” designation of the ORMCP. The TRCA reviewed the Natural Heritage Evaluation/Environmental Impact Study and is satisfied that the proposed development protects the key natural heritage features and does not negatively impact or compromise the ORMCP.

The TRCA is satisfied that a 10 m ecological buffer has generally been provided around the natural heritage features on site and where the buffer has been minimally reduced, compensation buffers have been provided. In addition, the TRCA requests the provision of a detailed Edge Management Plan, and where grading in the buffer is proposed, an additional intensive restoration plan is expected.

The TRCA reviewed the Block 11 MESP and Functional Servicing Report and is satisfied that the stormwater management for the proposed development is consistent with the approved MESP for Block 11.

The TRCA and the Ministry of Natural Resources (MNR) have confirmed that both tributaries within the subject lands are located upstream of reaches which have been designated as regulated Red-Side Dace habitat under the ESA, 2007. Therefore, the MNR and TRCA will continue to monitor the implementation of design controls to ensure the quality of downstream habitat is maintained.

The TRCA has no objections to the proposal, subject to the Owner addressing the TRCA's conditions of approval included 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, as identified in this report.

The proposed development will include three stream waste disposal systems within the high rise buildings, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

ii) Manage Growth & Economic Well-Being

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

The development facilitates the type of development contemplated through Vaughan Official Plan 2010 with respect to the Carrville Centre Secondary Plan area and provides for intensification located on Rutherford Road and along Dufferin Street, which will support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

iii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park to enhance the City's existing inventory of public amenity spaces. Pedestrian walkways and cycling trails will be provided throughout the development to encourage walking and cycling as a means of getting to community gathering areas within and outside the site.

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#### Regional Implications

The Region of York has reviewed Official Plan Amendment File OP.12.015 and provided comments, in a letter dated November 3, 2012. The Region indicated that the subject site is designated "Urban Area" in the York Region Official Plan, which permits a wide range of residential, commercial, industrial and institutional uses. Municipal servicing can be provided to this development through connections to existing services.

The Region approved OPA #651 and has advised that the subject Official Plan Amendment application only proposes refinements to the development concept to improve the overall design and layout of the Carrville District, therefore, the Region considers the Official Plan Amendment to be of local significance and does not adversely affect the Regional planning policies or interests. The Region confirmed that the proposed Official Plan Amendment is consistent with Regional Official Plan policy and has exempted this amendment application from approval by the Regional Planning Committee and Council. The Amendment will come into effect following the adoption by the City of Vaughan and the expiration of the required appeal period, if the application is approved.

The proposed development complies with the York Region Official Plan, as it introduces new housing types to the area at a transit supportive density. To help promote transit use by future residents in this development, the Region has requested that the Owner provide an information package to each residential unit, which includes a York Region Cycling map, community maps, and York Region Transit and GO Transit Schedules.

The Region's Transportation and Community Planning Branch also reviewed the proposed Draft Plan of Subdivision and provided technical comments, and Pre-Conditions and Conditions of Draft Approval, in a letter dated April 2, 2013. The Region recognizes that servicing capacity may not be available for the subject lands in the short term and in accordance with the Region's servicing protocol, respecting draft plans receiving approval prior to servicing allocation being available, has requested that all residential land within the subdivision plan, be subject of various restrictions, including the Holding Symbol "(H)" provisions, to ensure that the water and wastewater servicing are available prior to occupancy. The Region has no objection to the proposed Draft Plan of Subdivision, subject to the pre-conditions and conditions identified in Attachment #1.

#### Conclusion

The applications for Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision will facilitate development and housing forms that are in keeping with the intent and objectives of the Carrville District Centre Plan and the revisions to this Plan implemented through the Carrville Centre Secondary Plan in Vaughan Official Plan 2010. The proposed development is in accordance with the policy initiatives of the Province (as outlined in the PPS and Places to Grow), and the Region (Official Plan) for the efficient use of developable land. The proposal supports sustainable community objectives and the subdivision implements a neighbourhood design that provides opportunities for walking, cycling and the use of existing public transit. The mixed use and high-rise land uses support the Carrville District Centre where a higher density, and higher intensity and mix of uses is expected and planned to develop, and therefore, implements the City's Official Plan policies. The development protects the natural areas and enhances the community with parks which provide linked open space systems throughout the lands. The proposal will result in development that is appropriate and compatible with the context of the existing community.

The Vaughan Development Planning Department is satisfied that the proposed land use designations as shown on Attachment #5, the proposed zoning as shown on Attachment #8, and the proposed Draft Plan of Subdivision as shown on Attachment #9, are appropriate and

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 25, 2013**

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compatible with the existing and permitted uses in the surrounding area and the existing Carrville community. The Development Planning Department can support the approval of Official Plan Amendment File OP.12.015, Zoning By-law Amendment File Z.12.035, and Draft Plan of Subdivision File 19T-12V009, subject to the recommendations in this report, and the Conditions of Draft Approval as set out in Attachment #1.

**Attachments**

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Approved Carrville District Centre (OPA #651) Land Use, Density and Building Heights for the Subject Lands
5. Proposed Amendments to the Land Use Designations, Density and Building Heights in Carrville District Centre (OPA #651) for the Subject Lands
6. Proposed Amendments to the Road Network in Carrville District Centre (OPA #651) for the Subject Lands
7. Vaughan Official Plan 2010 Carrville Centre Secondary Plan Land Use Schedule
8. Proposed Zoning (File Z.12.035)
9. Draft Plan of Subdivision (File 19T-12V009)
10. Approved Block 11 Plan
11. Transportation Management / Sidewalk Master Plan

**Report prepared by:**

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)

**COMMITTEE OF THE WHOLE JUNE 18, 2013**

**OFFICIAL PLAN AMENDMENT FILE OP.12.015  
ZONING BY-LAW AMENDMENT FILE Z.12.035  
DRAFT PLAN OF SUBDIVISION FILE 19T-12V009  
NINE-TEN WEST LIMITED  
WARD 4 - VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD**

**Recommendation**

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Official Plan Amendment File OP.12.015 (Nine-Ten West Limited) BE APPROVED, specifically to amend OPA #600, as amended by OPA #651 (Carrville District Centre Plan), for the subject lands shown on Attachments #2 and #3, as follows:
  - a) to redesignate the subject lands from "Mixed Use 1", "High Density Residential", "Medium Density Residential", "Parks", and "Valleylands/Woodlots" to "Low-Rise Mixed-Use", "High-Rise Mixed-Use", "High-Rise Residential", "Parks", and "Natural Areas" in the manner shown on Attachment #5, thereby reconfiguring the land use designations approved through OPA #651 (Attachment #4) and re-naming the land use designations to be consistent with those used in Vaughan Official Plan 2010;
  - b) to modify the maximum permitted building height and density (Floor Space Index) in each land use designation in OPA #651 as shown on Attachment #4 to the maximum building heights and densities shown on Attachment #5, thereby permitting maximum building heights and densities that are more consistent with those approved for this area in Vaughan Official Plan 2010 (Attachment #7);
  - c) to reconfigure the approved road network shown on Attachment #4, in the manner shown on Attachment #6;
  - d) to require that the Open Space Greenway (Block 11) as shown on Attachment #9 located along Rutherford Road be conveyed to the Toronto and Region Conservation Authority (TRCA) free of all costs and encumbrances and that the said Open Space Greenway shall not form part of the parkland dedication to the satisfaction of the City;
  - e) to include policies that require sustainable community objectives be implemented through site designs that support cycling and walking, ensures connectivity to the broader community, and provide transit opportunities, water and energy efficiencies, energy alternatives, and green building design and site development; and,
  - f) to include policies for Blocks 15, 16a, 16b, 17 and 18 as shown on Attachment #9, to facilitate a 10 metre wide ecological buffer abutting the natural features in Blocks 8, 9a, 9b and 10, for dedication of said Blocks to the Toronto and Region Conservation Authority (TRCA), subject to the Owner entering into a Management Agreement with the TRCA, to the satisfaction of the TRCA.
2. THAT Zoning By-law Amendment File Z.12.035 (Nine-Ten West Limited) BE APPROVED, specifically to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone as shown on Attachment #3 to RT1(H) Residential Townhouse Zone and RA3(H) Apartment Residential Zone each with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone and OS5 Open Space Environmental Protection Zone, in the manner shown on Attachment #8.

3. THAT the implementing Zoning By-law include the site-specific zoning exceptions identified in Table 1 of this report and any necessary exceptions resulting from Public Agency and/or City comments to implement the Draft Plan of Subdivision File 19T-12V009.
4. THAT the Holding Symbol "(H)" shall not be removed on the subject lands zoned RT1(H) and RA3(H) until such time as the following condition is addressed to the satisfaction of the City:
  - a) That the City of Vaughan Council adopt a resolution allocating sewage capacity from the York-Durham Servicing Scheme and water supply capacity from the York Water Supply System in accordance with the City's approved Servicing Capacity Distribution Protocol assigning capacity to the subject lands for the proposed townhouses and apartment dwelling units.
5. THAT Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) dated May 9, 2013, as shown on Attachment #9, BE APPROVED, subject to the conditions in Attachment #1.
6. THAT the Notice of Approval for Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) not be issued until such time as the implementing Official Plan Amendment (File OP.12.015) is in full force and effect.
7. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-12V009 contain the following provision:
  - a) the Owner shall dedicate parkland and/or 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 Department, Real Estate Division, and the approved appraisal shall for the basis of the cash-in-lieu payment.
8. THAT prior to final approval of Draft Plan of Subdivision File 19T-12V009, the Subdivision Owner shall provide the City with written confirmation from the Developers Group that the Owner is a member in good standing with the Group. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland dedication, roads and municipal services within Block 11. This Agreement shall also provide a provision for additional developers to participate within the Developers Group Agreement when they wish to develop their lands.
9. THAT the Transportation Management Plan/Sidewalk Plan for Draft Plan of Subdivision File 19T-12V009 (Nine-Ten West Limited) as shown on Attachment #11, BE APPROVED, subject to the conditions in Attachment #1 of this report.

### **Contribution to Sustainability**

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

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

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

Goal 2: To ensure sustainable development and redevelopment

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

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 Design Guidelines submitted in support of the applications indicate that through the implementation of the site design, landscape design, and building design, the development will achieve energy star requirements and will include the following sustainable site and building features:

- i) compact urban form, walkability to transit, schools, parks, trail system, commercial and cultural activities;
- ii) represents intensification, utilizes existing infrastructure, presents opportunities for shared utilities and conservation of energy;
- iii) connected and permeable street network and enhanced streetscapes and pedestrian environment to encourage pedestrian activity, provide a safe comfortable pedestrian environment, facilitate efficient movement of pedestrians, cyclists, transit and vehicles through and within the community;
- iv) preservation of natural heritage and open space systems to provide an accessible, connected and diverse range of parks and gathering places to provide active and passive recreational opportunities for residents to encourage walking and cycling;
- v) promote passive solar orientation to permit enhanced efficiencies and optimal conditions for solar strategies;
- vi) reduction of indoor water use through use of high-efficiency plumbing, utilize outdoor landscaping which improves water quality and conservation through stormwater management quantity and quality controls, and use of native adaptive and drought tolerant plant species on the slope banks for erosion and sedimentation control;
- vii) bicycle and pedestrian routes throughout to encourage cycling and walking and public transit use; and,
- viii) construction waste will be managed on site by sorting, recycling and reusing materials wherever possible.

### **Economic Impact**

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

## **Communications Plan**

On October 12, 2012, the Notice of a Public Meeting was circulated to all property owners within 150 m, the extended polling area shown on Attachment #3, and to the Valleys of Thornhill Ratepayers Association. A Public Hearing was held on November 6, 2012, and a number of residents attended and provided the following comments:

### a) Traffic and Transit

Impact of the development on traffic in the area; no rapid transit in the area; and, GO Transit is at capacity at the Rutherford Station.

#### Response:

Traffic studies have been completed for the Carrville District Centre Plan through the OPA #651 approval process and the review of the subject applications. These studies have been reviewed and approved by the City of Vaughan Development / Transportation Engineering Department, the Region of York and GO Transit. If the applications are approved, development must comply with the recommendations in the approved Traffic Studies including pedestrian and traffic systems. Comments respecting traffic and the road network are discussed further in the Vaughan Development/Transportation Engineering Department section of this report.

### b) Density

The proposed densities are too high and too many apartment units will be built within the area resulting in a change to the "community feeling". Concern was expressed that the change may impact security and safety.

#### Response:

The density of the proposal is consistent with the objectives of OPA #651, to establish a District Centre in this area which is intended to become a centre of commercial and residential activities within the Carrville Community. The proposed density is consistent with VOP 2010 policies for the subject lands. The Owner is proposing to re-distribute the density, approved in OPA #651 (Attachment #4) in the manner shown on Attachment #5.

### c) Building Height

Residents questioned the relationship of the high-rise building height in storeys (maximum 22-storeys) to the actual height in metres (approximately 77 m) and how the height ranges will be controlled. Since the site slopes downward to the east, there was a concern that it exaggerates the building height.

#### Response:

Revisions were made to the development concept which reduced the size of the high-rise residential block and relocated it further west to reduce the impacts. Maximum building heights will be controlled through the implementing Official Plan and Zoning By-law.

### d) Impact on Community

Residents questioned whether the buildings will improve the financial, social and aesthetic value of the community and suggested that the high density residential block be moved further west on the site, so that it would not overlook or create shadows on the townhouses.

Response:

The Carrville District Centre Plan (OPA #651) is an approved Official Plan Amendment. The high-rise block has now moved to the west to create a greater distance separation to the existing residential community to the east.

e) Timeline for Development

Residents questioned the timeline for development.

Response:

The Owner has been working with the City to approve plans for the development of the subject lands for approximately 10 years. The townhouses will be the first phase of development but full build out of the area could take many years.

f) Parkland

Vaughan Council expressed that the development should minimize impacts on the park, and that building heights adjacent to the parks should not create shadows on the parks. In addition, the trails and connections between the proposed parks should be addressed at the earliest stage of the development process and that the possibility of a connection to the MacMillan lands be investigated. A resident indicated more park along Crimson Forrest would be ideal.

Response:

The Owner agreed and has revised the plan to relocate the High-Rise Mixed Use block southwest to mitigate the impact of shadows on the parks and has positioned the park blocks adjacent to the natural areas such that a connectivity of the open space areas and the opportunity for a future connection to the MacMillan lands is provided.

g) Sidewalks - Rutherford Road

The lack of sidewalks along Rutherford Road and pedestrian safety were raised and it was suggested that the Owner provide temporary sidewalks.

Response:

At the Public Hearing, Vaughan Council discussed the Region's Rutherford Road Environmental Assessment, the future cross section of the roadway, provision of sidewalks on Rutherford Road and on Dufferin Street, and clarified the City and the Owner's responsibilities regarding sidewalks. The resident's were advised that the EA process is lengthy and may not be completed for a period of up to 2 years. Temporary sidewalks are costly and landownership issues impact the immediate construction of the sidewalks. Through the development approval process, there will be a requirement for the Owner to construct the sidewalks along the frontage of the subject lands.

h) Possibility of Commercial Uses on the Subject Lands

Suggestions were made to include office commercial development on the subject lands to provide employment opportunities within the area.

Response:

The Owner is also the primary landowner on the west side of Dufferin Street and commercial uses are approved through OPA #651 for the west side of Dufferin Street, so additional commercial uses are not necessary on the subject lands.

i) Garbage

The site is an area for unauthorized garbage dumping, particularly along Marc Santi Boulevard.

Response:

The Owner has taken measures to clean up the site, monitor the property with security cameras and provide fencing along the property to prevent further dumping. Redevelopment of the subject lands will prevent garbage being dumped on the site in the future.

j) Notice of Public Hearing

Resident indicated 20 days notice was inadequate for the meeting.

Response:

The City's Notification of the Public Hearing was sent in accordance with the requirements of the *Planning Act*. The standard polling area was expanded beyond the minimum Provincial requirement of 120 m and the City's minimum requirement of 150 m to include residents in a broader area within Blocks 10, 11, 17, and 18, as shown on Attachment #3.

k) Impact on Ecosystem

Concern was raised that the high rise building on Block 7 will have a shadowing impact on the park.

Response:

The Owner revised the development concept, reduced the size of Block 7 and the park block was relocated further north on Crimson Forest Drive. Shadow studies will be required prior to the approval of future Site Plan applications for all high-rise buildings.

l) Additional Community Meeting

Vaughan Council asked the Owner to work with the residents to resolve concerns raised at the Public Hearing.

Response:

The Owner considered the general and specific concerns raised by the public, and the review by City Departments and public agencies and the Vaughan Urban Design Review Panel, regarding the location, orientation and mix of residential land uses, roads and open space, and where practical and possible, changes were made to the original proposed development concept and Draft Plan of subdivision in response to the issues, comments, concerns and requests.

A community open house, hosted by the Owner, was held in February 2013, to present and discuss the revised development concept and the Draft Plan of Subdivision with area residents.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 6, 2012, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 20, 2012.

### **Purpose**

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

1. Official Plan Amendment File OP.12.015 to amend the approved in-effect OPA #600, as amended by OPA #651 (Carrville District Centre Plan) to re-designate the subject lands from "Mixed Use 1", "High Density Residential", "Medium Density Residential", "Parks", and "Valleylands/Woodlots" as shown on Attachment #4 to "Low-Rise Mixed-Use", "High-Rise Mixed-Use", "High-Rise Residential", "Parks", and "Natural Areas" in the manner shown on Attachment #5, thereby reconfiguring the land use designations approved through OPA #651 and re-naming the land use designations to be consistent with those used in Vaughan Official Plan 2010; and, to reconfigure the approved road network shown on Attachment #4, in the manner shown on Attachment #6.
2. Zoning By-law Amendment File Z.12.035, specifically to rezone the subject lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone shown on Attachment #3 to the following zone categories in the manner shown on Attachment #8:
  - a) RT1(H) Residential Townhouse Zone (Standard Lot) with the Holding Symbol "(H)" (Blocks 1 and 6);
  - b) RT1(H) Residential Townhouse Zone (Lot accessed by Lane) with the Holding Symbol "(H)" (Blocks 2 to 5 inclusive);
  - c) RA3(H) Apartment Residential Zone with the Holding Symbol "(H)" (Block 7);
  - d) OS1 Open Space Conservation Zone (Blocks 10 and 15);
  - e) OS2 Open Space Park Zone (Blocks 11 to 14 inclusive); and,
  - f) OS5 Open Space Environmental Protection Zone (Blocks 8, 9a, 9b, 16a, 16b, 17, 18, 19, 20, and 21).
3. Draft Plan of Subdivision File 19T-12V009 to facilitate the Plan of Subdivision shown on Attachment #9 consisting of the following:

a)	Low-Rise Mixed-Use (Blocks 1 to 6 - 240 townhouse units)	5.08 ha
b)	High-Rise Residential (Block 7 - 555 apartment units)	1.05 ha
c)	Natural Areas (Blocks 8 to 10)	6.83 ha
d)	Open Space Greenway (Block 11)	0.05 ha
e)	Parks (Blocks 12 to 14)	2.46 ha
f)	Buffer Areas (Blocks 15 to 21)	1.25 ha
g)	<u>Public Rights-of-Way (Streets "A", "B" and "C")</u>	<u>1.07 ha</u>
	Total	17.78 ha

## **Background - Analysis and Options**

### Location

The 17.8 ha vacant subject lands shown on Attachments #2 and #3 are located in the Block 11 quadrant of the Carrville District Centre bounded by Dufferin Street, Rutherford Road, Crimson Forrest Drive, and the MacMillan Reserve located north of Marc Santi Boulevard. The subject lands include a number of natural features, woodlots, valley lands and stream corridors which are located along the northern property boundary, and in the southwest and southeast corners of the site. The remainder of the site is tableland. The surrounding land uses are shown on Attachment #3.

### Supporting Documentation:

The following studies and reports were submitted in support of the applications:

- Planning Rationale Report, Planning Partnership, September 2012, revised March 2013;
- Environmental Noise Feasibility Study, Valcoustics, September 2012, revised March 2013;
- Slope Stability Report, AME Materials Engineering, September 2012;
- Environmental Impact Study, Beacon Environmental, September 2012, revised March 2013;
- Block 11 Tree Inventory Paul Cosburn Associates Limited, September 2012;
- Urban Design and Sustainable Design Guidelines/Brief, September 2012, revised March 2013;
- Landscape Master Plan, The Planning Partnership, September 2012, revised March 2013;
- Pedestrian and Bicycle Circulation Plan, The Planning Partnership, September 2012, revised March 2013;
- Park System Plan, The Planning Partnership, September 2012, revised March 2013;
- Road Hierarchy Plan, The Planning Partnership, September 2012, revised March 2013;
- MESP Update-Functional Servicing Report, by Schaeffers Consulting Engineers, September 2012, revised February 2013;
- Archaeological Assessment and Clearance Letters, Ministry of Culture, Province of Ontario, September 2012; and,
- Traffic Impact Overview Assessment Study, Poulos & Chung, September 2012, revised March 2013.

The studies and reports were reviewed by the respective City Departments and Public Agencies. Comments on these reports and related conditions of approval are discussed in the Land Use Policies and Planning Considerations section in this report.

### Vaughan Design Review Panel (DRP)

The development proposal was reviewed by the Vaughan Design Review Panel in October 2012. The DRP made the following suggestions for consideration by the applicant and the Vaughan Development Planning Department:

- develop a distinct urban character park; use the topography and site slopes to take advantage of central park overlooks; consider step seating;
- reconfigure the main park (maintain its size) but reposition it more central and more continuous to the overall plan;
- there are large areas of open space in the proposal; explore design opportunities between the open space and urban areas;

- create connectivity across the centre of the plan and into adjacent lands, with a full intersection at Dufferin Street and Street “A”;
- refine the street network to replace curved Street ‘A’ with a street that approaches Marc Santi Boulevard at a 90 degree angle since a sharper corner creates a regular more efficient block shape resulting in better quality buildings, slower traffic, and makes for a prominent pedestrian connection to the urban park;
- provide a substantial pedestrian right-of-way (R.O.W) across the urban park and develop a landscape plan which enhances the importance of the east-west connection across the park;
- include a public art strategy integrating art into the public realm;
- shift the segment of Street ‘C’ between Blocks 1 and 2 northward for a more traditional block size to accommodate a greater variety of built form;
- improve the quality of place at the intersection of Streets ‘B’ and ‘C’ with 3 corners of townhouse units and 1 corner of urban park;
- townhouse blocks should have a more robust urban form to create an urban place;
- transition height and density on site from low density adjacent to Crimson Forrest Drive, to high density on the westerly portion of site;
- consider medium density development central to the site;
- consider how high-rise towers relate to the topography of Block 7;
- work with the topography and natural features to go beyond the usual sustainable design checklist; and,
- show how public transit integrates into the urban fabric and how people will move around the site without cars.

The applicant has since revised their plan to address the DRP comments in the manner shown on Attachments #8 and #9.

#### Land Use Policies and Planning Considerations

The Vaughan Development Planning Department has reviewed Official Plan Amendment File OP.12.015, to redesignate the subject lands in the manner shown on Attachment #5 in light of the following land use policies:

##### a) Provincial Policy Statement (PPS)

The Provincial Policy Statement (PPS) includes policies that: encourage the focus of new growth within urban areas; direct new development to occur adjacent to the existing built up area; and require that new development shall have a compact form, and a mix of uses and densities that allow for the efficient use of the land, infrastructure and public service facilities. The subject lands are vacant lands within the serviced urban area of the City of Vaughan. The proposal for a development within the Carrville District Centre, which is planned for a mix of residential densities including townhouses, high-rise residential and high-rise mixed-use development meets the intent of the PPS with respect to the efficient use of land and infrastructure and will promote efficient land use and development patterns to support a livable and healthy community. The proposed development will also make efficient use of the existing facilities within the surrounding area. The proposed development conforms to the goals, objectives and policies of the PPS.

##### b) Places to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan policies guide the development of the Greater Golden Horseshoe area, and contribute to creating complete communities by encouraging compact built form that supports walking, cycling, street configurations which provide for transit supportive communities, diverse land uses and densities which allow for efficient use of land, and a range and mix of housing types, and directs growth to “Settlement Areas” serviced with existing municipal water and wastewater systems. Opportunities for the optimal use of land and infrastructure are provided for

by the Growth Plan by directing new growth to existing urban areas. The Growth Plan encourages new development within designated growth areas to occur adjacent to the existing built up areas, be of compact form, and incorporate a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject lands are a vacant greenfield area which is planned and designated for these uses, and located adjacent to a built up area. The Carrville Area is supported by existing municipal water and sewer systems and existing public transit. The proposed development conforms to the policies of the Growth Plan, will implement development as planned for by the City of Vaughan in its Official Plan and will contribute to creating a complete community. The proposed development provides for townhouse and apartment dwellings, with an opportunity for a mixed-use development on a portion of the site near Dufferin Street. The proposed development is consistent with the goals of the Growth Plan. The proposal will provide linked public open space systems connecting planned parks and natural areas, provide a mix of land uses and densities, and provide for a vibrant neighbourhood which supports walking, cycling and transit.

c) Region of York Official Plan

The Region of York Official Plan designates the subject lands “Urban Area”, which permits a wide range of residential, commercial, industrial and institutional uses. The Regional Official Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit supportive density. The “Carrville District Centre” is a local centre that has been planned to contain a broad mix of uses, be compact, pedestrian oriented and accessible. The proposal provides for townhouses and apartment dwellings for a variety of housing forms to meet the needs of different households, which is consistent with the Region of York’s policy to provide a variety of housing types. Most of the community surrounding the “Carrville District Centre” is developed with detached residential dwellings. The proposed amendment to the Vaughan Official Plan is consistent with the Regional Official Plan policies that direct development to the existing built-up portions of urban areas, and consistent with the Region’s policy to provide a variety of housing types.

The site is located adjacent to Rutherford Road which is identified in the Regional Official Plan as a Regional Transit Priority Network. The Regional Official Plan encourages pedestrian-scale development, safety, comfort and mobility, and the enrichment of the existing area with attractive buildings, landscaping and streetscapes. The Regional Official Plan recognizes the relationship between transportation and urban form. The proposed townhouse and apartment residential uses represent, compact urban form, and encourages and supports a higher level of public transit services as these housing forms, are within walking distance of Rutherford Road and existing transit. The subject lands are also located within walking distance of an existing commercial plaza located on the southwest corner of Dufferin Street and Rutherford Road. The proximity of the site to facilities and services within the existing community reduces the overall parking demand and the length of trips to destinations for work, shopping and school. Large areas of the subject lands are designated for parks and natural areas to provide for a quality open space amenity for residents, and also the configuration of the proposed development will preserve and protect these features within the community.

The Region indicated that the subject amendment defines the development concept and improves the overall design and layout of the Carrville District. The Region has indicated that the proposed development does not adversely affect Regional interests or planning policies, and in a letter dated November 2, 2012, the Region of York exempted Official Plan Amendment File OP.12.035 from Regional approval. This allows the Amendment to come into effect following its adoption by City of Vaughan Council and the expiration of the required appeal period, if the application is approved.

- d) City of Vaughan Official Plan Policy Framework
- i) Official Plan Amendment #600 / Official Plan Amendment #651 (Carrville District Centre Plan)

The subject lands are located within the Urban Village 2 - Carrville District of OPA #600, which provides the policy framework for the development of the urban communities in Blocks 10, 11, 17 and 18. OPA #600 identified the area where the 4 quadrants of these blocks meet, as the "Carrville District Centre", being an area envisioned for more intense forms of urban development and required the approval of a Secondary Plan to provide the framework for future development.

The Carrville District Centre area has been the subject of comprehensive studies reviewed by the City and the Region of York for over 10 years. This has resulted in several approved policy documents, the first being, OPA #651 (Carrville District Centre Plan) which is the "Secondary Plan" for the lands at the four corners of Dufferin Street and Rutherford Road, in Blocks 10, 11, 17 and 18. OPA #651 was approved in 2006 and provided the land use framework, densities and heights for a mixed-use district centre at the intersection of Dufferin Street and Rutherford Road. Attachment #4 illustrates the land use designations, building heights and densities for development within the Carrville District Centre approved through OPA #651, which is the current in-effect Official Plan that applies to the subject lands.

- ii) Carrville District Centre Urban Design Streetscape Master Plan Study (2008)

Following the approval of OPA #651 (Carrville District Centre Plan) in 2006, the Carrville District Centre Urban Design Streetscape Master Plan Study was completed in 2008. This study enhanced and modified the policies of OPA #651 to achieve appropriate built form and massing for the Carrville District Centre. The study resulted in other modifications to OPA #651 including minor adjustments to the road and block pattern, increases to the permitted building heights, and maintained the overall densities within the District Centre, while reducing the size of the building floor plates. These modifications allow for taller buildings on podiums thereby reducing shadow impacts and creating a more interesting skyline. Vaughan Council adopted these revisions and enhancements in 2008 and they were incorporated into the City of Vaughan Official Plan 2010 as the Carrville Centre Secondary Plan (Volume 2, Section 11.2) shown on Attachment #7.

Should the Ontario Municipal Board, grant final approval of the City of Vaughan Official Plan 2010, OPA #651 will be superseded by the Carrville Centre Secondary Plan. The timing of the subject Official Plan Amendment is such that it is between the approved in force OPA #651 and final approval of VOP 2010. The proposed development does not conform to either OPA #651 or the not yet in effect VOP 2010, and therefore, an Official Plan Amendment is required.

- iii) Vaughan Official Plan 2010, Volume 2, Carrville Centre Secondary Plan (CCSP)

As discussed above, the subject lands are designated in the manner shown on Attachment #7 by the Carrville Centre Secondary Plan (CCSP). The CCSP made changes to the subject lands in terms of reconfigured land use designations, revised densities regulated by Floor Space Index (FSI) ratios and revised maximum building heights as shown on Attachment #5. The Owner's proposal further reconfigures the land use designations and the local street pattern, increases the permitted FSI on certain blocks resulting in minor increases in the FSI's and makes changes to some of the maximum building heights (in storeys) for the subject lands.

iv) Conformity with in-effect City Official Plan

The proposed development does not conform to the in-effect Official Plan policies of OPA #600 as amended by OPA #651. However, the policies of the Carrville District Centre Plan respecting the general intent of the Plan, anticipated changes to the original layout of the land use lots/blocks and the road pattern through the planning approval process, and the general intent of the policies indicate that there is inherent flexibility in the Plan and in the design process for comparable arrangements, provided it is demonstrated (by the Owner) that the intent of the Plan is maintained, and that Vaughan Council may consider revisions and amendments to implement more detailed planning and design with proper justification.

The Development Planning Department recognizes that the intent, objectives and policies of the Carrville District Centre Plan are maintained and that development proposal does not preclude the overall vision for the Carrville District Centre from being achieved. The Development Planning Department supports the proposed changes as appropriate and justified, and finds that the changes proposed for the subject lands represent good planning. Given that OPA #651 is the in-effect policy framework for this site, it must be amended to implement the development proposal.

v) Conformity with the 2008 Carrville District Centre Urban Design Streetscape Master Plan Study

The Owner prepared the subject development applications, in consideration of the Carrville Centre Secondary Plan (VOP 2010, Volume 2) which includes the changes from the Carrville District Centre Urban Design Streetscape Master Plan Study. Although the land use designations have been re-configured in the proposed development concept, the intent of the Carrville Centre Secondary Plan (CCSP) is maintained. The reconfiguring of the land use blocks results in a re-alignment of the local street pattern. However the alignment of the primary roads remain as originally approved and reflects the CCSP as adopted by Vaughan Council. In addition, Marc Santi Boulevard and Crimson Forest Drive are existing roads. The proposed development concept is consistent with the intent of the Carrville District Centre Urban Design Streetscape Master Plan Study respecting the following:

- i) the mixture and distribution of land uses and built form;
- ii) the road network and hierarchy;
- iii) the pedestrian and open space system;
- iv) the identification of important character areas within the community; and,
- v) achieving a pedestrian-oriented, urban neighbourhood with connected parks and open space systems.

vi) Conformity with City of Vaughan Official Plan 2010; Volume 2, Carrville Centre Secondary Plan

The Development Planning Department is of the opinion that the proposed development concept as shown in Attachment #5, is consistent with the intent and principles of the VOP 2010, CCSP, including:

- i) facilitating development with a compact urban form;
- ii) implementing strong urban design principles;
- iii) supporting efficient transportation;
- iv) incorporating an ecosystem-based approach to planning in the plan;
- v) providing significant parks and open space lands;
- vi) the provision of a range of housing and unit types;
- vii) creating institutional opportunity; and,

viii) anticipating future growth.

Like OPA #651, the VOP 2010 CCSP includes interpretation policies (Section 11.2.21.4) which permit minor variations to land use designation boundaries, land uses, road pattern and numerical requirements (maximum 5%) of the Plan, provided the specific development proposal satisfies the design objectives and general intent of the CCSP.

#### Revised Development Concept

The Owner considered the comments and recommendations from the Public Hearing, the Design Review Panel, the Toronto and Region Conservation Authority, and City Departments, and made revisions to the development concept and Draft Plan of Subdivision. These changes make for better connections of open space areas and views, and complement the existing site grades. The revised development concept shown on Attachment #5 continues to meet the general intent of the Official Plans and Master Plan Study (2008).

##### a) Reconfiguration of Land Uses and Road Pattern

Attachment #4 shows the approved land use and road pattern as planned by in-effect OPA #651. The revised Development Concept shown on Attachment #5 proposes a further reconfiguration of the approved land use designations for the area. The proposed reconfiguration of the land use designations provides for better transition in built form, height and density across the property. However, the overall amounts and distribution of the land use designations has remained generally the same. The revised Development Concept has resulted in changes to the local street pattern shown on Attachment #6. The reorientation of streets is more suitable for the natural areas and existing grades of the property to allow for a stepping down of the townhouses along the street frontages, rather than through the townhouse lots. These changes are minor in nature and maintain the general intent and objectives of the CCSP.

##### b) Parks and Open Space Reconfiguration

The revised Draft Plan of Subdivision, as shown on Attachment #9, proposes a connected system of urban type parks and open spaces to meet the recreational needs of the community. The proposed park spaces have been located to allow for linkages to connect the parks, open spaces and the natural features within the subject lands. This provides opportunities for public trails, bicycle paths, seating areas, signage and lighting to be provided throughout these open spaces. Block 13 will be developed as a central park and given the location of this block adjacent to the woodlot, it can be developed as a unique pedestrian park.

The overall amount and distribution of parkland is reduced slightly in the revised Draft Plan of Subdivision compared to the CCSP. However, the decrease is negligible and compensation buffer areas around the natural areas (Blocks 19, 20 and 21 on Attachment #9) have been provided in the proposed Draft Plan of Subdivision as compensation for the decrease and the linkages and Open Space configurations.

The Development Planning Department is satisfied that the revised development concept meets the general intent and objectives of the Carrville District Plan (and the CCSP) and does not preclude the vision for the Carrville District Centre from being achieved. The changes proposed for the Carrville District Centre through this development proposal are justified, appropriate and represent good planning.

c) Valleylands/Woodlot Protection

The existing natural features (currently designated Valleylands/Woodlots within OPA #651) within the site will be maintained and protected. The Toronto and Region Conservation Authority (TRCA) has identified the natural features on site and has staked the limit of development. A ten (10) metre buffer area is required around these features and are identified on the proposed Draft Plan of Subdivision, as shown on Attachment #9. The natural areas and buffers have been approved by the TRCA. The TRCA concurs with the proposed compensation buffers. Marc Santi Boulevard is an existing road and a full 10 metre buffer width around the natural features is not possible in certain spots due to grading and the location of the road. The TRCA is satisfied that the proposed buffering provides sufficient protection of the natural area features on the subject lands. The valleyland portion of the natural area will be conveyed to TRCA through the subdivision approval process.

The Development Planning Department is satisfied with the proposed land use designations and that the Draft Plan of Subdivision provides sufficient protection of the natural features in a manner consistent with the Official Plan policies of OPA #651. The Development Planning Department can support the approval of the Official Plan Amendment File OP.12.015 to redesignate the subject lands in the manner shown on Attachment #5 and apply the appropriate land use policies to implement the proposed residential Draft Plan of Subdivision.

Phased Development

OPA #651 requires development within the Carrville District Centre to be phased to ensure the most efficient and economical use of existing and proposed infrastructure. The Owner proposes to develop the subject lands in phases. The proposed land use designations shown on Attachment #5 illustrates the planned land uses for the full build out of the site. The proposed Draft Plan of Subdivision shown on Attachment #9 represents the planned first phase of development. The townhouse development of Blocks 1 to 6 will occur in the first phase. The townhouse blocks are adjacent to Crimson Forrest Drive, which is an existing residential street. The townhouses are planned to be a maximum of 4-storeys in height and this low rise form of residential development, which is adjacent to the built up community to the east, will provide a transition to the higher buildings planned for the westerly portion of the site. Block 7, a high-rise residential block, is also planned for the first phase of development. The proposed land use designations as shown on Attachment #5 are consistent with the phasing policies of OPA #651.

The availability of municipal servicing allocation for the proposed first phase of development will determine the timing and the number of dwelling units to be developed in the first phase and subsequent phases of development for the proposed Draft Plan of Subdivision, and future site development applications will be required prior to the development of the subsequent phases.

All development within the Carrville District Centre area is subject to Site Plan Control and the requirement for Site Development Agreements will be required as a condition of development approval for each phase.

Zoning

The subject lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88. To facilitate the proposed Draft Plan of Subdivision shown on Attachment #9, a Zoning By-law Amendment is required to rezone the subject lands, in the manner shown on Attachment #8, and to permit the following site-specific zoning exceptions identified in Table 1 below:

Table 1 Proposed Zoning Exceptions:

	<b>By-law Standard</b>	<b>By-law 1-88 RA3 Apartment Residential Zone Requirements (Block 7)</b>	<b>Proposed Exceptions to RA3 Apartment Residential Zone Requirements (Block 7)</b>
a)	Minimum Lot Area	67 m <sup>2</sup> /unit	Shall not apply
b)	<u>Minimum Yards</u> i) Minimum Front Yard (Rutherford Road) ii) Minimum Interior Side Yard (West) iii) Minimum Exterior Side Yard (East)	i) 7.5 m ii) 7.5 m iii) 7.5 m	3 m 4.5 m 6 m
c)	Maximum Building Height	44 m	65 m (22 storeys)
d)	Minimum Landscape Strip Width Abutting a Street (Rutherford Road)	6 m	3 m
e)	Definition of a Lot	“Lot - Means a parcel of land that fronts onto a street separate from any abutting land to the extent that a Consent (severance) contemplated by Section 49 of the <u>Planning Act</u> , R.S.O, 1983, would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a Building Permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.”	“Lot - Means Block 7 shall be deemed to be one lot, regardless of the number of buildings constructed on the lot, the creation of any new lot by Plan of Condominium, Part Lot Control, Consent, and any easements or restrictions.”

	<b>By-law Standard</b>	<b>By-law 1-88 RT1 Residential Townhouse Zone (Standard Lot - Blocks 1 and 6)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Standard Lot - Blocks 1 and 6)</b>
a)	Minimum Lot Frontage	6.0 m	4.5 m
b)	Minimum Lot Area/Unit	162 m <sup>2</sup>	120 m <sup>2</sup>
c)	Minimum Exterior Side Yard Setback	4.5 m	2.4 m
d)	Maximum Building Height	11 m	12 m (4 storeys)

	<b>By-law Standard</b>	<b>By-law 1-88 RT1 Residential Townhouse Zone (Lot Accessed by a Lane - Blocks 2 to 5)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Lot Accessed by a Lane - Blocks 2 to 5)</b>
a)	Minimum Lot Frontage	6.0 m	4.5 m
b)	Minimum Lot Area	180 m <sup>2</sup>	120 m <sup>2</sup>
c)	Minimum Rear Yard i) with Attached Garage ii) with Detached Garage	7.5 m 15 m	6 m 12.5 m
d)	Minimum Exterior Side Yard to Dwelling/Garage	4.5 m	2 m
e)	Minimum Lot Depth	30 m	28 m
f)	Minimum Distance from Dwelling to Detached Garage	7.5 m	5 m
g)	Maximum Building Height	11 m	12 m (4 storeys)

The Development Planning Department can support the proposed site-specific exceptions to Zoning By-law 1-88, for the following reasons:

RA3 Apartment Residential Exceptions (Block 7)

a) Maximum Building Height

The proposed maximum building heights are consistent with the intent of the Official Plan but exceptions to the maximum heights in Zoning By-law 1-88 are required to implement the proposed building heights since the maximum building height permitted in the RA3 Apartment Residential Zone is 44 metres. The building heights are consistent with the intent of the Official Plan. The Development Planning Department can support the increase in building height.

b) Definition of a Lot

An exception to the Zoning By-law 1-88 definition of "Lot" is requested to ensure that for zoning purposes, the subject lands are deemed to be one lot regardless of future severances that might change the shape, size and configuration of the lot. The proposed development for Block 7 and the future blocks will likely be developed as one or more condominiums, and it is appropriate to ensure that any approved zoning exceptions established in this proposal remain applicable to the entirety of Block 7. The proposed definition for a "lot" has been used elsewhere in the City for high rise condominium developments, and will assist in defining the building setbacks and avoiding future zoning compliance issues if separate condominiums are created in the future. The Development Planning Department supports this exception.

c) Minimum Landscape Strip Width

The exception for a reduction in the minimum landscape strip width requirement from 6.0 m to 3.0 m is appropriate when used in developing an urban streetscape along arterial roads and local streets. Similar reductions have been used in other more urban areas of the City, to locate a building close to the street while maintaining space for proper landscaping and for the placement of utilities.

RT1 Residential Townhouse Zone (Standard Lot) and (Lot Accessed By a Lane) Exceptions (Blocks 1 to 6) and (Blocks 2 to 5)

a) Minimum Lot Frontage

The Owner has requested a minimum lot frontage of 4.5 m, whereas 6 m is required. The Development Planning Department has reviewed the justification report submitted in support of the applications and is satisfied that the reduced frontages will create a more distinct urban form, as envisioned by the Carrville District Centre Plan and the Urban Design Guidelines submitted for the development proposal.

b) Minimum Lot Area

The Owner has requested an exception to reduce the minimum lot area from 162m<sup>2</sup>/unit (Standard) and 180 m<sup>2</sup> (Lot Accessed by a Lane), to 120 m<sup>2</sup>/unit for all townhouse units. The reduced minimum lot area is appropriate for the proposed townhouse development within the Carrville District Centre, which is planned for a more urban form of development at higher densities, than townhouse developments in the area surrounding the Carrville District Centre.

c) Maximum Building Height

The Owner proposes to increase the maximum permitted building height for the townhouse units from 11 m to 12 m (4 storeys). The proposed increase in the maximum permitted building height is justified since it will provide a transition in building height from the low density residential (2-storey) community to the east, to the proposed high-rise residential buildings planned for the westerly portion of the subject lands.

d) Minimum Rear Yard Setback

The Owner proposes to reduce the minimum rear yard setback for a Lot Accessed by a Lane to 6.0 m for an attached garage, and 12.5 m for a detached garage. This reduction has been used elsewhere in the City.

Similar rear lane accessed townhouse blocks were approved by the City on the west side of Dufferin Street in Block 18. The provision of rear lanes allows for a desirable urban design streetscape with uninterrupted front facades, since the garages face the rear lane, and the reduced lot area provides for compact urban form of development.

e) Minimum Exterior Side Yard Setback

A minimum exterior side yard of 4.5 m is required by Zoning By-law 1-88, whereas the Owner is proposing 2.4 m. Exterior side yard reductions to 2.4 m have been used elsewhere and are justified within the Carrville District Centre area where a more urban form of development has been planned for and these reductions are considered minor.

f) Minimum Lot Depth

The Owner proposes a reduction in the required minimum lot depth from 30 m to 28 m. The Development Planning Department is of the opinion that the proposed reduction is minor in nature and will achieve proper siting within the proposed low-rise residential townhouse blocks.

g) Minimum Distance from a Dwelling to a Detached Garage

The Owner proposes to reduce the minimum distance from a dwelling to a detached garage for Lots Accessed by a Lane from 7.5 m to 5 m. The Owner is proposing this reduction to accommodate detached garages within the rear yards. This reduction has been used elsewhere in the City and is considered appropriate and minor for the proposed townhouse development.

Holding Symbol "(H)"

Should Vaughan Council find merit in the subject applications, the implementing Zoning By-law will rezone the residential portion of the subject lands to RA3(H) and RT1(H). The Holding Symbol "(H)" will not be removed until such time as water and sewage servicing capacity has been identified and allocated to the subject lands by Vaughan Council. A condition to this affect is included in the recommendation of this report.

The proposed development demonstrates good urban design principles, is compatible with the surrounding existing and planned land use context, and is consistent with the applicable Provincial and Regional planning policies. The Development Planning Department has no objections to the proposed zoning which will facilitate a development that provides parks, protects the natural areas and provides an open space system through the community and a greenway adjacent to Rutherford Road. The Development Planning Department can support the approval of the Zoning By-law Amendment File Z.12.035.

## Subdivision Design

The proposed 17.78 ha Draft Plan of Subdivision is shown on Attachment #9. Marc Santi Boulevard is an existing east-west primary road, and Crimson Forest Drive is an existing local road along the easterly limit of the site. New local streets 'B' and 'C' will be 17.5 m in width and the proposed lanes off Street 'C' will be 8.0 m. The new streets will be the subject of alternative design standards for streets as provided for in OPA #651. The location, alignment and approval for the Street 'A' intersection with Dufferin Street requires approval from the Region of York. The subdivision design is consistent with the proposed land use designations shown on Attachment #5. The development of the 240 townhouses and high-rise apartment block (555 apartment units) in Block 11 are subject to architectural control, and therefore, will require the Control Architect to review and certify compliance with the approved Architectural Design Guidelines.

The proposed land use designations provide for blocks for future high rise residential and high rise mixed-use development. These lands are not included in the Draft Plan of Subdivision File 19T-12V009 (Phase I) and are shown as "Future Development" blocks. Development on these lands will be subject of future site development applications. The Draft Plan of Subdivision also includes large areas of land for open space and parks. The Development Planning Department has no objection to the design of the proposed Draft Plan of Subdivision shown on Attachment #9, subject to the conditions of draft plan approval identified on Attachment #1.

## Vaughan Development / Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the applications and provide the following comments:

### a) Sewage and Water Allocation

Servicing allocation capacity has not been reserved nor assigned potential future capacity at this time. Therefore, if this Plan proceeds to approval, an agreement of no sale will apply, and the subject lands shall be zoned with a Holding Symbol "(H)", which can be removed when servicing capacity has been allocated to the Plan.

The City intends to undertake an annual review of the status of the available and unused servicing capacity and related Distribution Protocol. The availability of servicing allocation capacity for the above noted development applications may be revisited at this time based on the status of the subject development applications.

### b) Road Network

This application proposes changes to the road network approved in OPA #651 (Attachment #4), as shown on Attachment #6. Marc Santi Boulevard (primary road) and Crimson Forest Drive (local road) are two existing roads that run through the subject lands and constructed as part of the Block 11 Spine Services. Additional streets (Streets 'A', 'B', and 'C') are proposed using alternative road design standards. The reconfigured local streets are a minor change to the road network for the Carrville District and is justified, as it represents an overall improvement to the street layout.

### c) Environmental Site Assessment (ESA)

The Development/Transportation Engineering Department has reviewed "Phase One Environmental Site Assessment" report and a "Letter of Reliance" by SPL Consultants Limited, dated May 6, 2013. Given that no areas of potential environmental concern were identified through the Phase One Environmental Site Assessment (ESA) report, a Record of Site Condition is not required at this time. However, a Phase Two Environmental Site

Assessment conducted on the park lands shall be submitted to the City for review and approval.

d) Engineering Servicing

The Draft Plan of Subdivision is serviced by storm sewers, sanitary sewers and watermain that connect to existing services located on Crimson Forest Drive and Marc Santi Boulevard that were constructed as part of the Block 11 Spine Services, and as such, future connection points are available at the limits of the property. To maintain water quality, adequate supply and pressure, the proposed watermain on Street 'A' shall be interconnected to avoid a single feed system.

e) Transportation Management Plan (TMP)

The Owner has submitted a Transportation Management Plan (TMP), as shown on Attachment #11, that identifies proposed transit routes and bus stops, sidewalks, pedestrian network and proposed traffic control measures for the proposed Draft Plan of Subdivision. The adjacent minor collector road traffic calming measures and traffic control requirements have been identified on the Block 11 TMP. The final TMP must be approved by the Development/Transportation Engineering Department.

Vaughan Cultural Services Division

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

Vaughan Parks Development Department

The Nine Ten West development for Block 11 is expected to contain approximately 2500-3000 dwelling units that will comprise of medium to high density development. The total parkland that would be required for the proposed number of dwelling units is approximately 8.3-10 ha. The Draft Plan of Subdivision is proposing approximately 2.45 ha of parkland. The credit for any parkland conveyance will be applied against the number of units for the proposed high-rise development or the City will need to review the type of land use in order to determine the necessary credit. The shortfall of the required parkland will need to be paid as cash-in-lieu of parkland in accordance with the Planning Act and the City's Cash-in-Lieu Policy. The parkland requirements are tied directly to the proposed number of dwelling units and will need to be addressed in a future report once additional information is provided regarding the site development application.

Vaughan Real Estate Division

The Vaughan Real Estate Division requires the Owner to pay to the City of Vaughan by way of certified cheque, cash-in-lieu for the difference between landscaping dedicated and the total required dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, or a fixed unit rate per unit, whichever is higher, in accordance with the Planning Act and the City's Cash-in-lieu Policy. A condition to this effect is included in the recommendation of this report.

Vaughan Development Planning Department

a) Block Plan

The subject lands are located within the approved Block 11 Plan as shown on Attachment #10. Prior to the execution of the Subdivision Plan Agreement, the City must

be in receipt of a letter from the Block 11 Trustee confirming that the Owner has satisfied the obligations of the Block 11 Developers Group Agreement. A condition of approval has been included in the recommendation of this report.

Should Vaughan Council find merit in the applications, the Owner must update the approved Block 11 Plan to reflect the Council's decision. The Owner must display a Community Plan that reflects the approved Block 11 Plan on the interior wall of the sales office, comprising information approved by the City of Vaughan, prior to offering any units for sale, and that no Building Permit shall be issued until such information is approved by the Vaughan Development Planning Department.

b) Environmental Impact Study / Tree Inventory Report

There are substantial natural features and woodlot areas on the subject lands. An Environmental Impact Study prepared by Beacon Environmental, dated September 2012, documents the existing environmental conditions on site and potential negative effects of the development plan. The report recognizes that the subject lands are within the "Settlement Area" boundary of the Oak Ridges Moraine Conservation Plan (ORMCP) and it also addressed how the proposed development conforms to the ORMCP. The report concludes that the environmental conditions and significant natural heritage features have been identified and described and that the proposed development is environmentally feasible subject to the implementation of the recommendations in the report. The report recommends TRCA's involvement in the review and approval, process, implementation of an edge management and grading adjustment zone adjacent to all natural features, an edge management plan as a condition of approval, runoff from developed areas to be directed to stormwater management ponds, and any vegetation clearing to take place outside of the breeding bird season in accordance with the Migratory Birds Conservation Act.

The Beacon Environmental Report also contained a Tree Inventory, which characterizes the treed resources within the proposed development area, save and except for the tableland woodlot, and no significant vegetation was identified in the inventory.

A Woodlot Water Balance Report forms part of the Beacon Environmental Report and concludes that the woodlot feature on site is mostly located on the top of a hill, and does not have continuous water flowing through it nor does it have water stored within it to be maintained, and that the external drainage areas are less than the area of the feature itself. A detailed water balance analysis for the site was determined not to be warranted.

The TRCA is involved in the Draft Plan Approval process and has provided conditions, which are included in Attachment #1 to address the implementation of an edge management plan and other ecological issues concerning grading adjacent to all natural areas as identified in this report.

c) Urban Design and Landscaping

The proposed development reflects comments obtained from the public agency review, the Vaughan Design Review Panel, and input from the public.

In accordance with the initiatives to lead and promote sustainable site design such that the built form, vegetation, and landscape features are integrated into a sustainable system, the Development Planning Department has requested the Owner to provide an illustration demonstrating how the proposed high-rise (Block 7) could be integrated with the existing topography in the block.

With the removal of the north-south street in the High-Rise Blocks that are not part of the Phase 1 subdivision lands, the block width is approximately 220 m in length, which is undesirable as an urban scale for pedestrians. Consideration will be given to providing pedestrian permeability through this Block, when the future development plans for this block are submitted.

The Street 'A' configuration creates a less than ideal block configuration for the High-Rise Residential blocks, as noted by the Design Review Panel. Future development plans for these lots will be required to provide for pedestrian permeability through this Block.

As discussed above, the proposed plan contains a significant amount of valley lands and large areas of tableland woodlots. The total areas of each must clearly be identified on the proposed Draft Plan of Subdivision.

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

#### Vaughan Fire Services

The Vaughan Fire Services Department has no comments/concerns with the development applications.

#### School Boards

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the applications. The York Region District School Board has a future elementary school site located at Marc Santi Boulevard and Crimson Forest Drive. The School Board has indicated that it prefers the configuration of the original road pattern as approved in OPA #651 since the alignment of the proposed streets would not conflict with the future driveway entrances to a future school for this site. The School Board has no immediate plans for the construction of an elementary school on this site. Future driveway accesses for the school site will be reviewed at the time of consideration of a site plan application.

#### Canada Post

Canada Post has no objections to the development applications subject to conditions which are included in Attachment #1.

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

The Toronto and Region Conservation Authority (TRCA) has reviewed the proposed Draft Plan of Subdivision and in a letter dated March 26, 2013, provided technical comments. The subject property is located in the TRCA's Regulated Area and the Regional Storm Flood Plain for the East Don River. The TRCA outlined where permits are required prior to development. The comments also indicate the TRCA's Valley and Stream Corridor Management Program (VSCMP) guidelines for properties influenced by valley and stream corridors. The VSCMP defines the boundary of the valley and stream corridor, plus 10 metres inland, and does not permit new development within the boundaries of valley and stream corridors.

As indicated in the Beacon Environmental Report, the entire property is located within the "Settlement Area" designation of the ORMCP. The TRCA reviewed the Natural Heritage Evaluation/Environmental Impact Study and is satisfied that the proposed development protects the key natural heritage features and does not negatively impact or compromise the ORMCP.

The TRCA is satisfied that a 10 m ecological buffer has generally been provided around the natural heritage features on site and where the buffer has been minimally reduced, compensation buffers have been provided. In addition, the TRCA requests the provision of a detailed Edge Management Plan, and where grading in the buffer is proposed, an additional intensive restoration plan is expected.

The TRCA reviewed the Block 11 MESP and Functional Servicing Report and is satisfied that the stormwater management for the proposed development is consistent with the approved MESP for Block 11.

The TRCA and the Ministry of Natural Resources (MNR) have confirmed that both tributaries within the subject lands are located upstream of reaches which have been designated as regulated Red-Side Dace habitat under the ESA, 2007. Therefore, the MNR and TRCA will continue to monitor the implementation of design controls to ensure the quality of downstream habitat is maintained.

The TRCA has no objections to the proposal, subject to the Owner addressing the TRCA's conditions of approval included 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, as identified in this report.

The proposed development will include three stream waste disposal systems within the high rise buildings, which will contribute to increasing the waste diversion targets as part of the Greening Vaughan strategy.

ii) Manage Growth & Economic Well-Being

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

The development facilitates the type of development contemplated through Vaughan Official Plan 2010 with respect to the Carville Centre Secondary Plan area and provides for intensification located on Rutherford Road and along Dufferin Street, which will support the expansion of public transportation systems and alternative modes of transportation (e.g. cycling, walking, etc.).

iii) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes a public park to enhance the City's existing inventory of public amenity spaces. Pedestrian walkways and cycling trails will be provided throughout the development to encourage walking and cycling as a means of getting to community gathering areas within and outside the site.

#### **Regional Implications**

The Region of York has reviewed Official Plan Amendment File OP.12.015 and provided comments, in a letter dated November 3, 2012. The Region indicated that the subject site is designated "Urban Area" in the York Region Official Plan, which permits a wide range of

residential, commercial, industrial and institutional uses. Municipal servicing can be provided to this development through connections to existing services.

The Region approved OPA #651 and has advised that the subject Official Plan Amendment application only proposes refinements to the development concept to improve the overall design and layout of the Carrville District, therefore, the Region considers the Official Plan Amendment to be of local significance and does not adversely affect the Regional planning policies or interests. The Region confirmed that the proposed Official Plan Amendment is consistent with Regional Official Plan policy and has exempted this amendment application from approval by the Regional Planning Committee and Council. The Amendment will come into effect following the adoption by the City of Vaughan and the expiration of the required appeal period, if the application is approved.

The proposed development complies with the York Region Official Plan, as it introduces new housing types to the area at a transit supportive density. To help promote transit use by future residents in this development, the Region has requested that the Owner provide an information package to each residential unit, which includes a York Region Cycling map, community maps, and York Region Transit and GO Transit Schedules.

The Region's Transportation and Community Planning Branch also reviewed the proposed Draft Plan of Subdivision and provided technical comments, and Pre-Conditions and Conditions of Draft Approval, in a letter dated April 2, 2013. The Region recognizes that servicing capacity may not be available for the subject lands in the short term and in accordance with the Region's servicing protocol, respecting draft plans receiving approval prior to servicing allocation being available, has requested that all residential land within the subdivision plan, be subject of various restrictions, including the Holding Symbol "(H)" provisions, to ensure that the water and wastewater servicing are available prior to occupancy. The Region has no objection to the proposed Draft Plan of Subdivision, subject to the pre-conditions and conditions identified in Attachment #1.

### **Conclusion**

The applications for Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision will facilitate development and housing forms that are in keeping with the intent and objectives of the Carrville District Centre Plan and the revisions to this Plan implemented through the Carrville Centre Secondary Plan in Vaughan Official Plan 2010. The proposed development is in accordance with the policy initiatives of the Province (as outlined in the PPS and Places to Grow), and the Region (Official Plan) for the efficient use of developable land. The proposal supports sustainable community objectives and the subdivision implements a neighbourhood design that provides opportunities for walking, cycling and the use of existing public transit. The mixed use and high-rise land uses support the Carrville District Centre where a higher density, and higher intensity and mix of uses is expected and planned to develop, and therefore, implements the City's Official Plan policies. The development protects the natural areas and enhances the community with parks which provide linked open space systems throughout the lands. The proposal will result in development that is appropriate and compatible with the context of the existing community.

The Vaughan Development Planning Department is satisfied that the proposed land use designations as shown on Attachment #5, the proposed zoning as shown on Attachment #8, and the proposed Draft Plan of Subdivision as shown on Attachment #9, are appropriate and compatible with the existing and permitted uses in the surrounding area and the existing Carrville community. The Development Planning Department can support the approval of Official Plan Amendment File OP.12.015, Zoning By-law Amendment File Z.12.035, and Draft Plan of Subdivision File 19T-12V009, subject to the recommendations in this report, and the Conditions of Draft Approval as set out in Attachment #1.

**Attachments**

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Approved Carrville District Centre (OPA #651) Land Use, Density and Building Heights for the Subject Lands
5. Proposed Amendments to the Land Use Designations, Density and Building Heights in Carrville District Centre (OPA #651) for the Subject Lands
6. Proposed Amendments to the Road Network in Carrville District Centre (OPA #651) for the Subject Lands
7. Vaughan Official Plan 2010 Carrville Centre Secondary Plan Land Use Schedule
8. Proposed Zoning (File Z.12.035)
9. Draft Plan of Subdivision (File 19T-12V009)
10. Approved Block 11 Plan
11. Transportation Management / Sidewalk Master Plan

**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Director of Development Planning

/LG

# **ATTACHMENT NO. 1**

## **STANDARD CONDITIONS OF DRAFT APPROVAL**

### **DRAFT PLAN OF SUBDIVISION 19T-12V009 (JUNE 18, 2013) NINE-TEN WEST LIMITED PART OF LOTS 16 & 17, CONCESSION 2, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-12V009, ARE AS FOLLOWS:**

#### City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by The Planning Partnership, dated May 9, 2013.
2. Prior to or concurrent with Draft Plan of Subdivision approval, the Owner shall enter into an Agreement with the City of Vaughan, which Agreement shall be registered on title, committing the Owner to:

Not enter into any Agreements of Purchase and Sale with end users (\*) for the subject lands until such time as:

- a) The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the construction or infrastructure;

Or

- b) The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water supply and wastewater servicing capacity to the subject development; and,

York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of all water and wastewater infrastructure required to support the Region's capacity assignment pertaining to the City of Vaughan allocation used for the subject development;

Or

- c) The Regional Commissioner of Environmental Services and the City of Vaughan confirm servicing capacity for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.

AND

- B. Not enter into any Agreements of Purchase and Sale with non-end users for the subject land unless the Agreement of Purchase and Sale contains a condition that requires the purchaser and any subsequent purchasers to enter into a separate Agreement with the City of Vaughan. This Agreement shall be registered on title, committing the Owner to the same terms as set out in item A above.

*(\*) the term “end users”, for the purpose of the above-noted preconditions, is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.*

3. 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.
4. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the Tariff of Fees By-law 187-2012.
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 or roads and municipal service, the woodlot development charge, landscaping and fencing. The said Agreement shall be registered against the land to which it applies.
6. Prior to final approval of any part of the Plan, the Owner shall pay its proportionate share of the costs of any external municipal services temporary and/or permanent, built or proposed, that have been designed and oversized to accommodate the development of the Plan.
7. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
8. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
9. Prior to application for Building Permit, site plan approval will be required for development under the City's Site Plan Control By-law, for draft approved Blocks 1 to 7 inclusive.
10. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be in accordance with the City of Vaughan Street Naming Policy, as approved by Vaughan Council on June 26, 2012, and shall be submitted by the Owner for approval by Vaughan Council and shall be included on the first engineering drawings.
11. The road allowances within the Plan shall be designed in accordance with the City's engineering standards and shall be dedicated to the City free of all charge and encumbrances. The streets, Lots and Blocks shall be designed to coincide with the development pattern on adjacent properties.
12. Any dead end or open side of a road allowance within the Plan shall be terminated in a 0.3m reserve, to be conveyed to the City free of all charge and encumbrances, until required for a future road allowance or development of adjacent lands.
13. 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.
14. The Owner shall agree that the location and design of the construction access shall be approved by the City and/or the appropriate authority.
15. Prior to final approval, the Owner shall submit a soils report, and the Owner shall agree to implement the recommendations of such report, as approved by the City.
16. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the plan; any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.

17. 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.
18. The Owner shall agree that no Building Permits will be applied for until the City is satisfied that adequate access, municipal water, sanitary and storm services are available.
19. The Owner shall agree that on Lots with flankages on a collector, primary, or local road as identified by the Architectural Design Guidelines and the City, a front elevation featuring a main entrance or in some cases, an upgraded elevation, shall face the flankage. The flankage elevation for such lots shall be approved by the Control Architect, and the Director of Development Planning, prior to issuance of a Building Permit.
20.
  - a) Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit an Environmental Site Assessment report(s) in accordance with the "Ministry of Environment and Energy's Guidelines for Use at Contaminated Sites in Ontario, June 1996", as amended, and shall reimburse the City for the cost of peer review of the reports.
  - b) Should site remediation be required to meet the applicable soil and ground water criteria set out in the above Guidelines, the Owner shall submit to the City prior to final approval, a copy of the Record of Site Condition acknowledged by a Provincial Officer of the Ministry of the Environment.
  - c) The Owner shall provide a certificate by a qualified professional that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City, meet the applicable soil and ground water criteria noted above.
  - d) Where lands are being conveyed to the City for parkland purposes, the Owner shall agree that prior to issuance of any building permits, the Owner shall submit a Phase 2 Environmental Site Assessment report(s) addressing all park Blocks in the plan, in accordance with the Ministry of Environment Guideline for Use at Contaminated Sites in Ontario (June 1996 as amended), to the satisfaction of the City. On-site sampling contained in the reports shall be conducted following completion and certification of the rough grading of the park Block(s). Testing may include but not be limited to surface and subsurface soil, ground water, soil vapour, plant and aquatic species sampling and testing of building materials. The Owner shall reimburse the City for the cost of peer review of said report(s).
21.
  - a) Prior to final approval and prior to any works commencing on the site, the Owner shall submit for approval by the City and the Toronto and Region Conservation Authority (TRCA), a detailed engineering report(s) that describes the storm drainage system for the proposed development, which shall include:
    - i) plans illustrating how this drainage system will be tied into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, the design capacity of the receiving system and how external flows will be accommodated;
    - ii) the location and description of all outlets and other facilities;
    - iii) stormwater management techniques which may be required to control minor and major flows;
    - iv) proposed methods of controlling or minimizing erosion and siltation on-site and in

- downstream areas during and after construction;
  - v) overall grading plans for the subject lands; and,
  - vi) stormwater management practices to be used to treat stormwater to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat.
- b) The Owner shall agree to implement the recommendations set out in the aforementioned report(s) to the satisfaction of the City and TRCA.
22. The Owner shall agree:
- a) to obtain all necessary permits pursuant to Ontario Regulation 158 and the Lakes and Rivers Improvement Act from the Toronto and Region Conservation Authority;
  - b) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period; and,
  - c) to provide a copy of the executed Subdivision Agreement to the TRCA.
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. Prior to final approval, the Owner shall submit a Noise and/or Vibration Study, prepared by a qualified consultant for approval by both the City and the Region of York. The preparation of the Noise Report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the Subdivision Agreement to implement the approved abatement measures.
25. The Owner shall convey the following lands to the City or the TRCA, where appropriate, free of all charge and encumbrances:
- a) Blocks 15, 16a, 16b, 17 & 18 for open space purposes as buffer natural areas;
  - b) Blocks 19, 20 and 21 for buffer compensation purposes;
  - c) Blocks 8, 9a & 9b and 10 for natural areas;
  - d) Block 11, for open space greenway; and,
  - e) Blocks 12, 13 and 14 for park purposes.
26. The Owner shall convey the tableland woodlot portion of Block 9a to the City free of encumbrances, through a Front-Ending Agreement to be entered into with the City, in accordance with the City's Special Area Woodlot Development Charge By-law. Prior to final approval, the Owner and the City shall determine the woodlot acquisition payment in accordance with the Special Area Woodlot Development Charge By-law.
27. The Owner shall agree to design, purchase materials and install a street lighting system, compatible with the existing and/or proposed systems in surrounding plans, all in accordance with

City standards and specifications.

28. The Owner shall agree to erect fencing in the locations and of the types as shown on the approved construction drawing and as required by the City, in accordance with the Urban Design and Architectural Design Guidelines.
29. Prior to final approval, the Owner shall agree to pay the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential dwelling unit, as per Schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
30. Prior to final approval, the Owner shall submit a tree assessment, including an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting; the Owner shall agree to undertake the measures identified in the City-approved assessment.
31. Prior to final approval, the Owner shall prepare a Woodlot Edge Management Plan for the perimeter of Blocks 8, 9a, 9b and 10 Natural Areas and associated buffers to the satisfaction of the City.
32. Prior to final approval, the Owner shall prepare a Buffer Compensation Plan to the satisfaction of the City and/or the TRCA. The said Plan shall be integrated with the Woodlot Edge Management Plan.
33. Prior to final approval, the Owner shall prepare detailed elevations and cross-sections to demonstrate the built form for the townhouse Blocks 1, 2, 3, 4, 5 and 6, to confirm that they can appropriately integrate with the existing topography and severe crossfall grades.
34. Prior to final approval, the Owner shall submit:
  - a) an Urban Design Guidelines Report which shall identify all the objectives of the approved Urban Design Guidelines for the Block Plan.
  - b) an Urban Design/Streetscape Master Plan in accordance with the approved Urban Design Guidelines, which shall address, at minimum, the following:
    - internal landscaping on boulevards as it relates to the road rights-of-ways and the location of underground services (i.e. typical road sections incorporating boulevard trees);
    - co-ordination of the urban design/streetscape elements as they relate to all Plans within Block 11, including entrance features and medians;
    - landscaping along Marc Santi Boulevard and Crimson Forest Drive, including walls and fencing, and typical cross-sections required to determine appropriate locations for buffer landscaping; and,
    - landscaping along the greenways and single-loaded roads.
35. Prior to final approval, the Owner shall prepare a preliminary Pedestrian Level Wind Study in accordance with the City's Terms of Reference, to evaluate the micro-climate conditions and recommend appropriate mitigation measures that involve building design, massing and form adjacent to public spaces.
36. 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.

37. Prior to final approval, architectural design guidelines shall be submitted for Vaughan Council approval; the Owner shall agree that:
- a) a control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved Architectural Design Guidelines;
  - b) prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and,
  - c) the City may undertake periodic reviews to ensure compliance with the Architectural 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.
38. Prior to final approval the Owner shall prepare a preliminary sun/shadow study in accordance with the City's terms of reference, to evaluate the impact of shadow cast by the proposed plan on the streetscapes, parks and open spaces.
39. a) Prior to final approval and prior to commencement of any work on the site, the proponent shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the proponent shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements.
- b) Prior to final approval and prior to the commencement of any work on site, the proponent shall deliver to the City (Cultural Services Division) two copies of the Archaeological Assessment.
- c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants are urged to review the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
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:
- a) within the entire subdivision plan:
    - "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the dwelling occupants."
    - "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City of Vaughan lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographical conditions."
    - "Purchasers and/or tenants are advised that traffic-calming measures may have been incorporated into the road allowances."

- "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.
- Purchasers and/or tenants are advised that the City has not imposed a "tree fee", or any other fee, which may be charged as a condition of purchase, for the planting of trees. Any "tree fee" paid by a purchaser for boulevard trees does not guarantee that a tree will be planted on the boulevard adjacent to their residential dwelling."
- "Purchasers and/or tenants are advised that where Canadian National or Canadian Pacific railway company(s), or its assigns or successors in interest, has a right-of-way within 300 metres from the subject lands, and there may be future alterations or expansions to the rail facilities or operations which may affect the living environment of the residents in the vicinity, notwithstanding any noise and vibration attenuating measures included in the development and individual dwelling(s); CNR/CPR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way."
- 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."

- "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, the location of which will be identified by the Owner prior to any home closings."
- "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:
  - a) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.

- b) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

<sup>1</sup>The 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.

<sup>2</sup>The 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.”

- “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 the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.”

- “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.”
- Purchasers and/or tenants are advised that the 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 and traffic calming measures into the road allowances”.

- Purchasers and/or tenants are advised that the plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002.”
  - “Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and the facility is now closed and will be redeveloped into a passive park”.
  - “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.”
- b) abutting any open space, woodlot or stormwater facility:
- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
- c) abutting a park block:
- "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park", and that noise and lighting should be expected from the designed active use of the park."
- d) along a potential transit route:
- "Purchasers and/or tenants are advised that the following streets may be used as transit routes in the future: Crimson Forest Drive and Marc Santi Boulevard."
- e) abutting a public laneway:
- “Purchasers and tenants are advised that the public laneway will be maintained to a lesser standard than local public streets.”
  - “Purchasers and/or tenants are advised that snow clearing, plowing and sanding operations for the public laneway will occur only after all city streets have been cleared, plowed, and/or sanded, and either 15cm or more snow has fallen or severe rutting has occurred.”
  - “Purchasers and tenants are advised that lighting in the public laneway will only occur from light fixtures installed on the garage, and the light fixtures shall be operated and maintained by the property owner at the expense of the property owner.”

41. 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, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

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

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

*[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]*
42. Where the Owner and the City determine that the Owner will develop the park block(s), the Owner shall agree that the design, securities and construction for the park(s) will be addressed through an Agreement in accordance with the City's "Developer Build/Parks Development Policy, OPA #600 and future lands."
43. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an Agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that Agreement prior to issuance of a Building Permit.
44. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school Blocks.
45. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for

registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

46. Prior to final approval of the Plan, the Owner's Consultant shall certify that the internal roads within this Plan have been designed to comply with the internal roads of the approved Block Plan and that the pattern of the street and the layout of the blocks within the plan have been designed to coincide and correspond with the pattern and layout of the existing and proposed adjacent plans of subdivision.
47. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alternations caused from this draft plan approval.
48. Prior to final approval of the Plan, the Owner shall provide a copy of the fully executed Subdivision Agreement to:
  - a) Toronto and Region Conservation Authority (TRCA);
  - b) Canada Post;
  - c) Bell Canada; and,
  - d) Region of York Transportation and Community Planning Department (2 copies).
49. 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 and Lot frontages and depths in accordance with the approved Zoning By-law for all Lots and Blocks within the Plan.
50. Prior to final approval of the Plan, the Owner shall ensure that the following matters are resolved to the satisfaction of the City and TRCA:
  - a) Buffer and edge management zones for all environmental features shall be addressed prior to defining the limits of development. When defining the edge of environmental features, the defined edge shall generally be regarded as one (1) metre outside the established drip line;
  - b) That in consideration of the above, and in conjunction with the proposed cut/fill, the provision of buffer areas (where deemed suitable and necessary), and where future detailed geotechnical investigations demonstrate the need, the limits of development as illustrated on the Block Plan be subject to revision, as required and demonstrated by the review and approval of detailed technical submissions for individual development applications to the satisfaction of the TRCA and the City.
51. Prior to final approval of the Plan, the Owner shall provide a revised Water Supply Analysis for review and approval by the City.
52. Prior to final approval of the Plan, the Owner shall certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.
53. Prior to final approval of the Plan, the Owner shall ensure that the servicing works to be carried out are consistent with the concepts outlined in the Block 11 Master Environmental Servicing Plan Report to the satisfaction of the City.
54. Prior to final approval of the Plan, the Owner shall:

- a) Enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. The Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 11. This Agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.

The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 51 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".

- b) The Trustee for Block 11 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 11 Landowners Cost Sharing Agreement.
55. Prior to final approval of the Plan, the Owner shall prepare for review and approval a detailed Traffic Impact Study, and implement the recommendations of the study as approved by the City and the Region of York. The Owner shall subsequently, implement the recommendations of the traffic impact study as approved.
  56. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision as follows:
    - i) A base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the Plan (whichever occurs first) and shall include as a minimum requirement the following tests:
      - a) Bacteriological Analysis – total coliform and E-coli counts,
      - b) Chemical Analysis – Nitrate Test,
      - c) Water level measurement below existing grade.
    - ii) In the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results.
    - iii) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes.
    - iv) Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.

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

57. Prior to final approval of the Plan, the Owner shall design and construct the traffic calming/management measures that are identified on the City approved Block 11 Traffic Management Plan for the Plan in accordance with the approved Construction Drawings and the provisions of this Agreement to the satisfaction of the City. In the event that these traffic calming

measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures and/or modify existing traffic calming measures to the satisfaction of the City.

58. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City and TRCA. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City and TRCA.
59. 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) For park/open space block(s) that are being conveyed to the City, submit a Phase Two ESA report in accordance with O.Reg. 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space block(s) shall be conducted only after the City has certified the rough grading of the park/open space block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
  - c) 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 MOE 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 MOE, covering all the lands within the Plan.
  - d) Submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees 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 MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).
  - e) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
60. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to evaluate, oversee and finalize the intersections design/roadway network as per the recommendations in the Transportation Management Master Plan/updated transportation report, and to the satisfaction of the City. The Owner acknowledges that the engineering design for alternative road network/design, traffic calming measures, pedestrian and cycling infrastructure

and designated transit route(s) may result in variation(s) to the road and lotting pattern.

61. Prior to final approval of the Plan, the Owner shall provide drawings for the location and design of proposed bicycle parking at transit stops, proposed sidewalks, commercial sites, and other destinations within the Plan such as retail, to the satisfaction of the Development/Transportation Engineering Department. Street 'B' should have a sidewalk on one side to serve the future high-rise development.
62. Prior to the issuance of a Building Permit for any lot, the Owner's consulting engineer shall certify, to the satisfaction of the Engineering Department and the Building Standards Department that lot grading complies with 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, conforms in terms of location and geometry (i.e. width etc.) with the approved, or the amended and subsequently approved, Construction Drawings.
63. All lands within this Draft Plan of Subdivision shall be subject to a Holding Symbol "(H)", to be removed once the Region of York confirms that adequate water supply and sewage treatment capacity are available and the City has allocated same.
64. Prior to the transfer of any Lots or Blocks, the Owner shall construct a maintenance free acoustic barrier along the private side of the lot lines of the subject lots as required in the approved noise report and in compliance with City's noise policy. The noise consultant shall certify that the acoustic barrier complies with the requirements of the noise report prior to transfer.
65. Prior to the initiation of construction within the Plan, the Owner shall provide construction access to the Plan to the satisfaction of the City and the Region of York.
  - a) No other access to the Plan shall be used for construction unless authorized in writing by the City. If another access is used without approval, the City may refuse to issue further building permits within the Plan or subsequent future phases until such use ceases.
  - b) The Owner shall remove the construction access when directed by the City to do so.
66. Notwithstanding the general provisions (Subsection 5.1) that are typically included in 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 appropriate conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.
67. The Owner acknowledges that the engineering design(s) for the roads, traffic calming measures, designated transit route(s), lot grading and municipal services may result in variation to the road, lotting pattern and the number of lots, which may be reflected in the final Plan to the satisfaction of the City.
68. The Owner agrees that all lots or blocks within the Plan that are left vacant six (6) months following completion of overall grading shall be topsoiled, to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.

#### Region of York Conditions

69. The road allowances included within the Draft Plan of Subdivision shall be named to the satisfaction of the area municipality and York Region.
70. York Region shall confirm that adequate water supply and sewage capacity are available and have been allocated by the City of Vaughan for the development proposed within this Draft Plan of Subdivision or any phase thereof. Registration of the Plan of Subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.

71. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
72. For all lands, the Holding Symbol “(H)” provisions of Section 36 of the Ontario Planning Act shall be used in conjunction with all Residential Zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding Symbol “(H)” is removed in accordance with the provisions of the Ontario Planning Act. The Zoning By-law shall specify the terms under which Vaughan Council may consider the removal of the Holding Symbol “(H)”. Said terms shall include a minimum of the following:
  - the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time prior, which is acceptable to the Region (usually 6 months to 36 months depending on the complexity of the development) to permit the plan registration; or,
  - the Regional Commissioner of Environmental Services confirms servicing allocation to this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
73. Prior to final approval, the Owner shall agree to provide direct pedestrian and cycling connections to boundary roadways and adjacent developments, as well as facilities on the site (e.g. convenient and secure bike racks near entrances) to promote the usage of non-auto travel modes. York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connection/facilities.
74. Prior to final approval, the Owner shall agree to address all transportation related documents pertaining to the aforementioned Traffic Impact Study as identified in the Region of York Memo dated January 22, 2013.
75. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required Regional road improvements for this subdivision. The report/plan, submitted to the Transportation and Community Planning Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
76. Prior to final approval, the Owner shall provide a written undertaking, to the satisfaction of the Transportation and Community Planning Department that the Owner agrees to implement the recommendations of the functional transportation report/plan as approved by the Transportation and Community Planning Department.
77. Prior to final approval, the Owner shall submit detailed engineering drawings, to the Transportation and Community Planning Department for review and approval, that incorporate the recommendations for the functional transportation report/plan and approved by the Transportation and Community Planning Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
78. Prior to final approval, the Owner shall provide a set of engineering drawings, approved by the area municipality, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto York Region roads, for all lands within this Plan of Subdivision, to the

Transportation and Community Planning Department for verification that all York Region's concerns have been satisfied.

79. Prior to final approval and concurrent with the submission of the Subdivision's Servicing Application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to the Community Planning Branch, Attention: Manger, Development Approvals, that include the following drawings:
- a) Plan and Profile for the York Region road and intersections;
  - b) Grading and Servicing;
  - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
  - d) Construction Access Design;
  - e) Utility and Underground Services Location Plans;
  - f) Signalization and Illumination Designs;
  - g) Line Painting;
  - h) Traffic Control/Management Plans;
  - i) Erosion and Siltation Control Plans;
  - j) Landscaping Plans, including tree preservation, relocation and removals; and,
  - k) Requirements of York Region Transit.
80. Prior to final approval, the Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to the Transportation and Community Planning Department, Attention Mrs. Eva Pulnicki, P.Eng.
81. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Transportation and Community Planning Department and illustrated on the Engineering Drawings.
82. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
83. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that elevations along the streetline shall be 0.3 metres above the centreline elevations of the Region of York roadway, unless otherwise specified by the Transportation and Community Planning Department.
84. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) all existing woody vegetation within the York Region road right-of-way;
  - b) tree protection measures to be implemented on and off the York Region road right-of-way to protect right-of-way vegetation to be preserved;
  - c) any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal; and,
  - d) a planting plan for all new and relocated vegetation to be planted within the York Region road right-of-way, based on the following general guideline:

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

85. Prior to final approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Transportation and Community Planning Department recommending noise attenuation features.
86. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of the Transportation and Community Planning Department.
87. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, that where berm, noise wall, window, and/or oversized forced air mechanical systems are required, these features shall be certified by a Professional Engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
88. The following warning clause shall be included in a registered portion of the Subdivision Agreement with respect to the lots or blocks affected:

“Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase occasionally interfering with some activities of the building’s occupants”.
89. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in the Subdivision Agreement, in wording satisfactory to York Region’s Transportation and Community Planning Department, as follows:
  - a) that no part of any noise attenuation feature shall be constructed on or within the York Region right-of-way;
  - b) that noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality’s concurrence;
  - c) that maintenance of the noise barriers and fences bordering on York Region right-of-ways shall not be the responsibility of York Region; and,
  - d) that any landscaping provided on York Region right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Transportation and Community Planning Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
90. Prior to final approval, the Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the York Region Solicitor:
  - a) a widening across the full frontage of the site where it abuts Dufferin Street of sufficient width to provide a minimum of 22.5 metres from the centreline of construction of Dufferin Street;

- b) a 15.0 metre by 15.0 metre daylight triangle at the northeast and southeast corners of Dufferin Street and Marc Santi Boulevard;
  - c) a 10.0 metre by 10.0 metre daylight triangle at the northeast and southeast corners of Dufferin Street and Street A;
  - d) a widening across the full frontage of the site where it abuts Rutherford Road and Crimson Forest Drive; and,
  - e) a 0.3 metre reserve across the full frontage of the site, except at the approved access locations, adjacent to the above noted widening, where they abut Dufferin Street and Rutherford Road adjacent to the above noted widening.
91. Prior to final approval, in order to determine the property dedications required to achieve the ultimate right-of-way width of Dufferin Street and Rutherford Road abutting the subject site, the Owner shall submit a recent plan of survey for the property that illustrates the existing centre line of construction of Dufferin Street and Rutherford Road.
92. Prior to final approval, the Owner shall provide a Solicitor's Certificate of Title in a form satisfactory to the York Region Solicitor, at no cost to York Region with respect to the conveyances of the above noted lands to York Region.
93. Prior to final approval, York Region requires the Owner to submit to it, in accordance with the requirements of the *Environmental Protection Act*, and O. Reg. 153/04 *Records of Site Condition Part XV.1 of the Act* (as amended), a Phase 1 Environmental Site Assessment prepared and signed by a qualified professional, of the Owners' lands and more specifically of the lands to be conveyed to York Region (the "Assessment"). Based on the findings and results of the Assessment, York Region may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required. The Assessment and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands to be conveyed must be addressed to York Region, contain wording to the effect that York Region shall be entitled to rely on such reports or documentation in their entirety, and such reports or documentation shall be satisfactory to York Region.
94. Prior to final approval, the Owner shall certify, in wording satisfactory to the Transportation and Community Planning Department, that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous good, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under all lands to be conveyed to York Region (including soils, substrata, surface water and ground water, as applicable): (i) at a level or concentration that exceeds the *Environmental Protection Act*. O. Reg. 153/04 full depth generic site condition standards applicable to the intended use that such lands will be put by York Region at the time of conveyance or any other remediation standards published or administered by governmental authorities applicable to the intended land use; and (ii) in such a manner, condition or emanating from such lands in such a way, that would result in liability under applicable environmental laws. The Assessment, any subsequent environmental reports or other documentation and the Owners' certification shall be done at no cost to York Region.
95. The Owner shall agree, in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department, to be responsible to decommission any existing wells on the Owner's lands in accordance with all applicable Provincial legislation and guidelines and to the satisfaction of the area municipality.
96. The Owner shall agree, prior to the development approval of the subdivision that direct vehicle access will not be permitted. Access must be obtained through the internal road network.

97. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department that Marc Santi Boulevard shall be designed to intersect Dufferin Street at a right angle, or on a common tangent and be directly opposite District Avenue.
98. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the throat width of Street "A" shall be designed to accommodate one 3.5 metre inbound lane and one 3.5 metre outbound lane, for a distance of 60 metres from the widened limit of Dufferin Street. No intersection or non-residential access shall be permitted on Street "A" within 60 metres of the widened limit of Dufferin Street.
99. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the throat width of Marc Santi Boulevard shall be designed to accommodate one 5 metre inbound land, a 2 metre centre median and two 3.5 metre outbound lands for a distance of 60 metres from the widened limit of Dufferin Street within 60 metres of the widened limit of Dufferin Street.
100. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the right-of-way width of Street "A" shall be a minimum of 20.0 metres to accommodate the requirements of Condition 98 above.
101. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that the right-of-way width of Marc Santi Boulevard shall be a minimum of 26.0 metres to accommodate the requirements of Condition 99 above.
102. Prior to final approval, the intersections of Street "A", and Marc Santi Boulevard at Dufferin Street shall be designed to the satisfaction of the Transportation and Community Planning Department with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by the Transportation and Community Planning Department.
103. Prior to final approval, the Owner shall demonstrate, to the satisfaction of the Transportation and Community Planning Department, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer of easement to the City of Vaughan, at no cost to the Region.
104. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to the Transportation and Community Planning Department that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early state, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
105. Prior to final approval, the Owner shall submit engineering plans for York Region's approval that identify on the plans the Transit requirements.
106. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.

107. 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.

Toronto and Region Conservation Authority (TRCA) Conditions

108. That prior to the initiation of grading and prior the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report for the review and approval of the Toronto and Region Conservation Authority (TRCA) that describes the storm drainage system (quantity and quality), in accordance with the approved Block 11- Master Environmental Servicing Plan (MESP). This report shall include:
- a) plans illustrating how this drainage system will tie into surrounding drainage systems i.e. is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?
  - b) storm water management techniques, which may be required to control minor or major flows;
  - c) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to fish and their habitat;
  - d) proposed method for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
  - e) location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, the TRCA's (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) Regulation;
  - f) overall grading plans for the subject lands; and,
  - g) supplementary measures including additional source and conveyance measures to enhance infiltration and reduce runoff volumes.
109. That the Draft Plan of Subdivision be red-line revised in order to meet the requirements of Conditions 108, 116 and/or 117, if necessary.
110. That the Owner successfully obtain permits(s) under Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses) for topsoil stripping/site grading and development of the subject lands.
111. That the Owner submit a detailed and comprehensive Erosion and Sediment Control Plan, which complies with the TRCA's Erosion and Sediment Control Guidelines for Urban Construction ([www.sustainabletechnologies.ca](http://www.sustainabletechnologies.ca)).
112. That the implementing Zoning By-law recognize Open Space/Natural Area Blocks 8, 9a and 9b, & 10 and Buffer/Buffer Compensation Blocks 11, 15, 16a, 16b, 17, 18 19, 20 & 21 in an open space, or other suitable zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
113. That a copy of the adopted implementing Zoning By-law be provided to the TRCA, when available, to facilitate the clearance of the conditions of draft approval.

114. That Open Space/Natural Area Blocks 8, 9a, 9b & 10 and Buffer/Buffer Compensation Blocks 11, 15, 16, 17, 18, 19, 20 & 21 be set aside for acquisition or dedication to either the TRCA or the City of Vaughan, free of all charges or encumbrances.
115. That the Owner shall submit an Edge Management/Restoration Planting Plans for Buffer/Buffer Compensation Blocks 11, 15, 16a, 16b, 17, 18, 19, 20 & 21, which consist of native, non-invasive species and complies with the TRCA's Planting Guidelines.
116. That the Owner provide a comprehensive report detailing measures to manage runoff and water balance to the satisfaction of the TRCA.
117. That the Owner submit a finalized Environmental Impact Study that addresses all outstanding issues outlined in Appendix II of the TRCA's Letter of March 26, 2013.
118. That the Owner agree in the Subdivision Agreement, in wording acceptable to the TRCA:
  - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical report reference in Conditions No. 108, 116, and/or 117;
  - b) to maintain all stormwater management and erosion and sediment control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
  - c) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
  - d) to erect a permanent fence to the satisfaction of the TRCA for Blocks 1, 3, 6, and 7 along the edge abutting the Open Space/Buffer Block(s);
  - e) that no grading works will take place within the buffer blocks/buffer compensation areas, without the review and consent of the TRCA; and,
  - f) that no retaining wall structures or systems be erected on any buffer blocks/buffer compensation areas, without the review and consent of the TRCA.
119. That a copy of the executed Subdivision Agreement be provided to the TRCA when available, in order to expedite the clearance of conditions of draft approval.
120. That at the time of registration, the Owner shall provide a detailed letter indicating how TRCA conditions of Draft Plan approval have been met (i.e. citing specific sections of the executed Subdivision Agreement and technical reports/plans).

#### Canada Post Conditions

121. Prior to final approval of the Plan, the Owner shall agree to:
  - a) include on all Offers of Purchase and Sale a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox;
  - b) be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase Offer on which the homeowner does a sign off;
  - c) consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;

- d) provide the following for each Community Mailbox site and include these requirements on appropriate servicing plans:
- an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to place the Community Mailboxes on (a copy of the Standards will be provided upon request). The Owner further agrees to provide these cement pads during sidewalk pouring and will notify Canada Post in writing of the locations as they are completed;
  - any required walkway across the boulevard, as per municipal standards, and requirements;
  - any required curb depressions for wheelchair access;
  - multiple blocks will have the appropriate Canada Post Delivery Policy applied as the required information becomes available and it is requested that information be provided to Canada Post by the Owner;
  - for any buildings with common elements, Canada Post's Multi Unit Policy will be in effect for any Multi Unit Buildings. It will be the Owner's responsibility to purchase and maintain Centralized Mail Boxes for this development type; and,
  - any institutions in this plan will be treated as a single business and will be provided mail delivery to 1 Point of Call.
- e) include a clause in the Subdivision Agreement whereby the Owner agrees to ensure that all new home buyers will be officially notified of the exact Community Mail Box locations prior to any house sales;
- f) the Owner agrees to require that the builder post in a clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This Plan shall be completed prior to the start of the house sales for the subdivision;
- g) determine and provide and fit up a suitable temporary Community Mail Box location(s) that may be utilized by Canada Post until the permanent mailbox pads, curbs, sidewalks and final grading have been completed at the permanent Community Mailbox site locations (a gravel area with a single row of patio stones - spec to be provided). This will enable Canada Post to provide mail service to new residents as soon as the homes are occupied. The Owner further agrees to fit up the temporary area 30 to 60 days prior to the first occupancy and notify Canada Post of the first occupancies at this time. (The Owner should provide evidence of how they intend to co-ordinate this activity in a timely manner to a safe and clean useable area); and,
- h) provide a copy of the executed Subdivision Agreement to Canada Post.

#### York Region School Boards

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

#### Bell Canada Conditions

123. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell

Canada facilities or easements, the Owner/developer shall be responsible for the relocation of such facilities or easements.

124. Bell Canada requires one or more conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunications facilities are located to the street line.

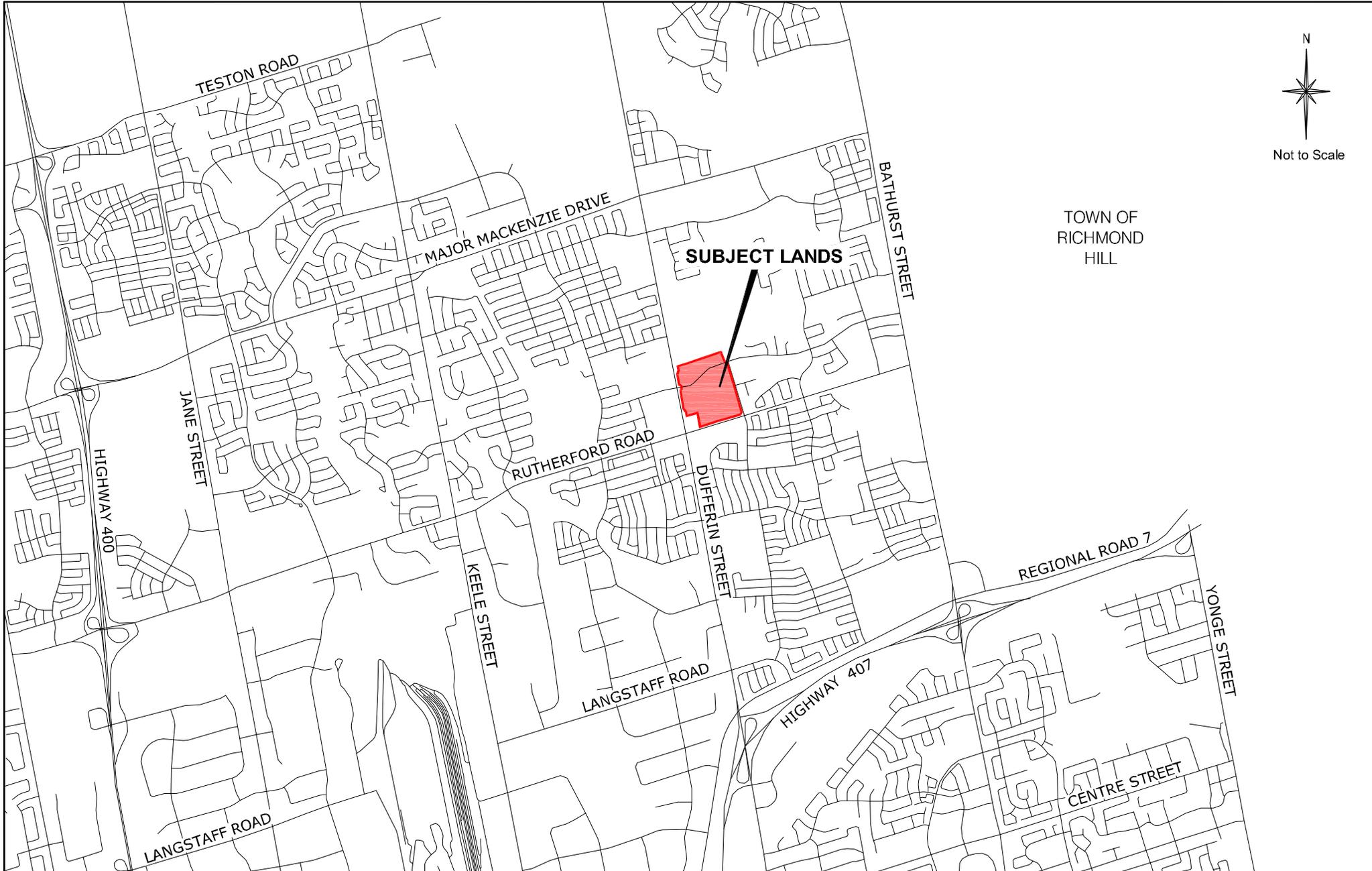
#### Enbridge Gas Distribution Inc. Conditions

125. Prior to final approval of the Plan, the Owner shall agree to:
- a) discuss installation and clearance requirements for service and metering facilities with the Enbridge Customer Connections Department;
  - b) prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities;
  - c) construct streets in accordance with composite utility plans previously submitted and approved by all utilities;
  - d) grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information required for the installation of the gas lines; and,
  - e) additional conditions will be provided at the Site Plan review stage.

#### Other Conditions

126. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
- a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and,
  - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 125 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
127. The City shall advise that Conditions 1 to 68 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
128. The Region York shall advise that Condition 2 and Conditions 69 to 107 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
129. The Toronto and Region Conservation Authority shall advise that Conditions 108 to 120 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
130. Canada Post shall advise that Condition 121, has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
131. York Region School Board(s) shall advise that Condition 122 has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.

132. Bell Canada shall advise that Conditions 123 to 124 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
133. Enbridge Gas Distribution Inc. shall advise that Condition 125, has been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.



# Context Location Map

Location: Part of Lots 16 & 17,  
Concession 2

Applicant:  
Nine-Ten West Limited



# Attachment

Files: OP.12.015,  
Z.12.035, & 19T-12V009

Date:  
June 11, 2013

# 2

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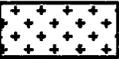
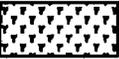




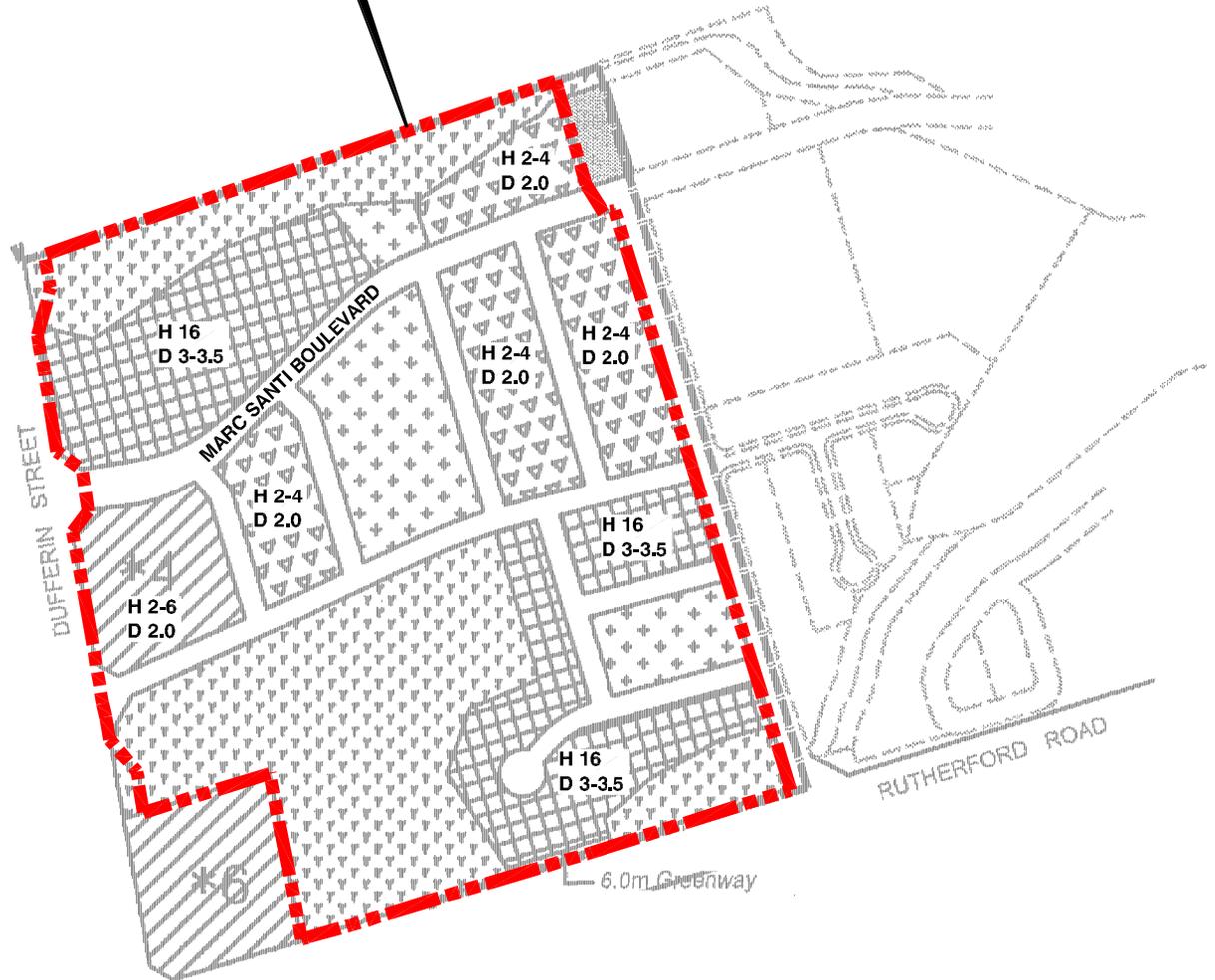
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**SUBJECT LANDS  
(NINE-TEN WEST LIMITED)**

### SECONDARY PLAN FOR CARRVILLE DISTRICT CENTRE

-  Mixed Use 1
-  Mixed Use 2
-  High Density Residential
-  Medium Density Residential
-  Stormwater Management
-  Parks
-  Valleylands/Woodlots

\* FOR EXCEPTIONS TO MU-1 AND MD-R SEE  
RELEVANT LAND USE DESIGNATIONS IN OPA



**H = Maximum Number of Storeys**  
**D = Maximum Density (Floor Space Index)**

## Approved Carrville District Centre (OPA #651) Land Use, Density, and Building Heights for the Subject Lands

Applicant:  
Nine-Ten West Limited

Location: Part of Lots 16 & 17,  
Concession 2



# Attachment

Files: OP.12.015,  
Z.12.035, & 19T-12V009

Date:  
June 11, 2013

# 4

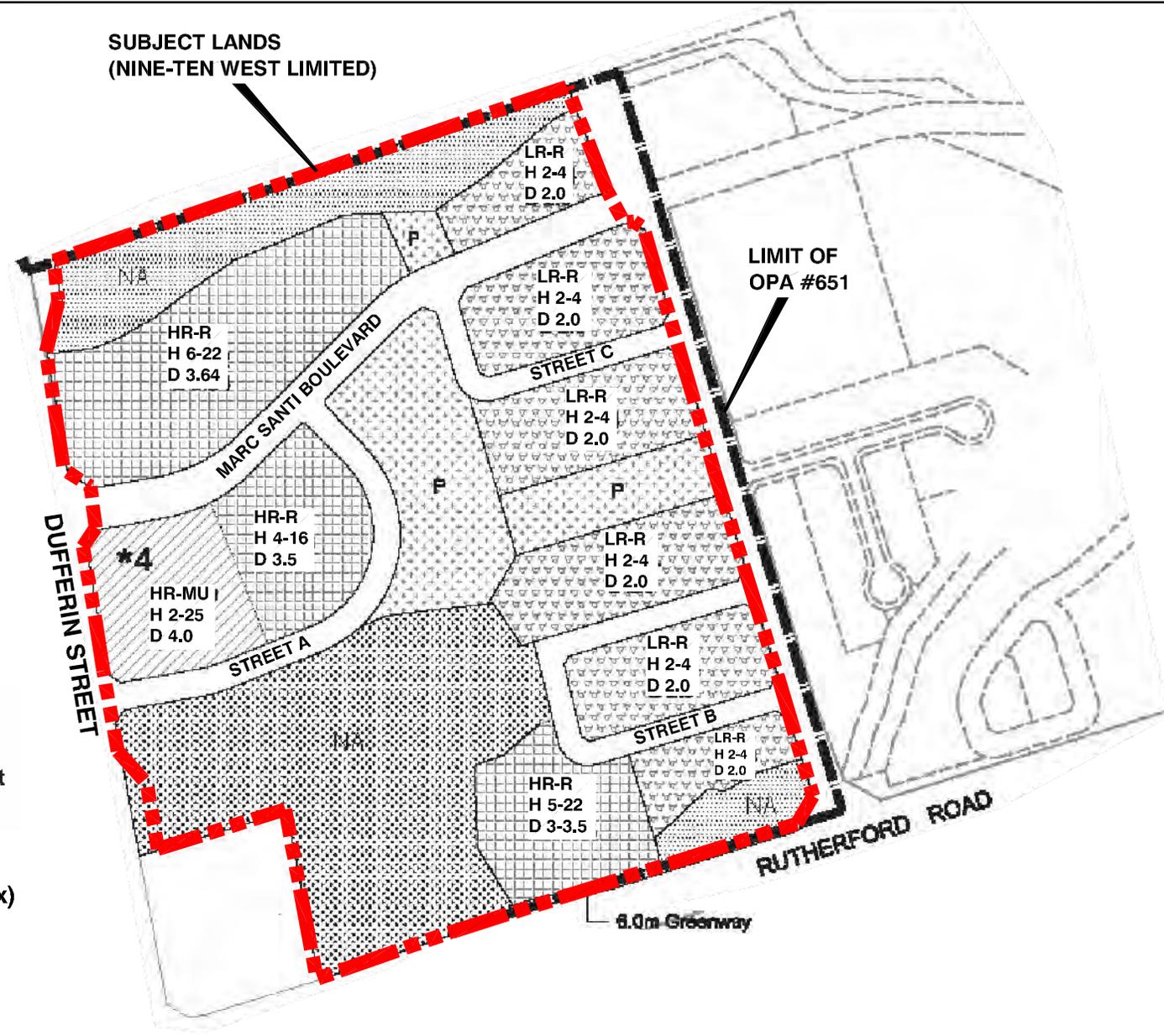


**SUBJECT LANDS  
(NINE-TEN WEST LIMITED)**

**PROPOSED AMENDMENTS TO OPA #651  
LAND USE DESIGNATIONS  
CARRVILLE BLOCK 11 (NINE-TEN WEST LTD.)**

- HR-R High-Rise Residential
- HR-MU High-Rise Mixed-Use
- LR-MU Low-Rise Mixed-Use
- P Parks
- NA Natural Areas
- \*** For exceptions to HR-MU see relevant land use designations in OPA.

**H = Maximum Number of Storeys**  
**D = Maximum Density (Floor Space Index)**



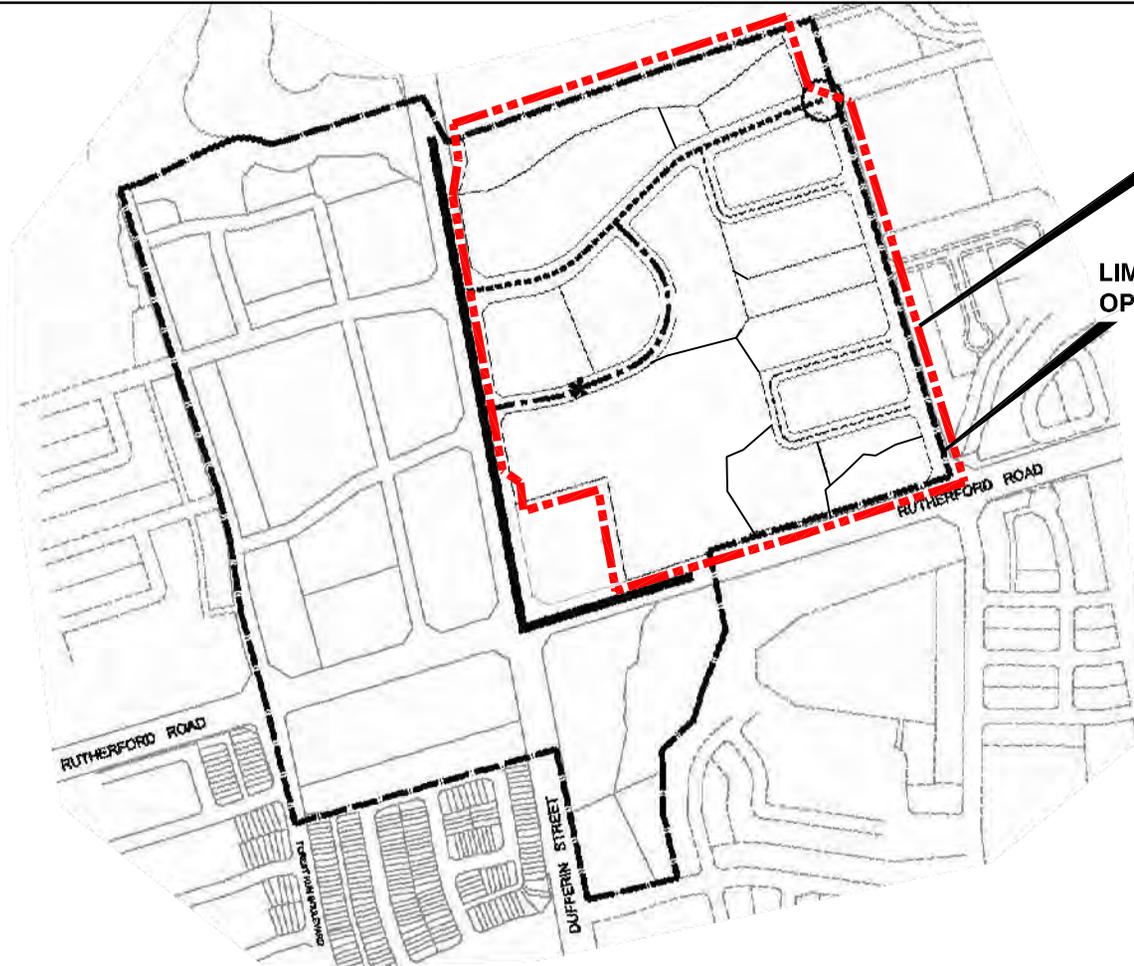
*Proposed Amendments to the Land Use Designations,  
Density, and Building Heights in Carrville District  
Centre (OPA #651) for the Subject Lands*

*Applicant: Nine-Ten West Limited*      *Location: Part of Lots 16 & 17, Concession 2*



**Attachment**  
**5**  
Files: OP.12.015,  
Z.12.035, & 19T-12V009,  
Date: June 11, 2013

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**SUBJECT LANDS  
(NINE-TEN WEST LTD.)**

**LIMIT OF  
OPA #651**

**PROPOSED AMENDMENTS TO OPA #651  
LAND USE DESIGNATIONS  
CARRVILLE BLOCK 11 (NINE-TEN WEST LTD.)**

 **Arterial Roads**  
 **Primary Roads**

 **Local Roads**  
 **Special Character Street**

 **Round-a-bout**  
 **Inclusion of this road to be determined  
at draft plan of subdivision stage**

*Proposed Amendments to the Road Network  
in Carrville District Centre (OPA #651) for  
the Subject Lands*

*Applicant: Nine-Ten West Limited*      *Location: Part of Lots 16 & 17,  
Concession 2*



*Attachment*

*File: 19T-12V009,  
OP.12.015, & Z.12.035*

*Date:  
June 11, 2013*

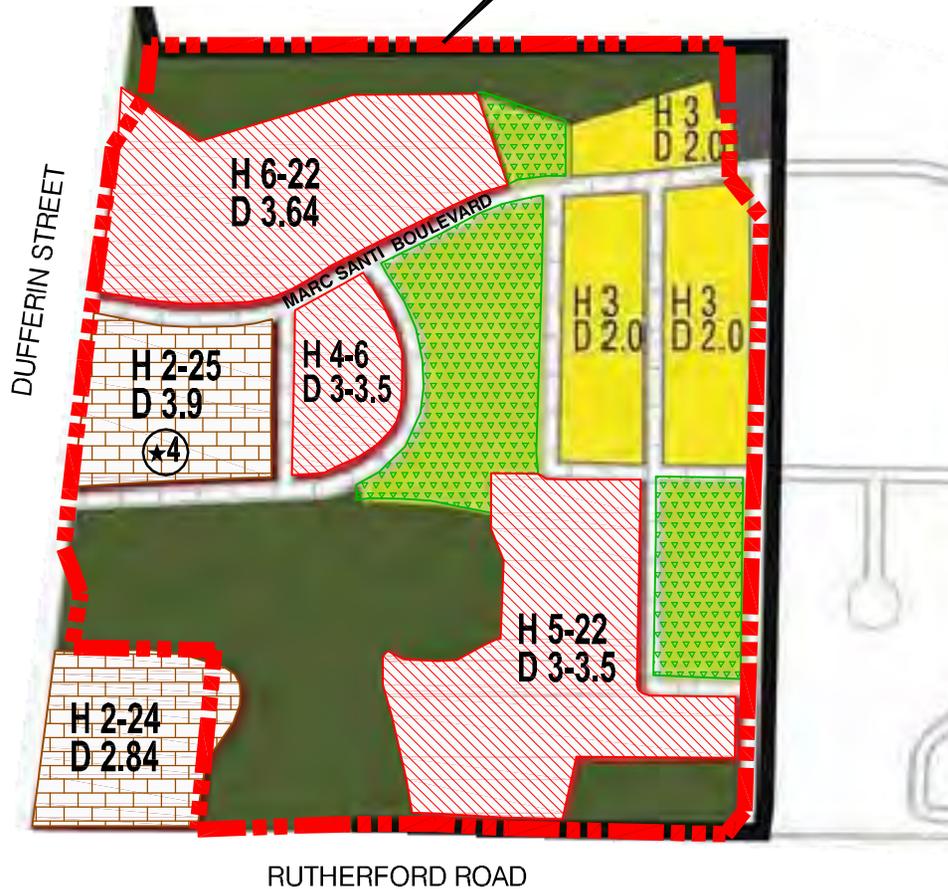
**6**

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SUBJECT LANDS  
(NINE-TEN WEST LTD.)



VAUGHAN OFFICIAL PLAN 2010, VOLUME 2  
CARRVILLE CENTRE SECONDARY PLAN  
LAND USE MAP 11.2.A (AS IT APPLIES  
TO SUBJECT LANDS)

-  Natural Areas
-  Parks
-  Low-Rise Mixed-Use
-  Mid-Rise Mixed-Use
-  High-Rise Residential
-  High-Rise Mixed-Use

- H = Maximum Number of Storeys
- D = Maximum Density (Floor Space Index)
-  Permits one stand-alone single use retail building in accordance with Section 11.2.6.8.v of Vaughan Official Plan 2010 Volume 2

Vaughan Official Plan 2010 Carrville  
Centre Secondary Plan Land Use Schedule

Applicant:  
Nine-Ten West Limited

Location: Part of Lots 16 & 17,  
Concession 2



Attachment

Files: OP.12.015,  
Z.12.035, & 19T-12V009,

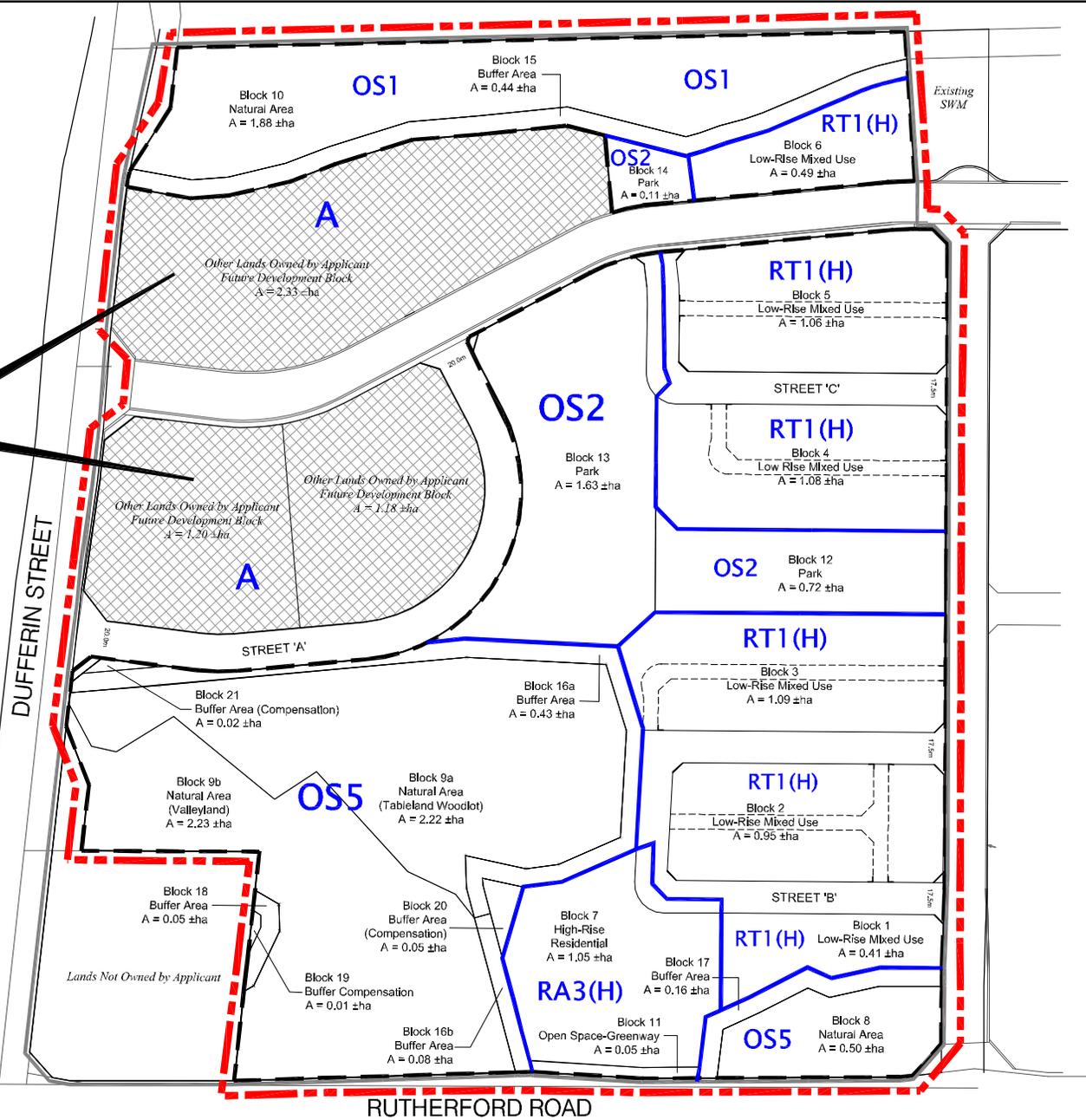
Date:  
June 11, 2013

7



Not to Scale

OTHER LANDS OWNED BY APPLICANT - FUTURE DEVELOPMENT BLOCKS



### PROPOSED ZONING BY-LAW AMENDMENT FILE Z.12.035

To amend Zoning By-law 1-88 to rezone the Subject Lands from A Agricultural Zone and OS5 Open Space Environmental Protection Zone to RT1(H) Residential Townhouse Zone, RA3(H) Apartment Residential Zone each with the Holding Symbol "(H)", OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, and OS5 Open Space Environmental Protection in the manner shown on this Attachment; and to permit site-specific exceptions, identified in this report.

#### LEGEND

 LANDS SUBJECT TO ZONING BY-LAW AMENDMENT FILE Z.12.035

 LANDS SUBJECT TO RELATED APPLICATIONS

## Proposed Zoning (File: Z.12.035)

Applicant: Nine-Ten West Limited

Location: Part of Lots 16 & 17, Concession 2



## Attachment

Files: OP.12.015, Z.12.035, & 19T-12V009,

Date: June 11, 2013



**AMEND OPA #600, AS AMENDED BY OPA #651, SPECIFICALLY TO: RECONFIGURE AND REDESIGNATE THE APPROVED LAND USE DESIGNATIONS AS SHOWN ON ATTACHMENT #4; MODIFY THE PROPOSED ROAD PATTERN; AND REVISE THE MAXIMUM PERMITTED BUILDING HEIGHT IN EACH RESIDENTIAL DESIGNATION AS SHOWN ON ATTACHMENT #5.**

**ZONING BY-LAW AMENDMENT FILE Z.12.035**

**AMEND ZONING BY-LAW 1-88, SPECIFICALLY TO REZONE THE SUBJECT LANDS FROM A AGRICULTURAL ZONE AND OS5 OPEN SPACE ENVIRONMENTAL PROTECTION ZONE TO THE FOLLOWING ZONE CATEGORIES IN THE MANNER SHOWN ON ATTACHMENT #8, TOGETHER WITH SITE-SPECIFIC ZONING EXCEPTIONS IDENTIFIED IN THIS REPORT:**

- RT1 RESIDENTIAL TOWNHOUSE ZONE;
- RA3 APARTMENT RESIDENTIAL ZONE;
- OS1 OPEN SPACE CONSERVATION ZONE;
- OS2 OPEN SPACE PARK ZONE;
- OS5 OPEN SPACE ENVIRONMENTAL PROTECTION ZONE

**DRAFT PLAN OF SUBDIVISION APPLICATION FILE 19T-12V009**

**CONSIDERATION OF APPROVAL OF A DRAFT PLAN OF SUBDIVISION AS SHOWN ON THIS ATTACHMENT CONSISTING OF RESIDENTIAL (LOW & HIGH RISE), OPEN SPACE, PARK, BUFFER, AND ROAD BLOCKS.**

**LEGEND**

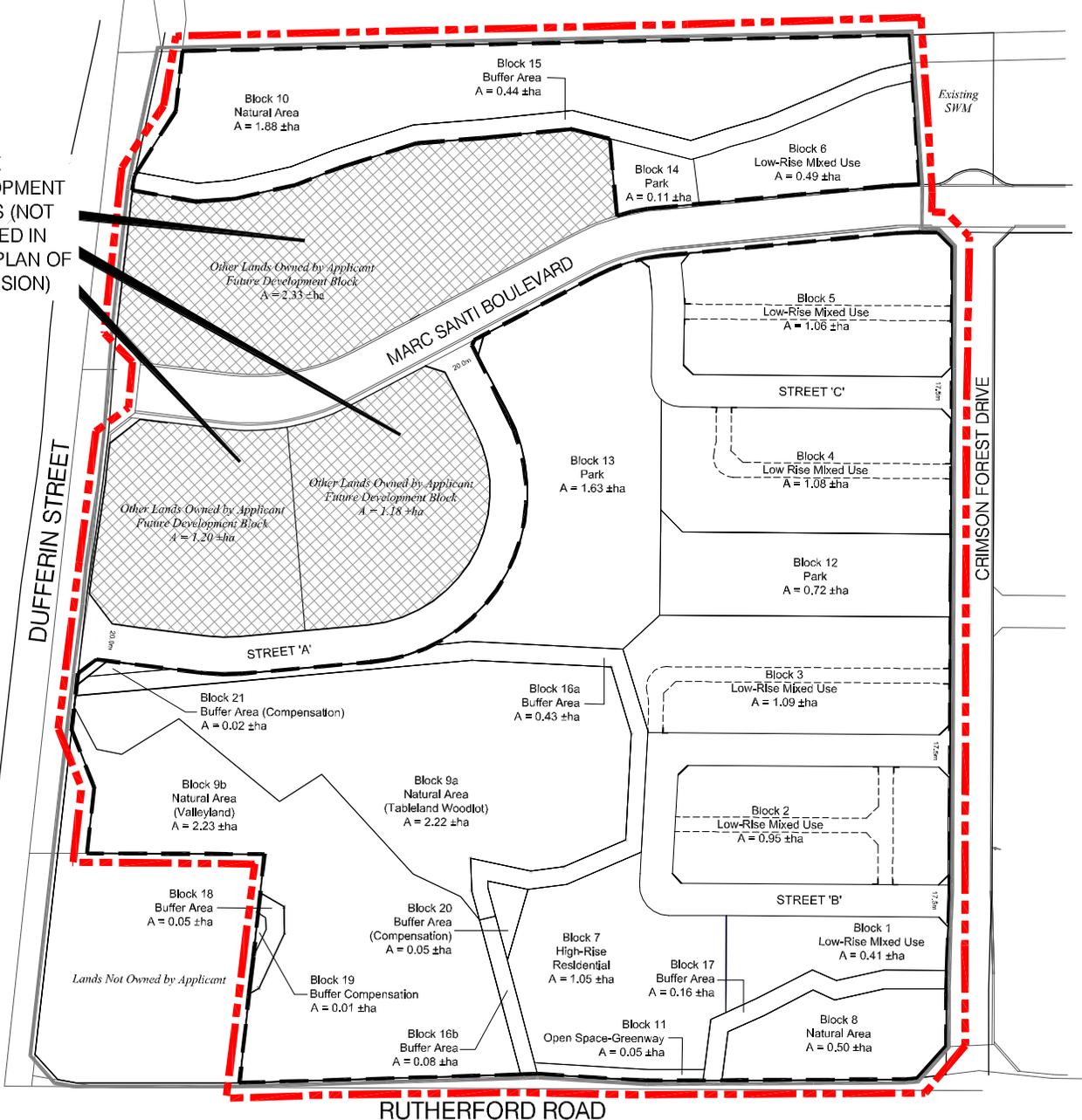
-  Carrville Block 11 (Development Concept Boundary)
-  Phase One Boundary (Lands Owned by Applicant)
-  Other Lands Owned by Applicant- Future Development Blocks

**--- SUBJECT LANDS**



*Not to Scale*

FUTURE DEVELOPMENT BLOCKS (NOT INCLUDED IN DRAFT PLAN OF SUBDIVISION)



**Draft Plan of Subdivision (File: 19T-12V009)**

**Applicant:** Nine-Ten West Limited  
**Location:** Part of Lots 16 & 17, Concession 2



**Attachment**

Files: OP.12.015, Z.12.035, & 19T-12V009,

Date: June 11, 2013

**9**

**COMMUNITY PLAN  
BLOCK 11**

**PHASING OF DEVELOPMENT**

- Phase 1 (Developing currently available)
- Phase 2 (Developing currently available)
- Phase 3a (Developing currently available)
- Lands for Future Phases of Development
- Valleys of (Designed for semi-ruralization and thereby should receive minimal maintenance)
- Storm Water Management Pond (Designed for semi-ruralization and therefore should receive minimal maintenance. Storm Water Management Ponds Facilities are designed only for passive activities such as walking and jogging)
- Non-Residential Park (Designed for maintenance and therefore should receive minimal maintenance. Non-Residential Parks may be used for active recreation and for high level of concern)
- Private Nature Reserve

**LEGEND**

- School
- Proposed Trail
- Existing Bridge
- Existing Traffic Signal
- Proposed Traffic Signal (Stop sign and warning)
- Stop Sign
- Road Numbering Feature
- Traffic Calming Feature
- Transit (Midway Stop - 100 ft interval)
- Transit (No Stop/Passing)
- Transit (Route Ending)
- Transit (Stop/Transfer)
- Proposed Colleague Location in Respect of Parks Inc.
- Proposed Point of Placement (located in lower of Transit)
- Community Markers
- Park - Social Zone Treatment

**LOT TYPES / SIZES**

- Single Detached Lots
  - 10.0m x 30.0m
  - 15.0m to 16.0m (16.2 to 17.2) lots
  - 14.0 to 14.5 (14.5 to 14.7) lots
  - 13.0m to 13.5 (13.6 to 13.7) lots
  - 12.0m to 12.5 (12.6 to 12.7) lots
  - 11.0m to 11.5 (11.6 to 11.7) lots
  - 5.0m x 9.0m (9.0 to 9.2) lots
  - 7.5m x 9.0m (9.0 to 9.2) lots
- Semi-Detached Lots
  - 7.0m x 12.0 (12.0 to 12.4)
  - 7.0m x 12.0 (12.0 to 12.4)
- Townhouse Units
  - 11.0m x 5.0m (11.7 to 12.0)

**FORMAL DELIVERY**

Please be notified that final delivery of this area will be made by means of community feedback if the roads shown

**SCHOOL CONSTRUCTION**

There is no assurance as to the timing of new school construction for guarantee that space will be provided on the sites shown on this plan

**PARK CONSTRUCTION**

There is no assurance as to the timing of new park construction but guaranteed that space will be provided on the sites shown on this plan

**FENCE LOCATION BY DEVELOPER / BUILDER**

- Decorative wooden acoustic fencing
- Decorative wooden picket fencing
- Black vinyl chain-link fencing
- Ornamental decorative metal fencing and masonry pillars / masonry exterior wall and plan

Note: Locations are subject to review. Please check with your builder for final details of siting of street utility and fence locations.

FOR FURTHER INFORMATION ON PROPOSED AND EXISTING LOTS AND USES, PLEASE CALL OR VISIT THE CITY OF VAUGHAN DEVELOPMENT PLANNING DEPARTMENT AT 141 WILSON AVENUE, SUITE 100, MARKHAM, ONTARIO L3R 9V6.

FOR DETAILED GRADING AND BERMING INFORMATION, PLEASE CALL THE CIVIL ENGINEERING CONSULTANTS SOCIETY CONSULTANTS, 9250 SHEPPARD AVENUE EAST, UNIT 101, SCARBOROUGH, ONTARIO M1S 1T7.

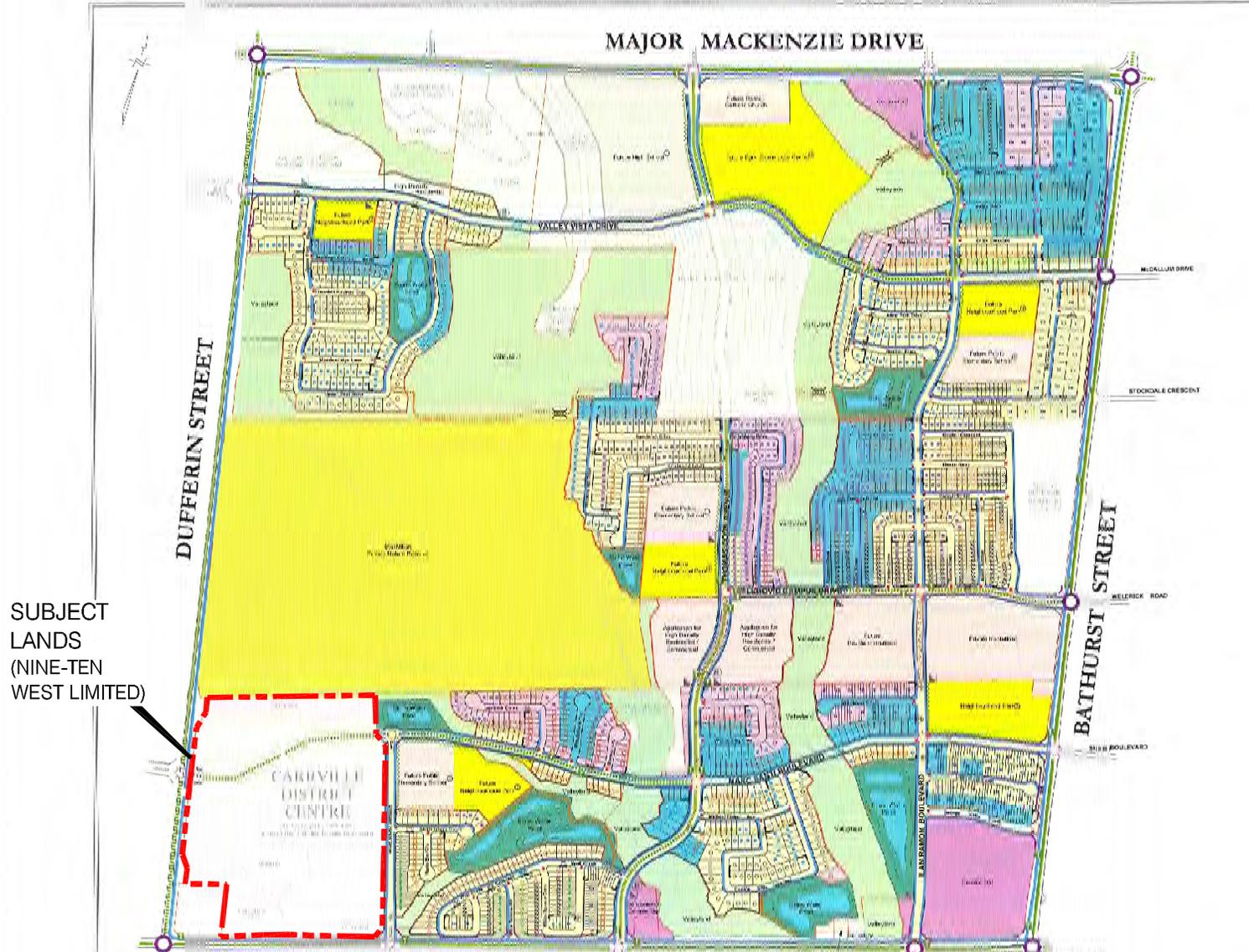
THIS MAP IS BASED ON INFORMATION AVAILABLE AS OF AUGUST 2012 AND MAY BE OUTDATED OR REVISED WITHOUT NOTIFICATION TO PROGRESSORS.

FOR FURTHER INFORMATION, PLEASE CONTACT THE CITY OF VAUGHAN DEVELOPMENT PLANNING DEPARTMENT TO ENSURE ALL INFORMATION IS ACCURATE AND UP TO DATE.

Approved by: The City of Vaughan

*[Signature]*  
Ayesha  
Director of Development Planning

AUG 31 2011  
Date



**SUBJECT LANDS  
(NINE-TEN WEST LIMITED)**

Prepared by:  
**ALCORN & ASSOCIATES LIMITED**  
Land Planning and Development Consultants



**Approved Block 11 Plan**

Location: Part of Lots 16 & 17,  
Concession 2

Applicant:  
Nine-Ten West Limited

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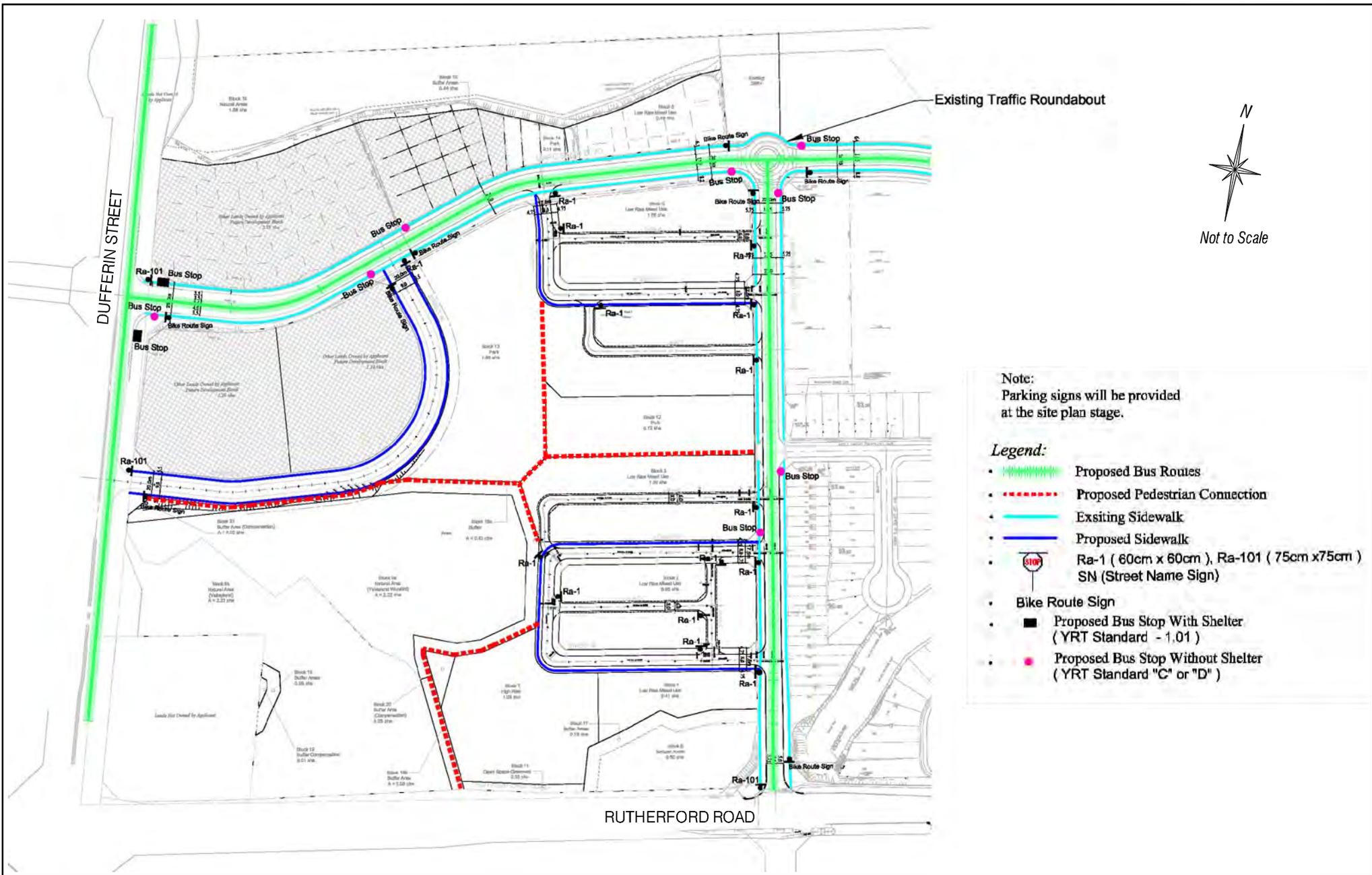


**Attachment**

Files: OP.12.015,  
Z.12.035, & 19T-12V009

Date:  
June 11, 2013

**10**



# Transportation Management / Sidewalk Master Plan

**Applicant:** Nine-Ten West Limited  
**Location:** Part of Lots 16 & 17, Concession 2



# Attachment

Files: OP.12.015, Z.12.035, & 19T-12V009

Date: June 11, 2013

# 11

N:\DFT\1 ATTACHMENTS\19\19T-12V009z.12.035op.12.015.dwg

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## **BY-LAW NUMBER 083-2013**

### **A By-law to adopt Amendment Number 739 to the Official Plan of the Vaughan Planning Area.**

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

1. THAT the attached Amendment Number 739 to the Official Plan of the Vaughan Planning Area, consisting of the attached text and Schedule(s) "1" and "2" is hereby adopted.
2. AND THAT this By-law shall come into force and take effect the day after the last day for filing a notice of appeal.

Enacted by City of Vaughan Council this 25th day of June, 2013.

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

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

**AMENDMENT NUMBER 739**  
**TO THE OFFICIAL PLAN**  
**OF THE VAUGHAN PLANNING AREA**

The following text to Amendment Number 739 to the Official Plan of the Vaughan Planning Area and Schedules "1" and "2" constitute Amendment Number 739.

Also attached hereto but not constituting part of the Amendment are Appendices "I" and "II".

## I PURPOSE

The purpose of this Amendment to the Official Plan is to amend the provisions of the Official Plan of the Vaughan Planning Area respecting Amendment No. 600, as amended by site-specific Amendment No's. 656 and Amendment No. 714.

The subject Amendment redesignates the lands shown as "Area Subject to Amendment No. 739" from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" and establishes a maximum density of 47 units per hectare in the "Medium Density Residential/Commercial" designation on the Subject Lands.

## II LOCATION

The lands subject to this Amendment hereinafter referred to as "Subject Lands", are shown on Schedules "1" and "2" attached hereto as "Area Subject to Amendment No. 739". The Subject Lands are located on the south side of Major Mackenzie Drive between Dufferin Street and Bathurst Street known municipally as 1331 and 1381 Major Mackenzie Drive and a portion of 1221 Major Mackenzie Drive, being Part of Lot 20, Concession 2, City of Vaughan.

## III BASIS

The decision to amend the Official Plan to redesignate the Subject Lands from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" and to provide a site-specific policy to establish a maximum density of 47 units per hectare and maintain a "Valley Lands" designation on the undevelopable portion of the Subject Lands is based on the following considerations:

1. The *Provincial Policy Statement* (PPS) includes policies that encourage new growth within urban areas. The Subject Lands are located within the urban area and the proposed medium density residential designation meets the intent of the PPS with respect to the efficient use of land and infrastructure and would promote development patterns to support a livable and healthy community. The proposed development will also make efficient use of existing public service facilities within the surrounding area. This Amendment will facilitate development that conforms to the goals, objectives and policies of the PPS.
2. *Places to Grow* policies guide the development of the Greater Golden Horseshoe area; encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, directs growth to settlement areas that offer municipal

water and wastewater systems. Opportunities for the efficient use of land and infrastructure are provided for by the Growth Plan by directing growth to existing urban areas. The Subject Lands are located within the built up area of the City of Vaughan. The Growth Plan encourages intensification throughout the built-up area and includes infill development and development of under-utilized lots. The Subject Lands are currently developed with an estate residential dwelling. This Amendment will facilitate the redevelopment of under-utilized lots.

The Growth Plan also encourages a range and mix of housing types, high quality public open spaces, and easy access to local stores and services. This Amendment will facilitate the development of townhouse and semi-detached dwellings, within an area of the community which is generally developed with single detached dwellings. The Subject Lands are located within a built up area and within a serviced community, supported by existing municipal water, sewer systems, and existing public transit. This Amendment is consistent with the goals of the Growth Plan.

3. The Subject Lands are designated "Urban Area" by the Region of York Official Plan, which permits a range of uses including residential, commercial, industrial and institutional uses. The Regional Official Plan encourages a broad range of housing types within efficient and mixed use compact communities at an overall transit supportive density. This Amendment facilitates the development of the Subject Lands with townhouses and semi-detached dwellings to provide for a variety of housing forms to meet the needs of different households, which is consistent with the Region of York's Official Plan. The proposed Amendment is consistent with the Regional Official Plan policies that direct development to existing built-up portions of urban areas.

The Subject Lands are located along Major Mackenzie Drive, which is identified as a Regional Transit Route in the Regional Official Plan. The Plan recognizes the relationship between transportation and urban form. The medium density residential use with a compact urban form encourages and supports a higher level of public transit use. The Subject Lands are located within walking distance of existing commercial uses located on the north side of Major Mackenzie Drive, and at the intersection of Major Mackenzie Drive and Dufferin Street. The proximity of the Subject Lands to existing facilities and services within the surrounding community reduces the overall parking demand and the length of trips to destinations. The Region has indicated that the proposed development does not adversely affect Regional interest. Accordingly, on February 5, 2013, the Region of York exempted Official Plan Amendment File OP.12.016 from Regional approval.

4. The Subject Lands are located within the Urban Village 2 Carrville District Planning Block 11. The westerly portion of the Subject Lands (1381 and 1331 Major Mackenzie Drive) are designated "High Density Residential/Commercial" and "Valley Lands" by in-effect OPA #600, as amended by site-specific OPA #656 and OPA #714, which permits apartment buildings at a maximum density of 600 apartment units (282 uph) and a maximum building height of 14-storeys or 43 m on the "High Density" lands.

The easterly portion of the Subject Lands (1221 Major Mackenzie Drive) is designated "Medium Density Residential/Commercial" and "Valley Lands" by in-effect OPA #600, which permits semi-detached and block townhouse uses with a maximum density of between 17 and 40 units per hectare (uph). The proposal for medium density uses on a portion of 1221 Major Mackenzie Drive does not conform to the in-effect site-specific Official Plan policies. An Official Plan Amendment is required to permit a mix of semi-detached and block townhouse dwellings on the tableland at a maximum density of 47 uph.

Having received a statutory Public Hearing held on February 5, 2013, on June 25, 2013, Vaughan Council approved Official Plan Amendment File OP.12.016 (King Jane Developments Inc. and Tony and Germana Guglietti) to redesignate the Subject Lands from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" to provide a site-specific policy to permit a maximum density of 47 units per hectare on the lands designated "Medium Density Residential/Commercial" and maintain a "Valley Lands" designation on the undevelopable portion of the Subject Lands.

#### IV DETAILS OF THE AMENDMENT AND POLICIES RELATIVE THERETO

Amendment No. 600 to the Official Plan of the Vaughan Planning Area, as amended by Amendments Nos. 656 and 714, is hereby further amended by:

1. Recinding Official Plan Amendment No. 656 in its entirety;
2. Recinding Official Plan Amendment No. 714 in its entirety;
3. Redesignating the lands shown as "Area Subject to Amendment No. 739" on Schedules "1" and "2", attached hereto from "High Density Residential/Commercial" and "Valley Lands" to "Medium Density Residential/Commercial" and "Valley Lands" in the manner shown on Schedule "1".
4. Adding the following site-specific development policies to Section 4.2.1.3 "Medium Density Residential/Commercial Area" of Amendment No. 600:

“4.2.1.3.1 Exceptions

d) (739) Notwithstanding the above, the lands identified as “Area Subject to Amendment No. 739, located on the south side of Major Mackenzie Drive between Dufferin Street and Bathurst Street, are hereby subject to the following policies:

- i. The maximum permitted residential density shall be 47 units per hectare. (739)”

- 5. Deleting Schedule “C” in Official Plan Amendment No. 600 and substituting therefor the Schedule “C” attached hereto as Schedule “2”

V IMPLEMENTATION

It is intended that the policies of the Official Plan of the Vaughan Planning Area pertaining to the Subject Lands will be implemented by way of an amendment to the City of Vaughan Comprehensive Zoning By-law 1-88, and Site Plan approval, pursuant to the Planning Act.

VI INTERPRETATION

The provisions of the Official Plan of the Vaughan Planning Area as amended from time to time regarding the interpretation of that Plan shall apply with respect to this Amendment.

## APPENDIX I

The Subject Lands are located on the south side of Major Mackenzie Drive, between Dufferin Street and Bathurst Street, municipally known as 1221, 1331 and 1381 Major Mackenzie Drive, in Lot 20, Concession 2 , City of Vaughan.

On June 18, 2013, Vaughan Committee of the Whole considered a report and the following recommendation from the Commissioner of Planning with respect to Official Plan Amendment File OP.12.016, Zoning By-law Amendment File Z.12.037, and Site Development File DA.12.089 King Jane Developments Inc. and Tony and Germana Guglietti) and adopted the following resolution (in part) which was adopted by Vaughan Council on June 25, 2013, as 17 pertains to the Official Plan Amendment applicaitons:

- “1. THAT Official Plan Amendment File OP.12.016 (King Jane Developments Inc. and Tony and Germana Guglietti) BE APPROVED, specifically to amend OPA #600, as amended by OPA #656 and OPA #714 to redesignate the Subject Lands shown as Parts “A”, “B”, and “C” on Attachment #3, as follows:
  - i) Parts “A” and “B”  
  
Redesignate Parts “A” and “B” (1381 and 1331 Major Mackenzie Drive) from “High Density Residential/Commercial” and “Valley Lands” to “Medium Density Residential/Commercial” (consistent with the tableland designation on Part “C”) and “Valley Lands”; and,
  - ii) Parts “A”, “B” and “C”  
  
To permit a maximum density of 47 units per hectare on the combined developable tableland portions of the Subject Lands (Parts “A”, “B” and “C”) proposed to be designated “Medium Density Residential/Commercial”, and maintain a “Valley Lands” designation for the undevelopable portion of the Subject Lands.”

# *THE CITY OF VAUGHAN*

# *BY-LAW*

## BY-LAW NUMBER 084-2013

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

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

**AND WHEREAS** there has been an amendment to the Vaughan Official Plan adopted by Council but not approved at this time, with which the matters herein set out are 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 RR Rural Residential, A Agricultural Zone, and OS5 Open Space Environmental Protection Zone to RM2 Multiple Residential Zone, OS5 Open Space Environmental Protection Zone and A Agricultural Zone in the manner shown on the said Schedule "1".
  - b) Deleting Exception 9(779) from Section 9.0 "EXCEPTIONS" and substituting therefor the following Paragraph:

"9(779) Notwithstanding the provisions of:

    - a) Subsection 2.0 respecting the Definition of a Lot Line;
    - b) Subsection 3.8 a) and g) respecting Parking Requirements;
    - c) Subsection 3.14 c) respecting Permitted Yard Encroachments and Restrictions;
    - d) Subsection 4.1.4 b)(i) and e) respecting Parking and Access Requirements;
    - e) Subsection 4.1.6 (a) respecting Minimum Amenity Area;
    - f) Subsection 4.9 respecting Uses Permitted in the RM2 Multiple Residential Zone;
    - g) Schedule "A" respecting the zone standards in the RM2 Multiple Residential Zone;

the following provisions shall apply to the lands shown as "Subject Lands" on Schedule "E-859":

- a) Notwithstanding the definition of a Lot, the parcel of lands zoned as RM2 Multiple Residential Zone on Schedule "E-859", shall be deemed as a lot for the purposes of this By-law and the lot lines are as shown.
  - b) The minimum parking requirement for semi-detached units shall be 2.0 spaces/unit;
  - bii) The maximum driveway width on Major Mackenzie Drive shall be 7.0 m;
  - ci) Covered unexcavated porches and front steps are permitted to encroach 2.8 m into the front yard for Buildings 1-4 and 26;
  - di) No minimum landscape strip width is required around the outdoor parking areas;
  - dii) A maximum of 2 steps (3 risers) are permitted to encroach into the minimum required garage dimension of 3 meters by 6 meters;
  - ei) The minimum amenity area shall be 87.45 m<sup>2</sup>/unit;
  - fi) In addition to the uses permitted in an RM2 Multiple Residential Zone, 6 semi-detached dwelling units shall also be permitted on the subject lands as shown on Schedule "E-859"
  - gi) The minimum lot area shall be 216 m<sup>2</sup>/unit;
  - gii) The minimum setback to the day-light triangle shall be:
    - 2.0 m (Unit 12, Building 2)
    - 2.2 m (Unit 13, Building 3)
  - giii) The minimum setback from any yard to an uncovered deck shall be 1.5 m;
  - giv) The maximum building height shall be 12 m."
  - c) Deleting Schedule "E-859" and substituting therefor the Schedule "E-859" attached hereto as Schedule "1".
  - d) Deleting Key Map "2D" and substituting therefor the Key Map "2D" attached hereto as Schedule "2".
2. Schedules "1" and "2" shall be and hereby form part of this By-law.

Enacted by City of Vaughan Council this 25<sup>th</sup> day of June, 2013.

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

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

Authorized by Item No.37 of Report No. 32  
of Committee of the Whole  
Adopted by Vaughan City Council on  
June 25, 2013

### **SUMMARY TO BY-LAW 084-2013**

The lands subject to this By-law are located on the southside of Major Mackenzie Drive, between Dufferin Street and Bathurst Street, municipally known as 1221, 1331, and 1381 Major Mackenzie Drive in Part of Lot 20, Concession 2, City of Vaughan.

The purpose of this by-law is to rezone the subject lands from RR Rural Residential, A Agricultural Zone, and OS5 Open Space Environmental Protection Zone to RM2 Multiple Residential Zone, OS5 Open Space Environmental Protection Zone and A Agricultural Zone and to permit site-specific exceptions to implement the development of the subject lands with 136 block townhouse units and 6 semi-detached dwelling units (future standard plan of Condominium).