

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, Report No. 26, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 27, 2017.

14

**ZONING BY-LAW AMENDMENT FILE Z.16.031
DRAFT PLAN OF SUBDIVISION FILE 19T-16V006
SITE DEVELOPMENT FILE DA.16.064
ST. MAGNUS DEVELOPMENTS INC.
WARD 3 - VICINITY OF WESTON ROAD AND DAVOS ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated June 20, 2017:

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.16.031 (St. Magnus Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88 on the subject lands shown on Attachments #2 and #3, specifically to rezone the subject lands from A Agricultural Zone, RVM1 (A) Residential Urban Village Multiple Dwelling Zone One and RV4 Residential Urban Village Zone Four, subject to site-specific Exception 9(1024) to RVM1 (A) Residential Urban Village Multiple Dwelling Zone One (street townhouse) and RVM1 (B) Residential Urban Village Multiple Dwelling Zone One (semi-detached dwellings), in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Tables 1 and 2 of this report.
2. THAT Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) BE APPROVED, to facilitate a residential Draft Plan of Subdivision comprised of one lot and 4 Blocks for 19 townhouse and 4 semi-detached units as shown on Attachment #4, subject to the Conditions of Draft Approval set out in Attachment #1.
3. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) include the following clause:

“Prior to final approval of the Draft Plan of Subdivision the Owner shall enter into a Developers’ Group Agreement with the other participating landowners within Block 39 to the satisfaction of the City. The agreement shall include, but not be limited to, all cost sharing for the provision parks, cash-in-lieu of parkland, road and municipal services within Block 39. This agreement shall also provide a provision for additional developers to participate in the Developers’ Group Agreement when they wish to develop their lands.”
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage serving capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a maximum total of 23 residential units (72 persons equivalent).”
5. That Site Development File DA.16.064 (St. Magnus Developments Inc.) BE APPROVED to permit the development of the subject lands shown on Attachments #2 and #3 with 19

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 2

townhouse dwelling units and 4 semi-detached dwelling units fronting onto the municipal public road network, as shown on Attachments #5 to #11, subject to the following conditions:

- a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, including the treatment along Weston Road and landscape cost estimate;
 - ii) the Development Engineering and Infrastructure Planning Department shall approve the final site grading and servicing plans, stormwater management report, and the Noise Impact Study; and
 - iii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority and York Region.
- b) the Site Plan Agreement shall include a clause requiring that all Offers of Purchase and Sale, or Lease shall include wording that the public laneway shall serve as the main emergency vehicle and fire fighting route for this development and that on-street parking is not permitted.

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 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

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

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

- Low Volatile Organic Compound (VOC) paints and finishes;
- Low flow water fixtures;
- Energy efficient hot water tanks; and
- Drought resistant planting.

Economic Impact

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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 3

Communications Plan

On September 9, 2016, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the subject lands in accordance with the City's Notification Sign Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on October 5, 2016, to receive comments from the public and the Committee of the Whole for the subject applications. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 5, 2016, and to forward a technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on October 19, 2016.

At the October 5, 2016, Public Hearing, Mrs. Giovanna De Bona, a resident of Laval Street spoke on behalf of a number of Lava Street residents and expressed the following concerns:

- the current profile of Laval Street as a quiet dead end street will be lost with this development proposal;
- the existing green space should be protected; and
- the approved Block 39 road plan should be followed to connect Laval Street because this would generate less residential units and traffic.

To date, an email with an attached petition signed by 17 residents of Laval Street has been received by the Development Planning Department expressing opposition to the proposed development as follows:

- the development will change the character of the street due to increased traffic;
- Laval Street should continue as 2 separate streets so they are not connected;
- the removal of mature trees abutting Laval Street will no longer provide for a landscaped view; and
- the developer should save the existing trees.

The Development Planning Department has reviewed the aforementioned concerns and provides the following response:

a) Protection of Green Space

Residents of the local community have expressed concerns that the proposed development will result in a loss of the green space that currently exists on the subject lands. The green space being referred to is located on private property. The green space also includes the portion of the subject lands that was sold by the City, which would have formed part of the Laval Street right-of-way, as identified in the approved Block Plan, had these lands developed concurrently with the abutting subdivisions. This green space would have been removed as part of the planned road network.

The Owner has submitted an Arborist Report a Tree Preservation Plan in support of the applications to assess the number of trees, tree type(s) and health/condition of the existing trees. The report identifies that the Owner is subject to a tree compensation plan as part of the development, if approved.

b) Traffic

The proposed development includes a public laneway that is narrower than the right-of-way width of Laval Street, which was identified on the Block Plan as a through street. A narrower public

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 4

laneway helps to reduce speeds and creates a sense of traffic calming. Had the subject lands developed concurrently with the surrounding plans of subdivision, both sections of Laval Street would have been connected, which has the potential to result in increased vehicular traffic. A laneway will have less of an impact from a traffic perspective.

On May 31, 2017, the Vaughan Planning Department mailed out a notice of this Committee of the Whole meeting to all individuals that either made a deputation at the Public Hearing, submitted correspondence with respect to the subject applications or requested notice of a future meeting regarding this development.

Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3 to facilitate the development of 19 street townhouse units and 4 semi-detached units as shown on Attachments #4 to #9:

1. Zoning By-law Amendment File Z.16.031 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone, RVM1(A) Residential Urban Village Multiple Dwelling Zone One and RV4 Residential Urban Village Zone Four, subject to site-specific Exception 9(1024) to RVM1(A) Residential Urban Village Multiple Dwelling Zone One (street townhouse) and RVM1(B) Residential Urban Village Multiple Dwelling Zone One (semi-detached dwelling), in the manner shown on Attachment #4, together with the site-specific zoning exceptions to By-law 1-88 identified in Tables 1 and 2 of this report.
2. Draft Plan of Subdivision File 19T-16V006, as shown on Attachment #3, to facilitate a proposed residential Draft Plan of Subdivision consisting of the following:

| | |
|---|------------------|
| Blocks 3, 4 and 5 for 19 Townhouse Dwellings | 0.291 ha |
| Lot 1, and Block 2 for 4 Semi-detached Dwellings | 0.083 ha |
| <u>Streets and Laneways (including former City Lands)</u> | <u>0.1606 ha</u> |
| Total | 0.5346 ha |

The total land area identified above includes the former City of Vaughan owned lands (the undeveloped portion of Laval Street), as shown on Attachment #3, which the Owner has purchased from the City.

3. Site Development Application File DA.16.064 to permit the development of the subject lands with 19 townhouse and 4 semi-detached units served by the public municipal street network, as shown on Attachments #4 to #11.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with 19 freehold townhouse units and 4 semi-detached units fronting onto the extension of an existing public street and laneway. Minor modifications to the Block 39 approved road network (Attachment #12) are required to facilitate the development proposal. The Development Planning Department supports the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications as they implement VOP 2010, the Block 39 Plan, and will result in development that is compatible with the surrounding land uses.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 5

Location

The subject lands are located on the west side of Weston Road, south of Davos Road, and are known municipally as 9554 Weston Road. The surrounding land uses are shown on Attachment #3.

Land Use Policies/Planning Considerations

Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated ‘Low Rise Residential’ by VOP 2010, and are located within a “Community Area” as identified on Schedule 1”, Urban Structure of VOP 2010. This designation permits detached, semi-detached and townhouse dwellings with no prescribed maximum density, subject to the policies of Sections 9.2.2.1, 9.2.3.1 and 9.2.3.2 of VOP 2010.

Sections 9.2.2.1, 9.2.3.1 and 9.2.3.2 of VOP 2010 contain a number of policies and criteria that are considered when evaluating development proposals for detached, semi-detached and townhouse dwellings, within established low-rise neighbourhoods. Sections 9.2.3.1 and 9.2.3.2 state that “semi-detached and townhouse dwelling units are Low-Rise Residential buildings, up to three storeys in height and generally fronting onto a public street”. Furthermore, VOP 2010 states that “new development in a Community Area, with existing development, shall respect and reinforce the scale, massing, setback and orientation of other built form in the immediate area”.

The proposed development would form part of an established low-rise residential neighbourhood that includes semi-detached and townhouse dwelling units. The proposed development includes a contemporary architectural style that moves away from the traditional style of peaked rooflines and the traditional brick colour scheme used in the surrounding neighbourhood. Although it is a different architecture style, the proposed development addresses the compatibility criteria for new development outlined in VOP 2010 in terms of lot pattern, size, height and scale within the immediate area. Accordingly, the Development Planning Department is of the opinion that the proposed townhouse and semi-detached development conforms to the “Low-Rise Residential” designation policies of VOP 2010, to the approved Block 39 Plan and is consistent with the immediate neighbourhood.

Block 39 Plan

The proposed development, consisting of 19 townhouse units and 4 semi-detached units, is consistent with the approved Block 39 Plan in terms of the proposed land uses as shown on Attachment #12. The applications also seek to modify the approved road pattern of the Block. The approved road network in the Block 39 Plan identified Laval Street extending east and then running south parallel with Weston Road, where it was intended to intersect with Neuchatel Avenue, as shown on Attachment #12. The proposed modification to the approved road network will not connect the two existing terminus points of Laval Street, which was originally intended to be a public road. Instead the Owner is proposing to extend the existing laneway (Laneway V15) so it connects Davos Road with Neuchatel Avenue.

The proposed public laneway connection has been reviewed by the Development Engineering and Infrastructure Planning (DEIP) Department, York Region and Vaughan Fire and Rescue and has been determined as acceptable. The laneway would not cause any adverse impact to the existing community relating to safety, emergency response time and road connectivity and function. Accordingly, the introduction of a public laneway maintains the intent of the approved Block 39 Plan.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 6

Zoning

The subject lands are zoned A Agricultural Zone, RV4 Urban Village Zone Four and RVM1(A) Residential Urban Village Multiple Zone One, subject to site-specific Exception 9(1024) by Zoning By-law 1-88. To facilitate the proposed development, an amendment to Zoning By-law 1-88 is required to rezone the subject lands from A Agricultural Zone, RV4 Urban Village Zone Four and RVM1(A) Residential Urban Village Multiple Zone One, as shown on Attachment #3, to RVM1(A) (townhouses) and RVM1(B) (semi-detached dwellings) in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1: Proposed Zoning Exceptions – RVM1(A) Zone:

| | Zoning By-law 1-88 Standard | RVM1(A) Zone Requirements | Proposed Exceptions to the RVM1(A) Zone Requirements |
|----|--|---|---|
| a. | Definition – Porch, Unenclosed (Covered or Uncovered) in RVM1(A) Zone | Means a platform with or without a foundation and with at least two sides open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. | Means a platform with or without a foundation and with at least one side open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. |
| b. | Definition of Tandem Parking | Zoning By-law 1-88 does not include a definition for tandem parking. | Means a parking space that is accessed by passing through another parking space from the street, lane, drive aisle or driveway. |
| c. | Maximum Width of a Driveway Curb Cut | 6 m | - 6.1 m (Units 2 to 6, 9 to 13, and 16 to 18) - 6.25 m (Units 7, 8, 14, 15 and 19) - 9 m (Unit 1), which is a corner unit with a 3 car garage |
| d. | Minimum Rear Yard | 13 m | - 6 m (Units 1 to 14) - 7.5 m (Units 15 to 19) |

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 7

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| e. | Minimum Front and Exterior Side Yard Setbacks | Front = 3 m Exterior = 2.4 m | - Front = 0.6 m (Units 1 - 14 to an architectural feature or structure or firewall) |
| | | | <ul style="list-style-type: none"> - Front = 1.2 m (Units 1 - 14 to main wall) - Front = 2 m (Units 15 – 19 to an architectural feature or structure) - Exterior = 1 m (Unit 15) - Exterior = 2 m to an architectural feature or structure |
| f. | Permitted Yard Encroachments (Stairs and Air Conditioning Unit) | <p>Air conditioning units may be permitted in any required side yard or rear yard provided that any such unit is set back a minimum of 1.2 m from the interior side lot line, and may encroach 1.5 m into the required rear yard and exterior side yard, provided that encroachment only occurs on yards with flankage on local roads.</p> <p>Maximum front yard stair encroachment - 1.8 m</p> | <p>Air conditioning units may be permitted in an interior side yard no less than 0.3 m from the property line and may be permitted to encroach a maximum of 0.9 m into any yard.</p> <p>Permit a maximum encroachment into the front yard of 1 m only.</p> |
| g. | Maximum Driveway Width | 3.75 m | 5.8 m (Lot 15) |
| h. | <p>Minimum Setback to a Sight Triangle</p> <p>Minimum Setback to an Attached Garage, from any Street and which does not Cross a Sidewalk</p> | <p>0.6 m (setback to sight triangle)</p> <p>5 m</p> | <p>0.5 m (setback to sight triangle- Unit 15)</p> <p>1 m (Unit 15)</p> |

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 8

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|----|---|-------|-----------------------------|
| | Minimum Setback for Attached Garage from any Street from which Access is Provided) | 5.8 m | 1 m (Unit 15) |
| | The Minimum Setback to a Garage which Faces a Lot Line and not Crossing a Sidewalk) | 6 m | 1 m (Unit 15) |
| i. | Maximum Building Height RVM1(A) Zone | 11 m | 11.5 m |
| j. | Minimum Lot Depth | 30 m | 29 m (Blocks 4 and 5) |
| k. | Minimum Landscape Area (for any lot) | 10% | 4.2 % |
| l. | Minimum Exterior Side Yard Setback | 3 m | 2 m (Units 1, 14 and 15) |

Table 2: Proposed Zoning Exceptions – RVM1(B) Zone:

| | Zoning By-law 1-88 Standard | RVM1(B) Zone Requirements | Proposed Exceptions to the RVM1(B) Zone Requirements |
|----|------------------------------------|--|---|
| a. | Definition of Tandem Parking | Zoning By-law 1-88 does not include a definition for tandem parking. | Means a parking space that is accessed by passing through another parking space from the street, lane, drive aisle or driveway. |
| b. | Maximum Driveway Width | 3.75 m | 5.6 m (Units 21 and 22) |

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 9

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|----|--|--|--|
| c. | Minimum Setback to an Attached Garage, From any Street and which does not Cross a Sidewalk | 5 m | 1 m (Units 21 and 22) |
| | Minimum Setback for Attached Garage from any Street from which Access is Provided | 5.8 m | 1 m (Units 21 and 22) |
| d. | Maximum Building Height | 9.5 m | 11.5 m |
| e. | Definition – Porch, Unenclosed (Covered or Uncovered) in RVM1(A) Zone | Means a platform with or without a foundation and with at least two sides open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. | Means a platform with or without a foundation and with at least one side open which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. |
| f. | Minimum Exterior Yard Setback Abutting a Public Laneway) | 2.4 m | 1 m (Units 21 and 22) |
| g. | Minimum Landscaped Area (For any lot) | 10% | 4.2% |
| h. | Minimum Rear Yard | 13 m | 7.5 m (Units 21 and 22) |

The Development Planning Department has reviewed the proposed site-specific exceptions to Zoning By-law 1-88 and provides the following comments:

a) Proposed Zoning Category

The proposed rezoning of the subject lands to the RVM1(A) and RVM1(B) zone categories is consistent with the existing zoning of the immediate area, and will allow for the remnant parcels and part blocks to be combined with the subject lands to facilitate the proposed development shown on Attachments #5 to #11. The Development Planning Department has no objection to rezoning the subject lands to provide similar zone categories on the subject lands.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 10

b) Building Height

The proposed building height exceptions for the semi-detached units and townhouse units (11.5 m) is considered acceptable as the proposed development establishes a contemporary design that will provide a varied roofline compared to the traditional peaked rooflines in the immediate neighbourhood. The roofline variation will give the appearance of a consistent height, as such the Development Planning Department has no objection to the height being proposed.

c) Driveway Width

The proposed maximum driveway dimension of 6.1 m for the townhouse units is marginally greater than the 6 m driveway width required by Zoning By-law 1-88 and considered to be minor. The proposed 9 m driveway width for Unit 1 facilitates a 3-car design and only applies to one unit. The proposed driveway exceptions are considered acceptable.

d) Lot Depth

The reduction in lot depth from 30 m to 29 m for Blocks 4 and 5 represents a minor decrease to the prescribed requirement of Zoning By-law 1-88, and is considered appropriate.

e) Zoning Definitions

The exception to the definition of a porch and tandem parking is required to facilitate the design of the proposed units. The provision of tandem parking will allow 2 tandem parking spaces to be contained within the garage. Having more parking available within a garage will have the potential to preclude vehicle parking along the public laneway.

f) Setback from Weston Road

The proposed setback from Weston Road of 1 m is the result of a road widening request by York Region. A typical setback would be 3 m to provide private amenity spaces between the street line and dwelling. The proposed 1m setback would result in a similar condition to the existing townhouses located immediately north of the subject lands, which also have a 1 m setback due to the road widening. To mitigate the reduced front yard setback, the Owner is proposing an upgraded landscape treatment along the Weston Road frontage (Attachment #6). City and Regional Staff will continue to work with the Owner to finalize the landscape treatment. Staff supports the proposed setback given the context of this site, and subject to the approval of the upgraded landscape plan along Weston Road.

g) Air Conditioning Units

Council on April 19, 2017, endorsed reduced side yard setbacks for air conditioning units with setbacks of 0.6 m and 0.3 m for wall mounted and ground mounted units, respectively. Most of the air conditioning units are being proposed in the front yard and adjacent to the front stairs, thereby providing some screening. Staff will continue to work with the Owner to resolve this matter and will finalize the screening of the air conditioning units as part of the final site plan approval.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 11

h) Other Exceptions

Many of the other exceptions related to the proposed setbacks from a sight triangle and a garage, permitted encroachments for air conditioning units and maximum driveway width are considered to be minor. These exceptions only apply to specific units and are similar to zoning exceptions provided in other infill developments.

The proposed rezoning and site-specific exceptions would facilitate a development that conforms to the Vaughan Official Plan 2010 and the approved Block 39 Plan as it relates to land use. The proposed development would be compatible with the existing and planned built form in the surrounding area, and therefore can be supported by the Development Planning Department.

Subdivision Design and Site Plan

The proposed Draft Plan of Subdivision, shown on Attachment #4, is comprised of 4 blocks and 1 lot (Lot 1). Blocks 2, 3 and 5 will be combined with the existing Blocks in the previously approved Plan of Subdivisions, as shown on Attachment #4, to form full lots for a total of 23 residential units.

The proposed townhouse units will have frontage onto a public road (Laval Street and Weston Road) and would be accessed from a public laneway (Laneway V15), while the semi-detached units would have frontage and access from Laval Street and Neuchatel Avenue. Laneway V15 currently extends south of Davos Road terminating north of Laval Street. The development proposal includes the extension of Laneway 15, south to Neuchatel Avenue. This would allow for the units to be constructed facing Weston Road, which is similar to the townhouse dwellings immediately to the north.

The proposed building elevations shown on Attachments #7 to #11 illustrate the typical elevations for the proposed townhouse and semi-detached units. The building elevations are contemporary in architectural style and will be constructed using a variety of materials including stucco, glazing and a two-tone brick colour scheme. The design of Units 14 and 19 incorporate a frosted glass railing, as shown on Attachment #10 to reduce any potential overlook into the backyards of the adjacent properties. The final building design, materials and elevations, must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

The proposed Landscape Plan, includes an upgraded landscape treatment along the Weston Road frontage as shown on Attachment #6. City and Regional Staff are working with the Owner to finalize the landscape treatment along Weston Road, which would consist of low-form shrubbery and perennial planting, extending into the regional right-of-way to provide an enhanced front yard amenity area. The landscape plan treatment proposed for the semi-detached units on Laval Street and Neuchatel Avenue is shown on Attachment #6, however, the Owner will also be required to conform to the City's typical street tree planting requirements. The final landscape plan must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the proposed Draft Plan of Subdivision and supporting material, and provided the following comments:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 12

a) Road Network

The proposed development includes a modification of the road pattern that was established by the Block Plan. The proposed modification would eliminate a local public road and replace it with a public laneway. The proposed design has Laval Street extending east and connecting to a public lane (Laneway V15) that runs south parallel to Weston Road and forming an intersection with Neuchatel Avenue.

The proposal to extend the proposed public laneway between Davos Road and Laval Street, and connecting to Neuchatel Avenue, would meet the original intent of the Block Plan to provide a more porous road network. This would be accommodated by connecting both portions of Laval Street with the public laneway.

Fire Hydrants, and traffic signs (stop signs, fire route and no parking signs), as per City Standards, should be identified on the site plan and/or on the site servicing and utility plan.

A truck maneuvering plan, as proposed in the Transportation Report must be approved by the Fire Department and Environmental Services Department. The Traffic Report must be approved by the DEIP Department.

b) Environmental

Environmental Staff has reviewed the development proposal and have no objection to the subject development applications.

c) Lot Grading

The proposed grading of the site and the grading of the individual lots shall meet the City's current lot grading criteria.

d) Water/Sanitary/Storm Servicing and Storm Water Management

Municipal services will be provided in accordance with the approved Master Environmental Servicing Plan (MESP) and confirmed through the subdivision of any subsequent plans or reports that may be submitted to confirm the servicing requirements for the Block 39 Plan.

The Owner has submitted a Functional Servicing Report prepared by Valdor Engineering Inc., (June 2016, revised on February 2017). The report has demonstrated that the water supply, sanitary servicing and stormwater management plans for the proposed development can be accommodated as follows:

Water Servicing

The proposed development will be serviced by extending the existing watermain from the adjacent roads Laval Street and Laneway V15 to complete the looping of the local network.

The proposed townhouse units proposed along Weston Road will be serviced by a new watermain, which would run along the proposed public laneway and be extended from the proposed development site. This watermain will be connected to the existing watermain located on Neuchatel Avenue.

The townhouse units and two (2) semi-detached units fronting Laval Street will be serviced by a new watermain, sanitary sewer and storm sewer on Laval Street, which will be connected to the new watermain located along the proposed public laneway.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 13

The remaining two (2) semi-detached units fronting Neuchatel Avenue will receive servicing from the existing watermain, sanitary sewer and storm sewer located on Neuchatel Avenue.

Sanitary Servicing

The townhouse units proposed along Weston Road will be serviced by a new sanitary sewer along the proposed public laneway, which will be connected to the existing sanitary sewer located on Neuchatel Avenue.

Stormwater Management

The subject site is located in the tributary to the existing stormwater management pond that is located in Block 39, at the northeast corner of Rutherford Road and Fossil Hill Road. This pond provides both quantity control and quality treatment of storm water. The existing storm sewers, in the adjacent subdivisions, were designed to accommodate future flows from the subject lands. As such, the existing storm sewers are proposed to be extended to service the subject site. Similar to the existing development to the north of the subject site, a Foundation Drain Collector (FDC) is proposed for this development.

For the townhouse units fronting along Weston Road, a new FDC sewer is required to be constructed along the proposed public laneway extension. This FDC sewer will then connect to the existing storm sewer located on Neuchatel Avenue.

e) Sewer and Water Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity for the subject development is recommended for Council approval:

"IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V006 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 23 residential units (72 persons equivalent)."

f) Noise

The Owner has submitted a Noise Impact Study, prepared by HGC Engineering. The noise study recommends acoustical measures will need to be implemented for specific blocks within the subdivision. Reference to these measures should also be included within the subdivision agreement. The submitted report must be signed and sealed by a licensed professional engineer in the Province of Ontario.

g) Other Conditions

The DEIP Department has also requested the following be included as Conditions of Approval in the Subdivision Agreement and in Attachment #1:

- The Owner/Applicant shall demonstrate sufficient lighting/illumination on the proposed laneway and shall provide a Photometric lighting plan to the satisfaction of the Development Engineering and Infrastructure Department; and
- The driveway on Lots 21 and 22 shall not be on the angle bend and shall comply with City Standards.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 14

Development Planning Department, Urban Design and Cultural Heritage Division

The Urban Design and Cultural Heritage Division has reviewed the applications and have advised there are no built heritage concerns. The compensation plan outlined in the Arborist Report (April 6, 2017) is acceptable, and the proposed elevations and landscaping plans are generally acceptable subject to the conditions included in Attachment #1 - Conditions of Draft Approval.

Office of the City Solicitor, Real Estate Department and Parks Development Department

Both Departments have indicated the cash-in-lieu of parkland payment has been satisfied through as Conditions of Draft Plan of Subdivision and the Development Group Agreement for Block 39.

Environmental Services Department, Solid Waste Management Division

The Solid Waste Management Division has reviewed the subject applications and have indicated that the proposed residential development will be eligible for municipal collection, provided the dwelling units have appropriate storage and frontage onto a public street, and are not part of a private condominium plan.

Vaughan Fire and Rescue Services (VFRS)

The VFRS has reviewed the development applications and supporting Transportation Study and has advised that they have no objection to the development proposal.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the development applications and have indicated that the subject site is less than 5 ha in size and is located outside of the TRCA's regulated area. However, the site is located within an area subject to the Credit Valley, Toronto and Region Conservation and Central Lake Ontario (CTC) Source Protection Plan, which took effect December 31, 2015, which outlines how water quality and quantity for municipal drinking water systems will be protected.

The subject property is located in a Source Water Protection vulnerable area referred to as a Wellhead Protection Area Q2 (WHPA-Q2). This area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act*, 2006). The CTC Source Protection Plan recommends the implementation of best management practices, such as Low Impact Development, measures with the goal to maintain pre-development recharge vales.

The Owner has submitted a site Water Balance Assessment, which demonstrates that the pre-development recharge can be maintained and that there are no further hydrogeologic issues with respect to the proposed development.

School Boards

The York Region District Public School Board, York Catholic District School Board and the Consiel Scolaire de District Catholique, Central Sud have no objections to the proposed development.

Canada Post

Canada Post has no objection to the proposed development, subject to their conditions regarding the installation of mail facilities, which is included in the Conditions of Draft Plan of Approval on Attachment #1e).

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 15

Enbridge Gas Distribution

Enbridge Gas Distribution has no objection to the proposed development, subject to their Conditions of Draft Plan of Approval on Attachment #1d).

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priority set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Improved municipal road network
- Re-establish the urban tree canopy
- Continue to cultivate an environmentally sustainable City
- Enhance civic pride through a consistent city-wide approach to citizen engagement

Regional Implications

York Region has reviewed the proposed Draft Plan of Subdivision and has provided the following comments with respect to the application.

Sanitary Sewage and Water Supply

The proposed development site is located within the Pine Valley South wastewater area and will be serviced from Water Pressure District No. 6.

Residential development requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modifications – 2017 pending outcome of Class EA;
- Duffin Creek WPCP Stages 1 and 2 Upgrades – late 2017 expected completion;
- West Vaughan Sewage Servicing – 2028 expected completion; and
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Based on the information provided in the Functional Servicing Report, wastewater servicing will be connecting to Vaughan's existing sanitary sewer located in the Neuchatel Avenue right-of-way. Water servicing will be connected to Vaughan's three existing watermains to provide a fully looped system. The Owner is advised that the Regional York Peel Feedermain is located on the east side of the Weston Road right-of-way. The integrity of the aforementioned Regional infrastructure is to be maintained at all times during any construction activities associated with the subject development.

The Owner is advised that a direct connection from a new development to a Regional water and/or wastewater system is discouraged. It is the Region's mandate to service new development through the local municipal system. Should this not be feasible, a direct connection to or the crossing of a Regional water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection(s) and/or crossing (s) shall be submitted to the Infrastructure Asset Management branch for review and approval. The Owner is further advised that York Region requires two (2) weeks advanced notice prior to the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 27, 2017

Item 14, CW Report No. 26 – Page 16

connection and/or crossing of Regional infrastructure. The Region reserves the right to inspect the site during the connection and/or crossing.

In accordance with York Region's servicing protocol respecting Draft Plans of Subdivision receiving approval prior to servicing allocation being available, staff are requesting that all residential lands if applicable be subject to various restrictions (i.e., Holding Symbol "(H)") to ensure that the water and wastewater servicing are available prior to occupancy. These restrictions are found within the requested schedule of conditions below. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

York Region has no objection to the Draft Plan of Subdivision application subject to the above comments and to their draft plan conditions included in Attachment #1b)

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.031, Draft Plan of Subdivision File 19T-16V006, and Site Development File DA.16.064 in consideration of the applicable policies of VOP 2010, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, the public and the surrounding area context. The Development Planning Department is satisfied that the townhouse and semi-detached development, including the modified road network, is compatible with the surrounding area. On this basis, the Development Planning Department can support the approval of the applications, subject to the conditions contained in this report.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-16V006 & Proposed Zoning
5. Site Plan
6. Landscape Plan
7. Typical Townhouse Elevations (Building 1)
8. Typical Townhouse Elevations (Building 3)
9. Typical Semi-Detached Elevation
10. Typical Side Elevations (Units 14 and 19)
11. Typical Rear Elevations (Buildings 2 and 3)
12. Approved Block 39 Plan and Road Network

Report prepared by:

Eugene Fera, Senior Planner, ext. 8003

(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 20, 2017

**ZONING BY-LAW AMENDMENT FILE Z.16.031
DRAFT PLAN OF SUBDIVISION FILE 19T-16V006
SITE DEVELOPMENT FILE DA.16.064
ST. MAGNUS DEVELOPMENTS INC.
WARD 3 - VICINITY OF WESTON ROAD AND DAVOS ROAD**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning and Senior Manager of Development Planning recommend:

1. THAT Zoning By-law Amendment File Z.16.031 (St. Magnus Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88 on the subject lands shown on Attachments #2 and #3, specifically to rezone the subject lands from A Agricultural Zone, RVM1 (A) Residential Urban Village Multiple Dwelling Zone One and RV4 Residential Urban Village Zone Four, subject to site-specific Exception 9(1024) to RVM1 (A) Residential Urban Village Multiple Dwelling Zone One (street townhouse) and RVM1 (B) Residential Urban Village Multiple Dwelling Zone One (semi-detached dwellings), in the manner shown on Attachment #4, together with the site-specific exceptions to Zoning By-law 1-88 identified in Tables 1 and 2 of this report.
2. THAT Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) BE APPROVED, to facilitate a residential Draft Plan of Subdivision comprised of one lot and 4 Blocks for 19 townhouse and 4 semi-detached units as shown on Attachment #4, subject to the Conditions of Draft Approval set out in Attachment #1.
3. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) include the following clause:

“Prior to final approval of the Draft Plan of Subdivision the Owner shall enter into a Developers’ Group Agreement with the other participating landowners within Block 39 to the satisfaction of the City. The agreement shall include, but not be limited to, all cost sharing for the provision parks, cash-in-lieu of parkland, road and municipal services within Block 39. This agreement shall also provide a provision for additional developers to participate in the Developers’ Group Agreement when they wish to develop their lands.”
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage serving capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V006 (St. Magnus Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a maximum total of 23 residential units (72 persons equivalent).”
5. That Site Development File DA.16.064 (St. Magnus Developments Inc.) BE APPROVED to permit the development of the subject lands shown on Attachments #2 and #3 with 19 townhouse dwelling units and 4 semi-detached dwelling units fronting onto the municipal public road network, as shown on Attachments #5 to #11, subject to the following conditions:

- a) that prior to the execution of the Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plan, including the treatment along Weston Road and landscape cost estimate;
 - ii) the Development Engineering and Infrastructure Planning Department shall approve the final site grading and servicing plans, stormwater management report, and the Noise Impact Study; and
 - iii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority and York Region.
- b) the Site Plan Agreement shall include a clause requiring that all Offers of Purchase and Sale, or Lease shall include wording that the public laneway shall serve as the main emergency vehicle and fire fighting route for this development and that on-street parking is not permitted.

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 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

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

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

- Low Volatile Organic Compound (VOC) paints and finishes;
- Low flow water fixtures;
- Energy efficient hot water tanks; and
- Drought resistant planting.

Economic Impact

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

Communications Plan

On September 9, 2016, a Notice of Public Hearing was circulated to all property owners within 150 m of the subject lands. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the subject lands in accordance with the City's Notification Sign Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on October 5, 2016, to receive comments from the public and the Committee of the Whole for the subject applications. The recommendation of the Committee of the Whole to receive the Public Hearing report of October 5, 2016, and to forward a technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on October 19, 2016.

At the October 5, 2016, Public Hearing, Mrs. Giovanna De Bona, a resident of Laval Street spoke on behalf of a number of Lava Street residents and expressed the following concerns:

- the current profile of Laval Street as a quiet dead end street will be lost with this development proposal;
- the existing green space should be protected; and
- the approved Block 39 road plan should be followed to connect Laval Street because this would generate less residential units and traffic.

To date, an email with an attached petition signed by 17 residents of Laval Street has been received by the Development Planning Department expressing opposition to the proposed development as follows:

- the development will change the character of the street due to increased traffic;
- Laval Street should continue as 2 separate streets so they are not connected;
- the removal of mature trees abutting Laval Street will no longer provide for a landscaped view; and
- the developer should save the existing trees.

The Development Planning Department has reviewed the aforementioned concerns and provides the following response:

a) Protection of Green Space

Residents of the local community have expressed concerns that the proposed development will result in a loss of the green space that currently exists on the subject lands. The green space being referred to is located on private property. The green space also includes the portion of the subject lands that was sold by the City, which would have formed part of the Laval Street right-of-way, as identified in the approved Block Plan, had these lands developed concurrently with the abutting subdivisions. This green space would have been removed as part of the planned road network.

The Owner has submitted an Arborist Report a Tree Preservation Plan in support of the applications to assess the number of trees, tree type(s) and health/condition of the existing trees. The report identifies that the Owner is subject to a tree compensation plan as part of the development, if approved.

b) Traffic

The proposed development includes a public laneway that is narrower than the right-of-way width of Laval Street, which was identified on the Block Plan as a through street. A narrower public laneway helps to reduce speeds and creates a sense of traffic calming. Had the subject lands

developed concurrently with the surrounding plans of subdivision, both sections of Laval Street would have been connected, which has the potential to result in increased vehicular traffic. A laneway will have less of an impact from a traffic perspective.

On May 31, 2017, the Vaughan Planning Department mailed out a notice of this Committee of the Whole meeting to all individuals that either made a deputation at the Public Hearing, submitted correspondence with respect to the subject applications or requested notice of a future meeting regarding this development.

Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands shown on Attachments #2 and #3 to facilitate the development of 19 street townhouse units and 4 semi-detached units as shown on Attachments #4 to #9:

1. Zoning By-law Amendment File Z.16.031 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone, RVM1(A) Residential Urban Village Multiple Dwelling Zone One and RV4 Residential Urban Village Zone Four, subject to site-specific Exception 9(1024) to RVM1(A) Residential Urban Village Multiple Dwelling Zone One (street townhouse) and RVM1(B) Residential Urban Village Multiple Dwelling Zone One (semi-detached dwelling), in the manner shown on Attachment #4, together with the site-specific zoning exceptions to By-law 1-88 identified in Tables 1 and 2 of this report.
2. Draft Plan of Subdivision File 19T-16V006, as shown on Attachment #3, to facilitate a proposed residential Draft Plan of Subdivision consisting of the following:

| | |
|---|------------------|
| Blocks 3, 4 and 5 for 19 Townhouse Dwellings | 0.291 ha |
| Lot 1, and Block 2 for 4 Semi-detached Dwellings | 0.083 ha |
| <u>Streets and Laneways (including former City Lands)</u> | <u>0.1606 ha</u> |
| Total | 0.5346 ha |

The total land area identified above includes the former City of Vaughan owned lands (the undeveloped portion of Laval Street), as shown on Attachment #3, which the Owner has purchased from the City.

3. Site Development Application File DA.16.064 to permit the development of the subject lands with 19 townhouse and 4 semi-detached units served by the public municipal street network, as shown on Attachments #4 to #11.

Background - Analysis and Options

Synopsis:

The Owner is proposing to develop the subject lands with 19 freehold townhouse units and 4 semi-detached units fronting onto the extension of an existing public street and laneway. Minor modifications to the Block 39 approved road network (Attachment #12) are required to facilitate the development proposal. The Development Planning Department supports the Zoning By-law Amendment, Draft Plan of Subdivision and Site Development applications as they implement VOP 2010, the Block 39 Plan, and will result in development that is compatible with the surrounding land uses.

Location

The subject lands are located on the west side of Weston Road, south of Davos Road, and are known municipally as 9554 Weston Road. The surrounding land uses are shown on Attachment #3.

Land Use Policies/Planning Considerations

Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated 'Low Rise Residential' by VOP 2010, and are located within a "Community Area" as identified on Schedule "1", Urban Structure of VOP 2010. This designation permits detached, semi-detached and townhouse dwellings with no prescribed maximum density, subject to the policies of Sections 9.2.2.1, 9.2.3.1 and 9.2.3.2 of VOP 2010.

Sections 9.2.2.1, 9.2.3.1 and 9.2.3.2 of VOP 2010 contain a number of policies and criteria that are considered when evaluating development proposals for detached, semi-detached and townhouse dwellings, within established low-rise neighbourhoods. Sections 9.2.3.1 and 9.2.3.2 state that "semi-detached and townhouse dwelling units are Low-Rise Residential buildings, up to three storeys in height and generally fronting onto a public street". Furthermore, VOP 2010 states that "new development in a Community Area, with existing development, shall respect and reinforce the scale, massing, setback and orientation of other built form in the immediate area".

The proposed development would form part of an established low-rise residential neighbourhood that includes semi-detached and townhouse dwelling units. The proposed development includes a contemporary architectural style that moves away from the traditional style of peaked rooflines and the traditional brick colour scheme used in the surrounding neighbourhood. Although it is a different architecture style, the proposed development addresses the compatibility criteria for new development outlined in VOP 2010 in terms of lot pattern, size, height and scale within the immediate area. Accordingly, the Development Planning Department is of the opinion that the proposed townhouse and semi-detached development conforms to the "Low-Rise Residential" designation policies of VOP 2010, to the approved Block 39 Plan and is consistent with the immediate neighbourhood.

Block 39 Plan

The proposed development, consisting of 19 townhouse units and 4 semi-detached units, is consistent with the approved Block 39 Plan in terms of the proposed land uses as shown on Attachment #12. The applications also seek to modify the approved road pattern of the Block. The approved road network in the Block 39 Plan identified Laval Street extending east and then running south parallel with Weston Road, where it was intended to intersect with Neuchatel Avenue, as shown on Attachment #12. The proposed modification to the approved road network will not connect the two existing terminus points of Laval Street, which was originally intended to be a public road. Instead the Owner is proposes to extend the existing laneway (Laneway V15) so it connects Davos Road with Neuchatel Avenue.

The proposed public laneway connection has been reviewed by the Development Engineering and Infrastructure Planning (DEIP) Department, York Region and Vaughan Fire and Rescue and has been determined as acceptable. The laneway would not cause any adverse impact to the existing community relating to safety, emergency response time and road connectivity and function. Accordingly, the introduction of a public laneway maintains the intent of the approved Block 39 Plan.

Zoning

The subject lands are zoned A Agricultural Zone, RV4 Urban Village Zone Four and RVM1(A) Residential Urban Village Multiple Zone One, subject to site-specific Exception 9(1024) by Zoning By-law 1-88. To facilitate the proposed development, an amendment to Zoning By-law 1-88 is required to rezone the subject lands from A Agricultural Zone, RV4 Urban Village Zone Four and RVM1(A) Residential Urban Village Multiple Zone One, as shown on Attachment #3, to RVM1(A) (townhouses) and RVM1(B) (semi-detached dwellings) in the manner shown on Attachment #4, together with the following site-specific zoning exceptions:

Table 1: Proposed Zoning Exceptions – RVM1(A) Zone:

| | Zoning By-law 1-88 Standard | RVM1(A) Zone Requirements | Proposed Exceptions to the RVM1(A) Zone Requirements |
|----|---|--|---|
| a. | Definition – Porch, Unenclosed (Covered or Uncovered) in RVM1(A) Zone | Means a platform with or without a foundation and with at least two sides open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. | Means a platform with or without a foundation and with at least one side open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. |
| b. | Definition of Tandem Parking | Zoning By-law 1-88 does not include a definition for tandem parking. | Means a parking space that is accessed by passing through another parking space from the street, lane, drive aisle or driveway. |
| c. | Maximum Width of a Driveway Curb Cut | 6 m | <ul style="list-style-type: none"> - 6.1 m (Units 2 to 6, 9 to 13, and 16 to 18) - 6.25 m (Units 7, 8, 14, 15 and 19) - 9 m (Unit 1), which is a corner unit with a 3 car garage |
| d. | Minimum Rear Yard | 13 m | <ul style="list-style-type: none"> - 6 m (Units 1 to 14) - 7.5 m (Units 15 to 19) |

| | Zoning By-law 1-88 Standard | RVM1(A) Zone Requirements | Proposed Exceptions to the RVM1(A) Zone Requirements |
|----|--|--|---|
| e. | Minimum Front and Exterior Side Yard Setbacks | Front = 3 m Exterior = 2.4 m | - Front = 0.6 m (Units 1 - 14 to an architectural feature or structure or firewall) |
| | | | - Front = 1.2 m (Units 1 - 14 to main wall) - Front = 2 m (Units 15 – 19 to an architectural feature or structure) - Exterior = 1 m (Unit 15) - Exterior = 2 m to an architectural feature or structure |
| f. | Permitted Yard Encroachments (Stairs and Air Conditioning Unit) | Air conditioning units may be permitted in any required side yard or rear yard provided that any such unit is set back a minimum of 1.2 m from the interior side lot line, and may encroach 1.5 m into the required rear yard and exterior side yard, provided that encroachment only occurs on yards with flankage on local roads. Maximum front yard stair encroachment - 1.8 m | Air conditioning units may be permitted in an interior side yard no less than 0.3 m from the property line and may be permitted to encroach a maximum of 0.9 m into any yard. Permit a maximum encroachment into the front yard of 1 m only. |
| g. | Maximum Driveway Width | 3.75 m | 5.8 m (Lot 15) |
| h. | Minimum Setback to a Sight Triangle Minimum Setback to an Attached Garage, from any Street and which does not Cross a Sidewalk | 0.6 m (setback to sight triangle) 5 m | 0.5 m (setback to sight triangle- Unit 15) 1 m (Unit 15) |

| | Zoning By-law 1-88 Standard | RVM1(A) Zone Requirements | Proposed Exceptions to the RVM1(A) Zone Requirements |
|----|--|----------------------------------|---|
| | Minimum Setback for Attached Garage from any Street from which Access is Provided) | 5.8 m | 1 m (Unit 15) |
| | The Minimum Setback to a Garage which Faces a Lot Line and not Crossing a Sidewalk) | 6 m | 1 m (Unit 15) |
| i. | Maximum Building Height RVM1(A) Zone | 11 m | 11.5 m |
| j. | Minimum Lot Depth | 30 m | 29 m (Blocks 4 and 5) |
| k. | Minimum Landscape Area (for any lot) | 10% | 4.2 % |
| l. | Minimum Exterior Side Yard Setback | 3 m | 2 m (Units 1, 14 and 15) |

Table 2: Proposed Zoning Exceptions – RVM1(B) Zone:

| | Zoning By-law 1-88 Standard | RVM1(B) Zone Requirements | Proposed Exceptions to the RVM1(B) Zone Requirements |
|----|--|--|---|
| a. | Definition of Tandem Parking | Zoning By-law 1-88 does not include a definition for tandem parking. | Means a parking space that is accessed by passing through another parking space from the street, lane, drive aisle or driveway. |
| b. | Maximum Driveway Width | 3.75 m | 5.6 m (Units 21 and 22) |

| | Zoning By-law 1-88 Standard | RVM1(B) Zone Requirements | Proposed Exceptions to the RVM1(B) Zone Requirements |
|----|---|--|--|
| c. | Minimum Setback to an Attached Garage, From any Street and which does not Cross a Sidewalk Minimum Setback for Attached Garage from any Street from which Access is Provided | 5 m 5.8 m | 1 m (Units 21 and 22) 1 m (Units 21 and 22) |
| d. | Maximum Building Height | 9.5 m | 11.5 m |
| e. | Definition – Porch, Unenclosed (Covered or Uncovered) in RVM1(A) Zone | Means a platform with or without a foundation and with at least two sides open, which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. | Means a platform with or without a foundation and with at least one side open which is uncovered or covered by either a roof, balcony or enclosed space or room, with or without a foundation. |
| f. | Minimum Exterior Yard Setback Abutting a Public Laneway) | 2.4 m | 1 m (Units 21 and 22) |
| g. | Minimum Landscaped Area (For any lot) | 10% | 4.2% |
| h. | Minimum Rear Yard | 13 m | 7.5 m (Units 21 and 22) |

The Development Planning Department has reviewed the proposed site-specific exceptions to Zoning By-law 1-88 and provides the following comments:

a) Proposed Zoning Category

The proposed rezoning of the subject lands to the RVM1(A) and RVM1(B) zone categories is consistent with the existing zoning of the immediate area, and will allow for the remnant parcels and part blocks to be combined with the subject lands to facilitate the proposed development shown on Attachments #5 to #11. The Development Planning

Department has no objection to rezoning the subject lands to provide similar zone categories on the subject lands.

b) Building Height

The proposed building height exceptions for the semi-detached units and townhouse units (11.5 m) is considered acceptable as the proposed development establishes a contemporary design that will provide a varied roofline compared to the traditional peaked rooflines in the immediate neighbourhood. The roofline variation will give the appearance of a consistent height, as such the Development Planning Department has no objection to the height being proposed.

c) Driveway Width

The proposed maximum driveway dimension of 6.1 m for the townhouse units is marginally greater than the 6 m driveway width required by Zoning By-law 1-88 and considered to be minor. The proposed 9 m driveway width for Unit 1 facilitates a 3-car design and only applies to one unit. The proposed driveway exceptions are considered acceptable.

d) Lot Depth

The reduction in lot depth from 30 m to 29 m for Blocks 4 and 5 represents a minor decrease to the prescribed requirement of Zoning By-law 1-88, and is considered appropriate.

e) Zoning Definitions

The exception to the definition of a porch and tandem parking is required to facilitate the design of the proposed units. The provision of tandem parking will allow 2 tandem parking spaces to be contained within the garage. Having more parking available within a garage will have the potential to preclude vehicle parking along the public laneway.

f) Setback from Weston Road

The proposed setback from Weston Road of 1 m is the result of a road widening request by York Region. A typical setback would be 3 m to provide private amenity spaces between the street line and dwelling. The proposed 1m setback would result in a similar condition to the existing townhouses located immediately north of the subject lands, which also have a 1 m setback due to the road widening. To mitigate the reduced front yard setback, the Owner is proposing an upgraded landscape treatment along the Weston Road frontage (Attachment #6). City and Regional Staff will continue to work with the Owner to finalize the landscape treatment. Staff supports the proposed setback given the context of this site, and subject to the approval of the upgraded landscape plan along Weston Road.

g) Air Conditioning Units

Council on April 19, 2017, endorsed reduced side yard setbacks for air conditioning units with setbacks of 0.6 m and 0.3 m for wall mounted and ground mounted units, respectively. Most of the air conditioning units are being proposed in the front yard and adjacent to the front stairs, thereby providing some screening. Staff will continue to work with the Owner to resolve this matter and will finalize the screening of the air conditioning units as part of the final site plan approval.

h) Other Exceptions

Many of the other exceptions related to the proposed setbacks from a sight triangle and a garage, permitted encroachments for air conditioning units and maximum driveway width are considered to be minor. These exceptions only apply to specific units and are similar to zoning exceptions provided in other infill developments.

The proposed rezoning and site-specific exceptions would facilitate a development that conforms to the Vaughan Official Plan 2010 and the approved Block 39 Plan as it relates to land use. The proposed development would be compatible with the existing and planned built form in the surrounding area, and therefore can be supported by the Development Planning Department.

Subdivision Design and Site Plan

The proposed Draft Plan of Subdivision, shown on Attachment #4, is comprised of 4 blocks and 1 lot (Lot 1). Blocks 2, 3 and 5 will be combined with the existing Blocks in the previously approved Plan of Subdivisions, as shown on Attachment #4, to form full lots for a total of 23 residential units.

The proposed townhouse units will have frontage onto a public road (Laval Street and Weston Road) and would be accessed from a public laneway (Laneway V15), while the semi-detached units would have frontage and access from Laval Street and Neuchatel Avenue. Laneway V15 currently extends south of Davos Road terminating north of Laval Street. The development proposal includes the extension of Laneway 15, south to Neuchatel Avenue. This would allow for the units to be constructed facing Weston Road, which is similar to the townhouse dwellings immediately to the north.

The proposed building elevations shown on Attachments #7 to #11 illustrate the typical elevations for the proposed townhouse and semi-detached units. The building elevations are contemporary in architectural style and will be constructed using a variety of materials including stucco, glazing and a two-tone brick colour scheme. The design of Units 14 and 19 incorporate a frosted glass railing, as shown on Attachment #10 to reduce any potential overlook into the backyards of the adjacent properties. The final building design, materials and elevations, must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

The proposed Landscape Plan, includes an upgraded landscape treatment along the Weston Road frontage as shown on Attachment #6. City and Regional Staff are working with the Owner to finalize the landscape treatment along Weston Road, which would consist of low-form shrubbery and perennial planting, extending into the regional right-of-way to provide an enhanced front yard amenity area. The landscape plan treatment proposed for the semi-detached units on Laval Street and Neuchatel Avenue is shown on Attachment #6, however, the Owner will also be required to conform to the City's typical street tree planting requirements. The final landscape plan must be approved to the satisfaction of the Development Planning Department. A condition to this effect is included in the recommendation of this report.

Development Engineering and Infrastructure Planning (DEIP) Department

The DEIP Department has reviewed the proposed Draft Plan of Subdivision and supporting material, and provided the following comments:

a) Road Network

The proposed development includes a modification of the road pattern that was established by the Block Plan. The proposed modification would eliminate a local public road and replace it with a public laneway. The proposed design has Laval Street extending east and connecting to a

public lane (Laneway V15) that runs south parallel to Weston Road and forming an intersection with Neuchatel Avenue.

The proposal to extend the proposed public laneway between Davos Road and Laval Street, and connecting to Neuchatel Avenue, would meet the original intent of the Block Plan to provide a more porous road network. This would be accommodated by connecting both portions of Laval Street with the public laneway.

Fire Hydrants, and traffic signs (stop signs, fire route and no parking signs), as per City Standards, should be identified on the site plan and/or on the site servicing and utility plan.

A truck maneuvering plan, as proposed in the Transportation Report must be approved by the Fire Department and Environmental Services Department. The Traffic Report must be approved by the DEIP Department.

b) Environmental

Environmental Staff has reviewed the development proposal and have no objection to the subject development applications.

c) Lot Grading

The proposed grading of the site and the grading of the individual lots shall meet the City's current lot grading criteria.

d) Water/Sanitary/Storm Servicing and Storm Water Management

Municipal services will be provided in accordance with the approved Master Environmental Servicing Plan (MESP) and confirmed through the subdivision of any subsequent plans or reports that may be submitted to confirm the servicing requirements for the Block 39 Plan.

The Owner has submitted a Functional Servicing Report prepared by Valdor Engineering Inc., (June 2016, revised on February 2017). The report has demonstrated that the water supply, sanitary servicing and stormwater management plans for the proposed development can be accommodated as follows:

Water Servicing

The proposed development will be serviced by extending the existing watermain from the adjacent roads Laval Street and Laneway V15 to complete the looping of the local network.

The proposed townhouse units proposed along Weston Road will be serviced by a new watermain, which would run along the proposed public laneway and be extended from the proposed development site. This watermain will be connected to the existing watermain located on Neuchatel Avenue.

The townhouse units and two (2) semi-detached units fronting Laval Street will be serviced by a new watermain, sanitary sewer and storm sewer on Laval Street, which will be connected to the new watermain located along the proposed public laneway.

The remaining two (2) semi-detached units fronting Neuchatel Avenue will receive servicing from the existing watermain, sanitary sewer and storm sewer located on Neuchatel Avenue.

Sanitary Servicing

The townhouse units proposed along Weston Road will be serviced by a new sanitary sewer along the proposed public laneway, which will be connected to the existing sanitary sewer located on Neuchatel Avenue.

Stormwater Management

The subject site is located in the tributary to the existing stormwater management pond that is located in Block 39, at the northeast corner of Rutherford Road and Fossil Hill Road. This pond provides both quantity control and quality treatment of storm water. The existing storm sewers, in the adjacent subdivisions, were designed to accommodate future flows from the subject lands. As such, the existing storm sewers are proposed to be extended to service the subject site. Similar to the existing development to the north of the subject site, a Foundation Drain Collector (FDC) is proposed for this development.

For the townhouse units fronting along Weston Road, a new FDC sewer is required to be constructed along the proposed public laneway extension. This FDC sewer will then connect to the existing storm sewer located on Neuchatel Avenue.

e) Sewer and Water Allocation

On December 13, 2016, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Accordingly, servicing capacity for the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity for the subject development is recommended for Council approval:

"IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-16V006 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 23 residential units (72 persons equivalent)."

f) Noise

The Owner has submitted a Noise Impact Study, prepared by HGC Engineering. The noise study recommends acoustical measures will need to be implemented for specific blocks within the subdivision. Reference to these measures should also be included within the subdivision agreement. The submitted report must be signed and sealed by a licensed professional engineer in the Province of Ontario.

g) Other Conditions

The DEIP Department has also requested the following be included as Conditions of Approval in the Subdivision Agreement and in Attachment #1:

- The Owner/Applicant shall demonstrate sufficient lighting/illumination on the proposed laneway and shall provide a Photometric lighting plan to the satisfaction of the Development Engineering and Infrastructure Department; and
- The driveway on Lots 21 and 22 shall not be on the angle bend and shall comply with City Standards.

Development Planning Department, Urban Design and Cultural Heritage Division

The Urban Design and Cultural Heritage Division has reviewed the applications and have advised there are no built heritage concerns. The compensation plan outlined in the Arborist Report (April

6, 2017) is acceptable, and the proposed elevations and landscaping plans are generally acceptable subject to the conditions included in Attachment #1 - Conditions of Draft Approval.

Office of the City Solicitor, Real Estate Department and Parks Development Department

Both Departments have indicated the cash-in-lieu of parkland payment has been satisfied through as Conditions of Draft Plan of Subdivision and the Development Group Agreement for Block 39.

Environmental Services Department, Solid Waste Management Division

The Solid Waste Management Division has reviewed the subject applications and have indicated that the proposed residential development will be eligible for municipal collection, provided the dwelling units have appropriate storage and frontage onto a public street, and are not part of a private condominium plan.

Vaughan Fire and Rescue Services (VFRS)

The VFRS has reviewed the development applications and supporting Transportation Study and has advised that they have no objection to the development proposal.

Toronto and Region Conservation Authority (TRCA)

The TRCA has reviewed the development applications and have indicated that the subject site is less than 5 ha in size and is located outside of the TRCA's regulated area. However, the site is located within an area subject to the Credit Valley, Toronto and Region Conservation and Central Lake Ontario (CTC) Source Protection Plan, which took effect December 31, 2015, which outlines how water quality and quantity for municipal drinking water systems will be protected.

The subject property is located in a Source Water Protection vulnerable area referred to as a Wellhead Protection Area Q2 (WHPA-Q2). This area was delineated to help manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act*, 2006). The CTC Source Protection Plan recommends the implementation of best management practices, such as Low Impact Development, measures with the goal to maintain pre-development recharge vales.

The Owner has submitted a site Water Balance Assessment, which demonstrates that the pre-development recharge can be maintained and that there are no further hydrogeologic issues with respect to the proposed development.

School Boards

The York Region District Public School Board, York Catholic District School Board and the Consiel Scolaire de District Catholique, Central Sud have no objections to the proposed development.

Canada Post

Canada Post has no objection to the proposed development, subject to their conditions regarding the installation of mail facilities, which is included in the Conditions of Draft Plan of Approval on Attachment #1e).

Enbridge Gas Distribution

Enbridge Gas Distribution has no objection to the proposed development, subject to their Conditions of Draft Plan of Approval on Attachment #1d).

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This report supports the following priority set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- Improved municipal road network
- Re-establish the urban tree canopy
- Continue to cultivate an environmentally sustainable City
- Enhance civic pride through a consistent city-wide approach to citizen engagement

Regional Implications

York Region has reviewed the proposed Draft Plan of Subdivision and has provided the following comments with respect to the application.

Sanitary Sewage and Water Supply

The proposed development site is located within the Pine Valley South wastewater area and will be serviced from Water Pressure District No. 6.

Residential development requires servicing capacity allocation prior to final approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modifications – 2017 pending outcome of Class EA;
- Duffin Creek WPCP Stages 1 and 2 Upgrades – late 2017 expected completion;
- West Vaughan Sewage Servicing – 2028 expected completion; and
- Other projects as may be identified in future studies.

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Based on the information provided in the Functional Servicing Report, wastewater servicing will be connecting to Vaughan's existing sanitary sewer located in the Neuchatel Avenue right-of-way. Water servicing will be connected to Vaughan's three existing watermains to provide a fully looped system. The Owner is advised that the Regional York Peel Feedermain is located on the east side of the Weston Road right-of-way. The integrity of the aforementioned Regional infrastructure is to be maintained at all times during any construction activities associated with the subject development.

The Owner is advised that a direct connection from a new development to a Regional water and/or wastewater system is discouraged. It is the Region's mandate to service new development through the local municipal system. Should this not be feasible, a direct connection to or the crossing of a Regional water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection(s) and/or crossing (s) shall be submitted to the Infrastructure Asset Management branch for review and approval. The Owner is further advised that York Region requires two (2) weeks advanced notice prior to the connection and/or crossing of Regional infrastructure. The Region reserves the right to inspect the site during the connection and/or crossing.

In accordance with York Region's servicing protocol respecting Draft Plans of Subdivision receiving approval prior to servicing allocation being available, staff are requesting that all residential lands if applicable be subject to various restrictions (i.e., Holding Symbol "(H)") to ensure that the water and wastewater servicing are available prior to occupancy. These

restrictions are found within the requested schedule of conditions below. In addition, York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of approval.

York Region has no objection to the Draft Plan of Subdivision application subject to the above comments and to their draft plan conditions included in Attachment #1b)

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment File Z.16.031, Draft Plan of Subdivision File 19T-16V006, and Site Development File DA.16.064 in consideration of the applicable policies of VOP 2010, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies, the public and the surrounding area context. The Development Planning Department is satisfied that the townhouse and semi-detached development, including the modified road network, is compatible with the surrounding area. On this basis, the Development Planning Department can support the approval of the applications, subject to the conditions contained in this report.

Attachments

1. Conditions of Draft Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-16V006 & Proposed Zoning
5. Site Plan
6. Landscape Plan
7. Typical Townhouse Elevations (Building 1)
8. Typical Townhouse Elevations (Building 3)
9. Typical Semi-Detached Elevation
10. Typical Side Elevations (Units 14 and 19)
11. Typical Rear Elevations (Buildings 2 and 3)
12. Approved Block 39 Plan and Road Network

Report prepared by:

Eugene Fera, Senior Planner, ext. 8003

Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager
Planning & Growth Management

MAURO PEVERINI
Director of Development Planning

BILL KIRU
Senior Manager of Development Planning

/CM

ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-16V006 “(THE PLAN)”
ST. MAGNUS DEVELOPMENTS INC. “(THE OWNER)”
BLOCKS 5 AND 6, PLAN 65M-3952
PART OF LOTS 17 AND 18, CONCESSION 6, CITY OF VAUGHAN “(THE CITY)”**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN (THE CITY) THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-16V006 (THE PLAN), ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Attachment No. 1a).
2. The Conditions of Approval of Pre-Approval of York Region as set out in Attachment No. 1b) and dated September 14, 2016.
3. The Conditions of Approval of York Region of York as set out in Attachment No. 1c) and dated September 14, 2016.
4. The Conditions of Approval of Enbridge Gas as set out in Attachment No. 1d) and dated August 3, 2016.
5. The Conditions of Approval of Canada Post as set out in Attachment No. 1e) and dated September 3, 2016

Clearances

7. 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 commenting agencies agree to registration by phases and provide clearances, as required in the Conditions in Attachments 1a), 1b), 1c), 1d) and 1e), for each phase proposed for registration; and furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
8. The City shall advise that Conditions on Attachment No. 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
9. York Region and the City of Vaughan shall advise that the Conditions on Attachment No. 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
10. York Region shall advise that the Conditions on Attachment No. 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met
11. Enbridge Gas shall advise that the Conditions on Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
12. Canada Post shall advise that the Conditions on Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT NO. 1a)

CONDITIONS OF APPROVAL

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by KLM Planning Partners Inc. Project No. P-2660 dated January 25, 2017.
2. The lands within the Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the Planning Act.
3. The Owner shall pay any and all outstanding application fees to the Vaughan Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. The Owner shall enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
6. The road allowances within the Plan shall be named to the satisfaction of the City and York Region. Proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
7. The road allowances included in the Plan shall be designed in accordance with City standards for road and intersection design, temporary turning circles, daylighting triangles and 0.3 m reserves. The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
8. Any dead end or open sides of a road allowances created by the Plan shall be terminated in a 0.3 m reserve, to be conveyed to the City free of all charge and encumbrances, to be held by the City until required for a future road allowance or development of adjacent lands.
9. The Owner shall agree in the Subdivision Agreement that the final engineering design(s) may result in minor variations to the Plan (e.g., in the configuration of road allowances and lotting, number of lots, etc.), which may be reflected in the final Plan to the satisfaction of the City.
10. The Owner shall agree in a Subdivision Agreement that the location and design of the construction access shall be approved by the City and the York Region.
11. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan. Any modification to off-site driveways required to accommodate this Plan shall be coordinated and completed at the cost of the Owner.
12. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements as free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.
13. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost for any external municipal services, temporary and/or permanent built or proposed, that have been designed, oversized and built temporarily or permanent by others to accommodate the development of the Plan.

14. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 39 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 39. The Owner acknowledges that parkland shall be dedicated and/or cash-in-lieu paid in accordance with the *Planning Act* and conform to the City's "Cash-in-lieu of Parkland Policy". This agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.
15. Prior to final approval of the Plan, the Trustee for Block 39 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 39 Developers' Group Agreement.
16. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
17. The Owner agrees that all part blocks within the Plan shall only be developed in conjunction with abutting part blocks of adjacent Draft Plan(s) of Subdivision.
18. 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.
19. The Owner shall agree that the driveway on Lots 21 and 22 on the proposed Draft Plan of Subdivision (Semi-detached units) should be constructed in accordance with the City Standards.
20. The Owner shall agree in the Subdivision Agreement to implement the recommendations of the updated transportation report/plan and traffic management master plan to the satisfaction of the City.
21. Prior to final approval of the Plan, the Owner shall agree that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
22. The Owner shall agree in the Subdivision Agreement to provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable) to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department.
23. 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.
24. The Owner shall ensure that the final Plan shall depict all telecommunication structure locations and hydro switch gear easements.
25. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
26. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunications provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunications provider.

27. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the Plan prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
28. a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of Alectra Utilities Corporation Inc. (formerly PowerStream Inc.), its successors and assigns, regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with Alectra Utilities Corporation 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 Alectra Utilities Corporation Inc. and the City.
29. The Owner shall agree in the Subdivision Agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. The Plan shall be provided with decorative LED streetlighting to the satisfaction of the City.
30. The Owner shall agree in the Subdivision Agreement to maintain adequate chlorine residuals in the watermains within the Plan area after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
- The Owner shall provide the City with a report showing the chlorine residual results on a weekly basis. If at any time the water quality test results do not comply with the *Safe Drinking Water Act*, the Owner shall notify the City immediately and take corrective action as directed by the City and prepare a report of all actions taken.
- The City will charge the Owner the current retail water and sewer rates for the water consumed in this program. The Owner's licensed water operator will meter the consumption of water for each flush and report the readings to the City on a monthly basis. The City will audit the consumption reports and inspect the flushing points periodically to ensure that the water consumption reported accurately reflects the program.
31. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City, which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof.
32. Prior to final approval of the Plan, the City and York Region shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
33. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary for development of the Plan, which may include any required municipal easements and/or additional lands within and/or external to the Plan to the satisfaction of the City.
34. 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. The Owner shall agree

in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.

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

- a) Detailed engineering report that describes the storm drainage system for the proposed development within this Draft Plan of Subdivision, which report shall include:
 - i) plans illustrating how this drainage system will be tied into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - ii) stormwater management techniques which may be required to control minor or major flows;
 - iii) appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources at it relates to fish and their habitat;
 - iv) the location of description of all outlets and other facilities;
 - v) proposed methods of controlling and preventing erosion and siltation on-site and in downstream areas during and after construction; and
 - vi) overall grading plans for the Plan.
- b) The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

36. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:

- a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
- b) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment and Climate Change (MOECC) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act*" (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOECC, covering all the lands within the Plan.
- c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional (QP) stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable standards set out in the MOECC document "Soil, Ground Water and

Sediment Standards for Use under Part XV.1 of the *Environmental Protection Act* (as amended).

- d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
- 37. Prior to the initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall submit an erosion and sedimentation control plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on park, parkette, school or walkway blocks.
 - 38. 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. 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 Toronto and Region Conservation Authority (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.
 - 39. Prior to the initiation of the grading or striping of top soil and final approval of the Plan, the Owner shall submit a top soil storage plan detailing the location, size, slope stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the either park or school blocks.
 - 40. The Owner shall agree to notify both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department (Urban Design and Cultural Heritage Division) immediately in the event that:
 - a) Archaeological resources are found on the property during grading or construction activities, the Owner must cease all grading or construction activities.
 - b) Human remains are encountered during grading or construction activities, the proponent must cease all grading or construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.
 - 41. The Owner shall agree in the Subdivision Agreement that no Building Permit(s) will be applied for or issued for any Lot or Block, until the City is satisfied that adequate road access, municipal water supply, sanitary sewer and storm drainage, recycling pickup, garbage pickup, snow removal, fire service and emergency service inclusive, is provided for the proposed development to the satisfaction of the City.
 - 42. Prior to final approval of the Plan, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of all the lot and block areas, frontages and depths in accordance with the approved Zoning By-law for all the lots and blocks within the Plan.
 - 43. Notwithstanding the provisions (Subsection 5.1) generally included within the Subdivision Agreement, the City may issue a model home building permit(s) provided that the land is zoned to the satisfaction of the City and the relevant conditions (Subsection 5.18) of the Subdivision Agreement are fulfilled.
 - 44. Prior to the issuance of a Building Permit for any Lot or Block, the Owner's consulting engineer shall certify, to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department and the Vaughan Building Standards Department that the lot grading

complies with the City of Vaughan lot grading criteria and the driveway as shown on the Plan submitted for the construction of the building on that particular Lot or Block conforms in terms of location and geometry (i.e., width, etc.) with the approved or amended and subsequently approved Construction Drawings.

45. No Building Permit shall be issued until the Owner has provided proof that a restriction has been registered that prevents the transfer of the Lot or Block without the consent of the City where such transfer is to be restricted by any other provision of the Subdivision Agreement.
46. Prior to the transfer of any Lot or Block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such Lot or Block.
47. The Owner shall update the Block 39 Block Plan to reflect the revised development proposal to the satisfaction of the Development Planning Department and 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 plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.;
 - the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
 - the location of parks, open space, stormwater management facilities and trails;
 - the location of institutional uses, including schools, places of worship, community facilities;
 - the location and type of commercial sites;
 - colour-coded residential for singles, semis, multiples, and apartment units; and
 - the following notes in BOLD CAPITAL TYPE on the map:

“For further information, on proposed and existing land uses, please call or visit the City of Vaughan Development Planning Department, at 2141 Major Mackenzie Drive, 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.]
48. No part of any noise attenuation feature or any other fence shall be constructed partly on or within any public highway, park or open space. Fences adjacent to public lands shall be constructed entirely on private lands. The maintenance of noise attenuation features or fencing shall not be the responsibility of the City or the Region of York and shall be maintained by the Owner until assumption of the services in the Plan. Thereafter, the maintenance by the noise attenuation fence shall be the sole responsibility of the lot Owner. Landscaping provided on the Regional

Road right-of-way by the Owner or the City for aesthetic purposes shall be approved by York Region and maintained by the City with the exception of the usual grass maintenance.

49. The Owner shall cause the following warning clauses and any other additional warning clauses included in the Subdivision Agreement shall be included in a schedule to all Offers of Purchase and Sale, or Lease for all Lots/Blocks within the entire Subdivision plan.

- a) "Purchasers and/or tenants, respecting laneways in Block 39, are advised that:
 - i) the public laneway will be maintained to a lesser standard than local public streets;
 - ii) 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 15 cm or more snow has fallen or severe rutting has occurred; and
 - iii) lighting in the public laneway will only occur from light fixtures installed on the property Owner's garage, and the light fixtures shall be operated and maintained by the property Owner at the expense of the property Owner."
- b) "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."
- c) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the Subdivision Agreement. A drawing depicting conceptual locations for boulevard trees is included as a schedule in this Subdivision Agreement. This is a conceptual plan only and while every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete the boulevard tree without further notice."
- d) "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."
- e) "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."
- f) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:
 - a) The maximum width of a driveway shall be 6 m measured at the street curb, provided circular driveways shall have a maximum combined width of 9 m measured at the street curb.
 - 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 – 6.99 m | 3.5 m |
| 7.0 – 8.99 m | 3.75 m |
| 9.0 – 11.99 m ¹ | 6 m |
| 12.0 m and greater ² | 9 m |

¹The Lot Frontage for Lots between 9.0 m - 11.99 m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2.

²The Lot Frontage for Lots 12 m and greater shall be comprised of a Minimum of 50% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2."

- g) "Purchasers and/or tenants are advised that proper grading of all Lots/Blocks in conformity with the Subdivision Grading Plans is a requirement of this Subdivision Agreement.

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

- h) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."

- i) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings.

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

- j) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox, as per requirements dictated by Canada Post. The location of which shall be shown on the community plan provided by the Owner Sales Office prior to any home closings."

- k) "Purchasers and/or tenants are advised that any roads ending in a dead end or cul-de-sac may be extended in the future to facilitate development of adjacent lands, without further notice."

- l) For Lots abutting or in proximity of either a primary roadway, collector roadway, or arterial roadway:
 - “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, may be of concern and occasionally interfere with some activities of the dwelling occupants.”
 - m) For Lots abutting a public highway, laneway, walkway, park/vista, open space, valleylands, woodlots, stormwater facility, noise berm/landscape buffer or other similar public space:
 - a) “Purchasers and/or tenants are advised that fencing along the lot lines of lots and blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 m reserve, as shown on the Construction Drawings.
 - b) The City has taken a Letter of Credit from the Owner for the security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is NOT a requirement of this Subdivision Agreement.”
 - c) 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”
50. Prior to final approval, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees/vegetation, without written approval by the City.
51. Prior to final approval the Owner/Applicant shall demonstrate sufficient lighting/illumination on the proposed laneway and shall provide a Photometric Lighting Plan to the satisfaction of the Development Engineering and Infrastructure Department.
52. Prior to final approval the Owner shall provide a Cash-in-Lieu payment of \$19,800 for the cost of seventeen (17) trees that were not able to be accommodated on site, to the Satisfaction of the Development Planning Department, Urban Design and Cultural Heritage Division.
53. Prior to final approval, the Owner shall confirm that pay cash-in-lieu of parkland in accordance with OPA #600 and pursuant to the City’s Cash-in-Lieu policy, and in accordance with an agreement between Block 39 Developers’s Group and the City. If applicable, the amount of cash-in-lieu shall be determined by the City’s Senior Manager of Real Estate.
54. Prior to final approval of the Plan, any and all appropriate revisions, as required, shall be made to the Block Plan for Block 39 and all associated reports to the satisfaction of the City.
55. Prior to the landscape plan review by Urban Design and Cultural Heritage Division, a fee shall be provided by the Owner to the Development Planning Department in accordance with the Council approved fee by-laws (commencing January 1, 2017); i.e. Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.

- a) This fee will include the City's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, and natural feature edge restoration/management plans) and inspections for tree removals permit clearance, start of guaranteed maintenance period, and assumption of the development by the City.
56. The Owner shall agree in the Subdivision Agreement to the following:
- a) All development shall proceed in accordance with the Council approved Block 39 Vellore Village Community Architectural Design Guidelines prepared by Watchorn Architect Inc.;
 - b) A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - c) Prior to the submission of individual Building Permit application(s), the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines; and
 - d) The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
57. The Owner shall agree in the Subdivision Agreement that all development shall proceed in accordance with the approved Block 39 Vellore Village Landscape Master Plan prepared by The MBTW Group. The master plan shall address but not be limited to the following issues:
- e) Co-ordination of the urban design/streetscape elements as they relate to the approved landscape master plan including fencing treatments and street tree planting; and
 - f) The appropriate community edge treatment along Weston Road.
58. Prior to final approval, the Owner shall provide a tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation. The Owner shall not remove trees without written approval by the City.

ATTACHMENT NO. 1b)

PRE-CONDITIONS AND CONDITIONS OF APPROVAL - SEPTEMBER 16, 2016

**DRAFT PLAN OF SUBDIVISION FILE 19T-16V006
ST. MAGNUS DEVELOPMENTS INC.
BLOCKS 5 AND 6, PLAN 65M-3952
PART OF LOTS 17 AND 18, CONCESSION 6, CITY OF VAUGHAN**

PRE-CONDITIONS OF APPROVAL

City of Vaughan and Region of York Pre-Conditions

Pre-Conditions which are to be satisfied prior to or concurrent with draft plan approval:

1. Prior to or concurrent with draft plan approval for any residential units, the Owner shall enter into an agreement with the City of Vaughan, which agreement shall be registered on title, committing the Owner to:
 - A. Not enter into any agreements of purchase and sale with end users¹ for the subject lands until such time as:
 - a. The City approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure;
 - or
 - b. i. The Council of the City of Vaughan has allocated, within the limit of the Regional capacity assignment, adequate available water and wastewater servicing capacities to the subject development; and,
 - ii. 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 allocates the capacity to this development.
 - AND
 - B. Not enter into any agreements of purchase and sale with non end users for the subject lands 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. This agreement shall be registered on title, committing the owner to the same terms as set out in item A above.
2. Prior to draft plan approval, the Owner shall enter into an indemnity agreement with York Region. The agreement shall be registered on title, agreeing to save harmless York Region from any claim or action as a result of York Region releasing conditions and pre-conditions of draft approval as part of the draft approval of plan of subdivision 19T-16V06 or any phase thereof by the City of Vaughan, including, but not limited to claims or actions resulting from, water or sanitary sewer service not being available when anticipated. The agreement shall include a provision that requires all subsequent purchasers of the subject lands, who are not end users, to enter into a separate agreement with York Region as a condition of the agreement of purchase and sale, agreeing to indemnify York Region on the same terms and conditions as the owner.

¹ The term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.

ATTACHMENT NO. 1c)

**YORK REGION
SCHEDULE OF CONDITIONS - SEPTEMBER 14, 2016
DRAFT PLAN OF SUBDIVISION FILE 19T-16V006
ST. MAGNUS DEVELOPMENTS INC.
BLOCKS 5 AND 6, PLAN 65M-3952
PART OF LOTS 17 AND 18, CONCESSION 6, CITY OF VAUGHAN**

Re: KLM Planning Partners Inc., Project No. P-2660, dated January 25, 2017

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
2. 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.
3. 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.
4. Prior to final approval, the engineering drawing showing the layout of the watermains and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
5. The Owner shall agree in the Subdivision Agreement that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction. Engineering drawings showing details of the connection shall be submitted for approval.
6. Prior to final approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
7. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering to implement the recommendations of the functional transportation report/plan as approved by Development Engineering.
8. Prior to final approval and concurrent with the submission of the subdivision 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 Development Engineering, Attention: Manager, Development Engineering, that includes 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;
 - k) Requirements of York Region Transit/Viva

9. Prior to final approval, the Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region right-of-way. Only those works located in their ultimate location based on the next planning upgrade for this right-of-way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
10. 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 Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.
11. Prior to final approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
12. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, 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.
13. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 0.2 metres above the centreline elevations of the York Region roadway, unless otherwise specified by Development Engineering.
14. Prior to final approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region road right-of-way,
 - b) Tree protection measures to be implemented on and off the York Region road right-of-way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the York Region road right-of-way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region road right-of-way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - 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:
 - e) Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region 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 proposed in the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance,
 - f) For landscape features not maintained to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
15. 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 Development Engineering recommending noise attenuation features.
16. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, to implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.
17. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, 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.

18. 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."
19. 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 Development Engineering, 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-way shall not be the responsibility of York Region
20. 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 York Region Solicitor:
 - a) A widening across the full frontage of the site where it abuts Weston Road of sufficient width to provide a minimum of 20.0 metres from the centreline of construction of Weston Road, and
 - b) A 0.3 metre reserve across the full frontage of the site where it abuts Weston Road.
21. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
22. The Region requires the Owner to submit, in general 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) ("O. Reg. 153/04"), a Phase I environmental site assessment ("Phase I ESA") of the Owner's lands that are the subject of the application, including the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase I ESA cannot be more than 2 years old as of the actual date title to the Conveyance Lands is transferred to the Region. If the Phase I ESA is linked to different phases of development and there will be multiple conveyances of lands, the Phase I ESA prepared in respect of a specific conveyance and phase of development cannot be more than two years old as of the actual date of transfer of title to the Region. If a Phase I ESA is or would be more than two years old as of the actual date of transfer of title to the Region, the Phase I ESA will need to be either updated or a new Phase I ESA obtained by the Owner in accordance with the requirements of this section. The Region, at its discretion, may require further study, investigation, assessment and delineation to determine whether any remedial or other action is required regardless of the findings or conclusions of the Phase I ESA. Any Phase II environmental site assessment required by or submitted to the Region must be prepared in general accordance with the requirements of O. Reg. 153/04 (as noted above). Reliance on the Phase I ESA and any subsequent environmental reports or other documentation prepared in respect of the environmental condition of the lands must be provided to the Region and: (i) will be addressed to "The Regional Municipality of York"; (ii) contain wording to the effect that the Region is entitled to rely on such reports or documentation in their entirety; and (iii) the terms and

conditions of the reliance extended (including any wording seeking to limit liability) must be satisfactory to the Region.

23. The Owner shall also provide the Region's Development Engineering with a certified written statement from the Owner or the Owner's authorized representative that no contaminant, pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, on, in or under lands to be conveyed to the Region (including soils, substrata, surface water and groundwater, as applicable): (i) at the time of conveyance, at a level or concentration that exceeds the Environmental Protection Act O. Reg. 153/04 (as amended) full depth generic site condition standards applicable to the intended use of such lands by the Region 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 state, or is emanating or migrating from such lands in a way, that would contravene applicable environmental laws.

The preparation and delivery of the Phase I ESA, any subsequent environmental reports, other documentation, reliance and the Owner's certified written statement shall be provided at no cost to the Region.

24. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering, 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.
25. The Owner shall agree in the Subdivision Agreement in wording satisfactory to Development Engineering, prior to the development approval of Blocks 4 and 5, that access to Blocks 4 and 5 shall be via the internal road network, and direct access to Blocks 4 and 5 will not be permitted.
26. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that direct pedestrian and cycling connections to the boundary roadways and adjacent developments shall be provided.
27. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer or easement to the City of Vaughan, at no cost to the Region.
28. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to Development Engineering that the Owner will be responsible for determining the location of all utility plants within York Region right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.
29. Prior to final approval, the Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will provide for sidewalks on both sides of the roadway listed below, unless only one side of the street lies within the limits of the subject lands. The sidewalks shall meet the local municipality's standards, and be provided by the Owner along the subject lands' frontage onto the roadway that has transit services.

Existing YRT/Viva transit services operate on the following roadway in the vicinity of the subject lands:

- Weston Road

30. Prior to final approval, the Owner shall submit drawings showing, as applicable, the sidewalk location, concrete pedestrian access, passenger standing area and shelter pad to the satisfaction of York Region.
31. The Owner shall agree in the Subdivision Agreement to advise all potential purchasers of the existing transit services in this development as identified in Condition 30. This includes current transit routes, bus stops and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, Future Plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The YRT/Viva route maps and the Future Plan maps are available from YRT/Viva upon request.
32. The Owner shall satisfy the Regional Transportation Services Department that the services to be installed within or in conjunction with the Plan will include illumination in accordance with the local municipality's design standards along all streets which have transit services, sidewalks, pedestrian access and bus stop location.
33. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
34. 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.
35. The Regional Corporate Services Department shall advise that Conditions 1 to 35 inclusive, have been satisfied.
36. Please be advised York Region is protecting a 43 metre right-of-way for this section of Weston Road. However, York Region is willing to compromise and requests that all municipal setbacks be referenced from a point 20 metre(s) from the centreline of construction of Weston Road.
37. The Owner must obtain a road occupancy permit from Corridor Control and Safety with the Roads and Traffic Operations Branch, prior to commencing any work on the Weston Road right of way. The Road Occupancy permit will be released once the contractor has supplied proof that the Region is in receipt of securities and the Certificate of Insurance to the satisfaction of the Commissioner of Finance. A road occupancy permit will be required as a condition of site plan approval. Details regarding the road occupancy permit will be provided upon submission of the revised plan.
38. Prior to the issuance of a building permit the Owner shall comply to the minimum requirements for working within a York Region Road allowance unless dictated otherwise on the Traffic/Construction Management Plan and Road Occupancy Permit to the satisfaction of the York Region Community Planning and Development Services.
39. This application is subject to payment of the Region's development review fees identified in York Region Fee By-law 2010-15, as amended. The fee for application review is \$3,000.00 minimum or 7% of the estimated cost of works on the York Region road allowance, whichever is greater. The minimum fee must be submitted so we can proceed with the review. Please forward a certified cheque in the amount of \$3,000.00 or 7% whichever is greater to the Community Planning and Development Services Branch, payable to "The Regional Municipality of York". To the attention of the Development Review Coordinator.
40. Upon final review York Region shall advise the Owner of any other property, financial, legal, insurance, technical, notification and other requirements, which will become part of the conditions of approval for the subject application.

41. The Owner agrees that no portion of the building structure above or below ground or associated footings and construction shoring system shall encroach within the Regional right of way and or 0.3 metre reserve. Any unauthorized encroachment of the building structure above or below ground or associated footings and construction shoring system shall be removed at the owner's expense.
42. The revised Arborist report dated April 6, 2017 prepared by 7 Oaks is acceptable as it outlines the requirement of a tree compensation planting plan that is accordance with the City of Vaughan Parks and Forestry Operations, and that the trees be of a large caliper nursery grown stock with minimum caliper size (16 trees replanted -50 mm deciduous trees and 1.71-2.5 m, height for coniferous trees).
43. The Owner shall provide a letter prepared by an ISA Certified Arborist indicating that the pre-construction, and post-construction recommendations minimize the damage for trees on Weston Road are satisfactorily conducted by an ISA Certified Arborist and in accordance with industry standards to the satisfaction of the Development Planning Department. Any tree removal should be requested through the City of Vaughan Parks and Forestry Operations and obtaining Removal permit is required prior to any removal of the City tree.



ATTACHMENT NO. 1 d)

Enbridge Gas Distribution
500 Consumers Road
North York, Ontario M2J 1P8
Canada

August 3, 2016

Eugene Fera
Planner
City of Vaughan
Development Planning Division
2141 Major Mackenzie Dr.
Vaughan, ON L6A 1T1

Dear Eugene Fera,

Re: Draft Plan of Subdivision & Zoning By-Law Amendment
Art Saccoccia, St. Magnus Developments Inc.
Part Lots 17 & 18, Concession 6
City of Vaughan
File No.: DA-16-064 Related: Z-16-031 & 19T-16V006

Enbridge Gas Distribution does not object to the proposed application(s).

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and /or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

In the event a pressure reducing regulator station is required, the applicant is to provide a 3 metre by 3 metre exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact SalesArea30@enbridge.com.

The applicant will grade all road allowances to as final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

A handwritten signature in black ink, appearing to be 'AS', followed by a long horizontal flourish.

Allison Sadler

Municipal Planning Advisor
Distribution Planning & Records

ENBRIDGE GAS DISTRIBUTION

TEL: 416-495-5763

500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Integrity. Safety. Respect.

AS/jh



ATTACHMENT NO. 1e)

September 3, 2016

**CITY OF VAUGHAN
2141 MAJOR MACKENZIE DRIVE
VAUGHAN ON L6A 1T1**

Attention: Eugene Fera - Planner

Re: DA.16.064

RELATED FILES: 19T-16V006, Z.16031

ART SACCOCCIA, ST. MAGNUS DEVELOPMENTS INC.

PART OF LOTS 17 & 18, CONCESSION 6

THE CITY OF VAUGHAN WARD 3 POSTAL DELIVERY AREA: WOODBRIDGE

Dear Sir/Madam:

Thank you for the opportunity to comment on the above noted project.

As a condition of draft approval, Canada Post requires that the owner/developer comply with the following conditions.

- The owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
- The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.

The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.
- Any required walkway across the boulevard, as per municipal standards.
- Any required curb depressions for wheelchair access.

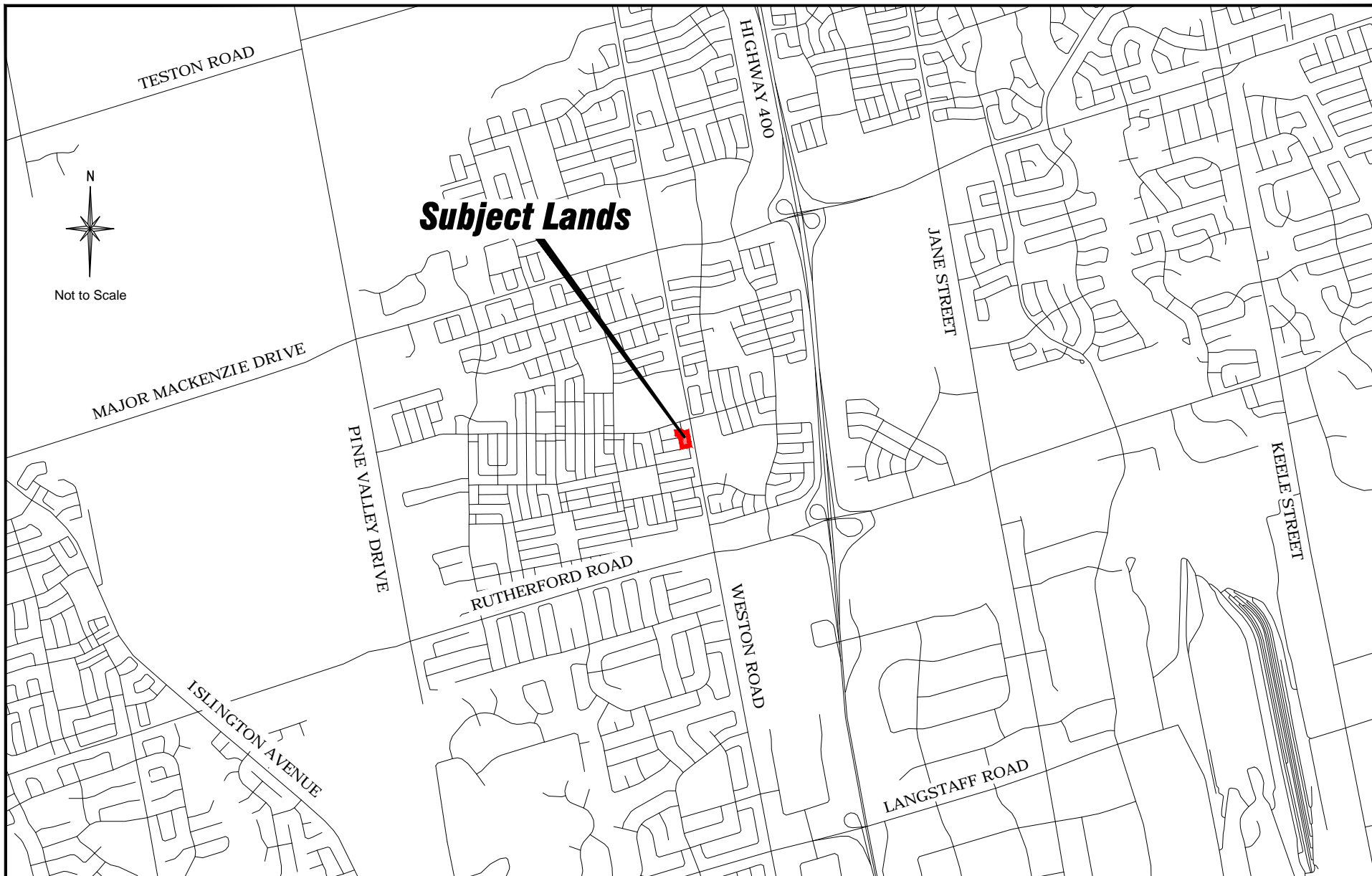
The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

Sincerely,

Patrick Brown

Patrick Brown
Delivery Planning Officer
Canada Post
1860 Midland Ave 2nd Fl
Scarborough ON M1P 5A1
416-751-0160 Ext 2019
Patrick.brown@canadapost.ca



Context Location Map

LOCATION:

Part of Lots 17 & 18, Concession 6

APPLICANT:

St. Magnus Developments Inc.

N:\GIS_Archive\Attachments\DA\da.16.064etal.dwg



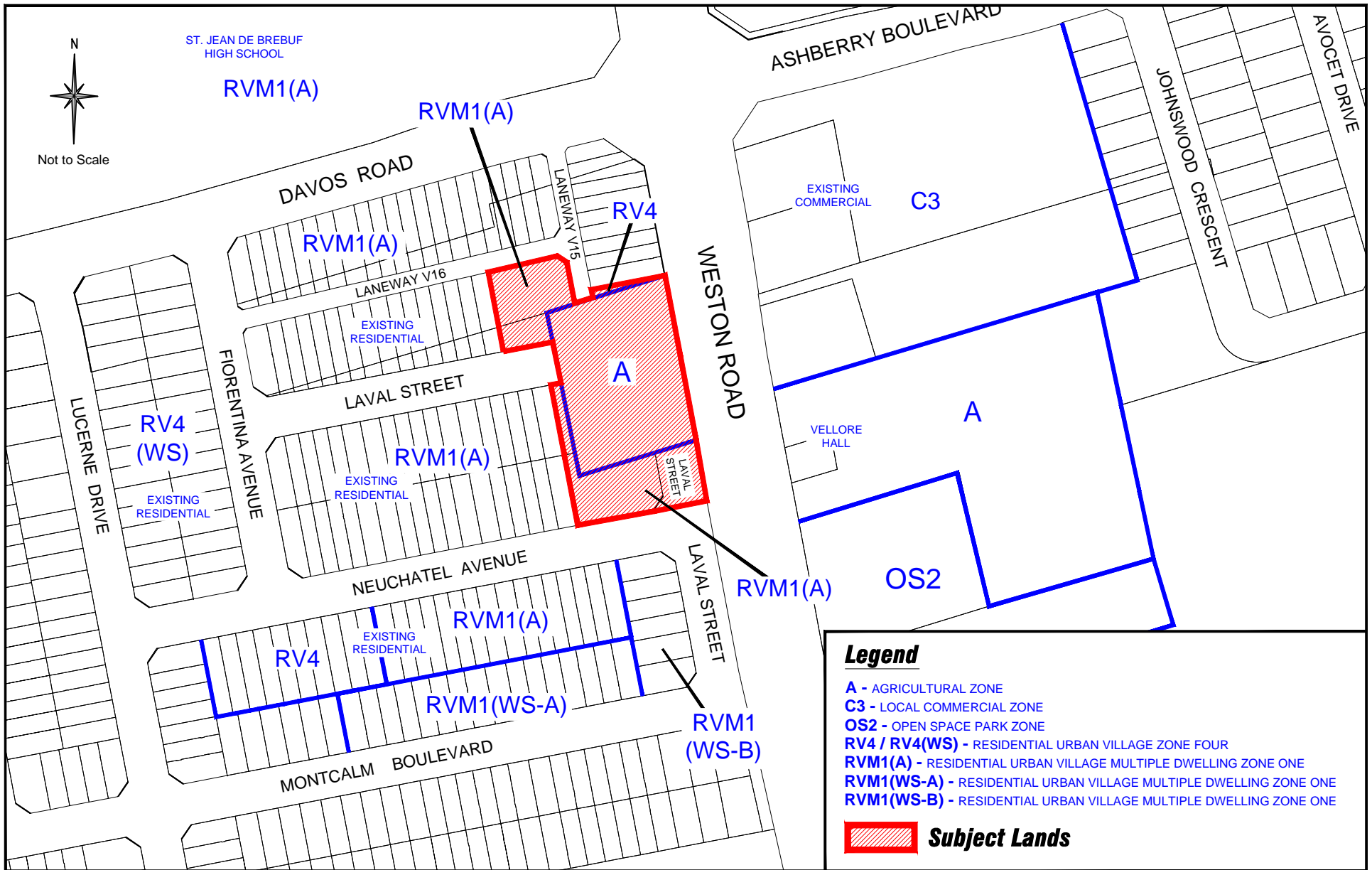
Attachment

FILES: Z.16.031 & 19T-16V006

RELATED FILE: DA.16.064

DATE: June 20, 2017

2



Location Map

LOCATION:

Part of Lots 17 & 18, Concession 6

APPLICANT:

St. Magnus Developments Inc.

N:\GIS_Archive\Attachments\DA\da.16.064etal.dwg

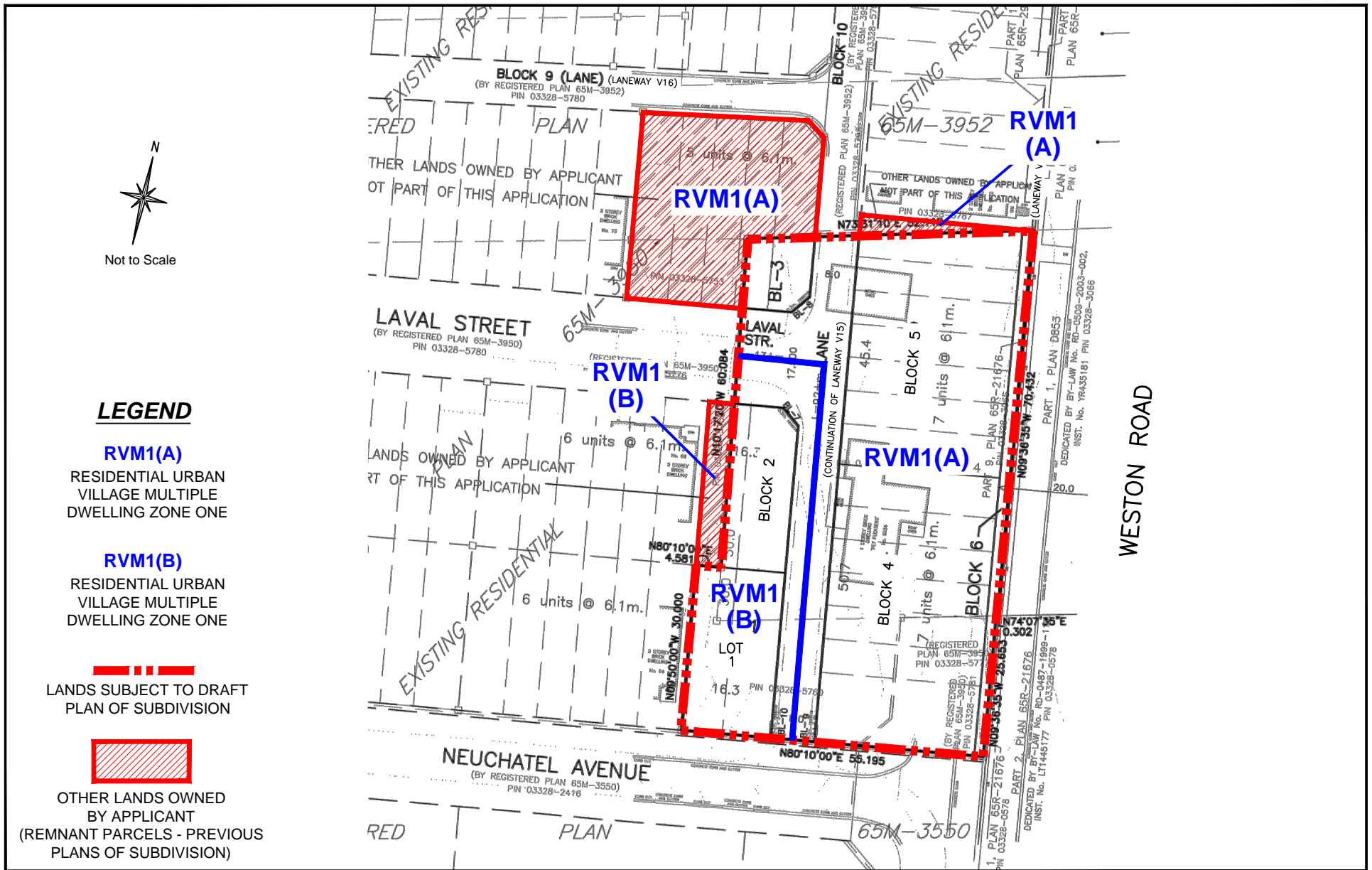


FILES: Z.16.031 & 19T-16V006

RELATED FILE: DA.16.064

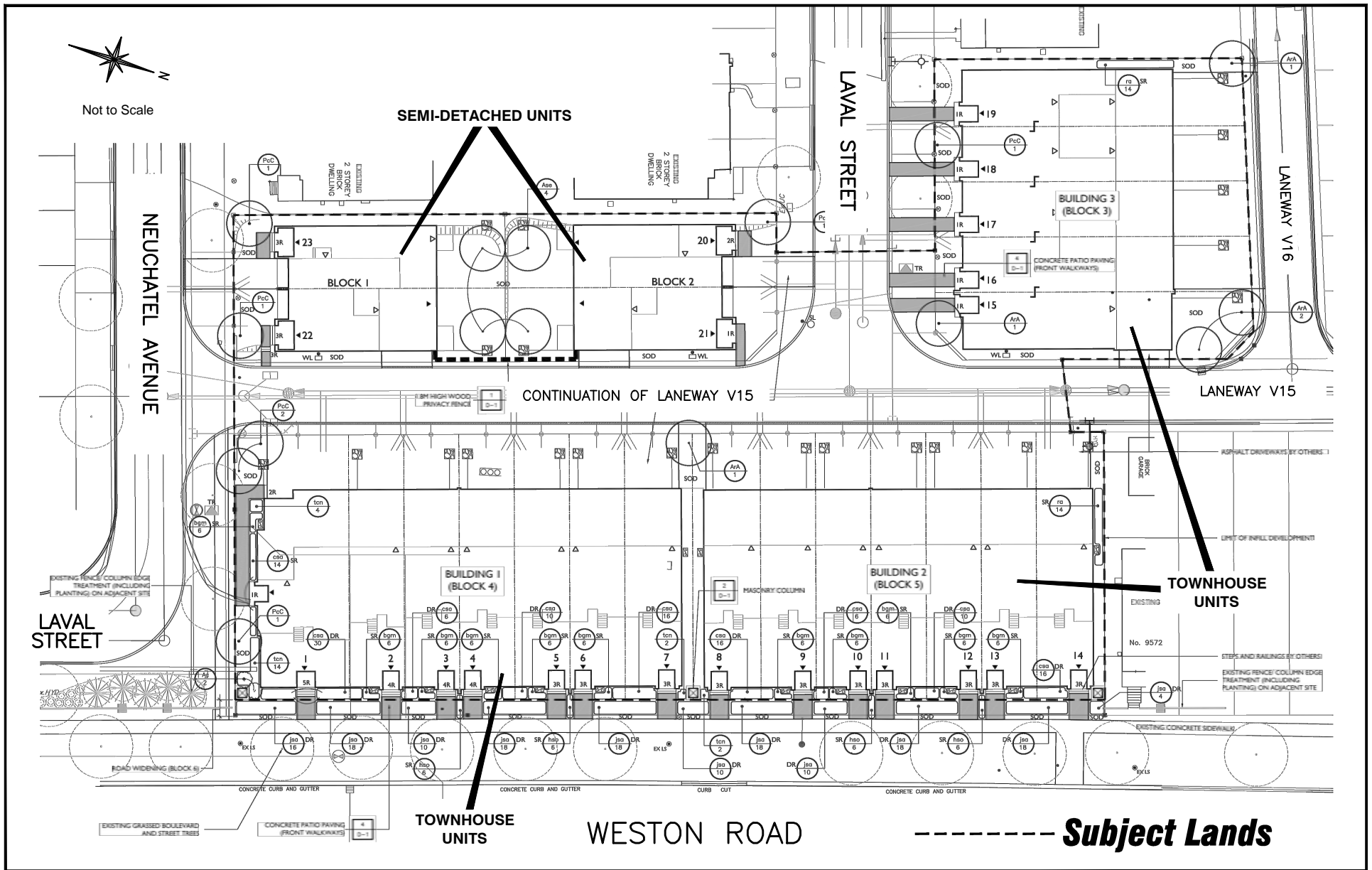
DATE: June 20, 2017

Attachment
3



APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6



Landscape Plan

LOCATION:
Part of Lots 17 & 18, Concession 6

APPLICANT:
St. Magnus Developments Inc.

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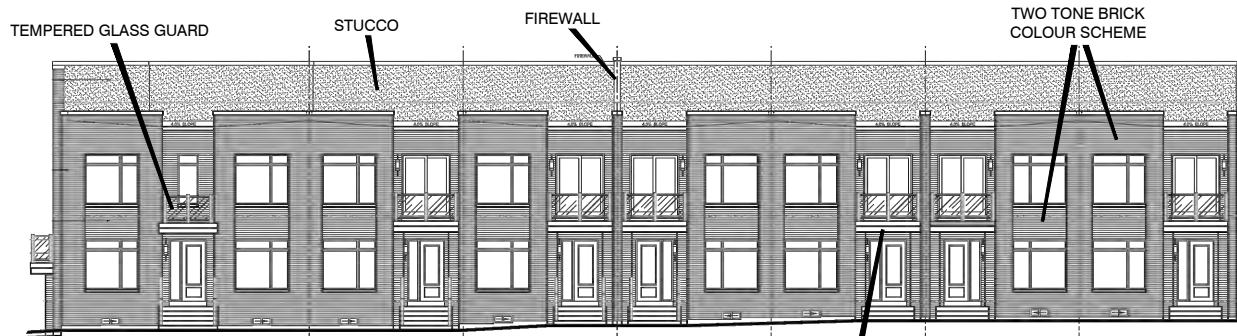


Attachment

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017

6



FRONT (EAST) ELEVATION (FACING WESTON ROAD)

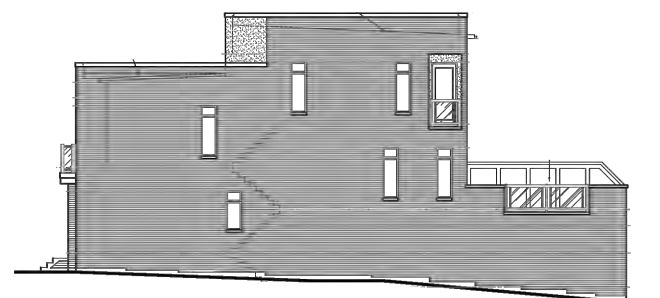
ALUMINUM CLAD
COVERING



REAR (WEST) ELEVATION (FACING LANEWAY V15)



END CORNER (SOUTH) ELEVATION



END (NORTH) ELEVATION

Not to Scale

Typical Townhouse Elevations (Building 1)

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6

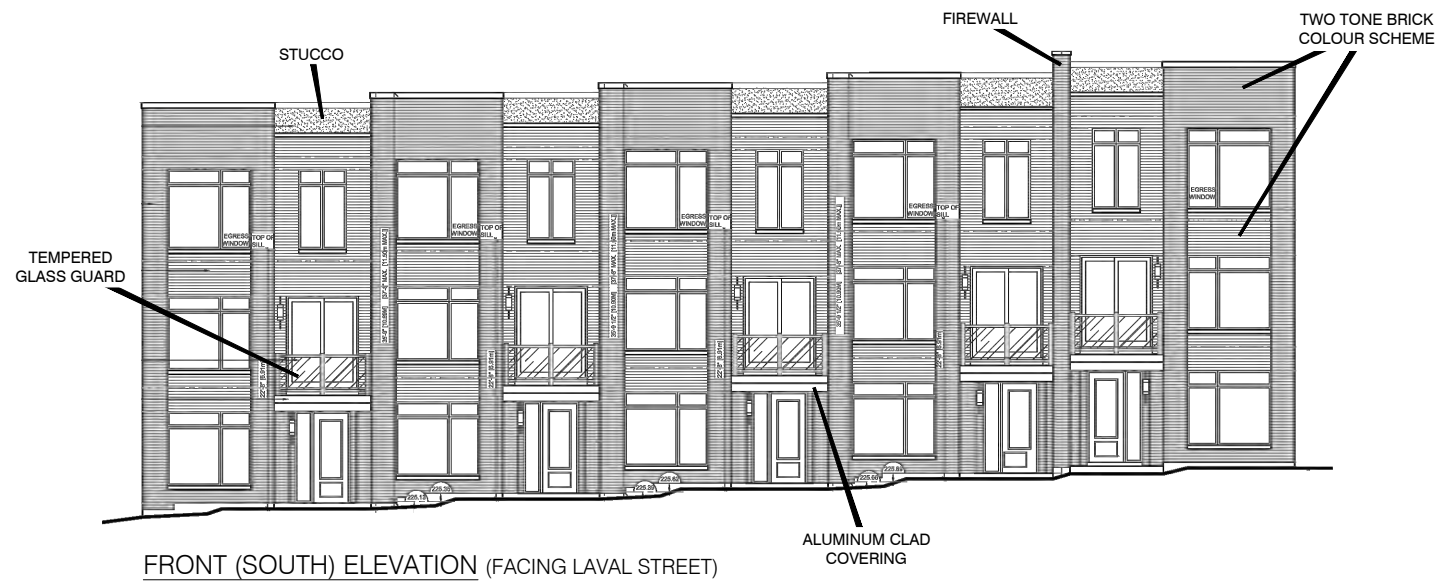


Attachment

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017

7



Not to Scale

Typical Townhouse Elevations (Building 3)

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6

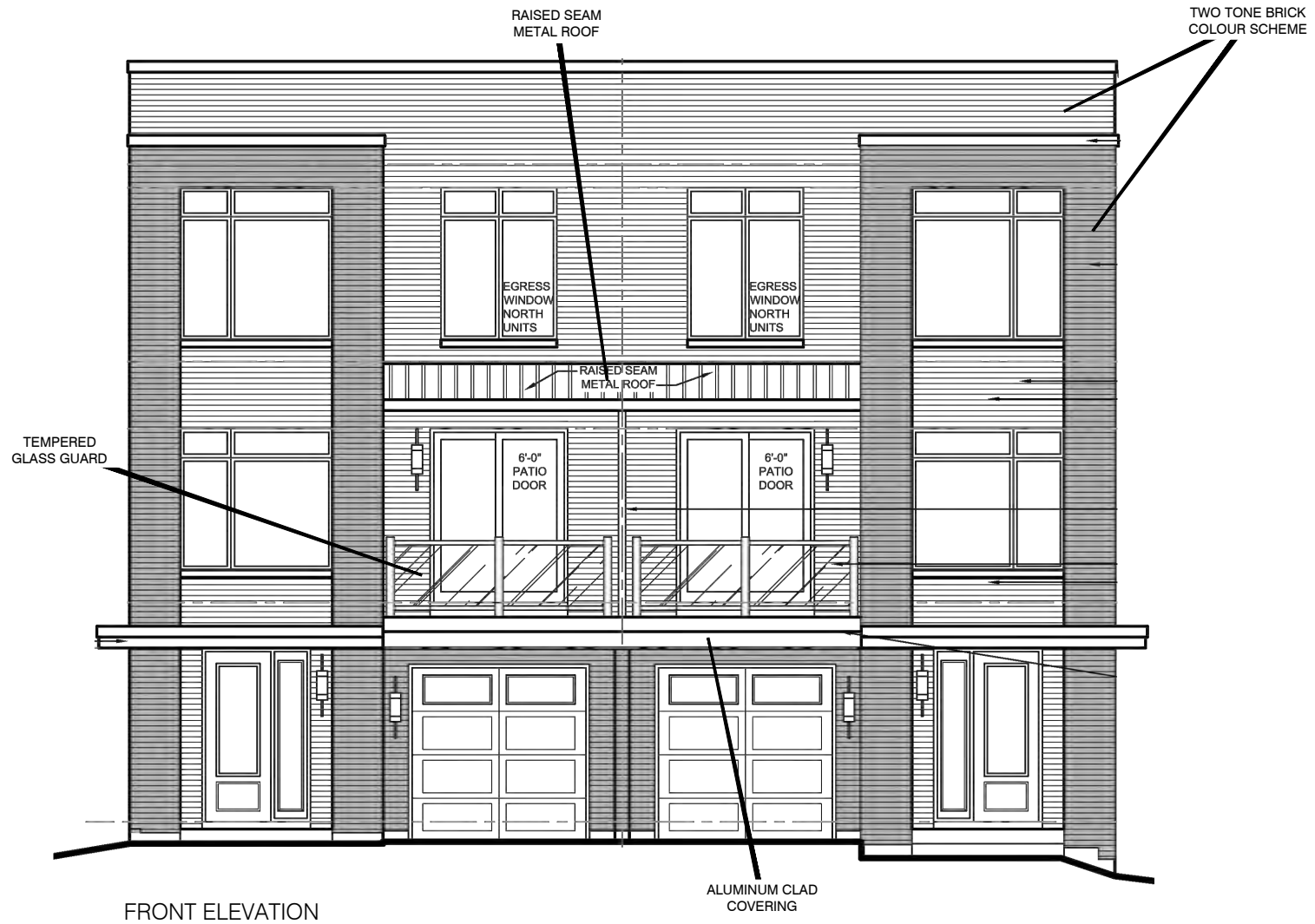


Attachment

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017

8



Not to Scale

Typical Semi-Detached Elevation

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6

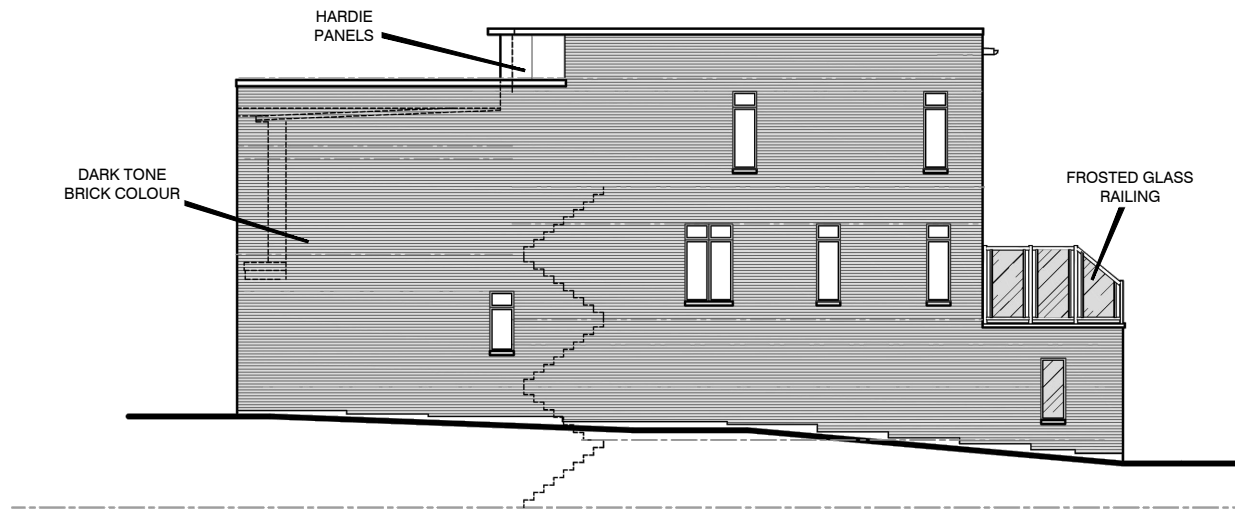


Attachment

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017

9



RIGHT SIDE ELEVATION - LOT 14



LEFT SIDE ELEVATION - LOT 19

Not to Scale

Typical Side Elevation (Units 14 & 19)

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6



Attachment
10

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017



REAR ELEVATION - BUILDING 2



REAR ELEVATION - BUILDING 3

Not to Scale

Typical Rear Elevation (Buildings 2 & 3)

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6



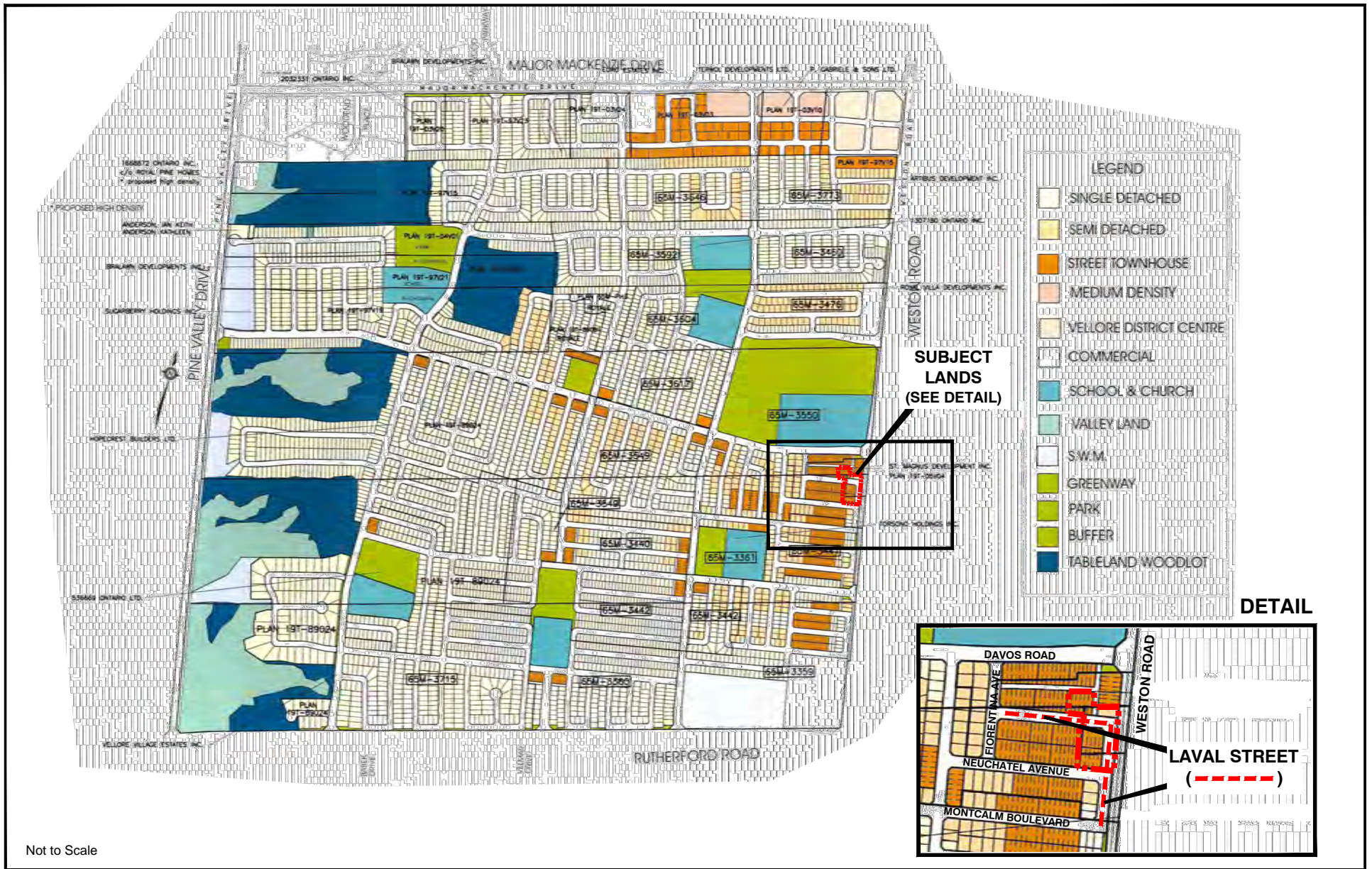
Development Planning Department

Attachment

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017

11



Approved Block 39 Plan and Road Network

APPLICANT:
St. Magnus Developments Inc.

LOCATION:
Part of Lots 17 & 18, Concession 6



Attachment
12

FILES: Z.16.031 & 19T-16V006
RELATED FILE: DA.16.064

DATE: June 20, 2017