

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016**

Item 2, Report No. 27, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 28, 2016.

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**DRAFT PLAN OF SUBDIVISION FILE 19T-15V009  
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005  
SITE DEVELOPMENT FILE DA.16.012  
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.  
WARD 3 - VICINITY OF HIGHWAY 400 AND MAJOR MACKENZIE DRIVE**

**The Committee of the Whole recommends:**

- 1) That 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 21, 2016, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

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

1. THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) to facilitate the creation of one block under a single registered M-Plan, in the manner shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
2. THAT Draft Plan of Condominium (Common Elements) File 19CDM-15V005 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit a condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, amenity area and landscaped areas, in the manner shown on Attachment #6, subject to the Conditions of Approval set out in Attachment #2.
3. THAT Site Development File DA.16.012 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit the development of 206 freehold townhouse units on a private road (with walkways, 41 visitor parking spaces, amenity areas and landscaped areas) as shown on Attachments #7 to #10 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Vaughan Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
    - ii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plans, Functional Servicing and Stormwater Management Reports, Traffic Impact Study, Traffic Demand Management Study and Environmental Noise Analysis reports;
    - iii) the Owner shall submit the following to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department:
      1. Phase One Environmental Site Assessment (ESA) report and, if required, 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.

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2. 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.
  3. Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
- iv) the Owner shall satisfy all requirements of the Ministry of Transportation (MTO);
  - v) the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - vi) the Owner shall submit a revised Block 32 West Plan to the satisfaction of the Vaughan Development Planning Department;
  - vii) the City shall enact a Zoning By-law to remove the Holding Symbol “(H)”;
  - viii) the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and City's Woodlot Acquisition Front-end Agreement;
- b) the Site Plan Letter of Undertaking shall include the following provisions:
    - i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare per 300 units of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.
    - ii) Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time.
    - iii) The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Cultural Heritage Division, immediately in the case of the following:

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1. Should archaeological resources be found on the property during construction activities; and
  2. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.
- iv) 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.
- v) The Owner shall agree 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.
- vi) Prior to final approval, the Owner shall provide a copy of the Executed Site Plan Letter of Undertaking to the York Region Corporate Services Department.
4. THAT Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:
- “THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) be allocated servicing capacity from the York Sewage/ Water Supply System for a total of 206 residential units (630 persons equivalent).”

#### **Contribution to Sustainability**

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

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

In accordance with the goal and objective 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:

- The use of native and drought tolerant plant and tree species
- The use of permeable pavers with high Solar Reflectance Index along the internal walkways and adjacent to the visitor parking spaces
- Where possible along boulevards, large canopy trees to provide shade to pedestrians and buildings
- Upgraded building construction to include energy efficient appliances and features

#### **Economic Impact**

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

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#### Communications Plan

On January 8, 2016, a Notice of Public Hearing to consider the subject subdivision and condominium applications was circulated to all property owners within 150m of the subject lands, and to all individuals that requested notification of the related Official Plan Amendment File (OP.14.002) and Zoning By-law Amendment File (Z.14.003) that were considered at a previous Committee of the Whole Public Hearing on March 25, 2014. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice sign installed on the property. The Committee of the Whole's recommendation to receive the Public Hearing report of February 2, 2016, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on February 16, 2016.

#### Purpose

To seek approval from the Committee of the Whole for the following applications on the subject lands as shown on Attachments #3 and #4:

1. Draft Plan of Subdivision File 19T-15V009, as shown on Attachment #5, to create one block within a future Registered M-Plan for technical reasons that would facilitate the related Draft Plan of Condominium (Common Elements) File 19CDM-15V005, as shown on Attachment #6, consisting of the following:

Block 1 (206 Townhouse Units, Road, Visitor Parking and Amenity Area)	4.08ha
Total Area	4.08ha

2. Draft Plan of Condominium (Common Elements) File 19CDM-15V005 to permit the condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, and amenity area and landscaped areas, in the manner shown in Attachment #6.
3. Site Development File DA.16.012 to permit the development of 206 freehold townhouse units on a private road, as shown on Attachments #7 to #10 inclusive. The proposed development statistics are as follows:

Site and Building Details	
Total Site Area	4.08ha
Lot Coverage	39.5%
Floor Space Index (FSI)	0.89
Building Height	11m
Landscape Area	38.57%
Residential Use Details	
Number of Units	206
Parking Details	
Residential (2 Spaces/Unit)	412
Visitor Parking (0.20 Spaces/Unit)	41

#### Background - Analysis and Options

##### *Synopsis:*

*The Owner is proposing to develop the subject lands, as shown on Attachments #3 and #4, with 206 freehold townhouse units having a condominium tenure for the common elements comprised of a private road and walkways, amenity space and 41 visitor parking spaces. The Vaughan*

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*Development Planning Department supports the approval of the proposed Draft Plan of Subdivision, Draft Plan of Condominium and Site Development applications and required minor variances, as the proposal implements the Vaughan Official Plan (VOP 2010), complies with Zoning By-law 1-88 with respect to use, and is compatible with the surrounding existing and planned land uses.*

#### Location

The subject lands shown on Attachments #3 and #4 are 4.08 ha in size and located on the west side of Highway #400, south of Major Mackenzie Drive, and are municipally known as 77 Eagleview Heights. The lands are relatively flat and presently contain 7 buildings that were used for commercial sales of swimming pools and landscape material on the northerly portion of the property. The southerly portion of the site is undeveloped. All existing structures will be demolished to accommodate the proposed development. The surrounding land uses are identified on Attachment #4.

#### Previous Zoning By-law Amendment Application and Site Development Application

In October, 2008, the previous Owner (1678573 Ontario Inc.) of the subject lands submitted Official Plan Amendment File OP.08.016 and Zoning By-law Amendment File Z.08.062 to permit the development of the subject lands with 1,296 residential units in three apartment buildings. On January 25, 2011, Vaughan Council recommended that the Region of York be requested to modify the Vaughan Official Plan to remove the Mid-Rise Residential land use designation and replace it with a Study Area designation to review issues including access, density, traffic, and site environmental issues. Vaughan Council also recommended that the City establish a Ward 3 Sub-committee that would meet with the applicant and ratepayers to resolve the outstanding issues.

In May 2011, the previous Owner (1678573 Ontario Inc.) appealed the applications to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the timeframe prescribed by the *Planning Act*. On January 6, 2012, the OMB approved the site-specific Official Plan Amendment (OPA #723), which amended OPA #600, to redesignate the subject lands to "High Density Residential/Commercial". The OMB also approved the Zoning By-law Amendment application (By-law 7-2012, Exception 9(416)) to rezone the property to RA3(H) Apartment Residential Zone with a Holding Symbol "H". The approvals permitted a development concept comprised of 864 residential apartment units within two apartment buildings and 54 townhouse dwelling units. This development was not pursued.

In January, 2014, Official Plan Amendment (File OP.14.002) and Zoning By-law Amendment (File Z.14.003) applications were submitted by 1678573 Ontario Inc. to facilitate a townhouse development. The Owner submitted two conceptual development scenarios in support of the applications. On June 24, 2014, Council approved the applications resulting in the adoption of OPA #7 to Vaughan Official Plan 2010, and re-designated the subject lands from "High Density Residential/Commercial" to "Low Rise Residential". Through the enactment of Zoning By-law 112-2014, Exception 9(1410), the lands were rezoned to RVM2 "(H)" Residential Urban Village Multiple Dwelling Zone 2, with the following stipulations:

- Total number of units (200)
- Minimum lot area (200 m<sup>2</sup>)
- Minimum lot frontage for a townhouse block (24 m)
- Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- Maximum width of the access driveway (14 m at the street curb)
- An outdoor landscape strip around the periphery of an outdoor parking area or a landscape earthen berm for screening are not required

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The current Owner (Eagleview Heights Development Ltd.) has submitted a Draft Plan of Subdivision Application (File 19T-15V009), Draft Plan of Condominium (Common Elements) Application (File 19CDM-15V005) and Site Development Application (File DA.16.012), to facilitate the development of 206 townhouses on the subject lands, as shown on Attachments #5 to #10, inclusive. A number of minor changes have been made from the conceptual plan submitted in support of the Official Plan and Zoning By-law applications, as shown on Attachment #11, in comparison to the proposed site plan shown on Attachment #7. These changes include:

- The number of units has increased from 200 to 206
- The location of the parkette has moved from the south end to the north end of the site
- Orientation of the townhouse blocks
- Location of visitor parking spaces
- Configuration of the internal road and walkways

#### City of Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), Volume 2, Site-Specific Policy 13.23, which permits residential uses no greater than 3 storeys in height and in the form of detached houses, semi-detached houses and townhouses in addition to public and private institutional buildings.

The site-specific policies include the following:

- i. A maximum of 200 townhouse units
- ii. A maximum of 7 townhouse units in a block
- iii. A minimum lot frontage for a townhouse block of 24m
- iv. A minimum area of 714 m<sup>2</sup> for a parkette/amenity area
- v. A maximum of 3 storeys in height or 13 metres
- vi. Visitor parking ratio of 0.20 spaces per unit

Section 10.2.1.7 of VOP 2010, Volume 1 allows for up to a 5% variation of the numerical requirements, except for variations to floor space index (FSI), height or environmental standards. The proposed increase of 6 units from 200 to 206 units is permitted by the Official Plan because it is less than a 5% variation. The proposed Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Application proposals conform to the Official Plan.

#### Zoning

The subject lands are zoned RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 by Zoning By-law 1-88, subject to Exception 9(1410), which includes the following specific provisions:

- i. Total number of units (200), with a maximum of 7 units per townhouse block
- ii. Minimum lot area (200 m<sup>2</sup>)
- iii. Minimum lot frontage for a townhouse block shall be 24m (4 units) and shall be considered to front on a private road for future compliance for sheds, decks, etc.
- iv. Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- v. Maximum width of the access driveway (14 metres at the street curb)
- vi. A landscape strip around the periphery of an outdoor parking area shall not be required
- vii. Maximum building height for the block townhouse units shall be 3-storeys or 13m
- viii. Subject lands shall be deemed to be one lot
- ix. Screening consisting of an earthen berm shall not be required

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a) Holding Symbol

The subject lands are zoned with a Holding Symbol “(H)”. In order for Vaughan Council to approve the removal of the Holding Symbol “(H)”, four conditions are required to be fulfilled:

- i. The identification and allocation by Vaughan Council of the water supply and sewage servicing capacity
- ii. Written clearance from the Trustee for Block 32 West to the City of Vaughan that the owner has entered into and signed the Block 32 West Cost Sharing Agreement
- iii. A Site Development application is approved by Vaughan Council for the subject lands
- iv. A Record of Site Condition (RSC) shall be registered with the Ministry of Environment and Climate Change (MOECC) to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department

The applicant has submitted a Zoning By-law Amendment Application to remove the Holding Symbol “(H)”. However, all of the four conditions have not been satisfied. Once all of the conditions have been satisfied, a Zoning By-law will be prepared for a future Council meeting for enactment. The removal of the Holding Symbol “(H)” is required prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

b) Minor Variances

The following Minor Variances to the RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 standards are required to facilitate the proposed site development:

Table 1:

	<b>Zoning By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RVM2 Zone Subject to Exception 9(1410)</b>	<b>Proposed Exceptions to the RVM2 Zone Subject to Exception 9(1410)</b>
a.	Maximum Number of Units	200 units	206 units
b.	Minimum Parking Space Size	2.7m by 6.0m	2.7m by 5.8m (Blocks 1 to 9) 2.7m by 5.6m (End of Blocks 1 and 6)
c.	Minimum Lot Area (per unit)	200 sq.m	94 sq.m

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d.	Minimum Lot Frontage (per unit)	6m	5.7m
e.	Minimum Front Yard Setback(per unit)	3m	1.25m
f.	Minimum Rear Yard Setback(per unit)	4.5m	1.25m
g.	Minimum Interior Side Yard Setback	1.2m	1.1m
h.	Minimum Exterior Side Yard Setback	2.4m	0.38
i.	Permitted Yard Encroachments and Restrictions	Porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings, may extend into a required front, exterior side or rear yard to a maximum of 1.8m	Second floor terraces and balconies, as well as their associated footings and columns, may encroach into the front, exterior side, and rear yard up to a maximum of 1.8m.

In June 2014, Vaughan Council approved the related Official Plan (OP.14.002) and Zoning By-law Amendment (Z.14.003) applications. At that time, the Owner had not submitted a Site Development application, and therefore, did not have a detailed site plan and urban design/architectural details for the proposed development. As a result, site-specific Zoning By-law 112-2014 reflects the conceptual plan provided in support of the Official Plan and Zoning By-law Amendment applications as approved by Council. The proposal as shown on Attachments #5 to #10 have been subject to the detailed site plan and urban design work that has now finalized the number of units, parking space size, lot area, lot frontage, and front, rear and exterior side yard setbacks.

Maximum Number of Units

The Zoning By-law includes a maximum number of units of 200, whereas 206 units are proposed. VOP 2010 permits up to a 5% variation for numerical requirements. Therefore, the increase in units can be supported through the Committee of Adjustment because it complies with the Official Plan.

Parking Space Size

Parking spaces are proposed at a minimum length of 5.8m for Blocks 1 to 9, and 5.6m for the ends of Blocks 1 and 6, whereas a 6m minimum length is required. The Applicant has confirmed that a 6m depth for a parking space will be provided for the parking of vehicles, however, 0.2m to 0.4m of this area (the curb) is located within the common element. This proposal is deemed to be acceptable by the Building Standards Department and the DEIP Department.

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##### Lot Area

The Zoning By-law (By-law 112-2014) requires a minimum lot area of 200m<sup>2</sup> per unit. The intent of By-law 112-2014 and OPA #7 was to provide for approximately 200 units on the subject lands. The applicant has submitted that it would not be possible to provide 206 units on the site at a minimum lot area of 200m<sup>2</sup> per lot. Therefore, a minor variance has been requested for a reduced lot area of 94m<sup>2</sup>. The proposed variance meets the intent of the original Official Plan and Zoning By-law Amendments.

##### Lot Frontage

The previous lot frontage standard required a minimum lot frontage of 24m per townhouse block (4 units), which equated to a minimum lot frontage of 6m per unit. The current development proposal includes some units with a frontage of 5.7m. This reduction is deemed to be minor and is considered to conform to the intent of the By-law.

##### Building Setbacks

When the previous By-law was adopted, the lands were considered as one lot and did not include any internal lot lines. As such, the minimum front, rear and exterior side yard setbacks only applied to the setbacks of buildings from the outer property lines. The Administrative Correction By-law removed the standard that deemed the subject lands as one single comprehensive lot. Based on the current proposal, setbacks need to be established for the individual lots, and as such, the variances being proposed as noted in Table 1, are acceptable.

##### Porches and Balconies

Some of the units are designed with balconies that are supported by columns instead of cantilevers, and overlook the rear lane, to ensure uninhibited access to the parking spaces.

The site-specific Zoning By-law for the subject lands was based on a conceptual plan. Although, there was a subsequent Zoning By-law to consider technical matters with the original Zoning By-law, variances are now required as the site has been thoroughly designed with 206 residential units. The Development Planning Department can support the proposed variances as they are considered minor in nature, maintain the intent of the Official Plan, reflect the nature and layout of a Common Element Condominium, and are required to implement the proposed development which is appropriately designed for a residential community.

##### Future Minor Variance Application

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment for the approval of the variances to Zoning By-law 1-88, as noted in Table 1. The Committee's decision shall be final and binding and the Owner must satisfy all conditions of the Committee. A condition to this effect is included in the recommendation of this report.

##### Block 32W Land Use Plan

The subject lands are located within the Block 32 West Plan, as shown on Attachment #12. The Block 32 West Developers Group was responsible to front-end finance and provide, among other matters, the requisite infrastructure for services and roads. As a condition of removing the Holding Symbol "(H)" and prior to the execution of the Site Plan Letter of Undertaking, the Owner will be required to enter into an agreement with the Block 32 West Developers Group respecting cost sharing.

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The approved Block 32 West Land Use Plan, as shown on Attachment #12, designates the subject lands as “General Commercial”. The latest revision to the Block Plan was approved by Vaughan Council on August 21, 2014 and implements the Vaughan Official Plan 2010. The proposed residential development does not reflect the designation on the Block Plan, and a revised Block Plan is required to be submitted to the Vaughan Development Planning Department so that City records can be updated for administrative purposes. A condition in this respect is included in the recommendation of this report.

#### Subdivision Design

The proposed Draft Plan of Subdivision will create one residential block, shown as Block “1” on Attachment #5, which is required to facilitate common elements such as the common access (road), amenity areas, visitor parking spaces and landscape areas through the related Condominium Application and to facilitate the creation of 206 individual freehold lots through a future Part Lot Control Application. The concurrent Draft Plan of Condominium (Common Element) File 19CDM-15V005 will create the proposed private road and walkways, visitor parking and common amenity space.

The Vaughan Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the conditions as set-out in Attachment #1.

#### Site Plan Review

The applications for the Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) have been reviewed concurrently and in conjunction with the proposed Site Development Application, shown on Attachment #7, and are consistent.

The Owner is proposing to develop the subject lands with 206 freehold townhouse units, as shown on Attachments #5 to #7. The proposed layout includes 35 blocks of units ranging from 4 to 7 three-storey front-loaded (Blocks 1-9) and rear-loaded (Blocks 10-35) townhouse units. Each unit includes a private garage and amenity space, consisting of a deck above the garage. The internal blocks feature a landscaped courtyard and sidewalk. A sidewalk and landscape berm are provided on the eastern boundary of the site for Blocks 10-15. An amenity area of 1,300m<sup>2</sup> is proposed at the north end of the project, and will include a grassed area, gazebo and benches.

Access to the site will be provided via Eagleview Heights. A total of 412 parking spaces are proposed for the townhouses, and 41 visitor parking spaces are located throughout the site. While there is no dedicated area for snow storage provided for on-site, the Owner is proposing to collect and remove snow directly from the site. A clause to this effect will be included within the Condominium Agreement and forms a condition of Draft Plan of Condominium approval.

The landscape plan shown on Attachment #8 consists of coniferous and deciduous trees along the length of the landscape berm, around the perimeter of the amenity area, and adjacent to the walkways within the development. The proposed landscape berm is located within the MTO setback which measures between 9m and 10m at different points. In addition to the planting, the berm will feature a 1.8m privacy fence. The closest townhouse units to the landscape berm are separated from the berm by a 1.5m wide sidewalk spanning the length of the berm.

The Vaughan Development Planning Department is generally satisfied with the proposed development subject to finalizing details related to the site plan, landscaping plan, landscape cost estimate, and building elevations, as shown on Attachments #7 to #9. Staff will continue to work with the Owner to finalize these details. Prior to the execution of the Site Plan Letter of

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Undertaking, the final site plan, building elevations, landscape cost estimate and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

#### Draft Plan of Condominium (Common Element)

The Owner has submitted a Draft Plan of Condominium (Common Element) File 19CDM-15V005 for the subject lands shown on Attachments #3 and #4, for the creation of common elements comprising of a private road, amenity space, visitor parking spaces and landscaped areas, as shown on Attachment #6. The Vaughan Development Planning Department is satisfied with the proposed common element condominium, subject to the Conditions of Approval as set out in Attachment #2.

#### City Departments

##### Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Cultural Heritage Division has confirmed there are no heritage concerns and has no objection to the approval of the residential development, subject to the inclusion of the standard archaeological conditions in the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

##### Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has reviewed the applications and provides the following comments:

a) Servicing Allocation

On May 19, 2015, Vaughan Council approved the extension of the site's allocation for 200 units for 1-year, expiring May 19, 2016. The Vaughan DEIP Department has confirmed that servicing capacity is available for the 6 additional units. The recommendation section of this report includes a resolution for the allocation from the York Sewage Servicing/Water Supply System for a total of 206 residential units.

b) Environmental Site Assessment (ESA)

The Owner submitted a Phase 1 Environmental Site Assessment (ESA) Report, a Letter of Reliance, and a Remedial Action Plan (RAP) for the subject lands, which were reviewed to the satisfaction of the DEIP Department.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Record of Site Condition (RSC) to the Environmental Site Registry of the Ministry of the Environment and Climate Change (MOECC), which includes the acknowledgement from the MOECC and a signed copy of the RSC by a Qualified Person, and any environmental reports relied upon for the RSC to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

c) Noise Attenuation

The proposed 41 units within the 6 Blocks fronting Highway 400 will feature noise attenuation measures built into the townhouses, including locating the non-habitable living space so that they front onto Highway 400. The measures include upgraded wall and window construction, and a requirement for air conditioning within specific blocks as detailed within the warning clauses in Attachment #1.

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The Owner has submitted a revised noise report to verify the noise sources surrounding the development, which also identifies noise control measures for the proposed development. These noise control measures need to be finalized with the DEIP Department. A condition to this effect is included in the recommendation of this report.

#### d) Services

The Vaughan DEIP Department has reviewed the site plan, site servicing and grading drawings, as well as the Functional Servicing and Stormwater Management Reports submitted in support of the application. The Vaughan DEIP Department will continue to work with the Owner to finalize these reports and plans prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report. It is noted that the subject lands do not require any additional municipal servicing.

#### Vaughan Environmental Services Department - Solid Waste Management Division

The Vaughan Environmental Services Department - Solid Waste Management Division has advised that they do not have any objections to the proposal.

#### Vaughan Financial Planning and Development Finance Department

The Vaughan Financial Planning and Development Finance Department advises that City, York Region, York Regional District School Board and York Catholic District School Board Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

In addition, prior to the execution of the Site Plan Letter of Undertaking, the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement. A condition to this effect is included in the recommendation section of this report.

#### Vaughan Office of the City Solicitor, Real Estate Division Department

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

#### External Public Agencies

#### Ministry of Transportation (MTO)

The subject lands are located adjacent to Highway 400. The proposed development includes a setback that ranges from 9m to 10m abutting Highway 400, which has been accepted by the MTO. The MTO has reviewed the applications and has confirmed that the proposed landscape berm, planting and fencing is acceptable within the setback. Full approval by MTO will be granted following the satisfactory review of the Traffic Impact Study and the requirements as set out in Attachment #1. In addition, an MTO Building and Land Use Permit is required and must be obtained prior to any construction being undertaken.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016**

#### **Item 2, CW Report No. 27 – Page 13**

##### **GO Transit**

The subject lands are located to the south of the MTO-owned and Metrolinx operated Park and Ride Facility, which is serviced by two bus routes. GO Transit has recommended the construction of a 1.5m wide sidewalk between the proposed site and the Park and Ride Facility. This sidewalk is intended to connect to the public sidewalk located along Major Mackenzie Drive. This matter will be finalized prior to the execution of the Site Plan Letter of Undertaking.

In addition, GO Transit suggested a 4.27m high noise wall adjacent to the exit ramp to Highway 400 due to the future transition towards the double-decker GO Transit buses. It has been determined that this height would block most daylight to the units that front onto Highway 400. As such, the proposed 1.8m fence and noise attenuation measures are considered sufficient to address GO Transit's concerns.

##### **Canada Post**

Canada Post has no objections to the proposed development subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post. Conditions regarding this request are contained in the Draft Plan of Subdivision approval in Attachment #1.

##### **Part Lot Control**

The Owner is required to submit a Part Lot Control application to facilitate the creation of individual freehold lots for the proposed 206 townhouse units, which form part of the Site Plan, as shown on Attachment #7. The proposed lots (frontage, area and depth) must comply with the RVM2 Multiple Residential Zone requirements of Zoning By-law 1-88, subject to Exception 9(1410), and the approved site plan.

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

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Re-establish the urban tree canopy
- ii) Continue to cultivate an environmentally sustainable city

##### **Regional Implications**

The York Region Community Planning and Development Services Department has reviewed the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Applications and have no objections to the approval of the proposed development, subject to the conditions as set out in Attachment #1.

##### **Conclusion**

Draft Plan of Subdivision File 19T-15V009, Draft Plan of Condominium (Common Elements) File 19CDM-15V005, and Site Development File DA.16.012, have been reviewed in consideration of the Vaughan Official Plan 2010, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The applications facilitate a residential development comprised of 206 freehold townhouses to be served by a private condominium road and other common elements. The proposal conforms to the Official Plan and is compatible with the existing and permitted uses in the surrounding area. On this basis, the Vaughan Development Planning Department can support the approval of the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development applications.

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 28, 2016**

Item 2, CW Report No. 27 – Page 14

**Attachments**

1. Conditions of Draft Approval, Draft Plan of Subdivision
2. Conditions of Draft Approval, Draft Plan of Condominium
3. Context Location Map
4. Location Map
5. Draft Plan of Subdivision File: 19T-15V009
6. Draft Plan of Condominium (Common Elements) File: 19CDM-15V005
7. Proposed Site Plan File: DA.16.012
8. Landscape Plan
9. Typical Elevations- Block 1
10. Elevation and Cross-Section
11. Conceptual Site Plan (Proposed Townhouses) Considered with Files: OP.14.002 + Z.14.003  
Considered with Files OP.14.002 and Z.14.003
12. Block 32 West Land Use Plan

**Report prepared by:**

Kathryn Moore, Planner, ext. 8813  
Clement Messere, Senior Planner, ext. 8409

(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 21, 2016**

**DRAFT PLAN OF SUBDIVISION FILE 19T-15V009  
DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005  
SITE DEVELOPMENT FILE DA.16.012  
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.  
WARD 2 - VICINITY OF HIGHWAY 400 AND MAJOR MACKENZIE DRIVE**

**Recommendation**

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

1. THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) to facilitate the creation of one block under a single registered M-Plan, in the manner shown on Attachment #5, BE APPROVED, subject to the Conditions of Approval set out in Attachment #1.
2. THAT Draft Plan of Condominium (Common Elements) File 19CDM-15V005 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit a condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, amenity area and landscaped areas, in the manner shown on Attachment #6, subject to the Conditions of Approval set out in Attachment #2.
3. THAT Site Development File DA.16.012 (Eagleview Heights Developments Ltd.) BE APPROVED, to permit the development of 206 freehold townhouse units on a private road (with walkways, 41 visitor parking spaces, amenity areas and landscaped areas) as shown on Attachments #7 to #10 inclusive, subject to the following conditions:
  - a) that prior to the execution of the Site Plan Letter of Undertaking:
    - i) the Vaughan Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
    - ii) the Vaughan Development Engineering and Infrastructure Planning Department shall approve the final site servicing and grading plans, Functional Servicing and Stormwater Management Reports, Traffic Impact Study, Traffic Demand Management Study and Environmental Noise Analysis reports;
    - iii) the Owner shall submit the following to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department:
      1. Phase One Environmental Site Assessment (ESA) report and, if required, 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.
      2. 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.

3. Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
- iv) the Owner shall satisfy all requirements of the Ministry of Transportation (MTO);
  - v) the Owner shall successfully obtain approval of a Minor Variance Application for the required zoning exceptions to Zoning By-law 1-88, as identified in Table 1 of this report, from the Vaughan Committee of Adjustment, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee;
  - vi) the Owner shall submit a revised Block 32 West Plan to the satisfaction of the Vaughan Development Planning Department;
  - vii) the City shall enact a Zoning By-law to remove the Holding Symbol "(H)";
  - viii) the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and City's Woodlot Acquisition Front-end Agreement;
- b) the Site Plan Letter of Undertaking shall include the following provisions:
- i) The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 hectare per 300 units of the value of the subject lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.
  - ii) Development Charges shall be paid to the City of Vaughan in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. Development Charges are payable on the date a building permit is issued at the rate in effect at that time.
  - iii) The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the Vaughan Development Planning Department, Cultural Heritage Division, immediately in the case of the following:
    1. Should archaeological resources be found on the property during construction activities; and
    2. In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the

Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.

- iv) 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.
  - v) The Owner shall agree 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.
  - vi) Prior to final approval, the Owner shall provide a copy of the Executed Site Plan Letter of Undertaking to the York Region Corporate Services Department.
4. THAT Council adopt the following resolution with respect to the allocation of water and sewage servicing capacity:

“THAT Draft Plan of Subdivision File 19T-15V009 (Eagleview Heights Developments Ltd.) be allocated servicing capacity from the York Sewage/ Water Supply System for a total of 206 residential units (630 persons equivalent).”

#### **Contribution to Sustainability**

The applications implement the following Goal and Objective of Green Directions Vaughan:

Goal 2: To ensure sustainable development and redevelopment

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

In accordance with the goal and objective 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:

- The use of native and drought tolerant plant and tree species
- The use of permeable pavers with high Solar Reflectance Index along the internal walkways and adjacent to the visitor parking spaces
- Where possible along boulevards, large canopy trees to provide shade to pedestrians and buildings
- Upgraded building construction to include energy efficient appliances and features

#### **Economic Impact**

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

#### **Communications Plan**

On January 8, 2016, a Notice of Public Hearing to consider the subject subdivision and condominium applications was circulated to all property owners within 150m of the subject lands, and to all individuals that requested notification of the related Official Plan Amendment File (OP.14.002) and Zoning By-law Amendment File (Z.14.003) that were considered at a previous Committee of the Whole Public Hearing on March 25, 2014. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice sign installed on the property. The Committee of the Whole's recommendation to receive the Public Hearing report

of February 2, 2016, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on February 16, 2016.

### **Purpose**

To seek approval from the Committee of the Whole for the following applications on the subject lands as shown on Attachments #3 and #4:

1. Draft Plan of Subdivision File 19T-15V009, as shown on Attachment #5, to create one block within a future Registered M-Plan for technical reasons that would facilitate the related Draft Plan of Condominium (Common Elements) File 19CDM-15V005, as shown on Attachment #6, consisting of the following:

Block 1 (206 Townhouse Units, Road, Visitor Parking and Amenity Area)	4.08ha
Total Area	4.08ha

2. Draft Plan of Condominium (Common Elements) File 19CDM-15V005 to permit the condominium tenure for the privately-owned and maintained common elements including the internal road and walkways, 41 visitor parking spaces, and amenity area and landscaped areas, in the manner shown in Attachment #6.
3. Site Development File DA.16.012 to permit the development of 206 freehold townhouse units on a private road, as shown on Attachments #7 to #10 inclusive. The proposed development statistics are as follows:

Site and Building Details	
Total Site Area	4.08ha
Lot Coverage	39.5%
Floor Space Index (FSI)	0.89
Building Height	11m
Landscape Area	38.57%
Residential Use Details	
Number of Units	206
Parking Details	
Residential (2 Spaces/Unit)	412
Visitor Parking (0.20 Spaces/Unit)	41

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

#### **Synopsis:**

*The Owner is proposing to develop the subject lands, as shown on Attachments #3 and #4, with 206 freehold townhouse units having a condominium tenure for the common elements comprised of a private road and walkways, amenity space and 41 visitor parking spaces. The Vaughan Development Planning Department supports the approval of the proposed Draft Plan of Subdivision, Draft Plan of Condominium and Site Development applications and required minor variances, as the proposal implements the Vaughan Official Plan (VOP 2010), complies with Zoning By-law 1-88 with respect to use, and is compatible with the surrounding existing and planned land uses.*

## Location

The subject lands shown on Attachments #3 and #4 are 4.08 ha in size and located on the west side of Highway #400, south of Major Mackenzie Drive, and are municipally known as 77 Eagleview Heights. The lands are relatively flat and presently contain 7 buildings that were used for commercial sales of swimming pools and landscape material on the northerly portion of the property. The southerly portion of the site is undeveloped. All existing structures will be demolished to accommodate the proposed development. The surrounding land uses are identified on Attachment #4.

## Previous Zoning By-law Amendment Application and Site Development Application

In October, 2008, the previous Owner (1678573 Ontario Inc.) of the subject lands submitted Official Plan Amendment File OP.08.016 and Zoning By-law Amendment File Z.08.062 to permit the development of the subject lands with 1,296 residential units in three apartment buildings. On January 25, 2011, Vaughan Council recommended that the Region of York be requested to modify the Vaughan Official Plan to remove the Mid-Rise Residential land use designation and replace it with a Study Area designation to review issues including access, density, traffic, and site environmental issues. Vaughan Council also recommended that the City establish a Ward 3 Sub-committee that would meet with the applicant and ratepayers to resolve the outstanding issues.

In May 2011, the previous Owner (1678573 Ontario Inc.) appealed the applications to the Ontario Municipal Board (OMB) citing Council's failure to make a decision within the timeframe prescribed by the *Planning Act*. On January 6, 2012, the OMB approved the site-specific Official Plan Amendment (OPA #723), which amended OPA #600, to redesignate the subject lands to "High Density Residential/Commercial". The OMB also approved the Zoning By-law Amendment application (By-law 7-2012, Exception 9(416)) to rezone the property to RA3(H) Apartment Residential Zone with a Holding Symbol "H". The approvals permitted a development concept comprised of 864 residential apartment units within two apartment buildings and 54 townhouse dwelling units. This development was not pursued.

In January, 2014, Official Plan Amendment (File OP.14.002) and Zoning By-law Amendment (File Z.14.003) applications were submitted by 1678573 Ontario Inc. to facilitate a townhouse development. The Owner submitted two conceptual development scenarios in support of the applications. On June 24, 2014, Council approved the applications resulting in the adoption of OPA #7 to Vaughan Official Plan 2010, and re-designated the subject lands from "High Density Residential/Commercial" to "Low Rise Residential". Through the enactment of Zoning By-law 112-2014, Exception 9(1410), the lands were rezoned to RVM2 "(H)" Residential Urban Village Multiple Dwelling Zone 2, with the following stipulations:

- Total number of units (200)
- Minimum lot area (200 m<sup>2</sup>)
- Minimum lot frontage for a townhouse block (24 m)
- Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- Maximum width of the access driveway (14 m at the street curb)
- An outdoor landscape strip around the periphery of an outdoor parking area or a landscape earthen berm for screening are not required

The current Owner (Eagleview Heights Development Ltd.) has submitted a Draft Plan of Subdivision Application (File 19T-15V009), Draft Plan of Condominium (Common Elements) Application (File 19CDM-15V005) and Site Development Application (File DA.16.012), to facilitate the development of 206 townhouses on the subject lands, as shown on Attachments #5 to #10, inclusive. A number of minor changes have been made from the conceptual plan submitted in

support of the Official Plan and Zoning By-law applications, as shown on Attachment #11, in comparison to the proposed site plan shown on Attachment #7. These changes include:

- The number of units has increased from 200 to 206
- The location of the parkette has moved from the south end to the north end of the site
- Orientation of the townhouse blocks
- Location of visitor parking spaces
- Configuration of the internal road and walkways

#### City of Vaughan Official Plan 2010

The subject lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (VOP 2010), Volume 2, Site-Specific Policy 13.23, which permits residential uses no greater than 3 storeys in height and in the form of detached houses, semi-detached houses and townhouses in addition to public and private institutional buildings.

The site-specific policies include the following:

- i. A maximum of 200 townhouse units
- ii. A maximum of 7 townhouse units in a block
- iii. A minimum lot frontage for a townhouse block of 24m
- iv. A minimum area of 714 m<sup>2</sup> for a parkette/amenity area
- v. A maximum of 3 storeys in height or 13 metres
- vi. Visitor parking ratio of 0.20 spaces per unit

Section 10.2.1.7 of VOP 2010, Volume 1 allows for up to a 5% variation of the numerical requirements, except for variations to floor space index (FSI), height or environmental standards. The proposed increase of 6 units from 200 to 206 units is permitted by the Official Plan because it is less than a 5% variation. The proposed Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Application proposals conform to the Official Plan.

#### Zoning

The subject lands are zoned RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 by Zoning By-law 1-88, subject to Exception 9(1410), which includes the following specific provisions:

- i. Total number of units (200), with a maximum of 7 units per townhouse block
- ii. Minimum lot area (200 m<sup>2</sup>)
- iii. Minimum lot frontage for a townhouse block shall be 24m (4 units) and shall be considered to front on a private road for future compliance for sheds, decks, etc.
- iv. Visitor parking ratio (0.20 spaces per unit) and a minimum of 4 handicapped parking spaces
- v. Maximum width of the access driveway (14 metres at the street curb)
- vi. A landscape strip around the periphery of an outdoor parking area shall not be required
- vii. Maximum building height for the block townhouse units shall be 3-storeys or 13m
- viii. Subject lands shall be deemed to be one lot
- ix. Screening consisting of an earthen berm shall not be required

#### a) Holding Symbol

The subject lands are zoned with a Holding Symbol “(H)”. In order for Vaughan Council to approve the removal of the Holding Symbol “(H)”, four conditions are required to be fulfilled:

- i. The identification and allocation by Vaughan Council of the water supply and sewage servicing capacity

- ii. Written clearance from the Trustee for Block 32 West to the City of Vaughan that the owner has entered into and signed the Block 32 West Cost Sharing Agreement
- iii. A Site Development application is approved by Vaughan Council for the subject lands
- iv. A Record of Site Condition (RSC) shall be registered with the Ministry of Environment and Climate Change (MOECC) to the satisfaction of the Vaughan Development Engineering and Infrastructure Planning Department

The applicant has submitted a Zoning By-law Amendment Application to remove the Holding Symbol “(H)”. However, all of the four conditions have not been satisfied. Once all of the conditions have been satisfied, a Zoning By-law will be prepared for a future Council meeting for enactment. The removal of the Holding Symbol “(H)” is required prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

b) Minor Variances

The following Minor Variances to the RVM2 “(H)” Residential Urban Village Multiple Dwelling Zone 2 standards are required to facilitate the proposed site development:

Table 1:

	<b>Zoning By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RVM2 Zone Subject to Exception 9(1410)</b>	<b>Proposed Exceptions to the RVM2 Zone Subject to Exception 9(1410)</b>
a.	Maximum Number of Units	200 units	206 units
b.	Minimum Parking Space Size	2.7m by 6.0m	2.7m by 5.8m (Blocks 1 to 9) 2.7m by 5.6m (End of Blocks 1 and 6)
c.	Minimum Lot Area (per unit)	200 sq.m	94 sq.m
d.	Minimum Lot Frontage (per unit)	6m	5.7m
e.	Minimum Front Yard Setback(per unit)	3m	1.25m
f.	Minimum Rear Yard Setback(per unit)	4.5m	1.25m

	<b>Zoning By-law Standard</b>	<b>Zoning By-law 1-88 Requirements of the RVM2 Zone Subject to Exception 9(1410)</b>	<b>Proposed Exceptions to the RVM2 Zone Subject to Exception 9(1410)</b>
g.	Minimum Interior Side Yard Setback	1.2m	1.1m
h.	Minimum Exterior Side Yard Setback	2.4m	0.38
i.	Permitted Yard Encroachments and Restrictions	Porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings, may extend into a required front, exterior side or rear yard to a maximum of 1.8m	Second floor terraces and balconies, as well as their associated footings and columns, may encroach into the front, exterior side, and rear yard up to a maximum of 1.8m.

In June 2014, Vaughan Council approved the related Official Plan (OP.14.002) and Zoning By-law Amendment (Z.14.003) applications. At that time, the Owner had not submitted a Site Development application, and therefore, did not have a detailed site plan and urban design/architectural details for the proposed development. As a result, site-specific Zoning By-law 112-2014 reflects the conceptual plan provided in support of the Official Plan and Zoning By-law Amendment applications as approved by Council. The proposal as shown on Attachments #5 to #10 have been subject to the detailed site plan and urban design work that has now finalized the number of units, parking space size, lot area, lot frontage, and front, rear and exterior side yard setbacks.

#### Maximum Number of Units

The Zoning By-law includes a maximum number of units of 200, whereas 206 units are proposed. VOP 2010 permits up to a 5% variation for numerical requirements. Therefore, the increase in units can be supported through the Committee of Adjustment because it complies with the Official Plan.

#### Parking Space Size

Parking spaces are proposed at a minimum length of 5.8m for Blocks 1 to 9, and 5.6m for the ends of Blocks 1 and 6, whereas a 6m minimum length is required. The Applicant has confirmed that a 6m depth for a parking space will be provided for the parking of vehicles, however, 0.2m to 0.4m of this area (the curb) is located within the common element. This proposal is deemed to be acceptable by the Building Standards Department and the DEIP Department.

### Lot Area

The Zoning By-law (By-law 112-2014) requires a minimum lot area of 200m<sup>2</sup> per unit. The intent of By-law 112-2014 and OPA #7 was to provide for approximately 200 units on the subject lands. The applicant has submitted that it would not be possible to provide 206 units on the site at a minimum lot area of 200m<sup>2</sup> per lot. Therefore, a minor variance has been requested for a reduced lot area of 94m<sup>2</sup>. The proposed variance meets the intent of the original Official Plan and Zoning By-law Amendments.

### Lot Frontage

The previous lot frontage standard required a minimum lot frontage of 24m per townhouse block (4 units), which equated to a minimum lot frontage of 6m per unit. The current development proposal includes some units with a frontage of 5.7m. This reduction is deemed to be minor and is considered to conform to the intent of the By-law.

### Building Setbacks

When the previous By-law was adopted, the lands were considered as one lot and did not include any internal lot lines. As such, the minimum front, rear and exterior side yard setbacks only applied to the setbacks of buildings from the outer property lines. The Administrative Correction By-law removed the standard that deemed the subject lands as one single comprehensive lot. Based on the current proposal, setbacks need to be established for the individual lots, and as such, the variances being proposed as noted in Table 1, are acceptable.

### Porches and Balconies

Some of the units are designed with balconies that are supported by columns instead of cantilevers, and overlook the rear lane, to ensure uninhibited access to the parking spaces.

The site-specific Zoning By-law for the subject lands was based on a conceptual plan. Although, there was a subsequent Zoning By-law to consider technical matters with the original Zoning By-law, variances are now required as the site has been thoroughly designed with 206 residential units. The Development Planning Department can support the proposed variances as they are considered minor in nature, maintain the intent of the Official Plan, reflect the nature and layout of a Common Element Condominium, and are required to implement the proposed development which is appropriately designed for a residential community.

### Future Minor Variance Application

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Minor Variance Application to the Vaughan Committee of Adjustment for the approval of the variances to Zoning By-law 1-88, as noted in Table 1. The Committee's decision shall be final and binding and the Owner must satisfy all conditions of the Committee. A condition to this effect is included in the recommendation of this report.

### Block 32W Land Use Plan

The subject lands are located within the Block 32 West Plan, as shown on Attachment #12. The Block 32 West Developers Group was responsible to front-end finance and provide, among other matters, the requisite infrastructure for services and roads. As a condition of removing the Holding Symbol "(H)" and prior to the execution of the Site Plan Letter of Undertaking, the Owner will be required to enter into an agreement with the Block 32 West Developers Group respecting cost sharing.

The approved Block 32 West Land Use Plan, as shown on Attachment #12, designates the subject lands as "General Commercial". The latest revision to the Block Plan was approved by Vaughan Council on August 21, 2014 and implements the Vaughan Official Plan 2010. The proposed residential development does not reflect the designation on the Block Plan, and a revised Block Plan is required to be submitted to the Vaughan Development Planning Department so that City records can be updated for administrative purposes. A condition in this respect is included in the recommendation of this report.

### Subdivision Design

The proposed Draft Plan of Subdivision will create one residential block, shown as Block "1" on Attachment #5, which is required to facilitate common elements such as the common access (road), amenity areas, visitor parking spaces and landscape areas through the related Condominium Application and to facilitate the creation of 206 individual freehold lots through a future Part Lot Control Application. The concurrent Draft Plan of Condominium (Common Element) File 19CDM-15V005 will create the proposed private road and walkways, visitor parking and common amenity space.

The Vaughan Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment #5, subject to the conditions as set-out in Attachment #1.

### Site Plan Review

The applications for the Draft Plan of Subdivision and Draft Plan of Condominium (Common Element) have been reviewed concurrently and in conjunction with the proposed Site Development Application, shown on Attachment #7, and are consistent.

The Owner is proposing to develop the subject lands with 206 freehold townhouse units, as shown on Attachments #5 to #7. The proposed layout includes 35 blocks of units ranging from 4 to 7 three-storey front-loaded (Blocks 1-9) and rear-loaded (Blocks 10-35) townhouse units. Each unit includes a private garage and amenity space, consisting of a deck above the garage. The internal blocks feature a landscaped courtyard and sidewalk. A sidewalk and landscape berm are provided on the eastern boundary of the site for Blocks 10-15. An amenity area of 1,300m<sup>2</sup> is proposed at the north end of the project, and will include a grassed area, gazebo and benches.

Access to the site will be provided via Eagleview Heights. A total of 412 parking spaces are proposed for the townhouses, and 41 visitor parking spaces are located throughout the site. While there is no dedicated area for snow storage provided for on-site, the Owner is proposing to collect and remove snow directly from the site. A clause to this effect will be included within the Condominium Agreement and forms a condition of Draft Plan of Condominium approval.

The landscape plan shown on Attachment #8 consists of coniferous and deciduous trees along the length of the landscape berm, around the perimeter of the amenity area, and adjacent to the walkways within the development. The proposed landscape berm is located within the MTO setback which measures between 9m and 10m at different points. In addition to the planting, the berm will feature a 1.8m privacy fence. The closest townhouse units to the landscape berm are separated from the berm by a 1.5m wide sidewalk spanning the length of the berm.

The Vaughan Development Planning Department is generally satisfied with the proposed development subject to finalizing details related to the site plan, landscaping plan, landscape cost estimate, and building elevations, as shown on Attachments #7 to #9. Staff will continue to work with the Owner to finalize these details. Prior to the execution of the Site Plan Letter of Undertaking, the final site plan, building elevations, landscape cost estimate and landscape plan shall be approved to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the recommendation of this report.

### Draft Plan of Condominium (Common Element)

The Owner has submitted a Draft Plan of Condominium (Common Element) File 19CDM-15V005 for the subject lands shown on Attachments #3 and #4, for the creation of common elements comprising of a private road, amenity space, visitor parking spaces and landscaped areas, as shown on Attachment #6. The Vaughan Development Planning Department is satisfied with the proposed common element condominium, subject to the Conditions of Approval as set out in Attachment #2.

### City Departments

#### Vaughan Development Planning Department, Urban Design and Cultural Heritage Division

The Cultural Heritage Division has confirmed there are no heritage concerns and has no objection to the approval of the residential development, subject to the inclusion of the standard archaeological conditions in the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report.

#### Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has reviewed the applications and provides the following comments:

a) Servicing Allocation

On May 19, 2015, Vaughan Council approved the extension of the site's allocation for 200 units for 1-year, expiring May 19, 2016. The Vaughan DEIP Department has confirmed that servicing capacity is available for the 6 additional units. The recommendation section of this report includes a resolution for the allocation from the York Sewage Servicing/Water Supply System for a total of 206 residential units.

b) Environmental Site Assessment (ESA)

The Owner submitted a Phase 1 Environmental Site Assessment (ESA) Report, a Letter of Reliance, and a Remedial Action Plan (RAP) for the subject lands, which were reviewed to the satisfaction of the DEIP Department.

Prior to the execution of the Site Plan Letter of Undertaking, the Owner is required to submit a Record of Site Condition (RSC) to the Environmental Site Registry of the Ministry of the Environment and Climate Change (MOECC), which includes the acknowledgement from the MOECC and a signed copy of the RSC by a Qualified Person, and any environmental reports relied upon for the RSC to the satisfaction of the DEIP Department. A condition to this effect is included in the recommendation of this report.

c) Noise Attenuation

The proposed 41 units within the 6 Blocks fronting Highway 400 will feature noise attenuation measures built into the townhouses, including locating the non-habitable living space so that they front onto Highway 400. The measures include upgraded wall and window construction, and a requirement for air conditioning within specific blocks as detailed within the warning clauses in Attachment #1.

The Owner has submitted a revised noise report to verify the noise sources surrounding the development, which also identifies noise control measures for the proposed development. These noise control measures need to be finalized with the DEIP Department. A condition to this effect is included in the recommendation of this report.

d) Services

The Vaughan DEIP Department has reviewed the site plan, site servicing and grading drawings, as well as the Functional Servicing and Stormwater Management Reports submitted in support of the application. The Vaughan DEIP Department will continue to work with the Owner to finalize these reports and plans prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the recommendation of this report. It is noted that the subject lands do not require any additional municipal servicing.

Vaughan Environmental Services Department - Solid Waste Management Division

The Vaughan Environmental Services Department - Solid Waste Management Division has advised that they do not have any objections to the proposal.

Vaughan Financial Planning and Development Finance Department

The Vaughan Financial Planning and Development Finance Department advises that City, York Region, York Regional District School Board and York Catholic District School Board Development Charges are applicable. A standard clause will be included in the Site Plan Letter of Undertaking to this effect.

In addition, prior to the execution of the Site Plan Letter of Undertaking, the Owner shall pay to the City, a woodlot development charge at the rate of \$1,000.00 per residential dwelling unit in accordance with the previous Special Area Woodlot Development Charge By-law and the City's Woodlot Acquisition Front-end Agreement. A condition to this effect is included in the recommendation section of this report.

Vaughan Office of the City Solicitor, Real Estate Division Department

The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the recommendation of this report.

External Public Agencies

Ministry of Transportation (MTO)

The subject lands are located adjacent to Highway 400. The proposed development includes a setback that ranges from 9m to 10m abutting Highway 400, which has been accepted by the MTO. The MTO has reviewed the applications and has confirmed that the proposed landscape berm, planting and fencing is acceptable within the setback. Full approval by MTO will be granted following the satisfactory review of the Traffic Impact Study and the requirements as set out in Attachment #1. In addition, an MTO Building and Land Use Permit is required and must be obtained prior to any construction being undertaken.

### GO Transit

The subject lands are located to the south of the MTO-owned and Metrolinx operated Park and Ride Facility, which is serviced by two bus routes. GO Transit has recommended the construction of a 1.5m wide sidewalk between the proposed site and the Park and Ride Facility. This sidewalk is intended to connect to the public sidewalk located along Major Mackenzie Drive. This matter will be finalized prior to the execution of the Site Plan Letter of Undertaking.

In addition, GO Transit suggested a 4.27m high noise wall adjacent to the exit ramp to Highway 400 due to the future transition towards the double-decker GO Transit buses. It has been determined that this height would block most daylight to the units that front onto Highway 400. As such, the proposed 1.8m fence and noise attenuation measures are considered sufficient to address GO Transit's concerns.

### Canada Post

Canada Post has no objections to the proposed development subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post. Conditions regarding this request are contained in the Draft Plan of Subdivision approval in Attachment #1.

### Part Lot Control

The Owner is required to submit a Part Lot Control application to facilitate the creation of individual freehold lots for the proposed 206 townhouse units, which form part of the Site Plan, as shown on Attachment #7. The proposed lots (frontage, area and depth) must comply with the RVM2 Multiple Residential Zone requirements of Zoning By-law 1-88, subject to Exception 9(1410), and the approved site plan.

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

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Re-establish the urban tree canopy
- ii) Continue to cultivate an environmentally sustainable city

### **Regional Implications**

The York Region Community Planning and Development Services Department has reviewed the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development Applications and have no objections to the approval of the proposed development, subject to the conditions as set out in Attachment #1.

### **Conclusion**

Draft Plan of Subdivision File 19T-15V009, Draft Plan of Condominium (Common Elements) File 19CDM-15V005, and Site Development File DA.16.012, have been reviewed in consideration of the Vaughan Official Plan 2010, Zoning By-law 1-88, the comments from City Departments and external public agencies, and the area context. The applications facilitate a residential development comprised of 206 freehold townhouses to be served by a private condominium road and other common elements. The proposal conforms to the Official Plan and is compatible with the existing and permitted uses in the surrounding area. On this basis, the Vaughan Development Planning Department can support the approval of the Draft Plan of Subdivision, Draft Plan of Condominium (Common Elements) and Site Development applications.

### **Attachments**

1. Conditions of Draft Approval, Draft Plan of Subdivision
2. Conditions of Draft Approval, Draft Plan of Condominium
3. Context Location Map
4. Location Map
5. Draft Plan of Subdivision File: 19T-15V009
6. Draft Plan of Condominium (Common Elements) File: 19CDM-15V005
7. Proposed Site Plan File: DA.16.012
8. Landscape Plan
9. Typical Elevations- Block 1
10. Elevation and Cross-Section
11. Conceptual Site Plan (Proposed Townhouses) Considered with Files: OP.14.002 + Z.14.003  
Considered with Files OP.14.002 and Z.14.003
12. Block 32 West Land Use Plan

### **Report prepared by:**

Kathryn Moore, Planner, ext. 8813  
Clement Messere, Senior Planner, ext. 8409

Respectfully submitted,

JOHN MACKENZIE  
Deputy City Manager,  
Planning & Growth Management

GRANT UYEHAMA  
Director of Development Planning

BILL KIRU  
Senior Manager of Development Planning

/CM

**ATTACHMENT NO. 1**

**CONDITIONS OF APPROVAL**

**DRAFT PLAN OF SUBDIVISION FILE 19T-15V009  
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.  
PART OF LOT 20, CONCESSION 5, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-15V009, ARE AS FOLLOWS:**

The Owner shall satisfy the following conditions:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment No. 1a)
2. The Conditions of Approval of York Region as set out on Attachment No. 1b) and dated January 12, 2016.
3. The Conditions of Approval of the Ministry of Transportation (MTO) as set out on Attachment No. 1c) and dated January 27, 2016.
4. The Conditions of Approval of Canada Post as set out on Attachment No. 1d) and dated December 17, 2015.
5. The Conditions of Approval of Enbridge Gas Distribution as set out on Attachment No. 1e) and dated December 3, 2015.

**Clearances**

1. 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 Attachment Nos. 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.
2. The City shall advise that the Conditions on Attachment No. 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. York Region 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.
4. The Ministry of Transportation (MTO) 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.
5. Canada Post 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.
6. Enbridge Gas Distribution 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 DRAFT APPROVAL**

#### **City of Vaughan Conditions**

1. The Plan shall relate to a Draft Plan of Subdivision, prepared by Humphries Planning Group Inc. drawing # A1, dated May 31, 2015.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of The Planning Act.
3. The Owner shall enter into a subdivision agreement or any other form of agreement, if required, to satisfy conditions of final approval.
4. The Owner shall pay any and all outstanding application fees to the Vaughan Development Planning Department in accordance with the in-effect Tariff of Fees By-law.
5. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, to reflect any significant alterations caused from this draft plan approval.
6. The Owner shall agree to create easements for maintenance purposes for all lots providing less than 1.2 m side yards, or having roof encroachments, prior to transfer of land.
7. Prior to application for Building Permit, Site Plan Approval is required for the townhouse dwelling units under the City's Site Plan Control By-law.
8. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Region of York's Community Planning and Development Services Department; proposed street names shall be submitted by the Owner for approval by Council and shall be included on the first engineering drawings.
9. Prior to final approval of the Plan, the City and the Region of York Transportation and Works Department Water and Wastewater Branch shall confirm that adequate water supply and sewage treatment capacity are available to accommodate the proposed development.
10.
  - a) Prior to final approval, the Owner shall satisfy all technical, financial and other requirements of PowerStream Inc., its successors and assign regarding the design, installation, connection and/or expansion of electric distribution services, or any other related matters; the Owner shall enter into a development agreement with PowerStream Inc. which addresses the foregoing requirements.
  - b) The Owner shall agree to design, purchase materials, and install a buried hydro distribution system, compatible with the existing and/or proposed systems in surrounding Plans, all in accordance with the latest standards and specifications of PowerStream Distribution Inc. and the City.
11. That the Owner shall agree in the subdivision agreement or any other agreement as may be required, that construction access shall be provided only in a location approved by the City and/or the appropriate road authority.
12. That prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval, a detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:

- a) Plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system.
  - b) The location and description of all outlets and other facilities.
  - c) Storm water management techniques which may be required to control minor or major flows.
  - d) Proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.
13. The Owner shall agree in the subdivision agreement or any other agreement as may be required, 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.
  14. That prior to the initiation of grading or stripping of topsoil, or prior to final approval, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks. The Owner shall agree in the subdivision agreement, if required, to install and maintain these erosion and sedimentation controls as shown on the Erosion and Sediment Control Plan, and will agree to submit a report, weekly, or after a rain event, on maintenance and repair of the facilities to the City and Toronto and Region Conservation Authority until such time as all the lots are graded and sodded and certified by the consulting engineer.
  15. The Owner shall agree in the subdivision agreement or any other agreement as may be required, that registration will not be issued and no building permit will be applied for until the City is satisfied that adequate road access, municipal water supply, and sanitary sewers, and storm drainage/management facilities are available to service the proposed development.
  16. That the Owner shall submit to the City of Vaughan, for review and approval, a Traffic Impact Statement which addresses among other items the impact of traffic from this site on the road network of the adjacent lands. In addition, the Owner shall agree to implement any improvements to the road network as may be recommended in the Traffic Impact Statement.
  17. That the Owner shall agree in the Subdivision Agreement or any other agreement as may be required, to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications.
  18. The Owner shall include the following warning clauses in a schedule to all purchase and sale, or lease agreements for all lots/blocks in the plan:
    - a) "Purchasers and/or tenants are advised that the proposed finished lot and/or block grading may not meet City lot grading criteria in certain areas, to facilitate preservation of existing vegetation and to maintain existing adjacent topographic conditions."
    - b) "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and/or Blocks abutting public lands is a requirement of the subdivision agreement, or any other agreement as may be needed, and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, entirely on private lands as shown on the approved construction drawings. Upon assumption of the municipal services in the subdivision by the City, the maintenance of the fencing shall be the sole responsibility of the lot owner."

19. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services that have been designed and oversized by others to accommodate the development of the plan.
20. 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.
21. That storm sewerage, lot grading and street grading is in conformity with the City's Storm Drainage Policies and Criteria Manual and to the satisfaction of the Public Works & Engineering Department in accordance with the Development Engineering Procedures and Guidelines Manual.
22. The Owner shall erect an erosion control fence with appropriately backfilled filter cloth prior to the stripping of top-soil, construction or re-grading on lots or blocks adjacent to surrounding private and public lands to the satisfaction of the Development Engineering and Infrastructure Planning Department and further that the Owner agree to maintain the fence until all final landscaping has been completed.
23. The Owner agrees to the provisions of the City document entitled "Development Standards, Policies and Guidelines" and agrees to adhere to the provisions thereof as well as such amendments as may be made thereto prior to the approval of the drawings, plans, reports and specifications for the City works. The Owner agrees that no grading or other work shall take place on Sundays and that no grading or other work shall take place before 8:00am on Saturdays.
24. The Owner shall agree in the Subdivision Agreement or any other agreement as may be required, to construct, at no cost to the City, any required sidewalk and/or walkway shown on the approved construction drawings to the satisfaction of the City.

25. Any proposed road allowances, road widening, and daylight corners on the draft plan shall be dedicated as public highway on the final plan for registration to the satisfaction of the City and free of all encumbrances.
26. Prior to registration, arrangements shall be made to the satisfaction of the Development Engineering and Infrastructure Planning Department for a suitable construction traffic route.
27. The Owner shall agree in the subdivision agreement or any other agreement as may be required, that no regrading, dumping or removal of fill, alterations to the site, or pre-servicing of any kind be undertaken on site prior to registration without written permission of the City.
28. Prior to final approval, arrangements shall be made to the satisfaction of the City for the relocation of any utilities required by the development of the subject lands to be undertaken at the expense of the applicant. The Owner shall also agree in the agreement to incorporate in the designing and layout of the units, all possible methods for screening of utility boxes, transformers, and/or hydro meters in a fashion which is aesthetically pleasing.
29. The Owner shall agree that all blocks for which there are no immediate building permit applications be graded, seeded, maintained, signed and fenced if necessary to the satisfaction of the City's Development Engineering and Infrastructure Planning Department.
30. The Owner agrees to prepare a Soil Management Plan, if required, with the objective of minimizing excess soil generated from the site to the satisfaction of the City's Development Engineering and Infrastructure Planning Department.
31. The Owner agrees to obtain a site alteration permit, if required, prior to any earth moving activities.
32. Prior to final approval, an environmental noise impact study, prepared at the Owner's expense, shall be submitted to the City for review and approval. The preparation of the noise report shall include the ultimate traffic volumes associated with the surrounding road network. The Owner shall agree in the subdivision agreement, if required, to carry out, or cause to carry out, the recommendations set out in the approved noise report to the satisfaction of the City.
33. The following warning clause shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan:
  - a) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within individual units, noise levels from construction activity may continue to be of concern occasionally interfering with some activities of the building occupants."
34. Warning clauses to be registered on title and be included in Offers of Purchase and Sale for designated lots:
  - a) "All purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound level exceed the Municipality's and the Ministry of the Environment and Climate Change's noise criteria."
  - b) "Dwelling units within Block(s) 1, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 25, 26, 29, 30, 33 and 34 have been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment and Climate Change's noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts. Air conditioners

of 38,900 BTU/hour or less should have a maximum sound power emission rating of 7.6 bels as per ARI Standard 270)."

- c) "Dwelling units within Block(s) 2, 3, 4, 5, 6, 7, 20, 23, 24, 27, 28, 31, 32, and 35 have been fitted with a forced air heating system and the ducting, etc. was sized to accommodate central air conditioning. Installation of central air conditioning will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the Municipality's and the Ministry of the Environment and Climate Change's noise criteria. (Note: The location and installation of the outdoor air conditioning device should be done so as to minimize the noise impacts. Air conditioners of 38,900 BTU/hour or less should have a maximum sound power emission rating of 7.6 bels as per ARI Standard 270)."
  - d) "Purchases/tenants are advised that despite the inclusion of noise control features in the design of this development and within the building units, sound from Canada's Wonderland may, at times, be audible, occasionally interfering with some activities of the dwelling occupants."
- 35. The Owner agrees to provide sound barriers in accordance with the submitted Environmental Noise Analysis.
  - 36. The Owner agrees in the subdivision agreement or any other agreement as may be required, to secure any external easements necessary for the construction of any sanitary works or water main looping.
  - 37. The Owner acknowledges that final engineering design(s) may result in minor variations to the Plan (i.e. in the configuration of road allowance, blocks, lotting, number of lots, etc.) which may be reflected in the final plan all to the satisfaction of the City.
  - 38. Prior to final approval of the Plan, easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority, free of all charge and encumbrances.
  - 39. Prior to final approval of the Plan, the Owner shall provide the City with a letter from the Trustee for the Block 32 West Developer's Group indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 32 West Developer's Group Agreement.
  - 40. Prior to final approval, the Owner shall submit to the satisfaction of the City, a listing prepared by an Ontario Land Surveyor of the Block Area, Lot Frontage, and Lot Depth in accordance with the approved Zoning By-law for the Block within the Plan.
  - 41. The Owner shall enter into a Site Plan Letter of Undertaking, if required, to satisfy all conditions, financial or otherwise of the City with respect to the development of the common element condominium townhouse complex.

The Letter of Undertaking deals with matters including, but not limited to, the following: engineering matters; construction; fencing; noise mitigation and warning clauses; financial issues such as cash contributions, levies (development charges); securities, or letters of credit and planning matters such as site plan and landscape plan approvals.
  - 42. Prior to final approval of the Plan, the Owner shall forward a copy of the Noise Report to the satisfaction of the City. The Owner shall satisfy all requirements with respect to noise attenuation measures within the Plan and include the necessary warning clauses in the Offers of Purchase and Sale for those lots affected. The warning clauses pertain to noise levels from traffic and construction and building activities.

43. The following warning clauses shall be included in all Offers of Purchase and Sale or Lease:
- a) "The Owner shall inform the public and all purchasers and tenants that this development will function as a common element condominium and all details and associated costs shall be presented in the sales office, and through marketing material etc."
  - b) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox(es) shall be shown on the community plan provided by the Owner in its Sales Office."
44. The Owner shall provide written notification to the neighbourhood at least 7 days prior to the commencement of construction within the municipal right-of-way. Property owners and/or residents must receive a minimum of 24 hours notice prior to the temporary closing of access to homes or businesses.
45. The Owner shall conduct a pre-construction survey which shall include, but not be limited to, an inventory of the existing municipal right-of-way. The Owner shall provide a copy of this pre-construction survey to the City prior to commencement of construction. All driveways, fences, trees, and any other private properties damaged during construction to be replaced/reinstated to original conditions or better at the Owner's expense, to the satisfaction of the City.
46. Prior to final approval, the Owner shall prepare an urban design brief. The document shall address but not be limited to the following issues:
- a) Landscape master plan; co-ordination of the urban design/streetscape elements including fencing treatments and street tree planting. Also, the appropriate community edge treatment along Highway 400.
  - b) Architectural design guidelines, including appropriate flankage elevations along Highway 400.
  - c) Sustainability design practices/guidelines.
47. 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.
48. The following warning clauses are to be registered on title and be included in Offers of Purchase and Sale:
- a) *"Purchasers 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 the conceptual location 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 any boulevard tree without further notice."*
  - b) *"The City has not imposed an amount of a 'Tree Fee' or any other fee which may be charged as a condition of purchase for the planting of trees. Any 'Tree Fee' paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of a residential dwelling."*
49. The Owner shall agree in the subdivision agreement, or any other agreement as may be required, to erect an appropriate fence barrier along limits of the residential blocks that abut Highway 400, to the satisfaction of the City.

50. The Owner shall agree in the subdivision agreement, or any other agreement as may be required, to erect an appropriate fence barrier along the northern limits of the subdivision that abut the existing GO Transit parking lot, to the satisfaction of the City.
51. The Owner shall agree in the subdivision agreement, or any other agreement as may be required, to erect permanent wood fence treatments for flanking residential blocks; to be co-ordinated with the environmental noise report and architectural control design guidelines.
52. Prior to final approval, architectural design guidelines shall be submitted for Council's approval; the Owner shall agree that:
- a) a control architect satisfactory to the City shall be retained at the cost of the Owner, to ensure that all development proceeds in compliance with the approved architectural design guidelines;
  - b) prior to the submission of individual building permit applications, the control architect shall have stamped and signed the drawings certifying compliance with the approved architectural guidelines; and
  - c) the City may undertake periodic reviews to ensure compliance with the architectural 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.
53. The Owner shall agree to notify both the Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department immediately in the event that:
- a) Should archaeological resources be found on the property during construction activities;
  - b) In the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The proponent shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.
54. Prior to commencement of construction, the Owner shall submit to the City for approval a traffic/construction management plan to ensure that vehicular and pedestrian traffic is maintained/controlled in a safe and orderly manner and mud and dust is controlled throughout the construction period.
55. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:
- a) The Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.
  - b) The location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features.
  - c) The location of parks, open space, stormwater management facilities and trails.
  - d) The location of institutional uses, including schools, places of worship, community facilities.
  - e) The location and type of commercial sites.
  - f) Colour-coded residential for singles, semis, multiples and apartment units.

- g) The following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

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

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

*(In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification)*

56. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfil relevant conditions of that agreement prior to the issuance of a Building Permit.
57. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to the 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 Plan as and when each dwelling unit is constructed.



**ATTACHMENT NO. 1b)**

(January 12, 2016)

**Schedule of Pre-Conditions for 19T-15V009  
77 Eagleview Heights  
Part of Lot 20, Concession 5  
(Eagleview Heights Developments Ltd.)  
City of Vaughan**

Re: Humphries Planning Group Inc., Drawing No. A1, Dated May 31, 2015

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 users<sup>1</sup> 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 the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 12 months) to permit presales;  
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-15V09 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.

**ATTACHMENT NO. 1b)**

(January 12, 2016)

**Schedule of Conditions for 19T-15V009  
77 Eagleview Heights  
Part of Lot 20, Concession 5  
(Eagleview Heights Developments Ltd.)  
City of Vaughan**

Re: Humphries Planning Group Inc., Drawing No. A1, Dated May 31, 2015

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. Prior to final approval, the engineering drawing showing the layout of the watermain and sewers shall be submitted to the Infrastructure Asset Management Branch for review.
4. For all lands, the Holding (H) provisions of Section 36 of the *Ontario Planning Act* shall be used in conjunction with all residential zone categories in order to ensure that final plan approval and development of these lands does not occur until such time as the Holding (H) symbol is removed in accordance with the provisions of the *Ontario Planning Act*. The Zoning Bylaw shall specify the terms under which Council may consider the removal of the Holding (H) symbol. Said terms shall include a minimum of the following:
  - The City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - York Region has advised in writing that the required infrastructure to support the capacity assignment associated with this development will be completed within a time period acceptable to the Region (usually 6 months to 36 months depending on the complexity of the development) to permit the plan registration; or,
  - The Regional Commissioner of Environmental Services confirms servicing allocation for this development by a suitable alternative method and the City of Vaughan allocates the capacity to this development.
5. Prior to final approval, the Owner shall agree to provide direct walking and cycling connections to boundary roadways and adjacent developments to promote the usage of non-auto travel modes. York Region and the City of Vaughan will not assume any financial responsibility for implementing the provision of the pedestrian and cycling connections and facilities.
6. Prior to final approval, the Owner shall agree to submit an updated Urban Transportation Consideration study to the satisfaction of the Transportation Services Department.
7. Prior to final approval, the Owner shall provide a copy of the Letter of Undertaking to the Regional Corporate Services Department.
8. 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.
9. The Regional Corporate Services Department shall advise that Conditions 1 to 10 inclusive, have been satisfied.

Ministry of  
Transportation  
Corridor Management Section  
Central Region  
7<sup>th</sup> Floor, Bldg. D  
1201 Wilson Avenue  
Downsview, ON M3M 1J8  
Tel (416) 235- 4269  
Fax (416) 235-4267

Ministère des  
Transports  
Section de la gestion des couloirs routiers  
Région du Centre  
7e étage, édifice D  
1201 avenue Wilson  
Downsview ON M3M1J8  
Tél: 416 235-4269  
Télé: 416 235-4269



## **ATTACHMENT NO. 1c)**

**January 27, 2016**

City of Vaughan,  
Development Planning Department

File # 19T-15V009  
Attention: **Kathryn Moore,**

**RE: Hwy 400 and Major Mackenzie Drive, 77 Eagleview Heights-Draft Plan of Subdivision and related Draft Plan of Condominium. Lot 20, Con 5 City of Vaughan.**

We have reviewed the above noted application and have following comments:

The owner must be made aware that Ministry permits are required for all the above and below ground structures including detention ponds, service roads, trails, site services, utilities, parking lots or any other features which would be essential and integral to the viability of the site. The setback will be 9m at the north side of the subject property and 10m from the Hwy 400 Right of Way. Ministry permits are required for all structures (as listed above) that are located within the 45m from Highway 400 property line and a radius of 396m from the centrepont of Highway 400 and Major Mackenzie Drive. Permits must be obtained prior to any construction being undertaken. Applications are available on Ministry web site at:

[www.mto.gov.on.ca/english/engineering/management/corridor](http://www.mto.gov.on.ca/english/engineering/management/corridor)

### **As the Conditions of Draft Plan of Subdivision, we require the following:**

1. Any noise mitigation measures earth berms or fences are the responsibility of the proponent and they must be located within the development site with a minimum set back of 0.3m from the Highway 400 property line. Should a berm be required alone or as part of sound mitigation measure, a 9 m setback at the north and 10m from the Highway 400 property line will apply.
2. Prior to final approval the Ministry needs written confirmation that there is no contamination on the Highway 400 lands (since Ministry has learned that the site is contaminated)
3. Prior to final approval, the owner must submit to the Ministry of Transportation for review and approval a copy of a Traffic Impact Study (2 copies) addressing the development

traffic impact on Hwy 400 and its ramps. Traffic report must be done in accordance with Ministry requirements and guidelines. The traffic consultant must be RAQS approved.

4. Prior to final approval the owner must submit to the Ministry of Transportation for review and approval a copy of Stormwater Management Report (one hard copy and one electronic version) indicating the intended treatment of the calculated runoff.
5. Prior to the final approval the owner must submit to the Ministry of Transportation for review and approval a copy of the proposed site lighting design and calculation in the isometric format using AGI-32 and Auto-Lux.
6. After all Ministry approvals are obtained, the proponent must submit to the Ministry copy of the M-Plan. After that, Ministry will issue a Clearance Letter to the City of Vaughan and the Draft Plan of Subdivision can be registered.

The proponent may arrange to meet with our staff and we would be pleased to explain the application process and application requirements.

If you have any questions or require further clarification, please contact me at the number listed above at your earliest convenience

Sincerely,

Margaret Mikolajczak, CET  
Senior Project Manager

cc. Phil Iannacito  
Zev Mandelbaum



**ATTACHMENT NO. 1d)**

December 17<sup>th</sup>, 2015

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

Attention: Kathryn Moore - Planner

**Re: 19T-15V009**

**RELATED FILES: 19CDM-15V005**

**EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.**

**77 EAGLEVIEW HEIGHTS – PART OF LOT 20 CONCESSION 5**

**THE CITY OF VAUGHAN WARD 3 POSTAL DELIVERY AREA: THORNHILL**

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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 2<sup>nd</sup> Fl  
Scarborough On M1P 5A1  
416-751-0160 Ext 2019  
[Patrick.brown@canadapost.ca](mailto:Patrick.brown@canadapost.ca)

December 3, 2015

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

Dear Kathryn Moore,

Re: Draft Plan of Subdivision & Draft Plan of Condominium (Common Elements)  
Eagleview Heights Developments Ltd.  
77 Eagleview Heights – Part of Lot 20 Concession 5  
City of Vaughan  
File No.: 19T-15V009 Related: 19CDM-15V005

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](mailto: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.

Easement(s) are required to service this development and any future adjacent developments. The applicant will provide all 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 cannot project into 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](mailto: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 read 'Nikki DeGroot', with a stylized flourish at the end.

**Nikki DeGroot**

Municipal Planning Advisor  
Distribution Planning & Records

***ENBRIDGE GAS DISTRIBUTION***

TEL: 416-758-4754

500 Consumers Road North York, Ontario M2J 1P8

[enbridgegas.com](http://enbridgegas.com)

**Integrity. Safety. Respect.**

ND/jh

## **ATTACHMENT NO. 2**

### **CONDITIONS OF DRAFT APPROVAL**

**DRAFT PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005  
EAGLEVIEW HEIGHTS DEVELOPMENTS LTD.  
PART OF LOT 20, CONCESSION 5, CITY OF VAUGHAN**

**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF CONDOMINIUM (COMMON ELEMENTS) FILE 19CDM-15V005, ARE AS FOLLOWS:**

#### **City of Vaughan Conditions**

1. The Plan shall relate to a Draft Plan of Condominium (Common Elements), prepared by Humphries Planning Group Inc., drawing #A1, dated October 19, 2015.
2. Prior to the execution of the condominium agreement, the Owner shall submit a pre-registered Plan of Condominium to the Vaughan Development Planning Department.
3. The Owner shall enter into a Condominium Agreement with the City of Vaughan, and shall agree to satisfy any conditions with respect to such matters as landscaping and site development and any other matters that the City may consider necessary, which may be outstanding from the site plan approval process (File DA.16.012).
4. The following provisions shall be included in the condominium agreement:
  - a) the maintenance of the common elements comprising of the common amenity area, access roads, walkways, landscaped areas and visitor parking shall be the responsibility of the Condominium Corporation;
  - b) the Condominium Corporation shall be responsible to regularly clean and maintain all driveway catch basins;
  - c) snow removal and clearing, and garbage and recycling pick-up shall be privately administered, and shall be the responsibility of the Condominium Corporation.
5. The condominium agreement shall be registered on title against the lands to which it applies, at the Owner's expense.
6. Prior to final approval, the Owner shall submit an "as-built" survey to the satisfaction of the Vaughan Building Standards Department.
7. Prior to final approval, the Owner and their Solicitor and Land Surveyor shall confirm that all required easements and rights-of-way for utilities, drainage and construction purposes have been granted to the appropriate authorities.
8. Prior to final approval, the Owner shall confirm that they have paid all outstanding taxes, development charges and levies, as may be required by the Vaughan Financial Planning and Development Finance Department.

#### **Canada Post Conditions**

9. The Owner shall address the following conditions of Canada Post:

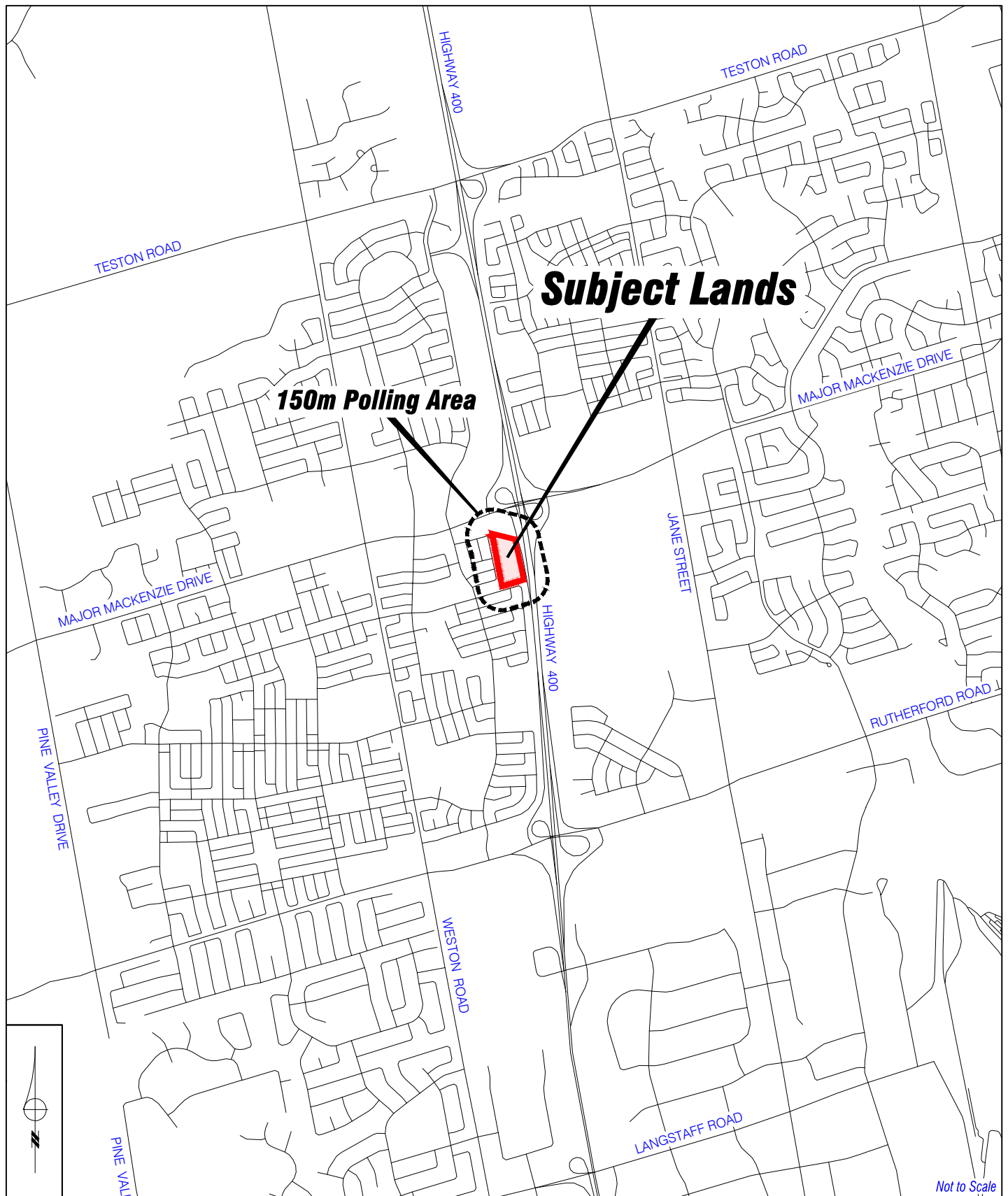
- a) The Owner (Developer) shall include in all Offers of Purchase and Sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mail Box.
- b) The Owner (Developer) will be responsible for notifying the purchaser of the exact Community Mailbox location prior to the closing of any home sale.
- c) The Owner (Developer) shall consult with Canada Post Corporation to determine suitable permanent locations for the Community Mail Boxes and to indicate the location on the appropriate servicing plan(s).
- d) The Owner (Developer) agrees to provide the following for each Community Mail Box site and include these requirements on the appropriate servicing plan(s):
  - i) An appropriately sized sidewalk section (concrete pad) as per municipal standards to place Community Mailboxes on;
  - ii) Any required walkway across the private road, as per municipal standards; and
  - iii) Any required curb depressions for wheelchair access with an opening of at least 2m (consult Canada Post for detailed specifications).
- e) The Owner (Developer) shall agree to determine and provide a suitable and safe temporary site for a Community Mail Box Location(s), until the curbs, sidewalks and final grading have been completed at the permanent Community Mail Box location. Canada Post will provide mail delivery to new residents as soon as the homes are occupied.

#### Bell Canada Conditions

- 10. The Owner shall agree in the Letter of Undertaking, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.

#### Clearances

- 11. The City (Vaughan Development Planning Department) shall advise in writing that Conditions 1 to 8 have been satisfied.
- 12. Canada Post shall advise the Vaughan Development Planning Department in writing that Condition 9 has been satisfied.
- 13. Bell Canada shall advise the Vaughan Development Planning Department in writing that Condition 10 has been satisfied.



## Context Location Map

LOCATION:  
Part of Lot 20, Concession 5

APPLICANT:  
Eagleview Heights Developments Ltd.

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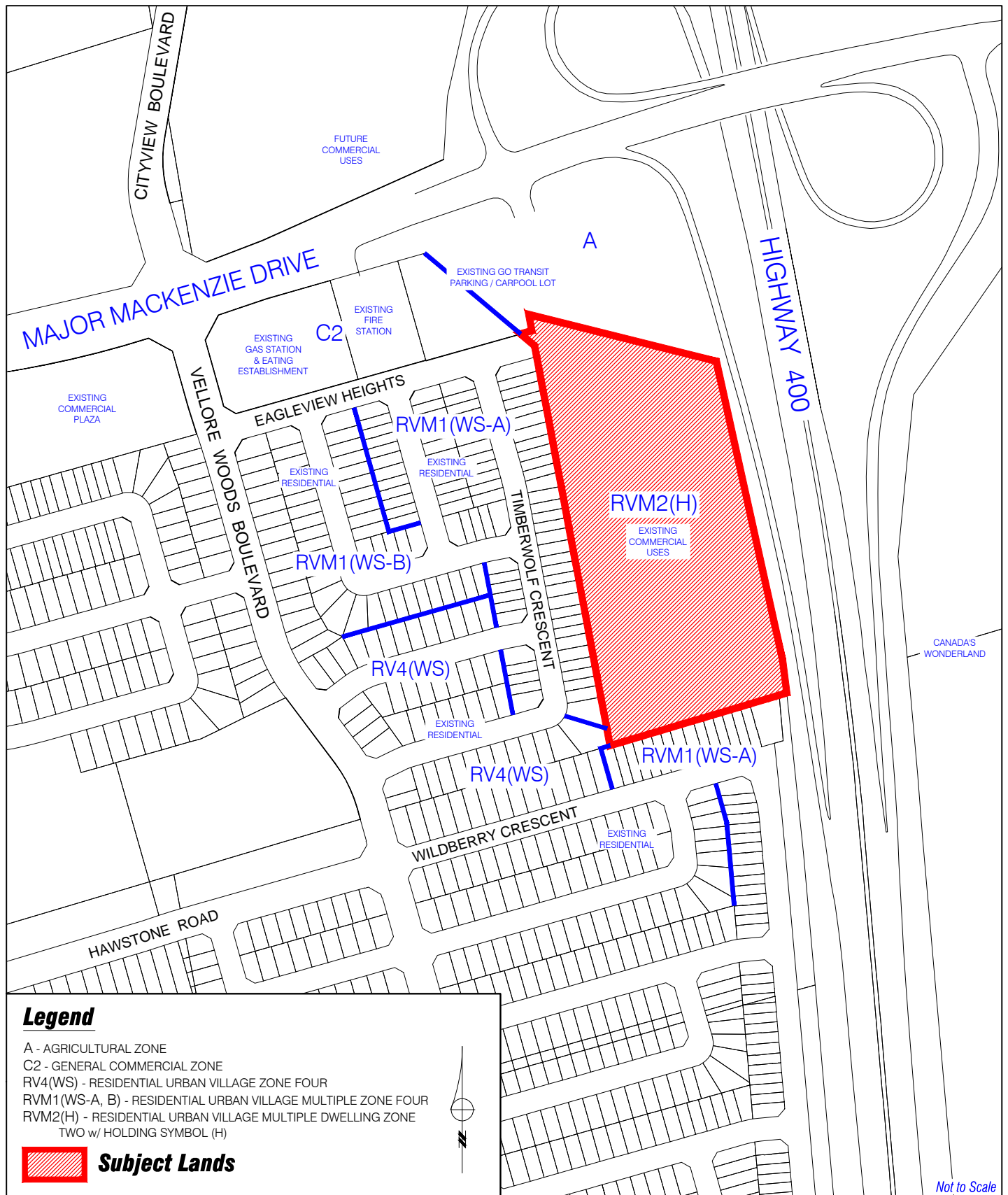


## Attachment

FILES: 19T-15V009,  
19CDM-15V005, & DA.16.012

DATE:  
June 21, 2016

**3**



## Location Map

LOCATION:  
Part of Lot 20, Concession 5

APPLICANT:  
Eagleview Heights Developments Ltd.

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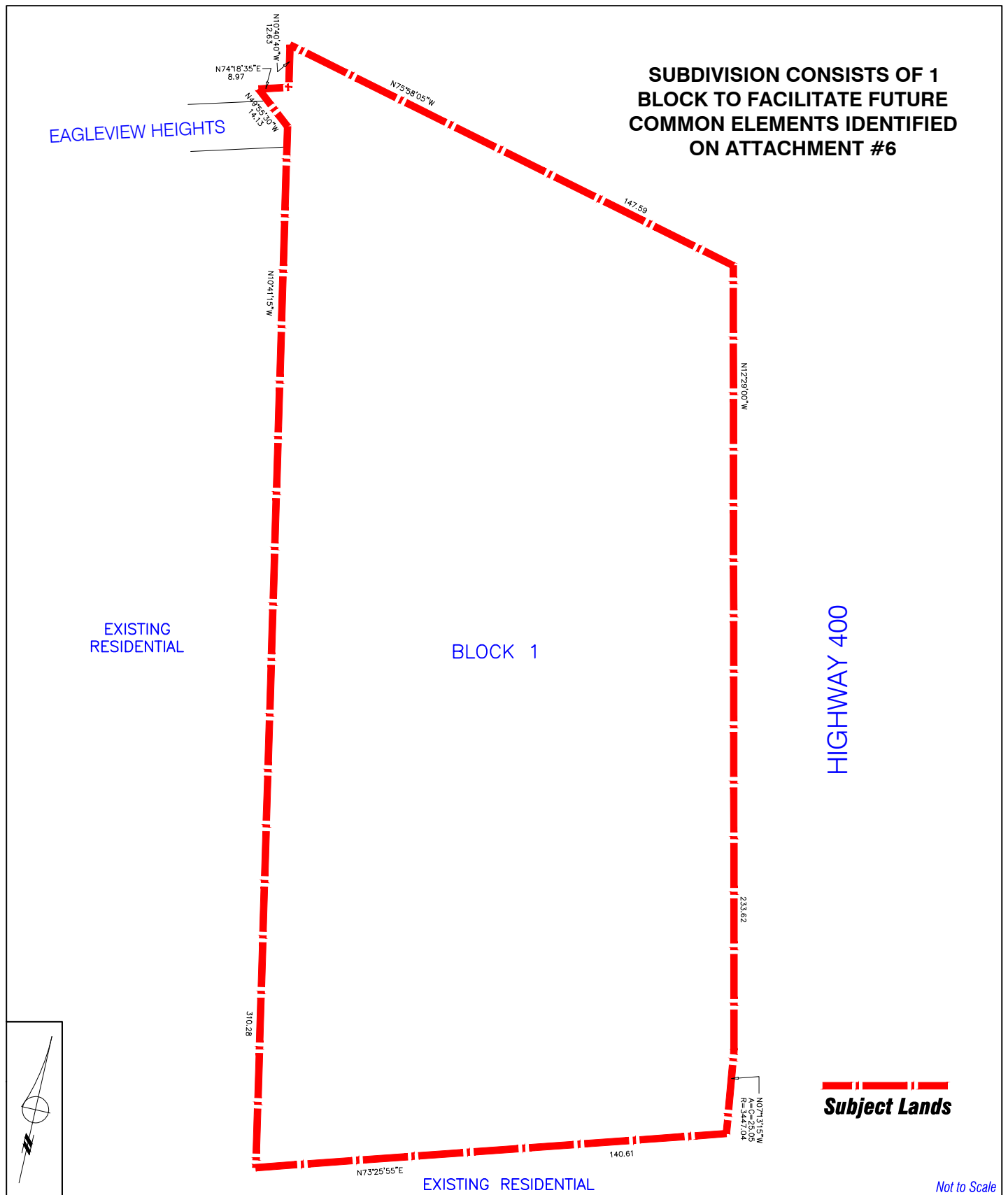


## Attachment

FILES: 19T-15V009,  
19CDM-15V005, & DA.16.012

DATE:  
June 21, 2016

4



## Draft Plan of Subdivision File: 19T-15V009

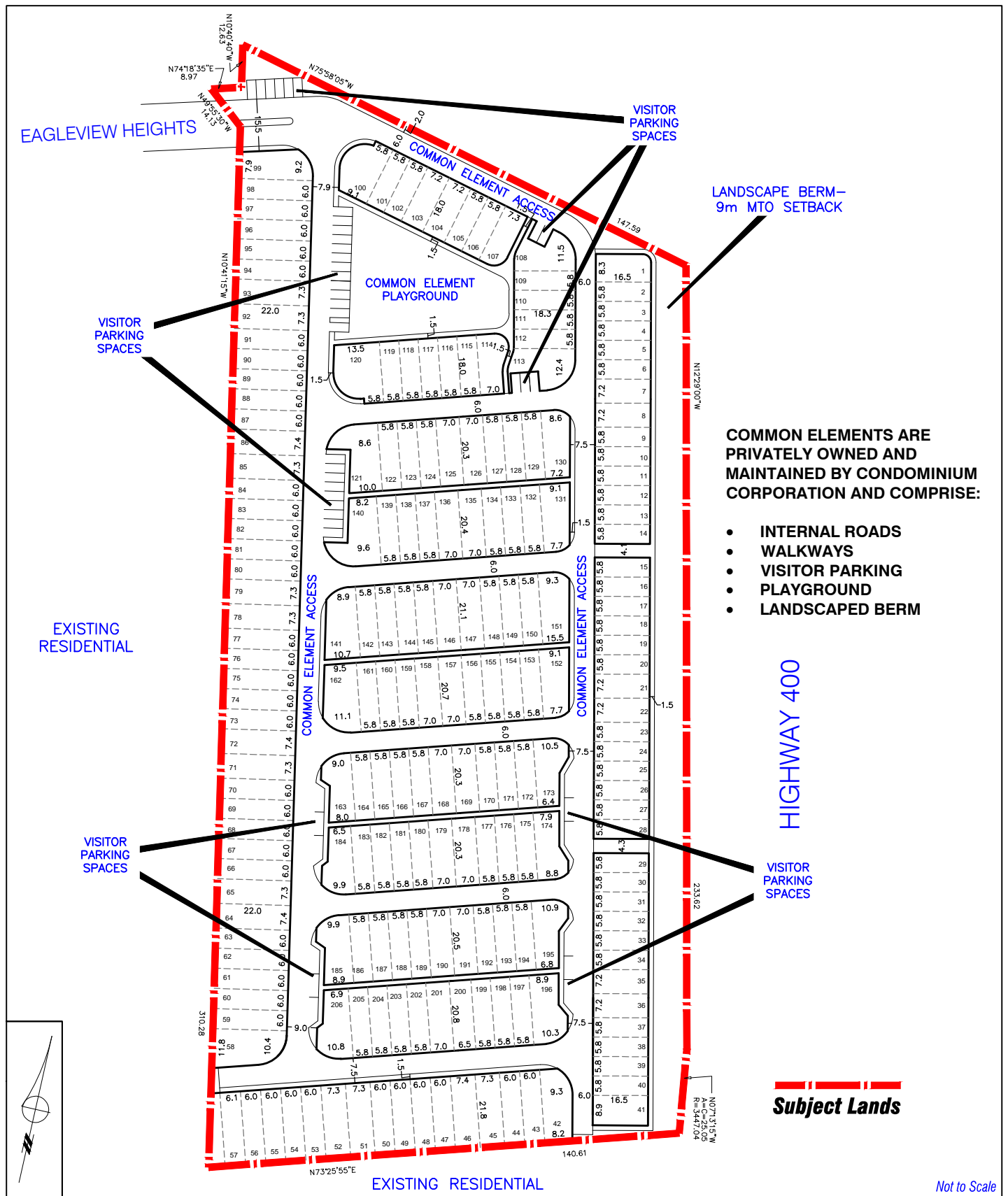
LOCATION:  
Part of Lot 20, Concession 5

APPLICANT:  
Eagleview Heights Developments Ltd.

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**Attachment**  
FILES: 19T-15V009,  
19CDM-15V005, & DA.16.012  
**5**  
DATE:  
June 21, 2016



# Draft Plan of Condominium (Common Elements) File: 19CDM-15V005

LOCATION:  
Part of Lot 20, Concession 5

APPLICANT:  
Eagleview Heights Developments Ltd.



Attachment  
FILES: 19T-15V009,  
19CDM-15V005, & DA.16.012  
DATE:  
June 21, 2016  
**6**

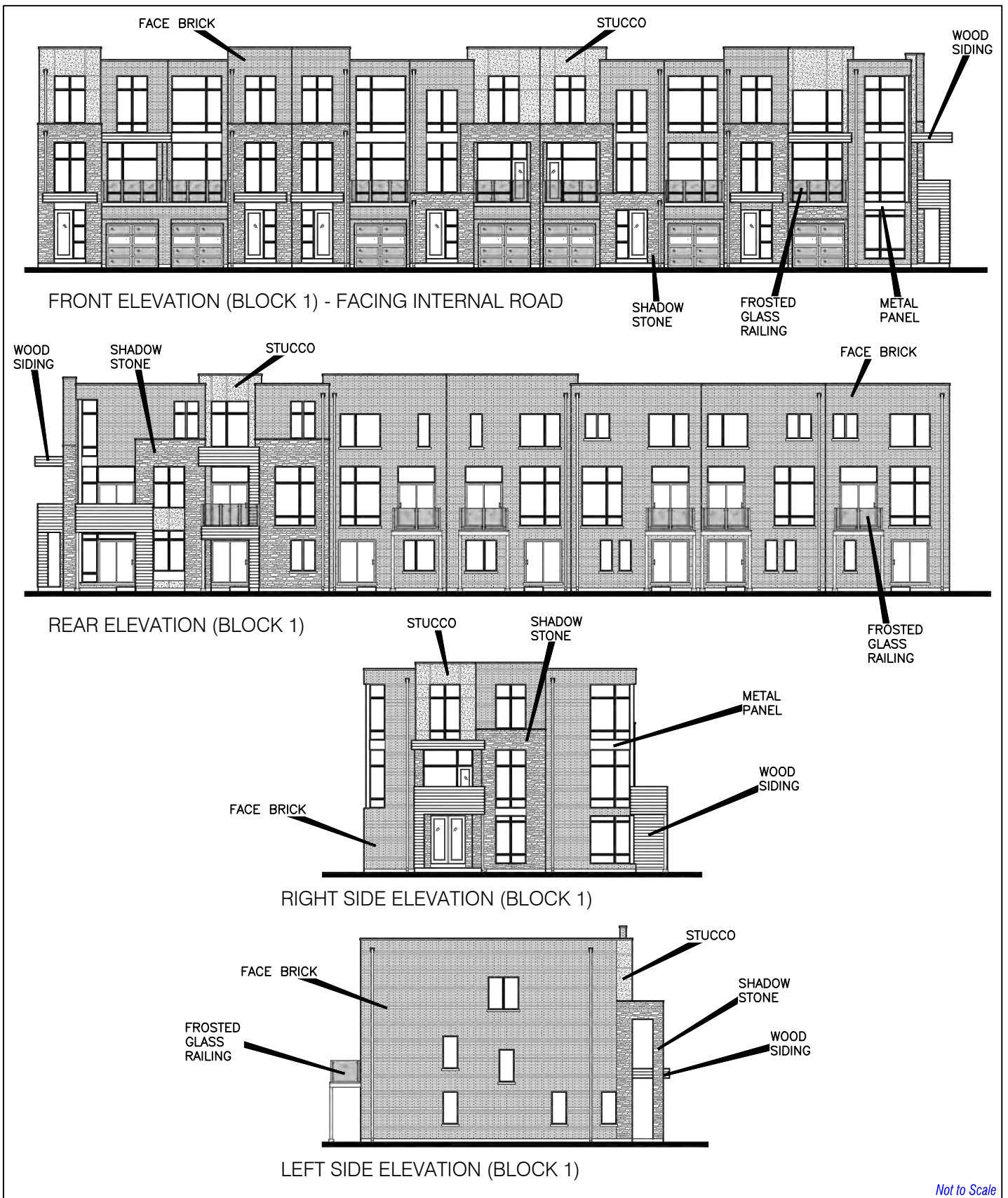
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8



Not to Scale

## Typical Elevations - Block 1

LOCATION:  
Part of Lot 20, Concession 5

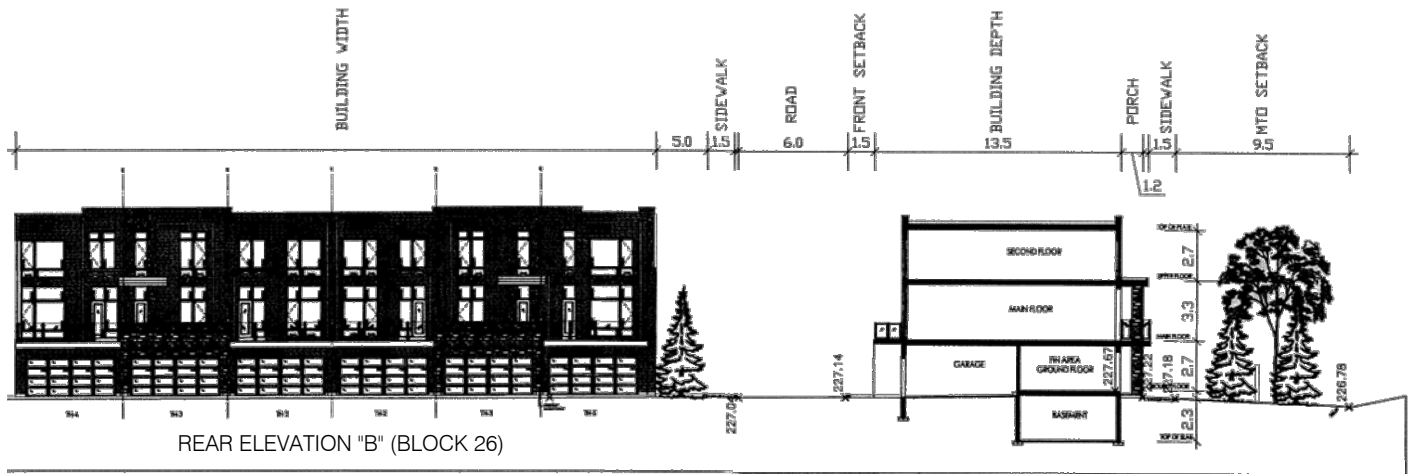
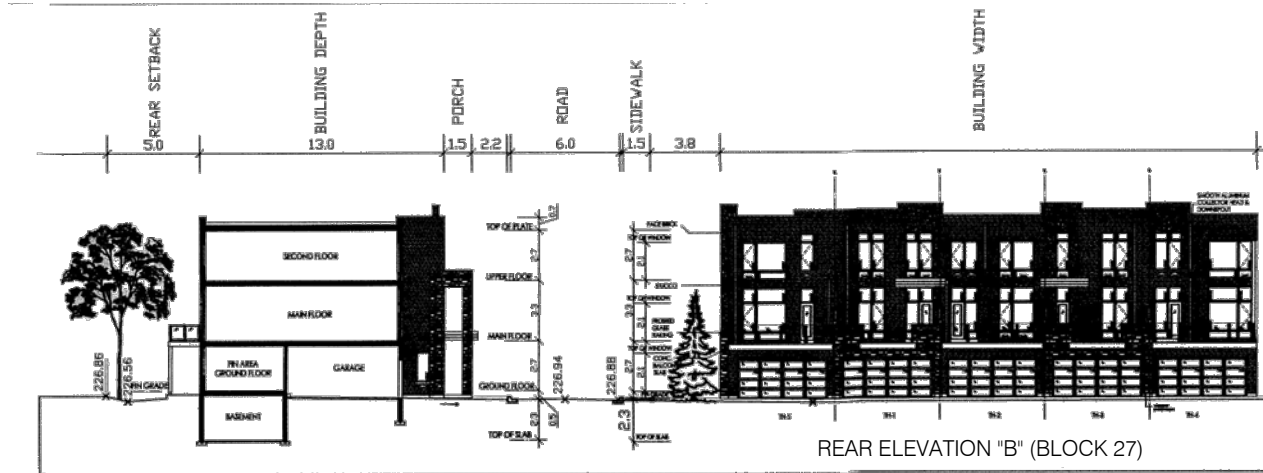
APPLICANT:  
Eagleview Heights Developments Ltd.

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Attachment  
FILES: 19T-15V009,  
19CDM-15V005, & DA.16.012  
DATE:  
June 21, 2016

9



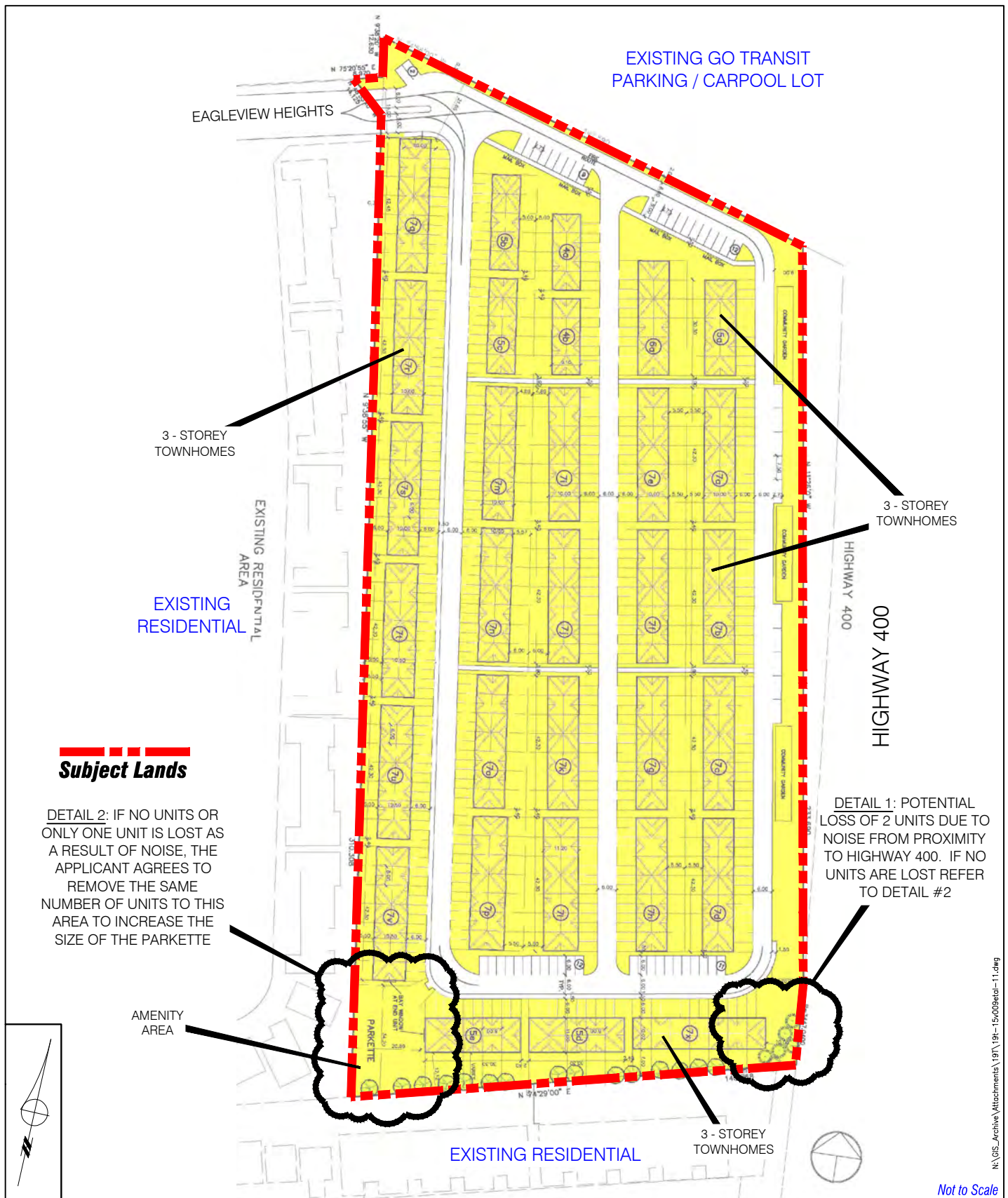
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## Elevation and Cross-Section

APPLICANT: Eagleview Heights Developments Ltd. LOCATION: Part of Lot 20, Concession 5



Attachment  
FILES: 19T-15V009, 19CDM-15V005, & DA.16.012  
DATE: June 21, 2016  
**10**



# Conceptual Site Plan (Proposed Townhouses) Considered with Files: OP.14.002 & Z.14.003

APPLICANT: Eagleview Heights Developments Ltd. LOCATION: Part of Lot 20, Concession 5



Attachment  
FILES: 19T-15V009, 19CDM-15V005, & DA.16.012  
DATE: June 21, 2016  
**11**

