

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

Item 57, Report No. 36, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on September 9, 2014.

**57**

**ZONING BY-LAW AMENDMENT FILE Z.13.042  
DRAFT PLAN OF SUBDIVISION FILE 19T-13V009  
MONARCH CASTLEPOINT KIPLING NORTH DEVELOPMENT LIMITED  
WARD 1 - VICINITY OF KIPLING AVENUE AND TESTON ROAD**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Interim Director of Planning/Director of Development Planning, and Manager of Development Planning, dated September 2, 2014, be approved;**
- 2) That the following be approved in accordance with Communication C14, from the Interim Director of Planning/ Director of Development Planning, dated August 29, 2014:**
  - “1. That the following additional recommendation be approved for Item #57 of the Committee of the Whole Agenda dated September 2, 2014:**
    - 4. That Draft Plan of Subdivision File 19T-13V009 be allocated servicing capacity from the York Sewage Servicing/ Water Supply System for a total of 288 residential units (1,031 persons equivalent).”**
- 3) That the following Communications be received:**

**C10 Elio and Maria Pucciano, Theresa Circle, Kleinburg; and**  
**C12 Mr. Gaetano Franco, Castlepoint Investments, dated August 29, 2014.**

**Recommendation**

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

- 1. THAT Zoning By-law Amendment File Z.13.042 (Monarch Castlepoint Kipling North Development Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands, as shown on Attachments #2 and #3, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report, and subject to the following;**
  - a) require that prior to the removal of the Holding Symbol “(H)” from the subject lands or portions thereof, the following conditions shall be addressed:**
    - i. York Region shall advise, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the YDSS Southeast Collector sanitary trunk sewer; or,**
    - ii. The City of Vaughan shall approve a transfer of servicing allocation to this development that is not dependent upon the completion of the infrastructure; or,**

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- iii. The Regional Commissioner of Environmental Services shall confirm servicing allocation for this development by a suitable alternative method and Vaughan Council has allocated adequate water supply and sewage servicing capacity to the subject development;
  - iv. The approval of a Site Development Application for the Street Townhouse Units.
2. THAT Draft Plan of Subdivision File 19T-13V009 (Monarch Castlepoint Kipling North Development Limited) BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
  3. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-13V009 (Monarch Castlepoint Kipling South Development Limited), shall contain the following provision:

“The owner shall dedicate land or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent 1 ha per 300 units or 5% of the value of the subject lands or units of the value of the subject lands, prior to the issuance of a Building Permit for the residential component, whichever is higher, and 2% for the commercial component, prior to issuance of a Building Permit, in accordance with the Planning Act and the City’s Cash-in-lieu Policy. The owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

#### **Contribution to Sustainability**

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

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

- Objective 1.2: To promote reduction of greenhouse gas emissions in the City of Vaughan
- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan’s watersheds

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City’s Consolidated Growth Management Strategy – 2031, and by ensuring that the strategy is subject to periodic review and renewal
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage

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- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

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

- rear yard infiltration trenches for single detached lots
- stormwater management (SWM) facility outfall cooling trench
- additional topsoil depth
- natural feature and valley land restoration areas
- watercourse restoration
- edge management planting
- natural hazard remediation areas
- pedestrian trail systems
- Transportation Demand Management (TDM) measures
- a pedestrian-focused development approach, including, but not limited to: ensuring all dwellings are within a 5-minute walk of open space and park areas; ensuring attractive, pedestrian-scaled streets are implemented; and, a trail system that is interconnected with the sidewalk/walkway system.
- Energuide 83 will be used as a base standard for new home construction, which includes the following, but not limited to, items:
  - high-efficiency single flush toilets and low-flow water efficient faucets/shower heads
  - 12" minimum topsoil depths on lots
  - high-efficiency 2-stage furnace
  - energy-efficient heat recovery ventilator
  - Energy Star equivalent standard light fixture packages with c.f.l. bulbs
  - Low E Energy Star windows
  - hot water drain recovery system
- waste management policies to ensure that all trades work efficiently to reduce and eliminate waste, including: on-site waste management; and, re-use and recycling measures.

#### **Economic Impact**

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

#### **Communications Plan**

On April 17, 2014, a Notice of Public Hearing was circulated to all property owners within an expanded notification area beyond 150 m of the subject lands, as shown on Attachment #2, and to the Kleinburg & Area Ratepayers Association. 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 in accordance with the City's Sign Notification Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 14, 2014, and forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 27, 2014.

On August 25, 2014, a notice of this Committee of the Whole meeting was sent to individuals that attended the Public Hearing and that have provided written correspondence.

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To date, the following correspondence has been received, and deputations made at the Public Hearing of May 14, 2014:

Written correspondence from the Kleinburg & Area Ratepayers' Association (KARA) identifying the following concerns:

- the short time between the Public Hearing and the Vaughan Committee of the Whole's review of the related Block 55 East Plan (File BL.55.2013)
- the number of proposed units and overall density in the related Block 55 East Plan
- Official Plan and Zoning By-law Amendment Files OP.09.003 & Z.09.026 (1539253 Ontario Limited) located east of the subject lands impact on development within the Greenbelt Plan Area
- the proposed PowerStream Kleinburg Transformer Station #4 facility immediately north of the Block 55 East Plan (north side of Kirby Road) and the related telecommunication tower that may be required within the transformer station and their impacts on the greater Kleinburg – Nashville community
- the provincially mandated requirement for secondary suites and its potential impact on density and traffic
- the proposed zoning exceptions required by the Owner to implement the proposal

Written correspondence from Costas Afentakis and Michael A. DiMuccio area residents stating that:

- The proposed development will cause an unwanted increase in traffic, noise and pollution.
- The proposed development affects the value associated with living in the Kleinburg–Nashville Community, based on the consideration of the neighbourhood as a private, low-density and high-valued estate residential area.
- The proposed development is contrary in nature to the current developed surroundings and is a decline in the average expectation for the Kleinburg–Nashville Community, highlighted by the inclusion of townhomes within the proposed development. This will create a considerable lower living standard and will likely negatively influence the value of the existing dwellings in the Kleinburg–Nashville Community.

Written correspondence from Humphries Planning Group Inc. representing 1539253 Ontario Limited, landowner of the adjacent property east of the subject lands, municipally known as 10951 Kipling Avenue and subject to Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026, identifying the following concerns:

- The proposed location of Street 'C' (in southerly Subdivision 19T-13V008) and its relationship with the fixed access point from Kipling Avenue for the lands municipally known as 10951 Kipling Avenue. Humphries Planning Group Inc. further requests that the proposed development either align its access to Kipling Avenue with the access for the lands municipally known as 10951 Kipling Avenue, or alternatively ensure that Street 'C' is properly distanced from the access for the lands municipally known as 10951 Kipling Avenue so as not to create transportation related issues that could negatively impact the proposed development at 10951 Kipling Avenue (Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026).

Written correspondence from Beatrice Conforti, Peter Conforti and Nancy Conforti, and Maria Pucciano and Elio Pucciano, area residents, and deputations were provided at the Public Hearing of May 14, 2014, outlining the following concerns:

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- Depth of Private Buffer Area and a request to implement a larger landscaped buffer; and,
- Concern with flooding and higher water levels adjacent to their property.

The Vaughan Planning Department provides the following responses to the above noted concerns:

- The proper notification procedures as prescribed in the *Planning Act* were followed by the Vaughan Planning Department.
- The proposed density for the Block 55 East Plan was approved by Vaughan Council on May 27, 2014 (File BL.55.2013). The proposed Draft Plan of Subdivision File 19T-13V009 conforms to the approved Block 55 East Plan.
- Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026 are currently under review by the Vaughan Planning Department, and their merits and impact on the Greenbelt Plan will be discussed through the technical recommendation report for the applications.
- The proposed PowerStream Kleinburg Transformer Station #4 facility located immediately north of the Block 55 East Plan and the related telecommunication tower that may be required within the transformer station will be reviewed through the standard processes by PowerStream, and by the City when plans are submitted for review.
- The City of Vaughan is currently undertaking a Secondary Suites Study that when completed, will assist in developing the City's secondary suites policy that may apply to the subject lands at a future date.
- The proposed zoning exceptions are identified and discussed in the "Purpose" and "Zoning" sections of this report.
- The Owner provided an addendum letter from Poulos and Chung, the transportation consultant, which advises that the Street 'C' intersection provides for the required sightline and safety criteria which cannot be met at the proposed Kipling Recreation Centre driveway location as detailed in the approved Block 55 Traffic Impact Study and that there is sufficient separation distance between the Street 'C' intersection and the proposed Kipling Recreation Centre driveway.
- During the Block Plan process, the area residents had requested that a minimum 25 m wide landscape buffer be provided and be publically owned, and that there be no residential lots abutting Theresa Circle. Through the approval of the Block 55 East Plan, the Owner accommodated all of the above noted requests and concerns. The landscape buffer, as shown on Attachment #4, was increased to 25 m in width and will be conveyed to a public authority together with the requirement to provide landscape screening. Further, the Block 55 East Plan was amended to eliminate any proposed residential lots abutting Theresa Circle. The Owner has advised that after the Public Hearing they have introduced a requirement for upgraded building elevations for the lots flanking the landscape buffer together with additional on lot landscape screening by adding this provision to the draft Architectural Design Guidelines.
- Through the approved Block 55 East Plan MESP, stormwater from the development areas are conveyed through storm sewers to stormwater management facilities which provide water quality and water quantity controls. The water levels are governed by regional floodlines which extend beyond the development area, and the drainage from the development areas is addressed through the stormwater management facilities such

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that the post-development flows are less than pre-development flows, and therefore, no increase in flow to Swale B1, adjacent to the area residents, would occur as a result of development. However, it is important to note that there is a large existing drainage area outside of the development area which extends north of Kirby Road that contributes flow to this Swale B1 and will continue to contribute flow regardless of the proposed development. The stormwater systems are designed and implemented in accordance with the Toronto and Region Conservation Authority (TRCA), the Ministry of the Environment (MOE), and City of Vaughan criteria.

### Purpose

To seek approval from the Committee of the Whole on the following applications, respecting the subject lands shown on Attachments #2 and #3, to facilitate the development of a residential plan of subdivision, as shown on Attachments #4 and #5:

1. Zoning By-law Amendment File Z.13.042 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the following site-specific zoning exceptions:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88 Requirements</b>	<b>Proposed Exceptions to By-law 1-88 Requirements</b>
a.	Definitions	<p>Zoning By-law 1-88 requires a “Lot” to front onto a street.</p> <p>Zoning By-law 1-88 does not include a definition for the following:</p> <p>i. Attached Garage Accessed By A Lane</p>	<p>Permit a “Lot” to front on a public park or walkway and back onto a public lane to apply to only those lots zoned RT1 Residential Townhouse Zone, that front onto the 3 m walkway within the OS2 Open Space Park Zone and run parallel to Laneway ‘A’.</p> <p>Provide the following site-specific definitions:</p> <p>i. Attached Garage Accessed By A Lane: Means a garage that is accessed by a lane, which is attached to the rear wall of a dwelling unit.</p>

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		<p>ii. Attachment</p> <p>iii. Detached Garage Located in the Rear Yard</p> <p>iv. Finished Floor</p> <p>v. Hydro-Gas Meter Screen</p> <p>vi. Wingwall</p>	<p>ii. Attachment: Means a covered and enclosed or unenclosed passage connecting a dwelling unit and a detached garage that is located in the rear yard of a lot that is accessed by a lane.</p> <p>iii. Detached Garage Located in the Rear Yard: Means a detached garage that is located in the rear yard of a lot that is accessed by a lane which may include an Attachment.</p> <p>iv. Finished Floor: Means an elevation of the finished level of a first storey floor slab with adjoining exterior walls of a building or structure.</p> <p>v. Hydro-Gas Meter Screen: Means a structure, not being a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of Hydro Meter or Gas Meter utilities.</p> <p>vi. Wingwall: Means a smaller wall attached and projecting from a larger wall of a building or structure.</p>
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>
a.	Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond	3.5 m	1.2 m

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b.	Minimum Interior Side Yard Setback in a RD4 Residential Detached Zone Four	1.2 m, and for lots with a frontage equal to or less than 9.5 m, the minimum interior side yard on one side may be reduced to 0.6 m, where it abuts a yard of 1.2 m	1.2 m, which be reduced to 0.6 m on one interior side yard and abut an interior side yard of 1.2 m or 0.6 m. This provision shall not apply to lands abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond.
c.	Minimum Interior Garage Dimensions for RD4 Residential Detached Zone Four with lot frontage greater than 11.99 m or lot frontage (corner lot) greater than 14.99 m	5.5 m x 6 m (width x length)	3 x 6 m (width x length)
d.	Permitted Yard Encroachments and Restrictions	<p>i. The following are not permitted Yard Encroachments:</p> <ul style="list-style-type: none"> <li>• Fireplaces, pilasters</li> <li>• Hydro-Gas Meter screens and wingwalls</li> <li>• Covered and unenclosed porches and/or balconies with or without foundations</li> </ul> <p>ii. Exterior stairways may extend into a required interior side yard to a maximum distance of 0.3 m and may extend into a required front, exterior side or rear yard to a maximum of 1.8 m</p>	<p>i. Permit Fireplaces, Pilasters, Hydro-Gas Meter screens, wingwalls, covered and unenclosed porches and/or balconies with or without foundations as yard encroachments</p> <p>ii. Exterior stairways, with or without foundations, may extend greater than 1.8 m into a front yard and exterior side yard, up to a maximum of 0.6 m from a front or exterior lot line</p>



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e.	Projection of Flankage Elevation	No garage shall project into the front yard or exterior yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2 m where there is a covered and unenclosed porch	For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling
f.	Setbacks adjacent to TransCanada Pipeline	Schedule 'A3' shall stipulate required yard setbacks for RD1, RD2, RD3 and RD4 Residential Detached Zones	No permanent building or structure may be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the pipeline right-of-way.

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-387 and 455)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-387 and 455)</b>
a.	Maximum Building Height	11 m	14 m and 3-storeys
b.	Minimum Front Yard Setback	4.5 m	3 m
c.	Minimum Exterior Side Yard Setback	4.5 m	3 m
d.	Minimum Lot Depth for a Townhouse on a Lot Accessed By a Lane	30 m	27 m

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e.	Minimum Lot Area for a Townhouse on a Lot Accessed By a Lane	180 m <sup>2</sup>	162 m <sup>2</sup>
f.	Minimum Rear Yard Setback to a Townhouse Dwelling on a Lot Accessed By A Lane	15 m	12.5 m
g.	Permitted Yard Encroachments and Restrictions for lands zoned RT1 Residential Townhouse Zone	Porches and balconies which are uncovered, unexcavated and unenclosed which is not constructed on footings may extending into a required rear yard to a maximum of 1.8 m	A covered or uncovered porch and/or balcony which is open and unenclosed with or without foundations shall be permitted and shall not extend from the main rear wall of a dwelling unit beyond a maximum of 1.8 m
h.	Location of Covered or Uncovered Balcony	A covered or uncovered balcony is not permitted above an attached garage	A covered or uncovered balcony, which is open and unenclosed, shall be permitted above an attached garage where access is only provided from within the dwelling unit, with a minimum area of 10 m <sup>2</sup>
i.	Maximum Garage Width on a Lot with a Frontage Less Than 11 m	3 m	Shall not apply
j.	Minimum Rear Yard Setback to a Detached Garage Located In The Rear Yard in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	15 m	1 m

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k.	Minimum Interior Side Yard Setback to a Garage Attached to Another Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	1.2 m	0 m (Lane "A" only)
l.	Minimum Exterior Side Yard Setback for a Detached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	4.5 m	3 m
m.	Minimum Distance From the Main Rear Wall of a Dwelling Unit To A Detached Garage	7.5 m	5 m
n.	Minimum Distance From the Nearest Wall of a Dwelling Unit to an Attached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	0 m
o.	Maximum Width of an Attachment in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	2.5 m (for the portion of an Attachment between a dwelling unit and a detached garage accessed by a lane)

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p.	Minimum Interior Side Yard Setback of an Attachment in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	0 m (only where it is attached to another Attachment)
q.	Measurement of Maximum Height for a Detached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	The maximum height shall be measured from the average finished ground level to the highest point of the building or structure	Detached garage height shall be measured from the Finished Floor level at the garage entrance door to the highest point of said building or structure and shall be a maximum of 4.5 m, and the nearest part of the roof shall not be more than 3.0 m above Finished Floor level
r.	Projection of Flankage Elevation	No garage shall project into the front yard or exterior yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2 m where there is a covered and unenclosed porch	For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling

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s.	Home Occupation Use, Parking Requirement and Additional Provisions	<p>A Home Occupation use is limited to the Office of a Regulated Health Professional only</p> <p>Residential Parking requirement plus the requirement for the home occupation use</p> <p>Only 1 home occupation use is permitted in a dwelling unit</p>	<p>The following additional home occupation uses:</p> <ul style="list-style-type: none"> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Retail Store</li> </ul> <p>The parking space requirement for the home occupation use shall be 1 parking space in addition to the standard residential requirement</p> <p>The following additional site-specific provisions shall apply to the home occupation use:</p> <ul style="list-style-type: none"> <li>- A maximum of 1 home occupation use is permitted per dwelling unit;</li> <li>- The home occupation use shall be restricted to the ground floor of the dwelling unit only;</li> <li>- The ground floor of the dwelling unit shall be used only for the provision of the home occupation use, and shall only permit any required vehicular or pedestrian access for the residential component of the dwelling; and,</li> <li>- The home occupation use shall be restricted to the townhouse dwelling units in Blocks 382 and 455 only</li> </ul>
t.	Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond	3.5 m	1.2 m

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2. Draft Plan of Subdivision File 19T-13V009 to facilitate the development of a residential plan of subdivision with the following site statistics:

<u>Lot/Block Number</u>	<u>Land Use</u>	<u>Units</u>	<u>Area(ha)</u>
1-381	Single Detached Dwellings	381	19.60
382-387	Townhouse Dwellings (including live/work units)	33	0.72
388-389	Park		1.51
390-397	Landscape Area		1.52
398	Stormwater Management		0.61
399-419	Open Space (Open Space/Walkways/Buffers)		17.60
420-433	Landscape Restoration Area		1.02
434-439	TransCanada Pipeline		0.92
440-458	Part Blocks (Residential)	11	0.64
459-460	Road Widening		0.05
461-523	Reserves		0.02
Roads	Roads and Laneways		9.91
TOTAL		425	54.12ha

**Background - Analysis and Options**

**Location**

The subject lands are located on the west side of Kipling Avenue, south of Kirby Road, municipally known as 11178 Kipling Avenue, shown as "Subject Lands" on Attachments #2 and #3.

**Block 55 East Plan – Vaughan Council Resolution**

In July 2013, the Block 55 (Kleinburg Summit) Landowners Group submitted Block Plan File BL.55.2013 for the Block 55 East area to provide the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth. The Block 55 East Plan, as shown on Attachment #6, was approved by Vaughan Council on May 27, 2014, subject to the following conditions (in part):

- "2. That prior to draft approval of the first plan of subdivision in the Block 55 East Plan area:
- i. The Block Plan technical submissions and supporting studies be updated, to the satisfaction of the pertinent departments and agencies, to reflect the measures taken to establish the Block Plan; and,
  - ii. The outstanding issues identified in this report be addressed to the satisfaction of the pertinent agencies."

Specifically, the issues to be addressed, as outlined in the report for File BL.55.2013 are as follows:

- i. That the Block Plan application technical submissions and supporting studies be updated as may be necessary to reflect the measures taken to establish the Block Plan. This will include addressing all outstanding technical comments provided by all City departments and external agencies;

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- ii. That updated preliminary grading plans and cross-sections be provided by the applicant to the satisfaction of the TRCA and City to demonstrate the technical feasibility of the adjustments to the grading plans. The revised preliminary grading plans and cross-sections should include the existing and proposed grades, as well as the proposed development limits and all natural features/hazards, buffers and minimum vegetation protection zones (MVPZs);
- iii. That the applicant determine the source of the groundwater discharge/seepage areas along the eastern East Humber River valley wall and evaluate how they will be maintained post-development to the satisfaction of the TRCA and City;
- iv. That the City be satisfied that the revised Traffic Impact Study and Transportation Demand Management plan are satisfactory.

On August 7, 2014, the Vaughan Planning Department, Policy Division advised that the outstanding requirements for the Block 55 East Plan application identified above have been satisfied. Therefore, this Draft Plan of Subdivision can be processed at this time.

Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated “KN Low-Rise Residential I”, “KN Low-Rise Residential II”, “KN Low-Rise Residential III”, “KN Low-Rise Mixed-Use II”, “Natural Areas”, “Agricultural”, and “Utility Corridor” by the North Kleinburg-Nashville Secondary Plan (NKNSP), which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) and was approved by the Ontario Municipal Board (OMB) on November 4, 2012. Further, the OMB substantially approved Volume 1 of VOP 2010 on February 3, 2014.

The NKNSP establishes 3 new neighbourhoods (Village of Nashville, Huntington Road Community, and Kipling Avenue Community) within the Secondary Plan area. The subject lands are located in the Kipling Avenue Community Neighbourhood. The Neighbourhood Development objectives of the NKNSP are to create an urban environment that provides for safe, functional and attractive residential/mixed-use neighbourhoods, while accommodating for the projected development potential of approximately 1,650 new dwelling units through the entire developable land area of the NKNSP. Further, each new neighbourhood must be cohesive and complete, with a mix of housing types, land-uses and activities. Finally, the NKNSP projects a density target of 30 residents and jobs per hectare for the Kipling Avenue Community.

The proposed draft plan of subdivision located within the Block 55 East Plan (Attachment #6) facilitates the development of a cohesive and complete community, with a mix of land-uses, housing types and activities. Further, the proposed draft plan of subdivision will partially implement the overall density of 34.8 persons and jobs per hectare that was approved through the Block 55 East Plan. The overall density of 34.8 persons and jobs per hectare will be achieved upon the full build-out of the Block 55 East Plan. Therefore, the proposed draft plan of subdivision conforms to the NKNSP and the approved Block 55 East Plan.

Zoning By-law 1-88

The subject lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #3. In order to implement the proposed draft plan of subdivision shown on Attachment #4, an amendment to Zoning By-law 1-88 is required. Specifically, the Owner is proposing to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding

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Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.

The residential lands will be zoned with a Holding Symbol “(H)” until servicing capacity for the lands has been identified and allocated by Vaughan Council, for the entirety of the proposed plan of subdivision. This is discussed in greater detail in the Vaughan Development/Transportation Engineering section, and a condition to this effect is included in the recommendation of this report.

a) Residential, Mixed-Use Residential/Commercial and Commercial Lands

The Owner is proposing to rezone the residential lands to be used for Single Detached Dwellings as RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three and RD4(H) Residential Detached Zone Four, all with a Holding Symbol “(H)”. These lands include Blocks 1-381, 440-454 and 456-458 within the draft plan of subdivision. The land to be used for Street Townhouse Dwellings, being Blocks 382-387 and 455 within the draft plan of subdivision, is proposed to be rezoned as RT1(H) Residential Townhouse Zone with a Holding Symbol “(H)”.

The owner is proposing site-specific zoning exceptions to the above-noted zoning categories, as shown in Table 1 of this report.

The Vaughan Planning Department has no objections to the proposed zoning exceptions to the RD1, RD2, RD3 and RD4 Zone standards. The reduction to the minimum interior side yard setback for lots abutting a walkway, greenway, buffer block or stormwater management pond is considered minor in nature and will facilitate the appropriate development of the lands, in accordance with the approved Block 55 East Plan, and associated Urban Design and Architectural Design Guidelines. In addition, the Vaughan Parks Development Department and the Toronto and Region Conservation Authority (TRCA) have advised that the reduction to a 1.2 m setback is appropriate and will not negatively impact any adjacent OS1 and OS2 zoned lands.

The proposed exception to permit an interior side yard to 0.6 m to abut another interior side yard of 0.6 m in the RD4 Residential Detached Zone Four will facilitate the pairing of driveways, which is a design feature that was approved through the Block 55 East Plan Urban Design Guidelines. The proposal is minor in nature and will not negatively affect any adjacent lands. The proposal to permit a reduction in garage width for lands zoned RD4 Residential Detached Zone Four with a lot frontage greater than 11.99 m or 14.99 m (for a corner lot) is technical and minor in nature. These lots will maintain single car garages with a width of 3.0 m. However, some lots zoned RD4 Residential Detached Zone Four have lot frontages greater than 11.99 m or 14.99 m (for a corner lot). In these cases, the Owner can maintain single detached dwellings with single car garages, and the ability to maintain a minimum interior garage width of 3.0 m, rather than 5.5 m as required by Zoning By-law 1-88.

The Owner proposes to permit additional building elements to encroach not more than 0.5 m into a required yard, including fireplaces, pilasters, Hydro-Gas meter screens, wingwalls and covered and unenclosed porches and/or balconies with or without foundations, whereas Zoning By-law 1-88 does not permit these items to encroach into the required yard. Therefore, as the Owner is maintaining the standard encroachment permission of 0.5 m for these additional building elements, the Vaughan Planning Department has no objection. In addition, the Owner is proposing definitions to these



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items where required, as outlined in Table 1 of this report. The Owner is also proposing to permit exterior stairways to encroach beyond 1.8 m into a required front or exterior side yard, up to a maximum of 0.6 m from the front or exterior side yard lot line. The additional encroachment permission for exterior stairways will not negatively impact any adjacent properties, will facilitate the design and development of the future Single Detached Dwellings, and will maintain the Vaughan Development/Transportation Engineering Department's Lot Grading Criteria which requires a minimum 0.6 m setback from all lot lines.

The Owner is proposing that the following wording apply to all proposed Residential Zones, as shown in Table 1 of this report:

“For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling”.

This additional wording has been agreed to by the Owner and the Vaughan Building Standards Department, and permits the implementation of enhanced architectural detailing of the front and flankage elevations for corner lot dwelling units while maintaining compliance with the provisions of Zoning By-law 1-88.

As per a requirement from TransCanada Pipeline Limited (TCPL), the Owner shall maintain a minimum setback of 7 m from any permanent building or structure to the pipeline right-of-way. As well, the Owner shall maintain a minimum setback of 3 m from any accessory buildings or structures to the pipeline right-of-way.

The Vaughan Planning Department has no objection to the proposed exceptions to the RT1 Residential Townhouse Zone. The proposal to increase the maximum building height to 14m and 3 storeys conforms to the policies of the North Kleinburg-Nashville Secondary Plan (NKNSP) and is considered minor in nature. The proposal to reduce both the front and exterior side yard setbacks to 3 m from 4.5 m will permit street townhouse dwelling units closer to the street frontage and the OS2 Open Space Park Zone, which will contribute positively to the pedestrian environment and will animate the street. This proposal conforms to the policies of the NKNSP.

The street townhouse dwelling units are designed to be accessed by a required City standard 13 m wide laneway (Lane A as shown on Attachment #4) and requires an exception to the minimum required lot depth from 30 m to 27 m, and a corresponding exception to the minimum required lot area from 180 m<sup>2</sup> to 162 m<sup>2</sup>. The additional exceptions respecting the definition of lot, lot area and yards are required to facilitate the lane access and park frontage for the proposed street townhouse blocks, and will facilitate the design of the street townhouse dwellings as proposed in the Vaughan Council approved Block 55 Urban Design Guidelines.

The proposal to permit covered or uncovered porches and/or balconies which are open and unenclosed with or without foundations is considered minor in nature and appropriate for the development of the subject lands, as the owner is maintaining the encroachment into the required rear yard of 1.8 m, as per Zoning By-law 1-88. As well, to facilitate the design of the street townhouse dwelling as intended in the approved Urban Design Guidelines, the Owner is proposing to permit a covered or uncovered balcony, which is open and unenclosed, above an attached garage. The area of the balcony will not exceed that of the attached garage and will add additional amenity space for the residents of the street townhouse dwellings. The balcony can only be accessed from a private entrance within the street townhouse dwelling.

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The Owner is proposing the addition of a definition of “Attachment”, as shown in Table 1, to facilitate an enclosed connection between a detached garage associated with a street townhouse dwelling that will facilitate development in accordance with the approved Urban Design Guidelines. As well, the Owner is proposing the addition of a definition of “Finished Floor” and will be using said definition in the calculation of maximum building height for any detached garage. As the Owner is maintaining the maximum building height for a detached garage as stipulated in Zoning By-law 1-88 (4.5 m to highest point of the detached garage) and maintaining the nearest part of the roof at 3.0 m above the Finished Floor level, the proposal is considered minor in nature and appropriate for the development of the lands.

In addition to the standard street townhouse dwellings, the Owner is proposing the addition of live/work street townhouse dwellings. The total number of live/work units within the entire Block 55 East Plan is 12 units. For this draft plan of subdivision, the live/work units are proposed to be in Blocks 382 to 387 and 455, as shown on Attachment #4. The live/work units were contemplated within the approved Block 55 East Plan, and including them within the proposed draft plan of subdivision ensures the proposed plan conforms to the NKNSP, through the provision of a mix of land-uses and activities to ensure the creation of a complete community. As such, the Owner is requesting exceptions to specific Home Occupation provisions, as detailed in Zoning By-law 1-88, Section 4.1.5 and in Table 1 of this report. The Vaughan Planning Department can support the proposed live/work units in this location and the proposed exceptions as detailed in Table 1, including the additional home occupation uses of a Business or Professional Office a Personal Service Shop, and a Retail Store, which will ensure the draft plan of subdivision conforms to the NKNSP, and the approved Block 55 East Plan, through the provision of employment, a mix of land-uses and activities, and creating a complete community.

The proposed street townhouse dwellings are subject to a future Site Development Application, which is discussed in greater detail below.

#### a) Non-Residential Lands

The Owner is proposing to rezone the non-residential and commercial lands, to be used for various Open Space, Landscape Restoration, Park Blocks, and TransCanada Pipeline, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. These lands include Blocks 388-439 within the draft plan of subdivision.

The owner is not proposing any exceptions to the OS1 Open Space Conservation Zone or the OS2 Open Space Park Zone.

#### Subdivision Design

The 54.12 ha draft plan of subdivision is shown on Attachment #4. The draft plan of subdivision includes a mid-block collector road (Street ‘A’) with a right-of-way of 23 m. Street ‘A’ will accommodate pedestrian movement, transit vehicles, and encourage cycling through appropriate cycling crossing signage and pavement markings. Adjacent to Street ‘A’ is an existing Hydro Corridor that traverses the entirety of the draft plan of subdivision. The Hydro Corridor will accommodate Hydro-One transmission towers and an at-grade multi-use pathway, which will extend the length of the Hydro Corridor and will accommodate multi-modal forms of movement. Two local parks are proposed, shown as Blocks 388 and 389, respectively, on Attachment #4. The local park shown as Block 388 is proposed adjacent to Street ‘A’, south of Street ‘N’ and adjacent to the Street Townhouse Dwellings. The local park shown as Block 389 is adjacent to Street ‘B’, Street ‘M’, and Street ‘L’.

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

#### Developer's Group Agreement

It is a standard condition of draft plan of subdivision approval that the participating landowners for the block execute a developer's group agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces.

#### Future Site Development Application(s)

The Owner will be required to submit a Site Development Application(s) for the proposed development of the street townhouse dwelling units and live/work street townhouse dwelling units (Blocks 382-387 and 455). Matters to be reviewed through the future Site Development application review process include, but are not limited to, appropriate building and site design; pedestrian, barrier free and vehicular access; internal traffic circulation; sustainable site and building features; parking; landscaping; and, stormwater management, servicing and grading.

#### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the proposed draft plan of subdivision and has provided the following comments and conditions of approval in Attachment #1:

#### Development/Transportation Engineering

##### a) Road Network

Monarch Castlepoint Kipling North Development is bounded on the east side by Kipling Avenue, Kirby Road on the north side and Teston Road/ Stegman's Mill Road on the south side. The proposed internal road network feeds off the boundary roads and consists of a series of local collector roads, local roads and window streets that incorporate the City Standards. Road connections to arterial roads for the Plan include one on the south limit onto Teston Road/ Stegman's Mill Road, one to the east limit onto Kipling Avenue and one to the north onto Kirby Road. Also, the draft plan is traversed north to south by a Hydro easement and west to east by the TransCanada Pipeline easement.

The proposed roads within the draft plan are to be constructed as 23.0m, 18.5m, 17.5m, and 15.0m R.O.W., and 8.0m laneways as per the current City road design standards. Street "G" westerly from Street "A" is proposed at 19.0m. However, the proposed 19.0m right-of-way cross section is a standard 17.5m R.O.W. with an additional 1.5m boulevard and meets the City criteria with regards to location of under/above ground utilities, municipal servicing and pavement design.

Laneway "A" is being proposed in the draft plan. The proposed laneway has been modified to 13 metre wide laneway to accommodate the streetlights and municipal services that are required to service the Townhouse Units fronting the Park Block. This modification is to avoid servicing conflict and improve vehicle turning movements and pedestrian safety and visibility.

##### b) Sidewalk Plan

Kleinburg Summit is designed to facilitate non-automobile movement. The proposed

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pedestrian system will consist of an on and off road trail system that links with the proposed road network and connects to the residential community internally to all schools, community facilities, commercial blocks, recreational activities, neighbourhood park and parkettes, storm water management facilities, utility corridors and wider natural heritage trails. Where possible, single loaded roads, stormwater ponds and parks have been located next to the natural features to provide pedestrian access or views into the natural areas. A central multi-use trail within the hydro corridor will be extended from Kirby Road to Teston Road. The internal sidewalk plan should comply with the approved Transportation Management and Sidewalk Master Plan.

Intersection improvements are required at Street “B” and Kipling Avenue, and Street “A” and Kirby Road. There is no urbanization of boundary roads required, with the exception of the area which has intersection improvements, and there will be a portion of the intersection with curb and gutter transitioning back to existing ditch alignments. Part of the external works is to construct the Stegmans Mill Road sidewalk extension to connect Block 55 to the existing sidewalk at Bindertwine Park in the Village of Kleinburg according to the MESP, TIS and TDM.

#### c) Water Servicing

The lands are within the Kleinburg-Nashville Pressure District (PD KN) of the York Water Supply System. In accordance with the Block 55E MESP, the initial phases (approx. 450 units) will be serviced within PD KN by extending the 400mm watermain on Highway 27 at Hedgerow Lane north to Kirby Road, east along Kirby Road, then south along Street “A”.

A secondary watermain feed for security and looping purposes will be provided via a proposed 300mm watermain connection to the existing 200mm diameter watermain on Stegman’s Mill Road east of Ravendale Court. This secondary feed will require extending a proposed 300mm diameter on Stegman’s Mill Road east connecting to the proposed watermain on Street “A”.

A connection to a future Pressure District 7 (PD7) 400mm diameter watermain on Teston Road at Pine Valley (Block 40/47N west development limit – first intersection west of Pine Valley Drive) will be required to support later development phases.

The City is planning to program repayment from City Wide Development Charge starting in the 2015 Capital Budget over a multi-year repayment schedule.

#### d) Sanitary Servicing

The lands are ultimately tributary to the Jane-Rutherford Sanitary Trunk located within the Maple Service Area of the York-Durham Sewage System. The closest existing gravity sewer to the subject lands is currently located in Block 39 at Major Mackenzie Drive, west of Weston Road.

The lands will be serviced via local sanitary sewers and will discharge to a proposed sanitary pumping station (Block 55E SPS) which will be located at the northeast corner of Teston Road and Street “A”. A proposed sanitary forcemain from this pumping station will direct flows east to a future outlet on Teston Road near the west development limit of Block 40/47.

The ultimate sanitary sewer outlet is dependent on the construction of the future Pine Valley North Sewage Pump Station (PVNSPS) located in Block 40, southeast of

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Purpleville Creek, which will discharge flows to Block 39. The PVNSPS and future sanitary sewer outlet on Teston Road will be constructed in conjunction with the development of Block 40/47N.

In the event that the required future infrastructure to be constructed by the Block 40/47 development is not available by the time of the Block 55E SPS and forcemain installation, the lands can be serviced in an interim basis by one of the following three options; Option 1 is to extend the sanitary forcemain along Teston Road to Pine Valley Drive, then south on Pine Valley Drive to a future gravity sewer at the west side of Block 40, approximately 900m south of Teston Road. In the event the future gravity sewer in Option "1" is unavailable, Option 2 would be to extend the forcemain further south on Pine Valley Drive to Major Mackenzie Drive, then east on Major Mackenzie Drive to an existing gravity sewer on Lawford Road/Fossil Hill Road. Option 3 would be to extend the sanitary forcemain east on Teston Road to an existing sanitary sewer at Weston Road.

The Block 55 Landowners will be required to enter into the Block 55 Landowners agreement and Block 55 Trustee shall issue a clearance letter to all development plans within Block 55.

e) Storm Drainage

The lands are located within the East Humber River Subwatershed. The lands are traversed by three unnamed tributaries of the East Humber River; one tributary is located just outside the north east development limit of 19T-13V009 and runs southeast to an existing culvert at Kipling Avenue approximately 600m south of Kirby Road. The second tributary runs through both plans to an existing culvert at Kipling Avenue approximately 750m north of Teston Road. The third tributary is located southeast of the 19T-13V008 development limit and drains to an existing culvert on Teston Road, west of Kipling Avenue.

The storm water management plan for the lands proposes a total of five storm water management facilities (four ponds in 19T-13V008, one pond in 19T-13V009). The SWM facilities are proposed to control the urban storm water runoff to the target release rates established for the East Humber River watershed.

As part of the engineering design and prior to the initiation of any grading on the draft plan, the applicant shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands. This report shall describe the proposed drainage system to develop the subject lands and include, but not be limited to, the following items:

- (i) Plans illustrating the proposed system and its connection into the existing storm system;
- (ii) Storm water management techniques that may be required to control minor or major flows;
- (iii) Detail all external tributary lands, and include the existing development(s); and,
- (iv) Proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The municipal servicing design shall conform to the approved Block 55 East Block Plan and MESP.

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f) Sewage and Water Allocation

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Availability of this capacity is subject to the construction and anticipated in-service date for the Regional Southeast Collector (SEC) Sewer expected by Q4-2014.

On April 7, 2014, written confirmation from York Region was received confirming completion of the SEC project remains on schedule and is within twelve months of the anticipated in-service date.

Servicing capacity to Phase One of the Block 55 East Community (for 446 residential units) was reserved by Council resolution in conjunction with Block Plan Approval on May 27, 2014.

To date, York Region has provided clearance to the City permitting the registration of development applications up to an allowable population of 12,377 persons equivalent of servicing capacity linked to the construction of the SEC. Accordingly, servicing capacity for Phase 1 of the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity to Phase 1 of the subject development may be recommended for Council approval:

"THAT Draft Plan of Subdivision File 19T-13V009 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 288 residential units (1,031 persons equivalent)."

At this time, the Owner has not identified the specific 288 residential units within the proposed draft plan of subdivision, which should receive the above mentioned allocation of servicing capacity. Therefore, even though a portion of the proposed draft plan of subdivision can be allocated servicing capacity, the entirety of the residential lands will be zoned with a Holding Symbol "(H)".

The municipal servicing design shall conform to the approved Block 55 East Block Plan and MESP.

g) Environmental Noise Impact

As noted in the preliminary noise report, the Owner is required to submit a noise report for review and approval by the City as part of the detailed engineering submission. The City requires all dwelling units that abut or face an arterial road such as Kipling Avenue, Teston Road, and Kirby Road be constructed with mandatory central air-conditioning. The preliminary noise report proposes additional measures to mitigate noise by constructing acoustic barrier and berm, air conditioning and potentially upgraded building components such as windows. Kipling Avenue, Kirby Road and Teston Road are being proposed with acoustic fences ranging in height abutting public lands that will be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3m road reserve.

h) Street-lighting

The streetlighting shall meet the City criteria within the draft plan. The intersection of Street "A" and Teston Road shall be illuminated to City standards. Also the streetlighting at the intersection of Street "C" and Kipling Avenue shall meet the City standards criteria.

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##### Environmental Engineering

Environmental Engineering staff reviewed the following environmental site assessment (ESA) related documents that were submitted in response to comments dated March 25, 2014:

- i. Hard copies and pdf electronic versions of the Phase One ESA reports dated January 23, 2012 and Phase Two ESA reports dated February 29, 2012;
- ii. SPL Consultants Ltd. (SPL) letter report entitled “Phase One Environmental Site Assessment Update, Part 1 to 19, Part of Lot 29 and 28, Concession 8 of Plan 65R-32602, Vaughan, Ontario” dated April 30, 2014; and,
- iii. SPL letter entitled “Letter of Reliance – Environmental Site Assessments, Kleinburg Summit, Block 22, Part of Lots 28 & 29, Concession 8” dated May 12, 2014.

Based on the review of the above noted documents, no further ESA documents are required at this time in order for the development application to proceed to Committee of the Whole.

##### Vaughan Planning Department - Cultural Heritage Division

The Cultural Heritage Division has reviewed the draft plan of subdivision and advises the following:

- i. The subject property previously contained a building at 11178 Kipling Avenue, which is listed on the Register of Property of Cultural Heritage Value, as per Section 27 of the Ontario Heritage Act. This building was destroyed by a fire in 2009 and nothing of it remains on the subject property;
- ii. The applicant has submitted a Cultural Heritage Resource Impact Assessment report as per Chapter 6 of the Vaughan Official Plan 2010, Volume 1. This requirement has been fulfilled and no further CHRIA reports are required;
- iii. On February 25, 2014, Heritage Vaughan recommended approval of the recommendations contained in the Owner's CHIA, as follows:

Heritage Vaughan advises Council:

1. That recommendations 2, 3, 4, and 5 contained in the Consultant's report were approved, as follows, to be pursued through the Block Plan process at the cost of the applicant to the satisfaction of the City;
  - i. That the Henry CHL be a publicly accessible site and; a demolition and a conservation plan be in place to conserve important landscape features, including the gate, fence, lane, parts of the veranda and parts of the house and barn foundations above grade;
  - ii. The 3 heritage sites be commemorated through street naming and interpretive plaques;
  - iii. The McCutcheon House be commemorated with a heritage themed sculpture or structure placed in a publicly accessible open space area on or near lands that were once part of the farm;

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- iv. Financial security be posted with the municipality to implement the recommendations; and,
- 2. That the applicant was requested to incorporate some of the architectural designs of the McCutcheon House and the John S. Henry house into the architectural designs of the new homes located within the streets where these historic homes were originally located, and to use the names of local historical homes where possible when naming streets and public spaces in this development; and,
- 3. That the City was requested to consider incorporating the heritage landscape elements into the parks development design and when the design is brought forward that heritage designation be considered.
- iv. The applicant has submitted a Stage 2 archaeological assessment titled Stage 2 Archaeological Assessment for the: Proposed Development of Block 55 East, Draft Plans 19T-13V008 (Kipling South) & 19T-13V009 (Kipling North), and Greco Property, Farruggio Property & 1539028 Ontario Inc. Property, Within Parts of Lots 26-30, Concession 8, In the Former Geographic Township of Vaughan, Historical County of York, Now the City of Vaughan, Regional Municipality of York, Ontario. Project #219-VA832-12, PIF #P029-850-2012, dated January 17, 2014 as part of the Block Plan submission. The report recommends that a further Stage 3 Archaeological Assessment will be required. Cultural Heritage will await the Stage 3 report and the acceptance letter from the Ministry of Tourism, Culture and Sport for the Stage 3 report;
- v. Cultural Heritage staff has received a letter from the Ministry of Tourism, Culture and Sport, dated March 19, 2014, accepting the report titled Stage 2 Archaeological Assessment for the: Proposed Development of Block 55 East, Draft Plans 19T-13V008 (Kipling South) and 19T-13V009 (Kipling North), and Greco Property, Farruggio Property and 1539028 Ontario Inc. Property, Within Parts of Lots 26-30, Concession 8, In the Geographic Township of Vaughan, Historical County of York, Now the City of Vaughan, Regional Municipality of York, Ontario. Filed with MTCS Toronto Office on Mar 18, 2014, MTCS Project Information Form Number P029-850-2012, MTCS File Number 0000809. The letter concurs with the recommendation in the report that a further Stage 3 Assessment is required.

#### Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposal and is satisfied with the draft plan of subdivision, subject to the conditions of approval included in Attachment #1.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall dedicate land or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 1 ha per 300 units or 5% the value of the subject lands or units of the value of the subject lands, prior to the issuance of a Building Permit for the residential component, whichever is higher, and 2% for the commercial component, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. This is included in the recommendation of this report.



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

The TRCA, in a letter provided to the City of Vaughan dated August 13, 2014, recommends approval of Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

##### Hydro One

Hydro One, in a letter provided to the City of Vaughan dated March 11, 2014, states that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

##### York Region District School Board (YRDSB)

The YRDSB, in a letter provided to the City of Vaughan dated June 4, 2014, advised that the YRDSB will not require a public elementary school site within the proposed Draft Plan of Subdivision File 19T-13V009.

##### York Catholic District School Board (YCDSB)

The YCDSB, in a letter provided to the City of Vaughan dated March 20, 2014, advised that the YCDSB will not require a catholic elementary school within the entirety of the Block 55 East Plan area, which includes the subject lands.

##### Bell Mobility and Development and Municipal Services Control Centre

In a letter dated June 2, 2014, Bell Mobility expressed interest in locating telecommunication infrastructure within the Draft Plan of Subdivision File 19T-13V009. The preferred method of deployment would be the installation of approximately 20 small cell units affixed to light standards within the draft plan of subdivision, rather than the construction of a single, large multi-carrier telecommunication tower. Both the Owner and the City of Vaughan are in agreement for the preferred method, as proposed by Bell Mobility. The Owner has advised that they will work with Bell Mobility at the detailed design stage of the plan of subdivision.

In a letter dated April 16, 2014, Bell Development and Municipal Services Control Centre advised that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

##### Canada Post

In a letter dated March 14, 2014, Canada Post advised that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

##### Enbridge Gas Distribution

In a letter dated April 16, 2014, Enbridge Gas Distribution advised that they have no objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions of approval in Attachment #1.

##### PowerStream

In a letter dated March 11, 2014, PowerStream advised that they have no comments or objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042.

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#### TransCanada Pipeline Limited

In a letter dated May 29, 2014, Lehman & Associates, c/o TransCanada Pipelines Limited, advised the following:

- TransCanada has one high pressure natural gas pipeline crossing the subject lands.
- As outlined in our letter to the City in September 2013 regarding the Block Plan, to proceed with a pathway within the right-of-way, TransCanada requires either buried concrete slabbing along the entire length of the pipe where the pathway is proposed, at the owners cost, or the pathway must maintain a minimum 3m separation from the pipeline edge for the entire length of the pathway where it lies in the right-of-way. Where a pathway will cross over the right-of-way at 90 degrees, requirements could include slabbing at the crossing point, or installation of marker tape below ground or a combination of both. The pathway crossing must not exceed 3m within the right-of-way.
- Pipeline integrity digs will be required at all the 3 paved road crossing locations at the cost of the owner. Pre-engineering and final cost reimbursement agreements will be required between the Owner and TransCanada for the cost estimate of the work. Please be advised that the pipeline integrity work may take 12-18 months or more from the date the pre-engineering agreement is signed.
- We note that the draft By-law contains a 7m setback from the pipeline right-of-way. We request the following revision to reflect TransCanada's standard setback:
  - No permanent building or structure may be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.

As discussed above, the implementing Zoning By-law will include the revised language from TransCanada Pipelines Limited regarding the appropriate setbacks from the pipeline right-of-way.

Since the amendment to the original draft zoning by-law has been made, TransCanada Pipelines Limited has advised that they have no further objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

i) Lead and Promote Environmental Sustainability

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

ii) Plan and Manage Growth & Economic Vitality

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

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 9, 2014**

Item 57, CW Report No. 36 – Page 27

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

As discussed above, the Owner is proposing several cultural heritage features in the proposed development. The Vaughan Cultural Heritage Division of the Planning Department and Heritage Vaughan have reviewed the proposal and supports the proposed development subject to the comments in this report.

iv) Enhance and Ensure Community Safety/Health and Wellness

The proposed development includes several public parks, multi-use pathways, sidewalks, amenity space, cycling signage, and open space trails to enhance the City's existing inventory of public amenity space.

**Regional Implications**

In a letter dated June 4, 2014, York Region stated they have no objection to draft plan approval for Draft Plan of Subdivision File 19T-13V009, subject to the Conditions of Approval in Attachment #1.

**Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 425 dwelling units, open space blocks, park blocks, a stormwater management block, landscape areas and landscape restoration areas. The applications meet the objectives of the Provincial policies, and Regional and City Official Plan policies for the efficient use of developable land, which provides sustainable community objectives that can be implemented through neighbourhood designs that provide bicycling and walking opportunities, ensures neighbourhood connectivity to the broader community, and provides water and energy efficiencies, energy alternatives and green building design and site development. The sustainable objectives for the subject lands propose low impact development (LID) measures such as infiltration trenches.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #4 can be developed in a manner that is appropriate and compatible with the existing community. The Planning Department can support the approval of the Zoning By-law Amendment File Z.13.042 and the proposed Draft Plan of Subdivision File 19T-13V009, subject to the recommendations in this report, and the conditions of approval as set out in Attachment #1.

**Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Draft Plan of Subdivision (File 19T-13V009)
5. Proposed Zoning (File Z.13.042)
6. Approved Block 55 East Plan (File BL.55.2013)

**Report prepared by:**

Daniel Woolfson, Planner, ext. 8213  
Carmela Marrelli, Senior Planner, ext. 8791

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

**Britto, John**

<b>C 10</b> <b>COMMUNICATION</b> <b>CW - SEPT 2/14</b> <b>ITEM - 56 AND 57</b>
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**From:** Woolfson, Daniel  
**Sent:** Friday, August 29, 2014 9:05 AM  
**To:** Britto, John  
**Cc:** Clerks@vaughan.ca; 'epucciano@gmail.com'  
**Subject:** FW: Draft Block 55 Plan - Proposed Plan of Subdivision 19T-13V009

Hi John,

Please include the below email as a communication for the upcoming Committee of the Whole meeting on September 2, 2014.

Thank you,

**Daniel Woolfson**

Planner, Planning Department, Development Planning Division  
City of Vaughan  
2141 Major Mackenzie Drive, L6A 1T1  
Tel: 905-832-8585 ext. 8213  
Fax: 905-832-6080  
[daniel.woolfson@vaughan.ca](mailto:daniel.woolfson@vaughan.ca)

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**From:** Elio Pucciano [<mailto:epucciano@gmail.com>]  
**Sent:** Thursday, August 28, 2014 10:02 PM  
**To:** Woolfson, Daniel  
**Subject:** Draft Block 55 Plan - Proposed Plan of Subdivision 19T-13V009

Daniel Woolfson  
Planning Department  
City of Vaughan

Dear Mr. Woolfson,

We are writing you to express our concern about the landscaped area situated at the north west corner of Draft Block 55 Plan abutting our personal residence located at 27 Theresa Circle, Kleinburg, ON.

We are requesting that any designs and approvals granted by the City of Vaughan to the Developer for the landscaped area should include the installation of a new chain link fence along the northern boundary to separate the landscaped area and our property. We believe the placement of a fence is necessary to prevent the landscaped area from being used as an authorized thoroughfare to the adjoining subdivision, to prevent trespassing and to maintain the integrity of the area.

We believe it is the Developer's responsibility to design and build the proposed subdivision so that it does not interfere with the surrounding properties and ensures the subdivision landscaped areas are maintained in a proper manner.

Please communicate our concerns to Planning Committee and the Developer at the meeting on August 29, 2014 and provide us with follow up comments and decisions on this matter.

You can contact us at (905) 893-2448 or by email at [epucciano@gmail.com](mailto:epucciano@gmail.com)

Yours truly,

Elio and Maria Pucciano  
27 Theresa Circle  
Kleinburg, ON  
L0J1C0

**Britto, John**

C 12  
COMMUNICATION

**From:** Woolfson, Daniel  
**Sent:** Friday, August 29, 2014 11:35 AM  
**To:** Britto, John  
**Subject:** FW: Draft Block 55 Plan - Proposed Plan of Subdivision 19T-13V009

CW - SEPT 2/14  
ITEM - 56 AND 57

Hi John,

Sorry to trouble you again today.

The owner responded to the previous email, as noted below. Can you include this as a single Communication, or the Owners response as a second communication, as it completely resolves the matter.

Thank you.

**Daniel Woolfson**

Planner, Planning Department, Development Planning Division  
City of Vaughan  
2141 Major Mackenzie Drive, L6A 1T1  
Tel: 905-832-8585 ext. 8213  
Fax: 905-832-6080  
[daniel.woolfson@vaughan.ca](mailto:daniel.woolfson@vaughan.ca)

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**From:** Gaetano Franco [<mailto:gaetano.franco@castlepointinvestments.ca>]  
**Sent:** Friday, August 29, 2014 9:13 AM  
**To:** Woolfson, Daniel  
**Subject:** Re: Draft Block 55 Plan - Proposed Plan of Subdivision 19T-13V009

Hi Daniel

Thank you for the info.

We can install a chainlink fence along the northern limit of the land scape buffer, this would be in addition to the standard requirement for the chainlink fence to be installed between the proposed lots and the landscape buffer.

This additional fence can be included in the landscape master plan which would be approved by the City prior to detail design. We could also include this requirement in the architectural design guideline as this document will go to council for approval.

You can communicate this to the resident and council as you see appropriate.

On Aug 29, 2014, at 9:04 AM, "Woolfson, Daniel" <[Daniel.Woolfson@vaughan.ca](mailto:Daniel.Woolfson@vaughan.ca)> wrote:

FYI. See below. Please respond to the adjacent landowners concern.

**Daniel Woolfson**

Planner, Planning Department, Development Planning Division  
City of Vaughan

2141 Major Mackenzie Drive, L6A 1T1  
Tel: 905-832-8585 ext. 8213  
Fax: 905-832-6080  
[daniel.woolfson@vaughan.ca](mailto:daniel.woolfson@vaughan.ca)

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**From:** Elio Pucciano [<mailto:epucciano@gmail.com>]  
**Sent:** Thursday, August 28, 2014 10:02 PM  
**To:** Woolfson, Daniel  
**Subject:** Draft Block 55 Plan - Proposed Plan of Subdivision 19T-13V009

Daniel Woolfson  
Planning Department  
City of Vaughan

Dear Mr. Woolfson,

We are writing you to express our concern about the landscaped area situated at the north west corner of Draft Block 55 Plan abutting our personal residence located at 27 Theresa Circle, Kleinburg, ON.

We are requesting that any designs and approvals granted by the City of Vaughan to the Developer for the landscaped area should include the installation of a new chain link fence along the northern boundary to separate the landscaped area and our property. We believe the placement of a fence is necessary to prevent the landscaped area from being used as an authorized thoroughfare to the adjoining subdivision, to prevent trespassing and to maintain the integrity of the area.

We believe it is the Developer's responsibility to design and build the proposed subdivision so that it does not interfere with the surrounding properties and ensures the subdivision landscaped areas are maintained in a proper manner.

Please communicate our concerns to Planning Committee and the Developer at the meeting on August 29, 2014 and provide us with follow up comments and decisions on this matter.

You can contact us at (905) 893-2448 or by email at [epucciano@gmail.com](mailto:epucciano@gmail.com)

Yours truly,  
Elio and Maria Pucciano  
27 Theresa Circle  
Kleinburg, ON  
L0J1C0

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This e-mail, including any attachment(s), may be confidential and is intended solely for the attention and information of the named addressee(s). If you are not the intended recipient or have received this message in error, please notify me immediately by return e-mail and permanently delete the original transmission from your computer, including any attachment(s). Any unauthorized distribution, disclosure or copying of this message and attachment(s) by anyone other than the recipient is strictly prohibited.



Development Planning Department  
Tel: (905) 832-8565 Fax: (905) 832-6080

memorandum

C 14
COMMUNICATION
CW - SEPT. 2/14
ITEM - 57

DATE: AUGUST 29, 2014

TO: HONOURABLE MAYOR AND MEMBERS OF COUNCIL

FROM: GRANT UYEYAMA, INTERIM DIRECTOR OF PLANNING/DIRECTOR OF DEVELOPMENT PLANNING

RE: COMMUNICATION

ITEM #57, COMMITTEE OF THE WHOLE – SEPTEMBER 2, 2014  
ZONING BY-LAW AMENDMENT FILE Z.13.042  
DRAFT PLAN OF SUBDIVISION FILE 19T-13V009  
MONARCH CASTLEPOINT KIPLING NORTH DEVELOPMENT LIMITED  
WARD 1 - VICINITY OF KIPLING AVENUE AND TESTON ROAD

#### Recommendation

The Interim Director of Planning/Director of Development Planning recommends:

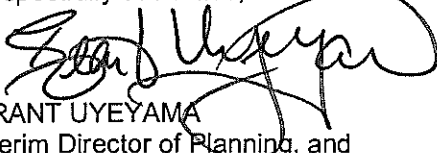
1. THAT the following additional recommendation be approved for Item #57 of the Committee of the Whole Agenda dated September 2, 2014:  
  
“4. THAT Draft Plan of Subdivision File 19T-13V009 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 288 residential units (1,031 persons equivalent).”

#### Background

After the printing of the above noted report, the Vaughan Development/Transportation Engineering Department advised the Vaughan Planning Department that the above-noted draft plan of subdivision can be allocated servicing capacity for a total of 288 residential units through a formal resolution of Council. A recommendation to this effect is provided above.

Should the Committee of the Whole concur, the above noted recommendation can be adopted.

Respectfully submitted,

  
GRANT UYEYAMA  
Interim Director of Planning, and  
Director of Development Planning

/dw

Copy to: Barbara Cribbett, Interim City Manager  
Jeffrey A. Abrams, City Clerk  
John Mackenzie, Commissioner of Planning  
Andrew Pearce Director of Development/Transportation Engineering  
Daniel Woolfson, Planner

**COMMITTEE OF THE WHOLE    SEPTEMBER 2, 2014**

**ZONING BY-LAW AMENDMENT FILE Z.13.042  
DRAFT PLAN OF SUBDIVISION FILE 19T-13V009  
MONARCH CASTLEPOINT KIPLING NORTH DEVELOPMENT LIMITED  
WARD 1 - VICINITY OF KIPLING AVENUE AND TESTON ROAD**

**Recommendation**

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

1. THAT Zoning By-law Amendment File Z.13.042 (Monarch Castlepoint Kipling North Development Limited) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the subject lands, as shown on Attachments #2 and #3, from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report, and subject to the following;
  - a) require that prior to the removal of the Holding Symbol “(H)” from the subject lands or portions thereof, the following conditions shall be addressed:
    - i. York Region shall advise, in writing, that it is no earlier than twelve (12) months prior to the expected completion of the YDSS Southeast Collector sanitary trunk sewer; or,
    - ii. The City of Vaughan shall approve a transfer of servicing allocation to this development that is not dependent upon the completion of the infrastructure; or,
    - iii. The Regional Commissioner of Environmental Services shall confirm servicing allocation for this development by a suitable alternative method and Vaughan Council has allocated adequate water supply and sewage servicing capacity to the subject development;
    - iv. The approval of a Site Development Application for the Street Townhouse Units.
2. THAT Draft Plan of Subdivision File 19T-13V009 (Monarch Castlepoint Kipling North Development Limited) BE APPROVED, subject to the conditions of approval set out in Attachment #1 to this report.
3. THAT for the purpose of notice, the implementing subdivision agreement for Draft Plan of Subdivision File 19T-13V009 (Monarch Castlepoint Kipling South Development Limited), shall contain the following provision:

“The owner shall dedicate land or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent 1 ha per 300 units or 5% of the value of the subject lands or units of the value of the subject lands, prior to the issuance of a Building Permit for the residential component, whichever is higher, and 2% for the commercial component, prior to issuance of a Building Permit, in accordance with the Planning Act and the City’s Cash-in-lieu Policy. The owner shall submit an appraisal of the subject lands prepared by an



accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

### **Contribution to Sustainability**

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

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

- Objective 1.2: To promote reduction of greenhouse gas emissions in the City of Vaughan
- Objective 1.3: To support enhanced standards of stormwater management at the City and work with others to care for Vaughan’s watersheds

Goal 2: To ensure sustainable development and redevelopment

- Objective 2.1: To achieve sustainable growth and development by completing and implementing Vaughan Tomorrow, the City’s Consolidated Growth Management Strategy – 2031, and by ensuring that the strategy is subject to periodic review and renewal
- Objective 2.2: To develop Vaughan as a City with maximum greenspace and an urban form that supports our expected population growth
- Objective 2.3: To create a City with sustainable built form

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

- Objective 3.1: To develop and sustain a network of sidewalks, paths and trails that supports all modes of non-vehicular transportation
- Objective 3.2: To develop and sustain a network of roads that supports efficient and accessible public and private transit

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

- Objective 4.1: To foster a City with strong social cohesion, an engaging arts scene, and a clear sense of its culture and heritage
- Objective 4.2: Ensure that the City of Vaughan attracts businesses and investment that will result in well-paying jobs for Vaughan citizens, a sustainable tax base and continuing prosperity into the 21st century

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

- rear yard infiltration trenches for single detached lots
- stormwater management (SWM) facility outfall cooling trench
- additional topsoil depth
- natural feature and valley land restoration areas
- watercourse restoration
- edge management planting
- natural hazard remediation areas
- pedestrian trail systems
- Transportation Demand Management (TDM) measures
- a pedestrian-focused development approach, including, but not limited to: ensuring all dwellings are within a 5-minute walk of open space and park areas; ensuring attractive, pedestrian-scaled streets are implemented; and, a trail system that is interconnected with the sidewalk/walkway system.

- Energuide 83 will be used as a base standard for new home construction, which includes the following, but not limited to, items:
  - high-efficiency single flush toilets and low-flow water efficient faucets/shower heads
  - 12" minimum topsoil depths on lots
  - high-efficiency 2-stage furnace
  - energy-efficient heat recovery ventilator
  - Energy Star equivalent standard light fixture packages with c.f.l. bulbs
  - Low E Energy Star windows
  - hot water drain recovery system
- waste management policies to ensure that all trades work efficiently to reduce and eliminate waste, including: on-site waste management; and, re-use and recycling measures.

### **Economic Impact**

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

### **Communications Plan**

On April 17, 2014, a Notice of Public Hearing was circulated to all property owners within an expanded notification area beyond 150 m of the subject lands, as shown on Attachment #2, and to the Kleinburg & Area Ratepayers Association. 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 in accordance with the City's Sign Notification Protocol. The recommendation of the Committee of the Whole to receive the Public Hearing report of May 14, 2014, and forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Vaughan Council on May 27, 2014.

On August 25, 2014, a notice of this Committee of the Whole meeting was sent to individuals that attended the Public Hearing and that have provided written correspondence.

To date, the following correspondence has been received, and deputations made at the Public Hearing of May 14, 2014:

Written correspondence from the Kleinburg & Area Ratepayers' Association (KARA) identifying the following concerns:

- the short time between the Public Hearing and the Vaughan Committee of the Whole's review of the related Block 55 East Plan (File BL.55.2013)
- the number of proposed units and overall density in the related Block 55 East Plan
- Official Plan and Zoning By-law Amendment Files OP.09.003 & Z.09.026 (1539253 Ontario Limited) located east of the subject lands impact on development within the Greenbelt Plan Area
- the proposed PowerStream Kleinburg Transformer Station #4 facility immediately north of the Block 55 East Plan (north side of Kirby Road) and the related telecommunication tower that may be required within the transformer station and their impacts on the greater Kleinburg – Nashville community
- the provincially mandated requirement for secondary suites and its potential impact on density and traffic
- the proposed zoning exceptions required by the Owner to implement the proposal

Written correspondence from Costas Afentakis and Michael A. DiMuccio area residents stating that:

- The proposed development will cause an unwanted increase in traffic, noise and pollution.
- The proposed development affects the value associated with living in the Kleinburg–Nashville Community, based on the consideration of the neighbourhood as a private, low-density and high-valued estate residential area.
- The proposed development is contrary in nature to the current developed surroundings and is a decline in the average expectation for the Kleinburg–Nashville Community, highlighted by the inclusion of townhomes within the proposed development. This will create a considerable lower living standard and will likely negatively influence the value of the existing dwellings in the Kleinburg–Nashville Community.

Written correspondence from Humphries Planning Group Inc. representing 1539253 Ontario Limited, landowner of the adjacent property east of the subject lands, municipally known as 10951 Kipling Avenue and subject to Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026, identifying the following concerns:

- The proposed location of Street 'C' (in southerly Subdivision 19T-13V008) and its relationship with the fixed access point from Kipling Avenue for the lands municipally known as 10951 Kipling Avenue. Humphries Planning Group Inc. further requests that the proposed development either align its access to Kipling Avenue with the access for the lands municipally known as 10951 Kipling Avenue, or alternatively ensure that Street 'C' is properly distanced from the access for the lands municipally known as 10951 Kipling Avenue so as not to create transportation related issues that could negatively impact the proposed development at 10951 Kipling Avenue (Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026).

Written correspondence from Beatrice Conforti, Peter Conforti and Nancy Conforti, and Maria Pucciano and Elio Pucciano, area residents, and deputations were provided at the Public Hearing of May 14, 2014, outlining the following concerns:

- Depth of Private Buffer Area and a request to implement a larger landscaped buffer; and,
- Concern with flooding and higher water levels adjacent to their property.

The Vaughan Planning Department provides the following responses to the above noted concerns:

- The proper notification procedures as prescribed in the *Planning Act* were followed by the Vaughan Planning Department.
- The proposed density for the Block 55 East Plan was approved by Vaughan Council on May 27, 2014 (File BL.55.2013). The proposed Draft Plan of Subdivision File 19T-13V009 conforms to the approved Block 55 East Plan.
- Official Plan and Zoning By-law Amendment Files OP.09.003 and Z.09.026 are currently under review by the Vaughan Planning Department, and their merits and impact on the Greenbelt Plan will be discussed through the technical recommendation report for the applications.

- The proposed PowerStream Kleinburg Transformer Station #4 facility located immediately north of the Block 55 East Plan and the related telecommunication tower that may be required within the transformer station will be reviewed through the standard processes by PowerStream, and by the City when plans are submitted for review.
- The City of Vaughan is currently undertaking a Secondary Suites Study that when completed, will assist in developing the City's secondary suites policy that may apply to the subject lands at a future date.
- The proposed zoning exceptions are identified and discussed in the "Purpose" and "Zoning" sections of this report.
- The Owner provided an addendum letter from Poulos and Chung, the transportation consultant, which advises that the Street 'C' intersection provides for the required sightline and safety criteria which cannot be met at the proposed Kipling Recreation Centre driveway location as detailed in the approved Block 55 Traffic Impact Study and that there is sufficient separation distance between the Street 'C' intersection and the proposed Kipling Recreation Centre driveway.
- During the Block Plan process, the area residents had requested that a minimum 25 m wide landscape buffer be provided and be publically owned, and that there be no residential lots abutting Theresa Circle. Through the approval of the Block 55 East Plan, the Owner accommodated all of the above noted requests and concerns. The landscape buffer, as shown on Attachment #4, was increased to 25 m in width and will be conveyed to a public authority together with the requirement to provide landscape screening. Further, the Block 55 East Plan was amended to eliminate any proposed residential lots abutting Theresa Circle. The Owner has advised that after the Public Hearing they have introduced a requirement for upgraded building elevations for the lots flanking the landscape buffer together with additional on lot landscape screening by adding this provision to the draft Architectural Design Guidelines.
- Through the approved Block 55 East Plan MESP, stormwater from the development areas are conveyed through storm sewers to stormwater management facilities which provide water quality and water quantity controls. The water levels are governed by regional floodlines which extend beyond the development area, and the drainage from the development areas is addressed through the stormwater management facilities such that the post-development flows are less than pre-development flows, and therefore, no increase in flow to Swale B1, adjacent to the area residents, would occur as a result of development. However, it is important to note that there is a large existing drainage area outside of the development area which extends north of Kirby Road that contributes flow to this Swale B1 and will continue to contribute flow regardless of the proposed development. The stormwater systems are designed and implemented in accordance with the Toronto and Region Conservation Authority (TRCA), the Ministry of the Environment (MOE), and City of Vaughan criteria.

### **Purpose**

To seek approval from the Committee of the Whole on the following applications, respecting the subject lands shown on Attachments #2 and #3, to facilitate the development of a residential plan of subdivision, as shown on Attachments #4 and #5:

1. Zoning By-law Amendment File Z.13.042 to amend Zoning By-law 1-88, specifically to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone

Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the manner shown on Attachment #5, together with the following site-specific zoning exceptions:

Table 1

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88 Requirements</b>	<b>Proposed Exceptions to By-law 1-88 Requirements</b>
a.	Definitions	<p>Zoning By-law 1-88 requires a “Lot” to front onto a street.</p> <p>Zoning By-law 1-88 does not include a definition for the following:</p> <ul style="list-style-type: none"> <li>i. Attached Garage Accessed By A Lane</li> <li>ii. Attachment</li> <li>iii. Detached Garage Located in the Rear Yard</li> <li>iv. Finished Floor</li> <li>v. Hydro-Gas Meter Screen</li> <li>vi. Wingwall</li> </ul>	<p>Permit a “Lot” to front on a public park or walkway and back onto a public lane to apply to only those lots zoned RT1 Residential Townhouse Zone, that front onto the 3 m walkway within the OS2 Open Space Park Zone and run parallel to Laneway ‘A’.</p> <p>Provide the following site-specific definitions:</p> <ul style="list-style-type: none"> <li>i. Attached Garage Accessed By A Lane: Means a garage that is accessed by a lane, which is attached to the rear wall of a dwelling unit.</li> <li>ii. Attachment: Means a covered and enclosed or unenclosed passage connecting a dwelling unit and a detached garage that is located in the rear yard of a lot that is accessed by a lane.</li> <li>iii. Detached Garage Located in the Rear Yard: Means a detached garage that is located in the rear yard of a lot that is accessed by a lane which may include an Attachment.</li> <li>iv. Finished Floor: Means an elevation of the finished level of a first storey floor slab with adjoining exterior walls of a building or structure.</li> </ul>

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88 Requirements</b>	<b>Proposed Exceptions to By-law 1-88 Requirements</b>
			<p>v. Hydro-Gas Meter Screen: Means a structure, not being a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of Hydro Meter or Gas Meter utilities.</p> <p>vi. Wingwall: Means a smaller wall attached and projecting from a larger wall of a building or structure.</p>
	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>
a.	Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond	3.5 m	1.2 m
b.	Minimum Interior Side Yard Setback in a RD4 Residential Detached Zone Four	1.2 m, and for lots with a frontage equal to or less than 9.5 m, the minimum interior side yard on one side may be reduced to 0.6 m, where it abuts a yard of 1.2 m	1.2 m, which be reduced to 0.6 m on one interior side yard and abut an interior side yard of 1.2 m or 0.6 m. This provision shall not apply to lands abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond.
c.	Minimum Interior Garage Dimensions for RD4 Residential Detached Zone Four with lot frontage greater than 11.99 m or lot frontage (corner lot) greater than 14.99 m	5.5 m x 6 m (width x length)	3 x 6 m (width x length)

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>	<b>Proposed Exceptions to RD1, RD2, RD3 and RD4 Residential Detached Zone Requirements</b>
d.	Permitted Yard Encroachments and Restrictions	<p>i. The following are not permitted Yard Encroachments:</p> <ul style="list-style-type: none"> <li>• Fireplaces, pilasters</li> <li>• Hydro-Gas Meter screens and wingwalls</li> <li>• Covered and unenclosed porches and/or balconies with or without foundations</li> </ul> <p>ii. Exterior stairways may extend into a required interior side yard to a maximum distance of 0.3 m and may extend into a required front, exterior side or rear yard to a maximum of 1.8 m</p>	<p>i. Permit Fireplaces, Pilasters, Hydro-Gas Meter screens, wingwalls, covered and unenclosed porches and/or balconies with or without foundations as yard encroachments</p> <p>ii. Exterior stairways, with or without foundations, may extend greater than 1.8 m into a front yard and exterior side yard, up to a maximum of 0.6 m from a front or exterior lot line</p>
e.	Projection of Flankage Elevation	No garage shall project into the front yard or exterior yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2 m where there is a covered and unenclosed porch	For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling
f.	Setbacks adjacent to TransCanada Pipeline	Schedule 'A3' shall stipulate required yard setbacks for RD1, RD2, RD3 and RD4 Residential Detached Zones	No permanent building or structure may be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the pipeline right-of-way.

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-387 and 455)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-387 and 455)</b>
a.	Maximum Building Height	11 m	14 m and 3-storeys
b.	Minimum Front Yard Setback	4.5 m	3 m
c.	Minimum Exterior Side Yard Setback	4.5 m	3 m
d.	Minimum Lot Depth for a Townhouse on a Lot Accessed By a Lane	30 m	27 m
e.	Minimum Lot Area for a Townhouse on a Lot Accessed By a Lane	180 m <sup>2</sup>	162 m <sup>2</sup>
f.	Minimum Rear Yard Setback to a Townhouse Dwelling on a Lot Accessed By A Lane	15 m	12.5 m
g.	Permitted Yard Encroachments and Restrictions for lands zoned RT1 Residential Townhouse Zone	Porches and balconies which are uncovered, unexcavated and unenclosed which is not constructed on footings may extending into a required rear yard to a maximum of 1.8 m	A covered or uncovered porch and/or balcony which is open and unenclosed with or without foundations shall be permitted and shall not extend from the main rear wall of a dwelling unit beyond a maximum of 1.8 m
h.	Location of Covered or Uncovered Balcony	A covered or uncovered balcony is not permitted above an attached garage	A covered or uncovered balcony, which is open and unenclosed, shall be permitted above an attached garage where access is only



	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-387 and 455)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-387 and 455)</b>
			provided from within the dwelling unit, with a minimum area of 10 m <sup>2</sup>
i.	Maximum Garage Width on a Lot with a Frontage Less Than 11 m	3 m	Shall not apply
j.	Minimum Rear Yard Setback to a Detached Garage Located In The Rear Yard in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	15 m	1 m
k.	Minimum Interior Side Yard Setback to a Garage Attached to Another Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	1.2 m	0 m (Lane "A" only)
l.	Minimum Exterior Side Yard Setback for a Detached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	4.5 m	3 m
m.	Minimum Distance From the Main Rear Wall of a Dwelling Unit To A Detached Garage	7.5 m	5 m

	<b>Zoning By-law 1-88 Standard</b>	<b>By-law 1-88, RT1 Residential Townhouse Zone Requirements (Blocks 382-387 and 455)</b>	<b>Proposed Exceptions to RT1 Residential Townhouse Zone (Blocks 382-387 and 455)</b>
n.	Minimum Distance From the Nearest Wall of a Dwelling Unit to an Attached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	0 m
o.	Maximum Width of an Attachment in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	2.5 m (for the portion of an Attachment between a dwelling unit and a detached garage accessed by a lane)
p.	Minimum Interior Side Yard Setback of an Attachment in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	No standard in Zoning By-law 1-88	0 m (only where it is attached to another Attachment)
q.	Measurement of Maximum Height for a Detached Garage in an RT1 Residential Townhouse Zone for a Lot Accessed By a Lane	The maximum height shall be measured from the average finished ground level to the highest point of the building or structure	Detached garage height shall be measured from the Finished Floor level at the garage entrance door to the highest point of said building or structure and shall be a maximum of 4.5 m, and the nearest part of the roof shall not be more than 3.0 m above Finished Floor level
r.	Projection of Flankage Elevation	No garage shall project into the front yard or exterior yard more than 1 m beyond the most distant point of any wall of the dwelling facing the street at the ground floor level and a maximum of 2 m where there is a covered and unenclosed porch	For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling

s.	Home Occupation Use, Parking Requirement and Additional Provisions	<p>A Home Occupation use is limited to the Office of a Regulated Health Professional only</p> <p>Residential Parking requirement plus the requirement for the home occupation use</p> <p>Only 1 home occupation use is permitted in a dwelling unit</p>	<p>The following additional home occupation uses:</p> <ul style="list-style-type: none"> <li>- Business or Professional Office</li> <li>- Personal Service Shop</li> <li>- Retail Store</li> </ul> <p>The parking space requirement for the home occupation use shall be 1 parking space in addition to the standard residential requirement</p> <p>The following additional site-specific provisions shall apply to the home occupation use:</p> <ul style="list-style-type: none"> <li>- A maximum of 1 home occupation use is permitted per dwelling unit;</li> <li>- The home occupation use shall be restricted to the ground floor of the dwelling unit only;</li> <li>- The ground floor of the dwelling unit shall be used only for the provision of the home occupation use, and shall only permit any required vehicular or pedestrian access for the residential component of the dwelling; and,</li> <li>- The home occupation use shall be restricted to the townhouse dwelling units in Blocks 382 and 455 only</li> </ul>
t.	Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond	3.5 m	1.2 m

2. Draft Plan of Subdivision File 19T-13V009 to facilitate the development of a residential plan of subdivision with the following site statistics:

<u>Lot/Block Number</u>	<u>Land Use</u>	<u>Units</u>	<u>Area(ha)</u>
1-381	Single Detached Dwellings	381	19.60
382-387	Townhouse Dwellings (including live/work units)	33	0.72
388-389	Park		1.51
390-397	Landscape Area		1.52
398	Stormwater Management		0.61
399-419	Open Space (Open Space/Walkways/Buffers)		17.60
420-433	Landscape Restoration Area		1.02
434-439	TransCanada Pipeline		0.92
440-458	Part Blocks (Residential)	11	0.64
459-460	Road Widening		0.05
461-523	Reserves		0.02
Roads	Roads and Laneways		9.91
TOTAL		425	54.12ha

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

#### **Location**

The subject lands are located on the west side of Kipling Avenue, south of Kirby Road, municipally known as 11178 Kipling Avenue, shown as "Subject Lands" on Attachments #2 and #3.

#### **Block 55 East Plan – Vaughan Council Resolution**

In July 2013, the Block 55 (Kleinburg Summit) Landowners Group submitted Block Plan File BL.55.2013 for the Block 55 East area to provide the basis for the land uses, housing mixes and densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for the Block to provide for managed growth. The Block 55 East Plan, as shown on Attachment #6, was approved by Vaughan Council on May 27, 2014, subject to the following conditions (in part):

- "2. That prior to draft approval of the first plan of subdivision in the Block 55 East Plan area:
- The Block Plan technical submissions and supporting studies be updated, to the satisfaction of the pertinent departments and agencies, to reflect the measures taken to establish the Block Plan; and,
  - The outstanding issues identified in this report be addressed to the satisfaction of the pertinent agencies."

Specifically, the issues to be addressed, as outlined in the report for File BL.55.2013 are as follows:

- That the Block Plan application technical submissions and supporting studies be updated as may be necessary to reflect the measures taken to establish the Block Plan. This will include addressing all outstanding technical comments provided by all City departments and external agencies;

- ii. That updated preliminary grading plans and cross-sections be provided by the applicant to the satisfaction of the TRCA and City to demonstrate the technical feasibility of the adjustments to the grading plans. The revised preliminary grading plans and cross-sections should include the existing and proposed grades, as well as the proposed development limits and all natural features/hazards, buffers and minimum vegetation protection zones (MVPZs);
- iii. That the applicant determine the source of the groundwater discharge/seepage areas along the eastern East Humber River valley wall and evaluate how they will be maintained post-development to the satisfaction of the TRCA and City;
- iv. That the City be satisfied that the revised Traffic Impact Study and Transportation Demand Management plan are satisfactory.

On August 7, 2014, the Vaughan Planning Department, Policy Division advised that the outstanding requirements for the Block 55 East Plan application identified above have been satisfied. Therefore, this Draft Plan of Subdivision can be processed at this time.

#### Vaughan Official Plan 2010 (VOP 2010)

The subject lands are designated “KN Low-Rise Residential I”, “KN Low-Rise Residential II”, “KN Low-Rise Residential III”, “KN Low-Rise Mixed-Use II”, “Natural Areas”, “Agricultural”, and “Utility Corridor” by the North Kleinburg-Nashville Secondary Plan (NKNSP), which forms part of Volume 2 of the Vaughan Official Plan 2010 (VOP 2010) and was approved by the Ontario Municipal Board (OMB) on November 4, 2012. Further, the OMB substantially approved Volume 1 of VOP 2010 on February 3, 2014.

The NKNSP establishes 3 new neighbourhoods (Village of Nashville, Huntington Road Community, and Kipling Avenue Community) within the Secondary Plan area. The subject lands are located in the Kipling Avenue Community Neighbourhood. The Neighbourhood Development objectives of the NKNSP are to create an urban environment that provides for safe, functional and attractive residential/mixed-use neighbourhoods, while accommodating for the projected development potential of approximately 1,650 new dwelling units through the entire developable land area of the NKNSP. Further, each new neighbourhood must be cohesive and complete, with a mix of housing types, land-uses and activities. Finally, the NKNSP projects a density target of 30 residents and jobs per hectare for the Kipling Avenue Community.

The proposed draft plan of subdivision located within the Block 55 East Plan (Attachment #6) facilitates the development of a cohesive and complete community, with a mix of land-uses, housing types and activities. Further, the proposed draft plan of subdivision will partially implement the overall density of 34.8 persons and jobs per hectare that was approved through the Block 55 East Plan. The overall density of 34.8 persons and jobs per hectare will be achieved upon the full build-out of the Block 55 East Plan. Therefore, the proposed draft plan of subdivision conforms to the NKNSP and the approved Block 55 East Plan.

#### Zoning By-law 1-88

The subject lands are zoned A Agricultural Zone and OS1 Open Space Conservation Zone by Zoning By-law 1-88, as shown on Attachment #3. In order to implement the proposed draft plan of subdivision shown on Attachment #4, an amendment to Zoning By-law 1-88 is required. Specifically, the Owner is proposing to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone in the

manner shown on Attachment #5, together with the site-specific zoning exceptions identified in Table 1 of this report.

The residential lands will be zoned with a Holding Symbol "(H)" until servicing capacity for the lands has been identified and allocated by Vaughan Council, for the entirety of the proposed plan of subdivision. This is discussed in greater detail in the Vaughan Development/Transportation Engineering section, and a condition to this effect is included in the recommendation of this report.

a) Residential, Mixed-Use Residential/Commercial and Commercial Lands

The Owner is proposing to rezone the residential lands to be used for Single Detached Dwellings as RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three and RD4(H) Residential Detached Zone Four, all with a Holding Symbol "(H)". These lands include Blocks 1-381, 440-454 and 456-458 within the draft plan of subdivision. The land to be used for Street Townhouse Dwellings, being Blocks 382-387 and 455 within the draft plan of subdivision, is proposed to be rezoned as RT1(H) Residential Townhouse Zone with a Holding Symbol "(H)".

The owner is proposing site-specific zoning exceptions to the above-noted zoning categories, as shown in Table 1 of this report.

The Vaughan Planning Department has no objections to the proposed zoning exceptions to the RD1, RD2, RD3 and RD4 Zone standards. The reduction to the minimum interior side yard setback for lots abutting a walkway, greenway, buffer block or stormwater management pond is considered minor in nature and will facilitate the appropriate development of the lands, in accordance with the approved Block 55 East Plan, and associated Urban Design and Architectural Design Guidelines. In addition, the Vaughan Parks Development Department and the Toronto and Region Conservation Authority (TRCA) have advised that the reduction to a 1.2 m setback is appropriate and will not negatively impact any adjacent OS1 and OS2 zoned lands.

The proposed exception to permit an interior side yard to 0.6 m to abut another interior side yard of 0.6 m in the RD4 Residential Detached Zone Four will facilitate the pairing of driveways, which is a design feature that was approved through the Block 55 East Plan Urban Design Guidelines. The proposal is minor in nature and will not negatively affect any adjacent lands. The proposal to permit a reduction in garage width for lands zoned RD4 Residential Detached Zone Four with a lot frontage greater than 11.99 m or 14.99 m (for a corner lot) is technical and minor in nature. These lots will maintain single car garages with a width of 3.0 m. However, some lots zoned RD4 Residential Detached Zone Four have lot frontages greater than 11.99 m or 14.99 m (for a corner lot). In these cases, the Owner can maintain single detached dwellings with single car garages, and the ability to maintain a minimum interior garage width of 3.0 m, rather than 5.5 m as required by Zoning By-law 1-88.

The Owner proposes to permit additional building elements to encroach not more than 0.5 m into a required yard, including fireplaces, pilasters, Hydro-Gas meter screens, wingwalls and covered and unenclosed porches and/or balconies with or without foundations, whereas Zoning By-law 1-88 does not permit these items to encroach into the required yard. Therefore, as the Owner is maintaining the standard encroachment permission of 0.5 m for these additional building elements, the Vaughan Planning Department has no objection. In addition, the Owner is proposing definitions to these items where required, as outlined in Table 1 of this report. The Owner is also proposing to permit exterior stairways to encroach beyond 1.8 m into a required front or exterior side yard, up to a maximum of 0.6 m from the front or exterior side yard lot line. The

additional encroachment permission for exterior stairways will not negatively impact any adjacent properties, will facilitate the design and development of the future Single Detached Dwellings, and will maintain the Vaughan Development/Transportation Engineering Department's Lot Grading Criteria which requires a minimum 0.6 m setback from all lot lines.

The Owner is proposing that the following wording apply to all proposed Residential Zones, as shown in Table 1 of this report:

“For the purposes of this Note, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling”.

This additional wording has been agreed to by the Owner and the Vaughan Building Standards Department, and permits the implementation of enhanced architectural detailing of the front and flankage elevations for corner lot dwelling units while maintaining compliance with the provisions of Zoning By-law 1-88.

As per a requirement from TransCanada Pipeline Limited (TCPL), the Owner shall maintain a minimum setback of 7 m from any permanent building or structure to the pipeline right-of-way. As well, the Owner shall maintain a minimum setback of 3 m from any accessory buildings or structures to the pipeline right-of-way.

The Vaughan Planning Department has no objection to the proposed exceptions to the RT1 Residential Townhouse Zone. The proposal to increase the maximum building height to 14m and 3 storeys conforms to the policies of the North Kleinburg-Nashville Secondary Plan (NKNSP) and is considered minor in nature. The proposal to reduce both the front and exterior side yard setbacks to 3 m from 4.5 m will permit street townhouse dwelling units closer to the street frontage and the OS2 Open Space Park Zone, which will contribute positively to the pedestrian environment and will animate the street. This proposal conforms to the policies of the NKNSP.

The street townhouse dwelling units are designed to be accessed by a required City standard 13 m wide laneway (Lane A as shown on Attachment #4) and requires an exception to the minimum required lot depth from 30 m to 27 m, and a corresponding exception to the minimum required lot area from 180 m<sup>2</sup> to 162 m<sup>2</sup>. The additional exceptions respecting the definition of lot, lot area and yards are required to facilitate the lane access and park frontage for the proposed street townhouse blocks, and will facilitate the design of the street townhouse dwellings as proposed in the Vaughan Council approved Block 55 Urban Design Guidelines.

The proposal to permit covered or uncovered porches and/or balconies which are open and unenclosed with or without foundations is considered minor in nature and appropriate for the development of the subject lands, as the owner is maintaining the encroachment into the required rear yard of 1.8 m, as per Zoning By-law 1-88. As well, to facilitate the design of the street townhouse dwelling as intended in the approved Urban Design Guidelines, the Owner is proposing to permit a covered or uncovered balcony, which is open and unenclosed, above an attached garage. The area of the balcony will not exceed that of the attached garage and will add additional amenity space for the residents of the street townhouse dwellings. The balcony can only be accessed from a private entrance within the street townhouse dwelling.

The Owner is proposing the addition of a definition of “Attachment”, as shown in Table 1, to facilitate an enclosed connection between a detached garage associated with a street townhouse dwelling that will facilitate development in accordance with the approved Urban Design Guidelines. As well, the Owner is proposing the addition of a definition of

“Finished Floor” and will be using said definition in the calculation of maximum building height for any detached garage. As the Owner is maintaining the maximum building height for a detached garage as stipulated in Zoning By-law 1-88 (4.5 m to highest point of the detached garage) and maintaining the nearest part of the roof at 3.0 m above the Finished Floor level, the proposal is considered minor in nature and appropriate for the development of the lands.

In addition to the standard street townhouse dwellings, the Owner is proposing the addition of live/work street townhouse dwellings. The total number of live/work units within the entire Block 55 East Plan is 12 units. For this draft plan of subdivision, the live/work units are proposed to be in Blocks 382 to 387 and 455, as shown on Attachment #4. The live/work units were contemplated within the approved Block 55 East Plan, and including them within the proposed draft plan of subdivision ensures the proposed plan conforms to the NKNSP, through the provision of a mix of land-uses and activities to ensure the creation of a complete community. As such, the Owner is requesting exceptions to specific Home Occupation provisions, as detailed in Zoning By-law 1-88, Section 4.1.5 and in Table 1 of this report. The Vaughan Planning Department can support the proposed live/work units in this location and the proposed exceptions as detailed in Table 1, including the additional home occupation uses of a Business or Professional Office a Personal Service Shop, and a Retail Store, which will ensure the draft plan of subdivision conforms to the NKNSP, and the approved Block 55 East Plan, through the provision of employment, a mix of land-uses and activities, and creating a complete community.

The proposed street townhouse dwellings are subject to a future Site Development Application, which is discussed in greater detail below.

a) Non-Residential Lands

The Owner is proposing to rezone the non-residential and commercial lands, to be used for various Open Space, Landscape Restoration, Park Blocks, and TransCanada Pipeline, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone. These lands include Blocks 388-439 within the draft plan of subdivision.

The owner is not proposing any exceptions to the OS1 Open Space Conservation Zone or the OS2 Open Space Park Zone.

Subdivision Design

The 54.12 ha draft plan of subdivision is shown on Attachment #4. The draft plan of subdivision includes a mid-block collector road (Street ‘A’) with a right-of-way of 23 m. Street ‘A’ will accommodate pedestrian movement, transit vehicles, and encourage cycling through appropriate cycling crossing signage and pavement markings. Adjacent to Street ‘A’ is an existing Hydro Corridor that traverses the entirety of the draft plan of subdivision. The Hydro Corridor will accommodate Hydro-One transmission towers and an at-grade multi-use pathway, which will extend the length of the Hydro Corridor and will accommodate multi-modal forms of movement. Two local parks are proposed, shown as Blocks 388 and 389, respectively, on Attachment #4. The local park shown as Block 388 is proposed adjacent to Street ‘A’, south of Street ‘N’ and adjacent to the Street Townhouse Dwellings. The local park shown as Block 389 is adjacent to Street ‘B’, Street ‘M’, and Street ‘L’.

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



### Developer's Group Agreement

It is a standard condition of draft plan of subdivision approval that the participating landowners for the block execute a developer's group agreement respecting the provision of servicing infrastructure, roads for the Block, parks and open spaces.

### Future Site Development Application(s)

The Owner will be required to submit a Site Development Application(s) for the proposed development of the street townhouse dwelling units and live/work street townhouse dwelling units (Blocks 382-387 and 455). Matters to be reviewed through the future Site Development application review process include, but are not limited to, appropriate building and site design; pedestrian, barrier free and vehicular access; internal traffic circulation; sustainable site and building features; parking; landscaping; and, stormwater management, servicing and grading.

### Vaughan Development/Transportation Engineering Department

The Vaughan Development/Transportation Engineering Department has reviewed the proposed draft plan of subdivision and has provided the following comments and conditions of approval in Attachment #1:

### Development/Transportation Engineering

#### a) Road Network

Monarch Castlepoint Kipling North Development is bounded on the east side by Kipling Avenue, Kirby Road on the north side and Teston Road/ Stegman's Mill Road on the south side. The proposed internal road network feeds off the boundary roads and consists of a series of local collector roads, local roads and window streets that incorporate the City Standards. Road connections to arterial roads for the Plan include one on the south limit onto Teston Road/ Stegman's Mill Road, one to the east limit onto Kipling Avenue and one to the north onto Kirby Road. Also, the draft plan is traversed north to south by a Hydro easement and west to east by the TransCanada Pipeline easement.

The proposed roads within the draft plan are to be constructed as 23.0m, 18.5m, 17.5m, and 15.0m R.O.W., and 8.0m laneways as per the current City road design standards. Street "G" westerly from Street "A" is proposed at 19.0m. However, the proposed 19.0m right-of-way cross section is a standard 17.5m R.O.W. with an additional 1.5m boulevard and meets the City criteria with regards to location of under/above ground utilities, municipal servicing and pavement design.

Laneway "A" is being proposed in the draft plan. The proposed laneway has been modified to 13 metre wide laneway to accommodate the streetlights and municipal services that are required to service the Townhouse Units fronting the Park Block. This modification is to avoid servicing conflict and improve vehicle turning movements and pedestrian safety and visibility.

#### b) Sidewalk Plan

Kleinburg Summit is designed to facilitate non-automobile movement. The proposed pedestrian system will consist of an on and off road trail system that links with the proposed road network and connects to the residential community internally to all schools, community facilities, commercial blocks, recreational activities, neighbourhood park and parkettes, storm water management facilities, utility corridors and wider natural heritage trails. Where possible, single loaded roads, stormwater ponds and parks have

been located next to the natural features to provide pedestrian access or views into the natural areas. A central multi-use trail within the hydro corridor will be extended from Kirby Road to Teston Road. The internal sidewalk plan should comply with the approved Transportation Management and Sidewalk Master Plan.

Intersection improvements are required at Street "B" and Kipling Avenue, and Street "A" and Kirby Road. There is no urbanization of boundary roads required, with the exception of the area which has intersection improvements, and there will be a portion of the intersection with curb and gutter transitioning back to existing ditch alignments. Part of the external works is to construct the Stegmans Mill Road sidewalk extension to connect Block 55 to the existing sidewalk at Bindertwine Park in the Village of Kleinburg according to the MESP, TIS and TDM.

c) Water Servicing

The lands are within the Kleinburg-Nashville Pressure District (PD KN) of the York Water Supply System. In accordance with the Block 55E MESP, the initial phases (approx. 450 units) will be serviced within PD KN by extending the 400mm watermain on Highway 27 at Hedgerow Lane north to Kirby Road, east along Kirby Road, then south along Street "A".

A secondary watermain feed for security and looping purposes will be provided via a proposed 300mm watermain connection to the existing 200mm diameter watermain on Stegman's Mill Road east of Ravendale Court. This secondary feed will require extending a proposed 300mm diameter on Stegman's Mill Road east connecting to the proposed watermain on Street "A".

A connection to a future Pressure District 7 (PD7) 400mm diameter watermain on Teston Road at Pine Valley (Block 40/47N west development limit – first intersection west of Pine Valley Drive) will be required to support later development phases.

The City is planning to program repayment from City Wide Development Charge starting in the 2015 Capital Budget over a multi-year repayment schedule.

d) Sanitary Servicing

The lands are ultimately tributary to the Jane-Rutherford Sanitary Trunk located within the Maple Service Area of the York-Durham Sewage System. The closest existing gravity sewer to the subject lands is currently located in Block 39 at Major Mackenzie Drive, west of Weston Road.

The lands will be serviced via local sanitary sewers and will discharge to a proposed sanitary pumping station (Block 55E SPS) which will be located at the northeast corner of Teston Road and Street "A". A proposed sanitary forcemain from this pumping station will direct flows east to a future outlet on Teston Road near the west development limit of Block 40/47.

The ultimate sanitary sewer outlet is dependent on the construction of the future Pine Valley North Sewage Pump Station (PVNSPS) located in Block 40, southeast of Purpleville Creek, which will discharge flows to Block 39. The PVNSPS and future sanitary sewer outlet on Teston Road will be constructed in conjunction with the development of Block 40/47N.

In the event that the required future infrastructure to be constructed by the Block 40/47 development is not available by the time of the Block 55E SPS and forcemain installation, the lands can be serviced in an interim basis by one of the following three options; Option

1 is to extend the sanitary forcemain along Teston Road to Pine Valley Drive, then south on Pine Valley Drive to a future gravity sewer at the west side of Block 40, approximately 900m south of Teston Road. In the event the future gravity sewer in Option "1" is unavailable, Option 2 would be to extend the forcemain further south on Pine Valley Drive to Major Mackenzie Drive, then east on Major Mackenzie Drive to an existing gravity sewer on Lawford Road/Fossil Hill Road. Option 3 would be to extend the sanitary forcemain east on Teston Road to an existing sanitary sewer at Weston Road.

The Block 55 Landowners will be required to enter into the Block 55 Landowners agreement and Block 55 Trustee shall issue a clearance letter to all development plans within Block 55.

e) Storm Drainage

The lands are located within the East Humber River Subwatershed. The lands are traversed by three unnamed tributaries of the East Humber River; one tributary is located just outside the north east development limit of 19T-13V009 and runs southeast to an existing culvert at Kipling Avenue approximately 600m south of Kirby Road. The second tributary runs through both plans to an existing culvert at Kipling Avenue approximately 750m north of Teston Road. The third tributary is located southeast of the 19T-13V008 development limit and drains to an existing culvert on Teston Road, west of Kipling Avenue.

The storm water management plan for the lands proposes a total of five storm water management facilities (four ponds in 19T-13V008, one pond in 19T-13V009). The SWM facilities are proposed to control the urban storm water runoff to the target release rates established for the East Humber River watershed.

As part of the engineering design and prior to the initiation of any grading on the draft plan, the applicant shall provide an engineering report for the review and approval of the City that describes the proposed storm drainage system to develop the subject lands. This report shall describe the proposed drainage system to develop the subject lands and include, but not be limited to, the following items:

- (i) Plans illustrating the proposed system and its connection into the existing storm system;
- (ii) Storm water management techniques that may be required to control minor or major flows;
- (iii) Detail all external tributary lands, and include the existing development(s); and,
- (iv) Proposed methods for controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction.

The municipal servicing design shall conform to the approved Block 55 East Block Plan and MESP.

f) Sewage and Water Allocation

On October 29, 2013, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City over the next three years. Availability of this capacity is subject to the construction and anticipated in-service date for the Regional Southeast Collector (SEC) Sewer expected by Q4-2014.

On April 7, 2014, written confirmation from York Region was received confirming completion of the SEC project remains on schedule and is within twelve months of the anticipated in-service date.

Servicing capacity to Phase One of the Block 55 East Community (for 446 residential units) was reserved by Council resolution in conjunction with Block Plan Approval on May 27, 2014.

To date, York Region has provided clearance to the City permitting the registration of development applications up to an allowable population of 12,377 persons equivalent of servicing capacity linked to the construction of the SEC. Accordingly, servicing capacity for Phase 1 of the subject development is available and unrestricted. Therefore, the following resolution to allocate capacity to Phase 1 of the subject development may be recommended for Council approval:

“THAT Draft Plan of Subdivision File 19T-13V009 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 288 residential units (1,031 persons equivalent).”

At this time, the Owner has not identified the specific 288 residential units within the proposed draft plan of subdivision, which should receive the above mentioned allocation of servicing capacity. Therefore, even though a portion of the proposed draft plan of subdivision can be allocated servicing capacity, the entirety of the residential lands will be zoned with a Holding Symbol “(H)”.

The municipal servicing design shall conform to the approved Block 55 East Block Plan and MESP.

g) Environmental Noise Impact

As noted in the preliminary noise report, the Owner is required to submit a noise report for review and approval by the City as part of the detailed engineering submission. The City requires all dwelling units that abut or face an arterial road such as Kipling Avenue, Teston Road, and Kirby Road be constructed with mandatory central air-conditioning. The preliminary noise report proposes additional measures to mitigate noise by constructing acoustic barrier and berm, air conditioning and potentially upgraded building components such as windows. Kipling Avenue, Kirby Road and Teston Road are being proposed with acoustic fences ranging in height abutting public lands that will be constructed with all berming and/or fencing material, including foundations, completely on private lands and totally clear of any 0.3m road reserve.

h) Street-lighting

The streetlighting shall meet the City criteria within the draft plan. The intersection of Street “A” and Teston Road shall be illuminated to City standards. Also the streetlighting at the intersection of Street “C” and Kipling Avenue shall meet the City standards criteria.

Environmental Engineering

Environmental Engineering staff reviewed the following environmental site assessment (ESA) related documents that were submitted in response to comments dated March 25, 2014:

- i. Hard copies and pdf electronic versions of the Phase One ESA reports dated January 23, 2012 and Phase Two ESA reports dated February 29, 2012;

- ii. SPL Consultants Ltd. (SPL) letter report entitled "Phase One Environmental Site Assessment Update, Part 1 to 19, Part of Lot 29 and 28, Concession 8 of Plan 65R-32602, Vaughan, Ontario" dated April 30, 2014; and,
- iii. SPL letter entitled "Letter of Reliance – Environmental Site Assessments, Kleinburg Summit, Block 22, Part of Lots 28 & 29, Concession 8" dated May 12, 2014.

Based on the review of the above noted documents, no further ESA documents are required at this time in order for the development application to proceed to Committee of the Whole.

Vaughan Planning Department - Cultural Heritage Division

The Cultural Heritage Division has reviewed the draft plan of subdivision and advises the following:

- i. The subject property previously contained a building at 11178 Kipling Avenue, which is listed on the Register of Property of Cultural Heritage Value, as per Section 27 of the Ontario Heritage Act. This building was destroyed by a fire in 2009 and nothing of it remains on the subject property;
- ii. The applicant has submitted a Cultural Heritage Resource Impact Assessment report as per Chapter 6 of the Vaughan Official Plan 2010, Volume 1. This requirement has been fulfilled and no further CHRIA reports are required;
- iii. On February 25, 2014, Heritage Vaughan recommended approval of the recommendations contained in the Owner's CHIA, as follows:

Heritage Vaughan advises Council:

- 1. That recommendations 2, 3, 4, and 5 contained in the Consultant's report were approved, as follows, to be pursued through the Block Plan process at the cost of the applicant to the satisfaction of the City;
  - i. That the Henry CHL be a publicly accessible site and; a demolition and a conservation plan be in place to conserve important landscape features, including the gate, fence, lane, parts of the veranda and parts of the house and barn foundations above grade;
  - ii. The 3 heritage sites be commemorated through street naming and interpretive plaques;
  - iii. The McCutcheon House be commemorated with a heritage themed sculpture or structure placed in a publicly accessible open space area on or near lands that were once part of the farm;
  - iv. Financial security be posted with the municipality to implement the recommendations; and,
- 2. That the applicant was requested to incorporate some of the architectural designs of the McCutcheon House and the John S. Henry house into the architectural designs of the new homes located within the streets where these historic homes were originally located, and to use the names of local historical homes where possible when naming streets and public spaces in this development; and,

3. That the City was requested to consider incorporating the heritage landscape elements into the parks development design and when the design is brought forward that heritage designation be considered.
- iv. The applicant has submitted a Stage 2 archaeological assessment titled Stage 2 Archaeological Assessment for the: Proposed Development of Block 55 East, Draft Plans 19T-13V008 (Kipling South) & 19T-13V009 (Kipling North), and Greco Property, Farruggio Property & 1539028 Ontario Inc. Property, Within Parts of Lots 26-30, Concession 8, In the Former Geographic Township of Vaughan, Historical County of York, Now the City of Vaughan, Regional Municipality of York, Ontario. Project #219-VA832-12, PIF #P029-850-2012, dated January 17, 2014 as part of the Block Plan submission. The report recommends that a further Stage 3 Archaeological Assessment will be required. Cultural Heritage will await the Stage 3 report and the acceptance letter from the Ministry of Tourism, Culture and Sport for the Stage 3 report;
- v. Cultural Heritage staff has received a letter from the Ministry of Tourism, Culture and Sport, dated March 19, 2014, accepting the report titled Stage 2 Archaeological Assessment for the: Proposed Development of Block 55 East, Draft Plans 19T-13V008 (Kipling South) and 19T-13V009 (Kipling North), and Greco Property, Farruggio Property and 1539028 Ontario Inc. Property, Within Parts of Lots 26-30, Concession 8, In the Geographic Township of Vaughan, Historical County of York, Now the City of Vaughan, Regional Municipality of York, Ontario. Filed with MTCS Toronto Office on Mar 18, 2014, MTCS Project Information Form Number P029-850-2012, MTCS File Number 0000809. The letter concurs with the recommendation in the report that a further Stage 3 Assessment is required.

#### Vaughan Parks Development Department

The Vaughan Parks Development Department has reviewed the proposal and is satisfied with the draft plan of subdivision, subject to the conditions of approval included in Attachment #1.

#### Vaughan Real Estate Division

The Vaughan Real Estate Division has advised that the Owner shall dedicate land or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent of 1 ha per 300 units or 5% the value of the subject lands or units of the value of the subject lands, prior to the issuance of a Building Permit for the residential component, whichever is higher, and 2% for the commercial component, prior to the issuance of a Building Permit, in accordance with the Planning Act and the City's Cash-in-lieu Policy. The Owner shall submit an appraisal of the subject lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. This is included in the recommendation of this report.

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

The TRCA, in a letter provided to the City of Vaughan dated August 13, 2014, recommends approval of Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### Hydro One

Hydro One, in a letter provided to the City of Vaughan dated March 11, 2014, states that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### York Region District School Board (YRDSB)

The YRDSB, in a letter provided to the City of Vaughan dated June 4, 2014, advised that the YRDSB will not require a public elementary school site within the proposed Draft Plan of Subdivision File 19T-13V009.

#### York Catholic District School Board (YCDSB)

The YCDSB, in a letter provided to the City of Vaughan dated March 20, 2014, advised that the YCDSB will not require a catholic elementary school within the entirety of the Block 55 East Plan area, which includes the subject lands.

#### Bell Mobility and Development and Municipal Services Control Centre

In a letter dated June 2, 2014, Bell Mobility expressed interest in locating telecommunication infrastructure within the Draft Plan of Subdivision File 19T-13V009. The preferred method of deployment would be the installation of approximately 20 small cell units affixed to light standards within the draft plan of subdivision, rather than the construction of a single, large multi-carrier telecommunication tower. Both the Owner and the City of Vaughan are in agreement for the preferred method, as proposed by Bell Mobility. The Owner has advised that they will work with Bell Mobility at the detailed design stage of the plan of subdivision.

In a letter dated April 16, 2014, Bell Development and Municipal Services Control Centre advised that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### Canada Post

In a letter dated March 14, 2014, Canada Post advised that they have no objection to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### Enbridge Gas Distribution

In a letter dated April 16, 2014, Enbridge Gas Distribution advised that they have no objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions of approval in Attachment #1.

#### PowerStream

In a letter dated March 11, 2014, PowerStream advised that they have no comments or objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042.

#### TransCanada Pipeline Limited

In a letter dated May 29, 2014, Lehman & Associates, c/o TransCanada Pipelines Limited, advised the following:

- TransCanada has one high pressure natural gas pipeline crossing the subject lands.
- As outlined in our letter to the City in September 2013 regarding the Block Plan, to proceed with a pathway within the right-of-way, TransCanada requires either buried concrete slabbing along the entire length of the pipe where the pathway is proposed, at the owners cost, or the pathway must maintain a minimum 3m separation from the

pipeline edge for the entire length of the pathway where it lies in the right-of-way. Where a pathway will cross over the right-of-way at 90 degrees, requirements could include slabbing at the crossing point, or installation of marker tape below ground or a combination of both. The pathway crossing must not exceed 3m within the right-of-way.

- Pipeline integrity digs will be required at all the 3 paved road crossing locations at the cost of the owner. Pre-engineering and final cost reimbursement agreements will be required between the Owner and TransCanada for the cost estimate of the work. Please be advised that the pipeline integrity work may take 12-18 months or more from the date the pre-engineering agreement is signed.
- We note that the draft By-law contains a 7m setback from the pipeline right-of-way. We request the following revision to reflect TransCanada's standard setback:
  - No permanent building or structure may be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.

As discussed above, the implementing Zoning By-law will include the revised language from TransCanada Pipelines Limited regarding the appropriate setbacks from the pipeline right-of-way.

Since the amendment to the original draft zoning by-law has been made, TransCanada Pipelines Limited has advised that they have no further objections to the proposed Draft Plan of Subdivision File 19T-13V009, and corresponding Zoning By-law Amendment File Z.13.042, subject to the conditions in Attachment #1.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

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

i) **Lead and Promote Environmental Sustainability**

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

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

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

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

As discussed above, the Owner is proposing several cultural heritage features in the proposed development. The Vaughan Cultural Heritage Division of the Planning Department and Heritage Vaughan have reviewed the proposal and supports the proposed development subject to the comments in this report.

iv) **Enhance and Ensure Community Safety/Health and Wellness**

The proposed development includes several public parks, multi-use pathways, sidewalks, amenity space, cycling signage, and open space trails to enhance the City's existing inventory of public amenity space.



### **Regional Implications**

In a letter dated June 4, 2014, York Region stated they have no objection to draft plan approval for Draft Plan of Subdivision File 19T-13V009, subject to the Conditions of Approval in Attachment #1.

### **Conclusion**

The Zoning By-law Amendment and Draft Plan of Subdivision applications propose to facilitate the development of the subject lands with 425 dwelling units, open space blocks, park blocks, a stormwater management block, landscape areas and landscape restoration areas. The applications meet the objectives of the Provincial policies, and Regional and City Official Plan policies for the efficient use of developable land, which provides sustainable community objectives that can be implemented through neighbourhood designs that provide bicycling and walking opportunities, ensures neighbourhood connectivity to the broader community, and provides water and energy efficiencies, energy alternatives and green building design and site development. The sustainable objectives for the subject lands propose low impact development (LID) measures such as infiltration trenches.

The Vaughan Planning Department is satisfied that the proposed Draft Plan of Subdivision shown on Attachment #4 can be developed in a manner that is appropriate and compatible with the existing community. The Planning Department can support the approval of the Zoning By-law Amendment File Z.13.042 and the proposed Draft Plan of Subdivision File 19T-13V009, subject to the recommendations in this report, and the conditions of approval as set out in Attachment #1.

### **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Draft Plan of Subdivision (File 19T-13V009)
5. Proposed Zoning (File Z.13.042)
6. Approved Block 55 East Plan (File BL.55.2013)

### **Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYEYAMA  
Interim Director of Planning, and  
Director of Development Planning

/CM

MAURO PEVERINI  
Manager of Development Planning

## **ATTACHMENT NO. 1**

### **STANDARD CONDITIONS OF DRAFT APPROVAL**

#### **DRAFT PLAN OF SUBDIVISION FILE 19T-13V009 MONARCH CASTLEPOINT KIPLING NORTH DEVELOPMENT LIMITED (OWNER) LOTS 28 and 29, CONCESSION 8, CITY OF VAUGHAN (CITY)**

**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-13V009 (PLAN), ARE AS FOLLOWS:**

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

1. The Plan shall relate to the draft plan of subdivision, prepared by Malone Given Parsons Ltd., drawing #13-2229, dated November 1, 2013 (revised June 24, 2014).
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 pay any and all outstanding application fees to the Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances included within this Plan shall be named to the satisfaction of the City and the Regional Planning Departments.
8. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of Lots and Blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
9. Any dead ends or open sides of road allowances created by this Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.

10. The Owner shall agree in the Subdivision Agreement that construction access shall be provided only in a location approved by the City and York Region.
11. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes and shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
12. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
13. Prior to the initiation of grading, and prior to the registration of this Plan or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within 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; and
  - d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.
14. The Owner shall agree in the Subdivision Agreement that no Building Permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
15. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost of any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the plan.
16. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
17. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.

18. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
19. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
20. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all Lots/Blocks within the entire Plan:
  - a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the Subdivision Agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

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

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this Subdivision Agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."
  - c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the CRTC authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
  - d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-Law 1-88, as amended, as follows:
    - i) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.

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

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

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

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

- e) “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the Mailbox shall be shown on the community plan provided by the Owner in its Sales Office.”
- f) “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants.”
- g) “Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this Subdivision Agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.”
- h) “The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement.”
- i) “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this Subdivision Agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on

private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

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

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

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

- 21. The Owner shall agree in the Subdivision Agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.
- 22. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City.

The Owner shall provide a copy of the fully executed Subdivision Agreement to the appropriate telecommunication provider.

23. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
24. Prior to final approval of the Plan, the Owner shall prepare the detailed design for the proposed Laneway "A" to the satisfaction of the City.
25. All proposed watercourse-roadway crossings/culverts shall be constructed in conjunction with each corresponding phase of development. The timing for construction of these works shall be to the satisfaction of the City.
26. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final plan to the satisfaction of the City.
27. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof.
28. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
29. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
  - a) Submit a Phase One Environmental Site Assessment (ESA) report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan (RAP), Phase Three ESA report in accordance with Ontario Regulation (O.Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
  - b) For park/open space Block(s) that are being conveyed to the City, submit a Phase Two ESA report in accordance with O.Reg. 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space Block(s) shall be conducted only after the City has certified the rough grading of the park/open space Block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be



developed in consultation with the City, implemented, and completed to the satisfaction of the City.

- c) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required to meet the applicable Standards set out in the Ministry of the Environment (MOE) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MOE, covering all the lands within the Plan.
  - d) Submit a certificate letter prepared by the Owner's Qualified Person stating that the Owner covenants and agrees that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MOE document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).
  - e) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
30. Prior to the initiation of the grading or stripping of top soil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slopes stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school Blocks.
31. The Owner shall convey, free of all costs and encumbrances, the required stormwater management (SWM) Block 398 based on the updated/revised SWM report to accommodate the required stormwater management controls, that may include additional lands and/or changes to the lotting pattern, to the satisfaction of the City.
32. The Owner shall agree in the Subdivision Agreement to construct a 1.5 metre high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valley/woodlot, storm water management, and/or park Blocks to the satisfaction of the City.
33. The Owner shall include the following warning clause for all purchasers and/or tenants within the Plan:
- a) abutting or in proximity of any open space, valleylands, woodlots or stormwater facility:
    - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
  - b) abutting or in proximity of any parkland or walkway:

- “Purchasers and/or tenants are advised that the Lot abuts a “Neighbourhood Park” of which noise and lighting may be of concern due to the nature of the park for active recreation.”
- c) abutting with the laneway:
- “Purchasers and tenants are advised that the public laneway will be maintained to a lesser standard than local public streets.”
  - “Purchasers and/or tenants are advised that snow clearing, plowing and sanding operations for the public laneway will occur only after all city streets have been cleared, plowed, and/or sanded, and either 15cm or more snow has fallen or severe rutting has occurred.”
- d) street ending in a dead end:
- “Purchasers and/or tenants are advised that the Streets “A”, “G”, “O”, ending in a temporary hammerhead turn-around or cul-de-sac will be extended in the future to facilitate development of adjacent lands without further notice.”
- e) encroachment and/or dumping:
- “Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the school site, park, open space, woodlot and/or storm water management facility are prohibited.”
- f) gate of access point:
- “Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the school site, open space, stormwater management facility, watercourse corridor, woodlot, and/or park is prohibited.”
- g) infiltration trench:
- “Purchasers and/or tenants are advised that their rear yard lot area has been design to incorporate an infiltration trench or soak-away pit system to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench or soak-away pit systems in good operating condition, which may include periodic cleaning of the rear yard catch basin. No planting activity or structures are permitted on the infiltration trenches and soak-away pits”.

h) Hydro Corridor:

- “Purchasers and/or tenants are advised that Hydro One Networks Inc. or its assigns or successors in interest, may upgrade or remove and replace towers at any time at their discretion, and will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

i) Trans Canada Pipeline:

- “Purchasers and/or tenants are advised that Trans Canada Pipeline owns a right-of-way running west to east within the Plan. High pressure gas pipeline(s) presently exist within the right-of-way.”

34. Part Blocks 442 to 458, inclusive shall be developed only in conjunction with abutting lands in Draft Plan of Subdivision File 19T-13V008 Monarch Castlepoint Kipling South Development Limited to the south. The City shall not issue a Building Permit for the subject Blocks until the lands are combined to the satisfaction of the City.
35. Parts Block 440 and Block 441 shall be developed only in conjunction with abutting lands to the north. The City shall not issue a building permit for the subject Blocks until the lands are combined to the satisfaction of the City.
36. The Owner shall convey the following lands to the City or TRCA, where appropriate, free of all charge and encumbrances:
  - a) Block 398 for stormwater management purposes;
  - b) Blocks 406 to 410 inclusive, and Block(s) 411 to 419 inclusive for open space and buffer purposes; and.
  - c) Blocks 388 and 389 for park purposes.
37. Prior to final approval of the Plan, the Owner shall provide drawings for the design of proposed bicycle stands on concrete pads at bus stops within the boulevard of Street “A”, to the satisfaction of the Development/Transportation Engineering Department.
38. Prior to final approval of the Plan, the Owner shall submit a comprehensive TDM Plan for Block 55 East to the satisfaction of the Development/Transportation Engineering Department and York Region. This may include TDM measures, budget, implementation plan and monitoring program.
39. The Owner shall agree in the Subdivision Agreement to implement the recommendations of the updated transportation report/plan and traffic management master plan, as approved by the City.
40. Prior to final approval of the Plan, the Owner shall submit an updated Traffic Impact Study to the satisfaction of the Development/Transportation Engineering Department.

41. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to evaluate, oversee and finalize the intersection designs/roadway network as per the recommendations in the Traffic Management Master Plan/updated transportation report, and to the satisfaction of the City. The Owner acknowledges that the engineering design for alternative road network/design, traffic calming measures, pedestrian and cycling infrastructure and designated transit route(s) may result in variation(s) to the road and lotting pattern.
42. Prior to final approval of the Plan, the Owner shall carry out or cause to be carried out, the design and construction of the traffic calming/management measures that are identified on the traffic management master plan. In the event that these traffic calming measures are found to be insufficient and/or ineffective by the City prior to the assumption of the municipal services on the Plan, then the Owner shall design and construct additional traffic calming measures to the satisfaction of the City.
43. Prior to final approval of the Plan, the Owner shall agree that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
44. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
45. The Owner shall agree to design and construct the External Watermain Improvement Works as part of the City Wide Development Charge Projects in accordance with the requirements of the Kleinburg-Nashville Water and Wastewater Servicing Strategy Master Plan and City Wide Water and Wastewater Master Plan, and the phasing of the External Watermain Improvement Works shall conform to the approved Block 55 MESP, all to the satisfaction of the City.
46.
  - a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 55 East to the satisfaction of the City. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 55 East. This agreement shall also include a provision for additional developers to participate within the Developers' Group Agreement when they wish to develop their lands.

The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy". If required, non-participating Owners shall be required to pay additional cash-in-lieu to the City.
  - b) Prior to final approval of the Plan, the Trustee for the Block 55 East Landowners Group shall provide the City with a letter confirming the Owner has fulfilled all cost sharing and other obligations of the Block 55 East Cost Sharing Agreement.
47. The Owner shall agree in the Subdivision Agreement to inspect, evaluate and monitor all wells within the zone of influence prior to, during and after construction has been completed. Progress reports should be submitted to the City as follows:

- a) A base line well condition and monitoring report shall be submitted to the City prior to the pre-servicing or registration of the plan (whichever occurs first) and shall include as a minimum requirement the following tests:
    - i) Bacteriological Analysis – total coliform and E-coli counts
    - ii) Chemical Analysis – Nitrate Test
    - iii) Water level measurement below existing grade
  - b) In the event that the test results are not within the Ontario Drinking Water Standards, the Owner shall notify in writing, the Purchaser, the Regional Health Department and the City within twenty-four (24) hours of the test results.
  - c) Well monitoring shall continue during construction and an interim report shall be submitted to the City for records purposes.
  - d) Well monitoring shall continue for one year after the completion of construction and a summary report shall be submitted to the City prior to Completion Approval.
  - e) If the private well systems in the zone of influence deteriorate due to the servicing of the plan of subdivision, the Owner will provide temporary water supply to the affected residents upon notice by the City. If the quantity and quality of water in the existing wells is not restored to its original condition within a month after first identification of the problem, the Owner will engage the services of a recognized hydro geologist to evaluate the wells and recommend solutions including deepening the wells or providing a permanent water service connection from the municipal watermain system.
48. Development of the park Blocks are to be coordinated with residential development in order to provide park facilities to the local residents in a timely manner. The Owner is to advise the City whether or not they intend to undertake full development of and/all of the park Blocks in accordance with the "Developer Build Parks Policy, No. 07.2.05", so that the City can plan and budget accordingly.
49. Facility fit of Park Blocks 388 and 389 are to be provided for the City's review including the following information:
- a) A plan illustrating the boundaries of proposed parkland dedication and the total size of individual blocks. The plan shall include topographic information in order to assess slopes and drainage;
  - b) A plan illustrating existing vegetation, identifying species, age, size and condition;
  - c) A park concept plan which illustrates proposed park program requirements as determined by the City;
  - d) A park grading concept plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements.

The plans are to be completed by a registered Landscape Architect and are

required to provide sufficient information to confirm facility and program requirements to the satisfaction of Parks Development.

50. All park Blocks shall include, but are not necessarily limited to the following:

- a) A geotechnical investigation and Phase 2 Environmental Site Assessment is to be conducted by a qualified Professional Engineer to the satisfaction of the City in accordance with O.Reg. 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. Ensure compliance with the most updated Engineering Design Criteria and Standard Drawings;
- b) A minimum of 10 boreholes are required for the Park Blocks: 388 (5 boreholes) and 389 (5 boreholes). Boreholes are to be taken at regular intervals along the full length of the proposed park blocks. Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants;
- c) A complete inventory and analysis report of existing vegetation is to be completed by a Certified Arborist for all existing trees within the park Block. Drawings shall indicate the location of all existing trees, including limit of drip line, trees to be removed and trees to be maintained within the park Block. No grading work is permitted within the drip line of existing trees that are to be preserved. All dead, damaged and hazardous trees are to be removed and disposed of off-site;
- d) Park Blocks 388 and 389 shall be graded to conform to the overall grading plan of the subdivision with clean engineered fill compacted to 95% Standard Proctor Dry Density (SPDD). No fill is to be placed on the existing topsoil and the stockpiling of topsoil is prohibited on Park Blocks 388 and 389. Spread and fine grade topsoil evenly to a depth of 300 mm over the entire park blocks. Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and clay loams. Acidity of topsoil shall range from 6.0pH to 7.5 pH and shall be capable of sustaining vigorous plant growth; a chemical analysis shall be conducted by a qualified testing laboratory and results of testing provided to the Vaughan Parks Development Department prior to placing of topsoil;
- e) Park Blocks 388 and 389 are to be seeded with a seed mix approved by the Vaughan Parks Development Department;
- f) The perimeter of Park Blocks 388 and 389 are to be fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the park Blocks;
- g) Park Blocks 388 and 389 shall not be encumbered by any easements for utility services, transformer boxes, Canada Post mail boxes and/or access, and the like;
- h) Park Blocks 388 and 389 shall include adequate sized servicing connections along the main frontage of the park blocks, including a water chamber manhole,

complete with a curb stop and storm water manhole. All storm water structures are to be located no less than 5 metres away from residential property lines. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual;

- i) The approved electrical distribution plan will include a 120/240 volt, single phase, three wire power supply to the park block. The power supply will consist of a 3 conductor #3/0 aluminum underground cable drop located 1 metre from the street line and 1 metre from the property line inside the park blocks. The cable feed is to originate from the closest (within 75 metre cable length) single phase pad mounted transformer and is to be left coiled and attached to a 2" X 4" wood stake, visible above grade;
- j) All temporary sediment control management measures are to be removed prior to rough grading.

51. Prior to final approval, the Owner shall prepare Architectural Design Guidelines;

- A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
- Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved Architectural Guidelines; and,
- The City may undertake periodic reviews to ensure compliance with the Architectural Design Guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.

52. Prior to final approval, the Owner shall prepare a Streetscape Landscape Master Plan in accordance with the approved Block 55 East Urban Design Guidelines. The Master Plan shall address but not be limited to the following issues:

- Co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including fencing treatments and street tree planting;
- Edge restoration along the open space lands;
- Preliminary design of park Blocks 388 and 389 to integrate with built-form and public realm;
- The appropriate landscaping within the stormwater management pond Block 398;
- The appropriate community edge treatment along Kipling Avenue, including the appropriate landscaping for Buffer Blocks 396 and 397 with low-maintenance plant material;
- The appropriate landscaping and streetscaping treatment within the Ontario Hydro Easement's open space corridor Blocks 399, 400, and 401;
- The appropriate landscaping and streetscaping treatment within the Trans Canada Pipeline corridor Blocks 434 to 439, inclusive;
- The appropriate landscaping and streetscaping treatment within the landscape area Blocks 390 to 395, inclusive; and

- Trail system and network within the open space blocks, Ontario Hydro Easement open space corridor, Trans Canada Pipeline corridor, park blocks, landscape area blocks, and storm pond block.
53. Prior to final approval, the Owner shall provide a minimum 10m buffer block abutting the open space blocks along residential lots and residential blocks.
  54. 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.
  55. Prior to final approval, the Owner shall prepare a detailed edge management plan study for the perimeter of the open space lands. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the woodlot/open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The owner shall not remove any vegetation without written approval by the City.
    - a) The owner shall provide a report for a 20 metre zone within all staked woodlot and open space edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.
  56. The warning clause approved by Vaughan Council on September 29<sup>th</sup>, 1997, with respect to "Tree Fees" shall be included in the subdivision agreement:
    - *"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."*
    - *"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."*
  57. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots and blocks that abut open space buffer Blocks 411 to 419, inclusive.
  58. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots and blocks that abut storm pond Block 398.



59. The Owner shall agree in the Subdivision Agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots and blocks that abut park Blocks 388 and 389.
60. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along limits of the residential lots and blocks that abut landscape area Blocks 390 to 397, inclusive, to the satisfaction of the City.
61. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the residential lots and blocks that abut walkway Blocks 402 to 405, inclusive, to the satisfaction of the City.
62. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the residential lots and blocks that abut Ontario Hydro Easement open space corridor Blocks 399 to 401, inclusive, to the satisfaction of the City.
63. The Owner shall agree in the Subdivision Agreement to erect an appropriate fence barrier along the limits of the residential lots and blocks that abut Trans Canada Pipeline corridor Blocks 434 to 439, inclusive, to the satisfaction of the City.
64. The Owner shall agree in the Subdivision Agreement to erect permanent wood fence treatments for flanking residential lots and residential blocks; to be co-ordinated with the environmental noise report and Architectural Design Guidelines.
65. The Owner shall convey landscape area Blocks 390 to 397, inclusive, to the City free of all cost and encumbrances.
66. The Owner shall convey Ontario Hydro Easement open space corridor Blocks 399, 400, and 401 to the City, free of all cost and encumbrances.
67. The Owner shall convey Trans Canada Pipeline corridor Blocks 434 to 439, inclusive, to the City free of all cost and encumbrances.
68. The Owner shall convey open space Blocks 406 to 410, inclusive, to the TRCA or the City free of all cost and encumbrances.
69. The Owner shall convey open space Buffer Blocks 411 to 419, inclusive, to the TRCA or the City free of all cost and encumbrances.
70. The Owner shall convey landscape restoration area Blocks 420 to 433, inclusive, to the TRCA or the City free of all cost and encumbrances.

#### York Region Conditions

71. 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 (\*) 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 confirming 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.
72. Prior to draft plan approval for any residential units, the owner shall enter into an indemnity agreement with York Region, which 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 File 19T-13V09, or any phase thereof, 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, 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.
- (\*) the term 'end users' for the purpose of the above-noted pre-conditions is defined as the eventual homeowner who is purchasing an individual lot containing a dwelling for the purpose of occupancy.
73. The road allowances included within the Plan shall be named to the satisfaction of the City of Vaughan and York Region.
74. Prior to final approval, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the City of Vaughan for the development proposed within this Plan 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.

75. The Owner shall agree in the Subdivision Agreement that the Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
76. Prior to final approval, the engineering drawing showing the layout of the watermain and sewers shall be submitted to the Capital Planning and Delivery Branch for review and record.
77. The Owner shall agree in the Subdivision Agreement that any direct connection to a York Region water or wastewater system requires Regional approval prior to construction, and engineering drawings showing details of the connection shall be submitted to Capital Planning and Delivery for approval.
78. For all lands, the Holding (H) Symbol 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 By-law shall specify the terms under which Vaughan Council may consider the removal of the Holding (H) Symbol. Said terms shall include a minimum of the following:
  - a) the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
  - b) 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 to 36 months depending on the complexity of the development) to permit the plan registration; or,
  - c) 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.
79. Prior to final approval, the Owner shall submit a revised Transportation Impact Study and Transportation Demand Management Plan to the satisfaction of the Regional Transportation Planning branch.
80. Prior to final approval, the Owner shall provide a copy of the Subdivision Agreement to the Regional Transportation and Community Planning Department, outlining all requirements of the Transportation and Community Planning Department.
81. The Owner shall enter into an Agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law # 2012-36.

Toronto and Region Conservation Authority (TRCA)

82. That prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of the TRCA for any proposed topsoil stripping in the Plan area. This submission shall include:

- a) Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology; and
  - b) An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.
83. That prior to site alteration (with the exception of topsoil stripping) and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of the TRCA in accordance with the Block Plan Resubmission - Revised, Block 55 East, Kleinburg Summit Community, Volumes 1 and 2, prepared by Malone Given Parsons Ltd. et al., dated June 2014, as may be amended to the satisfaction of the TRCA and the City of Vaughan. This submission shall include:
- a) Grading plans for the subject lands;
  - b) Cross-sections and details where grading is proposed in or adjacent to the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive), including but not limited to existing and proposed grades, limits of the natural features and hazards, buffers, transition to the adjacent tableland areas, interim stabilization of the slopes/disturbed areas, mitigation, tree protection, sediment and erosion controls, and supporting geotechnical/soils analyses; and
  - c) An Erosion and Sediment Control Report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction.
84. That prior to the registration of this Plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) to the satisfaction of the TRCA in accordance with the Block Plan Resubmission - Revised, Block 55 East, Kleinburg Summit Community, Volumes 1 and 2, prepared by Malone Given Parsons Ltd. et al., dated June 2014, as may be amended to the satisfaction of the TRCA and the City of Vaughan. This report shall include:
- a) A description of the storm drainage system (quantity and quality) for the proposed development;
  - b) Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;
  - c) Appropriate stormwater management techniques which may be required to control minor and major flows;
  - d) Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;

- e) Detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
  - f) Proposed measures to mitigate the potential erosive impacts of development on the natural heritage system, both on and off-site;
  - g) Geotechnical analyses to ensure the integrity of stormwater management pond berms and to determine the need for a liner to limit seepage/piping and groundwater intrusion into the berms;
  - h) Proposed measures to promote infiltration and maintain water balance for the plan area;
  - i) Proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development;
  - j) A subsurface investigation (including assessment of groundwater levels) at the locations of the stormwater management ponds and for the final design of site grading and house basement elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
  - k) An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
  - l) Detailed plans and supporting calculations for all watercourse crossings;
  - m) Updated Regulatory floodline modeling and mapping to the standards established by the TRCA based on the final characteristics of the culvert crossing of Tributary B1 at Street 'B';
  - n) Confirmation that a 10 metre buffer will be maintained from the Regulatory floodline based on the updated floodline modeling and mapping provided; and
  - o) The location and description of all outlets and other facilities or works which may require permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.
85. That prior to topsoil stripping and prior to the registration of this Plan or any phase thereof, the Owner shall prepare a tree protection and preservation plan for the site that examines opportunities for the retention of larger trees, means of protecting retained trees/forest edges from development activities, and opportunities for the salvage and re-use of trees throughout the site as buffer plantings to the satisfaction of the TRCA. The Vegetation Community Preservation Report, Block 55 East – Kleinburg Summit, prepared by Aboud & Associates Inc., dated January 15, 2014, can be used as a basis for the detailed tree protection and preservation plan, but would need to be updated to

reflect the most up-to-date development limits and proposed areas of disturbance. The recommendations of the tree protection and preservation plan shall be implemented by the Owner to the satisfaction of the TRCA prior to topsoil stripping.

86. That prior to topsoil stripping, the Owner shall initiate and continue to undertake the monitoring programs outlined in the Master Environmental Servicing Plan, prepared by SCS Consulting Group Ltd., dated June 2014, as may be amended to the satisfaction of the TRCA and the City of Vaughan, which includes but is not limited to the submission of monitoring reports and mitigation and adaptive management plans where negative impacts are anticipated or have occurred as a result of development in the plan area, to the satisfaction of the TRCA and the City of Vaughan. The recommendations of the mitigation and adaptive management plans shall be implemented by the Owner to the satisfaction of the TRCA and the City of Vaughan.
87. That prior to topsoil stripping and prior to the registration of this Plan or any phase thereof, the Owner shall prepare an amphibian pond removal and creation report to the satisfaction of the TRCA. The report will speak to the provision of one off-line amphibian pond in Open Space Buffer Block 412, which will be provided by the Owner to mitigate for the loss of the one productive amphibian farm pond on the Monarch Castlepoint Kipling South Development Limited lands to the south (Draft Plan of Subdivision 19T-13V008). The report should address, at a minimum, location, design, hydrology, wildlife salvage, timing and coordination between the two developments. The recommendations of the amphibian pond removal and creation report shall be implemented by the Owner to the satisfaction of the TRCA prior to the removal of the farm pond.
88. That prior to topsoil stripping and prior to the registration of this Plan or any phase thereof, the Owner shall prepare a detailed Wildlife Rescue Plan (including fish, turtles and amphibians) for any proposed watercourse modifications/enhancements and pond removals to the satisfaction of the TRCA. The recommendations of the wildlife rescue plan shall be implemented by the Owner to the satisfaction of the TRCA prior to the proposed watercourse modifications/enhancements and pond removals.
89. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare plans to the satisfaction of the TRCA in support of the wildlife enhancements that are applicable to the plan area as outlined in the the Block Plan Resubmission - Revised, Block 55 East, Kleinburg Summit Community, Volumes 1 and 2, prepared by Malone Given Parsons Ltd. et al., dated June 2014, as may be amended to the satisfaction of the TRCA and the City of Vaughan, which for this site includes the creation of snake habitat near the East Humber River valley corridor.
90. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare comprehensive Edge Management Plans/Restoration planting plans to the satisfaction of the TRCA for the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive).
91. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare planting plans for the Stormwater Management Block (Block 398) to the satisfaction of the TRCA.

92. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare a plan that addresses the removal and restoration of historical, man-made intrusions in the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) to the satisfaction of the TRCA, which must include but is not limited to the removal of paths, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.
93. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare trail plans and details to the satisfaction of the TRCA for areas within and adjacent to the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive).
94. That prior to the registration of this Plan or any phase thereof, the Owner shall prepare a report that assesses the technical feasibility and preliminary cost estimates of creating pedestrian connections to the existing and proposed publicly owned trail systems external to the plan area. This report will be completed in consultation with and to the satisfaction of the TRCA and the City of Vaughan.
95. That prior to the registration of this Plan or any phase thereof, the Owner shall obtain all necessary permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of the TRCA.
96. That the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) shall be dedicated to the TRCA or the City of Vaughan, free of all charges and encumbrances.
97. That the implementing Zoning By-law shall recognize the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) in an open space, or other suitable environmental zoning category, which has the effect of prohibiting development, to the satisfaction of the TRCA.
98. That the implementing Zoning By-law shall be prepared to the satisfaction of the TRCA.
99. That the Owner shall provide a copy of the adopted implementing Zoning By-law to the TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
100. That the Owner agrees in the subdivision agreement, in wording acceptable to the TRCA:
  - a) To carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the reports/strategies and details of the plans referenced in the TRCA's conditions of draft plan approval (Conditions 82 through 95 inclusive in the TRCA's letter dated August 13, 2014);
  - b) To carry out, or cause to be carried out, to the satisfaction of the TRCA, the monitoring programs outlined in the Master Environmental Servicing Plan, prepared by SCS Consulting Group Ltd., dated June 2014, as may be amended to the satisfaction of the TRCA and the City of Vaughan, which includes but is not

limited to the submission of monitoring reports and mitigation and adaptive management plans where negative impacts are anticipated or have occurred as a result of development in the plan area, to the satisfaction of the TRCA and the City of Vaughan. The Owner agrees to carry out, or cause to be carried out, the mitigation and adaptive management plans to the satisfaction of the TRCA and the City of Vaughan;

- c) To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
- d) To obtain all necessary permits from the TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of the TRCA;
- e) To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of the TRCA;
- f) To erect a permanent fence along all residential lots that abut the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) to the satisfaction of the TRCA;
- g) To prohibit grading works within the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) unless approved by the TRCA;
- h) To prohibit retaining walls in or adjacent to the Open Space (Blocks 406 to 410 inclusive), Open Space Buffers (Blocks 411 to 419 inclusive) and Landscape Restoration Areas (Blocks 420 to 433 inclusive) unless approved by the TRCA;
- i) Prior to the issuance of any Building Permit on Lots 347 to 381 inclusive shown on Draft Plan of Subdivision File 19T-13V009, Part of Lot 28 and 29, Concession 8, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons Ltd., revised June 24, 2014, the Owner shall demonstrate to the satisfaction of the TRCA that the works required to provide safe ingress and egress during a Regulatory storm event to Lots 347 to 381 inclusive have been implemented pursuant to the TRCA approved plans, i.e., the installation of the culvert crossing of Tributary B1 at Street 'B'. This will include, but is not limited to the submission of as-built drawings, revised floodplain modeling, floodplain mapping, site photos, inspection/monitoring reports and written certification by the consulting engineer, fluvial geomorphologist, ecologist and/or other professionals as deemed necessary by the TRCA to the satisfaction of the TRCA; and,
- j) Prior to the issuance of any Building Permit on Lots 4 to 20 inclusive, Lot 45, Lots 260 to 274 inclusive, Lots 288 to 302 inclusive, Lot 347, Lots 351 to 377 inclusive, Lot 381 and Blocks 441, 457 and 458, shown on Draft Plan of Subdivision File 19T-13V009, Part of Lot 28 and 29, Concession 8, City of



Vaughan, Regional Municipality of York, prepared by Malone Given Parsons Ltd., revised June 24, 2014, the Owner shall demonstrate to the satisfaction of the TRCA that the grading and stabilization of all disturbed areas on and adjacent to the referenced lots and blocks have been implemented pursuant to the TRCA approved plans. This will include, but is not limited to the submission of as-built drawings, site photos, inspection/monitoring reports and written certification by the consulting engineer, ecologist and/or other professionals as deemed necessary by the TRCA to the satisfaction of the TRCA.

101. That this Plan be subject to red-line revision(s) in order to meet the requirements of the TRCA's conditions of draft plan approval (Conditions 82 through 102 inclusive as reflected in the TRCA's letter dated August 13, 2014), if necessary, to the satisfaction of the TRCA.
102. That the Owner provide a copy of the fully executed Subdivision Agreement to the TRCA, when available, in order to expedite the clearance of conditions of draft plan approval.

Hydro One Networks Inc. (HONI)

103. Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, shall be submitted in triplicate to HONI for review and approval.
104. Any development in conjunction with the subdivision shall not block vehicular access to any HONI facilities located on the right-of-way. During construction, there shall be no storage of materials or mounding of earth, snow or other debris on the right-of-way.
105. Temporary fencing shall be placed along the easement corridor during construction. Permanent fencing shall be erected where subdivision lots directly abut the HONI easement at the developers expense.
106. The Owner shall make arrangements satisfactory to HONI for the crossing of the hydro right-of-way by any proposed roads. Separate proposals including detailed lighting and site servicing shall be submitted in triplicate to HONI for future road crossings. The Owner must contact Maria Agnew, HONI Senior Real Estate Coordinator at (905) 946-6275 to begin the process of acquiring a Construction and Encroaching Agreement.
107. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this subdivision shall be borne by the Owner/developer.
108. The easement rights of HONI and its legal predecessors shall be protected and maintained.

Note to Conditions of Draft Approval

The transmission lines abutting this subdivision operate at 500,000, 230,000 or 115,000 volts. Section 188 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, require that no object be brought closer than 6 m (20 feet) to an energized 500 kV conductor. The distance for 230 kV conductors is 4.5 m (15 feet), and for 115 kV conductors it is 3 m (10 feet). It is the Owner's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel

must come no closer than the distance specified in the *Act*. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

#### Bell Canada

109. The Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
110. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

#### Canada Post

111. The Owner/developer shall agree 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.
112. The Owner/developer shall be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
113. The Owner/developer shall 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.
114. The Owner/developer shall provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - a) An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.
  - b) Any required walkway across the boulevard, as per municipal standards.
  - c) Any required curb depressions for wheelchair access.
115. The Owner/developer shall further agree 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 residences as soon as the homes are occupied.

#### Enbridge Gas Distribution

116. The Owner 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.

117. 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 shall be the responsibility of the Owner.
118. In the event that easement(s) are required to service this development, the applicant shall provide the easement(s) to Enbridge Gas Distribution at no cost.
119. In the event a pressure reducing regulator station is required, the Owner shall provide a 3 m by 3 m exclusive use location that is within the municipal road allowance. The final size and location of the regulator station will be confirmed by Enbridge Gas Distribution's Customer Connections department. For more details contact [SalesArea30@enbridge.com](mailto:SalesArea30@enbridge.com).
120. Enbridge Gas Distribution shall reserve the right to amend or remove their applicable development conditions.

#### TransCanada Pipeline Limited

121. The conditions, restrictions or covenants specified by TransCanada PipeLines Limited (TransCanada) shall be registered against title in relation to the "Lands" and the plan by way of application to register conditions, restrictions or covenants, as applicable, pursuant to the Land Titles Act, or any amendments thereto.
122. TransCanada's right-of-way shall be dedicated to the municipality as passive open space or parkland subject to TransCanada's easement rights. TransCanada's right-of-way shall be identified on all municipal plans and schedules as a pipeline/utility corridor.
123. No permanent building or structure shall be located within 7 metres of the pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.
124. All crossings of the pipeline right-of-way by any facility as defined by the National Energy Board Act (NEB Act) Section 112 shall have TransCanada's prior written authorization. A crossing facility may include, but is not limited to, driveways, roads, access ramps, trails, pathways, utilities, berms, attenuation fences or landscaping. In accordance with the NEB Act, the owner shall be required to enter into a crossing agreement with TransCanada prior to the construction of any facility. The Owner agrees to meet all clearances and design requirements outlined in the crossing agreement and the NEB Act Pipeline Crossing Regulations. Please contact TransCanada's crossing staff at [crossings@transcanada.com](mailto:crossings@transcanada.com) or call 1-877-872-5177 for more information.
  - Crossing the right-of-way with construction equipment will require a temporary crossing agreement with the vehicle weights.

125. Any grading not otherwise permitted by Section 112 of the NEB Act and regulations that may affect the right-of-way or drainage onto it, regardless of whether or not the grading is conducted on the right-of-way, shall receive TransCanada's prior written approval. Grading activities on the right-of-way will only be permitted when a TransCanada representative is present to inspect and supervise them.
126. TransCanada requests notification prior to commencement of construction works for any blasting undertaken within 300 m of the pipeline right-of-way. Notification is required by the NEB Act prior to any blasting being undertaken within 40m of the right-of-way. A description of the methods and charges to be used shall be prepared, at the Owner's expense, by a qualified technician and submitted for TransCanada's written approval. Regional personnel from TransCanada shall help the third party contractor complete the relevant blasting forms and send it to the Pipe Integrity group for approval.
127. Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30 m of the pipeline right-of-way shall obtain leave from the pipeline company before starting any work. To satisfy this NEB Act requirement, you may send your request for leave through Ontario One Call at 1-800-400-2255 at least 72 hours before the start of any excavation using power-operated equipment and the use of explosives within 40 m of the pipeline right-of-way limits.
128. During construction of the site, temporary fencing shall be erected and maintained along the limits of the right-of-way by the Owner(s) to prevent unauthorized access by heavy machinery. The fence erected shall meet TransCanada's specifications concerning type, height and location. The Owner is responsible for ensuring proper maintenance of the temporary fencing for the duration of construction.
129. Permanent fencing shall be erected and maintained by the landowner along the limits of TransCanada's right-of-way. The fence erected shall meet TransCanada's and the municipality's specifications concerning type, location, and height. Any excavations for fence posts on, or within 30 metres of the right-of-way must be done by hand or hydro vac. There shall be no augers operated on the right-of-way. The Owner shall notify TransCanada 3 business days prior to any excavation for fence posts located on or within 30 metres of the pipeline right-of-way. All fences made of metallic materials shall be approved by TransCanada prior to being erected on or within 30 metres of the pipeline right-of-way.
130. No fill or building material shall be stored on the pipeline right-of-way before, during or after construction unless prior written approval is obtained from TransCanada.
131. Notice shall be given to Ontario One Call (1-800-400-2255) a minimum of 72 hours before the start of any construction on or within 30m of the pipeline right-of-way and 5 business days before conducting any work involving explosives.
132. Vehicle barriers, of a design acceptable to TransCanada or as may be required by law, shall be installed across the width of the right-of-way, where public roads cross the right-of-way. The location of these barriers shall be approved by TransCanada.
133. Roads or streets designed to run parallel to the pipeline right-of-way may not have any portion of the road allowance limits located within the right-of-way of the pipeline.

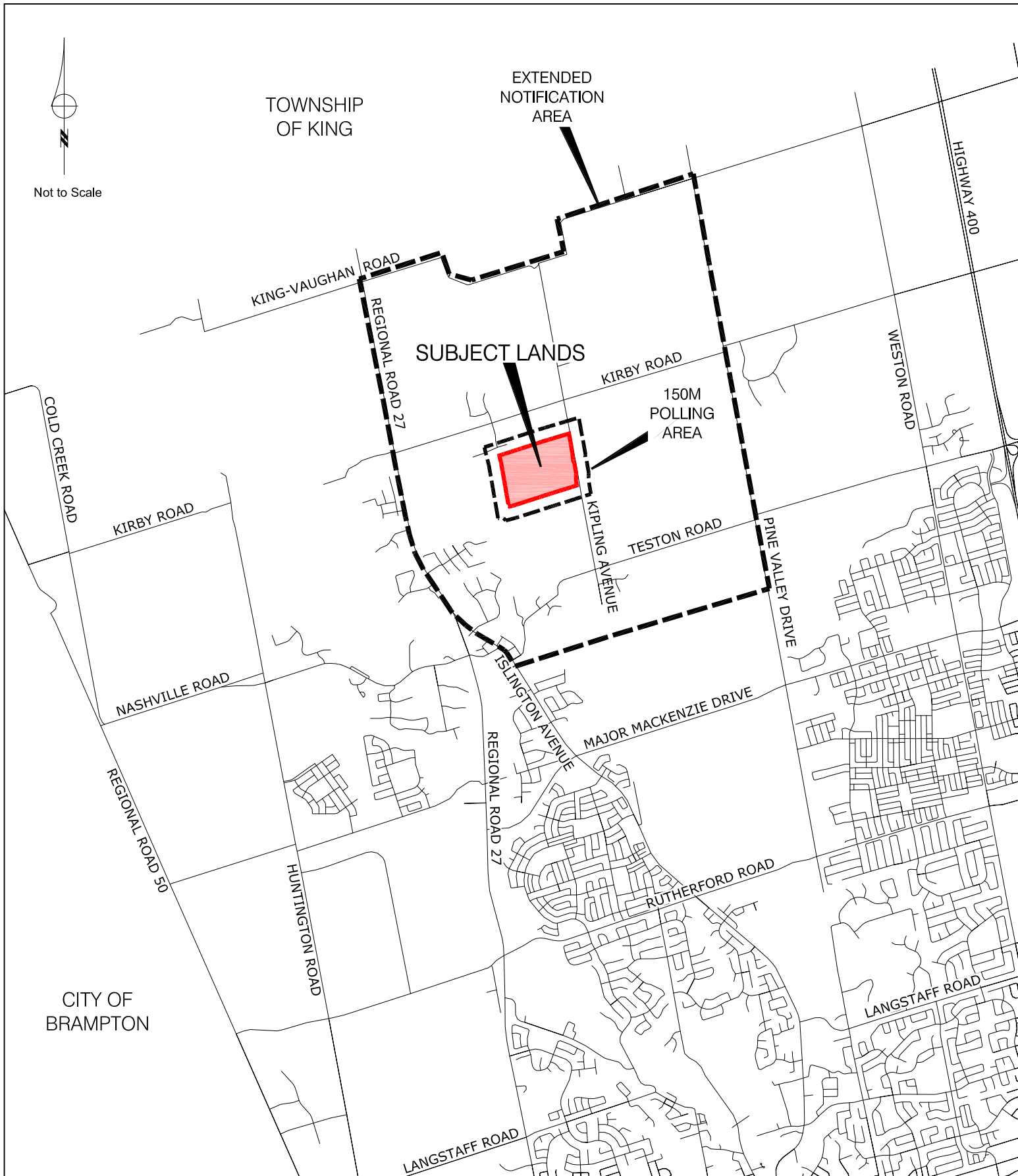
134. Paving is not permitted on the pipeline right-of-way, except at authorized crossings. Parking is not permitted on the pipeline right-of-way.
135. TransCanada may have new and/or existing cathodic protection test stations in the area including underground cabling. They are fully operational at this time and will be tested following construction. Any damages due to construction shall be repaired at the Owner's expense.
136. Three copies of any registered Plans for this Subdivision and a registered copy of the subdivision agreement shall be sent to TransCanada.
137. The Owner shall include notice of the following in all offers of purchase and sale:
- notice of the easement agreement registered against the property (or near the property) which may affect development activities on the property;
  - notice of the 30 m Safety Zone (Section 112 of the NEB Act) as regulated by the NEB Act;
  - the number of high pressure natural gas pipelines within the easement and the location of the easement in relation to the development;
  - the setback for all permanent structures and excavations from the limits of the right-of-way; and,
  - the regional office contact number (1-800-827-5094).
138. All display plans in the lot/home sales office shall identify the TransCanada pipeline right-of-way corridor within the proposed linear park block(s).
139. Landscaping of TransCanada's right-of-way is to be approved in writing by TransCanada and done in accordance with TransCanada's Landscaping Guidelines.
- no trees or shrubs shall be planted within 3 metres of the pipeline edge located within the pipeline right-of-way;
  - the pipeline right-of-way is to be seeded with Canada #1 seed;
  - a 5m access way for repair crews should be provided along the right-of-way;
  - except in wooded environmentally sensitive areas (such as parks) or special cases (such as specimen trees, nurseries, or orchards), no trees and shrubs that will reach a height greater than 4m shall be placed within TransCanada's right-of-way. Tree roots must not interfere with the pipeline;
  - before any excavation within 3 metres of the edge of the pipeline, the pipeline must first be located by hand or hydrovac;
  - a minimum of 5m between all groups of trees/shrubs is required. A group is defined as 3 – 5; and,
  - in no event shall TransCanada be held liable to the Owner respecting any loss of or damage to a fence, trees and/or shrubs which the Owner may suffer or incur as a result of the operations of TransCanada. The Owner shall be responsible for all costs involved in replacing any fence, trees and shrubs damaged or removed during TransCanada's operations and shall indemnify and save harmless TransCanada from all actions, proceedings, claims, demands and costs brought against or incurred by TransCanada as a result of the presence of or damage to the fence, trees and/or shrubs on the TransCanada right-of-way.

140. TransCanada will install markers to identify the location of its facilities and right-of-way. TransCanada's Regional Office may approve alternate signage to identify the pipeline right-of-way.
141. The Owner/developer shall invite TransCanada to a pre-job meeting prior to any construction at this site. At this meeting, TransCanada shall be given the opportunity to make a short, pipeline safety awareness presentation to all job supervisors responsible for construction on this project.
142. The Owner/developer shall ensure through all contracts entered into, that all contractors and subcontractors are aware of and observe the foregoing terms and conditions.
143. In addition to the aforementioned conditions, the appropriate agreements from the Land Services Department must be in place prior to any work being undertaken on the right-of-way including crossings, landscaping or ground disturbance.
144. Prior to clearance of the Draft Plan conditions, all necessary agreements and permits with TransCanada shall be in place.

#### Other Conditions

145. Final approval for registration of the Plan may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
  - a) phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and
  - b) all government agencies agree to registration by phases and provide clearances, as required in Conditions 1 to 144 inclusive, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
146. The City shall advise that Conditions 1 to 70 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
147. The York Region shall advise that Conditions 71 to 81 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
148. The Toronto and Region Conversation Authority (TRCA) shall advise that Conditions 82 to 102 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
149. Hydro One Networks Inc. (HONI) shall advise that Conditions 103 to 108 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

150. Bell Canada shall advise that Conditions 109 to 110 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
151. Canada Post shall advise that Conditions 111 to 115 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
152. Enbridge Gas Distribution shall advise that Conditions 116 to 120 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
153. TransCanada Pipeline Limited shall advise that Conditions 121 to 144 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



## Context Location Map

LOCATION:  
Part of Lot 29, Concession 8

APPLICANT: Monarch Castlepoint  
Kipling North Development Limited

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## Attachment

FILES: 19T-13V009 & Z.13.042

RELATED FILES: 19T-13V008,  
Z.13.041 & BL.55.2013

DATE: September 2, 2014

2





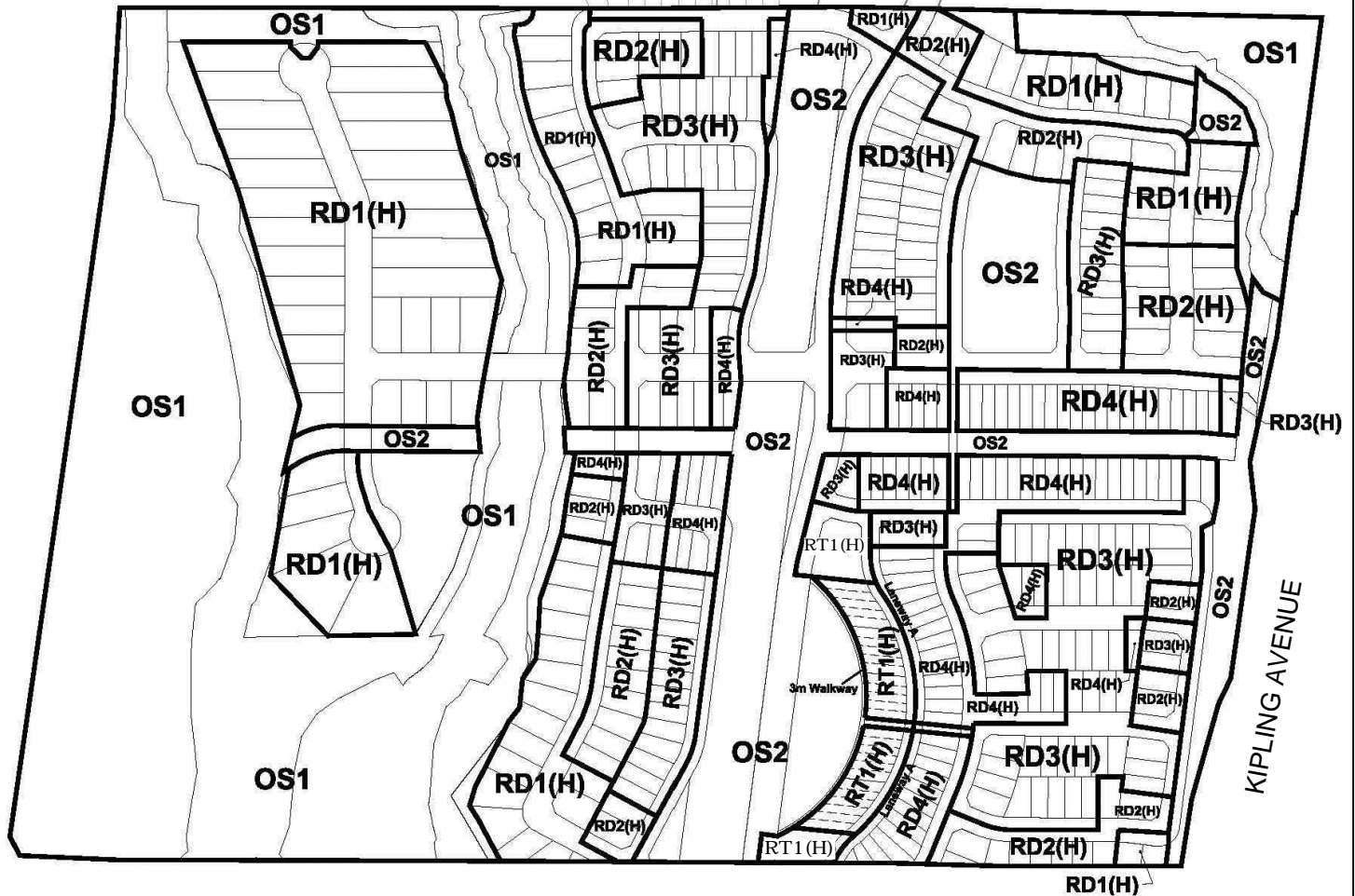


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DATE: September 2, 2014





### ZONES

- RD1** RESIDENTIAL DETACHED ZONE ONE
- RD2** RESIDENTIAL DETACHED ZONE TWO
- RD3** RESIDENTIAL DETACHED ZONE THREE
- RD4** RESIDENTIAL DETACHED ZONE FOUR
- RT1** RESIDENTIAL TOWNHOUSE ZONE
- OS1** OPEN SPACE CONSERVATION ZONE
- OS2** OPEN SPACE PARK ZONE
- (H)** HOLDING PROVISION

## Proposed Zoning (File Z.13.042)

LOCATION: Part of Lot 26-28, Concession 8

APPLICANT: Monarch Castlepoint Kipling North Development Limited

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## Attachment

FILES: 19T-13V009 & Z.13.042

RELATED FILES: 19T-13V008,  
Z.13.041 & BL.55.2013

DATE: September 2, 2014

# 5



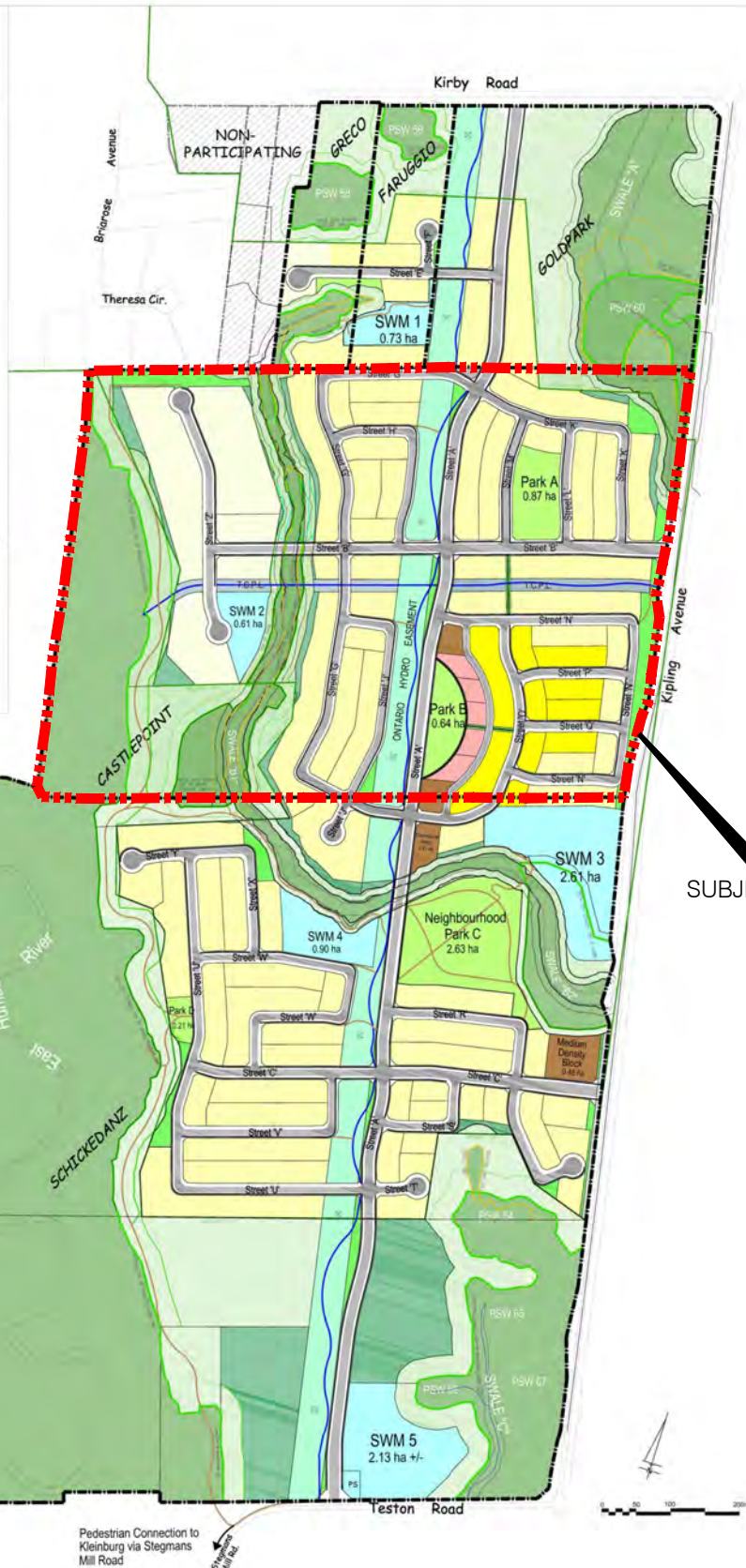
Land Use	Area (ha)
KN LR-1 Single Family	31.97
KN LR-2 Singles & Semis	2.57
KN LR-3 Semis & Townhouses	0.53
KN LR MU II	1.06
Special Study Area	5.36
Neighbourhood Park	2.63
Parks	1.72
Landscape / Vista Areas	2.73
Landscape Restoration Areas	6.37
Storm Water Management	6.98
Utility Corridor	8.96
Greenbelt / N.H.S.	100.76
Buffer / Agricultural Area	20.89
Roads	20.89
<b>TOTAL*</b>	<b>192.53</b>

- Property Lines
- Trail
- Multi-Use Trail
- Sidewalks
- Greenbelt Limit
- MNR Staked Feature Limit 2013
- TRCA Staked TOB / Feature Limit (2012/2013)
- Flood line
- Flood line 2013
- Meander Belt

\* Total Area includes Non-Participating Lands

April 11, 2014

MALONE GIVEN PARSONS LTD.



SUBJECT LANDS

## Approved Block 55 Plan (File BL.55.2013)

LOCATION: Part of Lot 26-28, Concession 8

APPLICANT: Monarch Castlepoint Kipling North Development Limited

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## Attachment

FILES: 19T-13V009 & Z.13.042

RELATED FILES: 19T-13V008,  
Z.13.041 & BL.55.2013

DATE: September 2, 2014

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# ***THE CITY OF VAUGHAN***

# ***BY-LAW***

## **BY-LAW NUMBER 147-2014**

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

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

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

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

1. That City of Vaughan By-law Number 1-88, as amended, be and it is hereby further amended by:
  - a) Rezoning the lands shown as “Subject Lands” on Schedule “1” attached hereto from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol “(H)”, OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on the said Schedule “1”;
  - b) Adding the following Paragraph to Section 9.0 “EXCEPTIONS”:

“(1414) A. The following provisions shall apply to all lands zoned with the Holding Symbol “(H)” as shown on Schedule “E-1541”, until the Holding Symbol “(H)” is removed pursuant to Subsection 36(3) or (4) of the Planning Act:

    - i) Lands zoned with the Holding Symbol “(H)” shall be used only for a use legally existing as of the date of the enactment of By-law 147-2014, or the production of field crops;
    - ii) Removal of the Holding Symbol “(H)” from the Subject Lands, or a portion thereof, shall be contingent on the following:
      - a. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
      - b. 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 to 36 months depending on the complexity of the development) to permit the plan registration; or,

- c. 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; and,
- d. the approval of a Site Development Application for the Street Townhouse Units.

B. Notwithstanding the provisions of:

- a) Subsection 2.0 respecting Definitions;
- b) Subsection 3.14 a), c) and d) and 4.22.2, respecting Permitted Yard Encroachments And Restrictions, and Schedule “A3” respecting the Minimum Yard Requirements in the RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four and RT1 Residential Townhouse Zone;
- c) Subsection 4.22.3 respecting Residential Zone Requirements and Schedule “A3” respecting General Notes and Garage Projections in the RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, RD4 Residential Detached Zone Four and RT1 Residential Townhouse Zone;
- d) Subsection 3.8 respecting Parking Requirements, Subsection 3.14 a), c) and d) and 4.22.2 respecting Permitted Yard Encroachments And Restrictions, Subsection 4.1.1 b) respecting Accessory Buildings and Structures, Subsection 4.1.5 respecting Home Occupations and Subsection 4.22.3 and Schedule “A3” respecting Residential Zone Requirements all in the RT1 Residential Townhouse Zone;

the following provisions shall apply to the lands shown as “Subject Lands” on Schedule “E-1541”:

- ai) for the purpose of this Paragraph, the following definitions shall apply:

“ATTACHED GARAGE ACCESSED BY A LANE – Means a garage that is accessed by a lane, which is attached to the rear wall of a dwelling unit;

ATTACHMENT - Means a covered and enclosed or unenclosed passage connecting a dwelling unit and a detached garage that is located in the rear yard of a lot that is accessed by a lane;

DETACHED GARAGE LOCATED IN THE REAR YARD - Means a detached garage that is located in the rear yard of a lot that is accessed by a lane, which may include an Attachment;

FINISHED FLOOR - Means an elevation of the finished level of a first storey floor slab with adjoining exterior walls of a building or structure;

HYDRO-GAS METER SCREEN - Means a structure, not being a building, intended for the purpose of total or partial physical and/or visual separation or enclosure of Hydro Meter or Gas Meter utilities;

WINGWALL - Means a smaller wall attached and projecting from a larger wall of a building or structure;

- a ii) For the purposes of this Paragraph, and only for the lands zoned RT1 Residential Townhouse Zone that front onto the 3 m walkway within the OS2 Open Space Park Zone and run parallel to Laneway 'A' shown on Schedule "E-1541", the following definition shall apply:

LOT – Means a parcel of land fronting on a public park or walkway and backing onto a lane

- b i) The following are additional permitted Yard Encroachments:
- i. Pilaster;
  - ii. Hydro-Gas Meter Screen;
  - iii. Wingwall;
  - iv. Covered and Unenclosed Porches and/or Balconies with or without foundations;
- b ii) Exterior Stairways, with or without foundations, shall be setback a minimum of 0.6 m from a front or exterior lot line;
- b iii) The Minimum Interior Side Yard Setback Abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond shall be 1.2 m;
- b iv) No permanent building or structure may be located within 7 m of the Trans Canada Pipeline right-of-way, shown as Blocks 434 to 439 on Schedule "E-1541". Accessory structures shall have a minimum setback of at least 3 m from the limit of the Trans Canada Pipeline right-of-way, shown as Blocks 434 to 439 on Schedule "E-1541";
- b v) The following provisions shall only apply to lands zoned RD4 Residential Detached Zone Four:

- i. The Minimum Interior Side Yard Setback in a RD4 Residential Detached Zone Four shall be 1.2 m, which may be reduced to 0.6 m on one interior side yard and abut an interior side yard of 1.2 m or 0.6 m. This provision shall not apply to lands abutting a Walkway, Greenway, Buffer Block or Stormwater Management Pond;
- ii. The Minimum Interior Garage Dimensions in a RD4 Residential Detached Zone Four with a lot frontage greater than 11.99 m or a lot frontage (corner lot) greater than 14.99 m shall be 3.0 m x 6.0 m (width x length);
- ci) For the purposes of this provision, on a corner lot, where the garage faces the front lot line, the most distant point of any wall facing the street shall not include any part of the wall forming part of the flankage elevation of the dwelling;
- di) The Maximum Building Height shall be 14 m and 3-storeys;
- dii) The Minimum Front Yard Setback shall be 3 m;
- diii) The Minimum Exterior Side Yard Setback shall be 3 m;
- div) The Minimum Lot Depth for a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 27 m;
- dv) The Minimum Lot Area for a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 162 m<sup>2</sup>;
- dvi) The Minimum Rear Yard Setback to a Street Townhouse Dwelling on a Lot Accessed by a Lane shall be 12.5 m;
- dvii) A covered or uncovered porch and/or balcony, which is open and unenclosed, with or without foundations, shall be permitted and shall not extend from the main rear wall of a dwelling unit beyond a maximum of 1.8 m;
- dviii) A covered or uncovered balcony, which is unenclosed, shall be permitted above an attached garage where access is only provided from within the dwelling unit, with a minimum area of 10m<sup>2</sup>;
- dix) The Maximum Garage Width on a Lot with a Frontage less than 11m shall not apply;
- dx) The Minimum Rear Yard Setback to a Detached Garage Located in the Rear Yard for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 1 m;



- dx i) The Minimum Interior Side Yard Setback to a Garage that is Attached to Another Garage for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 0 m (for Lane 'A' only shown on Schedule "E-1541");
- dx ii) The Minimum Exterior Side Yard Setback for a Detached Garage for a Street Townhouse Dwelling on a Lot Accessed By a Lane shall be 3 m;
- dx iii) The Minimum Distance From the Main Rear Wall of a Street Townhouse Dwelling Unit to a Detached Garage shall be 5 m;
- dx iv) The Minimum Distance From the Nearest Wall of a Street Townhouse Dwelling Unit to an Attached Garage on a Lot Accessed By a Lane shall be 0 m;
- dx v) The Maximum Width of an Attachment to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be 2.5 m (for the portion of an Attachment between a dwelling unit and a detached garage accessed by a lane);
- dx vi) The Minimum Interior Side Yard Setback of an Attachment to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be 0 m (only where it is attached to another Attachment);
- dx vii) The Measurement of Maximum Building Height for a Detached Garage to a Street Townhouse Dwelling Unit on a Lot Accessed By a Lane shall be as follows:
- i. Detached garage height shall be measured from the Finished Floor level at the garage entrance door to the highest point of said building or structure and shall be a maximum of 4.5 m, and the nearest part of the roof shall not be more than 3.0 m above Finished Floor level;
- dx viii) A Home Occupation Use shall be permitted within the lands zoned RT1 Residential Townhouse Zone, only within Blocks 382 and 455 as shown on Schedule "E-1541", only in accordance with a site plan approved by Vaughan Council, and subject to the following provisions:
- i. In addition to the permitted Home Occupation Use of a Regulated Health Professional, the following uses are permitted:
- Business or Professional Office;
  - Personal Service Shop; and,
  - Retail Store

- ii. A body-rub parlour shall not be permitted as a Home Occupation Use, or as accessory to a Home Occupation Use
- iii. A maximum of one (1) Home Occupation Use is permitted per Street Townhouse Dwelling Unit;
- iv. The Home Occupation Use shall be restricted to the ground floor of the Street Townhouse Dwelling Unit only;
- v. The ground floor of the Street Townhouse Dwelling Unit shall be used only for the provision of the Home Occupation Use, and shall only permit any required vehicular or pedestrian access for the residential component of the Street Townhouse Dwelling ;
- vi. Not more than three (3) persons shall be engaged in the Home Occupation Use and at least one of them shall be a resident in the said dwelling;
- vii. The office of a physician, dentist or regulated health professional shall be used for consultation and emergency treatment only and not as a clinic or hospital; and,
- viii. The parking space requirement for the Home Occupation Use shall be one (1) parking space in addition to the standard residential requirement;

dxix) A Home Occupation Use shall be permitted within the remainder of the lands zoned RT1 Residential Townhouse Zone, shown as Blocks 383 to 387 on Schedule "E-1541", and shall be fully subject to the Home Occupation provision in Zoning By-law 1-88, Section 4.1.5;"

c) Adding Schedule "E-1541" attached hereto as Schedule "1".

d) Deleting Key Map 8F and substituting therefor the Key Map 8F attached hereto as Schedule "2".

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

Enacted by City of Vaughan Council this 9<sup>th</sup> day of September, 2014.

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Hon. Maurizio Bevilacqua, Mayor

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Jeffrey A. Abrams, City Clerk

Authorized by Item No. 57 of Report No. 36  
of the Committee of the Whole  
Adopted by Vaughan City Council on  
September 9, 2014

### **SUMMARY TO BY-LAW 147-2014**

The lands subject to this By-law are located south of Kirby Road and west of Kipling Avenue, municipally known as 11178 Kipling Avenue, in Lots 28 and 29, Concession 8, City of Vaughan.

The purpose of this by-law is to amend Zoning By-law 1-88 to rezone the subject lands from A Agricultural Zone and OS1 Open Space Conservation Zone to RD1(H) Residential Detached Zone One, RD2(H) Residential Detached Zone Two, RD3(H) Residential Detached Zone Three, RD4(H) Residential Detached Zone Four, RT1(H) Residential Townhouse Zone, all with the addition of the Holding Symbol "(H)", OS1 Open Space Conservation Zone and OS2 Open Space Park Zone, in the manner shown on Schedule "1", to facilitate the proposed draft plan of subdivision File 19T-13V009.

All residential and commercial lands will be initially zoned with a Holding Symbol "(H)", and removal of the Holding Symbol "(H)" from the lands, or a portion thereof, shall be contingent on the following:

- i. the City of Vaughan approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
- 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 6 to 36 months depending on the complexity of the development) to permit the plan registration; or,
- iii. 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; and,
- iv. the approval of a Site Development Application for the Street Townhouse Units.