



**CITY OF VAUGHAN  
COMMITTEE OF THE WHOLE  
AGENDA**

Tuesday, March 5, 2019

1:00 p.m.

Council Chamber

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Drive

Vaughan, Ontario

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Report of the Deputy City Manager, Planning and Growth Management with respect to the above.

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ALL APPENDICES ARE AVAILABLE FROM THE CITY CLERK'S OFFICE  
PLEASE NOTE THAT THIS MEETING WILL BE AUDIO RECORDED  
AND VIDEO BROADCAST

[www.vaughan.ca](http://www.vaughan.ca) (Agendas, Minutes and Live Council Broadcast)

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** 1

**TITLE: MASTER LICENCE AGREEMENT  
INSTALLATION OF BELL MICRO-CELL TECHNOLOGY ON  
CITY STREETLIGHTS POLES – PILOT PROJECT  
BLOCK 55 – KLEINBURG SUMMIT**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

This report recommends the execution of a standard master joint use License Agreement with Bell Mobility Inc. to formalize the installation and maintenance of micro-cell technology on thirty-one city streetlight poles in the Block 55 residential development area – Kleinburg Summit.

**Report Highlights**

- Bell Mobility's new low power micro-cell technology can be attached to streetlight poles to help improve wireless service to specific geographic areas.
- The micro-cell unit is a single box solution that integrates both antenna and electronics in one small assembly.
- The use of micro-cell technology can reduce the number and density of traditional telecommunication towers.
- The micro-cell technology has been installed on thirty-one city streetlights in the residential community in Block 55 – Kleinburg Summit as a pilot project.
- The execution of a Master License Agreement between Bell Mobility and the City is required.

## **Recommendations**

1. THAT the necessary by-law be enacted authorizing the Mayor and Clerk to execute a License Agreement with Bell Mobility Inc. to permit the placement, maintenance, repair and replacement of micro-cell telecommunication equipment on city streetlight poles in the Block 55 development area. The form and substance of the License Agreement shall be satisfactory to the City Solicitor, or its designate.

## **Background**

The demand and usage of Wireless technology is increasing at a considerable rate. Wireless technology is traditionally provided by telecommunication towers and roof top units. This type of infrastructure, however, is not able to deliver high-quality coverage in certain geographic pockets due to topography and other factors. Bell Mobility has developed a new low powered micro-cell technology that can be attached to streetlight poles to help improve wireless service to these underserved areas.

## **Previous Reports/Authority**

None

## **Analysis and Options**

The micro-cell technology has been designed to deliver more focused cellular service (voice and data) to an area approximately 100 metres away from the unit with radiofrequency levels well below Health Canada exposure limits. The small cell unit is a single box solution that integrates both antenna and electronics in one assembly. The unit is approximately the size of shoe box and can be affixed to the top of a streetlight pole as shown on Attachment 1. While micro-cell will not replace the traditional tower or roof top infrastructure, it will help improve service and reduce the number, size and density of new cell towers.

### **Micro-cell Technology has been installed in Block 55**

The City was approached several years ago by Bell Mobility and the Block 55 landowners with the proposal to incorporate the microcell units into the design of the development area. The proposal included the installation of thirty-one units evenly spaced across the development area. Given the units are small, unobtrusive and are not expected to impede the operation and maintenance of the City's streetlight system, staff approved the installation as a pilot project. The micro-cell units have been installed in conjunction with the phasing of the development.

### **A Micro-Cell Master License Agreement is required to facilitate equipment placement and maintenance**

The micro-cell units are fastened to the top of thirty-one streetlight poles in Block 55. Given this joint use arrangement, Bell Mobility and the City will need to execute a Master License Agreement for the placement, maintenance, repair and replacement of the microcell units. The Master License Agreement has been drafted based on the existing agreement related to the joint-use (Trafalgar) streetlight pole, which houses multiple telecommunication utilities in the base of the pole. The joint-use Trafalgar streetlight poles has been used across the city and in many other municipalities in the GTA.

The License Agreement will not give Bell Mobility exclusive use that would prevent other telecommunication providers from installing similar technologies on other streetlight poles in the area.

### **The use of micro-cell technology could be expanded in the future**

As the telecommunication industry moves forward with the next generation “5G” mobility network, the use and reliance on cellular network will significantly increase to service smart technology such as autonomous vehicles and smart home devices (alarms, thermostats and appliances). To enable these applications, it is important that the City has robust high-speed wireless infrastructure. The use of micro-cell technology in proximity to the user will directly enable the evolution to a “Smart City” environment. If the Block 55 pilot project is successful, the use of micro-cell technology could be expanded city wide.

### **Financial Impact**

Under the draft Master License Agreement, Bell Mobility is proposing to pay the city a one-time application fee of \$50 per unit and an annual fee of \$75 per unit for the joint use of the City’s streetlight pole. These rates were established by Bell based on other similar joint-use agreements.

The streetlight power supply will be used to power the micro-cell units. Streetlighting is unmetered and Alectra bills the City based on estimated power consumption. Under this service set up, Alectra is unable to bill Bell Mobility directly for the micro-cell power usage. A memorandum of understanding has been drafted between the City, Alectra and Bell Mobility that would have Alectra bill the City separately for the power consumption related to the micro-cell units on a fixed rate per unit basis. The City would in-turn recover from Bell Mobility the cost of the power consumption charged from Alectra plus an administration charge.

### **Broader Regional Impacts/Considerations**

This micro-cell technology could be used in other areas of the City to improve telecommunication service and to support smart city applications.

## **Conclusion**

Bell Mobility has affixed micro-cell technology to the top of thirty-one streetlight poles in the Block 55 development area to help improve wireless service and to reduce the need for additional telecommunication towers in the area. Bell Mobility and the City now need to execute a Master License Agreement to support the placement, maintenance, repair and replacement of the micro-cell units.

**For more information**, please contact: Andrew Pearce, Director, Development Engineering.

This report has been prepared in consultation with Transportation Services, Parks and Forestry Operations Department and the Legal Services Department.

## **Attachments**

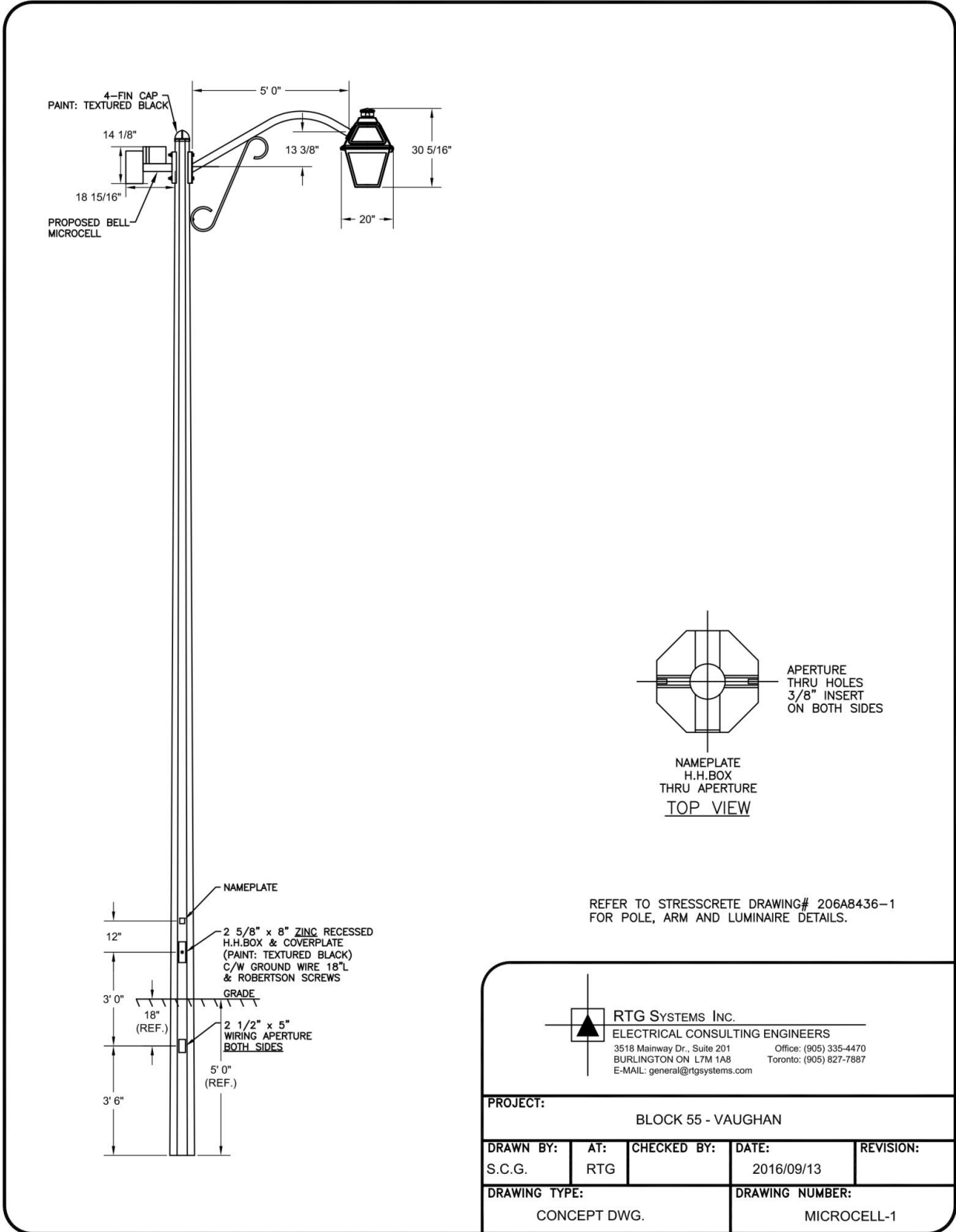
1. Micro-cell Streetlight Pole Installation Detail

## **Prepared by**

Andrew Pearce, Director, Development Engineering, Ext 8255

# Attachment 1

## Microcell Streetlight Pole Installation Detail



Item:



# Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 4

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.005  
ZONING BY-LAW AMENDMENT FILE Z.18.009  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V005  
SITE DEVELOPMENT FILE DA.18.037  
1930328 ONTARIO INC.  
VICINITY OF MAPLECRETE ROAD AND REGIONAL ROAD 7**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole to permit on the subject lands shown on Attachments 2 and 3, a high-density, mixed-use development in the Vaughan Metropolitan Centre, as shown on Attachments 5 to 13.

**Report Highlights**

- The Owner proposes a mixed-use development consisting of 935 units, with:
  - 801 units in two residential apartment buildings (34 and 40-storeys) on a shared seven-storey podium, including ground-related amenity and commercial uses and five integrated townhouse units
  - 134 units in a seven-storey mid-rise residential apartment building.
- The Owner proposes an increase in density and building height in return for the following community benefit, pursuant to Section 37 of the *Planning Act*:
  - \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge.
- The Development Planning Department supports the approval of the proposed development as it is compatible with the existing and planned uses of the surrounding area, subject to the conditions of this report.



## **Recommendations**

1. THAT Official Plan Amendment File OP.18.005 BE APPROVED; to amend Volume 2 of the Vaughan Official Plan 2010, specifically the Vaughan Metropolitan Centre Secondary Plan, to:
  - a) Increase the maximum permitted building height from 30-storeys to 40-storeys (Building A) and 34-storeys (Building B)
  - b) Increase the maximum permitted density (Floor Space Index - 'FSI') from 5 to 5.66 times the area of the Subject Lands.
2. THAT Zoning By-law Amendment File Z.18.009 BE APPROVED to:
  - a) amend Zoning By-law 1-88, to rezone the Subject Lands from "EM1 Prestige Employment Area Zone" to "C9 (H) Corporate Centre Zone" with the Holding Symbol ("H"), in the manner shown on Attachment 4, together with the site-specific zoning exceptions identified in Table 1 of this report
  - b) permit the bonussing for increased building height and density for the development shown on Attachments 5 to 13 in return for the provision of community benefits, pursuant to the *Planning Act*, the policies of the VOP 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*, specifically a \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge.
3. THAT the Holding Symbol "(H)", as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion thereof, until the Owner obtain and file for a Ministry of the Environment, Conservation and Parks Record of Site Condition that is registered on the Environmental Site Registry and acknowledged by the Ministry of the Environment, Conservation and Parks for the Subject Lands.
4. THAT the implementing Official Plan and Zoning By-law Amendments include the provision for a contribution, pursuant to Section 37 of the *Planning Act*, for the payment of \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge, which will be implemented through the Section 37 Density Bonussing Agreement between the Owner and the City of Vaughan to be executed prior to the enactment of the implementing Official Plan and Zoning By-law Amendments. The Owner shall pay to the City the Section 37 Agreement surcharge fee in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications, prior to the execution of the Section 37 Agreement.

5. THAT the Mayor and the City Clerk be authorized to execute the Section 37 Agreement, pursuant to Section 37 of the *Planning Act*, for the implementation of the community benefits identified in Recommendations 2 and 4.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law comes into effect to permit adjustments to the implementing zoning by-law.
7. THAT Draft Plan of Subdivision File 19T-18V005 BE APPROVED; to facilitate a Draft Plan of Subdivision on the Subject Lands consisting of a mixed-use block, a residential block, a new local street (Street B) and road widenings, as shown on Attachment 4, subject to the Conditions of Draft Plan Approval set out in Attachment 1.
8. THAT Site Development File DA.18.037 BE DRAFT APPROVED AND SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department, to permit the development of the Subject Lands consisting of 40 and 34-storey residential (future condominium) buildings (Buildings A and B) on a shared seven-storey podium and a seven-storey mid-rise residential apartment building (Building C), collectively containing 935 residential units and 781 m<sup>2</sup> of grade-related commercial uses, as shown on Attachments 5 to 13:
  - a) that prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final interim and ultimate site plan, landscape cost estimate, interim and ultimate landscape plan, lighting plan, and wayfinding and signage design;
    - ii) the final building elevations shall demonstrate the appropriate façade treatment and building articulation to ensure the public realm edges are sufficiently activated, specifically resolving the built form interface with the amenity area, to the satisfaction of the Development Planning Department;
    - iii) the Owner shall submit a revised final detailed wind tunnel model and sun/shadow analysis, to the satisfaction of the Development Planning Department, which shall include existing and planned neighbouring buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm;

- iv) the Development Engineering Department shall approve the final site servicing plan, site grading plan, erosion control plan, Functional Servicing and Stormwater Management Report and drawings, geotechnical and hydrogeological report, external lighting plan, the utility coordination plan, revised Environmental Noise Assessment, Transportation Impact Study, and Transportation Demand Management Plan;
- v) the Owner shall enter into a Development Agreement, if required, for the widening, construction, and servicing of the Maplecrete Road right-of-way, to the satisfaction of the Development Engineering Department;
- vi) the Owner shall pay the Development Engineering Site Plan fee, pursuant to the Fees and Charges By-law 198-2016, as amended, to the satisfaction of the Development Engineering Department;
- vii) the Owner shall apply to the City for any permanent dewatering systems that are required for the proposed development, and enter into an agreement and/or permit to discharge groundwater as required by the City, to the satisfaction of the Environmental Services Department;
- viii) the Owner shall submit to the City the final 3D digital model of the development, which shall include the accurately geo-referenced digital data, as outlined in the final VMC Submission Protocol, to the satisfaction of the Development Planning Department. If the 3D digital model of the development has not been completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner shall provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the 3D digital model;
- ix) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division, and the Owner also agrees to include in all Purchase and Sale Agreements the details regarding solid waste collection services and advise all future owners and residents through the same means that the development will have private waste collection services;
- x) the Owner shall satisfy all requirements of Alectra Utilities Corporation;

- xi) the Owner shall satisfactorily obtain a Building and Land Use Permit from the Ministry of Transportation Ontario prior to the commencement of any on-site construction works;
  - xii) the Owner shall satisfy all requirements of York Region;
  - xiii) the Owner shall satisfy all requirements of Canada Post;
  - xiv) The Owner shall enter into a Site Plan Agreement with York Region, including the resolution of any necessary maintenance obligation(s) along Regional Road 7;
- b) the Site Plan Agreement shall include the following clauses:
- i) “For high-density residential development, the Owner shall convey land at the rate of 1 ha per 300 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or at a fixed rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the Vaughan’s Cash-in-Lieu Policy.”
  - ii) “The Owner shall pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.”
  - iii) “The Owner shall agree that the boulevard design on the west side of Maplecrete Road shall be updated to reflect the revised streetscape design along the east side of Maplecrete Road, to the satisfaction of the Development Planning Department.”
  - iv) “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
  - v) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”

- vi) “The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.”
- vii) “The Owner shall agree to remove all existing accesses, curb cuts, and traffic control signs along the frontage of the subject lands that are no longer required, and the Owner shall reinstate the boulevard within the right-of-way, in accordance with the City’s standards and to the satisfaction of the Development Engineering Department.”

9. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Plan Development File DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 935 residential units (2,066 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol if, at the discretion of the City, the proposed development does not proceed to registration within a reasonable timeframe.”

### **Background**

The subject lands (‘Subject Lands’) are located on the southeast corner of Maplecrete Road and Regional Road 7, and are municipally known as 2901 Regional 7, as shown on Attachments 2 and 3. The surrounding land uses are shown on Attachment 3. The Subject Lands are currently utilized by the St. Mary Cement Plant.

### ***The Official Plan and Zoning By-law Amendment and the Draft Plan of Subdivision Applications were received by Council at the June 5, 2018 Public Hearing***

On May 11, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands and on-line at [www.vaughan.ca](http://www.vaughan.ca) as follows:

- a) City’s On-line Calendar in May 2018
- b) On the City Page, which was posted on the City’s website in May 2018

Two Notice Signs were also installed on the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols. At the June 5, 2018, Public Hearing, deputations and written submissions were received from the following:

- Mr. David McKay, MHBC Planning, representing the Owner
- Mr. Santino Paglia, Pembroke Street, Bolton
- Mr. Giuseppe Panza, Ravinview Drive, Maple
- Ms. Carla Gravina, Lady Valentine, Vaughan
- Ms. Cecilia Yung, Fraser Street, Thornhill

The comments identified at the Public Hearing related to the project cancellation by the owner of 1834371 Ontario Inc. ('183') of the adjacent mixed-used development located at the southwest corner of Maplecrete Road and Regional Road 7.

On May 23, 2018, Vaughan Council adopted a report titled [“Early Termination of Pre-Construction Condominium Projects”](#), which responded to a member’s resolution from April 11, 2018, to formally request Tarion (formally known as the Ontario Ministry of Government and Consumer Services) to review the process by which pre-construction condominium projects are marketed and sold as well as the ability of developers to terminate agreements of purchase and sale as a result of the cancellation of a condominium project.

This report identified Tarion’s confirmation that agreements of purchase and sale for new homes typically contain early termination provisions (related to, among other things, financing and building/zoning permits) in favour of vendors, along with requirements respecting the return of deposits to purchasers. While Tarion has the power to conduct investigations of vendors/builders, it does not have the power to compel vendors to waive their rights under early termination conditions or to complete a project. The matters raised, therefore, are not within the City’s jurisdiction to address further.

Comments were also made about the impact of 183 on the Subject Lands, specifically privacy, shadow impact and servicing allocation. The Subject Lands are located across the planned widening of Maplecrete Road that is designed and aligned to be consistent with the road network in the VMC Secondary Plan. Maplecrete Road will be constructed to a 26 m wide right-of-way ('ROW'), which will represent a minimum separation distance of 26 m between 183 and the proposed development, sufficient to mitigate privacy impacts. Tower shape and orientation were reviewed through Site Development File DA.13.021 to minimize shadow impacts on adjacent properties to the greatest extent possible, while recognizing that intensification projects in an urban environment typically result in some degree of shadowing cast by high-rise built form. A resolution is included in the Recommendations of this report to allocate servicing capacity to the Development.

The recommendation of the Committee of the Whole to receive the June 5, 2018, Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting was ratified by Council on June 19, 2018.

On February 26, 2019, a notice of this Committee of the Whole meeting was sent to all those individuals who made a deputation before Council or submitted written correspondence to the City regarding the proposed development.

***Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit the Development***

The original development included 33-storey, 39-storey and seven-storey residential buildings at a density (Floor Space Index - 'FSI') of 5.72 times the area of the lot. Through a series of design meetings with the Development Planning Department, the current proposed development (the 'Development') has been refined to address staff comments, as shown on Attachments 5 to 13, and consists of the following:

- a) three residential apartment (future condominium) buildings with building heights of 40-storeys (Building A), 34-storeys (Building B) and seven-storeys (Building C)
- b) 935 residential dwelling units (801 units within Buildings A and B and 134 units within Building C)
- c) a Gross Floor Area ('GFA') of 82,038.5 m<sup>2</sup> (all uses), consisting of 80,102.9 m<sup>2</sup> residential use GFA, 762.2 m<sup>2</sup> commercial use GFA and 1,173.4 m<sup>2</sup> GFA for dedicated shared service areas
- d) 1,007 parking spaces provided in three levels of underground parking consisting of 858 spaces provided for Buildings A and B and 149 spaces for Building C
- e) 25 surface parking spaces, including one barrier-free surface parking space
- f) 582 bicycle parking spaces (100 short-term and 482 long-term)
- g) one loading space servicing each building (three in total)
- h) at-grade private amenity space
- i) a new local street with a 22 m wide ROW (Street B)
- j) a maximum density of 5.66 FSI.

The Owner has submitted the following applications (the 'Applications') for the Subject Lands shown on Attachments 2 and 3 to permit the Development, as shown on Attachments 5 to 13:

1. Official Plan Amendment File OP.18.005 to amend Volume 2 of the Vaughan Official Plan 2010 ("VOP 2010"), specifically the VMC Secondary Plan, to:
  - a) increase the maximum permitted building height from 30-storeys to 34-storeys (south tower) and 40-storeys (north tower)
  - b) increase the maximum permitted density from 5 to 5.66 FSI.
2. Zoning By-law Amendment File Z.18.009 to:
  - a) rezone the Subject Lands from "EM1 Prestige Employment Area Zone" to "C9 Corporate Centre Zone", in the manner shown on Attachment 4, and

to permit site-specific development standards identified in Table 1 of this report

- b) permit the increased building height and density for the Development in return for the provision of community benefits, pursuant to Section 37 of the *Planning Act*, the policies of the Vaughan Official Plan 2010 and the VMC Secondary Plan, and the City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*.

- 3. Draft Plan of Subdivision File 19T-18V005, as shown on Attachment 4, consisting of the following:

|  |                  |
|--|------------------|
| Block 1 Mixed-Use and Block 6 Residential  | 1.1609 ha        |
| Blocks 3, 8 and 10 for road widening       | 0.0369 ha        |
| Blocks 2, 4, 5, 7 and 9 for 0.3 m reserves | 0.0088 ha        |
| <u>Block B for new local road Street B</u> | <u>0.2439 ha</u> |
| Total                                      | 1.4505 ha        |

The Draft Plan of Subdivision application has been submitted to facilitate the creation of the development blocks and a new local road.

- 4. Site Development File DA.18.037, as shown on Attachments 5 to 13, to permit the Development described above.

## **Previous Reports/Authority**

[June 5, 2018, Committee of the Whole \(Public Hearing\)](#)

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement***

The *Provincial Policy Statement* (the ‘PPS’) 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean, safe, liveable, and healthy environment. Part V - “Policies” of the PPS states (in part) the following:

### **Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

#### ***1.1.1 Healthy, liveable and safe communities are sustained by (in part):***

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries*



- and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
  - d) *promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;*
  - e) *improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and*
  - f) *ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.*

The Development is consistent with the policies of the PPS and contributes to a healthy, liveable and safe community in the following manner:

- the Development would intensify the existing underutilized site located in a designated settlement area at a higher density than the existing surrounding land uses and contributes to the overall range of housing options that would meet Vaughan’s housing needs
- the proposed intensification utilizes the Subject Lands efficiently, takes advantage of existing and planned infrastructure within the built-up area, and reduces land consumption and servicing costs
- the Development will be designed in compliance with the standards set by the Accessibility for Ontarians with Disabilities Act (“AODA”) providing for accessibility for residents and visitors
- the future residents of the Development would have direct access, within a five-minute walking distance, to the Edgeley Pond and Park and the Black Creek Channel, and a 10-minute walk to the VMC Mobility Hub, together providing areas for programmed activities that would encourage an active and healthy lifestyle.

#### *1.1.3.2 Settlement Areas*

*The vitality of settlement areas is critical to the long term economic prosperity of communities. It is in the interest of all communities to use land and resources efficiently, to promote efficient development patterns, protect resources, and ensure effective use of infrastructure.*

#### *1.1.3.2 Land use patterns within settlement areas shall be based on:*

- a) *densities and a mix of land uses which:*
  - i) *efficiently use land and resources;*

- ii) *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
  - iii) *support active transportation;*
  - iv) *are transit-supportive, where transit is planned, exists or may be developed; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.*

- 1.1.3.3 *Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*
- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*
- 1.1.3.6 *New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*
- 1.1.3.7 *Planning authorities shall establish and implement phasing policies to ensure that specific targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas.*

The Development is consistent with the settlement area policies of the PPS as follows:

- the Subject Lands are located in an area that is serviced by infrastructure that is existing, under construction, and planned, which efficiently utilizes land and resources at a density in a designated Urban Growth Centre (an 'UGC') that would support the surrounding transit investments within the VMC, being the SmartCentres Place Bus Terminal, the VMC Subway Station, and the VivaNext Bus Rapid Transit ('BRT') along Regional Road 7 (the 'higher-order transit')

- the intensification of the Subject Lands provides opportunities to reduce the negative impact of climate change by promoting active transportation through reduced parking ratios and the proximity to public transportation, pedestrian and bicycle friendly environments that encourage walking and cycling
- the VMC is an identified intensification area where municipal services are available and planned to accommodate high density development that supports population and employment growth projections in the City. The Subject Lands are currently occupied by an existing employment use and the Development contributes to the improvement and efficient utilization of the existing and planned infrastructure
- maximum density targets have been established in the VMC Secondary Plan that are achieved by the Development. Through the Section 37 provisions of the *Planning Act*, which is discussed later in this report, the Owner proposes a density and building height that exceeds the maximum targets set out in the VMC Secondary Plan in exchange for community benefits.

Housing (in part)

- 1.4.3. *planning authorities shall provide for an appropriate range and mix of housing types and densities to meet the projected requirements of current and future residents of the regional market area by:*
- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
  - d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.*

The Development is consistent with the housing policies of the PPS as it includes 935 residential units comprised of one, two and three-bedroom, and at-grade units at a density that efficiently uses land, infrastructure and services. The Development density is transit-supportive and would promote active transportation.

Public Spaces, Recreation, Parks, Trails and Open Space (in part)

- 1.5.1.a) *Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.*

The Development is consistent with the public spaces, recreation, parks, trails and open space policies as follows:

- Residents of the Development will be located within a five-minute walk to the Edgeley Pond and Park and Black Creek Channel where safe, healthy and active lifestyles and social interactions are encouraged. Residents will also have access to the VMC's Mobility Hub, which offers recreational programs and amenities within community facilities and public spaces. Long and short-term bicycle parking and storage facilities are proposed to be easily accessed to encourage healthy and active travel options. The entire VMC area is being implemented as a pedestrian-oriented and walkable urban downtown.

### Infrastructure and Public Service Facilities (in part)

- 1.6.3 *Before consideration is given to development of new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized.*

The Development is consistent with and will support the Infrastructure and Public Service Facilities policies as it is near significant existing transit infrastructure, the planned Edgeley Pond and Park, the Black Creek Channel and the VMC Mobility Hub's community centre and library.

The Owner proposes to contribute funds to an off-site community benefit in a form of a cash contribution towards the Edgeley Pond and Park, for the first iconic pedestrian bridge that provides an important active transportation linkage to connect neighbourhoods within the VMC. Phase one of the Edgeley Pond and Park will begin construction in the Fall of 2019 with implementation of the pedestrian bridge expected to follow in 2022 as part of Phase two of the project. This important civic infrastructure will become a focal point for pedestrian connectivity in the park and will provide a direct pedestrian link from the Subject Lands to the higher-order transit within the VMC Mobility Hub.

### Long-Term Economic Prosperity (in part)

- 1.7.1 *Long-term economic prosperity should be supported by:*
- promoting opportunities for economic development and community investment-readiness;*
  - optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;*
  - maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets; and*
  - encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.*

The Development is consistent with the long-term economic prosperity policies of the PPS as the VMC is the City's new downtown. It contributes a significant investment that supports the economic prosperity of the VMC. A range of residential unit types are offered that would accommodate additional population within the VMC to support the existing and planned commercial, office and cultural uses.

The Development is consistent with the policies of the PPS, which promotes the efficient use of land, housing options, social interaction, long-term economic prosperity, and supports a healthy community. The Development will take advantage of the public investment in higher-order transit and support alternate modes of transportation such as transit, cycling and walking while using existing infrastructure more efficiently and minimizing land consumption.

***The Development conforms to the Provincial Growth Plan for the Greater Golden Horseshoe (2017) (the 'Growth Plan')***

The *Provincial Growth Plan for the Greater Golden Horseshoe* (the 'Growth Plan') is intended to guide the development of land; encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types; and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

Managing Growth

*Policies 2.2.1.1 and 2.2.1.2 of the Growth Plan state that the forecasted population and employment growth identified will be used for planning and managing growth to the horizon of the Growth Plan, and the forecasted growth will be allocated based on the following:*

- a) *the vast majority of growth will be directed to settlement areas that:*
  - i) *have a delineated built boundary;*
  - ii) *have existing or planned municipal water and wastewater systems;*  
*and*
  - iii) *can support the achievement of complete communities;*
  
- b) *growth will be limited in the settlement areas that:*
  - i) *are undelineated built-up areas;*
  - ii) *are not serviced by existing or planned municipal water and wastewater systems; or*
  - iii) *are in the Greenbelt Area;*
  
- c) *within settlement areas, growth will be focused in:*

- i) *delineated built-up areas;*
  - ii) *strategic growth areas;*
  - iii) *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv) *areas with existing or planned public service facilities;*
- d) *development will be directed to the settlement areas, except where the policies of the Growth Plan permit otherwise; and*
  - e) *development will be generally directed away from hazardous lands.*

*Policy 2.2.1.4 further states that the Growth Plan will support the achievement of complete communities that:*

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i) *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii) *public service facilities, co-located and integrated in community hubs;*
  - iii) *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv) *healthy, local, and affordable food options, including through urban agriculture;*
- e) *ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;*
- f) *mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and*
- g) *integrate green infrastructure and low impact development.*

The Development includes a mix of residential and at-grade commercial uses, which would assist in achieving the population targets set out in the Growth Plan within the City's urban boundary and would benefit from the existing and planned infrastructure. The Development focuses new growth through the intensification of an underutilized site that provides a mixed-use, pedestrian-friendly environment located adjacent to higher-order transit.

The Development would contribute to achieving a complete community by providing a range of residential apartment unit types with at-grade residential and commercial uses that are convenient and accessible to the residents of the VMC. The building design and streetscape would promote a high-quality of life where the demand for vehicles is reduced because of the proximity of the Subject Lands to higher-order transit, which would reduce greenhouse gas emissions, and promote walkability and other forms of transportation.

#### Delineated Built-up Areas

*Policy 2.2.2.1 states that by 2031, and for each year thereafter, a minimum of 60% of all residential development occurring annually within York Region will be within a delineated built-up area.*

The regional and municipal Official Plans currently do not conform to the Growth Plan policies respecting the intensification target of 60% within built-up areas. York Region's conformity exercise has commenced, with the City's conformity exercise to begin shortly thereafter. In the interim, the Development would assist York Region and the City in meeting the general intensification objectives contained in the in-effect Official Plans, which are based on the 40% intensification target identified in the Growth Plan (2006), while simultaneously contributing to the 60% intensification target in the Growth Plan, by proposing a total of 935 residential units within an UGC.

#### Urban Growth Centres

*Policy 2.2.3.1 states that Urban Growth Centres will be planned:*

- a) as focal areas for investment in regional public service facilities, as well as commercial, recreational, cultural, and entertainment uses;*
- b) to accommodate and support the transit network at the regional scale and provide connection points for inter- and intra-regional transit;*
- c) to serve as high-density major employment centres that will attract provincially, nationally, or internationally significant employment uses; and*
- d) to accommodate significant population and employment growth.*

The Development supports the UGC designation by providing residential uses in the VMC that are adjacent to higher-order transit facilities. The residents of the

Development would be well-served by a full range of uses, including office, commercial and community facilities within walking distance, thereby reducing the need of vehicles, as the downtown builds out.

### Transit Corridors and Station Areas

*Policy 2.2.4.6 states that within Major Transit Station Areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited. Policy 2.2.4.8 states that all Major Transit Station Areas will be planned and designed to be transit supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:*

- a) connections to local and regional transit services to support transit service integration;*
- b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
- c) commuter pick-up/drop-off areas.*

*Policy 2.2.4.9 further states that within all Major Transit Station Areas, development will be supported, where appropriate, by:*

- a) planning for a diverse mix of uses, including second units and affordable housing, to support existing and planned transit service levels;*
- b) fostering collaboration between public and private sectors, such as joint development projects;*
- c) providing alternative development standards, such as reduced parking standards; and*
- d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities.*

The Development is located along to the VivaNext BRT system and is within a 5 to 10-minute walk to the VMC Subway Station and the SmartCentres Place Bus Terminal and contributes to achieving the density target for the VMC. The location of the Subject Lands within a Major Transit Station Area encourages and supports the use of alternative modes of transit, reduces the need for parking, and promotes alternative modes of transportation such as cycling through the provision of bicycle parking facilities within the Development and planned cycling infrastructure within the roadways in the VMC.



The policies of the Growth Plan require the achievement of complete communities that feature a diverse mix of land uses, improved social equity and overall quality of life, provide a diverse range and mix of housing options, access to a range of transportation options, mitigation of climate change impacts and reduced greenhouse gas emissions, and ensure the development of compact built form with an attractive and vibrant public realm.

The Development provides a housing option within the VMC that is serviced with grade-related commercial uses that are conveniently accessible. The proximity to higher-order transit facilities, the Mobility Hub, the Edgeley Pond and Park and the Black Creek Channel would offer transportation options and promote an active and healthy quality of life for the residents and visitors to the VMC, as Vaughan's evolving planned downtown community.

The Development conforms with the policy framework of the Growth Plan as it makes more efficient use of the Subject Lands and existing infrastructure, is located near existing and under construction/planned higher-order transit and provides housing options at a density that supports the transportation investments in the VMC.

***The Development conforms to the York Region Official Plan***

The Subject Lands are designated "Urban Area" by the York Region Official Plan (the 'YROP') and located within a "Regional Centre."

Objective: To promote an appropriate mix and range of acceptable housing to meet the needs of residents and workers

*Policy 3.5.4 of the YROP requires the local municipal Official Plans and Zoning By-law permit a mix and range of housing types, unit sizes and levels of affordability with the mix and range of housing being consistent with the Regional forecasts, intensification and density requirements. Furthermore, Policy 3.5.20 encourages the construction of new residential units with a full mix and range of unit sizes, including family-sized and smaller units.*

The Development consists of 935 residential apartment units that range from one-bedroom to three-bedroom unit sizes and contribute to a diverse housing stock in York Region. The Development supports the Regional objective regarding the provision of a mix and range of housing.

Objective: To support Regional Centres and Corridors as a focus of economic activity and culture in York Region

*Policy 4.2.4 requires a mixed-use pedestrian environment in Regional Centres and Corridors that promote transit use and enhances these areas as destinations for business, entertainment and recreation.*

The Development provides a mix of residential uses immediately adjacent to existing and planned employment, commercial, open space, and community facilities. The Subject Lands are near higher-order transit, which would promote the use of the public transit by the residents of the Development. The combination of the enhanced streetscape and the introduction of the residential apartment units would complement the existing and planned surrounding commercial, office, retail and community facility uses, thereby contributing to the success of the VMC as a complete community.

Objective: To create high-quality, sustainable communities

*Policy 5.2.5 of the YROP encourages a balance of residential and employment uses to promote working and living in close proximity.*

The Development includes residential uses in proximity to existing and planned commercial, office, retail, employment and open space uses and community facilities, which would provide live-work opportunities for the residents in the VMC.

Objective: To create vibrant and sustainable urban areas

*Policy 5.3.4 of the YROP states that the distance to a transit stop in the Urban Areas is within 500 m for 90% of residents and no more than 200 m for 50% of residents.*

The Development is located near higher-order transit (within a 5 to 10-minute walk or 400 m to 800 m), which would provide transit opportunities and choices (i.e. subway, bus terminal, and rapid transit along Regional Road 7) for the future residents to meet their mobility needs.

Objective: To achieve an urban, integrated and connected system of Regional Centres and Corridors

*Policy 5.4.5 states that development within Regional Centres and Corridors be of an urban form and design that is compact, mixed-use, oriented to the street, pedestrian- and cycle-friendly, and transit supportive. Policy 5.4.9 states that all new buildings shall front onto streets with main entrances designed to face a public street and provide a pedestrian-friendly urban form. Furthermore, Policy 5.4.16 requires the provision of facilities to encourage an increase in the mode share of cycling trips, such as covered bicycle storage and lockers.*

The Development is urban and compact in form. The buildings are oriented and designed to include the main entrances facing a public street, being Regional Road 7, Maplecrete Road and Street B, with a pedestrian-friendly urban form that integrates with, and is enhanced by, the high-quality streetscape. The Development includes a series of on-site long-term and short-term bicycle storage facilities to support and encourage active modes of transportation.

Objective: To achieve complete, diverse, compact, vibrant, integrated and well-designed Regional Centres that serve as focal points for housing, employment, cultural and community facilities, and transit connections

*Policy 5.4.19 states that the Regional Centres will contain a wide range of uses and activities, and be the primary focal points for intensive development, that concentrates residential, employment, live-work, mobility, investment, and cultural and government functions. Policy 5.4.20 further identifies that the planning and implementation of Regional Centres will provide the following:*

- a) the greatest intensity of development within the Region;*
- b) a diverse mix of uses and built form, to create vibrant and complete communities including living, working, shopping, and entertainment opportunities; and*
- c) mobility choices and associated facilities for all residents and employees for walking, cycling, transit, and carpooling, which shall be supported through the preparation of a mobility plan.*

*Policies 5.4.23 and 8.2.3 (Implementation) state that Regional Centres contain the highest development densities and greatest mix of uses in the Region, and shall achieve a minimum density of 3.5 FSI per development block, at and adjacent to, the Vaughan Metropolitan Centre Station on the Spadina Subway Extension.*

The Development contributes to the mix of uses planned in the VMC. It would deliver a density that supports the existing surrounding employment and commercial uses, encourages and optimizes the uses of higher-order transit, and facilitates the success of the planned cultural functions (e.g. community facilities) of the VMC. The commercial uses proposed at-grade would help meet the needs of the residents of the Development.

The Development conforms to the YROP as it includes a mix of unit types and contributes to a range of housing choices in the City to meet the needs of residents and workers of York Region. It would also support and achieve an urban and integrated transportation system within a Regional Centre as a focus of economic activity and culture and contribute to a high-quality and sustainable community in the VMC.

***Amendments to Volume 2 of Vaughan Official Plan 2010 (the VMC Secondary Plan) are required to permit the Development***

The Subject Lands are designated “Station Precinct” by the VMC Secondary Plan, which forms part of Volume 2 of VOP 2010. The designation permits a broad mix of uses, including residential dwellings, retail and service commercial. The Development includes residential and commercial uses, which conform to the VMC Secondary Plan.

The VMC Secondary Plan permits a maximum building height of 30-storeys and a maximum density of 5 FSI on the Subject Lands. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. Therefore, the Development does not conform to the Official Plan and an amendment to VOP 2010, specifically the VMC Secondary Plan, is required.

***The Development Planning Department supports the proposed amendments to the Vaughan Official Plan 2010 and the VMC Secondary Plan***

*Section 1.5 of the VOP 2010, The Vision for Transformation: Goals for the Official Plan, identified the VMC as a provincially designated UGC, given the location along Regional Road 7 and the terminus of the Toronto-York Subway Extension. The VMC is envisioned to become Vaughan's downtown with the highest density node in the City and a focus for civic activities, business, shopping, entertainment, and living. Policy 2.1.3.2 addresses Vaughan's main land use planning challenges and the management of future growth by directing a minimum of 29,300 residential units through intensification within the built boundary, promoting public transit use by encouraging transit-supportive densities and an appropriate mix of uses along transit routes, and providing a diversity of housing opportunities. Policy 2.2.5, Intensification Areas, identifies the VMC as the City's downtown that consists of the widest range of uses and buildings of various sizes, including the tallest buildings in Vaughan.*

The Subject Lands have access to higher-order transit, which can support the density being proposed. The proposed unit mix would provide housing opportunities at a density target within the VMC that would support public transit and housing diversity in the City.

*The VMC Secondary Plan provides the following objectives for the VMC:*

- 3.1 Establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and critical mass of people*
- 3.2 Establish complete neighbourhoods containing a variety of housing*
- 3.5 Optimize existing and planned investments in rapid transit*
- 3.10 Ensure all development exhibits a high-quality of urbanity, materials and design*

The VMC Secondary Plan permits a maximum building height of 30-storeys and a maximum density of 5 FSI. The Development exceeds the maximum building height and density permissions of the VMC Secondary Plan. The Subject Lands are accessible to higher-order transit. The Development is designed to capitalize on the public infrastructure and higher-order transit investments within the UGC with uses that would support and contribute to a complete neighbourhood (e.g. residential, commercial, community facilities and public transit). The Development satisfies the objectives of the VMC Secondary Plan.

*Policy 4.6.3 states that transit-supportive parking standards for residential and non-residential uses shall be adopted by the City to facilitate development in the VMC and encourage non-automobile travel.*

Section 3.8.1 of Zoning By-law 1-88 includes specific parking requirements that reflect the VMC as a high-density and transit-oriented area. The Owner proposes a parking ratio to capitalize on the existing infrastructure that has the capacity to accommodate the Development.

*Policy 8.1.2 states that the VMC is intended to accommodate a minimum of 1,500 new retail and service jobs by 2031 as street-related uses on the ground floors of mixed-use buildings. Policies 8.1.3 and 8.1.4 state that the VMC is intended to accommodate a minimum of 12,000 residential units to contribute to the projected population growth to 2031. The policies also encourage a diverse housing mix, including a significant number of households with children.*

The Development would accommodate for the planned residential population growth in the VMC with 935 new residential apartment units of varying sizes. At-grade existing and planned commercial uses within the Development and the surrounding areas, and the adjacency to community facilities (e.g. VMC Mobility Hub Community Center and library, Edgeley Pond and Park, Black Creek Channel) would support varying households, including those with children.

*Section 8.7, Built Form, of the VMC Secondary Plan includes policies for building setbacks, ground floors, building height, massing, and building exteriors. The policies, specifically Policies 8.7.1 to 8.7.25, relate to building design that promotes pedestrian comfort through building façade treatments, lobby frontages, podium and tower designs, and building materiality.*

The Owner and the City have made significant effort to ensure the building façade of the Development would be well activated with a comfortable pedestrian realm along all frontages of the Subject Lands. This entails a well-articulated podium expression and tower massing, and the specific placement of the building entrances at the ground level with high-quality streetscape treatments. However, further refinements will be required along the public realm edges, specifically where the built form interfaces the amenity area. A condition to this effect is included in the Recommendations of this report.

The Development will contribute to a varied skyline within the VMC and introduces a mid-rise form to improve the transition in building heights and introduction of a different building typology. Building setbacks, material treatments, architectural features, and public realm design have been utilized to encourage a comfortable streetscape, varied streetwall, and a pedestrian-first experience.

***The Development represents good planning. The Owner will provide community benefits in exchange for increased density and building height, pursuant to Section 37 of the Planning Act***

To facilitate the Development, the Owner proposes to amend the VMC Secondary Plan to increase the permitted building height from 30 to 40-storeys (Building A) and 34-storeys (Building B) and increase the permitted density from 5 to 5.66 FSI. Pursuant to Section 37 of the *Planning Act*, the policies of the VMC Secondary Plan and VOP 2010, and the “City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*”, Vaughan Council may authorize an increase in building height and density in return for the provision of community benefits. The Owner has agreed to provide community benefits in exchange for increased density and building height.

Sections 10.1.2.9 of VOP 2010 and 8.1.23 of the VMC Secondary Plan include policies to permit bonusing for increased building height and density in return for the provision of community benefits in the form of facilities, services or other matters provided that the following criteria are met:

a) Good Planning

The Development must represent good planning, be consistent with the other objectives of VOP 2010 and the VMC Secondary Plan and ensure consistency with applicable built form and neighbourhood compatibility objectives.

The Development capitalizes on the VMC’s locational advantage, being the convergence of the regional bus network (the SmartCentres Place Bus Terminal and the VivaNext BRT) with the Spadina Subway extension into the VMC. The proximity of the Subject Lands to higher-order transit and community facilities is vital in the creation of a high-quality downtown where transit supportive residential and employment densities are developed as vibrant places of activity and major regional destinations.

The Development is consistent with the PPS and conforms to the Growth Plan and the YROP. The increase in the maximum density and building height reflected in this Development is proposed through Section 37 of the *Planning Act*. Several iterations of design development were required to ensure that the form of development proposed met the policies of the VMC Secondary Plan, to be supported as good planning.

In Section 3 of the City’s *Guidelines for the Implementation of Section 37 of the Planning Act*, “good planning” includes addressing all other policies contained in the Official Plan, including urban design policies and objectives, the relationship of the Development to its context, the adjacent streets, the creation of a good public realm, improvements to the public realm adjacent to the site, including off-site improvements and adequate infrastructure. Following a series of

collaborative design workshops with the Owner to ensure that the above objectives were met, the Development as shown on Attachments 5 to 13, is determined to represent good planning. The Development is aligned with the following objectives contained in the VMC Secondary Plan:

- i) A downtown: “to establish a distinct downtown for Vaughan by 2031 containing a mix of uses, civic attractions and a critical mass of people.”
  - A critical objective of the VMC Plan is to concentrate Development in the new downtown. The Development would contribute to achieving the required critical mass that would develop a strong identity, sense of place, and a population to support the investments in the transit infrastructure and the land uses (i.e. commercial, office, etc.) that would contribute to the diversity of land uses required to create a successful downtown.
- ii) High transit usage: “optimize existing and planned investments in rapid transit.”
  - The density and proximity of the Development to higher-order transit makes the creation of a high-density downtown possible. The short walking distances to the higher-order transit through the planned network of streets and open spaces would contribute to prioritizing transit and walking as the preferred modes of daily travel in the VMC.
- iii) Design excellence: “ensure all Development exhibits a high quality of urbanity, materials and design.”
  - The Development incorporates an architectural form that frames and addresses the streets. Connectivity has been integrated into the design of the development block with enhanced pedestrian connections and a comfortable at-grade amenity area. Though refinements will be required along the public realm edges, specifically where the built form interfaces the amenity area, the Development Planning Department is satisfied with the overall built form.

The Development is considered good planning in consideration of the overall existing and planned area context. Therefore, the proposed increase in the maximum building height and density in return for the provision of community benefits is appropriate.

b) Community Benefits

The community benefits must bear a reasonable planning relationship to the increase in building height and density of the Development. In accordance with Section 37 of the *Planning Act*, Vaughan Council may authorize an increase in building height and/or density of Development otherwise permitted in Schedule I of the VMC Secondary Plan, in return for the provision of community benefits in the VMC. The Official Plan identifies community benefits that may qualify, including:

- Public art contributions;
- Cultural facilities, such as a performing arts centre, amphitheatre or museum;
- Special park facilities and improvements identified by the City as desirable for the area, but which are beyond the City's standard levels of service or facilities; and
- Other community facilities identified by the City as desirable for the VMC, but which are not accommodated in the City's standard levels of service.

In accordance with the City's "Guidelines for the Implementation of Section 37 of the *Planning Act*", the City and the Owner have agreed to the following community benefits:

i) Edgeley Pond and Park (Off-Site Benefit)

Community benefits may include specific capital facilities that benefit the area where a development is located. The increased density for the Development would result in higher numbers of people who place higher demands on community amenities, such as open spaces, which is intended to maintain or improve existing community livability and the quality of life in the area with the higher density.

The development of social infrastructure (e.g. schools, parks, emergency services, places of worship, etc.) is as important as the development of buildings as a contributor to place making that would significantly enhance the character and identity in the VMC and ensure that the community is well supported by these necessary amenities and facilities.

"The City of Vaughan Guidelines for the Implementation of Section 37 of the *Planning Act*" identifies that a reasonable planning relationship between the community benefit and the Development refers to geographic proximity. The highest priority would be for community benefits in the immediate vicinity of the Subject Lands, and then within the local area.



The Development includes 935 new residential units and over 1,850 people in the VMC. Open space and parkland will be required to service the additional population. The VMC Secondary Plan includes in its southeast quadrant a significant environmental open space and associated Black Creek greenway that will develop over time in conjunction with future redevelopment proposals along Jane Street.

Therefore, the off-site contribution as part of this Development is being prioritized for facilities in the City's first publicly-owned open space in the downtown, the Edgeley Pond and Park, which is located in the northeast quadrant of the VMC and within a 5 to 10-minute walk from the Subject Lands. The Owner has agreed to contribute \$1.3 million towards Edgeley Pond and Park features (off-site contribution), including the first iconic pedestrian bridge. This bridge, which is currently underfunded and has consequently been pushed out to later phases of the park development, provides support for active transportation and connectivity in the VMC. This contribution would advance this critical and high priority park feature and would benefit the community and its emerging social infrastructure by improving connections between neighbourhoods and facilities in the VMC.

c) Adequate Infrastructure

It is the City's intent to deliver the planned and orderly development of the VMC through the provisions of adequate infrastructure that support the increase in building height and density. The infrastructure improvements through the higher-order transit facilities that are currently built or under construction, are all infrastructure improvements that support the Development.

The Owner's Section 37 contribution to the Edgeley Pond and Park would benefit the future residents of the Development and the visitors to the VMC. The City's goal is to achieve a true mixed-use downtown.

Should the Applications be approved, the Owner and the City shall execute a Section 37 Density Agreement to permit an increase in the maximum permitted density and building height, prior to the enactment of the implementing site-specific Official Plan and Zoning By-law. The Owner shall pay to the City the Section 37 Agreement surcharge fee, in accordance with the Tariff of Fees By-law 018-2018 for Planning Applications. A condition to this effect is included in the Recommendations of this report.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned "EM1 Prestige Employment Area Zone" by Zoning By-law 1-88 and are further identified as a "Landmark Location" with no prescribed maximum building height. The EM1 Zone does not permit the Development. The Owner proposes

to amend Zoning By-law 1-88, specifically to rezone the Subject Lands to “C9 (H) Corporate Centre Zone” with the Holding Symbol (“H”). The Holding Symbol “(H)”, as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion thereof, until the Owner obtain and file for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (“RSC”) that is registered on the Environmental Site Registry and acknowledged by the MECP for the Subject Lands, which is included in the Recommendations of this report.

The Owner also proposes the following site-specific zoning exceptions to permit the Development shown on Attachments 5 to 13:

Table 1

|    | <b>Zoning By-law 1-88 Standards</b> | <b>C9 Corporate Centre Zone Requirements</b>   | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b>  |
|----|-------------------------------------|--|---|
| a. | Permitted Uses                      | All uses in the C9 Corporate Centre Zone and all permitted Uses in a Commercial Zone                                     | <p>In addition to the uses permitted in the C9 Corporate Centre Zone, the following additional uses shall be permitted:</p> <ul style="list-style-type: none"> <li>▪ Retirement Residence</li> <li>▪ Nursing Home</li> <li>▪ Long Term Care Facility</li> <li>▪ Independent Living Facility</li> <li>▪ Public Garage, which shall be restricted only to hand washing and detailing of cars, with no mechanical repairs, and shall only located in a below grade parking garage</li> </ul> |
| b. | Definition of Lot                   | Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by | The Subject Lands shall be deemed to be one lot, regardless of the number of buildings constructed thereon, the creation of   |

|    | Zoning By-law 1-88 Standards          | C9 Corporate Centre Zone Requirements  | Proposed Exceptions to the C9 Corporate Centre Zone   |
|----|---------------------------------------|--|---|
|    |                                       | Section 49 of the <i>Planning Act</i> .  | separate units and/or lots by way of plan of condominium, consent, conveyance of private or public roads, strata title arrangements, or other permissions, and any easements or registrations that are granted. |
| c. | Minimum Lot Frontage (Block 6)        | 50 m   | 27 m (Maplecrete Road)  |
| d. | Minimum Lot Area (Block 6)            | 5,000 m <sup>2</sup>   | 3,290 m <sup>2</sup>  |
| e. | Minimum Rear Yard Setback (Block 1)   | 6 m  | 2 m (Street B)  |
| f. | Minimum Exterior Yard Setback         | 3 m  | <u>Block 1</u> : 2.5 m (Maplecrete Road)<br><u>Block 6</u> : 2 m (Street B)   |
| g. | Minimum Setback to All Site Triangles | 3 m  | 0 m   |
| h. | Build-to-Zone                         | <u>Residential Uses</u> :<br>80% of the building shall be located within 3 to 6 m of the Regional Road 7 street line | Permit the reduced building setbacks, as identified in this table   |

|    | <b>Zoning By-law 1-88 Standards</b>                  | <b>C9 Corporate Centre Zone Requirements</b>   | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b>                                 |
|----|--|--|--|
|    |  | <u>Non-Residential Uses:</u><br>80% (along the Regional Road 7 street line) and 50% (along the Maplecrete Road street line) of the building shall be located within 3 to 6 m |  |
| i. | Minimum Setback to Portions of Buildings Below Grade | 1.8 m  | 0 m (Regional Road 7, Maplecrete Road and Street B)  |
| j. | Maximum Balcony Projection                           | 1.8 m into the sight triangle  | 3.6 m into the sight triangle above the third storey (Maplecrete Road and Regional Road 7) |
| k. | Maximum Exterior Side Yard Encroachment              | 1.8 m  | 2.2 m (Block 1) for exterior stairs, landscape planters and outdoor patios                 |
| l. | Minimum Landscape Strip Width                        | 3 m  | 2.4 m (Maplecrete Road)<br>2 m (Street B)<br>0.6 m (east property line)                    |
| m. | Minimum Parking Space Size                           | 2.7 m by 6 m   | 2.6 m by 5.7m  |
| n. | Maximum Driveway Width for Loading                   | 13.5 m   | 22 m (Street B to service Block 6)   |

|    | <b>Zoning By-law 1-88 Standards</b>          | <b>C9 Corporate Centre Zone Requirements</b> | <b>Proposed Exceptions to the C9 Corporate Centre Zone</b> |
|----|--|--|--|
| o. | Minimum Commercial GFA at Ground Floor Level | 60%  | 20%  |

The Development Planning Department can support the zoning exceptions in Table 1 on the following basis.

a) Permitted Use

The introduction of the additional uses is consistent with the policies and the permitted uses in the VMC Secondary Plan, are considered compatible with the planned surrounding uses, implements the VMC Secondary Plan and provides marketing flexibility for the Development.

b) Definition of Lot

The proposed zoning exception to the definition of a “lot” is required to ensure that for zoning purposes, the Subject Lands are deemed to be one lot regardless of future conveyances and to avoid future technical zoning amendments.

c) Site-Specific Development Standards

The proposed zoning standards identified in Table 1 would permit a development that creates a built form and pedestrian realm relationship that is supported in an intensification area with access to higher-order transit. The reduced minimum lot area (Block 6) and lot frontage of the Subject Lands is the result of the extension of Street B that is in accordance with the planned street network of the VMC Secondary Plan. The site-specific development standards (setbacks, projections, encroachments, landscape strip widths) are consistent with the approved development standards related to other high-density developments in the VMC and will enable the built form that is supported by the Development Planning Department.

d) Parking Space Size and Driveway Width

The Development Engineering Department has reviewed the Development and advise they have no objection to the proposed parking space size. The number of parking spaces (1,007) for the Development complies with Zoning By-law 1-88.

The proposed driveway width services Building C and includes a portion of a temporary turning circle. The increase in driveway width accommodates this temporary condition until Street B is extended eastward when the owner of the lands to the east redevelops, as shown on Attachment 5. This will be discussed later in this report.

***The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for future Minor Variance application(s), if required, within two years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Vaughan Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance Application(s) within two years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.18.009, the Development Planning Department, in recognition of the complexity of this Development, has included a recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***The Development Planning Department has no objection to the Draft Plan of Subdivision, subject to the Conditions of Approval of this report***

The Development Planning Department has no objection to the approval of the Draft Plan of Subdivision (the 'Draft Plan') shown on Attachment 4, subject to the Conditions of Draft Plan Approval included in Attachment 1. The primary purpose of the Draft Plan is to create one mixed-use and one residential development block (Blocks 1 and 6) and a new 22 m wide local street (Street B) that will service the overall Development.

The VMC Secondary Plan conceptually identifies a future north-south local street between Maplecrete Road and Creditstone Road. At the request of the property owner of 2851 Regional Road 7 ('2851') through the Local Planning Appeal Tribunal ("LPAT") in January 2017, this local street was conceptually shifted westward to align with the west property limits of 2851. The Owner has designed Street B to provide for the future extension of this street through 2851, which is expected to be constructed as part of the future redevelopment of 2851. On-going coordination will be required between both property owners.

## ***The Development Planning Department supports the Site Development Application***

### a) Site Design

The proposed site plan shown on Attachment 5 includes the interim Street B condition with a temporary turning circle and the ultimate Street B condition that is extended through 2851. The Development includes three residential apartment buildings with building heights of 40, 34 and seven-storeys that will contribute to a varied skyline in the VMC. The interim site plan condition shows a temporary turning circle at the east terminus of Street B and the ultimate condition is shown to align with the future easterly extension of Street B.

Block 1 includes the two taller buildings on a shared seven-storey podium with ground related commercial uses and residential units with at-grade access from Maplecrete Road. The towers are strategically placed to ensure an appropriate tower separation, which conforms with the policies of the VMC Secondary Plan, within the site and in relation to other adjacent developments. The seven-storey mid-rise building located on the south side of Street B allows for density and building height transition away from Regional Road 7. An easily accessible and central at-grade amenity area would service the residents of the Development with twenty proposed surface parking spaces for the future commercial uses in Block 1.

Block 1 is proposed to be delineated from Block 6 by the extension of Street B. Block 6 is proposed to be developed with the seven-storey mid-rise residential apartment building. It will be serviced by five convenient surface parking spaces. The outdoor amenity area is proposed to activate Maplecrete Road.

The Owner has submitted a wind tunnel model analysis for the Development. The analysis must be revised to include the existing and planned neighbourhood buildings and demonstrate the incorporation of appropriate mitigation measures to ensure favourable micro-climatic conditions for people sitting, standing and walking within the public realm. The final design must include confirmation that the recommended mitigation measures have been appropriately incorporated into the building design, to the satisfaction of the City.

The final site plan, including the signage and lighting plans, and the revised final detailed wind tunnel model analysis and adjustments to the design, if required, must be approved by the Development Planning Department. Conditions to this effect are included in the Recommendations of this report.

b) Site Access

Vehicular access to the Subject Lands is proposed from Street B. Access to Block 1 is proposed via an L-shaped private road that delineates the outdoor amenity area, is designed as a shared space (woonerf) to slow traffic and improve pedestrian safety and provides a mid-block connection to accommodate on-site parking, servicing access and passenger pick-up and drop-off. It is designed as a shared space area for traffic and pedestrians, where barrier-free pedestrian safety is a high priority. A future driveway has been protected that would provide access to the easterly planned north-south local street located on the neighbouring lands, which will be secured upon its redevelopment.

Staff have worked with the Owner to include grade-related residential units along Maplecrete Road. Though individual and direct access to these residential units is preferred, the City acknowledges the constraint of the significant grade change along Maplecrete Road. The design of the pedestrian access and connection to these units considers the on-site grade changes and ensures that this access has been designed to conform with the Accessibility for Ontarians with Disabilities Act (“AODA”) standards.

In addition to the pedestrian connections, cycling infrastructure and amenities are provided within and around the Development that encourage slower vehicular travel and promote active transportation. The proposed accessible bicycle parking facilities are well distributed throughout the Development and will encourage active transportation and assist in improving safety for cyclists.

c) Landscape

The proposed interim and ultimate landscape plan is shown on Attachment 6, which illustrates both a temporary turning circle condition for Street B and the ultimate enhanced urban landscape treatment for the Development. The Owner is required to make the satisfactory arrangement with the City to provide the financial requirements within the Subdivision Agreement for the cost to remove the temporary turning circle along Street B and reinstate Street B to the ultimate road condition, including streetscape and servicing infrastructure. A condition to this effect is included in Attachment 1 of this report.

Sufficient levels of illumination will be provided to ensure safety for the public. The proposed lighting and site furnishings will be designed to be coordinated with the VMC Streetscape Open Space Plan. As well, the landscape plan has been coordinated to enable the future hydro undergrounding works along Regional Road 7.



The final interim and ultimate landscape plan must be approved by the Development Planning Department and conditions to this effect are included in the Recommendations of this report.

d) Building Elevations

The proposed Building A and B elevations and perspectives, illustrated on Attachments 7 to 13, include a signature metal balcony design and vertical perforated panels that frame the development and provide for a strong tower articulation. The Building C podium incorporates solid masonry detailing that creates a pedestrian-friendly scale to frame the amenity space, provides for material differentiation within the development and enhances the sense of place. Active uses, such as residential lobbies and at-grade entrance for commercial uses are provided to create a fine-grain and interesting street frontage.

The tower and mid-rise building expression is supported by the Development Planning Department; however, the Owner will be required to demonstrate the appropriate treatment and articulation of the built form to ensure activation of the public realm edges, specifically the interface with the proposed private amenity area. A condition to this effect is included in the Recommendations of this report.

The Development Planning Department is satisfied with the Development, as shown on Attachments 5 to 13, subject to the conditions included in the Recommendations of this report.

***The Owner has addressed the Vaughan Design Review Panel's comments***

The Design Review Panel (the 'Panel'), on November 30, 2017, and September 27, 2018, considered the Development. At the November 30, 2017 meeting, the Panel identified missed opportunities with the first submission that required reconsideration. The Panel suggested several refinements that focused on improved connectivity with surrounding open spaces, including the Edgeley Pond and Park; improved transit connections and pedestrian access to Regional Road 7; enhanced linkages between the indoor and outdoor amenity areas; and minimizing vehicular connections and optimizing servicing within the site. Panel also commented on the mix of uses, architectural expression and tower orientation.

At the September 27, 2018 meeting, the Panel acknowledged that the second submission was an improvement from the first submission; however, Panel identified that further refinements were required including, but not limited to:

- a) improvements to the at-grade program and circulation to create more direct visual and physical connections to the amenity space
- b) the modulation of the building facades to create a more vertical segregation in the podium

- c) articulation of the podium and mid-rise building to reduce the horizontal elements and break the façade expanse
- d) architectural expression refinements, particularly the extruded white massing as a special feature element that breaks away from the linear balconies.

The Owner has responded to the Panel's comments by creating a stronger north-south mid-block connection; introducing the use of unit pavers in-lieu of coloured pattern asphalt; refining the architectural expression; and further articulating the ground floor and podium areas.

Following a series of design workshops to prioritize design matters raised by both the Panel and Staff, the Department is satisfied that the Owner has addressed the comments of the Panel through refinements in the Development, subject to the Recommendations in this report.

***The Development Engineering Department supports the Development, subject to the conditions in this report***

The Development Engineering Department has provided the following comments regarding the Development:

Road Network

Maplecrete Road and Regional Road 7 will be required to accommodate turning lanes for a full movement signalized intersection. The existing Maplecrete Road is required to be widened to accommodate a minimum 26 m ROW that would support future development growth within the VMC Area. To service the Development, the Owner must design and reconstruct a portion of the existing Maplecrete Road. The road improvements extend past the south limits of the Subject Lands and then will taper back to the existing Maplecrete Road condition.

The proposed Street B, which conforms with the street network in the VMC Secondary Plan, is planned to ultimately connect to Creditstone Road. In the interim, Street B on the Subject Lands is proposed to terminate at a temporary turning circle. The ultimate Street B cross-section and 22 m ROW width shall be designed and protect for its future extension to Creditstone Road, to the satisfaction of the City, and in accordance with the VMC Secondary Plan.

Noise Attenuation

The Owner submitted the Environmental Noise Assessment, dated November 7, 2018, and prepared by Novus Environmental, which identified the noise control measures for the Development. The analysis considered the road traffic on Regional Road 7 and Jane Street, future VivaNext BRT system, and the operation associated with the CN MacMillan rail yard. Due to the significant setback of the Subject Lands to the CN

MacMillan rail yard, the analysis concluded that these noise sources are expected to be minimal and may be audible at times.

The analysis concluded that road traffic noise is a concern but can be mitigated by appropriate construction of exterior walls, windows and doors, in accordance with the MECP guidelines. Balconies are proposed for some of the units, but they are not large enough to be considered as an outdoor living area pursuant to the MECP guidelines. Dwelling units that abut or face an arterial road shall be provided with central air conditioning to permit the windows to remain closed. Appropriate warning clauses shall be in the purchase and sale agreements to advise the future occupants of the potential noise situation. The Owner shall ensure that the recommendations contained in the assessment are incorporated in the building design and that an adequate field inspection is provided to validate the requirements during construction at the time of Building Permit review, to the satisfaction of the City.

### Municipal Servicing

The Development is located within the southeast quadrant of VMC Area. The anticipated growth within the VMC Area result in higher population densities, which lead to an increased demand for water, wastewater production and surface water run-off during rain events. To address this situation, the City has completed a Municipal Servicing Master Plan, which identifies the preferred strategy for water, wastewater and stormwater servicing for the planned growth within VMC.

In response, the Owner submitted a Functional Servicing and Stormwater Management Report (“FSR”), dated October 2018, and prepared by Schaeffers Consulting Engineers. The FSR confirmed that the existing municipal services can be used to service the Development. The Owner is required to submit a revised FSR for review by Development Engineering that addresses the comments provided. The following provides an overview of the servicing strategy for the Development:

a) Water Supply

The Development is located within Pressure District 6 of the York Water Supply System. In accordance with the VMC Servicing Strategy Master Plan (“SSMP”), the servicing strategy for the Development includes installation of a new 400 mm diameter watermain along Maplecrete Road between Regional Road 7 and Doughton Road.

b) Sanitary Servicing

In accordance with the VMC SSMP, the servicing strategy and the Owner’s submitted FSR recommended the installation of a new sanitary sewer along Maplecrete Road between Regional Road 7 and Doughton Road and along

Doughton Road between Maplecrete Road and Jane Street to service the Development.

An update to the VMC SSMP is being undertaken for the southwest quadrant of the VMC. The update to the Master Environmental Servicing Plan will further analyze the sanitary sewer capacities and make recommendations for upgrades or improvements to the City's infrastructure while accounting for the overall increased densities within the VMC.

c) Storm Drainage

The VMC is within the Humber River watershed, which includes the Black Creek. A comprehensive strategy to manage the flows in the Black Creek is vital to service the planned development in the VMC. Both the Black Creek Stormwater Optimization Master Plan and the VMC Master Servicing Strategy have identified the need to carry out improvements to the existing Black Creek channel east of Jane Street and the existing Edgeley Pond (quality, quantity and erosion protection).

The Development will be serviced by a new connection to the proposed upgraded 1200 mm diameter storm sewer on Maplecrete Road. An on-site storm quantity control facility will be provided to achieve the Toronto and Region Conservation Authority Humber River Unit Flow Rates.

Sewage and Water Allocation

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. Accordingly, servicing capacity to Site Development File DA.18.037 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

"THAT Site Plan Development File DA.18.037 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 935 residential units (2,066 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol if, at the discretion of the City, the proposed development does not proceed to registration within a reasonable timeframe."

A condition to this effect is included in the Recommendations of this report.

Environmental Site Assessment ("ESA")

Based on the review of the Phase One and Two ESAs prepared by Terraprobe, the Owner is required to sign the Remedial Action Plan ("RAP") and resubmit the completed

RAP to the satisfaction of the City. Impacts from petroleum hydrocarbon and salt/pH-related were identified in the soils on the Subject Lands that require remediation. Therefore, in accordance with the City's contaminated sites policy, the Holding Symbol ("H") shall be applied to the Subject Lands in the Zoning By-law amendment and the Holding Symbol shall not be removed until the Owner obtain and file for a MECR RSC that is registered on the Environmental Site Registry and acknowledged by the MECR for the Subject Lands. A condition to this effect is included in the Recommendation of this report.

#### Geotechnical and Hydrogeological Report

The Owner shall submit a Geotechnical and Hydrogeological Report for the Development. The Report shall recommend the ground water control measures that need to be implemented during detail design stage, and assessment of potential water quantity/quality effects due to dewatering activities on proposed and existing development. A condition to this effect is included in the Recommendations of this report.

#### Development Agreement

Prior to the execution of the Site Plan Agreement, the Owner shall enter into a Development Agreement, if required, for the widening and construction of the Maplecrete Road ROW, to the satisfaction of the Development Engineering Department. A condition to this effect is included in the recommendation of this report.

#### Energy Infrastructure

Policy 5.2 of the VMC Secondary Plan includes the provision for the implementation of a district energy system to serve public and public developments. This initiative and the infrastructure to support it have not been successfully pursued in the VMC. Therefore, the Owner has not proposed this energy infrastructure, which is acknowledged by the Development Engineering Department.

#### ***The Financial Planning and Development Finance Department requires the Owner to pay the applicable Development Charges***

The Financial Planning and Development Finance Department assessed the Development and advised that the Owner is required to pay to Vaughan all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect is included in the Recommendations of this report.

***The Owner is required to provide a 3D Digital Model of the Development***

The Owner is required to submit a 3D digital model of the Development including accurately geo-referenced digital data, as outlined in the VMC Submission Protocol, to the satisfaction of the Development Planning Department. However, if the 3D digital model is not completed by the Owner and provided to the City prior to the execution of the Site Plan Agreement, the Owner must provide a separate Letter of Credit in a format satisfactory to the City of Vaughan in the amount of \$12,000.00 to guarantee the completion of the final 3D digital model. A condition to this effect is reflected in the Recommendations of this report.

***The Owner must submit a Draft Plan of Condominium application to establish the condominium tenure of the Development***

Should Council approve the Applications, the proposed condominium tenure for the Development will be created through a future Draft Plan of Condominium application(s), which is subject to approval by Council. The future condominium corporation(s) will be responsible for all common elements in the Development, including but not limited to parking and all landscape elements.

***The Urban Design and Cultural Heritage Division of the Development Planning Department supports the approval of the Development, subject to conditions***

In areas that have been cleared of concern for archaeological resources, the Owner is advised that:

- a) Should archaeological resources be found on the property during construction activities, all construction activity and work must cease, and the Owner shall notify the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division immediately
- b) If human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner, the Registrar of the Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.

A condition to include the above clauses in the Site Plan Agreement is included in the Recommendations of this report.

***Office of the City Solicitor, Real Estate Department requires conditions to be included in the Site Plan Agreement***

The Real Estate Department has provided the following condition of approval, which is included in the Recommendations of this report:

“For high-density residential Development, the Owner shall convey land at the rate of 1 hectare per 300 units and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at a rate of 1 ha per 500 units, or a fixed rate, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy.”

***The Environmental Services Department, Solid Waste Management Division, has no objection to the Development***

The Environmental Services Department, Solid Waste Management Division has advised that upon a successfully completed application, site inspection and executed agreement as determined by the Vaughan Environmental Services Department, Solid Waste Management Division, the future condominium corporation(s) will be eligible for municipal waste collection services. Should the future condominium corporation(s) be deemed ineligible by the City or chose not to enter into an agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the future condominium corporation(s). A condition to this effect is included in the Recommendations of this report.

***The Canadian National Railway has no objection the Development***

The Subject Lands are within the review area of the Canadian National (“CN”) Railway. CN has reviewed the Owner’s Environmental Noise Assessment. In a letter dated November 19, 2018, CN advised that they have no objection to the Development.

***NavCanada and Bombardier Aerospace have no objection to the Development***

NavCanada, a private sector, non-share Capital Corporation that owns and operates Canada's civil air navigation service and Bombardier Aerospace, owner and operator of the Toronto Downsview Airport, has advised they have no objection to the Development.

***The Ministry of Transportation Ontario has no objection to the Development***

The Ministry of Transportation Ontario (the “MTO”) has indicated no objection to the Development subject to the Owner obtaining a Building and Land Use Permit from the MTO. A condition to this effect is included in the Recommendations of this report.

***Canada Post has no objection to the Development***

Canada Post has indicated that it is the Owner's responsibility to contact Canada Post to discuss a suitable mailbox/mailroom location and ensure that Canada Post specifications are met. The Owner is required to supply, install and maintain a centralized mailbox facility.

***Bell Canada has no objection to the Development provided a condition is included in the Site Plan Agreement***

Bell Canada ("Bell") has advised the Owner contact Bell during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the Development and that the following condition be included in the Site Plan Agreement:

"The Owner shall grant to Bell Canada, in words satisfactory to Bell Canada, any easements that may be required, which may include a blanket easement, for communication or telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements."

A condition to this effect is included in the Recommendations of this report.

***The School Boards have no objection to the Development***

The York Catholic District School Board has advised that they will not require a public elementary school site within the Development. The York Region and the French School Boards have no comments or objections to the Development.

***The various utilities have no objection to the Development***

Alectra Utilities Corporation has indicated it has no objection to the approval of the Development and that the Development must meet the minimum clearances from their underground electrical distribution systems. It is the Owner's responsibility to contact Alectra and discuss all aspects of the Development with respect to electrical supply, transformer locations, and temporary service requirements.

Enbridge Gas has no objection to the Development and has advised that it is the Owner's responsibility to contact Enbridge Gas with respect to the installation and clearance requirements for service and metering facilities.

Rogers Communication Inc. has no objection to the Development.



## **Financial Impact**

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

## **Broader Regional Impacts/Considerations**

### ***York Region Community Planning and Development Services has no objection to the Development***

The York Region Official Plan 2010 (“YROP 2010”) designates the Subject Lands as “Urban Area” and located within a “Regional Centre” by Map 1 - “Regional Structure.” York Region has advised, in the letter dated September 26, 2018, that the amendments to VOP 2010 are a routine matter of local significance and in accordance with Regional Official Plan policy 8.3.8, and that the proposed Amendment does not adversely affect Regional planning policies or interests.

York Region has indicated they have no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment 1. These comments must be addressed prior the execution of the Site Plan Agreement with York Region and in accordance with the Recommendations of this report.

## **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.18.005 and Z.18.009, Draft Plan of Subdivision File 19T-18V005 and Site Development File DA.18.037 in consideration of the policies of the Provincial Policy Statement, the Growth Plan, the York Region Official Plan and Vaughan Official Plan 2010 policies, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the surrounding area context. The Development is consistent with the policies of the PPS, conforms to the Growth Plan and the York Region Official Plan, and implements the VMC Secondary Plan.

The Development Planning Department is satisfied that the Development shown on Attachments 5 to 13, is compatible with the existing and permitted uses in the surrounding area. The Development Planning Department is also satisfied that the Development represents good planning for the reasons identified in this report, and that the Owner’s contribution of community benefits is appropriate. Accordingly, the Development Planning Department supports the approval of the Applications, subject to the conditions included in Attachment 1 and the Recommendations of this report.

For more information, please contact Stephen Lue, Senior Planner, Extension 8210.

## **Attachments**

1. Conditions of Draft Plan Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-18V005 & Proposed Zoning
5. Interim and Ultimate Site Plan
6. Interim and Ultimate Landscape Plan
7. Buildings A and B North Building Elevations (Along Regional Road 7)
8. Buildings B and C West Building Elevations (Along Maplecrete Road)
9. Buildings A and B South Building Elevations (Along Street B)
10. Buildings A and C East Building Elevations (East Property Line)
11. Building C South Building Elevations (South Property Line)
12. Building C North Building Elevations (Along Street B)
13. Colour Perspective (Regional Road 7 & Maplecrete Road)

## **Prepared by**

Stephen Lue, Senior Planner, extension 8210

Amy Roots, Senior Manager - VMC, extension 8035

Christina Bruce, Director, VMC Program, extension 8231

Mauro Peverini, Director of Development Planning, extension 8407

/CM

## **ATTACHMENT 1**

**CONDITIONS OF DRAFT APPROVAL  
DRAFT PLAN OF SUBDIVISION FILE 19T-18V005 ('THE PLAN')  
1930328 ONTARIO INC. ('THE OWNER')  
PART OF LOT 5, CONCESSION 4, CITY OF VAUGHAN**

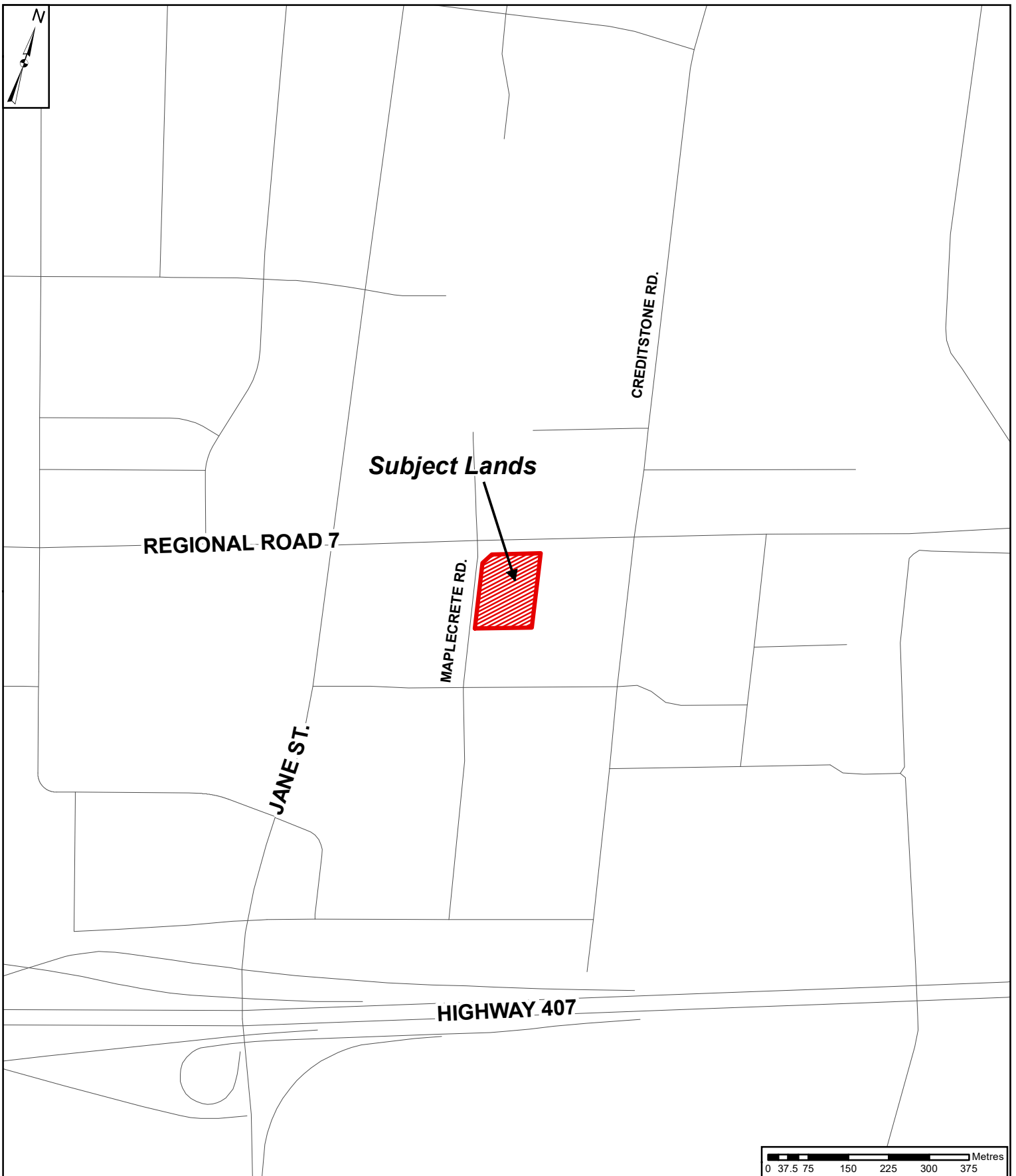
**THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ('THE CITY') THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF THE PLAN, ARE AS FOLLOWS:**

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment 1a.
2. The Conditions of Approval of York Region set out on Attachment 1b and dated September 26, 2018.

### **Clearances**

1. The City shall advise that the Conditions on Attachment 1a have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
2. York Region shall advise that the Conditions on Attachment 1b have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.



# Context Location Map

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.

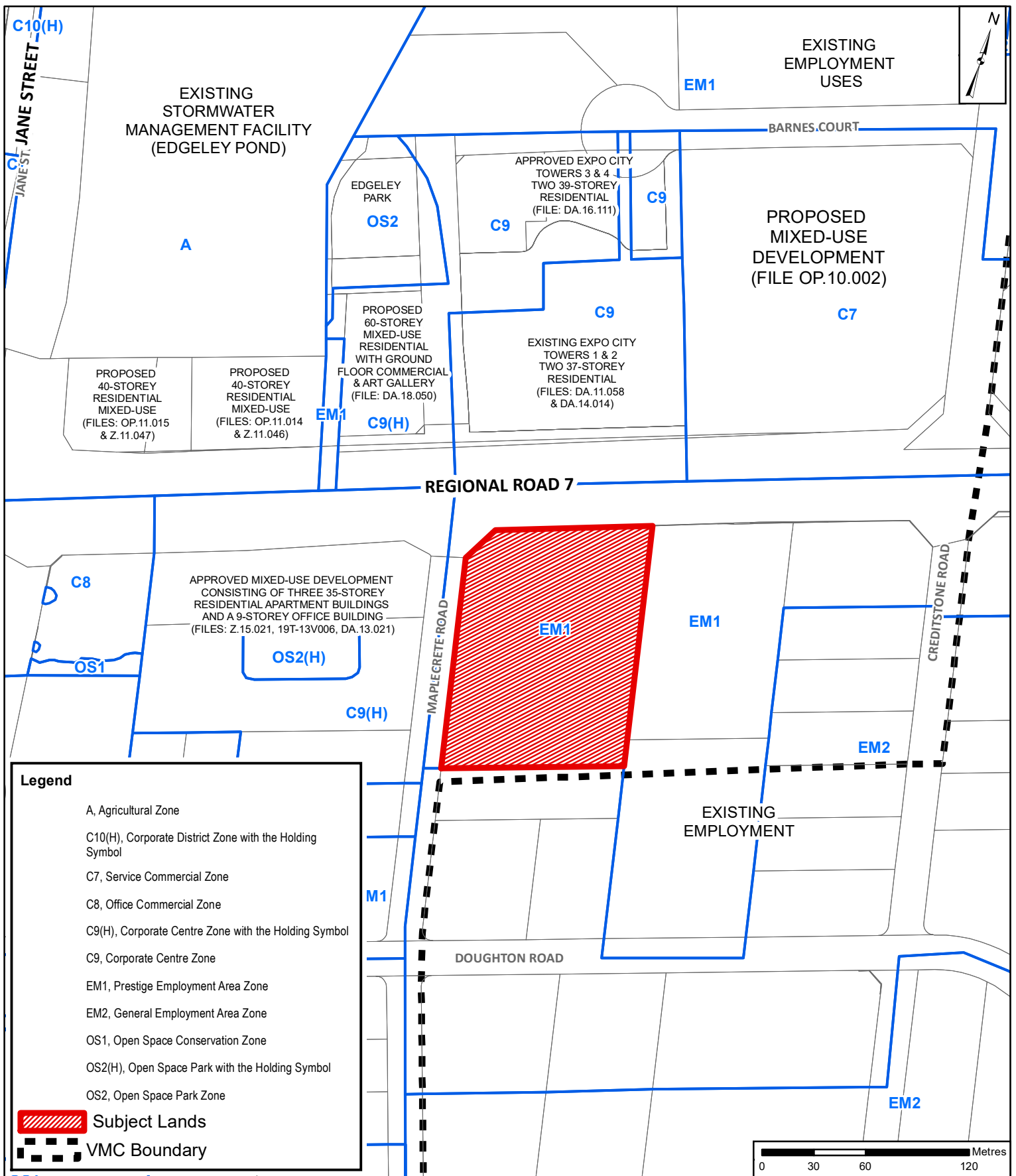


# Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

# 2



# Location Map

**LOCATION:**  
Part Lot 5, Concession 4

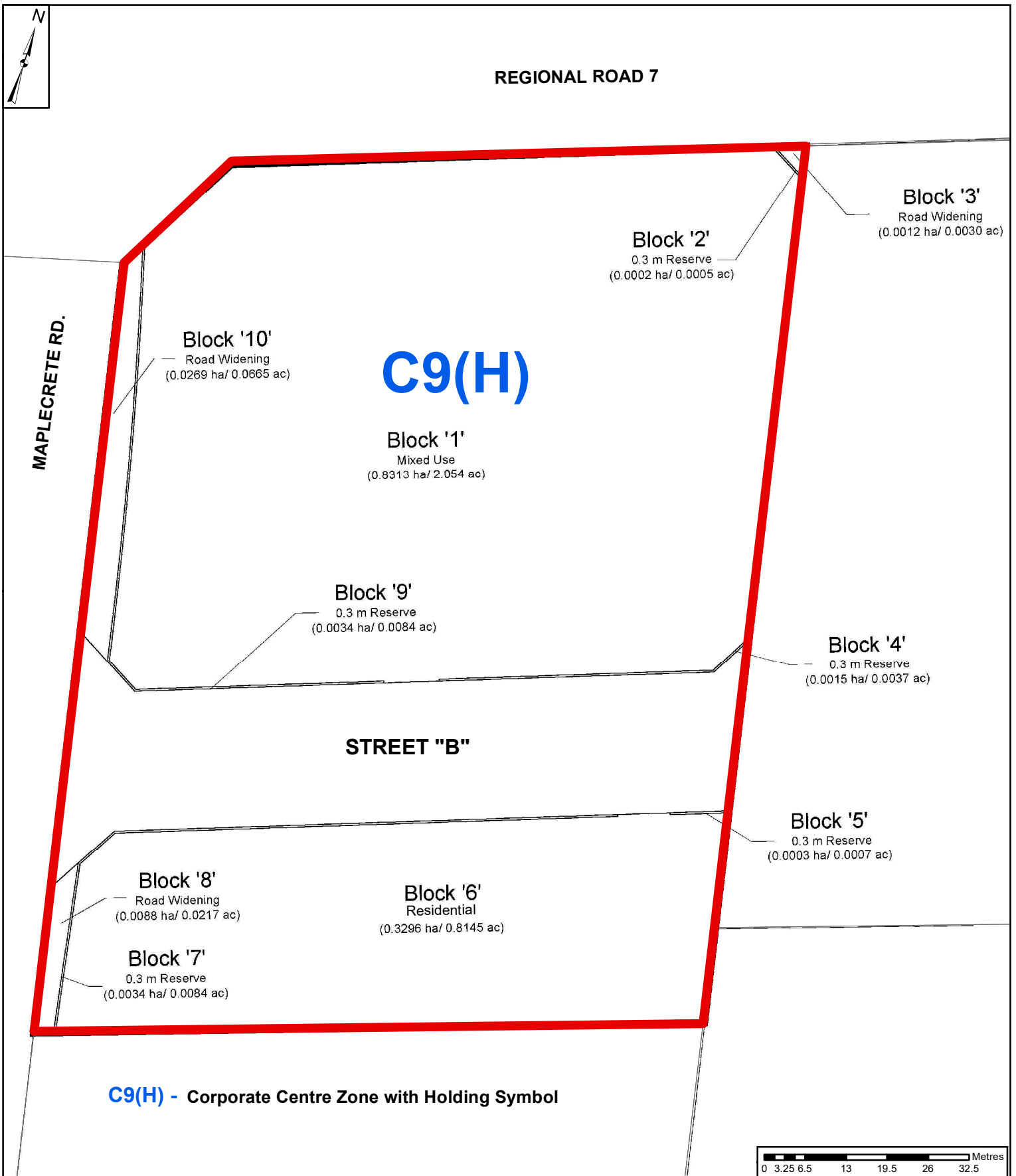
**APPLICANT:**  
1930328 Ontario Inc.

# Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

# 3



**Draft Plan of Subdivision  
File 19T-18V005 &  
Proposed Zoning**

**APPLICANT:** 1930328 Ontario Inc.  
**LOCATION:** Part Lot 5, Concession 4

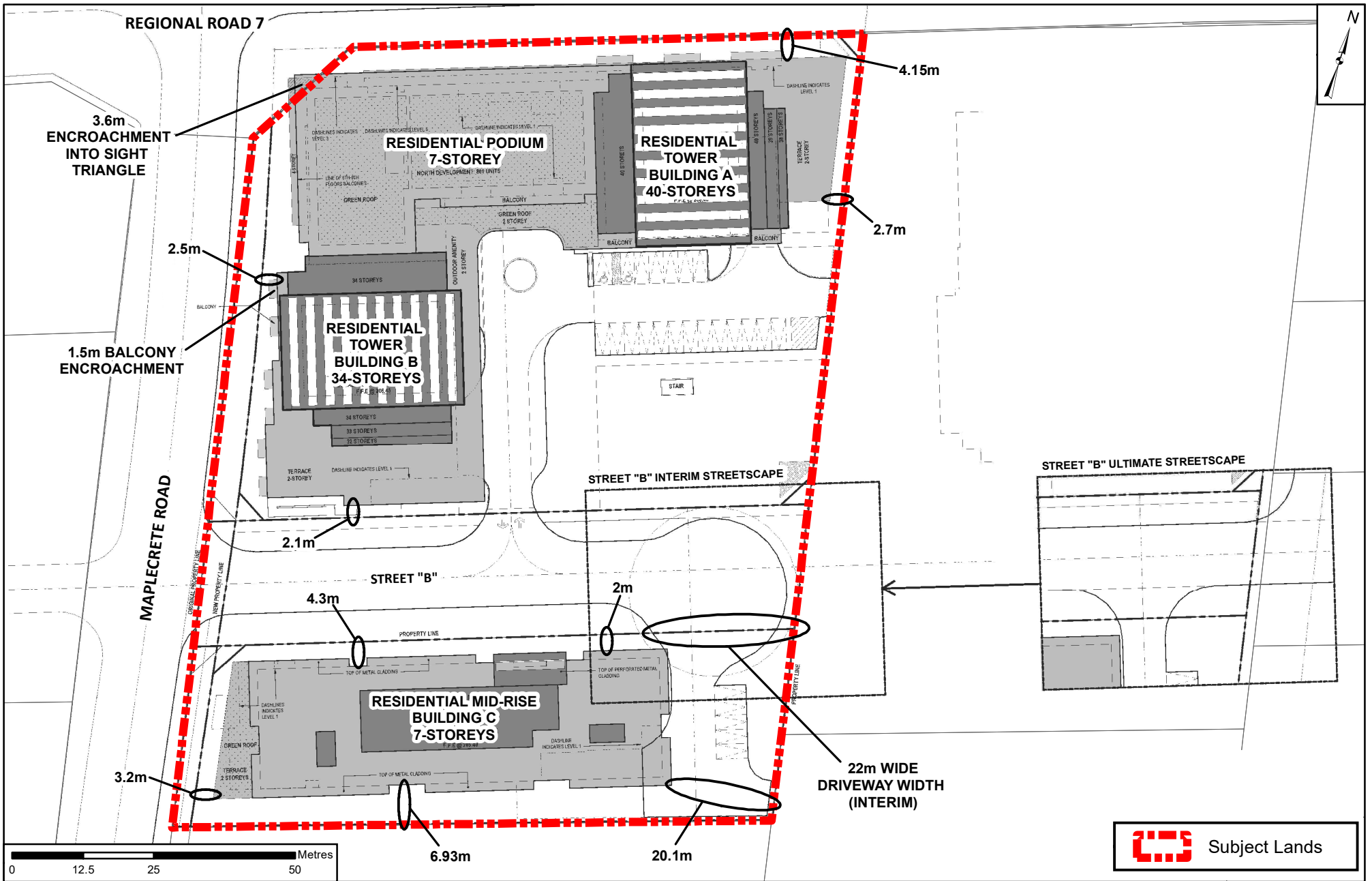


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**4**



# Interim and Ultimate Site Plan

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.

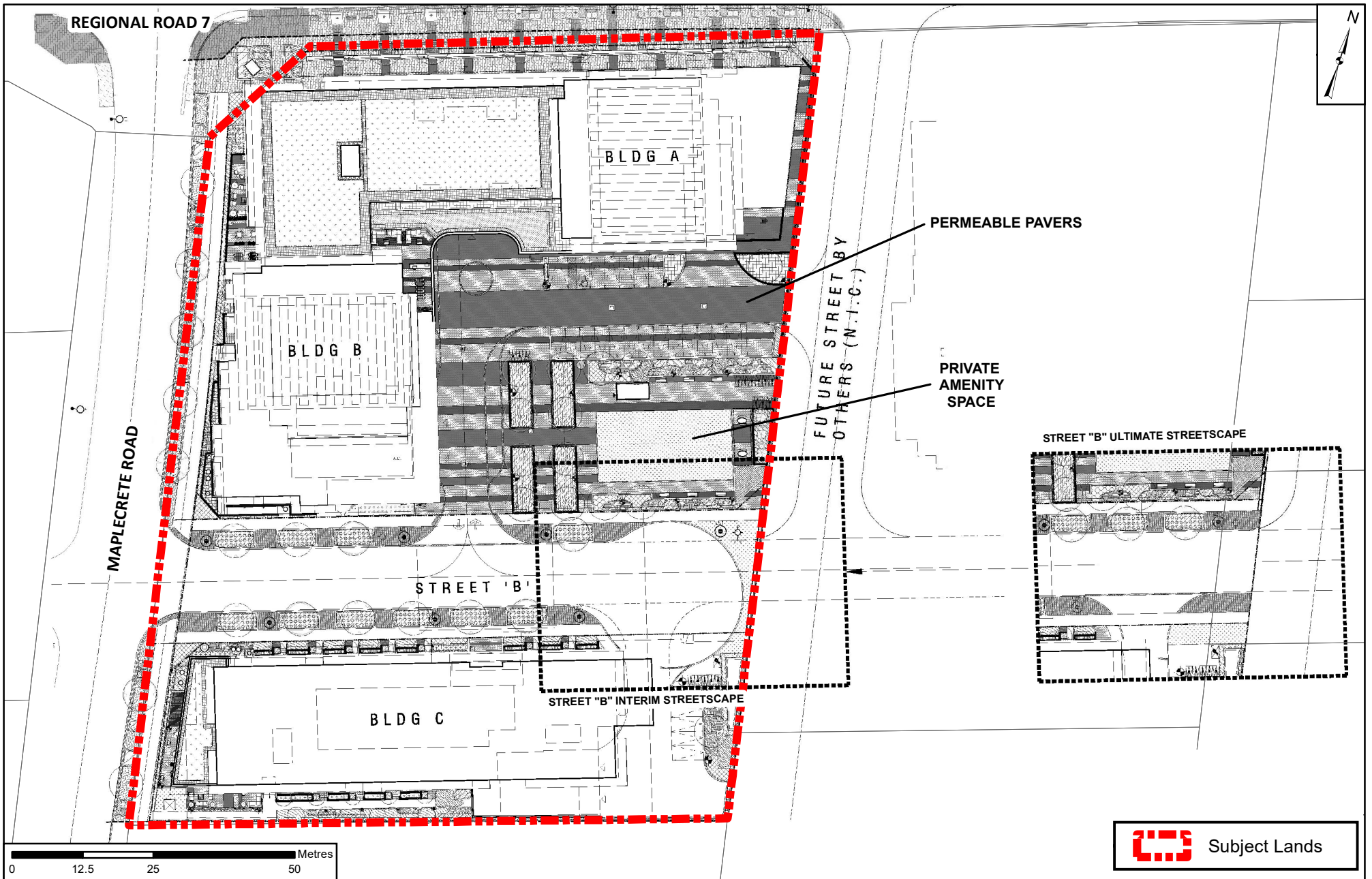
# Attachment

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**5**





# Interim and Ultimate Landscape Plan

**LOCATION:**  
Part Lot 5, Concession 4

**APPLICANT:**  
1930328 Ontario Inc.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.037\DA.18.037etal\_Landscape.mxd

# Attachment

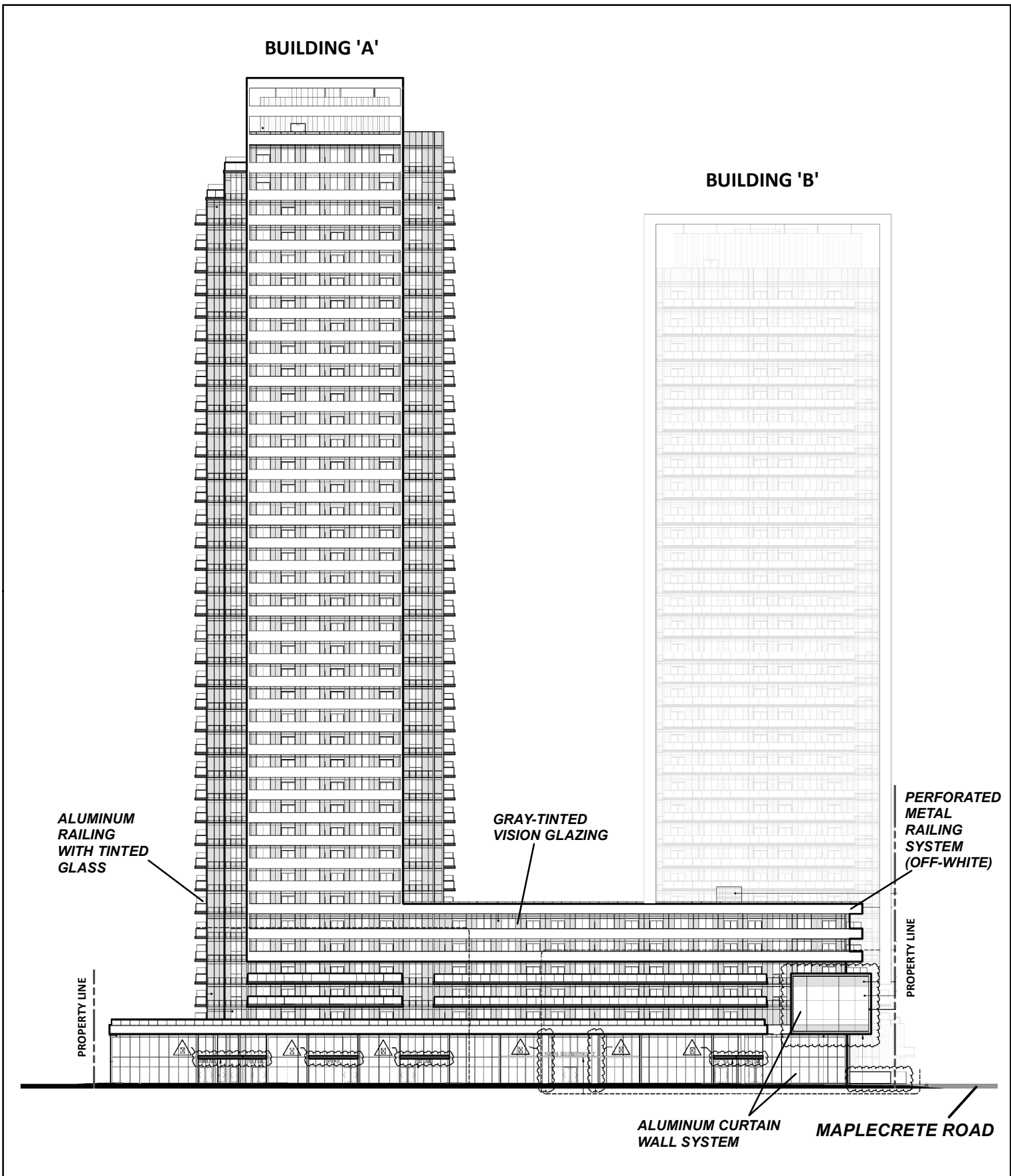
**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**6**

Printed on: 1/30/2019





**Buildings "A" and "B"**  
**North Building Elevations**  
**(Along Regional Road 7)**

**APPLICANT:** 1930328 Ontario Inc.  
**LOCATION:** Part Lot 5, Concession 4

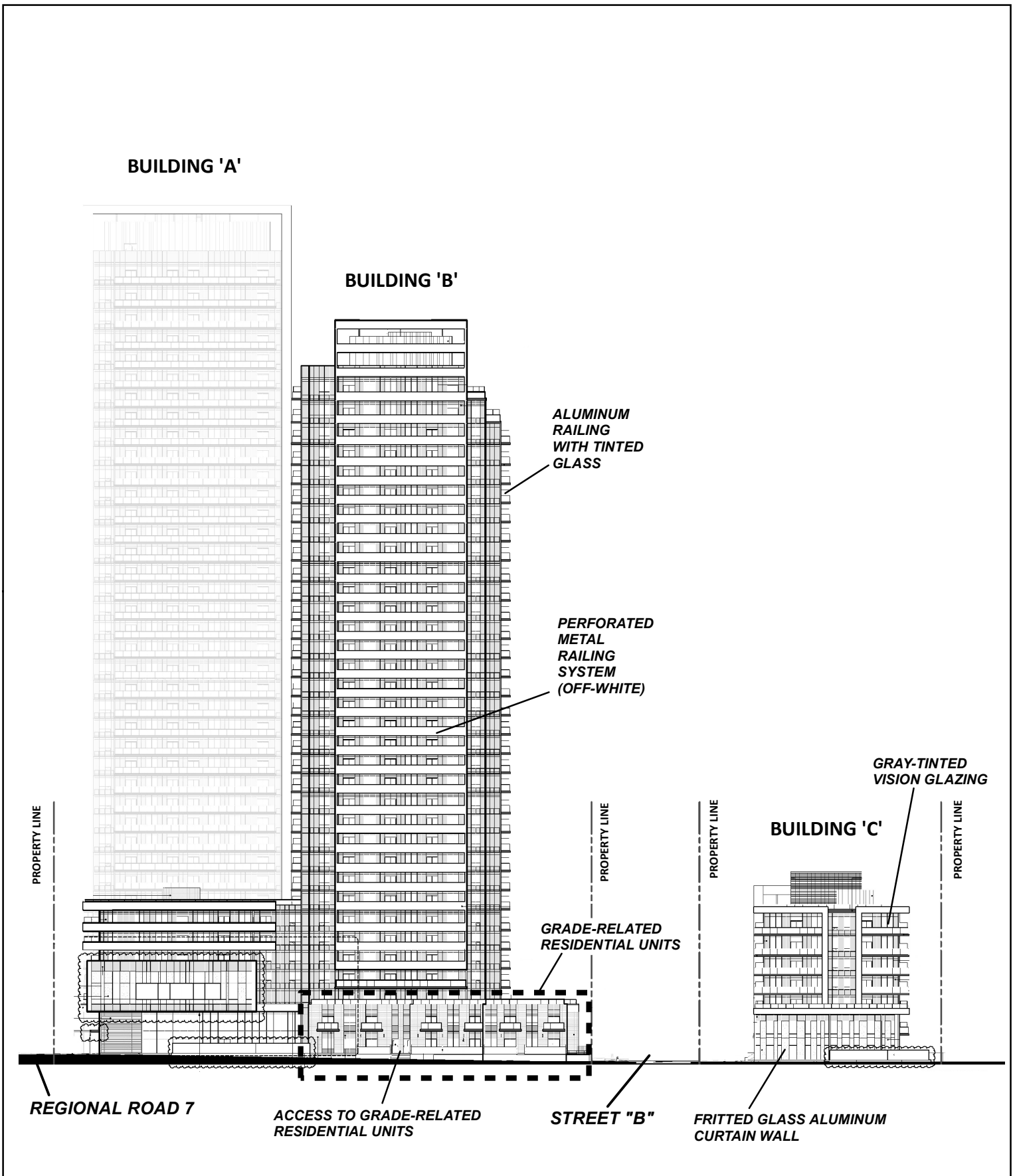


**Attachment**

**FILES:**  
 OP.18.005, Z.18.009,  
 19T-18V005 & DA.18.037

**DATE:**  
 March 5, 2019

**7**



**Buildings "B" and "C"  
West Building Elevations  
(Along Maplecrete Road)**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4

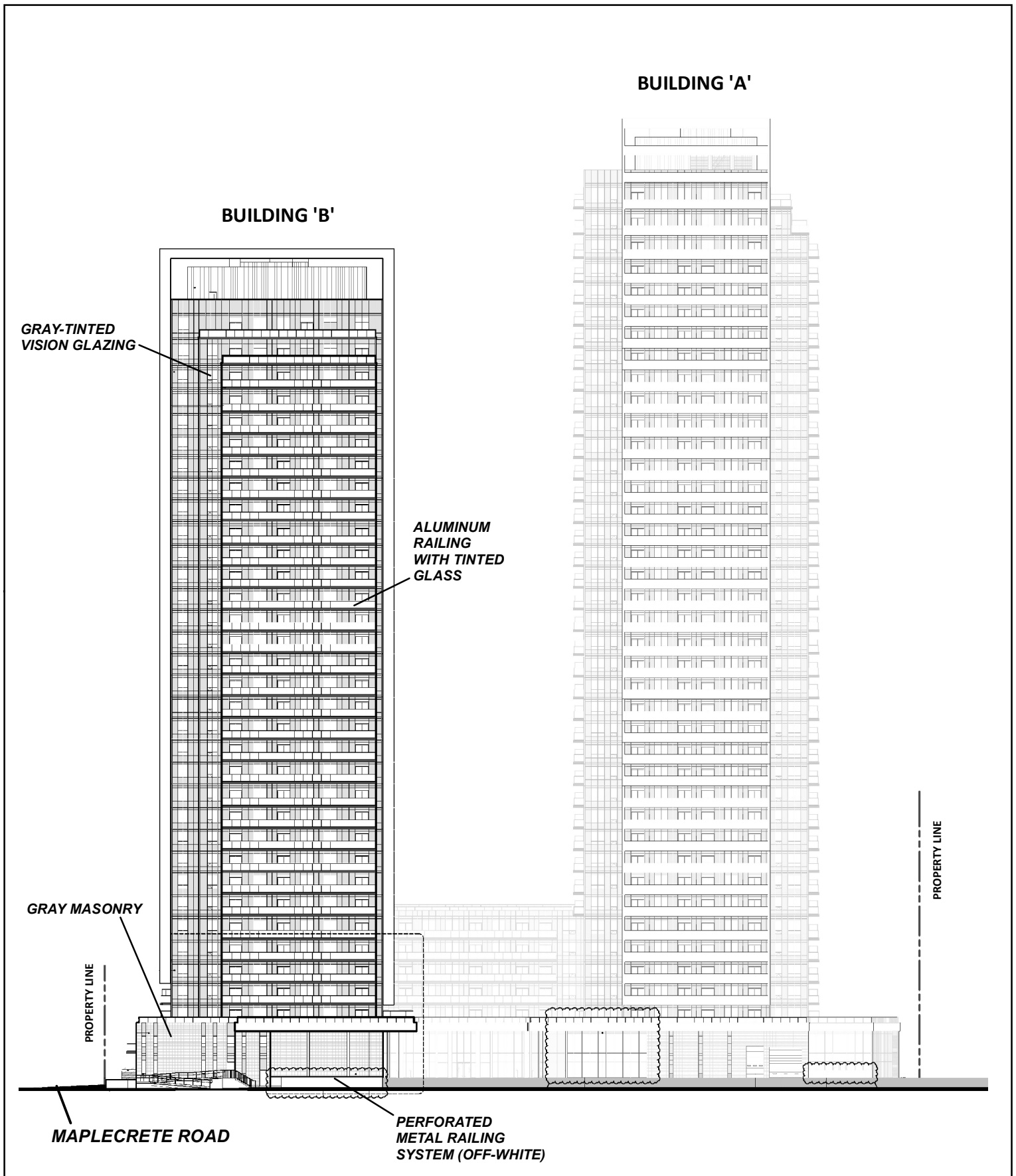


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**8**



**Buildings "A" and "B"  
South Building Elevations  
(Along Street "B")**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4

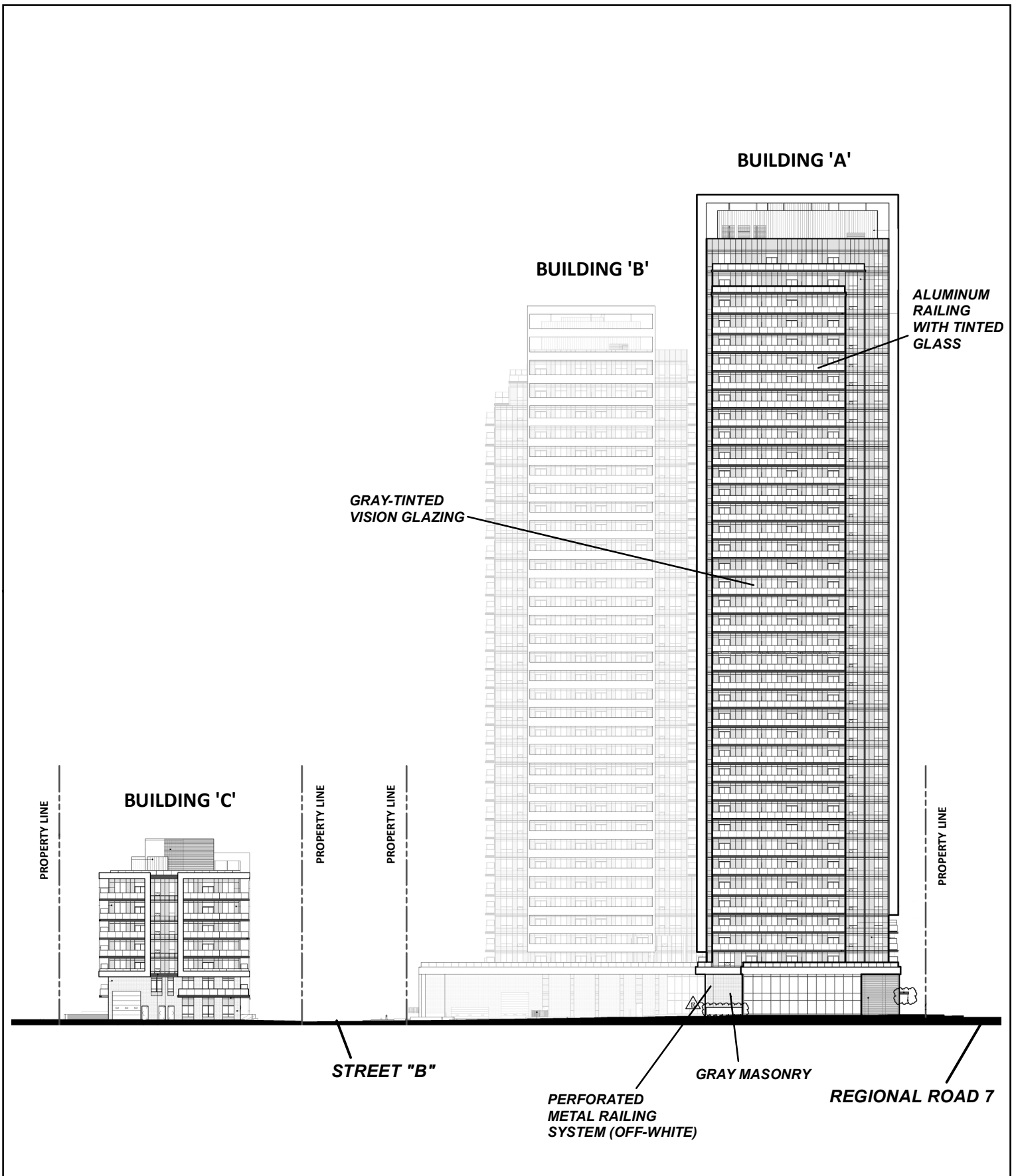


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**9**



**Buildings "A" and "C"  
East Building Elevations  
(East Property Line)**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4

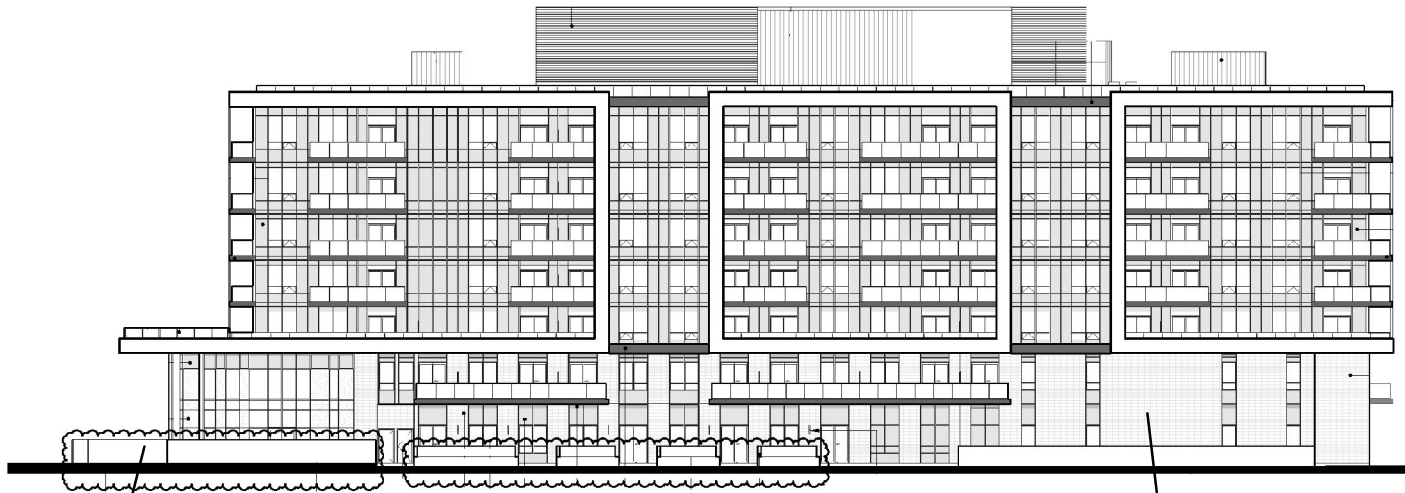


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**10**



**PERFORATED  
METAL WIND  
SCREEN**

**BROWN MASONRY**

**Building "C"  
South Building Elevation  
(South Property Line)**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4

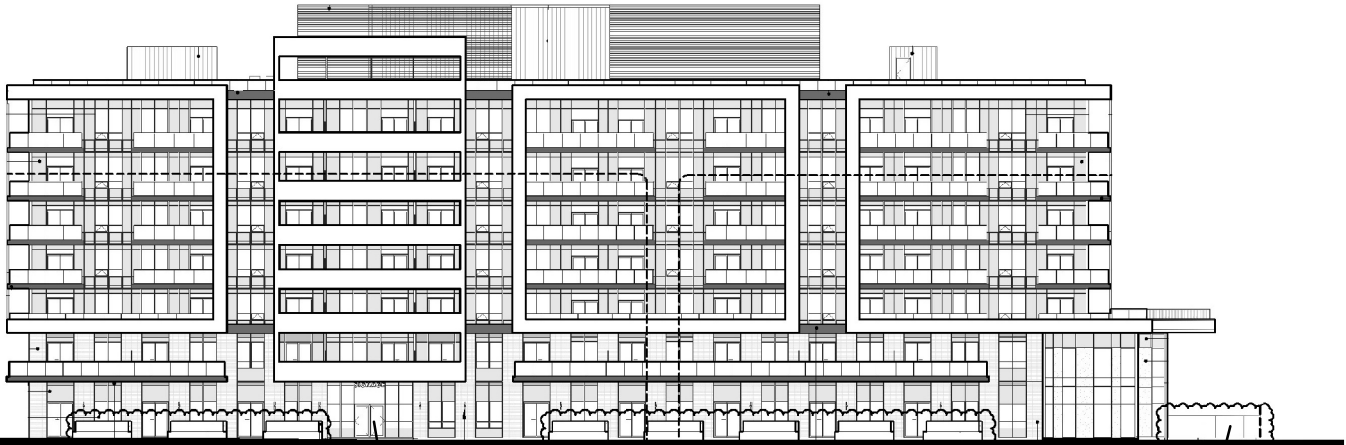


**Attachment**

**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037

**DATE:**  
March 5, 2019

**11**



**BUILDING "C"  
ENTRANCE**

**PERFORATED  
METAL WIND  
SCREEN**

**Building "C"  
North Building Elevation  
(Along Street "B")**

**APPLICANT:** 1930328 Ontario Inc. **LOCATION:** Part Lot 5, Concession 4



**Attachment**  
**FILES:**  
OP.18.005, Z.18.009,  
19T-18V005 & DA.18.037  
**DATE:**  
March 5, 2019

# 12

Item:



## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019

**WARD:** 2

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.006  
ZONING BY-LAW AMENDMENT FILE Z.18.010  
SITE DEVELOPMENT APPLICATION DA.18.017  
CB 10 (ISLINGTON) HOLDING CORP.  
VICINITY OF ISLINGTON AVENUE AND HARTMAN AVENUE**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.18.006 and Z.18.010, and Site Development File DA.18.017 for the Subject Lands shown on Attachments 1 and 2, to permit the development of 6, 4-storey townhouse dwellings, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner proposes to develop the Subject Lands with 6, 4-storey townhouse dwellings (freehold) fronting onto Hartman Avenue.
- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 and requires Site Development approval to permit the development.
- The Development Planning Department supports the approval of the development as it is consistent with the *Provincial Policy Statement 2017*, conforms to the Growth Plan, the York Region Official Plan and is compatible with the existing and planned land uses in the surrounding area.



## **Recommendations**

1. THAT Official Plan Amendment File OP.18.006 (CB 10 (Islington) Holding Corp.) BE APPROVED, to amend Vaughan Official Plan 2010, Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan, Section 4.2.2 Residential Policies, Low Rise Residential (2) to:
  - a) increase the maximum permitted Floor Space Index ('FSI') from 0.5 to 1.4 times the area of the lot,
  - b) increase the maximum height for a townhouse dwelling from 3½-storeys (12 m) to 4-storeys (13.1 m), and
  - c) increase the maximum permitted lot coverage from 50% to 57% for units 2 to 5 as identified in the implementing Zoning By-law.
2. THAT Zoning By-law Amendment File Z.18.010 (CB 10 (Islington) Holding Corp.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from "R2 Residential Zone" to "RM1 Multiple Residential Zone" in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

"THAT Site Plan Development File DA.18.017 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 6 residential units (18 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe."
5. THAT Site Development File DA.18.017 (CB 10 (Islington) Holding Corp.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS to the satisfaction of the Development Planning Department; to permit the development of 6, 4-storey townhouse dwellings (freehold) fronting onto Hartman Avenue, as shown on Attachments 3 to 6:
  - a) That prior to the execution of the Site Plan Letter of Undertaking:



- i) the Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, and building elevations;
- ii) the Development Engineering Department shall approve the final grading plan, servicing plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Reports, Noise Feasibility Study;
- iii) the Owner shall satisfy all requirements of York Region;
- iv) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority; and
- v) the Owner shall satisfy all requirements of Canada Post.

## **Background**

The subject lands (the ‘Subject Lands’) shown on Attachments 1 and 2 are located on the southeast corner of Islington Avenue and Hartman Avenue, and are municipally known as 8295 Islington Avenue. The surrounding land uses are shown on Attachment 2.

### ***Official Plan Amendment, Zoning By-law Amendment and Site Development Applications have been submitted to permit the proposed Development***

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachments 1 and 2 to permit the development of 6, 4-storey townhouse dwellings (the ‘Development’), as shown on Attachments 3 to 6:

1. Official Plan Amendment File OP.18.006 to amend Vaughan Official Plan 2010 (“VOP 2010”), Volume 2, Section 11.11 - Woodbridge Centre Secondary Plan, specifically, Section 4.2.2 Residential Policies, Low Rise Residential (2) to:
  - a) increase the maximum permitted Floor Space Index (‘FSI’) from 0.5 to 1.4 times the area of the lot,
  - b) increase the maximum height for a townhouse dwelling from 3½-storeys (12 m) to 4-storeys (13.1 m), and
  - c) increase the maximum permitted lot coverage from 50% to 57% for units 2 to 5.
2. Zoning By-law Amendment File Z.18.010 to rezone the Subject Lands from “R2 Residential Zone” to “RM1 Multiple Residential Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.

3. Site Development File DA.18.017 to permit the development of the Subject Lands with 6, 4-storey townhouse dwellings (freehold) fronting onto Hartman Avenue.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

On May 11, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands, the Village of Woodbridge Ratepayers' Association, the Greater Woodbridge Ratepayers' Association and the Vaughanwood Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the Subject Lands along Islington Avenue and Hartman Avenue in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on June 5, 2018, to receive comments from the public, and the Committee of the Whole. Vaughan Council on June 19, 2018, ratified the Recommendation of the Committee of the Whole to receive the Public Hearing report of June 5, 2018.

At the Public Hearing, a written submission was received, from Mr. William Tarraran, Planet Play Inc., regarding increase in number of dwellings located on Hartman Avenue and the number of existing townhouses in the area.

Response:

The Development is located within the Woodbridge Centre Secondary Plan (the "WCSP") of VOP 2010 which designates the Subject Lands and surrounding lands "Low Rise Residential (2)". The "Low Rise Residential" designation permits a variety of building types such as detached, semi-detached and townhouse dwellings and Low-Rise Buildings. The Subject Lands and adjacent lands fronting onto Islington Avenue are designated "Low Rise Residential (2)", which only permits townhouse dwellings, stacked townhouse dwellings and low-rise buildings. The intent of the WCSP for this section of Islington Avenue, between Woodbridge Avenue and Langstaff Road, is to have a more dense and compact form of development to encourage use of alternate modes of transportation such as transit, cycling and walking and provides for alternative housing types within the established "Low Rise Residential" neighbourhood. This is further discussed within the Analysis and Options section of this report.

**Previous Reports/Authority**

[June 5, 2018. Committee of the Whole Public Hearing Report \(Item 5, Report No. 22\)](#)

**Analysis and Options**

The Development Planning Department has reviewed the Development shown on Attachments 3 to 6 in consideration of the following policies:

***The Development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS, specifically:

- Section 1.1.2 - Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas
- Section 1.1.3.2 - settlement areas being the focus of development based on densities and land uses which efficiently use land and are transit supportive
- Section 1.1.3.3 - identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas
- Section 1.1.3.4 - appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety
- Section 1.4.1 - to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents

The Development shown on Attachments 3 to 6, consists of townhouse dwellings within a settlement area that adds to the range and mix of housing types in the community and efficiently utilizes the Subject Lands. Townhouse units are permitted within the “Low-Rise Residential (2)” designation of the WCSP of VOP 2010, and the Owner is proposing amendments specifically to the permitted building height, density and lot coverage. The Subject Lands are located on Islington Avenue, in close proximity to the Woodbridge Core Area, providing retail and service commercial opportunities, community services (e.g. Woodbridge Pool and Arena and the Al Paladini Community Centre) and institutional uses. Intensification has occurred in the vicinity of the Subject Lands in the form of 3-storey townhouse units and apartment buildings (Attachment 2). This location supports alternate modes of transportation such as transit, cycling and walking. The Development utilizes the use of existing infrastructure and community

facilities more efficiently and minimizes land consumption. On this basis, the Development is consistent with the PPS.

***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)***

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions are required by the *Planning Act* to conform to the Growth Plan.

The proposed townhouse dwellings are a permitted use under VOP 2010, are consistent with the policy framework of the Growth Plan as the proposed density and built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities
- Section 2.2.2 - contributing to meeting 60% of residential development within a delineated built-up area by 2031
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents

The Development shown on Attachments 3 to 6 is located within a settlement area and a delineated built up area that contributes to providing a mix of housing densities and unit types within the neighbourhood in accordance with VOP 2010. Accordingly, the townhouse dwellings conform to the Growth Plan.

***The Development conforms to the York Region Official Plan, 2010 (“YROP”)***

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.”

Section 7.2.51 of the York Region Official Plan restricts access from developments adjacent to Regional streets to maximize efficiency of the Regional street system by utilizing local street access. The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes.

The Development will diversify the range of housing types and lot sizes found in the community, utilizing a density and compact urban form to support transit. Access to the units from Hartman Avenue, a local road. The Development conforms to the YROP.

***An amendment to Vaughan Official Plan 2010 (“VOP 2010”) is required to increase the permitted Floor Space Index (‘FSI’), building height and lot coverage***

The Subject Lands are designated “Low-Rise Residential (2)” by the WCSP in Vaughan Official Plan 2010. The “Low-Rise Residential (2)” designation permits residential units in low-rise building forms, including townhouse dwellings, with a maximum building height of 3.5-storeys, a maximum FSI of 0.5 and a maximum lot coverage of 50%. The Development yields a density of 1.4 FSI, a maximum building height of 4-storeys and a lot coverage of 57%, therefore, an amendment to VOP 2010 is required.

The proposed density and lot coverage will facilitate a compact development that is compatible with the existing and planned surrounding development. The Development would create an appropriate urban interface with Islington Avenue at a density that is transit supportive. In addition, the Development is in keeping with recent townhouse developments that have been constructed at 8441 Islington Avenue (File OP.06.022), 8319, 8327 and 8331 Islington Avenue (File OP.12.006) and 8469 Islington Avenue (File OP.11.004) with an FSI of 0.96, 0.86 and 1.08, respectively (Attachment 2). The Development respects and reinforces the scale, massing, setback and orientation of the surrounding built form and approved townhouses. The Development conforms to the polices in Section 9.2.3.2 of VOP 2010 and with development criteria in Section 4.2.4 Urban Design Policies of the WCSP for buildings located along Islington Avenue.

In consideration of the Provincial and Regional policies noted earlier in this report, the Official Plan Amendment Application can be supported by the Vaughan Planning Department.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

To permit the Development, amendments to Zoning By-law 1-88 are required to rezone the Subject Lands from R2 Residential Zone to RM1 Multiple Residential Zone, together with the following site-specific zoning exceptions:

Table 1

|    | <b>By-law Standard</b>           | <b>RM1 Multiple Residential Zone Requirements</b> | <b>Proposed Exceptions to the RM1 Multiple Residential Zone Requirements</b> |
|----|----------------------------------|---|--|
| a. | Minimum Lot Frontage             | 6 m/unit  | 4.7 m (Unit 2)<br>5.22 m (Units 3-5)   |
| b. | Minimum Lot Area per Unit        | 180 m <sup>2</sup>                                | 119 m <sup>2</sup> (Units 2-5)<br>161 m <sup>2</sup> (Unit 6)                |
| c. | Minimum Front Yard               | 4.5 m   | 2.8 m (Unit 1)   |
| d. | Minimum Setback to a Garage      | 6.4 m   | 5.6 m  |
| e. | Minimum Rear Yard                | 7.5 m   | 5 m  |
| f. | Minimum Rear Yard to Deck/Stairs | 5.7 m   | 2.7 m  |
| g. | Minimum Exterior Side Yard       | 4.5 m   | 3.1 m (Unit 1)   |
| h. | Maximum Lot Coverage             | 50%   | 57% (Units 2 to 5)   |
| i. | Maximum Building Height          | 11 m  | 13.1 m (four-storeys)  |

|    | <b>By-law Standard</b>  | <b>RM1 Multiple Residential Zone Requirements</b> | <b>Proposed Exceptions to the RM1 Multiple Residential Zone Requirements</b>  |
|----|---|---|---|
| j. | Maximum Driveway Width for Lots with frontages less than 6 m        | No Requirement                                    | 3.5 m   |
| k. | Minimum Landscape Requirement for Lots with Frontages Less than 6 m | No Requirement                                    | 33% of Front or Exterior Side yard shall be landscaped of which a minimum of 60% shall be comprised of soft landscaping in accordance with Paragraph 4.1.2. |

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions in Table 1. The proposed zoning exceptions would facilitate the development of townhouse dwellings that are permitted by VOP 2010 on the Subject Lands and is compatible with the existing and planned built form in the surrounding area. The reduced building setback standards will provide an urban form of development, and the increased building height and lot coverage are considered minor and consistent with other developments on Islington Avenue.

***The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application(s) to the Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for Minor Variance Applications within 2 years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.18.010 the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***The Development Planning Department is satisfied with the proposed site plan and building elevations, subject to the conditions in this report***

Site Plan

The Development includes 6, 4-storey street townhouse dwellings in one block, with lot frontages on Hartman Avenue between 4.7 m and 6.7 m, as shown on Attachments 3 to 6. The townhouse design includes a two-car tandem garage for each unit. The driveway access for each unit will be from Hartman Avenue.

Building Elevations

The proposed building elevations shown on Attachments 5 to 6 consist of four-storey, (13.1 m) flat-roof townhouse dwellings. The building elevations include grey brick, wood siding and charcoal coloured metal flashings. The final building elevations and materials must be to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the Recommendations of this report.

Landscape Plan

The landscape plan (Attachment 4) includes a rear yard amenity space and front yard landscaping consisting of sod and a mix of coniferous and deciduous shrubs. The Development includes the extension of the existing sidewalk from Islington Avenue onto Hartman Avenue, creating a pedestrian connection to Islington Avenue and the existing bus stop located adjacent to the Development on Islington Avenue. The final landscape plan must be to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the Recommendations of this report.

***The Development Engineering Department supports the Development***

The Development Engineering (DE) Department has no objection to the Development. The DE Department must approve the final site grading and servicing plan, Functional Servicing and Stormwater Management Reports, and Noise Feasibility Study prior to the execution of the Site Plan Letter of Undertaking. A condition to this effect is included in the Recommendations of this report.

***Servicing Allocation is available for the Development***

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.

Accordingly, servicing capacity to the Development is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:



“THAT Site Plan Development File DA.18.017 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 6 residential units (18 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

***The Toronto and Region Conservation Authority (TRCA) has no objection to the Development***

The Toronto and Region Conservation Authority (“TRCA”) has advised that they have no objections to the approval of the Development. The Owner must successfully obtain a TRCA Permit under Ontario Regulation 166/06 prior to the issuance of a municipal Building Permit.

***The School Boards have no objection to the Development***

The York Region District School Board and York Region Catholic School Board have no comments or concerns with respect to the Development and require no conditions. The Conseil Scolaire de District Catholique Centre-Sud was circulated on the proposed Development and provided no response, as such Development Planning staff are satisfied they have no objection to the Development.

***Canada Post has no objection to the Development***

The Applications were circulated to Canada Post for review and comment. The Owner will be required to satisfy all requirements of Canada Post. A Condition to this effect is included in the Recommendations of this report.

***Enbridge Gas Distribution Inc. and Alectra Utilities Corporation have no objection to the Development***

Enbridge Gas Distribution and Alectra Utilities Corporation have no objections to the Applications.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region on June 27, 2018, York Region exempted the Official Plan Amendment Application from Regional Council approval.

York Region has reviewed the Zoning By-law Amendment and Site Development Applications and has no objection to their approval. The Owner is required to satisfy all

requirements of York Region. A condition to this effect is included in the Recommendations of this report.

## **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.18.006 and Z.18.010 and Site Development File DA.18.017 in consideration of the Provincial Policies, applicable Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, the public and the surrounding area context. The Development Planning Department is satisfied that the Development is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development is consistent with the PPS, conforms to the Growth Plan and the York Region Official Plan and the Applications represent good planning. On this basis, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report.

**For more information**, please contact Mary Caputo, Senior Planner, Extension 8635.

## **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Elevations
6. Perspective Renderings

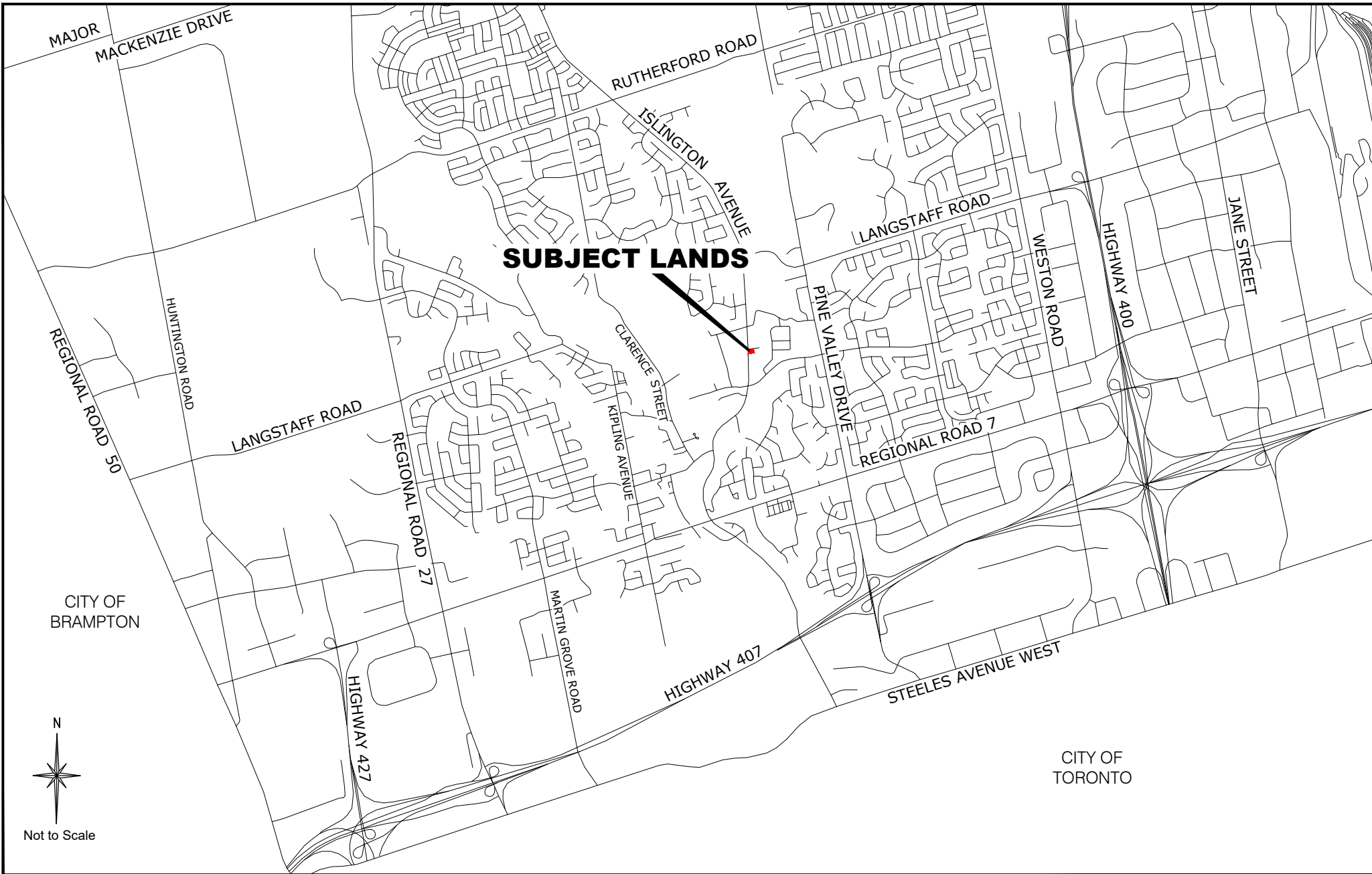
## **Prepared by**

Mary Caputo, Senior Planner, ext. 8635

Carmela Marrelli, Senior Manager, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

LG

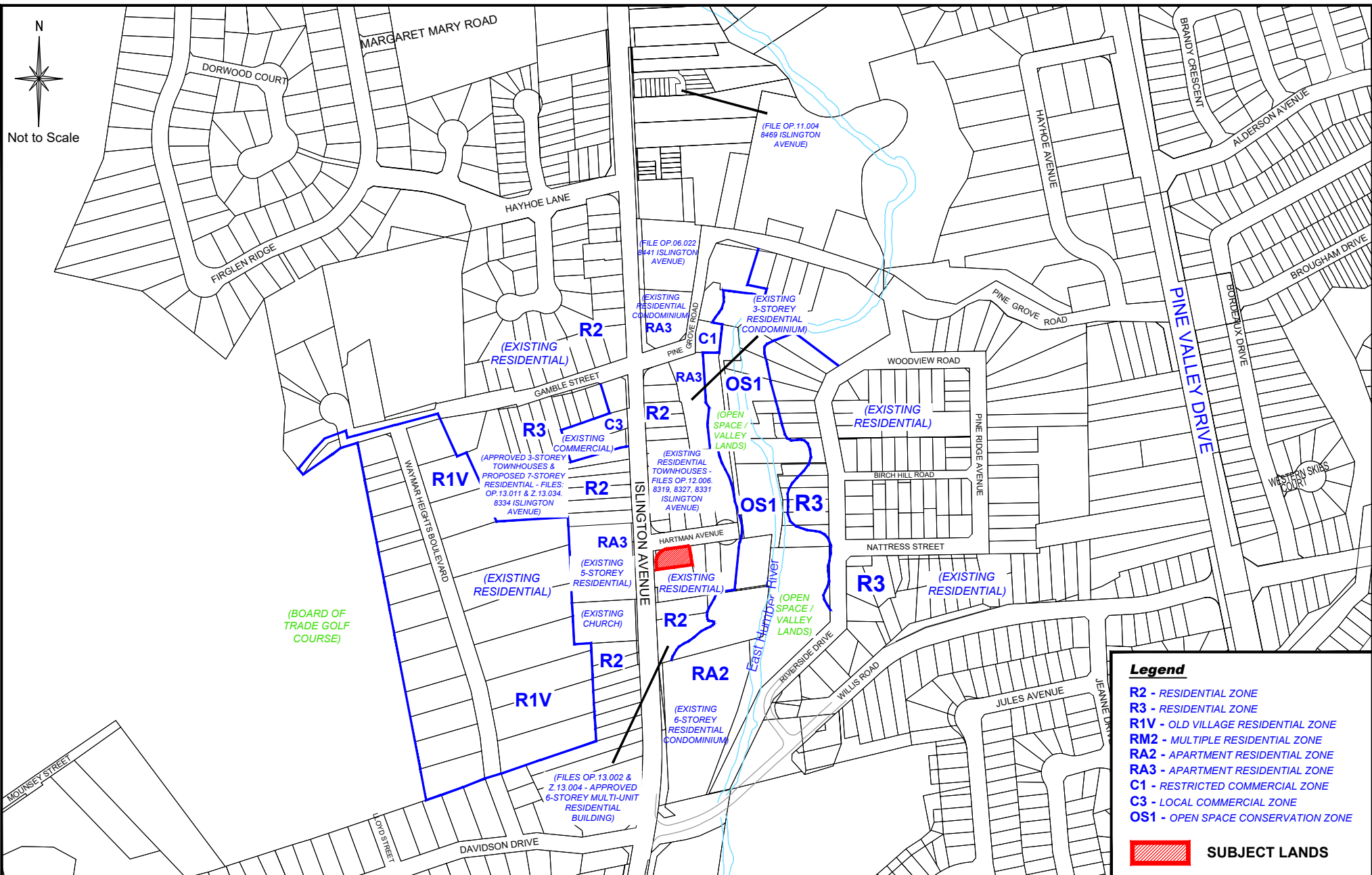


## Context Location Map

Location: Part of Lot 9,  
Concession 7

Applicant:  
CB 10 (Islington) Holding Corp.

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# Location Map

Location: Part of Lot 9,  
Concession 7

Applicant:  
CB 10 (Islington) Holding Corp.



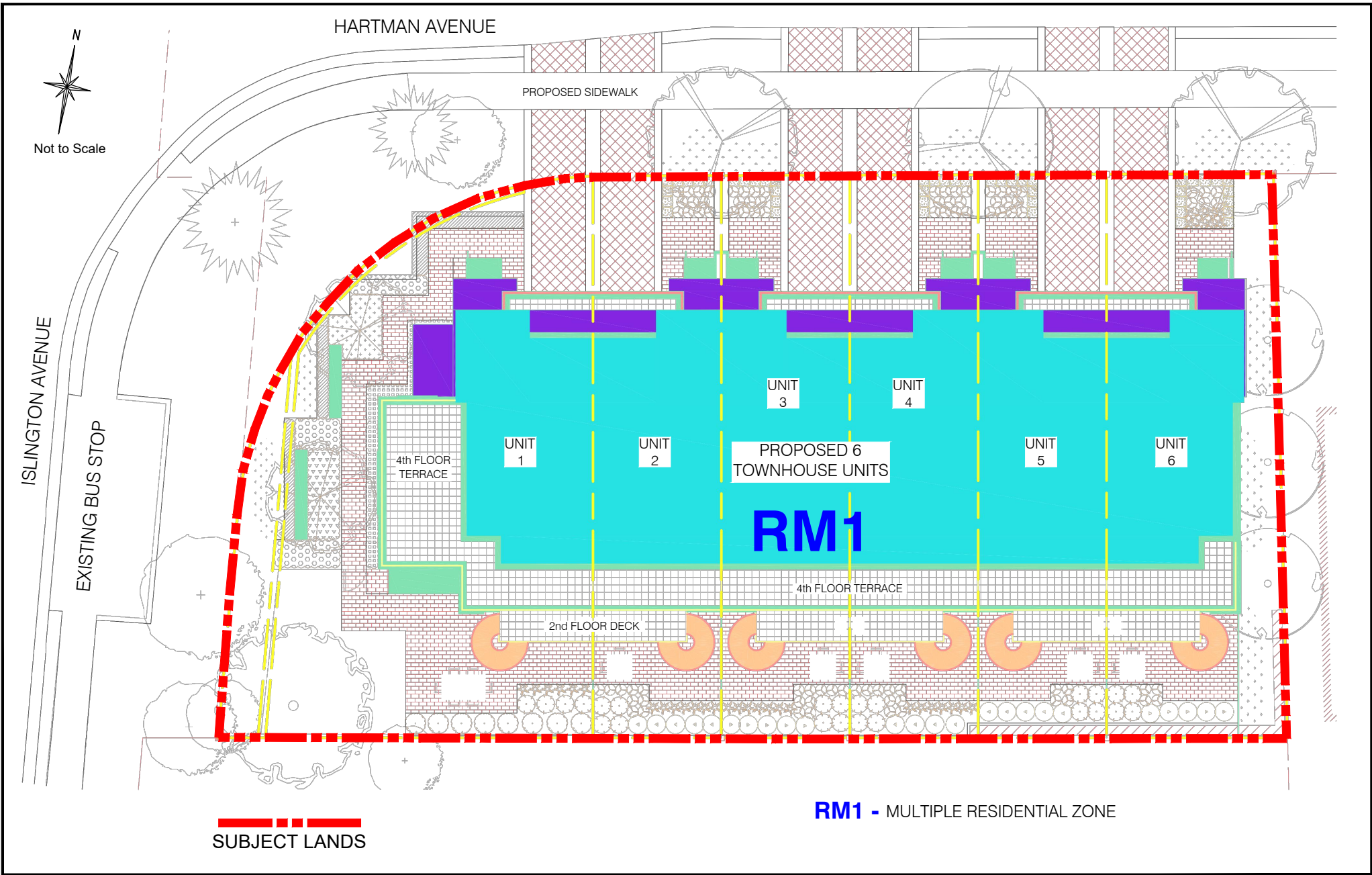
# Attachment

Files: OP.18.006,  
Z.18.010, & DA.18.017

Date:  
March 5, 2019

# 2

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# Site Plan and Proposed Zoning

Location: Part of Lot 9,  
Concession 7

Applicant:  
CB 10 (Islington) Holding Corp.

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# Attachment

Files: OP.18.006,  
Z.18.010, & DA.18.017

Date:  
March 5, 2019

# 3







# Elevations

Location: Part of Lot 9,  
Concession 7

Applicant:  
CB 10 (Islington) Holding Corp.

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# Attachment

Files: OP.18.006,  
Z.18.010, & DA.18.017

Date:  
March 5, 2019

# 5



NORTH (FRONT) ELEVATION - FACING HARTMAN AVENUE



NORTH-EAST ELEVATION -  
LOOKING WEST



NORTH-WEST ELEVATION



SOUTH-WEST ELEVATION



NORTH-EAST (SIDE) ELEVATION

Not to Scale

## Perspective Renderings

Location: Part of Lot 9,  
Concession 7

Applicant:  
CB 10 (Islington) Holding Corp.

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## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** 5

**TITLE: OFFICIAL PLAN AMENDMENT FILE OP.18.012  
ZONING BY-LAW AMENDMENT FILE Z.18.019  
REENA C/O BRYAN KESHEN  
VICINITY OF CLARK AVENUE WEST AND BATHURST STREET**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.18.012 and Z.18.019 for the Subject Lands shown on Attachments 1 and 2 to permit the development of a six-storey rental apartment building/Supportive Living Facility containing 79 units, and social, educational and job skills training space, as shown on Attachments 2 to 4.

**Report Highlights**

- The Owner proposes to develop the Subject Lands with a six-storey rental apartment building containing 79 units, and social, educational and job skills training space.
- Amendments to Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit the development.
- The Development Planning Department supports the approval of the Official Plan Amendment and Zoning By-law Amendment applications, subject to the Recommendations of this report, as the applications will permit a development that is consistent with the *Provincial Policy Statement*, conforms to the Growth Plan, and the York Region Official Plan, and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Official Plan Amendment File OP.18.012 (Reena c/o Bryan Keshen) BE APPROVED, to amend Vaughan Official Plan 2010 (“VOP 2010”), Volume1, for the Subject Lands shown on Attachments 1 and 2, as follows:
  - a) Amend Schedule 13-Land Use, to redesignate the Subject Lands from “Low Rise Residential” to “Mid-Rise Residential” with a maximum permitted building height of 6-storeys and a maximum Floor Space Index of 2.3 times the area of the lot.
2. THAT Zoning By-law Amendment File Z.18.019 (Reena c/o Bryan Keshen) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments 1 and 2, from “A Agricultural Zone” to “RA3 Residential Apartment Zone”, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
3. THAT Vaughan Council approve the implementing Draft Official Plan Amendment No. 37 (Reena c/o Bryan Keshen), attached as Attachment 5, subject to minor modifications required to implement the final development.
4. THAT the implementing Zoning By-law not be enacted until such time that Vaughan Council has approved a Site Development Application for the development.
5. THAT prior to the execution of the Site Plan Letter of Undertaking the Owner shall successfully obtain approval from Committee of Adjustment for a Consent Application for any required easement(s) for access and shared parking over the adjacent lands to the west of the Subject Lands. The Committee’s decisions regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
6. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.

## **Background**

The subject lands (the ‘Subject Lands’) are located on the south side of Clark Avenue West and west of Bathurst Street, as shown on Attachments 1 and 2. The Subject Lands are currently vacant. The surrounding land used are shown on Attachment 2.

The Toby and Henry Battle Developmental Centre (the 'Battle Centre'), a Reena Facility, is located on the property immediately west of the Subject Lands, as shown on Attachment 3. The Battle Centre provides day and evening programs for children and adults with developmental disabilities. The proposed development is intended to provide rental apartment units for persons with special needs and includes an area devoted to Reena-operated social, educational and job skills training programs.

***Official Plan and Zoning By-law Amendment applications have been submitted to permit the Development***

The Owner has submitted the following applications (the 'Applications') for the Subject Lands to permit a six-storey rental apartment building/Supportive Living Facility ('apartment building') containing 79 units, and social, educational and job skills training space (the 'Development') shown on Attachments 3 and 4:

1. Official Plan Amendment File OP.18.012 to amend the Vaughan Official Plan 2010, to redesignate the Subject Lands from "Low-Rise Residential" to "Mid-Rise Residential", in the manner shown on Attachment 3.
2. Zoning By-law Amendment File Z.18.019 to amend Zoning By-law 1-88 to rezone the Subject Lands from "A Agricultural Zone" to "RA3 Residential Apartment Zone", in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.

***Public Notice for the Applications was provided in accordance with the Planning Act and Council's Notification Protocol for the Official Plan and Zoning By-law Amendment Applications***

On December 14, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands. A copy of the Notice of Public Hearing was posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols. The Public Hearing for the Applications was held on January 22, 2019, where the recommendation of the Committee was to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council on January 29, 2019, ratified the recommendation of the Committee of the Whole.

The following is a list of individuals who made a deputation at the Public Hearing, or submitted written correspondence regarding the Development:

### Deputations

- Mr. Brian Keshen, Highcliffe Drive, Thornhill
- Ms. Gail Blackman, Eddy Green Court, Thornhill
- Mr. Kevin Hanit, Queensbridge Drive, Concord
- Mr. Yahya Hashmi, Lebovic Campus Drive, Maple
- Mr. Michael Isenberg, Peter Andrew Crescent, Thornhill

### Communications

- Mr. Kurt Franklin, Weston Consulting, Millway Avenue, Vaughan
- Ms. Gail Blackman, Eddy Green Court, Thornhill

The following comments were received at the Public Hearing and in the written submissions received by the Development Planning Department. The Development Planning Department offers the following responses to these comments:

- a) A multi-use pathway is needed through the subject site to provide access from McMorran Crescent/Tansley Road to Clark Avenue

A resident in the area would like a pedestrian/cycling connection from Clark Avenue West through the Subject Lands that connects the existing residential subdivision to the south.

#### Response

There is an existing City of Vaughan multi-use pathway located approximately 142 m west of the Subject Lands which provides access from Tansley Road north to Clark Avenue West and from Tansley Road south to Downham Green Park. The design of this walkway is to be enhanced as a condition of approval of the townhouse development to the east of the Subject Lands (Wycliffe Clark Ltd. Files Z.16.037, 19T-16V008, DA.16.079 and 19CDM-16V005). In addition, there is an existing walkway from McMorran Crescent to Bathurst Street 260 m east of the Subject Lands.

- b) A recently approved townhouse development immediately east of the Subject Lands may be impacted by shadowing from the proposed mid-rise building.

#### Response

A shadow study is required in support of the Site Development application and will be reviewed by the Vaughan Urban Design and Cultural Heritage

Department. The potential shadow impacts will be evaluated through the Site Development process.

- c) Individuals appeared before the Committee of the Whole to express support for the proposed project.

On February 22, 2019, a courtesy notice of this Committee of the Whole Meeting was sent to all individuals who made a deputation at the Public Hearing, submitted correspondence to the Development Planning Department, or those individuals who requested notification regarding these applications.

### **Previous Reports/Authority**

January 22, 2018, Committee of the Whole Public Hearing:

<https://pub-vaughan.escribemeetings.com/filestream.ashx?DocumentId=8927>

### **Analysis and Options**

#### ***Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development***

The Owner has submitted the following Applications for the Subject lands shown on Attachments 2 and 3 to permit a residential development consisting of a six-storey rental apartment building containing 79 units, and social, educational, and job skills training space, as shown on Attachments 3 and 4 (the 'Development'):

1. Official Plan Amendment File OP.18.012 to amend the policies of Vaughan Official Plan 2010 to redesignate the Subject Lands from "Low-Rise Residential" to "Mid-Rise Residential".
2. Zoning By-law Amendment File Z.18.019, to rezone the Subject Lands, shown on Attachments 2 and 3 from A Agricultural Zone to RA3 Residential Apartment Zone, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.

The Development Planning Department has reviewed the Development shown on Attachments 3 and 4 in consideration of the following policies:

***The Development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *Provincial Policy Statement, 2014 (“PPS”)*. The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS policies state, as follows (in part):

a) Section 1.1 - “Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns”

Section 1.1 of the PPS requires that development accommodate an appropriate range of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs and promotes cost effective development patterns and standards to minimize land consumption and servicing costs.

b) Section 1.1.3 - “Settlement Areas”

1.1.3.1 - “Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.”

c) Section 1.2.1 - “Coordination”

“A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including (in part) managing and/or promoting growth and development.

d) Section 1.4.3 - “Housing”

“Planning Authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by (in part):

- a) permitting and facilitating:
  - 1. All forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements; and
  - 2. All forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
  
- b) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

- c) promoting densities for new housing which efficiently use lands, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- d) establishing development standards for residential intensification, redevelopment and new residential development which minimize that cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

The Development shown on Attachments 3 and 4 for a residential rental apartment dwelling (rental) within a settlement area adds to the range and mix of housing types in the community, and efficiently utilizes the Subject Lands.

The site-specific Official Plan Amendment to redesignate the Subject Lands from “Low-Rise Residential” to “Mid-Rise Residential”, to permit a 6-storey residential apartment building, facilitates a built form that is consistent with the Housing policies of the PPS. The Development also includes social, educational and job skills training space for the special needs community it is intended to serve. The Development includes apartment units for a special needs community that promotes an efficient use of land, and supports a healthy and safe community.

The Subject Lands are located on Clark Avenue West, just west of Bathurst Street which is served well by transit facilities. Bathurst Street is identified as a “Regional Rapid Transit Corridor” by the YROP and is a Dedicated Rapidway in the York Region Transportation Master Plan. A transit station is also currently under construction on the east side of Bathurst Street, north of Regional Road 7. In addition, the York Region Transportation Master Plan identifies Bathurst Street from Centre Street to Kirby Road as a Frequent Transit Network. The Subject Lands are located in proximity to existing retail, restaurant, entertainment, community service, and institutional uses at Bathurst Street and Clark Avenue West. In addition, the Bathurst Clark Resource Library and Pierre Elliott Trudeau Park are located on the north side of Clark Avenue West directly across from the Subject lands. Downham Green Park is located in the existing residential community south of Tansley Road which is south of the Subject Lands.

The location of the Development on Clark Avenue West supports alternate modes of transportation, such as transit, cycling and walking, and utilizes existing infrastructure and community facilities more efficiently and minimizes land consumption. The Development would provide apartment units serving the special needs community.

On this basis, the Development is consistent with the PPS.

***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)***

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Growth Plan requires that all decisions made on or after July 1, 2017, in respect of the exercise of any authority that affect a planning matter will conform to the Plan. The Growth Plan promotes intensification of existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan directs population and employment growth to be accommodated within the built-up areas, and the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality open spaces, and easy access to local stores and services.

The Growth Plan includes the following policies:

a) “1.2.1 Guiding Principles (in part)

- Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

b) “2.2 Policies for Where and How to Grow (in Part)

2.2.1 Managing Growth

Applying the policies of this Plan will support the achievement of complete communities that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) Improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and



- d) Ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

#### 2.2.2 Delineated Built-up Areas

- 1. By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.
- 2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.

#### 2.2.6 Housing

- 1. Upper and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will each develop a housing strategy that:
  - a) Supports the achievement of the minimum intensification and density targets in the Plan, as well as the other policies of the Plan by:
    - i. Identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and
    - ii. Establishing targets for affordable ownership housing and rental housing.”
- 2. Notwithstanding policy 1.4.1 of the PPS, 2014, in preparing a housing strategy in accordance with policy 2.2.6.1, municipalities will support the achievement of complete communities by:
  - i. Considering a range and mix of housing options and density targets in the PPS;
  - ii. Planning to diversify their overall housing stock across the municipality

#### c) “3.2.3 Moving People (in part)

- 1. Public transit will be the first priority for transportation infrastructure planning and major transportation investments.

2. All decisions on transit planning and investment will be made according to the following criteria:
  - a) aligning with, and supporting, the priorities identified in Schedule 5 - Moving People - Transit of the Growth Plan;
  - b) prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;
  - c) increasing the modal share of transit; and
  - d) contributing toward the provincial greenhouse gas emissions reduction targets.”

In consideration of the Growth Plan policies, the Applications to amend to the Official Plan and Zoning By-law to permit the proposed Development conform to the Growth Plan by directing growth to a built-up area, as stated in section 2.2.2, where there is existing vacant land to accommodate the expected population growth. The Development conforms to section 2.2.6 of the Growth Plan by promoting an alternative rental housing project to serve a range of incomes and households, and by promoting a transit-supportive density as stated in section 3.2.3, as the Subject Lands are located on Clark Avenue West which has York Region Transit service. In addition, the Subject Lands are located approximately 328 m west of Bathurst Street which is a planned Regional Transit Corridor with a York Region Transit regular service bus route.

***The Development conforms with the York Region Official Plan (the “YROP”)***

The Subject Lands are designated “Urban Area” by the YROP. Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province’s Built-Up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Development will assist in achieving these goals as it includes rental residential apartment units with a range of unit sizes, utilizing a compact built form that makes more efficient use of the Subject Lands.

Section 3.5 of the YROP, Housing our Residents, provides housing objectives which include and promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, housing forms and types and tenures that will satisfy the needs of the Region’s residents and workers.

In consideration of the above, the Development conforms with the policies of the YROP. The proposed residential intensification located on a transit corridor makes efficient use of the Subject Lands and existing services in a compact built form that provides rental housing units and is transit supportive.

York Region is satisfied with the Applications, however reserves the right to provide detailed technical comments and conditions at the site plan stage.

***An amendment to Vaughan Official Plan 2010 (“VOP 2010”) is required for the Development***

The Subject Lands are designated “Low-Rise Residential” by VOP 2010 and are located within a “Community Area’ as identified on Schedule “1” Urban Structure, of VOP 2010. This designation permits low rise residential built form including single detached, semi-detach and townhouse dwellings with no prescribed maximum density, and a maximum building height of three-storeys.

VOP 2010 does not permit the proposed mid-rise residential apartment building on the Subject Lands. Therefore, an Official Plan Amendment is required to permit the proposed 6-storey building. The Applications were reviewed in consideration of the policies of VOP 2010, including the following:

VOP 2010 Goal 8: Directing Growth to Appropriate Locations includes (in part);

“Planning for the attractive, sustainable and prosperous city envisioned by this Plan will in large part be achieved by directing growth to appropriate locations that can support it. This means a shift in emphasis from the development of new communities in greenfield areas to the promotion of intensification in areas of the City with the infrastructure capacity and existing or planned transit service to accommodate growth.”

The Subject Lands are also located on Clark Avenue West served by a York Region Transit bus route and the Subject Lands are just west of Bathurst Street which is a planned Regional Transit Corridor. The Development is consistent with VOP 2010, as it accommodates growth within the current built up boundary of the City.

Section 2.1.3.2 (in part) - “To address the City’s main land-use planning challenges and to manage future growth by:

- B) directing a minimum of 29,300 residential units through intensification within the built boundary;”

The Subject Lands are located within the City’s built boundary. The proposed intensification of the Subject Lands will have direct access to a City of Vaughan public road, Clark Avenue West which is served by a York Region Transit bus route. Intensification is proposed on the Subject Lands, which is located along a York Region transit route that connects to Bathurst Street, which is a Regional Intensification Corridor. The full service YRT Bathurst Street #88 bus route travels along Bathurst Street, which connects with the existing YRT/Viva transit service that links to the Regional Road 7 and Centre Street bus terminal.

Section 2.2.3.3 states “That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context.”

The proposed built-form is considered appropriate as the 45 degree angular plane will be maintained from the existing community to the south, Clark Avenue West is located to the north, private institutional uses are located to the west, and a new townhouse development is under construction to the east. A Shadow Study will be reviewed by Vaughan Urban Design and Cultural Heritage Division through the site plan approval process. A separate report for consideration by the Committee of the Whole regarding Site Development File DA.19.003 will be considered at a future date.

Section 7.5.1 states in part “Increasing housing choices means more options in three areas:

- Housing Type: adding a greater range of housing types and sizes, including more townhouse, stacked townhouse and multi-unit buildings, to the existing housing stock which still primarily consists of single-detached and semi-detached houses.
- Housing Tenure: adding more rental units, as currently only 7% of Vaughan’s current house stock is rental.
- Housing Affordability: adding more affordable housing options, as currently over a quarter of Vaughan residents spend more than 30% of their gross income on housing (a common threshold for affordability) and there are fewer than 500 units of social housing in the City.

The Development will provide rental apartment units and social, educational and job skills training space which contributes to the City of Vaughan’s range of housing type, size and tenure.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned “A Agricultural Zone” by Zoning By-law 1-88, which permits only agricultural uses. A residential apartment building is not a permitted use in the “A Agricultural Zone”. The Subject Lands must be rezoned to “RA3 Apartment Residential Zone” in the manner shown on Attachment 3, together with the following site-specific zoning exceptions to the RA3 Zone to permit the Development:

Table 1

|    | Zoning By-law 1-88 Standard  | RA3 Residential Apartment Zone Requirements   | Proposed Exceptions to the RA3 Residential Apartment Zone Requirements   |
|----|--|---|--|
| a. | Minimum Parking Requirements   | <p><u>Residential</u>: Supportive Living Facility - 79 units @ 0.5 spaces/unit = 40 spaces</p> <p><u>Residential Visitor</u>: 79 units @ 0.2 spaces/unit = 16 spaces</p> <p>Total = 56 spaces</p>   | 21 parking spaces provided. An additional 30 spaces are provided through a shared parking agreement with the Battle Centre |
| b. | Location of Parking Spaces   | The Owner of every building or structure must provide and maintain parking on the lot on which it is erected.   | Parking located on the lot to the west shall be shared with the Subject Lands  |
| c. |  | A parking area shall be provided with means of access or driveway to a public street on the Subject Lands   | Access to the parking on the Subject Lands shall be from the lot to the west.  |
| d. | Minimum Amenity Area (Based on the Conceptual Site Plan Shown on Attachment 3) | <p><u>Bachelor</u>: 6 units @ 15 m<sup>2</sup>/unit = 90 m<sup>2</sup></p> <p><u>One Bedrooms</u>: 33 units @ 20 m<sup>2</sup> /unit = 660 m<sup>2</sup></p> <p><u>Two Bedrooms</u>: 26 @ 55 m<sup>2</sup>/unit = 1,430 m<sup>2</sup></p> <p><u>Three Bedrooms</u>: 11 units @ 90 m<sup>2</sup>/unit = 990 m<sup>2</sup></p> <p><u>Four Bedrooms</u>: 3 units @ 110 m<sup>2</sup>/unit = 330 m<sup>2</sup></p> <p>Total = 3,500 m<sup>2</sup></p> | Total amenity space area shall be 1,415 m <sup>2</sup> (or 17.9 m <sup>2</sup> /unit)                                      |

|    | <b>Zoning By-law 1-88 Standard</b> | <b>RA3 Residential Apartment Zone Requirements</b>           | <b>Proposed Exceptions to the RA3 Residential Apartment Zone Requirements</b> |
|----|------------------------------------|--|---|
| e. | Minimum Lot Area                   | 67 m <sup>2</sup> /unit @ 79 units =<br>5,293 m <sup>2</sup> | 48 m <sup>2</sup> /unit @ 79 units =<br>3,792 m <sup>2</sup>                  |
| f. | Minimum Interior Side Yard         | 10.25 m  | 8.6 m (east lot line)   |
| g. | Setback to Canopy                  | Front Yard 7 m<br>Interior Side Yard                         | 4.9 m (Clark Avenue West)<br>8.4 m (west lot line)                            |
| h. | Permitted Uses                     | Apartment Dwelling   | Permit a Supportive Living Facility   |

The Development Planning Department supports the proposed rezoning of the Subject Lands as it will facilitate a development that is consistent with the PPS, conforms to the Growth Plan and the YROP, and the proposed residential use is permitted by VOP 2010. The Development Planning Department supports the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 for the following reasons:

a) Proposed Use and Minimum Parking Requirements

Staff have reviewed the Parking Justification Study Addendum Letter prepared by Crozier Consulting Engineers and concur with the findings. The Plan includes 21 spaces on the Subject Lands and an additional 30 spaces will be provided on the adjacent Battle Centre lands.

The proposed building is defined as a “Supportive Living Facility” under Zoning By-law 1-88 which is defined as follows:

“Means a building or part of a building containing four (4) or more sleeping units with or without individual kitchens or cooking facilities, used for the accommodation of persons requiring semi-independent living arrangements, where limited supervision and assistance is provided to support the health, safety and well-being of its residents”.

A “Supportive Living Facility” does not have a defined parking ratio in Zoning By-law 1-88, therefore, the parking requirements for Supportive Living Facility from

the City of Vaughan Review of Parking Standards - Draft Parking Standards Report prepared by IBI Group were applied.

The RA3 Zone permits an apartment building. A Supportive Living Facility, as defined, provides the flexibility for a different interior floor plan (e.g. units with or without kitchens or cooking facilities). However, the built form of a Supportive Living Facility can be similar to an apartment building in terms of massing and height.

Easements over the lands to the west are required to provide for the proposed parking and driveway access. The Owner will be required to obtain approval of a Consent Application from Committee of Adjustment for any required easement(s) for access and shared parking over the lands to the west (Battle Centre) in favour of the Subject Lands. The Committee's decision regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.

b) Minimum Amenity Area, Lot Area, and Yard Setbacks

The proposed development standards will facilitate a building that is consistent to the PPS and conforms with the Growth Plan and the YROP. The apartment building is designed to provide dwelling units for persons with developmental disabilities. These residents will utilize the programs and amenities offered in the Battle Centre located immediately west of the Development.

In consideration of the above, the Development Planning Department is satisfied that the proposed rezoning and site-specific amendments to Zoning By-law 1-88 are appropriate.

***The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the Planning Act restricts a landowner from applying for a Minor Variance Application(s) to the Committee of Adjustment within two (2) years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for Minor Variance Applications within two (2) years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.17.020 the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to

address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***A Site Development Application is required to permit the Development***

The Owner submitted Site Development File DA.19.003 on January 28, 2019, to permit the Development which is under review by internal City of Vaughan Departments and external agencies. The application will be reviewed in consideration of, but not limited to the following:

- appropriate building design and materials
- site design, massing, scale, height and building/unit orientation and upgraded flankage building elevation designs, bird friendly design
- interface with the existing and planned surrounding development
- the provision of appropriate on-site amenity and landscape areas
- pedestrian and barrier free accessibility and on-site vehicular access and circulation
- environmental sustainability
- servicing, grading, stormwater management
- appropriate provisions for waste management and snow storage areas
- shade conditions created by the Development on the immediate surrounding area

***The Development Engineering Department supports the Development subject to the comments of this report***

Environmental

The Subject Lands are not changing to a more sensitive land use and no lands are being conveyed to the City, therefore, the City has no concerns regarding the environmental site assessment.

Transportation

The Transportation Engineering Division of the Development Engineering Department has reviewed the Parking Justification Study Addendum dated December 13, 2018 prepared by Crozier Consulting Engineers and has no concerns with the proposed parking supply. Staff concur with the findings of the study that the proposed parking supply is adequate to accommodate the parking demand for the Development without compromising the existing Battle Centre located west of the Subject Lands. The Development will provide 21 spaces on the Subject Lands, and an additional 30 spaces will be provided on the Battle Centre to the west. An easement for shared parking must be registered on title prior to Site Plan approval.

Noise and Vibration Feasibility Study

The Noise and Vibration Feasibility Study indicates that the Development is feasible from a noise and vibration perspective. However, the Owner must demonstrate that all the study's recommendations will be implemented. Prior to site plan approval the Owner must provide the City will the following;



- a) A formal letter signed and sealed by the Owner of the Battle Centre confirming and specifying that one of the noise and vibration mitigation options noted in Subsections 5.5.1 and 5.5.2 of the study will be implemented.

The Owner shall further agree in the Site Plan Agreement that prior to occupancy, a noise consultant shall certify that the all plans are in accordance with the noise control features as recommended by the approved Noise and Vibration Feasibility Study. Where wall, window and/or oversized forced air mechanical systems are required by the Noise and Vibration Feasibility Study, these features shall be certified by a Professional Engineer (as defined by the *Professional Engineers Act*, R.S.O. 1990, c.P.28, as amended). The Engineer's certificate must refer to the approved Noise and Vibration Feasibility Study and be submitted to the City's Chief Building Official and the Director of Development Engineering.

#### Functional Servicing Report ('FSR')

Prior to site plan approval of the Owner shall complete the following:

- a) Conduct a hydrant flow test, as per the National Fire Protection Association ('NFPA') 291, on the exiting watermain on Clark Avenue West and submit the results of the test with a revised FSR;
- b) Confirm that there will be sufficient water flow pressure, based on the City of Vaughan Design Criteria to service the Development;
- c) Confirm that there is enough spear capacity in the existing sanitary sewer system to service the Development; and
- d) Clarify how permanent groundwater discharges will be managed through the proposed storm water management facilities.

#### Site Development Application

At the site plan stage the Owner will be required to:

- a) Submit an application for any temporary and/or permanent dewatering system that is required for the Development and enter into an agreement and/or permit to discharge groundwater as required by the City;
- b) Submit an application for any excavation and shoring that is required for the Development and enter into an agreement and/or permit as required by the City, including an Encroachment Agreement/permit and payment of the associated fees;
- c) Provide the necessary Ministry of the Environment, Conservation and Parks ('MECP') approval for the sewage works, since the existing sanitary and storm service connections will service two separate land holdings;
- d) Enter into a servicing agreement through the Development Engineering Department for the installation of any proposed service connections. The Owner shall agree to pay applicable fees and post necessary letters of credit pursuant to the City Fees and Charges By-law as amended; and
- e) Pay the Development Engineering Site Plan fee pursuant to the Fees and Charges By-law as amended prior to final approval of the site plan.

### Allocation of Sewage and Water Capacity

The availability of sewage and water capacity for the Development will be assessed at the site plan stage.

### ***The Parks Development Department has no objection to the Applications***

The Parks Development have reviewed the Community Services and Facilities Impact Study, dated July 26, 2018, and are satisfied with the Development, however, will provide additional technical comments through the review of the Site Development application. The Office of the City Solicitor, Real Estate Department has confirmed that should Council approve the Applications, the Owner is required to pay cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands or a fixed unit rate per unit whichever is higher, prior to the issuance of a Building Permit, in accordance with the City's Cash-in Lieu of Parkland Policy and Section 42 of the *Planning Act*.

### ***Canada Post has no objection to the Development***

The Owner must contact Canada Post during the design/site development stage to discuss a suitable mailbox/mailroom location.

### **Financial Impact**

Not Applicable.

### **Broader Regional Impacts/Considerations**

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance, which does not adversely affect Regional planning policies or interest. The request for Regional exemption was considered by Regional staff and was exempted by Regional Planning Committee and Council.

York Region is generally satisfied with the proposed Official Plan and Zoning By-law. Staff reserves the right to provide detailed technical comments and conditions at the site plan stage on matters including, but not limited to, transit and road requirements, and vehicular access.

### **Conclusion**

Official Plan and Zoning By-law Amendment Files OP.18.012 and Z.18.019 have been reviewed in consideration of the policies of the PPS, Growth Plan, the YROP 2010, VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context.

The Development Planning Department is satisfied that the proposed amendments to VOP 2010 and Zoning By-law 1-88 to permit the development of a six-storey rental apartment building (rental) containing 79 units, and social, educational, and job skills training space is consistent with Provincial Policies, conform with the Growth Plan, the YROP, and are appropriate for the development of the Subject Lands. The proposed residential use is also permitted by VOP 2010. The proposed Development provides for a rental housing option on the Subject Lands at a density that is considered appropriate and compatible with the surrounding land uses. Accordingly, the Development Planning

Department can support an approval of the Applications subject to the Recommendations in this report.

**For more information**, please contact: Carol Birch, Planner, Development Planning, Extension 8485.

### **Attachments**

1. Context Location Map
2. Location Map
3. Conceptual Site Plan and Proposed Zoning
4. Conceptual Building Elevations
5. Draft Official Plan Amendment No. 37

### **Prepared by**

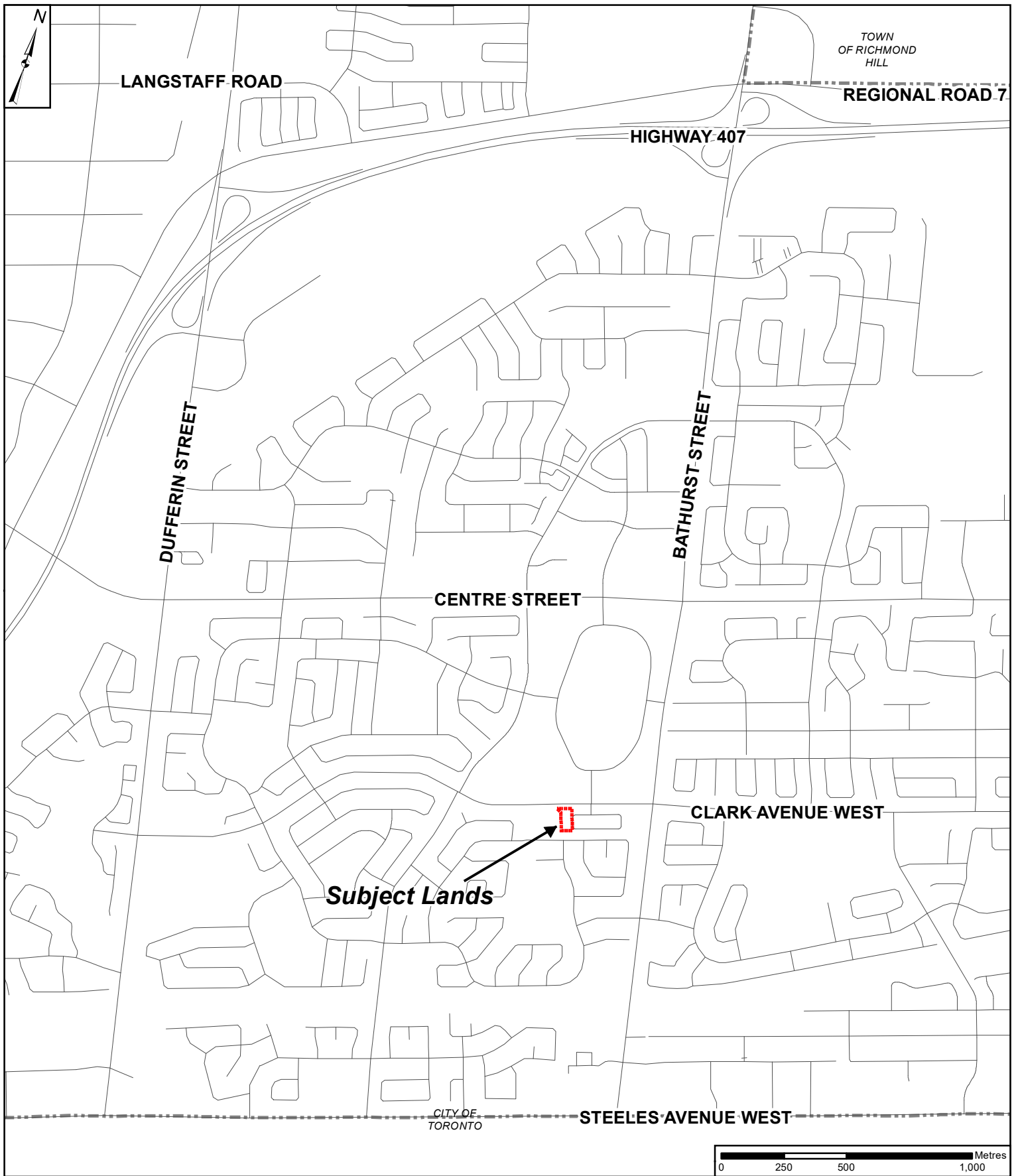
Carol Birch, Planner, extension 8485

Stephen Lue, Senior Planner, extension 8210

Nancy Tuckett, Senior Manager of Development Planning, extension 8529

Mauro Peverini, Director of Development Planning, extension 8407

/CM



# Context Location Map

**LOCATION:**  
Part Lot 3, Concession 2

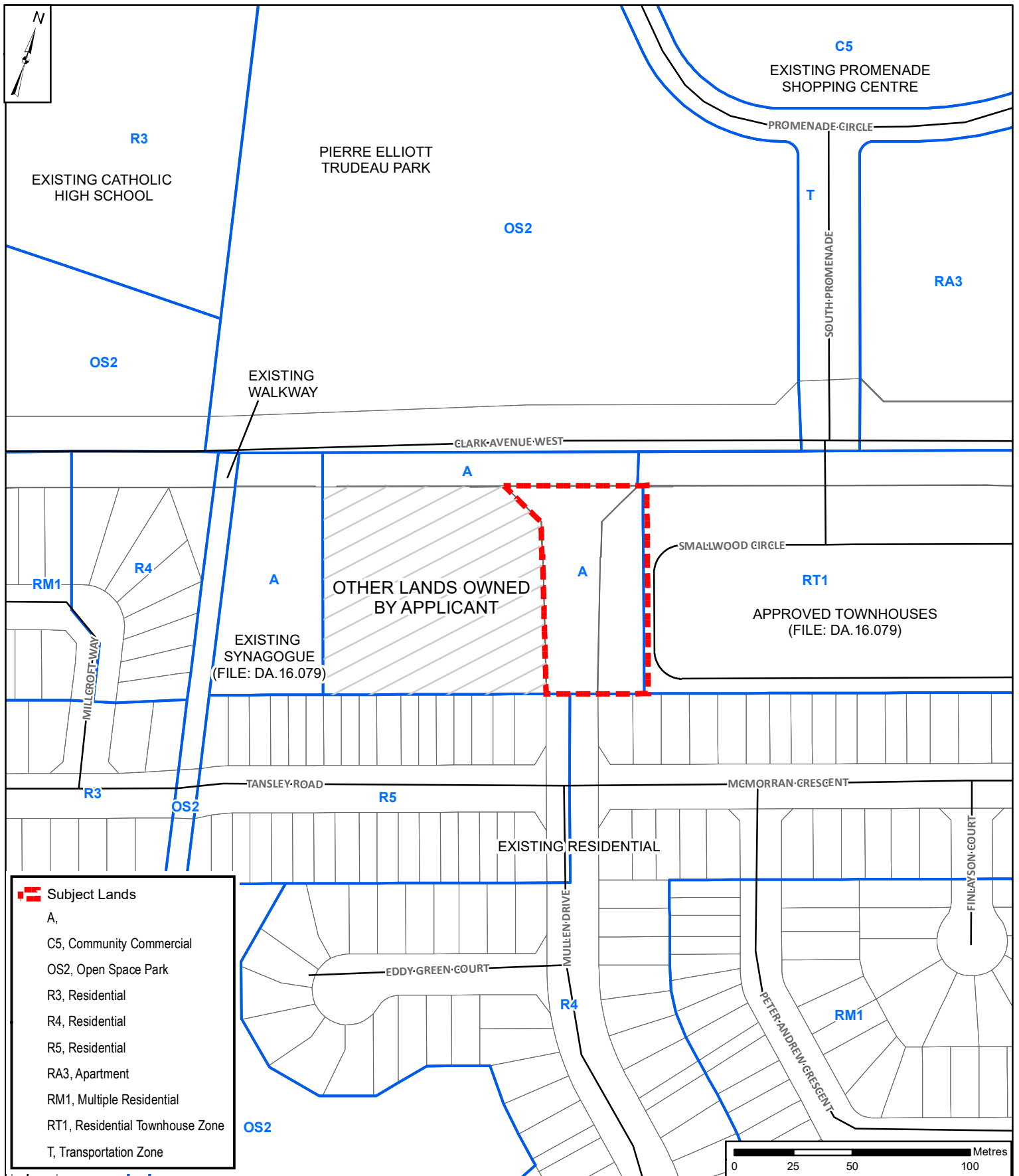
**APPLICANT:**  
Reena C/O Bryan Keshen



# Attachment

**FILES:**  
OP.18.012, Z.18.019  
**RELATED FILE:**  
DA.19.003  
**DATE:**  
March 5, 2019

**1**



# Location Map

**LOCATION:**  
Part Lot 3, Concession 2

**APPLICANT:**  
Reena C/O Bryan Keshen

# Attachment

**FILES:**  
OP.18.012, Z.18.019  
**RELATED FILE:**  
DA.19.003  
**DATE:**  
March 5, 2019

**2**

CLARK AVENUE WEST



OTHER LANDS OWNED BY APPLICANT

TOBY AND HENRY BATTLE DEVELOPMENTAL CENTRE

RA3


30 UNI

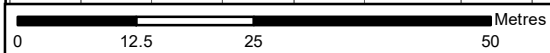
RT1  
PROPOSED RESIDENTIAL

SMALLWOOD CIRCLE

PROPOSED 6-STORY BUILDING

R5

-  Subject Lands
- A, Agricultural Zone
- OS2, Open Space Park Zone
- R4, Residential Zone
- R5, Residential Zone
- RT1, Residential Townhouse Zone



# Conceptual Site Plan and Proposed Zoning

**LOCATION:**  
Part Lot 3, Concession 2

**APPLICANT:**  
Reena C/O Bryan Keshen

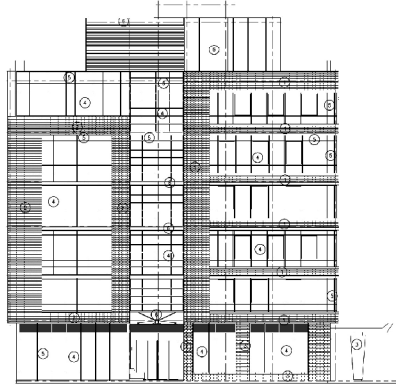


# Attachment

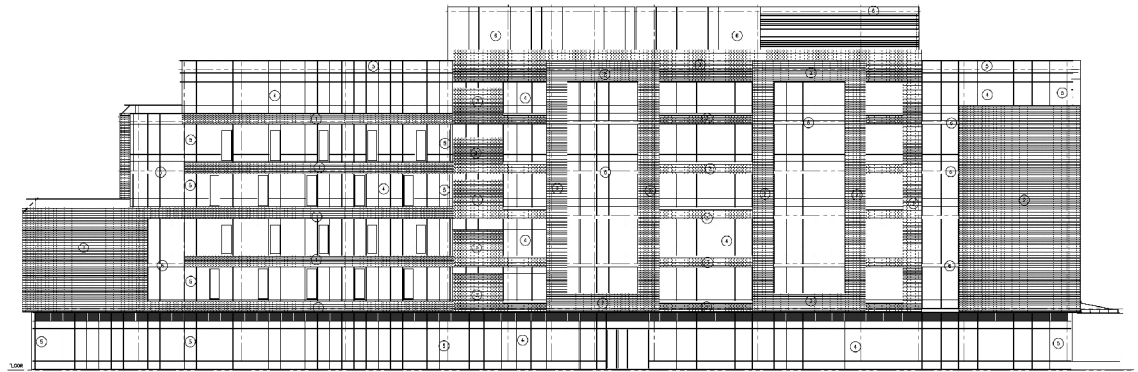
**FILES:**  
OP.18.012, Z.18.019  
**RELATED FILE:**  
DA.19.003  
**DATE:**  
March 5, 2019

# 3





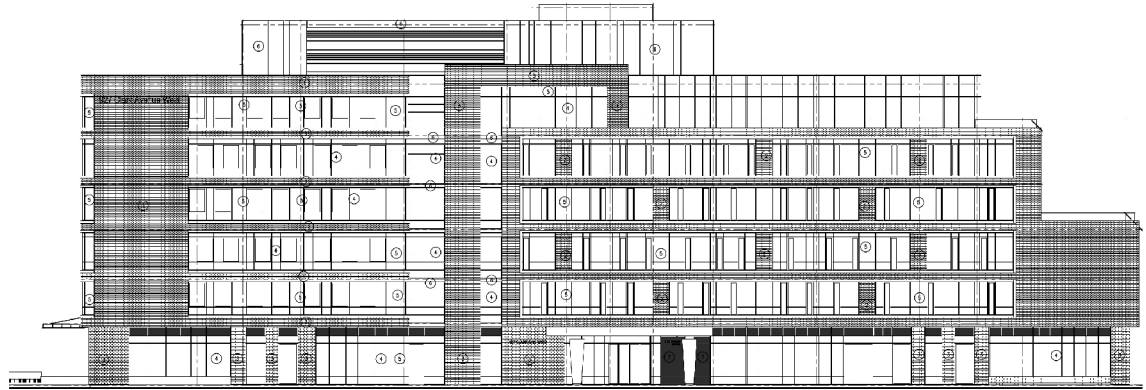
NORTH ELEVATION  
(FACING CLARK AVENUE WEST)



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION

Not to Scale

# Conceptual Building Elevations

**LOCATION:**  
Part Lot 3, Concession 2

**APPLICANT:**  
Reena C/O Bryan Keshen

Document Path: N:\GIS\_Archive\Attachments\OP\OP.18.012 & Z.18.019\OP.18.012 & Z.18.019\_C\_ElevationPlan.mxd



# Attachment

**FILES:**  
OP.18.012, Z.18.019  
**RELATED FILE:**  
DA.19.003  
**DATE:**  
March 5, 2019

# 4

## **ATTACHMENT 5**

### **AMENDMENT NUMBER 37 TO THE OFFICIAL PLAN OF THE VAUGHAN PLANNING AREA**

The following text and Schedules 1 and 2 constitute Amendment Number 37 to the Official Plan of the Vaughan Planning Area.

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

Authorized by Item No. XX of Report No. XX  
of the March 5, 2019 Committee of the Whole  
Adopted by Vaughan City Council on  
March 19, 2019



## I PURPOSE

The purpose of this Amendment to the Vaughan Official Plan 2010 ('VOP 2010') is to amend the provisions of the Official Plan of the Vaughan Planning Area, specifically, Schedule 13 - Land Use to redesignate the subject lands from "Low-Rise Residential" to "Mid-Rise Residential" to permit the development of a 6-storey rental apartment building/Supportive Living Facility with a maximum Floor Space Index of 2.3 the area of the lot on the Subject Lands. This Amendment will facilitate the following with respect to the Subject Lands identified as "Area Subject to Amendment No. 37 on Schedule "1" attached hereto:

1. Redesignate the Subject Lands from "Low-Rise Residential" to "Mid-Rise Residential" to Permit a 6-storey, rental apartment building/Supportive Living Facility containing 79 units, with a maximum Floor Space Index of 2.3 times the area of the lot.

## II LOCATION

The lands subject to this Amendment, hereinafter referred to as "Subject Lands" are located on the south side of Clark Avenue West and west of Bathurst Street, as shown on Schedule "1" attached hereto as "Area Subject to Amendment No. 37".

## III BASIS

The decision to amend VOP 2010 is based on the following considerations:

1. The Provincial Policy Statement, 2014 ('PPS') provides the overall direction on matters of provincial interest related to land use planning and development, and includes policies that encourage new growth to urban areas, complete communities, and promotes efficient cost effective development and land use patterns. The development provides affordable rental apartment units for persons with special needs in a designated settlement area. It utilizes the Subject Lands efficiently, takes

advantage of existing infrastructure within the built-up area, and reduces land consumption and servicing costs. The Development is compact in built-form and promotes the efficient use of lands to support a healthy community.

2. The Provincial Growth Plan for the Greater Golden Horseshoe ('Growth Plan') is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Growth Plan promotes intensification of the existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentration of intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities. The Growth Plan also encourages population and employment growth to be accommodated within the built-up areas encouraging the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality open spaces, and easy access to local stores and services. In view of the above, this Amendment to redesignate the Subject Lands from "Low-Rise Residential" to "Mid-Rise Residential" is consistent with the Growth Plan.
3. The Subject Lands are designated "Urban Area" by the York Region Official Plan (YROP). Section 5.3 of the YROP outlines policies for the development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province's Built-Up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. Section 3.5 of the YROP, Housing our Residents, provides housing objectives which promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, housing forms and types and tenures that will satisfy the needs of the Region's residents and workers. The Amendment to permit a 6-story rental apartment building/Supportive Living Facility is consistent with the objectives of the YROP.
4. The York Region considered Official Plan Amendment File OP.18.019 and determined that the Amendment is a matter of local significance as the proposal does not adversely affect Regional

interests. This Official Plan Amendment has been exempt from approval by Regional Planning Committee and Council. This Amendment will come into effect following its adoption by Vaughan Council and the expiration of the required appeal period.

5. The statutory Public Hearing was held on January 22, 2019. The recommendation of the Committee of the Whole to receive the Public Hearing report January 22, 2019 and to forward a comprehensive report to a future Committee of the Whole meeting, was ratified by Vaughan Council on January 29, 2019. Vaughan Council, on March 19, 2019, ratified the Committee of the Whole recommendation to approve Official Plan Amendment and Zoning By-law Amendment Files OP.18.019 and Z.18.019 (Reena c/o Bryan Keshen).

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

The Vaughan Official Plan 2010 (VOP 2010) is hereby amended as follows:

1. Modifying Schedule 13 "Land Use" by redesignating the "Lands Subject to Amendment 37" as shown on Schedule "2" from "Low-Rise Residential" to "Mid-Rise Residential" and identifying a maximum building height of 6-storeys and a Floor Space Index (FSI) of 2.3.

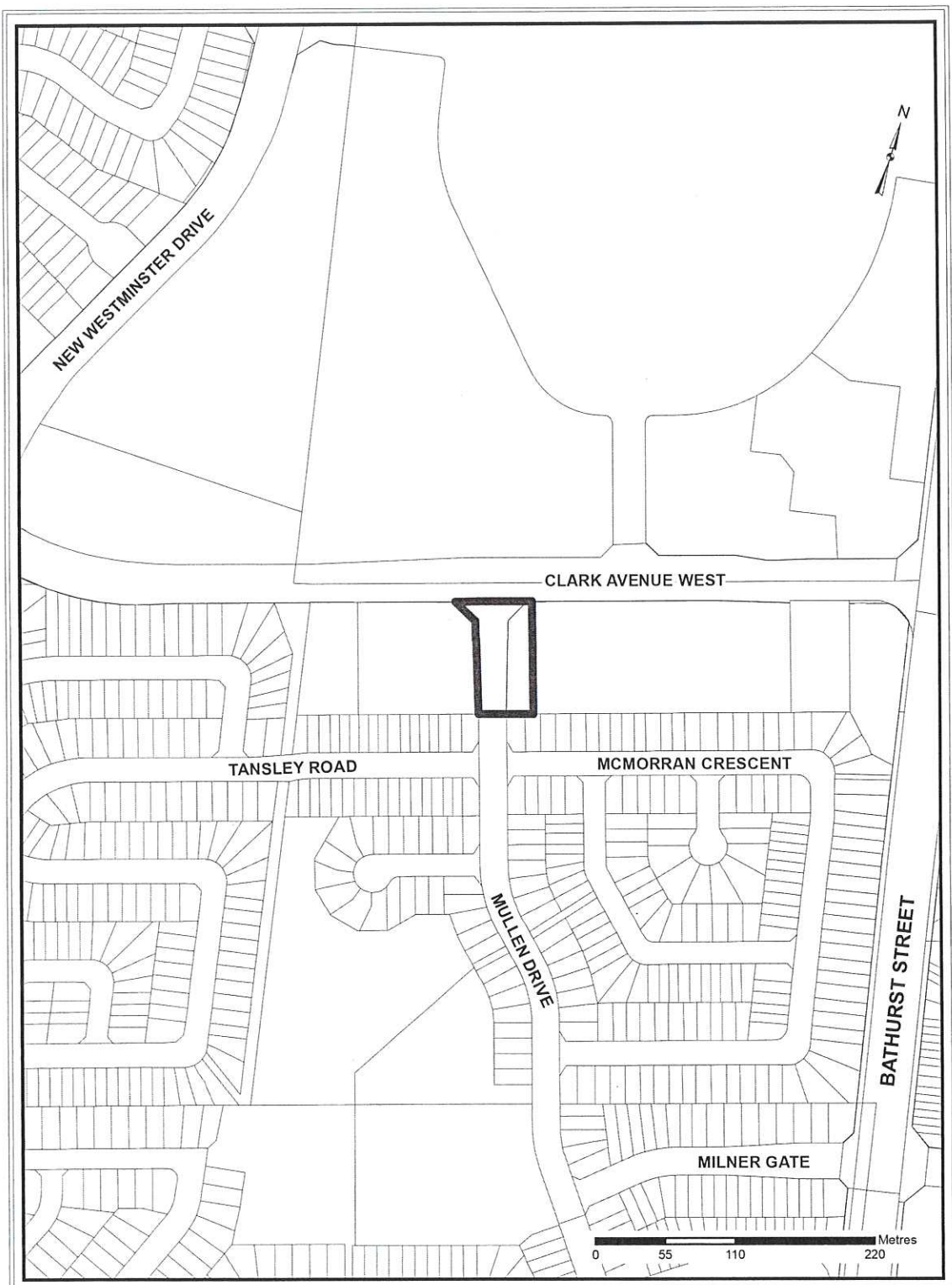
#### V IMPLEMENTATION

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

#### VI INTERPRETATION

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



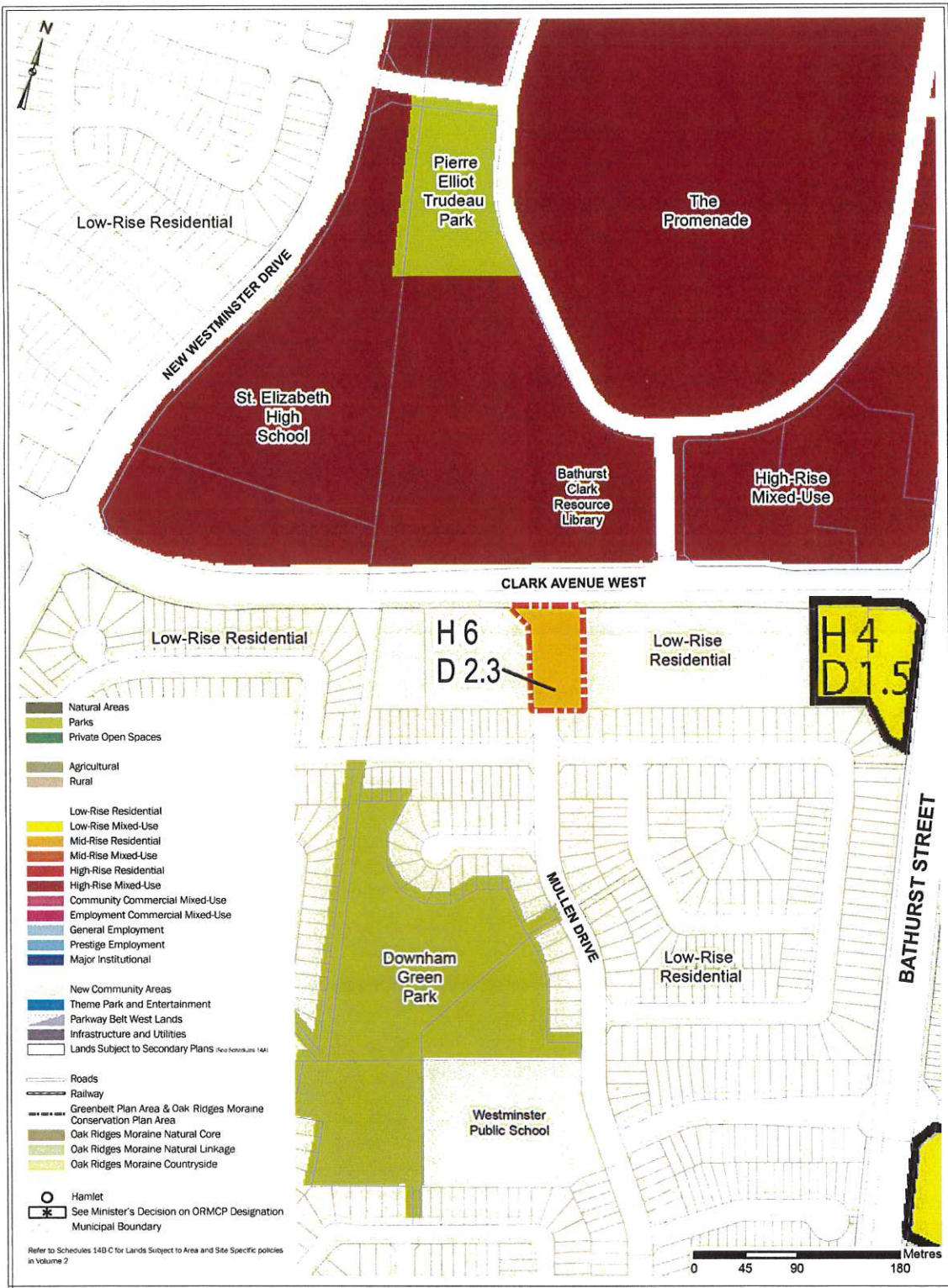


THIS IS SCHEDULE '1'  
 TO OFFICIAL PLAN AMENDMENT NO. 37  
 APPROVED THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019

FILE: OP.18.012  
 RELATED FILES: Z.18.019 & DA.19.003  
 LOCATION: PART OF LOT 3, CONCESSION 2  
 APPLICANT: REENA C/O BRYAN KESHEN  
 CITY OF VAUGHAN



AREA SUBJECT TO  
 AMENDMENT NO. 37



**THIS IS SCHEDULE '2'**  
**TO OFFICIAL PLAN AMENDMENT NO. 37**  
**APPROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019**

FILE: OP.18.012  
 RELATED FILES: Z.18.019 & DA.19.003  
 LOCATION: PART OF LOT 3, CONCESSION 2  
 APPLICANT: REENA C/O BRYAN KESHEN  
 CITY OF VAUGHAN

  
 LANDS SUBJECT TO  
 AMENDMENT NO. 37



## APPENDIX I

The Subject Lands are located on the south side of Clark Avenue West and west of Bathurst Street, being Part of Lot 3, Concession 2, City of Vaughan.

The purpose of this Amendment is to amend the policies of Vaughan Official Plan 2010 ('VOP 2010') to redesignate the Subject Lands from "Low-Rise Residential" to "Mid-Rise Residential" to permit the development of a 6-storey 79-unit rental apartment building/Supportive Living Facility, and a maximum density of 2.3 FSI on the Subject Lands.

On March 19, 2019, Vaughan Council ratified the March 5, 2019, recommendation of the Committee of the Whole to approve Official Plan Amendment File OP.18.012 (Reena c/o Bryan Keshen) as follows:

- "1. THAT Official Plan Amendment File OP.18.012 (Reena c/o Bryan Keshen) BE APPROVED, to amend Vaughan Official Plan 2010 ("VOP 2010"), Volume 1, for the Subject Lands shown on Attachments 1 and 2 as follows:
  - a) Amend Schedule 13-Land Use, to redesignate the Subject Lands from "Low Rise Residential" to "Mid-Rise Residential" with a maximum permitted building height of 6-storeys and a maximum Floor Space Index ("FSI") of 2.3 times the area of the lot.
2. THAT Zoning By-law Amendment File Z.18.019 (Reena c/o Bryan Keshen) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments 1 and 2, from A Agricultural Zone to "RA3 Residential Apartment zone", in the manner shown on Attachment 3, together with the site-specific exceptions identified in Table 1 of this report.
3. THAT Vaughan Council approve the implementing Draft Official Plan Amendment No. 37 (Reena c/o Bryan Keshen), attached as Attachment 5, subject to minor modifications required to implement the proposed development.
4. THAT the implementing Zoning By-law not be enacted until such time that Vaughan Council has approved a Site Development Application for the development.
5. THAT prior to the execution of the Site Plan Letter of Undertaking the Owner shall successfully obtain approval from Committee of Adjustment for a Consent Application for any required easement(s) for access and shared parking over the adjacent lands to the west of the Subject Lands. The Committee's decisions regarding the Consent Application shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee.
6. THAT the Owner be permitted to apply for a Minor Variance Applications(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning-By-law, if required."



## LOCATION MAP TO AMENDMENT NO. 37

FILE: OP.18.012  
 RELATED FILES: Z.18.019 AND DA.19.003  
 LOCATION: PART OF LOT 3, CONCESSION 2  
 APPLICANT: REENA C/O BRYAN KESHEN  
 CITY OF VAUGHAN

  
 LANDS SUBJECT TO  
 AMENDMENT NO. 37

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 1

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.16.044  
SITE DEVELOPMENT FILE DA.18.002  
HATPIN DEVELOPMENTS INC.  
VICINITY OF KEELE STREET AND MCNAUGHTON ROAD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek endorsement of the Recommendations in this report from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.16.044 and DA.18.002 (Hatpin Developments Inc.), which have been appealed to the Local Planning Appeal Tribunal, for the Subject Lands shown on Attachments 1 and 2 to permit a residential development consisting of 51, 3-storey townhouse dwellings, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner is proposing to develop the subject lands with 51, 3-storey residential townhouse dwellings.
- The Owner has appealed Zoning By-law Amendment and Site Development Files Z.16.044 and DA.18.002 to the Local Planning Appeal Tribunal.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Site Development Applications, subject to the Recommendations in this report, as the applications will permit a development that is consistent with the *Provincial Policy Statement 2014*, conforms to the Growth Plan, conforms with the policies of the York Region Official Plan 2010 and Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.



## **Recommendations**

THAT the Local Planning Appeal Tribunal be advised that the City of Vaughan Council ENDORSES the following Recommendations:

1. THAT Zoning By-law Amendment File Z.16.044 (Hatpin Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from “C8(H) Office Commercial Zone” with the Holding Symbol “(H)” subject to site-specific Exception 9(840), “A Agricultural Zone” and “R1 Residential Zone” to “RM2 Multiple Dwelling Zone”, in the manner shown on Attachment 3, together with the site-specific zoning exceptions in Table 1 of this report.
2. THAT Site Development File DA.18.002 (Hatpin Developments Inc.) BE APPROVED, subject to the following conditions of approval, to the satisfaction of the Development Planning Department to permit the development of 51, 3-storey townhouse dwelling units, as shown on Attachments 3 to 6:
  - a) That prior to the execution of a Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, building elevations including a colour scheme, tree preservation plan, arborist report, commemoration plan, Stage 4 archaeological assessment report, air conditioner location and screening plan, landscape plans and landscape cost estimate;
    - ii) the Development Engineering Department shall approve the final stormwater management report, site servicing and grading plan, encroachment agreement, environmental noise and vibration report;
    - iii) the Owner shall provide a Letter of Credit in an amount satisfactory to Infrastructure Planning and Corporate Asset Management Department required for sanitary system improvements in the Maple Heritage Area based on the conclusions and recommendations of the City’s Focus Area Core Servicing Strategy Study;
    - iv) the Owner shall pay the Development Engineering Site Plan Complex fee of \$39,015 in accordance with By-law 022-2018, to the satisfaction of the Development Engineering Department;
    - v) the Owner shall provide woodlot compensation in the amount of \$140,530 to the satisfaction of the City of Vaughan;

- vi) the Owner shall enter into a Tree Protection Agreement with the City in accordance with the Council adopted Tree By-law 052-2018 and City Tree Protection Protocol which includes the submission of an arborist report and tree protection/removal plan;
  - vii) the Owner shall pay to the City of Vaughan a one-time payment of \$13,347 for the maintenance of the enhanced landscape features within the Keele Street right of way in accordance with the Maple Streetscape and Urban Design Guidelines, to the satisfaction of the Vaughan Development Planning Department;
  - viii) the Owner shall satisfy all requirements of the Parks Development Department;
  - ix) the Owner shall satisfy all requirements of the Environmental Services Department;
  - x) the Owner shall obtain all necessary approvals and satisfy all requirements of the Toronto and Region Conservation Authority; and
  - xi) the Owner shall obtain all necessary approvals and satisfy all requirements of York Region.
- b) THAT the Site Plan Agreement include the following clauses:
- i) “Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan’s Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.”
  - ii) “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner, the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services, and the Development Planning Department, Urban Design and Cultural Heritage Division.”
  - iii) “Purchasers and/or tenants are advised that there may be occasional odours at the Development, or visible fugitive dusts in the vicinity of the industrial facilities located on the east side of Keele Street, in accordance with Guideline D-6, Compatibility

Between Industrial Facilities, due to the proximity of these industrial facilities, and recognizing that there is always a potential for occasional odour or other nuisance effects at the development.”

- iv) the following warning clause shall be included in all Offers of Purchase and Sale or Lease for and the dwelling units in the development:

“Purchasers and/or tenants are advised that, despite the inclusion of noise control features in this development area within the dwelling unit, the noise levels from increasing road and industrial users may continue to be of concern, occasionally interfering with some activities of the occupants. This dwelling has, therefore, been equipped with forced air heating and central air conditioning which will allow windows to be kept closed, thereby achieving indoor sound levels within the limits recommended by the Ministry of the Environment, Conservation and Parks in compliance with the City’s noise policy.”

- v) “Purchasers and/or tenants are advised that public transit bus traffic occurs on McNaughton Road and Keele Street.”
- vi) “Purchasers and/or tenants are advised that the dwelling unit abuts a park and may be subject to noise and lighting due to the nature and use of the park for active recreation.”
- vii) "Purchasers/tenants are advised that despite the inclusion of noise control features in this development area and within the dwelling units, noise due to increasing road traffic may continue to be of concern, occasionally interfering with the activities of the occupants as the sound level may exceed the noise criteria of the Municipality and the Ontario Ministry of the Environment, Conservation and Parks, the purchaser hereby agree to place this clause in all subsequent Offers of Purchase and Sale or Lease when I sell the property.”
- viii) “Purchasers/tenants are advised that the dwelling unit is fitted with a central air conditioning system in order to permit closing of windows for noise control.”
- ix) "Purchasers/tenants are advised that the acoustical fence and/or barrier as installed shall be maintained, repaired or replaced by the Owner or future Condominium Corporation. Any maintenance repair or replacement shall be with the same material, to the same

standards, and having the same colour and appearance of the original installation."

- x) "Purchasers/tenants are advised that this dwelling unit is in proximity to the existing institutional, commercial and industrial facilities whose activities may at times be audible."
- xi) "The Owner shall install and maintain a Minimum Efficiency Reporting Value ('MERV') MERV11 filters on the air intakes to ensure residents will have good air quality in their homes."
- xii) "The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units, whichever is greater of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."
- xiii) "The Owner shall be responsible to finance and implement or contribute to required sanitary system improvements in the Maple Heritage Area based on the conclusions and recommendations of the City's Focus Area Core Servicing Strategy Study."
- xiv) "A Letter of Credit posted by the Owner, in the amount of \$20,500 plus 10% contingency is for any works in relation to satisfying the required post to pre-development water balance as the subject lands located within the Source Protection Plan Recharge Management Area."
- xv) "The \$140,530 provided by the Owner shall be used for woodlot compensation to the satisfaction of the City of Vaughan."; and
- xvi) "The one-time payment of \$13,347 for the maintenance of the enhanced landscape features within the Keele Street right of way is in accordance with the Maple Streetscape and Urban Design Guidelines, to the satisfaction of the Vaughan Development Planning Department."

- c) Prior to the issuance of a Building Permit:
  - i) the Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board;
- 3. THAT should the Local Planning Appeal Tribunal approve Zoning By-law Amendment and Site Development Files Z.16.044 and DA.18.002, either in whole or in part, that the Local Planning Appeal Tribunal withhold its final Decision/Order until such time that:
  - a) the implementing site-specific Zoning By-law Amendment is prepared to the satisfaction of the City; and
  - b) the implementing Site Plan Agreement is prepared to the satisfaction of the City, and includes the final approved plans and conditions of City Departments and external agencies.
- 4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Site Development File DA.18.002 (Hatpin Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 51 residential units (156 persons equivalent).”
- 5. THAT City of Vaughan staff and external consultants, if necessary, be directed to attend the Local Planning Appeal Tribunal Hearing in support of the Recommendations contained in this report for Zoning By-law Amendment and Site Development Files Z.16.044 and DA.18.002 (Hatpin Developments Inc.).

## **Background**

The Subject Lands (the ‘Subject Lands’) are located on the northwest corner of Keele Street and McNaughton Road, known municipally as 10274, 10286 and 10296 Keele Street, as shown on Attachments 1 and 2. There is one existing single detached dwelling on the property which is proposed to be demolished. The surrounding land uses are shown Attachment 2.

***Zoning By-law Amendment and Site Development Applications were submitted to permit the Development***

The Owner submitted the following applications (the 'Applications') to permit a residential development (the 'Development') consisting of 51, 3-storey townhouse dwellings:

1. Zoning By-law Amendment File Z.16.044 to amend Zoning By-law 1-88, to rezone the Subject Lands from "C8(H) Office Commercial Zone" with the Holding Symbol "(H)" subject to site-specific Exception 9(840), "A Agricultural Zone" and "R1 Residential Zone" to "RM2 Multiple Dwelling Zone" as shown on Attachment 3, together with the site-specific exceptions to the "RM2 Multiple Dwelling Zone" identified in Table 1 of this report.
2. Site Development File DA.18.002 to permit the Development.

Notice of Complete Applications was issued to the Owner for the Zoning By-law Amendment and Site Development Files by the City on December 20, 2016 and March 15, 2018, respectively.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

On February 10, 2017, a Notice of a Public Hearing for Zoning Amendment File Z.16.044 was circulated to all property owners within 150 m of the Subject Lands and was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca). Notice Signs were installed on the Keele Street and McNaughton Road frontages in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on March 21, 2017, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of March 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting. Deputations were made by the following individuals at the Public Hearing:

- K. McKinnon, KLM Planning Partners Inc, representing the Owner
- F. Crocco, Keele Street

Written correspondence was also received from the solicitors and planner for CRH Canada Group Inc., 10,351 Keele Street dated February 24, 2017, April 24, 2017 and March 31, 2017.

The following is a summary of the comments provided at the Public Hearing and responses to each:

a) Access with neighbouring property to the north

The original site plan considered at the Public Hearing included access from Keele Street as shown on Attachment 7. York Region advised, through the review of the adjacent development applications for the lands to the immediate north, as shown on Attachment 8 - Gracegreen Real Estate Development Ltd. ('Gracegreen') that both properties must share an access from Keele Street. Gracegreen was concerned that Fire and Rescue Services would only have one access for more than 60 units and that a mutual access should be provided for both properties. However, since the Public Hearing the Owner has revised the site plan as shown on Attachment 3, to remove the access from Keele Street and provide a new access onto McNaughton Road and an emergency access from Keele Street. York Region and City Development Engineering ('DE') Department Staff have advised that they are satisfied with the revised site plan and that a shared access with Gracegreen is no longer required.

b) Fewer units, setbacks and conformity with the Community Area Policy Review for Low-Rise Residential Designations

The Community Area Policy Review for Low-Rise Residential Designations do not apply to the Subject Lands as they are designated "Low-Rise Mixed-Use" by Vaughan Official Plan 2010 ('VOP 2010'). However, since the Public Hearing, the Owner has revised the Development to have regard for the Low-Rise Guidelines.

The Development includes an internal private road with no units having a front-to-back elevation condition. Building setbacks are consistent with other contemporary townhouse developments in the immediate area along Keele Street and the front yards facing the public streets are appropriately landscaped. A common amenity area is included internal to the Development. An Urban Square located at the corner of Keele Street and McNaughton Road contributes to the streetscape and provides sightlines into the Development. Trees along Keele Street and McNaughton Road are preserved to enhance the Development within its heritage context.

The architectural style of the buildings is consistent with the Maple Heritage Conservation District Plan ('MHCDP') which complements the existing character of the District. All units front onto a 6m or 8.7m wide private road and visitor parking is located abutting the emergency access and the private road as shown on Attachment 4. Parking for each unit fronting Keele Street and McNaughton Road is located at the rear of the unit to promote a safe and attractive streetscape.

The building setbacks along Keele Street are consistent with those in the area and contribute to an animated street edge. The existing buildings on the southeast corner of

Keele Street and McNaughton Road maintain similar setbacks consistent with the 'heritage village' aesthetic. The MHCDP states that new residential development should be complementary to the immediate area by using a similar built form and orientation, and by siting new units consistently with the variety found in the heritage village.

c) Preserving existing trees

The Subject Lands include a number of trees, the majority of which are non-native. The southern portion of the site is comprised of a successional community dominated by Manitoba Maple. The northern portion of the site is a former residence with mature landscape plantings, including Siberian Elm and Norway Maple as the dominant species. A site meeting by City Staff together with a review of the information provided in the Arborist Report confirmed there are no trees on the Subject Lands that warrant preservation.

The existing street trees within the Keele Street and McNaughton Road rights-of-way are being preserved. A large Basswood tree and Norway Maple located at the southeast corner of the Subject Lands are also being retained and integrated into the urban square. The Owner is also proposing to plant approximately 40 trees within this development, together with a significant amount of landscaping, planters beds and shrubs, including a parkette with a play structure and amenity area. The proposed landscape is comprised of a diverse palette of native trees and shrubs consistent with the species found in the heritage district.

As confirmed by the Environmental Impact Study submitted in support of the Applications, the Subject Lands are considered a woodland. VOP 2010 Policy 3.3.3.3 allows for the removal of a woodland. Development or site alteration may be permitted in a woodland if all of the following are met:

- “a. the woodland does not meet any of the following criteria defining a significant woodland in the York Region Official Plan:*
  - i. contains globally or provincially rare plants, animals or communities as designated by the Natural Heritage Information Centre;*
  - ii. contains species designated by the Committee on the Status of Endangered Wildlife in Canada or by the Committee on the Status of Species at Risk in Ontario as threatened, endangered, or of special concern;*
  - iii. is within 30 metres of wetlands, lakes and their littoral zones, permanent and intermittent streams, kettle lakes, seepage areas and springs;*
  - iv. is 4 hectares or larger in size; or*
  - v. is over 2 hectares and:*
    - A. is within 100 metres of another Core Feature; or*
    - B. occurs within the Natural Heritage Network;*



- b. *the woodland is considered to be early successional or the woodland is dominated by invasive non-native tree species as determined by a Woodland Dominance Study to the satisfaction of the City and York Region;*
- c. *the woodland does not contain species or communities listed in policy 3.3.3.3.a.i or policy 3.3.3.3.a.ii; and*
- d. *the woodland is located outside of and is not connected to the Natural Heritage Network.”*

The Subject Lands are 0.98 ha in size, and the existing trees on the Subject Lands do not contain globally or provincially rare plants or any species at risk and from a habitat perspective the trees provide an extremely low functioning feature as it does not meet the criteria listed above. The Subject Lands do not contain globally or provincially rare plants, animals or communities, do not contain endangered species and are not located within 30 m of wetlands, lakes, etc. The Subject Lands contain invasive non-native tree species and are located outside of and is not connected to the Natural Heritage Network. Therefore, the woodland on the Subject Lands meets the criteria noted in VOP 2010 for the removal of the trees.

- d) The Urban Square is not in a good location and there should be an internal amenity area / parkette

The Development includes a private amenity area for future residents. The Subject Lands are also located immediately adjacent to McNaughton Park. The urban square provides a publicly accessible streetscape element at the corner of the site and can also be utilized as a pedestrian connection to the project. The urban square is not intended to be the primary amenity space for the Development.

- e) Parking is always an issue with these types of development

The number of parking spaces provided for the Development complies with the per unit and visitor parking requirements of Zoning By-law 1-88. Two parking spaces are provided for each dwelling unit with one parking space accommodated in the double car garage (Blocks 1 to 7), or one space in a garage (Block 8 to 12) and one space on the driveway of each lot and 13 visitor parking spaces are provided.

- f) Compatibility with adjacent uses

A land Owner on the east side of Keele Street, CRH Canada ('CRH'), is concerned that the Development will bring sensitive residential lands uses within approximately 162 m of a Class II Industrial land use (concrete batching plant operation on CRH's lands - 10,351 Keele Street) and within approximately 347 m of a Class III Industrial land use (asphalt plant operation on Coco Paving's lands - 10,475 Keele Street).

CHR requested the Owner of the Subject Lands to demonstrate through the appropriate studies and necessary information that the Development is appropriately designed in a manner that prevents land use incompatibility and potential adverse effects. The Owner must demonstrate that the Development is consistent with the *Provincial Policy Statement, 2014*, conforms to the Growth Plan, conforms to the Region of York Official Plan ('YROP 2010'), and the City of Vaughan Official Plan 2010 ('VOP 2010') and represents good planning.

The Owner has submitted an Air Emissions Assessment of the Land Use Compatibility Study for the Development, dated November 17, 2017, an Air Quality Study, dated August 2018 and a Preliminary Environmental Noise and Vibration Report, dated September 1, 2016, in support of the Applications. The reports conclude that the Development would not experience unacceptable air quality and noise as a result of the surrounding industrial facilities and recommend warning clauses be included in all Offers of Purchase and Sale and Lease. A condition of approval is included requiring that the warning clauses be included in the Site Plan Agreement. A similar requirement will be included in the Condominium Agreement, should the Applications be approved. In addition, the Development is consistent and conforms to Provincial policies, and the York Region and Vaughan Official Plans and represents good planning as discussed in the Analysis and Options section of this report.

On February 22, 2019, a courtesy notice of this Committee of the Whole Meeting was sent to all individuals who made a deputation at the Public Hearing and submitted written correspondence to the Development Planning Department.

***The Owner has appealed the Applications to the Local Planning Appeal Tribunal ('LPAT'), formerly the Ontario Municipal Board ('OMB')***

The Owner of the Subject Lands on December 12, 2017, appealed Zoning By-law Amendment File Z.16.044 and on April 13, 2018, appealed Site Development File DA.18.002 to the LPAT pursuant to Sections 34(11) and 41(12) of the *Planning Act*, citing Council's failure to make a decision on the Applications within prescribed timelines under the *Planning Act*.

The first Pre-hearing Conference ('PHC') of the Tribunal respecting the appeals occurred on August 22, 2018. On consent, the Zoning By-law Amendment appeal (PL171487) and the Site Development appeal (PL180250) were consolidated. Party status was also granted on consent to CRH. Counsel for the Owner asked the Tribunal to set a second PHC for the fall of 2018. In the interim, the Owner was directed to work with the parties to address outstanding issues including noise and air quality matters.

The second PHC occurred on October 10, 2018. The LPAT issued an Order on November 13, 2018, scheduling a five-day hearing to commence on August 19, 2019.

The Development Planning Department is seeking direction from Vaughan Council to attend the LPAT proceedings in support of the Recommendations contained in this report.

### **Previous Reports/Authority**

[Committee of Whole \(Public Hearing\) March 21, 2017](#)

[Heritage Vaughan Report July 18, 2018](#)

### **Analysis and Options**

#### ***Zoning By-law Amendment and Site Development applications are required to permit the Development***

The Owner has submitted the following applications (the 'Applications') on the Subject Lands shown on Attachments 1 and 2 to permit a development (the 'Development') consisting of 51, 3-storey townhouse dwellings, as shown on Attachments 3 to 6, fronting onto a private road that will form part of a future standard condominium:

1. Zoning By-law Amendment File Z.16.044 to amend Zoning By-law 1-88, to rezone the Subject Lands from C8(H) Office Commercial Zone with the Holding Symbol "(H)" subject to site-specific Exception 9(840), A Agricultural Zone and R1 Residential Zone to RM2 Multiple Dwelling Zone, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Site Development File DA.18.002 to permit 51, 3-storey townhouse dwelling units within 12 blocks, as shown on Attachments 3 to 6.

The Development Planning Department has reviewed the Development shown on Attachments 3 to 6 in consideration of the following policies:

#### ***The Development is consistent with the Provincial Policy Statement ('PPS') 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement 2014 ('PPS'). The PPS provides policy direction on matter of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment.

The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with Provincial policies, specifically the following sections (in part):

Part V - "Policies" of the PPS states (in part) the following:

Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1c) "avoiding development and land use patterns which may cause environmental or public health and safety concerns"

Settlement Areas

1.1.3.2 "Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
- efficiently use land and resources;
  - are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
  - support active transportation."

Development is encouraged to locate in designated settlement areas, which are intended to be areas where growth is focused. Land use patterns within settlement areas should be based on an appropriate mix of land uses at densities that make efficient use of land and existing infrastructure.

Land Use Compatibility

1.2.6.1 "Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities."

Employment Areas

1.3.2.1 "Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs."

1.3.2.3 "Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations."

Housing

1.4.3 "Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market by (in part):

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

2.5.2.4 “Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*.”

#### Cultural Heritage and Archaeology

2.6.2 “Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

2.6.4 “Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.”

The Subject Lands are located within a settlement area defined by the PPS. The Development achieves is consistent with the Settlement Areas and Housing policies of the PPS, by making more efficient use of the Subject Lands as it minimizes land consumption, proposes a housing typology that will help meet projected housing needs, utilizes existing servicing and infrastructure and avoids the need for the uneconomical expansion of services and includes walkways connecting the Subject Lands to Keele Street and McNaughton Road to support active transportation. The Development also provides a different housing type for the community, thereby contributing to the range of housing types to meet the needs of the City.

The Subject Lands are located on the west side of Keele Street, opposite to industrial uses located east of Keele Street and are within the MHCDP boundary. The orientation of the townhouse units and their amenity spaces have been designed to ensure compatibility with adjacent uses. The Development was recommended for approval by the Heritage Vaughan Committee and Vaughan Council endorsed Heritage Vaughan’s recommendation on September 27, 2018. In addition, a Heritage Conservation District Conformity Report was completed in support of the Development, which provides a

history of the Subject Lands and surrounding area to inform the commemoration plaques in the proposed urban square, as shown on Attachment 3. The Owner has also submitted an Air Emissions Assessment of the Land Use Compatibility Study for the Development, an Air Quality Study and a Preliminary Environmental Noise and Vibration Report, which have been reviewed by the DE Department, to support the Development.

***The Development conform to the Growth Plan for the Greater Golden Horseshoe, 2017 ('Growth Plan')***

The Provincial Growth Plan for the Greater Golden Horseshoe, 2017 ('Growth Plan') is intended to guide decision making on the development of land by encouraging compact built form, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within the settlement areas, and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems.

With regard to how population and employment growth is to be accommodated, the Growth Plan identifies the importance of optimizing the use of the existing land supply to avoid the over designation of new land for future urban development. Objectives of the Growth Plan include creating complete communities that offer a range of options to live, work and play; providing greater choice in housing types to meet the needs of people in various states of life; curbing urban sprawl and reducing traffic by improved access to a range of transportation options.

The *Planning Act* requires that Vaughan Council's planning decisions are consistent with the Growth Plan. The Development Planning Department has reviewed the Development, and is of the opinion that it is consistent with the Growth Plan objectives, specifically the following sections (in part):

Intensification

The development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

## Managing Growth

2. Forecasting growth to the horizon of this Plan will be allocated based on the following:
  - a) the vast majority of growth will be directed to settlement areas that:
    - i. have a delineated built boundary;
    - ii. have existing or planned municipal water and wastewater systems; and
    - iii. can support the achievement of complete communities;
  - b) growth will be limited in settlement areas that:
    - i. are undelineated built-up areas;
    - ii. are not serviced by existing or planned municipal water and wastewater systems; or
    - iii. are in the Greenbelt Area;
  - c) within settlement areas, growth will be focused in:
    - i. delineated built-up areas;
    - ii. strategic growth areas;
    - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
    - iv. areas with existing or planned public service facilities;
  - d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;
  - e) development will be generally directed away from hazardous lands;
4. Applying the policies of this Plan will support the achievement of complete communities that:
  - a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
  - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
  - c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

- d) expand convenient access to:
  - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
  - ii. public service facilities, co-located and integrated in community hubs;
  - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
  - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;
- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate green infrastructure and low impact development.

### Cultural Heritage Resources

4.2.7.3 Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

In consideration of the above, the Development is consistent with the policy framework and meets the objectives of the Growth Plan as it constitutes infill development within a settlement area, on an existing designated parcel of land with access to transit, stores and services including a community centre. The Development yields a density of 0.74 FSI which is greater than currently exists on the Subject Lands however, is within the density permitted (1.25 FSI) by VOP 2010. The Development provides a housing option in a compact built form with an attractive public realm that contributes to the mix of housing in the community. The Owner submitted a Cultural Heritage Impact Assessment ('CHIA') which was determined to be satisfactory by the Cultural Heritage Division of the Development Planning Department. The MHCDP permits a Development that is sensitive to existing development in the District and meets the intent of the Plan.

### ***The Applications conform to the Ontario Heritage Act ('OHA'), Part V***

The OHA enables municipalities to preserve and protect the cultural heritage properties of Ontario including archaeological sites, built heritage and landscapes. The Subject Lands are located within the Maple Heritage Conservation District Plan ('MHCDP') and are therefore, designated under Part V of the Act, and subject to the policies of the MHCDP.



Section 41.2 of the OHA states the following:

- (1) Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,
  - (a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
  - (b) pass a by-law for any purpose that is contrary to the objectives set out in the plan. 2005, c. 6, s. 31.
- (2) In the event of a conflict between a heritage conservation district plan and a municipal by-law that affects the designated district, the plan prevails to the extent of the conflict, but in all other respects the by-law remains in full force. 2005, c. 6, s. 31.

The proposed Development meets the intent of the MHCDP and was recommended for approval by the Heritage Vaughan Committee. The Development Planning Department will continue to work with the Owner to finalize brick colour and the commemoration plan, as further discussed in this report.

***The Development conforms to the Ministry of Environment, Conservation and Parks D-1 and D-6 Compatibility Guidelines between Industrial Facilities and Sensitive Land Uses***

The D-1 and D-6 Guidelines are intended to be applied in the land use planning process to prevent or minimize future land use conflicts due to the encroachment of sensitive land uses and industrial land uses on one another.

The D-6 Guideline encourages informed decision making for land use approval authorities and assists in determining compatible mixed land uses and compatible intensification of land uses. The Guideline is intended to apply when a change in land use is proposed, and the range of situations are set out in Section 2.0 'Application' of Guideline D-1. The D-1 Land Use and Compatibility Guidelines, Section 2.1 states it is applicable when:

- a) a new sensitive land use is proposed within the influence area or potential influence area of an existing facility; and/or
- b) a new facility is proposed where an existing sensitive land use would be within the facility's influence area or potential influence area.

Section 2.3.1 also states that the D-1 Guideline does not apply to situations where incompatible land uses already exist, and there is no new land use proposal for which approval is being sought. The Guidelines are intended to apply when a change in land use is proposed. The Guidelines are not applicable to this Development as the

residential uses are already present on the Subject Lands and there are existing residential land uses located north of the Subject Lands and in the southeast quadrant of Keele Street and McNaughton Road and as the proposed residential land use does not represent a change to a more sensitive land use. The D-6 Guideline also encourages the implementation of mitigation measures. The Owner in their due diligence completed air quality and noise assessment studies to confirm that the Development would meet the intent of land use compatibility prescribed in the D-series Guidelines. The Guidelines have been incorporated into VOP 2010 and are discussed further in the VOP 2010 section of the report.

***The Development conforms to the York Region Official Plan 2010 ('YROP')***

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1, "Regional Structure" of the YROP. The "Urban Area" designation permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. The Subject Lands contribute to a complete community (Chapter 5), abut Keele Street being a regional road with a planned 36 m right-of-way, (Map 12 - "Street Network") and a planned regional cycling connection (Map 10 - "Regional Cycling Network").

The Development conform to the YROP as it is compact in form, utilizes a pedestrian scale, walkable, transit supportive and provides an urban interface and pedestrian connectivity onto Keele Street.

York Region has indicated they have no objections to the Applications, subject to their comments in the Regional Implications section of this report, and the condition included in the Recommendations section of this report.

***The Development conforms to Vaughan Official Plan 2010 ('VOP 2010')***

The Subject Lands are designated "Low-Rise Mixed-Use" by VOP 2010 and are located within a "Community Area" as identified on Schedule 1, "Urban Structure" of VOP 2010. The Subject Lands are located within the MHCDP and are subject to Section 12.2.1.1c Heritage Conservation District ('HCD') policies of VOP 2010 (Volume 2).

The "Low-Rise Mixed-Use" designation permits townhouse dwelling units having a maximum building height of 3-storeys and a maximum density (Floor Space Index – 'FSI') of 1.25 times the area of the lot. Limited intensification may be permitted in Community Areas in accordance with the land use designations on Schedule 13 (Policy 2.2.3.3). The proposed Development has an FSI of 0.73 and a maximum building height of 3-storeys.

A "Community Area" is generally established with a number of older, residential neighbourhoods that are characterized by large lots and/or historical, architectural, or landscape value. They are also characterized by their substantial rear, front and side

yards and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes.

VOP 2010 identifies compatibility criteria for new developments in a “Community Area”. The compatibility criteria direct that new development is designed to respect and reinforce the physical character of the established neighbourhood within which it is located (Policies 2.2.3.2 and 9.1.2.1). In addition, new development in a “Community Area” within established development areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks (Policy 9.1.2.3).

VOP 2010 policy 6.3.2.3 provides direction to conserve HCD’s by approving only those alterations, additions, new developments, demolitions, removals and public works in accordance with the respective HCD Plans and the policies of the Plan. When there is a conflict between the policies of the HCD Plan and the policies of VOP 2010, the HCD Plan shall prevail.

The Development is located at the intersection of Keele Street (arterial road) and McNaughton Road (minor arterial road) and is located in proximity to a proposed similar townhouse development to the immediate north and a mixed-use residential commercial building at the opposite corner of the intersection, as shown on Attachment 2. McNaughton Park is located to the west. The Development includes an internal road network with no front-to-back façade conditions. The building setbacks are consistent with existing development in the surrounding area and along Keele Street and includes landscaped front yards facing Keele Street and McNaughton Road (Policy 9.2.3.2). A private amenity area is proposed internal to the Development and an urban square is located at the corner of Keele Street and McNaughton Road to promote an active streetscape and sightlines into the site.

The urban square includes 2 commemorative plaques, which conform to the requirements of VOP 2010 (Policy 6.1.3.4) to commemorate the evolution of the Subject Lands and to increase the community’s awareness of its cultural heritage history. The commemorative plaques are proposed to recognize the historical connection of the Subject Lands to the Village of Maple, an original farm site, belonging to a long-standing family of Maple (McQuarrie). The plaques will identify the history and changes of Maple from an early settlement, to its present-day condition. Also, the archaeological study discovered over 15,000 artifacts through a full Stage 4 excavation, to inform early Vaughan settler life.

Commemorating the history of the Subject Lands provides an opportunity to tie the new development into the historic development of Maple. Policy 6.1.3.2 and 6.4.1.3 of VOP 2010 encourage commemorating heritage resources, such as important buildings, settlements and significant landscape features that no longer exist by encouraging the use of heritage resources as a means, to engage the public, promote education and

awareness of Vaughan's past. The MHCD (Section 2.4.6) also fosters community support, pride and appreciation of the heritage buildings, landscapes, and character of the District, and promote the need to conserve these resources for future generations. The plaques must be designed and placed to the satisfaction of the Development Planning Department, a condition to this effect is included in the Recommendations of this report. Existing trees along Keele Street and McNaughton will be preserved to enhance the Development within the heritage context.

The built form and architectural style of the Development has been designed in accordance with the MHCDP. Sections 6.2.2.6 and 6.3.2.4 states that development be designed to be consistent with the existing heritage architectural style and complement the existing character of the neighbourhood. The proposed building elevations and site design has been reviewed by and recommended for approval by the Heritage Vaughan Committee. All units abutting Keele Street and McNaughton Road are a minimum of 6m wide and appropriate visitor parking is provided. Access to the Development is provided from McNaughton Road, and the parking for each unit fronting on a public road is at the rear of the unit, promoting a pedestrian friendly streetscape.

VOP 2010 requires health, environmental and cumulative air quality impact studies that assess the impact on human health or development with significant known or potential air emission levels near sensitive uses such as schools, daycares and seniors' facilities (Policy 3.7.1.5). The Owner submitted an "Air Emissions Assessment of the Land Use Compatibility", an "Air Quality Study" and a "Noise and Vibration Study", to address the following VOP 2010 requirements:

- 5.1.2.3 "To support the long-term flexibility, vitality and competitiveness of Employment Areas by:
  - b. requiring that sensitive land-uses outside of Employment Areas, as defined by the Ministry of Environment Guidelines for Land-Use Compatibility, are designed and located so as not to create adverse impacts on businesses within Employment Areas and that such compatibility, including any required mitigation, be addressed in an Employment Area Compatibility Assessment report;"
  
- 5.2.1.2 "To protect Vaughan's manufacturing, industrial and warehousing sectors from potential impacts, any development or redevelopment of lands for more sensitive land uses located within 500 m of an Employment Area, will be required to undertake appropriate environmental studies (e.g., noise, dust, vibration, etc.), to be identified on a case by case basis, in order to ensure land use compatibility with the surrounding Employment Area lands. As a result of the studies, on-site or off-site mitigation measure may be required prior to development at the expense of the applicant for the more sensitive land use."

- 9.2.2.10d) “Separation distance guidelines prepared by the Ministry of Environment or alternative measures shall be applied to achieve compatibility between uses in the General Employment designation and adjacent sensitive land uses.”
- 9.2.1.12 “Where there is a change in land use to a more sensitive use adjacent to existing employment or commercial uses, the existing neighbouring uses will be protected where necessary by the provision of landscaping, buffering or screening devices, and measure to reduce nuisances and, where necessary, by regulations for alleviating adverse effects included but not limited by lighting, noise and truck traffic. Such provisions and regulations shall be applied to the proposed development and, where feasible, shall also be extended to the existing use in order to improve its compatibility with the surrounding area; and/or, in all cases where a proposed development seriously affects the amenity of the surrounding area, consideration shall be given to the possibility of ameliorating such conditions, as a condition of approving an application, especially where public health and welfare are directly affected.”

As noted above, residential uses are present on the Subject Lands, in the surrounding area and the proposed Development is not changing the use of the lands to a more sensitive use. An Air Quality Study and Noise and Vibration Study was submitted by the Owner to ensure land use compatibility was maintained and adverse effects are mitigated. In addition, mitigation measures such as upgraded air filters, fencing, use of air conditioners, warning clauses and other measures are prescribed in these studies.

In consideration of the above, the proposed Development conforms to VOP 2010.

***The proposed rezoning and site-specific zoning exceptions identified in Table 1 would permit the Development, which is compatible with existing development in the community***

The Subject Lands are zoned C8(H) Office Commercial Zone with the Holding Symbol “(H)” subject to site-specific Exception 9(840), A Agricultural Zone and R1 Residential Zone by Zoning By-law 1-88, as shown on Attachment 2, which does not permit the Development. To implement the Development, the Owner is proposing to rezone the Subject Lands to “RM2 Multiple Dwelling Zone”, in the manner shown on Attachment 3, together with the following site-specific zoning exceptions to RM2 Zone:

**Table 1**

|    | <b>Zoning By-law<br/>1-88 Standard</b>                | <b>RM2 Multiple Dwelling<br/>Zone Requirements</b>                         | <b>Proposed Exceptions to<br/>the RM2 Multiple Dwelling<br/>Zone</b>  |
|----|---|--|---|
| a. | Minimum Amenity Area                                  | 51 three-bedroom units @<br>90 m <sup>2</sup> /unit = 4,590 m <sup>2</sup> | 51 three-bedroom units @<br>10 m <sup>2</sup> /unit = 510 m <sup>2</sup>  |
| b. | Minimum Lot Area                                      | 230 m <sup>2</sup> /unit   | 97 m <sup>2</sup> /unit   |
| c. | Minimum Front Yard<br>Setback<br>(McNaughton Road)    | 4.5 m  | 2 m (Block 1)<br>2.2 m (Block 8)  |
| d. | Minimum Rear Yard<br>Setback<br>(North Property Line) | 4.5 m  | 0.9 m (Block 12)  |
| e. | Minimum Exterior<br>Yard Setback (Keele<br>Street)    | 4.5 m  | 3.7 m (Blocks 2-5)  |
| f. | Minimum Width of a<br>Landscape Strip                 | 6 m  | - 2 m (McNaughton Road),<br>- 3.7 m (Keele Street) and<br>may include hard<br>landscaping, including<br>retaining walls and<br>planter boxes not<br>exceeding 1 m in height,<br>exterior stairs and soft<br>landscaping |

|    | <b>Zoning By-law<br/>1-88 Standard</b> | <b>RM2 Multiple Dwelling<br/>Zone Requirements</b> | <b>Proposed Exceptions to<br/>the RM2 Multiple Dwelling<br/>Zone</b>      |
|----|--|--|---|
| g. | Maximum Width of a<br>Driveway         | 7.5 m  | 8 m   |
| h. | Maximum Building<br>Height             | 11 m   | - 11 m (Block 1)<br>- 10.5 m (Blocks 2 to 5)<br>- 11.5 m (Blocks 6 to 12) |

The Development Planning Department can support the proposed rezoning and site-specific exceptions to Zoning By-law 1-88 identified in Table 1. The proposed development standards are consistent with other contemporary townhouse development in Vaughan and implements a density and built-form permitted by VOP 2010. The standards facilitate a Development that is consistent and conforms with the PPS, the Growth Plan, YROP and VOP 2010. In addition, the proposed built form is compatible with the surrounding existing and planned development and implements the intent of the MHCDP and recommended for approval by the Heritage Vaughan Committee.

***The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the approval of the Development, subject to conditions***

**Site Plan**

The Development, shown on Attachments 3 to 6, consists of 51, 3-storey townhouse dwellings units, served by a private standard condominium road. Access to the site is from McNaughton Road, with an emergency entrance from Keele Street. The internal road is 6 m wide road and widens to 8.7 m where it contains parallel visitor parking spaces.

The Development is well served by existing and new sidewalk connections. There are existing sidewalks located on McNaughton Road and Keele Street, which will provide direct access to Blocks 1 to 5. The proposed site plan also includes new internal sidewalk connections as shown on Attachment 3.

Parking facilities are to be located at the rear façade of the townhouses and out of sight for the units along Keele Street and McNaughton Road. The building design meets the

policies of the MHCDP, which states that attached garages to new construction be minimized or disguised as much as possible from the main frontage.

Air conditioning units will be installed in all dwelling units within the Development. The Owner is required to provide an air conditioner location and screening plan, to the satisfaction of the Development Planning Department. The Development Planning Department does not support locating air conditioning units in the front yards of any property in an HCD.

#### Landscape Plan

The landscape plan shown on Attachment 4, includes a mix of vegetation including deciduous trees, shrubs, perennials and ornamental grasses along McNaughton Road, Keele Street and the internal road. The front yards of Blocks 1 to 7 include raised precast planter walls, in addition to planters located on the decks above the double garage. The Owner is proposing fencing along the west and north property lines.

The Keele Street Enhanced Streetscape includes 9 new trees in the right-of-way in accordance with the Maple Streetscape and Urban Design Guidelines. The Owner shall pay to the City of Vaughan a one-time payment of \$13,347 for the maintenance of the enhanced landscape features within the Keele Street right of way, to the satisfaction of the Vaughan Development Planning Department. A condition to this effect is included in the Recommendations of this report.

The site triangle at the southeast corner of the site (McNaughton Road and Keele Street) contains an urban square that consists of hard and soft landscaping with benches that face onto the two heritage commemoration plaques. A walkway connection is provided into the site leading to a private amenity area that contains a children's play structure. The plaques will commemorate the evolution of the site and increase the community's awareness of its cultural history, as discussed earlier in this report and are subject to final approval by the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

The 2005 MHCD Inventory entry for 10,286 Keele Street identifies that the trees on this property are the most significant element to the Maple streetscape. An Arborist Report prepared by Beacon Environmental, dated August 2016, identified that most of the existing deciduous trees on site are Manitoba and Norway Maples. A Basswood tree and a Norway Maple were identified in the southeast corner of the site and will be retained as part of the final landscape.

In the context of the existing streetscape, the Development will feature more built form than currently exists. The Owner is proposing to plant new trees along the streets and



interior to the site. These plantings include Karpick Maple, Ohio Buck Eye, Crab Apple, Choke Cherry and Lilac.

The final Tree Preservation Plan, the Arborist Report, Landscape Plan and Landscape Cost Estimate shall be to the satisfaction of the Development Planning Department.

### Building Elevations

The building elevations shown on Attachments 5 and 6, reflect the historic architectural styles traditionally found in the MHCDP. The Development includes two different architectural styles: Second Empire and Victorian Vernacular. Both are recognized heritage styles of the MHCDP. Along the Keele Street streetscape, the townhouses alternate between Second Empire style and Victorian Vernacular style.

As recommended by the Heritage Vaughan Committee, the Owner shall provide a colour scheme that replaces the yellow brick material with alternate brown/red brick material and submit an updated coloured elevation drawing of the Keele Street frontage illustrating the new colours on the townhouse blocks. A condition to this effect has been included in the Recommendations of this report.

The Subject Lands were identified as containing archaeological potential and a Stage 1 Archaeological Assessment was submitted. The Phase 1 Assessment identified the presence of a significant historical site and work proceeded according to the Ministry of Tourism, Culture and Sport ('MTCS') Standards and Guidelines for Archaeological Sites.

A preliminary Stage 4 Archaeological Assessment report has been submitted and it states that approximately 15,000 artifacts were recovered during excavation. This has been accompanied by a copy of the letter of review and acceptance from the MTCS confirming that the Subject Lands are now considered to be free of archaeological concern. However, although the properties have been declared to be free of archaeological concerns, the following standard clauses shall apply:

- i) Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, and the City of Vaughan's Urban Design and Cultural Heritage Division in the Development Planning Department shall be notified immediately.
- ii) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the

Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.

The Stage 4 Archaeological Assessment must be finalized to the satisfaction of the City. As noted above, 2 commemorative heritage plaques will be provided in the urban square. The Owner must submit plaque details (i.e. plaque structure, size and materiality) in the form of a commemoration plan. Cultural Heritage staff will require a copy of the complete Stage 4 Archaeological Assessment and the commemoration plan before issuing the final Heritage Permit release for new construction. A condition to this effect has been included in the Recommendations of this report.

***A Draft Plan of Condominium (Standard) Application is required to establish the condominium ownership tenure for the Development, should the Applications be approved***

The Owner has indicated that the future ownership tenure for the Development will be a Standard Condominium. Should the Applications be approved, a Draft Plan of Condominium (Standard) Application is required to establish the condominium tenure for the Development. The Application will be reviewed for consistency with the final site plan, and the appropriate conditions respecting the condominium tenure will be identified in a future technical report.

***The Policy Planning and Environmental Sustainability (PPES) and the Parks Operations and Forestry Departments have no objection to the Development, subject to conditions***

The PPES and the Parks and Forestry Operations Departments have approved the Woodland Evaluation, dated August 2017 and Addendum Letter dated June 26, 2018, prepared by Beacon Environmental which confirms the vegetation on the Subject Lands as a tableland woodland and justifies the removal of the feature. VOP 2010, Policy 3.3.3.3 permits the consideration of the removal of a feature to accommodate development, subject to satisfying specified criteria, as discussed earlier in this report. Prior to any woodland removal, Policy 3.2.3.9 of VOP 2010 requires that the natural feature and function being restored at no expense to the City. YROP Policy 2.2.48 - 2.2.49 allows for the removal of a woodland provided there is a woodland compensation plan. The replacement costs would be used by the City to either replicate the woodlands elsewhere in the City or used for land securement purposes.

The Beacon Environmental Addendum Letter dated June 26, 2018, submitted in support of the Applications, recommends a compensation value of \$51,980. In accordance with the City's Tree Protection Protocol, the current standards for tree replacement on an individual basis for the Subject Lands is valued at \$110,550.00 using information provided in the Arborist Report. The calculation is based on replacing trees in

accordance with the City's Tree Protection Protocol. However, the City's Tree Replacement Protocol was developed specifically to address individual tree loss and not to replicate woodland feature and function loss.

The City has consulted the Toronto and Region Conservation Authority ('TRCA'), as technical advisors on their best practices and approaches to compensation. The City reviewed the TRCA's "Guideline for Determining Ecosystem Compensation" dated June 2018, to understand their methodology for including function location and ecological services loss in their evaluation. As the City does not have a Woodland Compensation Protocol at this time, the TRCA's method of valuation is considered a reasonable approach, calculated as follows:

\$110,550 (Individual Tree Replacement Costs) +  
\$51,980 (Beacon Environmental Replacement Cost) =  
**\$162,530 (total) -**  
\$22,000 (40 trees to be planted on the site) =  
**\$140,530 (final total)**

The funds shall be allocated to the Natural Heritage Compensation Reserve. The Owner must enter into a Tree Protection Agreement with the City of Vaughan.

In consultation with the PPES, Development Planning, Parks Development and the Parks and Forestry Operations Departments, the final Woodland Compensation amount of \$140,530 is recommended for the following:

- i) Tree Stand Restoration – the City shall replant a vegetative buffer between the Development edge and McNaughton Park with native shrubs and trees, and
- ii) Woodland Replacement and Edge Management – any remaining compensation can be used to replant the existing woodland edges to increase and enhance the level of biodiversity within the limits of existing park sites such as MacKenzie Glen District Park, Cranston Park, Maple Lions Park, Killian Lamar Open Space and Maple Community Centre Park (Attachment 1).

A final detailed work plan and restoration strategy will be developed in consultation with staff from Parks and Forestry Operations, Parks Development, Urban Design and PPES to determine scope, timing, and resources requirements to implement the necessary site works.

A condition to this effect is included in the Recommendations of this report.

***The Development Engineering Department has no objection to the Development, subject to conditions***

The Development Engineering (DE) Department has advised they have no objection to the Development, subject to the comments below, warning clauses and conditions. The DE Department have identified the following matters to be addressed prior to final approval and execution of a Site Plan Agreement:

General Comments

The Owner shall present the option to the proposed townhouse development located directly to the north of the Subject Lands (Attachment 7) to facilitate a possible future storm sewer connection design through the land and alter the existing conveyance of the storm discharge, all to the satisfaction of the City. The landowners may be obliged to enter into a private cost-sharing agreement for operation, on-going maintenance and replacement of the shared elements, specifically the stormwater management system, and any areas of disturbance related to the stormwater management which it may affect.

Review Fees

Prior to final Site Plan Approval, the Owner shall pay the Engineering Site Plan Complex fee pursuant to the Fees and Charges By-law as amended. The fee amount is \$39,015 and shall be made prior to the next submission and/or prior to issuance of Final Site Plan Approval.

Stormwater Management ('SWM') Report

Further information is required to be included in the SWM report including:

- i) details of the underground storage tank and whether it can manage a 100-year event and/or back-to-back major storm events
- ii) surface ponding in post-development conditions should be identified on the site grading plan and SWM report
- iii) the manhole locate and control, municipal sewer extension
- iv) the rationale as to whether the internal storm sewer network can be extended for a potential future connection point for the Gracegreen Real Estate Developments Inc. site

The final SWM report shall be to the satisfaction of the DE Department.

Grading

The Owner has indicated that a temporary swale retaining wall construction will be facilitated with the Owner of the adjacent property to the north (Gracegreen) through an easement agreement to allow for an encroachment(s). An encroachment agreement will

be required prior to issuance of final approval and is subject to the approval of the City. The final grading plans shall be to the satisfaction of the DE Department.

A condition to this effect is included in the Recommendation of this report.

#### Environmental Noise & Vibration Report

A preliminary report was previously submitted by Jade Acoustics “Preliminary Environmental Noise and Vibration Report”, dated September 1, 2016, for the Development and an amended report was subsequently submitted, dated July 12, 2018. The report states that noise abatement for both indoor and outdoor locations will be required to mitigate noise sources to the corresponding requirement levels.

A provision for adding central air conditioning and warning clauses will be required once the architectural house plans are designed and finalized. Furthermore, due to the proximity to the existing institutional, commercial and industrial facilities, all proposed residential units will likely require a “proximity warning clause” to notify future purchasers and/or tenants that the operations and use of these facilities may be noticeable. However, MECP Guidelines do allow for a minimal excess in noise provided the proper warning clauses are included in the corresponding Site Plan Agreement and registered on title. Furthermore, the report concludes that a “detailed noise report will need to be prepared once a final site plan and grading plan are available to ensure the applicable environmental noise criteria are achieved.” As such, the following warning clauses may change and/or additional clauses may be added at a later time.

The suggested warning clauses, which shall be included in the corresponding Site Plan Agreement and in Offers of Purchase and Sale or Lease agreements on designated blocks (units) are as follows:

- a) "Purchasers/tenants are advised that despite the inclusion of noise control features in this development area and within the dwelling units, noise due to increasing road traffic may continue to be of concern, occasionally interfering with the activities of the occupants as the sound level may exceed the noise criteria of the Municipality and the Ontario Ministry of the Environment Conservation and Parks ('MECP'). I, the purchaser hereby agree to place this clause in all subsequent Offers of Purchase and Sale or Lease when I sell the property."
- b) "Purchasers/tenants are advised that the dwelling unit was fitted with a central air conditioning system in order to permit the closing of windows for noise control."
- c) "Purchasers/tenants are advised that the acoustical fence and/or barrier as installed shall be maintained, repaired or replaced by the Owner or future Condominium Corporation. Any maintenance repair or replacement shall be with

the same material, to the same standards, and having the same colour and appearance of the original installation."

- d) "Purchasers/tenants are advised that this residential unit is in proximity to the existing institutional, commercial and industrial facilities whose activities may at times be audible."

Conditions to this effect have been included in the Recommendations of this report.

#### Environmental Site Assessment and Air Quality

Phase One and Phase Two Environmental Site Assessment ('ESA') reports completed in 2016/2017 were reviewed and the findings confirm the Subject Lands are suitable for the proposed residential use. In addition, given the proximity of the Subject Lands to nearby adjacent industrial uses, the Owner submitted an Air Emissions Assessment Land Use Compatibility Study dated November 2017 and an Air Quality Study dated August 2018. The findings of the Air Quality Study concluded that the Development would not have unacceptable air quality when compared to applicable air quality criteria as a result of the surrounding industrial facilities but recommended warning clauses registered on title to address potential odours and fugitive dust from the nearby industrial facilities and installation of Minimum Efficiency Reporting Value (MERV)11 filters on the air intakes to ensure residents have good air quality in their homes.

The Wood Air Quality Study, dated August 2018 recommended the following warning clauses to be registered on title:

- a) "As there may be occasional odours at the Proposed Development, or visible fugitive dusts in the vicinity of the industrial facilities on the east side of Keele Street, as per Guideline D-6, due to the proximity of these industrial facilities, and recognizing that there is always a potential for occasional odour or other nuisance effects at the Development."
- b) "Although issues with air quality are not expected, the Owner (Hatpin Developments Inc.) has committed to installing MERV11 filters on the air intakes to ensure residents will have good air quality in their homes."
- c) "There may be occasional odours at the Development, or visible fugitive dusts in the vicinity of the industrial facilities on the east side of Keele Street."

The screening level air dispersion modelling conducted using atmospheric dispersion modelling determined that no Air Contaminant Benchmark ('ACB') would be exceeded, with the ACBs being the MECP compliance criteria for air quality. The air quality effects at the Development are lower than those predicted at existing residential receptors located on the south side of McNaughton Road or further north on Keele Street.

The Study recommends that a warning clause be registered on Title, as per Guideline D-6, due to the proximity of these industrial facilities, and recognizing that there is always a potential for occasional odour or other nuisance effects at the Development.

In addition, even though issues with air quality are not expected, the Owner has committed to installing MERV11 filters on the air intakes to ensure residents will have good air quality in their homes.

A condition to this effect is included in the Recommendations of this report.

***The Infrastructure Planning and Corporate Asset Management Department has no objection to the Applications, Sewage and Water Allocation is available for the Development***

Water Distribution

The Subject Lands within Pressure District 7 ('PD7') of the York Water System. The Subject Lands are proposed to connect to the existing 300mm-dia. watermain along Keele Street. There are no objections to connecting to this watermain.

Sanitary Servicing

The City has recently completed a sanitary sewer system optimization study (Focus Area Core Servicing Strategy) for the Maple Heritage Area. The study has identified capacity limitations and Inflow – Infiltration that exist within the local sanitary sewer conveyance system along Keele Street. The City has not finalized a strategy for the Maple Heritage Area as of yet, as a result, the following condition shall apply:

- The Owner shall be responsible to finance and implement or contribute to required sanitary system improvements in the Maple Heritage Area based on the conclusions and recommendations of the City's Focus Area Core Servicing Strategy study, as appropriate, to the satisfaction of the Infrastructure Planning and Corporate Asset Management Department.

The Infrastructure Planning and Corporate Asset Management Department shall provide the Owner with a Letter of Credit amount required for sanitary system improvements in the Maple Heritage Area based on the conclusions and recommendations of the City's Focus Area Core Servicing Strategy study, as appropriate, to the satisfaction of the City of Vaughan. A condition to this effect is included in the Recommendations of this report.

### Sewage and Water Allocation

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council.

Servicing capacity to Site Development File DA.18.002 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

“THAT Site Plan Development Application DA.18.002 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 51 residential units (156 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

A condition to this effect has been included in the Recommendations of this report.

### ***The Parks Development Department has no objection to the Applications, subject to conditions***

The Subject Lands are located adjacent to the McNaughton Park and the proposed grading plan must not negatively impact the adjacent park or open space properties with overland flow routes. The existing park block shall not be encumbered by overland flow routes from the Development. The final plans shall be to the satisfaction of the Parks Development Department. A condition to this effect is included in the Recommendations of this report.

### ***The Development may be eligible for municipal waste collection services***

The Environmental Services Department, Solid Waste Management Division has advised they have no objection to the Development. The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division.

The Environmental Services Department, Solid Waste Management Division advise that the future Condominium Corporation may be eligible for municipal waste collection services upon a successfully completed application, however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation. A condition has been included in the Recommendations of this report.



***Cash-in-lieu of the dedication of parkland is required for the Development***

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units, whichever is greater, of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

***The Financial Planning and Development Finance Department has no objection to the Applications, Development Charges are applicable to the Development***

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

***The Toronto and Region Conservation Authority ('TRCA') has provided Conditions of Approval***

This Development is subject to the Source Water Protection Plan and requires the submission of a site-specific water balance assessment for review by the TRCA to mitigate development related impacts to infiltration. The Functional Servicing Report provides some water budget information and potential mitigation, but the analysis is based on a 5 mm storm event and provides no information on recharge.

A condition of the issuance of final Site Plan Approval with respect to source water protection shall be included as the location of the Development is within Source Protection Plan (SPP) Recharge Management Area (WHPA-Q). It is noted that Subject Lands are located downstream of the newly established WHAP-Q downgradient line. A post to pre-development water balance assessment was completed by the Owner. The design for a mitigation measure to achieve the pre-development water balance was provided along with a cost estimate for the construction of the mitigation measure(s). A cash in-lieu strategy is applied to the Development to compensate for the on-site mitigation measure to achieve the pre-development water balance. Accordingly, the following condition shall be included in the Site Plan Agreement:

- "The Owner shall provide the City with a Letter of Credit in the amount of \$20,500.00 plus 10% contingency prior to the execution of the Site Plan Agreement for any works in relation to satisfying the required post to pre-development water balance as the Subject Lands are located within the Source Protection Plan (SPP) Recharge Management Area (WHPA-Q)."

A condition to this effect is been included in the Recommendations of this report.

***The various utilities have no objection to the Applications, subject to conditions***  
Enbridge Gas and Alectra Utilities Corporation has no objection to the approval of the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of any site works.

***York Region School Boards have no objection to the Development***

The York Region District School Board and the York Catholic School Board have advised that they have no objection to the Development.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region has advised they have no objection to the Development, subject to the following comments:

- a) The Owner shall submit a Phase One Environmental Site Assessment ('ESA') for the lands to be conveyed to the Region. The ESA must be prepared to the satisfaction of York Region.
- b) The final site servicing and grading plans, erosion and sediment control plans, landscape plans, tree inventory, preservation plan and arborist report shall be to the satisfaction of York Region.
- c) The Owner shall be subject to payment of the Region's development review fees identified in York Region Fee By-law 2010-25, as amended.

The Owner is required to address all York Region requirements prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

**Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment and Site Development Files Z.16.044 and DA.18.002 in consideration of the policies of the *Provincial Policy Statement 2014*, the Growth Plan 2017, the *Ontario Heritage Act*, the YROP 2010 and VOP 2010 and the requirements of Zoning By-law 1-88, comments from area residents, City Departments and external public agencies, and the surrounding area context.

The Development Planning Department is satisfied that the Development, as shown on Attachments 3 to 6, is consistent with the *Provincial Policy Statement 2014* and

conforms to the policies of the Growth Plan 2017 as outlined in this report and that the Development satisfies the requirements of the *Ontario Heritage Act* and was recommended for approval by the Heritage Vaughan Committee and endorsed by Council. The Development conforms with YROP and VOP 2010 policies and is compatible with the existing and planned uses in the surrounding area.

The Applications have been appealed to the LPAT. The Development Planning Department has provided Recommendations for Council's endorsement, should LPAT approve the Applications. On this basis, the Development Planning Department can support the approval of the Zoning By-law Amendment and Site Development applications, subject to the conditions and Recommendations in this report.

**For more information**, please contact: Margaret Holyday, Planner, Development Planning Department, extension 8216.

### **Attachments**

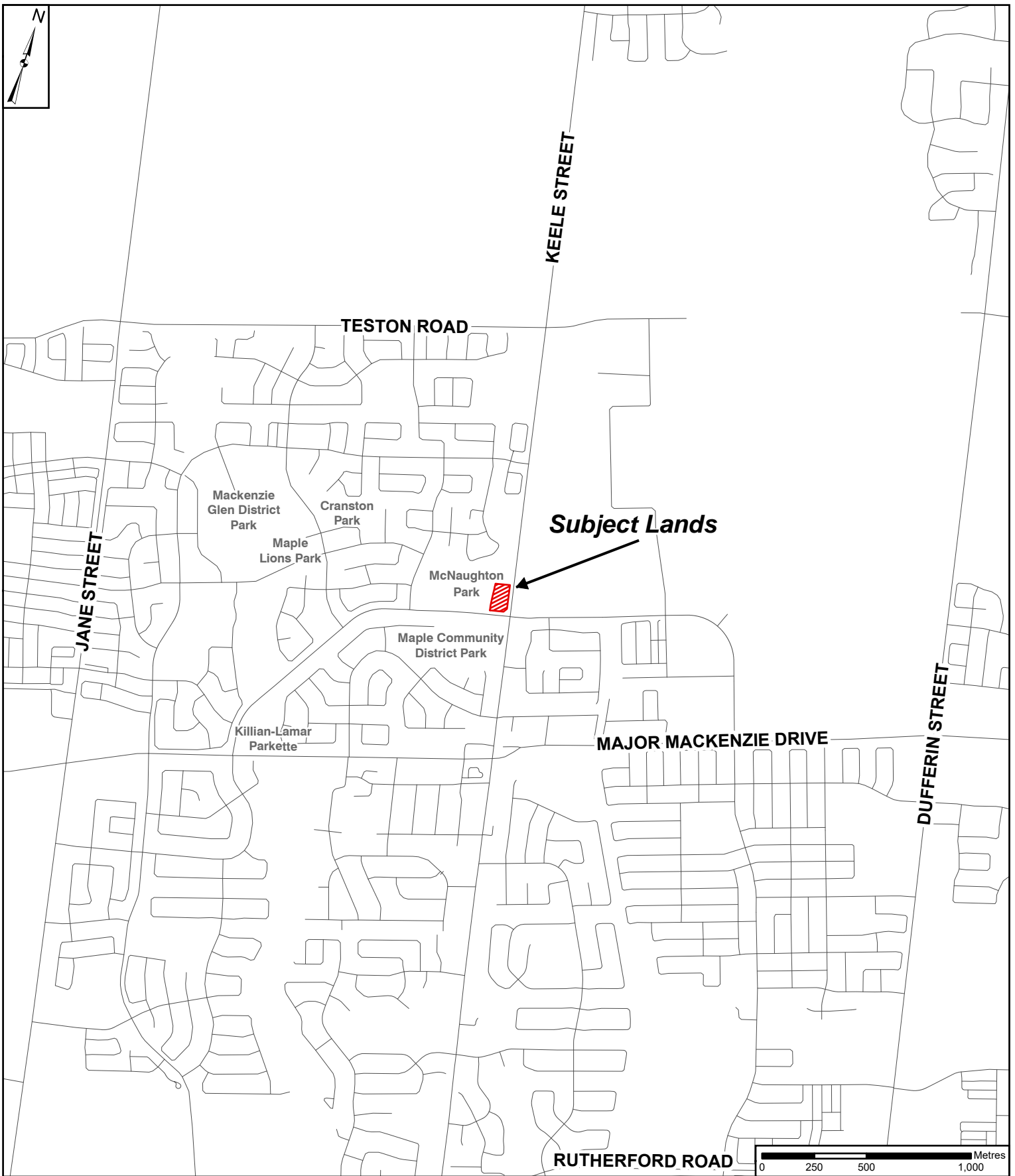
1. Context Location Map
2. Location Map
3. Site Plan and Proposed Zoning
4. Landscape Plan
5. Building Elevations (Keele Street, McNaughton Road and Interior Street)
6. Building Elevations (Interior Streets)
7. Conceptual Site Plan (Public Hearing March 7, 2017)
8. Site Plan for Gracegreen Real Estate Development Inc. - File DA.15.071

### **Prepared by**

Margaret Holyday, Planner, extension 8216

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8409



# Context Location Map

**LOCATION:**  
Part Lot 23, Concession 4

**APPLICANT:**  
Hatpin Developments Inc.

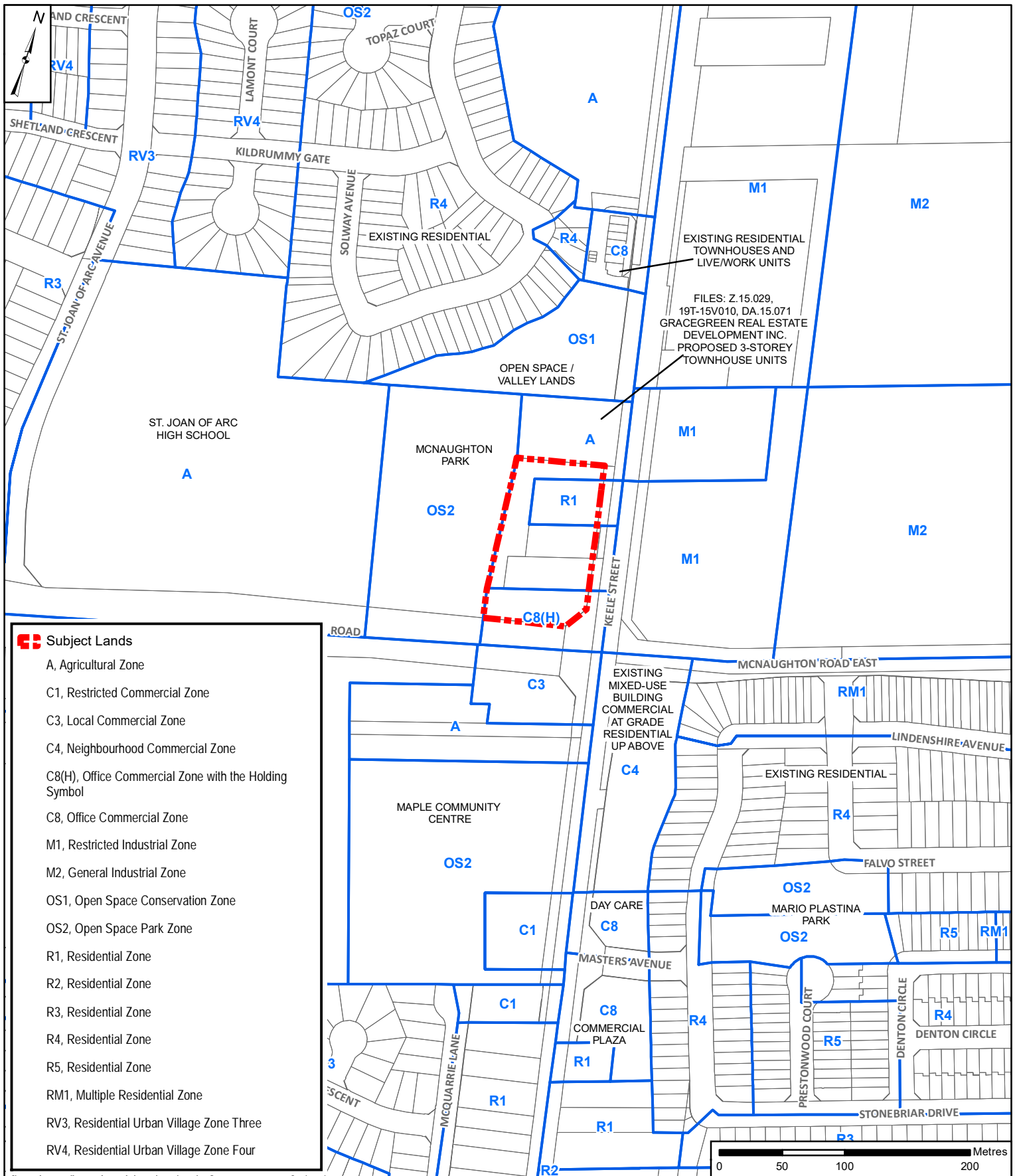


# Attachment

**FILES:**  
Z.16.044, DA.18.002

**DATE:**  
March 5, 2019

1



# Location Map

**LOCATION:**  
Part of Lot 23, Concession 4

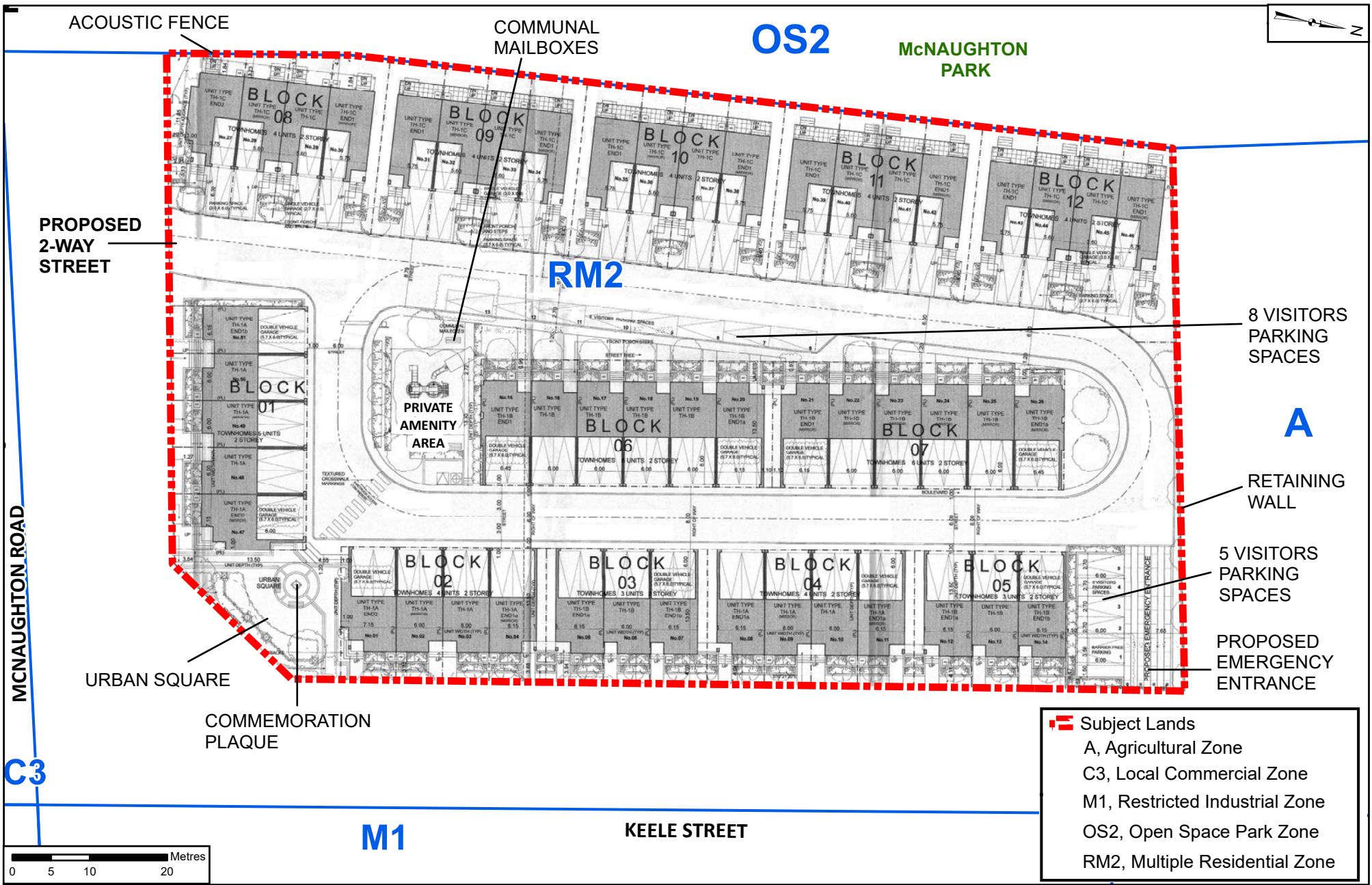
**APPLICANT:**  
Hatpin Developments Inc.

# Attachment

**FILES:**  
Z.16.044, DA.18.002

**DATE:**  
March 5, 2019

**2**



- - - Subject Lands
- A, Agricultural Zone
- C3, Local Commercial Zone
- M1, Restricted Industrial Zone
- OS2, Open Space Park Zone
- RM2, Multiple Residential Zone

# Site Plan and Proposed Zoning

# Attachment

**LOCATION:**  
Part of Lot 23, Concession 4

**APPLICANT:**  
Hatpin Developments Inc.



**FILES:**  
Z.16.044, DA.18.002

**DATE:**  
March 5, 2019

# 3







BLOCKS 1 & 8: SOUTH ELEVATIONS (FACING MCNAUGHTON ROAD)



BLOCKS 1 - 5: EAST ELEVATIONS - (FACING KEELE STREET)



BLOCKS 8 - 12: EAST ELEVATIONS (FACING INTERIOR STREET)



BLOCKS 6 & 7: WEST ELEVATIONS (FACING INTERIOR STREET)

Not to Scale

## Building Elevations (McNaughton Road, Keele Street & Interior Street)

**APPLICANT:** Hatpin Developments Inc.  
**LOCATION:** Part Lots 23, Concession 4





**BLOCK 1: NORTH ELEVATION (FACING INTERIOR STREET)**



**BLOCK 4: WEST ELEVATION (FACING INTERIOR STREET)**



**BLOCK 6: WEST ELEVATION (FACING INTERIOR STREET)**



**BLOCK 9: EAST ELEVATION (FACING INTERIOR STREET)**

Not to Scale

## Building Elevations (Interior Streets)

**LOCATION:**  
Part Lots 23, Concession 4

**APPLICANT:**  
Hatpin Developments Inc.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.002\DA.18.002\_CW\_Elevationpt2.mxd



# Attachment

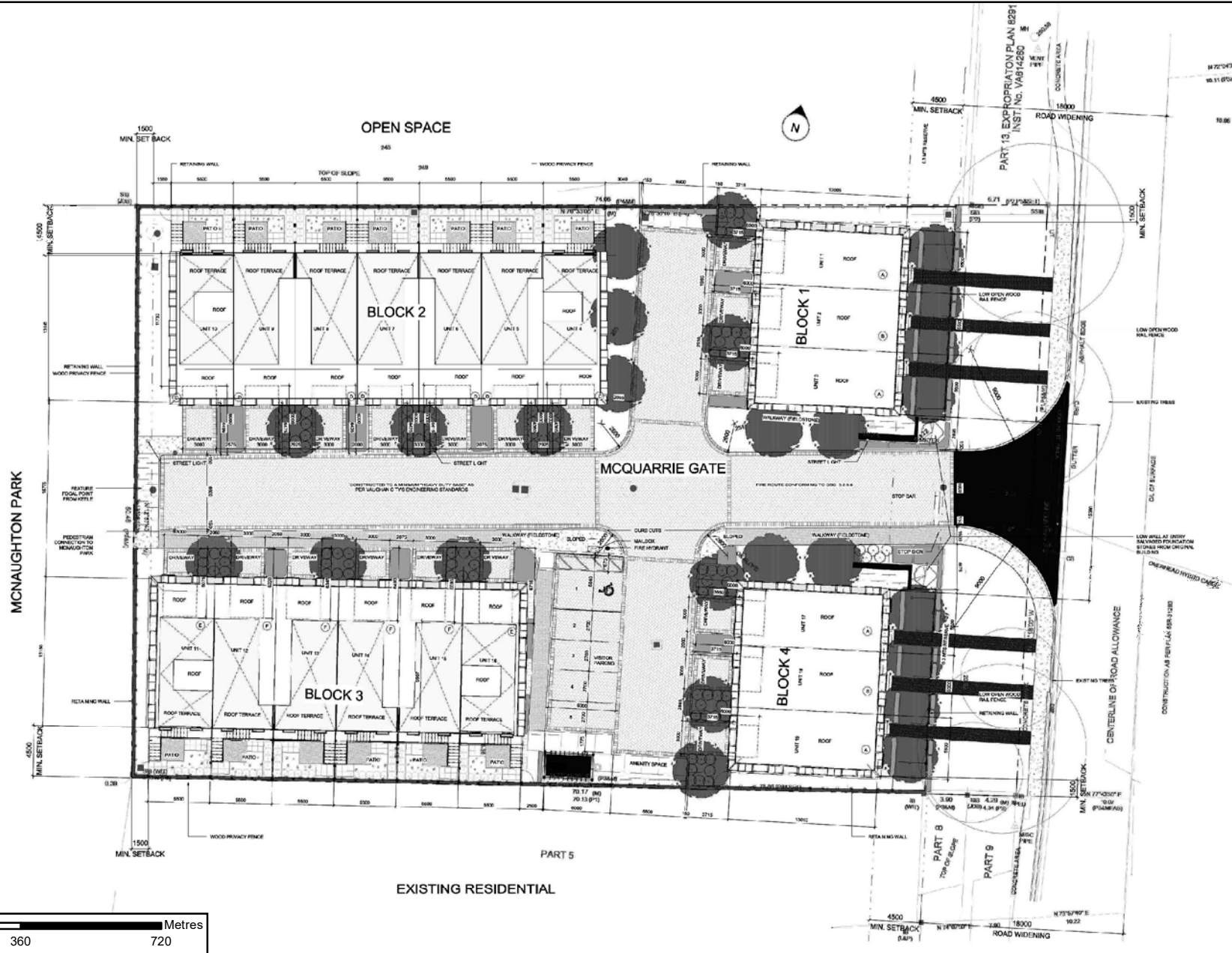
**FILES:**  
Z.16.044, DA.18.002

**DATE:**  
March 5, 2019

# 6







Not to Scale

# Site Plan for Gracegreen Real Estate Development Inc. - File DA.15.071

**APPLICANT:** Hatpin Developments Inc. **LOCATION:** Part of Lot 23, Concession 4



# Attachment

**FILES:**  
Z.16.044, DA.18.002

**DATE:**  
March 5, 2019

8

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 2

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.020  
SUNFIELD HOMES (HWY 27) LTD.  
VICINITY OF REGIONAL ROAD 27 AND MARTIN GROVE ROAD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek endorsement from the Committee of the Whole of the Recommendations contained in this report for Zoning By-law Amendment File Z.17.020, which has been appealed to the Local Planning Appeal Tribunal (“LPAT”), to amend Zoning By-law 1-88 to permit the development of the Subject Lands shown on Attachments 1 and 2, with eight (8) single detached dwellings, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner is proposing to develop the Subject Lands with 8 single detached dwellings fronting onto Andy Crescent.
- The Owner has appealed Zoning By-law Amendment File Z.17.020 to the Local Planning Appeal Tribunal (“LPAT”).
- The Development Planning Department supports the approval of the Zoning By-law Amendment Application by the LPAT as it is consistent with the Provincial Policies and conforms to the York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT the Local Planning Appeal Tribunal (“LPAT”) be advised that Vaughan Council ENDORSES that Zoning By-law Amendment File Z.17.020 (Sunfield Homes (Hwy 27) Ltd.) BE APPROVED, to amend Zoning By-law 1-88, related to the Subject Lands, shown on Attachments 1 and 2, to permit the site-specific exceptions to the R3 Residential Zone identified in Table 1 of this report, in the manner shown on Attachment 3.
2. THAT City of Vaughan staff and external counsel be directed to attend any Local Planning Appeal Tribunal Pre-hearing or Hearing as may be required, in support of the Recommendations contained in this report for Zoning By-law Amendment File Z.17.020.
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law, if required.
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:  
  
"IT IS HEREBY RESOLVED THAT Site Plan Development File DA.18.105 (Sunfield Homes (Hwy 27) Ltd.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 8 residential units (29 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe."
5. THAT Site Development File DA.18.105 be finalized to the satisfaction of the Development Planning Department, should the Zoning Amendment Application be approved.

## **Background**

The Subject Lands (the ‘Subject Lands’) are located at the northeast corner of Regional Road 27 and Martin Grove Road and are municipally known as 8849 Regional Road 27. The Subject Lands and surrounding land uses are shown on Attachments 1 and 2.

The Subject Lands are comprised of four (4) residential blocks (Blocks 255 to 258 on Registered Plan 65M-2857) as shown on Attachment 2 that were created at the same time as the surrounding subdivision. The Subject Lands are 0.41 hectares in size and contain one existing dwelling known as the "Samuel McClure House" and a detached

garage, which are proposed to be demolished. Vehicular access to the existing dwelling is currently provided by a driveway from Martin Grove Road.

***A Zoning By-law Amendment application has been submitted to permit the development***

The Owner has submitted Zoning By-law Amendment Application File Z.17.020 (the 'Application') to amend Zoning By-law 1-88 to permit the site-specific exceptions to the "R3 Residential Zone" identified in Table 1 of this report, to facilitate a development consisting of eight (8) single detached dwellings fronting onto Andy Crescent (the 'Development').

***The Owner has appealed the Application to the Local Planning Appeal Tribunal ("LPAT")***

On March 29, 2018, the Owner filed an appeal (LPAT File No. PL180309) of Zoning By-law Amendment File Z.17.020, to the former Ontario Municipal Board ("OMB"), now LPAT, pursuant to Section 34 (11) of the *Planning Act* for Council's failure to make a decision on the Application within 120 days of the City deeming the Application complete.

An LPAT Pre-hearing Conference was scheduled for November 20, 2018; however, it was cancelled because the Owner's legal counsel did not send out the Notice of Pre-hearing Conference 30 days before the hearing date, as required by the LPAT. To date, the Pre-hearing Conference has not been rescheduled.

***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol for the Zoning By-law Amendment Application***

On October 13, 2017, A Notice of Public Hearing was circulated to all property owners in the extended polling area beyond 150 m, as shown on Attachment 2, and to the West Woodbridge Homeowners' Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on both the Regional Road 27 and Martin Grove street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

***Deputations were received at the Public Hearing, and written submissions have been submitted to the Development Planning Department***

A Committee of the Whole (Public Hearing) was held on November 7, 2017, to receive comments from the public and Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of November 7, 2017, and

to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on November 21, 2017.

The following individuals made a deputation at the Public Hearing on November 7, 2017, regarding the proposed development:

- a) Mr. Michael Vani, Weston Consulting Group, Millway Avenue, Vaughan, on behalf of the Owner;
- b) Mr. Richard Lorello, Treelawn Boulevard, Kleinburg.

Written correspondence regarding the proposed development was received following the Public Hearing, from Ms. Simone Barbieri, Rescue Rainbow Creek West Inc., dated November 11, 2017, Mr. Jay Branton, Andy Crescent, Woodbridge, dated January 19, 2018 and March 8, 2018, and Mr. John Horton, Andy Crescent, Woodbridge, dated January 22, 2018.

### ***Summary of comments received regarding the Development***

The following comments from the community were received by the Development Planning Department through written submissions and by deputations at the Public Hearing on November 7, 2017. The Development Planning Department offers the following responses to the comments below and in the relevant sections throughout the report.

- i) Semi-detached dwellings should not be introduced on a street with only detached dwellings

The original development concept, shown on Attachment 7 included 4 semi-detached dwellings which have been removed in the current proposal, and replaced with 2 detached dwellings, for a total of 8 single detached dwellings.

- ii) The proposed driveways do not appear to have the same parking capacity as the existing driveways on the street, and will result in vehicles being parked on the street, which can cause safety issues for vehicles (including emergency vehicles, school buses, garbage trucks, snow plows) and pedestrians

Each proposed lot has a driveway that accommodates 2 tandem parking spaces, with one additional parking space in the garage, for a total of 3 parking spaces, in accordance with the requirements of Zoning By-law 1-88. Furthermore, street parking is permitted on Andy Crescent, an existing public road, in accordance with the regulations of City of Vaughan Parking By-law 1-96. There is also an existing sidewalk on Andy Crescent, opposite the Subject Lands, for pedestrians to use.

- iii) There are too many driveways located too close to each other, which does not provide adequate snow storage for the proposed lots

Sufficient space is provided within the landscaped areas located on either side of the driveways to accommodate snow removal.

- iv) There are too many lots being proposed for the site, the subject lands are well suited to accommodate the four lots currently approved

The original proposal for 10 units has been reduced to 8 units to accommodate larger lots and increased building setbacks. The Owner has demonstrated that 8 units can be appropriately accommodated on the Subject Lands.

- v) The exterior design of the dwellings will not be compatible with the design of the existing dwellings on Andy Crescent

The exterior cladding of the proposed single detached dwellings will be brick and stone, with no stucco, consistent with the materials used on the existing dwellings in the surrounding area.

- vi) This property contains numerous mature trees that should be maintained to preserve the tree canopy in the area

The Owner has submitted an Arborist Report, including a Tree Inventory, and a Tree Preservation Plan with the Application. A total of 34 trees are proposed to be removed from the Subject Lands due to poor condition and/or their location within or in close proximity to the proposed building footprints or proposed driveways, and four (4) at the request of the Owner. Three (3) large trees situated within the rear yards of the proposed lots, have been identified for preservation and protection during construction with tree protection fencing.

A Master Landscaping Plan, as shown on Attachment 6, has been submitted with the related Site Development application, that includes the planting of a new deciduous tree and shrubs in the front yard of each lot. A deciduous municipal street tree is also proposed for each lot.

- vii) The subject lands are home to multiple monitoring wells, and reports also indicate that methane gas liners were installed in the proposed development area of the subject lands and within existing properties along Regional Road 27

The Owner submitted Phase I and II Environmental Site Assessment ('ESA') reports for the Application, which were reviewed by the City's Environmental Engineer. The reports did not indicate any environmental concerns, nor identify any monitoring wells or methane liners on the Subject Lands. Furthermore, the



Subject Lands have been used as a detached residential dwelling since its construction in 1888, and the surrounding areas were historically agricultural.

The recommendation of the Committee of the Whole to receive the Public Hearing report of November 7, 2017, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Council on November 21, 2017.

Following the Public Hearing, residents in the area expressed concerns with respect to not receiving statutory notice of the Public Hearing for the Application. As such, the West Woodbridge Homeowners' Association and residents requested a community meeting to review the proposal. Vaughan Council, on February 21, 2018, adopted a resolution that the appropriate staff be directed to attend a future evening meeting convened by the Local Councillor with the residents.

Notice of the subsequent community meeting was mailed to all property owners on Andy Crescent and Iona Crescent and to the West Woodbridge Homeowners' Association. This meeting was held on March 20, 2018, at the Father E. Bulfon Community Centre where the same comments raised at the Public Hearing and identified through correspondence were reiterated by residents who attended the community meeting.

On February 22, 2019, the Vaughan Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole Meeting to those individuals who submitted any written correspondence to the Development Planning Department, made deputation at the Public Hearing, or requested notification regarding the Application.

***The Development Planning Department has required that a Site Development Application (File DA.18.105) be submitted to facilitate the development***

Single detached residential development in a registered plan of subdivision outside of a heritage conservation district, is not subject to Site Development approval. Through the review of the Zoning By-law Amendment application, the Development Planning Department determined that the submission of a Site Development Application was appropriate to ensure that the proposed infill development, if approved, would integrate with the surrounding community (i.e. building materials) and in order to include conditions of approval related to landscaping, noise attenuation, servicing matters, and to collect securities towards required items such as the construction of the entry feature at the northeast corner of Regional Road 27 and Martin Grove Road. Site Development File DA.18.105 was submitted on December 3, 2018. Approval authority for the site plan remains with the Development Planning Department as it meets the criteria for delegated approval by City of Vaughan Site Plan Control By-law 123-2013.

This report includes information regarding the details of the proposed site plan.

### **Previous Reports/Authority**

[Nov. 7, 2017, Committee of the Whole Public Hearing \(Item 3, Report No. 40, Recommendations 1 and 2\)](#)

### **Analysis and Options**

The Development Planning Department has reviewed the Development in consideration of Provincial, Regional and Municipal land use policies and local planning context.

#### ***The Development is consistent with the Provincial Policy Statement, 2014 (the “PPS”)***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the PPS. The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the PPS, specifically:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- Section 1.1.3 - settlement areas being the focus of development, based on densities and land uses which efficiently use land, existing infrastructure and public service facilities; and,
- Section 1.4.1 - to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents.

The Development shown on Attachments 3 to 6 includes single detached dwellings within a settlement area which efficiently utilizes the Subject Lands and the existing infrastructure (i.e. roads, water and sewage), and can be accommodated based on the existing available public service facilities (i.e. education, recreation, police and fire) available in the area. The proposed single detached dwellings are permitted and conform to the “Low-Rise Residential” land use designation in VOP 2010, and the

Development provides an appropriate transition from the Subject Lands to the existing surrounding community. On this basis, the Development is consistent with the PPS.

***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)***

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council’s planning decisions are required by the *Planning Act* to conform to the Growth Plan.

The proposed single detached dwellings are consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently (i.e. increasing the number of developable lots on the Subject Lands from 4 to 8), make more efficient use of existing infrastructure, and provide housing at a higher density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities; and
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents.

The Development shown on Attachments 3 to 6 is located within a settlement area and a delineated built up area that is compatible with the prevailing housing type within the existing neighbourhood, in accordance with VOP 2010. Accordingly, the Development conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan, 2010 (“YROP”)***

The YROP guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.5.4 of the YROP requires that “local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” It also states that “the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements.”

To create high-quality, sustainable communities, Section 5.2.8.e. of the YROP requires the “highest standard of urban design, which ensures compatibility with and transition to surrounding land uses.”

Section 7.2.53 of the York Region Official Plan restricts access from developments adjacent to Regional streets to maximize efficiency of the Regional street system by utilizing existing local street access. The YROP also encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Development conforms to the YROP.

***The Development conforms to the Vaughan Official Plan 2010 (“VOP 2010”)***

The Subject Lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (“VOP 2010”), which permits residential uses including detached dwellings, semi-detached dwellings, townhouse dwellings, and public and private institutional buildings, in a low-rise built form no greater than three storeys, subject to the compatibility criteria in Section 9.1.2.2 of VOP 2010. There is no maximum density provision associated with this designation.

Section 2.2.3.3. of VOP 2010 states, “That limited intensification may be permitted in Community Areas as per the land use designations on Schedule 13 and in accordance with the policies of Chapter 9 of this Plan. The proposed development must be sensitive to and compatible with the character, form and planned function of the surrounding context”. The proposal conforms to this policy.

Section 9.1.2.2. of VOP 2010 states that, “in Community Areas with established development, new development be designed to respect and reinforce the existing physical character and uses of the surrounding area”. The Development is considered compatible for the following reasons:

- The proposed 8 lots have frontage on Andy Crescent, an existing public road in an approved and built subdivision.
- The Development is consistent with the prevailing building type on Andy Crescent (i.e. single detached dwellings).
- The proposed lot areas meet the minimum lot area requirement for the R3 Residential Zone, which is consistent with the existing lots on Andy Crescent.
- The proposed lot depths meet or exceed the lot depths of the existing lots on Andy Crescent that flank the Subject Lands on either side.
- The proposed lot frontages are less than the existing lot frontages on Andy Crescent as the proposed 8 lots are situated on the inner bend of the road,

therefore creating “pie-shaped” lots which typically have reduced lot frontage widths.

- The proposed rear yard setbacks meet or exceed the required minimum rear yard setback for the existing lots on Andy Crescent.
- Only 1 (Lot H) of the 8 proposed dwellings exceed the permitted maximum lot coverage for the R3 Residential Zone. The remaining lots are less than the maximum lot coverage permitted in the R3 Residential Zone for the existing lots on Andy Crescent.
- The height of the proposed dwellings is consistent with the height of the existing dwellings on Andy Crescent.

***The City of Vaughan Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) applies to the Subject Lands***

Council in October 2015, directed Staff to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in recognition of the increased development pressure in stable residential neighbourhoods. The Policy Planning and Environmental Sustainability Department subsequently initiated the Community Area Policy Review for Low-Rise Residential Designations, which resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) and the Community Area Policy Review for Low-Rise Residential Designations Study (‘Study’). The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017. Official Plan Amendment Number 15, to implement the Study recommendations, was adopted by Vaughan Council on September 27, 2018, which has been forwarded to York Region for approval.

The Subject Lands are located within an established stable Community Area, where the Guidelines apply. Therefore, this Development is subject to the Guidelines as it is an infill development within an established low-rise neighbourhood in an identified stable Community Area.

Vaughan’s established low-rise neighbourhoods can be placed into one of three categories:

- Large-Lot Neighbourhoods
- Medium-Lot Neighbourhoods
- Small-Lot Neighbourhoods

The neighbourhood where the Subject Lands are located is considered a Medium-Lot Neighbourhood based on the following characteristics:

- Lot frontages of 10 to 20 metres (33 to 65 feet)
- Front setbacks of 6 to 15 metres (20 to 50 feet)
- Interior side yard setbacks of typically 1.5 metres (5 feet)
- Rear setbacks of 7.5 to 10 metres (25 to 33 feet)
- Wide driveways
- Front yard landscaped area generally less than 50% of the yard
- Generally, two-storey detached houses

These characteristics are to be respected and reinforced by infill development. The Development has regard for these characteristics in the following manner:

- The front, rear, and interior side yard setbacks (including the setbacks to the existing neighbouring properties) meet the minimum requirements of the R3 Residential Zone
- The minimum front yard landscaping meets the requirement of the R3 Residential Zone
- The Development consists of only two-storey single detached dwellings, the prevailing dwelling type in this Community Area
- The height of the proposed dwellings does not exceed 9.5 m, which is the maximum permitted building height for the existing R3 Residential Zone
- The maximum driveway width meets or exceeds the requirement of the R3 Residential Zone
- Each lot has a private backyard

In addition to the above characteristics, the Development is consistent with the following characteristics of the surrounding existing low-rise neighbourhood:

- All the proposed dwellings front onto Andy Crescent, an existing public road
- All the proposed dwellings provide a front façade on Andy Crescent
- The proposed dwelling building materials are consistent with those used for dwellings in the immediately surrounding area (i.e. brick and stone, no stucco)

***The proposed site-specific zoning exceptions would permit a development that is compatible with the existing and planned built form in the area***

The Subject Lands are zoned R3 Residential Zone, as shown on Attachment 2, by City of Vaughan Zoning By-law 1-88, which permits detached dwellings on a lot with a minimum frontage of 12 m, a minimum lot area of 360 m<sup>2</sup> and a maximum lot coverage of 40%.

A Zoning By-law Amendment is required to permit the following site-specific exceptions to the R3 Residential Zone, to facilitate the Development:

Table 1

|    | <b>Zoning By-law 1-88 Standard</b> | <b>R3 Residential Zone Requirements</b> | <b>Proposed Exceptions to the R3 Residential Zone Requirements</b>   |
|----|------------------------------------|---|--|
| a. | Minimum Lot Frontage               | 12 m                                    | 8.6 m (Lot A)<br>7.2 m (Lot B)<br>7.1 m (Lot C)<br>7.1 m (Lot D)<br>6.6 m (Lot E)<br>7.3 m (Lot F)<br>7.8 m (Lot G)<br>8.9 m (Lot H) |
| b. | Maximum Lot Coverage               | 40%                                     | 40.91% (Lot H)   |
| c. | Maximum Driveway Width             | 3.75 m                                  | 4 m (Lots A and H)   |

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions to the R3 Residential Zone, for the following reasons:

a) Minimum Lot Frontage

This Application seeks to complete Andy Crescent with 8 single detached dwellings on 4 existing blocks within an approved subdivision plan. The Development represents a more efficient use and limited intensification of the Subject Lands in accordance with Provincial Policies and the policies of VOP 2010, utilizing lot frontages that are less than the 12 m minimum lot frontage requirement of the R3 Residential Zone. The proposed 8 lots are 'pie-shaped' due to their configuration and interface on the inner bend of Andy Crescent, as shown on Attachments 2 and 3, which also contributes to the reduced lot frontage. However, each of the proposed 8 lots meets the minimum lot area requirement and the proposed dwellings will meet the minimum setback (i.e. front, side and rear) requirements of the R3 Residential Zone. In addition, Lots A and H, which are adjacent to the existing residential lots on Andy Crescent, are

proposed to have wider lot frontages to provide a transition to the existing adjacent properties.

b) Maximum Lot Coverage

The proposed maximum of coverage of 40.91%, limited to only one lot (Lot H), is considered to be minor as it is less than 1% over the maximum permitted lot coverage.

c) Maximum Driveway Width

Lots A and H have been designed with the largest frontage to provide a better transition into the existing area. Lots A and H meet the minimum front yard landscaping requirements, despite the wider driveway. The Development Planning Department is satisfied that the zoning exception for a wider driveway width (0.25 m) limited to two lots, is minor and therefore meets the intent of Zoning By-law 1-88.

In consideration of the above, the Development Planning Department is satisfied that the proposed zoning exceptions to Zoning By-law 1-88 will facilitate a residential development that maintains the intent of VOP 2010 and is compatible with, but not identical to, the existing built form in the surrounding area.

***The Planning Act, permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the Planning Act restricts a landowner from applying for a Minor Variance Application(s) to the Committee of Adjustment within two (2) years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for Minor Variance Applications within two (2) years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.17.020 the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***Site Development File DA.18.105 is being reviewed by various City departments***

The Development Planning Department is reviewing related Site Development File DA.18.105 in consideration of Zoning By-law Amendment File Z.17.020 and the local



land use planning and architectural context, and provides the following comments:

### Site Plan

The proposed site plan (Attachment 3) consists of 8, two-storey single detached dwellings on 8 pie-shaped lots, with frontage on Andy Crescent. Access to each lot is proposed from Andy Crescent to individual private driveways. Snow storage can be accommodated on either side of the driveways and in the front yards of each lot.

### Building Elevations

The typical building elevations for the proposed dwellings abutting the existing dwellings on Andy Crescent are shown on Attachment 4 (Lots A and H) and the proposed internal dwellings (Lots B to G) are shown on Attachment 5. The detached dwellings will not exceed 9.5 m in height and are proposed to be constructed with brick and stone, with a variation of colours, and no stucco will be used, which is consistent with the other dwellings on Andy Crescent. Each dwelling has a single-car or 1 ½-car garage with a driveway that can accommodate up to 2 vehicles parked in tandem, given that there is no public sidewalk between the existing street and proposed lots. Private amenity space will be provided in the front and rear yards of each lot.

### Landscape Plan and Entry Feature

A Master Landscape Plan was submitted, as shown on Attachment 6, illustrating the proposed landscaping of the lots and the public right-of-way, and the location and details of the entry feature at the intersection of Regional Road 27 and Martin Grove Road. The Development Planning Department requires that the proposed entry feature wall, fencing, and plant material be consistent with the existing entry feature wall at the southeast corner of Regional Road 27 and Martin Grove Road, which includes changing the proposed wording of the entry feature from 'Sunfield' to 'Woodbridge Meadows' to be consistent with the existing entry feature wall on the opposite corner of the intersection. The final wall design shall conform to the design intent and colours used for the existing feature wall to the south.

Each lot is proposed to be landscaped with sod in the front and rear yards, and a combination of deciduous trees and shrubs in the front yard. A deciduous municipal tree will also be planted in front of each lot within the public right-of-way, where it does not conflict with the installation of any required street light poles.

### Tree Removals

The By-law and Compliance, Licensing and Permit Services Department had charged the Owner with the removal of one (1) tree over 20 cm in diameter on the Subject Lands, without an approved Tree Removal Permit. The case was heard before the court

on February 8, 2018, wherein the Owner pled guilty. The resulting fine was paid by the Owner and the case was closed.

### Arborist Report and Tree Preservation Plan

An Arborist Report and a Tree Preservation Plan prepared by a certified arborist was submitted with the Application and related Site Development File DA.18.105, which identifies the number, species, condition, and size (diameter) of the existing private trees that will be preserved or removed from the Subject Lands, including an assessment of the tree that was previously removed by the Owner, and the existing municipal trees that will be preserved or removed from the lands immediately abutting the Subject Lands.

A total of 34 privately-owned trees are proposed to be removed from the Subject Lands, of which 29 will require a permit(s) from the City to remove. Six (6) trees have been identified for removal due to their poor condition and thirteen (13) trees have been identified for removal because they are located within or near the proposed building footprints and/or proposed driveways. Another eleven (11) trees are both in poor condition and located within or near the proposed building footprints and/or proposed driveways. Four (4) trees in fair condition are proposed to be removed at the Owner's request. However, three (3) large trees (2 coniferous trees in fair and good condition respectively and 1 deciduous tree in very good condition) located within the rear yards of the proposed lots are proposed to be preserved and protected with tree protection fencing during construction.

City permits will also be required for the three (3) deciduous municipal trees proposed to be removed within the Andy Crescent right-of-way as they are located within the proposed driveways.

The Owner will be required to enter into a Tree Protection Agreement with the City for this Development, which includes the privately-owned trees and the municipal trees that are proposed to be removed or preserved, and the proposed replacement trees.

The Development Planning Department, Urban Design and Cultural Heritage Division, and the Parks Operations and Forestry Department are reviewing the Arborist Report and Tree Preservation Plan through the Site Development application process to confirm appropriate tree protection zones and removals, and to confirm what the required tree replacement and/or the appropriate compensation ('cash-in-lieu') amount is, if required, in accordance with the City's Council adopted Tree Protection Protocol and Tree Protection By-law 052-2018. This review includes the private tree that was previously removed from the Subject Lands. Trees less than 20 cm in diameter do not require compensation or need to be replaced under the City's protocol.

In instances where it has been determined by the City that more replacement trees are required than can reasonably be accommodated on the Subject Lands, a 'cash-in-lieu' payment may be made to the Forestry Tree Reserve Fund to fund tree planting on City-owned properties in the same community. The 'cash-in-lieu' payments can only be made if all the required replacement trees cannot be planted on the Subject Lands, in accordance with an approved Master Landscape Plan.

### Cultural Heritage

The "Samuel McClure House" is located on the Subject Lands and is identified as a Property of Interest to the City's Cultural Heritage Division in the City of Vaughan Heritage Inventory. However, it was not added to the 2005 Register of Property of Cultural Heritage Value, nor any update to the List since that time. As such, there are no restrictions under the *Ontario Heritage Act* regarding the demolition of this structure and detached garage. A stamped Heritage Clearance form was issued by the Development Planning Department, Urban Design and Cultural Heritage Division on July 14, 2016, to allow a demolition permit to be issued by the City. This Heritage Clearance is now void as the ownership of the Subject Lands has changed since it was issued in July of 2016. A new Heritage Clearance is required prior to the execution of the Site Plan Agreement, accompanied by three (3) copies of an existing survey showing the building footprint to be demolished.

The Owner has submitted a Stage 1 & 2 Archaeological Assessment, a scoped Cultural Heritage Impact Assessment, and a letter from the Ministry of Tourism, Culture, and Sport confirming that the Stage 1 & 2 Archaeological Assessment meets the standards and guidelines issued by the Minister. The Cultural Heritage Division of the Development Planning Department is satisfied with the submitted documents and have no objection to the proposal. The Subject Lands are considered clear of all archaeological concern. However, the Owner is advised that the following standard clauses apply and shall be included in the implementing Site Plan Agreement:

- i) "Should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport, the City of Vaughan's Policy Planning and Urban Design and Recreation and Culture Departments shall be notified immediately".
- ii) "In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services".

The Development Planning Department, Urban Design and Cultural Heritage Division, will continue to work with the Owner to finalize the final site plan, master landscape plan, landscape cost estimate, tree preservation plan, entry feature and fence details, tree protection agreement and building elevations prior to the execution of the Site Plan Agreement, should the Application be approved.

***The Development Engineering (“DE”) Department has no objection to the Zoning By-law Amendment application, and have provided the following comments***

Environmental

Based on the review of the Phase 1 and Phase 2 Environmental Site Assessment reports and the Reliance Letter submitted with the Application, the Environmental Engineering Division is satisfied with the submitted documents and have no further concerns.

Lot Grading/Erosion and Sediment Control

The DE Department has reviewed the grading and erosion sedimentation control plans submitted in support of the Application and requires the submission of the finished floor elevations for the detailed design submission to the DE Department to ensure compliance with the grading plan. A cross-section of the subdrain is also required which shows that the drain is located within the Lot H property limits.

An existing concrete retaining wall located along the rear lot lines of proposed Lots E and F appears to support the existing frame garage structure. As the existing garage is slated for demolition to facilitate the Development, the design shall account for the removal of the retaining wall and match existing grades along the Martin Grove Road right-of-way. The Owner shall also ensure that the proposed acoustic barrier along the property line accounts for the removal of the retaining wall.

Water Servicing

The Subject Lands are proposed to be serviced primarily by an existing 200mm diameter watermain on the southwest side of Andy Crescent that was installed as part of existing Registered Plan of Subdivision 65M-2857. The Subject Lands are located within Pressure District (‘PD’) 5. The DE Department is satisfied that the Development can be adequately supplied with water service.

Sanitary Servicing

The Subject Lands are proposed to be serviced by an existing 200mm diameter sanitary sewer traversing on Andy Crescent that discharges to the Islington Collector sanitary sewer network. As the Development will increase the population density as specified by

the Woodbridge Meadows design, the Owner has supplied a downstream sanitary analysis to the intersection of Andy Crescent and Martin Grove Road. The DE Department is satisfied that the proposed lands can be adequately accommodated with sanitary service.

#### Storm Servicing and Stormwater Management

The Subject Lands are proposed to generally follow the stormwater drainage pattern currently applied for Woodbridge Meadows by splitting overland flow towards Andy Crescent and Martin Grove Road/Regional Road 27. Rear yard drainage is proposed to be collected by one (1) rear-lot catch basin ('RLCB') at the northwest corner of Lot A. No quantity or quality control measures are proposed. The DE Department is satisfied that the proposed lands stormwater outflow can be adequately serviced and accommodated as identified.

#### Transportation Engineering

The Transportation Engineering Division of the DE Department has reviewed the Traffic Opinion Letter ("Letter") prepared by Crozier Consulting Engineers, dated April 27, 2018, that was submitted with the Application. The Transportation Engineering Division has advised that all their transportation-related concerns pertaining to vehicle (i.e. school bus, garbage trucks etc.) maneuverability, parking, traffic, and driveway connections to Andy Crescent, have been adequately addressed by the Owner.

#### Noise

The DE Department has reviewed the Noise Impact Study Report prepared by J.E. Coulter Associates Ltd., dated July 12, 2018, that was submitted with the Application, which addresses potential noise sources and their impacts on the Development. The Owner is advised that the noise attenuation requirements, including noise warning clauses in the Offers of Purchase and Sale or Lease, as recommended by the Noise Impact Study Report shall be included in the implementing Site Plan Agreement.

The DE Department has no objections to the Development and will continue to work with the Owner to finalize all plans and reports, prior to the execution of the Site Plan Agreement, if the Application is approved.

#### ***Servicing Capacity Allocation is available for the Development***

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The Development, through the Zoning By-law Amendment File Z.17.020, was reserved servicing capacity in the same report.

Accordingly, servicing capacity to related Site Development File DA.18.105 is available and unrestricted. Therefore, staff recommend that Vaughan Council adopt the resolution to allocate water and sewage servicing capacity included in the Recommendations of this report.

***The Office of the City Solicitor, Real Estate Department has no objection to the Development***

The Real Estate Department has provided the following conditions that will be included in the Site Plan Agreement, if the Application is approved:

“The Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-In-Lieu of Parkland Policy.

The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.”

A condition to this effect will be included in the Site Plan Agreement, if the Application is approved.

***The Financial Planning and Development Finance Department has no objection to the Development***

The Financial Planning and Development Finance Department has advised that prior to the issuance of a Building Permit, the Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board.

A condition to this effect will be included in the Site Plan Agreement, if the Application is approved.

***The Parks Development Department has no objection to the approval of the Development, subject to conditions***

The Parks Development Department have reviewed the Application and has no objection, subject to cash-in-lieu of parkland dedication being provided.

***A Part-Lot Control Application is required to create the proposed lots***

Should LPAT approve the Application, the Owner will be required to submit a Part-Lot Control Application to facilitate the creation of the proposed 8 lots within the existing registered plan of subdivision following the enactment of the implementing Zoning By-law.

***The School Boards have no objection to the Development***

The York Region District School Board and York District Catholic School Board have reviewed the Development and advised that they have no objection to or any conditions of approval.

***Canada Post has no objection to the Development***

Canada Post has no objection to the Development, as provisions are already in place with regard to mail delivery for the above noted project. Mail delivery will be from a new or existing Canada Post Community Mailbox in the immediate vicinity.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region has reviewed the Application and has advised that it has no objection on the basis that it is considered to be a matter of local significance, which does not affect Regional policies. York Region is also reviewing the related Site Development File DA.18.105. The Owner shall satisfy all requirements, if any, identified by York Region.

**Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.17.020 in consideration of the Provincial Policy Statement, the Growth Plan, policies of the York Region Official Plan and Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from area residents, City Departments and external public agencies, and the area context.

The Owner seeks approval of 8 single detached dwellings on lots fronting onto an existing public road in a previously approved Plan of Subdivision. The Development is consistent with and conforms to the Provincial Policies, the York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area and represents good planning. On this basis, the Development Planning Department recommends that the Zoning By-law Amendment Application be approved, subject to the Recommendations in this report.

**For more information**, please contact Letizia D'Addario, Planner, Development Planning Department, at extension 8213.

### **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning and Site Plan
4. Building Elevations (Typical) for Dwelling Units Abutting Existing Residential (Lots A and H)
5. Building Elevations (Typical) for Interior Dwelling Units (Lots B to G)
6. Master Landscape Plan and Entry Feature
7. Original Development Concept Considered at November 7, 2017, Public Hearing

### **Prepared by**

Letizia D'Addario, Planner, ext. 8213

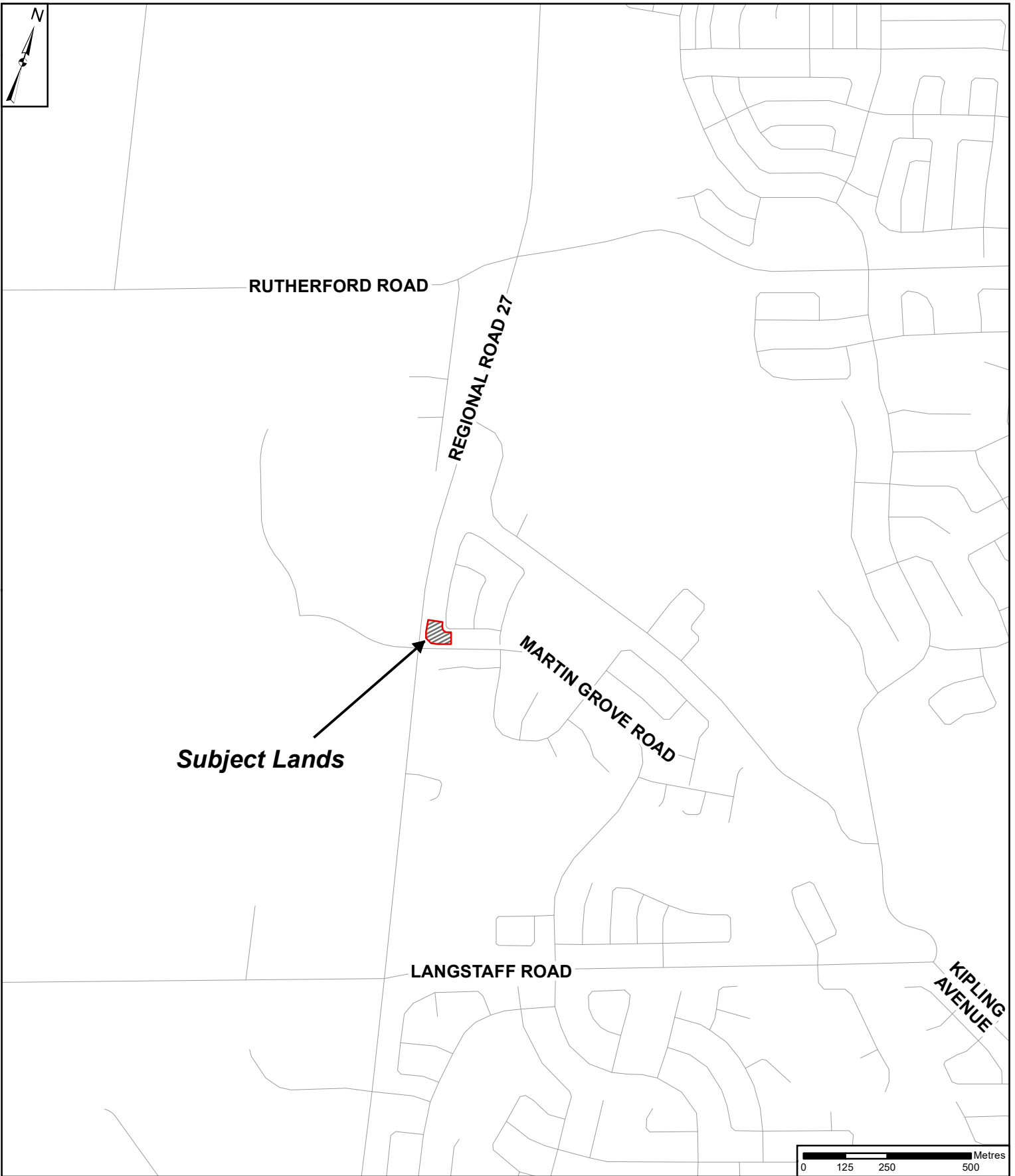
Clement Messere, Senior Planner, ext. 8409

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

/LG





# Context Location Map

**LOCATION:**  
Part Lot 13, Concession 8

**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.

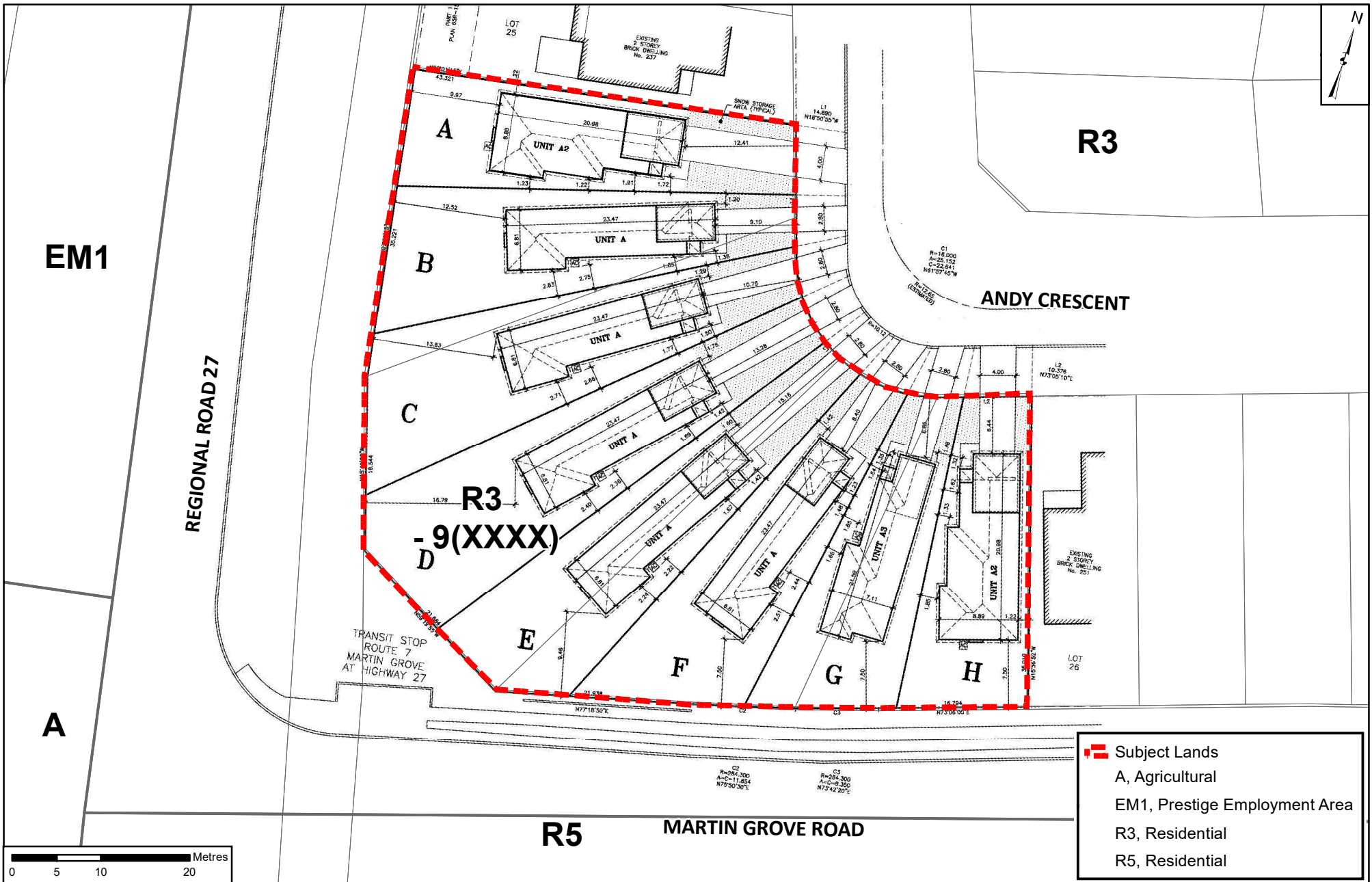


# Attachment

**FILE:**  
Z.17.020  
**RELATED FILE:**  
DA.18.105  
**DATE:**  
March 5, 2019

# 1





# Proposed Zoning and Site Plan

**LOCATION:**  
Part Lot 13, Concession 8

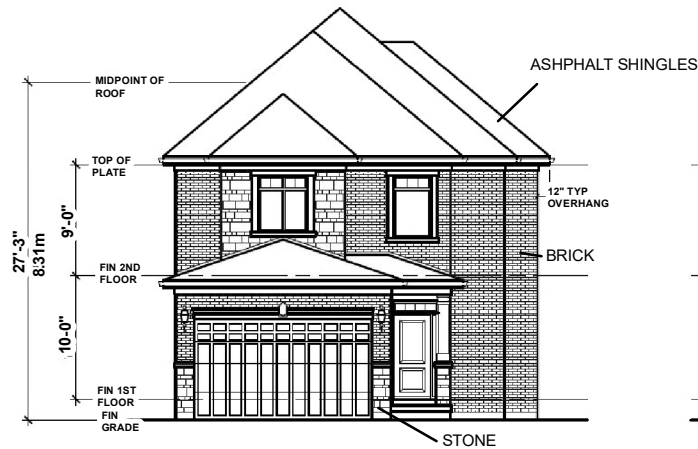
**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.



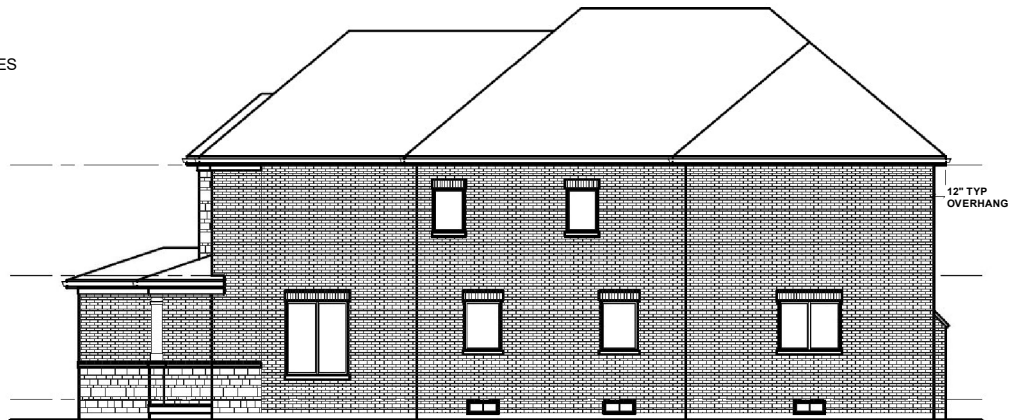
# Attachment

**FILE:**  
Z.17.020  
**RELATED FILE:**  
DA.18.105  
**DATE:**  
March 5, 2019

**3**



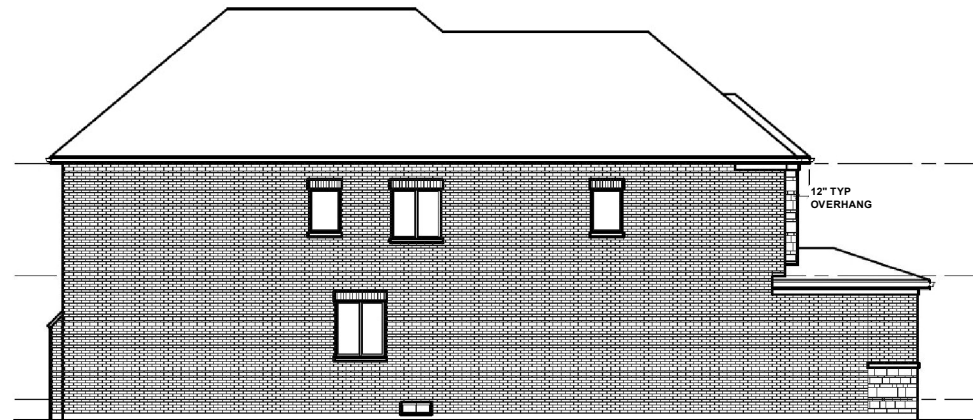
FRONT ELEVATION  
(FACING ANDY CRESCENT)



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION  
(ABUTTING EXISTING DWELLING)

## Building Elevations (Typical) for Dwelling Units Abutting Existing Residential (Lots A & H)

**LOCATION:**  
Part Lot 13, Concession 8

**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.105\DA.18.105\_Z.17.020\_CW\_ElevationPlan.mxd



## Attachment

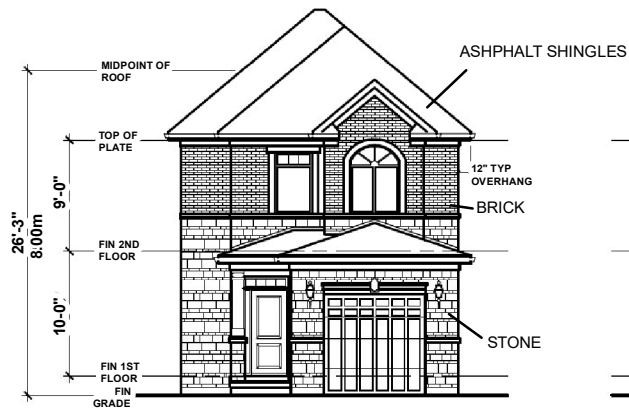
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RELATED FILE:  
DA.18.105  
DATE:

4

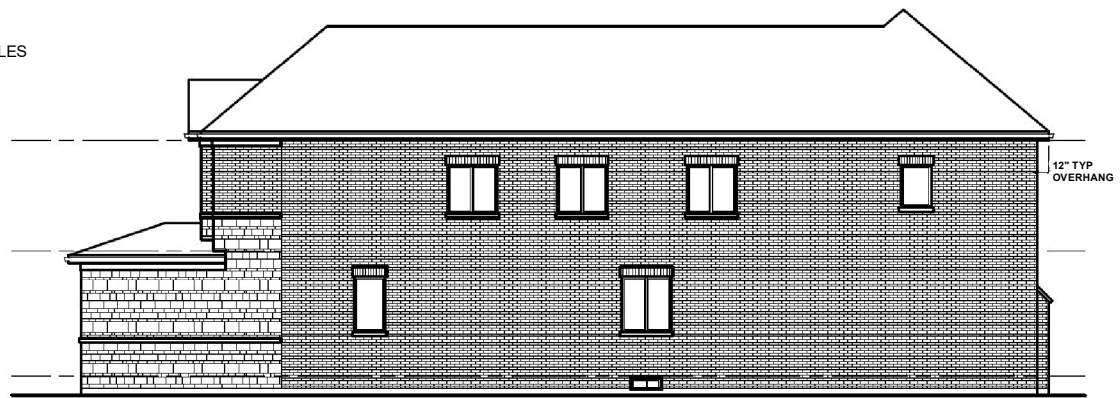
March 5, 2019

Printed on: 2/4/2019





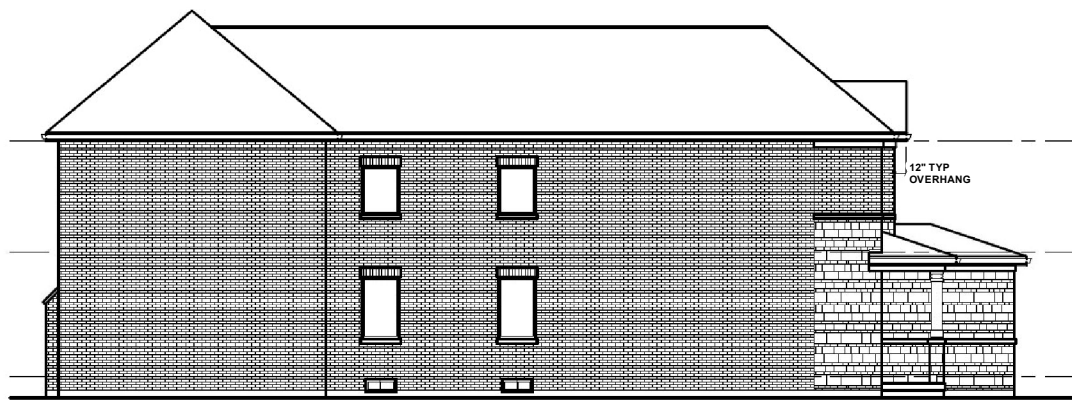
FRONT ELEVATION  
(FACING ANDY CRESCENT)



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION

## Building Elevations (Typical) for Interior Dwelling Units (Lots B-G)

**LOCATION:**  
Part Lot 13, Concession 8

**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.

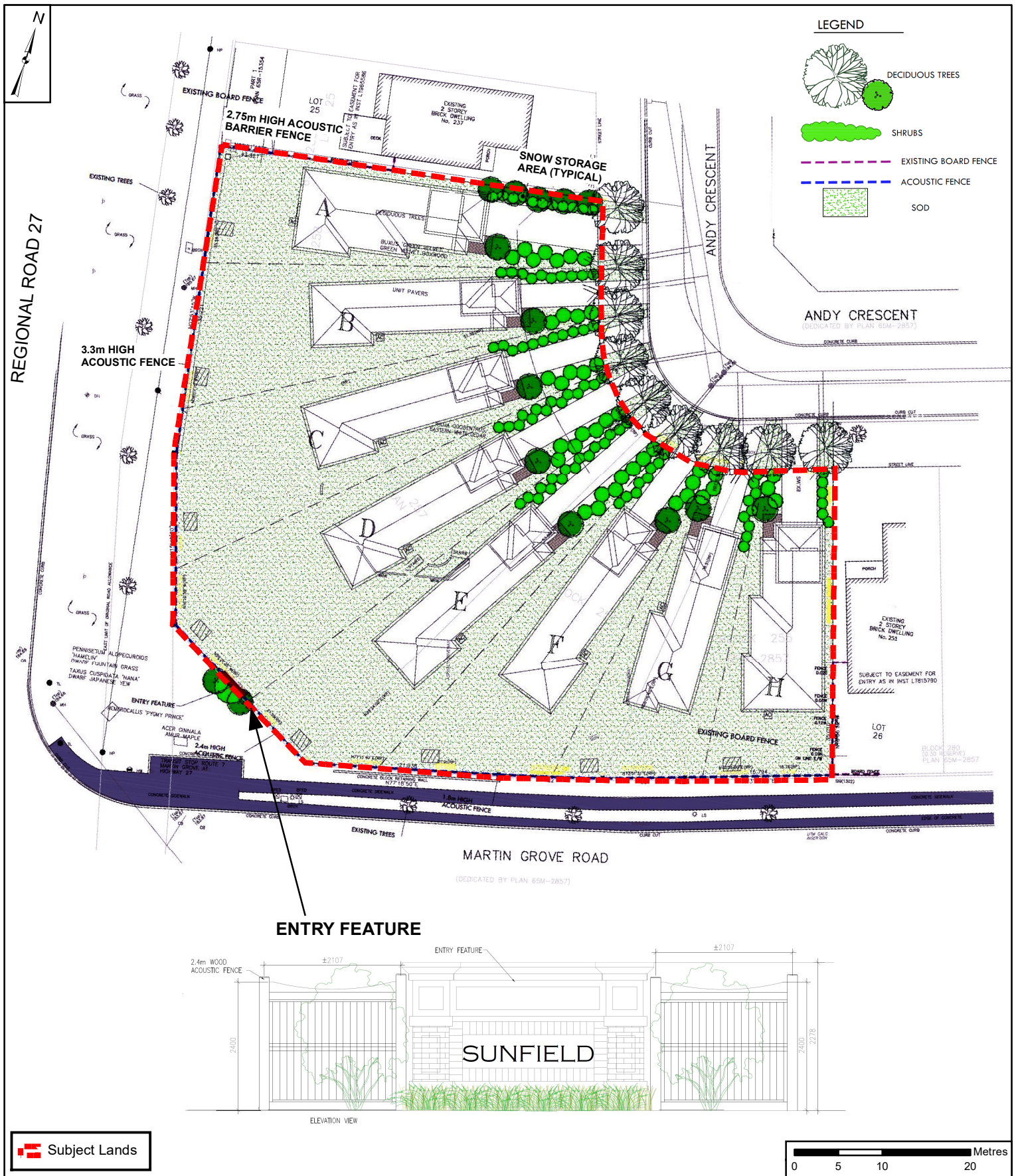


**Attachment**

FILE:  
Z.17.020  
RELATED FILE:  
DA.18.105  
DATE:

**5**

March 5, 2019



# Master Landscape Plan and Entry Feature

**LOCATION:**  
Part Lot 13, Concession 8

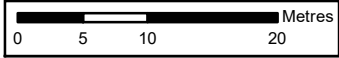
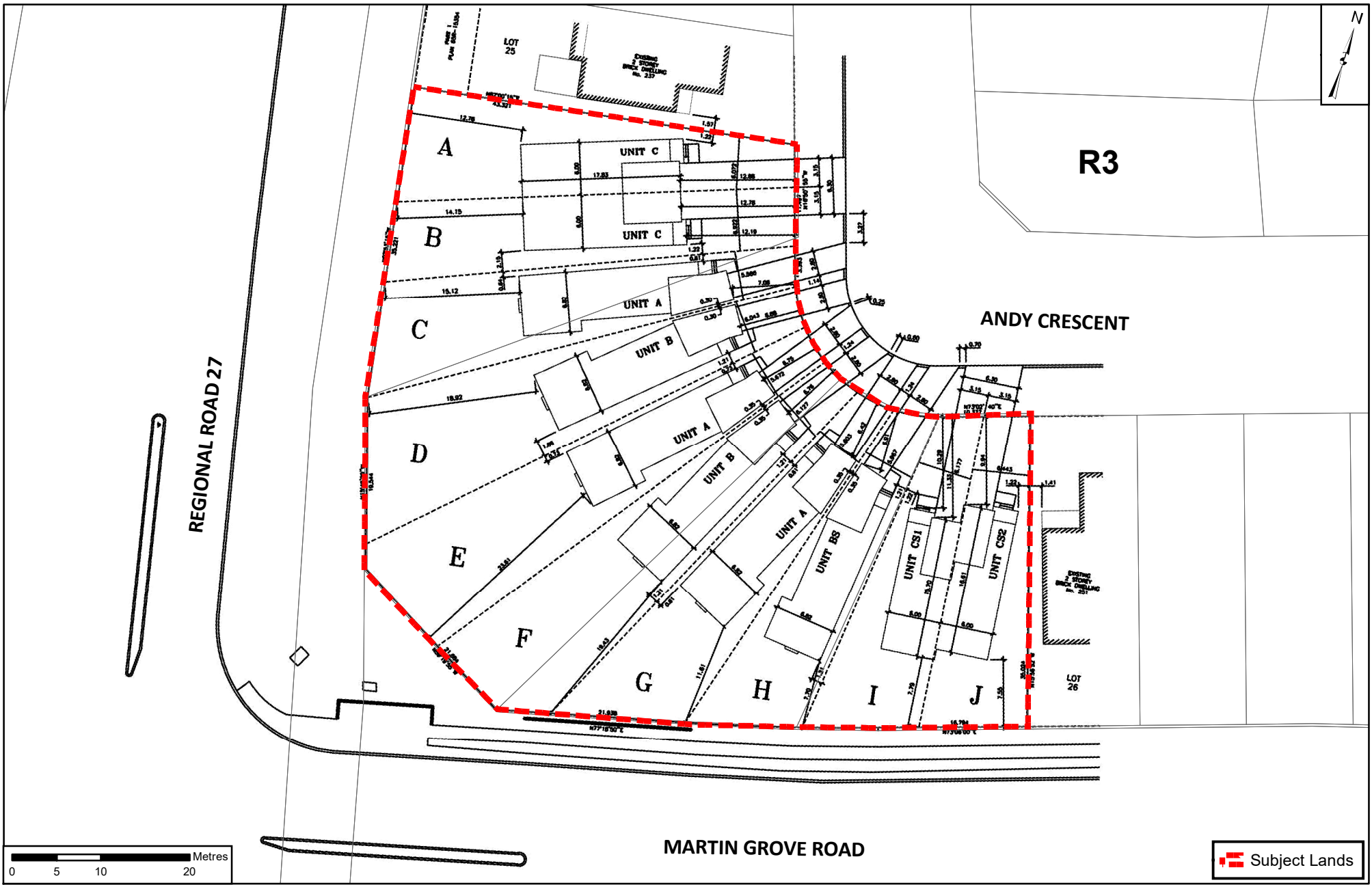
**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.


# Attachment

**FILE:**  
Z.17.020  
**RELATED FILE:**  
DA.18.105  
**DATE:**  
March 5, 2019

# 6





 Subject Lands

**Original Development Concept Considered  
at November 7, 2017, Public Hearing**

**LOCATION:**  
Part Lot 13, Concession 8

**APPLICANT:**  
Sunfield Homes (Hwy 27) Ltd.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.105\DA.18.105\_Z.17.020\_CW\_OriginalSitePlan.mxd



**Attachment**

**FILE:**  
Z.17.020  
**RELATED FILE:**  
DA.18.105  
**DATE:**  
March 5, 2019

**7**

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 2

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.002  
ARBOR MEMORIAL INC.  
VICINITY OF REGIONAL ROAD 50 AND REGIONAL ROAD 7**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.18.002 for the Subject Lands shown on Attachments 1 and 2 to permit a crematorium, funeral home and an employment building, as shown on Attachments 3 and 4.

**Report Highlights**

- The Owner proposes to develop a portion of the Subject Lands with a crematorium, funeral home and employment building.
- An amendment to Zoning By-law 1-88 is required to rezone the easterly portion of the Subject Lands from “A Agricultural Zone” and “OS2 Open Space Park Zone”, subject to Exception 9(1139) to “EM1(H) Prestige Employment Area Zone” with a Holding Symbol “(H)”, together with the site-specific zoning exceptions identified in Table 1 of this report.
- The Development Planning Department supports the approval of the Zoning By-law Amendment as the proposed development is consistent with the *Provincial Policy Statement 2014* and conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan 2010.



## **Recommendations**

1. THAT Zoning By-law Amendment File Z.18.002 (Arbor Memorial Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the easterly portion of the Subject Lands from “A Agricultural Zone” and “OS2 Open Space Park Zone”, subject to Exception 9(1139) to “EM1(H) Prestige Employment Area Zone” with a Holding Symbol “(H)”, in the manner shown on Attachments 3 and 4, together with the site-specific zoning exceptions identified in Table 1 of this report.
  
2. THAT the Holding Symbol “(H)” shall not be removed from the easterly portion of the Subject Lands, or any portion thereof, until the following conditions are satisfied:
  - a) The Owner successfully obtains the approval of a Site Development Application(s) for the proposed development.
  
  - b) The Owner shall enter into a Servicing/Development and/or Subdivision Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services including but not limited to roads (extension of Gibraltar Road from the north to south limit of the property), water, wastewater, storm and any land conveyances, as required for the Subject Lands. The Agreement shall be registered to the lands to which it applies to and to the satisfaction of the Development Engineering Department;
  
  - c) The Owner shall enter into the Developers’ Group Agreement with the other participating landowners within Block 57/58 to the satisfaction of the City. The Agreement shall have regard to but, not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services, landscaping and fencing. This agreement shall also include a provision for future developers of land to participate with the Developers’ Group Agreement when they wish to develop their lands, all to the satisfaction of the Development Engineering Department; and
  
  - d) The Owner shall submit a letter from the Block Trustee for the Block 57/58 Developers’ Group indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 57/58 Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department.
  
3. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the

Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.

## **Background**

The Subject Lands (the 'Subject Lands') are located on the east side of Regional Road 50, south of Regional Road 7 and west of Highway 427 and are municipally known as 7541 Regional Road 50. The Subject Lands are bound to the south by a Hydro Corridor and future employment uses north and south, as shown on Attachments 1 and 2. A future Gibraltar Road extension (local road) is required and will traverse north-south through the easterly rear portion of the Subject Lands, which will provide access to the future proposed uses.

The existing cemetery (Glenview Memorial Gardens) occupies two-thirds of the Subject Lands. The proposed employment uses on the Subject Lands are proposed on lands that will be accessed only through the future Gibraltar Road extension (Attachment 2), which is to be constructed. The existing access from Regional Road 50 will remain unchanged and continue serving the cemetery.

### ***A Zoning By-law Amendment application is required to permit the Development***

The Owner (Arbor Memorial Inc.) has submitted a Zoning By-law Amendment application (the 'Application') to rezone the easterly portion of the Subject Lands from "A Agricultural Zone" and "OS2 Open Space Park Zone", subject to site-specific Exception 9(1139) to "EM1(H) Prestige Employment Area Zone" with a Holding Symbol "(H)", in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report. The proposed development (the 'Development') includes a crematorium, funeral home and employment building on the Subject Lands, as shown on Attachments 3 and 4.

### ***Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol***

On November 9, 2018, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands and to the West Woodbridge Homeowners' Association. A copy of the Notice of Public Hearing was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign (on Regional Road 50) was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on December 5, 2018, to receive comments from the public, and the Committee of the Whole. Vaughan Council, on December 12, 2018, ratified the Recommendation of the Committee of the Whole to

receive the Public Hearing Report of December 5, 2018. No written submissions regarding the Application were received by the Development Planning Department. No individuals made deputations at the Public Hearing on December 5, 2018, regarding the Application.

### **Previous Reports/Authority**

[Public Hearing: Item 1, Committee of the Whole \(Public Hearing\) Report No. 31, Ratified by Vaughan Council on December 12, 2018](#)

### **Analysis and Options**

***The Development is consistent with the Provincial Policy Statement 2014 (the “PPS”)***

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment.

The PPS includes policies on key issues that affect communities including:

- The efficient use and management of land and infrastructure
- Protection of the environment and resources
- Ensuring appropriate opportunities for employment and residential development, including support for a mix of uses

Section 1.3 Employment refers to policies promoting economic development and competitiveness. The Development respects these policies of the PPS as the Development will maintain the vitality of the employment lands as it is compatible with the surrounding land uses in the area. The Development minimizes land consumption by utilizing the surplus lands of the existing cemetery for a crematorium, funeral home and employment buildings.

***The Development conforms to the Places to Grow Act - The Growth Plan for the Greater Golden Horseshoe 2017 (the “Growth Plan”)***

The Growth Plan came into effect May 2017 and is intended to guide decision making on the development of land by encouraging a compact built-form, transit supportive communities, diverse land uses, and a range of mix of housing types. The Growth Plan encourages the concentration of population and employment growth within settlement areas.

Section 2.2.5 Employment of the Growth Plan refers to policies promoting economic development and competitiveness in the Greater Golden Horseshoe (“GGH”) by efficiently using employment areas and ensuring that sufficient lands are available and ensuring appropriate locations to permit a variety of employment uses. The Development will utilize a vacant portion of lands designated “Prestige Employment” by VOP 2010 to serve an existing cemetery and facilitate new employment uses. The Application conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan (the ‘YROP’)***

The Subject Lands are designated “Urban Area” on Map 1, “Regional Structures” by the YROP 2010, which permits a range of residential, industrial, commercial and institutional uses. The YROP encourages intensification within the Urban Area and throughout York Region.

The proposed Development is located within lands designated “Prestige Employment” by VOP 2010 and will utilize the vacant surplus lands for future employment uses and permit an accessory crematorium use to the existing cemetery use. The Application conforms to the YROP.

***The Application conforms to the Funeral, Burial and Cremation Services Act 2002 (the “FBCSA”)***

The *Funeral, Burial and Cremation Services Act* (the “FBCSA”) permits funeral homes, crematoriums and mausoleums to be located on cemetery lands, whereas these uses were not permitted previously by the *Cemeteries Act and the Funeral Directors and Establishments Act, 2002*. The proposed crematorium and funeral home are connected by a breezeway and are intended to function collectively on the cemetery lands. The FBCSA defines a funeral establishment as “*premises established for the purpose of temporarily placing dead human bodies, and in prescribed circumstances cremated human remains, so that persons may attend and pay their respects*”. The implementing Zoning By-law will permit the proposed funeral home and crematorium to be located on the cemetery lands within the EM1 Prestige Employment Area Zone and OS2 Open Space Park Zone and conforms to the FBCSA.

***The Application conforms to the Vaughan Official Plan 2010 (“VOP 2010”)***

The Subject Lands are designated “Private Open Spaces” (westerly two-thirds abutting Regional Road 50) and “Prestige Employment” (easterly one-third of the Subject Lands abutting the future Gibraltar Road extension) by Vaughan Official Plan 2010 (“VOP 2010”), Volume 2, Section 12.12 Huntington Business Park. The proposed crematorium

is located within the “Private Open Spaces” designation on the Subject Lands and is a permitted use. The proposed crematorium is connected to a proposed funeral home by a breezeway. The crematorium is considered accessory to a funeral home and conforms to the *Funeral, Burial and Cremation Services Act, 2002*. The proposed funeral home and employment uses are permitted uses within the lands designated “Prestige Employment”.

Attachment 3 illustrates the limits of the proposed zone boundary between the “OS2 Open Space Park Zone” and the proposed “EM1 Prestige Employment Area Zone”. The Owner is proposing to adjust the current “OS2 Open Space Park Zone” boundary approximately 18 m to the west. This area is designated “Private Open Spaces” by VOP 2010. Section 10.2.1.6 of VOP 2010 states (in part): “...*where the intent of this Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan*”. The proposed funeral home and employment uses within the cemetery lands are privately operated and will function collectively and will maintain the intent of the “Private Open Spaces” and “Prestige Employment” designations of VOP 2010. The Development conforms to VOP 2010.

***The Application conforms to the Block 57/58 Plan***

The Subject Lands are identified within the Block 57/58 Plan as a “Cemetery” and “Prestige Area”. The Owner is required to enter into the Developers’ Group Agreement and identify any needs for cost sharing, which is to be confirmed by the Block 57/58 Trustee. The existing cemetery use will remain and include a proposed crematorium that is permitted as-of-right within the OS2 Zone. Employment uses, and a funeral home are proposed within the lands identified as “Prestige Area”. The proposed uses conform to the Block Plan.

***The Development Planning Department supports the Zoning By-law Amendment Application subject to the site-specific zoning amendments identified in Table 1 of this report***

The Subject Lands are zoned “OS2 Open Space Park Zone”, subject to Exception 9(1139) (westerly two-thirds along the frontage abutting Regional Road 50) and “A Agricultural Zone” (easterly one-third along the rear abutting the future Gibraltar Road extension) by Zoning By-law 1-88, as shown on Attachment 2. Site-specific Exception 9(1139) for the OS2 Zone permits the following uses on the cemetery lands as-of-right:

- Cemetery and related uses including: Administrative Office, Chapel, Colabrium, Small Scale Colabrium, Crematorium, Mausoleum, Reception Centre and Service Building

The proposed crematorium, which is a permitted use by Zoning By-law 1-88, will be connected to the funeral home by a breezeway and is conceptually shown on Attachment 3. The funeral home and employment uses are not permitted within the “A Agricultural Zone”. The Owner proposes to rezone the rear one-third of the Subject Lands from “A Agricultural Zone” and “OS2 Open Space Park Zone” to “EM1(H) Prestige Employment Area Zone” with a Holding Symbol “(H)” to facilitate the funeral home and future employment uses, as shown on Attachment 4.

TransCanada Pipeline Limited has acquired an 18 m wide pipeline easement parallel to the future Gibraltar Road extension, as shown on Attachment 3. This easement has displaced developable lands on the cemetery lands by approximately 18 m, and therefore the Owner is requesting an adjustment to the OS2 Zone boundary to permit the uses. The easterly portion of the Subject Lands are proposed to be rezoned from “OS2 Open Space Park Zone” to “EM1(H) Prestige Employment Area Zone”, with a Holding Symbol “(H)”, as shown in Attachment 3. The following site-specific exceptions to the “EM1 Prestige Employment Area Zone” are required to permit the Development:

Table 1

|    | <b>By-law Standard</b>  | <b>EM1 Prestige Employment Area Zone Requirements</b>     | <b>Proposed Exceptions to the EM1(H) Prestige Employment Area Zone, with Holding Symbol “(H)”</b>                  |
|----|---|---|--|
| a. | Permitted Uses  | A Funeral Home is permitted within a Single Unit Building | Permit a Funeral Home in a Single Unit Building that may be connected to another cemetery use by a covered walkway |
| b. | Minimum Landscape Strip Width abutting an EM1 Zone boundary Containing a Funeral Home | 7.5 m   | 0 m  |

|    | <b>By-law Standard</b>  | <b>EM1 Prestige Employment Area Zone Requirements</b>  | <b>Proposed Exceptions to the EM1(H) Prestige Employment Area Zone, with Holding Symbol “(H)”</b>   |
|----|---|--|---|
|    | and Employment Uses   |  |   |
| c. | Minimum Driveway Width (One-Way Beneath Funeral Home Canopy)                  | 5.4 m  | 5 m   |
| d. | Required Parking for any Building, Structure or Use Across Zone Boundaries    | Shared parking spaces for any building, structure, or use is not permitted across zone boundaries. | To permit required parking for any building, structure or use to be shared across zone boundaries.  |
| e. | Minimum Building or Structure Setbacks from TransCanada Pipeline Right-of-Way | No requirements  | That no permanent building or structure be located within 7 m of the pipeline right-of-way<br><br>That no building or structure is permitted within 3 m of a right-of-way. Accessory buildings/structures shall have a minimum setback of at least 3 m from the limit of the right-of-way |

The Development Planning Department has reviewed and supports the proposed site-specific exceptions in Table 1 on the following basis:

a) Single-Unit building

A Unit is defined by Zoning By-law 1-88 as a “*building or part of a building that is used for one (1) purpose by one (1) user*”. The proposed crematorium is permitted as-of-right within the OS2 Zone but will be connected by a breezeway to a proposed funeral home on lands proposed to be zoned EM1 Zone. As the crematorium and funeral home are

connected, the proposed exception will permit the two uses, which are accessory to one another, to co-locate and function collectively on the Subject Lands to serve the main cemetery use.

b) Minimum Landscape Strip Width

A breezeway connecting the proposed crematorium and funeral home has resulted in a 0 m setback between the OS2 and EM1 Zone boundary; whereas a minimum 7.5 m wide landscape strip from the limit of the EM1 Zone is required by Zoning By-law 1-88. A landscape strip is not required between the zones as it will allow for the funeral home and crematorium uses to function collectively on the cemetery lands for the purposes of contiguous access. The Development will continue to maintain its minimum landscaping requirements given landscape islands and strips are proposed elsewhere on site along with the TransCanada Pipeline easement lands which will be sodded.

c) Minimum Driveway Width

The proposed drive-aisle width is considered appropriate and specific to a defined area of the site. The drive-aisle is intended for single vehicle pick-up and drop-off and will be one-way in direction.

d) Required Parking Across Zone Boundaries

The Development includes 426 parking spaces to serve the proposed crematorium, funeral home and future employment uses. Approximately 317 of the parking spaces are devoted to the funeral home and crematorium uses. There are 109 parking spaces and 5 loading spaces intended to serve the proposed employment buildings. Based on an approximate GFA of 717.6 m<sup>2</sup> for the crematorium and 3,486 m<sup>2</sup> for the funeral home, approximately 94 parking spaces are required to serve the proposed uses. As ample parking will be available throughout the site, the Transportation Division of the Development Engineering Department can support the provision of shared parking for the funeral home, crematorium and the employment building.

e) Minimum Setbacks from TransCanada Pipeline Right-of-Way

In 2015, TransCanada acquired an easement and temporary workspace lands immediately west of the proposed Gibraltar Road extension on the Subject Lands, as shown on Attachment 3. The easement lands are approximately 18 m wide, running north-south on the Subject Lands and are located immediately west of the proposed Gibraltar Road extension. Sections 8.4.3.2 and 8.4.3.3 of VOP 2010 provides Council policies for minimum setback requirements for permanent buildings, buildings and



accessory buildings or structures from the TransCanada Pipeline right-of-way, which includes (in part) the following:

- *“That no permanent building or structure may be located within 7 metres of the pipeline right-of-way.”*
- *“That no building or structure is permitted within 3 metres of the right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.”*

TransCanada has reviewed the Application and has requested that the above development standards be included in the implementing Zoning By-law. The proposed amendments will implement the VOP 2010 policies to protect for TransCanada’s interests and are considered appropriate.

The proposed zoning exceptions identified in Table 1 are considered appropriate as it would implement a development which conforms to the Official Plan and is compatible with existing and planned uses in the surrounding area. On this basis, the Development Planning Department can support the approval of Zoning By-law Amendment File Z.18.002, subject to the Recommendations in this report.

***The Planning Act permits Vaughan Council to pass a resolution to apply for future Minor Variance Application(s), if required within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Vaughan Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow a landowner to apply for a Minor Variance Application(s) within 2 years of the passing of a by-law amendment.

Should Council approve Zoning By-law Amendment File Z.18.002, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance Application(s) if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***The Development Engineering (“DE”) Department has no objection the Application.***

The DE Department has reviewed the Application and has no objection to the Development, subject to the use of a Holding Symbol “(H)” as identified in the

Recommendations of this report. The DE Department has identified the following matters respecting sanitary sewage, stormwater management, construction of the future road network (extension of Gibraltar Road from the north and south limit of the property), site servicing and grading be addressed upon submission of a future Site Development Application, and prior to the removal of a Holding Symbol “(H)”:

a) Block 57/58 Developers’ Group Agreement and Cost Sharing

The Subject Lands are located within an approved Block Plan (Block 57/58), which is subject to an Developers’ Group Cost Sharing Agreement with other participating landowners. The Owner will be required to conform to the Block 57/58 Plan which includes provisions for municipal services, including but not limited to, roads, sewers, and stormwater management facilities. The Owner will be required to enter into the Developers’ Group Agreement with the other participating landowners within the Block 57/58, to the satisfaction of the City. The Block 57/58 Trustee must also confirm any cost sharing requirements to the satisfaction of the City. The Developers’ Agreement and Cost Sharing Agreement shall be signed and registered against the lands to which it applies, to the satisfaction of the DE Department.

b) Servicing/Development and/or Subdivision Agreement with the City

The Owner is required to enter into a Servicing/Development and/or Subdivision Agreement with the City to satisfy all conditions, financial or otherwise of the City with regard to such matters the City may consider necessary including payment of the development levies, the provision of the roads and municipal services landscaping and fencing. The said Agreement shall be registered against the lands to which it applies and to the satisfaction of the DE Department.

c) Additional Engineering Drawings, Studies and Reports

The Owner is required to submit an updated Stormwater Management Report, sanitary servicing/water servicing and site grading plans, truck maneuvering plan, and Traffic Study, and Phase 1 Environmental Assessment upon review of the future Site Development Application(s). The Stormwater Management Report must conform with the recommendations and conclusions of the approved Block 57/58 Master Environmental Servicing Plan (‘MESP’).

***The Transportation Services, Parks and Forestry Operations Department ('TSPFO') has no objection to the Development***

The TSPFO Department has reviewed the Application and advises that a Private Property Tree Removal and Protection Permit is required for the injury to a 84 cm diameter White Oak tree and shall be addressed upon submission of a future Site Development Application. Tree Protection Fencing is also required to minimize the impact to trees. Heavy Duty Plywood Tree protection fencing is also required prior to construction and must remain until construction is completed.

***Ministry of Transportation (the "MTO") requires a MTO Building and Land Use Permit prior to commencement of any construction/works.***

The Subject Lands are located within the MTO Permit Control Area and therefore, an MTO Building and Land Use Permit is required prior to the commencement of any on site construction/works. If any signs are proposed on the Subject Lands, that are located within 400 m of the Provincial Highway property line and/or Controlled-Access Highway designation and which are visible from the Provincial Highway property line and/or Controlled-Access Highway designation, a permit will be required from the MTO. The Owner must satisfy all requirements of the MTO prior to final approval of a Site Development Application(s). The Owner shall apply for the MTO Building and Land Use Permit only when MTO has completed its review of the future Site Development Application.

***Cash-in-Lieu payment will be required for the proposed employment uses***

The Office of the City Solicitor, Real Estate Department has confirmed that cemeteries are exempt from cash-in-lieu payment; however, as employment uses are also proposed, the provision of cash-in-lieu of parkland will be required upon finalization of a future Site Development Application(s) for the employment uses. The Owner is advised of the following:

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

***TransCanada Pipeline Limited ('TransCanada') has no objection to the Development***

TransCanada has no objection to the Application in-principle and has requested that the implementing Zoning By-law include the appropriate regulations to ensure that buildings and structures are adequately set back from the TransCanada right-of-way. The proposed regulations are considered appropriate and will be included as part of the implementing Zoning By-law, should the Application be approved.

***Hydro One Networks Inc. ("HONI") has no objection to the Application in principle and advises that a review of the future Site Development Application(s) will be required***

HONI advises that the Subject Lands are abutting a HONI high voltage transmission corridor. HONI has conducted a preliminary review of the Application and advises that the submission of a future Site Development Application is subject to their review and approval. The Owner shall satisfy all requirements of HONI prior to final approval of a future Site Development Application(s).

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

***York Region Community Planning and Development Services Department has no objection to the Development***

The York Region Community Planning and Development Services Department has determined the Application to be a matter of local significance and has no comments to provide.

***The Region of Peel has no objection to the Development, and advises that a detailed review will be undertaken as part of a future Site Development Application(s)***

The Region of Peel (the 'Region') has reviewed the Application and advises that the Owner will be required to enter into a Site Plan Agreement with the Region. The Region will require the gratuitous dedication of lands to meet the Official Plan mid-block requirement of 45 m for the right-of-way along Regional Road 50. An additional 5.5 m (for a total right-of-way width of 50.5 m) will be required within 245 m of intersections to protect for the provision of, but not limited to; utilities, sidewalks, multi-use pathways and transit bay/shelters. The Region requires the submission of a Traffic Study, site

servicing and grading plans, stormwater management report, functional servicing report upon the submission of a future Site Development Application(s). The Owner must satisfy all requirements of Peel Region prior to final approval of a future Site Development Application(s).

***The Toronto and Region Conservation Authority (“the TRCA”) has no objection to the Application in-principle***

The southeast corner of the Subject Lands are regulated by the TRCA. The TRCA will undertake a detailed review as part of the future Site Development Application(s), which will include but, not be limited to a Functional Servicing Report and Stormwater Management Report, which shall address how stormwater will be managed on/off-site from the proposed development area.

**Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.18.002 in consideration of the statutory Provincial Policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments and external public agencies and the surrounding area context. The Development Planning Department is satisfied that the Application to rezone a portion of the Subject Lands to permit a crematorium, funeral home and future employment uses is consistent with the policies of the PPS, conforms to the Growth Plan, York Region Official Plan and VOP 2010. The Application will facilitate uses that provide employment opportunities to serve the immediate area and is compatible with existing employment uses within the surrounding area context. On this basis, the Development Planning Department can support the approval of the Application subject to the Recommendations of this report.

**For more information**, please contact: Natalie Wong, Planner, Development Planning Department at extension 8866.

**Attachments**

1. Context Location Map
2. Location Map
3. Proposed Zoning and Overall Site Plan
4. Proposed Zoning and Site Plan

**Prepared by**

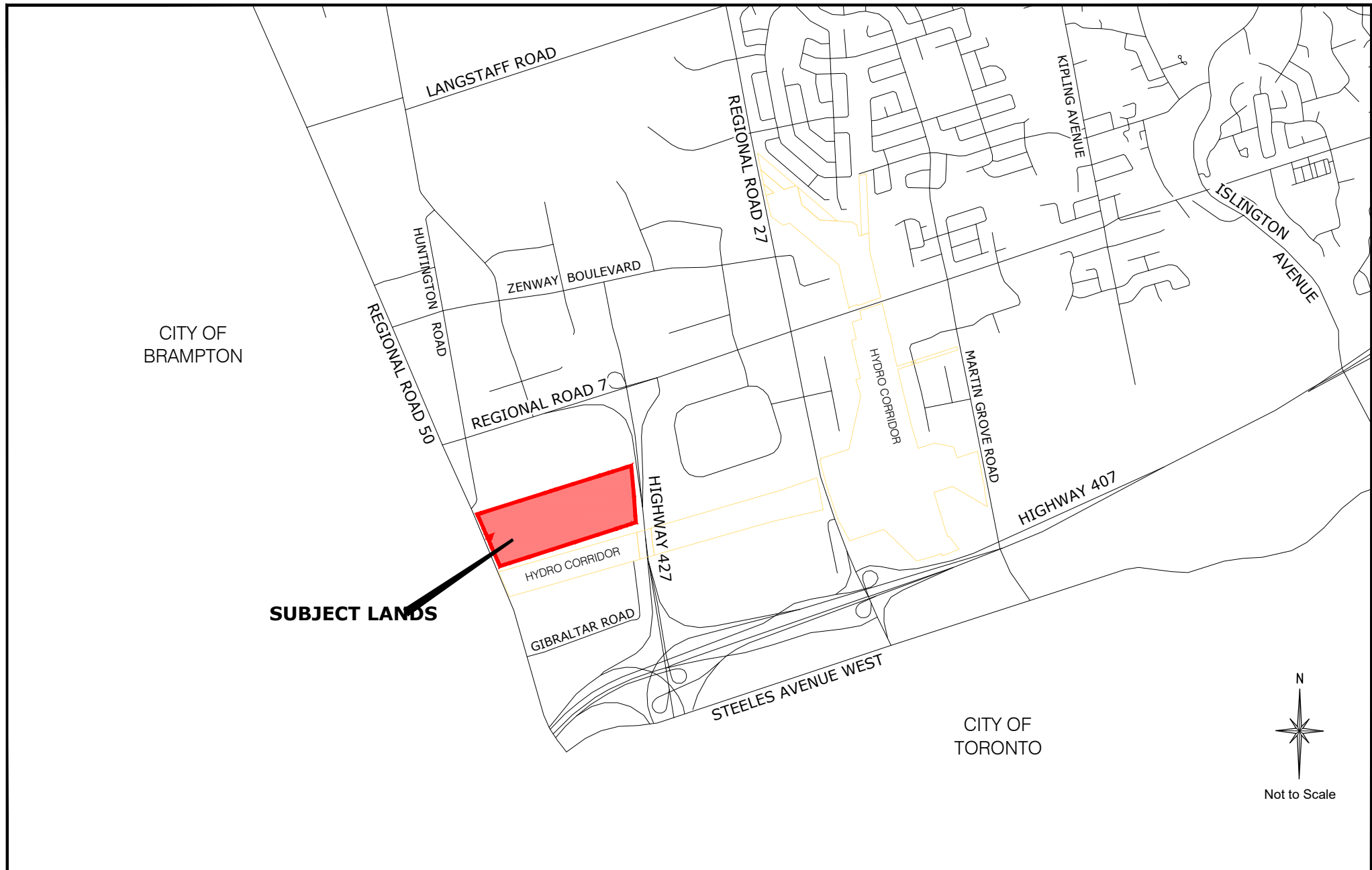
Natalie Wong, Planner ext. 8866

Clement Messere, Senior Planner ext. 8409

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning ext. 8407

/LG



# Context Location Map

**LOCATION:** Part of Lot 4, Concession 9;  
7541 Highway 50

**APPLICANT:**  
Arbor Memorial Inc.

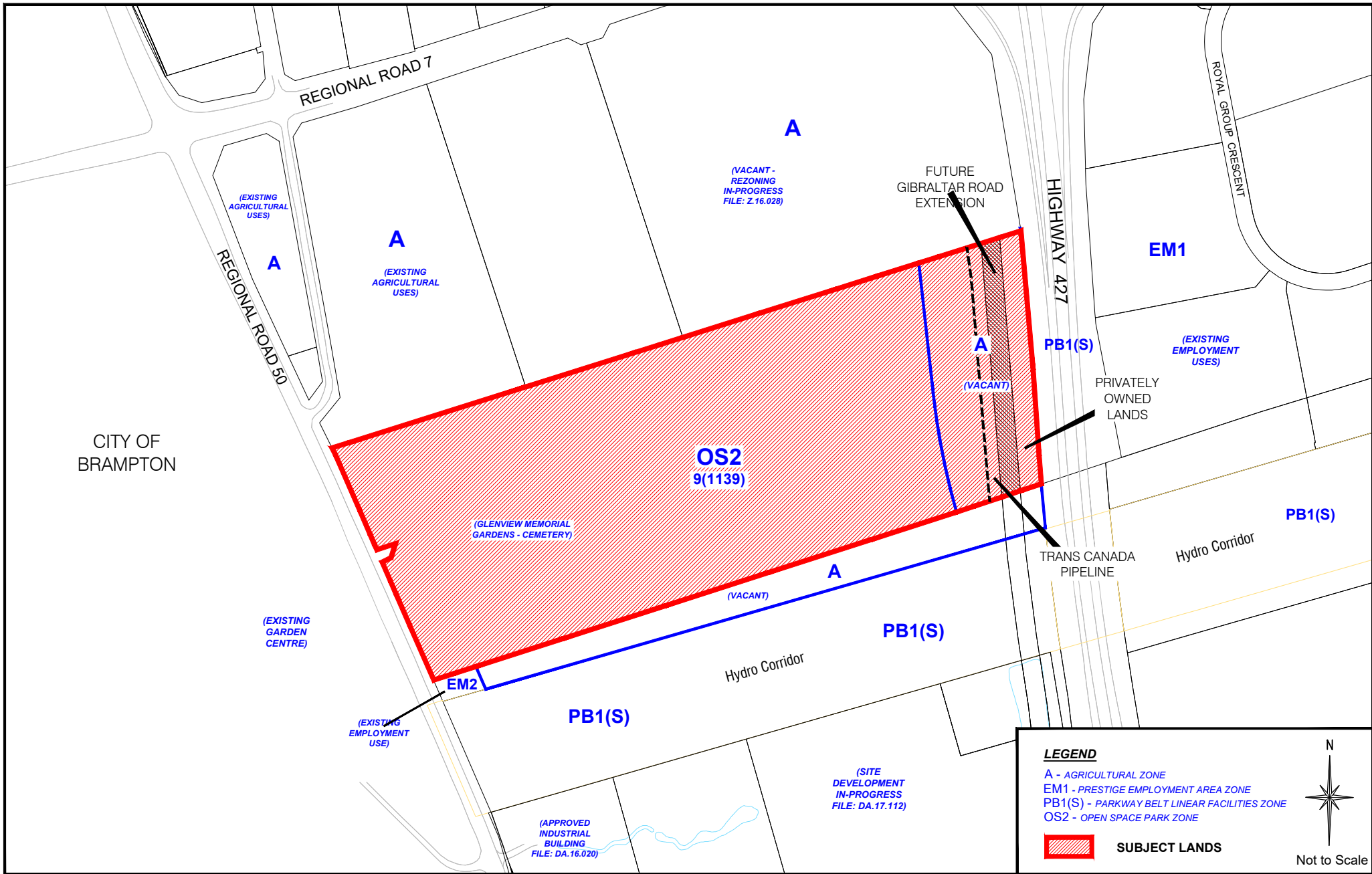
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# Attachment

**FILE:**  
Z.18.002

**DATE:**  
March 5, 2019

1



# Location Map

**LOCATION:** Part of Lot 4, Concession 9;  
7541 Highway 50

**APPLICANT:**  
Arbor Memorial Inc.

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# Attachment

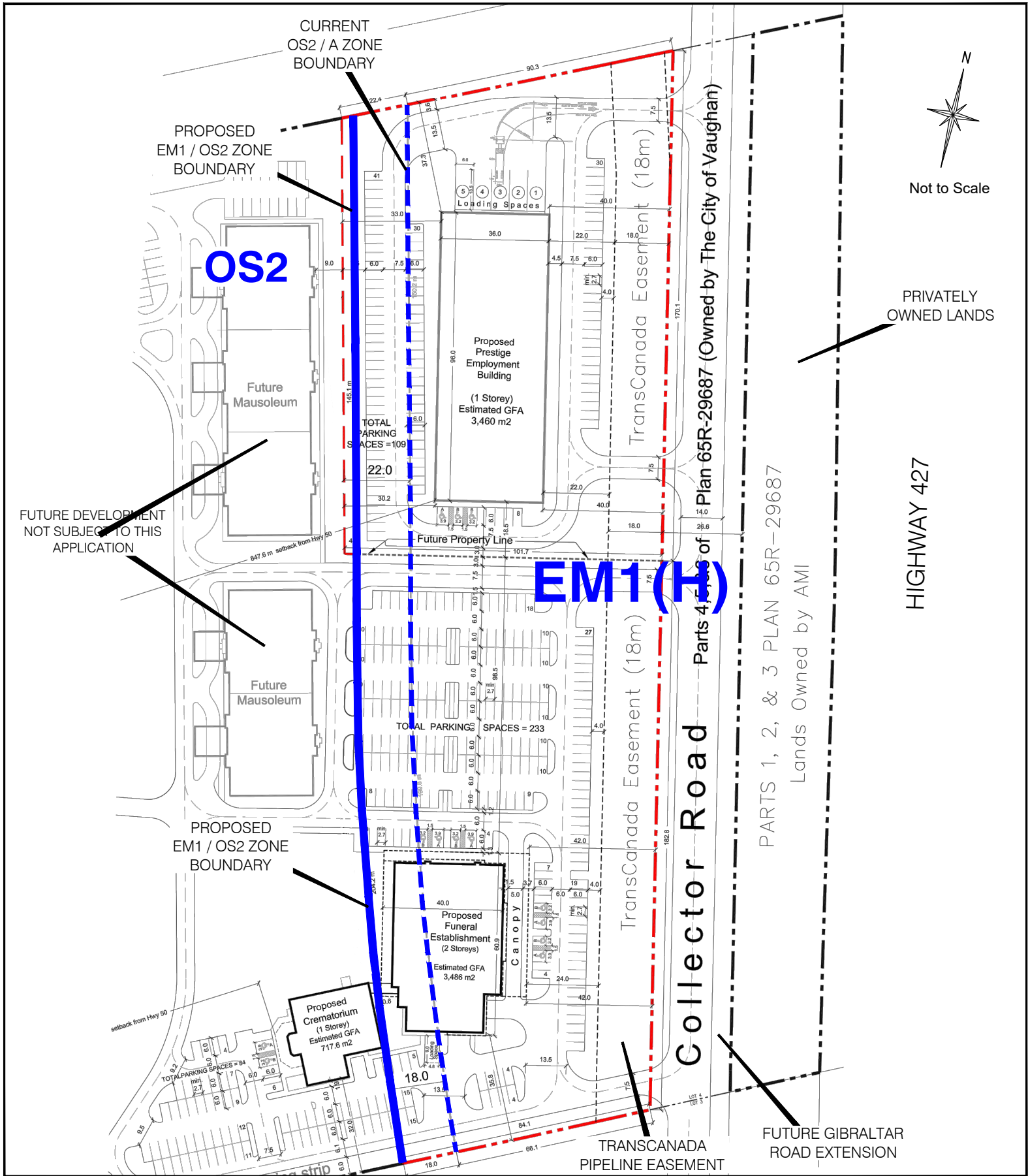
**FILE:**  
Z.18.002

**DATE:**  
March 5, 2019

# 2







**Proposed Zoning and Site Plan**

**Attachment**

**APPLICANT:** Arbor Memorial Inc. **LOCATION:** Part of Lot 4, Concession 9; 7541 Highway 50

**FILE:** Z.18.002  
**DATE:** March 5, 2019

**4**

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## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 4

**TITLE: SITE DEVELOPMENT FILE DA.15.077 AND  
SITE DEVELOPMENT FILE DA.18.098  
SHELL CANADA PRODUCTS AND  
DEACUR WORTHINGTON  
VICINITY OF LANGSTAFF ROAD AND DUFFERIN STREET**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Site Development Files DA.15.077 and DA.18.098 for the Subject Lands shown on Attachments 1 and 2, to permit the development of a Shell Canada gas bar, including an accessory convenience store and an eating establishment with drive-through (Starbucks) with vehicular access from the adjacent property to the west and to reconfigure the existing parking lot and access for the property to the west, as shown on Attachments 3 to 10.

**Report Highlights**

- The Owner is proposing a Shell Canada gas bar, accessory convenience store and an eating establishment with drive-through (Starbucks) with access from the property to the west. The parking lot and access for the property to the west is proposed to be reconfigured to facilitate the development.
- The Development Planning Department supports approval of the development as the gas bar use conforms to the Official Plan, is a permitted use in Zoning By-law 1-88 and is compatible with the existing and planned uses in the surrounding area, subject to the Recommendations in this report.
- The Owner must obtain approval from the Committee of Adjustment for the necessary exceptions to Zoning By-law 1-88 identified in Table 1 of this report to permit the development.

## **Recommendations**

1. THAT Site Development File DA.15.077 (Shell Canada Products) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS to permit a gas bar, a convenience store, and 163 m<sup>2</sup> stand-alone eating establishment, with drive-through (Starbucks) as shown on Attachments 3 to 10:
  - a) That prior to the execution of the Site Plan Agreement for Site Development File DA.15.077 (Shell Canada):
    - i) the Development Planning Department shall approve the final site plan, building elevations, lighting plan, landscape plan, landscape cost estimate, building elevations, the final tree compensation, signage plans and arborist report;
    - ii) the Development Engineering Department shall approve the final site servicing and grading plan, storm water management report, traffic impact study, site photometric plan, site plan, site erosion and sediment control plan;
    - iii) the Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division, and the Environmental Services Department, Waste Management Division shall approve the final site plan for compliance with the City's Waste Collection Design Standard Policy;
    - iv) the Owner shall submit to the Regional Community Planning and Development Services Branch compensation in the form of a certified cheque made payable to the Regional Municipality of York totaling \$31,418.00 for trees identified for removal within York Region's right-of-way; and,
    - v) the Owner shall satisfy all requirements of the Ministry of Transportation;
  - b) that the Site Plan Agreement include the following clauses:
    - i) "The Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment."

- ii) “The Owner agrees that waste collection services for the Development will be the responsibility of the Owner.”
  - iii) “The Owner shall pay to the City of Vaughan by way of certified cheque as cash-in-lieu for 21 additional replacement trees at a rate of \$550.00 per tree (total \$11,550.00) to the satisfaction of the Development Planning Department.”
  - c) That prior to the issuance of a Building Permit, the Owner agrees to pay all applicable Development Charges in accordance with the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board Development Charge By-laws at the time of the issuance of a Building Permit.
2. THAT Site Development File DA.18.098 (Deacur Worthington) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS to reconfigure the existing access and parking lot on the lands (Deacur Worthington office building), as shown on Attachments 3 and 5:
- a) That prior to the execution of the Site Plan Agreement:
    - i) the Development Planning Department shall approve the final site plan, lighting plan, signage plan, landscape plan, landscape cost estimate, final tree compensation and arborist report;
    - ii) the Development Engineering Department shall approve the final site servicing and grading plan, storm water management report, traffic impact study, site photometric plan, site plan, site erosion and sediment control plan;
    - iii) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority (“TRCA”) and obtain approval of a Water Balance Analysis which addresses the Wellhead Protection Area-Q2 (“WHPA-Q2”) requirements to the satisfaction of TRCA;
  - b) that the Site Plan Agreement include the following clauses:
    - i) “The Owner shall pay to the City of Vaughan by way of certified cheque as cash-in-lieu for 7 additional replacement trees at a rate of \$550.00 per tree (total \$3,850.00) to the satisfaction of the Development Planning Department.”

3. THAT prior to the execution of the Site Plan Agreements for Site Development Files DA.15.077 (Shell Canada) and DA.18.098 (Deacur Worthington) the following conditions must be satisfied:
- a) each Owner shall pay the Development Engineering Site Plan fee pursuant to the Fees and Charges By-law as amended. If the fees are not paid in the calendar year in which it is calculated, the fee will be subject to any increase in the next calendar year;
  - b) a Development Agreement(s) shall be executed to the satisfaction of the Development Engineering Department;
  - c) each Owner shall prepare and register a reference plan for the creation of all proposed servicing and access easements for the development and provide proof of the mutual servicing agreement to the satisfaction of the Development Engineering Department;
  - d) each Owner shall successfully obtain approval of Minor Variance Applications for the required site-specific zoning exceptions to Zoning By-law 1-88, as identified in Table 1 and 2 of this report, from the Committee of Adjustment. The Committee's decisions for the Consent applications shall be final and binding, and the Owners shall satisfy any conditions of approval imposed by the Committee;
  - e) each Owner shall successfully obtain approval of the necessary Consent Applications to create the driveway and servicing easements from the Committee of Adjustment. The Committee's decisions for the Consent Applications shall be final and binding, and the Owners shall satisfy any conditions of approval imposed by the Committee; and,
  - f) each Owner shall satisfy all requirements and obtain all necessary approvals from York Region.

### **Background**

The subject lands (the 'Subject Lands') are located on the southwest corner of Langstaff Road and Dufferin Street, municipally known as 8470 and 8484 Dufferin Street and 1531 Langstaff Road, as shown on Attachments 1 and 2. The surrounding land uses are shown on Attachment 2.

### ***Site Development Applications have been submitted to permit the Development***

The Owner has submitted the following Site Development Applications (the 'Applications') on the Subject Lands shown on Attachments 1 and 2 to permit the proposed development (the 'Development').

1. Site Development File DA.15.077 to permit a Shell Canada gas bar, 168 m<sup>2</sup> accessory convenience store, and 163 m<sup>2</sup> eating establishment with drive-through (Starbucks) that accommodates 9 cars, and a total of 21 parking spaces as shown on Attachments 3 to 10; and
2. Site Development File DA.18.098 (Deacur Worthington), to reconfigure the existing driveway, access and parking lot on the Deacur Worthington lands, as shown on Attachments 3 and 5.

### **Previous Reports/Authority**

Not applicable.

### **Analysis and Options**

#### ***The Development conforms to the policies of Vaughan Official Plan 2010 (“VOP 2010”)***

The Subject Lands are designated “Prestige Employment” by VOP 2010, which permits a wide range of employment uses including gas stations. Gas stations are permitted subject to Policies 5.2.3.12 and 9.2.3.9 of VOP 2010 which states the following (in part):

- “5.2.3.12 a. New Gas Stations are not permitted in Regional Intensification Corridors, Regional Intensification Corridors within Employment Areas, the Vaughan Metropolitan Centre and in Primary and Local Centres abutting Regional Road 7, Bathurst Street and Yonge Street, as shown on Schedule 1 – Urban Structure, or in Heritage Conservation Districts, as shown on Schedule 14-B - Areas Subject to Area Specific Plans.
- e. With respect to areas other than those cited in paragraph “a” above, the following policies shall apply:
    - i. Gas Stations shall be located on an arterial street as indicated on Schedule 9;
    - iii. Where two Gas Stations are permitted at an intersection, then such Gas Stations shall preferably be located in the diagonally opposite quadrants of the intersection.
  - f. The type of accessory and/or ancillary services, as permitted in accordance with Section 9.2.3.9.a. of this Plan, will be implemented through the zoning by-law.”

- “9.2.3.9 a. Gas Stations are facilities primarily for the sale of gasoline and other fuels. They are characterized by covered vehicle fuel dispensing facilities and may include ancillary or accessory uses thereto including an associated accessory retail component. Car wash and drive-through facilities are permitted as accessory parts of Gas Stations. Automobile repair and service facilities are only permitted as part of Gas Stations if located in an Employment Area.
- b. Extensive landscaping and buffering shall be provided along public street frontages and along property lines.
- c. Where a Gas Station contains a retail building greater than 100 square metres, the retail building will be situated in an appropriate location that ensures an attractive streetscape, with convenient and safe pedestrian connection(s) between the building and public street.
- e. Where a proposed Gas Station contains a drive-through facility, the drive-through will be assessed with respect to setbacks, landscaping, fencing, lighting and noise mitigation measures (if required) to ensure compatibility with any adjacent sensitive uses and the effect on streetscapes.
- f. Surface parking shall be setback from any property line by a minimum of three metres and appropriately screened by landscaping.”

The Subject Lands are located within an Employment area abutting two major arterial roads (Langstaff Road and Dufferin Street) with no other gas stations located at this intersection. Landscaping along the Dufferin Street and Langstaff Road property lines is proposed to buffer the proposed development and the convenience accessory store and drive-through are located appropriately on the Subject Lands to achieve capability with the adjacent uses. The Development conforms to VOP 2010.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned “C7 Service Commercial Zone” (Shell Canada) and “C1 Restricted Commercial Zone” (Deacur Worthington) by Zoning By-law 1-88, as shown on Attachments 2 and subject to site-specific Zoning Exception 9(283). Exception 9(283) restricts the Deacur Worthington lands to be used for the purpose of a professional office within the existing building.

The “C7 Service Commercial Zone” permits service commercial uses including an automobile service station, automobile gas bar, and an eating establishment, convenience with drive-through. The following exceptions to Zoning By-law 1-88, specifically to the C7 Service Commercial Zone, are required to permit the gas station development:



Table 1 (Shell Canada)

|    | <b>Zoning By-law 1-88 Standard</b>          | <b>C7 Service Commercial Zone Requirements, subject to Site-Specific Exception 9(283)</b>  | <b>Proposed Variances to the C7 Service Commercial Zone Requirements, subject to Site-Specific Exception 9(283)</b>                              |
|----|---|--|--|
| a. | Minimum Front Yard Setback (Langstaff Road) | 9 m  | 3.3 m  |
| b. | Minimum Rear Yard Setback                   | 22 m   | 7.8 m<br>(South Property Line - Starbucks)   |
| c. | Minimum Parking Requirements                | <ul style="list-style-type: none"> <li>• 37 spaces (Starbucks 163 m<sup>2</sup> @ 16 spaces/ 100 m<sup>2</sup> + Convenience Store 168 m<sup>2</sup> @ 6 spaces/ 100 m<sup>2</sup>)</li> </ul> | <ul style="list-style-type: none"> <li>• 21 spaces (Starbucks and Convenience Store 331 m<sup>2</sup>@ 6.3 spaces/ 100 m<sup>2</sup>)</li> </ul> |
| d. | Minimum Landscape Strip                     | 6 m  | 4.5 m (Dufferin Street)<br>3 m (Langstaff Road)  |

The Development Planning Department can support the proposed zoning exceptions. The proposed building setbacks and landscaping are appropriate for a gas bar development, facilitate proper on-site functioning of the use and provide an appropriate built form.

The Owner has submitted a Traffic Impact Study (July 2017 and an addendum letter dated September 21, 2018) which has been reviewed by the Transportation Division of the Development Engineering Department that concludes 21 parking spaces are adequate to accommodate the Development.

Table 2 for Deacur Worthington

|    | <b>Zoning By-law 1-88 Standard</b>                 | <b>C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(283)</b>                              | <b>Proposed Variances to the C1 Restricted Commercial Zone Requirements, subject to Site-Specific Exception 9(283)</b> |
|----|--|---|--|
| a. | Driveway Width                                     | 6 m   | 3.37 m (east side)<br>3.16 m (west side)<br>(Existing Building)  |
| b. | Schedule E-287 (Attachment 10) to Exception 9(283) | Access 7.3 m (ingress and egress driveway), landscape strip and parking configuration shall be as shown on Schedule E-287 | Access width 12.4 m, landscape strip and parking configuration shall be as shown on Attachment 3                       |

The Development Planning Department can support the variances for the driveway widths abutting the existing building as they recognize an existing situation, as shown on Attachment 10. The existing office use is a converted house that is 164.6 m<sup>2</sup> in size and no changes to the building are proposed. The Transportation Division of the Development Engineering Department has no objection to this zoning exception.

Both Langstaff Road and Dufferin Street are major arterial regional roads where individual accesses are to be minimized. Shared/consolidated access driveways are encouraged by York Region and currently exist between the two properties. In order for Shell Canada to have access from Langstaff Road and meet York Region's requirements respecting the minimum distance from an intersection, the driveway must remain shared and be reconfigured on the Deacur Worthington property. The existing access to the Deacur Worthington Property has been relocated, widened and a median has been added to accommodate access to both properties.

The Office of the City Solicitor has confirmed that an access easement over the Deacur Worthington lands in favour of Shell Canada is registered on title however, may need to be updated to reflect the new driveway configuration. Shell Canada must successfully

obtain approval of a Consent Application from the Committee of Adjustment for an easement to reflect the final driveway location. In addition, each Owner shall successfully obtain approval of Consent Applications for the creation of servicing easements discussed later in this report. The Committee's decisions for the Consent applications shall be final and binding, and the Owners shall satisfy any conditions of approval imposed by the Committee.

Each Owner shall also successfully obtain approval of Minor Variance applications for the required site-specific exceptions to Zoning By-law 1-88 from the Committee of the Adjustment, as identified in Tables 1 and 2 of this report. The Committee's decisions regarding the Minor Variance applications shall be final and binding. Should the Site Development applications be approved, the Owner shall satisfy any conditions of approval imposed by the Committee prior to the execution of the implementing Site Plan Agreements.

Conditions to this effect are included in the Recommendations of this report.

***The Development Planning Department supports the Development, subject to the Recommendations in this report***

#### Site Plan

The Shell Canada property includes a gas bar with 12 gas pumps and service lanes covered by a canopy, a retail building (convenience store) and an eating establishment with a drive-through (Starbucks) and 21 parking spaces, including 2 barrier-free parking spaces, as shown on Attachments 3 to 10. The proposed site plan includes a right-in / right-out access driveway along Dufferin Street and a shared driveway access with the abutting property to the west (Deacur Worthington).

The Deacur Worthington site is developed with an existing dwelling converted to an office use with parking located adjacent to Langstaff Road (Attachment 10), however due to the proposed shared access, the existing parking lot is proposed to be reconfigured as shown on Attachment 3. The majority of the existing parking spaces will be relocated to the rear of the lot and three parking spaces will remain in the front yard.

#### Landscape Plan

The landscape plans for Shell Canada and Deacur Worthington as shown on Attachments 5 and 6, include a mix of coniferous and deciduous shrubs and deciduous trees. A gateway feature utilizing hard and soft landscaping and a decorative fence with masonry piers (on the private property) is proposed at the intersection of Langstaff Road and Dufferin Street. A portion of this feature (e.g. walkway) is located within York Region's right-of-way must be finalized to the satisfaction of the City of Vaughan and York Region. An encroachment permit from York Region is required for all landscape features located in York Region's right-of-way.

In accordance with the City's "Tree Protection Protocol", 52 replacement trees are required to be planted on the Shell Canada site. The proposed landscape plan includes 31 deciduous trees. To meet the City's tree replacement requirement, a cash-in-lieu payment for the remaining 21 replacement trees is required at a rate of \$550.00 per tree (total \$11,550.00). Similarly, 11 replacement trees are required to be planted on the Deacur Worthington site, whereas 3 deciduous trees are proposed on the site. To satisfy the City's requirement, a cash-in-lieu payment for 7 additional replacement trees at a rate of \$550.00 per tree (total \$3,850.00) is required. A provision to this effect will be included in the implementing Site Plan Agreements.

### Building Elevations

Attachments 6 to 8 show the building elevations for the convenience store, gas bar canopy and the Starbucks with drive through. The convenience store and Starbucks buildings consist of a façade of red and grey-beige toned brick. The Shell Canada canopy utilizes Shell's corporate colours with yellow, white and red. No changes are proposed for the Deacur Worthington building.

### Signage

Pylon signage, as shown on Attachment 9, is proposed adjacent to the site triangle at the northeast corner of the site (Attachment 3). Illuminated building signage is proposed along the wall facades and canopy, as shown on Attachments 6 to 8.

Minor revisions to enhance the landscape plan, landscape cost estimate, signage plan and lighting plan have been requested by the Development Planning Department. The Owner has worked with staff and has agreed to address these matters. The final site plan, building elevations, lighting plan, signage, landscape plan, and landscape cost estimate must be approved by the Development Planning Department. A condition to this effect is included in the Recommendations of this report.

### ***The Development Engineering Department has no objection to the Development subject to the conditions in this report***

The Development Engineering ('DE') Department has reviewed the Applications, and advised they have no objection to the Development subject to the conditions in the Recommendations section of this report. The DE Department has identified the following matters to be addressed prior to final approval and the execution of a Site Plan Agreements:

### Municipal Servicing

Shared sanitary servicing is proposed for the Subject Lands via a Street connection from an existing sanitary sewer located on the east side of Dufferin within an existing residential subdivision (Yellowwood Circle).

### Water Distribution

Water servicing is proposed for the Subject Lands via a new connection to an existing City of Vaughan owned watermain located within an existing easement just west of the Deacur property. The existing watermain and servicing easement is located within the property municipally known as 1641 Langstaff Road.

The proposed water service will travel through Deacur Worthington property via a private easement complete with a City Standard connection at the lot line between both Developments (Shell Canada and Deacur Worthington).

### Storm Drainage

Stormwater servicing is proposed for the Subject Lands via a shared storm connection from the existing York Region catch basin on Langstaff Road to a proposed catch basin manhole which services both properties complete with internal stormwater controls, storm sewers, manholes and catch basins.

### Erosion and Sediment Control

Erosion and sediment control mitigation measures shall be implemented during construction to minimize silt laden runoff and discharge from the Subject Lands in accordance with the "Erosion and Sediment Control Guidelines for Urban Construction (December 2006)".

### Photometric Lighting Plan

The Owner is required to maintain a zero-cut-off light level distribution at the property lines.

### Transportation

The proposed parking (21 spaces) for Shell Canada is adequate based on the supporting analysis provided in the Consultant's report. The proposed shared access requires approval by York Region.

### Development Agreement

The Owner shall enter into a Development Agreement to facilitate the installation of the sanitary service connection across Dufferin Street to the existing residential development (Yellowwood Circle) and any other items the City deems necessary. A condition to this effect is included in the Recommendations of this report.

### Servicing Agreement and Access Easements

The Owner shall prepare and register a reference plan at their expense for the creation of all proposed servicing (water, sanitary and storm) and updated access easements (including easement language) to the satisfaction of the DE Department. The Owner shall submit a draft reference plan to the DE Department for review prior to deposit. A mutual servicing agreement is also required between Shell Canada and Deacur

Worthington, proof of which shall be provided to DE Department prior to final approval. A condition is effect in the Recommendations of this report.

The Ministry of Environment, Conservation and Parks approval is required for the shared sanitary and storm servicing connections.

#### Lot Grading

The Owner is required to contact the Development Inspection and Lot Grading Division directly, upon receipt of Site Plan Approval, to arrange a pre-construction meeting and to coordinate works.

The DE Department shall approve the final stormwater management report, traffic impact study, site photometric plan, site servicing, site plan, site grading, site erosion and sediment control plan. A condition to this effect is included in the Recommendations of this report.

#### ***The Vaughan Public Works Department, Environmental Services Division has no object to the Development***

The Vaughan Public Works Department must be contacted to purchase the required water meter, which shall be installed with sufficient read-out equipment and in advance of connecting to and/or disconnecting from any municipal services (including any required relocation works) to the satisfaction of the Environmental Services Division.

#### ***The Vaughan Environmental Services Department, Solid Waste Management Division has no objection to the Development***

The Vaughan Environmental Services and Waste Management Department accepts the in-ground waste collection molok system. The Owner is responsible for waste collection pickup for the Development.

#### ***Development Charges are applicable to the Development***

The Owner will be required to pay all applicable development charges in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. A condition to this effect is included in the Recommendations of this report.

#### ***Cash-in-lieu of the dedication of parkland is required for the Development***

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall pay, to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 2% of the value of the Subject Lands, prior to issuance of a Building Permit, in accordance with Section 42 of the Planning Act. The Owner shall submit an appraisal of the Subject Lands prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and

the approved appraisal shall form the basis of the cash-in-lieu payment. A standard clause to this effect will be included in the Site Plan Agreement, as indicated in the Recommendations of this report.

***The Toronto and Region Conservation Authority (“TRCA”) has no objection to the Development***

The Subject Lands are located within a Source Protection Plan (SPP) Recharge Management Area (WHPA-Q) governed by the Clean Water Act, 2006. The SPP policies came into effect on December 31, 2015, and require that any applications deemed complete prior to December 31, 2015, are considered exempt and are not required to meet the SPP policy requirements. Site Development File DA.15.077 (Shell Canada) was submitted on November 30, 2015 and deemed complete on December 16, 2015 prior the SPP policies coming into effect and therefore, do not apply to this application. Site Development File DA.18.098 (Deacur Worthington) was submitted on October 2, 2018 and is subject to the SPP policies.

The SPP requires Deacur Worthington to prepare a water balance study identifying this site meets post to pre-development requirements. The TRCA will review water balance study to ensure compliance with the SPP policy. Runoff volume reduction via evapotranspiration and/or rainwater harvesting or other low impact developments standards or additional mitigation measures should be explored to meet the WHPA-Q requirements. The Deacur Worthington lands shall satisfy all requirements of the TRCA including the WHPAQ. A condition to this effect is included in the Recommendations of this report.

***The Ministry of Transportation (‘MTO’) has no objection to the Development***

The MTO Highway Corridor Management Section has advised the Subject Lands are located within the MTO Permit Control Area, and therefore a MTO Building and Land Use Permit is required prior to the commencement of any site construction/works. The Applications are still under review by the MTO. The Owner must satisfy all requirements of the MTO prior to final approval. A condition to this effect is included in the Recommendations of this report.

***Canada Post and Utility Companies have no objection to the Development***

The Development has been reviewed by Canada Post and various utility companies, who advise they have no objection to the Development.

**Financial Impact**

N/A

## **Broader Regional Impacts/Considerations**

### **York Region has no objection to the Development, subject to conditions**

The Applications were circulated to York Region for review and approval. The York Region Community Planning and Development Services Department has no objection to the Applications, subject to the Owner satisfying York Region's conditions.

In coordination with the City, the daylight triangle streetscape treatment must be revised and an encroachment permit is required for all landscape features located within York Region's right-of-way to the satisfaction of York Region.

Prior to final approval, the Owner shall submit to the Regional Community Planning and Development Services Branch compensation in the form of a certified cheque made payable to the Regional Municipality of York totaling \$31,418.00 for trees identified for removal within York Region's right-of-way.

Prior to the execution of the Site Plan Agreements, each Owner will be required to satisfy all requirements of York Region. Conditions to this effect are included in the Recommendations of this report.

## **Conclusion**

Site Development Files DA.15.077 (Shell Canada Inc.) and DA.18.098 (Deacur Worthington) have been reviewed in consideration of the policies of VOP 2010, the requirements of Zoning By-law 1-88, comments received from City Departments and external public agencies, and the surrounding area context. The Development shown on Attachments 3 to 10 conforms to VOP 2010, and the proposed gas bar use is permitted by Zoning By-law 1-88 and is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of Site Development Files DA.15.077 and DA.18.098, subject to the Recommendations in this report.

**For more information**, please contact: Margaret Holyday, Planner, Development Planning Department, ext. 8216.

## **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan - Shell Canada
5. Landscape Plan - Deacur Worthington
6. Building Elevations - Shell Canada (Convenience Store)
7. Elevations - Shell Canada (Canopy)
8. Building Elevations - Shell Canada (Starbucks with Drive-Through)



9. Pylon Sign for Shell Canada
10. Schedule E-287 to Exception 9(283)

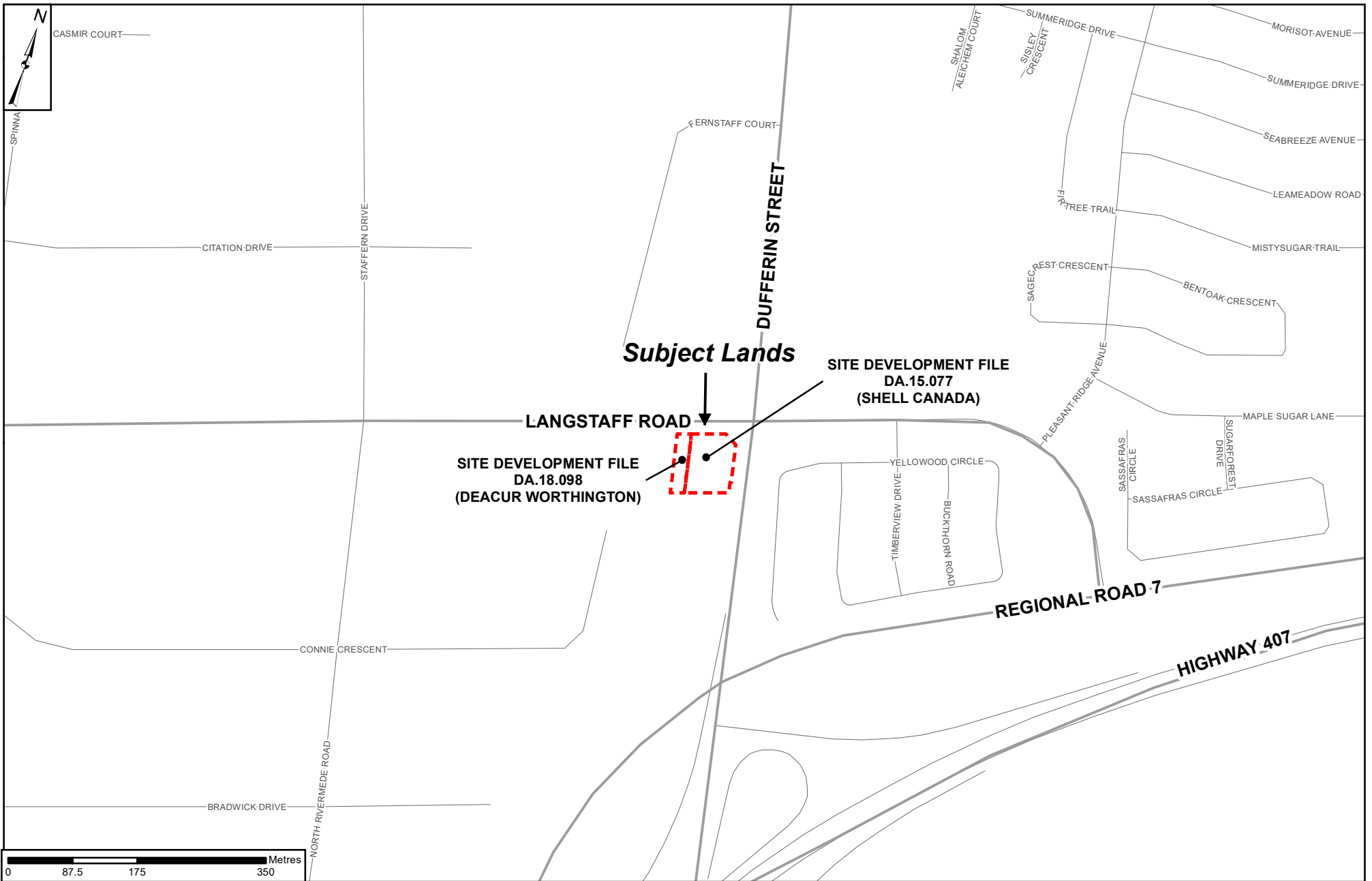
**Prepared by**

Margaret Holyday, Planner, ext. 8216

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

/LG



# Context Location Map

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

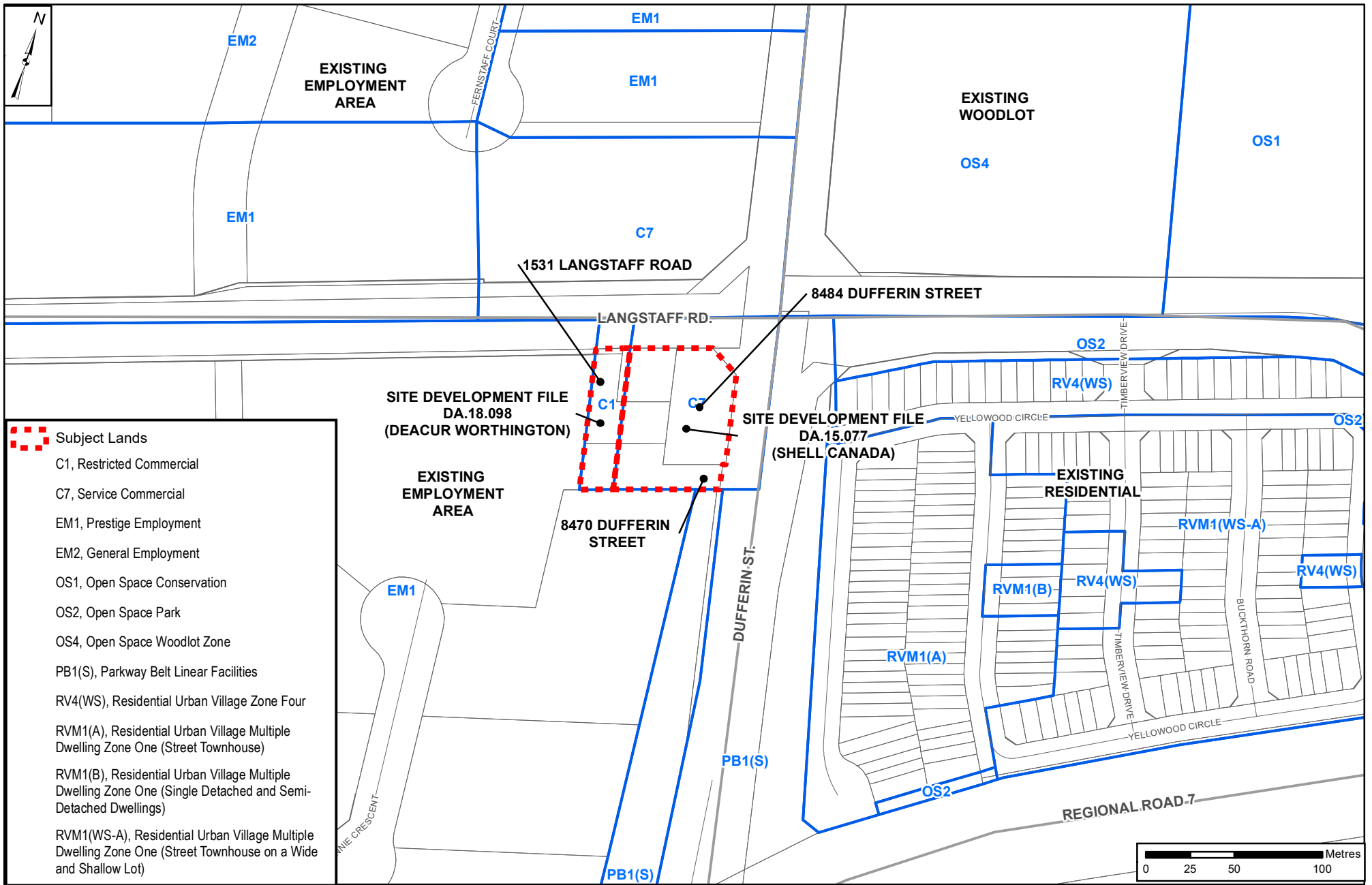


# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

**1**



# Location Map

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

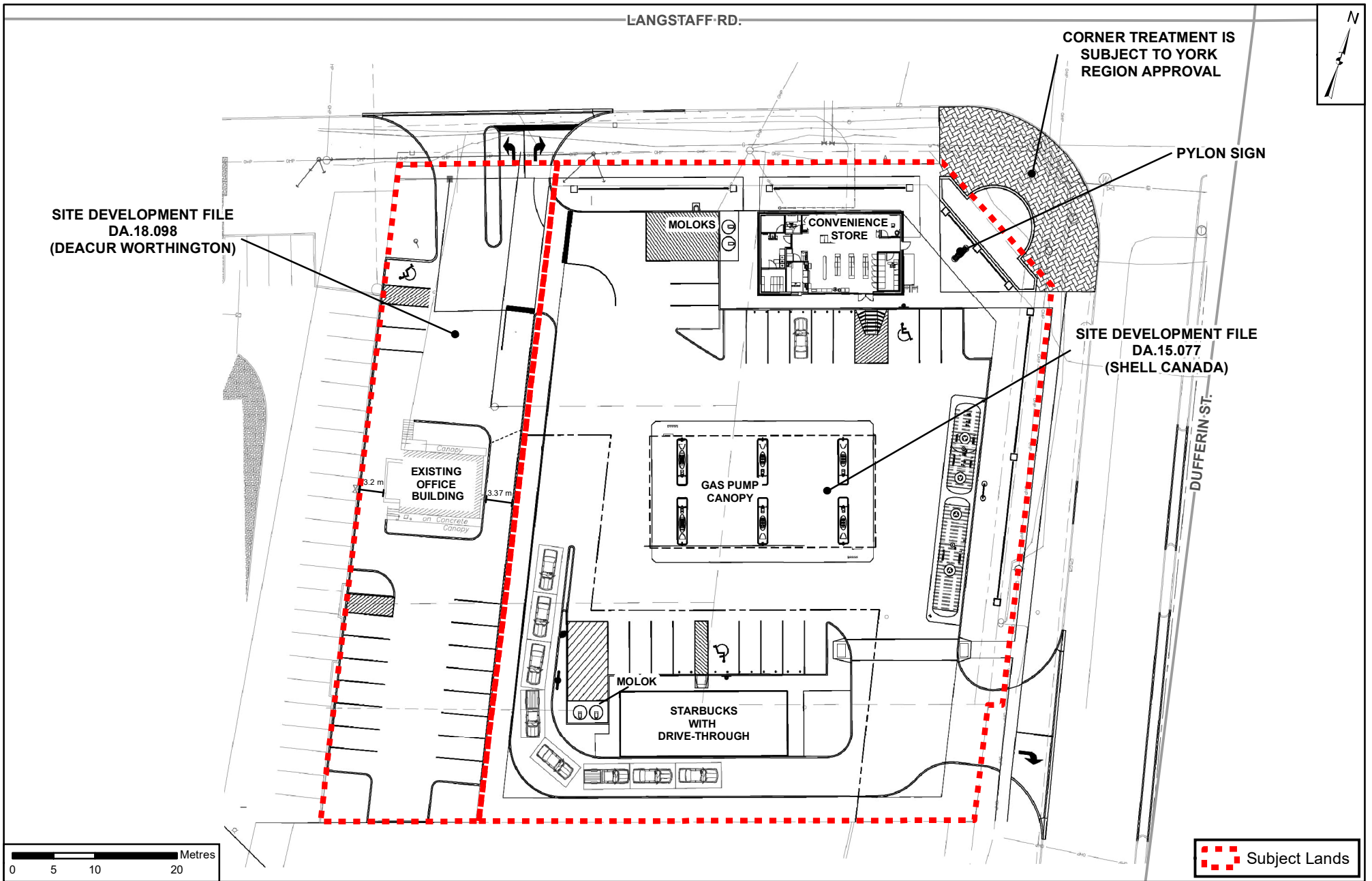


# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

**2**



# Site Plan

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

**3**



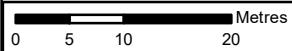
LANGSTAFF ROAD

SITE DEVELOPMENT FILE  
DA.18.098  
(DEACUR WORTHINGTON)



SITE DEVELOPMENT FILE  
DA.15.077  
(SHELL CANADA)

DUFFERIN STREET



# Landscape Plan - Shell Canada

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

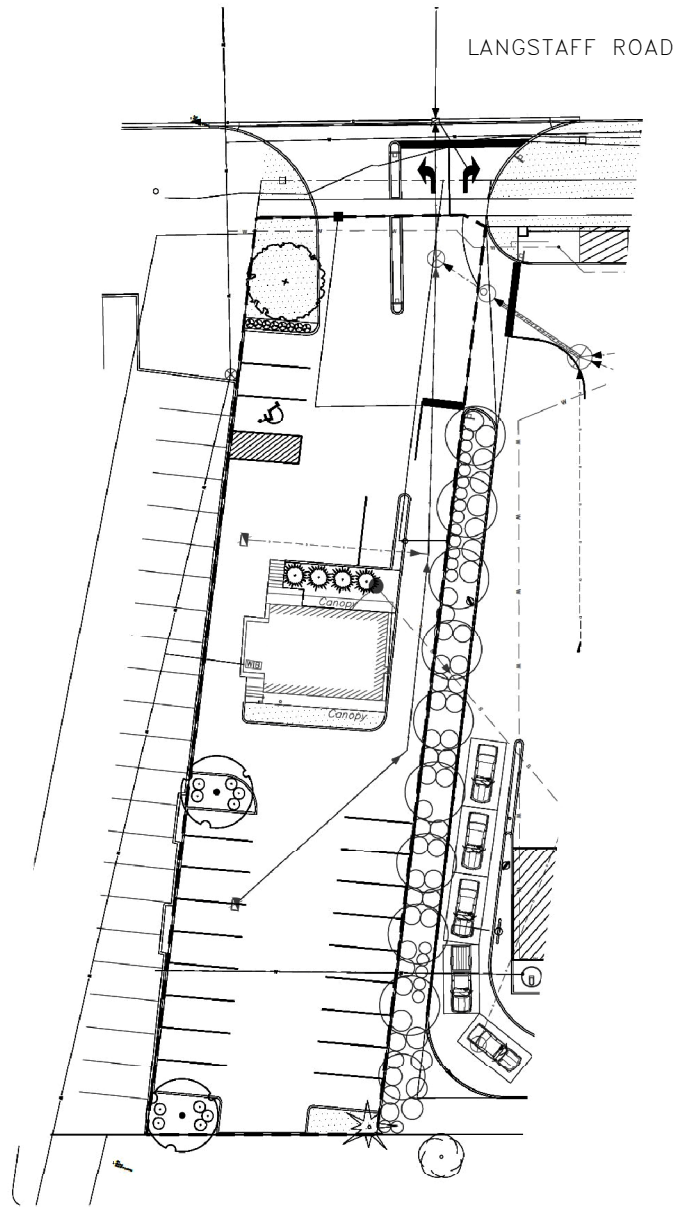


# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

# 4



Not to Scale

# Landscape Plan - Deacur Worthington

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington



# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

**5**





Not to Scale

# Building Elevations - Shell Canada (Convenience Store)

# Attachment

**LOCATION:**  
Part of Lot 10, Concession 3

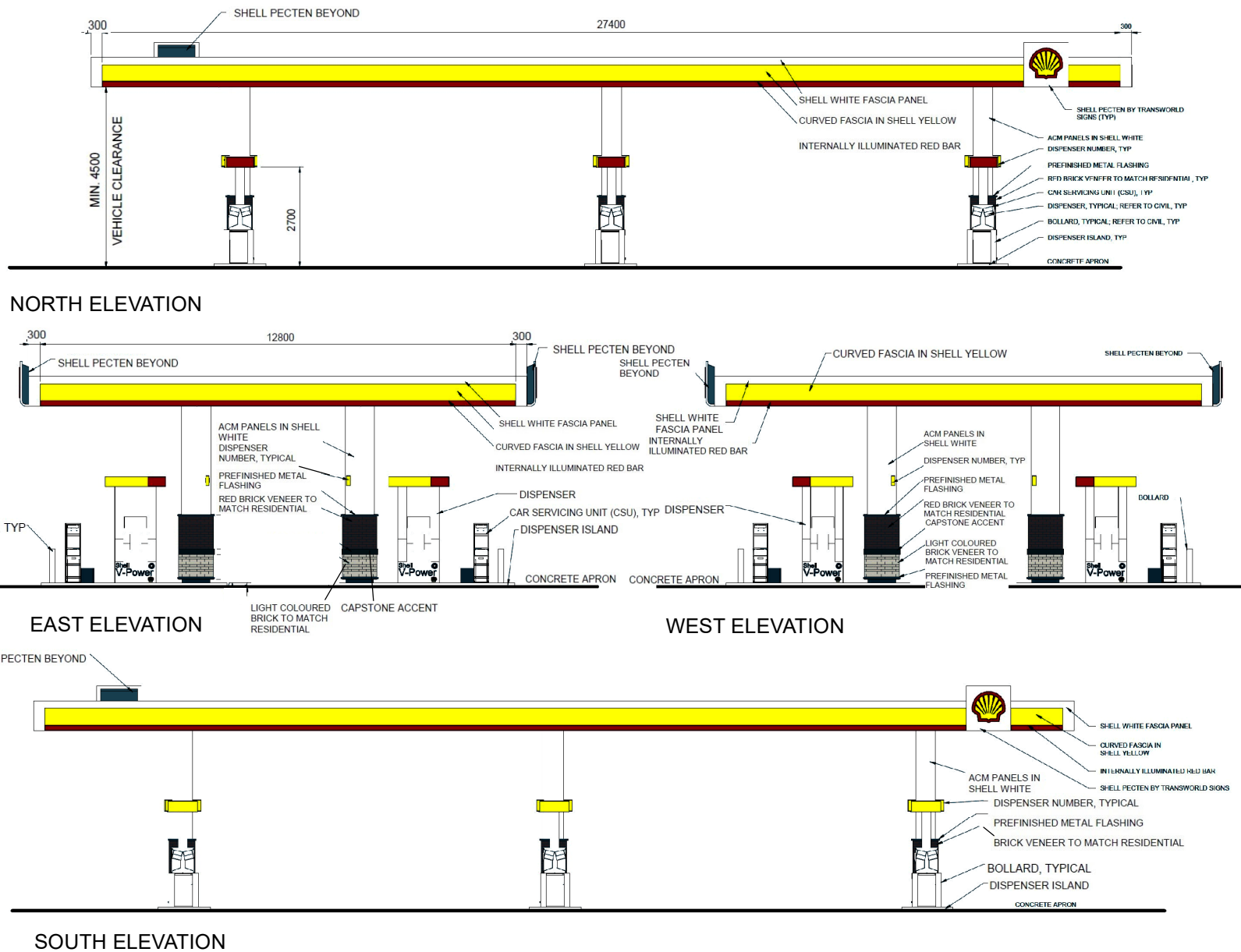
**APPLICANT:**  
Shell Canada & Deacur Worthington



**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

6



Not to Scale

# Elevations - Shell Canada (Canopy)

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

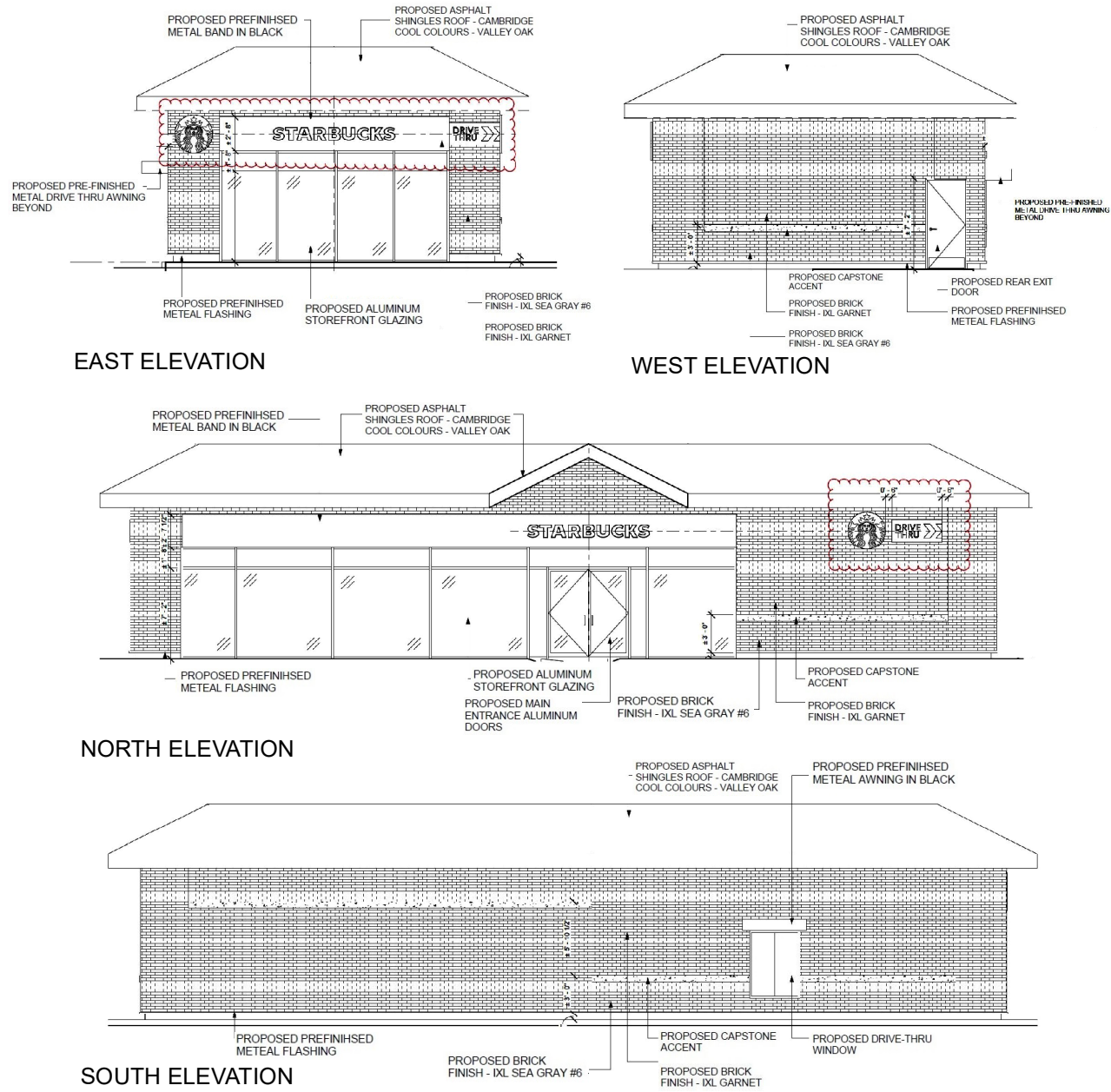
# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

7





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# Building Elevations - Shell Canada (Starbucks with Drive-Through)

# Attachment

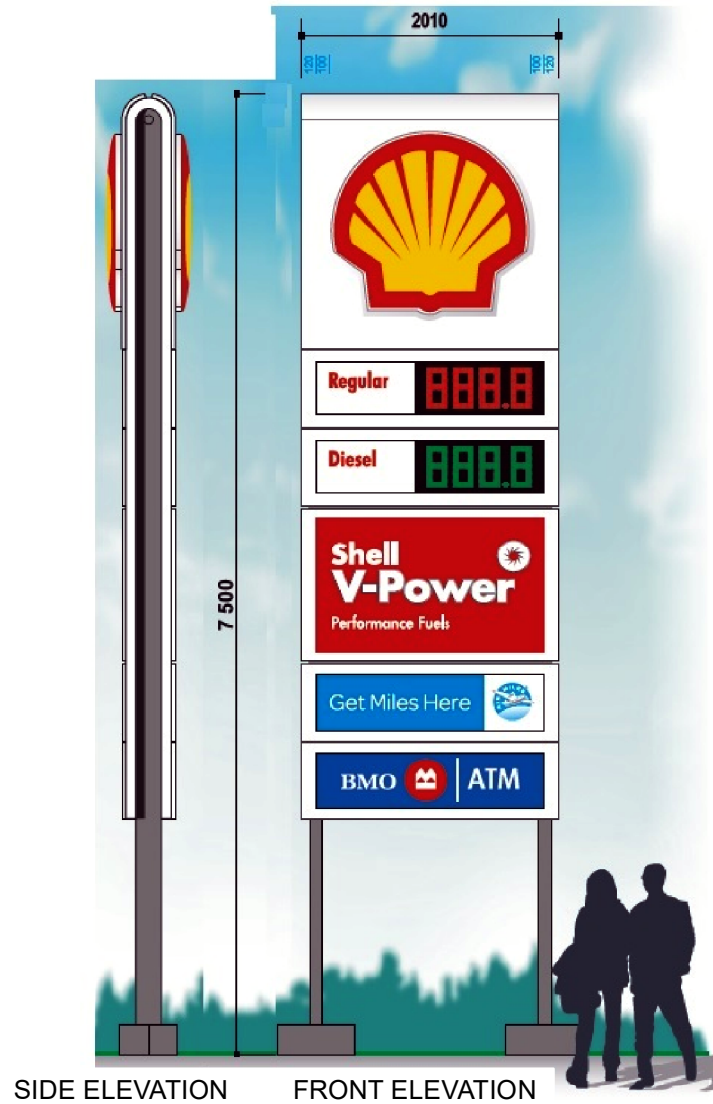
**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

8



Not to Scale

# Pylon Sign - Shell Canada

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.098\DA.15.077\_CW\_9\_ElevationPlanSign.mxd

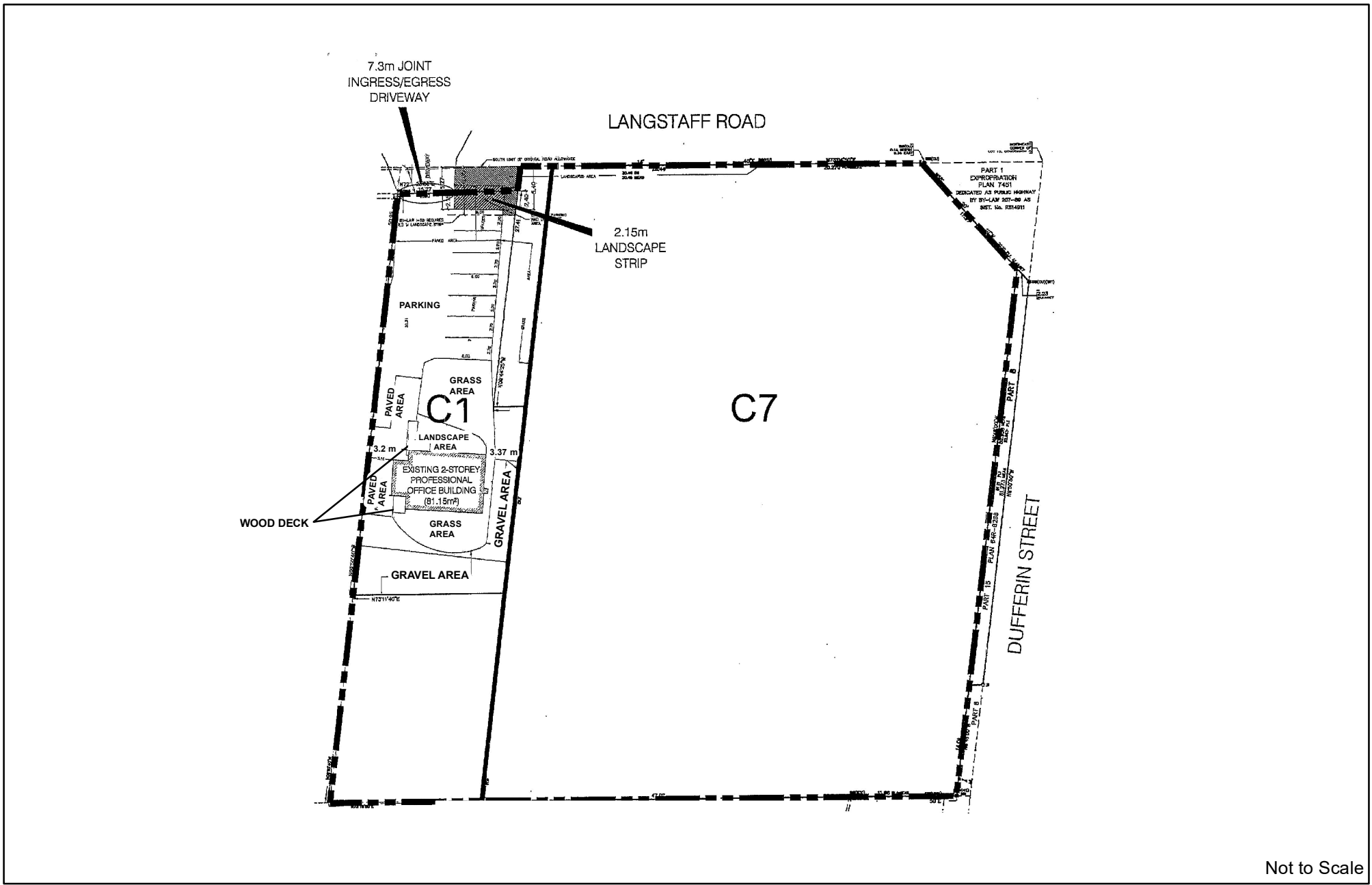
# Attachment

**FILES:**  
DA.15.077 & DA.18.098

**DATE:**  
March 5, 2019

9

Printed on: 1/28/2019



Not to Scale

# Schedule E-287 to Exception 9(283)

**LOCATION:**  
Part of Lot 10, Concession 3

**APPLICANT:**  
Shell Canada & Deacur Worthington



# Attachment

**FILES:**  
DA.15.077 & DA.18.098  
**DATE:**  
March 5, 2019

# 10

## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 4

**TITLE: SITE DEVELOPMENT FILE DA.18.019  
TRICOL DEVELOPMENTS LTD.  
VICINITY OF KEELE STREET AND HIGHWAY 407**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

---

**Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.18.019 for the Subject Lands shown on Attachments 1 and 2, to permit the development of an employment building (warehouse) with an accessory office use, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner proposes to construct a 3,720 m<sup>2</sup> employment building (warehouse) with accessory office use.
- The development Planning Department supports the approval of the proposed development, subject to the Recommendations of this report, as the employment building and accessory office use conforms with the Vaughan Official Plan 2010, complies with Zoning By-law 1-88, and is compatible with the existing and planned uses in the surrounding area.

**Recommendations**

1. THAT Site Development File DA.18.019 (Tricol Developments Ltd.) BE DRAFT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS, to the satisfaction of the Development Planning Department, to permit the development of a 3,720 m<sup>2</sup> employment building (warehouse) with an accessory office use, as shown on Attachments 3 to 6:

- a) That prior to the execution of a Site Plan Agreement:
- i) The Development Planning Department shall approve the final site plan, landscape plan, landscape cost estimate, building elevations, signage details and lighting plan;
  - ii) The Development Engineering Department shall approve the final grading plan, erosion and sediment control plan, and photometric lighting plan;
  - iii) The Owner shall provide revised Stormwater Management and Geotechnical Reports to address the City's 5 mm on-site retention requirements to the satisfaction of the Development Engineering Department;
  - iv) The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
  - v) The Owner shall obtain all necessary approvals from Transportation Services, Parks and Forestry Operations Department for the removals of public trees regulated by the Public Property Tree Protection By-law 95-2005. The Owner shall pay compensation in the amount of \$4,491.21 towards Urban Forest Rejuvenation.
  - vi) The Owner shall successfully obtain approval of a Consent Application from the Vaughan Committee of Adjustment, for a servicing agreement and a servicing easement located within the lands municipally known as 123 Great Gulf Drive, and the Committee's decision shall be final and binding, and the Owner shall satisfy any conditions of approval imposed by the Committee. Proof of a mutual servicing agreement or easement documents, and a reference plan delineating the easement, shall be registered on title.

## **Background**

The 0.82 ha subject lands (the 'Subject Lands') are located on the south side of Great Gulf Drive, east of Keele Street, as shown on Attachments 1 and 2, and are within the Keele/407 Business Park (the 'business park').

### ***A Site Development application has been submitted to permit the Development***

The Owner has submitted Site Development File DA.18.019 (the 'Application') to permit a 3,720 m<sup>2</sup> employment use building, as shown on Attachment 3, consisting of a one-storey, 2,220 m<sup>2</sup> warehouse and a two-storey, 1,500 m<sup>2</sup> accessory office use and 97 parking spaces (the 'Development').

## **Previous Reports/Authority**

Not Applicable

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement, 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario shall be consistent with the *Provincial Policy Statement, 2014* (the 'PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring public health and safety, and the quality of the natural and built environment are protected.

Section 1.3.1 - Employment of the PPS encourages planning authorities to promote economic development and competitiveness by:

- "a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*
- b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses, and into account the needs of existing and future businesses;*
- c. encouraging compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities; and*
- d. ensuring the necessary infrastructure is provided to support current and projected needs."*

The Development utilizes a vacant lot for an employment use within the existing business park. The Development complements and is compatible with the existing uses within the business park and provides flexibility and diversified employment opportunities to help meet the City's long-term employment needs. Additionally, the Subject Lands are located in an area where servicing and infrastructure are available to serve the Development. In consideration of the above, the Development is consistent with the PPS.

### **The Development conforms to the Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017**

The *Places to Grow - Growth Plan for the Greater Golden Horseshoe, 2017*, (the 'Growth Plan') is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, a range and mix of housing types. The Growth Plan encourages population and employment growth within settlement areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities and connections to municipal water and waste water systems.

The Subject Lands are located within a Settlement Area identified as a built-up area that contributes to providing employment lands. Specifically, the Subject Lands are located within an employment area located near Highway 407 and the existing Canadian National Rail yards. The Development implements an employment use within a Settlement Area where municipal water and wastewater services are available and will complete the development of the surrounding business park. Therefore, the Development conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan 2010***

The York Region Official Plan 2010 ('YROP 2010') guides economic, environmental and community building decisions across York Region and encourages compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types.

The Subject Lands are designated "Urban Area" on Map 1 - "Regional Structure" of the YROP 2010. The "Urban Area" designation permits a range of residential, commercial, employment and institutional uses. The Subject Lands are located within the Keele / 407 Business Park, which is designated "Regional Transit Priority Network" by Map 11 - Transit Network, and as "Cycling Facilities on Non-Regional Roads" by Map 10 - Transit Network of YROP 2010.

Chapter 4.3 - Planning for Employment Lands requires (in part) development within lower-tier municipalities to conform with the YROP policies as follows:

- 4.3.15 That employment land development be designed to be both walkable and transit accessible where possible.*
- 4.3.16 That development on fully serviced employment lands be compact and achieve a region-wide average minimum density of 40 jobs per hectare in the developable area. This target is expected to be higher for lands adjacent to centres and corridors.*
- 4.3.18 To require flexible and adaptable employment lands that include street patterns and building design and siting that allow for redevelopment and intensification."*

The Subject Lands are located within an employment area accessible by active and public transportation, specifically from Keele Street by sidewalk and a future bicycle path along Great Gulf Drive. The Development is located on a vacant lot within a serviced business park and will contribute to achieving the Region's employment targets for serviced employment lands. In consideration of the above, the Development conforms to the YROP.

***The Development conforms to Vaughan Official Plan 2010***

The Subject Lands are designated “General Employment” by the Vaughan Official Plan 2010 (‘VOP 2010’) and are located within the “Employment Areas” shown on Schedule 1 - Urban Structure of VOP 2010. The “General Employment” designation permits a full range of employment uses including, manufacturing, warehousing (not a retail warehouse), processing, transportation, distribution and may or may not include outdoor storage.

The Development proposes an employment building (warehouse) with accessory office use, comprising 40% of the total building GFA which is directly related to the warehouse use, located within a wholly enclosed building. The proposed employment use is permitted by the “General Employment” designation and conforms to the policies of VOP 2010.

***The Development complies with Zoning By-law 1-88***

The Subject Lands are zoned “EM2 General Employment Area Zone” by Zoning By-law 1-88, subject to site-specific Exception 9(1103), as shown on Attachment 2, which permits the proposed employment and accessory office use. The Development complies with Zoning By-law 1-88.

***The Development Planning Department supports the Development, subject to the Recommendations in this Report***

Site Plan

The Subject Lands are accessed by a one-way vehicular ingress driveway adjacent to the east limit of the property with the egress driveway at the west limit of the site. The proposed building shown on Attachment 3 is accessed by a primary entrance located along the north elevation facing Great Gulf Drive. A total of 97 parking spaces are provided, including two Type A and two Type B barrier-free parking spaces, and are proposed to be screened from the street line with landscape shrubs. The Development includes one internal waste room for the office and one for the warehouse, with the required staging and loading area for the waste bins located at the southeast corner of the property.

Landscape Plan

The landscape plan is shown on Attachment 4. Existing municipal street trees line the periphery of the Subject Lands. The Development includes off-set tree plantings that will result in a robust and attractive landscape. The Owner is required to update the lighting plan to achieve zero lux at the Open Space Conservation (‘OS1’) Zone boundary and include a screened chain-link fence on the retaining wall along the OS1 Zone Boundary.



## Building Elevations

The building elevations are shown on Attachment 5 and include light colour precast panels with an accented vertical element that articulates the building entrance and massing. The accessory office is proposed to be finished in a light blue vision glazing and light grey spandrel panels that incorporates bird-friendly treatments. A metal screen feature on the first floor below under the cantilevered portion of the office provides an architectural element that screens the parking area.

The final site plan, building elevations, landscape plan, signage details and lighting plan must be approved to the satisfaction of the City prior to the execution of the Site Plan Agreement. A condition to this effect is included in the Recommendations of this report.

### ***The Environmental Services Department, Solid Waste Management Division has no objection to the Development, subject to conditions***

The Environmental Services Department, Solid Waste Management Division has reviewed the Application and has no objection, subject to the bin staging and loading pad being constructed to a minimum “200 mm reinforced concrete” and noted on the appropriate drawings. Prior to final approval and execution of the Site Plan Agreement, the Owner must satisfy all requirements of the Environmental Services Department, Solid Waste Management Division. A condition to this effect is included in the Recommendations of this report.

### ***The Development Engineering Department has no objection to the Development, subject to conditions***

The Development Engineering Department (‘DE’) has no objection to the Development subject to the conditions in the Recommendations of this report. The DE Department has identified the following matters to be addressed prior to the final approval and execution of a Site Plan Agreement:

## Stormwater Management and Geotechnical Report

The Owner shall provide revised Stormwater Management and Geotechnical Reports to address the City’s 5 mm on-site retention requirements to the satisfaction of the Development Engineering Department. A condition to this effect is included in the Recommendations of this report.

## Water, Sanitary and Storm Infrastructure

Sanitary infrastructure, storm servicing, and water services are proposed to the Subject Lands via an existing serving easement through the adjacent property at 123 Great Gulf Drive. Any changes to this infrastructure arrangement must be approved to the satisfaction of the DE Department. The Owner must obtain a Ministry of the Environment, Conservation and Parks (“MECP”) Environmental Certificate of Approval

("ECA") prior to any connection to the existing storm service between 99 and 123 Great Gulf Drive.

### Servicing Easement Agreement

A mutual servicing agreement and easement is proposed for shared servicing between 99 and 123 Great Gulf Drive, as shown on Attachment 2. The Owner shall successfully obtain approval of a Consent Application to create a servicing easement over 123 Great Gulf Drive in favour of 99 Great Gulf Drive from the Vaughan Committee of Adjustment and the Committee's decision shall be final and binding. The Owner shall satisfy any conditions of approval imposed by the Committee. Proof of a servicing agreement and easement documents, and a reference plan delineating the easement, shall be registered on title as a condition of DE Department approval. Conditions of the DE Department's approval have been included in the Recommendations of this report.

### Erosion and Sediment Control

The plans in support of the Development include erosion and sediment control measures. The Owner is required to use best practice measures, including mud mat installations, to the existing back of the municipal curb as identified in the City Standard and Toronto Region Conservation Authority ("TRCA") Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 to minimize any silt laden runoff and discharge from the Subject Lands.

### Photometric Lighting

The Owner is required to submit a revised photometric lighting plan that demonstrates a zero-light level distribution at the property lines, to the satisfaction of DE Department. A condition to this effect is included in the Recommendations of this report.

The DE Department shall approve the final grading plan, erosion and sediment control plan, photometric lighting plan and stormwater management and geotechnical reports. A condition to this effect is included in the Recommendations of this report.

### ***The Owner is required to provide compensation for the removal of trees***

The Transportation Services, Parks and Forestry Operation Department requires tree compensation in the amount of \$4,491.21 to be paid to the City for the value of three municipal trees to be removed, specifically trees 710, 711 and 722 that were identified in the Owner's Tree Inventory, prior to the execution of the Site Plan Agreement. The compensation will be used towards Urban Forest Rejuvenation for the removal of the three existing municipal trees which cannot be re-accommodated. The Owner shall obtain all necessary approvals from Transportation Services, Parks and Forestry Operations Department for the removals of public trees regulated by the Public Property Tree Protection By-law 95-2005.

The remaining City trees (trees, 713, 714, 715, 716, 718, 719, 720 & 721) are valued at \$12,877.98 in total and must be protected in accordance with the City's Tree Protection Standards. If these trees are damaged, the cost of the damaged trees shall be recovered from the Owner. The requirements for tree compensation is included in the Recommendations of this report.

***Development Charges are applicable to the Development***

The Financial Planning and Development Finance Department requires that the Owner pay all applicable development charges, in accordance with the development charges by-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board.

***Ministry of Transportation Ontario ('MTO') permits are required***

The Owner is required to obtain a MTO Sign Permit and an MTO Building and Land Use Permit prior to the commencement of any on-site works. If it is determined that the light trespass/glare from this Development adversely impacts the traveling public, the Owner will be required to address the issue at their expense, to the satisfaction of MTO. A condition to address MTO's request has been included in the Recommendations of this report.

***The following utilities, agencies and Departments have no objection to the Development***

- Alectra Utilities, Enbridge, Rogers Communications,
- Environmental Services Department, Solid Waste Management Division
- Vaughan Fire and Rescue Service
- Office of the City Solicitor, Real Estate Department
- Cultural Heritage Section

**Financial Impact**

Not Applicable.

**Broader Regional Impacts/Considerations**

York Region advises that they have no objection to the Development.

**Conclusion**

The Development Planning Department has reviewed Site Development File DA.18.019 in consideration of the applicable provincial policies, the policies of the YROP 2010, VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies and the surrounding area context. The Development shown on Attachments 3-5 is consistent with Provincial Policy, conforms to the YROP 2010 and VOP 2010, complies with the "EM2 General Employment Area Zone" of Zoning By-law 1-88 and is appropriate for the Subject Lands. Should Council approve Site Development File DA.18.09, conditions of approval are included in the

Recommendations of this report.

**For more information**, please contact: Laura Janotta, Planner, Development Planning Department, Extension 8634

### **Attachments**

1. Context Location Map
2. Location Map
3. Proposed Site Plan
4. Landscape Plan
5. North, South and East Building Elevations

### **Prepared by**

Laura Janotta, Planner, ext. 8634

Stephen Lue, Senior Planner, ext. 8210

Nancy Tuckett, Senior Manager of Development Planning, ext. 8529

Mauro Peverini, Director of Development Planning, ext. 8407

/CM



# Context Location Map

**LOCATION:**  
Part of Lot 3, Concession 3

**APPLICANT:**  
Tricol Developments Ltd.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.019\DA.18.019\_ContextLocationMap.mxd

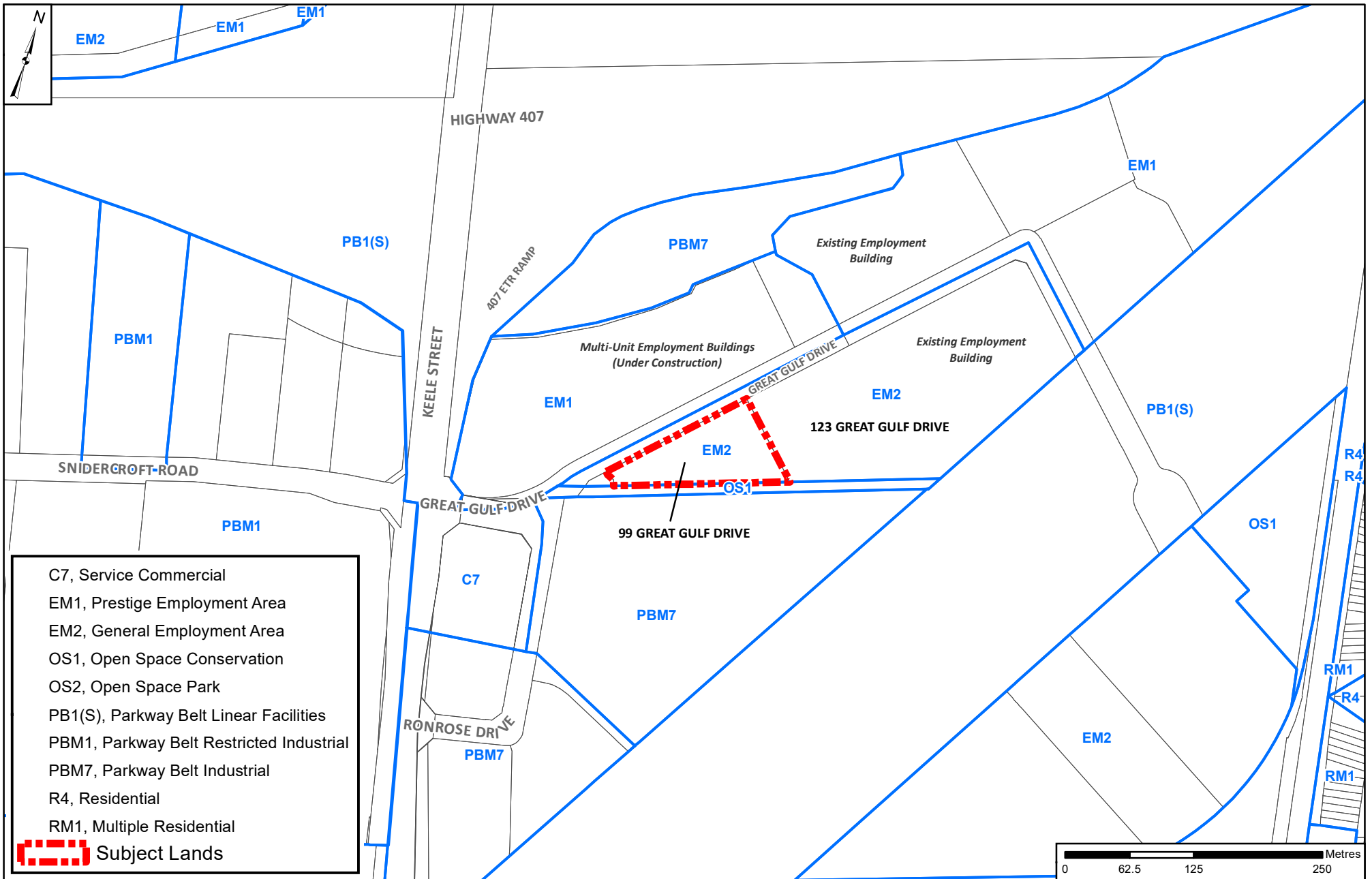


# Attachment

**FILE:**  
DA.18.019 **1**

**DATE:**  
March 5, 2019

Printed on: 2/1/2019



# Location Map

**LOCATION:**  
Part of Lot 3, Concession 3

**APPLICANT:**  
Tricol Developments Ltd.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.019\DA.18.019\_LocationMap.mxd



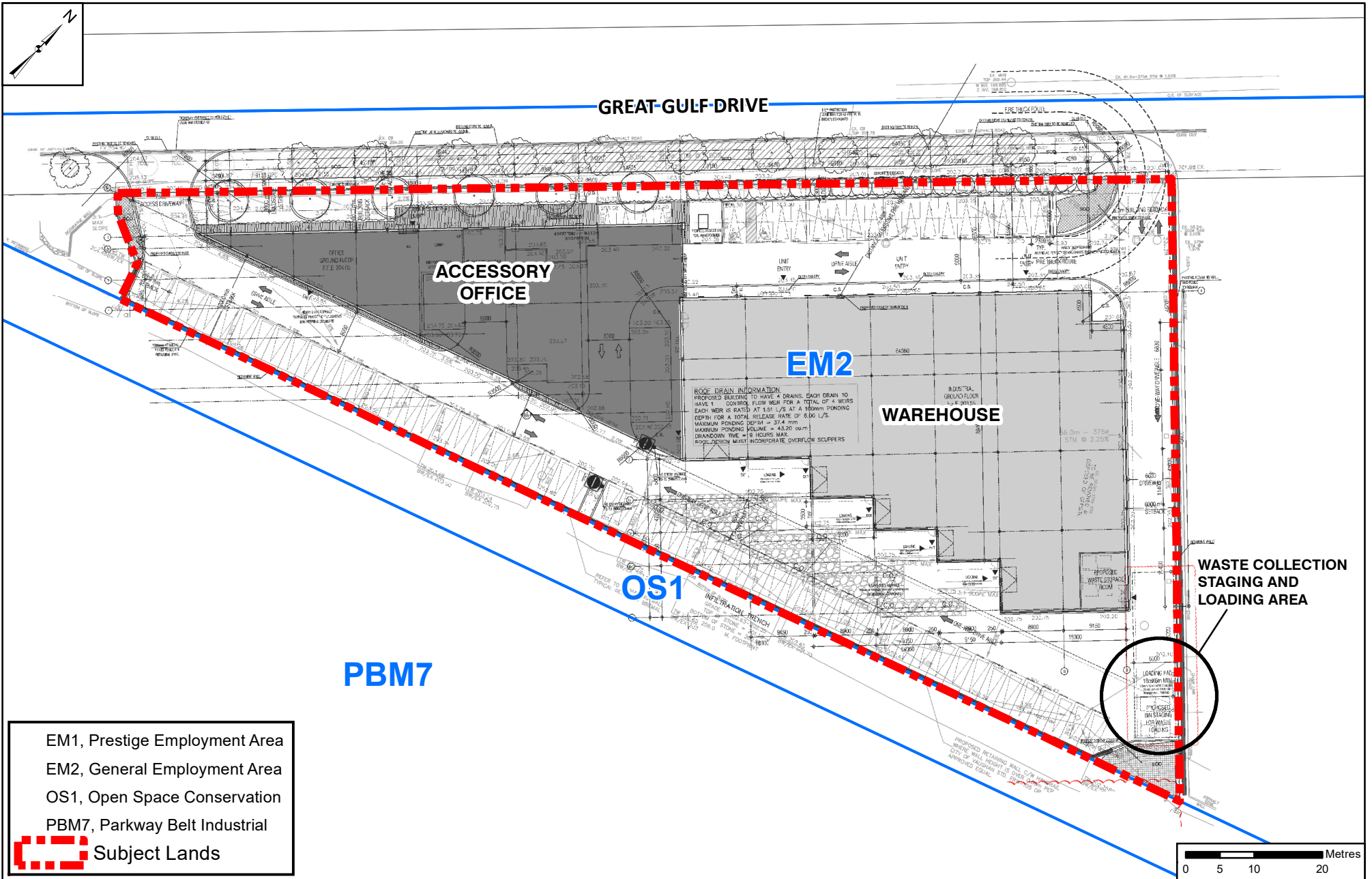
# Attachment

**FILE:**  
DA.18.019

**DATE:**  
March 5, 2019

**2**

Printed on: 2/1/2019



# Proposed Site Plan

**LOCATION:**  
 Part of Lot 3, Concession 3

**APPLICANT:**  
 Tricol Developments Ltd.

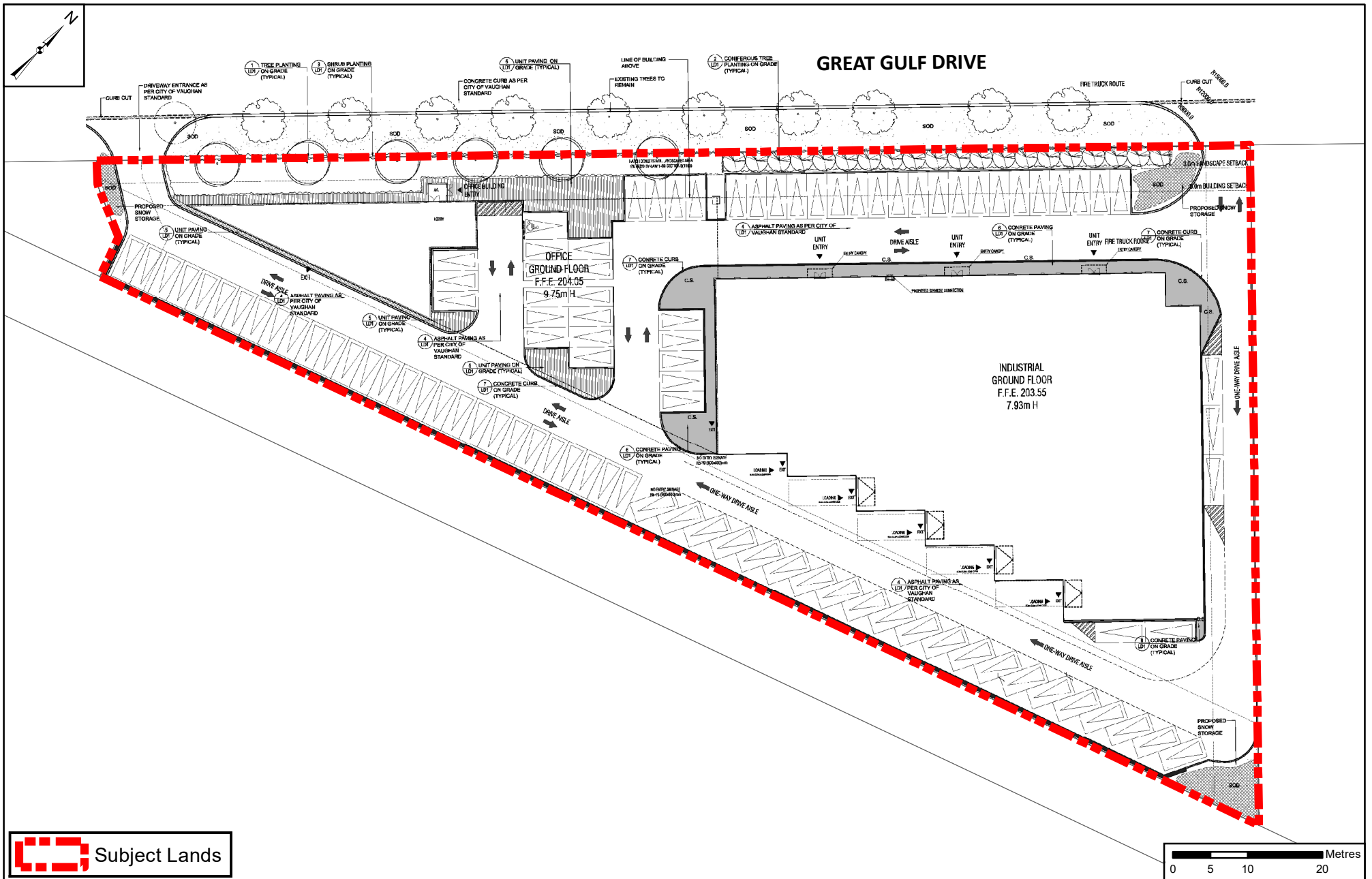
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# Attachment

**FILE:**  
 DA.18.019  
**DATE:**  
 March 5, 2019

**3**

Printed on: 1/23/2019



 Subject Lands

# Landscape Plan

**LOCATION:**  
Part of Lot 3, Concession 3

**APPLICANT:**  
Tricol Developments Ltd.

Document Path: N:\GIS\_Archive\Attachments\DA\DA.18.019\DA.18.019\_LandscapePlan.mxd

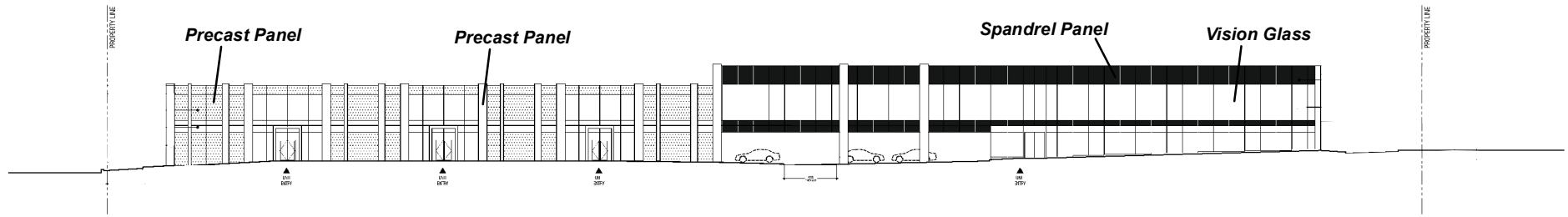
# Attachment

**FILE:**  
DA.18.019

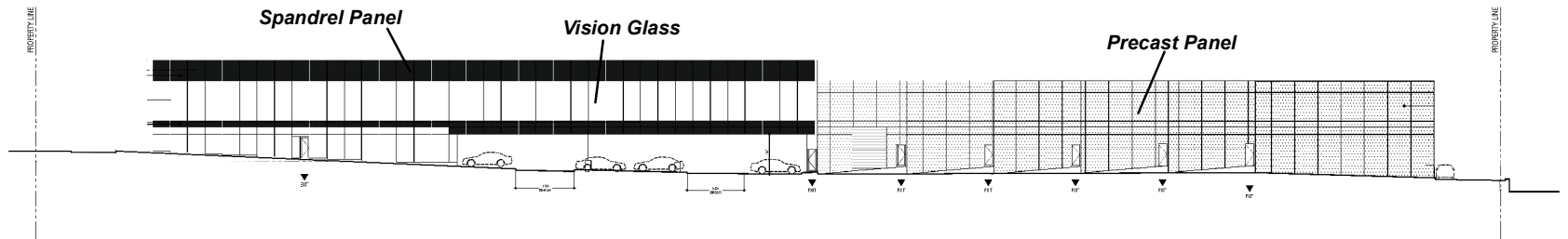
**DATE:** **4**  
March 5, 2019

Printed on: 1/23/2019

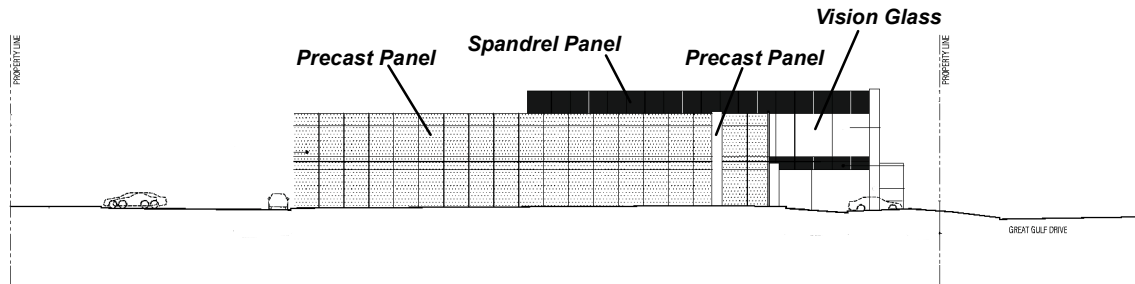




**NORTH ELEVATION** (FACING GREAT GULF DRIVE)



**SOUTH ELEVATION**



**EAST ELEVATION**

## North, South and East Building Elevations

**LOCATION:**  
Part of Lot 3, Concession 3

**APPLICANT:**  
Tricol Developments Ltd.



Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: TREE BY-LAW AMENDMENTS RELATED TO TREE REMOVAL  
ON GOLF COURSES AND NURSERIES**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

After the adoption of a new [Tree By-law](#) 052-2018 and Tree Protection Protocol (2018) on March 20, 2018, staff explored whether golf courses and tree nurseries should continue to be exempt from the permitting process for tree removal. Staff now seek Council approval to discontinue the exemption for golf courses and tree nurseries, provide for a new exemption for nurseries relating to the trees purposely grown by nurseries for sale, as well as introducing language to further protect any trees identified under any other regulations.

**Report Highlights**

- The proposed amendments will continue to ensure the protection of the City's tree canopy, while enabling golf courses and tree nurseries to continue to carry out the required tree removal required for their business activities.

**Recommendations**

1. That Council adopt the recommendations provided in Attachment 1 of this report; and
2. That Council authorize staff to undertake any other actions required to implement the recommendations of this report, including any consequential amendments to other related by-laws and processes.

## **Background**

Council adopted a new Tree By-law 052-2018 and Tree Protection Protocol (2018) in March 2018, in line with requirements of Bill 68 and the Municipal Act to protect and enhance our municipal tree canopies. Council also directed staff to explore whether golf courses and nurseries should continue to be exempted from the requirement to obtain Tree Removal Permits or whether they should be required to obtain permits, in line with what is required from other private property owners.

### ***Stakeholder engagement and research***

By-law and Compliance, Licensing and Permit Services (BCLPS) staff proceeded to consult with members of the public, golf course owners and operators, tree nurseries, other City departments, such as from Transportation Services and Parks and Forestry Operations (TSPFO), Policy Planning and Environmental Sustainability and Development Planning. The Regional Municipality of York (York Region) was also engaged with respect to their Forest Conservation By-law 2013-68 and staff also engaged other local municipalities with respect to their regulations.

### ***What we heard from members of the public***

Staff considered input received from calls and emails from the public, as well as from public consultations. Through these channels, staff heard from various residents, including members of Keep Vaughan Green, the Village of Woodbridge Ratepayer's Association, West Woodbridge Homeowner's Association and the Kleinburg and Area Ratepayer's Association (KARA). The following concerns were expressed:

- **Clear-cutting in advance of sale:** By giving golf courses an exemption to the tree permitting process, golf courses might clear-cut trees on their land in advance of selling their property to a developer, so that the developer would not be required to undergo the municipal replacement and/or compensation requirements for development in the City.
- **Land development processes:** Unclear about the process of land development in the City as it pertains to evaluation of whether trees can be removed and/or requirements to replace trees or make cash-in-lieu payments.
- **Role of York Region:** Role of York Region in managing the tree canopy was unclear.
- **Harsher penalties for contraventions:** KARA suggested that fines for contraventions of the by-law should be increased, such as suggesting a fine of up to \$25,000 rather than \$10,000 for a first conviction, as well as increases of all fines.

- **Greater tree protection:** KARA also suggested greater tree protection on golf courses and special heritage areas.

### ***What we heard from tree nurseries***

Staff reached out to six tree nurseries in the City of Vaughan, including Tarantino Nursery, Terra Greenhouses, Angelo’s Garden Centre, Weston Garden Center, Woodhill Garden Centre and Ontario Tree Farms. Most expressed that they did not grow trees in the ground and instead obtained them from other nurseries; those that grew their own trees explained that they often grew them in pots and/or sometimes stored them in dugout areas of the ground in order to protect roots from pests and cold weather. Trees purposely planted for future harvest and sale are clearly distinguishable.

In addition, the Thornhill Club golf course explained that their property is about 150 acres in size, and includes a fairly dense forest with ravines, gulleys and valleys, as well as several tree nurseries. They explained that they currently work with the Region to remove any of the trees addressed by the Regional by-law, such as “woodlands” and “woodlots”, outside of the nursery.

The general consensus among stakeholders was that a Tree Removal Permit should not be required for nursery trees which are being removed for the purpose of sale, however that other trees on the property could be required to undergo the permitting process.

### ***What we heard from golf courses***

Staff reached out to eight golf courses, including Carrick Macross, Copper Creek, Eagles Nest, Maple Downs, National Golf Club of Canada, The Country Club, Thornhill Club and Uplands. Golf courses expressed the following:

- **The priority of tree care:** Every golf course stressed the importance of maintaining a healthy green space as a basic standard for golf courses, with each maintaining arborists, horticulturalists or other staff whose core responsibilities include maintaining a healthy green environment throughout the year. As well, as trees are considered an asset to golf courses green space and its attractiveness as a course, excessive tree removal is not in the interest of any golf course.
- **Tree removal permits from York Region:** The golf courses explained that they already work within York Region’s tree removal permitting process for any trees on areas that are considered “woodlands”, as per the Region’s Forest Conservation By-law. York Region explained that a permit under By-law 2013-68 is required for the removal of woodland trees in golf courses. Part of the permitting process may be to request a “tree management plan” which includes the courses’ plans for tree planting, removal, moving and other related activities.

- **Trends in the North American golf course industry:** Golf course operators explained that operators are not always golf course owners, and that over the last decade, they have seen a decline in levels of business, which has led to the closing of many North American courses as well as sale of portions of golf course lots for development. In instances where lands are sold, golf courses undergo the same development process as any developer and are subject to the appropriate tree requirements for removal and replacement.
- **Exemptions for course health and course playability:** These stakeholders explained that trees are often removed to support the health of other vegetation in that area, such as grasses (e.g. golf greens) or other plantings, as well as are sometimes removed and/or moved during course re-design. As this is part of golf courses regular maintenance and business activities, courses raised a concern that the introduction of a permitting process would have an adverse effect on their ability to operation their business and maintain that they continue to be exempted from Vaughan’s Tree Removal Permit process.
- **Tree removal timelines:** Several golf courses noted that tree removal generally takes place in the winter months, in preparation for their busy spring and summer seasons. They also noted that if a permit process is required, that it would be important for it to be expedient in order to not disrupt business operations.

### ***Tree regulation in other municipalities***

Staff reviewed a number of jurisdictions to learn how they addressed golf courses in their tree legislation, specifically with respect to their provisions for tree removal. Municipalities reviewed including Hamilton, London (Ontario), Markham, Niagara Region, Ottawa, Richmond Hill, Toronto, Vancouver and York Region.

Three of nine municipal by-laws, (Markham, London, and Toronto) have specific provisions for golf courses around tree removal, including the following:

- **Provisions specifically for golf courses:** These by-laws include specific provisions for larger areas of land, such as cemeteries, golf courses, and “like commercial or institutional uses”, with Toronto having a special provision for tree removal which exempts golf courses from a tree removal permit when trees are removed to maintain plant health and/or playability of course areas.
- **Tree plans:** These by-laws also require that golf courses submit an acceptable tree or forestry plan that addresses replacement of trees, in accordance with “good arboricultural practice”, which Markham defines as, “ the proper implementation of removal, renewal and maintenance activities known to be appropriate for individual trees in and around urban areas to minimize detrimental impacts on urban forest values, and includes pruning of trees to remove dead limbs, maintain structural stability and balance, or to encourage their natural form, provided that such pruning is limited to the appropriate

removal of not more than one-third of the live branches or limbs of a tree, but does not include pruning to specifically increase light or space”.

### ***York Region’s forest management and tree removal permitting***

[York Region](#) has managed forests since the early 1900s, which now include 18 tracts of forest on public land. Activities include installing and removing certain trees to enhance soil and shade conditions, in order to support the health of various native plants.

As per the Region’s [Forest Conservation By-law 2013-68](#), as amended, forests on private lands are also protected, requiring landowners to apply for a permit for any treed areas greater than 0.2 hectares, referred to as “woodlots” and “woodlands” depending on their size. For woodlots and woodlands, lot owners must apply for a permit to remove healthy trees, such as to maintain the health of the forest (such as for the practice of “tree thinning”) or for other reasons, such as to maintain the playability of courses; in the latter case, York Region advised that if a tree is allowed to be removed, this often requires additional tree planting on other areas on the property in proportion to the number and size of trees.

The Region’s staff have also explained that once a property owner has a *Planning Act* application and an approved agreement, then the owner is exempt from York Region’s Forest Conservation By-law, as per Section 3.1. At this time, the City’s Policy Planning and Environmental Sustainability department, who manages natural heritage matters under the City of Vaughan Official Plan 2010, would partake in the review of the application.

### ***Vaughan’s tree regulations and tree removal permitting***

The City’s [Tree By-law](#) requires that a permit be obtained to remove trees on private property that are 20 cm or more in diameter, however advises that a permit is not required to:

- prune or trim trees;
- remove dead branches;
- remove trees in the event of an emergency, such as if a tree becomes an imminent safety hazard;
- remove trees on rooftop gardens, interior courtyards, or solariums; and
- remove trees on golf courses and tree nurseries.

Tree Removal permit applications are submitted to TSPFO for review and approval. Key points of the permitting process are as follows:

- **Cost:** Tree removal applications are \$115 for non-residential trees.
- **Processing time:** Staff will process an application within 30 working days.
- **Removal fees:** If a tree removal is approved, a “removal fee” of \$142 per tree will apply, except for instances where a tree is deemed to be dead, hazardous or dying.

- **Tree replacement:** All tree removals will require replanting (except for those which are dead, hazardous or dying) within 12 months of the permit date. The number of replacements per tree is proportional to the diameter at the base of the original tree, with between one and four trees being generally required, along with other conditions related to species, quality and health.
- **When trees cannot be replaced:** If staff determine that the number of trees cannot be accommodated on site, applicants can make a cash-in-lieu payment to the Forestry Tree Reserve Fund, which will be reinvested into the tree canopy.

***Land development Vaughan and impact on trees***

In this period of rapid development and urbanization, the City continues to balance protection of the tree canopy with the need for trees to be removed and replaced, with the ongoing development of new homes, buildings and other structures to support our growing population and business community.

In the instance that an applicant would like to develop structures on property in the City, they are required to go through the Draft Plan of Subdivision and/or Site Plan Control processes with Development Planning. As part of this process, the following steps are taken with respect to tree protection:

- Following Council Approval of the Development Application, the applicant enters into a Tree Protection Agreement with the City that requires applicant to conduct a detailed Tree Inventory/Assessment and provide an Arborist Report identifying the trees that are to be removed and evaluate the replacement tree requirements as per City’s tree compensation standard.
- Provide a Tree Preservation Plan identifying the protected trees and their Tree Protection Zones (TPZs).
- Post securities to ensure that the Tree Preservation Plan is implemented as per the Agreement.
- As part of this agreement, TSPFO conducts two inspections, with the first after the installation of the tree protection works and the final to ensure works have been completed in accordance with the terms of the Tree Protection Agreement, after which securities are released.

As such, this process is intended to ensure that removed trees are replaced either onsite or in another location.

**Previous Reports/Authority**

[REVIEW OF CITY PROCESSES FOR PROTECTION OF TREES](#), Item 10, CW Report No. 26, June 27, 2017.

[REVIEW OF CITY PROCESSES FOR PROTECTION OF TREES](#) , Item 2, CW Report No. 10, March 20, 2018.

[TREE REMOVAL – STAKEHOLDER ENGAGEMENT AND RESEARCH PLAN FOR GOLF COURSES AND NURSERIES](#), Item No. 23, CW Report No. 14, April 11, 2018.

[THE COUNTRY CLUB, 20 LLOYD STREET, WOODBRIDGE – TREE PROTECTION](#), Item 48, CW Report No. 21, June 19, 2018.

**Analysis and Options**

Below, staff have listed recommendations and reasoning, with the aim of supporting comprehensive and transparent tree canopy management, while ensuring services and regulations that support efficient operations for golf courses and tree nurseries.

***Table – Recommendations and impacts***

| <b>No</b> | <b>Recommendation</b>   | <b>Impact on trees</b>  | <b>Impact on golf courses and nurseries</b>   |
|-----------|---|---|---|
| 1         | <p>To support the following recommendations, define the terms:</p> <ul style="list-style-type: none"> <li>• Golf Course</li> <li>• Golf Course Owner</li> <li>• Golf Course Operator</li> <li>• Tree Nursery</li> <li>• Protected Tree (a tree which is already protected by regulations outside of City jurisdiction, such as York Region’s Forestry By-law)</li> <li>• Trees Grown for Sale</li> <li>• Tree Management Plan</li> <li>• Tree Nursery Owner</li> <li>• Tree Nursery Operator</li> </ul> | <p>Ensure all trees are protected by one set of regulations, such as by the City or the Region, eliminating confusion about which regulations apply.</p> <p>Acknowledge that some trees are protected by other regulations, building public awareness as to agencies that must be consulted with respect to tree injury or removal.</p> | <p>Establish clearer responsibilities for golf courses, tree nurseries and other businesses, as well as other persons who are considering tree removal.</p> |
| 2         | <p>Remove the blanket exemption for golf courses and tree nurseries from the tree removal permit process, however amend the by-law to advise that a</p>   | <p>This will ensure all trees are protected in a consistent manner for all residents and businesses within the City.</p>  | <p>Golf courses and tree nurseries will continue to be able to prune trees and remove dead trees without a permit.</p>                                      |



| No | Recommendation  | Impact on trees  | Impact on golf courses and nurseries   |
|----|---|--|--|
|    | <p>tree removal permit is not required for:</p> <ul style="list-style-type: none"> <li>• a Tree Nursery for those trees defined as “Trees Grown for Sale”;</li> <li>• A Golf Course for those trees removed to support the health of surrounding vegetation or playability of the course.</li> </ul>  |  | <p>Nurseries will now be clearly allowed to remove any Trees Grown for Sale without a permit, thus ensuring their business can continue to operate.</p> <p>Golf Courses will be allowed to remove trees only for the health of vegetation or playability purposes.</p> <p>For all other trees, golf courses and nurseries will undergo the tree removal permit process, in line with other residents and businesses in the City.</p> |
| 3  | <p>There is existing regulation from the Region, Toronto and Region Conservation Authority (TRCA) and other areas that already protect some trees, as detailed in the by-law, and it can be unclear which regulations apply.</p> <p>Staff recommend amending the by-law to advise that Protected Trees, i.e., those trees whose removal are governed by other regulations, are not subject to by-law.</p> | <p>This will reduce confusion on which regulations apply to which trees, such as York Region for woodlands and woodlots, TRCA for specific areas or the City of Vaughan.</p> | <p>Golf course and tree nurseries will continue to work with the appropriate agencies to evaluate tree removal, such as York Region, the TRCA and the City.</p> <p>The only change would be that Golf Course and Tree Nurseries would now be subject to the City’s tree removal permitting process, rather than exempt, for other trees</p>  |

| No | Recommendation  | Impact on trees  | Impact on golf courses and nurseries   |
|----|---|--|--|
|    |   |  | in Vaughan (except for Trees Grown for Sale other those removed to support the health of vegetation or playability).   |
| 4  | Amend the by-law to advise that staff may request a Tree Management Plan as a component of the application, which provides information about which trees will be removed, moved and planted, timelines for changes, which qualified persons will be undertaking changes, and how the ecosystem will be protected. | <p>For lots where staff request this, this will enable greater understanding of the tree management, contributing to greater tree protection.</p> <p>In addition, in the event where any investigations are required, this plan will provide an additional tool to understand the tree canopy on a particular lot.</p> | <p>If submitting tree removal applications to the City (for trees to be removed for purposes other than the health of surrounding vegetation or playability), golf courses can utilize or expand upon their existing tree management plans, such as those that are submitted to the Region for their tree removal processes.</p> <p>For golf courses, nurseries or other businesses which do not have extensive tree canopies, staff may decide that this is not required.</p> |

**Financial Impact**

The requirement for golf courses and tree nurseries to apply for tree removal permits will likely result in an increase in applications, and thus, an increase in required staff time for review, site inspection and associated activities, as well as increased revenue for permit fees. As there are currently only a handful of golf courses and tree nurseries within the City, the financial impact is anticipated to be minimal.

## **Broader Regional Impacts/Considerations**

These amendments will enable the City of Vaughan tree protection regulations to work better in tandem with York Region and the TRCA, ensuring complementary tree protection for all trees. In addition to supporting tree protection at municipal and regional levels, it will ensure regulations that support the viable operation of the City's golf courses and tree nurseries, with appropriate oversight to ensure a clear understanding of mechanisms being applied to protect trees.

## **Conclusion**

These amendments will ensure the City of Vaughan prioritizes tree protection in collaboration with other public agencies and that the City continues to support a viable business environment for golf courses and tree nurseries.

**For more information**, please contact: Gus Michaels, Director, By-law and Compliance, Licensing and Permit Services Department, ext. 8735.

## **Attachments**

1. Proposed Amendments

## **Prepared by**

Carol Ramchuram, Regulatory Policy Analyst, ext. 8783

## **Proposed Amendments**

Staff recommend the following amendments to the Tree By-law 052-2018:

1. Amend Definitions Section 2 to define the following terms:
  - Tree Management Plan, to mean a document which includes:
    - a list and map of all trees on a lot;
    - the manner and timing in which any injury or destruction of trees will be carried out;
    - the qualifications and contact information of all persons authorized to injure or destroy trees;
    - the plans for replacement tree(s) and planting(s), including species, size, location, and timing of those replacements, and whether the locations will change, and why;
    - all measures that will be taken to mitigate the direct and indirect effects of the destruction of the tree on other nearby trees, properties, water bodies, natural areas and other components of the ecosystem; and
    - other information as directed by staff;
  - Tree Nursery, to mean an area where plants are grown for the purpose of transplanting, for use as stocks for budding and grafting, and/or for sale;
  - Tree Nursery Owner, to mean the Owner of a Tree Nursery; and
  - Tree Nursery Operator, to mean the Operator of a Tree Nursery;
  - Protected tree, to mean a tree which is protected by regulations outside of City of Vaughan, such as, but not limited to, the Regional Municipality of York Forest Conservation, or its successor by-law;
  - Trees Grown for Sale, to mean trees grown by a nursery for the purpose of sale;
  - Golf Course, to mean an area of land laid out for golf with a series of holes, which include any tees, fairways, putting greens and natural or artificial hazards;
  - Golf Course Owner, to mean the Owner of a Golf Course; and
  - Golf Course Operator, to mean the Operator of a Golf Course;
2. Amend the by-law to add Section 4(i), to state that the by-law is not applicable to any Protected Trees otherwise not listed above.
3. Amend the by-law to remove the permit exemption for Golf Courses and Tree Nurseries, deleting Section 8(e).

4. Amend the by-law to state that a permit is not required for a Tree Nursery Owner or Tree Nursery Operator or to injure or destroy a Tree Grown for Sale, adding Section 8(e).
5. Amend the by-law to state that a permit is not required for a Golf Course Owner or Golf Course Operator to injure or destroy a tree on a Golf Course if it is to support the health of surrounding vegetation or enhance the playability of the Golf Course, adding Section 8(f).
6. Amend Section 11(f) to include a Tree Management Plan, if required by the Director of Forestry, moving the existing 11(f) provision to 11(g).
7. Add authority to enter upon any property for the purposes of conducting an inspection to ensure compliance with the By-law.
8. Add authority to issue an Order to Comply with the provisions of the By-law or the direction of the Director.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: ALIGNMENT OF CITY BY-LAWS WITH THE SMOKE-FREE ONTARIO ACT**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

The most recent amendments to the *Smoke-Free Ontario Act, 2017*, through the *Cannabis Statute Amendment Act, 2018*, have created a legislative gap between provincial and City regulatory requirements with respect to the smoking of recreational cannabis and e-cigarettes, in addition to tobacco. This report recommends a number of by-law amendments to eliminate those incongruencies.

**Report Highlights**

- The smoking of recreational cannabis became legal in Canada on October 17, 2018. As a result, the Province introduced a series of amendments to various statutes in order to regulate the legal sale and smoking of recreational cannabis.
- The legislative amendments created a gap between the new laws and some of the City's regulatory by-laws, in particular the City's Smoking By-law and Parks By-law.
- This report is intended to eliminate these gaps by bringing the City's by-laws in line with the Province's legislation, in particular the *Smoke-Free Ontario Act, 2017*.
- Following this alignment staff will monitor, assess and bring any other appropriate recommendations to these and other peripheral City by-laws, such as Property Standards.

## **Recommendations**

1. THAT City Council approve the proposed by-law amendments, as per Attachment 1 and that the Smoking By-law be consolidated accordingly on a go-forward basis;
2. THAT City Council authorize staff to undertake any actions necessary to give effect to the aforementioned recommendations, including any other stylistic or other amendments to ensure the consolidated Smoking By-law is in line with the City's other by-law provisions and by-law drafting standards.

## **Background**

On October 17, 2018, the federal *Cannabis Act* decriminalized recreational cannabis in Canada. On the same day, the Province of Ontario passed legislation amending several statutes to regulate the sale and use of cannabis in the Province. As part of its regulatory regime, the Province introduced a provincial retail model that initially established a government-run on-line store as the only legal source of recreational cannabis. The Province also introduced a private retail model to come into effect on April 1, 2019. Municipalities were given the option to participate in this retail model or to opt out and not permit private stores. On January 21, 2019, the City of Vaughan decided to opt out of the Province's private retail model. However, the smoking of recreational cannabis continues to be legal and its purchase continues to be available on line.

As a result, the City of Vaughan, like all other municipalities in Ontario, must contend with the smoking of recreational cannabis within its borders. To this end, the Province has established some legislative restrictions on the smoking of recreational cannabis in both public and private places. In particular, it amended both the *Smoke-Free Ontario Act, 2017* and the *Highway Traffic Act, 1990* to mitigate the negative impacts of recreational cannabis use.

This report was prepared in consultation with Recreation Services, Facility Services, Office of the City Solicitor, York Regional Police, York Region Public Health Services, and Vaughan Public Libraries.

## **Previous Reports/Authority**

[Item 1, Report No. 29](#) of the December 5, 2018 Committee of the Whole: Ontario Recreational Cannabis Legislation (deferred by City Council on December 12, 2018 to the Special Committee of the Whole of January 21, 2019).

[Communication C13](#) of the Special Committee of the Whole: Presentation - Legalization of Recreational Cannabis in Ontario (received by City Council on January 21, 2019).

### **Analysis and Options**

The recent legislative changes have created a gap between provincial regulations and the City's By-laws. As a first step in contending with the new regulations around smoking, staff are recommending that the City's by-laws be amended to bring municipal regulations in line with provincial standards.

The *Smoke-Free Ontario Act, 2017* provides for where there is a conflict between the Act and a provision of another Act, a regulation or a municipal by-law by deferring to the more restrictive provision. Thus, in order to align the City's by-laws with the Province's smoking legislation, the Act must be taken as the minimum requirement or standard.

It is being proposed that the Smoking By-law apply to all property with the exception of property containing one or more dwellings. It is also being recommended that the By-law not apply to individuals who are entitled to use medical cannabis [Recommendation 1 of Attachment 1].

It is also being recommended that the definition of smoking in the current Smoking By-law be amended to include the use of cannabis and e-cigarettes. Consequentially, it is also being proposed that definitions for tobacco, cannabis and e-cigarettes be added [Recommendations 2 and 3 of Attachment 1].

In addition, with the exception of the restrictions on public offices and yards, distancing requirements are now 20 metres from the perimeter of any school, playground, sports field (including any spectator areas) or community recreational facility. This effectively eliminates any currently designated smoking areas that lie within the perimeter of a municipal recreational facility, including any parking lot. However, staff are proposing that the smoking of cannabis be specifically prohibited anywhere on identified City property including but not limited to City Hall and all public Library properties [Recommendations 4 and 5 of Attachment 1].

In line with the above, staff are also recommending that a further restriction be placed on smoking within 9 metres of any public entrance and openable window of a child care centre and within 20 metres of any outside playground [Recommendation 4 of Attachment 1].

In accordance, with the City's By-law Strategy, staff are also recommending that a number of the Smoking By-laws sections be amended to reflect the powers and authorities necessary for effective administration and enforcement, including providing



for offences under the City's AMPs program [Recommendation 6 of Attachment 1] and adding severability and collection provisions [Recommendations 8 and 9 of Attachment 1].

Penalties under the By-law will generally be imposed as administrative monetary penalties (i.e., "tickets") of \$100 per offence; however, Officers will also have the option of issuing a Summons and applying fines of up to \$500 for a first offence, up to \$1,000 for a subsequent offence and up to \$1,000 per offence for multiple offences (Recommendation 7 of Attachment 1). This provision will be most useful for Police Officers, as they are not equipped to issue penalty notices under the City's AMPs program.

Staff are further recommending that a section referencing the Smoking By-law be added to the Parks By-law. Under proposed provisions, smoking in parks would be prohibited in those areas identified as restricted in the Act (i.e., playgrounds, sports fields and recreational facilities) and identified in the Smoking By-law [Recommendations 11 and 12 of Attachment 1].

Finally, staff are also recommending that smoking be prohibited within 9 metres of any off-leash parks, of which there are two in Vaughan. This prohibition is partly being recommended because tobacco and cannabis (if consumed in the form of discarded cigarettes or joints) is toxic to dogs and in some cases even lethal to smaller breeds [Recommendation 4 of Attachment 1].

Under the enforcement powers of the Parks By-law, enforcement staff have, in addition to their usual powers of issuing fines, the authority to expel individuals from City parks and to issue trespass notices.

The proposed amendments are intended to close a legislative gap and ensure that enforcement staff can apply the City's smoking rules to cannabis and e-cigarettes. Over the coming season, staff will monitor and assess the need to fine tune regulatory provisions or recommend further regulation.

### **Financial Impact**

Legislative alignment will result in a number of costs for the City, including the replacement and addition of no-smoking signs across City parks, sport fields and facilities, and training for staff in a number of departments, including BCLPS, VFRS, Recreation Services and Access Vaughan. These initial costs are expected to be approximately \$80,000 and will be offset by the Province's Ontario Cannabis Legalization Implementation Fund payments, totaling \$127,449 for Vaughan.

Remaining funds will be used for any other expenses incurred as a result of the review of the other City by-laws and any associated recommendations. The City is mandated by the Province to monitor and report out on all cannabis legalization-related costs.

### **Broader Regional Impacts/Considerations**

There are no direct implications to the Region or to other levels of government as a result of the approval of the recommendations of this report. However, the provisions of this By-law may be enforced by York Regional Police and York Region Public Health Services.

### **Conclusion**

The recommendations of this report, if approved, will bring the City's by-laws in line with Ontario's current smoking legislation and regulations and will allow the City's smoking regulations to apply to recreational cannabis and e-cigarettes, in addition to tobacco. The recommendations also strengthen enforcement powers and give Officers broader options when it comes to imposing penalties.

Over the coming season, staff will monitor and assess the impact of these amendments and, if necessary, make further recommendations to address any additional needs or concerns.

**For more information**, please contact: Gus Michaels, Director and Chief Licensing Officer.

### **Attachments**

1. Proposed By-law Amendments

### **Prepared by**

Rudi Czekalla-Martinez, Manager, Policy & Business Planning, ext. 8782

**Proposed By-law Amendments**

- 1. Amend the Smoking By-law by adding a section that defines the scope and applicability of the By-law, as follows:

Scope and Applicability

- (1) This By-law applies to all property within the jurisdiction of the City of Vaughan with the exception of any property containing one or more dwellings.
- (2) This By-law does not apply to any person who is entitled to possess cannabis pursuant to a medical document issued pursuant to the *Access to Cannabis for Medical Purposes Regulation, SOR/2016-230* or its successor legislation or regulation.

- 2. Amend the Smoking By-law by replacing the following definitions in the current Smoking By-law:

“Designated Area” means an area identified as such at a *City*-owned facility where *Smoking* is permitted.

“Officer” means any person appointed by Council as a Municipal Law Enforcement Officer, and a Police Officer appointed by York Regional Police Service, the Ontario Provincial Police or the Royal Canadian Mounted Police.

“Smoke” means the holding of a lighted *Tobacco* or *Cannabis* product, or the holding of an activated *Electronic Cigarette*.

- 3. Add the following definitions to the Smoking By-law:

“Cannabis” has the same meaning as in subsection 2(1) of the *Cannabis Act* (Canada).

“Electronic Cigarette” has the same meaning as subsection 1(1) of the *Smoke-Free Ontario Act, 2017*.

“Facility” refers to any building or structure.

“Off-Leash Park” means a designated area, separated from other areas by an enclosure, for the purpose of allowing off-leash dogs.

“Park” means land and land covered by water and all portions thereof owned by or made available by lease, agreement, or otherwise to the municipality, that is or hereafter may be established, dedicated, set apart or made available for use as

public open space or golf course, and that has been or hereafter may be placed under the (jurisdiction) of the *City* including any and all buildings, structures, facilities, erections, and improvements located in or on such land, save and except where such land is governed by other by-laws of the municipality;

“Tobacco” includes any product that contains tobacco.

4. Amend sections 2 and 3 of the current Smoking By-law, which establish the prohibitions for smoking on *City*-owned property, by replacing it with one section and the following wording:
  - (1) No person shall *Smoke* inside any *City*-owned Facility.
  - (2) No person shall *Smoke* within 20 metres of the perimeter of any *City*-owned Facility, including its grounds, but not including any *Parks*.
  - (3) Where a *City*-owned Facility forms part of a *Park*, subsection (2) shall only apply to the *Facility*.
  - (4) Despite subsection (2), the prohibition of *Smoking* does not apply to property that belongs to or comprises part of a private dwelling or to any public sidewalk.
  - (5) Despite subsection (2), *Smoking* is permitted in *Designated Areas* of *City*-owned Facilities, which shall not be within 9 metres of any *Public Entrance* or openable window.
  - (6) Despite subsection (5), the *Smoking* of *Cannabis* is prohibited anywhere on the grounds of the *City*-owned *Facilities* listed in Schedule 1 of this By-law.
  - (7) Despite subsection (3), no person shall *Smoke* or in any manner discard of any substance used for *Smoking*, unless it is done in a receptacle intended for that purpose, within 9 metres of an *Off-Leash Park*.
  - (8) No person shall *Smoke* within 20 metres of any *City*-owned wading pool, splash pad, skating rink, skate park, sports field, playground, tennis court or basketball court, including any spectator area of such places.
  - (9) No person shall *Smoke* within 20 metres of any school site or private school, as defined in the *Education Act, 1990*.
  - (10) No person shall *Smoke* within 9 metres of the *Public Entrance* or any openable window of any child care centre, as defined in the *Child Care and Early Years Act, 2014* or within 20 metres of any playground under the care and control of any child care centre.

5. Amend the Smoking By-law by eliminating Schedule A.
6. Amend the Smoking By-law by replacing sections 4, 5 and 6 of the current By-law, which provide for enforcement, with the following sections:

#### Enforcement

- (1) The provisions of this By-law may be enforced by an *Officer*.
- (2) An *Officer* who has reasonable grounds to believe that a person has contravened any provision of this By-law may require such person to provide his or her identification and any other particulars reasonably required to issue a penalty notice or file a Summons.
- (3) Any information provided to the Officer under subsection (2) is presumed to be correct and accurate, and is admissible in any proceeding.
- (4) Failure to provide identification or correct and accurate particulars when requested by an *Officer*, under subsection (2), shall constitute obstruction of the *Officer* under this By-law.
- (5) Officers are authorized, where there are reasonable grounds to believe an offence under this By-law has taken place or for the purposes of an inspection, to:
  - (a) enter, at any reasonable time, onto any property, other than a dwelling unit unless authorized by the occupier of such dwelling unit or under the authority of a warrant issued by a court of competent jurisdiction;
  - (b) require any person to produce for inspection any substance, equipment, documents, or other things relevant to the alleged offence or inspection;
  - (c) alone or in conjunction with persons possessing special or expert knowledge, make examinations, take tests, obtain samples, and/or make audio, video and/or photographic records relevant to the alleged offence or inspection;
  - (d) require information from any person concerning the alleged offence or inspection.

#### Offences

- (1) Any person who contravenes or fails to comply with any provision of this By-law is guilty of an offence.

(2) No person shall hinder or obstruct, or attempt to hinder or obstruct, an *Officer* who is exercising a power or performing a duty under this By-law.

7. Amend the Smoking By-law by replacing the section 7 of the current By-law, which sets out offences and penalties, with the following:

#### Penalties

(1) Every person who is convicted of an offence under this By-law is liable to a fine as provided for in the *Provincial Offences Act, 1990*.

(2) Despite subsection (1), an Officer may issue an administrative monetary penalty of \$100.

(3) Penalty notices indicating a contravention of this By-law shall be issued in accordance with the Administrative Monetary Penalties By-law.

(4) In the event that a Summons is issued by the Officer, a person who is found guilty of the offence described therein shall be subject to the following penalties:

(i) Upon a first conviction, a fine of not less than \$100 and not more than \$500;

(ii) Upon a second or subsequent conviction, a fine of not less than \$500 and not more than \$1,000;

(iii) Upon conviction of multiple offences, for each offence, a fine of not less than \$100 and not more than \$1,000.

8. Amend the Smoking By-law by adding the following section:

#### Collection of Unpaid Penalties and Fines

(1) Where a fine is in default, the City may proceed with civil enforcement against the person upon whom the administrative monetary penalty or fine has been imposed.

9. Amend the Smoking By-law by adding the following section:

#### Severability

(1) If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its

application in other circumstances, shall not be affected and shall continue to be in full force and effect.

10. Amend the Smoking By-law by adding Schedule 1, which shall list the following City-owned Facilities:

|                                 |                                 |
|---------------------------------|---------------------------------|
| Vaughan City Hall               | 2141 Major MacKenzie Drive West |
| Vaughan Joint Operations Centre | 2800 Rutherford Road            |
| All Vaughan Public Libraries    | Various locations               |

\*Any Other City Owned/Operated Property as identified from time to time

11. Amend Parks By-law 134-95, as amended, by adding the following section:

10.1 Smoking

While in any *Park*, unless otherwise provided for in this By-law, no person shall *Smoke*, except in accordance with the provisions of the Smoking By-law.

12. Amend the Parks By-law 134-95, as amended, by adding the definitions for “Smoke”, “Tobacco”, “Cannabis”, and “Electronic Cigarette” as per above.
13. Any other consequential amendments of related by-laws as required.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: AMENDMENTS TO SPECIAL EVENTS BY-LAW NO. 045-2018**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

After one full season since the adoption of the new Special Events By-law, staff have identified areas in the By-law that require clarification and/or strengthening in order to ensure that the permit process is transparent and consistent, and that staff are able to most effectively enforce the By-law's provisions.

**Report Highlights**

- A number of administrative and enforcement-related challenges have prompted staff to consider and recommend further amendments to the Special Events By-law.
- The amendments make event eligibility clearer, make permit requirements more explicit, and provide greater clarity of regulations.

**Recommendations**

1. THAT Council approve the proposed amendments on Attachment 1 of this report, subject to being in a form satisfactory to the City Solicitor;
2. THAT Council approve the consolidation of the Special Event By-law; and
3. THAT Council approve all other necessary actions by staff, including any related and consequential amendments to the Special Events By-law or other by-laws, in order to give effect to Recommendations Nos. 1 & 2.



## **Background**

In March of 2018, Council enacted a new Special Events By-law in anticipation of the 2018 event season. The By-law was intended to bring greater clarity to application requirements and permit obligations, as well as strengthening staff's enforcement authorities. Over the course of the ensuing event season, staff identified a number of administrative and enforcement-related challenges that revealed opportunities to fine tune the By-law further.

This report was prepared in consultation with internal stakeholders including, Recreation Services and external regulatory agencies, including York Regional Police ("YRP").

The recommendations in this report are intended to address immediate regulatory concerns in anticipation of the 2019 special event season. In the meantime, the City continues to review its broader event strategy, which may entail some additional future by-law amendments. The recommendations arising from this broader review are expected to be before Council in Q4 of 2019.

## **Previous Reports/Authority**

Review of Special Events By-law – Phase 1 ([Item 8, Report No. 6, of the Committee of the Whole](#), adopted by Council on February 21, 2018)

## **Analysis and Options**

The purpose of the Special Events By-law is to ensure that events that are open to the public are carried out in a way that do not put the health and safety of event participants at risk and that do not create hazards or unnecessary nuisances for the public at large.

In general terms, a special event for regulatory purposes is an organized gathering that could present a health or safety hazard or could otherwise reasonably be expected to have an impact on the well-being of the public. The City regulates and imposes conditions on special events to reasonably mitigate both direct and indirect negative impacts. For example, to ensure public health and safety, the City requires that events prepare emergency plans, obtain any necessary building permits and otherwise comply with the requirements of the Building Code, and provide adequate security and health-related clearances if offering food. To mitigate nuisances, the City also places limits on the number of events and their frequency.

### **Permit Eligibility**

Staff are recommending that more stringent eligibility requirements be placed on applicants in order to ensure that non-existing entities cannot be used to apply for special event permits. Specifically, staff are recommending that only "Persons" as defined can apply for a permit and that in the event that the applicant is a corporation

proof of that corporation's legal status be provided [Recommendations 3 and 9]. Staff are also recommending more explicit clarification that for purposes of the By-law, owners of private venues also be considered applicants and permit holders [Amendment 1].

Staff are also recommending that greater clarity around the type and frequency of special events be included. The current provision of the By-law that restricts special events to no longer than four consecutive days, no more frequently than every 30 days and no more than six within any twelve-month period. Staff are recommending that the number of events be increased to 12 per year and that these restrictions apply to special events considered to be the "same event" as defined [see Amendments 16, 17 and 18]. This is intended to thwart applicants who by changing the name of the event or the name of the applicant try to have the same event more frequently than otherwise permitted.

#### Application Requirements

In order to make the process more transparent and consistent, staff are recommending more explicit provisions with respect to applications. Specifically, staff are recommending clarifying that applications not received within the required time frame will be processed but may not be issued, or issued without granting the full request, if clearances from other City departments or external agencies, such as Public Health or YRP, have not yet been received [Amendment 7].

Staff are also recommending that applicants be required to demonstrate that they have authority to use the venue for the type of event they are applying for. In the case of a City facility, applicants would need to show a rental agreement from the Recreation Department [Recommendation 10]. In the event of a private venue, staff could require a letter of authorization from the property owner [Amendment 13].

For events where the serving of alcohol is being proposed, applicants will be required to provide either the Special Occasion Permit from the AGCO or a copy of the venue's Liquor Licence [Amendment 12].

In order to ensure that safety and security measures are appropriate and effective, applicants will be required to provide the maximum number of attendees at any given time and permit holders will be required to not exceed this number [Amendment 8].

#### Enforcement Powers

To facilitate compliance and enforcement efforts, staff are also recommending greater authorities. This includes that applicants be required to prove that they have met all conditions of the application and/or are compliant with the permit issued thereof

[Amendment 14]. In addition to the more general powers to refuse, suspend or revoke an application/permit, staff are also seeking explicit powers to do so if the conditions of application or a permit are not met [Amendment 15]. Staff also recommend that the requirements and obligations set out under a permit be extended to every person otherwise required to be permitted or acting on behalf of the permit holder or person required to be permitted [Amendment 19]. This gives enforcement staff maximum leverage in dealing with event organizers. To further the City's ability to enforce its By-law and ensure public health, safety and well-being, staff are also recommending that the Director, By-law & Compliance, Licensing and Permit Services be authorized to temporarily close streets or parts thereof [Amendments 21 and 22].

### Penalties

Under the current By-law, the City may seek special fines equal to the lesser of 50% of gross revenue or \$100,000; however, no guidance is provided on how this is to be ascertained. Staff therefore recommend that gross revenue under these circumstances be determined by multiplying the advertised number of tickets or admissions available by the advertised ticket prices or admission fees [Amendment 23].

### Deposits and Fees

Staff recommend more explicit provisions pertaining to deposits and fees. Specifically, staff are recommending clarification that deposits are only required when applicants propose to use City streets or the public boulevard [Amendment 4], and that such deposits may be used where the streets or public boulevard have been damaged or where the City has incurred expense to bring the streets and/or public boulevard back to its condition before the event [Amendment 5]. In addition, staff recommend that application fees be non-refundable and must be paid before an application is processed [Amendment 6]. Staff are also including a schedule of fees for 2021 [Amendment 21] and clarifying that to determine the appropriate deposit amount, event "attendance" is to be taken to mean the maximum number of people that can be present at the event, which is normally governed by occupancy load limits [Amendment 25].

Provide analysis that supports the recommendation, including relevant findings and an overview of the options considered. Summarize the analysis to help the reader understand it and compare the options. Present the benefits and risks.

### **Financial Impact**

There is no financial impact anticipated to the City's 2019 budget as a result of the recommendations of this report.

## **Broader Regional Impacts/Considerations**

There are no foreseen impacts to other agencies or levels of government as a result of the recommendations of this report.

## **Conclusion**

Adoption of the recommendations of this report will both add clarity for event applicants respecting permitting requirements and obligations, and further strengthen the City's ability to effectively regulate special events and enforce the By-laws provisions. These recommendations include a proposal to maintain a consolidated Special Events By-law in accordance with the principles of the City's Council-approved By-law Strategy to maintain relevant, effective and user-friendly by-laws.

The City continues to review its broader event management strategy, with the recent engagement of a consultant to lead the review. Staff expect to bring forward additional recommendations by Q4 of 2019 that will provide a consistent and comprehensive approach to all events managed or regulated by the City and which may result in additional amendments to the Special Events By-law.

**For more information**, please contact: Gus Michaels, Director, By-law & Compliance, Licensing & Permit Services, ext. 8735.

## **Attachments**

1. Proposed By-law Amendments

## **Prepared by**

Rudi Czekalla-Martinez, Manager, Policy & Business Planning, ext. 8782.

## Proposed By-law Amendments

1. Amend the definitions of “Applicant” and “Permit Holder” to say that private property owners on whose property a special event takes place shall ***also*** be deemed to be Applicants and Permit Holders for purposes of the By-law.
2. Define “Public Boulevard” as that part of a Highway that is not used, or intended to be used, for vehicular travel by the general public, and is situated between the travelled portion of the road and the adjoining property line, including the 0.3 metre reserve, where applicable.
3. Clarify that only a Person, as defined, may apply for a Special Event Permit.
4. Clarify that as part of an application for a Special Event that makes use of a Highway or Public Boulevard, a deposit shall be required as set out in the Fees and Charges By-law.
5. Clarify that such deposits shall be applied to any damages or to any other costs incurred by the City to bring the Highway or Public Boulevard back to its condition prior to the event.
6. Clarify that application fees are non-refundable and must be paid before the application is processed.
7. Clarify that an application that is not fully received within the required time frame (of 15 business days) may be processed but the Applicant or any other affected parties shall not have any recourse if the permit cannot be issued in time for the event.
8. Add a section to the By-law that requires applicants to provide the maximum number of attendees to be present at the event at any given time and that requires permit holders to not exceed this number.
9. Add a requirement in Section 8 of the current By-law that where the Applicant is not a natural individual, proof of legal status shall be required (e.g., articles of incorporation).
10. Add a requirement in Section 8 of the current By-law that requires Applicants who are intending to use a City Facility to provide a tentative Rental Contract.

11. Add a requirement to Section 8 of the current By-law that requires Applicants to provide proof that the required number of York Regional Police Officers have been arranged and secured for the proposed event.
12. Add a requirement to Section 8 of the current By-law that requires Applicants to provide a copy of the Special Occasion Permit or the Liquor Licence of the venue, as issued by the Alcohol and Gaming Commission, if alcohol is being served at the proposed event.
13. Clarify that in Section 8 of the current By-law, where the venue for a special event is on private property, the Director may require from the private property owner that written authorization be provided for the event.
14. Clarify in Section 11 of the current By-law, that an Applicant must prove that all conditions of the **application and/or** permit have been met.
15. Clarify in Section 12 of the current By-law, that a permit may be refused, suspended or revoked if the Applicant has not met, or there are reasonable grounds that the Applicant will not meet, **the conditions necessary to obtain a permit or** the conditions set out in the permit or if the Applicant furnishes any information on the application that is false or inaccurate.
16. Amend Section 17 of the current By-law so that a Special Event shall not:
  - (a) run for more than four consecutive days;
  - (b) be eligible for a permit within 30 days of the issue of a Special Event permit for the same event;
  - (c) be eligible for more than 12 Special Event permits for the same event within any 12-month period.
17. Add a provision that clarifies that for purposes of Section 17 of the current By-law, a Special Event shall be considered to be the same event if any of the following apply:
  - (a) the Applicant is the same Person as the Permit Holder for a previous event of the same nature;
  - (b) any of the event organizers or sponsors were Permit Holders for a previous event of the same nature;
  - (c) the advertising or communication for the event is in any way associated with any other previous event of the same nature.

18. Add a definition for “Same Nature” in the context of the above provision that means having the same or similar theme or subject matter.
19. Clarify Section 18 of the current By-law by requiring every Permit Holder or **Person required to be permitted under the By-law** and every Person acting on behalf of the Permit Holder or the **Person required to be permitted under the By-law** to meet the conditions therein.
20. Add to Section 18 of the current By-law a condition that ensures that the Special Event comply with all applicable law.
21. Add a provision that, subject to the City’s delegation By-law, the Director may close streets or parts thereof if doing so is in the public interest and required to effectively enforce any of the provisions of the Special Events By-law.
22. Amend the City’s Delegation By-law by adding a provision that gives the Director, By-law & Compliance, Licensing & Permit Services, the authority to close streets or parts thereof, and/or erect temporary signage prohibiting or otherwise regulating parking, with respect to events permitted or required to be permitted under the City’s Special Events By-law.
23. Clarify that for purposes of Subsection 28(c) of the current By-law respecting special fines, gross revenue shall be calculated on the basis of advertised ticket prices or other admission fees multiplied by the advertised number of tickets or admissions available.
24. Amend the City’s Fees and Charges By-law, Schedule “I” by adding fees and deposits for 2021, as follows:

|   |           |
|---|-----------|
| Special event permit – up to 250 people               | \$ 56     |
| Special event permit – 251 to 500 people              | \$ 113    |
| Special event permit – 501 to 1,000 people            | \$ 225    |
| Special event permit – more than 1,000 people         | \$ 450    |
| Special event damage deposit – up to 250 people       | \$ 1,000  |
| Special event damage deposit – 251 to 500 people      | \$ 2,500  |
| Special event damage deposit – 501 to 1,000 people    | \$ 5,000  |
| Special event damage deposit – more than 1,000 people | \$ 10,000 |

25. Further amend the City's Fees and Charges By-law by clarifying that in the context of special event deposits, "attendance" refers to the maximum number of people present at any given time.



Item:



## Committee of the Whole Report

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**DATE:** Tuesday, March 05, 2019

**WARD(S):** 1

**TITLE: REQUEST FOR CONSTRUCTION NOISE EXEMPTION – TRANS-CANADA PIPELINES INSTALLATION OF A TURBO-COMPRESSOR AT 11200 WESTON ROAD BETWEEN APRIL 2019 AND SEPTEMBER 2019**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

This report is to seek Council approval of a request for a noise exemption to By-law 062-2018, as amended, for the installation of a turbo-compressor by the Applicant Trans-Canada Pipelines Ltd, at the Maple Station 130 located at 11200 Weston Road, for the period of April 1, 2019 through September 30, 2019.

**Report Highlights**

- A noise exemption from By-law 062-2018, as amended, is being requested for the installation of turbo-compressor at the Trans-Canada Pipeline station
- This project supports the development of the Trans-Canada Pipelines project that support the transportation of crude oil, natural gas and refined products across Canada and North America.

**Recommendations**

1. THAT Council adopt the recommendations as provided in Attachment 1.

## **Background**

### ***Legislation***

The City of Vaughan's Noise Control By-law No. 062-2018, as amended, prohibits noise created from the use of "construction equipment" as defined, between the hours of 7:00 pm of one day to 7:00 am the following day and on Sundays and statutory holidays.

Any noise created by construction activity during these prescribed hours requires an exemption to the provisions of the By-law. Exemption requests for construction noise are governed by the By-law provisions of Section 20, Exemption – Construction Equipment.

### ***Requested work period***

The Applicant, TransCanada Pipelines Limited, is requesting a work period of April 1, 2019 through September 30, 2019, to work between 7:00 pm to 7:00 am, except on Sundays and statutory holidays, at the Maple Station 130 building at 11200 Weston Road, southwest of Kirby Road and Weston Road.

The intent of the work is to continue the expansion of the Trans-Canada Pipelines project, that facilitates the transportation of crude oil, natural gas and refined products across North America. This noise exemption is requested for the installation of a "turbo-compressor", a component of the pipeline required to facilitate the movement of materials. The turbo-compressor will be installed within the station. The Applicant is requesting for the work to be completed overnight, as the installation requires overhead work which requires dayshift workers on the main floors to be absent for safety reasons.

### ***Stakeholder engagement***

The Applicant will distribute communication notices with details of the project to all residents and businesses within 60 metres of the project site at least two weeks prior to the start of the project.

## **Previous Reports/Authority**

Noise Control By-law: [062-2018](#)

## **Analysis and Options**

This project supports the development of the TransCanada Pipeline.

### ***Noise Mitigation***

The City and construction supervisor will comply with standard noise exemption mitigation measures, including that they minimize idling of construction vehicles, avoid unnecessary revving of engines, use of airbrakes, as well as the requirement to maintain equipment in good working order (including the use of muffling devices) to minimize noise impacts.

As detailed in the letter, the majority of the required work will take place in within the sound-attenuated building, which is expected to have minimal sound impact to the surrounding area. The required outside work, such as staging and moving material, will

largely be scheduled as early as possible, to minimize disruption. In addition to City standards, the Applicant will utilize noise avoidance measures outlined in the TransCanada's Environmental Protection Plan.

A summary of noise mitigation measures are as follows:

- moving materials outside the building will be conducted at the beginning of the shift;
- compressors, welding units and/or water pumps will be enclosed if used outside the building;
- any lifting with cranes outside the building will be completed by 9 pm;
- idling of construction vehicles will be minimized;
- use of personnel vehicles will be limited to access to and from site;
- use of vehicles with safety backup alarms will be limited and reversing will be restricted to the extent possible;
- the number of workers on site will be limited;
- unnecessary revving of engines and unnecessary use of airbrakes will be avoided;
- equipment will be maintained in good working order (including muffling devices and noise attenuation where appropriate); and
- lights will be directed away from surrounding residents to the extent possible.

### **Financial Impact**

Adoption of this noise exemption has no economic impact for the City.

### **Broader Regional Impacts/Considerations**

This project supports the development of the Trans-Canada Pipelines project that support the transportation of crude oil, natural gas and refined products across Canada and North America.

### **Conclusion**

Staff believe that the noise exemption for this project should be endorsed by Council pursuant to the recommendations set out in this report.

**For more information**, please contact: Gus Michaels, Director and Chief Licensing Officer, By-law & Compliance, Licensing & Permit Services, ext. 8735.

### **Attachments**

1. Recommendations
2. Project map
3. Letter to residents and businesses

**Prepared by**

Carol Ramchuram, Regulatory Policy Analyst, By-Law & Compliance, Licensing & Permit Services, ext. 8783

## **Recommendations**

1. That the Applicant, TransCanada Pipelines Limited, be granted a noise exemption, in accordance with the City's Noise Control By-law 96-2006, as amended, for the purposes of turbo-compressor installation at 11200 Weston Road, for the period of April 1, 2019 through September 30, 2019, 7:00 pm to 7:00 am.
2. That this request for exemption be granted with the following conditions for the Applicant:
  - a) That construction communication notices be sent to surrounding residents and business owners within a 60-metre radius, in keeping with City standards, advising them of the impending work;
  - b) That the construction communication notices to residents, and businesses include contact information for the Applicant, including the construction supervisor;
  - c) That the Applicant monitor and investigate any complaints regarding construction noise;
  - d) That the Applicant take measures to minimize any unnecessary noise, including but not limited to idling of construction vehicles, unnecessary revving of engines, use of airbrakes, and to maintain equipment in good working order (including muffling devices) to minimize noise impacts; and
  - e) That no construction take place on Sundays and Statutory Holidays.

# Project map

Attachment 2







DRAFT



\_\_\_\_\_, 2019

**Subject: TransCanada's Station 130C Unit Addition  
11200 Weston Road, Maple  
Construction Update**

Dear Neighbour:

Construction activity continues at TransCanada's Station 130 Compressor Station in Maple to add a new unit, known as the Station 130C Unit Addition Project, with an in-service date in November 2019.

This update is to notify residents within 1 kilometre of the project about an upcoming phase of construction to take place **between April 1, 2019 and September 30, 2019**. During this period, in addition to the 7 am to 7 pm construction work, a second shift will occur from 7 pm to 7 am for work primarily inside the new compressor building and auxiliary buildings. This is required so that overhead work can occur safely and separate from work on the main floor below within in the new buildings.

Please note that there will be **no work conducted on any Sundays or Statutory Holidays (April 19<sup>th</sup>, May 20<sup>th</sup>, July 1<sup>st</sup>, August 5<sup>th</sup>, or September 2<sup>nd</sup>) during this period**. TransCanada has been issued a variance from the City of Vaughan for this work during this temporary period.

Primary work planned during this period includes:

- Electrical and piping work inside the newly constructed sound-attenuated buildings, and immediately adjacent to these buildings
- Flushing and cleaning new piping, and safety testing on completed systems

There will be some limited equipment and work required outside and directly adjacent to the buildings. TransCanada is committing to the following to manage impacts to neighbours including:

- moving materials outside the building will be conducted at the beginning of the shift;
- compressors, welding units and/or water pumps will be enclosed if used outside the building;
- any lifting with cranes outside the building will be completed by 9 pm;
- idling of construction vehicles will be minimized;
- use of personnel vehicles will be limited to access to and from site;
- use of vehicles with safety backup alarms will be limited and reversing will be restricted to the extent possible.
- the number of workers on site will be limited;
- unnecessary revving of engines and unnecessary use of airbrakes will be avoided;
- equipment will be maintained in good working order (including muffling devices and noise attenuation where appropriate) and,
- Lights will be directed away from surrounding residents to the extent possible.



TransCanada apologizes for any inconvenience and appreciates your patience while we work diligently to complete the Project. If you have any questions or concerns, please contact:

Brian MacDonnell  
[brian\\_macdonnell@transcanada.com](mailto:brian_macdonnell@transcanada.com)  
705-238-0665

Steve Niddery  
[SteveN@landsolutions.com](mailto:SteveN@landsolutions.com)  
506-640-2377

Yours truly,

A handwritten signature in blue ink, appearing to read 'Darren Hopkins', with a long horizontal stroke extending to the right.

Darren Hopkins, P. Eng.  
Project Manager, TransCanada

Sent on Behalf of the Station 130C Unit Addition Project Team

Item:



## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: SCREENING AND HEARING OFFICER APPOINTMENTS**

**FROM:**

Mary Reali, Deputy City Manager, Community Services

**ACTION:** DECISION

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**Purpose**

Staff are seeking delegated authority to appoint and Hearing Officers in accordance with the parameters established in the By-law itself. Delegation will streamline the process and ensure service continuity without compromising the integrity of the appointments.

**Report Highlights**

- The City has offered dispute resolution for parking and licensing matters through its Administrative Monetary Penalties (“AMPs”) program since 2009.
- Under the current provisions of the AMPs By-law, the selection of Screening and Hearing Officers must be ratified by Council.
- Staff propose to fully delegate the appointments to the Director and Chief Licensing Officer in order to streamline the process and ensure service continuity.

**Recommendations**

1. THAT City Council fully delegate the appointment of Screening and Hearing Officers to the Director and Chief Licensing Officer;
2. THAT City Council authorize staff to undertake any actions necessary to give effect to the approved strategy, including amendments to any City by-laws.

## **Background**

The Administrative Monetary Penalties (“AMPs”) program is a quasi-judicial alternative to the court process for designated by-laws. The authority to establish such a system was introduced as part of the 2006 review of the Municipal Act. In Vaughan, penalties for offences under both Parking and Business Licensing have been administered through the AMPs process since 2009.

Those found to be in contravention and subject to a penalty may dispute the penalty before a Screening Officer. This decision may be further appealed to a Hearing Officer. Currently, the Screening Officer position is a full-time non-union position at the City. Hearing Officers, with a much lighter case load, are contracted out.

Under the current provisions of the City’s by-laws, any additions, deletions or changes to the appointed Screening and Hearing Officers must be ratified by Council. This means that the process is subject to the meeting schedule of Council and is further constrained by Council’s summer hiatus.

## **Previous Reports/Authority**

[Item 6, Report No. 6](#) of the Committee of the Whole: Delegation of Officer Appointments (approved by Council on February 21, 2018).

## **Analysis and Options**

Screening and Hearing Officers are crucial positions within the City. They adjudicate on all matters pertaining to designated by-laws (i.e., Parking and Licensing). In addition, Hearing Officers also adjudicate on fence height exemptions and Dog Ownership Liability Act offences. Without these positions, the City would not be able to provide the required appeal process pursuant to both its by-laws and provincial legislation.

Under the current appointment process for Screening and Hearing Officers, if a position or contract were severed unexpectedly, the City could be in a position of not being able to fill that position expeditiously enough to continue service. For this reason staff are proposing that the authority to appoint both types of positions be fully delegated to the Director and Chief Licensing Officer. Selection of both positions would still be subject to the parameters established in the Administrative Monetary Penalties By-law and in line with O. Reg 333/07 of the Municipal Act, 2001.

Under Section 23.1 of the Municipal Act, 2001, the City may delegate its powers and duties to a person or body, subject to prescribed restrictions. A similar delegation was previously granted to the Director and Chief Licensing Officer with respect to the appointment of both Municipal Law Enforcement Officers and Property Standards Officers ([Item 6, Report No. 6](#) of the Committee of the Whole).

Staff are recommending an appointment process by which the Director and Chief Licensing Officer would be responsible for maintaining an up-to-date listing of all appointed Screening and Hearing Officers. Such list would be filed with the City Clerk and be made available for public inspection upon request.

### **Financial Impact**

There is no financial impact as a result of the recommendations of this report.

### **Broader Regional Impacts/Considerations**

There are no implications to the Region or to other levels of government as a result of the approval of the recommendations of this report.

### **Conclusion**

Delegation of Screening and Hearing Officer appointments will streamline the appointment process and allow staff to be more responsive to any required changes.

**For more information**, please contact: Gus Michaels, Director and Chief Licensing Officer

### **Attachments**

No attachments.

### **Prepared by**

Rudi Czekalla-Martinez, Manager, Policy & Business Planning, ext. 8782

Item:



## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019      **WARD(S):** ALL

**TITLE: 2018-2022 TERM OF COUNCIL SERVICE EXCELLENCE  
STRATEGIC PLAN**

**FROM:**

Kathy Kestides, Director, Office of Transformation & Strategy

**ACTION:** DECISION

---

**Purpose**

The purpose of this report is to present the recommended 2018-2022 Term of Council Service Excellence Strategic Plan for Council approval.

The 2018-2022 Term of Council Service Excellence Strategic Plan continues to support the strategic directions of Vaughan Vision 2020. It is aligned to our strategic priorities, people, processes and technology so we can deliver on our commitments for this Term of Council. The 2018-2022 Term of Council Service Excellence Strategic Plan identifies recommended strategic priority areas, objectives and strategic key activities to support the City of Vaughan in being a City of Choice for both residents and businesses.

This report describes Council priorities for the next four years outlining the key activities the administration will undertake to ensure a long-term successful and sustainable City guided by the City's mission, vision and values. The financial resources of the City have been aligned to achieve the goals and key activities through the 2019 budget process.

## **Report Highlights**

- The recommended 2018-2022 Term of Council Service Excellence Strategic Plan continues to enhance our model and approach to service excellence.
- The 2018-2022 Term of Council Service Excellence Strategic Plan continues to achieve the strategic directions of Vaughan Vision 2020. It is a refresh of the 2014-2018 Strategy and focusses the priorities for the 2018-2022 Term of Council with a new four-year strategic plan in alignment with the City's mission, vision and values.
- Each four-year Term of Council Strategic Plan incrementally contributes towards the achievement of Vaughan Vision.
- The Strategic Plan provides 9 strategic priority areas with related strategic key activities.
- The recommended 2018-2022 Term of Council Service Excellence Strategic Plan is aligned to the 2019 budget.

## **Recommendations**

1. That the 2018-2022 Term of Council Service Excellence Strategic Plan be received and approved by Council.

## **Background**

Each four-year Term of Council Service Excellence Strategic Plan incrementally contributes towards the achievement of Vaughan Vision. The 2031 Official Plan review conducted in 2010 provides the City with the long term strategic direction. Forward looking beyond that, the City is currently working on Vaughan Vision 2051 in coordination with the Region of York and this will be coming forward to Council at a future date.

In anticipation of the new 2018-2022 Term of Council Service Excellence Strategic Plan the City's portfolios and departments have developed and aligned their 2019

departmental business plans and budgets to the newly proposed 2018-2022 Term of Council strategic priority areas.

Drivers and inputs to the new Strategic Plan include:

- the Vaughan Vision, Mission and Value statements;
- the 2018 Citizen Satisfaction Survey results;
- the 2018 Business Sector Survey results;
- the 2018 Employee Engagement Survey results;
- the 2019 Business Plans from each portfolio and all the departments
- the 2019 Budget consultations/deliberations;
- the December 2018 Mayor's Inauguration Speech;
- the top priorities which have been identified by each Councillor.

The above inputs have been integral to the development of the new 2018-2022 Term of Council Service Excellence Strategic Plan. For example, the Citizen Survey results indicated that key transportation-related issues continue to dominate the public agenda in the City and as a result this area requires a strategic focus to ensure we are delivering on what our residents and businesses require. The Business Sector Survey provided suggested areas of focus to facilitate education, industry and government partnerships to address skill shortages, facilitate more networking opportunities, address traffic congestion and increase awareness of business support services. The Employee Engagement Survey highlighted continued progress in employee engagement with opportunities to enhance employee empowerment and influence, senior leadership effectiveness and enable more effective and efficient processes and procedures for our employees to help ensure an engaged workforce. The City of Vaughan Councillors' priorities related to traffic and transportation, infrastructure, land-use and city building, public safety, protecting tax payers' interests, innovation and economic prosperity, environmental stewardship, good governance, value for money, cost effective services, and corporate performance have all shaped the key objectives for the 2018-2022 Term of Council and make up the new Strategic Plan.

The 2018-2022 Term of Council Service Excellence Strategic Plan continues the alignment of people, priorities, processes and technology. It outlines Vaughan's vision, mission and values and identifies the strategic initiatives in support of Vaughan Vision 2020 that staff will focus on to enable the execution and implementation of projects related to Council's priorities and commitments to the citizens of Vaughan.

### **Previous Reports/Authority**

[Term of Council Service Excellence Strategy map January – June 2016](#)

[Term of Council Service Excellence Strategy May July – December 2016 Attachment 1:](#)

[Term of Council Service Excellence Strategy Map January – June 2017](#)

[Term of Council Service Excellence Strategy Map July December 2017](#)

[Term of Council Service Excellence Strategy Map Achievements and 2018 Year End Projections Report](#)

### **Analysis and Options**

The new 2018-2022 Term of Council Service Excellence Strategic Plan articulates an actionable plan, grounded in information and data, informed through various inputs and drivers, and reflective of defined responsibility and accountability. It reinforces the City's mission, vision and values, representing the core of how staff and Council will conduct its affairs, centered on a strong foundation of public engagement and equality in the operation and function of the municipality.

**Continuous improvement requires the organization to challenge the status quo on an ongoing basis.**

Establishing a strong foundation for the future and respecting the past are dominant themes drawn from the various inputs and drivers for the new strategic plan. Ensuring the City of Vaughan's vision highlights the importance of strong municipal government management, fiscal responsibility and community support as values that contribute to the City's overall quality of life and are therefore considered fundamental characteristics in developing the new strategic plan.



With the completion of many of the 2014-2018 strategic initiatives, the 2014-2018 Term of Council Service Excellence Strategic Plan was evaluated for continued relevance, applicability and opportunity to streamline and modernize where appropriate. In consideration of several new and enhanced key activities and Mayor and Member of Council priorities, the proposed 2018-2022 Term of Council Service Excellence Strategic Plan has been updated and renewed to include six strategic priority areas reflective of Council objectives and three strategic priority areas of Service Excellence objectives.

These strategic priority areas will continue to be guided by the City's mission, vision and values and further defined by a series of objective statements. Each strategic priority area is further broken down into result statements that articulate the outcome that is to be achieved at the end of this term of Council. The results statements enable the organization to cascade the strategic goals into clear, focused and measurable performance results. The strategic priority areas and results statements provide a more comprehensive approach with a modernized strategy which allows the administration to focus on those key strategic activities that will continue to build the City of Vaughan as a world class city.

### **Annual monitoring and reporting on key activities through progress reporting**

Annual progress reports on the strategic plan will be provided to Council annually each March. A mid-year progress report may be provided in 2022 to provide an update on the four-year term given it is the final year of the strategic plan. The final progress report will be issued March 2023. The strategic plan will continue to be integrated within the budget process, business plans and staff performance goals. Once endorsed by Council, the Strategic Planning department will work with departments to further enhance performance measures to ensure the desired progress on the key activities are met and further ensure that evidence-based decision making is achieved. The annual reports to Council will include performance measures as well as milestones and achievements to date.

**Figure 1**

**Annual Reporting on key activities and performance measures**



The new 2018-2022 Term of Council Service Excellence Strategic Plan is accompanied by a new Strategic Plan design featuring each priority area and is designed to represent a subway map.

**Figure 2**

**The Strategy Map – Visual representation of the Strategic Plan**



The blue icons (or “stops” along the map) for Transportation and Mobility, City Building, Environmental Stewardship, Active, Safe, Diverse Communities, and Economic Prosperity, Investment and Social Capital, represent the Term of Council Strategic Priorities.

The green icons (or “stops” along the map) for Citizen Experience, Operational Performance, and Staff Engagement, represent the Service Excellence Strategic Priorities.

The mixed blue/green icon for Good Governance represents the “transfer station”, as it bridges the City’s internal and external initiatives and guides how the City delivers service excellence through responsible and accountable government in achieving the Term of Council priorities. The new design is not a linear map where each strategic priority is done in sequence. All strategic priority areas are equally important and conducted simultaneously.

The business plan icon represents the important role of business planning which allows for planning of resources and cross-departmental collaboration on key activities in order to achieve results. Furthermore, departmental business plans convey how the key activities will be executed based on milestones over the four-year term.

Attachment 1 provides a view of the proposed 2018-2022 Term of Council Service Excellence Strategic Plan.

The Strategic Plan overview below outlines the 9 Strategic Priority Areas, objective statements and thematic result areas.

## Strategic Plan Overview



### TRANSPORTATION & MOBILITY

**Objective Statement:** To be a fully-connected and integrated community, the City will undertake initiatives to improve the municipal road network, support the development of transit and increase cycling and pedestrian infrastructure.

- Improve Local Road Network
- Support Regional Transportation Initiatives
- Advance Active Transportation



### CITY BUILDING

**Objective Statement:** To build a world-class city, the City will continue its planning and development in support of key city-wide developments and initiatives that encompass good urban design and public spaces that foster community well-being.

- Develop the Mackenzie Vaughan Hospital Precinct
- Develop Vaughan Metropolitan Centre
- Elevate Quality of Life through City Planning



### ENVIRONMENTAL STEWARDSHIP

**Objective Statement:** To protect the environment and foster a sustainable future, the City will act as a steward to preserve the natural environment by encompassing principles of environmental protection into our social and economic initiatives.

- Protect and Respect our Environment
- Proactive Environmental Management
- Build the Low Carbon Economy and a Resilient City



## ACTIVE, SAFE AND DIVERSE COMMUNITIES

**Objective Statement:** To ensure the safety and well-being of citizens, the City will commit to engagement and cohesiveness by supporting and promoting community events, arts, culture, heritage, sports and fire prevention awareness.

- Enhance Community Well-Being
- Maintain Safety in Our Community
- Enrich Our Community



## ECONOMIC PROSPERITY, INVESTMENT and SOCIAL CAPITAL

**Objective Statement:** To ensure Vaughan continues to be the place to be, the City will undertake initiatives to ignite economic prosperity and social capital, and celebrate Vaughan as an entrepreneurial city and the gateway to economic activity in the Greater Toronto Area, Ontario and Canada.

- Advance Economic Opportunities
- Attract New Investments
- Enable a Climate for Job Creation



## GOOD GOVERNANCE

**Objective Statement:** To effectively pursue service excellence in governance and fiscal responsibility, the City will hold the public's trust through inclusive, transparent and accountable decision-making, responsible financial management, and superior service delivery and effective communication.

- Ensure Transparency and Accountability
- Demonstrate Value for Money
- Commitment to Financial Stewardship



## CITIZEN EXPERIENCE

**Objective Statement:** To ensure citizens receive the best experience in person, by telephone and electronically, the City will provide exceptional end-to-end citizen-centered services, enhance access and streamline services with the use of technology.

- Commitment to Citizen Services
- Transform Services through Technology



## OPERATIONAL PERFORMANCE

**Objective Statement:** To continue to foster a culture of continuous improvement, the City will support competencies and practices in innovation and process efficiencies.

- Leverage Data-Driven Decision-making
- Promote Innovation and Continuous Improvement



## STAFF ENGAGEMENT

**Objective Statement:** To ensure an engaged workforce, the City will continue to foster initiatives that create a positive work environment through staff development, and workplace health, safety and wellness with strengthened leadership, communication and engagement opportunities.

- Empower Staff
- Develop Leadership
- Manage Performance

Please refer to attachment 2 for a preliminary list of the key activities that the City will focus on over the four-year term. Please note that the list will be finalized at the department level through the ongoing strategic planning and reporting process.

**A key component of the roll out of the 2018-2022 Term of Council Service Excellence Strategic Plan is a communications plan.**

A communications plan is being developed to ensure both internal and external stakeholders are aware of the new strategic direction, with a focus on engaging staff in this corporate direction.

The official launch will get underway once the Strategic Plan is approved by Council and will continue beyond that in order to reinforce the messages and engage staff. There will also be an external component to share successes and progress with residents. This will include an enhanced website presence.

**Financial Impact**

On February 20, 2019, Council approved the 2019 Budget and 2020-2022 Financial Plan, which aligns the City's four-year budget with the Term of Council Service Excellence Strategic Plan while keeping the tax rate in line with targets set by Council.

The 2019 Budget and 2020-2022 Financial Plan includes approved operating and capital funding of \$310.3 Million and \$165.8 Million in 2019 respectively, with a total new capital funding request of \$687.2 Million over the four-year term to support the Term of Council Service Excellence Strategic Initiatives.

The Term of Council Service Excellence Strategic Plan will support the City of Vaughan's ability to meet Council's tax rate increase target of no greater than three per cent each year.

## **Broader Regional Impacts/Considerations**

There are significant regional implications and linkages associated with implementation of the Term of Council Service Excellence Strategic Plan. The Region is a key source of partnership funding or the proponent of several priority infrastructure projects that will be identified on the Strategic Plan. City staff continue to engage York Region staff to request that the Region maintain or increase the level of financial support to maintain or increase current levels of funding participation for certain joint City and Region initiatives. City staff is actively engaging Regional staff on priority planning and infrastructure projects.

## **Conclusion**

The 2018-2022 Term of Council Service Excellence Strategic Plan continues to support the strategic directions of Vaughan Vision 2020. It is aligned to our strategic priorities, people, processes and technology so that we can deliver on our commitments for this Term of Council. The proposed 2018-2022 Term of Council Service Excellence Strategic Plan identifies the recommended strategic objectives to support the City of Vaughan in being a City of Choice for both residents and businesses.

## **Attachments**

1. 2018-2022 Term of Council Service Excellence Strategic Plan
2. Preliminary List of Key Activities (Subject to 2019 Budget and 2020-2022 Financial Plan)

## **Prepared by**

Christina Coniglio,  
Manager, Strategic Planning, Office of Transformation and Strategy  
Ext 8490

Kathy Kestides  
Director, Office of Transformation & Strategy  
Ext 8412



# Attachment 1: 2018-2022 Term of Council Service Excellence Strategic Plan



## **Attachment 2: Preliminary List of Key Activities (Subject to 2019 Budget and 2020-2022 Financial Plan)**

### **TERM OF COUNCIL PRIORITIES**

### **TRANSPORTATION AND MOBILITY**

#### **Improve Local Road Network:**

- Develop the Traffic Management Strategy
- Advance Kirby Road Environmental Assessment(EA) from Jane Street to Dufferin Street
- Coordinate Kirby Road EA missing link
- Advance Bass Pro Extension EA from Hwy 400 to Weston Road
- Deliver Huntington Road Widening

#### **Support Regional Transportation Initiatives:**

Proactively coordinate with other levels of government to support:

- Implementation of GO Expansion
- Transit fare integration
- GTA west Transportation Corridor EA study
- Highway 427 Extension
- Yonge Subway Extension
- York Region Bus Rapid Transit (Hwy 7, Centre Street, Bathurst Street)
- Langstaff Road missing link
- Teston Road missing link
- Major Mackenzie Drive widening adjacent to hospital

#### **Advance Active Transportation:**

- Complete the Pedestrian and Cycling Master Plan Update
- Advance the Vaughan Super Trail initiative
- Deliver Clark Avenue active transportation facility

## **CITY BUILDING**

### **Develop the Mackenzie Vaughan Hospital Precinct:**

- Facilitate the completion and opening of the new MacKenzie Vaughan Hospital
- Assess the economic development opportunities at the Mackenzie Vaughan Healthcare Precinct
- Open new library at the Mackenzie Vaughan Hospital

### **Develop Vaughan Metropolitan Centre:**

- Facilitate the construction of Central Park
- Initiate the detailed design of the first phase of the Black Creek Renewal Project
- Undertake VMC Road Network planning and development
- Further development of Edgeley Pond

### **Elevate Quality of Life Through City Planning:**

- Undertake the City's Growth Management Strategy (2051)
- Advance 900-acre vision for North Maple Regional Park
- Implement priorities identified in the Parks Redevelopment Strategy
- Develop the City of Vaughan Official Plan Review
- Work with York Region on the Municipal Comprehensive Review and the implementation of provincial plans and legislation
- Assist York Region in their efforts to increase the availability and affordability of housing choices

## **ENVIRONMENTAL STEWARDSHIP**

### **Protect and Respect Our Environment:**

- Complete the Review of Green Directions Vaughan

### **Proactive Environmental Management:**

- Develop the Smart Water Meter Strategy
- Continue to develop the tree maintenance strategy

- Enhance and implement the stormwater management programs

### **Build the Low Carbon Economy and a Resilient City:**

- As part of the Municipal Energy Plan, promote energy efficiency in the business sector in partnership with the ClimateWise Business Network, Alectra Utilities and Enbridge
- Aim to meet new energy efficiency targets in City facilities implementing the revised Corporate Energy Conservation and Demand Management Plan and promote green building for new developments
- Promote transit-friendly and walkable communities by completing secondary plans in priority transit areas

## **ACTIVE, SAFE AND DIVERSE COMMUNITIES**

### **Enhance Community Well-Being**

- Continue to implement Older Adult strategy recommendations
- Continue to implement the By-Law strategy
- Implement recommendations from the Events Strategy
- Open new library and recreation space at VMC
- Plan for new community centre, Library & park in the Carville area
- Promote Great Walks of Vaughan
- In the Spirit of Generosity continue our commitment to events that promote our community

### **Maintain Safety in our Community:**

- Provide a comprehensive fire protection program through public education and fire code enforcement
- Open Fire Station 7-4
- Update the Safe Community Centre Policy
- Conduct Winter Maintenance Service delivery review

- Undertake school crossing guard program review
- Through enforcement of building code, ensure buildings are built to meet code and standards

**Enrich Our Communities:**

- Advance the development of an inclusive citizen engagement framework
- Complete the Cultural and Performing Arts Centre Study
- Encourage, support and promote partnership opportunities to build creative capacity and capability including cultural events & art exhibitions

**ECONOMIC PROSPERITY, INVESTMENT AND SOCIAL CAPITAL**

**Advance Economic Opportunities:**

- Continue the Smart City Taskforce and establish a Smart City Business Unit to implement existing and future task force findings
- Generate alternative revenue sources through partnership development

**Attract New Investments:**

- Attract a post-secondary institution to Vaughan
- Increase economic activity in the tourism and accommodation industry, by investing in a new Destination Marketing Organization and in tourism related city-services and infrastructure
- Invest in partnerships between post-secondary institutions, business and government toward bringing skilled graduates into the workforce
- Sponsor opportunities for skilled trades training

**Enable a Climate for Job Creation:**

- Promote Vaughan as an entrepreneurial and small business hub
- Increase city-wide domestic and international economic development services
- Deliver development, marketing and communications programs to support the Vaughan Metropolitan Centre

- Seek opportunities to attract e-commerce and retail opportunities

## **GOOD GOVERNANCE**

### **Ensure Transparency and Accountability:**

- Conduct Ward Boundary review
- Implementation of Voting technology
- Establish an Enterprise Project & Change Management Office
- Conduct the Internal Audit Governance & Accountability Survey
- Execute the Internal Audit Risk Plan
- Continue work of Policy Committee
- Continue work of Growth Management Committee
- Establish a City of Vaughan Municipal Code

### **Demonstrate Value for Money:**

- Establish a Strategic Innovation and Process Improvement function
- Advance our culture of continuous improvement by empowering staff to identify and champion business and process improvements
- Develop an Enterprise Risk Management program
- Continue to refine our performance measures and benchmark for service delivery

### **Commitment to Financial Stewardship:**

- Develop a Long Range Fiscal Plan and Forecast
- Continue to refine the Fiscal Framework and related policies to support financial sustainability
- Complete the Strategic Asset Management Policy and Asset Management Plans for core assets

## **SERVICE EXCELLENCE PRIORITIES**

### **CITIZEN EXPERIENCE**

#### **Commitment to Citizen Service:**

- Conduct service level reviews ensuring the right services to meet citizen needs
- Develop a service level rationalization approach to align service costs service with value or service benefits
- Promote a service modernization approach to promote cost effective and efficient service delivery processes and procedures

#### **Transform Services Through Technology:**

- Implement the Customer Relationship Management System
- Implement Digital Strategy initiatives
- Implement an Open Data Program
- Implement the new Vaughan.ca website

### **OPERATIONAL PERFORMANCE**

#### **Leverage Data Driven Decision Making:**

- Establish key data sets and data management framework
- Collect, analyze and provide decision-making data to support evidence-based decisions and priority setting

#### **Promote Innovation and Continuous Improvement**

- Implement continuous improvement initiatives and business process reviews to improve operations and service delivery
- Streamline the development application and review process
- Implement the Finance Modernization project to streamline processes

## **STAFF ENGAGEMENT**

### **Empower Staff:**

- Foster a culture of Service Excellence by increasing staff engagement
- Continue enhancements to the Rewards and Recognition Program
- Develop a Workplace Wellness Program
- Develop and implement a Succession Planning Framework
- Establish alternative work arrangements
- Develop a mentorship program
- Develop a Recruitment Management Strategy (incorporating diversity)

### **Develop Leadership:**

- Continue to deliver the Service Excellence Masters Leadership Development Program

### **Manage Performance**

- Continue the Workforce Management (Time and Attendance) project
- Continue implementation of Talent Management System (Halogen) to all staff
- Continue development of the Corporate Performance Measurement program



## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: PROCLAMATION AND FLAG RAISING REQUEST  
ISRAEL'S 71ST INDEPENDENCE DAY**

**FROM:**

Nick Spensieri, Deputy City Manager, Corporate Services

**ACTION:** DECISION

---

**Purpose**

To seek Council approval to proclaim May 9, 2019 as Israel's 71<sup>st</sup> Independence Day, that the City of Vaughan participate in a flag raising ceremony on May 9, 2019, and that the proclamation be posted on the City's website.

**Report Highlights**

- Respond to the proclamation and flag raising request received from the Director, Government Relations of the Consulate General of Israel.
- Proclamation requested for May 9, 2019.
- Flag raising event requested for May 9, 2019.

**Recommendations**

1. That May 9, 2019 be proclaimed as Israel's 71<sup>st</sup> Independence Day;
2. That there is a flag raising event on May 9, 2019 to celebrate the raising of the Israeli flag at City Hall for the balance of the day; and
3. That the proclamation be posted on the City's website.

**Background**

Correspondence was received from the Director, Government Relations of the Consulate General of Israel in the Office of the City Clerk on January 11, 2019.

Council has previously granted this request.

### **Previous Reports/Authority**

[Committee of the Whole - Report No. 6, Item 12](#)

### **Analysis and Options**

The proclamation and flag raising request meets the requirements of the City's Proclamation Policy and Flag Raising/Half Masting policy, as follows:

"That upon request, the City of Vaughan issue Proclamations for events, campaigns, or other similar matters: If the event, campaign or declaration is directly related to matters over which the City has jurisdiction or the City directly sponsors the event, campaign or other matter"; and

"In recognition of the ethnic diversity of the residents of the municipality the City of Vaughan will fly at the Civic Centre the flag of any nation, country or ethnic group on the national day or on the anniversary of a special occasion, upon a written request to the City Clerk submitted one month in advance by that nation, or ethnic group or its representatives".

### **Financial Impact**

Not applicable.

### **Broader Regional Impacts/Considerations**

Not applicable.

### **Conclusion**

Staff is seeking Council approval to proclaim May 9, 2019 as Israel's 71<sup>st</sup> Independence Day, for the City of Vaughan to participate in a flag raising ceremony on May 9, 2019 at City Hall, and that the proclamation be posted on the City's website

**For more information**, please contact: Todd Coles, City Clerk

### **Attachment**

1. Correspondence from Director, Government Relations of the Consulate General of Israel, received November 29, 2019

### **Prepared by**

Julia Bartolomeo, Supervisor, City Clerk's Administrative Services, x8280

## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: PROCLAMATION REQUEST  
EPILEPSY AWARENESS MONTH AND PURPLE DAY**

**FROM:**

Nick Spensieri, Deputy City Manager, Corporate Services

**ACTION:** DECISION

---

**Purpose**

To seek Council approval to proclaim March 2019 as Epilepsy Awareness Month and March 26, 2019 as Purple Day, and to post the proclamation on the City's website.

**Report Highlights**

- Respond to the request received from Epilepsy York Region.
- Proclamation requested for the month of March 2019 and March 26, 2019.

**Recommendations**

1. That March 2019 be proclaimed as Epilepsy Awareness Month;
2. That March 26, 2019 be proclaimed as Purple Day; and
3. That the proclamation be posted on the City's website.

**Background**

Correspondence from Epilepsy York Region requesting the proclamation was received in the Office of the City Clerk on February 12, 2019.

**Previous Reports/Authority**

[Committee of the Whole – Item 19, Report No.6](#)

## **Analysis and Options**

The proclamation meets the requirements of the City's Proclamation Policy, as follows:

"That upon request, the City of Vaughan issue Proclamations for events, campaigns, or other similar matters:

- (i) which are promoted by any organization that is a registered charity pursuant to Section 248 of the Income Tax Act."

Epilepsy Awareness Month and Purple Day are efforts dedicated to increasing awareness about epilepsy. Purple Day helps those living with the disorder understand that they are not alone.

Vaughan Council has previously granted this request.

## **Financial Impact**

There is no expected financial impact with respect to this request.

## **Broader Regional Impacts/Considerations**

There is no expected regional impact with respect to this request.

## **Conclusion**

Staff is recommending that March 2019 be proclaimed as Epilepsy Awareness Month, that March 26, 2019 be proclaimed as Purple Day, and that the proclamation be posted on the City's website.

**For more information**, please contact: Todd Coles, City Clerk

## **Attachment**

1. Correspondence from Executive Director, Epilepsy York Region, dated January 28, 2019

## **Prepared by**

Julia Bartolomeo, Supervisor, City Clerk's Administrative Services, x8280

RECEIVED  
FEB 12 2019  
CLERK'S DEPT.

City of Vaughan  
2141 Major Mackenzie Dr  
Vaughan, ON  
L6A 1T1

**Monday, January 28<sup>th</sup>, 2019**

Epilepsy York Region  
6356 Main St  
Whitchurch-Stouffville, ON  
L4G 1G9

Dear Mayor Maurizio Bevilacqua,

As Executive Director of Epilepsy York Region, a non-profit organization that provides support, education and advocacy to affected individuals and their families in York Region for over 30 years. I am emailing you regarding recognition of March as epilepsy awareness month and March 26<sup>th</sup> as Purple Day in support of epilepsy.

Purple Day is a national effort celebrated on March 26<sup>th</sup> which is dedicated to increasing awareness about epilepsy worldwide. The campaign is held during the entire month of March and especially on March 26<sup>th</sup>, inviting people around the world to wear purple and host events in support of epilepsy. Purple Day dispels the myths about epilepsy and helps people living with the disorder to understand that they are not alone.

We would appreciate if the City of Vaughan would proclaim March as Epilepsy Awareness Month, and March 26<sup>th</sup> as Purple Day and issue a proclamation to that effect.

Yours truly,

  
\_\_\_\_\_  
Claudia Cozza  
Executive Director



6356 Main St  
Whitchurch-Stouffville, ON  
L4A 1G9  
Phone: 905-640-8000  
Fax: 905-640-0038  
Email: [ccozza@epilepsyork.org](mailto:ccozza@epilepsyork.org)  
Website: [www.epilepsyork.org](http://www.epilepsyork.org)

Charitable Business No:  
86673.7208.RR0001

## Committee of the Whole Report

---

**DATE:** Tuesday, March 05, 2019

**WARD(S):** ALL

**TITLE: PROCLAMATION AND FLAG RAISING REQUEST  
MULTIPLE SCLEROSIS AWARENESS DAY**

**FROM:**

Nick Spensieri, Deputy City Manager, Corporate Services

**ACTION:** DECISION

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**Purpose**

To seek Council approval for the date of May 8, 2019 to be proclaimed as Multiple Sclerosis Day, that the City of Vaughan raise the Multiple Sclerosis flag at Vaughan City Hall on May 8, 2019 for the balance of the day, and that the proclamation be posted on the City's website.

**Report Highlights**

- Respond to the request received from the York Region MS Chapter, received on February 20, 2019.
- Proclamation and flag raising event requested for May 8, 2019.

**Recommendations**

1. That May 8, 2019 be proclaimed as Multiple Sclerosis Awareness Day;
2. That the City of Vaughan raise the Multiple Sclerosis flag at Vaughan City Hall on May 8, 2019 for the balance of the day; and,
3. That the proclamation be posted on the City's website.

**Background**

Correspondence was received from the Director of Client Services/Membership of the York Region MS Chapter on February 20, 2019 requesting a proclamation and flag raising.

This request has been previously granted by Council.

## **Previous Reports/Authority**

[Committee of the Whole - Item 18, Report No.13](#)

## **Analysis and Options**

The proclamation request meets the requirements of the City's Proclamation Policy and Flag Raising/Half Masting Policy, as follows:

"That upon request, the City of Vaughan issue Proclamations for events, campaigns, or other similar matters: If the event, campaign or declaration is directly related to matters over which the City has jurisdictions or the City directly sponsors the event, campaign or other matter"; and

"Flags of non-partisan, non-profit, charitable organizations shall be flown at the City of Vaughan Civic Centre upon a written request to the City Clerk submitted one month in advance on the understanding that the individual flag will not be flown for a period longer than one week".

The York Region MS Chapter services hundreds of members with financial and equipment subsidies each month. By raising awareness of Multiple Sclerosis, the organization is hoping that they will be able to increase funding to their members, as well as increasing the involvement of York Region citizens in helping to fundraise.

## **Financial Impact**

There is no expected financial impact with respect to this request.

## **Broader Regional Impacts/Considerations**

The York Region MS Chapter services citizens of the Regional Municipality of York.

## **Conclusion**

Staff is recommending that May 8, 2019 be proclaimed as Multiple Sclerosis Awareness Day, that the City of Vaughan raise the Multiple Sclerosis flag on May 8, 2019 for the balance of the day, and that the proclamation be posted on the City's website.

**For more information**, please contact: Todd Coles, City Clerk

## **Attachment**

1. Correspondence from the Director of Client Services/Membership of the York Region MS Chapter, dated February 19, 2019

**Prepared by**

Julia Bartolomeo, Supervisor, City Clerk's Administrative Services, x8280



RECEIVED

FEB 20 2019

CLERK'S DEPT.



York Region MS Chapter  
9350 Yonge Street, P.O. Box 61528  
Richmond Hill, Ontario, L4C 0C9

February 19, 2019

Re: Proclamation of May 8<sup>th</sup> Multiple Sclerosis Awareness Day in Vaughan

Dear Mr. Todd Coles  
Office of the City Clerk for the City of Vaughan

I am sending you this letter to put forth a Proclamation to council of making May 8th Multiple Sclerosis Awareness Day in Vaughan. The York Region MS Chapter services hundreds of our members with financial and equipment subsidies each and every month. York Region is one of Canada's fastest growing regions and every week our membership grows with someone being diagnosed with Multiple Sclerosis. By creating awareness of MS, we will be able to increase our funding to our members and increase the involvement of York Region citizens in helping us fundraise.

In order to achieve this goal, we would like to propose May 8th Multiple Sclerosis Awareness Day where the MS flag will be raised at the Vaughan City Hall. The flag raising event would boost the MS Awareness Campaign in Vaughan. The Vaughan MS Flag raising event will allow us to reach out to more of our members and accomplish our mission. The York Region MS Chapter would greatly appreciate your continued support in the Vaughan MS Flag Raising Event.

I look forward in speaking with you on this matter and to designating May 8th Multiple Sclerosis Awareness Day in Vaughan.

Peter Busciglio  
York Region MS Chapter  
Director of Client Services/Membership  
416.816.4787