

**CITY OF VAUGHAN
COMMITTEE OF THE WHOLE (1)
AGENDA**

This is an Electronic Meeting. The Council Chamber will not be open to the public. Public comments can be submitted by email to clerks@vaughan.ca. For deputations, please register by contacting Access Vaughan at 905-832-2281 or clerks@vaughan.ca

Tuesday, October 6, 2020

1:00 p.m.

Council Chamber

2nd Floor, Vaughan City Hall

2141 Major Mackenzie Drive

Vaughan, Ontario

Pages

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- 2. DISCLOSURE OF INTEREST**
- 3. COMMUNICATIONS**
- 4. CEREMONIAL PRESENTATIONS**
- 5. PRESENTATIONS AND DEPUTATIONS**
- 6. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION
INCLUDING MEMBERS RESOLUTION(S)**

Planning and Growth Management

1. NASHVILLE DEVELOPMENTS (SOUTH) INC. AND NASHVILLE
MAJOR DEVELOPMENTS INC. ZONING BY-LAW AMENDMENT FILE
Z.19.004 DRAFT PLAN OF SUBDIVISION FILE 19T-19V001 VICINITY
OF HUNTINGTON ROAD AND MAJOR MACKENZIE DRIVE
Report of the Deputy City Manager, Infrastructure Development with
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12. ADJOURNMENT

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

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Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD: 1

**TITLE: NASHVILLE DEVELOPMENTS (SOUTH) INC. AND NASHVILLE
MAJOR DEVELOPMENTS INC.
ZONING BY-LAW AMENDMENT FILE Z.19.004
DRAFT PLAN OF SUBDIVISION FILE 19T-19V001
VICINITY OF HUNTINGTON ROAD AND MAJOR MACKENZIE
DRIVE**

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.19.004 and 19T-19V001 (Nashville Developments (South) Inc. and Nashville Major Developments Inc.) for the Subject Lands shown on Attachment 2. The Owner proposes to rezone the portion of the Subject Lands zoned “A Agricultural Zone” to “RT1 Residential Townhouse Zone”, “OS1 Open Space Conservation Zone” and “OS2 Open Space Park Zone”, to permit a residential plan of subdivision consisting of 178 freehold townhouse units, public streets and a neighbourhood park, as shown on Attachment 3.

Report Highlights

- The Owner proposes to develop the Subject Lands with 178 freehold townhouse units and a neighbourhood park accessed by public roads
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the development
- The Development Planning Department supports the approval of the Applications as they will permit a development that is consistent with the *Provincial Policy*

Recommendations

1. THAT Zoning By-law Amendment File Z.19.004 (Nashville Developments (South) Inc. and Nashville Major Developments Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone a portion of the Subject Lands shown on Attachment 2, from “A Agricultural Zone” to “RT1 Residential Townhouse Zone”, “OS1 Open Space Conservation Zone” and “OS2 Open Space Park Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-19V001 (Nashville Developments (South) Inc. and Nashville Major Developments Inc.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL as set out on in Attachment 1, to facilitate a residential plan of subdivision, as shown on Attachment 3.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-19V001 (Nashville Developments (South) Inc. and Nashville Major Developments Inc.) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 178 residential townhouse units (552 persons equivalent) in accordance with the Inflow and Infiltration Reduction Pilot Project agreement between York Region, the Huntington Landowners Trustee Inc., and the City of Vaughan.”
4. 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 came into effect, to permit minor adjustments to the implementing Zoning By-law.

Background

The subject lands (‘Subject Lands’) are comprised of two parcels of land with a combined area of 8.37 hectares and are located on the east side of Huntington Road, north of Major Mackenzie Drive, and are legally described as Part of the West Half of Lot 21 and Part of Lot 22, Concession 9. The Subject Lands and the surrounding land uses are shown on Attachment 2.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol for the Applications

The City on May 10, 2019, mailed a Notice of Public Hearing to all property owners within 150 m of the Subject Lands and to the Kleinburg and Area Ratepayers’

Association. A copy of the Notice of Public Hearing was also posted on the City's website at www.vaughan.ca and two Notice Signs were installed on the Huntington Road and Moody Drive street frontages, in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council, on June 12, 2019 ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of June 4, 2019, and to forward a comprehensive report to a future Committee of the Whole meeting. The following Deputation was made at the Public Hearing:

- Aaron Hershoff, TACC Developments, Applewood Crescent, Vaughan, representing the Owner

No additional deputations or written submissions regarding the Applications were received by the Development Planning Department.

Previous Reports/Authority

The following is a link to the Public Hearing for these Applications:

[June 4, 2019, Committee of the Whole Hearing \(Item 5, Report No. 22, Recommendations 1 and 2\)](#)

Analysis and Options

Zoning By-law Amendment and Draft Plan of Subdivision applications have been submitted to permit the development

Nashville Developments (South) Inc. and Nashville Major Developments Inc. (the 'Owner') has submitted the following applications (the 'Applications') to permit the development of 35 residential blocks for 178 townhouse dwelling units, landscape buffer blocks, a park block, and 4 public roads including the construction of the Huntington Road By-Pass required to reconnect Huntington Road to Major Mackenzie Drive (the 'Development'), as shown on Attachment 3:

1. Zoning By-law Amendment File Z.19.004 to amend Zoning By-law 1-88 to rezone the portion of the Subject Lands zoned "A Agricultural Zone" to "RT1 Residential Townhouse Zone", "OS1 Open Space Conservation Zone" and "OS2 Open Space Park Zone" in the manner shown on Attachment 3, together with the site-specific zoning exceptions to the RT1 Residential Townhouse Zone standards of Zoning By-law 1-88 identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-19V001 (the 'Draft Plan'), to facilitate the proposed residential plan of subdivision, as shown on Attachment 3, consisting of the following:

| Blocks/Roads | Land Use | Area (ha) | Number of Units |
|--------------|---|-----------|-----------------|
| 1 to 35 | Residential Part Lots | 3.46 | 178 |
| 36 | Neighbourhood Park | 0.75 | N/A |
| 37-38 | Landscape Strips | 0.36 | N/A |
| 39 to 56 | 0.3 m Reserves | 0.01 | N/A |
| Public Roads | Huntington Road By-pass - 36-30.5 m (530 m) | 3.79 | N/A |
| | Streets A, B and C- 17.5 m (1085 m) | | |
| | Laneway 'A' - 8 m (210 m) | | |
| TOTAL | | 8.37 | 178 |

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the Provincial Policy Statement, 2020 (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 local context and character is important. The *Planning Act* requires Vaughan Council's planning decisions to be consistent with the PPS.

The Applications are consistent with the Provincial policies of the PPS, specifically Sections 1.1.3 regarding settlement areas being the focus of development based on densities and land uses to efficiently use land.

The Applications will facilitate residential townhouse dwellings within a settlement area conforming to the "Mid-Rise Mixed-Use 'B'" land use designations in VOP 2010, site-specific Policy 12.7 - Volume 2 and would make an efficient use of the Subject Lands by providing a mix of housing options from the nearby lower-density housing types. The Owner also proposes to maintain the natural heritage resources in consultation with Toronto and Region Conservation Authority ('TRCA'). On this basis, the Applications are consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (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, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more use of existing infrastructure, and provide housing at densities that are supportive of the Growth Plan objectives, specifically Section 2.2.1 directing growth to settlement areas having existing or planned municipal water and wastewater systems.

The Applications would facilitate residential development within a settlement area and delineated built-up area and conforms to VOP 2010. Accordingly, the Applications 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 “Towns and Villages” by Map 1: Regional Structure of the YROP. Section 5.0 of the YROP states “Growth will also occur in new community areas, Towns and Villages throughout 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.”

YROP encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Development will diversify housing options in the community, including the mix and range of housing types and lots and unit sizes, create a public amenity through the proposed neighbourhood park and provide for the Huntington Road By-pass. The Applications conform to the YROP.

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

The Subject Lands are designated "Mid-Rise Mixed-Use 'B'" and "Natural Areas" (a stream traversing the southwest quadrant of the Subject Lands as shown on Attachment 4) by VOP 2010, specifically Volume 2, Section 12.7 – Block 61 West - Nashville Heights. The "Mid-Rise Mixed-Use 'B'" designation permits residential uses with a range of building forms, including buildings up to a maximum of ten (10) storeys in height and a Floor Space Index ('FSI') of 3 times the area of the lot, and limited commercial uses as follows:

- residential units
- retail store
- personal service shop
- business or professional office
- hospice associated with a hospital or other regulated medical health care/support facility
- day nursery
- private home daycare
- schools
- parks and open spaces
- home occupation, and,
- commercial uses (i.e., retail store, personal service shop, and business or professional office uses) provided the use is in a building and includes residential dwelling units, and provided the commercial uses and residential uses are not on the same floor, and the gross floor area for the commercial use(s) shall be determined in the implementing zoning by-law

The proposed townhouse dwellings are permitted by VOP 2010.

The "Natural Area" designation consists of natural heritage components including, but are not limited to, valley and stream corridors, wetlands, woodlands, and significant wildlife habitat and their minimum vegetation protection zones. The Development includes townhouse units within the "Natural Area" designation. The "Natural Areas" designation recognizes the tributary (i.e. valley and stream corridor) traversing the Subject Lands. This portion of the Subject Lands is regulated by the Toronto and Region Conservation Authority ('TRCA').

Policy 12.7.8.2 of VOP 2010 states the location and widths of all valley and stream corridors, as shown on Map 12.7.A for Nashville Heights, is approximate and may be changed without requiring an amendment to VOP 2010. The Owner is proposing to modify the tributary on the Subject Lands by conveying the watercourse through concrete storm sewers from Huntington Road to a proposed culvert at Major Mackenzie Road.

The TRCA has reviewed the proposed modification to the watercourse and has determined it is acceptable subject to the Conditions in Attachment 1c). A review of the preliminary engineering analysis confirmed the safe conveyance of flood waters during a Regional Storm event and additional engineering details and updated ecological reports will be provided to demonstrate how potential impacts to the hydrological and ecological functions will be mitigated and compensated for in the post-development condition.

The southern half of the Subject Lands are located within an area identified as “Major Mackenzie Drive Alignment Special Study Area”. Since the approval of VOP 2010, Major Mackenzie Drive has been temporarily realigned at the intersection of Huntington Road until the final alignment of Major Mackenzie Drive is completed.

Map 12.7 B: Block 61 West – Nashville Heights – Transportation Network identifies a “Collector Road” for the eastern boundary of the Subject Lands. The Draft Plan of Subdivision submitted with the Applications identifies this Collector Road as the “Huntington Road By-pass”, as shown on Attachment 3, and will connect to the final alignment of Major Mackenzie Drive, once completed.

Lands designated “Mid-Rise Mixed-Use “B”” in Block 61 West - Nashville Heights, including those within the Major Mackenzie Drive Alignment Special Study Area, requires a residential density ranging from a minimum of 35 units per net residential hectare up to a maximum of 150 units per net residential hectare.

VOP 2010, Volume 2, Section 12.7 – Block 61 West - Nashville Heights, Policy 12.7.1.5 states that density shall be calculated on a Block Plan basis, and the Draft Plans of Subdivision and Site Plans shall conform. Furthermore, the area included in the calculations for Residential Density for Nashville Heights shall be based on a net residential hectare, including the lands for local and primary roads, the lands for dwelling units, and stormwater management pond facilities, but excluding lands associated with protected natural features such as woodlots, valley lands, wetlands and the Nashville Cemetery.

The Development yields a residential density of 30 units per net residential hectare on the Subject Lands contributing to the overall density in Block 61 West. VOP 2010, Volume 2, Section 12.7 – Block 61 West - Nashville Heights requires a minimum density of 35-150 Units per net residential hectares for the Subject Lands. However, Policy 12.7.1.5 concluded that the minimum units per net residential hectare required shall be calculated on a Block Plan basis and not a single parcel and/or application. The Owner has demonstrated that the minimum required density for the overall Block 61 West Plan will be achieved through future, proposed and existing development.

The density analysis provided demonstrates the minimum density requirement for the overall Block 61 Plan will be achieved with an excess of 90 units.

In consideration of the above, the proposed rezoning of the Subject Lands and Draft Plan conform to VOP 2010.

The proposed modifications to the Nashville Heights Block 61 West Plan ('Block 61 West Plan') are in accordance with VOP 2010

Vaughan Council on May 24, 2011 approved the Nashville Heights Block 61 West Plan ("Block Plan"), which includes the Subject Lands. The Block Plan provides the basis for the land uses, housing mix, development densities, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design and phasing for Block 61 in order to manage growth. The proposed Draft Plan of Subdivision is consistent with the approved Block Plan shown on Attachment 4.

The Owner proposes minor modifications to the approved land uses, lotting and road pattern in the Block Plan, and the "Natural Areas" designation of VOP 2010 as discussed above. The land uses, road network, and housing type required by VOP 2010, Volume 2, Section 12.7 – Block 61 West - Nashville Heights are maintained in the proposed modifications. The Block Plan and supporting Master Environmental Servicing Plan ('MESP') must be updated to address the modifications should the Applications be approved. A condition to this effect is included in Attachment 1a).

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

The Subject Lands are zoned "An Agricultural Zone", "OS1 Open Space Conservation Zone" and "OS2 Open Space Park Zone", as shown on Attachment 2. The Owner is proposing to rezone a portion of the Subject Lands zoned "A Agricultural Zone" to "RT1 Residential Townhouse Zone" (townhouse units), "OS1 Open Space Conservation Zone" (buffer lands) and "OS2 Open Space Park Zone" (park) in the manner shown on Attachment 3, together with the following site-specific exceptions to the RT1 Zone standards:

Table 1

| | Zoning By-law 1-88 Standard | “RT1 Residential Townhouse Zone” Requirements | Proposed Exceptions to the “RT1 Residential Townhouse Zone” Requirements |
|----|---|--|---|
| a. | Minimum Lot Area for a Lot Accessed by a Lane | 180m ² / unit | <u>Blocks 1 to 10</u> 162m ² / unit |
| b. | Minimum Lot Depth for a Lot Accessed by a Lane | 30m / unit | <u>Blocks 1 to 10</u> 26m / unit |
| c. | Minimum Yard Requirements for a Lot Accessed by a Lane | Front: 4.5m Rear: 15m Interior Side: 1.2m | <u>Blocks 1 to 10</u> Front: 3m Rear: 12.5m Interior Side: 1m |
| d. | Maximum Building Height | Dwelling: 11m Accessory Garage: 4.5m | Dwelling: 11.5m <u>Blocks 1 to 10</u> Accessory Garage: 6.5m, with or without a covered porch or breezeway connection |
| e. | Minimum Distance Between Garage and Nearest Wall of Dwelling | 7.5m | <u>Blocks 1 to 10</u> 5m, and the garage and dwelling unit may be connected with a covered porch or breezeway, not to exceed a maximum width of 2.5m |

The requested zoning exceptions identified in Table 1 would facilitate a development consistent with the character of the area and current zoning standards in the surrounding community. Similar exceptions have been approved in Block 61. The compact built form of the Development will provide for housing types consistent and compatible with the community.

In consideration of the above, the Development Planning Department is satisfied the proposed zone categories and the site-specific zoning exceptions to the “RT1 Residential Townhouse Zone” are appropriate and maintain the intent of the “Mid-Rise Mixed-Use ‘B’” designation of the VOP 2010.

The Development Planning Department has no objection to the rezoning of the Subject lands and the Draft Plan, subject to the Conditions of Approval

Subdivision Design

The Draft Plan shown on Attachment 3, includes 35 residential blocks to be developed with 178 townhouse dwellings, a neighbourhood park, landscape strips, and 4 new public roads, including the construction of the Huntington Road By-pass required to reconnect Huntington Road to Major Mackenzie Drive.

Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved Block 61 West Nashville Heights Architectural Design Guidelines prepared by John G. Williams Limited, Architect and the approved Block 61 West Nashville Heights Landscape Master Plan prepared by NAK Design Strategies. A condition to this effect is included in Attachment 1a).

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics (‘SPM’) application score of 35 (bronze level). This score meets minimum threshold requirements.

Archaeology

The Vaughan Development Planning Department, Urban Design and Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as Conditions of Approval in Attachment 1a).

The Development Planning Department is satisfied with the proposed Draft Plan of Subdivision design as shown on Attachment 3, subject to the Conditions of Approval in Attachment 1a) of this report.

The Policy Planning and Environmental Sustainability (‘PPES’) Department has no objection to the Development

The PPES Department has no objection to the approval of the Applications. The Owner shall ensure the provisions of the *Endangered Species Act, 2007*, S.O. 2007

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are not contravened. As such, it is the responsibility of the Owner to comply with any Ministry of Environment, Conservation and Parks ('MECP') regulations and guidelines to protect Species at Risk and their habitat.

Development Engineering has no objection to the approval of the Development, subject to the comments in this report and conditions of approval included in Attachment 1

The Development Engineering ('DE') Department has provided the following comments:

Road Network

The current configuration of Huntington Road is proposed to be terminated at the intersection with Street 'A' (the south-western area of the Subject Lands). The Draft Plan includes lands for the construction of a Huntington Road By-pass in order to service north and southbound traffic access to Major Mackenzie Drive. A roundabout is proposed at the intersection of Huntington Road and Huntington Road By-pass. The cross section of the existing Huntington Road is proposed to be urbanized, to accommodate the proposed infrastructure and the existing Regional 750mm diameter transmission watermain.

The proposed Huntington Road By-pass has a right-of-way ('ROW') width ranging from 30 m to 36 m. Huntington Road would have a ROW width of 20 m south of the intersection of the Huntington Road By-pass and Huntington Road.

Environmental Noise Impact

The Owner has provided a preliminary noise report dated February 14, 2019 and updated addendum on August 21, 2020 by Valcoustics Canada Ltd. The report identifies noise sources impacting the Subject Lands such as: railway noise from the CP railway and roadway noise from New Huntington Road, Highway 427 Extension and Major Mackenzie Drive. The report provides recommendations including typical measures to develop the proposed lots and mitigate the noise sources such as single loaded roads, acoustic barriers, safety berm, air conditioning, warning clauses and potentially upgraded building components and foundations. In addition, lots abutting Huntington Road, Major Mackenzie Drive and Highway 427, are being proposed with acoustic barriers ranging in heights between 1.8m to 2.5m at different locations.

Municipal Servicing

a) Water Supply

Water supply servicing for the Subject Lands will be provided via two connections, one to the existing 250mm diameter watermain plug on Moody

Drive and another to the existing 600mm diameter watermain on Huntington Road.

b) Sanitary Servicing

Sanitary services for the Subject Lands can be provided by connecting to the existing 200mm diameter sanitary sewer on Moody Drive. This ultimately connects to the existing Barons Street sanitary collector sewer and conforms to the Block 61 Master Environmental Servicing Plan. The Owner's consultant completed downstream sanitary analysis and concluded there is sufficient capacity in the system to accommodate the Subject Lands. Further review is required at the detailed design stage by the City to confirm the findings of the downstream sanitary analysis.

c) Storm Drainage

The storm drainage from the Subject Lands is proposed to be conveyed as an interim solution to a temporary expansion of the existing Storm Water Management ('SWM') Pond, located to the east of the Subject Lands to be built by others. In the ultimate condition, the expansion will be decommissioned, and the Subject Lands will drain to a SWM planned for construction with the Hwy 427 Extension, located south of Major Mackenzie Drive. The proposed interim expansion and the ultimate SWM Pond have been designed to provide water quality, quantity and erosion control for their catchment areas including the Subject Lands.

d) Sewage and Water Allocation

Servicing for the Draft Plan shall conform to the approved Block 61 West Block Plan. Vaughan Council on December 17, 2019, endorsed its latest Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The intention is to provide Council its next update in December 2020. Accordingly, a resolution to allocate servicing capacity to Draft Plan of Subdivision File 19T-19V001 is included in the Recommendations of this report.

Environmental Site Assessment ('ESA')

Where the lands are proposed to be conveyed to the City (roads and parks) the Owner is required to submit as a minimum, Phase One Environmental Site Assessment ('ESA') report. The Phase One ESA submitted shall have been completed within 18 months of the Environmental Engineer's notification memo. Should the Phase One ESA identify area of potential environmental concern recommending a Phase Two ESA, it shall also be undertaken and submitted to the City. All ESA reports provided to the City shall be accompanied with a Letter of Reliance from the Consultant in conformance with the City's template.

Street-lighting

The design and type of street lighting for the Development shall meet City's design criteria and standards with respect to the use of light-emitting diode ('LED') luminaire technology in new developments. This matter will be addressed in conjunction at the detailed engineering design stage.

On-Street Parking

The Owner has explored the opportunity to incorporate lay-by parking along the entirety of Huntington Road abutting the Subject Lands and along Street 'A'.

Huntington Road and Street 'A' have proposed ROW widths of 20.0 m and 17.5 m respectively. A minimum ROW width of 23m is required to incorporate lay-by parking. The proposed ROW's cannot support lay-by parking but can accommodate on-street parking. The final number, location and details of the on-street parking spaces will be determined in consultation with Development Engineering staff in the final approval of the plans.

Block 61 Developers' Group Agreement and Cost Sharing

The Subject Lands are located within an approved Block Plan (Block 61) and is subject to a Developers' Group Cost Sharing Agreement with other participating landowners. The Owner is a member of the Block 61 West Landowner's Group (i.e. Developers' Group) and is required to satisfy all obligations, financial and otherwise, to the satisfaction of the Block 61 Trustee and the City of Vaughan. The agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 61. A condition to this effect is included in Attachment 1a).

The Financial Planning and Development Finance Department have no objection to the Draft Plan

The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, regarding matters the City may consider necessary, including development charges. A condition to this effect is included in Attachment 1a).

The Parks Planning Department has no objection to the Applications, subject to the Conditions of Approval

The Owner is proposing a 0.75-hectare Neighbourhood Park shown as Block 36 on Attachment 3. The proposed location and size of the park differs from the Approved Block 61 West Plan shown on Attachment 4. However, the Parks Planning Department is satisfied with the proposed park size and location subject to the Owner addressing the Conditions of Approval in Attachment 1a) and associated technical comments.

The Office of Infrastructure Development Department, Real Estate Services has no objection to the Draft Plan, subject to the Conditions of Approval

The Office of the Infrastructure Development Department, Real Estate Services has advised they have no objection to the approval of the Applications. The Owner acknowledges any outstanding cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and shall conform to the City's Cash-in-lieu of Parkland Policy. A condition to this effect is included in Attachment 1a) of this report.

The Forestry Operations Division has no objection to the Applications, subject to conditions

The Forestry Operations Division of the Parks, Forestry and Horticulture Operations Department has no objection to the Development subject to the Owner informing the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications and the conditions of approval contained in Attachment 1a).

The Toronto and Region Conservation Authority ('TRCA') has no objection to the Applications, subject to the Conditions of Approval

As identified previously, the Development includes townhouses within the "Natural Area" designation. The "Natural Areas" designation recognizes the tributary (i.e. valley and stream corridor) traversing the Subject Lands and regulated by the TRCA. The TRCA has reviewed the proposed Draft Plan and has indicated they have no objection to the approval of the Applications, subject to the conditions of approval contained in Attachment 1c).

The Ministry of Transportation Ontario ('MTO') has no objection to the Applications, subject to obtaining an MTO permit and the Conditions of Approval

The MTO offers no comments for the Zoning By-law Amendment application; however, as the Subject Lands are located within the MTO permit control area, the following requirements apply to the Draft Plan of Subdivision application:

- MTO permits are required for all buildings located within 46 m from the Highway 427 Extension property line and a radius of 396 m from the centre point of the Highway 427 Extension and Major Mackenzie Drive, prior to any construction being undertaken
- MTO requires any new buildings/structures (including internal roads) above and below ground (including detention ponds, internal roads) be setback a minimum distance of 14 m from the Highway 427 Extension property line

The Draft Plan includes the requested 14m setback from the Highway 427 Extension property line. MTO has no objection to the Development, subject to the above-noted requirements and the Conditions of Approval in Attachment 1d) of this report.

Canada Post has no objection to the Applications, subject to the Conditions of Approval

Canada Post has no objection to the Development, subject to their Conditions of Approval in Attachment 1f).

The school boards have no objection to the Applications

The York Region District School Board and York Catholic District School Board have advised they have no objection to the Applications and have no conditions regarding the proposed Draft Plan.

Canadian Pacific Railway has no objection to the Applications

Canadian Pacific Railway has reviewed and is satisfied with the recommendations of the Environmental Noise Assessment dated February 14, 2019. Canadian Pacific Railway has no objections to the Draft Plan.

The various utility companies have no objection to the Applications, subject to the Conditions of Approval

Bell Canada, Enbridge Gas and Alectra Utilities have no objection to the Applications, subject to their Conditions of Approval in Attachments 1e), 1g) and 1h) respectively. Rogers Communications and Hydro One Networks Inc. have no objection to the Applications.

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 Applications, subject to the Conditions of Approval

York Region has no objections to the Applications, subject to their comments and Conditions of Approval included in Attachment 1b).

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Draft Plan of Subdivision Files Z.19.004 and 19T-19V001, in consideration of the applicable Provincial Policies, York Region and City Official Plan policies, the

comments received from City Departments, external public agencies, and the surrounding area context.

The Development Planning Department is of the opinion the Applications are consistent with the PPS, conform to the Growth Plan, the policies of the YROP and VOP 2010, and are compatible with the existing and planned land uses in the surrounding area. On this basis, the Development Planning Department can support the approval of the Applications, subject to the Recommendations of this report and the Conditions of Approval in Attachment 1.

For more information, please contact Jennifer Kim, Planner, Development Planning Department, at extension 8592.

Attachments

1. Draft Plan of Subdivision Conditions of Approval
2. Context and Location Map
3. Proposed Zoning and Draft Plan of Subdivision File 19T-19V001
4. Approved Block 61 West Plan – November 29, 2011 (As Revised June 19, 2018)

Prepared by

Jennifer Kim, Planner, ext. 8592

Clement Messere Senior Planner, ext. 8409

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning, ext. 8407

Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri, Deputy City Manager,
Infrastructure Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum', with a long horizontal line extending to the right.

Jim Harnum, City Manager

ATTACHMENT 1

**CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-19V001 (THE 'PLAN')
NASHVILLE DEVELOPMENTS (SOUTH) INC. AND NASHVILLE MAJOR
DEVELOPMENTS INC. (THE 'OWNER')
PART LOT 22 AND PART OF THE WEST HALF OF LOT 21, CONCESSION 9, 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 (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 June 20, 2019 and September 2, 2020.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out on Attachment 1c) and dated July 22, 2020.
4. The Conditions of Approval from the Ministry of Transportation ('MTO') as set out on Attachment 1d) and dated July 3, 2019.
5. The Conditions of Approval from Bell Canada as set out on Attachment 1e) and dated April 23, 2019.
6. The Conditions of Approval from Canada Post as set out on Attachment 1f) and dated May 10, 2019.
7. The Conditions of Approval from Enbridge Gas Inc. as set out on Attachment 1g) and dated April 29, 2019.
8. The Conditions of Approval from Alectra Utilities as set out on Attachment 1h) and dated April 26, 2019.

Clearances

1. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:

- a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools and other essential services; and
 - b) All commenting agencies agree to registration by phases and provide clearances, as required in the Conditions in Attachments 1a), 1b), 1c), 1d), 1e), 1f), 1g) and 1h) for each phase proposed for registration; and furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 2. The City shall advise that the Conditions on Attachment 1a) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 3. York Region shall advise that the Conditions on Attachment 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 4. Toronto and Region Conservation Authority shall advise that the Conditions on Attachment 1c) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 5. MTO shall advise that the Conditions on Attachment 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 6. Bell shall advise that the Conditions on Attachment 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 7. Canada Post shall advise that the Conditions on Attachment 1f) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 8. Enbridge Gas Inc. shall advise that the Conditions on Attachment 1g) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
 - 9. Alectra Utilities shall advise that the Conditions on Attachment 1h) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT 1a)

**CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL
DRAFT PLAN OF SUBDIVISION FILE 19T-19V001 (THE 'PLAN')
NASHVILLE DEVELOPMENTS (SOUTH) INC. AND NASHVILLE MAJOR
DEVELOPMENTS INC. (THE 'OWNER')
PART LOT 22 AND PART OF THE WEST HALF OF LOT 21, CONCESSION 9, 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:**

CITY OF VAUGHAN CONDITIONS:

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., dated August 13, 2020, (the 'Plan').
2. The lands within this Plan shall be appropriately zoned by a Zoning By-law, which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan and supporting Master Environmental Servicing Plan ('MESP'), to reflect the modifications caused from this Plan's approval.
5. The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with other participating landowners within Block 61 West to the satisfaction of the City. The agreement shall be regarding, but not limited, to all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services within Block 61 West. This agreement shall also provide a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands. The Owner acknowledges that

cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and conform to the City's "Cash-in-lieu of Parkland Policy".

7. Should archaeological resources be found on the property during construction activities, all work must cease, and 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.
8. In the event 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 Government and Consumer Services.
9. Prior to final approval, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations. In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol. The Owner shall not remove trees without written approval by the City. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-law 052-2018.
10. Prior to the landscape plan review by Urban Design staff, a fee shall be provided by the Owner to the Development Planning Department in accordance with the Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.
 - a. This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/management plans), and tree inventory/preservation/removals plans.
 - b. In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan.
11. Prior to final approval, the Owner shall agree in the subdivision agreement all development shall proceed in accordance with the Vaughan Council approved Block 61 West Nashville Heights Architectural Design Guidelines prepared by John G. Williams Architect. Ltd, and:

- a. The guidelines shall be updated to include an addendum for this area of development;
 - b. A control architect shall be retained at the cost of the Owner with concurrence of the City to ensure compliance with the architectural design guidelines;
 - c. Prior to the submission of individual Building Permit applications, the control architect shall have stamped and signed drawings certifying compliance with the approved architectural guidelines; and
 - d. The City may undertake periodic reviews to ensure compliance with the architectural design guidelines. Should inadequate enforcement be evident, the City may cease to accept drawings stamped by the control architect and retain another control architect, at the expense of the Owner.
12. Prior to final approval, the Owner shall agree in the subdivision agreement that all development shall proceed in accordance with the approved Block 61 West Nashville Heights Landscape Master Plan prepared by NAK Design Strategies, including but not be limited to the following issues:
 - a. The Master Plan shall be updated to include an addendum for this area of development;
 - b. Co-ordination of the urban design/streetscape elements including built form, fencing treatments, street tree planting, and park lands;
 - c. Sustainability design practices/guidelines;
 - d. The appropriate community edge treatment along Huntington Road;
 - e. The appropriate landscaping within landscape strip Blocks 37 and 38 with low-maintenance plant material; and
 - f. The plan shall address the pedestrian urban connections between streets, built forms, and park lands;
13. The Owner shall provide a tree species list for the proposed street, buffer and/or park plantings, to ensure appropriate tree species are selected for the designated planting locations. The Owner shall also provide the species codes on the Park Block Plan.
14. Prior to final approval, the Owner shall agree in the subdivision agreement all development shall proceed in accordance with the City of Vaughan Sustainability Metrics program. The program shall present a set of metrics to quantify the sustainability performance of new development projects.
15. The Owner shall agree in the subdivision agreement to erect a permanent 1.5-metre-high black vinyl chain-link fence or approved equal along the limits of the residential blocks that abut Park Block 36.
16. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential blocks; to be co-ordinated with the environmental noise report and architectural design guidelines.

17. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along limits of landscape strip Block 38 that abut the future Highway 427 extension corridor to the south, to the satisfaction of the City.
18. The Owner shall convey landscape strip Blocks 37 and 38 to the City free of all cost any encumbrances
19. The Owner shall convey Park Block 36 to the City free of all cost and encumbrances such as roads, rail lines, or utility corridors, or other utility structures and access, Canada Post mailboxes. Parkland shall not be encumbered by overland flow routes from adjacent properties and must not negatively impact adjacent properties with overland flow routes.
20. The Owner shall agree to complete a Parkland Master Plan to the City's standard level of service for Park Blocks to the City's satisfaction, and shall include the following information:
 - a. Provide boundaries of proposed parkland dedication and the total size of individual blocks.
 - b. Illustrate the proposed park program requirements and level of service to meet the projected population and demographics as determined by the City per the recommendations of the 2018 Active Together Master Plan ('ATMP').
 - c. Layout plan to illustrate proposed park program requirements as determined by the City.
 - d. Demonstrate a sound design approach at locations where proposed public parks are adjacent to private development on the treatment of the interface between the public park and the private development to ensure an integrated design approach is adopted towards built form, pedestrian connections, and ground floor programming to the City's satisfaction.
 - e. Demonstrate parkland configuration and grading to allow for the placement and development of appropriate outdoor facilities.
 - f. Provide grading consistent with intended uses and objectives of the park. The grading plan shall illustrate proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements.
 - g. Provide an existing conditions plan illustrating topographic information to assess slopes and drainage, and vegetation, identifying species, age, size and condition.
 - h. Provide a preliminary construction cost estimate.

- i. The plans are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program requirements to the satisfaction of the City.
- 21. It is the intent of the City development of the public Park Block to a 'base level' shall be coordinated with residential development. The timing of these works shall be completed by no later than, within two growing seasons of the first Building Permit for the phase which contains the park, and/or twenty five percent (25%) occupancy of the homes within the subdivision or surrounding subdivisions served by the park.
- 22. The Owner is to advise the City prior to the execution of the subdivision agreement, whether they intend to undertake full development of and/all of the Park Block 36 in accordance with the "Developer Build Parks Policy, No. 07.2.05", so that the City can plan and budget accordingly.
- 23. Parkland to be conveyed, specifically Park Block 36, in a physical condition to a 'base level' satisfactory to City and in accordance with policies/practices and guidelines of the City. Conditions shall be provided as part of Conditions of Draft Plan and shall include:
 - a. Archaeological Assessment, Stage I and II is required to determine limits of public Park Block(s). Proposed public park lands are to be clear of all historically significant heritage features.
 - b. A geotechnical investigation and Phase 2 Environmental Site Assessment to be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing park and open space blocks for contaminants of concern to the satisfaction of the City and in conformity with the applicable Ministry of the Environment, Parks and Conservation ('MECP') Site Condition Standards for parkland use. Ensure compliance with the updated Engineering Design Criteria and Standard Drawings Manual. A minimum of 6 boreholes are required within Park Block 36. Boreholes are to be taken at regular intervals along the full length of the Parks Blocks. Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants. Should additional fill be placed to meet required grading levels, the results of the Phase Two Investigation shall be supplemented with a letter report addressed to the City the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MECP Site Condition Standards referenced above and compacted to the standard referenced below.

- c. A complete inventory and analysis report of existing vegetation completed by a Certified Arborist for all existing trees within Park Blocks. Drawings shall indicate the location of all existing trees, including limit of drip line, trees to be removed and trees to be maintained within the Park Block. No grading work is permitted within the drip line of existing trees that are to be preserved. All dead, damaged and hazardous trees are to be removed and disposed of off-site.
- d. Any tree or similar vegetation in accordance with the tree preservation plan shall be retained on the Park Blocks.
- e. Park Blocks shall be graded based on the Park's proposed facilities and stormwater management requirements. Park Blocks shall be graded with clean engineered fill compacted to 95% Standard Proctor Dry Density ('SPDD'), inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels. The Park Blocks shall generally be graded to allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area. No fill is to be placed on existing topsoil and the stockpiling of topsoil on the park and open space blocks is prohibited. Spread and fine grade topsoil evenly to a depth of 300mm over the entire Park Block. Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The Owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the City, and results of testing provided to the City for review and approval. Prior to placement of topsoil, the Owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.
- f. Park Blocks grading must not negatively impact adjacent properties with overland flow routes. The public Park Blocks cannot be encumbered by overland flow routes from adjacent properties.
- g. Park Blocks shall be seeded with a seed mix approved by the City.
- h. The perimeter of the Park Blocks shall be temporarily fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the Park Blocks.
- i. The Owner shall be responsible to maintain Park Blocks until such time as the park's construction commences or assumption is granted. Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice in summer, erosion

repairs, cleaning of catch basins, repair of perimeter fencing and removal of any debris that is dumped on the site, to the satisfaction of the City.

- j. Park Blocks shall not be encumbered by any services or easements including but not limited to utility services, transformer boxes, Canada Post mailboxes and/or access, and the like.
 - k. Park Blocks shall include adequately sized servicing connections along the main frontage of the Park Block, including a water chamber manhole, complete with a curb stop, sanitary manhole, and storm water manhole. All servicing structures are to be located no less than 5 metres away from property lines. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed works have been designed to accommodate storm water flows in accordance with the Engineering Department Design Manual City at interim and ultimate phases of the Park Blocks and to the satisfaction of the City.
 - l. Electrical services include a 120/240-volt, single phase, three wire power supply to Park Blocks. The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the Park Blocks. The cable feed will originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2" X 4" wood stake, visible above grade.
 - m. All temporary sediment control management measures within parks and open space blocks are to be removed prior to rough grading of the associated block.
24. The Owner shall agree in the subdivision agreement to include the following warning statements, in wording satisfactory to the City, in all agreements of Purchase and Sale/or tenants within the Plan:
- a. "Purchasers and/or tenants are advised that the parkland may not be fully developed at the time of occupancy. The timing of development, phasing and programming of parkland is at the discretion of the City."
 - b. "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park, open space, woodlot and/or storm water management facility are prohibited."
 - c. "Purchasers and/or tenants are advised that the lot abuts a neighbourhood park and associated pathways of which noise and lighting may be of concern due to the nature of the park for recreation and pedestrian trails."

25. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Draft Plan, to the satisfaction of the City.
26. Prior to final approval of the Plan, the Owner shall provide confirmation that satisfactory arrangements have been made with a suitable telecommunication provider to provide their services underground at the approved locations and to the satisfaction of the City. The Owner shall provide a copy of the fully executed subdivision agreement to the appropriate telecommunication provider.
27. Prior to final approval of the Plan, the Owner shall permit any telephone or telecommunications service provider to locate its Plant in a common trench within the proposed Plan of Subdivision prior to release of the Plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its Plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.
28. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of the City.
29. Prior to final approval of the Plan, the Owner shall prepare a comprehensive updated Traffic Management Plan ('TMP') on the basis of updated traffic study, once the realignment and widening of Major Mackenzie Drive is established by the Region of York. The TMP shall include the details of the future traffic signal locations, traffic calming measures, future transit routes, pedestrian network, traffic controls, park/school treatment, phasing etc. to reflect the latest road network to the satisfaction of the City.
30. The Owner shall agree in the Subdivision Agreement to design and carryout the temporary signalized intersection of Huntington Road and Nashville Road at the Owner's expense, to the satisfaction of the City and the Region of York.
31. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof.
32. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study for the review and approval of the City that identifies, if any, local wells that may be

influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.

33. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - a. Submit a Phase One Environmental Site Assessment ('ESA') report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan ('RAP'), Risk Assessment report(s) in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) or its intent, for the lands within the Plan. Reliance on the report(s) from the Owner's environmental consultant shall be provided to the City.
 - b. Should there be a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan required to meet the applicable Standards set out in the Ministry of the Environment, Conservation, and Parks ('MECP') document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of the Record(s) of Site Condition ('RSCs') filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan.
 - c. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the lands to be conveyed to the City.
 - d. Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
34. For park/open space block(s) that are being conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:
 - a. For all parks, open spaces, landscape buffers, and storm water management pond block(s) in the Plan that are being conveyed to the City, submit a limited Phase Two Environmental Site Assessment ('ESA') report in accordance or generally meeting the intent of Ontario Regulation (O. Reg.) 153/04 (as amended) assessing the fill in the conveyance block(s) for applicable contaminants of concern. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City. The implementation of the sampling and analysis plan shall be completed to the satisfaction of the City and shall only be undertaken following certification of rough grading but prior to

placement of topsoil placement. Reliance on the ESA report(s) from the Owner's environmental consultant shall be provided to the City.

- b. If remediation of any portions of the conveyance block(s) is required in order to meet the applicable Standards set out in the Ministry of the Environment, Conservation, and Parks ('MECP') document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of Record(s) of Site Condition ('RSCs') filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the entire conveyance block(s) where remediation was required.
 - c. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the conveyance block(s).
 - d. Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
35. Prior to the initiation of the grading or striping of topsoil and final approval, the Owner shall submit a topsoil storage Plan detailing the location, size, slopes stabilization methods and time period, for the review and approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the either park or school blocks.
36. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
37. The Owner shall agree in the subdivision agreement to include following warning statements, in wording satisfactory to the City, in all agreements of Purchase and Sale/or tenants within the Plan:
- a. abutting or in proximity of any parkland or walkway:

"Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park" of which noise and lighting may be of concern due to the nature of the park for active recreation."
 - b. abutting with the laneway:

"Purchasers and tenants are advised that the public laneway will be maintained to a lesser standard than local public streets.

Purchasers and/or tenants are advised that snow clearing, plowing and sanding operations for the public laneway will occur only after

all city streets have been cleared, plowed, and/or sanded, and either 15cm or more snow has fallen or severe rutting has occurred.”

c. encroachment and/or dumping:

“Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the school site, park, open space, woodlot and/or storm water management facility are prohibited.”

d. gate of access point:

“Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the school site, open space, stormwater management facility, watercourse corridor, woodlot, and/or park is prohibited.”

e. Major Mackenzie Drive:

“Purchasers and/or tenants are advised that the Region of York has Plans to realign, widen and reconstruct Major Mackenzie Drive between Highway 50 and Highway 27.”

f. Huntington Road:

“Purchasers and/or tenants are advised that Huntington Road is proposed to be terminated at Major Mackenzie Drive in accordance with the approved Highway 427 Transportation Corridor Environmental Assessment.”

g. Highway 427:

“Purchasers and/or tenants are advised that the Ministry of Transportation has obtained approval for the extension of Highway 427 from Highway 7 to Major Mackenzie Drive. The future extension of Highway 427 may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise attenuation measures in the design of the development and individual dwelling(s).”

38. The Owner shall agree in the subdivision agreement to design and carryout the road improvement of Huntington Road between Major Mackenzie Drive and proposed roundabout as per City Standard at the Owner's expense, to the satisfaction of the City. The northern limit of the construction should be matched as per requirement of approved EA. The Owner's Consultant should coordinate

with the City of Vaughan, Infrastructure Delivery Department for the detailed design.

39. The Owner shall agree in the subdivision agreement to design and carryout the construction of new Huntington Road (By-pass) between Old Huntington Road and Major Mackenzie Drive including the roundabout, at the Owner's expense in accordance with the conclusions and recommendations of the City's Transportation Master Plan to the satisfaction of the City.
40. The Owner shall agree in the subdivision agreement to provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian, cycling facilities, transit routes, roundabouts, and carpooling and park-and-ride facilities (if applicable) to the satisfaction of the Development Engineering Department.
41. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway to according to the Ministry of Environment, Conservation and Parks Guidelines. The Owner shall convey any required buffer block(s) for acoustic barrier purposes, free of all costs and encumbrances, to the satisfaction of the City. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
42. Prior to final approval of the Plan, the Trustee for Block 61 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 61 Developers' Group Agreement.
43. Prior to final approval of the Plan, the City and Region of York shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the Plan.
44. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the Toronto and Region Conservation Authority ('TRCA') Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.

45. The Owner shall agree in the subdivision agreement to conduct a pre-construction survey which shall include, but not limited to, an inventory of the existing municipal right-of-way of Moody Drive. The Owner shall provide a copy of this pre-construction survey to the City prior to commencement of construction. All driveways, fences, trees, and any other private properties damaged during construction to be replaced/reinstated to original conditions or better at the Owner's expense, to the satisfaction of the City.
46. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
47. The road allowances included within this Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
48. The road allowances included within this Plan shall be named to the satisfaction of the City and the Regional Planning Department.
49. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
50. Any dead ends or open sides of road allowances created by this Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
51. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York.
52. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
53. Prior to final approval, a soils report including all street tree pits and planting beds throughout the subdivision prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
54. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for review and approval the following:

- a. A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:
 - i) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
 - ii) the location and description of all outlets and other facilities;
 - iii) storm water management techniques which may be required to control minor or major flows; and
 - iv) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

- 55. The Owner shall agree in the subdivision agreement that no Building Permits will be applied for or issued until the City is satisfied adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
- 56. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the plan.
- 57. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
- 58. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
- 59. The Owner shall agree that all lots or blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.

60. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.

61. The Owner shall cause the following warning clauses to be included in a schedule to all offers of purchase and sale, or lease for all lots/blocks within the entire Plan:

- a. "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling."

- b. "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

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

- c. "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act, the Innovation, Science and Economic Development Canada ('ISED') and the Canadian Radio-television and Telecommunications Commission ('CRTC') authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that

such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

- d. “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

- i) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
- ii) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

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

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

- e. “Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office.”
- f. “Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants.”

- g. "The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement."
- h. "Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands, including public highway, laneway, walkway or other similar public space, is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

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

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

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

62. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit(s) shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails. the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

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

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

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

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

63. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.

64. Prior to the transfer of any lot or block on the Plan, the Owner shall submit to the City satisfactory evidence that the appropriate warning clauses required by the Subdivision Agreement have been included in the Offers of Purchase and Sale or Lease for such lot or block.



June 20, 2019

Mr. Mauro Peverini
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Letizia D'Addario, Planner

**RE: Draft Plan of Subdivision 19T-19V001 (SUBP.19.V.0020)
Zoning By-law Amendment Z.19.004 (ZBA.19.V.0045)
Part of West half of Lots 21 & 22, Concession 9
(Nashville Developments Inc.)
City of Vaughan**

York Region has now completed its review of the above noted draft plan of subdivision prepared by Malone Given Parsons LTD., Project Number 15-2436 and last revised November 14, 2018. The proposed development is located north of Major Mackenzie Drive West, on the east side of Huntington Road, in the City of Vaughan. The proposal will facilitate the development of 178 townhouse units, a parkette and a portion of the future Huntington Road by-pass, within a 8.37 ha site.

Zoning By-law Amendment

The zoning by-law amendment (ZBA) proposes to rezone the subject lands from A Agricultural Zone to RT1 Residential Townhouse Zone and OS2 Open Space Park Zone with site specific exceptions. The ZBA is considered a matter of local significance and Regional Planning staff provides no comments.

Sanitary Sewage and Water Supply

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

- West Vaughan Wastewater Servicing, 2028 expected completion; and
- Other projects as may be identified in future studies.

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

The Functional Servicing Report indicates that the primary water supply feed for the proposed development is through a connection to a 600 - mm diameter stub on Region's 750 - mm diameter water-main on Huntington Road near Major Mackenzie Drive on the west side. Also, as shown in Figure 5.2, the new water-mains in the subject development will cross the Region's existing 750 - mm water-main at four locations. As such the Owner is advised to consider relocating the proposed local distribution main on the west side of Huntington Road to the east side to avoid multiple crossings of the Regional water-main by the new water-mains as well as by the service connections to the parcels fronting Huntington Road.

Prior to commissioning of the new connection to Regional water main and construction of the four crossings, please be advised that the Owner shall submit the following information to the Region for review and comments:

- Detailed engineering drawings showing plan and profile views of the proposed connection and crossing works;
- Disinfection Plan outlining the procedure and schedule of works as per MOECP's Water-main Disinfection Procedure. Further details on regional requirements are outlined in the Region's "Compliance Documentation for Connecting New Water-mains to Regional Infrastructure" available on the Region's website;
- A certified Operator is to be on site during disinfection, testing and commissioning of the new connection to the Regional water-main; and
- Region's Construction Administrator shall be invited to inspect the construction works related to crossing or connections to Regional water-main. A minimum of two weeks' notice is required.

Integrity of the Regional water main on Huntington Road is to be maintained at all times during any grading and construction activities for the proposed development. The Region's Construction Administrator shall be notified at least two weeks in advance if the Owner plans to carry out any construction activities in close proximity of Regional infrastructure.

Transportation Services

Transportation Planning staff have reviewed the proposed development along with the supporting Traffic Impact Assessment, dated March 2019, prepared by Poulos and Chung Ltd. and provide the following comments:

- York Region is currently undertaking construction/widening/re-alignment of Major Mackenzie Drive in this area. The Owner is required to coordinate and consult with York Region's Capital Planning and Delivery Department; and
- The Ministry of Transportation (MTO) is currently undertaking detailed design and construction for the extension of Highway 427 to Major Mackenzie Drive in this area, the Owner is required to coordinate and consult with MTO.

Lapsing Provision

York Region requests that the City of Vaughan apply a lapsing provision to the draft plan, pursuant to Section 51(32) of the *Ontario Planning Act*, and that York Region be provided an opportunity to comment on any proposed extensions of the approval.

Summary

York Region has no objection to the proposed draft plan of subdivision and zoning by-law amendment subject to the aforementioned comments and the attached Schedule of Clauses/ Conditions. We request that a copy of the Notice of Decision be forwarded to this office.

Please contact Joseph McMackin, Associate Planner, at 1-877-464-9675 ext. 71516 or by email at joseph.mcmackin@york.ca should you require further assistance.

Sincerely,



Duncan MacAskill, M.C.I.P., R.P.P
Manager, Development Planning

JM/

C. Malone Given Parsons Ltd. – Joan MacIntyre, Principal, MCIP, RPP jmacintyre@mgp.ca (Email only)

Attachment (1) Schedule of Clauses / Conditions for Draft Plan of Subdivision

YORK-# - 9688176 -19T-19V001 (SUBP.19.V.0020)-&-Z.19.004 (ZBA.19.V.0045)-ConditionLetter

Schedule of Clauses/Conditions
19T-19V001 (SUBP.19.V.0020)
Part of West half of Lots 21 & 22, Concession 9
(Nashville Developments Inc.)
City of Vaughan

Re: KLM Planning Partners Inc., Project No. P-2915, last revised July 26, 2018

Clauses to be Included in the Subdivision Agreement

1. The Owner shall save harmless York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall agree that the proposed connection to the Regional water main on Huntington Road shall be designed, installed and commissioned to the satisfaction of the Region.
3. The Owner shall agree to provide direct shared pedestrian/cycling facilities and connections from the proposed development to boundary roadways and adjacent developments to support active transportation and public transit, where appropriate.
4. The Owner shall agree to implement the recommendations of the Traffic Impact Assessment dated March 2019 prepared by Poulos and Chung Ltd, including TDM measures and incentives, as approved by the Region.
5. The Owner shall agree that revisions to the draft plan of subdivision may be required to incorporate the recommendations of the approved Environmental Assessment for Major Mackenzie Drive West and associated grade separation of the CP Rail crossing. These revisions shall be in conformity with the recommendations of the approved environmental assessment.

Conditions to be Satisfied Prior to Final Approval

6. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:
 - copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof.
 - copy of an email confirmation by City of Vaughan staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.

7. The Owner shall provide an electronic set of the final engineering drawings showing the water-mains and sewers for the proposed development to the Community Planning and Development Services section and the Infrastructure Asset Management Branch for record.
8. The Owner shall agree that "Street A" will be designed in a continuous manner north of Major Mackenzie Drive and at the intersection of Huntington Road. "Street A" shall be designed to accommodate all types of vehicles, including York Region Transit buses, in order to prevent any queue spillback onto Major Mackenzie Drive.
9. The Owner shall provide a set of engineering drawings, for any works to be constructed on, or adjacent to the Right-Of-Way of Major Mackenzie Drive, to Development Engineering, Attention: Manager, Development Engineering.
10. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the *Environmental Protection Act* and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

11. Upon registration of the plan, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
 - A widening across the full frontage of the site where it abuts Major Mackenzie Drive of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Major Mackenzie Drive, and
 - A 15 metre by 15 metre daylight triangle at the north-east and north-west corners of the Huntington By-Pass and Major Mackenzie Drive, and
 - A 0.3 metre reserve across the full frontage of the site, except at the approved access location, adjacent to the above noted widening, where it abuts Major Mackenzie Drive and adjacent to the above noted widening(s).
12. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region
13. The intersection of the Huntington By-Pass and Major Mackenzie Drive shall be designed to the satisfaction of Development Engineering with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by Development Engineering.
14. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
15. The Owner shall provide a copy of the executed Subdivision Agreement and the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
16. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
17. The Regional Corporate Services Department shall advise that Conditions 1 to 16 inclusive, have been satisfied.



September 2, 2020

Mr. Mauro Peverini
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Jennifer Kim, Planner

**RE: Additional Condition of Draft Approval for
Draft Plan of Subdivision 19T-19V001 (SUBP.19.V.0020)
Part of West Half of Lots 21 & 22, Concession 9
(Nashville Developments (South) Inc. & Nashville Major Developments Inc.)
City of Vaughan**

In our letter dated June 20, 2019, we provided the City of Vaughan clauses/conditions of draft plan approval for the above-noted application. Further to discussions between City of Vaughan Development Transportation Engineering staff and Regional Transportation and Infrastructure Planning staff, the Region requests the following draft plan condition be added:

"The Owner shall agree in the Subdivision Agreement to install a traffic signal at the intersection of Huntington Road and Nashville Road to the satisfaction of York Region."

Please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at Justin.Wong@york.ca should you require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Duncan".

Duncan MacAskill, M.C.I.P., R.P.P
Manager, Development Planning

JW/

YORK-#11564347-v3-SUBP_19_V_0020_(19T19V001)_-_Revised_Condition_Letter



July 22, 2020

CFN 61460
EX-REF CFN 43665

SENT BY EMAIL (Jennifer.kim@vaughan.ca)

Jennifer Kim
Development Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Ms. Kim:

**Re: Draft Plan of Subdivision Application 19T-19V001
Official Plan Amendment Application OP.19.002
Zoning By-law Amendment Application Z.19.004
Northeastern Corner of Huntington Road and Major Mackenzie Drive
Within Planning Block 61 West
Part of Lot 21 & 22, Concession 9
City of Vaughan, Regional Municipality of York
Nashville Developments Inc. (Agent Malone Given Parsons Limited)**

The purpose of this letter is to provide Toronto and Region Conservation Authority (TRCA) staff comments on circulation materials that were received on May 20, 2020, May 12, 2020, April 3, 2020, October 16, 2019 and April 22, 2019 in support of applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment on the above noted property in Block 61 West, in the City of Vaughan. A list of the materials that have been received by TRCA can be found in Appendix 'B'.

Background

The intent of the subject applications is to facilitate a new residential subdivision comprised of 178 street townhouse units in 35 blocks, a road network consisting of three (3) public streets and a private internal laneway and a centrally located parkette.

Official Plan Amendment

The subject property is currently designated Mid-Rise Mixed-Use "B" and "Natural Areas" by Section 12.7 – Block 61 West, Nashville Heights of the Vaughan Official Plan, 2010. The official plan amendment application proposes to reduce the density requirements of the "Mid-Rise Residential" and "Mid-Rise Mixed-Use Areas A, B and C" designations for the entire block.

Zoning By-Law Amendment

The subject property is zoned Agriculture (A) by Zoning By-Law 1-88. The zoning by-law amendment application proposes to re-zone the lands to Residential Townhouse Zone (RT1) and Open Space Park Zone (OS2).

Application-Specific Comments

The Vaughan Official Plan 2010 (VOP) and Official Plan Amendment No. 699 recognize that a stream corridor traverses the southwestern portion of the subject property. Specifically, Map

12.7.A Block 61 West – Nashville Heights – Land Use, identifies the stream corridor as a “Natural Area”. There is a flood plain and meander belt associated with the watercourse and the corridor provides ecological services.

Section 12.7.8 of the VOP 2010 includes policies related to assessing the form and function of the valley and stream corridors within the Planning Block and outlines the minimum requirements for supporting potential realignment of the corridors. Specifically, Section 12.7.8.4 states:

If a realignment is required, it must incorporate an appropriate corridor width that includes all relevant factors including, but not limited to, flooding, meander belt, erosion limits and buffers. The design of the new valley and stream corridor(s) must be appropriate for the biophysical conditions and should replicate and enhance the existing functions. The realignment must be in balance with the overall development plan and fit into an appropriate post development natural system, and must be integrated into the overall open space system through neighbourhood design.

Based on a review of the current circulation materials, it is the understanding of TRCA that the applicant is proposing to modify the stream corridor on the subject property by conveying the watercourse through a 454.5 metre long series of 2400 X 1500 mm concrete storm sewers from Huntington Road to a proposed culvert at Major Mackenzie Road.

Based on several meetings between the proponent, TRCA and City of Vaughan staff, as well as the review of preliminary engineering analysis confirming the safe conveyance of flood waters during a Regional Storm event, an agreement was reached whereby the proposed alteration of Tributary ‘B’ was accepted in principle. The agreement that was reached is subject to the submission of additional engineering details and calculations related to the proposed design and installation of the conveyance pipe for Tributary ‘B’, as well as updated ecological reports/plans demonstrating how potential impacts to the hydrological and ecological function of Tributary ‘B’ will be mitigated and compensated for in the post-development condition. It was agreed that the noted items would need to be addressed as a part of the fulfillment of TRCA’s conditions of draft plan approval and future TRCA permit applications.

Recommendation

Based on the above, TRCA staff have no objections to the approval of Draft Plan of Subdivision Application 19T-19V001, Official Plan Amendment Application OP.19.002, Zoning By-law Amendment Application Z.19.004

We have included our conditions for Draft Plan of Subdivision 19T-19V001 in Appendix ‘A’. It is our expectation that the Owner will address all TRCA’s outstanding comments through fulfillment of the conditions of draft plan approval. This may necessitate redline revisions to the draft plan.

Should any revisions to the draft plan of subdivision application, official plan amendment applicant or zoning by-law amendment application be proposed now or in the future, TRCA asks to be given the opportunity to amend our conditions and comments accordingly.

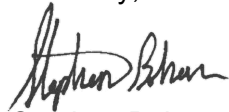
Please provide the Notice of Decision for the draft plan of subdivision, official plan amendment and zoning by-law amendment once they are approved.

Fees

We thank the Owner for providing the initial \$59,325 Draft Plan of Subdivision application review fee. This application will be subject to a clearance fee at the time of clearance, which will be based on the fee schedule in effect at that time.

We trust these comments are of assistance. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Stephen Bohan
Planner

Development Planning and Permits | Development and Engineering Services
Extension 5743

cc: By Email

Aaron Hershoff, TACC Developments
Ian Buchanan, Regional Municipality of York
Nick Cascone, City of Vaughan
Adam Miller, TRCA

Appendix 'A' – TRCA's Conditions and Comments**TRCA's Conditions of Draft Plan Approval**

TRCA recommends approval of Draft Plan of Subdivision – Part of West Half of Lots 21 & 22, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Malone Given Parsons Ltd., revised dated November 14, 2018, subject to the following conditions:

1. Prior to site alteration and prior to the registration of this plan or any phase thereof, the Owner shall provide a letter to the satisfaction of TRCA, which indicates the Owner acknowledges and agrees to address TRCA's outstanding comments dated October 31, 2011 (as may be amended) on the Block 61 West Block Plan/MESP technical submissions and supporting, as may have been amended through subsequent submissions and studies, to the satisfaction of TRCA. The Owner shall address all TRCA's outstanding comments through fulfillment of TRCA's conditions of draft plan approval prior to the registration of this plan or any phase thereof.
2. The Owner shall prepare a Terms of Reference for any studies, reports, assessments, plans, figures, etc. requested by TRCA in its conditions of draft plan approval to the satisfaction of TRCA (and City of Vaughan where specified) prior to the preparation of these studies, reports, assessments, plans, figures, etc.
3. Prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report and plans to the satisfaction of TRCA for any proposed topsoil stripping in the plan area. This report shall include:
 - i. Detailed plans illustrating the topsoil stripping proposal, including but not limited to the locations, staging and methodology; and
 - ii. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after topsoil stripping.

The Owner shall carry out, or cause to be carried out, the recommendations of the engineering report and details of the plans approved by TRCA for topsoil stripping purposes to the satisfaction of TRCA.

4. Prior to site alteration (except for topsoil stripping) and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) to the satisfaction of TRCA. This report shall include:
 - i. A description of the storm drainage system (quantity and quality) for the proposed development;
 - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;
 - iii. Appropriate stormwater management techniques which may be required to control minor and major flows;

- iv. Appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural heritage system, both aquatic and terrestrial;
- v. Storage requirements for controlling Regional storm runoff to existing levels and a contingency plan for achieving Regional peak flow control within the Block Plan area should the technical studies being undertaken by TRCA indicate development of Block 61 West without Regional storm peak flow controls would result in unacceptable impacts to hydraulics and flood risk downstream of the development. The contingency plan must include plans and calculations demonstrating how and where additional storage can be accommodated and the need for red-line revisions to the draft plan of subdivision, if required;
- vi. Detailed plans and calculations for the proposed lot-level, conveyance and end-of-pipe controls to be implemented on the site;
- vii. Appropriate SWMPs to be used to treat stormwater, to mitigate the impacts of development on the overall site water balance to meet the pre-development water budget to satisfy the CTC Source Protection Plan criteria;
- viii. Proposed measures to maintain feature-based water balance and to mitigate impacts to those natural features that have been assessed to be potentially impacted by the development;
- ix. A subsurface investigation (including assessment of groundwater levels) for the final design of site grading and house basement elevations. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
- x. An evaluation that addresses the need for groundwater dewatering during construction, including but not limited to details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
- xi. A groundwater monitoring and mitigation program, which assesses groundwater conditions prior, during and post-construction and outlines mitigation and adaptive management strategies for any negative impacts to groundwater conditions associated with development in the plan area. The terms of reference and final monitoring program must be prepared by the Owner to the satisfaction of the City of Vaughan and TRCA. This monitoring, mitigation and adaptive management program may be combined with other monitoring requirements in the plan area with the prior written consent of TRCA;
- xii. A surface water monitoring and mitigation program, which assesses surface water flows to the natural features prior, during and post-construction and outlines mitigation and adaptive management strategies

for any negative impacts to the natural features associated with development in the plan area. The terms of reference and final monitoring program must be prepared by the Owner to the satisfaction of the City of Vaughan and TRCA. This monitoring, mitigation and adaptive management program may be combined with other monitoring requirements in the plan area with the prior written consent of TRCA;

- xiii. Grading plans for the subject lands;
- xiv. An erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction;
- xv. Detailed design plans and supporting calculations for the proposed piping of Tributary 'B' from Huntington Road to Major Mackenzie Drive;
- xvi. Updated Regional Storm flood plain modeling and mapping to the standards established by TRCA based on the final as built conditions of the pipe conveying Tributary 'B' from Huntington Road to Major Mackenzie Drive;
- xvii. The location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.

The Owner shall carry out, or cause to be carried out, the recommendations of the engineering reports and details of the plans approved by TRCA to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.

- 5. Prior to topsoil stripping and prior to the registration of this plan or any phase thereof, the Owner shall prepare a detailed wildlife rescue plan (including fish, turtles and amphibians) for any proposed alteration of or interference with a watercourse or wetland (e.g., culvert crossings and Tributary 'B' conveyance pipe) to the satisfaction of TRCA. The Owner shall carry out, or cause to be carried out, the wildlife rescue plan approved by TRCA prior to any proposed alteration of or interference with the natural features to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.
- 6. Prior to the topsoil stripping or the registration of this plan or any phase thereof, the Owner shall prepare an updated Environmental Impact Study addendum identifying the existing ecological and hydrological functions of tributary 'B', and demonstrating how potential impacts to the hydrological and ecological functions of Tributary 'B' resulting from the proposed alteration of the corridor will be mitigated and compensated for in the post-development condition.
- 7. Prior to the registration of this plan or any phase thereof, the Owner shall prepare comprehensive restoration planting plans, to the satisfaction of TRCA, for the landscape Strip (Blocks 38) pursuant to the Nashville Heights Natural Heritage Evaluation and Environmental Impact Study (Beacon Environmental, July 2011, as

- amended), NHE/EIS Addendum (Beacon Environmental, November 30, 2016, as may be further amended) and Memorandum of Understanding (Nashville Developments Inc. et al. and TRCA, December 9, 2016). The Owner shall carry out, or cause to be carried out, the restoration plantings approved by TRCA to the satisfaction of TRCA. This shall be identified as a requirement within the subdivision agreement.
8. Prior to the registration of this plan or any phase thereof, the Owner shall obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
 9. The implementing zoning by-law shall recognize the Landscape Strip (Block 38 inclusive) in an OS1 Open Space Conservation Zone, or other suitable environmental zoning category, which has the effect of prohibiting development and recognizing the significance of these lands for naturalization purposes, to the satisfaction of TRCA.
 10. The implementing zoning by-law shall be prepared to the satisfaction of TRCA.
 11. The Owner shall provide a copy of the adopted implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
 12. The Owner agrees in the subdivision agreement, in wording acceptable to TRCA:
 - i. To carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of approval;
 - ii. To install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA;
 - iii. To obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA;
 - iv. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA;
 - v. To erect a permanent fence along all residential lots and blocks that abut the Landscape Strip (Block 38) and in other areas as may be required to protect existing and future open space lands from unauthorized/non-programmed entry to the satisfaction of TRCA;
 - vi. To prohibit grading works within the Landscape Strip (Block 38 inclusive) unless approved by TRCA;

- vii. To prohibit retaining walls in or adjacent to the Landscape Strip (Block 38 inclusive) unless approved by TRCA;
- viii. Prior to the issuance of any building permit on Blocks 16 - 35, the Owner demonstrates to the satisfaction of TRCA that the works required to safely convey the Regional Storm flood plain associated with Tributary 'B' have been implemented pursuant to the TRCA approved plans (i.e., alteration of Tributary 'B' through installation of a storm sewer pipe from Huntington Road to Major Mackenzie Drive). This will include, but is not limited to the submission of as-built plans, revised flood plain modeling, flood plain mapping, site photos, inspection/monitoring reports and written certification by the consulting engineer, fluvial geomorphologist, ecologist and/or other professionals as deemed necessary by TRCA to the satisfaction of TRCA; and
- ix. To include the following wording in all agreements of purchase and sale to the satisfaction of TRCA:

The subject property appears to be partially or entirely located within the following vulnerable area: The Kleinburg Wellhead Protection Area (WHPA). The Source Protection Plan under the *Clean Water Act*, 2006, developed for the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Region took effect on December 31, 2015 and the site is subject to the Source Water Protection policies listed in the CTC Source Protection Plan. The purpose of a Source Protection Plan is to outline how water quality and quantity for municipal drinking water systems will be protected. The subject lands are located within WHPA "B", "C" and/or "Q", where prescribed threat activities in this vulnerable area are classified as low or moderate. Residential property owners within this vulnerable area are encouraged to use best management practices to protect sources of municipal drinking water. Information regarding best management practices and prescribed threat activities may be provided by the municipality or by contacting TRCA's Source Protection hydrogeologist at 416-661-6600, or by visiting <http://www.ctcswp.ca/> or <http://www.trca.on.ca/>.

- 13. This draft plan of subdivision shall be subject to red-line revision(s) in order to meet the requirements of the conditions of TRCA, if necessary, to the satisfaction of TRCA.
- 14. The Owner shall provide a copy of the fully executed subdivision agreement to TRCA, when available, in order to expedite the clearance of conditions of draft plan approval.

TRCA's Comments on the Zoning By-law Amendment Application

Please further note that TRCA's comments on Zoning By-law Amendment Application Z.19.004 can be found above within the conditions of draft plan approval for Draft Plan of Subdivision Application 19T-19V001.

Should any revisions to the draft plan of subdivision application or zoning by-law amendment application be proposed now or in the future, TRCA asks to be given the opportunity to amend our conditions and comments accordingly.

Appendix 'B' – Materials Reviewed by TRCA

The following materials were received by TRCA on May 20, 2020

- Email Correspondence, TRCA Teleconference Follow Up – Nashville Tributary B, from Schaeffers Consulting Engineers, dated May 20, 2020
- Attachment – Enclosure 1 – External Drainage Area.
- Attachment – Enclosure 2 – MESP References
- Attachment – Enclosure 3 – Existing Conditions Culvert Master.
- Attachment – Enclosure 4 – Proposed Condition Culvert Master.
- Attachment – Enclosure 5 – Model Parameters.

The following materials were received by TRCA on May 12, 2020

- Email Correspondence, TRCA Teleconference Follow Up – Nashville Tributary B, from Schaeffers Consulting Engineers, dated May 12, 2020.
- Attachment – Enclosure 1 – Model Parameters.
- Attachment – Enclosure 2 – Predevelopment Hydrology.
- Attachment – Enclosure 3 – Existing Conditions Culvert Master.
- Attachment – Enclosure 4 – Proposed Condition Culvert Master.
- Attachment – Enclosure 5 – Proposed Condition Flow Mater.
- Attachment – Enclosure 6 – Pages from 2020-4558-Nashville Phase 5 FSR.
- Drawing No. GR-1, Grading Plan – Part 1, prepared by Schaeffers Consulting Engineers, dated April 2016.
- Drawing No. TA-6, Storm Drainage Plan Overland Flow Route, prepared by Schaeffers Consulting Engineers, dated April 2016.
- Drawing No. GR-1, Grading Plan – Part 1, prepared by Schaeffers Consulting Engineers, dated April 2012.

The following materials were received by TRCA on April 3, 2020

- Floodplain Analysis Report – Tributary B, prepared by Schaeffers Consulting Engineers, dated March 2020.
- Updated HEC-RAS Model, prepared by Schaeffers Consulting Engineers.

The following Materials were received by TRCA on October 16, 2019

- Covering Letter – Block 61 West - Nashville Heights – Tributary “B” Option Review, prepared by TACC Developments, dated October 16, 2019.
- Block 61 West, Nashville Landowners Group. Tributary B Watercourse Analysis, prepared by Beacon Environmental, dated October 10, 2019.
- Nashville Heights – Tributary B Design Options, prepared by Matrix Solutions Inc., dated August 20, 2019.
- Drawing No. SS-SG-1, Site Servicing – Grading Plan (Option 2), prepared by Schaeffers Consulting Engineers, dated September 2019.

The following materials were received by TRCA on April 22, 2019

- Draft Plan of Subdivision, prepared by Malone Given Parsons Ltd., dated November 14, 2018.
- Memorandum – Nashville Heights Master Environmental Servicing Plan, prepared by Schaeffers Consulting Engineers, dated November 24, 2016.
- Block 61 West, Nashville Landowners Group – Gain/Loss Calculations, prepared by Beacon Environmental, dated September 14, 2018.

- Park Facility Fit, prepared by NAK Design Strategies, dated February 5, 2019.
- Tree Inventory and Preservation Plan, Edge Management and Restoration Report, prepared by Kuntz Forestry Consulting Inc., dated June 7, 2010.
- Functional Servicing Report, prepared by Schaeffers Consulting Engineers, dated January 2019.

Attachment No. 1d) - Ministry of Transportation

From: Mikolajczak, Margaret (MTO) <Margaret.Mikolajczak@ontario.ca>
Sent: Wednesday, July 03, 2019 1:42 PM
To: D'Addario, Letizia <Letizia.D'Addario@vaughan.ca>
Cc: Scholz, Kevin (MTO) <Kevin.Scholz@ontario.ca>
Subject: OP.19.002, Z.19.004, 19T-19V001 Hwy 427 Ext. and Major Mackenzie Dr

Hi Letizia,

I have reviewed the above mentioned applications and have following comments:

Zoning By-Law

We have no comments to the proposed OP and Zoning By-Law.

Draft Plan of Subdivision:

The development site is located within Ministry permit control area therefore the following will apply:

The owner must be made aware that Ministry permits are required for all buildings located within 46m from Highway 427 Ext property line and a radius of 396 m from the centrepont of Highway 427 Ext and Major Mackenzie Drive, prior to any construction being undertaken.

Ministry requires that any new buildings/structures (including internal roads) above and below ground (including detention ponds, internal roads) be setback a minimum distance of 14m from the Hwy 427 Ext property line.

Permits must be obtained from our office. Applications are also available on our web site at: www.mto.gov.on.ca/english/engineering/management/corridor

As the Conditions of Draft Plan approval, we will require the following:

1. Prior to final approval, the owner must submit to the Ministry of Transportation for review and approval a copy of Stormwater Management Report (electronic copy), Site Grading and Servicing Plan, addressing the intended treatment of the calculated runoff.
2. Prior to final approval, the owner must submit to the Ministry of Transportation for review and approval a copy of Traffic Impact Study addressing the anticipated traffic volumes and their impact on Highway 427 Ext.
3. Prior to final approval, the owner must submit to the Ministry of Transportation for review and approval a copy of the proposed site and street Lighting Design and Calculations in the isometric format, using AGI-32 and Auto-Lux.
4. The design of the proposed Hwy 427 Ext S-E/W ramp extension, to the north, must conform to the Ministry standards and must be approved by the Ministry.
5. Ministry clearance letter will be issued before the Draft Plan of Subdivision can be registered.

Please forward a copy of this letter to the proponent.

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

Regards

Margaret Mikolajczak, C.E.T.
Senior Project Manager
Ministry of Transportation
Corridor Management Section
159 Sir William Hearst Avenue, 7th Floor
Downsview, Ontario M3M 0B7

Phone: 416-235-4269
Fax: 416-265-4267

D'Addario, Letizia

From: circulations@wsp.com
Sent: Tuesday, April 23, 2019 10:10 AM
To: D'Addario, Letizia
Subject: OPA (OP.19.002), ZBLA (Z.19.004) and Draft Plan of Subdivision (19T-19V001) - Block 61 West

2019-04-23

Letizia D'Addario

Vaughan

, ,

Attention: Letizia D'Addario

Re: OPA (OP.19.002), ZBLA (Z.19.004) and Draft Plan of Subdivision (19T-19V001) - Block 61 West; Your File No. OP.19.002,Z.19.004,19T-19V001

Our File No. 84519

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

"The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/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".

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to

enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

MMM (a WSP company) operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that **all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from MMM**. MMM is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Meaghan Palynchuk
Manager, Municipal Relations
Access Network Provisioning, Ontario
Phone: 905-540-7254
Mobile: 289-527-3953
Email: Meaghan.Palynchuk@bell.ca

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Attachment No. 1f) - Canada Post

DELIVERY PLANNING
200 – 5210 BRADCO BLVD
MISSISSAUGA, ON L4W 2G7
CANADAPOST.CA

May 10, 2019

City of Vaughan – Planning Department

To: **Letizia D’Addario**

Reference: **File: DA.19.002, Z.19.004 and 19T-19V001 Related File: BL.61.2009
Part 2 of Lot 22, Concession 9 & Part 3 of the West Half of Lot 21,
Concession 9, Registered Plan 65M-4373
178 Townhouse units in 35 blocks with a central parkette.**

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

Canada Post has reviewed the proposal of the 178 Townhouse units for the above noted Development Application and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mail Boxes.

In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The Owner/Developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- ⇒ The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
- ⇒ The Owner/Developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post’s concrete pad specification drawings;
- ⇒ The Owner/Developer will agree to prepare and maintain an area of compacted gravel to Canada Post’s specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy;
- ⇒ **The Owner/Developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy;**

Canada Post further requests the owner/developer be notified of the following:

1. The owner/developer of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox location.
2. Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.
3. There will be no more than one mail delivery point to each unique address assigned by the Municipality.
4. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
5. The complete guide to Canada Post's Delivery Standards can be found at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

As the project nears completion, it is requested that the Developer contact me directly during the design stage of the above project, to discuss a suitable mailbox location.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Sincerely,

Lorraine Farquharson

Lorraine Farquharson

Delivery Services Officer | Delivery Planning - GTA

200 – 5210 Bradco Blvd

Mississauga, ON L6W 1G7

(416) 262-2394

lorraine.farquharson@canadapost.ca



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

April 29, 2019

Letizia D'Addario
Planner
City of Vaughan
Development Planning Department
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Letizia,

Re: Draft Plan of Subdivision, Official Plan Amendment & Zoning By-law Amendment
Nashville Developments Inc.
Part 2 of Lot 22, Concession 9 & Part 3 of the West Half of Lot 21, Concession 9, Registered Plan
65M-4373
City of Vaughan
File No.: 19T-19V001, OP-19-002 & Z-19-004

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

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

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

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

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

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

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

Sincerely,

A handwritten signature in blue ink that reads 'Casey O'Neil'.

Casey O'Neil
Sr Analyst Municipal Planning
Long Range Distribution Planning

ENBRIDGE GAS INC.
enbridge.com
Safety. Integrity. Respect.

Attachment No. 1h) - Alectra Utilities



Date: April 26th , 2019

Attention: Letizia D'Addario

RE: Request for Comments

File No.: OP.19.002, 19T-19V001

Applicant: Silvio De Gasperis, Knashville Developments Inc.

Location East of Huntington Road and North of Major Mackenzie



COMMENTS:

☐

We have reviewed the Proposal and have no comments or objections to its approval.

☒

We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).

☐

We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by _____.

☐

We have reviewed the proposal and have the following concerns (attached below)

☐

We have reviewed the proposal and our previous comments to the Town/City, dated _____, are still valid.

Alectra Utilities (formerly PowerStream) has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.

Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation.

Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.

The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.

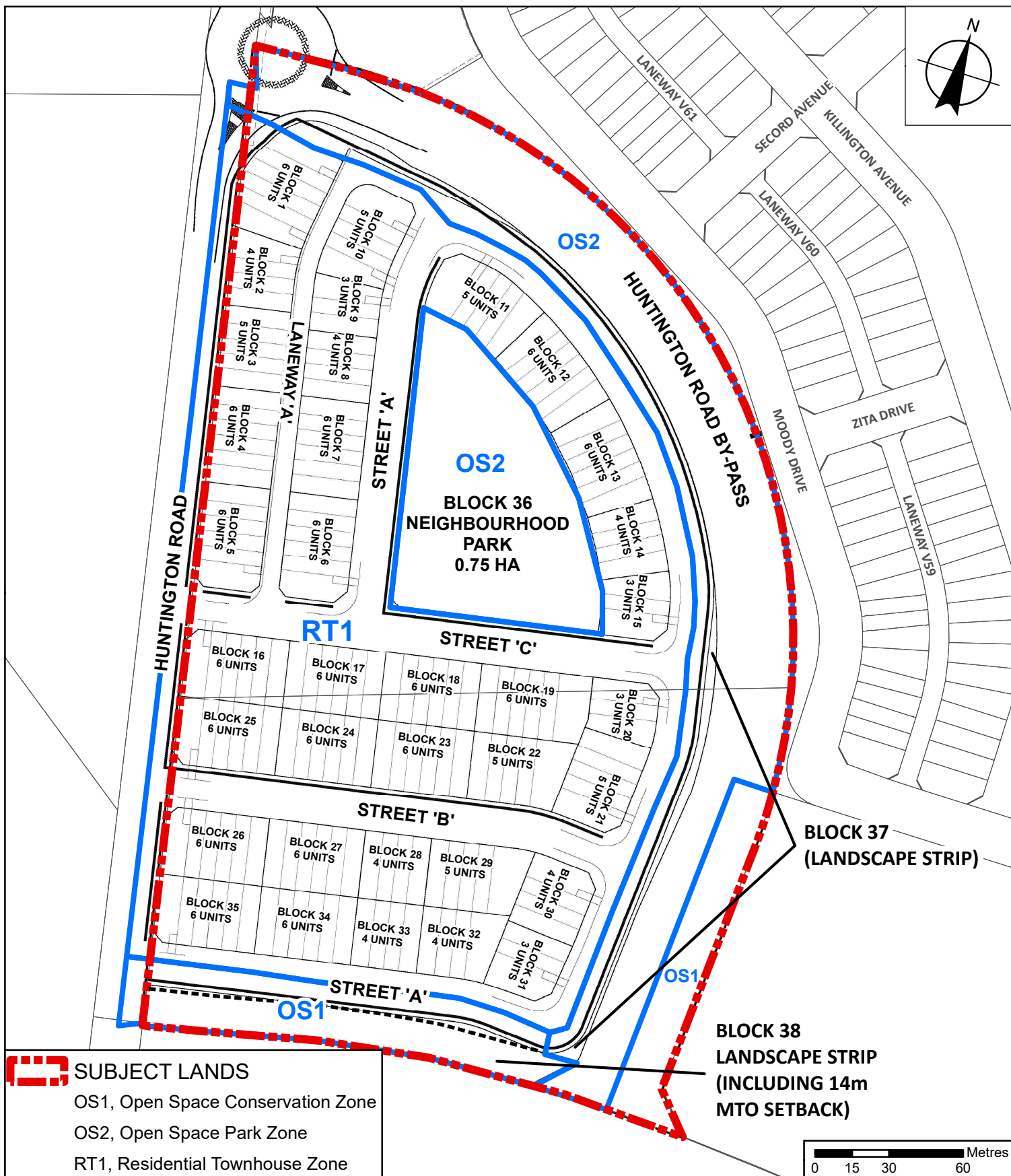
All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,
Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
E-mail: tony.donofrio@alectrautilities.com

Subdivision Application Information Form is available by calling 1-877-963-6900 ext. 31297



Proposed Zoning and Draft Plan of Subdivision File 19T-19V001

Location: Part of the West Half of Lot 21 and Part of Lot 22, Concession 9

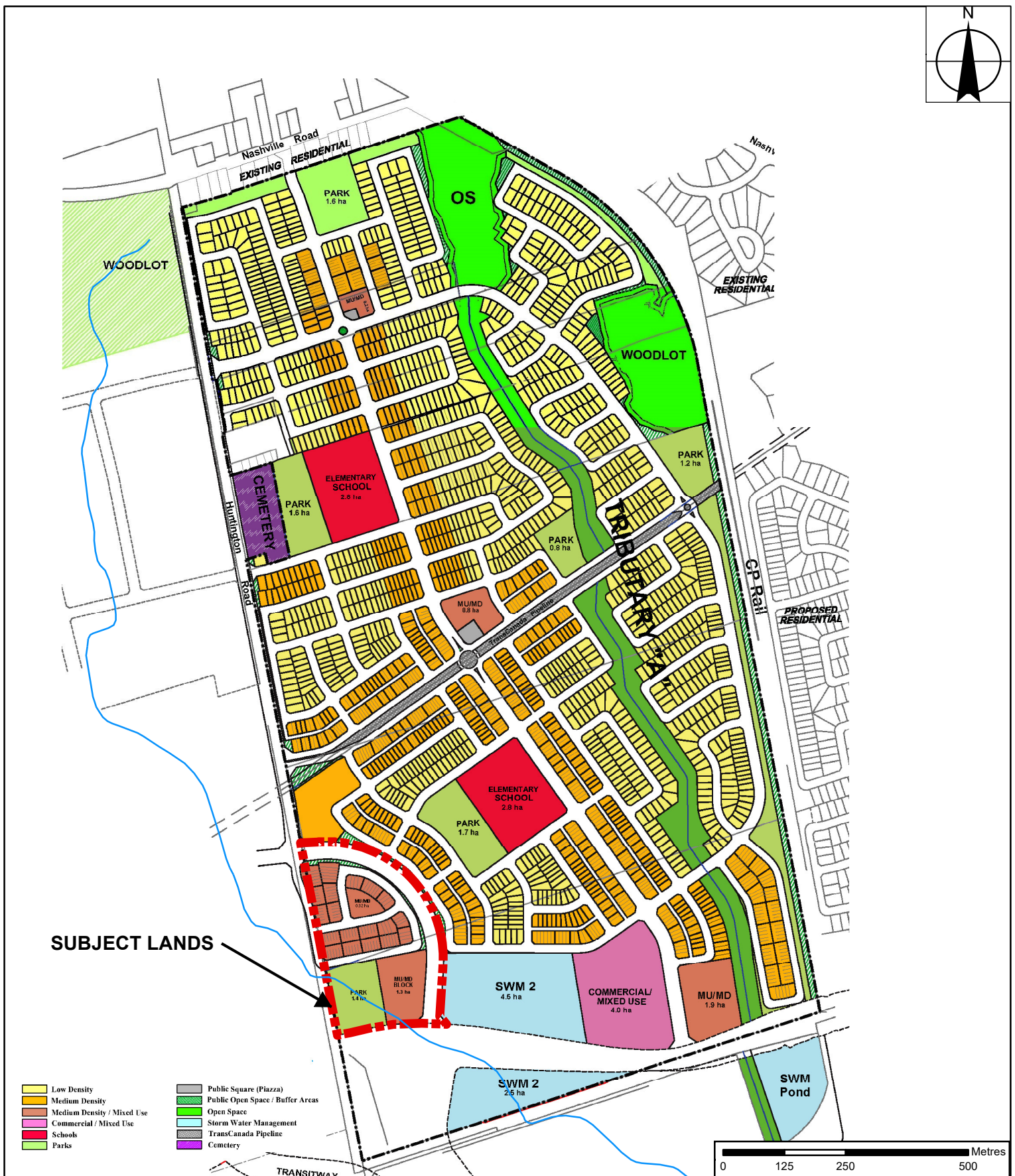
Applicant: Nashville Developments (South) Inc. & Nashville Major Developments Inc.

Attachment

FILES:
Z.19.004 & 19T-19V001

DATE:
October 6, 2020

3



Approved Block 61 West Plan - November 29, 2011 (As Revised June 19, 2018)

LOCATION: Part of the West Half of Lot 21 and
Part of Lot 22, Concession 9

APPLICANT: Nashville Developments (South) Inc. &
Nashville Major Developments Inc.



Attachment

FILES:
Z.19.004 & 19T-19V001

DATE:
October 6, 2020

4

Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD: 1

TITLE: RIZMI HOLDINGS LIMITED

ZONING BY-LAW AMENDMENT FILE Z.18.004

DRAFT PLAN OF SUBDIVISION FILE 19T-18V004

11333 DUFFERIN STREET

VICINITY OF DUFFERIN STREET AND KIRBY ROAD

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.18.004 and 19T-18V004 for the Subject Lands shown on Attachment 2. The Owner proposes to rezone Phase 1 of the subject lands from “FUA Future Urban Area Zone” to the residential and open space zone categories as shown on Attachment 3. The Draft Plan of Subdivision represents Phase 1 of a residential plan of subdivision consisting of up to 429 lots for detached dwellings and associated park, valley and stream corridor, stormwater management, roads, and buffer blocks, as shown on Attachment 4.

Report Highlights

- The Owner is proposing to rezone the Subject Lands to permit Phase 1 of a residential subdivision consisting of up to 429 lots for detached dwellings, and associated parks/stormwater management facilities, valley and stream corridor, roads, and buffer blocks
- The Owner is proposing an interim Phase 1 for the residential subdivision including 337 lots, parks, stormwater management pond, valley and stream corridor, roads, and buffer blocks

- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the proposal
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Draft Plan of Subdivision Applications as the proposed rezoning and draft plan of subdivision are consistent with a Minister's Order and the Provincial Policy Statement 2020, conforms to the Growth Plan 2019, the 1994 York Region Official Plan as amended by Official Plan Amendment ('OPA') 72 and OPA 600, as amended by site-specific OPA 747

Recommendations

1. THAT Zoning By-law Amendment File Z.18.004 (Rizmi Holdings Limited) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 2 from "FUA Future Urban Area Zone" subject to site-specific Exception 9(1416) to the following zone categories, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report:
 - R4(H), (H1), (H2) and (H5) Residential Zone, with the Holding Symbols '(H)', '(H1)', '(H2)' and '(H5)'
 - R5(H), (H3), (H4) and (H6) Residential Zone, with the Holding Symbol '(H)', '(H3)', '(H4)' and '(H6)'
 - OS2(H) Open Space Park Zone, with the Holding Symbol '(H)'
 - OS5(H) Open Space Environmental Protection Zone, with the Holding Symbol '(H)'
 - FUA(H) Future Urban Area Zone, with the Holding Symbol '(H)'
2. THAT the Holding Symbols '(H)', '(H1)', '(H2)', '(H3)', '(H4)', '(H5)', and '(H6)', as shown on Attachment 3, shall not be removed until the Owner provides the following to the satisfaction of the City of Vaughan Development Engineering Department:
 - i) A copy of the Record of Site Condition ('RSC') for the Phase 1 lands acknowledged by the Ministry of the Environment, Conservation, and Parks and filed on the Environmental Site Registry confirming the lands are suitable for the proposed residential development.
3. THAT removal of the Holding Symbol '(H1)', as shown on Attachment 3, from the Subject Lands or any portion thereof, shall be contingent on the following:
 - i) For Lots 157 to 158, 190 to 196, 229 to 234 and 274 to 275, the completion of the following materials and concurrence of the findings to the satisfaction

of the City, in consultation with the Toronto and Region Conservation Authority:

- a. A Geotechnical/Slope Stability Study including a delineation of the toe of the wooded slope;
 - b. Plans to demonstrate how grading and retaining walls will be minimized to the greatest extent feasible; and
 - c. An assessment of access and hazard maintenance requirements to ensure the long-term persistence of the wooded slope;
 - ii) For Lots 276 and 316 to 320, the completion of the following and concurrence of the findings to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority:
 - a. A Geotechnical/Slope Stability Study; and
 - b. Plans to demonstrate how grading and retaining walls will be minimized to the greatest extent feasible.
4. THAT the Holding Symbol '(H2)' and '(H3)', as shown on Attachment 3, shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
- i) The Owner shall submit a finalized Stormwater Management Strategy;
 - ii) The Owner shall submit a Parks and Open Space Master Plan and Facility Fit Plan;
 - iii) The Owner shall submit a comments-response matrix to addresses Parks Planning comments dated October 17, 2019, November 5, 2018 and September 5, 2018 with detailed comments and/or references to specific drawings/documents and or studies, to the satisfaction of Parks Planning;
 - iv) Any information/documents deemed necessary by the City for the purposes of carrying out a complete and comprehensive assessment of the proposed underground stormwater servicing strategy be submitted;
 - v) Any financial securities, Letter(s) of Credit and /or financial contributions be provided by the Owner, as deemed necessary by the City in order to implement the ultimate stormwater management strategy;
 - vi) If deemed necessary by the City, the Owner submit a final/revised draft plan of subdivision to reflect any changes as a result of the review/assessment of Conditions i), ii), iii), iv) and v) above, including any changes to the proposed lotting fabric and/or extent of the park, storm water management pond and/or Open Space Blocks;
 - vii) The Owner agrees in the subdivision agreement to design and construct the wastewater pumping station, provide the required securities, convey the necessary lands and easements to the City and appropriately zone the

- lands unless alternative arrangements are made to the satisfaction of Development Engineering Department;
- viii) The Owner shall submit the required reports to confirm the size of the wastewater pumping station and lands required for same to the satisfaction of Development Engineering Department;
 - ix) The Owner shall agree in the subdivision agreement to design and construct the stormwater management pond, provide the required securities, convey the necessary lands and easements to the City and appropriately zone the lands unless alternative arrangements are made to the satisfaction of Development Engineering Department;
 - x) The Owner shall submit the required reports to confirm the size of the stormwater management pond and the lands required for same to the satisfaction of Development Engineering; and
 - xi) The Owner shall agree in the subdivision agreement to design and construct the necessary road network including cul-de-sacs, as required, to support the stormwater management pond, unless alternative arrangements are made to the satisfaction of Development Engineering Department.
5. THAT the Holding Symbol '(H4)', as shown on Attachment 3, shall not be removed until completion of the following to the satisfaction of the City:
- i) The Owner shall agree in the subdivision agreement to design and construct the water booster station, provide the required securities and convey the necessary lands and easements to the City and appropriately zone the lands unless alternative arrangements are made to the satisfaction of Development Engineering Department; and
 - ii) The Owner shall submit the required reports to confirm the size of the water booster station and lands required for same to the satisfaction of Development Engineering Department.
6. THAT the Holding Symbols '(H5)' and '(H6)', as shown on Attachment 3, shall not be removed until completion of the following to the satisfaction of the City:
- i) The Owner shall agree in the subdivision agreement to convey the necessary easements as required within the Plan, south of Block 430 (potential Kirby Road extension) to facilitate the construction of Kirby Road from Dufferin Street to the east limit of the Plan all to the satisfaction of the City; and
 - ii) The Owner shall agree in the subdivision agreement to convey the necessary easements as required north of Block 430 within Block 429 in the Draft Plan, for grading purposes to support the development of the lots and roads adjacent to the future Kirby Road, all to the satisfaction of the City.

7. THAT Notwithstanding the above, a Public Neighbourhood Park, a Stormwater Management Pond, a sewage pumping station, a water booster station, and any related municipal infrastructure may be permitted prior to the removal of the Holding Symbols '(H2)', '(H3)' and '(H4)'.
8. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, to permit minor adjustments to the in-effect Zoning By-law before the second anniversary of the day the implementing Zoning By-law for the Subject Lands comes into full force and effect.
9. THAT Draft Plan of Subdivision File 19T-18V004 (Rizmi Holdings Limited) BE APPROVED, to permit a residential plan of subdivision consisting of up to a maximum of 429 lots as shown on Attachment 4, for detached dwellings and the associated park, valley and stream corridor, stormwater management facility, roads and buffer blocks, subject to the following condition and the Conditions of Draft Plan of Subdivision Approval in Attachment 1:
 - i) the final number of lots approved in Phase 1 is subject to the ultimate disposition of the location and design of the storm water management facilities and park.
10. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-18V004 (Rizmi Holdings Limited) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for up to a maximum of 429 detached residential units (1,536-person equivalent). The allocation of said capacity may be redistributed (at the discretion of the City), in accordance with the City’s Allocation of Servicing Capacity Policy, if the development does not proceed to registration and/or Building Permit issuance within 36 months.”

Background

The 27.21 ha subject lands (the ‘Subject Lands’) shown on Attachment 2, are municipally known as 11333 Dufferin Street and are located at the southeast corner of Dufferin Street and the planned Kirby Road extension. The surrounding land uses are shown on Attachment 2. The Subject Lands are used for a concrete recycling operation, where used concrete is crushed, stock-piled and sold as aggregate.

The Minister of Municipal Affairs and Housing on February 3, 2015 issued an Order for the Subject Lands

The Minister of Municipal Affairs and Housing on February 3, 2015 issued an Order (the 'Minister's Order'), shown on Attachments 6, pursuant to Section 18(1) of the *Oak Ridges Moraine Conservation Act 2001* to amend the relevant York Region and City of Vaughan Official Plans and the City's Zoning By-law 1-88. The Minister's Order amends:

- York Region Official Plan 1994 ('YROP 1994') through Official Plan Amendment 72 ('OPA 72'), (specifically Sections 2.5 "Oak Ridges Moraine" and 5.9 "Rural Policy Area" and Map 11 "Oak Ridges Moraine Conservation Plan Land Use Designations")
- Vaughan Official Plan 600 ('OPA 600') through Official Plan amendment 747 ('OPA 747'); and
- the City's Zoning By-law 1-88, by way of site-specific Zoning By-law 023-2015, being Exception Paragraph 9(1416) to Zoning By-law 1-88.

The Minister's Order, through OPAs 72 and 747 designates the Subject Lands as "Low Density Residential" and "Valley and Stream Corridor". The Minister's Order zones the Subject Lands "FUA Future Urban Area Zone" and provides for the following (in part):

- development of the Subject Lands shall be based on full municipal services, an approved and registered plan of subdivision and an approved implementing zoning by-law, subject to policies included by the Minister in the implementing documents
- the Subject Lands may be developed for urban uses including detached and semi-detached houses), schools, parks and open space, private home daycare, home occupation and local convenience centre
- the final boundary between the "Low Density Residential" and "Valley and Stream Corridor" designations and the location of a municipal park shall be determined through the processing of the development applications
- the maximum average residential density permitted is 18 units per residential hectare and will be determined by an evaluation of the environmental constraints through the development application review
- the policies of OPA 600 regarding Valley and Stream Corridor apply
- consideration of the Kirby Road extension through the draft plan of subdivision process
- in consideration of the rural setting of the Subject Lands, its location on the Oak Ridges Moraine, and the presence of environmentally sensitive areas employing

- urban design and environmental design mitigation measures to optimize and preserve these characteristics
- the requirement for studies through the development application review process
- the requirement for zoning by-law amendment and draft plan of subdivision applications to implement the land use designations

The Minister's Order is final and not subject to appeal.

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

The City on September 17, 2019 mailed a Notice of Public Hearing (the 'Notice') to all property owner within 150 m of the Subject Lands, the Mackenzie Ridge Ratepayers Association ('MRRA'), and those individuals that provided written correspondence requesting notice or appeared at the Committee of the Whole Public Hearing on June 5, 2018. A copy of the Notice was also posted on the City's website at www.vaughan.ca and a notice sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on October 23, 2019 ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of October 7, 2019 and to forward a comprehensive technical report to a future Committee of the Whole meeting, and the Owner meet with the Local Councillor, Regional Councillors, staff and the area Ratepayer Association to address the comments provided.

The Owner met with the Local Councillor, Regional Councillor, the Mackenzie Ridge Ratepayers Association, Maple Downs Golf Club, and area residents on November 26, 2019 and August 6, 2020.

At the Public Hearing, the following deputations and written submissions were received:

Deputations

- Mr. Glenn Lucas, Lucas & Associates, White Oaks Road, Barrie, on behalf of the Owner
- Mr. Robert Kenedy, Mackenzie Ridge Ratepayers' Association, Giorgia Crescent, Maple
- Mr. Pat Viele, Germana Place, Maple
- Mr. Robert Hofstatter, Kootenay Ridge, Maple
- Mr. Douglas Carl, 136 Kootenay Ridge, Maple
- Mr. Alex Cherniak, Nevada Crescent, Maple
- Mr. Ryan Bradshaw, Maple Downs Golf & Country Club, Dufferin Street, Maple

- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Ms. Hina Ghazanfar, Kootenay Ridge, Maple
- Ms. Helen Da Silva, Nevada Crescent, Maple
- Mr. Alex Frescura, Hunterwood Chase, Maple
- Ms. Laurie Ross, Adirondack Drive, Maple
- Ms. Anastasia Branopolski, Beakes Crescent, Maple
- Ms. Heidi Last, Glacier Court, Vaughan

Written Submissions

- Mr. Andrei Avsiannikov, Hunterwood Chase, Maple, dated October 6, 2019
- Ms. Emilia Almeida, dated October 6, 2019 (no address provided)
- Rose Rubino and Sebastiano Andolina, Hunterwood Chase, Maple, dated October 6, 2019
- Mr. Kevin Callahan, dated October 6, 2019 (no address provided)
- Ms. Daniela Guglielmin, Appalachian Road, Maple, dated October 6, 2019
- Mr. Parham Parnian, dated October 7, 2019 (no address provided)
- Neda Zamanian, Nevada Crescent, Maple, dated September 25, 2019
- Ms. Nancy Yuas, Matterhorn Road, Maple, dated October 7, 2019
- Susan Sigrist and Mark Hubbard, Matterhorn Road, Maple, dated October 7, 2019
- Mr. John Buell, Laurentian Boulevard, Maple, dated October 7, 2019
- Mr. Antony Niro, Laurentian Boulevard, Maple, dated October 7, 2019
- Elizabeth Lincoln and Brent Kowalchuk, Athabasca Drive, Maple, dated October 7, 2019
- Mr. Bruno Bressi, Mapledown Way, Maple, dated October 7, 2019
- Ms. Raffaella Towie, Athabasca Drive, Maple, dated October 7, 2019
- J. Mancoo, Athabasca Drive, Maple, dated October 7, 2019
- Pauline and Eric Rodriguez, Ravines of Maple, Vaughan, dated October 7, 2019
- Ms. Heather Cheng, dated October 10, 2019, (address not provided)
- Ms. Iveta Koskina, dated October 15, 2019 (address not provided)
- Mr. Robert Kenedy, MacKenzie Ridge Ratepayers Association, dated October 7, 2019.
- Ms. Tiziana Goldberg, Hunterwood Chase, Vaughan, dated September 24, 2019
- Ms. Gabriella Filippo, dated September 22, 2019 (address not provided)
- Ms. Nickie Fischer, Adirondack Drive, Maple, dated September 22, 2019
- Mr. Timothy Wattimena, Kokanee Court, Maple, dated September 22, 2019
- Peter & Carla Traynor, Adirondack Drive, Maple, dated September 22, 2019
- Mr. Stephen Stein, Glacier Court, dated September 23, 2019

- Mr. Pilar Salgado Scali, Maplewood, dated September 23, 2019
- Mr. Adam Gianna, dated October 2, 2019 (address not provided)
- Ms. Neda Zamanian, Nevada Crescent, Maple, dated September 25, 2019
- Przemek Tomczak and Valerie Shannon, Hunterwood Chase, Maple, dated September 29, 2019
- Mr. Eugenio De Luca, Laurentian Boulevard, Maple, dated September 30, 2019
- Mr. Mauro De Luca, Laurentian Boulevard, Maple, dated September 30, 2019
- Mr. Joseph Gianna, Laurentian Boulevard, Maple, dated September 30, 2019
- Albert and Daria Carinci, Kootenay Ridge, Maple, dated October 1, 2019
- Mr. Danny Chen, dated October 1, 2019 (address not provided)
- Gurmeet Mancoo, dated October 3, 2019 (address not provided)

The following is a summary of the comments provided in the deputations and written submissions submitted at the Public Hearing of October 7, 2019 and written submissions received by the Development Planning Department. Resident comments have been organized by theme as follows:

Density and Compatibility

- the size of lots are too small and too many units are proposed
- compatibility - the lots are smaller than other lots in the area

Access, Transit and Traffic

- local roads are congested, Dufferin Street needs to be widened, Kirby Road needs to be extended from Dufferin to Bathurst Street, Teston Road needs to be extended
- one road out of the subdivision onto Dufferin Street is insufficient under regular conditions and in an emergency
- the Subject Lands are poorly served by Metrolinx and the York Region Rapid Transit

Parks and Stormwater Management Facilities

- the proposed parks are located at the east end of the subdivision and children will have to cross Dufferin Street to go to the existing parks west, located far from the Subject Lands
- the parks are proposed to be located on top of an underground stormwater management facility
- underground stormwater facilities may have capacity limitations, increase operation and maintenance costs, and park programming may be impacted if located on top of the facilities
- the existing parks will not be able to serve the needs of new and existing residents
- there is a need for tennis courts and a skateboard park

Natural Areas

- the woodlot needs to be protected and should not form part of the residential lots
- the Subject Lands are within the Oak Ridges Moraine and should not be developed
- the environment needs to be protected

Other

- fire stations, schools, water and sewage services, roads are required and should be paid for by the developer
- current water pressure in the area is low and additional units will make it worse; a new water demand study is required
- property values will be reduced due to the introduction of smaller residential lots in the area. Council should contact the Municipal Property Assessment Corporation ('MPAC') to have the property taxes of the existing homes lowered
- there are no commercial uses to serve the area residents
- who was the Minister that allowed development in the Oak Ridges Moraine?
- the Maple Downs Golf Course is concerned the development is too close to Holes 2 and 5 and the City approves development before the supporting infrastructure is in place

These comments are addressed throughout this report.

The Development Planning Department on September 25, 2020, sent a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals who made a deputation at the Committee of the Whole or submitted written and email correspondence to the City regarding the Applications.

Previous Reports/Authority

The following links provide information related to this report:

October 7, 2019 Committee of the Whole (Public Hearing)

<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=22457>

June 5, 2018 Committee of the Whole (Public Hearing)

<https://pub-vaughan.escrimemeetings.com/filestream.ashx?DocumentId=2677>

Analysis and Options

Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to permit a residential development

Rizmi Holdings Limited, (the 'Owner') has submitted the following applications (the 'Applications') to rezone the Subject Lands to facilitate a residential draft plan of subdivision (the 'Draft Plan') for a maximum of up to 429 lots for detached dwelling units, as shown on Attachment 4:

1. Zoning By-law Amendment File Z.18.004 (Rizmi Holdings Limited) to rezone the Subject Lands from "FUA Future Urban Area Zone," subject to site-specific Exception 9(1416), to the following zone categories in the manner shown on Attachment 3, together with the site-specific exceptions to Zoning By-law 1-88 identified in Table 1 of this report:
 - R4(H1), (H2) Residential Zone, with the Holding Symbols '(H1)' and '(H2)'
 - R5(H3) Residential Zone, with the Holding Symbol '(H3)'
 - OS2 Open Space Park Zone
 - OS5 Open Space Environmental Protection Zone
 - FUA Future Urban Area Zone
2. Draft Plan of Subdivision File 19T-18V004 (Rizmi Holdings Limited) to obtain Draft Plan of Subdivision approval for Phase 1 of a Plan of Subdivision ('Draft Plan'), as shown on Attachment 4, consisting of the following:

Phase 1

| Lot/Blocks | Land Use | Area (hectares) | Units |
|-------------------|---|------------------------|--------------|
| 1 - 427 | Detached Residential (Lot frontages 7.62 m – 11.58 m) | 13.77 | 427 |
| 478 & 479 | Future Residential | 0.04 | 2 |
| 431 - 435, & 437 | Acoustic Buffers | 0.31 | |
| 428, 476 & 480 | Park/Stormwater Management | 1.51 | |
| 477 | Sanitary Pump Station | 0.05 | |
| 429 & 430 | Future Kirby Road Extension | 4.65 | |
| 436, & 438 - 475 | 0.3 m Reserves & Sight Triangles | 0.01 | |
| | Roads | 6.94 | |
| Total | | 27.28 | 429 |

The Owner has applied to permit the approval of Phase 1 of the Draft Plan, as shown on Attachment 4, for up to 429 lots for detached dwellings, parks/storm water management ('SWM') blocks and road Blocks.

York Region Official Plan ('YROP') 2010 identifies a Minister's Order on the Subject Lands. YROP 1994, as amended by OPA 72 apply to the Subject Lands. The Applications conform to YROP 1994, as amended

York Region Official Plan ('YROP') 2010 identifies the Subject Lands on Map 1, "Regional Structure" as "Subject to Minister's Order February 3, 2015, and special policies 6.2.19 and 6.4.14" (previously Sections 2.5.14 and 5.9.10.11 of YROP 1994) being the policies in OPA 72 approved by the Minister's Order as follows:

"Special Provisions for the lands municipally known as 11333 Dufferin Street. Notwithstanding the policies of this section, the lands legally described as PIN 03342- 0266, PT LT 29 Con 2 Vaughan; PT LT 30 Con 2 Vaughan PTS 1 – 8 64R6003 Except PT 3 Expropriation PL R602558; S/T VA41581 Partially Released by R283556; S/T VA82915, Vaughan are intended to be developed for urban uses. The lands shall only be developed on the basis of full municipal services, an approved and registered draft plan of subdivision, and an approved implementing zoning by-law."

Sections 6.2.19 and 6.4.14 of YROP 2010 include specific policies regarding the Subject Lands, and Map 1 of YROP 2010 refers to the Minister's Order and the policies referenced above. The Minister's Order implements OPA 72, an amendment to YROP 1994, being the Plan in force and effect. At the time the Minister's Order was passed, February 3, 2015, the YROP was not in full force and effect. The Owner has submitted the Applications in accordance with site-specific OPA 72, as approved by the Minister's Order.

Vaughan Official Plan 2010 identifies a Minister's Order on the Subject Lands. The Applications conform to OPA 600, as amended by site-specific OPA 747

Applicable Policy

Vaughan Official Plan 2010 ('VOP 2010') identifies the Subject Lands as "Minister's Decision on ORMCP Designation" on all applicable Schedules and does not include policies for the Subject Lands, and instead refers to the Minister's Order. York Region approved VOP 2010 on June 28, 2012. The Owner appealed the policies of VOP 2010 (Appeal #62) as they relate to their landholdings, including the Subject Lands. The policies of OPA 600, as amended by OPA 747 (the Minister's Order) are in-effect on the Subject Lands.

OPA 747, includes Schedule A (Schedule F2 to OPA 600) and designates the Subject Lands "Low Density Residential" and "Valley and Stream Corridor". The "Low Density Residential" designation permits detached and semi-detached houses with a maximum

residential density of 18 units per residential hectare with a mix of lot frontages and schools, parks and open space, private home daycare, home occupations and local convenience centres.

The Minister's Order, Schedule A to OPA 747 (Schedule F2 to OPA 600) identifies three areas designated Valley and Stream Corridor on the Subject Lands as shown on Attachment 6. In accordance with the Valley and Stream Corridor Policies of OPA 600, Section 5.9.1 provides for the protection of significant valley systems within the City of Vaughan. OPA 600 (Policy 5.9.1, 2) states the precise limits of valley and stream corridors will be established to the satisfaction of the City and Toronto and Region Conservation Authority ('TRCA') through the Block planning process based upon Policies 5.9.1, 2 i) to iv), as follows:

- i) Valley Corridor: If the valley slope is stable the valley corridor is generally 10 metres inland from the top of valley bank. If the valley slope is not stable generally 10 metres inland from the predicted long-term stable slope projected from the existing stable/stabilized base of the slope, or from the predicted location of the base of slope shifted as a result of stream erosion over a 100-year period. The extent and treatment of the land beyond the stable slope shall be determined, based on technical studies, to ensure the long-term maintenance of the valley functions.
- ii) Stream Corridor: Stream Corridors draining greater than 125 ha, as shown on Schedule F, shall be determined on the basis of detailed floodplain studies identifying the limit of the regulatory floodplain and major system flows. For drainage basins draining less than 125 ha, the Stream Corridors shall be established on the basis of detailed technical studies prepared by the proponent to the satisfaction of the City and TRCA. The limits of the stream corridor may be expanded based on further technical studies to define the extent and treatment of a buffer area necessary to maintain normal stream functions.
- iii) Where lands identified as an Environmentally Significant Area ('ESA') through the Block Plan process are within and/or immediately adjacent to a Valley or Stream Corridor, the corridor boundary is defined to include such lands.
- iv) The Valley Lands and Stream Corridors will be legally defined at the zoning and/or subdivision stage.

The Owner has provided technical studies including an Environmental Impact Study ('EIS') prepared by Savanta, dated February 2018, and an updated EIS prepared by Savanta, dated November 2019, as part of meeting the requirements of a complete application. The EISs conclude the eastern portion of the Subject Lands designated as Valley and Stream Corridor in the Minister's Order meet the OPA 600 definition of a

Valley and Stream Corridor, as it is associated with a surface water feature. The Toronto and Region Conservation Authority ('TRCA') requires the Owner to provide a continuous 10-meter environmental buffer, within Block 428 on the Plan, adjacent to the Valley and Stream Corridor designation as identified in OPA 747 in the eastern portion of the Subject Lands, in accordance with TRCA's requirements. A condition to this effect is included in Attachment 1c of this report.

According to the EISs, the two Valley and Stream Corridor designated areas in the southwest portion of Phase 2 of the Subject Lands are not associated with a watercourse or valley landform and, therefore, do not meet the definition of a Valley and/or Stream Corridor in accordance with OPA 600. Notwithstanding, these areas contain a series of steep wooded slopes typical of moraine topography. The Minister's Order notes "given the rural setting of the Subject Lands, its location on the Oak Ridges Moraine and presence of Environmentally Sensitive Areas, including Areas of Natural and Scientific Interest ('ANSIs'), it will be critical to employ both urban design and environmental design and mitigation measures that serve to optimize and preserve these characteristics."

The Owner provided a Slope Stability Investigation, prepared by Sirati & Partners Consultants Limited, dated March 7, 2020, and supplementary geotechnical related materials in support of the Applications to identify the general location and stability of the wooded slopes on the Subject Lands. Two tree preservation areas were also identified in the southwest portion of the Subject Lands, generally corresponding to the Valley and Stream designation limits identified in the Minister's Order, as shown on Attachment 6. Most of these wooded slopes are not located in Phase 1 of the Draft Plan. While the proposed alignment of Street 'B' is located in close proximity to a portion of the south-central wooded slope, residential lots in this area (along the north side of Street 'B') are to be zoned with a Holding Symbol '(H1)' until the City, in consultation with the TRCA, approve additional studies to ensure the long-term persistence of the wooded slope over time.

In consideration of the above, the proposed rezoning and Phase 1 Draft Plan are consistent with the Valley and Stream Corridor designated areas as delineated by the Minister's Order.

Park

OPA 747 states the location of a municipal park will be established through the draft plan of subdivision in accordance with the policies of OPA 600.

The location of municipal parks has been established through the review of the Applications, as required in OPA 747, as discussed later in this report, subject to the Conditions of Approval included in Attachment 1a of this report.

Density

OPA 747 establishes a maximum average residential density of 18 units per residential hectare, where the area included in the residential hectare includes the local and primary roads and the land for the dwelling units, however, excludes all other uses. A mix of lot frontages and areas is required as determined through the review of the Applications. The Minister's Order identifies the ultimate density is to be determined by an evaluation of the relevant environmental constraints through the review of the Applications. Also, any constraints on the development, to accommodate environmental functions and features, may be reflected in the size of the lot/and or lot coverage or other such measure or combination of measures that may be provided for in the implementing subdivision agreement or zoning amendment process.

Based on the Minister's Order, the overall land area of the Draft Plan shown on Attachment 4 for 429 lots for future dwellings, the local streets and the primary roads is 20.8 ha, yielding a density of 20.6 units per hectare ('uph'). In the event the storm water pond and park remain in Phase 1 as shown on Attachment 3, approximately 337 lots for future dwellings could be accommodated on 17.67 ha of land, yielding a density of 19.07 uph. In both scenarios, the density for Phase 1 exceeds the maximum density prescribed in the Minister's Order. However, the maximum permitted density applies to the entirety of the Phase 1 and 2 lands, and when Phase 2 is considered, the Draft Plan for the entirety of the Subject Lands will be required to comply with the maximum density of 18 uph as prescribed in the Minister's Order.

The Phase 1 Draft Plan also includes lot frontages and areas ranging in size from 7.62m to 11.58 m and 212.14 m² to 486.01 m² respectively. The Draft Plan conforms to the mix of lot frontages and areas policy of the Minister's Order.

Kirby Road Extension

OPA 747 recognizes Kirby Road may be extended from Dufferin Street to Bathurst Street and is subject to an Environmental Assessment Study. The Draft Plan accommodates the Preliminary Preferred Design as identified in the approved (December 2019) Kirby Road Extension between Bathurst Street and Dufferin Street EAS, including the Kirby Road alignment, local road connections, daylight triangles, and acoustic buffer blocks, as shown on Attachment 4. Lots 35 to 40, 76 to 84, 114 to 118, 143 to 147, 172 to 175, 211, 212, 253, 254, 296 to 299, and 339 to 342 are proposed to be zoned with a Holding Symbols "(H5)" and "(H6)", as shown on Attachments 3 and 4, to accommodate adjustments to the grading for the local road connections to the Kirby Road extension.

The City will require a 36 m right-of-way to complete the Kirby Road Extension between Bathurst Street and Dufferin Street.

The Kirby Road extension in consideration of the Draft Plan design is discussed later in this report. However, the Draft Plan, subject to the Recommendations in this report, satisfactorily accommodates the requirements of the Kirby Road extension.

Environmental

OPA 747 states:

“Given the rural setting of the Subject Lands, its location on the Oak Ridges Moraine and the presence of Environmental Sensitive Area, including Areas of Natural and Scientific Interest (‘ANSIs’), it will be critical to employ both urban design and environmental design and mitigation measures that serve to optimize and preserve these characteristics. These matters will be addressed, to the satisfaction of the City and affected review agencies, in reports submitted in support of the draft plan of subdivision application. Approved measures will be reflected in the approved plan of subdivision and the implementing Subdivision Agreement or zoning by-law.”

As noted above, the EIS determined the two Valley and Stream Corridor designations in the southwest portion of the Draft Plan do not meet the definitions for Valley and Stream Corridors as identified in OPA 600. Most of these areas are not included in the Phase 1 Draft Plan and will be reviewed as part of Phase 2.

The Valley and Stream Corridor designation in the eastern portion of the Draft Plan meets the definition for Valley and Stream Corridor and is regulated by the TRCA. The TRCA has reviewed the Draft Plan and has provided Conditions of Approval included in Attachment 1c of this report.

The policy identified above, provides for urban design mitigation measures to optimize and preserve the environmental characteristics of the Subject Lands. OPA 747 states the final land use boundaries shall be confirmed through the processing of a plan of subdivision based on the technical analysis of the supporting information provided, to the satisfaction of the City, York Region and any affected review agencies. This policy permits the appropriate zone categories and limits to be established through the review of a draft plan of subdivision and zoning by-law amendment application.

York Region, the City of Vaughan, and the TRCA are satisfied with the Draft Plan subject to the Conditions of Approval provided in Attachment 1 of this report.

Implementation Measures

The Minister’s Order, through OPA 747 identifies submission requirements to meet the level of detail required for draft plan approval. The Owner has submitted the

studies/reports in support of the Applications necessary for review and the City, on April 6, 2018, deemed the Applications complete.

OPA 747 requires the submission of Draft Plan of Subdivision and Zoning By-law Amendment applications to permit the development of the lands. The Owner has submitted the Applications to rezone the Subject Lands and facilitate a residential plan of subdivision. The proposed Draft Plan shown on Attachment 4, includes 429 lots and two future development blocks, for detached dwelling units with lot frontages ranging from 7.6 m to 11.58 m and a residential density of 20.6 units per residential hectare. The appropriate conditions of approval are included in Attachment 1a for the Draft Plan and the report identifies zone categories and development standards to be included in the implementing zoning by-law.

The Subject Lands are designated Natural Core Area and Countryside Area in the Oak Ridges Moraine Conservation Plan as amended by the Minister's Order under section 18 of the *Oak Ridges Moraine Conservation Act, 2001*.

The Applications must conform to the Minister's Order made under the *Oak Ridges Moraine Conservation Act, 2001*. This allows for the finalization of the development limits based on the studies provided in support of the Applications. In accordance with OPA 747, Subsection 6.2 Rural Use Area Policies, Section 6.2.1.2 "Special Provisions for the West Half of Lot 30, Concession 2", 6.2.1.2 d. states,

"For the purpose of interpretation, the final land use boundaries shown on Schedule F2 shall be confirmed through the procession of the draft plan of subdivision, based on the technical analysis of the supporting information provided in such subdivision application, to the satisfaction of the City, York Region and any affected review agency. This policy shall permit an implementing zoning by-law, which will reflect the outcome of the draft plan of subdivision approval process."

In consideration of the above, the proposed rezoning of the Subject Lands and to Draft Plan conform to the Minister's Order and OPA 600, as amended.

Local Planning Appeal Tribunal ('LPAT') Appeal of VOP 2010

The Owner on November 8, 2012 appealed VOP 2010 with respect to certain lands, including the Subject Lands, to the LPAT (identified as Appeal #62 in the City of Vaughan List of VOP 2010 Appellants) and this appeal remains outstanding. The appeal of Vaughan Official Plan 2010 (Appeal #62) (LPAT case no. PL11184) shall be withdrawn for Phase 1 of the Subject Lands to the satisfaction of the Deputy City Manager Administrative Services & City Solicitor, and the Deputy City Manager Planning & Growth Management, within 45 days Of Council enactment of the Zoning By-law, or should there be an appeal of the Zoning By-law amendment, then within 45

days of the decision or order approving the Zoning By-law amendment. A Condition to this effect is included in Attachment 1a of this report.

Amendments to Zoning By-law 1-88 are required to rezone the Subject Lands to permit the Draft Plan

The Subject Lands are zoned “FUA Future Urban Area Zone,” as shown on Attachment 2, and are subject to site-specific Exception 9(1416) by Zoning By-law 1-88. The “FUA Future Residential Zone” permits residential, local commercial and open space uses, but requires a zoning by-law amendment to implement the appropriate zoning for the lands and the related development standards.

The Owner is proposing to amend Zoning By-law 1-88 to rezone the Subject Lands to the residential and open space zone categories with the Holding Symbols ‘(H1)’, ‘(H2)’ and ‘(H3)’ in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1, to facilitate the Draft Plan. However, staff recommend the Subject Lands be zoned with Holding Symbols ‘(H)’ as follows:

- R4(H) Residential Zone
- R4(H1) Residential Zone, with the Holding Symbol ‘(H1)’
- R4(H2) Residential Zone, with the Holding Symbol ‘(H2)’
- R4(H5) Residential Zone, with the Holding Symbol ‘(H5)’
- R5(H) Residential Zone. With the Holding Symbol ‘(H)’
- R5(H3) Residential Zone, with the Holding Symbol ‘(H3)’
- R5(H4) Residential Zone, with the Holding Symbol ‘(H4)’
- R5(H6) Residential zone, with the Holding Symbol ‘(H6)’
- OS2(H) Open Space Park Zone, with the Holding Symbol ‘(H)’
- FUA(H) Future Urban Area Zone, with the Holding Symbol ‘(H)’

Staff recommend the Holding Symbols only be removed from the Subject Lands when the respective conditions for each Holding Symbol have been satisfied as follows:

1. Removal of the Holding Symbols ‘(H)’, ‘(H1)’, ‘(H2)’, ‘(H3)’, ‘(H4)’, ‘(H5)’, and ‘(H6)’, as shown on Attachment 3, shall not be removed until the Owner provides the following to the satisfaction of the City of Vaughan Development Engineering Department:
 - i) A copy of the Record of Site Condition (‘RSC’) for the Phase 1 lands covering all the lands within the Plan acknowledged by the Ministry of the Environment, Conservation, and Parks and filed on the Environmental Site Registry confirming the lands are suitable for the proposed residential development.

2. Removal of the Holding Symbol '(H1)', as shown on Attachment 3, from the Subject Lands, or any portion thereof, shall be contingent on the following:
 - i) For Lots 157 to 158, 190 to 196, 229 to 234 and 274 to 275, the completion of the following and concurrence of the findings to the satisfaction of the City, in consultation with the TRCA:
 - a. A Geotechnical/Slope Stability Study including a delineation of the toe of the wooded slope;
 - b. Plans to demonstrate how grading and retaining walls will be minimized to the greatest extent feasible; and
 - c. An assessment of access and hazard maintenance requirements to ensure the long-term persistence of the wooded slope.
 - ii) For Lots 276 and 316 to 320, the completion of the following materials and concurrence of the findings to the satisfaction of the City, in consultation with the TRCA:
 - a. A Geotechnical/Slope Study; and
 - b. Plans to demonstrate how grading and retaining walls will be minimized to the greatest extent feasible.
3. THAT the Holding Symbols '(H2)' and '(H3)', as shown on Attachment 3 and 4, be placed on the following lots/blocks (based on the 10th revision to DWG Name: Rizmi Draft Plan of Subdivision (denoted on Draft Plan September 4, 2020), dated November 15, 2017 and revised September 4, 2020, prepared by Lucas and Associates Consultants in Planning and Land Development:
 - Lots 328 to 357, Blocks 431, 478, 479 and Street P inclusive for the purposes of a public neighbourhood park;
 - Lots 369 to 427, Blocks 428, 476, 477 Streets "Q", "R", and "S" inclusive for the purposes of a stormwater management (SWM) facility; and
 - Lot 368 for the purpose of a sanitary pumping station facility.

The Holding Symbols '(H2)' and '(H3)' shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:

- i) The Owner shall submit a finalized Stormwater Management Strategy;
- ii) The Owner shall submit a Parks and Open Space Master Plan and Facility Fit Plan;
- iii) The Owner shall submit a comments-response matrix to address Parks Planning comments dated October 17, 2019, November 5, 2018 and

- September 5, 2018 with detailed comments and/or references to specific drawings/documents and or studies, to the satisfaction of Parks Planning;
- iv) Any information/documents deemed necessary by City for the purposes of carrying out a complete and comprehensive assessment of the proposed underground stormwater servicing strategy be submitted;
 - v) Any financial securities, Letter(s) of Credit and /or financial contributions be provided by the Owner, as deemed necessary by the City in order to implement the ultimate stormwater management strategy;
 - vi) If deemed necessary by the City, the Owner shall submit a final/revised Draft Plan to reflect any changes as a result of the review/assessment of Conditions i), ii), iii), iv) and v) above, including any changes to the proposed lotting fabric and/or extent of City park, storm water management ('SWM') and/or Open Space Blocks;
 - vii) The Owner agrees in the subdivision agreement to design and construct the wastewater pumping station, provide the required securities, convey the necessary lands and easements to the City and appropriately zone the lands unless alternative arrangements are made to the satisfaction of Development Engineering Department;
 - viii) The Owner shall submit the required reports to confirm the size of the wastewater pumping station and lands required for same to the satisfaction of Development Engineering Department;
 - ix) The Owner agrees in the subdivision agreement to design and construct the stormwater management pond, provide the required securities, convey the necessary lands and easements to the City and appropriately zone the lands unless alternative arrangements are made to the satisfaction of Development Engineering Department;
 - x) The Owner shall submit the required reports to confirm the size of the stormwater management pond and lands required for same to the satisfaction of Development Engineering Department; and
 - xi) The Owner agrees in the subdivision agreement to design and construct the necessary road network including cul-de-sacs, as required, to support the stormwater management pond unless alternative arrangements are made to the satisfaction of Development Engineering Department.

4. THAT the Holding Symbol '(H4)', as shown on Attachment 3, shall not be removed until completion of the following to the satisfaction of the City:

- i) The Owner shall agree in the subdivision agreement to design and construct the water booster station, provide the required securities and convey the necessary lands and easements to the City and appropriately zone the lands unless alternative arrangements are made to the satisfaction of Development Engineering; and

- ii) The Owner shall submit the required reports to confirm the size of the water booster station and lands required for same all to the satisfaction of Development Engineering Department.
- 5. THAT the Holding Symbols '(H5)' and '(H6)', as shown on Attachment 3, shall not be removed until completion of the following to the satisfaction of the City:
 - i) The Owner shall agree in the subdivision agreement to convey the necessary easements as required within the Plan, south of Block 430 (potential Kirby Road extension) to facilitate the construction of Kirby Road from Dufferin Street to the east limit of the Plan to the satisfaction of the City.
 - ii) The Owner shall agree in the subdivision agreement to convey the necessary easements as required north of Block 430 within Block 429 in the draft plan, for grading purposes to support the development of the lots and roads adjacent to the future Kirby Road, to the satisfaction of the City.
- 6. Notwithstanding the conditions above, a Public Neighbourhood Park, a Stormwater Management Pond, a sewage pumping station, a water booster station, and any related municipal infrastructure may be permitted prior to the removal of the Holding Symbols "(H2)", "(H3)" and "(H4)".

The following site-specific exceptions to Zoning By-law 1-88 are proposed to implement future residential development for the Draft Plan:

Table 1:

| | Zoning By-law 1-88 Standards | R5 Residential Zone Requirements | Proposed Exceptions to the R5 Residential Zone Requirements |
|----|---|--|--|
| a. | Permitted Uses | A storm water management pond is not permitted | Permit a storm water management pond in an R5 Zone |
| b. | Maximum Building Height | 11 m | 13 m |
| c. | Minimum Rear Yard | 7.5 m | 6 m |
| | Zoning By-law 1-88 Standards | R4 Residential Zone Requirements | Proposed Exceptions to the R4 Residential Zone Requirements |
| a. | Maximum Building Height | 9.5 m | 13 m |
| b. | Minimum Rear Yard | 7.5 m | 6 m |

The proposed exceptions to Zoning By-law 1-88 in Table 1 are required to implement the proposed residential building designs for Phase 1 of the Draft Plan. The proposed exceptions to the building height and rear yard building setback would not impact the surrounding land uses and are considered to be minor.

Section 3.10 of Zoning By-law 1-88 permits Public Uses in all zones. However, the definition of a Public Use includes storm sewer mains, but not specifically flood control measures such as storm water management ponds. The exception to the R5 Residential Zone has been added to specifically permit a storm water management pond.

Should the City in consultation with the TRCA approve an underground stormwater management tank facility as part of the review for Phase 2 of the Draft Plan (Attachment 4), the stormwater management pond currently included as part of the Phase 1 Draft Plan, shown on Attachment 3, may no longer be required. The area occupied by the stormwater management pond and park would then be developed for detached residential dwellings and the required local roads, as shown on Attachment 4.

Blocks 429 and 430 (Kirby Road Extension), as shown on Attachment 4, is currently zoned FUA Future Urban Area Zone, subject to Exception 9(1416), by Zoning By-law 1-88, as amended by By-law 023-2015. Exception 9(1416) states that, "The Subject Lands shall be subject to future *Planning Act* Applications, including but not limited to Zoning By-law Amendment and Draft Plan of Subdivision Applications in order to identify appropriate land use zones, delineate development limits, roadways, buffers, parks, storm water management facilities and infrastructure, setbacks for utilities and the protection of open space."

In accordance with this provision, the Development Planning Department recommends the portion of Block 421 designated as "Valley and Stream Corridor" by OPA 747 be zoned OS5(H) Open Space Environmental Protection Zone, with the Holding Symbol '(H)', as shown on Attachment 3.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, 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 a Minor Variance applications(s) within 2 years of the passing of the zoning by-law amendment. The Development Planning Department supports the inclusion of a resolution to accommodate minor design

changes that may occur through the finalization of all plans and construction. A resolution to this effect is included in the Recommendations of this report.

The Development Planning Department supports the approval for Phase 1 of the Draft Plan, subject to the Conditions of Approval

The Phase 1 Draft Plan shown on Attachment 4, includes up to 429 lots for detached residential dwellings with minimum frontages of 7.62 m served by 17.5 m and 20.5 m local roads, two park/stormwater management blocks, local roads, an open space block, open space acoustic buffer blocks, and a block for the future Kirby Road extension.

As noted above, the Owner is proposing to locate the stormwater management facility in an underground tank with a park located atop the facility in Phase 2 of the overall Draft Plan. To date, the Owner has not demonstrated the feasibility and long-term costs to the City of providing an underground storm water storage facility and park in the manner to the satisfaction of the City. In the interim, the Phase 1 Draft Plan includes lands for a storm water management pond and park, proposed to be zoned with the addition of the Holding Symbol '(H)' as shown on Attachment 3.

Through the review of Phase 2 of the Draft Plan, a final determination will be made regarding the location and design of the proposed underground storm water storage facility and park. Should it be determined these facilities can be designed and located in Phase 2, as proposed, the Holding Symbols will be removed from these lands allowing all 429 lots in Phase 1 to be developed with the underlying R4 and R5 Residential Zone standards. However, should it be determined the storm water management pond and park will remain in Phase 1 of the Draft Plan, the Holding Symbols will remain on these lots with a provision the lands may only be used for a storm water management pond and park as shown on Attachment 3, and requiring these lands to be dedicated to the City. This Plan would yield approximately 337 lots and conforms to the Minister's Order regarding the provision of a mix of lot frontages and areas. Conditions to this effect are included in Attachment 1a of this report.

The Development Planning Department supports the proposed phased Draft Plan, subject to the Recommendations and the Conditions of Draft Plan of Subdivision Approval outlined in Attachment 1a of this report.

The Subject Lands have been cleared of archaeological concerns

The Subject Lands have been cleared of archaeological concern and the standard archaeological clauses are included in the Conditions of Approval identified in Attachment 1a of this report. Prior to registration of the Draft Plan the Owner shall provide a copy of the letter of review and acceptance from the Ministry of Tourism, Culture and Sport, accepting the report titled, Stage 1-2 Archaeological Assessment of Rizmi Holdings Limited Part of Lot 30, Concession 2 Geographic Township of Vaughan,

York County, City of Vaughan, Regional Municipality of York, into the provincial database.

The future residential development must meet the Bronze Threshold Score

Prior to registration of the Draft Plan the Owner must submit the completed Sustainability Scoring Tool and Summary letter ('Sustainability Metrics Package') in support of the Plan. Future development must meet the minimum Bronze Sustainability Threshold Score. A condition to this effect is included in Attachment 1a of this report.

Policy Planning and Environmental Sustainability have no objections to the Rezoning and Phase 1 of the Draft Plan, subject to Conditions of Approval

Policy Planning and Environmental Sustainability has no objection to the Phase 1 Draft Plan, subject to the Conditions for lifting the Holding Symbol ('H1') and the Owner satisfying their conditions of approval in Attachment 1a of this report.

Parks Planning have no objections to the Rezoning and Phase 1 of the Draft Plan, subject to the Conditions of Approval

Parks Planning have no objection to the Phase 1 Draft Plan, subject to the Conditions for lifting the Holding Symbol ('H2') and ('H3') and the Owner satisfying their conditions of approval in Attachment 1a of this report.

Throughout the development application review process, the primary importance from a Parks Planning perspective is the provision and equitable distribution of parkland, access to open space trails and programming of outdoor recreational facilities within the proposed residential development.

The Draft Plan dated September 4, 2020 identifies two neighbourhood parks, Block 428 (1.10 ha) and Block 480 (0.31 ha) to provide outdoor recreational services to the residential development.

The Draft Plan shown on Attachment 3 presents the interim conditions whereby unencumbered parkland measuring approximately 1.12 ha in size is provided on the east side of proposed Street 'O' (Park Block 338), located adjacent to a stormwater management block (3.23 ha – SWM Pond Block 339).

The Draft Plan, as shown on Attachment 4, accommodates underground stormwater storage tanks under park blocks. In order to better inform the planning process for future community services in this Development, staff have requested the Owner provide additional information to better determine the community benefits of permitting services/infrastructure under a City owned park. Once the requested information is provided, the City will review and prepare a full and comprehensive assessment and evaluation of the merits of this proposal as part of Phase 2 of the Draft Plan. This

assessment will be contingent upon full and complete submission of requested information from the Owner to allow for a full assessment.

The Recommendations include conditions for a Draft Plan to permit either detached residential or open space park uses on the lots identified by the Owner in consultation with the Parks Planning Department on Attachment 3 (Block 338, approximately 1.12 ha). If the park identified in the eastern limits of the Draft Plan (Block 428) is not conveyed to the City due to the requirement for a stormwater management pond for the development of the Subject Lands, Block 338 on Attachment 3 (identified as Lots 328 to 357, Blocks 431, 478, 479 and Street P inclusive in the Draft Plan) for the purposes of a public neighbourhood park will be developed as a neighbourhood park and conveyed to the City as parkland. Should the approval of SWM under parkland be considered by the City, Block 428 will be conveyed and built by the Owner to the satisfaction of the City to coincide with the Phase containing the park or 25% occupancy of the approved residential lots.

The neighbourhood parks will be predominantly programmed to accommodate local service levels to meet the provision recommendations of the 2018 Active Together Master Plan. Outdoor recreational facilities proposed to be developed in this new community include, but not necessarily limited to playgrounds, play court(s), neighbourhood water play/splash pad, open lawn area, seating areas and public walkway connections to multi-use pedestrian and cycling trails that will form part of the Vaughan Super Trail (100km concept) through the TC Energy pipeline, existing valley corridors and to existing neighbourhoods.

The Development Engineering ('DE') Department has no objections to the Rezoning and Phase 1 of Draft Plan, subject to the comments in this report and the Conditions of Approval

Road Network

The proposed Draft Plan is located at the south-east corner of Dufferin Street and Kirby Road intersection, connecting two arterial roads. The Draft Plan accommodates the preferred alignment identified in the Kirby Road Extension EAS including a curve to the south to avoid Provincially significant wetlands in the area. The future Kirby Road extension from Dufferin Street to Bathurst Street will be designed and constructed by the City. Until such time as Kirby Road is fully constructed from Dufferin to Bathurst Street, the Draft Plan can be accommodated with two accesses, one full moves access to the north, onto the proposed temporary road aligned with future Kirby Road, and one right-in-right-out ('RIRO') access onto Dufferin Street. Upon full construction of Kirby Road to Bathurst, two accesses are proposed from the Draft Plan onto the future Kirby Road extension.

The submitted transportation studies demonstrate vehicle and active transportation demand from the Development will be adequately served by the proposed subdivision road network and the surrounding arterial road network after construction of the Kirby Road extension between Dufferin Street to Bathurst Street is complete. Further review will be required by the Development Transportation Department at the detailed design stage in order to satisfy requirements of Draft Plan conditions and comments provided to date.

Transit

York Region Transit provides transit service across York Region. Currently, transit in the area is available along Keele Street and Bathurst Street. However, as identified in York Region's Transportation Master Plan, frequent transit service is anticipated along Kirby Road as part of the regional 2027 - 2031 Transit Network plan.

Active Transportation

Multi-use trails are currently provided on the south side of Kirby Road west of Dufferin Street within Block 20 and proposed along both sides of the future Kirby Road Extension as identified by the Kirby Road Environmental Assessment Study. Paved shoulders are available for use by cyclists along Dufferin Street. The Draft Plan includes multi-use trails on one side for all collector roads in the subdivision and a regular sidewalk on the other side. As required by City standards, a sidewalk is also proposed along one side for all local roads in the subdivision. Pedestrian gates and fence openings to the subdivision are proposed along Dufferin Street and the future Kirby Road extension to improve active transportation circulation and connectivity to the surrounding network.

Transportation Demand Management ('TDM')

The proposed TDM plan includes both soft and hard TDM initiatives to encourage use of active transportation facilities and sustainable modes of transportation. The development includes new sidewalks and multi-use trails in the area to improve pedestrian and cyclist circulation. The proposed TDM strategy also recommends the Owner distribute information to tenants to encourage sustainable transportation and financial incentives such as subsidized transit passes to promote use of existing and planned transit connections.

Parking

The proposed subdivision consists of detached dwellings and meets the City's parking requirements identified by Zoning By-law 1-88.

Water Supply

The Subject Lands are located within Pressure District 9 ('PD-9'); however, the lands were never planned to be connected to the City's water network. The existing PD-9 water booster station located west of Dufferin Street has capacity constraints and there is no existing municipal PD 9 watermain infrastructure on the east side of Dufferin Street. The Owner submitted a Water Supply Analysis providing three potential

temporary servicing options to service the Subject Lands until York Region constructs a new PD-9 water booster station and subsequent infrastructure in the future (planned for 2028). The preferred option by the Owner includes the construction of a temporary PD-9 water booster station and associated works (Temporary Infrastructure) to support the Draft Plan. The Owner will be required to decommission, at the Owner's expense, any Temporary Infrastructure not supported by future planned Regional works. Furthermore, the Owner will also be required to pay for all upgrades to the existing municipal infrastructure including operation and maintenance costs of the Temporary Infrastructure to the satisfaction of the City.

The Development Engineering ('DE') Department has reviewed the Water Supply Analysis and in general, has no objections to the proposed servicing options, subject to the Owner addressing comments and conditions. The Owner is required to provide additional information to support the final water servicing strategy, including the location of the temporary water booster station. Based on the information submitted, the Development Planning Department have recommended certain lots be subject to the Holding Symbol '(H)' requiring the Owner to hold an area for the proposed temporary water booster station. The Owner's requirements are more specifically identified in past comments and the Conditions of Approval in Attachment 1a.

Sanitary Servicing

There is no municipal sanitary sewer adjacent to the Subject Lands. The Downstream Sanitary Sewer Analysis provides studies for two servicing scenarios. The first scenario includes wastewater flowing through municipal sewers in Block 20 and the second includes by-passing Block 20 and discharging wastewater directly to the existing sanitary sewer on Dufferin Street south of Hunterwood Chase. Both scenarios require a dedicated municipal wastewater pump station to collect and divert wastewater from the east end of the Subject Lands via a forcemain (within the Subject Lands) to municipal sewers in the west. The first option proposes connections to the Block 20 sanitary sewer system; this will cause theoretical surcharging of several municipal sewers and upgrades to the City's existing system. The preferred option requires the extension of the forcemain within the Subject Lands, south on Dufferin Street in order to connect to a gravity sewer south of Hunterwood Chase. The location of the wastewater forcemain along Dufferin Street will require approval by York Region.

The DE Department has reviewed the report and in general, has no objection to the preferred servicing option, subject to the Owner addressing conditions included in the Conditions of Draft Approval and comments included in the DE Department's comments memo and matrix dated August 14, 2020.

Stormwater Management

The Subject Lands are located in the Don River Watershed and are part of an intermittent East Don River tributary known as Paterson Creek. The Stormwater Management Report provides two servicing strategies. The interim solution considers a stormwater management pond with infiltration bed. The ultimate solution includes underground storage tanks with infiltration beds on park blocks. Additionally, a

perforated clean water collector system is proposed to collect the rooftops and backyards for both strategies. The DE Department has reviewed the report and requires the Owner to conduct further studies to demonstrate the feasibility of the stormwater management system including, underground storage tanks, infiltration bottoms, clean water collectors, oil/grit separators (or other quality control devices) with respect to functionality, operation, maintenance and capital replacement costs to the satisfaction of the City. This is a non-standard solution to essentially replace the typical storm water management pond and introduce additional costs to the City. In order to meet the current City's design criteria, the DE Department is recommending the Owner identify an area for and agree to construct a typical storm water management pond for the Draft Plan. Conditions to this effect are included in Attachment 1a.

Additional review and consideration of the non-standard underground stormwater management system will be required during the detailed design stage. Should DE Department agree to accept the non-standard underground storm water management system, the Owner will be required to financially contribute, to the City, for the future maintenance, operation and replacement costs of the system.

Lot Grading

The Subject Lands generally slope in the south-easterly direction and has a moderately steep topography with greatest descends of approximately 30 meters. In consideration of the unique topography and large gradients, some lots may require retaining walls. The DE Department has not received grading plans and reports to support the revised Draft Plan. The proposed grading of the Subject Lands and individual lot grading shall meet the current City's lot grading criteria and no structures shall be located on the municipal right-of-way.

The DE Department has identified grading will be required within Block 429 (potential Kirby Road extension) to support the municipal roads and lots abutting the future Kirby Road alignment. Similar grading requirements are identified to the south of Street B (in some areas as much as 30 metres may be required) on "Other Lands Owned by Applicant". The Owner will need to convey grading easements to the City, as required, to support the grading of the proposed lots and the proposed municipal roads and infrastructure. Conditions to this effect are included in Attachment 1a.

Noise Attenuation

Based on the previously provided Noise report, the sound levels due to road traffic from Dufferin Street and the future Kirby Road extension will exceed the Ministry of the Environment, Conservation and Parks ('MECP') acceptable sound limits for several lots. The report recommends noise barriers, mandatory air conditioning, forced air ventilation system with ducts sized to accommodate the future installation of central air conditioning and noise warning clauses for several lots adjacent to Dufferin Street and the Kirby Road extension. The Owner shall provide a revised Noise Report conforming to the revised Draft Plan.

Environmental Site Assessment

The Owner provided Phase I and Limited Phase II Environmental Site Assessment ('ESA') reports completed in 2012. In addition, a 2017 Supplemental Limited Phase II ESA was provided to address concerns related to the stockpile of recycled asphalt, topsoil, and scrap metal. The findings of the ESA reports did not identify any impacts in surficial soil or groundwater and indicated no further ESA investigations were recommended. Although limited surficial soil sampling was undertaken, the DE Department raised concerns in July 2018 regarding the absence of a more fulsome environmental investigation assessing the subsurface soils on the existing industrial aggregate site due to: the historical presence of above ground fuel storage tanks and stockpiled material; the significant earthworks that appeared to occur around the 1960s/1970s; and the MECP and City records indicate the Subject Lands may be associated with a former landfill site having MECP Reference # X5033.

As the proposed development will result in a change to a more sensitive residential land use requiring a MECP Record of Site Condition ('RSC') filed on the Environmental Site Registry confirming the Subject Lands are suitable, new ESA reports meeting O. Reg. 153/04 standards will be required in support of the RSC. Furthermore, an RSC covering all of the Subject Lands within the Draft Plan acknowledged by the MECP and filed on the Environmental Site Registry confirming the Subject Lands are suitable for the proposed residential development will be required.

The Owner is required to satisfy the requirements of the Blocks 12 and 20 Developer's Groups

Prior to final approval of the Plan, the Owner shall enter into a Developer's Group Agreement with the other participating landowners within Blocks 12 and 20 to the satisfaction of the City. The agreements shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu paid in accordance with the *Planning Act* and conform to the City's "Cash-in-lieu of Parkland Policy". This agreement shall also include a provision for additional developers to participate with the Developers' Group Agreements when they wish to develop their lands.

Prior to final approval of the Plan, the Trustee for Blocks 12 and 20 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Blocks 12 and 20 Landowner Cost Sharing Agreements.

Sewage and Water Allocation is available for Phase 1 of the Draft Plan

Vaughan Council on December 17, 2019, endorsed its latest Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The intention is to provide Council its next update in December 2020. Accordingly, servicing capacity to Draft Plan of Subdivision File 19T-18V004 (Phase 1) is available and unrestricted.

Therefore, the following resolution to allocate servicing capacity to Draft Plan of Subdivision File 19T-18V004 may be recommended for Council approval:

“THAT Draft Plan File Number 19T-18V004 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for up to 429 detached residential units (1,536 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City), in accordance with the City’s Allocation of Servicing Capacity Policy, if the development does not proceed to registration and/or building permit issuance within 36 months.”

The Kirby Road Environmental Assessment Study (‘EAS’) has been completed

Following Council’s authorization June 12, 2019 and Rizmi Holdings Limited (‘RHL’) finalization of the Environmental Study Report, the City of Vaughan proceeded jointly as co-proponents with RHL to issue the Notice of Study completion and file the Environmental Study Report on September 19, 2019 for the formal review period ending October 18, 2019. Confirmation was received on December 6, 2019 from the Environment Assessment and Permissions Branch of the Ministry of Environment Conservation and Parks that no Part II Order Request was received.

The project was approved in accordance with the Municipal Engineers Association Municipal Class Environmental Assessment October 2000, as amended (Environmental Assessment Act) and can proceed to detailed design and construction.

The Draft Plan of Subdivision accommodates the Preliminary Preferred Design as identified in the approved (December 2019) Kirby Road Extension between Bathurst Street and Dufferin Street EAS within the Future Urban Area Zone and Open Space Environmental Protection Zone located along the north limit of the Subject Lands.

Lots and roads abutting the Future Kirby Road Extension Block will be zoned with a Holding Symbol “(H5)” and “(H6)” until the final alignment of Kirby Road is approved, and the final, grading, lot and road network is determined.

Development Charges apply to the future residential development

The Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and the York Catholic District School Board. A condition to this effect is included in Attachment 1a of this report.

Cash-in-lieu of the Dedication of Parkland is required for the future residential development

The Owner is required to pay to the City of Vaughan, by way of certified cheque, a cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with 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 Infrastructure Delivery Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Prior to registration of the Draft Plan the Owner shall convey Park Blocks 480 and 428, or alternatively Lots 328 to 357, Blocks 431, 478, 479 and Street 'P', as shown on Attachment 4, to the City free of all encumbrances for parkland purposes and will be credited for this dedication as provided in the parkland dedication requirements of the *Planning Act*. The proposed parkland conveyance will be required to satisfy the City's policies and procedures for land conveyance and/or cash-in-lieu of parkland dedication.

As stated in the Parks Planning section, staff have requested the Owner provide additional information to better determine the community benefits of permitting services/infrastructure under a City owned park. Once the requested information is provided, the City will review and prepare a full and comprehensive assessment and evaluation of the merits of this proposal as part of Phase 2 of the Draft Plan. This assessment will be contingent upon full and complete submission of requested information from the Owner to allow for a full assessment. Lands encumbered with below grade structures or SWM/treatment services will be reviewed for parkland credit eligibility, if any, including all lands within the proposed parkland Blocks required for maintenance access and above grade servicing structures.

The York Region District School Board, York Catholic District School Board and Conseil Scolaire de District Catholique have no objection to the Rezoning and Draft Plan for Phase 1

The York Region District School Board, York Catholic District School Board, and Conseil Scolaire de District Catholique have no objection to the Applications and do not require a school site within the Subject Lands.

The Toronto and Region conservation Authority has no objection to the Rezoning and Draft Plan for Phase 1, subject to Conditions of Approval

Prior to any development, pre-servicing or site alteration, or registration of the Plan or any phase thereof, the Owner shall submit to the TRCA a detailed engineering report. The engineering report must to describe the storm drainage system, including a soil

capacity analysis, and a mitigation strategy whereby runoff volumes from the Subject Lands will match existing conditions prior to reintroducing stormwater to the watercourse. The TRCA also requires updated floodplain mapping, grading plans to indicate how grade differentials will be accommodated, and clearance from TC Energy on potential impacts to the downstream berm and pipe, for the proposed Draft Plan.

An adequate stormwater management block shall be maintained for all stormwater management requirements. No site alteration, pre-servicing or registration of the Draft Plan or any part of, shall be permitted until it is shown a functional stormwater strategy is accepted by the TRCA, City of Vaughan and TC Energy.

The Owner will be required to obtain all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the Subject Lands, where permits would be required, and permits related to any associated infrastructure or stormwater management works required that are located off of the Subject Lands to support the Draft Plan.

The Owner shall provide an updated Environmental Impact Study ('EIS') for Phase 1 of the Subject Lands including a restoration plan for all buffers to the eastern stream corridor, and an assessment of ecological enhancement opportunities within the eastern valley corridor.

As part of the development of the park and/or storm water management in Block 428 of the Draft Plan the Owner shall provide a continuous 10-meter environmental buffer within Block 428 adjacent to the stream corridor in accordance with the TRCA's requirements. This buffer is to be re-naturalized and will allow for grading and stormwater management outlets.

As lands external to the Draft Plan are not associated with the Draft Plan or its approval, the shall Owner agree to make suitable arrangements for the permanent protection of the stream corridor and wetland lands east of Block 428, Lots 410 to 417 and Block 476 to the satisfaction of the City and the TRCA.

The TRCA has no objection to the Applications, subject to their conditions included in Attachments 1c of this report.

Alectra Utilities Corporation, Bell Canada and Enbridge Gas Distribution have no objection to the Applications, subject to Conditions of Approval

Alectra Utilities Corporation, Bell Canada, and Enbridge Gas Distribution have no objection to the approval of the Applications, subject to their Conditions of approval included in Attachments 1d, 1e and 1f respectively, of this report.

Canada Post has no objection to the rezoning and Draft Plan for Phase 1, subject to Conditions of Approval

Canada Post Corporation has no objection to the Applications, subject to their conditions of approval included in Attachment 1g of this report.

TC Energy has no objection to the rezoning and Draft Plan for Phase 1, subject to Conditions of Approval

Phase 1 of the Draft Plan is located north of three TC Energy high pressure natural gas pipelines. TC Energy is subject to the jurisdiction of the Canada Energy Regulator ('CER') – formerly the National Energy Board ('NEB'), which has a number of requirements regulating development in proximity to its pipelines and facilities. Phase 1 of the Draft Plan does not impact TC Energy's pipeline directly, however, consideration should be given to stormwater management facilities and grading that could impact the pipeline right-of-way on the future development block to the south.

TC Energy requests early consultation to ensure the stormwater management plan maintains current volumes into the wetland in the southeast east corner of the property, ensure flooding does not occur within the pipeline right-of-way in a 5-year event, ensure final grades on the pipeline right-of-way maintain the current elevation/depth of cover, all roads must be set back 7m from the pipeline right-of-way, and all permanent buildings or structures must be set back 7m from the pipeline right-of-way.

TC Energy has no objection to the Applications, subject to their conditions included in Attachments 1h of this report.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has no objection to the to the Rezoning and Phase 1 of Draft Plan, subject to the comments in this report and the Conditions of Approval

The York Region Community Planning Department has no objection to the Draft Plan subject to the Region's Schedule of Clauses and Conditions of Draft Plan of Subdivision Approval and comments in Attachment 1b.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Draft Plan of Subdivision Files Z.18.004 and 19T-18V004 in consideration of the applicable policies of the Minister's Order, York Regional Official Plan 1994, and OPA

600, as amended, Zoning By-law 1-88, comments from the public, City Departments and external public agencies, and the surrounding existing and planned land use context.

The proposed rezoning of the Subject Lands and Phase 1 of the Draft Plan as show on Attachment 3 is consistent with the policies of the Minister's Order, York Regional Official Plan 1994, and OPA 600, as amended. The Development Planning Department can support the approval for Phase 1 of the Applications, subject to the Recommendations in this report and the Conditions of Approval set out in Attachment 1a.

For more information, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Phase 1 Draft Plan of Subdivision File 19T-18V004 and Proposed Zoning including Park and Storm Water Management Pond
4. Phase 1 Draft Plan of Subdivision File 19T-18V004 - Full Residential Lotting
5. Land Use Map for Minister's Order Superimposed on Draft Plan of Subdivision File 19T-18V004
6. Minister's Order

Prepared by

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Mauro Peverini, Director of Development Planning, ext. 8407

Reviewed by

Approved by



Nick Spensieri, Deputy City
Manager, Infrastructure
Development



Jim Harnum, City Manager

ATTACHMENT NO. 1

CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-18V004 (THE 'PLAN')
RIZMI HOLDING LIMITED (THE 'OWNER')
PART OF LOT 30, CONCESSION 2, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-18V004 (THE 'PLAN'), ARE AS FOLLOWS:

The Owner shall satisfy the following Conditions of Approval:

1. The Conditions of Approval of the City of Vaughan as set out in Attachment No. 1a).
2. The Conditions of Approval of York Region as set out in Attachment No. 1b) and dated August 27, 2020 and September 23, 2020.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out in Attachment No. 1c) and dated August 19, 2020 and September 4, 2020.
4. The Conditions of Approval of Alectra Utilities Corporation as set out in Attachment No. 1d) and dated May 19, 2020.
5. The Conditions of Approval of Bell Canada as set out in Attachment No. 1e) and dated September 19, 2019.
6. The Conditions of Approval of Enbridge Gas Distribution Inc. as set out in Attachment No. 1f) and dated June 20, 2018, updated June 10, 2020.
7. The Conditions of Approval of Canada Post as set out in Attachment No. 1g) and dated May 8, 2020.
8. The Conditions of Approval of TC Energy as set out in Attachment No. 1h) and dated August 31, 2020.

Clearances

1. The City shall advise that the Conditions contained in Attachment No. 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 contained in Attachment No. 1b) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. The Toronto and Region Conservation Authority shall advise that the Conditions contained in Attachment No. 1c) has been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
4. Alectra Utilities shall advise that the Conditions contained in Attachment No. 1d) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
5. Bell Canada shall advise that the Conditions contained in Attachment No. 1e) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
6. Enbridge Gas Inc. shall advise that the Conditions contained in Attachment No. 1f) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
7. Canada Post shall advise that the Conditions contained in Attachment No. 1g) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
8. TC Energy shall advise that the Conditions contained in Attachment No. 1h) have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT NO. 1 a)

**DRAFT PLAN OF SUBDIVISION FILE 19T-18V004 ('THE PLAN')
RIZMI HOLDINGS LIMITED ('THE OWNER')
PART OF THE LOT 30, CONCESSION 2, 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
PLAN OF SUBDIVISION FILE 19T-18V004, ARE AS FOLLOWS:**

CITY OF VAUGHAN CONDITIONS

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Lucas & Associates, Rizmi Draft Plan of Subdivision Drawing, dated September 4, 2020, and redlined dated September 4, 2020 (the 'Plan').
2. The lands within the Plan shall be appropriately zoned by a Zoning By-law which has come into effect in accordance with the provisions of the *Planning Act*.
3. The Owner on November 8, 2012 appealed VOP 2010 with respect to certain lands, including the Subject Lands, to the LPAT (identified as Appeal #62 in the City of Vaughan List of VOP 2010 Appellants) and this appeal remains outstanding. The appeal of Vaughan Official Plan 2010 (Appeal #62) (LPAT case no. PL11184) shall be withdrawn for Phase 1 of the Subject Lands to the satisfaction of the Deputy City Manager Administrative Services & City Solicitor, and the Deputy City Manager Planning & Growth Management, within 45 days of Council enactment of the Zoning By-law amendment, or should there be an appeal of the Zoning By-law amendment, then within 45 days of the decision or order approving the Zoning By-law amendment.
4. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with the in-effect Tariff of Fees By-law.
5. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. The road allowances included within the Plan shall be dedicated as public highways without monetary consideration and free of all encumbrances.
7. The road allowances included within the Plan shall be named to the satisfaction of the City and the York Regional Transportation and Infrastructure Planning Branch.

8. The road allowances included in the Plan shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 metre reserves. The pattern of streets and the layout of Lots and Blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
9. Any dead ends or open sides of road allowances created by the Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
10. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York.
11. Prior to final approval of the Plan, the Owner shall provide easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
12. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
13. Prior to the initiation of grading, and prior to the registration of the Plan or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within the Plan, which report shall include:

- a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- b) the location and description of all outlets and other facilities;
- c) storm water management techniques which may be required to control minor or major flows; and
- d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned

reports to the satisfaction of the City.

14. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the proposed development.
15. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized by others to accommodate the development of the plan.
16. Prior to final approval of the Plan, the Owner shall make the necessary arrangements at the expense of the Owner for the relocation of any utilities required by the development of the Plan to the satisfaction of the City.
17. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. This Plan shall be provided with decorative streetlighting to the satisfaction of the City.
18. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
19. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermain within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
20. The Owner shall cause the following warning clause, Council approved September 29th, 1997 with respect to "Tree Fees", shall be included in the subdivision agreement and included in a schedule to all offers of purchase and sale, or lease for all Lots/Blocks within the entire Plan:
 - (a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling.”

- b) “Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

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

- c) “Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio and Telecommunications Corporation (‘CRTC’) and Innovation, Science and Economic Development Canada (‘ISED’) authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs.”

- d) “Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan By-Law 1-88, as amended, as follows:

- i) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
- ii) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

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

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

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

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

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

agreement.

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

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

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

- 21. Prior to final approval of the Plan or when requested by the City, whichever comes first, the Owner shall convey an eight (8) meter widening (Block 430) for the future Kirby Road extension from Dufferin Street to the eastern limits of the Plan of Subdivision, free of all costs and encumbrances, to the satisfaction of the City. The Owner shall prepare the necessary plans and enter in the required agreements with the City to facilitate the conveyance of the lands, as required, to the satisfaction of the City.
- 22. The Owner acknowledges that the final engineering design(s) may result in minor variations to the Plan (e.g. in the configuration of road allowances and lotting, number of lots etc.), which may be reflected in the final Plan to the satisfaction of

the City.

23. The Owner shall agree in the subdivision agreement to revisions on the Plan to incorporate the recommendations of the approved Kirby Road Individual Environmental Assessment, if required, to the satisfaction of the City.
24. Prior to final approval of the Plan, the Owner shall provide a Surveyor certificate confirming the final alignment of the Kirby Road extension pursuant to the recommendations of the approved Kirby Road Individual Environmental Assessment, if required, to the satisfaction of the City.
25. Prior to final approval of the Plan, the Owner shall submit a revised Traffic Impact Study and Transportation Demand Management ('TDM') Plan to the satisfaction of Development Engineering Department.
26. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until Kirby Road and all required infrastructure is constructed from Dufferin Street to "Street J" unless alternative arrangements are made, to the satisfaction of the City.
27. Prior to final approval of the Plan, the Owner shall provide detailed intersection design drawings for all proposed accesses onto Kirby Road to the satisfaction of the City unless alternative arrangements are made with the City.
28. The Owner shall agree in the subdivision agreement to fully construct proposed intersections and accesses from the subdivision to Kirby Road at the Owner's cost as per the approved construction drawings unless alternative arrangements are made with the City. The cost shall be secured through a letter of credit based on cost estimates, to the satisfaction of the City.
29. Prior to final approval of the Plan, the Owner shall provide detailed design drawings for the proposed temporary road from Dufferin Street to Street J to the proposed subdivision access, if required, to the satisfaction of the City. The Owner shall agree in the subdivision agreement to fully construct the temporary road at the Owner's cost as per approved drawings.
30. The Owner shall agree in the subdivision agreement that any changes including decommissioning, as may be required, of temporary infrastructure constructed by the Owner for access to the Plan along the Kirby Road alignment shall be paid and completed by the Owner, to the satisfaction of the City.
31. The Owner shall provide detailed design drawings for the proposed subdivision road network to the satisfaction of the City. The detail design drawings should provide pedestrian connections to the surrounding arterial road network and include the location of sidewalks, multi-use paths, crossings, pavement markings, signage, cross-rides, bike lanes and other transportation infrastructure to the

satisfaction of the City.

32. Prior to final approval of the Plan, the Owner shall provide a pavement marking and signage plan for the Plan to the satisfaction of the City. The Owner shall agree in the subdivision agreement to fully implement the pavement markings and signage at the Owner's cost as per approved drawings to the satisfaction of the City.
33. The Owner acknowledges and agrees that the mid-block cross-section for proposed minor collector roads (Street B, Street J, and Street O) in the Plan will be designed to provide 3.5m lane widths capable of accommodating transit vehicles, 2.5m wide on-street parking on one side of the road, a 3m wide multi-use path and 1.5m wide sidewalk.
34. The Owner shall design and construct a temporary cul-de-sac on the north end of Street O per the City standards for the interim conditions prior to the first occupancy permit at its cost. The Owner shall remove the cul-de-sac, restore the affected roadway and boulevards and design and construct an access to Kirby Road, per City standards, once Kirby Road is constructed in the ultimate condition from Dufferin Street to Bathurst Street, unless alternative arrangements are made to the satisfaction of the City.
35. The Owner shall agree in the subdivision agreement that no application of building permits will be made for dwelling units on Blocks 478 and 479 until the temporary cul-de-sac is replaced with an intersection to the ultimate Kirby Road and the roadway and the boulevards are reinstated.
36. The Owner shall design and construct a cul-de-sac, as shown on the Plan, that locates partially on Street B, Street P and Street R at its own cost until the land is zoned to an appropriate zone category to facilitate development of residential lots to the satisfaction of the City. The Owner shall remove the cul-de-sac, restore the affected roadways and boulevards and design and construct Street R, Street S, Street Q and Street P as per City standards at its cost.
37. The Owner shall agree in the subdivision agreement that no application of building permits will be made for dwelling units on Lots 369 to 373 until the temporary cul-de-sac is replaced with the approved roadways, as shown in the Plan, and the roadways and the boulevards are reinstated.
38. The Owner shall provide detail design drawings for the alternative Street B alignment showing that subdivision roads including horizontal curvature and sight triangles meet City standards and to the satisfaction of the City. The Owner shall agree that the Plan be redlined to reflect the ultimate alignment of Street B to the satisfaction of the City and TRCA and make necessary changes to the proposed lots and future roads.
39. The Owner shall convey easements on the south side of the future Kirby Road

extension, within the Plan, upon request by the City or prior to final approval (whichever comes first), for the purposes of grading required for the construction of Kirby Road pursuant to the Kirby Road Environmental Assessment from Dufferin Street to east limits of the Plan, free of all costs and encumbrances. The Owner shall enter into the necessary agreement(s) with the City for the conveyance of these lands, as necessary, to advance the construction of Kirby Road from Dufferin Street to Bathurst Street in accordance with the completed and approved Kirby Road Environmental Assessment. Upon request by the City, the Owner shall prepare and deposit the necessary plans for the conveyance of the easements, all to the satisfaction of the City.

40. Prior to final approval of the Plan the Owner shall convey to the City grading/construction easements north of Block 430, within Block 429 on the Plan adjacent to the future Kirby Road extension, to support the construction of the lots and roads within the plan from Dufferin Street to the east limit of the Plan, free of all costs and encumbrances to the satisfaction of the City.
41. Prior to final approval of the Plan the Owner shall convey to the City grading/construction easements south of the limits of Street "B" within lands described as "Other Lands Owned by Applicant" on the Plan, to support the construction of the lots and roads within the plan from Dufferin Street to the east limits of Street "B", free of all costs and encumbrances, to the satisfaction of the City.
42. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed Geotechnical Report to the satisfaction of the City. The report shall consider the impact of the proposed grading/filling to support the proposed municipal roads and include monitoring for future road settlements where required.
43. Prior to final approval of the Plan the Owner shall provide Geotechnical certification for any engineered fill or structures to support the proposed municipal roads or stormwater management facilities within Plan.
44. Prior to final approval of the Plan the Owner shall provide Grading and Servicing plans to the satisfaction of the City.
45. Prior to final approval of the Plan, the City and Region of York shall confirm that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
46. Prior to final approval of the Plan the Owner shall provide revised Master Environmental Servicing Plan.
47. Prior to final approval of the Plan the Owner shall provide an updated Functional Servicing Report confirming the existing municipal infrastructure has capacity to

service the proposed development.

48. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the City for review and approval and shall include a comprehensive water distribution network analysis to demonstrate that adequate water supply for fire flow demands is available for the Plan.
49. The Owner shall agree in the subdivision agreement to undertake an assessment of the City's existing downstream sanitary sewer system. In the event the findings of this analysis identify the need to undertake improvements to the existing downstream sanitary sewer system in order to accommodate the additional sewage flows from the development of the subject lands, the Owner shall design and construct these system improvements at no cost to the City and to the satisfaction of the City.
50. The Owner shall agree in the subdivision agreement to obtain all required approvals and convey the necessary lands and/or easements to the City, free of all costs and encumbrances, for the required water system and water booster station, sanitary sewers, pumping station and storm sewers and any other municipal infrastructure required to service the subject lands to the satisfaction of the City.
51. The Owner shall agree in the subdivision agreement to design and construct all internal and external infrastructure required to service the development. The Owner shall provide securities for the construction and decommissioning infrastructure and pay for any non-standard infrastructure which requires additional operation and maintenance cost.
52. The Owner shall agree in the subdivision agreement to locate, design and construct the temporary water booster station on the Owner's lands at no cost to the City and to the satisfaction of the City. The Owner shall convey the lands to the City free of all costs and encumbrances and provide securities for the construction and decommissioning of the temporary water booster station unless other arrangements are made to the satisfaction of the City.
53. The Owner shall agree in the subdivision agreement to design and construct the interim water distribution network required to service the development, along Dufferin Street and Kirby Road, at no cost to the City and to the satisfaction of the City. Furthermore, the Owner, is required to decommission the interim Pressure District 8 ('PD8) booster station and connect to the City's ultimate Pressure District 9 ('PD'9) servicing scheme per the City's ongoing Integrated Urban Water Master Plan ('IUW-MP') Class EA at the Owners expense.
54. The Owner shall agree in the subdivision agreement to provide payment to the City for the future maintenance and operation of the temporary water booster station until such time as the temporary water booster station is decommissioned, all to the satisfaction of the City.

55. The Owner shall agree in the subdivision agreement to design and construct the wastewater forcemain required to service the Plan, at no cost to the City and to the satisfaction of the City. The Owner shall obtain Region of York approval for any work proposed on Dufferin Street.
56. The Owner shall agree in the subdivision agreement to locate, design and construct a sewage pumping station on the Owner's lands at no cost to the City and to the satisfaction of the City. The Owner shall convey the lands to the City free of all costs and encumbrances and provide securities for the construction of the sewage pumping station.
57. The Owner shall agree to finance and implement and/or contribute to sanitary sewage system improvements in the Bathurst Collector Sewer service area, as required, based on the conclusions and recommendations of the City's Interim Servicing Strategy (ISS) Study, to the satisfaction of the City.
58. Prior to final approval of the Plan, the Owner shall submit a letter to the City from the Block 12 Developer's Group indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 12 Developer's Group Cost Sharing Agreement, if applicable.
59. Prior to final approval of the Plan, the Owner shall submit a letter to the City from the Block 20 Developer's Group indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 20 Developer's Group Cost Sharing Agreement, if applicable.
60. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed Stormwater Management Report to the satisfaction of the City.
61. The Owner shall agree in the subdivision agreement to construct a stormwater management pond per City Standards within Block "X" on the redlined Plan (Lots 369 to 427, Blocks 428, 476, 477 and Streets R, S and Q on Report Attachment 4) unless alternative arrangements are made, at the Owner's cost and to the satisfaction of the City. In the event an alternative stormwater management system is accepted by the City, the Owner shall provide a one-time financial contribution to the City for the incremental costs of operation and maintenance and costs related to replacement of the system in the future, to the satisfaction of the City.
62. The Owner shall convey the lands required for the stormwater management pond to the City for stormwater management purposes, free of all costs and encumbrances, to the satisfaction of the City.
63. Prior to final approval of the Plan, the Owner shall obtain approval from TRCA for the required permanent stormwater management system outlet to service the

subject lands, to the satisfaction of TRCA and the City.

64. The Owner shall agree in the subdivision agreement to convey (or to arrange for the conveyance of) any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services for the Plan, which may include any required easements and/or additional lands within and/or external to the Plan, to the satisfaction of the City.
65. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.
66. Prior to the initiation of the grading or striping of topsoil and final approval, the Owner shall submit a topsoil storage Plan detailing the location, size, slopes stabilization methods and time period, for the review and approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on the either park or school Blocks.
67. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and/or final execution of a subdivision agreement, to the satisfaction of the City.
68. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City, and no Building Permit shall be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan:
 - the Neighbourhood Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines etc.;
 - the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval;
 - the location of parks, open space, stormwater management facilities and trails;
 - the location of institutional uses, including schools, places of worship, community facilities;
 - the location of sewage pumping stations and water boosting stations;
 - the location and type of commercial sites;

- colour-coded residential for townhouses;
- the following notes in BOLD CAPITAL TYPE on the map:

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

"For detailed grading information, please call the developer's engineering consultant, (name) at ".

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

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

69. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.
70. The Owner shall prepare a noise report at the Owner's expense and shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the noise consultant recommendations in the report to the satisfaction of the City.
71. The Owner shall agree in the subdivision agreement to revise the noise report and amend the subdivision agreement if additional noise attenuation is required to the satisfaction of the City.
72. Any proposed road allowances, road widening, and daylight corners on the Plan shall be dedicated as public highway on the final plan for registration to the satisfaction of the City and free of all charges and encumbrances.
73. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study for the review and approval of the City that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
74. Prior to final approval of the Plan and/or commencement of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - a) Submit a Phase One Environmental Site Assessment ('ESA') report, a Phase Two ESA, and if required and as applicable, a Remedial Action Plan ('RAP'), Risk Evaluation, Risk Assessment report(s) in accordance with Ontario

Regulation (O. Reg.) 153/04 (as amended), for the lands within the Plan. The Phase Two ESA report shall include an assessment of the surface and subsurface soils to address potential impacts from, but not limited to, fuel storage tanks, industrial activities and stockpiling, land filling, and the potential presence of deposited waste. Appropriate groundwater sampling and analysis and an assessment of potential subsurface vapour impacts, such as methane and volatile organic compounds ('VOCs'), should also be undertaken. Reliance on the report(s) from the Owner's environmental consultant shall be provided to the City.

- b) Submit a complete copy of the Record(s) of Site Condition ('RSCs') filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan.
 - c) MECP and City records indicate that the development lands historically may have been associated with a former waste disposal site having MECP reference number X5033. As applicable, the Owner shall submit documentation from the MECP confirming there are no approvals, orders, restrictions, objections, and/or concerns with respect to the MECP landfill X5033 record and the proposed change to a residential development.
 - d) Submit a sworn statutory declaration by the Owner confirming the environmental condition of the lands to be conveyed to the City.
 - e) Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
75. Prior to the conveyance of land and/or release of applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:
- a) For all parks, open spaces, landscape buffers, and storm water management pond block(s) in the Plan that are being conveyed to the City, submit a limited Phase Two Environmental Site Assessment (ESA) report in accordance or generally meeting the intent of Ontario Regulation (O. Reg.) 153/04 (as amended) assessing the fill in the conveyance block(s) for applicable contaminants of concern. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City. The implementation of the sampling and analysis plan shall be completed to the satisfaction of the City and shall only be undertaken following certification of rough grading but prior to placement of topsoil placement. Reliance on the ESA report(s) from the Owner's environmental consultant shall be provided to the City.
 - b) If remediation of any portions of the conveyance block(s) is required in order to meet the applicable Standards set out in the Ministry of the Environment,

Conservation, and Parks (MECP) document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the entire conveyance block(s) where remediation was required.

- c) Submit a sworn statutory declaration by the Owner confirming the environmental condition of the conveyance block(s).
 - d) Reimburse the City for the cost of the peer review of the ESA reports and associated documentation, as may be applicable.
76. The Owner shall agree in the subdivision agreement to include the following warning statements, in wording satisfactory to the City, in all agreements of Purchase and Sale/or tenants within the Plan:
- (a) abutting or in proximity of any parkland, walkway or stormwater management access:
 - "Purchasers and/or tenants are advised that the lot abuts a "Walkway" of which noise and lighting may be of concern. "
 - (b) encroachment and/or dumping:
 - "Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot/block to the park and/or open space are prohibited."
 - (c) gate of access point:
 - "Purchasers and/or tenants are advised that the installation of any gate of access point from the lot/block to the walkway is prohibited."
 - (d) potential transit route:
 - "Purchasers and/or tenants are advised that Dufferin Street and Kirby Road may be used as transit routes in the future."
 - (e) Landfill:
 - "Purchasers and/or tenants are advised that the City of Toronto owned and operated a landfill within 4 kilometres of the property and the facility is now closed and will be redeveloped into a passive park."

(f) Oak Ridges Moraine:

- "Purchasers and/or tenants are advised that the Plan lies within the boundary of the Oak Ridges Moraine as defined through the Oak Ridges Moraine Conservation Plan, April 22, 2002."

(g) abutting any open space, woodlot or stormwater facility:

- "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."

(h) Kirby Road alignment:

- "Purchasers and/or tenants are advised that potential changes to the lot locations and configurations are expected due to the future Kirby Road alignment."
- "Purchasers and/or tenants are advised that a temporary cul-de-sac is located at the north end of Street O. The cul-de-sac will be removed and a roadway will be design and constructed as an access to Kirby Road, per City standards, once Kirby Road is constructed in the ultimate condition from Dufferin Street to Bathurst Street, unless alternative arrangements are made to the satisfaction of the City."

77. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.

78. The Owner shall agree in the Subdivision Agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

79. a) The Owner shall dedicate Park Block 428 to the City, free of all charges and encumbrances;

b) The Owner dedicate Park Block 480 to the City, free of all charges and encumbrances;

c) Should underground stormwater (SWM) servicing development associated with parkland be proposed, the Owner shall submit a proposal that addresses the comments from letters of October 17, 2019, November 5, 2018 and September 5, 2018, specific to storm water servicing under public parkland, prior to the final approval and to confirm the necessity for, and benefit of, storm water servicing development associated with

parkland and shall enter into any future agreements that may be necessary related to the costs (capital and operational), enhancements to park facilities, design, development, management/operations, and legal arrangements for municipal property. The Owner shall provide a summary that describe the following to the satisfaction of the City.

- i. Identify design and construction requirements and restrictions for implementation, renovation or redevelopment of 'parklands' encumbered by SWM structures/infrastructure;
 - ii. Identify the requirements and restrictions on plantings, including large caliper trees, over the lands that will be encumbered with below and above grade SWM structures/infrastructure;
 - iii. Identify the maximum cover (topsoil) and loading restrictions (live or dead), over the SWM structure(s), allowed and how will this limit the development at grade and
 - iv. Identify the active and passive outdoor recreational facilities that can be accommodated, in accordance with the services levels described in the 2018 Active Together Master Plan in the proposed 'parkland' areas (taking into account setback requirements from roads and proposed residences) and based on the above-noted servicing/maintenance requirements for underground servicing structures.
- d) Alternatively, should underground stormwater servicing development associated with the parkland on Block 428 not be approved, the Owner shall dedicate Lots 328 to 357, Blocks 431, 478, 479 and Street P inclusive and as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) as Block 338 for the purposes of a public neighbourhood park;
- e) A park and stormwater management pond are identified in Phase 1, however, these facilities may be relocated to Phase 2 subject to further study. If determined by the City that these facilities can be located in Phase 2, the park and pond in Phase 1 will be developed with lots with R4 and R5 Residential Zoning. If park and stormwater management pond are determined to not be feasible in Phase 2, the park and stormwater management pond will remain in Phase 1 generally on Lots 328 to 357, 369 to 427, Blocks 428, 431, 476, 478, 479 and Streets P, Q, R and S to be red-lined to the satisfaction of the City and the park and stormwater management pond lands shall be conveyed to the City.
- f) Development of Park Blocks 428 and 480 or alternatively Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) shall be coordinated with residential development on the subject lands in order to provide recreational facilities to the local residents in a timely manner. The Owner shall agree that they shall develop the park

block(s) in accordance with the "Developer Build Parks Policy, No. 07.2.05", and the timing of said development, such that the City can plan and budget accordingly;

- g) The Owner shall dedicate Park Blocks 428 and 480 or alternatively Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) to the City free of all encumbrances for parkland purposes and will be credited for this dedication as per the parkland dedication requirements under the *Planning Act*. The proposed parkland conveyance will be required to satisfy the City's policies and procedures for land conveyance and /or cash in lieu of parkland dedication.
 - h) Prior to final approval of the Plan, the Owner shall have made satisfactory agreements with the City to convey and develop the necessary lands for public park use. The park development works are to coincide with the Phase that contains the park or 25% occupancy of the approved residential lots to provide a public park on lands, described as 428 and 480 or alternatively Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) for the purpose of a public recreational use, such as playground equipment, play courts, pedestrian pathways, lighting, site furnishings, sodded open lawn area, tree planting, park signage and all associated facilities and site services. The agreement shall address construction costs, maintenance, access, liability and land title.
 - i) Prior to the execution of the subdivision agreement, the Owner shall agree to develop the base requirements for Park Blocks 428 and 480 or alternatively Block 338 and 384 in accordance with items listed below. The timing of these works shall be completed within two growing seasons of the first Building Permit for the phase which contains the park.
80. Prior to the registration of the Plan, the Owner shall agree to complete a Master Plan and Facility Fit Plan to the City's standard level of service for Park Blocks 428 and 480 or alternatively Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) and Block 476 for the purpose of public recreational use, to the City's satisfaction, and shall include the following information:
- a) Illustrate the proposed recreational program requirements and level of service to meet the projected population and demographics as determined by the City per the recommendations of the 2018 Active Together Master Plan ('ATMP') or its successor document, and informed by the findings and recommendations of the Community Services and Facilities Report prepared for the Plan.

- b) Demonstrate a sound design approach at locations where proposed public parks and recreational facilities are adjacent to private development. An integrated design approach is adopted towards built form, pedestrian connections, and ground floor programming to the City's satisfaction for the interface between the public park and recreational facilities and the private development.
- c) Demonstrate land configuration and grading to allow for the placement and development of appropriate outdoor recreational facilities.
- d) Provide boundaries of proposed parkland dedication and the total size of individual Blocks.
- e) Provide an existing conditions plan illustrating topographic information in order to assess slopes and drainage, and vegetation, identifying species, age, size and condition.
- f) Provide a grading plan illustrating proposed storm water run-off, surface drainage patterns and sub-surface storm water servicing requirements.
- g) Provide a preliminary construction cost estimate.
- h) Layout plan which illustrates proposed park program and outdoor recreational requirements as determined by the City.
- i) Required restoration works and Edge Management Plan for park Blocks abutting open space and associated buffer, if applicable.
- j) The plans are to be completed by a registered Landscape Architect and are required to provide sufficient information to confirm facility and program requirements to the satisfaction of the City.

81. That the Owner agrees in the subdivision agreement that:

- a) Irregular non-programmable park configuration may not be considered for parkland conveyance.
- b) Parkland shall be dedicated in accordance with By-law 139-90, as amended by 205-2012 and policies outlined in the Vaughan Official Plan 2010 ('VOP 2010') Section 7.3.3 Parkland Dedication (currently under appeal, as approved by Council and the Region of York and represents the City's current position).
- c) Public parks shall be unencumbered by utility easements and structures, transformer boxes, Canada Post mail boxes and/or access, overland flow routes, railway and pipeline safety buffers and zones, Natural Heritage

Network core features and associated buffers, regulated floodplain areas, or anything that could negatively impact the public use of the public parks.

- d) Ensure the Plan respecting park design, location, typology, and size conforms to and be consistent with the VOP 2010 Section 7.3.2 Parks and Open Space Design and to the 2018 Active Together Master Plan ('ATMP'), Section 5.3,
- e) A parkland dedication chart shall be provided showing sufficient information to demonstrate parkland dedication calculations to the City's satisfaction. The parkland dedication chart shall be used for valuating, determining, and identifying the total amount of final parkland conveyance or payment representing the payment-in-lieu of parkland dedication to the City based on developable lands of the individual Owner's lands or the development group.
- f) All parkland conveyed to the City shall be conveyed in a physical condition satisfactory to the City and in accordance with the policies, practices and guidelines of the City. Refer to Developer Responsibility for Parkland Conveyance Conditions (Base Condition) below.
- g) Archaeological Assessment, Stage I and II is required to determine limits of public park block(s). Proposed public park lands are to be clear of all historically significant heritage features.
- h) A geotechnical investigation and Phase 2 Environmental Site Assessment to be conducted by a qualified Professional Engineer in accordance with O.Reg. 153/04 (as amended) assessing park and open space Blocks for contaminants of concern to the satisfaction of the City and in conformity with the applicable MOECC Site Condition Standards for parkland use. Ensure compliance with the updated Engineering Design Criteria and Standard Drawings Manual. A minimum of five (5) boreholes are required within Park Block 20 and the future park block in Phase 2 (within Blocks 15 and 16). Boreholes are to be taken at regular intervals along the full length of said Park Blocks. Borehole reports will indicate soil type, water content, and density (general compaction). All samples are to be tested in a laboratory to determine their physical properties, including levels of various chemical elements and contaminants;

Should additional fill be placed to meet required grading levels, the results of the Phase Two Investigation shall be supplemented with a letter report addressed to the City by the Owner's environmental consultant that includes: confirmation of the area where fill has been placed and details regarding dates, sources, volumes, and certification that the placed fill material meets the applicable MOECC Site Condition Standards referenced above and compacted to the standard referenced below.

- i) A complete inventory and analysis report of existing vegetation completed by a Certified Arborist for all existing trees within the Park Blocks. Drawings shall indicate the location of all existing trees, including limit of drip line, trees to be removed and trees to be maintained within the park block. No grading work is permitted within the drip line of existing trees that are to be preserved. All dead, damaged and hazardous trees are to be removed and disposed of off-site;
- j) Any tree or similar vegetation in accordance with the tree preservation plan shall be retained on the park block(s).
- k) Park Blocks shall be graded based on the Park's proposed facilities and stormwater management requirements. The Park Blocks shall be graded to conform to the overall grading plan of the Plan with clean engineered fill compacted to 95% Standard Proctor Dry Density ('SPDD'), inclusive of any civil work required such as retaining structures, rip rap, swales, and the like to meet grading levels. The park block shall generally be graded to allow for a minimum 2% and no greater than 5% gradient over 75% of the total block area. No fill is to be placed on existing topsoil and the stockpiling of topsoil on the park and open space Blocks is prohibited. Spread and fine grade topsoil evenly to a depth of 300mm over the entire park block. Topsoil for fine grading shall be fertile and friable, natural loam soil with two percent (2%) minimum organic matter for sandy loams and four percent (4%) minimum organic matter for clay loams. Acidity of topsoil shall range from 6.0pH to 7.5pH and shall be capable of sustaining vigorous plant growth. The Owner shall complete all necessary chemical analysis and topsoil fertility tests by a qualified testing laboratory to the satisfaction of the City, and results of testing provided to the City for review and approval. Prior to placement of topsoil, the Owner shall add all amendments as required to amend the existing soils to meet the recommendations of the fertility testing and demonstrate that these standards have been met.
- l) Proposed public park block(s) grading must not negatively impact adjacent properties with overland flow routes. The public park block(s) cannot be encumbered by overland flow routes from adjacent properties.
- m) The Park Blocks shall be seeded with a seed mix approved by the City;
- n) The perimeter of the Park Block shall be temporarily fenced off with fencing approved by the City and "No Dumping" signs shall be placed along the perimeter of the park Blocks;
- o) The Owner shall be responsible to maintain the Park Blocks until such time as the park's construction commences or assumption is granted.

Maintenance shall entail maintaining sufficient grades to prevent standing water, cutting the grass/vegetation a minimum of twice in summer, erosion repairs, cleaning of catch basins, repair of perimeter fencing and removal of any debris that is dumped on the site, to the satisfaction of the City;

- p) The Park Blocks shall not be encumbered by any servicing or easements including but not limited to utility services, transformer boxes, Canada Post mailboxes and/or access.
 - q) The Park Blocks shall include adequately sized servicing connections along the main frontage of the park block, including a water chamber manhole, complete with a curb stop, sanitary manhole, *if necessary*, and stormwater manhole. All servicing structures are to be located no less than 5 metres away from property lines. A storm water management brief and grading plan for all required storm water services is required to ensure that proposed works have been designed to accommodate storm water flows in accordance with the Development Engineering Department Design Manual City at interim and ultimate phases of the Park Block(s) and to the satisfaction of the City;
 - r) Electrical services include a 120/240-volt, single phase, three wire power supply to the proposed park Blocks. The power supply drop will consist of a 3 conductor #3/0 aluminum underground cable drop located one metre from the street line and one metre from the property line inside the park block(s). The cable feed will originate from the closest (within 75 metre cable length) single phase pad mounted transformer and will be left coiled and attached to a 2" X 4" wood stake, visible above grade;
 - s) All temporary sediment control management measures within parks and open space Blocks are to be removed prior to rough grading of the associated block(s).
82. a) Dependent on the final size of the dedicated public park Blocks, and to meet dedication requirements under the *Planning Act*, the VOP 2010 (Section 7.3.3 Parkland Dedication currently under appeal, as approved by Council and the Region of York and represents the City's current position) and By-law 139-90, as amended by 205-2012, payment-in-lieu of parkland may be required and is to be provided by the Owner. Real Estate services shall review and provide comments as required.
- b) That the Owner agree that lands encumbered with below grade structures or SWM/treatment services will be reviewed for parkland credit eligibility, if any, including all lands within the proposed parkland Blocks required for maintenance access and above grade servicing structures.

83. That the Owner shall agree in the subdivision agreement and subject to the City approving the development of underground stormwater servicing associated with parkland, the recommendations set out in and any and all of the reports and studies that addresses the comments from letters of October 17, 2019, November 5, 2018 and September 5, 2018, specific to storm water servicing under public parkland to the satisfaction of the City.
- a) That all surface parkland with underground storm water servicing to be conveyed to the City for use as public park shall be free of all easements, structures and systems that would negative impact the design, construction and use of the proposed park facilities including but not limited to requirements for encumbrances such as manholes, surface hatches, service shafts, and related servicing requirements.
- b) That parkland encumbered by underground storm water servicing dedication shall be subject to the following conditions:
1. Parks Planning Department have approved the area, depth of soils, configuration and boundaries of the proposed parklands over the underground storm water serving limits;
 2. The Owner shall agree to the following:
 - Pay all costs associated with the consultant fees to design and engineering of the park, including the cost of any special features and upgrades above and beyond the available Development Charges for the proposed park project.
 - Pay all costs associated with the City retaining a third-party peer reviewer including a 3% administrative fee. Peer review scope shall include but not limited to structure, mechanical, electrical, water proofing (if required), construction method statements, materials, landscape architectural details, safety, and security.
- c) That the design specifications for the surcharge load and structural design of the portion of the storm water servicing which is to be constructed beneath the park includes plans, cross sections and details of the loading schedule in respect of such portion of the storm water servicing, which loading schedule shall take into account live and dead loads as required by *the Building Code Act*, with allowances for loading such as, but not limited to, construction vehicles, playground structures, splash pad/water play, play courts, trees, shrubs, ground cover, growing medium, public use, landscape features, planters and structures for utilities.

- d) That the treatment of visible encumbrances within the public park such as manholes, surface hatches, service shafts, and related servicing requirements shall be to the satisfaction of the City.
 - e) That the life expectancy of the storm water servicing membrane, waterproofing, structural deck and associated systems shall be guaranteed for a minimum of no less than 50 years.
 - f) That the planting medium for all trees, shrubs and perennials shall be consistent with industry standards for roof deck installations. A minimum planting soil depth of 1.5 meters below grade shall be provided over portions of the concrete deck and shall meet and match grades along the perimeter of the parklands encumbered by strata.
 - g) That drainage system for surface parkland shall be designed to complement the proposed park design and satisfy the City's Storm Water Engineering requirements.
84. a) The Owner shall agree in the subdivision agreement to erect a 2.5m high black vinyl chain link fence barrier for any Lots/Blocks that abut Park Block 480, Park/SWM Block 428 and Open Space Block 476, to the satisfaction of the City;
- b) The Owner shall agree in the subdivision agreement to erect a 2.5m high black vinyl chain link fence barrier for any Lots/Blocks that abut the alternative park Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3), to the satisfaction of the City.
85. The following warning clauses are to be placed within all Offers of Agreement of Purchase and Sale or Lease for all lots/units abutting City Neighbourhood Park Block 480 (Lots 133 and 156) or in close proximity to the park (Lots 128 to 132 inclusive and Lots 157 to 162 inclusive):

"Purchasers and/or tenants are advised that the lot abuts a neighborhood park and that lighting and noise should be expected from the use of the park for recreation purposes. A 2.5 m high black vinyl chain-link fence is to be constructed abutting the park block boundary with all fencing material, including foundations, wholly on the lot as per to delineate the boundary of the park and to screen the yard amenity area on the lot."

"Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park, are prohibited."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park and the park may be subject to future

redevelopment resulting in additional/revised and/or renewed recreational opportunities that may result in increased use of the park, lighting and/or noise."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park which may have multi-use recreational trails/walkways constructed in proximity to the lot, which may result in lighting and/or noise."

86. The following warning clauses are to be placed within all Offers of Agreement of Purchase and Sale or Lease for all lots/units abutting the City Neighbourhood Park/SWM Block 428 (Lots 418 to 427 inclusive) or in close proximity to the Park (Lots 417, 392, and 393):

"Purchasers and/or tenants are advised that the lot abuts a neighborhood park and that lighting and noise should be expected from the use of the park for recreation purposes. A 2.5 m high black vinyl chin-link fence is to be constructed abutting the park block boundary with all fencing material, including foundations, wholly on the lot as per to delineate the boundary of the park and to screen the yard amenity area on the lot."

"Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park, are prohibited."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park and the park may be subject to future redevelopment resulting in additional/revised and/or renewed recreational opportunities that may result in increased use of the park, lighting and/or noise."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park which may have multi-use recreational trails/walkways constructed in proximity to the lot, which may result in lighting and/or noise."

87. The following warning clauses are to be placed within all Offers of Agreement of Purchase and Sale or Lease for all lots/units abutting the Alternative City Neighbourhood Park Block 338 (Lots 327 and 328) or in close proximity to the Park (Lots 298 to 319 inclusive) as described on the Alternative Draft Plan dated September 4, 2020 (Report Attachment 3):

"Purchasers and/or tenants are advised that the lot abuts a neighborhood park and that lighting and noise should be expected from the use of the park for recreation purposes. A 2.5 m high black vinyl

chain-link fence is to be constructed abutting the park block boundary with all fencing material, including foundations, wholly on the lot as per to delineate the boundary of the park and to screen the yard amenity area on the lot."

"Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the park, are prohibited."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park and the park may be subject to future redevelopment resulting in additional/revised and/or renewed recreational opportunities that may result in increased use of the park, lighting and/or noise."

"Purchasers and/or tenants are advised that the lot abuts or is in close proximity a neighborhood park which may have multi-use recreational trails/walkways constructed in proximity to the lot, which may result in increased use, lighting and/or noise."

88. The following warning clauses are to be placed within all Offers of Agreement of Purchase and Sale or Lease for Lots 80, 81, 145, 146, 173, 174, 297, 298, 339, 410 to 417 and Block 479:

"Purchasers and/or tenants are advised that a multi-use recreational trail may be constructed behind the lot and that lighting and noise should be expected from the use, operation and/or maintenance of this trail system."

89. Due to the potential for Street 'B' to shift alignment in order to address issues pertaining to grading and/or slopes located on other lands owned by the Owner, and should a realignment of Street 'B' become necessary which impacts proposed Park Block 480, the Owner will submit a revised Plan with a relocated Park Block 480 that meets the following requirements:

- Depiction of an alternative park location with similar size, general location and configuration which permits active and passive recreational programming in accordance with City standards and service levels; and
- Meets service level distribution and access requirements to meet the needs of the future community, all to the satisfaction of the City.

90. Due to the uncertainty of the timing of the functional design and development of Kirby Road extension, which may require temporary works and structures within, but not necessarily limited to, Streets "L", and "O", Open Space Blocks 431, 432, 433, Park Block 428 or alternatively Block 338 as described on the Alternative Draft Plan September 4, 2020 (Report Attachment 3) in order to address the future implementation (specific to grading, slopes, retaining structures, cul-de sac, roadways/ access driveways, servicing, etc.) located

on other lands to be conveyed to the City for public use, and should temporary or ultimate works to construct Kirby Road extension become necessary which impacts proposed Park Block 338 and/or lands for public recreational trails, the Owner will submit a revised Plan with a relocated Park Block 338 and open space recreational trails that meets the following requirements:

- Depiction of an alternative park and trail locations with similar size, general location and configuration which permits active and passive recreational programming in accordance with City standards and service levels;
- Meets service level distribution and access requirements to meet the needs of the future community, all to the satisfaction of the City; and
- Depiction of location of limits and location of all temporary works and easements required to implement the necessary road extension

91. The Owner is to submit a Trail Feasibility/Active Transportation Report, to the satisfaction of the City of Vaughan, which is to be completed by an active transportation specialist and will include the following:

- Examination of potential trails/walkways connection(s) from the subject lands to the adjacent open space/natural heritage corridor;
- Connections and feasibility of a trail connection through the TC Energy pipeline corridor to the south of the Plan;
- Connections and feasibility of trail connections to surroundings lands including within the open space/natural heritage areas;
- Tree Assessment/arborist component which examines the impact of the proposed trail/connections on vegetation and proposed restoration plan;
- Geotechnical/Slope stability component which examines slopes in the area in the context of the proposed trail connection;
- Examines alternative trail alignments with the general goal of achieving a connection from the subject lands to the Vaughan Super Trail system; taking into account the above-noted natural features as well as any other natural features including wetlands;
- Total cost estimates for each trail alignment proposed; and
- Recommendations for optimal alignments for trail/pedestrian walkways connections.

All costs associated with the preparation of the trail feasibility/active transportation report shall be borne by the Owner.

92. Upon completion of any technical work to satisfy Condition Nos. 81 to 92 inclusive and if deemed necessary by City of Vaughan, that the Owner submit a redline revised Plan to reflect any changes, to the satisfaction of the City.

93. The Owner shall agree to notify both the Ministry of Heritage, Sport, Tourism, and Culture Industries, and the City of Vaughan Development Planning Department immediately in the event that:
- a) archaeological resources are found on the property during excavation and construction activities, to which all work must cease; and
 - b) where human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact York Region Police Department, the Regional Coroner and the Bereavement Authority of Ontario of the Ministry of Government and Consumer Services.
94. Prior to final approval, the Owner shall provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations.
- In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol
 - The Owner shall not remove trees without written approval by the City
 - The Owner shall enter into a tree protection agreement in accordance with the City Council enacted Tree By-law 052-2018
95. Prior to the landscape plan review by the Development Planning Department, a fee shall be provided by the Owner to the Development Planning Department in accordance with the in-effect Council approved Tariff of Fees for Vaughan Planning Applications – Landscape Plan Review.
- This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/management plans), and tree inventory/preservation/removals plans
 - In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan
96. Prior to final approval, the Owner shall prepare an urban design brief. The document must articulate how the design and concept is consistent with the performance standards outlined in the Vaughan City-Wide Urban Design Guidelines and Vaughan City-Wide Official Plan. The document shall address but not be limited to the following issues:

- a) Landscape master plan; co-ordination of the urban design/streetscape elements, including lot fabric, built form, fencing treatments, street tree planting and park lands
 - b) The appropriate edge treatment and landscaping along Dufferin Street and future Kirby Road extension with low-maintenance plant material
Edge restoration along the valley and stream corridor system
 - c) Trail system with the valley corridor system, parks blocks
 - d) Architectural control design guidelines
 - e) Sustainability design practices/guidelines
97. Prior to final approval, the Owner shall prepare a detailed edge management plan study for the perimeter of the valley and stream corridor system. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the valley corridor edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The Owner shall not remove any vegetation without written approval by the City.
- The Owner shall provide a report for a 20 metre zone within all staked valley corridor edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.
98. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along limits of the residential lots that abut the Trans Canada Pipeline easement, to the satisfaction of the City.
99. The Owner shall agree in the subdivision agreement to erect a permanent 1.5 metre high black vinyl chain-link fence or approved equal along the limits of the residential lots that abut storm water management pond blocks, woodlots, valley and stream corridor systems and associated buffer blocks.
100. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along limits of the residential lots that abut the landscape buffer Blocks along Dufferin Street and future Kirby Road extension, to the satisfaction of the City. Continuous landscape buffer blocks are required along Dufferin Street and future Kirby Road. Landscape buffer blocks shall be a minimum 3.0 metres wide to allow for appropriate landscaping.
101. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential lots; to be co-ordinated with the environmental noise report and architectural design guidelines.
102. The Owner shall convey the landscape buffer Blocks to the City free of all cost

and encumbrances.

103. The Owner shall convey open space Block 477 and all opens pace buffer blocks to the TRCA or the City free of all costs and encumbrances.
104. The Owner shall agree in the subdivision agreement to provide a soils report for all tree pits and planting beds throughout the subdivision to the satisfaction of the City.
105. The Owner shall provide a revised Sustainability Performance Metrics (SPM) scoring tool and cover memo demonstrating how the subdivision meets minimum threshold requirements, to the satisfaction of the City.
106. The Owner shall submit correspondence from the Ministry of Environment, Conservation and Parks ('MECP') demonstrating compliance with the Endangered Species Act. 2007, S.O. 2007, to the satisfaction of the City.
107. That should any grading be required on the portion of the property identified as "Other Lands Owned by the Applicant" to facilitate the construction of Street 'B', the Owner shall provide materials (i.e. Geotechnical/Slope Stability Study, Grading Plan, Erosion and Sediment Control Plan, Vegetation Protection Plan etc.) which demonstrate how the wooded slopes will not be impacted, to the satisfaction of the City.
108. That the Plan be subject to red-line revisions in order to meet Environmental Sustainability's conditions of draft approval or requirements necessary to lift any of the Holding Symbols '(H)' identified in the associated implementing Zoning By-law, to the satisfaction of the City.



Corporate Services

August 27, 2020

Mr. Mauro Peverini
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Carol Birch, Planner

RE: 5th Submission
Draft Plan of Subdivision 19T-18V004 (SUBP.18.V.0035)
Zoning By-law Amendment Z.18.004 (ZBA.18.V.0095)
11333 Dufferin Street
Part of Lot 20, Concession 2
(Rizmi Holdings Limited)
City of Vaughan

York Region has now completed its review of the above noted revised draft plan of subdivision prepared by Lucas & Associates, revised on July 20, 2020. The subject site is located at 11333 Dufferin Street, north of Teston Road and on the east side of Dufferin Street, in the City of Vaughan. The revised draft plan of subdivision proposes to facilitate the development of 429 single detached units and blocks for acoustic barriers, parks, a stormwater management pond, 0.3m reserves, daylight triangle, roads and the future Kirby Road extension, within a 27.21 ha site.

Zoning By-Law Amendment

The related zoning by-law amendment (ZBA) proposes to rezone the subject lands from "Future Urban Area Zone" to "R4 Single Family Detached Dwelling," "R4 (Hx) Single Family Detached Dwelling (Hx)," "R4 (Hxx) Single Family Detached Dwelling (Hxx)," "R5 Single Family Detached Dwelling," "R5 (Hxx) Single Family Detached Dwelling (Hx)," "OS2 Open Space Park Zone" and additional provisions. This is considered a matter of local significance and Regional Planning staff do not have comments on the amendment.

Transportation Comments

The Regional Transportation and Infrastructure Planning Branch and Transit Branch have reviewed the draft plan of subdivision and supporting studies. The Transportation and Infrastructure Planning Branch advises that the latest submission does not address any of the

Region's previous comments. Detailed technical comments that were provided previously are attached.

Sanitary Sewage and Water Supply

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

- Duffin Creek WPCP Outfall Modification – 2021 expected completion, and
- Other projects as may be identified in future studies.

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

The Boundary Condition discussion on page 4 of the Water Supply Analysis Report indicates that a theoretical approach based on ground elevations of the lands to be serviced and anticipated service levels for maximum and minimum pressures have been used. This approach does not consider the operational characteristics of the existing system that will eventually provide the service to the proposed development. As such, the Region recommends that existing pressure and flow conditions near the boundary of the development where connections to water sources are proposed be utilized for the modelling purposes. Pressure monitoring and hydrant testing should be conducted to establish the required boundary conditions. Monitoring should capture the high demand periods and seasonal variation in the system operation.

The Water Supply Analysis Report also indicates that water servicing will be provided by the existing 300mm diameter watermain on Dufferin Street and the other two connections to the future proposed 300mm diameter watermain on Kirby Road. The downstream sanitary sewer analysis indicates that the flow from the subdivision will be pumped directly to MH 12A on Dufferin Street bypassing Block 20. Should there be any change in the proposed servicing scheme, the Owner shall forward the revised Site Servicing Plan to the Region for review and record.

Toronto and Region Conservation Authority (TRCA)

As per York Region's Memorandum of Understanding with the Toronto Region Conservation Authority (TRCA), York Region relies on the TRCA to review and provide comment on natural heritage matters related to the Regional Greenlands System and associated applicable provincial plans, as well as natural hazard matters. As such, we defer to the TRCA and their review of the Natural Heritage matters in determination of the appropriateness of these matters in relation to our Regional Official Plan and the applicable provincial plan policies. These applications should reflect any comments, requirements and conditions of the TRCA, to their satisfaction, prior to approval.

The TRCA, in a letter to the City of Vaughan dated August 19, 2020, provided detailed comments and conditions of draft approval on the subject applications. The fifth submission considers many of TRCA's previous comments regarding removal of lands on the southwest portion of the draft plan, and restrictive holding provisions on a number of proposed lots. However, some of TRCA's previous comments regarding the conveyance of natural feature blocks, and the limits of the proposed park (Block 430) have not been fully addressed. TRCA staff are prepared to address these outstanding issues through their conditions of draft approval.

Summary

On this basis, York Region has no objection to draft plan approval of the plan of subdivision subject to the attached Schedule of Clauses/Conditions and TRCA comments. We request a copy of the notice of decision, draft approved plan, and the clauses/conditions of draft approval should the plan be approved.

Should you have any questions regarding the above, please contact Justin Wong, Planner, at extension 71577 or through electronic mail at justin.wong@york.ca.

Yours truly,



Duncan MacAskill, M.C.I.P., R.P.P.
Manager, Development Planning

Attachments (2) Schedule of Clauses/Conditions
 Memorandum – Technical Comments

Copy to: Quentin Hanchard, TRCA (email only)
 Nancy Tuckett, City of Vaughan (email only)
 Glenn Lucas, Lucas & Associates (email only)
 Cam Milani, Rizmi Holdings Limited (email only)

YORK-#11518634-v3-19T-18V04_(5th_Submission)_-_Regional_Comments_and_Conditions

Schedule of Clauses/Conditions
19T-18V004 (SUBP.18.V.0035)
11333 Dufferin Street
Part of Lot 20, Concession 2
(Rizmi Holdings Limited)
City of Vaughan

Re: Lucas & Associates, Last Revised on July 20, 2020

Clauses to be Included in the Subdivision Agreement

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
2. The Owner shall agree that the proposed Dufferin Street access shall be right-in/right-out only and shall only be permitted under the following conditions:
 - a) The Owner acknowledges that the Dufferin Street right-in/right-out access is not intended to serve as a main access into the proposed development. The main access shall be from the Kirby Road Extension to the proposed development.
 - b) The Dufferin Street right-in/right-out access can only be opened after the following:
 - Opening of at least one full move access onto Kirby Road Extension;
 - Implementation of all required improvements at the intersection of Dufferin Street and Kirby Road/Extension; and
 - An agreement in place between the applicant and the City of Vaughan to implement Kirby Road Extension.
 - c) The Region is in receipt of a Traffic Impact Study confirming the following:
 - That a right-in/right-out only access with exclusive right turn lanes (both deceleration and acceleration) can be accommodated safely on Dufferin Street as per Regional standards and the access will meet the Region Access Guidelines and design standards. Additionally, the right-in/right-out access onto Dufferin Street shall be restricted by installing a raised median on Dufferin Street as per Region standards; and
 - The improvements/modifications required at the intersection of Dufferin Street and Kirby Road/Extension to accommodate the proposed accesses onto Kirby Road Extension.

d) Submission of preliminary design drawings and cost estimates for Dufferin Street and Kirby Road/Extension intersection improvements and Dufferin Street right-in/right-out access to the satisfaction of York Region.

3. The Owner shall include the following clause in the subsequent Purchase and Sale Agreement(s), Tenant and Lease Agreement(s), Condominium Agreement(s) and Declaration of Condominium Agreement(s):

"THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT THE ACCESS TO DUFFERIN STREET IS RESTRICTED TO RIGHT-IN/RIGHT-OUT OPERATION ONLY."

4. The Owner shall provide the proposed development access via local streets, shared driveways and interconnected properties to maximize the efficiency of the Regional street system (as per the Regional Official Plan Policy 7.2.53), where appropriate.
5. The Owner shall provide direct shared pedestrian/cycling facilities and connections from the proposed development to boundary roadways and adjacent developments to support active transportation and public transit, where appropriate. A drawing shall be provided to show the layout of active transportation facilities and connections internal to the site and to the Regional/boundary roads.
6. The Owner shall provide active transportation facilities on Dufferin Street and Kirby Road Extension on the frontage of the development to accommodate and encourage active modes of transportation. A drawing shall be provided to show the layout of active transportation facilities and connections internal to the site and to the Regional/boundary roads.
7. The Owner shall implement all recommendations outlined in the revised/updated Transportation Mobility Plan Study, including TDM measures and incentives, as approved by the Region.
8. The Owner shall agree that the proposed right-in/right-out access shall be designed and constructed in accordance to Regional design standards and requirements.
9. The Owner shall agree where enhanced landscape features beyond street tree planting, sod and concrete walkways are proposed in the York Region right-of-way by the Owner or the area municipality, these features must be approved by Development Engineering and shall be maintained by the area municipality. Failure to maintain these landscape features to York Region's satisfaction will result in the area municipality incurring the cost of maintenance and/or removal undertaken by the Region.
10. The Owner shall implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.

11. The Owner shall agree that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.
12. The following warning clause shall be included with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants."
13. Where noise attenuation features will abut a York Region right-of-way, the Owner shall agree in wording satisfactory to York Region's Development Engineering, as follows:
 - a) That no part of any noise attenuation feature shall be constructed on or within the York Region Right-of-way;
 - b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence; and
 - c) That maintenance of the noise barriers and fences bordering on York Region Right-Of-Way's shall not be the responsibility of York Region.
14. The Owner shall agree to be responsible for determining the location of all utility plants within York Region Right-of-way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

Conditions to be Satisfied Prior to Final Approval

15. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
16. The Owner shall provide to the Region the following documentation to confirm that water and wastewater services are available to the subject development and have been allocated by the City of Vaughan:

- A copy of the Council resolution confirming that the City of Vaughan has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this site plan, and
 - A copy of an email confirmation by City of Vaughan staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
17. The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services division and the Infrastructure Asset Management Branch for record.
18. The Owner shall provide a revised/updated Transportation Mobility Plan Study consistent with York Region's Transportation Mobility Plan Guidelines for Development Applications (November 2016) to fully address all of the comments provided on the Transportation Assessment Study, prepared by Poulos & Chung dated September, 2017 and Updated Traffic Assessment dated, prepared by LEA Consulting, dated February 2020, to the satisfaction of the Region.
19. The extension of Kirby Road shall be designed to intersect Dufferin Street at a right angle, or on a common tangent, and be located directly opposite to the existing Kirby Road. It shall be designed to the satisfaction of Development Engineering with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by Development Engineering.
20. Street "B" shall be designed to intersect Dufferin Street at a right angle, or on a common tangent, and be constructed to the satisfaction of the Region for a restricted access with a raised concrete median.
21. Concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
- a) Plan and Profile for the York Region road and intersections;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and underground services Location Plans;
 - f) Signalization and Illumination Designs;
 - g) Line Painting;
 - h) Traffic Control/Management Plans;
 - i) Erosion and Siltation Control Plans;
 - j) Landscaping Plans, including tree preservation, relocation and removals;

- k) Sidewalk locations, concrete pedestrian access to existing and future transit services and transit stop locations as required by York Region Transit/Viva;
 - l) Functional Servicing Report (water, sanitary and storm services);
 - m) Water supply and distribution report;
 - n) Engineering drawings showing plan and profile views of proposed works related to connections to or crossing of Regional watermain or sewer, including the following, as applicable:
 - Disinfection Plan
 - MOECC Form 1- Record of Watermains Authorized as a Future Alteration
 - o) Engineering drawings showing plan and profile views of proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc. proposed within the subdivision.
22. The Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region right-of-way. Only those works located in their ultimate location based on the next planning upgrade for this Right-of-way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
23. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.
24. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
25. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
26. The Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 0.2 metres above the centreline elevations of the York Region roadway, unless otherwise specified by Development Engineering.
27. The Owner shall demonstrate, to the satisfaction of Development Engineering, that the Owner will provide the installation of visual screening along the frontage of Street “D”, consisting of either a screening fence or a combination of a berm and appropriate planting, to a minimum of 1.8 metres in height, to be located within the right-of-way of said Street “D”. The Owner shall submit to Development Engineering for review and approval, landscape plans showing the proposed planting for headlight screening purposes.

28. The Owner shall have prepared, by a qualified Tree Professional, a Tree Inventory and Preservation/Removals Plan and Arborist Report identifying all existing woody vegetation within the York Region Right-of-way to be removed, preserved or relocated. The report/plan, submitted to Development Engineering for review and approval, shall adhere to the requirements outlined in the York Region Street Tree and Forest Preservation Guidelines and shall be to the satisfaction of York Region Natural Heritage and Forestry Staff.
29. The Owner shall have prepared, by a qualified professional Landscape Architect, landscape design plans detailing landscape works and street tree planting in the York Region Right-of-way as required by any and/or all of the following, York Region's Streetscaping Policy, York Region's Street Tree Preservation and Planting Design Guidelines, any prevailing Streetscape Masterplan or Secondary Plan or as required by Urban and Architectural Design Guidelines.
30. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
31. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels

that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

32. The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.
33. Upon registration of the plan, the Owner shall convey the following lands to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of the Regional Solicitor:
 - a) A 15 metre by 15 metre daylight triangle at the southeast corner of Dufferin Street and Kirby Road intersection,
 - b) 5 metre by 5 metre daylight triangles at the southeast and northeast corners of the Dufferin Street and Street "B" intersection, and
 - c) A 0.3 metre reserve across the full frontage of the site, where it abuts Dufferin Street.
34. Prior to final approval, the Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
35. Prior to final approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's right-of-way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
36. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
37. The Owner shall enter into an agreement with York Region, to satisfy all conditions, financial and otherwise, and state the date at which development charge rates are frozen, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.

38. The Owner shall provide payment of the Region's outstanding review fees for this and all subsequent submissions in accordance with Region's Schedule of Fees and Charges By-law. Review fees will be charged at the in effect by-law rate at the time the Region's review fees are paid.
39. The Regional Corporate Services Department shall advise that Conditions 1 to 38 inclusive, have been satisfied.



MEMORANDUM- TECHNICAL COMMENTS

RE: 5th Submission
Draft Plan of Subdivision 19T-18V004 (SUBP.18.V.0035)
Zoning By-law Amendment Z.18.004 (ZBA.18.V.0095)
11333 Dufferin Street
Part of Lot 20, Concession 2
(Rizmi Holdings Limited)
City of Vaughan

Regional Staff have reviewed the above noted draft plan of subdivision and zoning by-law amendment application, as well as the supporting documents, and provide the following comments. These comments are not an approval and are intended to provide information to the applicant regarding the Regional requirements that have been identified to date.

Transportation and Infrastructure Planning

1. Regional transportation comments provided on previous submissions are still outstanding and have not been addressed in the Study.
2. The main access to the development shall be provided via Kirby Road Extension to utilize the existing traffic signal at the Dufferin Street/Kirby Road intersection. The Region may allow a right-in/right-out only access onto Dufferin Street subject to the Study confirming that a right-in/right-out only access can be accommodated safely on Dufferin Street and will meet the Region Access Guidelines, design standards and requirements.
3. The Study shall also confirm that a right-in/right-out only access with exclusive right turn lanes (both deceleration and acceleration) can be accommodated safely on Dufferin Street as per Regional standards and the access will meet the Region Access Guidelines and design standards. Additionally, the right-in/right-out access onto Dufferin Street shall be restricted by installing a raised median on Dufferin Street as per Region standards.
4. The Study shall determine improvements/modifications required at the intersection of Dufferin Street and Kirby Road/Extension to accommodate the proposed accesses onto Kirby Road Extension.
5. The Study shall provide sightline and safety analysis for the proposed right-in/right-out access onto Dufferin Street.

6. The Study is based on turning movement counts collected on a Friday. The Region only accepts traffic data collected on a typical weekday (Tuesday through Thursday) since traffic counts on Friday may not be consistent and underestimating the existing traffic conditions . The Study shall be revised based on traffic volume data collected on a typical weekday.
7. The Study shows that the majority of southbound vehicles on Dufferin Street turning left onto Kirby Road in the Ultimate Future Background Traffic Volumes (Figure 3.2). This assumption has resulted in underestimating the traffic conditions on Dufferin Street. The Study shall provide rationale in assignment of thru vehicles on Dufferin Street to Kirby Road.
8. The Transportation Demand Management Plan does not provide recommendations regarding the improvements of pedestrian and cycling infrastructure in the area to accommodate the proposed development. It is important to provide active transportation facilities on Dufferin Street and Kirby Road Extension on the frontage of the development to accommodate and encourage active modes of transportation.

Transit

1. While YRT does not currently offer service in this area, the developer is encouraged to advise all potential purchasers of the future transit plans in the area of this development, contingent on the expansion of Kirby Road. The Owner/consultant is to contact YRT/Viva Contact Centre (tel. 1-866-668-3978) for future plan maps.
2. The Owner is strongly advised to coordinate with the City of Vaughan to provide sidewalk facilities from the internal private road network to the proposed Kirby Road extension.

September 23, 2020

Mr. Mauro Peverini
Director of Development Planning
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Carol Birch, Planner

**RE: Revised Conditions of Draft Approval for
Draft Plan of Subdivision 19T-18V004 (SUBP.18.V.0035)
Zoning By-law Amendment Z.18.004 (ZBA.18.V.0095)
11333 Dufferin Street
Part of Lot 20, Concession 2
(Rizmi Holdings Limited)
City of Vaughan**

In our letter dated August 27, 2020, we provided the City of Vaughan clauses/conditions of draft plan approval for the above-noted application. Further to a request from the applicant and discussions between City of Vaughan Development Planning and Development Transportation Engineering staff and York Region staff, the Region provides the following revised Clause #2 and Condition #19:

2. The Owner shall agree that the proposed Dufferin Street access shall be right-in/right-out only and shall only be permitted under the following conditions:

b) The Dufferin Street right-in/right-out access can only be opened after the following:

- Opening of at least one full move access from the proposed development onto Kirby Road east of Dufferin Street;
- Implementation of all required improvements at the intersection of Dufferin Street and Kirby Road to the satisfaction of York Region; and
- Implementation of Kirby Road between Dufferin Street and the proposed Street "J" to the satisfaction of City of Vaughan and the Region of York.

19. Kirby Road shall be designed to intersect Dufferin Street at a right angle, or on a common tangent, and be located directly opposite to the existing Kirby Road. It shall be designed to the satisfaction of Development Engineering with any interim or permanent intersection

The Regional Municipality of York, 17250 Yonge Street, Newmarket, Ontario L3Y 6Z1

Tel: 905-830-4444, 1-877-464-YORK (1-877-464-9675)

Internet: www.york.ca

works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by Development Engineering.

Please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at Justin.Wong@york.ca should you require further assistance.

Sincerely,



Duncan MacAskill, M.C.I.P., R.P.P
Manager, Development Planning

JW/

YORK-#11661489-v3-SUBP_18_V_0035_(19T18V004)-_Revised_Condition_Letter_for_Condition_2_and_19

August 19, 2020

CFN 60047

BY E-MAIL (Carol.Birch@vaughan.ca)

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

**Attn: Carol Birch, MCIP RPP
Planner, Development Planning Department**

**Re: Fifth Submission
Application for Draft Plan of Subdivision 19T-18V004
Application for Zoning By-law Amendment Z.18.004
11333 Dufferin Street, Part of Lot 30, Concession 2
City of Vaughan, York Region, (Rizmi Holdings Ltd.)**

Toronto and Region Conservation Authority (TRCA) staff are in receipt of the fifth submission pertaining to the above, received in our office on July 28, 2020. As you are aware, TRCA staff provided comments on the previous submissions, including our letter of February 20, 2020, as well as our subsequent e-mail correspondence to you on third and fourth submissions. Through our review of the fifth submission, many of the comments that TRCA staff previously raised have been considered. Specifically, lands on the southwest portion of the proposed plan have been removed from the current proposed draft plan of subdivision, and restrictive holding provisions have been applied to a number of the proposed lots, principally those directly north of proposed Street B. While some of TRCA's previous comments have not been fully addressed to date. Based upon the fifth submission, TRCA staff are now prepared to address these outstanding issues through conditions of draft approval.

Background

As noted in the City's *Request for Comment* circulation letter, the Minister of Municipal Affairs and Housing (MMAH) issued an Order on February 3, 2015 pursuant to Section 18(1) of the *Oak Ridges Moraine Conservation Act*, 2001 to amend the relevant official plan(s) and zoning by-law for the subject lands. The Minister's Order (MO) amended the 1994 York Region Official Plan (YROP) through Official Plan Amendment #72, Vaughan Official Plan (VOP) 600 through Official Plan Amendment #747 and the City's Zoning By-law 1-88 by way of site-specific By-law Number 023-2015.

The MO specifically stated that notwithstanding the "Oak Ridges Moraine" and "Rural Policy Area" policies of the 1994 YROP and notwithstanding the "Rural Use Area" policies of OPA 600, the subject lands are to be developed for urban uses and only on the basis of full municipal services, an approved and registered plan of subdivision and an approved implementing zoning by-law. The MO also rezoned the subject lands from M4 Pits and Quarries Industrial Zone to Future Urban

Area Zone with a site-specific zoning exception by way of an amendment to Zoning By-law 1-88. The details of the amendments and the policies relative thereto are contained within the MO.

It is our understanding that the Owner has submitted the current draft plan of subdivision and zoning by-law amendment applications pursuant to the MO to facilitate a residential plan of subdivision comprised of residential lots; open space blocks consisting of acoustic barriers, parks and stormwater management facilities; public roads and reserves; a natural heritage system block; and, a future Kirby Road Extension block.

The Owner proposes to rezone the Subjects Lands from Future Urban Area Zone to RD1 Residential Detached Zone One, RD2 Residential Detached Zone Two, RD3 Residential Detached Zone Three, OS1 Open Space Conservation Zone, OS2 Open Space Park Zone, OS4 Open Space Woodlot Zone and OS5 Open Space Environmental Protection Zone.

Context for TRCA's Comments

As per *'The Living City Policies for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority'* (LCP), TRCA staff provides the following comments as part of:

- TRCA's commenting role under the *Planning Act*;
- TRCA's delegated responsibility of representing the provincial interest on natural hazards encompassed by Section 3.1 of the *Provincial Policy Statement*, 2014;
- TRCA's regulatory authority under the *Conservation Authorities Act* and Ontario Regulation 166/06, *Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*;
- TRCA's role as a resource management agency operating on a local watershed basis;
- Our Memorandum of Understanding (MOU) with the Region of York, wherein we provide technical environmental advice on their behalf;
- In this instance, as an "affected review agency" for the purpose of ensuring satisfactory implementation of the MO through the subject applications.

In these roles, conservation authorities work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources.

Recommendation

Although there remain to be unaddressed issues around the conveyance of natural feature blocks, and the limits of proposed Park Block 430, should the City decide to proceed with approval of the subject applications, TRCA's conditions of draft approval are provided in Appendix A of this letter. Please notify me of any decisions made by the City on these applications, or any appeals made by any party in respect of these files.

Fees

As previously advised, TRCA's planning application review fee remains outstanding on the subject applications. Please be advised that TRCA staff will be unable to proceed with this application further until such time as TRCA's review fees are paid in full.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5324 or Quentin.hanchard@trca.ca.

Sincerely,



Quentin Hanchard, MES(PI), MCIP, RPP
Associate Director, Development Planning and Permits
Development and Engineering Services

Attachments (Appendix 'A')

| | | |
|-------|------------------|---|
| c.c.: | Glenn Lucas | gjlucas@rogers.com |
| | Duncan MacAskill | Duncan.MacAskill@york.ca |
| | Sameer Dhalla | Sameer.Dhalla@trca.ca |
| | Mauro Peverini | Mauro.Peverini@vaughan.ca |
| | Tony Iacobelli | Tony.Iacobelli@vaughan.ca |
| | Nicholas Cascone | Nicholas.Cascone@vaughan.ca |
| | Janice Badgley | janice_badgley@tcenergy.com |
| | Darlene Quilty | dquilty@mhbcpplan.com (on behalf of TC Energy) |

Appendix 1: -TORONTO AND REGION CONSERVATION AUTHORITY Conditions of Draft Approval

1. That prior to any development, pre-servicing or site alteration, or registration of this plan or any phase thereof, the applicant shall submit and attain the approval of the TRCA for:
 - a) A detailed engineering report that describes the storm drainage system (quantity and quality) for the proposed development of the subject lands, and how it will comply with all TRCA requirements. This report shall include:
 - i. plans illustrating how this drainage system will tie into surrounding drainage systems and storm water management techniques which may be required to control minor or major flow. Confirmation must be provided with respect to how target flows as identified in the related hydrologic studies will be achieved during and post-development.
 - ii. appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources, including how it relates to terrestrial and aquatic species and their habitat, in addition to natural features and systems. The existing drainage patterns and water balance should be maintained, to the greatest extent possible, and the existing ecological function of all headwater drainage features is to be maintained, consistent with TRCA's Guidelines;
 - iii. proposed methods for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction, in accordance with the current Erosion and Sediment Control (ESC) guidelines utilized by the TRCA. ESC plans and a report addressing phasing and staging, consistent with TRCA's guidelines must be included;
 - iv. location and description of all outlets and other facilities, grading, site alterations, development, Infrastructure and watercourse alterations (on and off of the subject property), which are required to service or facilitate the development of the subject lands, which may require a permit pursuant to Ontario Regulation 166/06, the Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation, with all supporting technical information.
 - v. mapping and detailed description of proposed stormwater management measures, with consideration for existing vegetation to be disturbed, grade differentials and grading required.
 - vi. identification and quantification of the specific measures that are being employed,

and analysis that has been completed to ensure that there will be no predicted erosion related impacts on downstream areas (during and post construction) and no predicted adverse impacts on hydrologically connected natural features and systems to the satisfaction of the TRCA. The report must specifically identify, in detail, how the potential for downstream impacts associated with flows from the stormwater management pond on this property is being managed at all phases of construction.

vii. the integration of low impact development measures and the employment of source and conveyance controls to mimic to the extent possible, pre-development hydrology to the satisfaction of the TRCA.

viii. design of flow dispersal measures associated with the stormwater management outlets and, the integration of a naturalized outlet channel, where applicable, to the satisfaction of the TRCA.

ix. Detailed design of all proposed infiltration and low-impact development measures that are to be employed, demonstrating that TRCA's requirements, which Include but are not limited to quality and quantity requirements, have been satisfied.

b) Grading plans for the subject lands. These plans must indicate how grade differentials will be accommodated with this plan of subdivision, and without the use of retaining walls adjacent to natural feature blocks or associated buffers and without grading into the stream corridor on the eastern portion of, and to the east of the proposed plan of subdivision.

c) Plans illustrating that all works, including all grading, site alterations, construction staging, or materials associated with these activities, will not encroach or be placed on lands outside of this plan of subdivision.

d) Detailed water balance and feature-based water balance reports that will identify measures that will be implemented during construction and post-construction to: mimic the pre- development surface and groundwater water balance to the greatest possible extent; maintain pre-development flow regimes and hydroperiods (e.g. quality, volume, rate, duration, timing, frequency and spatial distribution of water) to adjacent wetlands in the stream corridor on the eastern portion of, and directly to the east of the proposed plan of subdivision; provide for on-site retention of stormwater management to the satisfaction of the TRCA; mitigate against any potential on-site or downstream erosion associated with the stormwater management system; maintain and not exceed target flows, based upon pre-development conditions, to downstream wetlands and watercourses, to the satisfaction of TRCA staff. This study must provide detailed design of the system(s), and implementation information and measures.

e) Adaptive management report and plan that must outline a comprehensive monitoring program associated with adjacent wetlands where the pre-development catchment area is being altered through this development, and watercourses to which stormwater from this property is being discharged. This report must compile all available predevelopment/baseline monitoring information, provide for on-going pre-development monitoring where possible, and provide a plan with measures to be implemented for maintaining the pre-development water balance (in accordance with the requisite water balance reports) during construction, and post-construction to the greatest practicable extent. This report must also identify contingency measures and specific actions that may be taken within the development area to supplement and/or modify the quantity and quality of flows being directed to each receiving stream and adjacent lands on an on-going basis, should the monitoring program identify that the pre-development conditions are being adversely impacted, to the satisfaction of the TRCA. The Adaptive Management Report must also include a specific section including an assessment of potential options for addressing unanticipated results of the monitoring — such as downstream volumetric or erosion impacts associated with stormwater discharge from the subject property.

f) Provide a comprehensive monitoring plan, which details a monitoring program to assess the functioning and effectiveness of proposed stormwater LID, source and conveyance measures. And, to provide the requisite funding for the long-term monitoring of this system to the satisfaction of the TRCA. A commitment to financing for the monitoring should be provided through the subdivision agreement for monitoring beyond assumption of the subdivision, if required.

g) That an adequate hydrogeology report be completed for the proposed development to the satisfaction of the TRCA. A component of this report shall be a ground water constraint assessment that will examine existing and proposed ground water levels in relation to the proposed development, underground construction and servicing and stormwater management infrastructure. Interactions between untreated (or insufficiently treated) surface and groundwater, shallow ground water, and dewatering requirements must be identified, with refinements and/or revisions made as necessary to the stormwater management system to mitigate against any potential impacts, to the satisfaction of the TRCA. No permanent dewatering of groundwater or interflow associated with any component of this development shall be permitted. The need for liners associated with the stormwater management system shall be assessed, and suitable liners shall be provided where necessary. All underground construction and infrastructure must be designed to not require permanent dewatering, and any potential impacts to the groundwater system that may result from the development must be assessed and mitigated.

h) For areas in which the pre-development catchments of adjacent wetland features are being affected by this development, an assessment of phasing opportunities relating to grading work to, where feasible, allow for additional pre-

development monitoring of the wetlands to be completed, and mitigation measures to avoid adverse impacts to the pre-development hydrology.

2. Prior to conducting any site alteration, the owner must provide a mitigation strategy whereby runoff volumes from the site will match existing conditions prior to reintroducing stormwater to the watercourse. The assessment will include computer modelling showing a post development match of runoff volumes to existing conditions using:
 - a. Continuous simulation computer modelling with a minimum of 18 years of rainfall data, preferably 30-years. The assessment will provide runoff volume assessments on a monthly, seasonally, and annual basis;
 - b. Event based simulation for the 2-year through 100-year storm events to determine impacts of single events;

The assessment will include an annual basis wetland water balance of the downstream receiving wetland to confirm impacts to the TCPL berm.

3. If matching runoff volumes cannot be met prior to discharging stormwater from the proposed development, prior to conducting any site alteration the proponent will need to conduct a feature based water balance assessment of the downstream wetland based on the drainage area to the wetland (including Kirby Road) to confirm feasibility of infiltration of post development runoff volumes. This will include the following:
 - a. Minimum of 3-years of monitoring focusing on the water fluctuation and infiltration capacity of the wetland;
 - b. Continuous simulation computer modelling with a minimum of 18 years of rainfall data, preferably 30-years. The assessment will provide runoff volume assessments on a monthly, seasonally, and annual basis;
 - c. Event based simulation for the 2-year through 100-year storm events to determine impacts of single events;
 - d. An assessment of the volume impacts on the wetland from Water Resources Engineering, Hydrogeologists, and Ecology specialists, confirming that the wetland and wetland species will not be negatively impacted.
4. The owner shall provide signoff from TCPL on potential impacts to the downstream berm and pipe prior to site alteration and based on the assessment of the post development stormwater management assessment and runoff impacts to the receiving wetland.
5. In conjunction with the stormwater management assessment and prior to site alteration, a hydrogeologist will provide an appropriate soil capacity analysis to confirm soils have the ability and capacity to continually accept the proposed conditions infiltration quantity (volume) under post development scenario.
6. Prior to site alteration, an assessment of the impact to the Regulatory Storm event peak flows will be conducted based on the proposed development

conditions. If necessary, the proposed conditions floodplain will be updated to reflect the most conservative scenario.

7. Prior to site alteration, updated floodplain mapping and computer modelling will be provided.
8. That an adequate stormwater management block shall be maintained for all stormwater management requirements. No site alteration, pre-servicing or registration of this plan or any part of, shall be permitted until it is shown that a functional stormwater strategy is accepted by the TRCA, City of Vaughan, and TCPL.
9. Prior to site alteration, a construction phasing and erosion and sediment control report will be provided confirming that construction practices will protect the infiltration medium to ensure no clogging from sediment laden runoff.
10. Prior to site alteration quantity control target release rates and release volumes shall be confirmed to the satisfaction of TRCA.
11. That the applicant attain all Ontario Regulation 166/06 permits from the TRCA for all works proposed on the subject property for which permits would be required, and those related to any associated infrastructure or stormwater management works required to support this development that may be located off of the subject property.
12. That all stormwater outlets and outflow channels be naturalized, be designed to incorporate TRCA's design guidelines, and be designed to provide additional enhancements to water quality, quantity control, thermal impacts mitigation, and habitat.
13. That an adequate Environmental Impact Study (EIS) be completed for the subject property to the satisfaction of the TRCA. This EIS shall include a restoration plan for all buffers to the eastern stream corridor, as well as an assessment of ecological enhancement opportunities within the eastern valley corridor.
14. That the Owner agree in the Subdivision Agreement, in wording acceptable to the TRCA:
 - a) to carry out, or cause to be carried out, to the satisfaction of the TRCA, the recommendations of the technical reports and plans referenced in TRCA's conditions;
 - b) to implement the requirements of the TRCA's conditions in wording acceptable to the TRCA;

- c) to design and implement on-site erosion and sediment control in accordance with current TRCA standards;
 - d) to maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, and until assumption by the City of Vaughan in a manner satisfactory to the TRCA;
 - e) to obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
 - f) to erect a permanent fence at the rear of lots 412-419 inclusive, which are abutting the eastern stream corridor, to the satisfaction of the TRCA, prior to occupancy of any homes on these lots;
 - g) to implement all water balance/infiltration measures identified in the water balance study that is to be completed for the subject property;
 - h) to design a monitoring protocol and provide the requisite funding and permissions for the construction and long-term monitoring and maintenance of the water balance and infiltration measures on this site to the satisfaction of the TRCA;
 - i) to provide for the warning clauses and information identified in TRCA's conditions;
 - j) that, where required to satisfy TRCA's conditions, development shall be phased within this Plan;
 - k) that prior to a request for registration of any phase of this subdivision - should this not occur within 10 years of draft approval of this plan - that the owner consult with the TRCA with respect to whether the technical studies submitted in support of this development remain to meet current day requirements, and that the owner update any studies, as required, to reflect current day requirements.
15. That a warning clause be included in all agreements of purchase and sale, and information be provided on all community information maps and promotional sales materials for lots 412-419, which identifies the following:
- “that an environmental buffer block is being provided between the rear lot line and the adjacent environmental protection lands. This buffer block is part of the publicly owned environmental protection area, which is intended to be renaturalized, and will not be actively maintained. A future trail may be located within all or a part of this area. Uses such as private picnic, barbeque or garden areas; storage of materials and/or the dumping of refuse or ploughed snow are not permitted on these lands. In addition, access to the adjacent buffer block

through the subject property is not permitted. Private rear yard gates are prohibited.”

16. That the size and location of all stormwater management and Low Impact Development (LID) stormwater management, measures associated with this development be confirmed to the satisfaction of the TRCA. And, if required to meet TRCA requirements, red-line revisions be made to the plan to provide for necessary blocks within the Plan, or modify their size or configuration into surrounding lands within this subdivision which are currently proposed for development.
17. That details be provided with respect to any proposed servicing crossings of natural features, associated buffers or adjacent areas for interim and permanent servicing, to the satisfaction of the TRCA.
18. That Block 430 of subdivision be redline revised to provide for a continuous 10 meter environmental buffer from the adjacent stream corridor in accordance with TRCA's requirements, unless confirmation is written attained from the City of Vaughan that where not currently provided, the required 10 meter environmental buffer can be provided within Block 430. This confirmation will need to acknowledge that this buffer will be renaturalized and will in perpetuity be unavailable for active recreation and unavailable for any stormwater management infrastructure with the exception of a potential stormwater management outlet.
19. That the applicant agrees to gratuitously dedicate or make suitable arrangements for the permanent protection of the stream corridor and wetland lands east of Block 430, Lots 412 to 419 and Block 477, to the satisfaction of the TRCA.
20. That the draft plan of subdivision be red-line revised to address TRCA's conditions, if required by TRCA.



September 4, 2020

CFN 60047

BY E-MAIL (Carol.Birch@vaughan.ca)

City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

**Attn: Carol Birch, MCIP RPP
Planner, Development Planning Department**

**Re: Application for Draft Plan of Subdivision 19T-18V004
Application for Zoning By-law Amendment Z.18.004
11333 Dufferin Street, Part of Lot 30, Concession 2
City of Vaughan, York Region, (Rizmi Holdings Ltd.)**

In our correspondence of August 19, 2020, Toronto and Region Conservation Authority (TRCA) staff provided conditions of draft approval relating to the above. Subsequent to this, the proponent requested changes to two of TRCA's proposed conditions (proposed condition 18 and 19) to ensure that they could be fulfilled. TRCA staff have reviewed these conditions, and we are prepared to amend our proposed wording for this purpose. Accordingly, please substitute the following for conditions 18 and 19 in our letter of August 19, 2020. All other previously proposed TRCA conditions of draft approval, remain as outlined in that letter

18. That as part of the development of the park and/or storm water management in Block 428, a continuous 10 meter environmental buffer be provided within Block 428 adjacent to the stream corridor in accordance with TRCA's requirements. This buffer is to be re-naturalized and will allow for grading and stormwater management outlets.

19. That while lands external to the plan are not associated with the plan or its approval, the applicant agrees to make suitable arrangements for the permanent protection of the stream corridor and wetland lands east of Block 428, Lots 412 to 417 and Block 476, to the satisfaction of the City and TRCA.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5324 or Quentin.hanchard@trca.ca.

Sincerely,

A handwritten signature in blue ink that reads "Quentin Hanchard".

Quentin Hanchard, MES(PI), MCIP, RPP
Associate Director, Development Planning and Permits
Development and Engineering Services

C.c.: Glenn Lucas; Duncan MacAskill, York Region; Sameer Dhalla, TRCA; Tony Lacobelli and Nicholas Cascone, City of Vaughan; Janie Badgley and Darlene Quilty on behalf of TC Energy.

Revised: May 11, 2020

Date: May 19th , 2020

Attention: Carol Birch

RE: Request for Comments

File No.: 19T-18V004 and Z.18.004

Applicant: Cam Milani, Rizmi Holdings Limited

Location 11333 Dufferin Street

Revised: May 11, 2020

COMMENTS:

- ☐ We have reviewed the Proposal and have no comments or objections to its approval.
- ☒ We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).
- ☐ We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by _____.
- ☐ We have reviewed the proposal and have the following concerns (attached below)
- ☐ We have reviewed the proposal and our previous comments to the Town/City, dated _____, are still valid.

Alectra Utilities has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner(s), or his/her/their agent, for this plan is/are required to contact Alectra Utilities to obtain a subdivision application form (SAF) and to discuss all aspects of the above project. The information on the SAF must be accurate to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue. A subdivision application form is enclosed with this request for comments.

Alectra Utilities will prepare the electrical distribution system (EDS) design for the subdivision. The subdivision project will be assigned to an Alectra Utilities design staff upon receipt of a completed SAF. The design of the subdivision can only commence upon receiving a design prepayment and the required information outlined on the SAF.

Alectra Utilities will obtain the developer(s) approval of the EDS design, and obtain the required approvals from local government agencies for EDS installed outside of the subdivision limit. Alectra Utilities will provide the developer(s) with an Offer to Connect (OTC) agreement which will specify the responsibilities of each party and an Economic Evaluation Model outlining the cost sharing arrangement of the EDS installation between both parties. The OTC agreement must be executed by both parties and all payments, letter of credits and easements received in full before Alectra Utilities can issue the design for construction.

Town Home/Semi Detached municipal and/or private developments require a minimum set back of 3.40M from the street line to any structure such as foundations, outdoor stairs, porches, columns etc..... to accommodate standard secondary service connections.

Revised: May 11, 2020

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

All communication, street light or other pedestal(s) or equipment(s) must not be installed near Alectra Utilities transformers and/or switchgears. Enclosed with this request for comments are Alectra Utilities clearance standards.

Existing Alectra Utilities plant in conflict due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,

Mr. Tony D'Onofrio

Supervisor, Subdivisions

Phone: 905-532-4419

E-mail: tony.donofrio@alectrautilities.com

Subdivision Application Information Form is available by emailing tony.donofrio@alectrautilities.com

Revised: May 11, 2020

Date: May 19th , 2020

Attention: Carol Birch

RE: Request for Comments

File No.: 19T-18V004 and Z.18.004

Applicant: Cam Milani, Rizmi Holdings Limited

Location 11333 Dufferin Street

Revised: May 11, 2020

COMMENTS:

- ☐ We have reviewed the Proposal and have no comments or objections to its approval.
- ☒ We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).
- ☐ We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by _____.
- ☐ We have reviewed the proposal and have the following concerns (attached below)
- ☐ We have reviewed the proposal and our previous comments to the Town/City, dated _____, are still valid.

Alectra Utilities has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner(s), or his/her/their agent, for this plan is/are required to contact Alectra Utilities to obtain a subdivision application form (SAF) and to discuss all aspects of the above project. The information on the SAF must be accurate to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue. A subdivision application form is enclosed with this request for comments.

Alectra Utilities will prepare the electrical distribution system (EDS) design for the subdivision. The subdivision project will be assigned to an Alectra Utilities design staff upon receipt of a completed SAF. The design of the subdivision can only commence upon receiving a design prepayment and the required information outlined on the SAF.

Alectra Utilities will obtain the developer(s) approval of the EDS design, and obtain the required approvals from local government agencies for EDS installed outside of the subdivision limit. Alectra Utilities will provide the developer(s) with an Offer to Connect (OTC) agreement which will specify the responsibilities of each party and an Economic Evaluation Model outlining the cost sharing arrangement of the EDS installation between both parties. The OTC agreement must be executed by both parties and all payments, letter of credits and easements received in full before Alectra Utilities can issue the design for construction.

Town Home/Semi Detached municipal and/or private developments require a minimum set back of 3.40M from the street line to any structure such as foundations, outdoor stairs, porches, columns etc..... to accommodate standard secondary service connections.

Revised: May 11, 2020

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

All communication, street light or other pedestal(s) or equipment(s) must not be installed near Alectra Utilities transformers and/or switchgears. Enclosed with this request for comments are Alectra Utilities clearance standards.

Existing Alectra Utilities plant in conflict due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,

Mr. Tony D'Onofrio

Supervisor, Subdivisions

Phone: 905-532-4419

E-mail: tony.donofrio@alecrautilities.com

Subdivision Application Information Form is available by emailing tony.donofrio@alecrautilities.com

Attachment 1e)

Re: Draft Plan of Subdivision (19T-18V004) and ZBLA (Z.18.004), 11333 Dufferin St., Maple.; Your File No. 19T-18V004,Z.18.004

Our File No. 87454

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada’s development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Meaghan Palynchuk
Manager - Municipal Relations

Network Provisioning

T: 905-540-7254 / M: 289-527-3953

Email: planninganddevelopment@bell.ca

June 10, 2020

Carol Birch
Planner
City of Vaughan
Development Planning Department
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Carol,

Re: Draft Plan of Subdivision & Zoning By-law Amendment – 4th Circulation
Rizmi Holdings Limited c/o Cam Milani
11333 Dufferin Street
Part Lot 30, Concession 2
City of Vaughan
File No.: 19T-18V004 & Z-18-004

Enbridge Gas Inc. has no changes to the previously identified conditions for this revised application(s).

Sincerely,

A handwritten signature in black ink that reads 'Alice Coleman'.

Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning

ENBRIDGE GAS INC.
TEL: 416-495-5386
MunicipalPlanning@enbridge.com
500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com
Safety. Integrity. Respect.

June 20, 2018

Christina Napoli
Planner
City of Vaughan
Development Planning Division
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Christina,

Re: Draft Plan of Subdivision & Zoning By-law Amendment
Rizmi Holdings Limited c/o Cam Milani
11333 Dufferin Street
Part Lot 30, Concession 2
City of Vaughan
File No.: 19T-18V004 & Z-18-004

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

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

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

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

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Alice Coleman". The signature is fluid and cursive, with the first name "Alice" and last name "Coleman" clearly distinguishable.

Alice Coleman

Municipal Planning Coordinator
Long Range Distribution Planning

—

ENBRIDGE GAS DISTRIBUTION

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MunicipalPlanning@enbridge.com

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

enbridgegas.com

Integrity. Safety. Respect.

AC/jh

Attachment 1g)

May 8, 2020

City of Vaughan – Planning Department

To: **Mary Caputo, Senior Planner**

Reference: **File: 19T-18V004 Related Files: Z.18.004**
East side of Dufferin Street, known as 11333 Dufferin Street in
Part Lot 30, Concession 2
418 residential lots (single detached dwellings)

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

Canada Post has reviewed the proposal of the 418 single detached dwellings for the above noted Development Application and has determined that the completed project will be serviced by centralized mail delivery provided through Canada Post Community Mail Boxes.

In order to provide mail service to this development, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The Owner/Developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- ⇒ The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
- ⇒ The Owner/Developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings;
- ⇒ The Owner/Developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy;
- ⇒ **The Owner/Developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy;**

Canada Post further requests the owner/developer be notified of the following:

1. The owner/developer of any condominiums will be required to provide signature for a License to Occupy Land agreement and provide winter snow clearance at the Community Mailbox location.
2. Enhanced Community Mailbox Sites with roof structures will require additional documentation as per Canada Post Policy.
3. There will be no more than one mail delivery point to each unique address assigned by the Municipality.
4. Any existing postal coding may not apply, the owner/developer should contact Canada Post to verify postal codes for the project.
5. The complete guide to Canada Post's Delivery Standards can be found at:
https://www.canadapost.ca/cpo/mc/assets/pdf/business/standardsmanual_en.pdf

As the project nears completion, it is requested that the Developer contact me directly during the design stage of the above project, to discuss a suitable mailbox location.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Sincerely,

Lorraine Farquharson

Lorraine Farquharson

Delivery Services Officer | Delivery Planning - GTA

200 – 5210 Bradco Blvd

Mississauga, ON L6W 1G7

(416) 262-2394

lorraine.farquharson@canadapost.ca

August 31st, 2020

Ms. Carol Birch, BAA MCIP RPP
Planner
Development Planning Department
The Corporation of the City of Vaughan
2141 Major Mackenzie Drive
Vaughan, ON
L6A 1T1

Via email: carol.birch@vaughan.ca

Dear Ms. Birch:

**RE: 5th Circulation of Draft Plan of Subdivision 19T-18V004, Rizmi Holdings Limited
11333 Dufferin Street, The City of Vaughan
Our File No. PAR 38897**

TransCanada PipeLines Limited ("TCPL") has reviewed the revised draft plan materials provided in the 5th submission of the Rizmi subdivision. TCPL has three high pressure natural gas pipelines along the southern limits of the subject property.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board ("NEB"), which has a number of requirements regulating development in proximity to its pipelines and facilities.

While the revised draft plan does not impact TCPL's pipelines directly, consideration should be given to stormwater management facilities and grading that could impact the pipeline right-of-way on the future development block to the south.

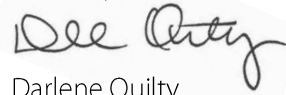
We request early consultation with TCPL on the future development block as directed by Section 8.4.3.1. of the Vaughan Official Plan to address the following:

1. Ensure the stormwater management plan maintains current volumes into the wetland in the southeast corner of the property.
2. Ensure stormwater drainage will be designed to ensure flooding does not occur within the pipeline right-of-way in a 5-year event.
3. Ensure final grades on the pipeline right-of-way maintain the current elevations/depth of cover. Grading will not be permitted within the right of way to make up the lots in the future development block.

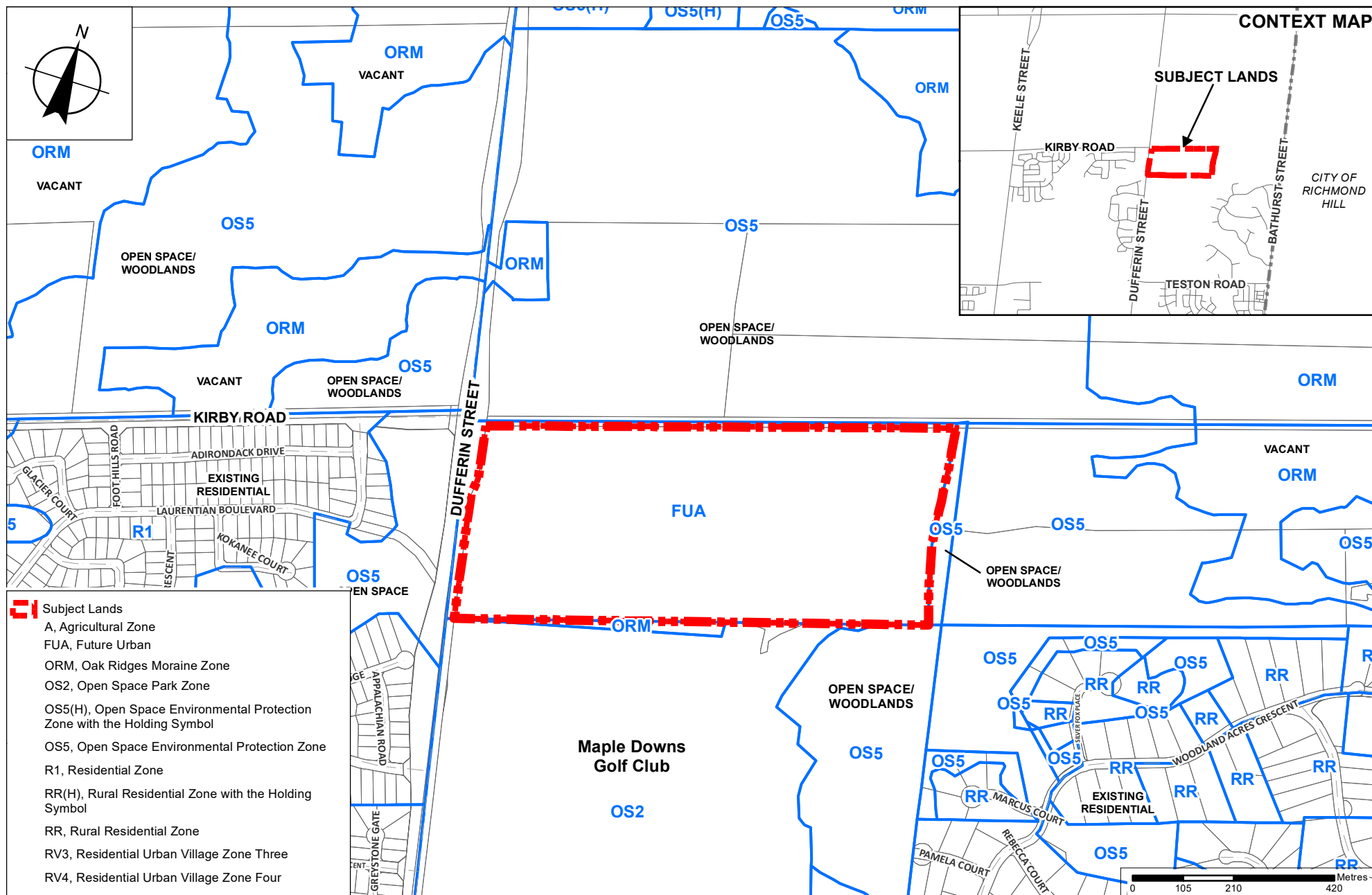
4. Any roads or cul-de-sacs are set back 7m from the edge of the pipeline right-of-way, including curbs and sidewalks.
5. Any permanent building or structure is set back 7m from the edge of the pipeline right-of-way.

Thank you for the opportunity to comment. Kindly forward a copy of the decision to the undersigned by mail or by email to dquilty@mhbcplan.com. If you have any questions, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "Dee Quilty", is written over a light gray rectangular background.

Darlene Quilty,
Planning Co-ordinator
on behalf of TransCanada PipeLines Limited



Context and Location Map

LOCATION:
Part of Lot 30, Concession 2

APPLICANT:
Rizmi Holdings Limited



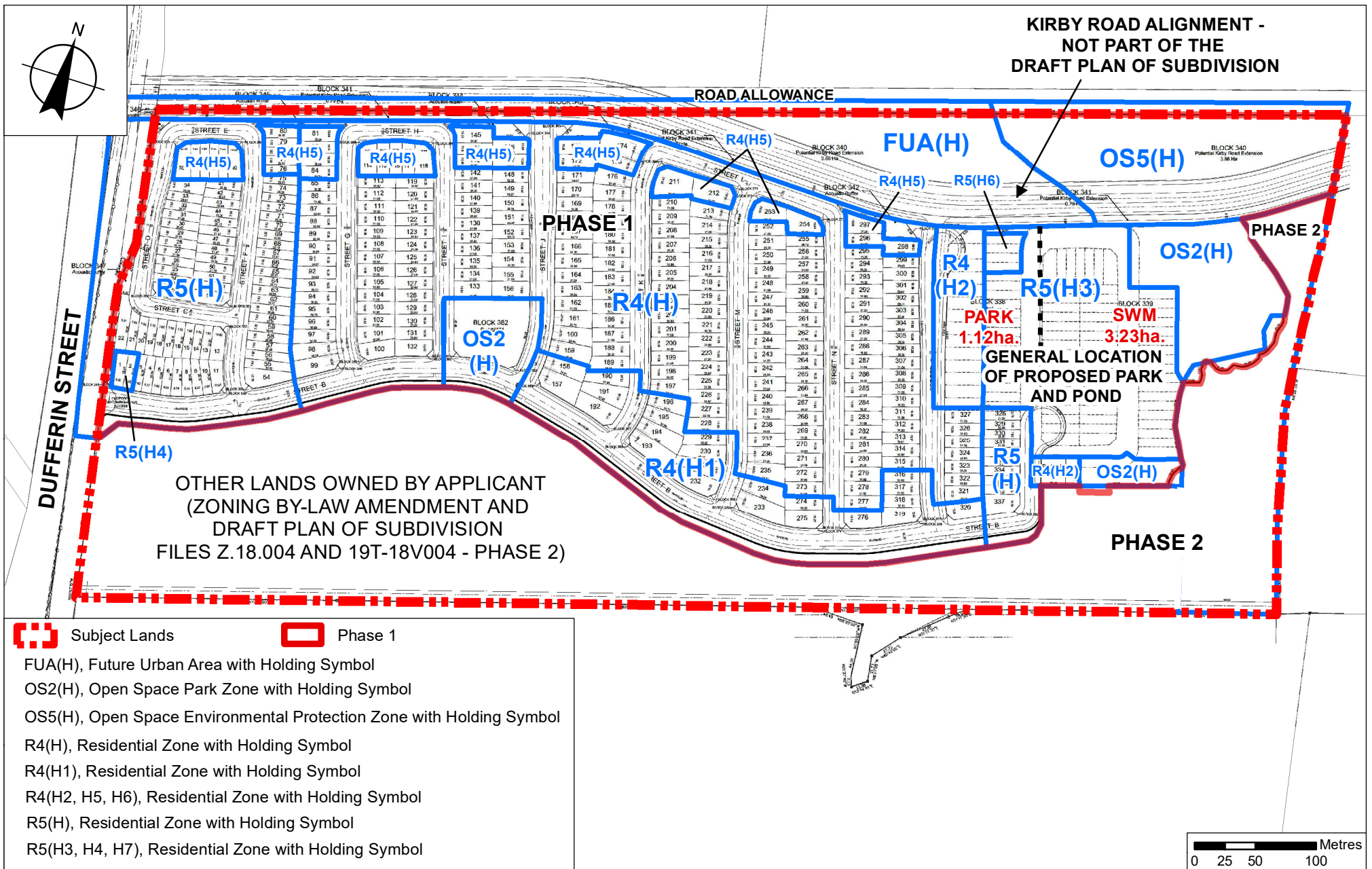
183

Attachment

FILES: Z.18.004 and
19T-18V004

DATE:
September 22, 2020

2



Phase 1 Draft Plan of Subdivision File 19T-18V004 and Proposed Zoning including Park and Storm Water Management Pond

LOCATION:
Part of Lot 30, Concession 2

APPLICANT:
Rizmi Holdings Limited

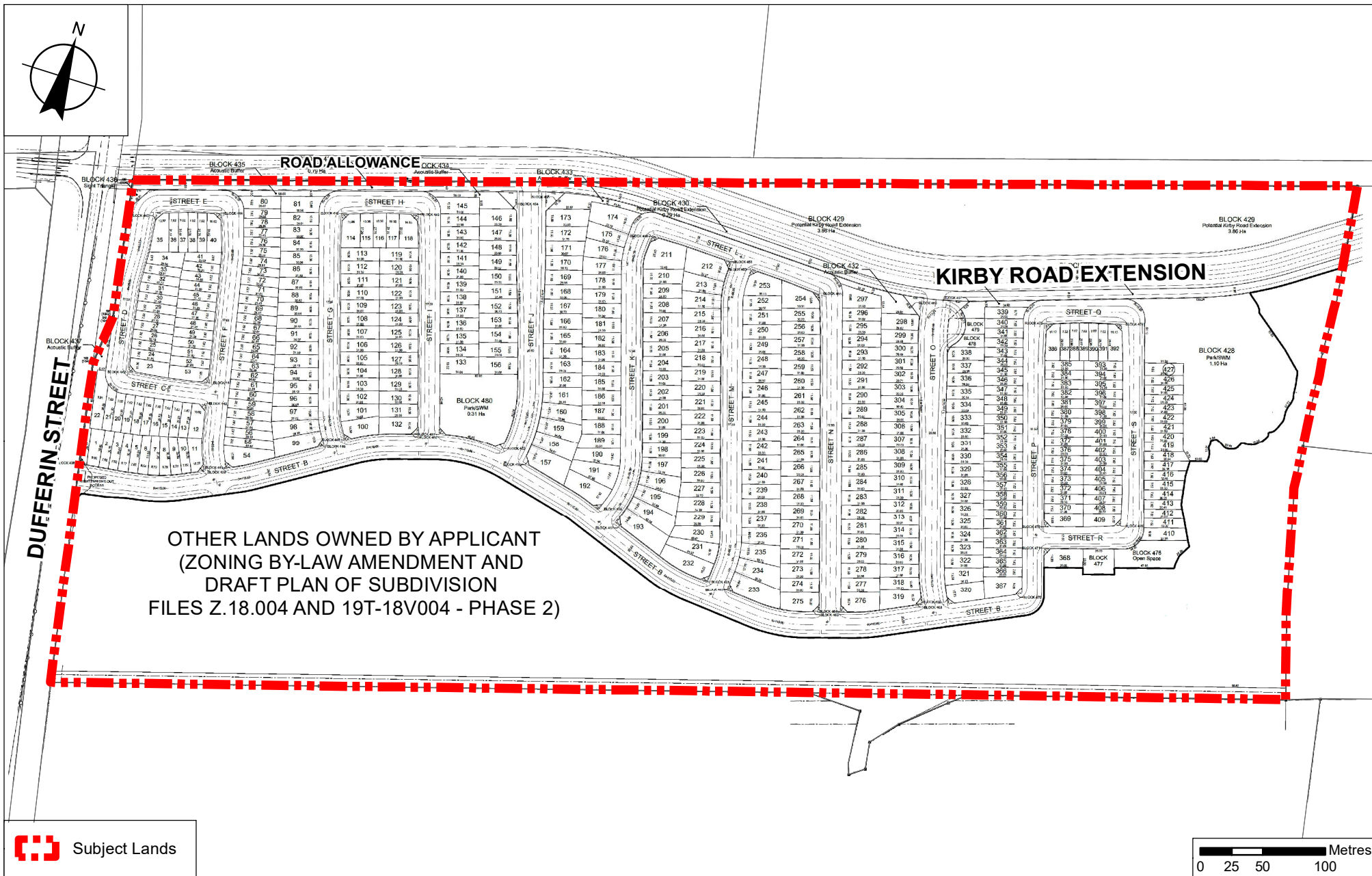


185

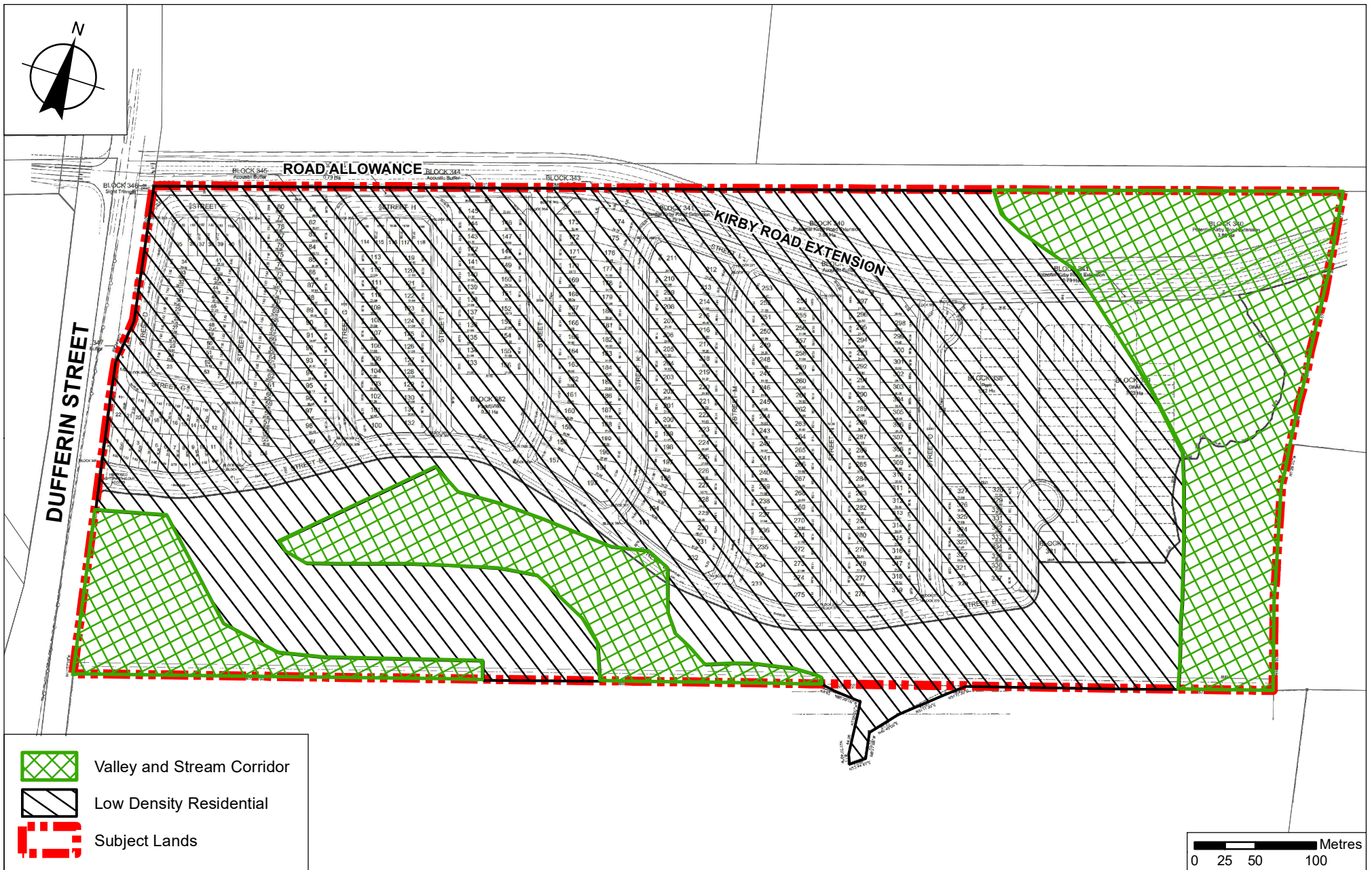
FILE: Z.18.004
RELATED FILE: 19T-18V004

DATE:
September 22, 2020

3



Created on: 9/8/2020



Land Use Map for Minister's Order Superimposed on Draft Plan of Subdivision File 19T-18V004

LOCATION:
Part of Lot 30, Concession 2

APPLICANT:
Rizmi Holdings Limited



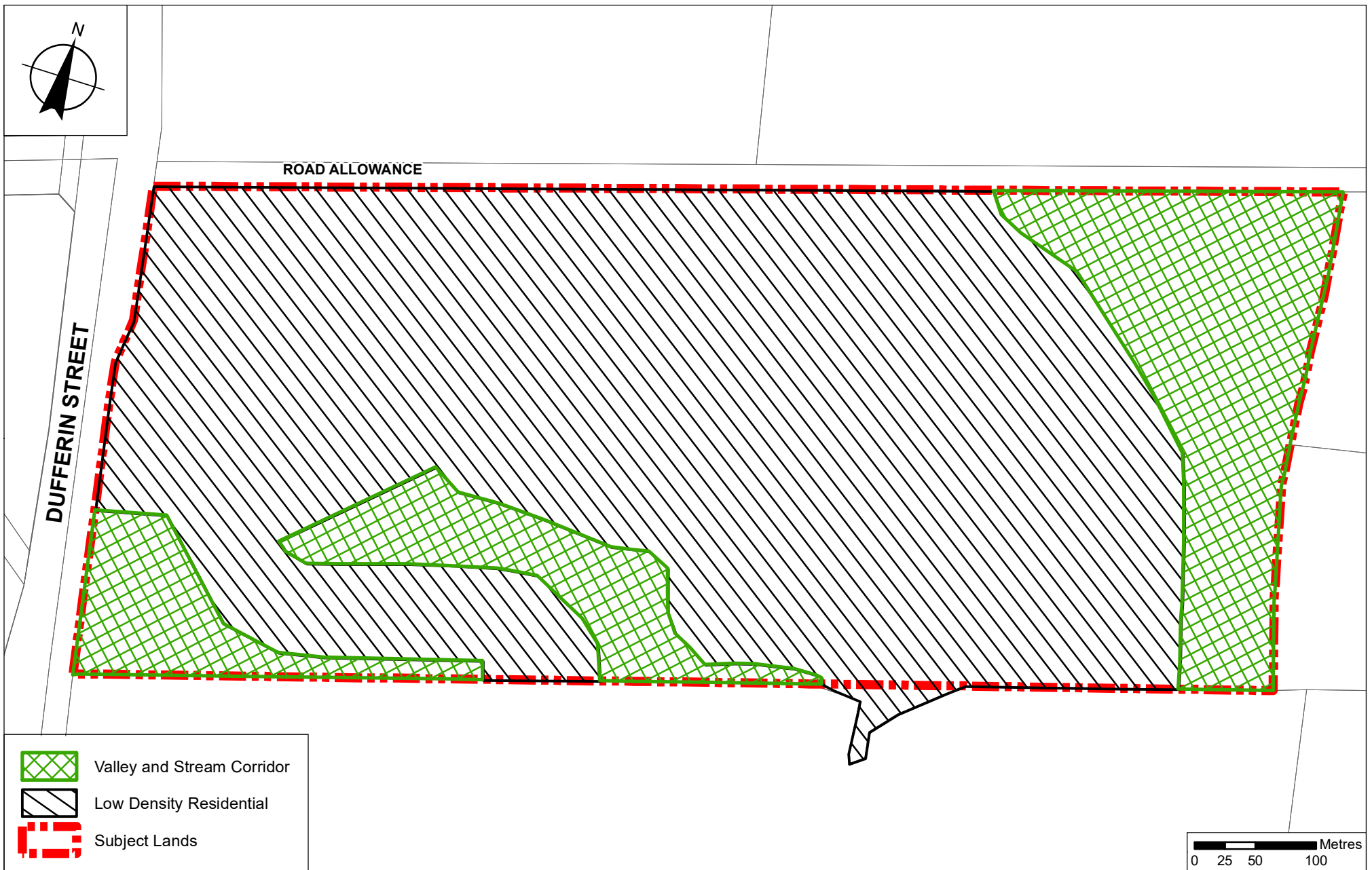
189

Attachment

FILE: Z.18.004
RELATED FILE: 19T-18V004

DATE:
September 22, 2020

5



Minister's Order

LOCATION:
Part of Lot 30, Concession 2

APPLICANT:
Rizmi Holdings Limited



191

Attachment

FILE: Z.18.004
RELATED FILE: 19T-18V004

DATE:
September 22, 2020

6

Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD(S): 1

TITLE: AMENDMENTS TO BY-LAW 159-2006, A BY-LAW TO IMPLEMENT A CASH-IN-LIEU OF PARKING POLICY IN THE COMMUNITY OF KLEINBURG, IN THE CITY OF VAUGHAN

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To amend City of Vaughan By-Law 159-2006, a By-Law to Implement a Cash-in-Lieu of Parking Policy in the Community of Kleinburg, to reflect changes in the cost of constructing parking spaces since the By-Law's passing in 2006, to allow for more appropriate and sustainable contributions to the Kleinburg Parking Reserve, and to simplify the application of cash-in-lieu to development applications. The proposed amendments to the By-Law follow recommendations from the Kleinburg Parking Strategy (2020).

Report Highlights

- The current By-Law 159-2006 does not reflect the present-day costs associated with the construction of a parking space in Kleinburg
- The Kleinburg Parking Strategy (2020) recommends that By-Law 159-2006 be amended to reflect current construction costs. The amendments can result in greater contributions to the Kleinburg Parking Reserve
- The Kleinburg Parking Reserve is a funding tool the City can employ to implement improvements and solutions recommended as part of the Kleinburg Parking Strategy (2020)

Recommendations

1. THAT Council adopt recommendations in Attachment 1 to amend City of Vaughan By-Law 159-2006, a Cash-in-Lieu of Parking Policy in the Community of Kleinburg
2. THAT Council authorize staff to undertake any other actions required to implement the recommendations of this report

Background

The City of Vaughan By-Law 159-2006, a Cash-in-Lieu of Parking Policy in the Community of Kleinburg (**Attachment 2**), was enacted understanding that the Village of Kleinburg presents unique parking challenges associated with its heritage and compact built-form. It is recognized that under certain circumstances, a non-residential development application may not be able to satisfy the minimum parking standards of the Zoning By-Law. By-Law 159-2006 provides a degree of flexibility to property owners, allowing the contribution of fees in place of constructing a parking space or spaces on the subject property. The fees collected through the application of By-Law 159-2006 are then deposited in the Kleinburg Parking Reserve, which is a collection of funds used to implement general parking improvements in Kleinburg Village.

The By-Law originally passed in 2006 is yet to be amended to reflect changes in construction costs and industry standards. Following the completion of the Kleinburg Parking Strategy (2020), a recommended primary funding source and means of implementation for the emerging solutions is the application of cash-in-lieu of parking policies. The Kleinburg Parking Strategy (2020) provided recommendations that By-Law 159-2006 be amended to reflect changes since 2006, and to continue collecting funds for the Kleinburg Parking Reserve to implement general future parking improvements in the Village.

Previous Reports/Authority

Capital Budget Request to Remove or Relocate Parking Bollards in Kleinburg Village – [September 17, 2018, Committee of the Whole \(Item 19, Report No. 27\)](#)

Staff to Explore Parking Pad / Lot on the East Side of Islington Avenue, North of John Street in Kleinburg – [November 15, 2016, Committee of the Whole \(Item 24, Report No. 38\)](#)

[Kleinburg Economic Development Strategy Update \(2016\)](#)

[Kleinburg Economic Development Strategy \(2011\)](#)

City of Vaughan By-Law 159-2006, a By-Law to Implement a Cash-in-Lieu Policy in the Community of Kleinburg – [May 8, 2006, Council Meeting \(Item 118\)](#)

Analysis and Options

By-Law 159-2006 no longer reflects the current costs of constructing parking spaces and does not differentiate between parking space typologies

The construction cost assumptions and formula contained within By-Law 159-2006 have not been reviewed and updated since its passing in 2006. As such, the cost assumptions and formula are no longer reflective of current construction costs and best practices. The application of By-Law 159-2006 to date has resulted in the collection of small amounts of funds that have not been sufficient to fund larger-scale parking infrastructure improvements in Kleinburg Village. The cash-in-lieu of parking applications to date have resulted in the collection of a range of fees per parking space, but typically around \$5,000.

Updating the cost assumptions and formula will better align the cash-in-lieu of parking approach with current construction costs and best practices. Updating the cost assumptions and formula will also result in the collection of more significant funds in the Kleinburg Parking Reserve. The application of the By-Law is proposed to be unchanged, being to the portion of any property designated “Mainstreet Commercial” pursuant to Official Plan Amendment 601 (Kleinburg-Nashville Community Plan), as amended, and being used for a permitted commercial use.

The Kleinburg Parking Reserve carries a small balance that has been used to fund smaller-scale improvements in Kleinburg Village

Funds collected and deposited in the Kleinburg Parking Reserve are small and would not be sufficient to fund larger-scale improvements such as constructing public parking spaces. Funds collected to date have been used to remove bollards on Islington Avenue to create up to ten (10) parking spaces. This work was performed, extracting \$4,000 from the Kleinburg Parking Reserve.

Aligning By-Law 159-2006 with present-day construction costs will increase funds available for more significant parking improvements in Kleinburg

As more funds are deposited into the Kleinburg Parking Reserve, larger parking projects may be fundable, including future solutions that could be implemented as recommended in the Kleinburg Parking Strategy (2020). While funds collected through cash-in-lieu of parking policies may not be sufficient to construct future public parking facilities, funds

could be allocated to improving parking signage and wayfinding, pavement markings, bicycle parking, shared-mobility stations, and other local parking improvements.

The proposed amendments to By-Law 159-2006 are crafted to the Kleinburg Village context and reflect best practices of similar applications in other jurisdictions

The existing cash-in-lieu formula is based on previous best practices at the original time of passing By-Law 159-2006. The current formula also does not differentiate by parking space type and applies unanimously to all parking spaces that may be proposed as part of a development. The current formula is as follows:

$$\text{\$} = \{(P \times 40) + (S \times 28) + (L \times 12)\} \times M + \text{\$}m$$

| | |
|-----|---|
| \$ | amount to be received per parking space |
| P | appraised land acquisition cost per square metre |
| 40 | area of a parking space, plus the area associated with a portion of the required aisles and accesses plus the area of landscaped open space |
| S | construction cost per square metre of a parking space |
| 28 | area of a parking space, plus the area associated with a portion of the required aisles and accesses |
| L | construction cost of Amenity/Landscape/Lighting per square metre |
| 12 | area of lands associated with Amenity/Landscape/Lighting |
| M | multiplier |
| \$m | recurring maintenance charge |

The cash-in-lieu formula is proposed to be revised to reflect current best practices, which involves simplifying the formula. Simplification of the formula will also assist developers and Staff in applying the calculation, avoiding confusion or disagreement, and how to determine the appropriate costs associated with the formula variables. The full overview of the specific amendments proposed can be reviewed in **Attachment 1**.

The formula is proposed to be provided with two (2) variants. One variant for surface parking spaces, and one variant for structured parking. A separate structured parking formula is recommended given Kleinburg Village may experience some intensification which could introduce below-grade commercial parking. Furthermore, that the true cost of constructing multi-level parking is typically significantly greater than the true cost of constructing surface parking. The formula is proposed as follows:

Surface Parking

$$\text{\$} = \{1,500 + (P \times 23)\} \times 0.5$$

| | |
|-------|---|
| \$ | amount to be received per parking space |
| P | appraised land value per square metre |
| 23 | area of a parking space, plus access aisles |
| 1,500 | construction cost for a surface parking space |
| 0.5 | multiplier |

Structured Parking

$$\text{\$} = \{43,000 + (P \times 37)\} \times 0.5$$

| | |
|--------|---|
| \$ | amount to be received per parking space |
| P | appraised land value per square metre |
| 37 | area of a parking space, plus access aisles |
| 43,000 | construction cost of a structured parking space |
| 0.5 | multiplier |

Based on recommendations and sample applications performed through the Kleinburg Parking Strategy (2020), the formulas are anticipated to result in an approximate contribution of \$21,000 per surface space, and \$54,000 per structured space. These costs more closely reflect the true cost of constructing parking and may allow for the more considerable collection of fees for parking improvements in the Village.

Overall, the formulas and variables have been simplified and verified through background research conducted in the Kleinburg Parking Strategy (2020):

P – Based on current estimates from property value data obtained from MPAC, the current estimated appraised land value in the Village is approximately \$1,780 per square metre. As this cost is an open variable, the value will continually change to reflect market conditions. A recommended amendment to By-Law 159-2006 is that the developer or applicant provide an assessment of the land value costs per square metre, to be vetted by a third-party appraiser at the applicant's cost. This will reduce existing confusion surrounding how appraised land value is determined and who is responsible for the appraisal.

23 / 37 – The area of a parking space is proposed to be reduced from the current value. The value of 23 square metres reflects the area of a 2.7 x 5.7m parking spaces, plus a 3 x 2.7m access aisle. These dimensions reflect the minimum parking space dimensions within the Draft Comprehensive Zoning By-Law, and are dimensions commonly approved throughout the City. The spatial requirements differ for structured parking and

take into account additional elements required for constructing this type of parking space. For structured parking, the value is increased to 37 square metres.

1,500 – The estimated cost of constructing a surface parking space has been established as a set value based on researching construction costs from contemporary sources. As time progresses, Development Engineering Staff can continually review changes in the approximate cost to construct parking via the available construction cost indexes, such as the Canadian Cost Guide.

43,000 – Similarly to surface parking, the cost of constructing a structured parking space has been determined through best practice and cost index research, as well as in discussion with construction companies. This value can continually be reviewed and updated as costs may change in the future, relying on construction costs indexes. As time progresses, Development Engineering Staff can continually review changes in the approximate cost to construct parking via the available construction cost indexes, such as the Canadian Cost Guide.

0.5 – The multiplier (previously expressed as “M”), is proposed to be set as a fixed value of 0.5, or 50%. Since both the City and the applicant will mutually benefit from the application of cash-in-lieu of parking policies, an equal share of the value of a parking is placed on both parties. Currently, a multiplier of 0.1 applies to renovations, and 1.0 applies to new development. To simplify the application of cash-in-lieu of parking, and to more closely reflect the shared benefit of cash-in-lieu of parking, a value of 0.5 is proposed for all applications.

While the formula and variables generated for Kleinburg Village are unique and not entirely comparable with the application of cash-in-lieu of parking in other jurisdictions, a high-level comparison reveals that the proposed amendments are aligned with contemporary practices, including comparable municipalities within York Region.

Provincial Policy Context

Section 40 of the Planning Act, R.S.O 1990, c. P. 13 (“the Act”) provides that a municipality and an owner or occupant of a building may enter into an agreement exempting the owner or occupant from providing or maintaining parking facilities in accordance with the applicable Zoning By-law, provided that such an agreement includes the payment of money for the exemption, and sets out the terms for the payment calculation.

York Region Policy Context

Cash-in-lieu of parking is also recognized in the York Region Official Plan, which states the following:

“5.4.26 To work with local municipalities in the area of parking management, for the long-term establishment of the following within the Regional Centres:

- a) A system of municipal parking authorities to develop and/or operate shared public parking facilities;
- b) Cash-in-lieu of parking policies; and,
- c) The planning for parking by structured or underground facilities in the final phasing of all site *development*.”

City of Vaughan Policy Context

Cash-in-lieu of parking is contemplated in the City of Vaughan Official Plan (2010). Section 4.3.2.3 states the following:

It is the policy of Council:

- 4.3.2.3.1 To consider developing guidelines for cash-in-lieu of parking in Intensification Areas where it can be demonstrated that parking reductions will not have adverse spill-over impacts on surrounding areas, and where the provision of on-street or municipally provided parking can meet additional parking needs. Revenue generated from cash-in-lieu of parking would be used to support facilities for parking, transit, bicycling and walking.

Financial Impact

There are no financial impacts as a result of this report.

The amendments to By-Law 159-2006 will be implemented following their approval, and the amended By-Law will be in-effect immediately applying to any future development applications. Funds collected via the amended By-Law will be deposited into the Kleinburg Parking Reserve as currently performed.

Broader Regional Impacts/Considerations

City Staff work with the Region on development applications where there are Regional interests, or where Regional infrastructure is involved. The Village of Kleinburg is under

the review jurisdiction of the City of Vaughan, and the application of cash-in-lieu of parking policies is the responsibility of the City. The application of cash-in-lieu of parking policies is largely a local matter and will affect parking supply demand at a localized level. As such, there are no considerable broader Regional impacts associated with the proposed amendments to By-Law 159-2006.

Through the completion of the Kleinburg Parking Strategy (2020), the Region was included as a stakeholder. The Region did not indicate any concerns or objections with respect to the application of cash-in-lieu of parking policies.

Conclusion

Kleinburg Village's unique and historic built form can present challenges to development and redevelopment in satisfying minimum parking requirements of the Zoning By-Law. Kleinburg Village also can greatly benefit from public parking infrastructure and mobility improvements. Cash-in-lieu of parking policies can function as a beneficial tool to permit developers flexibility in providing commercial parking and providing the City a form of funding to continually improve public parking in the Village. The City's existing By-Law 159-2006 has not been updated since its inception, and through its application, is not reflective of existing costs of constructing parking in the Village. The Kleinburg Parking Strategy (2020) has recommended key amendments to By-Law 159-2006 to better align its policies with contemporary construction costs and practices in similar environments. Amendments to By-Law 159-2006 include updating and revising the cash-in-lieu of parking formula and variables, while largely maintaining the structure and applicability of the By-Law.

For more information, please contact: Frank Suppa, Director, Development Engineering, x8255

Attachments

1. Proposed Amendments to City of Vaughan By-Law 159-2006, a Cash-in-Lieu of Parking Policy in the Community of Kleinburg.
2. City of Vaughan By-Law 159-2006, a Cash-in-Lieu of Parking Policy in the Community of Kleinburg.

Prepared by

Paul Grove, Transportation Demand Management (TDM) Coordinator, Development
Transportation Engineering, x8857

Samar Saadi Nejad, Manager, Development Transportation Engineering, x8253

Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal stroke extending to the right.

Nick Spensieri, Deputy City
Manager, Infrastructure
Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum', with a long horizontal stroke extending to the right.

Jim Harnum, City Manager

By-Law Number 159-2006: Proposed Amendments

1. Delete and replace 3(a) with the following text:

Upon execution of the agreement for exemption to the parking requirements pursuant to Section 2, the owner shall pay to the City prior to the issuance of required building permit(s) for the development, redevelopment or change of use, or before any required City approvals, an amount of money in lieu of parking, using the following formula if the parking spaces to be exempted would otherwise be located at-grade or via surface parking:

$$\text{\$} = \{1,500 + (P \times 23)\} \times 0.5$$

| | | |
|-------|---|---|
| \$ | = | amount to be received per parking space |
| P | = | appraised land value per square metre |
| 23 | = | area of a parking space, plus access aisles |
| 1,500 | = | construction cost for a surface parking space |
| 0.5 | = | multiplier |

2. Delete and replace 3(b) with the following text:

Upon execution of the agreement for exemption to the parking requirements pursuant to Section 2, the owner shall pay to the City prior to the issuance of required building permit(s) for the development, redevelopment or change of use, or before any required City approvals, an amount of money in lieu of parking, using the following formula if the parking spaces to be exempted would otherwise be located in a parking structure above- or below-grade:

$$\text{\$} = \{43,000 + (P \times 37)\} \times 0.5$$

| | | |
|--------|---|---|
| \$ | = | amount to be received per parking space |
| P | = | appraised land value per square metre |
| 37 | = | area of a parking space, plus access aisles |
| 43,000 | = | construction cost of a structured parking space |
| 0.5 | = | multiplier |

ATTACHMENT #1

3. Delete and replace 3(c) with text requiring that applicants provide a third-party appraisal of the cost of land per square metre of the subject property as to calculate "P":

The value of "P" shall be determined or validated by a third-party land appraiser at the responsibility of the owner of the property. The owner of the property shall provide the determination or validation of the value of "P" by the third-party land appraiser to the City for the City's review and approval prior to the execution of the agreement.

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 159-2006

A By-law to Implement a Cash-in-Lieu of Parking Policy in the Community of Kleinburg, in the City of Vaughan

WHEREAS Section 40 of the Planning Act provides that where an owner or occupant of a building is required under a By-law of a local municipality to provide and maintain parking facilities on land that is not part of a highway, the council of the municipality and such owner or occupant may enter into an agreement exempting the owner or occupant, to the extent specified in the agreement, from the requirement of providing or maintaining the parking facilities, and the agreement shall provide for the making of one or more payments of money to the municipality as consideration for the exemption.

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

- 1) That this By-law applies to the portion of any property designated "Mainstreet Commercial" pursuant to Official Plan Amendment 601 (Kleinburg-Nashville Community Plan), as amended, and being used for a permitted commercial use.
- 2) That where, in respect of new development, additions to existing development, the conversion of all or part of a residential building for commercial uses or change of use on any land identified in Section 1 of this By-law, an owner of property is able to provide and maintain a portion but not all of the parking spaces required by the City of Vaughan Comprehensive Zoning By-law No. 1-88, as amended, the City at its sole discretion, may enter into an agreement with such owner exempting the owner from the requirement of providing or maintaining parking spaces for commercial uses to the extent that the owner is unable to do so in exchange for a payment.
- 3(a) Upon execution of the agreement for exemption to the parking requirements pursuant to Section 2, the owner shall pay to the City prior to the issuance of required building permit(s) for the development, redevelopment or change of use, or before any required City approvals, an amount of money in lieu of parking, using the following formula:

$$\text{\$} = \{(\text{P} \times 40) + (\text{S} \times 28) + (\text{L} \times 12)\} \times \text{M} + \text{\$m}$$

| | | |
|-----|---|---|
| \$ | = | amount to be charged per parking space |
| P | = | appraised land acquisition cost per square metre |
| 40 | = | area of a parking space, plus the area associated with a portion of the required aisles and accesses plus the area of landscaped open space |
| S | = | construction cost per square metre of a parking space |
| 28 | = | area of a parking space, plus the area associated with a portion of the required aisles and accesses |
| L | = | construction cost of Amenity/Landscape/Lighting per square metre |
| 12 | = | Area of lands associated with Amenity/Landscape/Lighting |
| M | = | Multiplier |
| \$m | = | Recurring Maintenance Charge |

- 3(b) the value of “M” shall be 1 for all new construction or additions to existing buildings that increase the gross floor area.
- 3(c) the value of “M” shall be 0.1 for outdoor patios, the conversion of an existing building from a residential use to a permitted commercial use and/or the interior renovation of existing buildings provided that the conversion or renovation of an existing building from a residential to a permitted commercial or mixed use and/or the interior renovation of the existing building does not change the gross floor area of the existing building.
- 4) The use of this By-law is limited solely to commercial uses or the commercial portion of mixed use developments.
- 5) That all monies received by the City under an agreement entered into under this By-law shall be paid into a reserve fund established pursuant to Section 417 of the Municipal Act and entitled the Kleinburg Parking Reserve Fund.

READ a FIRST, SECOND and THIRD time and finally passed this 8th day of May, 2006.

Michael Di Biase, Mayor

J. D. Leach, City Clerk

Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD(S): 1

TITLE: KLEINBURG PARKING STRATEGY RECOMMENDATIONS

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: FOR INFORMATION

Purpose

To provide an overview of the Kleinburg Parking Strategy and inform Council of the emerging recommendations which include a series of measures and strategies to manage parking demand in Kleinburg Village immediately and through the short, medium, and long term.

Report Highlights

- Detailed and comprehensive parking supply and demand surveys were undertaken at various times of the year through various conditions to understand existing parking conditions
- Extensive consultation with the community and stakeholders was practiced, including online surveys reaching nearly 400 respondents
- Future projections reveal there is opportunity to better manage Kleinburg Village's parking supply in the short term and transition the Village to a more pedestrian-oriented space in the medium to long term, subject to further monitoring
- Key emerging and immediate recommendations include wayfinding and signage, monitoring, revisions to the Cash-in-Lieu of Parking By-Law (159-2006), informing strategies and design elements of the Islington Avenue Streetscape Construction Project, and engaging local owners to explore parking partnerships

Recommendations

1. THAT Council endorse the findings and recommendations of the Kleinburg Parking Strategy (2020)

Background

The Kleinburg Economic Development Strategy (2011) and Update (2016) both identified parking in Kleinburg as a critical component of the Village for its success and longevity. Parking in Kleinburg Village has continually been expressed as a concern by residents, business-owners, and visitors of the Village. At the direction of Council, the Kleinburg Parking Strategy has been completed to understand the existing conditions and concerns and to provide a series of recommendations to manage parking in the Village through short, medium, and long term.

The final report and executive summary can be reviewed on the [project website](#).

Kleinburg Village is considered the “jewel” of Vaughan.

Kleinburg, previously a relatively quiet and small Village expanded and grew considerably in the 1990s and 2000s, leading to an increase in activity and demand for services, recreation, and leisure. Kleinburg’s continued growth and successes can be attributed to its historic and charming character, access to green space, a significant variety of shopping and dining opportunities, as well as venues and tourist attractions.

With the growth in visits to Kleinburg Village, a number of challenges have become apparent. Through both the initial study and update, parking was identified as a critical component of the Village that would require planning and management over a long term horizon to ensure the Village’s continued success. Some of the critical findings from the Kleinburg Economic Development Strategy related to parking included limited availability of public parking, and the relationships between parking, traffic operations in the Village, and the overall pedestrian experience.

Since the completion of the Kleinburg Economic Development Strategy, the City has heard from residents, business owners, and visitors in the Village that parking remains a daily challenge. These concerns encompass frustration in finding parking, traffic operations, pedestrian safety, and other parking nuances of certain businesses or destinations, such as the post-office, and Kleinburg Public School. Culminating the findings of the Kleinburg Economic Development Strategy, and the concerns of the public, there has been a clear need for parking planning and management strategies for

Kleinburg Village to address both existing and immediate challenges, and to plan and protect for the long term.

Previous Reports/Authority

Stegman's Mill Road, Teston Road and Kleinburg Summit Way, Heavy Truck

Prohibitions – [November 12, 2019, Committee of the Whole \(2\) \(Item 6, Report No. 36\)](#)

Capital Budget Amendment for Islington Avenue Streetscape Phase 1 Construction Project Dp-9542-15 – [September 17, 2018, Committee of the Whole \(Item 15, Report No. 27\)](#)

Capital Budget Request to Remove or Relocate Parking Bollards in Kleinburg Village – [September 17, 2018, Committee of the Whole \(Item 19, Report No. 27\)](#)

Staff to Explore Parking Pad / Lot on the East Side of Islington Avenue, North of John Street in Kleinburg – [November 15, 2016, Committee of the Whole \(Item 24, Report No. 38\)](#)

[Kleinburg Economic Development Strategy Update \(2016\)](#)

[Kleinburg Economic Development Strategy \(2011\)](#)

[Islington Avenue Streetscape Master Plan Study \(2011\)](#)

City of Vaughan By-Law 159-2006, a By-Law to Implement a Cash-in-Lieu Policy in the Community of Kleinburg – [May 8, 2006, Council Meeting \(Item 118\)](#)

Analysis and Options

A multi-faceted approach to understanding existing conditions and user behaviours in Kleinburg Village was undertaken.

Existing parking and traffic challenges in Kleinburg Village are multi-faceted issues that required a multi-faceted approach to understand their cause and how best to manage or mitigate such issues. Comprehensive parking demand surveys were performed through various times of the year, including a typical Friday and Saturday during the Summer, Fall, and during a special event (Christmas Tree Lighting in November). These parking demand surveys were performed at 30-minute intervals over 12-hour periods, each day, providing detailed results and patterns of parking demand, turnover, and typical duration. During the parking demand surveys, traffic operations were also observed on

Islington Avenue, pick-up/drop-off activity was observed at Kleinburg Public School, and other site-specific operations were observed such as at the post-office.

The parking demand surveys and site observations as conducted were largely quantitative in nature. To ensure that the user experience and user behaviours and perceptions were understood, various forms of consultation were held with the public. Online surveys, pedestrian-intercept surveys, public open houses, and stakeholder meetings encompassed a robust consultation plan that would support and provide additional explanation to the existing parking and traffic challenges the Village experiences.

The community cares greatly for Kleinburg Village, but encounter daily frustrations surrounding parking.

Obtaining a true understanding of the community's and public's perceptions, behaviours, and concerns were one of the focuses of the consultation efforts. It was evident that the community and public cares for Kleinburg Village. Through all consultation efforts there was significant participation from various groups and individuals providing detailed feedback and accounts of personal experiences. Over the project's duration, two (2) online surveys were held collecting nearly 400 combined responses as well as pedestrian-intercept surveys reaching approximately 30 respondents. In addition, two (2) public open houses (one held virtually), two (2) stakeholder meetings (one held virtually), and group-specific meetings were held throughout the project (**Attachment 1 – Consultation Plan Summary**).

Improving access to public parking, mitigating traffic congestion, enhancing pedestrian safety, and improving the overall Kleinburg experience emerged as priorities for the community.

While members of the community and greater public all shared their personal experiences and suggestions, many of these experiences and suggestions revolved around key themes. The most significant concern expressed by the community was a general lack of public parking, or difficulty in finding available public parking. Consequently, challenges with respect to parking generally translated to a number of other challenges the Village faces, including traffic congestion, pedestrian safety, and the active transportation experience (**Attachment 2 – Online Surveys Summary**). The community expressed that drivers searching for parking or using the boulevard parking on Islington Avenue commonly interrupt the flow of traffic and exacerbate operational challenges caused by heavy traffic volumes on the corridor. Similarly, the parking

challenges also negatively affect safety and active transportation, as community experiences account for drivers parking in a manner that obstructs sidewalks or driving in a manner that makes crossing Islington Avenue feel unsafe. The community also expressed that cycling infrastructure is lacking in the Village, reducing the appeal of cycling as a way of experiencing the Village.

Analysis of parking demand data reveals that overall, there is sufficient parking in the Village, but the parking supply is considerably mismanaged, lacking in legibility, and not responsive to the Village's built form.

The robust parking survey results were analyzed, and it was determined that, overall, the Village's parking supply is sufficient for the demand observed. Peak parking demand was observed during the Fall weekend surveys at 1:30 PM, with an overall parking utilization of 55% (**Attachment 3 – Parking Demand Surveys Summary**). However, it is apparent that there is a stronger preference for public parking, particularly on-street public parking. On-street parking was found to be consistently in high demand and approaching capacity within high-activity areas of the Village, presenting challenges to visitors. Off-street parking within these areas also experiences notable demand and contributes to the appearance that parking is in short supply (**Attachment 3**). Combined with a lack of wayfinding and signage, lack of clarity where parking is permitted in the Village, and needing to navigate traffic to search for parking, the current arrangement of parking in the Village is not responsive to user behaviours and built form and can create a frustrating experience. Other challenges emerging from the existing conditions review include:

- Traffic operations are exacerbated by parking behaviours
- Active transportation safety is affected by parking behaviours
- Active transportation infrastructure can be improved

Existing policies surrounding development in Kleinburg Village are not reflective of current and future development trends.

In conducting a review of the existing Zoning By-Law standards and Cash-in-Lieu (CIL) of Parking policies, both policies are misaligned with current and future anticipated development trends. The Zoning By-Law places onerous and sometimes excessive requirements on the development of minimum parking standards. At the time of development review, confusion has also been noted when the Zoning By-Law requirements are compared with the recommended minimum parking requirements from the IBI Draft Parking Standards Report (2010), which is commonly applied throughout

the City. The application of CIL policies to date has also resulted in the minimal collection of funds for the Kleinburg Parking Reserve. This is largely a result of the formula and assumptions contained within the CIL policies not being reflective of contemporary construction costs.

Upon understanding the challenges Kleinburg Village experiences, the Kleinburg Parking Strategy provides recommendations and solutions through immediate, short term, medium term, and long term horizons.

Culminating the challenges identified through reviewing the existing conditions, a number of opportunities emerge to address immediate issues and to be explored in the short, medium and long term. These opportunities include:

- Improving the accessibility of public parking via centralized parking, wayfinding and signage improvements, and streetscape improvements
- Promoting underused parking areas, given almost the entire Village is within walking distance of any given internal destination or location
- Delivering critical short term infrastructure improvements (signage, wayfinding, parking delineation) through the Islington Avenue Streetscape Construction Project
- Updating or amending policies to address development related concerns
- Exploring partnerships with private property owners to provide parking to the public
- Working with the Kleinburg Public School and post-office to address site-specific concerns
- Investigating transitioning the Village to a more pedestrian-oriented space in the long term, subject to further monitoring and review
- Encouraging a reduction in vehicular through-traffic in the Village and encouraging sustainable transportation options
- Exploring new technologies in managing parking demand and providing mobility options, subject to further monitoring and review

The Kleinburg Parking Strategy reviewed a short term, medium term, and long term horizon. Following the completion of the Study and in reviewing the optimal delivery of the recommended solutions, it is recommended that the study horizons involve immediate solutions, short term solutions (1-3 years), the medium term horizon (3-10 years) and the long term (up to 2041).

There are key solutions that should be implemented in the short term to address existing challenges. These solutions can be delivered through and inform the Islington Avenue Streetscape Construction Project.

The majority of the short-term solutions can be implemented through the Islington Avenue Streetscape Construction Project. Since the Islington Avenue reconstruction will involve the full replacement of the right-of-way, the following short term solutions emerging from the Kleinburg Parking Strategy can be delivered:

- Conversion of boulevard parking to lay-by parking or on-street parking that is clearly delineated. This improvement will improve the clarity and legibility of the public parking supply while improving driver safety at driveways (sightline conditions)
- Implementation of wayfinding and signage as part of a branding and/or theming exercise. This improvement will provide enhanced guidance to drivers while also improving the pedestrian experience
- Constructing a centralized parking facility on the east side of Islington Avenue, north of John Street within the existing boulevard. This improvement relies on the wide section of boulevard and can deliver in the range of 40-50 parking spaces.

The Kleinburg Parking Strategy (2020) has provided complementary recommendations for the Islington Avenue Streetscape Construction project itself, including to provide bicycle parking opportunities within the boulevard, and accommodating cyclists as part of the Islington Avenue right-of-way.

In addition to the short term solutions that can be delivered through the Islington Avenue Streetscape Construction Project, other key short term solutions can be explored immediately by the City, including working with Canada Post to provide super mailboxes in the Village, and exploring partnerships with private property owners such as the Doctor's House to provide public parking opportunities.

Temporary improvements can be implemented immediately to mitigate existing challenges until such time that the Islington Avenue Streetscape Construction Project is completed.

Understanding that the Islington Avenue Streetscape Construction Project will require detailed design and construction phases before implementation, temporary measures can be implemented in the Village to mitigate existing challenges until such time that the Islington Avenue works are completed. These improvements are recommended as

temporary signage to be installed at key points through the Village to direct drivers to areas where parking may be available, as well as pavement markings to demarcate parking spaces within the Islington Avenue boulevard.

Policy changes to better align with current and future development trends can be implemented immediately to better protect for the Village's future.

The current cash-in-lieu of parking applications has resulted in the collection of fees that are not aligned with contemporary costs of parking space construction and do not provide notable funds to enable or permit more significant parking infrastructure improvements. To receive a more appropriate amount of fees through the application of cash-in-lieu, City of Vaughan By-Law 159-2006 can be amended immediately to update the formula and assumptions determining the collection of fees in place of parking spaces being provided through development. These amendments may also allow the City to collect more funds to contribute to the Kleinburg Parking Reserve. Greater funds in the reserve can provide for greater flexibility in implementing potential parking solutions.

Regarding development applications, the current minimum parking standards contained within Zoning By-Law 1-88 are not reflective of current and future anticipated trends. These minimum parking requirements can be revised to align more closely with current and future development trends. Through the City-wide Comprehensive Zoning By-Law Review, the project team for the Kleinburg Parking Strategy has provided input directly and upon the enactment of the updated City-wide Zoning By-Law, the applicable minimum parking requirements in Kleinburg will be more suitable.

Future parking projections suggest that parking demand can be managed through the medium and long term without drastic increases in parking supply.

Future parking projections applied Specific Area Policies of the City of Vaughan Official Plan, ongoing development applications, and consideration for increased attraction demand from growth surrounding the Village core. As a result of the Village's historic character, there is limited opportunity for significant development or redevelopment through the foreseeable future. The anticipated future development or redevelopment in the Village will consist of, primarily, retail, office, and commercial redevelopment or expansions, combined with residential intensification. A drastic increase in public parking demand is not forecasted (**Attachment 4 – Parking Forecast Summary**) considering residential parking must be accommodated on-site, off-street parking

requirements will still apply as necessitated by the Zoning By-Law, and that those living in the Village will not need to drive to complete their daily trips internal to the Village. Some increase in parking demand could be expected from commercial redevelopment within the Village, as well as attraction demand from continued residential growth in the greater Kleinburg area. However, this increase in demand will not require large-scale increases in public parking. The parking projections further support the identified opportunities, being better managing the public parking supply, and exploring transitioning the Village to be more pedestrian-oriented in the long term, subject to further monitoring and review.

Over the medium and long term, opportunities may be present to transition the Village to a more-pedestrian oriented space, subject to further review and monitoring.

Subsequent to the implementation of the immediate and short term solutions, medium and long term solutions can be considered which will contribute to a more pedestrian-oriented character and feel. Following the implementation of the immediate and short term solutions, further review and investigation of parking demand in the Village can be performed to understand the potential for the medium and long term solutions up to a 2041 horizon:

- Continually monitor parking demand and consider implementing paid parking and/or a Parking Authority if necessary
- Establish a pedestrian-oriented square or gathering space in the Village
- Enhance parking management through emerging technologies, including real-time updating parking availability applications
- Encourage Transportation Demand Management (TDM) by bolstering the active transportation network and working with York Region Transit (YRT) on transit initiatives
- Provide micromobility options to encourage park-and-explore behaviours, reducing vehicular traffic in the Village core
- Limit vehicular access to the Village core, granted suitable traffic alternatives are present through the longer term

The community shares a desire to see Kleinburg Village be a pedestrian-oriented, calmed historic district granted parking and traffic can be accommodated as appropriate.

Through consultation with various stakeholders and the public, there is a shared desire to see Kleinburg Village be more supportive and oriented to pedestrians and the pedestrian experience. Kleinburg Village today supports significant vehicular traffic on Islington Avenue, which functions as primarily a commuter route. The intensive traffic on Islington Avenue combined with the parking challenges has impacts on the pedestrian experience and pedestrian safety. The community's input reveals that the medium and longer term vision is desirable, and that a pedestrian-oriented direction is a sought-after vision (**Attachment 2 – Online Surveys Summary**). This vision however relies on the management and balancing of parking demands and traffic volumes, which can be monitored following the implementation of the immediate and short term solutions into the medium and long term.

Funding mechanisms, a monitoring strategy and an implementation plan have been identified and devised to protect for the medium and long term.

The Kleinburg Parking Strategy (2020) provides an Implementation Plan to guide the City through the short, medium, and long term horizons (**Attachment 5 – Implementation Plan**). The City can continue to rely on the Kleinburg Parking Reserve to implement improvements with respect to parking. The Kleinburg Parking Reserve is expected to be relied upon for community-based parking benefits and parking monitoring surveys. Larger scale improvements can be funded through the annual capital budget review process if needed. The City will continue to monitor parking and traffic conditions in Kleinburg Village through ongoing development applications which typically require the submission of traffic and parking studies for specific sites, as well as surveys of public parking occurring no more than five years apart. The City will also continue to monitor traffic through regular traffic data collection efforts and through dialogue with the KBIA and KARA and the greater public.

Financial Impact

The Kleinburg Parking Strategy recommends temporary parking improvements including pavement markings and signage. These improvements will be delivered and are anticipated to be funded through the Kleinburg Parking Reserve.

The short term infrastructure improvements and facilities recommended above are being considered as options to be delivered through the Islington Avenue Streetscape Construction Project.

The installation of the immediate temporary parking improvements and the short term infrastructure improvements and facilities are anticipated to introduce costs associated with maintenance and operations to be captured in future operating budgets.

Recommended policy changes will also be brought forward through the relevant processes, including the City-wide Comprehensive Zoning By-Law Review, and amendments to City of Vaughan By-Law 159-2006, Cash-in-Lieu of Parking Policy in the Community of Kleinburg.

Monitoring activities captured through the Monitoring Plan will be funded through the Kleinburg Parking Reserve and may trigger certain medium and long term recommendations.

Broader Regional Impacts/Considerations

City staff worked with York Region and York Region Transit (YRT) Staff, both participating as stakeholders, in completing the Kleinburg Parking Strategy (2020). The City is responsible for the improvements and solutions recommended as part of the Kleinburg Parking Strategy (2020) and will consult the Region and YRT as necessary when implementing these improvements and solutions. It is anticipated that improvements to Kleinburg Village will provide both local and Regional benefits by more strategically managing parking demand and encouraging active and sustainable transportation amongst those travelling to/from Kleinburg Village.

The short term solutions of the Kleinburg Parking Strategy (2020) are not anticipated to introduce broader Regional impacts. Most short term solutions are to be delivered through the Islington Avenue Streetscape Construction Project, which will need to consider Regional impacts through its detailed design and implementation phases. Other short term solutions such as improving wayfinding and signage, pursuing partnerships with local owners, and updating cash-in-lieu of parking policies are not anticipated to carry any Regional impacts or broader considerations.

Through the medium and long term horizon of the Kleinburg Parking Strategy (2020), being up to 2041, the City will continue to monitor parking demand and public concerns in considering implementing medium and long term recommendations of the Study. In the longer term, the Kleinburg Parking Strategy (2020) has identified a potential opportunity to transition the Village to a more pedestrian-oriented space, reducing or limiting through traffic on Islington Avenue through the Village core. This opportunity is expected to result in a heavier reliance on the broader Regional road network (Major MacKenzie Drive West and Highway 27). Subject to these improvements being pursued at the appropriate time, the City will work with the Region and YRT in encouraging this shift.

Conclusion

The Kleinburg Parking Strategy outlines a framework to address a range of existing parking, traffic, and active transportation challenges and concerns ongoing today, while providing a vision and direction for the medium and longer term that will further enhance the user experience in the Village. These immediate, short term, medium term and long term solutions are largely supported by the community as determined through extensive consultation. The City will be implementing a number of critical short term improvements through the Islington Avenue Streetscape Construction Project, which is scheduled to

enter detailed design in late 2020. The findings and recommendations of the study will help to enhance the Village and contribute to the themes of Transportation and Mobility and City Building in the City's 2018-2022 Term of Council Strategic Plan.

For more information, please contact: Frank Suppa, Director, Development Engineering, x8255

Attachments

1. Consultation Plan Summary
2. Online Survey #1 & #2 Key Summary
3. Summary of Parking Demand Surveys
4. Parking Forecast Summary
5. Implementation Plan

Prepared by

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Samar Saadi Nejad, Manager, Development Transportation Engineering, x8253

Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri'.

Nick Spensieri, Deputy City
Manager, Infrastructure
Development

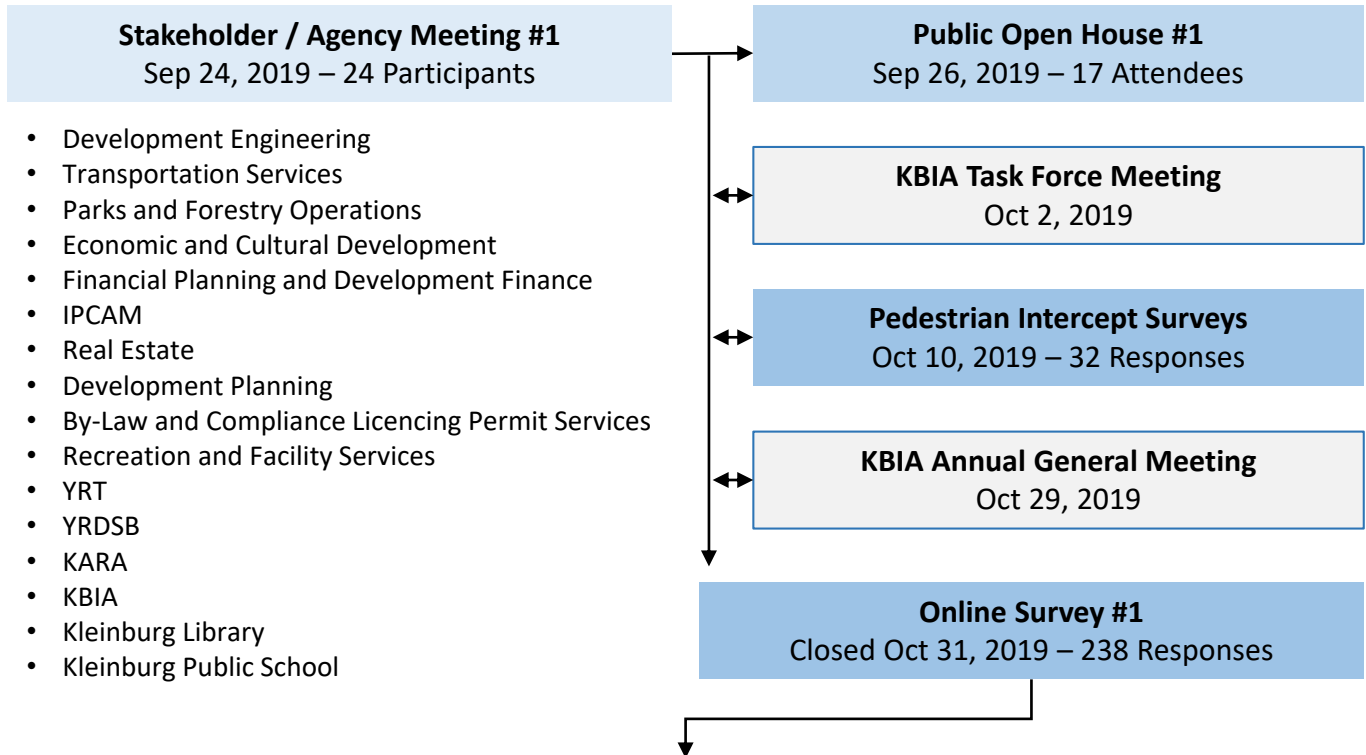
Reviewed by

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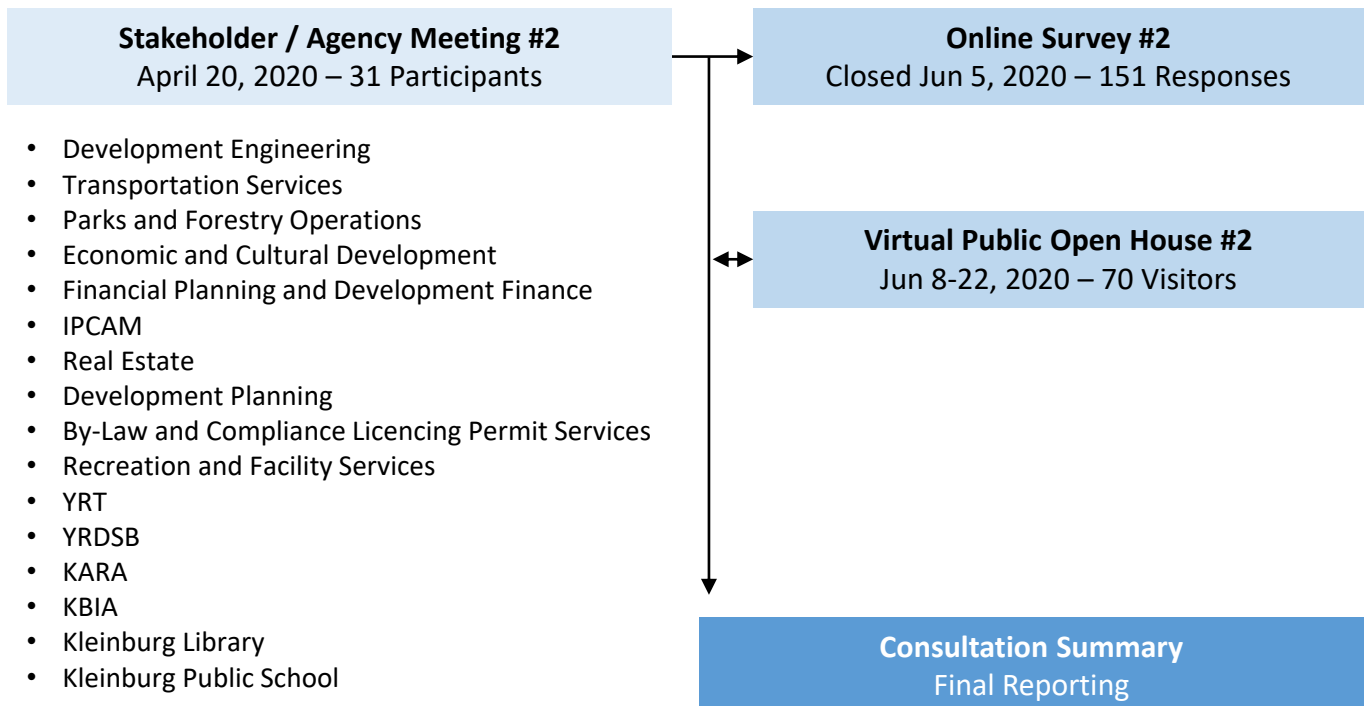
Jim Harnum, City Manager

KLEINBURG PARKING STRATEGY – CONSULTATION SUMMARY

PHASE 1 CONSULTATION

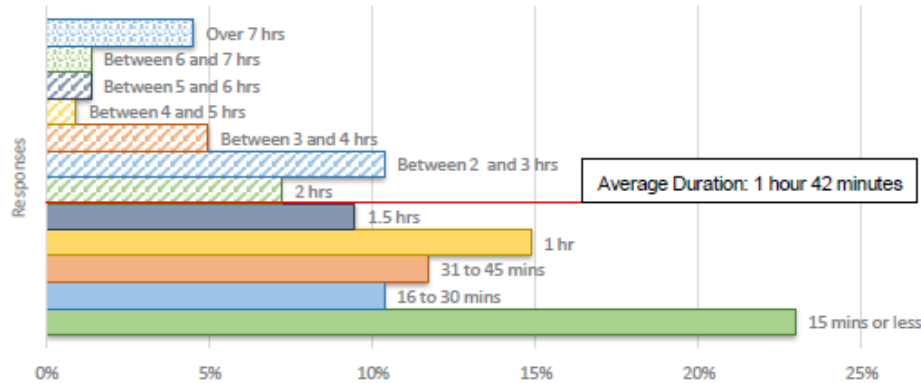


PHASE 2 CONSULTATION

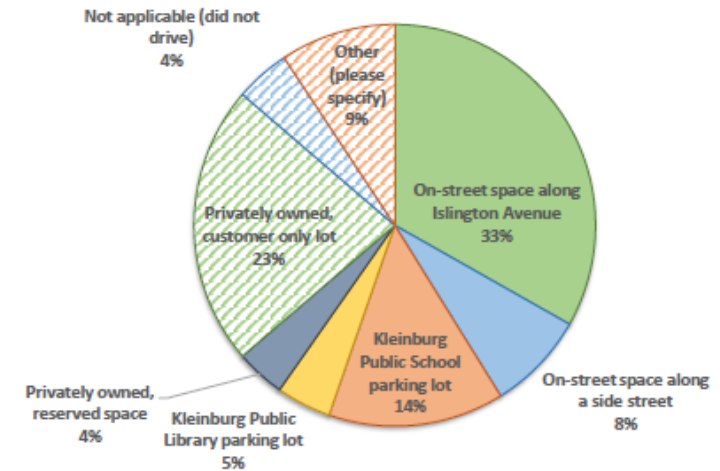


Online Survey #1 Key Summary (238 Responses)

Q. 7. How long did you stay in the area?



Q. 10. In which type of space did you park?



TAGS FOR ON-STREET PARKING FACILITIES

Percentage of Comments

| | |
|--|-------|
| Pain Point - Not area specific | 96.4% |
| Pain Point - Shortage on Islington | 85.7% |
| Pain Point - Post Office | 71.4% |
| Pain Point - Misuse of Private Space | 35.7% |
| Pain Point - School Spillover | 28.6% |
| Pain Point - Near Starbucks | 28.6% |
| Pain Point - Traffic Clog | 28.6% |
| Pain Point - Site Parking Inadequate | 21.4% |
| Need Quick Drop In /out spaces | 17.9% |
| Pain Point - Near Restaurants | 14.3% |
| Planning Issue | 14.3% |
| Pain Point - Business blocks On-street | 14.3% |
| Pain Point - Weekend Issue | 10.7% |
| Bypass Congestion | 7.1% |
| Poor Signage | 7.1% |
| Pain Point - RBC area | 7.1% |
| Safety Concerns - Pedestrians | 7.1% |
| Car-Free Zone | 3.6% |
| Keep it Free | 3.6% |
| Library Space Not Enough | 3.6% |
| Pain Point - Near Doctors House | 3.6% |
| Need Central Parking Lot | 3.6% |
| No Issue - Use Existing Space | 3.6% |
| Pain Point - Kellam | 3.6% |
| Snow Banks Block Space | 3.6% |
| Pain Point - Spillover to Residential | 3.6% |

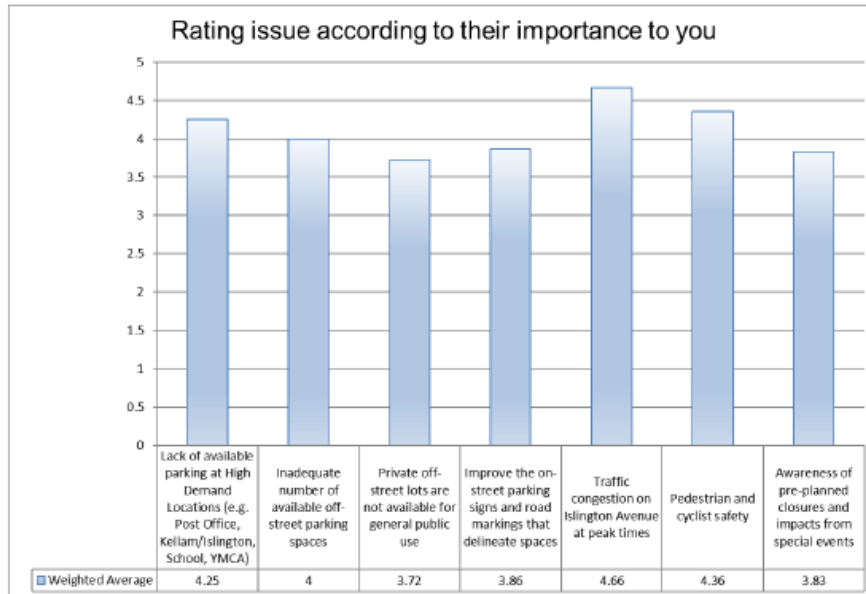
Q.12 Estimate how long it took to find parking.



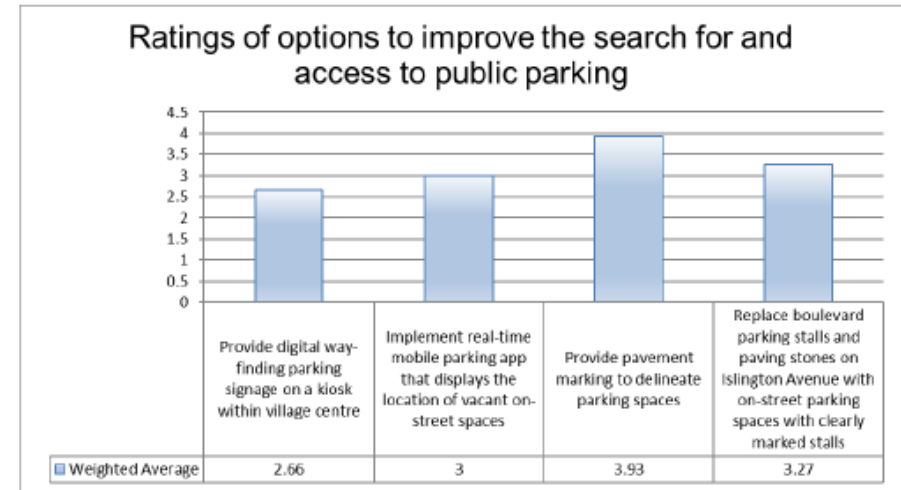
Online Survey #2 Key Summary (151 Responses)

Preferences Ranked (Scale 1-5, Least Important to Most Important)

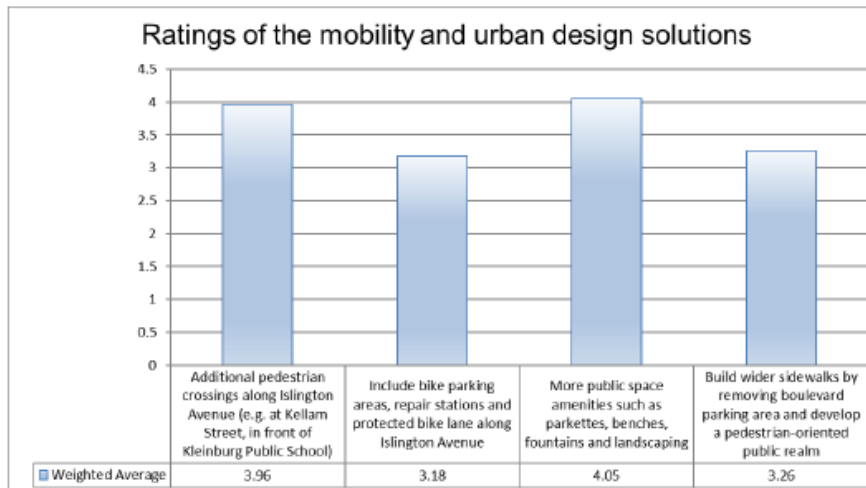
Q3. Rate each identified issue according to their importance to you.



Q6. Rate the options to improve the search for and access to public parking



Q8. Rate the mobility and urban design solutions.



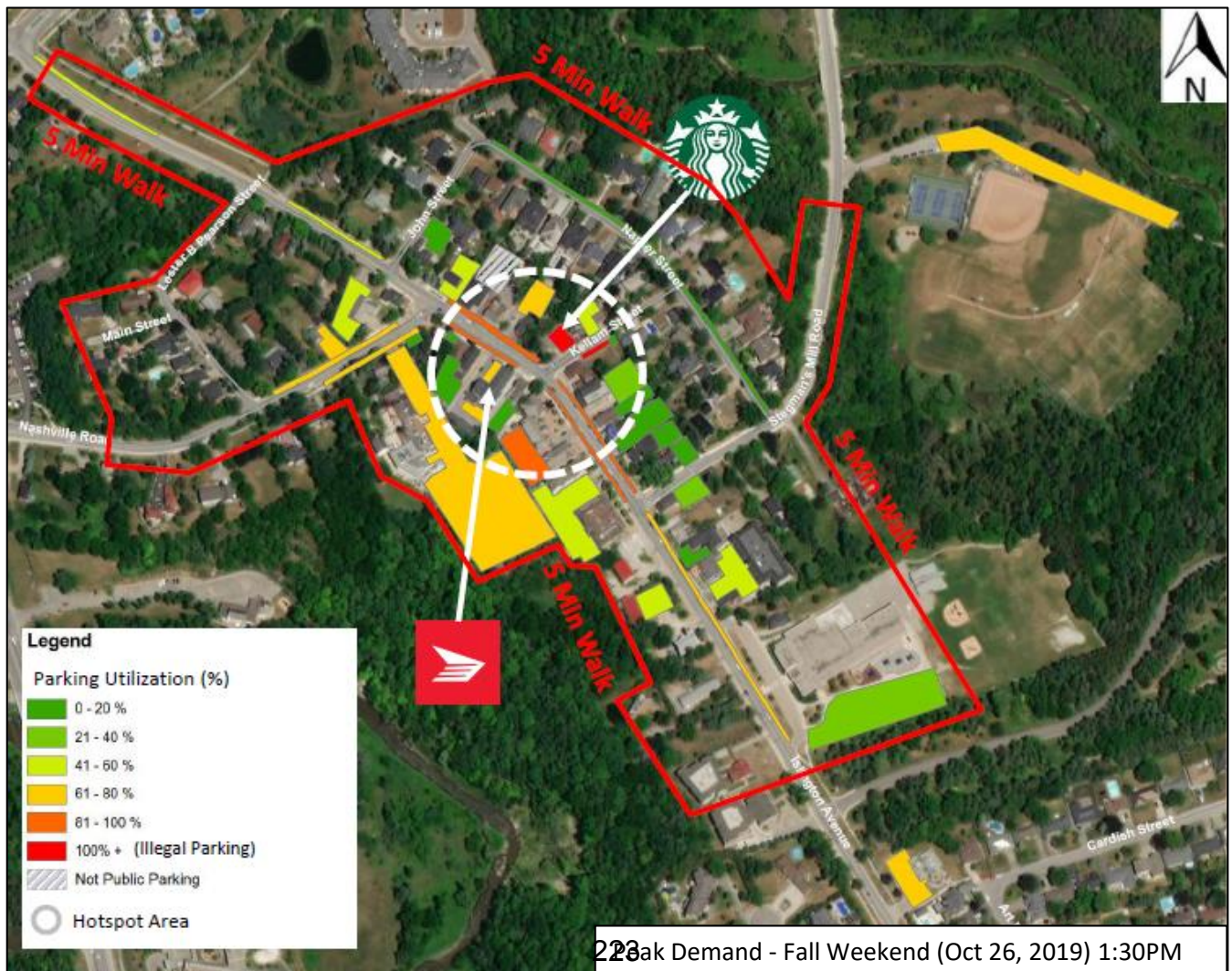
Q13. Rate the solutions to manage and sustain public parking strategy.



Summary of Parking Demand Surveys

| | Survey Period | Peak Period | Total Parking Demand (% Occupancy) | Off-Street | | On-Street |
|---------------|------------------------------|----------------|------------------------------------|--------------|-----------------------------|-------------|
| | | | | Private | Publicly-owned ¹ | Public |
| SUMMER | Weekday 9:00 AM – 9:00 PM | 2:00 – 2:30 PM | 351 (49%) | 256 (47%) | 21 (60%) | 74 (57%) |
| | | 2:00 – 2:30 PM | 284 (42%) | 203 (39%) | 16 (46%) | 65 (50%) |
| | Weekend 9:00 AM – 9:00 PM | 8:30 – 9:00 PM | 378 (55%) | 277 (53%) | 13 (37%) | 88 (68%) |
| FALL | Weekday 8:00 AM – 9:00 PM | 1:30 – 2:00 PM | 348 (50%) | 243 (46%) | 27 (77%) | 78 (60%) |
| | | 8:30 – 9:00 PM | 296 (43%) | 190 (36%) | 16 (46%) | 90 (70%) |
| | Weekend 9:00 AM – 9:00 PM | 1:30 – 2:00 PM | 378 (55%) | 277 (53%) | 7 (20%) | 94 (73%) |
| SPECIAL EVENT | 5:00 PM – 8:00 PM | 7:30 – 8:00 PM | 362 (53%) | 248 (47%) | 17 (49%) | 97 (75%) |

¹ Includes municipally owned parking lots at Pierre Berton Heritage Centre and Kleinburg Public Library



Parking Forecast Summary

Parking Demand Projections – Short-Term to Long-Term Horizon

| Horizon | Estimated Non-Res GFA Increase | Estimated Non-Res GFA | Estimated Parking Demand Increase | Estimated Parking Demand (Public & Private) | Parking Supply Increase | Parking Supply |
|-----------------------|--------------------------------|-----------------------|-----------------------------------|---|-------------------------|----------------|
| Existing Conditions | - | 18,712 m ² | - | <u>408*</u> | - | <u>754*</u> |
| Short-Term (1-10 Yr.) | +3,530 m ² | 22,242 m ² | +130 | <u>538</u> | +162 | <u>916</u> |
| Medium-Term (10+ Yr.) | +3,824 m ² | 26,066 m ² | +193 | <u>731</u> | +98 | <u>1,014</u> |
| Long-Term (2041) | +10,220 m ² | 36,286 m ² | +372 | <u>1,103</u> | +317 | <u>1,331</u> |
| TOTAL INCREASE | +17,574 m² | | +773 | | +675 | |

* Includes parking supply/demand from Bindertwine Park (64 spaces/30 spaces), which is beyond a 5-minute walk of the Village core. Bindertwine Park was considered in the future forecasts as the parking supply presents an opportunity for user group parking (valet, employees, cyclists, etc.)

Changes in Parking Supply – Short-Term to Long-Term Horizon

| Change in Short-Term Parking Supply | | Change in Medium-Term Parking Supply | | Change in Long-Term Parking Supply | |
|--|-------------|--------------------------------------|------------|------------------------------------|-------------|
| Public Lot North of John Street | +46 | Development Requirements | +98 | Development Requirements | +236 |
| Refurbish Pierre Berton Lot | +4 | TOTAL CHANGE | +98 | Old Fire Hall (If Required) | +81 |
| Replace Boulevard Parking with Lay-Bys | -52 | | | TOTAL CHANGE | +415 |
| Potential Doctor's House Partnership | +16 | | | | |
| Development Requirements | +148 | | | | |
| TOTAL CHANGE | +162 | | | | |

Implementation Plan

| Timeline | Suggested Implementation Order | Recommended Solution | Requirements and Next Steps |
|-------------------------------|---|--|---|
| Immediate | 1 | Parking Guidance | Signage and temporary pavement markings to be implemented as early as possible (within 1 year) |
| | 2 | Revisions to Cash-in-Lieu of Parking By-Law 159-2006 | Revise By-Law to reflect more recent costs of parking space construction (immediate) |
| Short-Term (1 - 3 Years) | Require City Discussion | | |
| | 1 | Parking Partnerships | Parking partnerships require agreements between the City and other parties. The City should initiate this process immediately. |
| | 2 | Canada Post Community Mailboxes | The City will be required to engage Canada Post regarding the implementation of community mailboxes for the Village. |
| | Delivery Impacted by Islington Streetscape Master Plan Works | | |
| | 3 | Parking Lay-by | Lay-by parking to be constructed as part of the Islington Avenue streetscape improvement works. |
| | 4 | Clear Delineation of Parking Spaces / Pedestrian Areas | Will coincide and progress with implementation of lay-by parking and Islington Avenue streetscape improvement works. |
| | 5 | Public Parking Lot | New parking lot in boulevard area north of John Street. To be developed with Islington Avenue streetscape works. |
| | Other Initiatives | | |
| | 6 | Wayfinding Strategy | Wayfinding should be implemented concurrently with parking restriction signage. |
| | 7 | Use of Bindertwine Park | Parking spaces readily available for user groups. Use of spaces may initially become important due to streetscape works. |
| Medium-Term (3 - 10 Years) | 1 | Parking Partnerships | The City will continue to pursue opportunities in the medium-term to deliver new parking partnerships for the Village. |
| | 2 | Consolidated Private Parking | Consolidated parking assessments to be made on a case-by-case basis via the submission of a parking justification study. |
| | 3 | Real Time Parking / Dynamic Wayfinding Systems | A full roll-out of dynamic real-time wayfinding systems should be considered under the purview of City staff/parking authority. |
| | 4 | Interconnected Bike / Pedestrian Paths | Identify and close prevailing gaps in pedestrian and cycle networks, integrate and expand networks where possible. |
| | 5 | Eco-mobility & Micro-mobility | Determine types of eco-mobility and micro-mobility to be implemented. Stations can be implemented gradually. |
| | 6 | Village Square (Pedestrianized) | Engagement and agreement with property owners and KBIA to establish a pedestrian-oriented Village square / centre. |
| | Subject to Further Monitoring | | |
| | 7 | Parking Authority | The study does not recommend the development of a parking authority, however monitor and review for its need. |
| | 8 | Paid Parking (village core) | Paid parking is not being considered for the medium-term, however the potential for paid parking to be monitored. |
| Long-Term (2041) | 1 | Review/Implement New Parking Technologies | Easily adaptable technologies can be incorporated into the development of pedestrian-only core, micro-mobility stations. |
| | 2 | Mode-shift via Transit and TDM | Implementation of new measures (i.e. carpooling and car-share) can be introduced at new parking facilities. |
| | 3 | Pedestrian-only Village Core | Policy guideline or by-law guidance for pedestrianized Village square to be developed. Must be coordinated with York Region. |
| | Subject to Further Monitoring | | |
| | 4A | Redevelop Old Fire Hall | Implementation to be determined through monitoring with trigger for development at 80% occupancy of Village parking. |
| | 4B | Parking Structure | Considered as an alternative to an at-grade parking facility, implementation based on detailed feasibility assessment. |
| | 5 | Paid Village Wide Parking | Not recommended for implementation in this horizon and its need is subject to further monitoring. |

Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD(S): ALL

**TITLE: NORTH MAPLE REGIONAL PARK PHASE 2 DEVELOPMENT
UPDATE**

FROM:

Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: FOR INFORMATION

Purpose

To provide an update on procurement for Phase 2 park development at North Maple Regional Park (NMRP) including site preparation, grading, servicing and related studies.

Report Highlights

- The first part of Phase 2 park development involves preparing a large area of undeveloped parkland with major site grading, servicing (water, sanitary, electrical, storm water) and restoration of the pond and wetland areas which are provincially significant.
- In April 2020, Council authorized staff to initiate procurement for Phase 2 development and report back with an update on the results of the first RFP process to secure a technical advisor and consultant team.
- RFP20-166 to secure a Technical Advisor consultant team was issued June 4, 2020 and closed July 21, 2020.
- Multiple stages of evaluation were undertaken by a diverse evaluation team resulting in a contract award to Stantec Consulting Ltd.
- A Fairness Monitor was engaged by Procurement Services to oversee this procurement process.
- With this contract in place, Phase 2 design and technical studies will be initiated over the balance of 2020 with detailed design and construction of site grading and servicing to follow in 2021.

Recommendations

1. That this report be received for information.

Background

In April 2018, Council endorsed the 900-acre vision for NMRP to create a nationally significant public sports, recreation and cultural venue as a legacy project for Vaughan residents and visitors. In September 2018, Phase 1A park development (artificial turf fields, driveway, parking and pathways) was completed and the park officially opened for use. Phase 1B park development (washrooms, changerooms, shade shelters and event preparations) was completed in 2019 with the first Canada Day event held at NMRP on July 1, 2019 with over 18,000 visitors attending. In April 2020, Council authorized staff to initiate procurement for Phase 2 development and report back with an update on the results of the first RFP process to secure a technical advisor and consultant team.

Advancing the 900-acre vision for NMRP is a Term of Council priority project. With completion of Phase 1, NMRP has become a popular destination for Vaughan residents and visitors with many eagerly awaiting the start of Phase 2 park development.

Previous Reports/Authority

[NORTH MAPLE REGIONAL PARK PHASE 2 DEVELOPMENT](#)

Analysis and Options

The Phase 2 Concept Plan (appended as Attachment 1) outlines the next areas of park development works. The Phase 2 work area measures over 130 acres (53ha) in size and at full build-out is planned to include many programs and facilities for the local and greater community that align with previous park plans, community consultations and recommendations of the Active Together Master Plan, the City's strategic plan for parks, recreation and libraries. Many more park programs and facilities are possible at NMRP as future phases of the park are implemented and additional lands are made ready for public use.

The Phase 2 Concept Plan will be used to guide the delivery of park grading, site preparation and installation of site servicing including water, sanitary, electrical, storm water. Restoration and enhancement of the existing provincially significant pond and wetland area will also be completed as per staff discussions with regulatory authorities including the Ministry of Natural Resources and Forestry (MNR) and Toronto Region Conservation Authority (TRCA). Opportunities to leverage grant funding, community programs and in-kind services related to restoration of the pond and wetland area will be explored as this project progresses.

On June 4, 2020, RFP20-166 North Maple Regional Park – Technical Advisory Services was published to bids&tenders™. A total of nine (9) Plan Takers registered for the RFP and subsequently two (2) proposals were received on the closing date of July 21, 2020. An evaluation team consisting of five (5) internal staff representatives completed the RFP evaluations with oversight from Procurement and a Fairness Monitor. The evaluation process consisted of multiple stages, with minimum thresholds required to be met for each stage. As part of the final evaluation stage, Proponents were invited to attend a virtual interview, with the evaluation team on August 20, 2020, where they were required to present responses to a series of questions disclosed to them a week prior. Upon completion of the interview stage, the evaluation team met to finalize scores and it was determined that Stantec Consulting Ltd. (Stantec) was the highest-ranking Proponent recommended for award. Following contract award Stantec will commence work in September 2020 to initiate Phase 2 conceptual design refinement and associated technical studies to support the preparation of a 30% Technical Design package that can be tendered through a Phase 2 Design Build RFP in 2021.

To support the procurement process, on June 2, 2020 Optimus SBR Inc. (Optimus SBR) was retained in the capacity of Fairness Monitor to oversee procurement processes related to the NMRP Technical Advisory Consultant RFP. Optimus SBR was involved in reviewing the RFP document and subsequent addenda prior to posting, monitoring procurement activity during the tendering period, sitting in on the consensus meeting and Proponent interviews. Optimus SBR will also act as Fairness Monitor for the subsequent Design Build RFP planned for 2021.

The updated project plan is as follows:

- | | |
|----------------------|--|
| <u>Step 1</u> | Issue a Request for Proposals (RFP) to select a Technical Advisor and consultant team to support staff with the completion of 30% design and to undertake technical studies for Phase 2 site preparation, grading, servicing and the completion of Record of Site Condition studies. (Timing: May 2020) COMPLETE |
| <u>Step 2</u> | Evaluate proposals and report back to Council with a project update. (Timing: August 2020) COMPLETE |
| <u>Step 3</u> | Project initiation and implementation of 30% design and technical studies. (Timing: August 2020 to February 2021) IN-PROGRESS |

- Step 4** Report back to Council with a project update.
(Timing: December 2020)
- Step 5** Issue a Request for Proposals (RFP) for a Design Build contractor for the completion of Phase 2 detailed design, site preparation, grading, servicing and related works.
(Timing: March 2021)
- Step 6** Evaluate proposals and report back to Council with a project update.
(Timing: May 2021)
- Step 7** Project initiation and implementation of detailed design and construction.
(Timing: June 2021)

In addition to advancing Phase 2 park development with the Technical Advisor consultant team, the following activities continue to be in-progress by the NMRP Project Team to advance Council direction for the 900-acre NMRP park vision:

1. Exploring potential partnership and opportunities to create a world-class recreational and cultural destination
 - Preparing and submitting proposals for infrastructure grant funding
 - Responding to inquiries and exploring a variety of interests from sports organizations
 - Discussions with local community organizations interested in developing youth programs and community event opportunities
2. Discussions to engage Evergreen to provide advisory services for community engagement and park activations
 - Developing a framework for resident involvement and a park volunteer program
 - Exploring ideas for year-round park events, activations and revenue generation
 - Researching park governance and sustainability models
3. Understanding requirements, opportunities and constraints for transforming former landfill areas for park and recreational uses
 - Consultations with Ministry of the Environment, Conservation and Parks (MECP) including application for ECA amendment
 - Considering opportunities for the former Vaughan Township Landfill Site to provide additional landfill cover and topsoil placement

- Strategy for discussions with City of Toronto for park and recreational uses on the former Keele Valley Landfill Site
 - Discussions with adjacent landowners regarding future development plans, pedestrian connections and potential opportunities related to NMRP
4. Continued Environmental Site Assessment within specific areas of NMRP
 - NMRP Part B ESAs and Record of Site Condition is underway with PG Environmental
 5. Consultations with the Toronto Region Conservation Authority to explore areas of mutual interest and opportunity
 - Exploring expansion and rehabilitation of the existing wetland and pond areas within the Phase 2 work area
 - Identifying trail routing, mapping and development opportunities
 - Sharing park visitor education materials and strategies
 - Considerations for park and trail development, operations and maintenance agreements
 6. Consultations with York Region for the IEA process for the future Teston Road link
 - Exploring options for the future roadway through the 900-acre NMRP boundaries that will ultimately connect Highway 400 and Bathurst St.
 - Considering creative ideas for road alignment, structures and possible tunneling beneath future parkland areas
 - Discussions regarding operating and mechanical systems related to the landfill areas
 7. Developing a framework to establish a working group to identify, research and promote the cultural and natural history of the park
 - Planning for future celebrations related to the 20th anniversary of the closure of the Keele Valley Landfill Site in December 2022
 - Programs and education to promote the natural heritage features and significance of the various park landscapes and environmentally significant areas
 - Strategy for understanding and celebrating the cultural history of the site and local area surrounding the park
 8. Internal discussions with other City of Vaughan Departments
 - Parks Operations and Facilities Management to establish appropriate levels of service and ensure adequate operations and maintenance
 - Corporate Communications to prepare key messages, promotional material and to consider digital display screens on the main park sign at Keele St.
 - Discussions with IT about installing Wi-Fi within the park
 - Working with Legal to establish mapping and database for property and legal documents

- Discussions with Tourism Vaughan to understand the larger park vision and to explore opportunities for events and activations at the park

Further updates and communications on these activities will be provided as the NMRP Program continues to be refined and resources are assigned to the project.

Financial Impact

Funding in the amount of \$2,246,733.61 is available in approved Capital Project PK-6636-19 to continue advancing the NMRP project, including labour recovery for staff time. Total contract costs associated with RFP20-166 are \$2,058,970.36 including non-recoverable HST and project administration costs.

Funding for Phase 2 detailed design and construction will be identified for Council consideration as part of the 2021 Budget process.

Broader Regional Impacts/Considerations

Completion of the NMRP project requires continued discussion and coordination with a variety of external agencies and stakeholders including York Region, TRCA, City of Toronto, MECP and MNRF.

Conclusion

Advancing the 900-acre vision for NMRP is a Term of Council priority project. With the completion of Phase 1 park development in 2018 and 2019, public interest in advancing future phases of park development continues to grow. To advance Phase 2 park development as efficiently and effectively as possible, a public procurement process was completed to secure Stantec Consulting Ltd. as the project Technical Advisor consultant team to implement design and technical studies required to prepare Phase 2 site preparation, grading and servicing for a Design Build contract for construction. The project is currently on-schedule to begin in September with construction planned to follow in 2021.

For more information, please contact: Jamie Bronsema, Director of Parks Delivery ext. 8858

Attachments

1. NMRP Phase 2 Concept Plan, February 2020

Prepared by

Jamie Bronsema, Director of Parks Delivery ext. 8858

Brett Lucyk, Project Manager ext. 8099

Approved by

A handwritten signature in black ink, appearing to read 'Nick Spensieri', with a long horizontal line extending to the right.

Nick Spensieri, Deputy City Manager
Infrastructure Development

Reviewed by

A handwritten signature in black ink, appearing to read 'Jim Harnum', with a long horizontal line extending to the right.

Jim Harnum, City Manager



Committee of the Whole (1) Report

DATE: Tuesday, October 06, 2020

WARD(S): ALL

TITLE: BY-LAW CONSOLIDATION TECHNICAL AMENDMENTS

FROM:

Sunny Bains, Acting Deputy City Manager, Community Services

ACTION: DECISION

Purpose

As staff continue to review and revise the City's regulatory by-laws as part of its Council-approved By-law Strategy, the need to ensure consistency across by-laws has been identified as a first step towards eventual codification. This report seeks authority to implement a series of housekeeping amendments and to consolidate one additional by-law.

Report Highlights

- Through the By-law Strategy, staff ensure the City's by-laws are municipally relevant, responsive to community needs and transparent to the public.
- In September of 2018, staff began the process of consolidating its regulatory by-laws to ensure accessibility and transparency and as an interim step in the codification process. This report seeks approval for additional consolidation and a series of by-law technical amendments.
- Consolidation and harmonization support a number of Council priorities, including good governance, citizen experience and operational performance.

Recommendations

1. Adopt the recommendations in Attachment 1 of this report; and
2. Authorize staff to undertake any other actions required to implement the recommendations of this report, including any consequential amendments to other by-laws.

Background

The amendments proposed in this report are minor in nature and reflect the ongoing scrutiny and review of the City's regulatory by-laws. In addition, and in keeping with the City's initiative to provide service excellence to residents and visitors, staff continue to place more by-laws under the City's Administrative Monetary Penalties program. The main purpose of this initiative is to expedite offence disputes while providing a transparent and fair adjudication process.

Analysis and Options

Staff are making a number of recommendations to ensure the consistency in both language and application of by-laws, and in particular with respect to enforcement powers and penalties (including the ongoing designation of certain by-laws under the Administrative Monetary Penalties program).

Specifically, staff are addressing the following issues:

1. As part of the ongoing initiative to have the penalties provisions of more by-laws administered through Administrative Monetary Penalties By-law 063-2019, staff propose to designate several new by-laws by adding them to Schedule 1. Designation expands the enforcement options for staff by being able to either issue fines under the Provincial Offences Act or monetary penalties under the Municipal Act. Correspondingly, within each designated by-law a new section referencing designation is to be added.
2. Staff are proposing that Special Events By-law 045-2018 become a designated by-law under the Administrative Monetary Penalties By-law. This facilitates enforcement actions by expediting the dispute process. Designation will require that an offence section for AMPs be added and that monetary penalties for offences be set at \$250.
3. The City's Dumping By-law 103-2020 was passed in the spring of 2020. Over the summer, through practical application and post-review, staff have identified a number of technical issues. Provisions relating to bins on the road, currently only address the placing of such bins. Staff propose to expand the provision to include "causing" or "permitting" the placement of bins. The expanded provision will give staff more leverage in dealing with illegally placed bins. Staff are also recommending that section 5.0(2) be amended to apply the height restriction of 20 centimetres to weeds as well as grass, thus eliminating any ambiguity about its applicability to growth other than grass. Finally, staff are also extending the requirements of the long grass and weeds provision to the boulevard. This amendment will consolidate all grass and weed related regulations, making corresponding regulations in other

existing by-laws redundant; thus, staff are also recommending the repeal of City Boulevards By-law 202-2006.

4. The City's Short-Term Rental By-law 158-2019 came into effect on January 1, 2020. With the onset of COVID-19, short-term rental activity came to a halt in mid March, but started up again in July. In the meantime, staff have identified a few areas for regulatory improvement, including more consistent application of licensing requirements across classes of people, specifically applicants and licensees. Staff are also recommending that the requirement for a brokerage to maintain residency in Canada be eliminated, thus facilitating the legal operation of brokerages, as many originate abroad. Staff are also recommending adding new definitions and provisions to more explicitly lay out licensing requirements for short-term rental brokerages and make it easier for the City to serve notices, penalties and fines and to otherwise undertake enforcement activities. Finally, staff are also recommending reflecting these changes in Municipal Accommodation Tax, Short Term Rental By-law 183-2019.
5. Recent amendments to the Fence By-law require corresponding changes to Encroachment By-law 034-2017. Specifically, staff recommend reflecting new fence height restrictions to create consistency in application across regulations. Staff are also proposing that the fence height exemption process under the Fence By-law be available to encroaching fences. Currently only fences on private property may apply for a fence height exemption.
6. The City's Filming By-law 371-2004 was recently consolidated; however, this proposed amendment is to eliminate the fee, currently residing within the by-law, and instead referencing the Fees and Charges By-law, the central repository for all regulatory by-law related fees (except business licensing).
7. A technical amendment is being proposed for Tree Protection By-law 052-2018 to set the Part I fine to \$250, as authorized by the Ministry of the Attorney General.
8. Staff are proposing more explicit language in Animal Control By-law 066-2020 by adding a new section that makes it an offence to have custody of a pit bull, as defined under the Dog Owners' Liability Act. In addition, staff are also recommending being more specific about who is required to provide proof of microchipping for seized or impounded dogs. The requirement would be limited to residents of the city and when a microchip cannot be detected.
9. COVID-19 Emergency Measures By-law 037-2020 was adopted by Council in response to the evolving COVID-19 pandemic. The by-law was designed to

support and augment the measures prescribed under the Emergency Management and Civil Protection Act, R.S.O. 1990 (“EMCPA”), including delegating powers to the Head of Council, the City Manager and the Director, By-law and Compliance, Licensing and Permit Services. On July 24, the Province terminated the state of emergency and transitioned the Orders issued under the EMCPA to the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020. As a result, staff are recommending amending the By-law to reflect this change. In addition, staff are recommending further clarification on the authority to issue enforcement orders under the By-law.

In addition, staff are recommending the consolidation of Photography Permits By-law 202-2006, by repealing it and introducing a new by-law that consolidates all regulations and incorporates the aforementioned enforcement powers and penalty provisions. Staff are also recommending that references to Recreation and Culture be changed to Recreation Services and that permits no longer be available for Scott House and Railway Station in Kleinburg, thus aligning the by-law with current practice.

Financial Impact

There are no anticipated financial impacts to the City as a result of the recommendations of this report.

Broader Regional Impacts/Considerations

The recommendations in this report do not have an impact on other municipalities, the Region or any of its agencies.

Conclusion

In accordance with Vaughan Council’s strategic priorities of *Active, Safe and Diverse Communities* and *Good Governance*, the proposed amendments will provide greater clarity to the public with respect to the City’s existing regulations. The City’s regulations are not only intended to protect the health, safety and well-being of its residents and visitors, but also to promote its community standards and social values.

In addition, by-law consolidation is an ongoing process to culminate in the creation of a Vaughan Municipal Code and improve both *Operational Performance* and *Good Governance*.

For more information, please contact: Gus Michaels, Director of By-law and Compliance, Licensing and Permit Services, ext. 8735.

Attachments

1. Proposed Amendments

Prepared by

Rudi Czekalla-Martinez, Manager, Policy & Business Planning, ext. 8782

Approved by



Sunny Bains,
Acting Deputy City Manager of
Community Services

Reviewed by



Jim Harnum, City Manager

Recommendations

1. That the following by-laws be amended by adding a section making them designated by-laws under the Administrative Monetary Penalties By-law:

Animal Control By-law 066-2020
Special Events By-law 045-2018
Filming By-law 371-2004
2. That Schedule 1 of Administrative Monetary Penalties By-law 063-2019 be amended to include the by-laws above and also include the new consolidated Photography Permits By-law.
3. That Special Events By-law 045-2018 be amended by adding an AMPs offence section and that monetary penalties for offences be set at \$250.
4. That Dumping By-law be amended by expanding the offence in section 6.0(1) to include “cause or permit”.
5. That Dumping By-law be amended by extending the height restriction of 20 centimetres in section 5.0(2) to also include weeds (as well as grass) and for the restriction to further apply to grass and weeds on the boulevard.
6. That City Boulevards By-law 202-2006, and all of its amendments, be repealed.
7. That Short Term Rental By-law 158-2019 be amended by ensuring that all relevant requirements apply equally to applicants and renewing licensees, and that the residency requirement for short-term rental brokerages be eliminated.
8. That Encroachment By-law 034-2017 be amended to reflect the fence height restrictions approved under the new Fence By-law and that a provision be added to allow for fence height exemptions in accordance with same.
9. That Filming By-law 371-2004 be amended to make reference to the Fees and Charges By-law for all permit fees.
10. That Tree Protection By-law 052-2018 be amended to reflect a minimum fine of \$250, which is the amount authorized by the Ministry of the Attorney General.

11. That Short-Term Rental By-law 158-2019 be amended by amending the definition for “Operator” to include the act of marketing and to add a definition for “Market” in order to better capture the activity of facilitating and advertising short-term rentals.
12. That Short-Term Rental By-law 158-2019 be amended by expanding the definition of “Person” so as to include subsidiaries of a corporate entity and multiple persons where the context is appropriate.
13. That Short-Term Rental By-law 158-2019 be amended by amending the definition of “Short-Term Rental Brokerage” to include marketing activities across various electronic media and by expanding the requirements on Short Term Rental Brokerages to maintain certain booking information.
14. That section 13.0(1) of Short-Term Rental By-law 158-2019 be amended by more explicitly identifying service requirements for notices, with respect to corporations.
15. That Short-Term Rental By-law 158-2019 be amended by adjusting all minimum fines to \$500, in accordance with the Provincial Offences Act.
16. That Municipal Accommodation Tax, Short-Term Rental By-law 183-2019 be amended to reflect the same definitions and requirements as By-law 158-2019.
17. That Animal Control By-law 066-2020 be amended by adding a section to prohibit having custody of a pit bull, as defined under the Dog Owners’ Liability Act, R.S.O., 1990, and to amend section 14.0(4) to limit the requirement for proof of microchipping to residents of the city when the microchip cannot be detected.
18. That COVID-19 Emergency Measures By-law 037-2020 be amended by reflecting the change in authority for the issuance of emergency orders from the Emergency Management and Civil Protection Act, 1990, to the Reopening Ontario Act, 2020, and that, for greater certainty, the explicit authority of the Director and Chief Licensing Officer to issue enforcement orders be added.
19. That Photography Permits By-law 82-2006 and its amending by-law 207-2006 be repealed and replaced by a new consolidated by-law that also incorporates all other standard provisions, including enforcement powers and penalties and fine provisions under both the Provincial Offences Act and the Administrative Monetary Penalties provisions of the Municipal Act, and that the new by-law no longer include Scott House and Railway Station in Kleinburg as available for photography permits.

**CITY OF VAUGHAN
REPORT NO. 6 OF THE
HERITAGE VAUGHAN COMMITTEE**

*For consideration by the Committee of the Whole
of the City of Vaughan
on October 6, 2020*

The Heritage Vaughan met at 7: 07 p.m., on September 16, 2020.

| <u>Members Present</u> | <u>In-Person</u> | <u>Electronic Participation</u> |
|---|------------------|---------------------------------|
| Giacomo Parisi, Chair | | X |
| Antonella Strangis, Vice Chair | | X |
| Sandra Colica | | X |
| Zhanyi He | | X |
| Diana A. Hordo | | X |
| Councillor Marilyn Iafrate | | X |
| Elly Perricciolo | | X |
| Shira Rocklin | | X |
| John Senisi | | X |
| Councillor Alan Shefman | | X |
| Dave Snider | | X |
| <u>Staff Present</u> | | |
| Rob Bayley, Manager of Urban Design & Cultural Heritage | | X |
| Nick Borcescu, Senior Heritage Planner | | X |
| Katrina Guy, Cultural Heritage Co-ordinator | | X |
| Adelina Bellisario, Council / Committee Administrator | | X |

The following items were dealt with:

1. **DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A THREE-STOREY MIXED USE BUILDING WITH UNDERGROUND PARKING AT 10568 ISLINGTON AVENUE, IN THE KLEINBURG-NASHVILLE HERITAGE CONSERVATION DISTRICT**

The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

- 1) **That the recommendation contained in the report of the Acting Deputy City Manager, Planning and Growth Management, dated September 16, 2020, be approved subject to the addition of the following:**

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

- d) That a demolition permit shall not be issued for the property until a building permit has been issued for a new building in accordance with the Kleinburg Nashville Heritage Conservation District Plan.

The Heritage Vaughan Committee advises Council:

- 1) That the deputation of Mr. Paul Oberst, Paul Oberst Heritage Consultant, Rusholme Park Crescent, Toronto, on behalf of the applicant, was received.

Recommendations

That Heritage Vaughan Committee recommend THAT Council approve an application to demolish the existing dwelling, detached garage and a proposed 3-storey mixed-use development, consisting of 6 ground floor retail units and 16 residential units above, with 32 underground parking space at 10568 Islington Avenue under Section 42 of *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, to be determined at the discretion of the Acting Deputy City Manager, Planning and Growth Management;
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application; and
- c. That the Owner submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.

2. DE-LISTING FOR 10733 PINE VALLEY DRIVE

The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

- 1) That the recommendation contained in the report of the Deputy City Manager, Infrastructure Development, dated September 16, 2020, be approved.

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

Recommendations

THAT Heritage Vaughan recommend Council remove 10733 Pine Valley from the *Listing of Property of Architectural and Historical Significance*, under Section 27(1.3) of the *Ontario Heritage Act*.

3. PRESERVATION AND REHABILITATION OF THE HENRY BURTON HOUSE, LISTED UNDER PART IV, LOCATED AT 8811 HUNTINGTON ROAD

The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

- 1) That the recommendation contained in the report of the Deputy City Manager, Infrastructure Development, dated September 16, 2020, be approved.**

Recommendations

That Heritage Vaughan Committee recommend THAT Council approve the application to relocate and rehabilitate the Main Block of Henry Burton House located at 8811 Huntington Road under Section 27 of *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the application by the Owner may require reconsideration by the Heritage Vaughan Committee, to be determined at the discretion of the Acting Deputy City Manager, Planning & Growth Management.
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application.
- c. That the Owner submit completed Archaeological Assessments Reports, Archaeological Clearance letters, and all other required reports and drawings necessary to relocate the building to the satisfaction of Cultural Heritage Staff prior to submission for earthworks, demolitions, or building permits as part of the Site Development application stage to the satisfaction of the Development Planning Department.
- d. That the Owner submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

- e. That the Owner enter into a Heritage Easement Agreement and provide securities in the form of a Letter of Credit for the relocation and rehabilitation of the Henry Burton House to the satisfaction of the Development Planning Department.

4. PRESERVATION AND REHABILITATION OF THE JOHN FLEMING HOUSE, LISTED UNDER PART IV, LOCATED AT 9151 HUNTINGTON ROAD

The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

- 1) That the recommendation contained in the report of Deputy City Manager, Infrastructure Development, dated September 16, 2020, be approved;

The Heritage Vaughan Committee advises Council:

- 1) That the deputation of Mr. Ragavan Nithiyanantham, Golder Associates Ltd., Scotia Court, Whitby, on behalf of the applicant, was received.

Recommendations

That Heritage Vaughan Committee recommend THAT Council approve the application to relocate, rehabilitate and preserve the existing building located at 9151 Huntington Road under Section 27 of *Ontario Heritage Act*, subject to the following conditions:

- a. Any significant changes to the application by the Owner may require reconsideration by the Heritage Vaughan Committee, to be determined at the discretion of the Acting Deputy City Manager, Planning and Growth Management.
- b. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application.
- c. That the Owner submit completed Archaeological Assessments Reports, Archaeological Clearance letters, and all other required reports and drawings necessary for the actual relocation of the building for Cultural Heritage Staff review prior to submission for earthworks, demolitions, or building permits as part of the Site Development application stage to the satisfaction of the Development Planning Department.

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

- d. That the Owner submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.
 - e. That the Owner enter into a Heritage Easement Agreement and provide securities in the form of a Letter of Credit for the relocation and rehabilitation of the John Fleming House to the satisfaction of the Development Planning Department.
- 5. DEMOLITION OF AN EXISTING NON-CONTRIBUTING BUILDING AT 256 WOODBRIDGE AVENUE, AND CONSTRUCTION OF A SEVEN-STOREY RESIDENTIAL BUILDING AT 248-260 WOODBRIDGE AVENUE, WOODBRIDGE HERITAGE CONSERVATION DISTRICT VICINITY OF WOODBRIDGE AVENUE AND KIPLING AVENUE**

The Heritage Vaughan Committee recommended that the following recommendation be forwarded to Council for approval:

That a demolition permit shall not be issued for the property until a building permit has been issued for a new building in accordance with the Woodbridge Heritage Conservation District Plan.

A vote was taken and failed to carry on the following recommendation contained in the report of the Deputy City Manager, Infrastructure Development, dated September 16, 2020:

Recommendations of the Deputy City Manager, Infrastructure Development, dated September 16, 2020:

THAT Heritage Vaughan Committee recommend Council approve the proposed demolition of the existing building at 256 Woodbridge Avenue and the construction of a 7-storey residential building located at 248-260 Woodbridge Avenue under Section 42 of Ontario Heritage Act, subject to the following conditions:

- a) That the podium level of the proposed building be revised to provide additional transparency and articulation and the screening for the at-grade parking area be enhanced.
- b) That any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, determined at the discretion of the Acting Deputy City Manager, Planning & Growth Management.

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

- c) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application.
- d) That the Owner submit at the Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.

The Heritage Vaughan Committee advises Council:

- 1) That the following deputations be received:
 - 1. Mr. Owen R. Scott of, CHC Limited, Liverpool Street, Guelph, and Communication C1, presentation material entitled, “Cultural Heritage Resource Impact Assessment and Heritage Conservation District Conformity Report 248 - 260 Woodbridge Avenue Woodbridge Heritage Conservation District (HCD) City of Vaughan”, behalf of the applicant;
 - 2. Architects, Shawson Drive, Mississauga, on behalf of the applicant;
 - 3. Mr. John Zipay, John Zipay and Associates, Gilbert Court, Burlington, on behalf of the applicant;
 - 4. Mr. Jamie Maynard, on behalf of the Village of Woodbridge Ratepayers’ Association;
 - 5. Ms. Maria Verna.

Recommendations

THAT Heritage Vaughan Committee recommend Council approve the proposed demolition of the existing building at 256 Woodbridge Avenue and the construction of a 7-storey residential building located at 248-260 Woodbridge Avenue under Section 42 of *Ontario Heritage Act*, subject to the following conditions:

- a. That the podium level of the proposed building be revised to provide additional transparency and articulation and the screening for the at-grade parking area be enhanced.
- b. That any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, determined at the discretion of the Acting Deputy City Manager, Planning & Growth Management.

**REPORT NO. 6 OF THE HERITAGE VAUGHAN COMMITTEE FOR
CONSIDERATION BY THE COMMITTEE OF THE WHOLE,
OCTOBER 6, 2020**

- c. That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the Ontario Planning Act or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application.
 - d. That the Owner submit at the Building Permit stage architectural drawings and building material specifications to the satisfaction of the Chief Building Official.
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The meeting adjourned at 10:48 p.m.

Respectfully submitted,

Giacomo Parisi, Chair