

Committee of the Whole (1) Report

DATE: Tuesday, November 28, 2023

WARD: 1

TITLE: COPPER KIRBY DEVELOPMENTS LIMITED – ZONING BY-LAW AMENDMENT FILE Z.22.029, DRAFT PLAN OF SUBDIVISION FILE 19T-22V006: 11363 HIGHWAY 27, VICINITY OF HIGHWAY 27 AND KIRBY ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on applications to rezone the subject lands to permit a residential draft plan of subdivision consisting of 227 single detached and 70 street townhouse units, and a public park, as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes 227 single detached and 70 street townhouse units, and a public park on the subject lands.
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the proposed development.
- The Development Planning Department supports approval of the applications subject to the conditions as outlined in this report.

Recommendations

1. THAT Zoning By-law Amendment File Z.22.029 (Copper Kirby Developments Limited) BE APPROVED, to amend Zoning By-law 001-2021 to rezone the Subject Lands from “A – Agricultural Zone” to “R2A(H) Second Density Residential Zone”, “R3A(H) Third Density Residential Zone”, “R4(H) and R4A(H) Fourth Density Residential Zones”, “RT1(H) Townhouse Residential Zone”, all with the Holding Symbol “(H)”, “OS1 Public Open Space Zone” and “OS2 Private

Open Space Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified on Attachment 8;

2. THAT the Holding Symbol “(H)” shown on Attachment 3 shall not be removed from the Subject Lands, or any portion thereof, until the following conditions are satisfied:
 - a) As the Subject Lands are tributary to future water and sanitary service infrastructure improvements, the Owner must demonstrate that an alternate interim sanitary and water servicing strategy can be achieved utilizing a comprehensive study, and must enter into an Agreement with the City to design and construct the works, to the satisfaction of the City;
 - b) The Owner shall ensure that the proposed sanitary pump station, designated as the Kirby Sanitary Pumping Station, is fully operational and commissioned in accordance with the approved plans, specifications, and all relevant municipal and regulatory standards;
 - c) The Owner shall ensure that the water services are fully operational and commissioned in accordance with the approved plans, specifications, and all relevant municipal and regulatory standards;
 - d) External lands are required to provide service and access to the subject lands, therefore, the following conditions must be satisfied:
 - i. The Owner shall enter into a Developers’ Group Agreement, or provide acknowledgement from the other land owners within Block 55 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, roads and municipal services, including land dedication and construction of any future roads and streets deemed required to service the Subject Lands. This Agreement shall also include a provision for additional developers to participate with the Developers’ Group Agreement when they wish to develop their lands, all to the satisfaction of the Development Engineering Department;
 - ii. The Owner shall submit a letter from the Block Trustee or balance of the other landowners within Block 55 West indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 55 West Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department; and
 - iii. The Owner through the Block 55 Developers’ Group shall enter into an Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services for the Block, including but not limited to, roads, water, wastewater, storm and storm water

management pond, land conveyances, including the construction of streets and roads south of the Subject Lands or frontend the works and enter into a Development Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the necessary municipal services, including but not limited to, roads, water, wastewater, storm and storm water management pond, land conveyances including the construction of streets and roads south of the Subject Lands. The Agreements shall be registered against the lands to which it applies and to the satisfaction of the Development Engineering Department;

- e) The Owner contributes their share of the cost of infrastructure works and/or undertakes the necessary improvement works and enters into an Agreement (if required) with the City, for the works associated with implementing the municipal servicing improvements for the ultimate build-out of the ultimate condition. The Owner's contributions are to be based on the conclusions and recommendations of the on-going Integrated Urban Water Master Plan Environmental Assessment and latest Functional Servicing Strategy Report, as required to the satisfaction of the City; and
 - f) The Owner shall provide an updated functional design prior to the submission of detailed engineering drawings of the Street A & Kirby Road intersection which ensures safe and functional access to the satisfaction of Development Engineering. The updated design must demonstrate that all geometric and sightline requirements are satisfied, otherwise modifications to the vertical profile will be required;
3. THAT Draft Plan of Subdivision File 19T-22V006 (Copper Kirby Developments Limited) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL as set out in Attachment 1 to facilitate the draft plan of subdivision shown on Attachment 3; and
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:
- “THAT Draft Plan of Subdivision Application 19T-22V006 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 297 residential units (1,040 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.”

Background

Location: 11363 Highway 27 (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 2.

The Subject Lands represent Phase 1 of a 4-phase development with associated Official Plan Amendment files subject to an Ontario Land Tribunal appeal

The Subject Lands represent Phase 1 of a comprehensive residential redevelopment that includes part of the Copper Creek Golf Course lands located south of the Subject Lands, as shown on Attachment 7 (the 'Block 55W Plan').

Kirby 27 Developments Limited submitted Official Plan Amendment file OP.17.007 to redesignate the Subject Lands (Phase 1) from the "Agricultural" and "Natural Areas" designation to the "Low-Rise Residential" designation in Vaughan Official Plan 2010 ('VOP 2010'), and to modify the Future Transportation Network and establish minimum vegetation protection zones.

East Kleinburg Developments Inc. and 1045501 Ontario Limited submitted Official Plan Amendment file OP.17.008 to redesignate the Phases 2 to 4 lands from the "Private Open Space", "Natural Areas" and "Agricultural" designations in VOP 2010 to the "Low-Rise Residential" and "Low-Rise Mixed-Use" designations, and to establish minimum vegetation protection zones. Phases 2 to 4 include part of the lands known as the Copper Creek Golf Course.

On June 12, 2019, Vaughan Council approved Official Plan Amendment files OP.17.007 and OP.17.008, and adopted implementing OPA 47 (By-law 107-2019) and OPA 48 (By-law 108-2019). Official Plan Amendment files OP.17.007 and OP.17.008 were subsequently appealed to the Local Planning Appeal Tribunal ('LPAT') (now known as the Ontario Land Tribunal - 'OLT') on July 15, 2019, which later dismissed the appeal in June 2021. The OPAs are now in effect; however, the decision of the OLT is the subject of a motion for leave to appeal to the Divisional Court which is awaiting a hearing date. A related application for judicial review has also been filed in Divisional Court.

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

Copper Kirby Developments Limited (the 'Owner') has submitted the following applications (the 'Applications') for the Subject Lands to permit the development of 227 single detached and 70 street townhouse units, and a public park (the 'Development') as shown on Attachments 3 to 6, representing Phase 1 of the overall development as shown on Attachment 7:

1. Zoning By-law Amendment File Z.22.029 to rezone the Subject Lands from “A – Agricultural Zone” (‘A Zone’) to “R2A(H) Second Density Residential Zone” (‘R2A(H) Zone’), “R3A(H) Third Density Residential Zone” (‘R3A(H) Zone’), “R4(H) and R4A(H) Fourth Density Residential Zones” (‘R4(H) and R4A(H) Zones’), “RT1(H) Townhouse Residential Zone” (‘RT1(H) Zone’), “OS1 Public Open Space Zone” (‘OS1 Zone’) and “OS2 Private Open Space Zone” (‘OS2 Zone’) in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified on Attachment 8.
2. Draft Plan of Subdivision File 19T-22V006, as shown on Attachment 3, for a Draft Plan of Subdivision (the ‘Draft Plan’) consisting of the following:

Lots/Blocks	Land Use	Area (ha)	Units
Lots 1-141	Single Detached with Public Laneway	3.82	141
Lots 142-227	Single Detached	4.22	86
Blocks 228-242	Street Townhouses	1.67	70
Blocks 243-244	Road Widening	0.32	
Block 245	Landscape Buffer	0.86	
Block 246	Public Park	0.86	
Block 247	Overland Flow Route	0.02	
Blocks 248-298	0.3 m Reserves	0.01	
	Public Roads/Laneways	5.40	
Total		17.18 ha	297 units

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

- Date of Notice: December 23, 2022 (circulated within 150 m of the Subject Lands as shown on Attachment 2, and to the Kleinburg and Area Ratepayers’ Association)
- Location of Notice Sign(s): Highway 27 and Kirby Road
- Date of Public Meeting: January 17, 2023, ratified by Council on January 24, 2023
- Date of Community Meeting: March 16, 2023
- Date of Courtesy Notice: October 24, 2023

Public Comments were received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Traffic Congestion and Road Improvements

- There is existing traffic congestion in the area and road improvements are desired, including expansion of Highway 27

Environmental Impacts

- Concerns that the development will pose negative environmental impacts to nearby natural features and lands within the Greenbelt

Active Transportation Linkages to Village of Kleinburg and Existing Facilities

- There's a desire for more active transportation connections in the area which the Development could provide, including connections to the Highway 27 and Kirby intersection and the Vaughan Super Trail

Proposed Density and Lot Sizes

- Some correspondence suggested that the proposed densities were too high/lots were too small and did not reflect the character of the Kleinburg area
- Some correspondence suggested the overall reduction in density from the proposal shown at the Official Plan Amendment stage may put development pressure on other areas including the Oak Ridges Moraine

These comments are addressed throughout this report.

Previous Reports/Authority

The following links are to previous reports regarding the Subject Lands:

[Kirby 27 Developments Limited Committee of the Whole Report: June 4, 2019 Committee of the Whole \(Item 4, Report No. 20\)](#)

[Copper Kirby Developments Limited \(Phase 1\) Public Meeting Report: January 17, 2023 Committee of the Whole \(Public Meeting\) \(Item 3, Report No. 3\)](#)

[Block 55 Northwest Landowners Group Block Plan Committee of the Whole Report September 12, 2023 Committee of the Whole \(Item 2, Report No. 31\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, YROP 2010, VOP 2010, OPA 47 and the approved Block 55W Plan

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and includes building strong, healthy communities with an emphasis on efficient development and land use patterns, wise use and management of resources, and protecting public health and safety.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Development facilitates a compact urban form through intensification of underutilized lands with a mix of unit types that efficiently use existing and planned infrastructure and services, while maintaining a low-rise built form character compatible with the area. The provision of a new public park, 24 m wide landscape buffer along Highway 27 and active transportation connections will promote healthy, active communities and publicly accessible recreational opportunities. Staff are satisfied that the Development is consistent with the PPS, specifically Sections 1.1.3.1, 1.1.3.2, 1.4, 1.5.1 and 1.6 pertaining to focusing growth within Settlement Areas, promoting efficient land use patterns, an appropriate range and mix of housing options, healthy and active communities, and efficient infrastructure and public service facilities.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 ('Growth Plan')

The Growth Plan provides a framework for implementing the Province's vision for building strong, prosperous communities within the Greater Golden Horseshoe to 2051. The premise of the Growth Plan is building compact, vibrant and complete communities, developing a strong competitive economy, protecting and wisely using natural resources, and optimizing the use of existing and new infrastructure to support growth in a compact and efficient form.

The Subject Lands are within a Settlement Area and designated greenfield area, as defined by the Growth Plan. The Development supports the achievement of complete communities by providing an appropriate mix of housing types, public parks and schools, and will extend planned and existing municipal services and stormwater management measures to achieve growth within a Settlement Area, in accordance with Sections 1.2.1, 2.2.1.2, 2.2.2.1, 2.2.6.1, 3.2.6 and 3.2.7 of the Growth Plan. The Development also achieves a density of 63 residents and jobs per hectare which exceeds the minimum density target of 50 residents and jobs per hectare for greenfield areas per Section 2.2.7.1.a). Staff are satisfied that the Development conforms to the Growth Plan.

Greenbelt Plan, 2017 ('Greenbelt Plan')

The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrogeological features, areas and functions within the Greenbelt Plan area. The

Greenbelt Plan includes transition provisions which recognize land uses permitted through an official plan amendment prior to December 16, 2004. The Kleinburg-Nashville Community Plan ('OPA 601') was in full force and effect on October 29, 2001 which designated the Subject Lands as "Future Residential" and "Valley Area" and permitted residential uses on the "Future Residential" portion subject to the establishment of development limits. The technical studies submitted through the review of OPA 47 established the development limits to the satisfaction of the Toronto and Region Conservation Authority ('TRCA'). The land use permissions from OPA 601 for the Subject Lands were transitioned into VOP 2010, and therefore are transitioned under the Greenbelt Plan. Staff are satisfied that the Development conforms to the Greenbelt Plan.

York Region Official Plan 2010 ('YROP 2010')

The York Region Official Plan 2022 ('YROP 2022') replaces the YROP 2010 with respect to applications not deemed complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP 2010 remains the in-force Regional Plan against which conformity of the Applications are measured.

The YROP 2010 guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Towns and Villages" and "Greenbelt Protected Countryside" on Map 1 – "Regional Structure" of the YROP 2010. The Applications contribute to accommodating growth that is consistent with the character, form and planned function of the area in accordance with Section 5.0 and makes best efforts to achieve a minimum density of 50 residents and jobs combined per hectare in accordance with Sections 5.2.14 and 5.6.22.c. by providing a density of 63 residents and jobs per hectare. The Applications conform to the YROP 2010.

Although it does not apply to the Applications, it should be noted that the Subject Lands are now designated "Urban Area" on Map 1 – "Regional Structure" of the YROP 2022, which recognizes the approval of OPA 47 and redesignation for development.

VOP 2010 and OPA 47

The Subject Lands are designated "Community Area" and "Natural Areas and Countryside" on Schedule 1 – Urban Structure, partially within the "Greenbelt Natural Heritage System" on Schedule 4 – Oak Ridges Moraine Conservation & Greenbelt Plan Areas by VOP 2010, and "Low-Rise Residential" by OPA 47. The Low-Rise Residential designation permits the proposed low-rise built forms of street townhouses and single detached dwellings.

Policy 13.47.1.13 of OPA 47 requires the conveyance of core features and their associated vegetation protection zones ('VPZ') into public ownership, or that appropriate rationale be provided for retaining the lands in private ownership. The development limits and 10 m VPZ have been established to the satisfaction of the TRCA, and all core features are located outside of the Subject Lands in an isolated area between private properties with limited or no opportunity for public access. The core features are considered an Environmentally Significant Area ('ESA') and fully within the Greenbelt Plan Area and TRCA regulated area which will ensure their future protection. Conveyance of these core features is not a requirement of the TRCA and the steep grades of the lands also make them difficult to utilize. For these reasons, the City is satisfied with the lands remaining in private ownership outside of the development area.

Policies 13.47.1.2.b), 13.47.1.3, 13.47.1.7 and 13.47.1.8 of OPA 47 require the Development to implement various buffers, transition measures and street patterns to ensure compatibility with the surrounding areas, which the Development achieves through the implementation of a 24 m landscape buffer along Highway 27, rear lotting onto Highway 27 and Kirby Road and a mixture of internal street patterns as shown throughout the Approved Block 55W Plan shown on Attachment 7.

Policies 13.47.1.2.a), 13.47.1.4, 13.47.1.6 of OPA 47 require various transportation improvements be identified within the submitted Traffic Impact Study and addressed through the Development. These policies are addressed in the Operational Impact section of the report and associated conditions of approval.

The Applications conform to VOP 2010 and OPA 47.

Block 55W Plan

Policy 13.47.1.2 of OPA 47 required the Owner to submit a scoped Block Plan for the lands shown on Attachment 7 to determine the layout, unit type and yield of the Development, among other technical matters. The Block 55W Plan Application (File No. BL.55W.2019) was submitted and reviewed concurrently with the Applications to inform and facilitate the overall phased development. The Block Plan shown on Attachment 7 was approved by Council on September 26, 2023. The Development conforms to the Block 55W Plan.

Amendments to Zoning By-law 001-2021 are required to permit the Development

The Subject Lands are zoned A Zone, as shown on Attachment 2, which permits Agricultural uses and associated on-farm buildings. The Owner is proposing to rezone the Subject Lands to the R2A(H), R3A(H), R4(H), R4A(H), RT1(H), OS1 and OS2 Zones as shown on Attachment 3, to permit the Development, together with the site-

specific zoning exceptions identified in Attachment 8. Minor modifications may be made to the zoning exceptions prior to the enactment of an implementing Zoning By-law, as required through the final review of the Applications.

The Development Planning Department can support the proposed rezoning of the Subject Lands and the site-specific zoning exceptions in Attachment 8 to implement the Development as they establish an appropriate range and mix of low-rise housing types, development standards and open spaces compatible with the surrounding area and conform to VOP 2010, OPA 47 and the approved Block 55W Plan.

A Holding Symbol “(H)” shall be applied to the Subject Lands

A Holding Symbol “(H)” is required to ensure the Owner enters into agreements, as required, with the City and developers’ group for matters such as achieving an alternate interim sanitary and water servicing strategy, implementation of infrastructure, and cost sharing, as identified in the Recommendations section of this report.

The Development Planning Department has no objection to the Applications subject to conditions of draft plan approval

The Development Planning Department has reviewed the Applications and has no objection to their approval subject to the Conditions of Draft Plan Approval in Attachment 1 and resolution of additional comments provided to the Owner.

Parking

In addition to the required number of parking spaces being provided on each lot, areas for 183 on-street parking spaces will be accommodated along the internal public streets.

Landscape Plan

Landscape screening is proposed along the west buffer area abutting Highway 27 and boulevard plantings are proposed along the internal public roads and park, as shown on Attachment 4. Sidewalks are proposed on at least one side of the street throughout the Development and along all sides of the public park (Park Block ‘A’ on Attachment 4). A multi-use path is also proposed along the south side of Kirby Road and east side of Highway 27 to provide connections to the intersection and accommodate expected trips to Block 55 East and the Kleinburg Community.

Tree Inventory and Preservation Report

A total of 340 inventoried trees are recommend for removal from the Subject Lands, with 248 trees requiring replacement and 92 trees being below the minimum replacement size. As a Condition of Draft Plan approval, the Owner shall enter into a tree protection agreement and provide a detailed tree preservation plan to the

satisfaction of the City to demonstrate the tree preservation methods and quantify the value of tree replacements.

Building Elevations

A typical building elevation is shown for each proposed dwelling type on Attachments 5 and 6. The proposed dwelling frontages will face internally to the subdivision and address the local public roads to maintain the character of the area.

Sustainability Performance Metrics ('SPM')

The Development achieves an overall SPM application score of 32 (silver level) which exceeds the City's minimum threshold.

Financial Impact

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

Operational Impact

The PPSP Department has no objection subject to conditions of draft plan approval

The PPSP Department reviewed the Applications and have no objection provided the Draft Plan conforms with the approved Block 55W Plan, that a final Master Environment and Servicing Plan be submitted, and natural heritage clauses be included in the subdivision agreement, as identified in the Conditions of Draft Plan Approval in Attachment 1.

The Development Engineering ('DE') Department has no objection to the Applications subject to comments and conditions of draft plan approval

The DE Department reviewed the Applications and have no objection to their approval subject to the Conditions of Draft Plan Approval in Attachment 1, the Holding Conditions in the Recommendations section of this Report, and resolution of additional comments provided to the Owner.

Road Network

The Development proposes internal public roads and rear laneways which connect to new intersections at Kirby Road and Highway 27 to service the Development. Various road improvements and land dedications are required including the conveyance of a road widening along Kirby Road to achieve a 36 m right-of-way. The Owner is required to submit an updated design of the Street A and Kirby Road intersection for review to confirm adequate sightlines and road geometry are provided. An updated Traffic Impact Study ('TIS') is also required to address all outstanding comments from the related Block Plan. Conditions to this effect are included in Attachment 1.

Water Servicing

The Subject Lands are within Pressure District Kleinburg Nashville ('PDKN') of the York Water System. In general, Phase 1 is serviceable from PDKN, however, Phases 2-4 and the homes situated in the higher elevated areas within the PD will experience low water pressure and will not meet City design criteria. Therefore, the Block 55W Plan was analyzed comprehensively, and two (2) water servicing options are recommended. The first included a pressure district zone realignment to Pressure District 7 (PD7) involving approval and coordination with York Region as there are implications on the emergency storage in the PD7 reservoir. Apart from external modifications to the system, the existing PD7 system has been set-up for the transition from PDKN to PD7. Discussions are ongoing with York Region, and the City's Infrastructure Planning Department is carrying this option in its master plan update. This is the consultants recommended option.

The second option is to install a local booster pumping station to service the homes situated in the higher elevated area within the PD. This option is also feasible and will be carried forward as the recommended option if York Region does not approve Option 1. The DE Department supports both options.

Sanitary Servicing

Ultimate Wastewater Servicing

The Subject Lands are tributary to York Region's West Vaughan Sanitary Sewer, and its proposed outlet is at a manhole located on the Kleinburg Water Resource Recovery Facility ('KWRRF') site. A 14 km sanitary sewer route from the new Humber Sewage Pumping Station to the KWRRF is the preferred solution for future sewage servicing in West Vaughan. This sanitary sewer will be constructed in 2 phases.

The ultimate outlet for the Subject Lands will be available in phase 2 of the sanitary sewer, and its construction in-service date is beyond 2034. To connect to this outlet, a permanent sanitary sewer along Highway 27 is required from approximately Nashville Road to the KWRRF site. To allow for the Development to proceed ahead of the ultimate build out, an interim servicing solution is proposed.

Interim Wastewater Servicing

The recommended option to service the Subject Lands in the interim is to connect to the existing local Nashville Sewage Pumping Station (NSPS). Given limitations, 2 upstream inline storage tanks are proposed to attenuate flows and to ensure the NSPS does not exceed its design capacity. The first storage location is just upstream of the NSPS.

To convey flows from Block 55W to the NSPS, a new pumping station (Kirby SPS) is required. The Kirby SPS captures flows from Block 55W (proposed and future growth) and an existing external area along Kirby Road. The second storage location is just upstream of the Kirby SPS and is consistent with the Interim Servicing Strategy Study. A combination of forcemain and gravity sewer will be used to convey wastewater flows to the NSPS. The second inline storage is proposed to be located upstream of the NSPS.

Storm Servicing

The majority of the Subject Lands drain east toward the East Humber River. Six manmade ponds and a network of private storm sewers and irrigation pipes are located on the larger Copper Creek Golf Course property that currently service the Subject Lands. The stormwater management ('SWM') plan proposes to upgrade an existing SWM pond to service the northwest quadrant of Block 55W. The City design standards dictate that the SWM pond should control the urban stormwater runoff to the target release rates established in the City's Master Plan and provide water quality treatment and erosion control.

While this pond will ultimately remain under private ownership, the City will be requesting an easement over the lands for operations and maintenance in the event there are issues. The Owner shall provide the necessary financial security in the form of a Letter of Credit for this arrangement to the satisfaction of the DE Department.

Lot Grading, Erosion and Sediment Control

A detailed evaluation of the grading design and erosion and sediment control measures will be conducted when the detailed drawings are submitted for the City's review. The Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the Development.

Environmental Site Assessment ('ESA')

The submitted Phase One and Two ESA reports were previously reviewed as part of related file OP.17.007 to the satisfaction of the Environmental Engineering Division. The ESA reports indicate that the Development meets the applicable Ministry of Environment, Conservation and Parks Standards and is suitable for residential use. An updated ESA report is required for Phase 1 as a condition of approval.

Noise Impact Study ('NIS')

The Owner submitted an NIS to investigate the potential environmental noise impact on the Subject Lands from road traffic and surrounding land uses, which recommends noise barriers for most of the lots and blocks abutting Highway 27 and Kirby Road and upgraded building exterior components, central air conditioning, and noise warning clauses to be included in Offers of Purchase and Sale or Lease and registered on title to make future occupants aware of potential noise levels. The prediction results as well as noise control recommendations should be verified based on the final grading of the Development. The final NIS must be approved to the satisfaction of the DE Department and all comments and conditions be addressed through a subsequent submission.

Sewage and Water Allocation

Servicing capacity will be provided for Phase 1 utilizing an interim strategy that bridges the current and future infrastructure upgrades. Watermain upgrades will be required to service the later phases of the overall development.

On February 22, 2023, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution Update and Allocation of Servicing Capacity Policy. The current available servicing capacity amount tributary to the Kleinburg Water Resource Recovery Facility is 2,300 persons equivalent. Accordingly, servicing capacity to the Development is available and unrestricted for 297 units (1,040 persons equivalent).

The Parks Infrastructure Planning and Development ('PIPD') Department has no objection to the Applications subject to conditions of draft plan approval

The Development contains one 0.86 ha public park to be conveyed to the City. The PIPD Department has no objection to the Applications subject to their Conditions of Draft Plan Approval in Attachment 1.

Municipal waste collection will be provided to the Development

The Environmental Services Department, Solid Waste Management Division has no objection to the Development, which will be serviced by municipal waste collection.

Development Charges are applicable to the Development

The Financial Planning and Development Finance Department requires the Owner to enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise, regarding matters the City may consider necessary, including paying all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. A standard condition to this effect is included in Attachment 1 of this report.

Cash-in-Lieu of the dedication of parkland is required

Prior to the issuance of a Building Permit, the owner shall dedicate land and/or pay to the City of Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the Subject Lands, in accordance with the *Planning Act* and the City of Vaughan Parkland Dedication By-law. The Owner shall submit an appraisal of the subject lands, in accordance with the *Planning Act* and the City's Parkland Dedication By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the calculation of the cash-in-lieu payment, as applicable. A standard condition to this effect are included in Attachment 1 of this report.

Canada Post has no objection to the Applications

The Development will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Canada Post has no objection to the Applications, subject to their Conditions of Draft Plan Approval identified in Attachment 1 d) to satisfy their mail delivery requirements.

The utility providers have no objection to the Applications

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have no objection to the Applications, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities (if required) prior to the commencement of any site works, and satisfying the Conditions of Draft Plan of Subdivision Approval in Attachments 1 and 1e).

The School Boards have no objection to the Applications

The York Region District School Board and York District Catholic School Board have advised they have no objection to, or any conditions of approval for, the Applications pertaining to Phase 1 as they do not contain any school blocks. The Conseil Scolaire de District Catholique Centre-Sub have not provided comments on the Applications.

Broader Regional Impacts/Considerations

York Region has no objection subject to conditions of draft plan approval

The Subject Lands abut Highway 27 to the west, which is under the jurisdiction of York Region. All access to Highway 27 from the Development shall be provided through City roads. York Region requires that Highway 27 be widened to a four-lane cross-section for the portion abutting the Development prior to the Development being occupied, which will ultimately complete the planned upgrades spanning from Kirby Road to Major Mackenzie Drive. The Owner shall also convey adequate land to provide a minimum of 18 m from the centreline of Highway 27, a right turn lane at the intersection of Highway

27 and Street B, and the necessary daylight triangles at the corners of Highway 27 and Kirby Road (15 m by 15 m), and Highway 27 and Street B (10 m by 10 m).

On December 14, 2022, York Region indicated that the Applications are a matter of local significance and have no objection to their approval, subject to their Conditions of Draft Plan Approval included in Attachment 1b).

The TRCA has no objection subject to conditions of draft plan approval

The lands containing core features east of the Subject Lands are regulated by the TRCA, who have no objection to approval of the Applications subject to their Conditions of Draft Plan Approval included in Attachment 1c).

Conclusion

The Development Planning Department has reviewed the Applications in consideration of the applicable Provincial policies, York Region and City Official Plan policies, the requirements of Zoning By-law 001-2021, the comments received from City Departments, external public agencies, the public, and surrounding area context.

The Development Planning Department is of the opinion that the Applications are consistent with the PPS, conforms to the Growth Plan, the YROP, VOP 2010 and Block 55W Plan, and are compatible with the surrounding area context. On this basis, the Development Planning Department can support the approval of the Applications, subject to the recommendations in this report and the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

For more information, please contact: Chris Cosentino, Senior Planner, Development Planning Department, ext. 8215.

Attachments

1. Conditions of Draft Plan of Subdivision Approval.
2. Context and Location Map.
3. Draft Plan of Subdivision File 19T-22V006 and Proposed Zoning.
4. Conceptual Landscape Plan.
5. Elevations (Typical) – Street Townhouses and Single Detached with Laneway.
6. Elevations (Typical) – Single Detached.
7. Approved Block 55W Plan.
8. Zoning By-law 001-2021 Table 1.

Prepared by

Chris Cosentino, Senior Planner, ext. 8215.

Mark Antoine, Senior Manager of Development Planning, ext. 8212.

Nancy Tuckett, Director of Development Planning, ext. 8529.

Approved by



Haiqing Xu, Deputy City Manager
Planning and Growth Management

Reviewed by



Nick Spensieri, City Manager