

Committee of the Whole (1) Report

DATE: Tuesday, May 07, 2024

WARD: 1

TITLE: 2281539 ONTARIO INC.: ZONING BY-LAW AMENDMENT FILE Z.17.014; DRAFT PLAN OF SUBDIVISION FILE 19T-17V003 – 10 BEVAN ROAD, VICINITY OF NETHERFORD ROAD AND CLEMSON CRESCENT

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision applications to permit 21 single detached dwellings, an open space block and roads (the ‘Development’), as shown on Attachment 2.

Report Highlights

- The Owner proposes to rezone the Subject Lands (Attachment 1) to permit a residential subdivision consisting of 21 single detached lots, an open space block a public walkway block and public roads.
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to implement the Development.
- The Development Planning Department supports the approval of the applications subject to the conditions as outlined in this report.

Recommendations

1. THAT Zoning By-law Amendment File Z.17.014 (2281539 Ontario Inc.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from “A Agricultural Zone” and “R1 Residential Zone” to “R1 Residential Zone”, “R2 Residential Zone”, OS1(H) Open Space Conservation Zone with the Holding Symbol (H), and “OS1 Open Space Conservation Zone”, in the manner shown on Attachment 2.

2. THAT the Holding Symbol “(H)” shall not be removed from the OS1(H) Open Space Conservation Zone with the Holding Symbol “(H)”, until the following conditions is addressed to the satisfaction of the City and Toronto and Region Conservation Authority (TRCA):
 - a) Confirmation of the extent of the erosion hazard (i.e., physical top of slope and/or long-term stable top of slope) associated with the valley corridor and establishment of an applicable 10 metre setback from the erosion hazard limit, to the satisfaction of TRCA.
3. THAT Draft Plan of Subdivision File 19T-17V003 (2281539 Ontario Inc.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL identified on Attachment 3, to create 21 single detached residential lots, an open space block, a public parkway block, and public roads, as shown on Attachment 2;
4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“THAT Draft Plan of Subdivision File 19T-17V003 (2281539 Ontario Inc.) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 21 single-family residential units (75 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: 10 Bevan Road (the ‘Subject Lands’). The Subject Lands and surrounding land uses are shown on Attachment 1. A single detached dwelling and accessory buildings are currently located on the Subject Lands.

Applications have been submitted to permit the proposed Development

2281539 Ontario Inc. (the ‘Owner’) have submitted a Zoning By-law Amendment and Draft Plan of Subdivision (the ‘Applications’) for the Subject Lands to permit the Development as shown on Attachment 2:

1. Zoning By-law Amendment File Z.17.014 to amend Zoning By-law 1-88 to rezone the Subject Lands from “A Agricultural Zone” and “R1 Residential Zone” to “R1 Residential Zone”, “R2 Residential Zone”, and “OS1(H) Open Space Zone” as shown on Attachment 2.

2. Draft Plan of Subdivision File 19T-17V003, as shown on Attachment 3 ('Draft Plan') to facilitate a residential subdivision consisting of 21 single detached lots, an open space (Block 22), a public pathway (Block 24), 0.3 m reserves (Block 23), and public roads.

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

- Notice of Public Hearing: mailed September 8, 2017, to all property owners within 150 m of the Subject Lands
- Location of Notice Sign: Bevan Road
- Date of Public Meeting: October 3, 2017, date ratified by Council October 24, 2017
- Date of Second Public Meeting: September 13, 2023, date ratified by Council September 26, 2023
- Date of Committee of the Whole Courtesy Notice sent to those that requested to be notified: May 1, 2024.

Previous Reports/Authority

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

[October 3, 2017 Committee of the Whole \(Public Hearing\)](#)

[September 13, 2023 Committee of the Whole \(Public Meeting\)](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement and conforms to the Growth Plan, York Region Official Plan 2010, and Vaughan Official Plan 2010

Provincial Policy Statement, 2020 ('PPS')

The PPS provides direction on matters of Provincial interest related to land use planning and development and include 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 the intensification of underutilized lands in the City's established Settlement Area where full municipal services exist. The compact urban form, the ability to utilize existing municipal infrastructure, and the opportunity to provide housing is consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the '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 2041. 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, as defined by the Growth Plan, utilizing existing municipal water and sanitary servicing connections located on Bevan Road. The Development will add to the range and mix of housing types within the area to assist in accommodating the needs of all household sizes and incomes. The Development will provide connections to the City's existing trail system implementing the goals and objectives of complete communities. The Development shown on Attachment 2 conforms to the Growth Plan.

York Region Official Plan 2010 ('YROP 2010')

The YROP 2022 replaces the YROP 2010 with respect to applications not deemed to be complete as of the YROP 2022 date of approval, November 4, 2022, (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP 2010 remains as the in-force Regional Official Plan against which conformity of the Applications is measured.

YROP 2010 designates the Subject Lands "Urban Area", which permits a wide range of residential, commercial, industrial, and institutional uses. The Subject Lands are located within the "Community Area" designation. The Development results in the modest intensification of the existing residential area with 21 single detached lots which is considered to be "local infill" within the Community Area. The Development conforms to the YROP 2010.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future lands use. The Subject Lands are identified in VOP 2010 as follows:

- "Community Area" on Schedule 1 – Urban Structure
- "Low Rise Residential" and "Natural Area" on Schedule 13 – Land Use
- The "Low-Rise Residential" designation permits detached, semi-detached and townhouse dwellings at a maximum building height of 3-storeys
- The "Natural Area" designation is subject to the Core Features policies in the Natural Heritage Network Section 3.2 of VOP 2010. Policy 3.2.3.8 allows for the development or site alteration on lands adjacent to Core Features provided that an Environmental Impact Study has demonstrated that the Development or site alteration will not result in a negative impact on the feature or its functions.

The Development shown on Attachment 2 is within an established neighbourhood within a Community Area characterized by low-rise residential housing. The Development respects the character of the surrounding area by proposing a modest infill of 21 single detached residential lots. The Development respects the existing character of the area in terms of lot configuration, lot size, and built form.

A portion of the Subject Lands including a 10 m buffer, will be maintained as Natural Area, appropriately zoned, and conveyed into public ownership respecting the Natural Area policies of VOP 2010. On this basis, the Development conforms to VOP 2010.

Council enacted Zoning By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law

As the Applications were received by the City on March 29, 2017, and deemed complete on April 24, 2017, the Applications are transitioned under Zoning By-law 001-2021 and have been reviewed under Zoning By-law 1-88.

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

“R1 Residential Zone”, subject to site-specific Exception 9(96), and “OS1 Open Space Conservation Zone” by By-law 1-88. The R1 Residential Zone permits the single detached dwellings, however the OS1 Open Space Conservation Zone does not permit residential uses.

The Owner proposes to rezone the Subject Lands to “R1 Residential Zone”, “R2 Residential Zone”, and “OS1(H) Open Space Conservation Zone”, in the manner shown on Attachment 2, no site-specific exceptions to the R1 Residential and R2 Residential Zone standards are required.

The Development Planning Department supports the Development, subject to the Conditions of Approval

Subdivision Design

The Draft Plan shown on Attachment 2 includes 21 single detached residential lots, an open space block, a public pathway block that will provide a multiuse pathway connection to existing City of Vaughan trails, a new public road, an extension of Bevan Road, and 0.3 m reserves.

Access to the Subject Lands will be via the extension of Bevan Road and the new public road Street ‘A’.

Prior to the execution of the Draft Plan, the Owner shall satisfy all conditions of Draft Plan of Subdivision Approval contained in Attachment 3.

Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved City-Wide Urban Design Guidelines. Urban Design conditions are included in Conditions of Approval in Attachment 3.

Cultural Heritage

The Subject Lands are included as a property of interest in the City of Vaughan's Built Heritage Inventory. A Cultural Heritage Impact Assessment (CHIA) has been submitted in support of the Applications and concluded that the Subject Lands did not meet the criteria of designation under the *Ontario Heritage Act*. The report recommended commemoration of the former Line Family farm site.

To conserve the cultural heritage of the Subject Lands, the Owner shall submit a Commemoration Plan which will confirm the final location, design, and content of a heritage plaque which will incorporate and reuse a portion of the farmhouse fieldstone foundation and be located along the planned public pathway (Block 23). This will meet the following VOP 2010 policy:

6.1.1.2. To support an active and engaged approach to heritage conservation and interpretation that maximizes awareness and education and encourages innovation in the use and conservation of heritage resources.

Conditions to this effect are include in Attachment 3.

Archaeology

The Development Planning Department, Urban Design and Cultural Heritage Division have advised that the Subject Lands are 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 in Attachment 1.

The Development Planning Department is satisfied with the Draft Plan as shown on Attachment 2, subject to Attachment 3.

The Development Planning Department is processing Files Z.14.005 and 19T-14V002 – 7 Bevan Road (Guido and Joanne Marinucci)

The Development Planning Department is reviewing Files Z.14.005 and 19T-14V002 which are located south of the Subject Lands at 7 Bevan Road. The coordination of public roads, infrastructure, and multi-use pathways with the Applications will be evaluated through the review of the 7 Bevan Road development.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs ('PPSP') Department has no objection to the Development

The PPSP 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* are not contravened. As such, it is the responsibility of the Owner to comply with the provisions of the *Act*.

The Development Engineering ('DE') Department supports the Development, subject to the Conditions of Approval

The DE Department has no objection to the Development subject to conditions included in Attachment 3, and have provided the following comments:

Road Network

A new cul-de-sac is proposed to be constructed through the extension of Bevan Road to the east. Access for the Subject Lands is proposed from the future Street 'A', intersection with a proposed future extension of Bevan Road. The ultimate right-of-way ('R.O.W.')

 width for the future Bevan Road extension and Street 'A' should match the existing public road R.O.W. in the adjoining draft plan of subdivision File 19T-14V002.

Water Servicing

The Subject Lands are in Pressure District 7 (PD7) and the existing water services within the vicinity include a 150 mm diameter polyvinyl chloride ('PVC') watermain which terminates at the end of Bevan Road of which connects to an existing 150 mm diameter PVC watermain on Clemson Crescent to the south. Water services for the Subject Lands can be provided by construction of a water service connection to the existing 150 mm dia. watermain within the Draft Plan.

The proposed design indicates that the watermain will be extended into the future cul-de-sac (future Street "A") and water services will be provided to Lots 1 to 21. The Functional Servicing Report prepared by MMM Group Limited, dated March 2017, notes that a 150 mm diameter PVC watermain is proposed on the east side of Street "B" within the boulevard area with a 25 mm diameter copper main looping around the cul-de-sac where the future road allowance terminates which will provide domestic and fire flow demands for the proposed development. Curb stops for water services should be outside of the driveways and in a softscape area.

Sanitary Servicing

The Subject Lands will be serviced by a future 200 mm diameter sanitary sewer on the extension of Bevan Road and through Street "B". The sanitary sewer is proposed to connect to the existing 250 mm dia. sanitary sewer located on Bevan Road via EX. SAN MH2A. The existing sanitary sewer directs flows westward through a 6 m wide easement and connects to the sanitary sewer system servicing the residential subdivision on Villandry Crescent.

There are no anticipated issues with the proposed sanitary sewer connection to service the Development.

The Owner shall provide the Ministry of the Environment, Conservation and Parks (MECP) approvals for sewage works.

Stormwater Management

The Subject Lands will be serviced by a new storm sewer system on the extension of Bevan Road through the Subject Lands. The storm sewer system will be connected to an existing sewer system at the intersection of the extension of Bevan Road and construction of Street "B". The system discharges into an existing channel which drains into the Don River. The Subject Lands abut an existing stormwater detention pond, known as Macfarlane Pond.

The Subject Lands generally slopes from northeast to southwest and eventually discharges to the west to a storm outfall to the Don River, which is subject to TRCA regulations.

Two drainage catchments are proposed for the Subject Lands, with lots along the westerly side of Street "B" (i.e., Lots 1 to 11), are proposed to drain to an infiltration trench located along the rear of these properties. The remaining lots (i.e., Lots 12 to 21) will have controlled discharge to the proposed storm sewer system along Street "B" and eventually outlet to the existing municipal storm sewer on Bevan Road.

Erosion and Sediment Control

Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Development.

The Owner shall design, implement, and monitor erosion and sediment control measures during all phases of construction in the plan in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 12, 2006, to the satisfaction of the TRCA and the City.

Noise Mitigation

The Owner had previously submitted a Noise Impact Study prepared by WSP dated March 22, 2017. The report identifies local traffic as a source of relatively minimal noise levels affecting the Subject Lands. The report is in support of the Development and concludes that the Draft Plan can be developed without any significant noise concerns to the existing and adjacent residential properties.

An updated Noise Impact Study and/or reliance letter will be required as part of the Subdivision Agreement prior the issuance of final approval. The final Noise Study shall provide specific warning clauses for inclusion in the related Subdivision Agreement and, if necessary, all details regarding the design and implementation of recommended noise mitigation features. Standard warning clauses shall be included in agreements of Offers of Purchase and Sale and lease/rental agreements to make future occupants aware of the potential noise situation.

Environmental Site Assessment

The Owner submitted a Site Screening Questionnaire, and Phase One and Two Environmental Site Assessment ('ESA') reports for the Subject Lands. The DE Department reviewed the submission and are satisfied with the submitted ESA documents.

Sewage and Water Allocation

On March 26, 2024, Vaughan Council endorsed the 2023 Servicing Capacity Assignment and Allocation of Servicing Capacity Distribution Report. Accordingly, servicing capacity to the Development is available and unrestricted. A recommendation to allocate servicing capacity is included in the Recommendation Section of this report.

Grading

The Subject Lands predominately drain from east to west under existing conditions. The Subject Lands are bounded by Bevan Road to the south and existing detached dwellings to the east, which front onto Netherford Road or Clemson Crescent. To the north the Subject Lands are bounded by more single detached residential homes and parkland, and to the west is bounded by a natural area.

Dewatering

The Owner will be required to make an application for any temporary and permanent dewatering system that is required for the Development and enter into an agreement and/or permit to discharge groundwater as required by the City. A condition to this effect is included in Attachment 3 c).

Street Lighting

The Owner must design and construct street lighting/pedestrian scale lighting system on Street to the satisfaction of the City. The streetlight system shall use LED luminaire, pole type and type of fixtures (or equivalent) in accordance with the City Standards and Specification and the City's Streetscape/Open Space Master Plan. A condition to this effect is included in Attachment 3 a).

Development Charges apply to the 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, York Region, York Region District School Board and the York Catholic District School Board. A condition to this effect is included in Attachment 3 of this report.

The Parks Infrastructure Planning Department ('PIPD') has no objection to the Applications, subject to the Conditions of Approval

The Owner is proposing a public pathway shown as Block 24 on Attachment 2 (Draft Plan). A portion of the public pathway, which extends west of Bevan Road will be shared with the owner located south of the Subject Lands. PIPD is satisfied with the location and width of the public pathway subject to the Owner addressing the Conditions of Approval in Attachment 3.

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

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of parkland, in accordance with the Planning Act and the City's cash-in-lieu Policy. A condition to this effect is included in Attachment 3 of this report.

Other external agencies and various utilities have no objection to the Development

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. No comments were received from the Conseil Scolaire de District Catholique Centre Sud. Alectra Utilities Corporation, Bell Canada, Enbridge, and Canada Post have no objection to the Applications, subject to their Conditions of Approval in Attachment 3 d), 3e), 3f) and 3e) respectively.

Broader Regional Impacts/Considerations

York Region has provided conditions of approval

York Region has no objection to the Applications, subject to their comments and Conditions of Approval included in Attachment 3b).

The TRCA has provided conditions of approval

TRCA have no objection to the approval of Draft Plan, subject to the conditions of approval included in Attachment 3c).

Conclusion

The Development Planning Department is satisfied that the Applications are consistent with the PPS, conforms to the Growth Plan, YROP 2010 and VOP 2010, and are appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned land uses. On this basis, the Development Planning Department can support the recommendations in this report and the Conditions of Draft Approval listed in Attachment 3.

For more information, please contact Carol Birch, Planner, at extension 8485.

Prepared by

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Attachments

1. Context and Location Map.
2. Draft Plan of Subdivision File 19T-17V003 and Proposed Zoning.
3. Conditions of Draft Plan of Subdivision Approval File 19T-17V003.