

Committee of the Whole (1) Report

DATE: Tuesday, September 10, 2024

WARD: 1

TITLE: 1045501 ONTARIO LIMITED AND EAST KLEINBURG DEVELOPMENTS INC.
ZONING BY-LAW AMENDEMENT FILE Z.22.030
DRAFT PLAN OF SUBDIVISION FILE 19T-22V007
11191 HIGHWAY 27

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 242 single detached and 30 townhouse units, a low-rise mixed-use block, a public park and a public elementary school block, as shown on Attachments 3 to 6.

Report Highlights

- The Owner proposes 242 single detached and 30 townhouse units, a low-rise mixed-use block, a public park and a public elementary school block 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.22.030 (1045501 Ontario Limited and East Kleinburg Developments Inc.) BE APPROVED, to amend Zoning By-law 001-2021 to rezone the Subject Lands from “OS2 Private Open Space Zone” to “R2A Second Density Residential Zone”, “R3A Third Density Residential Zone”,

“R4 Fourth Density Residential Zone”, “RT1 Townhouse Residential Zone” all with the Holding Symbol “(H)”, and “OS1 Public 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 (‘KSPS’), is substantially complete to the satisfaction of the Development Engineering Department in accordance with the approved plans, specifications, and all relevant municipal and regulatory standards;
- c) That one of the following are met to the satisfaction of the City:
 - i. The City and York Region agree to the recommended pressure zone re-alignment to PD7, and the Owner implements all required water distribution system infrastructure to facilitate the re-alignment;
OR
 - ii. The Owner agrees to install a local water distribution system pumping station to service the homes in Kleinburg-Nashville situated in the higher elevated area of the pressure district.
- 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 landowners 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 stormwater management pond, land conveyances, including the construction of streets and roads south of the Subject Lands or front-end the works and enter into a Development or Subdivision 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 stormwater 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 shall provide the City with a Remedial Action Plan outlining their approach to remediation and will be required to file and obtain a Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC') for the Subject Lands. The Holding Symbol "H" removal will be conditional upon the submission of a filed MECP RSC covering the Subject Lands and associated Environmental Site Assessment ('ESA') reports to the City's satisfaction.

- 3. THAT Draft Plan of Subdivision File 19T-22V007 (1045501 Ontario Limited and East Kleinburg Developments Inc.) 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-22V007 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 273 residential units (973 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: 11191 Highway 27 (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 1.

The Subject Lands represent Phase 2 of a 4-phase development with associated Official Plan Amendment files subject to an Ontario Land Tribunal appeal

The Subject Lands represent Phase 2 of a comprehensive residential redevelopment that includes part of the Copper Creek Golf Course lands, as shown on Attachment 7 (the 'Block 55W Plan'). The existing clubhouse, 9 holes of the golf course and some associated accessory buildings will be retained and continue operating.

Kirby 27 Developments Limited submitted Official Plan Amendment file OP.17.007 to redesignate the Phase 1 lands 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). The OPAs are now in effect; however,

1. The OPAs were appealed unsuccessfully to the Local Planning Appeal Tribunal ('LPAT') (now known as the Ontario Land Tribunal - 'OLT') (Decision date: June 2021). A Motion for leave to appeal to the Divisional Court to challenge the OPAs is awaiting a hearing date.

2. A related Application for judicial review challenging the OPAs that was previously heard in Divisional Court was dismissed in April 2024. A motion for leave to appeal to the Court of Appeal challenging the OPAs was served in May 2024 and is awaiting a hearing date.

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

1045501 Ontario Limited and East Kleinburg Developments Inc. (the ‘Owners’) have submitted the following applications (the ‘Applications’) for the Subject Lands to permit the development of 242 single detached and 30 townhouse units, a low-rise mixed-use block, a public park and a public elementary school block (the ‘Development’) as shown on Attachments 3 to 6, representing Phase 2 of the overall development as shown on Attachment 7:

1. Zoning By-law Amendment File Z.22.030 to rezone the Subject Lands from “OS2 Private Open Space Zone” (‘OS2 Zone’), subject to site-specific Exception 14.801, to “R2A(H) Second Density Residential Zone” (‘R2A(H) Zone’), “R3A(H) Third Density Residential Zone” (‘R3A(H) Zone’), “R4(H) Fourth Density Residential Zone” (‘R4(H) Zone’), “R4A(H) Fourth Density Residential Zone” (‘R4A(H) Zone’), “RT1(H) Townhouse Residential Zone” (‘RT1(H) Zone’), all subject to the Holding Symbol, and the “OS1 Public Open Space Zone” (‘OS1 Zone’) under Zoning By-law 001-2021 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-22V007, as shown on Attachment 3, for a Draft Plan of Subdivision (the ‘Draft Plan’) consisting of the following:

Lot/Blocks	Land Use	Area (ha)	Units
Lots 1-70, and 163-242	Single Detached	7.10	175
Lots 96-162	Single Detached with Public Laneway	2.13	67
Blocks 243-247	Street Townhouses	0.65	30
Block 251	Low-Rise Mixed Use	0.73	TBD
Block 252	Road Widening	0.01	
Block 248	Landscape Buffer	1.21	
Block 249	Public Park	1.23	
Block 250	Elementary School	2.67	
Blocks 252-305	0.3 m Reserves	0.01	
	Public Roads/Laneways	6.12	
Total		21.86 ha	272 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
- 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: August 27, 2024

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

- The proposed densities were too high/lots were too small and did not reflect the character of the Kleinburg area
- 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:

East Kleinburg Developments Inc. and 1045501 Ontario Limited File OP.17.008

Committee of the Whole Report:

[June 4, 2019 Committee of the Whole \(Item 2, Report No. 20\)](#)

East Kleinburg Developments Inc. and 1045501 Ontario Limited Files Z.22.030 and 19T-22V007 Public Meeting Report:

[January 17, 2023 Committee of the Whole \(Public Meeting\) \(Item 4, Report No. 3\)](#)

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, York Region Official Plan 2010, Vaughan Official Plan 2010, OPA 48 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 through building strong and 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, elementary school, 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 built-up 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, 2.2.2.2, 2.2.6.1, 3.2.6 and 3.2.7 of the Growth Plan. The Development also achieves a density of 45 residents and jobs per hectare which supports the direction of a minimum 40% of all residential development to the designated built-up area as identified in York Region Official Plan 2010 ('YROP 2010'), which is applicable to the Subject Lands. 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 48 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.

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 a minimum 40% of all residential development to the designated built-up area in accordance with Policy 8.2.3.a that is consistent with the character, form and planned function of the area in accordance with Section 5.0. 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 48 and redesignation for the Development.

VOP 2010 and OPA 48

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 48. The "Low-Rise Residential" designation permits the proposed low-rise built forms of street townhouses and single detached dwellings.

Policies 13.48.1.2.b) and 13.48.1.5 of OPA 48 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.

Policies 13.48.1.2.c), 13.48.1.8 and 13.48.1.10 of OPA 48 require the Development to implement various buffers, transition measures and street patterns to ensure compatibility with the surrounding area, which the Development achieves through the implementation of a 24 m landscape buffer along Highway 27, rear lotting onto Highway 27 and a mixture of internal street patterns as shown throughout the Approved Block 55W Plan shown on Attachment 7.

Policies 13.48.1.15 and 13.38.1.17 of OPA 48 requires the precise limits of valley and stream corridors, woodlands and their associated vegetation protection zones ('VPZ') be established. The development limits and a 10 m VPZ have been established to the satisfaction of the TRCA, and no lands are required for conveyance to the TRCA per Policy 13.48.1.19 of OPA 48.

The Applications conform to VOP 2010 and OPA 48.

Block 55W Plan

Policy 13.48.1.2 of OPA 48 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, subject to minor modifications to the lot fabric and internal street design.

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

The Subject Lands are zoned OS2 Zone, subject to site-specific Exception 14.801 as shown on Attachment 2, which permits the existing private golf course and related facilities. The Owner is proposing to rezone the Subject Lands to the R2A(H), R3A(H), R4(H), R4A(H), RT1(H) and OS1 Zones as shown on Attachment 3, to permit the Development, together with the site-specific zoning exceptions identified in Attachment 8. The retained portion of the golf course will remain in the OS2 Zone. 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 YROP 2010, VOP 2010, OPA 48 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' groups, for matters such as achieving an alternate interim sanitary and water servicing strategy, implementation of infrastructure, and cost sharing, as well as obtaining an RSC from the MECP, 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 Owners.

Parking

In addition to the required number of parking spaces being provided on each lot, areas for 187 on-street parking spaces are proposed along the internal public streets, as shown on Attachment 3, with the final total subject to review by the Transportation Engineering Division of the Development Engineering Department.

Landscape Plan

Landscape screening is proposed along the west buffer area abutting Highway 27 and boulevard plantings are proposed along the internal public roads, park and elementary school, 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 and elementary school. A multi-use path is proposed within the future expanded right-of-way of Highway 27 along its east side to accommodate expected trips to Block 55 East and the Kleinburg Community. Visual connectivity per Policy 13.48.1.6 of OPA 48 is achieved through providing vista views of the retained portion of the golf course.

Tree Inventory and Preservation Plan

A total of 1,262 inventoried trees are recommended for removal from the combined Phase 2, 3 and 4 lands, with 826 trees requiring replacement and 440 trees being dead or 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 dwelling frontages will face internally to the subdivision and address the local public roads to maintain the character of the overall Kleinburg area.

Sustainability Performance Metrics ('SPM')

The Development achieves an overall SPM application score of 40 (silver level) which exceeds the City's minimum SPM threshold.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs ('PPSP') Department has no objection to the Applications subject to conditions of draft plan approval

The PPSP Department has no objection to the Applications provided the Draft Plan conforms with the approved Block 55W Plan and that a final Master Environment and Servicing Plan be submitted to the satisfaction of the City, York Region and TRCA, as identified in the Conditions of Draft Plan Approval in Attachment 1. The Environmental Planning Division of the PPSP Department also requests that efforts be made to retain mature trees and consider alternative compensation methodologies beyond standard replacement requirements. Standard natural heritage warning clauses shall be included within the subdivision agreement.

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 Owners.

Road Network

The Development proposes internal public roads and rear laneways which connect to the internal road network of the adjacent phases and new intersections at Highway 27 and Kirby Road. Various road improvements and land dedications are required including the conveyance of all necessary lands to widen Highway 27 to a four-lane cross-section. The Owner is required to address comments and conditions provided by the Transportation Division of the Development Engineering Department and York Region.

Water Servicing

The Subject Lands are within the Pressure District Kleinburg Nashville ('PDKN') of the York Water System. In general, Phase 1 is serviceable from PDKN; however, Phases 2 to 4 and the homes situated in the higher elevated areas within the pressure district ('PD') will experience low water pressure and will not meet City design criteria. Therefore, the Block 55W Plan was analyzed comprehensively, and two water servicing options are recommended, as follows:

- The first includes a pressure district zone realignment to Pressure District 7 ('PD7') involving approval and coordination with York Region as there are implications to the system, given that 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 above.

The DE Department supports both options and requires a Holding Condition be applied to resolve the water servicing approach.

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. The 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 Nashville Sewage Pumping Station ('NSPS'). Given limitation, 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 sewers 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 Block 55 West Plan lands drain east towards the Humber River. Six man-made ponds and a network of private storm sewers and irrigation pipes are located on the Copper Creek Golf Course lands which service the Subject Lands. The stormwater management ('SWM') plan comprises of employing the existing SWM pond located within the Copper Creek Golf Course, which will be upgraded to service the Block 55 West Plan area.

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 the SWM pond will remain under private ownership, the City is requesting an easement over the lands for operations and maintenance if required. The Owner shall provide the necessary financial security in the form of a Letter of Credit ('LC') for this arrangement, all 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')

A Phase 1 and Phase 2 ESA report were previously submitted and reviewed under related file OP.17.008, which identified that the proposed residential development on the golf course lands would require an MECP RSC due to the change to a more sensitive land use. In addition, the ESA reports indicated a number of locations with impacts exceeding the applicable MECP standards. As per the City's policy on contaminated sites for future development, the Owner shall provide the City with a Remedial Action Plan outlining their approach to remediation along with filing and obtaining a MECP RSC for the Subject Lands. A Holding Symbol "(H)" condition will be included in the amending zoning by-law for the submission of a filed MECP RSC and associated ESA reports to the satisfaction of the DE Department.

Noise Impact Study ('NIS')

The Owner submitted an NIS prepared by Aeroustics Engineering Ltd. dated May 26, 2021 to investigate the potential environmental noise impact on the Subject Lands from road traffic and surrounding land uses. The NIS recommended noise barriers for most of the lots and blocks abutting Highway 27 and Kirby Road as well as 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 presented in the NIS 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

On March 26, 2024, Vaughan Council endorsed its latest Allocation of Servicing Capacity Annual Distribution Update and Allocation of Servicing Capacity Policy. The current remaining servicing capacity amount tributary to the Kleinburg Water Resource Recovery Facility is 1,260 persons equivalent. Accordingly, servicing capacity to the Development is available and unrestricted for 273 residential units (973 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 1.23 ha public park (Block 249) to be conveyed to the City. Canada Post mailboxes are currently shown within Block 249; however, as a Condition of Draft Plan Approval the mailboxes must be relocated as they cannot encumber lands for a public park. 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 Serviced 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 is 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; however, modifications to the mailbox location are required in light of comments provided by PIPD. Canada Post has no objection to the Applications, subject to their Conditions of Draft Plan Approval identified in Attachment 1d) 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 ('YRDSB') will obtain a 2.68 ha elementary school block (Block 250) and have provided their Conditions of Draft Plan Approval contained in Attachment 1f). The York Catholic District School Board ('YCDSB') has no objection to, or any conditions for, the Applications pertaining to Phase 2. 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 (road expansion, turning lanes, active transportation facilities, etc.). 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 at 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

A portion of the Subject Lands are within the TRCA regulated area. The TRCA has no objection to the Application, subject to their conditions of draft plan approval identified in Attachment 1 c).

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 2010, 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 and Proposed Zoning
4. Conceptual Landscape Plan

5. Elevations (Typical)
6. Elevations (Typical)
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.