

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

Item 5, Report No. 20, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 12, 2019, as follows:

***By receiving communication C6, from Mr. David R. Donnelly, Donnelly Law, dated June 12, 2019.***

**5. VALLEY MAJOR DEVELOPMENTS LIMITED OFFICIAL PLAN  
AMENDMENT FILE OP.17.005 ZONING BY-LAW AMENDMENT FILE  
Z.17.013 VICINITY OF MAJOR MACKENZIE DRIVE AND PINE VALLEY  
DRIVE**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated June 4, 2019, be approved; and**
- 2) That the following deputations and Communication be received:**
  - 1. Mr. David Donnelly, Donnelly Law, Carlaw Avenue, Toronto, and Communication C27, dated June 3, 2019, on behalf of the Rodaro Family;**
  - 2. Ms. Alexandra Whyte, Donnelly Law, Carlaw Avenue, Toronto, on behalf of Mr. Richard Rodaro;**
  - 3. Mr. Ira Kagan, Kagan Shastri LLP, Avenue Road, Toronto, on behalf of the applicant; and**
  - 4. Mr. Richard Rodaro.**

**Recommendations**

**THAT the Local Planning Appeal Tribunal be advised that Vaughan Council ENDORSES the following:**

- 1. THAT Official Plan Amendment File OP.17.005 (Valley Major Developments Limited) BE APPROVED, to amend Vaughan Official Plan 2010 Volume 1, and OPA 600 for the Subject Lands shown on Attachment 1 to permit 91, 3-storey townhouse dwelling units within 16 blocks, with access from a private, common element condominium road as shown on Attachments 2 to 6, as follows:**
  - a) OPA 600 to redesignate 4455 and 4477 Major Mackenzie Drive from “Estate Residential” and “Valley Stream Corridor” to “Low-Rise Residential” and “Natural Areas”; and,**
  - b) Vaughan Official Plan 2010, Volume 1, Sections 9.1.2.2 and 9.1.2.3 respecting new development within established “Community Areas” for the entirety of the Subject Lands.**
- 2. THAT Zoning By-law Amendment File Z.17.013 (Valley Major Developments Limited) BE APPROVED, to amend Zoning By-law**

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 12, 2019**

#### **Item 5, CW Report 20 – Page 2**

1-88 to rezone the Subject Lands shown on Attachment 1, from “RR Rural Residential Zone” to “RT1(H) Residential Townhouse Zone” with a Holding Symbol “(H)” and “OS1 Open Space Conservation Zone”, in the manner shown on Attachments 2 and 3, together with the site-specific exceptions identified in Tables 1, 2, 3 and 4 of this report.

3. THAT the Holding Symbol “(H)”, as shown on Attachment 2, shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following condition is satisfied:
  - a) A No “Pre-Sale” Agreement shall be applied to the plan and remain in place, until the downstream pump station and sanitary sewer conveyance issues are resolved to the satisfaction of the Development Engineering Department and the Environmental Services Department.
4. THAT the Owner be permitted to apply for a Zoning By-law Amendment and/or Minor Variance application(s) to permit minor adjustments to the in-effect Zoning By-law to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into full force and effect.
5. THAT the Owner withdraw their appeal of VOP 2010 (Appeal #65 - L-Star Developments Group) from the Local Planning and Appeal Tribunal as it relates to the Subject Lands, to the satisfaction of the City Solicitor, and Deputy City Manager, Planning and Growth Management and, prior to the execution of the Site Plan Agreement for the related Site Development File DA.17.084.
6. THAT City of Vaughan staff and external counsel, as required, be directed to attend the Local Planning Appeal Tribunal Pre-Hearing and subsequent Hearing in support of the Recommendations contained in this report regarding Official Plan and Zoning By-law Amendment Application Files OP.17.005 and Z.17.013 (Valley Major Developments Limited).
7. THAT should the Local Planning Appeal Tribunal approve Official Plan Amendment and Zoning By-law Amendment Files OP.17.005 and Z.17.013 (Valley Major Developments Limited), either in whole or in part, that the LPAT withhold its final Decision/Order until such time that the implementing site-specific Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City.

## Committee of the Whole Report

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**DATE:** Tuesday, June 04, 2019

**WARD:** 3

**TITLE: VALLEY MAJOR DEVELOPMENTS LIMITED  
OFFICIAL PLAN AMENDMENT FILE OP.17.005  
ZONING BY-LAW AMENDMENT FILE Z.17.013  
VICINITY OF MAJOR MACKENZIE DRIVE AND PINE VALLEY  
DRIVE**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek ENDORSEMENT of the Recommendations in this report from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.17.005 and Z.17.013 (Valley Major Developments Limited) which have been appealed to the Ontario Municipal Board, now the Local Planning Appeal Tribunal, for the Subject Lands shown on Attachment 1, to permit 91, 3-storey, townhouse dwelling units within 16 blocks, on a private, common element condominium road, as shown on Attachments 2 to 6.

**Report Highlights**

- The Owner is seeking to permit 91, 3-storey, townhouse dwelling units within 16 blocks, on a private, common element condominium road.
- The Owner proposes to amend Vaughan Official Plan 2010, OPA 600 and Zoning By-law 1-88 to permit the development.
- The Owner appealed Official Plan and Zoning By-law Amendment Files OP.17.005 and Z.17.013 (Valley Major Developments Limited) to the Ontario Municipal Board, now the Local Planning Appeal Tribunal.
- The Development Planning Department supports the approval of the development, subject to the Recommendations of this report, as the development is consistent with provincial policy and conforms to the Growth Plan, and the York Region Official Plan.

## **Recommendations**

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

1. THAT Official Plan Amendment File OP.17.005 (Valley Major Developments Limited) BE APPROVED, to amend Vaughan Official Plan 2010 Volume 1, and OPA 600 for the Subject Lands shown on Attachment 1 to permit 91, 3-storey townhouse dwelling units within 16 blocks, with access from a private, common element condominium road as shown on Attachments 2 to 6, as follows:
  - a) OPA 600 to redesignate 4455 and 4477 Major Mackenzie Drive from “Estate Residential” and “Valley Stream Corridor” to “Low-Rise Residential” and “Natural Areas”; and,
  - b) Vaughan Official Plan 2010, Volume 1, Sections 9.1.2.2 and 9.1.2.3 respecting new development within established “Community Areas” for the entirety of the Subject Lands.
2. THAT Zoning By-law Amendment File Z.17.013 (Valley Major Developments Limited) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachment 1, from “RR Rural Residential Zone” to “RT1(H) Residential Townhouse Zone” with a Holding Symbol “(H)” and “OS1 Open Space Conservation Zone”, in the manner shown on Attachments 2 and 3, together with the site-specific exceptions identified in Tables 1, 2, 3 and 4 of this report.
3. THAT the Holding Symbol “(H)”, as shown on Attachment 2, shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following condition is satisfied:
  - a) A No “Pre-Sale” Agreement shall be applied to the plan and remain in place, until the downstream pump station and sanitary sewer conveyance issues are resolved to the satisfaction of the Development Engineering Department and the Environmental Services Department.
4. THAT the Owner be permitted to apply for a Zoning By-law Amendment and/or Minor Variance application(s) to permit minor adjustments to the in-effect Zoning By-law to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into full force and effect.
5. THAT the Owner withdraw their appeal of VOP 2010 (Appeal #65 - L-Star Developments Group) from the Local Planning and Appeal Tribunal as it relates to the Subject Lands, to the satisfaction of the City Solicitor, and Deputy City Manager, Planning and Growth Management and, prior to the execution of the Site Plan Agreement for the related Site Development File DA.17.084.



6. THAT City of Vaughan staff and external counsel, as required, be directed to attend the Local Planning Appeal Tribunal Pre-Hearing and subsequent Hearing in support of the Recommendations contained in this report regarding Official Plan and Zoning By-law Amendment Application Files OP.17.005 and Z.17.013 (Valley Major Developments Limited).
7. THAT should the Local Planning Appeal Tribunal approve Official Plan Amendment and Zoning By-law Amendment Files OP.17.005 and Z.17.013 (Valley Major Developments Limited), either in whole or in part, that the LPAT withhold its final Decision/Order until such time that the implementing site-specific Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City.

## **Background**

The subject lands (the 'Subject Lands') are located at the southeast corner of Major Mackenzie Drive and Pine Valley Drive, shown as Subject Lands on Attachment 1, and are municipally known as 4433, 4455 and 4477 Major Mackenzie Drive. The Subject Lands were previously developed with 3 single detached dwellings, however, only 1 detached dwelling remains on 4433 Major Mackenzie Drive.

### ***A portion of the lands are subject to a Vaughan Official Plan 2010 Appeal***

The previous Owner of 4455 and 4477 Major Mackenzie Drive filed an appeal to VOP 2010, Volumes 1 and 2 (identified as Appeal #65 (L-Star Developments Group) in the City of Vaughan List of VOP 2010 Appeals) relating to the "Low-Rise Residential" designation, natural heritage, and transportation policies as they relate to the Subject Lands. The VOP 2010 appeal has been maintained and carried forward by the current Owner (Valley Major Developments Limited).

The Owner has advised that they will resolve the appeal to 4455 and 4477 Major Mackenzie Drive through the development application review process and bring the policies of VOP 2010, as proposed to be amended, into full force and effect over the entirety of the Subject Lands. The remainder of the Subject Lands (4433 Major Mackenzie Drive) are subject to the policies in VOP 2010 and therefore, amendments to both the VOP 2010 and OPA 600 are required.

Vaughan Council, on September 26, 2017, in a Recommendation respecting the Committee of the Whole Public Hearing report, deemed the subject Applications as appropriate to satisfy the land use, urban design, environmental and heritage potential consideration as identified in Site-Specific Policy Section 13.15 of the Vaughan Official Plan 2010. Vaughan Council's Recommendation also stated that if a peer review was deemed necessary by staff, that it be commissioned by staff at the applicant's expense. City departments and external agencies have conducted a review of the Applications, as discussed in this report, and have determined that a peer review is not necessary.

Should Vaughan Council approve the applications, a condition of approval is included in the Recommendations of this report requiring the Owner's appeal of Vaughan Official Plan 2010 ("VOP 2010"), Volumes 1 and 2, be resolved to the satisfaction of the City

Solicitor and the Deputy City Manager, Planning & Growth Management prior to the execution of the Site Plan Agreement for the related Site Development application (File DA.17.084).

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

The Owner has submitted the following applications (the ‘Applications’) for the Subject Lands shown on Attachment 1, to permit a development consisting of 91, 3-storey townhouse dwellings units with access from a private, common element condominium road (the ‘Development’) as shown on Attachments 2 to 6:

1. Official Plan Amendment File OP.17.005 (Valley Major Developments Limited) to:
  - a) amend OPA 600 (4455 and 4477 Major Mackenzie Drive) to redesignate 4455 and 4477 Major Mackenzie Drive from “Estate Residential” and “Valley Stream Corridor” to “Low-Rise Residential” and “Natural Areas; and,
  - b) amend VOP 2010, Volume 1, Sections 9.1.2.2 and 9.1.2.3 respecting new development within established “Community Areas” for the entirety of the Subject Lands.
2. Zoning By-law Amendment File Z.17.013 (Valley Major Developments Limited) to amend Zoning By-law 1-88 to rezone the Subject Lands from “RR Rural Residential Zone” to “RT1(H) Residential Townhouse Zone” with a Holding Symbol “(H)” and “OS1 Open Space Conservation Zone”, in the manner shown on Attachments 2 and 3, together with the site-specific exceptions identified in Tables 1, 2, 3 and 4 of this report.

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

On August 25, 2017, a Notice of Public Hearing was circulated to all property owners within 150 m of the Subject Lands as shown on Attachment 1, and to the Millwood Woodend Ratepayers Association and the Greater Woodbridge Ratepayers Association. Notice was also circulated to all nearby residents located on Via Borghese, Gambit Road, Via Campanile, and Via Toscana. A copy of the Notice of Public Hearing was posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca). Two Notice Signs (along Major Mackenzie Drive and Pine Valley Drive) were installed on the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols.

A Public Hearing was held on September 19, 2017, where the recommendation of the Committee was to receive the Public Hearing report and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council ratified the recommendation of the Committee of the Whole on September 26, 2017.

The following is a list of individuals who made a deputation at the Public Hearing on September 19, 2017, or submitted written correspondence on the Development:

- M. Testaguzza, Humphries Planning Group, representing the Owner
- C. Aiello, Pine Valley Drive, Woodbridge
- J. Fantino, Pine Valley Drive, Woodbridge
- J. Collura, Via Borghese, Woodbridge
- T. Sorochinsky, Millwood Parkway, Woodbridge, representing the Millwood-Woodend Ratepayers' Association
- E. Bottos, Charmaine Road, Woodbridge
- R. Rodaro, Woodend Place, Woodbridge
- P. Cascarella, Islington Avenue, Woodbridge
- M. Borgio, Avdell Avenue, Woodbridge
- L. Verrilli, Via Teodoro, Woodbridge
- G. Bannister, representing the Boyd Valley Estates Ratepayers' Association
- R. Rocca, Via Campanile, Woodbridge
- M. Cannone, Millwood Parkway, Woodbridge
- The Concord West Ratepayers' Association

The following comments were provided were provided by the community through the written submissions received by the Development Planning Department and by deputations at the Public Hearing on September 19, 2017. The Development Planning Department offers the following responses to the comments made by the community below and in the relevant sections throughout the report:

a) The Appropriateness of Development

Residents from the community commented that the Development does not respect the intent or key principles of VOP 2010, particularly with regards to the "Community Area" policies of Section 2.2.3, or the compatibility criteria of Section 9.1.2.2 and 9.1.2.3. The residents commented that the estate residential character of the community should be protected.

The Millwood-Woodend Ratepayers' Association (the 'Ratepayers' Association') also commented about the lack of transition from the development to the existing built form located to the east (being detached dwellings on "RR Rural Residential Zone" lots) and on the north side of Major Mackenzie Drive (being detached dwellings on "RR Rural Residential Zone" lots).

Staff response

The Development was revised from 100 townhouse dwelling units over 18 blocks (Attachment 7) to 91, 3-storey townhouse dwelling units over 16 blocks (Attachment 2). The Owner reduced the overall density and provided a centralized amenity area. The proposed townhouse dwelling units provide an appropriate transition from the nearby lots. The Development is separated from the lots to the east by a private, common element condominium road and an open space area (OS1 Zone) as shown on Attachment 2. The lands to the south of the Subject Lands are also occupied by a 6-storey residential building.

The existing built form on the south side of Major Mackenzie Drive between Weston Road and Pine Valley Drive (Block 39) is characterized by a variety of lot sizes and building typologies, including townhouse dwellings, semi-detached dwellings, and detached dwellings of varying lot sizes. Via Borghese, which turns to Via Toscana east of Via Campanile, presently contains townhouse units, the same building form being considered as part of the development.

The LPAT recently approved Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (CountryWide Woodened Place Inc.- Files 19T-15V011, OP.16.003 and Z.15.032), to permit 113 townhouse dwelling units at the southeast corner of Major Mackenzie Drive and Woodend Place, just east of the Subject Lands (Attachment 1), whereas the City recommended approval of the original development proposal for these lands, which consisted of 86 dwelling units (65 single detached dwellings and 22 townhouse dwelling units) as shown on Attachment 7. It is noted that a Section 35 Request for Review of the LPAT's decision has been filed by a local resident with the LPAT.

This LPAT decision introduces townhouse dwellings as a compact built form that is appropriate for this neighbourhood. VOP 2010 also permits townhouse dwellings in a "Low-Rise Residential" designation. A detailed review of the proposed amendments to the Official Plan regarding compatibility, and the requested zoning exceptions are discussed further in the analysis section of this report.

b) The Proposed Density of the Development

Residents of the community commented that the density of the Development is too high, citing the number of townhouse dwelling units in a row, and the relief from the requirements of Zoning By-law 1-88 to permit a reduced lot frontage to facilitate the townhouse blocks as examples of how the Subject Lands are being over-intensified. The community referred to the original development proposal for the lands to the east (CountryWide Woodend Place Inc.) as an example of a form of development that better reflects the density of the existing and surrounding community.

Staff response

The Development yields an overall density of 48 units per hectare ('uph'), based on the revised proposal of 91 units. VOP 2010 does not contain a maximum density (uph or FSI) for the "Low-Rise Residential" designation. Blocks 5, 8, 9 and 12 of the development contain a maximum of 7 to 8 units within each row of townhouses. In addition, Zoning By-law 1-88 was last comprehensively reviewed in 1988 and does not contain development standards for common element condominium development. Consequently, a number of zoning exceptions result through the application of an existing Zoning By-law 1-88 Zone category that is not designed to implement this form of development.

The Urban Design and Cultural Heritage Division has no objection to the number of units in each townhouse row as these blocks are not visible from the main

arterial roads, with the exception of Block 5 (2 additional units) which faces Major Mackenzie Drive, as shown on Attachment 2. These additional units are proposed to efficiently use the lot and add to the mix in unit sizes. In addition, the Subject Lands are located on Major Mackenzie Drive which is identified as a “Regional Transit Priority Network” intended to support a compact, mixed-use urban form that will encourage and support a higher level of transit service, while helping to reduce the overall average trip length required for work, shopping, school, recreation and other purposes. A further review of the proposed density is assessed in the analysis section of this report.

c) The Attractiveness/Quality of Development

Residents made comments about the architectural quality and general attractiveness of the Development. Residents specifically referenced the existing 6-storey mid-rise building to the south ((1668872 Ontario Inc. c/o Royal Pine Homes) Files OP.06.002, Z.06.005 and DA.12.098) (Attachment 1) as an example of good architectural design this Development should strive to achieve.

The Ratepayers’ Association also commented about the proposed architectural and landscaping treatment at the corner of Major Mackenzie Drive and Pine Valley Drive, which represents a “key entrance” or “gateway” into the surrounding community. The Ratepayers Association commented about the townhouse wall that wraps around this corner (Attachment 7) and would like to see breaks in this street wall which would give visibility into the site, the architectural treatments for these corner units improved, and would like to see an entry feature or public art incorporated into this area of the Subject Lands. The Ratepayers Association would also like to see a variation in the architectural material palette used for the units that have frontage on a public street.

Staff response

The 13 m high, 3-storey townhouse dwellings include a pitched roof design. The Owner has provided a variety of building materials to enhance the building elevations for each townhouse block (Attachments 5 and 6). The building materials consist of brick and stonework, soffit and fascia, panelling and windows with decorative brackets under the window sills, in various colour schemes (black, grays, beiges) that are complimentary. The Owner has provided multiple windows, patio doors, and balconies to enhance the rear elevation abutting the private centralized amenity area.

The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the conceptual building elevations, shown on Attachments 5 and 6 and are generally satisfied with the proposed materiality and building elevations. The Urban Design Division recommends that the rear elevations of Blocks 8, 9 and 10 be further enhanced to have a front entrance treatment to activate the façade. The Owner has agreed to work with the City to enhance the elevations through the review of the related Site Development File DA.17.084. The Site Development Application will be reviewed comprehensively

in a future technical report to Vaughan Committee of the Whole to finalize the building materials, architecture and other site plan matters.

d) Traffic impacts and congestion resulting from the Development and Width of the Common Element Private Road

Residents from the community made comments about traffic impacts on the surrounding road network, should the Applications be approved, particularly about the additional congestion to the surrounding road network, and that Pine Valley Drive does not have the capacity to accommodate the additional volume.

The residents commented that the private, common element condominium road network is too narrow to accommodate two-way traffic, emergency vehicle access and snow storage and removal. The comments also included that the private common element condominium road should be converted into a public road, which is more reflective of the character of the community.

Staff response

Due to the configuration of the Subject Lands, the Development is proposed to be served by a private, common element condominium road. The common element road allows for appropriate vehicular circulation with two points of access proposed to serve the Development (Attachment 2). The six-storey apartment building to the immediate south is also accessed from a private driveway.

The Owner has submitted a Traffic Impact Study ('TIS') which supports the proposed right-in and right-out access onto Major Mackenzie Drive and a restricted access (right-in, right-out, and left out only) onto Pine Valley Drive. Both Pine Valley Drive and Major Mackenzie Drive are Regional roads under the jurisdiction of York Region.

The Development includes a minimum 6 m wide private road to accommodate the maneuvering of emergency, waste collection and snow storage and removal vehicles through the Subject Lands. Portions of the private road are 8 m in width which contain on-street lay-by visitor parking spaces. Traffic calming measures such as "No Parking" and "Fire Route" signs on the private common element condominium road will also be implemented to ensure that emergency vehicles are able to properly manoeuvre through the site.

The Transportation Division of the Development Engineering ("DE") Department is satisfied with the findings of the TIS which identifies there will be no increased safety risk to the residents in the community as a result of the Development. Should the City determine that additional traffic calming measures are warranted, the Owner will be required to design and construct traffic calming/management measures to the satisfaction of the City.

e) The Lack of Parking within the Development

The residents commented about the lack of resident and visitor parking and the proposed garage and driveway sizes and limited parking opportunities within the Development. Residents stated that parking will spill-out of the Development and onto Pine Valley Drive, Major Mackenzie Drive and local streets.

Staff response

The Development has been revised from 100 to 91 townhouse dwelling units. A total of 23 visitor parking spaces (0.25 parking spaces per unit). Zoning By-law 1-88 requires a minimum of 2 residential parking spaces per dwelling unit. A total of 182 residential parking spaces are proposed for the 91 units, which satisfies the visitor and unit parking requirement in Zoning By-law 1-88.

f) The Lack of Amenity Area within the Development

The resident comments included that there is a limited amount of amenity area to serve the future residents of the Development, especially in consideration of the isolation of Subject Lands to public amenities. Additional comments were made respecting the ability of pedestrians to navigate through the Subject Lands, particularly for those with mobility issues or people with small children.

Staff response

The current Development includes a centralized amenity area of 670 m<sup>2</sup> and abuts an open space channel feature as shown on Attachments 2 and 3. The original plan is shown on Attachment 7. The amenity area is intended to serve the entire Development and includes opportunities for passive and active uses that are accessible.

In consultation with the Urban Design and Cultural Heritage Division, the Owner has implemented a design to enhance the pedestrian realm and provide adequate amenity areas that are publicly accessible to all residents. Many of the townhouse blocks contain private amenity areas such as rear decks and balconies (Blocks 7 to 16), with private roof top amenities for certain units in Block 13. The proposed amenity areas are appropriate to implement this form of compact development.

The plan includes additional sidewalks (Attachments 2 and 4) to encourage safe pedestrian accessibility and connection to the blocks. Multi-use paths along Pine Valley Drive and Major Mackenzie Drive will provide the pedestrian connections to nearby parks and facilities. Curbed depressions along the pedestrian walkways will permit accessibility. A detailed review of the site plan related matters will be undertaken through the review of the related Site Development File DA.17.084 (Valley Major Developments Limited).

g) Impact on the abutting Natural Heritage Network

Residents at the deputation made comments about protecting the natural heritage network that is located on and abutting the Subject Lands.

#### Staff response

The Subject Lands are designated “Low-Rise Residential” and “Natural Areas” by Schedules 2 and 13 - Natural Heritage Network, and Land - Use respectively, of VOP 2010. The Subject Lands contain a valley corridor associated with Marigold Creek, a tributary of the East Humber River, and a portion of the Kleinburg Woodlot, a Regional Area of Natural and Scientific Interest (‘ANSI’). A 2.32 hectare Identified wetland feature along Marigold Creek was identified by the Ministry of Natural Resources and Forestry (“MNRF”) and deemed to be provincially significant and added to the east Humber River Wetland Complex. On September 20, 2017, Toronto and Region Conservation Authority (“TRCA”) staff, along with the Owner and their consultants were on site to stake the limits of the natural features present, the vegetation dripline, and the top of bank of the valley corridor. The MNRF conducted a separate site-visit to delineate the limits of the MNRF Identified wetland.

The Owner has addressed the comments from the MNRF and TRCA related to development limits, compensation for minor encroachments into the buffers with the addition of new buffer areas, and the compensation for the removal of the MNRF Identified wetland through the creation of a new wetland within the Marigold Creek valley corridor. The TRCA has reviewed the latest Application submissions and is satisfied with the delineation of the boundaries and recommends that the lands containing the natural features be rezoned to an OS1 Open Space Conservation Zone.

#### h) Impacts from construction activities

The residents commented on the impacts from construction, particularly related to road closures on Pine Valley Drive and Major Mackenzie Drive, noise and debris on the surrounding neighbourhood, should the Applications be approved.

#### Staff response

The proposed accesses on Pine Valley Drive and Major Mackenzie Drive are subject to approval from York Region. York Region advises that a road occupancy permit must be obtained prior to commencing any work on Major Mackenzie Drive and Pine Valley Drive. The Owner is required to submit a Traffic/Construction Management Plan to the satisfaction of York Region and the Development Engineering Department, which will outline minimum requirements for works proposed within the Regional Road allowances including lane closures and lane encroachments, to ensure safe pedestrian access, proper placement of all signs and traffic control or management plans and paid duty officers for any proposed or existing signalized works. The City’s Noise By-law also permits construction activities from Monday to Saturday, 7 am to 7 pm and not at all on Sunday or holidays; a Noise Exemption Permit Application will be required for construction activities at any other times.



i) VOP 2010, Volume 2 - Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive

The Residents made comments regarding the requirement for a study as set out in Site-Specific Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive ("Site-Specific Policy 13.15"). Vaughan Council on September 26, 2017, adopted the following Recommendation:

*"THAT Vaughan Council deem Official Plan Amendment File OP.17.005 and Zoning By-law Amendment File Z.17.013 (Valley Major Developments Limited) to satisfy the study requirements identified by Site Specific Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive of Vaughan Official Plan 2010, Volume 2, as it relates to land use, urban design, environmental and heritage potential and its location in the community; and on this basis, that Staff be directed to proceed with the review of Official Plan Amendment File OP.17.005 and Zoning By-law Amendment File Z.17.013 (Valley Major Developments Limited) and that if a peer review be deemed necessary by staff, that it be commissioned by staff at the Owner's expense."*

The residents of the community have commented that an independent and unbiased review, consistent with the intent of Site-Specific Policy 13.15 cannot be achieved by Staff on the Applications.

Staff response

VOP 2010, Volumes 1 and 2, are a comprehensive, long range (30-year) planning document that provides a framework to manage growth and guide future land use. Every development application made to the City is subject to a comprehensive review for consistency with Provincial policy, and conformity with Regional and City Official Plan policy and detailed development related matters (e.g. traffic, servicing etc.). Also, there is an appeal on two-thirds of the Subject Lands related to Section 13.15, which is not in-effect on 4455 and 4477 Major Mackenzie Drive. Development applications undergo a comprehensive assessment by the Development Planning Department and other City Departments and the appropriate external review agencies (e.g. TRCA and York Region) with the required expertise to evaluate all information provided in support of an application.

The Applications have been reviewed by the City, TRCA, York Region and MNRF and staff are satisfied the need for a peer review is not warranted.

j) The Applicability of the Community Area Policy Review for Low-Rise Residential Designations

Comments from the residents included the request to have the Applications be reviewed in consideration of the Community Area Policy Review for Low-Rise Residential Designations.

Staff response

In recognition of development pressures in existing neighbourhoods, the City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the 'Guidelines') and the Community Area Policy Review for Low-Rise Residential Designations Study (the 'Study'). The Guidelines were approved by Vaughan Council on October 19, 2016 and are currently in-effect and apply to the Subject Lands.

The Study was approved by Vaughan Council on April 19, 2017, and an Official Plan Amendment (Official Plan Amendment No. 15 ("OPA 15")) to implement the Study recommendations was forwarded to Vaughan Council and adopted on September 27, 2018. On May 8, 2019, York Region issued a Notice of Decision for OPA 15. The policy framework will be brought into effect after the expiration of the appeal period on May 28, 2019, should there be no appeals. The Applications were deemed complete on April 7, 2017. Development applications are assessed and reviewed based on the existing policy at the time of a "Complete" application; therefore, the Applications are not subject to OPA 15 (Community Area Policy Review for Low Rise Residential Designations).

The Guidelines and Study identified the Subject Lands as being a part of a large lot neighbourhood. The Development Planning Department has undertaken a comprehensive review of the Development within this neighbourhood and has worked with the Owner to request changes to the Development that reflect the Guidelines and Study goals, to maintain the intent of VOP 2010. A review of the Low-Rise Infill Guidelines is found in the Analysis and Options section of this report.

k) Notice to First Nations

The community has requested that any Notice for this Development be sent to potentially affected First Nations.

Staff response

The *Planning Act* (O.Reg 543/06 and 545/06), requires that Notice should be given to the Chief of every First National Council, if the First Nation is located on a reserve, any part of which is within one kilometre of the area to which the proposed Official Plan Amendment area or Zoning By-law Amendment would apply. No known reserve is located within one kilometre of the Subject Lands. Notice of the Applications was provided in accordance with the requirements of the *Planning Act*.

On May 23, 2019, the Development Planning Department mailed a non-statutory courtesy notice of this Committee of the Whole meeting to all individuals that either made a deputation at the Public Hearing, submitted correspondence respecting the files, or requested notification of future meetings.

## **Previous Reports/Authority**

[September 26, 2017, Committee of the Whole \(Public Hearing\) \(Item 7, Report No. 32, Recommendations 1 to 4\)](#)

## **Analysis and Options**

### ***The Owner has appealed the Development to the Local Planning Appeal Tribunal ("LPAT")***

The Owner of the Subject Lands on September 25, 2017, appealed Zoning By-law Amendment File Z.17.013, and on October 4, 2017, appealed Official Plan Amendment File OP.17.005 to the Ontario Municipal Board ("OMB"), now the Local Planning Appeal Tribunal ("LPAT"), pursuant to Sections 22(7) and 34(11) of the *Planning Act*, citing Vaughan Council's failure to make a decision on the Official Plan and Zoning By-law Amendments within the prescribed timelines under the *Planning Act*.

Two Pre-Hearings on the appeals took place on February 15, 2018, and June 27, 2018 which established the Parties to the appeals as the Owner (Valley Major Developments Limited), the City of Vaughan, the Toronto and Region Conservation Authority ("TRCA"), and a local resident. Participants to the appeals include two local residents and nearby landowner CountryWide Homes Woodened Place Inc. Full Hearing dates for the appeals have been set for October 15, 2019, to November 1, 2019 inclusive. A third Pre-Hearing is expected to occur in Spring 2019, however, a date for this Pre-Hearing has not yet been established and is likely to take place following this Committee of the Whole meeting.

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

### ***The Applications are consistent with the Provincial Policy Statement, 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent with" the *Provincial Policy Statement, 2014* (the "PPS"). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides for appropriate development while ensuring that public health and safety, and the quality of the natural and built environment are protected.

The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Applications in consideration of the policies of the PPS and is of the opinion that the Applications are consistent with provincial policy, specifically the following sections (in part) under Part V - "Policies" of the PPS:

- Section 1.1.1 (b) - accommodating for an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- Section 1.1.1 (d) - avoiding development and land use patterns that prevent the efficient expansion of settlement areas or areas adjacent to settlement areas;

- Section 1.1.1 (e) - promoting cost-efficient development patterns and minimizing land consumption;
- Section 1.1.3.1 - settlement areas as the focus of growth and development;
- Section 1.1.3.2 (a) and (b) - land use patterns based on densities and a mix of uses, and promoting opportunities for intensification where appropriate;
- Section 1.4.1 - to provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents;
- Section 2.1.1 - protecting natural features and areas for the long-term;
- Section 4.2 - ensuring that any decision “shall be consistent” with the PPS.

The Subject Lands shown on Attachment 1, are located within a settlement area as defined by the PPS. The Development (Attachments 2 to 6) is consistent with the policy framework of the Settlement Areas, Housing and Natural Heritage policies of the PPS, as it implements growth within a settlement area, creates a more efficient use of the Subject Lands by minimizing land consumption, introduces a housing typology (townhouses) that will help accommodate a greater range of housing options and meet projected housing needs. In addition, the Development will help to restore and provide long-term protection for the surrounding natural environment by bringing the Open Space lands (shown on Attachment 2) into public ownership. The Owner has agreed to dedicate the Open Space lands to the Toronto and Region Conservation Authority (“TRCA”). The Subject Lands have frontage on Major Mackenzie Drive which has been identified as a “Regional Transit Priority Network” corridor by the York Regional Official Plan.

***The Applications conform to A Place To Grow: Growth Plan for the Greater Golden Horseshoe, 2019***

The *Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019* (“Growth Plan”), as approved on May 16, 2019, is intended to guide decision making on the development of land by encouraging compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within the settlement areas and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems.

The *Planning Act* requires that Vaughan Council’s planning decisions conform to the Growth Plan. The Development Planning Department has reviewed the Applications in consideration of the policy framework of the Growth Plan, and is of the opinion that the Applications conform to the Growth Plan objectives, specifically the following sections (in part):

- Section 1.2.1 - regarding how land is developed, resources are managed, protected, and public dollars are invested based on guiding principles
- Section 2.2.1 - directing growth to settlement areas and locations with municipal water and wastewater systems;
- Section 2.2.2 - contribute to meeting residential development growth targets within the delineated built-up area;

- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents; and
- Section 4.2.2 - protecting and enhancing key natural heritage features.
- Section 5.2 - ensuring that all planning matters will conform with this Plan

The Development (Attachments 2 to 6) would implement a residential development within a settlement area, where existing and new municipal water and wastewater services that would be made available. The Development will contribute to meeting residential development growth targets within the delineated built-up area and will offer diversity with respect to the available housing options within the community. The Development will optimize the use of the existing land supply, make more efficient use of the existing infrastructure, and is located adjacent to planned transit (a “Regional Transit Priority Network”) and provides a density that is supportive of these objectives. In addition, the Development will protect the key natural heritage feature on the Subject Lands by bringing it into public ownership, to which the Owner has agreed to dedicate to the Toronto and Region Conservation Authority (“TRCA”).

***The Applications conform to York Region Official Plan 2010***

The York Region Official Plan 2010 (the “YROP 2010”) guides economic, environmental and community building decision making across York Region, and describes how York Region will accommodate future growth and development while meeting the needs of existing residents and businesses.

YROP 2010 encourages a broad range of housing types within efficient and mixed-use compact communities at an overall transit-supportive density. The range of housing includes different forms, types and tenures to satisfy the needs of the Region’s residents. YROP 2010 identifies that the housing stock in the Region is primarily comprised of detached units and recognizes that the housing market is faced with demands for a broader variety of housing forms to meet the needs of different households. YROP 2010 also encourages pedestrian scale, safety, comfort and mobility, and the enrichment of the existing area with attractive buildings, landscaping and public streetscapes.

The Subject Lands are designated “Urban Area” and “Regional Greenlands System” by Map 1 - “Regional Structure” of YROP 2010. The Urban Area designation permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. The Subject Lands abut a “Regional Transit Priority Network”, being Major Mackenzie Drive (Map 11 - “Transit Network”) and planned regional cycling connections on Major Mackenzie Drive and Pine Valley Drive (Map 10 - “Regional Cycling Network”).

The Development Planning Department has reviewed the Applications in consideration of the policy framework of the YROP 2010, and is of the opinion that the Applications conform to the YROP 2010 objectives, specifically the following sections (in part):

- Section 2.2 - Natural Features: Components of the Greenlands System
- Section 5 - Building Cities and Complete Communities

The Development offers a variety in townhouse unit sizes that is in close proximity to public transit that currently operates on Major Mackenzie Drive and Pine Valley Drive. The Development will diversify the housing options found in the community and create new pedestrian connections to Major Mackenzie Drive and Pine Valley Drive. The Development is located outside of the Natural Heritage Core Features; however, for the lands within the Regional Greenlands System, its protection will be ensured through the dedication of these lands into the public authority. The Owner has agreed to dedicate the portions of lands containing the core features to the Toronto and Region Conservation Authority ("TRCA").

On July 20, 2017, York Region exempted Official Plan Amendment File OP.17.005 (Valley Major Developments Limited) from approval by the Regional Committee of the Whole and Council, advising that the Applications are considered minor in nature and of local significance, and do not adversely affect Regional planning policies or interests. This allows the proposed amendment to come into effect at a future date following the LPAT's decision, should the Applications be approved. York Region has indicated they have no objection to the proposed Official Plan Amendment and Zoning By-law Amendment, subject to comments discussed later in this report.

***There is an existing appeal to VOP 2010, OPA 600 is in-effect for a portion of the Subject Lands***

The previous Owner of 4455 and 4477 Major Mackenzie Drive filed an appeal to VOP 2010 (identified as Appeal #65 (L-Star Developments Group) in the City of Vaughan List of VOP 2010 Appellants) relating to the land use designation, natural heritage and transportation policies of Volume 1, and Chapter 13.15 - "South East Corner of Major Mackenzie Drive and Pine Valley Drive" of Volume 2. The Owner has maintained the former Owner's appeal to VOP 2010. Consequently, OPA 600 is currently the in-effect Official Plan for this portion of the Subject Lands and are currently designated "Estate Residential" and "Stream Corridor" by Schedule B - "Vellore Urban Village 1" (Attachment 2). The balance of the Subject Lands (4433 Major Mackenzie Drive) are not subject to VOP 2010 appeal, and therefore are subject to the policies of Volume 1 of VOP 2010 and are designated "Low Rise Residential" and "Natural Areas".

The Owner intends to resolve the appeal to VOP 2010, Volumes 1 and 2, through the development application review process for the Applications and bring the policies of VOP 2010, as proposed to be amended, into full force and effect as they apply over the entirety of the Subject Lands. Should the Applications be approved, the Development Planning Department recommends that the Owner withdraw their appeal of VOP 2010 (Appeal #65 - L-Star Developments Group) from the LPAT, to the satisfaction of the City Solicitor, and Deputy City Manager, Planning and Growth Management, and prior to the execution of the Site Plan Agreement for the related Site Development File DA.17.084. A condition to this effect is included in the Recommendations of this report.

***An Official Plan Amendment is required to implement the Development***

A portion of the Subject Lands (4455 and 4477 Major Mackenzie Drive) are designated "Estate Residential" and "Valley Stream Corridor" by Schedule B - "Vellore Urban

Village 1” by OPA 600, as shown on Attachment 2. The “Estate Residential” designation permits detached dwellings on large lots. The proposed townhouse development on a private, common element condominium road does not conform to OPA 600.

The easterly portion of the Subject Lands (4433 Major Mackenzie Drive) is designated “Low-Rise Residential” and “Natural Areas” by Volume 1, Vaughan Official Plan 2010 (“VOP 2010”) and is located within a “Community Area” and “Natural Areas and Countryside” by Schedule 1 - Urban Structure.

The “Low-Rise Residential” designation and Section 9.2.3.2 of VOP 2010 permits townhouses no greater than 3-storeys in height, situated on a single parcel and part of a row of at least three but no greater than six attached residential units.

Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 direct that new development within “Community Areas” be designed to respect and reinforce the physical character of the established neighbourhood of which it is located. Additionally, new development within established areas shall pay particular attention to local lot patterns, sizes and configuration, surrounding heights and setbacks, building types of nearby residential properties, and local street patterns.

There is an existing 6-storey building to the south of the Subject Lands accessed by a private driveway leading directly to an underground parking garage. The Subject Lands are also separated from the lands to the east by an open space area as shown on Attachments 2 and 3.

A recent LPAT decision provided for the approval of a similar townhouse development on the lands located east of the Subject Lands (south east corner of Woodend Place and Major Mackenzie Drive). Townhouse developments also exist within the Vellore Community (Block 39) in proximity to detached residential dwellings.

#### Proposed Amendments to VOP 2010 - Sections 9.1.2.2 & 9.1.2.3 of VOP 2010 - Respecting New Development in “Community Areas”

VOP 2010 identifies criteria for new development within “Community Areas” established neighbourhoods. New developments shall have respect and reinforce the existing physical character and uses of the surrounding area and shall pay particular attention to elements including: the local pattern of lots, streets and blocks; the size and configuration of lots; the building types; heights and scale of buildings, setbacks of buildings from the street; and the pattern of rear and side-yard setbacks. Older and established residential neighbourhoods, which are located within “Community Areas” are also characterized by substantial rear, front and side yards and by large coverages that contribute to expansive amenity areas and provide opportunities for attractive streetscapes and landscape development.

The Development is located at the southeast corner of Major Mackenzie Drive and Pine Valley Drive within an area experiencing transition. There is an estate residential pocket immediately east of 4433 Major Mackenzie Drive that is bound to the east by Woodend

Place, Major Mackenzie Drive to the north and an open space area to the south. This pocket includes 3 lots characterized by generous lot areas, lot frontages, front, rear and side yards, and contains a private tree cover and mature tree canopy. The lots within this established subdivision are zoned RR Rural Residential Zone, as shown on Attachment 1.

At the southeast corner of Woodend Place, and Major Mackenzie Drive and to the west of Via Borghese, (municipally addressed as 11, 31 and 51 Woodend Place and Block 42 of 65M-4149) are as discussed earlier in this report, are subject to active development applications recently approved by the LPAT. Official Plan and Zoning By-law Amendment Files OP.16.003 and Z.15.032 and Draft Plan of Subdivision 19T-15V011 (CountryWide Homes Woodend Place Inc.) were initially approved by Vaughan Council to permit 56 lots for single detached dwellings and 4 townhouse blocks containing 22 street townhouse dwellings for a total of 86 residential units yielding a density of 36 units per hectare. These 3 lots are currently vacant.

On December 22, 2018, the LPAT issued a Decision which did not support the Council approved plan for 86 residential units on the grounds that the development was not transit-supportive. The LPAT determined the initial proposal filed by the Owner, which includes 113 townhouse dwellings was found to be more favourable and demonstrated conformity with the Growth Plan, and consistency with the PPS by providing a transit supportive development, given that the single detached dwellings are the predominant built form in the neighbourhood. These lands will be zoned RT1(H) Residential Townhouse Zone with the Holding Symbol "(H)". The implementing zoning by-law includes a minimum lot area of 155 m<sup>2</sup>, minimum lot frontages ranging between 6.1 m to 14.29 m, minimum rear yard setbacks of 5.5 m, a maximum building height of 12.6 m (3-storeys), with a maximum of 6 units within each block. The LPAT decision, at the time of preparation of this report, is subject to a Section 35 Request for Review as filed by a local resident with the LPAT.

Immediately east and south of the CountryWide Woodend Place Inc. development, there is an established residential neighbourhood (Vellore Village - Block 39). This neighbourhood is generally comprised of detached dwellings within the RD2 and RD3 Zones with lot frontages ranging between 12 m to 15 m, and lot areas generally ranging from 324 m<sup>2</sup> to 450 m<sup>2</sup>.

Vaughan Council, in 2012, approved a 6-storey, adult life-style/seniors apartment building (1668872 Ontario Inc. c/o Royal Pine Homes) located on Pine Valley Drive, located south of the Subject Lands, as shown on Attachment 1. This building contains 98 units and has a Floor Space Index of 1.765 times the area of the lot.

The existing zoning for the surrounding neighbourhood transitions east to west from the limits of Via Campanile to Woodend Place, from the RD2 Zone to the RD3 Zone, RD4 Zone and RT1 Zone, and introduces a smaller lot fabric and a street townhouse dwelling built form. The Development includes only a townhouse building type (front and rear loaded townhouse dwellings) with frontages on a private common element condominium road, and some townhouses facing Major Mackenzie Drive and Pine



Valley Drive. Although the Owner was a non-participating landowner in the Vellore Village Block Plan (Block 39), the proposed lotting fabric and built form is found to be consistent with the approved Block 39 Plan. The Block 39 Plan incorporates a variety of building types and lot sizes and includes detached, semi-detached, and street townhouse dwellings as permitted built forms, which have frontage onto a public road network. The existing neighbourhood is comprised of predominantly single detached and semi-detached dwellings, and also includes existing townhouse dwellings.

In considering the establishment of townhouse lots in relation to the nearby larger residential lots, the Development Planning Department has reviewed the context of the surrounding neighbourhood and existing and/or approved development.

Existing street townhouse dwellings that are zoned RT1 Zone can be found approximately 1,000 m from the Subject Lands and are located on public roads consistent with other built forms including detached and semi-detached dwellings in Block 39. The proposed townhouse dwellings, although accessed by a private common element condominium road, will provide an intensified and compact built form and building type that will offer an appropriate transition, and added density to the existing surrounding area and establish a residential development that is consistent and compatible in scale with the recently approved subdivision (CountryWide Woodend Place Inc.) to the east and the existing six-storey apartment building to the south. The Development includes lots with minimum lot frontages ranging from 5.75 m to 10.54 m and minimum lot areas ranging from 90 m<sup>2</sup> to 297.4 m<sup>2</sup>. These development standards are relative to the recent approval (CountryWide Woodend Place Inc.) in the immediate area and considered to be compatible and have regard for the character of the area.

***The Development conforms to the “Natural Areas” policies of VOP 2010***

The rear portion of the Subject Lands contain part of a Core Feature, as identified in VOP 2010, Volume 1, Schedule 2 - Natural Heritage Network. Schedule 3 - Environmentally Sensitive Areas ('ESA') and Areas of Natural and Scientific Interest ('ANSI') further identifies this feature as the Kleinburg Woods, a Provincial ANSI. The Development must conform to the Core Feature policies of VOP 2010.

Through discussions with Policy Planning and Environmental Sustainability Department staff and with the Toronto and Region Conservation Authority ("TRCA"), the Owner has revised the Development (Attachment 2), to protect the Core Features. In accordance with Section 3.2.3.4.a) of VOP 2010, the plan includes a 10 m vegetation protection zone ('VPZ') from the dripline as required by the TRCA. A 30 m buffer from the Provincial ANSI is provided, in accordance with Section 3.2.3.4.b) of VOP 2010. The TRCA, in a letter dated January 19, 2019, has confirmed the development limits for the Subject Lands and the impacts on the watercourse and wetlands have been mitigated to their satisfaction. The Development conforms to the Natural Areas policies of VOP 2010.

***Vaughan Council on September 26, 2017, deemed the Applications to satisfy the requirements identified by VOP 2010, Volume 2 - Site Specific Policy 13.15 - South East Corner of Major Mackenzie Drive and Pine Valley Drive***

Vaughan Council on March 20, 2012, in recognition of the potential redevelopment of the south-east quadrant of Major Mackenzie Drive and Pine Valley Drive, directed Staff to report back with proposed criteria, including study requirements, to inform future development and infrastructure proposals near the Pine Valley Drive and Major Mackenzie Drive intersection.

Vaughan Council, on September 27, 2017 adopted a resolution as identified earlier in this report to allow for staff to proceed with the processing of the Applications. The Applications have been reviewed by the City, TRCA, York Region and MNRF and staff are satisfied the need for a peer review is not warranted.

***The Low-Rise Infill Guidelines and The Community Area Policy Review for Low-Rise Residential Designations Study do not apply to the Subject Lands***

Vaughan Council, on October 19, 2016, approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the 'Guidelines'), which help to clarify VOP 2010 policy that apply to low-rise neighbourhoods and are in-effect. The Guidelines are typically applied to detached, semi-detached and townhouses, which are located in stable community areas, in accordance with Map 1 of the Guidelines. The Subject Lands are located within "Established Community Areas", within a Large-Lot Neighbourhood, which are characterized by large lots with minimum lot frontages of 30 m (100 feet or greater).

The City also initiated the Community Area Policy Review for Low-Rise Residential Designations Study (the 'Study'). The Study Recommendations were approved by Vaughan Council on April 19, 2017, and an Official Plan Amendment No. 15 ("OPA 15") to implement the Study were forwarded to Vaughan Council for adoption on September 27, 2018. On May 8, 2019, York Region issued a Notice of Decision for OPA 15. The policy framework will be brought into effect once the appeal period of May 28, 2019, has expired, should there be no appeals. The Applications were deemed complete on April 7, 2017. Development applications are assessed and reviewed based on the existing policy framework at the time of a "Complete" application; therefore, the Applications are not subject to OPA 15 (Community Area Policy Review for Low Rise Residential Designations). However, staff has reviewed the Development in consideration of the Guidelines as follows:

Section 5 "Policies" of the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (in part) the following:

***Orientation, Setbacks and Character***

***"Section 5.3 - Front entrances should be prominent and well detailed and incorporate a porch or stoop."***

*“Section 5.12 - where common outdoor amenity is proposed in addition to private amenity space, the common space should be in a prominent location, visible and easily accessed from all units, and with plenty of exposure to sunlight.”*

*“Section 5.14 - the architecture and materials of new townhouses should respect and complement the character of the surrounding residential area.”*

*“Section 5.16 - existing healthy, mature trees should be retained and protected...”*

#### Access and Parking and Service Areas

*“Section 5.19 - parking and servicing areas for townhouses fronting an arterial street should be located at the rear of the units or underground, accessed from a laneway or driveway.”*

*“Section 5.27 - visitor parking should be located close to the site entrances.”*

*“Section 5.28 - pedestrian circulation areas should be barrier free and landscaped, have pedestrian-scale lighting, and have access to sunlight.”*

#### Grading

*“Section 5.34 - drainage should have no adverse impacts on the adjacent properties or public realm.”*

The Development includes a compact built form that will maximize the usability of the lot and offer a variety in unit sizes. The Development includes a centralized amenity area to serve the residents and visitor parking located along the main roads. The buildings are generally designed to abut the arterial roads, or centralized amenity area, and will include building facades with covered porches and utilize building materials that are complimentary to the area. Drainage will be directed to the open channel feature and will not adversely impact the public realm, or adjacent properties and the natural features will be protected by the proposed and zoned OS1 Open Space Conservation Zone.

In consideration of the above and the reasons outlined within this report, the Development meets the intent of the “Community Area” and “Core Feature” policies of VOP 2010, and provides a low-rise, compact built-form residential development that is appropriate and compatible, but not identical, with the surrounding development(s) and will have no adverse impacts on the adjacent Provincial ANSI and natural features. As a result, the Development Planning Department can support Official Plan Amendment File OP.17.005.

***A Zoning By-law Amendment is required to permit the Development***

The Subject Lands are zoned RR Rural Residential Zone by Zoning By-law 1-88, which does not permit the Development. An amendment to Zoning By-law 1-88 is required to permit the Development, together with the following site-specific zoning exceptions, specific to Areas A, B and C as shown on Attachment 3:

Table 1: Proposed General Amendments to Areas A, B and C

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
a.	Definition of “Lot, Line Front”	Means the street line provided that in the case of a corner lot, the shorter line is deemed to be the front lot line	Means a Parcel of Tied Land (“POTL”) line abutting a private, common element condominium road and lot line most directly abutting a public street
b.	Definition of a “Parking Space”	Means a rectangular area measuring at least 2.7 m by 6 m exclusive of any aisles or ingress and egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage or carport and private driveway leading thereto	Means a rectangular area measuring at least 2.7 m by 5.9 m, exclusive of any aisles or ingress or egress lanes, used for the temporary parking of motor vehicles, and shall include a private garage and private driveway leading thereto. Except in the case of a parking space located on a private road, which shall measure a minimum of 2 m by 6.1 m
c.	Maximum Permitted Encroachments (Unenclosed, Uncovered, Covered, Unexcavated Porches, Exterior Stairways, Balconies, Bay Windows)	2.4 m (Rear Yard) 2.4 m (Exterior Yard) 2.4 m (Front Yard)	<ul style="list-style-type: none"><li>• 2.45 m (Rear, Exterior and Front Yards)</li><li>• Rear Yard encroachments shall not be permitted for Block 13</li><li>• The following rear encroachments are permitted:</li></ul>

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
			<p>1.8 m (Block 12, Unit 53)</p> <p>0.78 m (Block 14, Unit 59)</p> <p>1 m (Block 15, Unit 63)</p> <ul style="list-style-type: none"> <li>• 0.9 m (Interior Yard)</li> </ul> <p>Structures shall be located no closer than 0.6 m from any property line</p>
d.	Maximum Permitted Porch Height	1.2 m	1.65 m
e.	Maximum Retaining Wall Height	1 m and permitted in any required yard	<ul style="list-style-type: none"> <li>• 2.2 m (retaining wall south of Major Mackenzie Drive entrance)</li> <li>• 3 m (retaining wall between Blocks 14 and 15)</li> <li>• 2 m (all other retaining walls)</li> </ul>
f.	Minimum Interior Garage Width	5.5 x 6 m	3 m by 5.8 m

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
g.	Maximum Interior Garage Width	3.084 m	<u>Area A</u> 5.79 m except Unit 10, 11, 41 6.25 m (Units 10, 11) 6.85 m (Unit 41) <u>Area B</u> 3.25 m, except Unit 93 4.65 m (Unit 93) <u>Area C</u> 3.25 m, except Unit 42 4 m (Unit 42)
h.	Encroachments within the Minimum Garage Length	No encroachment shall be permitted into the minimum garage length or width, except one step	To permit an encroachment of 1 step into the minimum garage length
i.	Minimum and Maximum Driveway Widths	No requirements for lot frontages less than 6 m	Minimum: 2.6 m  Maximum: There shall be no maximum requirement.
j.	Minimum Landscape Strip Width (Abutting Outdoor Parking Spaces)	3 m	0 m
k.	Maximum Building Height	11 m	13 m (3-storeys)
l.	Maximum Number of Townhouse Units in a Row	6	Block 5 - 7 units in row Block 8 - 8 units in a row Block 9 - 7 units in a row Block 12 - 8 units in a row

Table 2: Proposed Amendments to Area A

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
a.	Minimum Lot Frontage	6 m	5.75 m
b.	Minimum Lot Area	162 m <sup>2</sup>	100 m <sup>2</sup>
c.	Minimum Lot Depth	27 m - Standard Lots	15 m (All Blocks)
d.	Minimum Building Setback Requirements	i) Front Yard: 4.5 m  ii) Exterior Yard: 4.5 m  iii) Rear Yard: 7.5 m  iv) Interior Side Yard: 3.5 m (abutting a non-residential use, including a walkway, buffer block, and stormwater management pond)	i) Front Yard: 2.75 m (All Blocks)  ii) Exterior Yard: 0.85 m (Block 1, End Unit Only)  iii) Rear Yard: 0.5 m (All Blocks)  iv) Interior Side Yard: 1.2 m (All Blocks)

Table 3: Proposed Amendments to Area B

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
a.	Definition of a "Lot"	Means a parcel of land fronting on a public street	Means a parcel of land fronting onto a private common element condominium road.  For the purposes of this By-law, lots within the RT1

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
			Zone shall be deemed to be a standard lot
b.	Definition of "Lot, Line Front"	Means the street line provided that in the case of a corner lot, the shorter line is deemed to be the front lot line	Means the lot line most directly abutting a private road. In the case of a corner lot, the front lot line shall be the lot line most directly facing the main entrance of the building
c.	Definition of "Street Townhouse Dwellings" Definition	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a private common element condominium road
d.	Minimum Front Yard Setback to a Garage (Front-loaded Street Townhouse Dwellings Only)	6 m	5.9 m
e.	Minimum Lot Frontage	6 m	5.75 m
f.	Minimum Lot Area	162 m <sup>2</sup>	105 m <sup>2</sup>
g.	Minimum Lot Depth	15 m	11.65 m (All Blocks)
h.	Minimum Soft Landscaped Area	60% soft-landscaping (front or exterior)	12% soft landscaping



	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
i.	Minimum Setback Requirements	<p>i) Front Yard: 4.5 m</p> <p>ii) Rear Yard: 7.5 m</p> <p>iii) Exterior Yard: 3.5 m</p> <p>iv) Interior Side Yard: 3.5 m (abutting a non-residential use, including a walkway, buffer block, and stormwater management pond)</p>	<p>i) Front: 3.25 m (All Blocks)</p> <p><u>Except:</u> 3.1 m (Unit 91, Block 10)</p> <p>ii) Rear Yard: 3 m (All Blocks)</p> <p><u>Except:</u> 1.15 m (Unit 91, Block 10)</p> <p>iii) Exterior Yard: 1.2 m (All Blocks)</p> <p>iv) Interior Side Yard: 1.2 m (All Blocks)</p>

Table 4: Proposed Amendments to Area C

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
a.	Definition of a “Lot”	Means a parcel of land fronting on a public street	<p>Means a parcel of land fronting onto a private common element condominium road</p> <p>For the purposes of this By-law, lots within the RT1 Zone shall be deemed to be a standard lot</p>

	<b>Zoning By-law 1-88 standard</b>	<b>RT1 Residential Townhouse Zone</b>	<b>Proposed Exceptions to the RT1 Residential Townhouse Zone</b>
b.	Definition of "Lot, Line Front"	Means the street line provided that in the case of a corner lot, the shorter line is deemed to be the front lot line	Means the lot line most directly abutting a private road. In the case of a corner lot, the front lot line shall be the lot line most directly facing the main entrance of the building
c.	Definition of a "Street Townhouse Dwellings"	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a private common element condominium road
d.	Minimum Front Yard Setback to a Garage (Front-loaded Street Townhouse Dwellings Only)	6 m	5.9 m
e.	Minimum Lot Frontage	6 m	5.6 m
f.	Minimum Lot Area	162 m <sup>2</sup>	105 m <sup>2</sup>
g.	Minimum Lot Depth	15 m	13.9 m (All Blocks)
h.	Minimum Soft Landscaped Area	60% soft-landscaping (front or exterior)	10% soft landscaping
i.	Minimum Setback Requirements	i) Front Yard: 4.5 m	i) Front Yard: 3.25 m (All Blocks)



proposed lot areas, depths and frontages will accommodate a compact built form and provide a variety of unit sizes and lot areas.

#### Minimum Yard Requirements

There are 6 street townhouse (rear-loaded) blocks (Blocks 1 to 7 on Attachment 2) which face Major Mackenzie Drive and Pine Valley Drive. These units contain 2 car garages accessed from the private road. The locations of these blocks present conditions for reduced front yards as the front doors either face Major Mackenzie Drive or Pine Valley Drive to animate the streetscape. The proposed development standards are generally consistent with zoning exceptions approved for other private, common element road townhouse developments in the City and provide for a more contemporary development which achieves the higher density compact built form.

The proposed rear yard setback for Block 13 (Units 55, 56 and 57) will result in a minimum 1 m setback from the limit of the proposed chain link fence, which will coincide with the OS1 Open Space Conservation Zone Boundary limit, but is currently proposed along the drip line of the 10 m VPZ on Attachment 4. However, as the Owner has agreed to provide roof top amenity areas for Block 13 (Units 55, 56 and 57). The Block 13 elevation must be revised to illustrate the proposed roof top amenity space for these units.

In order to ensure the protection of the OS1 Open Space Conservation Zone, the Development Planning Department recommends that the proposed chain link fence be erected along the limit of the OS1 Open Space Conservation Zone as red-lined on Attachments 2 and 4. The Owner has agreed to relocate this chain link fence.

#### Maximum Number of Dwelling Units in a Row and Maximum Building Height

In consideration of the physical constraints of the Subject Lands, the plan includes locations where more than 6 units can be accommodated within certain blocks. Blocks 8, 9 and 12 (Attachment 2) are located internal to the site and Block 5 fronts onto Major Mackenzie Drive. Blocks 5, 8 and 9 are located in unique locations on the Subject Lands as they create the corner entry features into the programmable centralized amenity area that serves the entirety of the Development.

A maximum building height of 13 m (3-storeys) will provide more useable and liveable area for residents. The proposed building height will accommodate a pitched roof design and is also in response to grading conditions on the Subject Lands. The proposed building height is consistent with development standards typically proposed for RT1 Zones on private, common element condominium roads.

#### Minimum Landscaping, Amenity Areas, Maximum Garage and Driveway Widths

The Development includes a landscaped/amenity area that is suitable to accommodate the proposed compact built form. Although certain units do not contain a standard rear yard, proposed decks and balconies will serve as private amenity areas. The centralized 620 m<sup>2</sup> amenity area (Attachment 2) connects to the municipal and internal pedestrian walkways. As paired driveways are proposed, there is no minimum landscape strip between the driveways, which has resulted in the soft landscaping requirement being

reduced. The front yard minimum landscaping is still provided and limited to the portions between the porch steps and curb.

The proposed driveway width can be supported. Where grading challenges are present, the Owner is seeking relief to permit a stair to encroach into the side of the minimum interior garage dimension, which is minor and can be supported. There are 23 visitor parking spaces located throughout the Subject Lands on the private road, and therefore the requirement for landscaping screening is not necessary.

The Development Planning Department is satisfied that the proposed amendments to Zoning By-law 1-88 maintain the intent of the Official Plan and will facilitate a residential development that is compatible with the existing and planned built form in the surrounding area. In order to facilitate the creation of the individual townhouse lots, the Owner must submit a Part Lot Control Exemption application for Blocks 1 to 16 to create the future parcels of tied land ("POTL") for each unit, should the Applications be endorsed by Vaughan Council, and subsequently, approved by LPAT.

***A Holding Symbol "(H)" is recommended for the Subject Lands to satisfy the conditions of the City, Toronto and Region Conservation Authority and York Region***

A Holding Symbol "(H)" as shown on Attachments 2 and 3, is recommended to be applied to the Subject Lands and shall not be removed from the Subject Lands, or any portion thereof, until the related Site Development File DA.17.084 has been approved by Vaughan Council, in accordance with Section 41 of the *Planning Act* that specifically addresses the following conditions to the satisfaction of the City of Vaughan, which are included in the Recommendations of the report:

- a) A No "Pre-Sale" Agreement shall be applied to the plan and remain in place, until the downstream pump station and sanitary sewer conveyance issues are resolved to the satisfaction of the Development Engineering Department and the Environmental Services Department.

***The Planning Act enables a municipality to pass a resolution to permit an Owner to apply for future Zoning By-law Amendment or Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect***

Section 45(1.3) of the *Planning Act* restricts an Owner from applying for a Zoning By-law Amendment or a Minor Variance application(s) to the City and/or the Vaughan Committee of Adjustment before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect. However, the *Planning Act* also enables Council to pass a resolution to allow an Owner to apply for a Zoning By-law Amendment or Minor Variance Application(s) to permit minor adjustments to the implementing Zoning By-law, prior to the two-year moratorium.

Should Council approve Zoning By-law Amendment File Z.17.013, the Development Planning Department, in recognition of the complexity of this Development, has included a Recommendation to permit the Owner to apply for a Zoning By-law Amendment or a

Minor Variance application(s) to address refinements to the Development that may arise through the final design and construction process.

***The related Site Development File DA.17.084 has been filed with the City and will be considered in a future technical report to the Vaughan Committee of the Whole***

The Owner has filed Site Development File DA.17.084 (Valley Major Developments Limited) to facilitate the Development, shown on Attachments 2 to 6. City staff are awaiting a revised submission from the Owner to implement the Development. Upon receiving this revised submission, the application must be reviewed by all applicable City departments, external agencies and be revised to the satisfaction of the City. This application will be considered in a technical report to a future Committee of the Whole meeting. Through the review of Site Development File DA.17.084 (Valley Major Developments Limited), the Owner will be required to address all site plan related matters including the following:

- a) The Owner shall satisfy all requirements of the Toronto and Region Conservation Authority ("TRCA") specifically pertaining to the detailed design comments at the site development stage, dedication of the OS1 Open Space Conservation Zone lands containing the valleyland, and the identified wetland, and confirmation of the ownership of the headwall open channel feature;
- b) The Owner shall satisfy all requirements of York Region, Development Engineering ("DE") Department with respect to their concerns for downstream pumping station and sanitary sewer conveyance issues. The Owner shall submit revised engineered drawings, a Phase One Environmental Study ('ESA'), Functional Servicing Report ('FSR'), Stormwater Management ('SWM') Report, and Traffic Impact Study ('TIS'), Geotechnical Report, Hydrogeological Assessment and Noise Feasibility Study to the satisfaction of York Region and the City of Vaughan;
- c) The Owner shall satisfy all requirements of the Environmental Services Department, Waste Management Division;
- d) The Owner shall satisfy all requirements of the Parks Development and Office of the City Solicitor and Real Estate Department with respect to the cash-in-lieu of parkland requirements; and,
- e) The Owner shall submit an updated site plan, landscape plan, building elevations, landscape cost estimate, arborist report, tree planting and preservation plans, lighting plans which shall be reviewed and approved to the satisfaction of the Development Planning Department. The rear elevations of townhouse Blocks 8, 9 and 10 shall be enhanced and updated to have a front entrance treatment to activate the façade facing the amenity area.

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

Should LPAT approve the Applications, the proposed condominium tenure for the Development will be created through a future Draft Plan of Condominium application, which is subject to approval by Council. The Condominium Corporation will be responsible for all common elements in the Development including, but not limited to, all parking and landscape elements, and a portion of the OS1 Open Space Conservation Zone lands.

***The Urban Design and Cultural Heritage Section advise that the Subject Lands are cleared of any concern for archaeological resources***

The Development Planning Department, Urban Design and Cultural Heritage Section has reviewed the Development and advise that the Subject Lands are cleared of any concern for archaeological resources. The following standard conditions shall be included in the implementing Site Plan Agreement:

- “Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all works and notify both the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.”
- “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Region Police Department, the Regional Coroner, the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.”

The Development requires the removal of approximately 89 trees on the Subject Lands. The Urban Design and Cultural Heritage Section have reviewed the plan and advise that prior to the finalization of a Site Plan Agreement, the Owner must enter into a Tree Protection Agreement in accordance with Vaughan Council’s enacted By-law 052-2018 and the Tree Protection Protocol. The compensation, planting and cash-in-lieu for the removal of the 89 trees on the Subject Lands shall be provided in accordance with the City’s Tree Protection Protocol, to the satisfaction of the City.

***The Development Engineering (“DE”) Department has no objection to the Development subject to conditions of approval***

The DE Department has reviewed the Applications and advises that further details respecting the downstream pumping station and sanitary sewer conveyance issues are to be resolved to the satisfaction of the City. The DE Department advises that approvals from York Region and the Toronto and Region Conservation Authority (“TRCA”) are required prior to any final approval of the related Site Development Application. The DE Department recommends the inclusion of a Holding Symbol “(H)” on the Subject Lands for No “Pre-Sale” Agreement to be required and remain in place, and for the downstream pumping station, and sanitary sewer conveyance issues to be resolved. The following studies are required prior to approval of a future Site Development Application for the Subject Lands:

- a final Functional Servicing and Stormwater Management Report ('FSR' and 'SWM');
- a Geotechnical Report;
- A Hydrogeological Assessment;
- a final Traffic Impact Study ('TIS') and Traffic Control Plan ('TCP'); and,
- a final Transportation Demand Management Plan ('TDM');
- a final Noise Feasibility Study.

#### Transportation

The Transportation Division of the DE Department advises that an updated Traffic Control Plan that outlines intersection controls at internal intersections will be required at the Site Development stage. The submission of a Transportation Demand Management Plan is also required. The proposed Zoning By-law amendments includes a minimum parking space size of 2 m by 6 m for parallel parking spaces along the private, common element condominium road, which has been reviewed to the satisfaction of the Transportation Division.

#### Allocation and Servicing

The City, the Owner and the nearby landowner to the east (CountryWide Woodend Place Inc.) have met to discuss the servicing strategy required for active and future development applications in the immediate area. The service areas shall be analyzed comprehensively to consider active or potential new growth. A flow monitoring program through the City's Environmental Services Department has been initiated to monitor sanitary sewer flows downstream of the active and future developments and within the City's existing sanitary pump station at the intersection of Davos Drive and Pine Valley Drive.

The Infrastructure Planning Department has indicated that the City cannot commit to servicing capacity to any active plans until the servicing issues are resolved. Allocation for servicing capacity will be recommended at the site plan approval stage through the related Site Development File DA.17.084.

#### Water Distribution

The DE Department advises there are no watermains fronting onto Major Mackenzie Drive within the vicinity of the site and that the existing dwellings are serviced by a well system. The Development proposes to utilize a 300 mm diameter watermain and plug existing south along Pine Valley Drive, which will be extended to service the Subject Lands.

The Block 39 (North-West) landowners have financially contributed to the extension of the Major Mackenzie watermain to Pine Valley Drive for future system looping and security. As a sanitary sewer is proposed to be constructed along Major Mackenzie Drive to Pine Valley Drive, it is prudent for the Owner to construct the watermain extension to the existing stub on Pine Valley Drive. Funds have been designated in the water reserve that can be applied to fund a portion of this extension and any remainder will be funded by new growth and/or development charges. The Owner will be required to finalize the watermain design upon coordination of the related Site Development



application and must ensure that all fire and domestic connections are appropriately provided.

The Environmental Services Department has reviewed the proposed water servicing strategy and advises that additional information pertaining to water pressure, water quality and field flow testing completion details. The Owner must satisfy all of Environmental Services Department concerns prior to finalization of the related Site Development application. A condition to this effect is included in the Recommendations of this report.

#### Sanitary Servicing

The Development includes a service connection to a future municipal sanitary sewer located along Pine Valley Drive. There is an existing sanitary sewer along Pine Valley Drive, which the service connection will connect to a plug located approximately 210 m south of the Major Mackenzie Drive and Pine Valley intersection. The sewer will discharge to a pumping station further downstream located at the southeast corner of Pine Valley Drive and Davos Road.

The Development will exceed the projected sanitary design for the existing site; and the sanitary peak flows are projected to be significantly higher than the flows anticipated from the Subject Lands during the design of the pump station. Pump station improvements may be required to service any future developments. The Owner must resolve the outstanding downstream pump station and sanitary sewer conveyance issues as a condition of approval prior to the removal of the Holding Symbol "(H)". A condition to this effect is included in the Recommendations of this report.

#### Stormwater Management and Storm Servicing

The Subject Lands are located within the Humber River watershed and is generally draining east to west in a southwesterly direction and discharging via overland flow to an existing watercourse, Marigold Creek. There is an existing drainage ditch that traverses the Subject Lands, which will be replaced by an open channel with headwall features to be reconstructed as compensation. The Subject Lands are proposed to have a dual drainage scheme consisting of major and minor system networks. The ultimate outlet for stormwater discharge is subject to review and approval by the TRCA.

The complete stormwater management design shall be in conformance with the Master Plan Study/MESP Study completed for this area. There is a proposed storm sewer proposed to be located within the Regional right-of-way on Pine Valley Drive. The proposed open channel shall remain in private ownership (condominium corporation) to the satisfaction of the City, TRCA and York Region.

#### Environmental

The Owner has submitted an Environmental Site Assessment and a Reliance Letter to the satisfaction of the City. The Environmental Engineering Division has no objection to the Applications.

### Environmental Noise and Vibration Report

The Owner has submitted a Noise Feasibility Study dated March 10, 2017. The DE Department advises that a final Noise Feasibility Study must be submitted at the detailed design stage, to the satisfaction of the City. Noise mitigation measures for lots adjacent to Major Mackenzie Drive and Pine Valley Drive are required to the satisfaction of the City and York Region.

The DE Department has no objection to the Applications subject conditions as stated in the Recommendations of this report. The DE Department advises that the following conditions will be considered as part of the review of the related Site Development File DA.17.084:

- a) The Owner shall contribute (and/or continue to fund) the existing sanitary sewer flow monitoring program as initiated by the adjacent development (i.e. CountryWide Woodend Place Inc. related Files OP.16.003, Z.15.032 and 19T-15V007,) to the satisfaction of the City. The duration of the flow monitoring must allow for and capture a substantial number of wet weather events in order to accurately assess system response to wet weather flows which in conjunction with actual dry weather flows accurately reflect peak flows within the system. A flow monitoring program report shall be prepared by the Consultant and submitted to the City for review;
- b) The Owner shall provide the City with a Letter of Credit (amount to be determined through the site plan review process) as a security for its payment towards future downstream sanitary sewer improvements, if required, based on flow monitoring;
- c) The Owner shall agree to front-end finance and construct the 300mm-dia watermain along Major Mackenzie Drive and Pine Valley Drive to complete the required watermain loop; and,
- d) The Owner shall agree to enter into a separate Development (Servicing) Agreement, if required, for potential downstream improvements identified by the City.

### ***Development Charges and a Woodlot Acquisition Charge apply to the Development***

The Financial Planning and Development Finance Department have confirmed that the Owner is required to pay Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, the York Region District School Board and the York Catholic District School Board. The Financial Planning and Development Finance Department have also advised that the Owner is required to pay to the City a woodlot charge at a rate equal to \$1000.00 per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement.

***Cash-in-Lieu of Parkland Dedication is required.***

The Office of the City Solicitor, Real Estate Department and the Parks Development Department have confirmed that should the LPAT approve the Development, the Owner is required to pay cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of any Building Permit, in accordance with Section 42 of the *Planning Act*. The Owner shall satisfy all requirements to the satisfaction of the Office of the City Solicitor, Real Estate Department and Parks Development Department, prior to finalization of the related Site Development Application.

***The Toronto and Region Conservation Authority ("TRCA") has no objection to the Development, subject to their conditions***

The TRCA's previous comments have been addressed through revised submissions in working with the Owner, consultants and the City. The TRCA confirms that the development limits have been established, compensation for minor encroachments into the buffers with the addition of new buffer areas, and compensation for the removal of the Ministry of Natural Resources and Forestry ('MNR') Identified Wetland through creation of a new wetland within the Marigold Creek valley corridor in the area of the existing tennis court. The TRCA has reviewed the Applications and has no objection to the approval of the proposed Development, subject to the conditions of approval.

The TRCA has provided detailed-design comments which must be addressed by the Owner prior to final approval of the related Site Development Application File DA.17.084. The Owner shall confirm all stormwater management details, related to water quantity and water balance, and confirmation of low impact development ('LID') measures. The TRCA requires the erosion and sediment control plans to be updated to confirm how the headwater drainage feature on site will be managed during construction and providing full restoration and edge management plans for the entirety of the Subject Lands, inclusive of the wetland compensation area to the south. The technical, functional and aesthetic design of the feature must also be addressed upon prior to finalization of the related Site Development Application.

The TRCA advises that the detailed design comments at the site development stage, dedication of the OS1 Open Space Conservation Zone lands containing the valleyland and the Identified Wetland, and confirmation of the ownership of the headwall open channel feature to be zoned OS1 Open Space Conservation Zone must be addressed to the satisfaction of the TRCA, prior to finalization of the related Site Development Application.

***Canada Post has no objection to the Development, subject to their conditions***

The Canada Post Corporation has no objection to the Development and has identified the conditions of approval below:

- a) the Owner agrees to include on all Offers of Purchase and Sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox;

- b) the Owner will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale;
- c) the Owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan;
- d) the Owner will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - i) an appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
  - ii) any required walkway across the boulevard, as per municipal standards;
  - iii) any required curb depressions for wheelchair access; and
- e) the Owner further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

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

The York Region District School Board and York Catholic District School Board have advised that they have no objection to the Development. The Conseil Scolaire de District Catholique Centre-Sud was circulated but provided no response.

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

Bell Canada, Rogers Communications Inc., Enbridge Gas and Alectra Utilities Corporation have no objection to the approval of the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to the commencement of site works.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

The Applications have been reviewed by external agencies, including York Region, the Toronto and Region Conservation Authority ("TRCA"), Canada Post, the local school boards and various utility companies, who advise they have no objection to the Development, subject to the conditions included in the Recommendations of this report and the below comments.

***York Region has no objection to the Development, subject to conditions of approval***

York Region has reviewed the Applications and has determined that the Official Plan Amendment is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region, on July 20, 2017, exempted the Official Plan

Amendment Application from approval by the Regional Committee of the Whole and Council, which if approved, allows the proposed amendment to come into effect should the LPAT approve the Applications.

York Region has completed a preliminary review of Zoning By-law Amendment File Z.17.013 and the related Site Development File DA.17.084, and have advised that they have no objection to the Development in principle; however, a number of outstanding design and technical issues need to be addressed prior to finalization of the related Site Development application. York Region has advised that the Owner will not receive Regional approval until such time that the downstream pumping station and sanitary sewer conveyance issues are resolved. More specifically, the Region notes the following, but not limited to, matters to be addressed.

#### Road Network and Transportation Planning

York Region has indicated that a 36 m right-of-way is being protected on Pine Valley Drive. The Owner is required to convey the entire frontage of the site adjacent to Pine Valley Drive to York Region. The Owner must submit the Phase One Environmental Study ('ESA'), which should include the lands to be conveyed to York Region.

York Region requires the submission of an updated Traffic Impact Study ('TIS'), at the site plan stage, which is to be approved to their satisfaction. There are existing transit services in the area of this Development. This includes current transit route, bus stops and shelter locations operating on Pine Valley Drive and Major Mackenzie Drive. The Owner shall contact York Region Transit ("YRT")/VIVA Contact Centre for route and future plan maps.

#### Water Supply and Sewage Capacity

The Owner must provide to York Region, written confirmation from the City that adequate water supply and sewage capacity are available and have been allocated by the City for the proposed Development. York Region has advised that any stormwater infrastructure proposed within the daylighting triangle up to the property line will be assumed by York Region. An updated Functional Servicing Report and Storm Water Management Report must be submitted. The proposed stormwater design must be revised so as to not convey roof flows to the York Region right-of-way on both Major Mackenzie Drive and Pine Valley Drive.

The Owner is required to satisfy all of York Region's requirements prior to finalization of the related Site Development File DA.17.084.

#### **Conclusion**

The Development Planning Department has reviewed Official Plan Amendment File OP.17.005 and Zoning By-law Amendment File Z.17.013 in consideration of the PPS 2014, the Growth Plan 2017, the York Region Official Plan 2010 and Vaughan Official Plan 2010, the comments from City Departments, external public agencies and the public, and the surrounding area context. The Development Planning Department is satisfied that the Development is consistent with the policies PPS, and conforms to the policies of the Growth Plan, and the Official Plan of York Region.

The Development Planning Department is satisfied that the Development is appropriate and compatible with the existing and permitted uses in the surrounding area. The Official Plan and Zoning By-law Amendment applications have been appealed to the LPAT. The Development Planning Department has provided Recommendations for Council's endorsement, should LPAT approve the Official Plan and Zoning By-law Amendment applications. On this basis, the Development Planning Department can endorse the approval of the Official Plan and Zoning By-law Amendment Applications, subject to the Recommendations in this report.

**For more information**, please contact Natalie Wong, Senior Planner, Development Planning Department, at extension 8866.

### **Attachments**

1. Location Map
2. Proposed Rezoning and Site Plan
3. Proposed Zone Areas A, B, and C
4. Landscape Plan
5. Conceptual Elevations (Rear Loaded Garages)
6. Conceptual Elevations (Front Integral Garages)
7. Development Proposal Considered at the September 19, 2017 Public Hearing

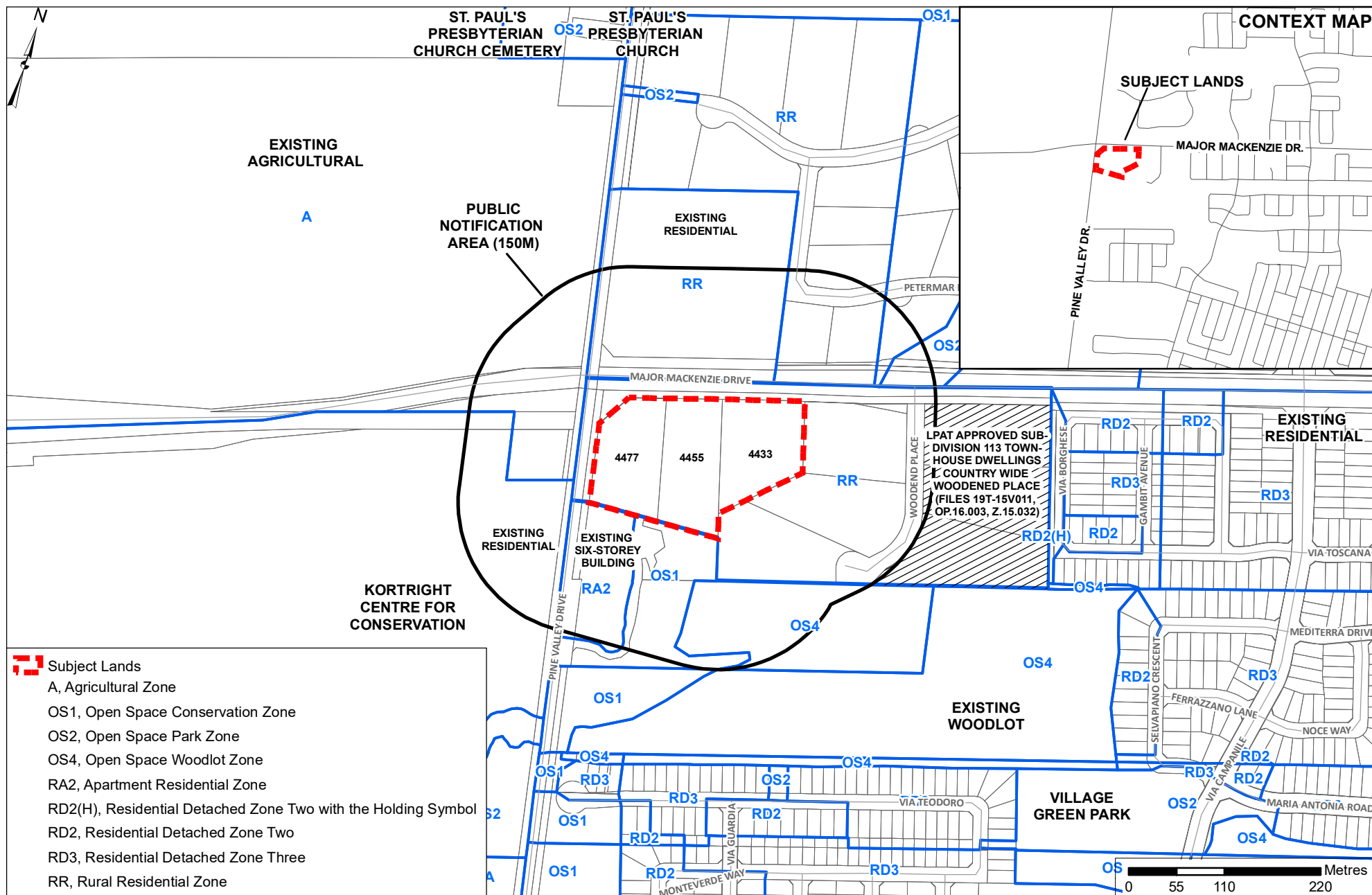
### **Prepared by**

Natalie Wong, Senior Planner, ext. 8866

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

Mauro Peverini, Director of Development Planning, ext. 8407

/LG



## Location Map

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Limited



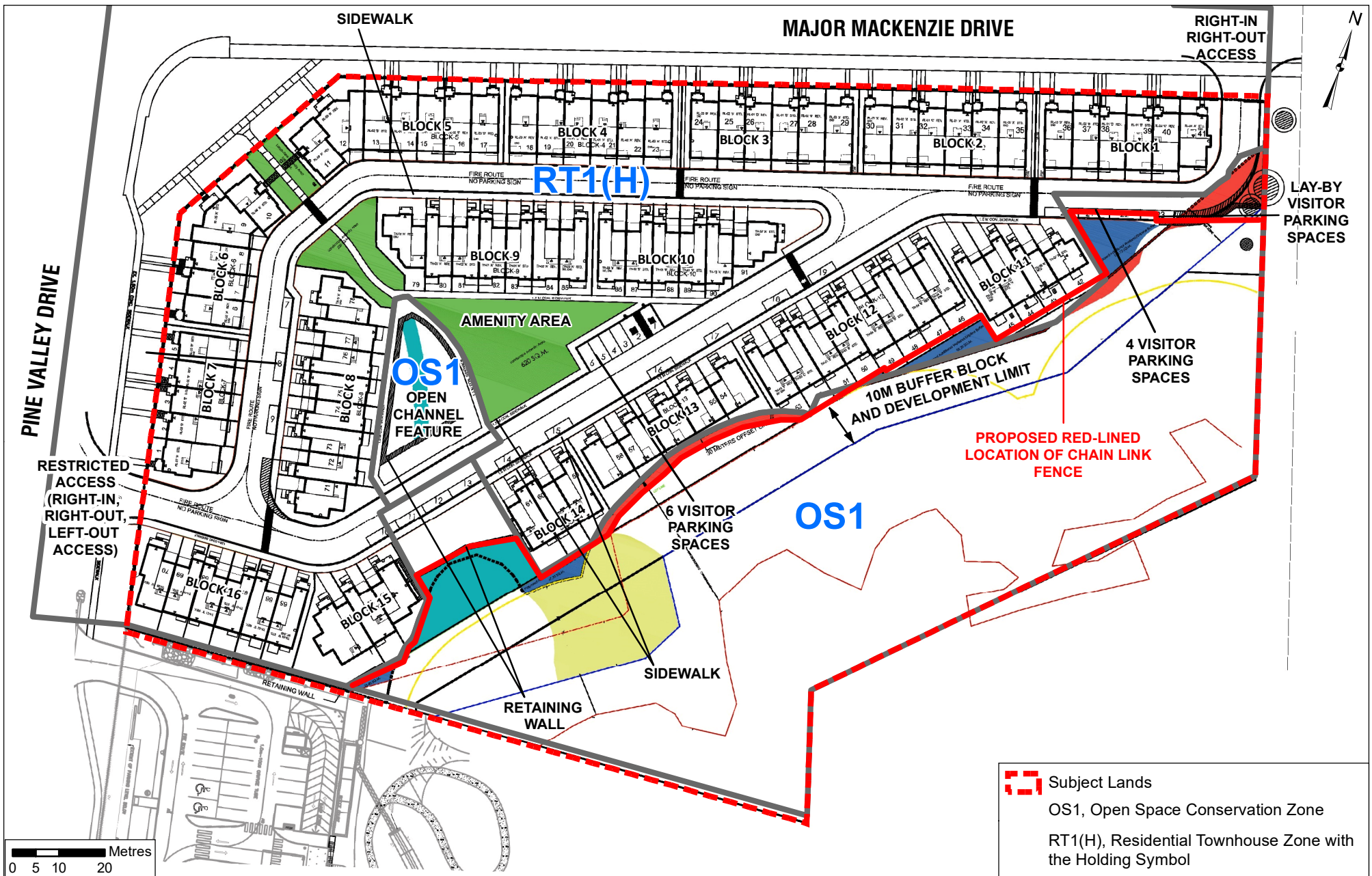
## Attachment

**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

1





## Proposed Zoning and Site Plan

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Ltd.



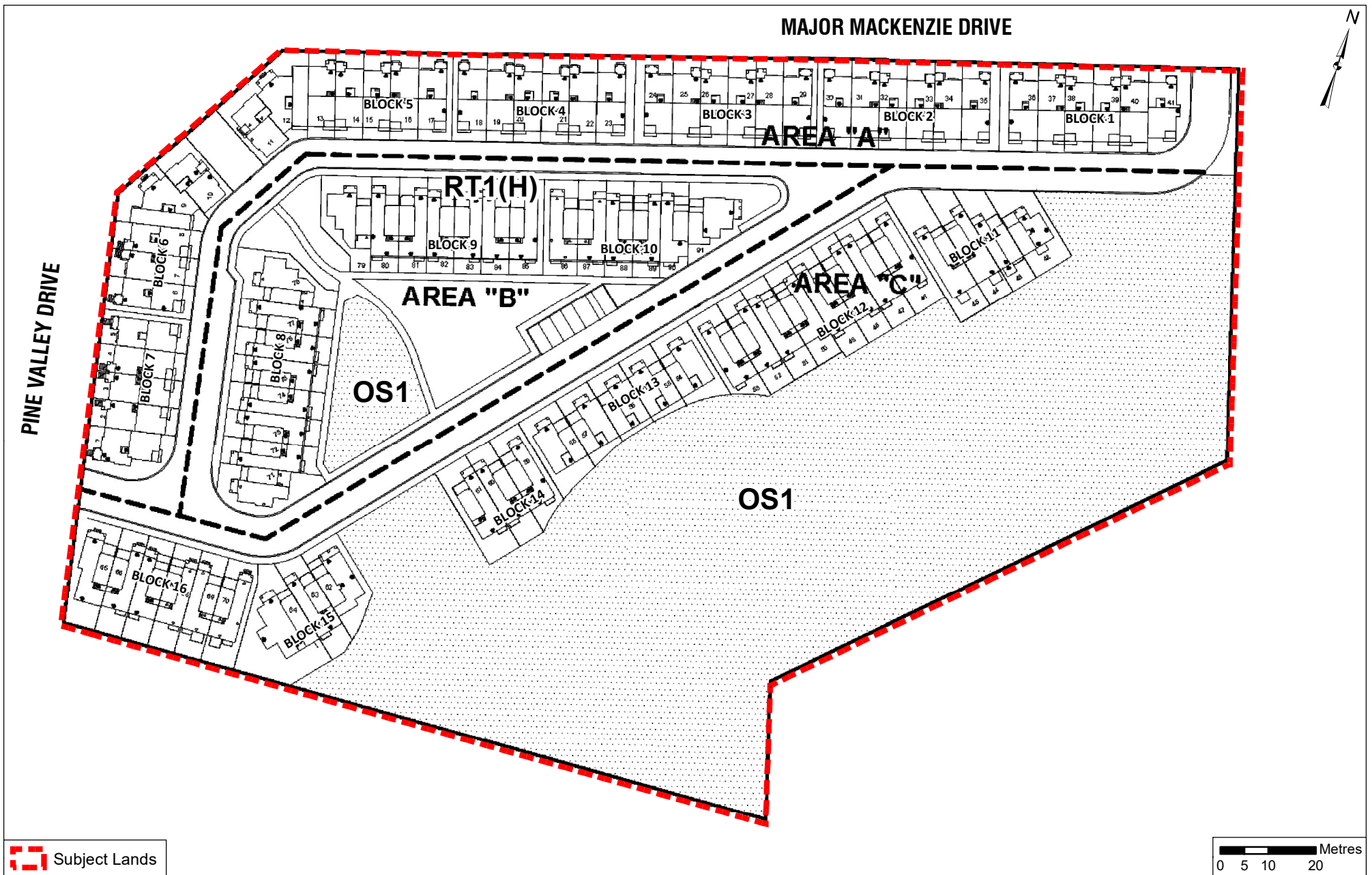
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**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

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## Proposed Zone Areas A, B, and C

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Ltd.

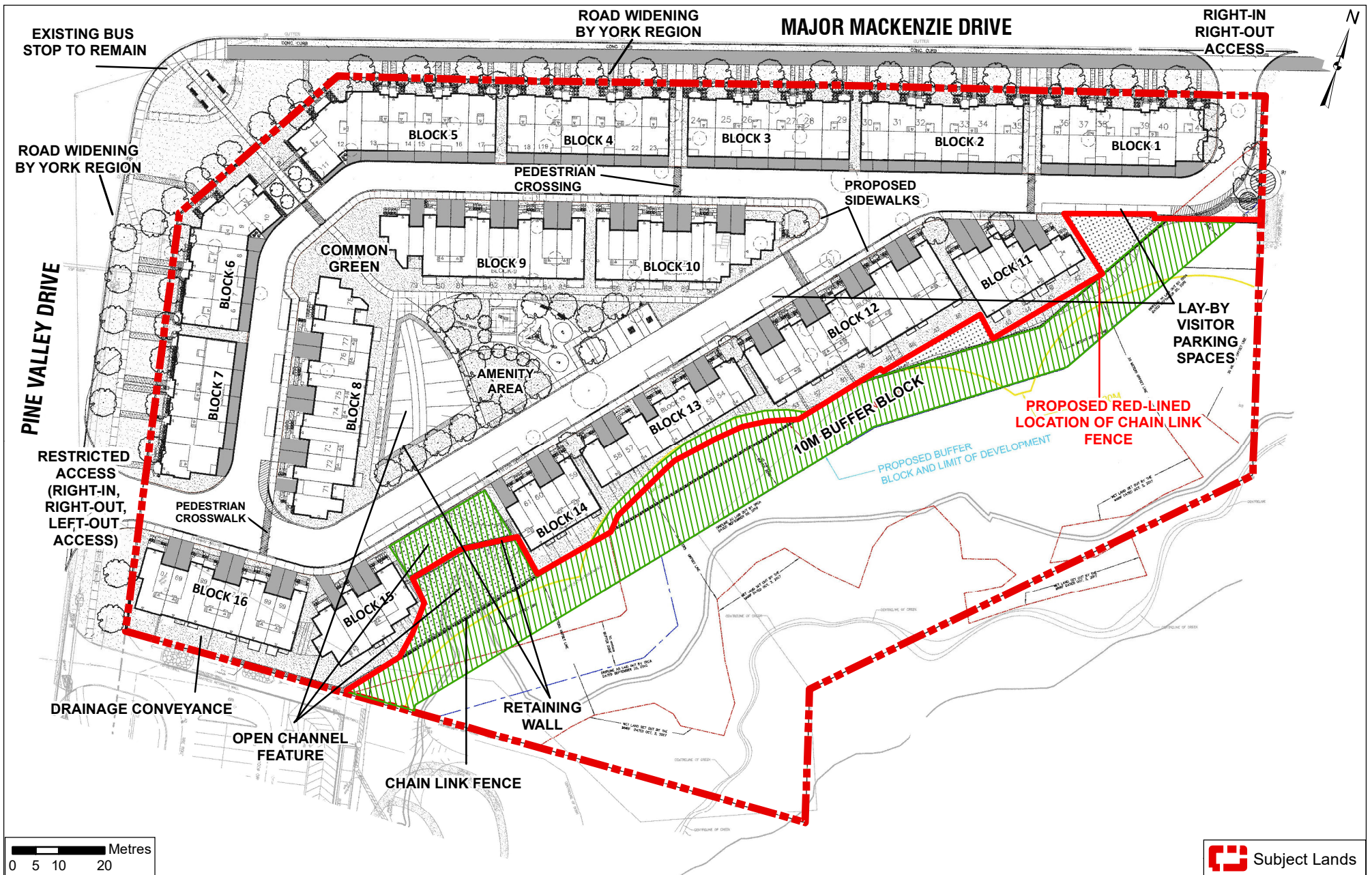


## Attachment

**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

**3**



# Landscape Plan

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Limited



# Attachment

**FILES:**  
OP.17.005, Z17.013

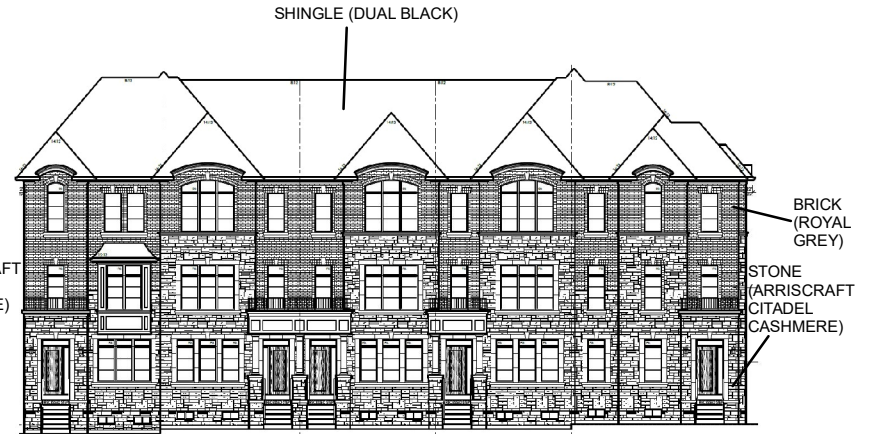
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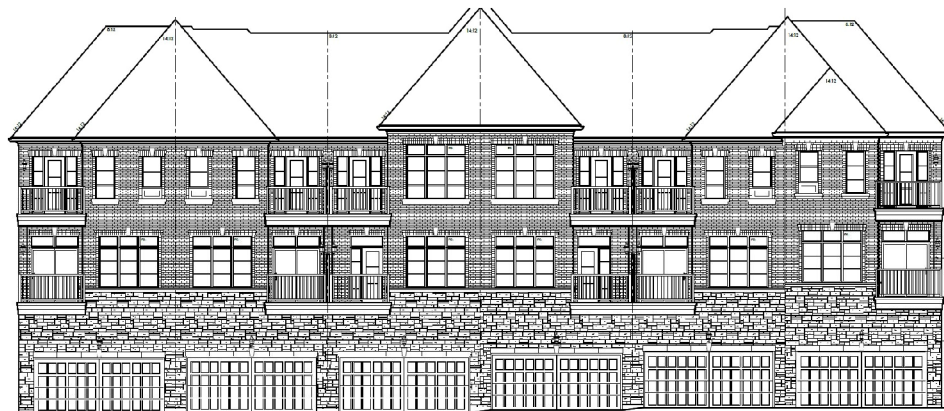




**FRONT ELEVATION - BLOCK 3 (FACING MAJOR MACKENZIE DRIVE)**



**FRONT ELEVATION - BLOCK 7 (FACING PINE VALLEY DRIVE)**



**REAR ELEVATION - BLOCK 3 (FACING PRIVATE COMMON ELEMENT CONDOMINIUM ROAD)**



**REAR ELEVATION - BLOCK 7 (FACING PRIVATE COMMON ELEMENT CONDOMINIUM ROAD)**

Not to Scale

## Conceptual Elevations (Rear Loaded Garages)

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Limited



**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

5



**FRONT ELEVATION - BLOCK 9 (FACING PRIVATE COMMON ELEMENT CONDOMINIUM ROAD)**



**FRONT ELEVATION - BLOCK 13 (FACING PRIVATE COMMON ELEMENT CONDOMINIUM ROAD)**



**REAR ELEVATION - BLOCK 9**



**REAR ELEVATION - BLOCK 13**

Not to Scale

## Conceptual Elevations (Front Integral Garages)

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6  
**APPLICANT:**  
Valley Major Developments Limited

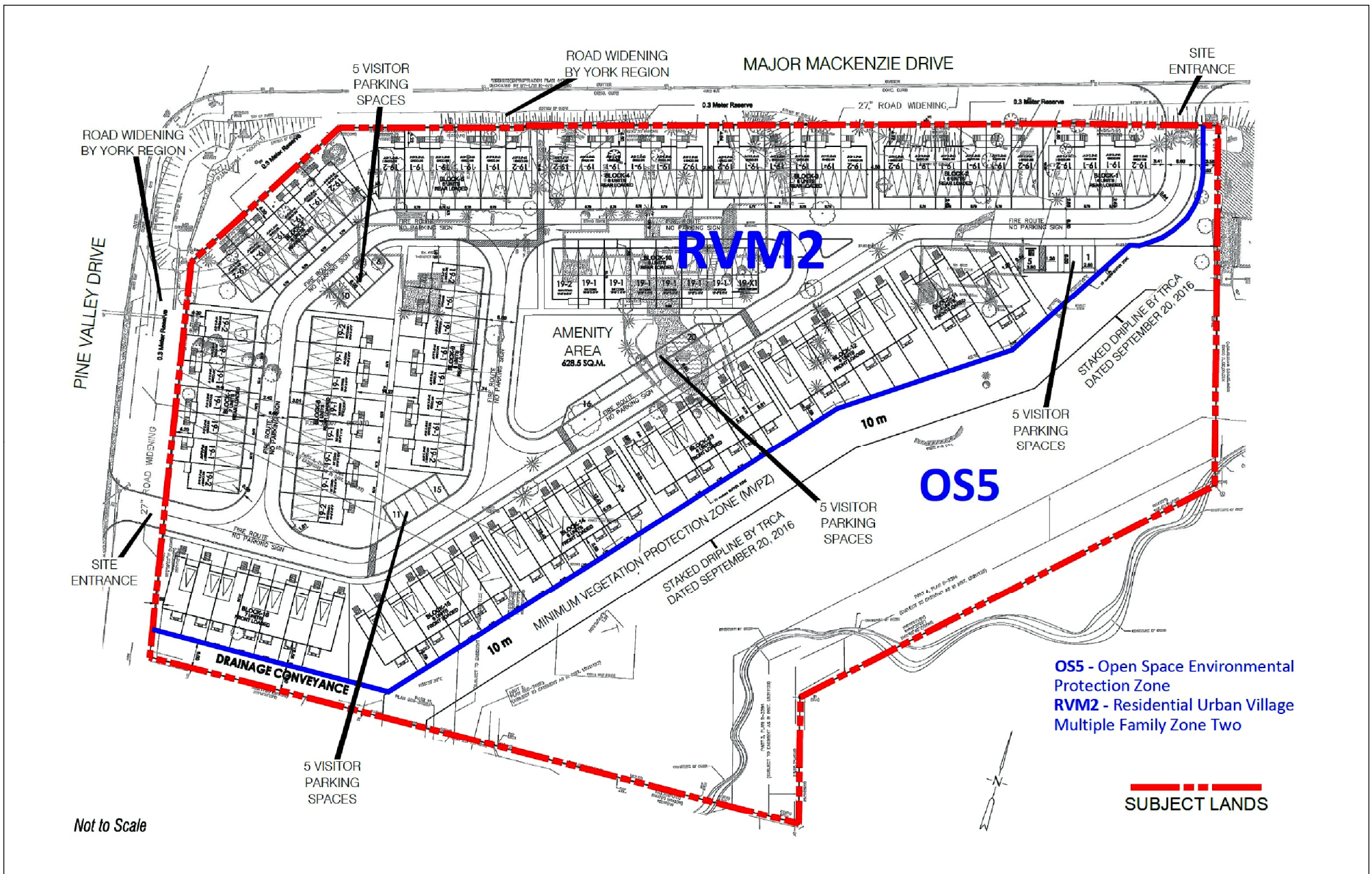


**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

**6**





Development Proposal Considered at the September 19, 2017 Public Hearing

Attachment

**LOCATION:**  
4433, 4455, & 4477 Major Mackenzie Drive;  
Part of Lot 20, Concession 6

**APPLICANT:**  
Valley Major Developments Limited



**FILES:**  
OP.17.005, Z17.013

**DATE:**  
June 4, 2019

7