

Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD 4

TITLE: PALA BUILDERS INC.

ZONING BY-LAW AMENDMENT FILE Z.17.037

SITE DEVELOPMENT FILE DA.18.046

VICINITY OF DUFFERIN STREET AND RUTHERFORD ROAD

FROM:

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

ACTION: DECISION

Purpose

To seek endorsement of the Recommendations in this report from the Committee of the Whole for Zoning By-law Amendment and Site Development Files Z.17.037 and DA.18.046, which have been appealed to the Local Planning Appeal Tribunal, for the Subject Lands shown on Attachments 2 and 3 to permit the development of 114, 3-storey townhouse dwellings to be served by private common element roads, as shown on Attachments 4 to 6.

Report Highlights

- The Owner is proposing to develop the Subject Lands with 114, 3-storey common element townhouse dwellings.
- The Owner proposes to rezone the Subject Lands from “RD3 Detached Residential Zone Three” to “RT1 Residential Townhouse Zone” with site-specific zoning exceptions to permit the development and seek approval of the related Site Development Application.
- The Owner has appealed the Zoning By-law Amendment and Site Development Applications to the Local Planning Appeal Tribunal.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Site Development Applications subject to the Recommendations in this report, as they will permit a development that is consistent with the *Provincial Policy Statement 2014*, conforms to the *Growth Plan*, and conforms with the policies of the York Region Official Plan 2010 and Vaughan Official Plan 2010 and are compatible with the existing and planned land uses in the surrounding area.

Recommendations

That the Local Planning Appeal Tribunal be advised that the City of Vaughan Council ENDORSES the following Recommendations:

1. THAT Zoning By-law Amendment File Z.17.037 (Pala Builders Inc.) BE APPROVED to amend Zoning By-law 1-88, to rezone the Subject Lands from “RD3 Residential Detached Three Zone” to “RT1 Residential Townhouse Zone”, in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT should the Local Planning Appeal Tribunal approve Zoning By-law Amendment File Z.17.037 either in whole or in part, that the Local Planning Appeal Tribunal withhold its final Decision/Order until such time as:
 - a) the City is satisfied with the final plans and conditions for the approval of Site Development File DA.18.046 (Pala Builders Inc.) included in the recommendations provided below; and
 - b) the implementing Zoning By-law Amendment is prepared to the satisfaction of the City.
3. THAT Site Development File DA.18.046 BE APPROVED, subject to the following conditions of approval, to the satisfaction of the Development Planning Department; to permit 114, 3-storey townhouse dwellings, as shown on Attachments 3 to 7.
 - a) That prior to the execution of a Site Plan Agreement:
 - i) the Development Planning Department shall approve the final site plan, building elevations, landscape plans and landscape cost estimate and an air conditioner location and screening plan;
 - ii) the Owner shall update the Block 11 Community Plan and shall cause the following to be displayed on the interior wall of the sales office, with information to be approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City:
 - the Block Plan for the broader area, showing surrounding land uses, arterial roads etc.
 - the location of street utilities, community mailboxes, entrance features fencing, sidewalks,

- location of parks, open space, stormwater management facilities, trails
- location of commercial sites
- colour-coded residential for singles, semis, multiples and apartment units
- the following notes in BOLD CAPITAL TYPE on the map:
 “For further information, on proposed and existing land uses, please call or visit the City of Vaughan Development Planning Department, at 2141 Major Mackenzie Drive, 905-832-8585”
 “For detailed grading and berming information, please call the developer’s engineering consultant, Shaeffers at 905-738-6100.”
 “This map is based on information available as of (date of map) and may be revised or updated without notification to purchasers.”

- iii) the Owner shall provide a Letter of Credit to the City of Vaughan to guarantee the landscape works shown on the landscape plans prior to the execution of the Site Plan Agreement;
- iv) prior to the final site plan approval, the Owner shall pay the Development Engineering Department’s Site Plan Complex Fee pursuant to the Fees and Charges By-law 171-2013, as amended from time to time. The fee amount is \$83,460.00 and will be subject to increase in the next calendar year;
- v) the Development Engineering Department shall approve the final grading plan, servicing plan, erosion and sediment control plan, Functional Servicing and Stormwater Management Report, the downstream sanitary and storm analysis, Noise Impact Study, and Transportation Impact Study;
- vi) the Owner shall enter into a Development Agreement to satisfy all conditions, financial or otherwise, of the City regarding matters the municipality may consider necessary, including payment of development levies, the provision of roads and municipal services, including sanitary sewer improvements on Crimson Forest Drive, installation of new services, decommissioning existing services, landscaping and fencing and approval of construction drawings. Prior to final site plan approval the Development Agreement shall be registered against the lands to which it applies and the construction drawings shall be approved, to the satisfaction of the City;

- vii) the Owner shall undertake further assessment of the City's existing downstream sanitary sewer system based on actual measured sewage flow data to verify the findings of the theoretical analysis to the satisfaction of the City. In the event the findings of this supplementary analysis identify the need to undertake improvements to the existing downstream sanitary sewer system in order to accommodate the additional sewage flows from the development of the subject lands, the Owner shall design and construct these system improvements, to the satisfaction of the City;
- viii) the Owner shall address all comments of the Development Engineering Department;
- ix) the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. This Agreement shall be regarding but not limited to all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services in Block 11. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands;
- x) the Owner shall satisfy all requirements of the Parks Development Department regarding the proposed pathway connection to the adjacent Carrville Mill Park;
- xi) the Owner shall submit a Pathway Connection Scoped Report for the proposed pathway connection from the Subject Lands into the adjacent Carrville Mill Park, to satisfaction of the City. The report shall include:
 - cost estimates for the pathway within the park;
 - details for ideal location and alignment of proposed pathway;
 - details on drainage and the culvert crossing;
 - grading details;
 - assessment of impact on existing vegetation and proposed vegetation removals, if required and landscape restoration planting plans, tree compensation; and,
 - lighting details.
- xii) the Owner shall design and agree to construct a lit accessible pathway which matches the width of the existing municipal pathway, at the Owner's expense, on City property, from the eastern limit of the subject lands, to connect with the existing municipal pathway system

in the Carrville Mill Park. The Owner will also provide and install the infrastructure for the lighting in the remainder of the existing pathway. This will connect the pathway lighting from the existing lit portion of the park pathway, to the proposed sidewalk connection on the subject lands. These works shall be completed in accordance with the Pathway Connection Scoped Report, to the satisfaction of, and at no cost to the City as shown on Attachment 3;

- xiii) the Owner shall provide the City with a Letter of Credit for the total cost to build the lit accessible pathway on the City property and for providing lighting to the unlit portion of the existing municipal pathway in the Carrville Mill Park, north toward Marc Santi Boulevard. The Letter of Credit shall be held for the estimated construction costs for the proposed works on City property, which shall include but is not limited to all required surveying, grading, landscape restoration and with all required construction costs to build the lit pathway and to light an unlit portion of the existing pathway. The Owner is responsible for the total cost of the design and construction of all works to complete the lit pathway and to light a portion of the existing pathway, including but not limited to works of a temporary nature;

The Letter of Credit may be drawn upon by the City, as necessary, to complete the above-noted pathway and lighting works, in the case where the Owner does not fulfill Condition xii above if deemed necessary by the City;

- xiv) the Owner shall provide a grading plan with details of the proposed grading within Carrville Mill Park, associated with the development of the subject lands for residential units, which shall include an assessment of the amount of fill, grades and potential impact to trees/vegetation and details on restoration, to the satisfaction of the Parks Development Department;
- xv) the Owner shall revise the grade of the proposed pathway connection the Carrville Mill Park to a maximum 5% grade;
- xvi) the Owner shall provide fencing (1.5 m high black vinyl chain link fence and all fence details) along the rear yard of the lots abutting the OS2 Open Space Park Zone (Carrville Mill Park);
- xvii) the Owner shall provide detailed engineering plans regarding the emergency overland flow route to the existing Carrville Mill Park swale and connection to the stormwater management pond to the

satisfaction of the Parks Development and Development Engineering Departments;

- xviii) the Owner shall pay to the City a woodlot charge at the rate of \$1000.00 per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement;
- xix) the final Arborist Report shall satisfy all requirements of the Development Planning Department;
- xx) The Owner will be required to enter into a Tree Protection Agreement in accordance with the Council adopted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Agreement will include a tree compensation plan and/or cash-in-lieu payment that must be submitted to the City;
- xxi) the Owner shall satisfy all requirements of the Fire and Rescue Services Department;
- xxii) the Owner shall satisfy all requirements of the Environmental Services Department, Solid Waste Management Division for waste management and waste collection for the development;
- xxiii) the Owner shall contact the Environmental Services Department to purchase the required water meter (for 150 mm diameter service) in chamber, in accordance with the approved Servicing Plan, and the water meter shall be constructed with sufficient read-out equipment, all to the satisfaction of the City; and
- xxiv) the Owner shall satisfy all requirements of the Toronto and Region Conservation Authority.

b) The Site Plan Agreement shall include the following clauses:

- i) "Should archaeological resources be found on the property during construction activities, the Owner must immediately cease all construction activities and notify the Ontario Ministry of Tourism, Culture and Sport and the Development Planning Department, Urban Design and Cultural Heritage Division.";
- ii) "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 York Region Coroner, the Registrar of the

Cemeteries and Crematoriums Regulation Unit of the Ministry of Government and Consumer Services, and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division.”;

- iii) The following warning clause shall be included in all Offers of Purchase and Sale or Lease for the dwelling units on Block 1, (Lot 1-06) Block 7 (Lot 7-01), on the site plan:

“Purchasers and/or tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”;

- iv) the following warning clause shall be included in all Offers of Purchase and Sale or Lease for the dwelling units in Block 1 (Lot 1-05 and Lot 1-06), Block 7 (Lot 7-01), Blocks 16 to 20 (all Lots) on the site plan:

“Purchasers and/or tenants are advised that, despite the inclusion of noise control features within the development area, road noise will continue to increase occasionally interfering with some activities of the dwelling occupants. This dwelling has, therefore, been equipped with forced air heating and ducting, etc. sized to accommodate the future installation of air conditioning by the purchaser and/or tenant. The location of the air conditioning unit on the lot shall comply with the provisions of City of Vaughan By-law 1-88.”;

- v) the following warning clauses shall be included in all Offers of Purchase and Sale or Lease for units abutting the City’s Carrville Mill Park (‘neighbourhood park’) Block 4 (Lot 4-01), Blocks 5 to 7 (all Lots):

“Purchasers and/or tenants are advised that the lot abuts a neighbourhood park and that lighting and noise should be expected from the use of the park for recreation purposes. A 1.5 m high black vinyl chain link fence is to be constructed on the lot abutting the park block boundary with all fencing material, including foundations, wholly on the lot to delineate the boundary of the park.”;

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

“Purchasers and/or tenants are advised that the lot abuts a neighbourhood park and the park may be subject to future development resulting in additional/revised and/or renewed recreational opportunities that may result in lighting and/or noise.”;

- vi) “The Owner is responsible for private snow removal and waste removal services for the development.”
- vii) “It will be the responsibility of the future Condominium Corporation to file an application for municipal waste collection. Upon successfully completing an application, a site inspection and the execution and registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division, as determined by the City, the future Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.”;
- viii) “The Owner shall agree, and cause to be carried out, that snow from the Subject Lands shall not be stored in the City owned property of the Carrville Mills Park;
- ix) “It will be the responsibility of the future Condominium Corporation in the Condominium Agreement and Declaration that the future Condominium Corporation shall agree and cause to be carried out, that snow from the Subject Lands shall not be stored in the City owned property of the Carrville Mills Park.”;
- x) “The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*, 2007, S.O. 2007. The Owner is required to comply with Ministry of Natural Resources and Forestry regulations and guidelines to protect these species at risk and their habitat. The Owner acknowledges that, notwithstanding that the Subject Lands are a block within a registered subdivision, the Owner must comply with the provisions of the *Act*.”;
- xi) “the Owner shall grant Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner

shall be responsible for the relocation of such facilities or easements.”;

- xii) “The Owner shall pay by certified cheque cash-in-lieu of parkland in accordance with Section 42 of the Planning Act and conform with the City’s “Cash-In-Lieu of Parkland Policy.”;
- xiii) “The Owner shall pay to the City all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region York Region District School Board and the York Catholic District School Board.”;
- xiv) “The Owner shall agree to carry out, or cause to be carried out, the water balance mitigation strategy described in the Stormwater Management Report, prepared by Schaeffers Consulting Engineers, revised date January 2019, and the Pre and Post Development Water Balance Assessment, prepared by Soil Engineers Ltd., dated October 15, 2018.”; and
- xv) “The Owner shall provide the results of the onsite testing to verify the actual condition on the site related to the infiltration/percolation rate to the Toronto and Region Conservation Authority when completed.”

4. THAT Vaughan Council adopts the following resolution for the allocation of water and sewage servicing capacity:

“THAT Site Development File DA.18.046 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 114 residential units (349 persons equivalent). The allocation of said capacity may be revoked by Council resolution and / or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

5. THAT City of Vaughan staff, and external consultants if necessary, be directed to attend the Local Planning Appeal Tribunal hearing in support of the Recommendations contained in this report regarding Zoning By-law Amendment and Site Development Files Z.17.037 and DA.18.046.

Background

The subject lands (the ‘Subject Lands’) are located on the southeast corner of Crimson Forest Drive and Marc Santi Boulevard, as shown on Attachments 1 and 2. The surrounding land uses are shown on Attachment 2. The Subject Lands were originally

identified as “Future Elementary School Site #1” in the Block 11 Community Plan. The York Region District School Board (‘YRDSB’) developed two other school sites within Block 11 and deemed this site surplus in April 2016. The Subject Lands are vacant and identified as Block 214 in registered plan of subdivision 65M-4004.

Zoning By-law Amendment and Site Development Applications have been submitted to permit the Development

The Owner has submitted the following applications (the ‘Applications’) to permit the development (the ‘Development’) of 114, 3-storey townhouse dwellings fronting on private common element roads, as shown on Attachments 3 to 7.

1. Zoning By-law Amendment File Z.17.037 to rezone the Subject Lands from “RD3 Residential Detached Zone Three” to “RT1 Residential Townhouse Zone” in the manner shown on Attachment 3, together with the site-specific zone exceptions identified in Table 1 of this report.
2. Site Development File DA.18.019 to implement the proposed townhouse development.

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

On February 9, 2018, a Notice of Public Hearing for Zoning Amendment File Z.17.037 was circulated to residents within 150 m of the Subject Lands and Notice was posted on the City’s web-site at www.Vaughan.ca. Notice signs were also installed along the Crimson Forest Drive and Marc Santi Boulevard street frontages, in accordance with the *Planning Act* and the City’s Notice Signs Procedures and Protocols.

Vaughan Committee of the Whole considered the Zoning By-law Amendment Application at a Public Hearing on March 6, 2018. The recommendation of the Committee was to receive the Public Hearing report and forward a comprehensive technical report to a future Committee of the Whole meeting. The Committee also directed that a community meeting be held prior to the future Committee of the Whole meeting. Vaughan Council ratified the Committee’s recommendation on March 20, 2018. A community meeting was held at the Vaughan Civic Centre on May 14, 2018. Deputations and written submissions regarding the Zoning Amendment Application were received from the following individuals:

Deputations

- R. Mino-Leahan, KLM Consulting, representing the Owner
- D. Charenzenko, Carrville Mills Ratepayers’ Association (the ‘Association’)

Written Submissions

- Resident, dated February 28, 2018
- S. and G. Katz, dated February 23, 2018; and
- Carrville Mills Ratepayers' Association, dated March 6, 2018, and November 26, 2018
- M. Chu, dated February 13, 2019

Summary of the comments received regarding the Development

The following is a summary of the comments made by deputants at the Public Hearing meeting on March 6, 2018, and the community meeting held on May 14, 2018, and the written comments provided to the City. The Development Planning Department offers the following responses to the comments:

Dust and Noise

- a) Comments were provided regarding the on-going construction of the development west of the Subject Lands that has resulted in dust and construction debris on Crimson Forest Drive and Marc Santi Boulevard, which is a nuisance and a health concern. The construction noise from that development commences prior to 7:00 am and occurs on weekends and is not acceptable and the City's Noise By-law must be enforced. The November 26, 2018, letter from the CMR Association requests enhanced construction management protection measures as conditions of development approval to mitigate the negative impacts of construction on neighbouring properties including installing solid wood hoarding adjacent to the neighbouring residential and municipal properties, daily street cleaning and mud mat practices, window and pool cleaning, and car washing for affected properties.

Dust and construction debris are to be expected with development. All developers are required to submit a Construction Management Plan to address all stages of construction such as construction access, contractor parking, mud and dust control, etc. to the satisfaction of the City. A Construction Management Plan will be required for any development on the Subject Lands. Any concerns/complaints related to construction management on the site can be referred to the City's By-law Compliance, License and Permit Services Department to ensure the requirements of the plan are enforced.

- b) Comments were provided that the City did not request a noise study for this development to determine its impact on the existing residences.

A noise study was submitted to the City with Site Development File DA.18.046. The Development Engineering ('DE') Department reviewed this study and provided comments which are discussed later in this report.

Community Impact

- a) The residents commented that the Development should not intrude on the community and questioned "what this development will give back to the community".

The Subject Lands are located within an approved plan of subdivision. The developer of that subdivision, along with the developers of all other subdivisions within Block 11, contributed to the overall costs of providing parks, schools, roads, and municipal services for the entire Block 11 community as part of the development approval process. The Block 11 Developers' Group has provided the City with written confirmation that all obligations under the Developers' Group Agreement for the Subject Lands have been met.

- b) The residents commented that, "if this site is no longer required for a school, it should provide green space to the community by expanding the adjacent park". The Association's letter dated November 26, 2018, further stated that "the cash-in-lieu of parkland collected by the City for the site will have no direct impact on the park needs of the immediate community" and requested City improvements to the Carrville Mill Park, such as a tennis court/outdoor rink and a minor expansion of the park be considered as possible opportunities to provide improvements to the park through the cash-in-lieu payment from the Development.

The Council approved Block 11 Plan identifies municipal parks, natural areas and woodlots throughout the community, which conforms to the City's Parks Master Plan. The Parks Development Department has reviewed this request and is satisfied based on the Active Together Master Plan ('ATMP') and the City's Asset Management Inventory Data that the Subject Lands are not needed for the expansion of Carrville Mill Park. Cash-in-lieu of parkland is collected and managed in accordance with the City's Cash-in-lieu of Parkland Policy. This is discussed further in this report.

- c) Residents commented that rezoning this site for townhouses will diminish neighbouring property values.

The Development Planning Department reviews all development applications based on the requirements of the *Planning Act*, Provincial policy, the York Region

and City Official Plan policies and the area context. The purpose of this Zoning By-law Amendment application is to rezone the Subject Lands to permit townhouse dwellings. The Subject Lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (‘VOP 2010’) which permits townhouse dwellings (no greater than 3-storeys in height). Proposed changes to zoning by-laws are evaluated based on consistency and conformity to Provincial policy documents and land use planning policy, land use planning principles and the area context.

- d) Residents commented that they paid builder lot premiums to purchase homes on Apple Grove Court backing onto the Subject Lands, based on the “future school” use shown on the community plan and the existing residential zoning on the property.

The Block 11 Community Plan identified the Subject Lands and two other properties as possible “Future Public Elementary School” sites. The technical report considered and approved by Council for the subdivision (File 19T-95066 - Nine-Ten West Limited) identified the Subject Lands as future school block and approved the zone “RD3 Residential Zone” for the lands as is the City’s standard practice. The staff report included conditions that a sign be placed on the Subject Lands indicating that no construction date had been set for the school. The subdivision agreement for File 19T-95066, between the City and the original developer (Nine-Ten West), Limited identified development conditions for the Subject Lands to ensure: the suitability of the site for a future school; the availability of municipal services; site signage advising the public that no date had been set for the construction of a school; and arrangements for fencing and maintenance while the site is vacant.

The subdivision agreement also includes a clause advising purchasers that “there can be no assurance as to the timing of new school construction nor a guarantee that public school accommodation will be provided within the draft plan of subdivision notwithstanding the designation of a public-school site”, which is the City’s standard practice. This subdivision agreement is registered on title for all the residential lots within this subdivision (including lots on Apple Grove Court).

School sites within the City are released by the school boards when they determine a site is not required for school purposes. Other future school sites across the City have been released by the school boards for development. The Subject Lands were released by the York Region District School Board in April 2016.

- e) Residents commented that “the Owner should develop this site with detached dwellings rather than townhouses since this was the permitted form of housing at the time the dwellings on Apple Grove Court were purchased”.

Official Plan Amendment No. 600 (‘OPA 600’) was approved in 2001 and provided the policy framework for the overall development of the Block 11 community. Under OPA 600, the Subject Lands were designated “Low Density Residential” and the Block 11 Plan refined the land uses (e.g. parks, schools, woodlots, valleylands and natural areas) and road patterns within the community. The Block 11 Community Plan identified the Subject Lands as a possible “Future Public Elementary School” as noted in d) above. The City has since updated its Official Plan policies and land use designations. After considerable public consultation, Council adopted VOP 2010, which introduced townhouses as a permitted use within the “Low-Rise Residential” designation. VOP 2010 superseded OPA 600. The development applications have been considered and reviewed under the in-effect Official Plan policies VOP 2010.

Site Design

- a) Residents commented that the proposed contemporary architecture (urban townhouse design) for this Development will differ from the traditional design in the neighbourhood.

“The Valleys of Thornhill Architectural Design Guidelines” apply to all development within Block 11 and all proposed townhouse building elevations and site plans must be reviewed and approved by the Block 11 Control Architect in accordance with these design guidelines. Contemporary design townhouses have been built opposite the Subject Lands on Crimson Forest Drive and on the south side of Lebovic Campus Drive at Ilan Ramone Boulevard and also on Tomas Cook Avenue at Lebovic Campus Drive. Contemporary design elements such as flat roofs, straight lines, horizontal elements, glass railings, and large windows have also been used on detached dwellings, and non-residential buildings within the Block 11 community.

- b) Residents commented that the proposed townhouses will not follow the City of Vaughan “Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods” (the ‘Guidelines’). In the November 26, 2018 letter, the Association provides a review of the Development based on these Guidelines.

Vaughan Council approved these Guidelines on October 18, 2016. The Guidelines identify and apply to “Established Community Areas” within the City. The Guidelines also indicate that certain Community Areas considered to “still be developing” and

identify the “Carrville” area north of Rutherford Road and east of Dufferin Street as one of the “developing communities” where the character of the area is evolving and has not been fully defined. The Subject Lands are not identified as an “Established Community Area” by these Guidelines and this Development is not subject to the Guidelines.

- c) Comments provided state this Development fails to provide the appropriate transition required to respect and reinforce the existing development regarding rear yard setbacks to existing dwellings; lot configuration, lot size and building type elements; building height; outdoor amenity spaces; inadequate minimum facing distances between interior blocks of townhouses; and, discontinuous sidewalks within the development.

The residents made this comment at the Public Hearing, and it was repeated in the March 6, 2018, and November 26, 2018, correspondence from the Association, which were based on previous site designs. The Owner revised the site design to address comments received from the Public Hearing, the community meeting and staff comments from the review of the Zoning By-law Amendment application. Revised site designs were submitted with Site Development File DA.18.046 on June 2018 and subsequently in December 2018. These revisions are discussed later in this report.

- d) The Association’s November 26, 2018, letter suggests the City review the proposed Zoning By-law Amendment and Site Development Applications in the context of the relevant VOP 2010 Community Area Policies (Sections 2.2.3.2 and 2.2.3.3) and Urban Design Policies (Sections 9.1.2.1 and 9.1.2.2) and the Low-Rise Residential Policies (Sections 9.2.3.1 and 9.2.3.2) and the companion Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods.

The Applications have been reviewed by the Development Planning Department in consideration of the Provincial Policy Statement (‘PPS’), the Growth Plan, the York Region Official Plan 2010, and the VOP 2010, as discussed later in this report. As noted in paragraph b) above, the Guidelines do not apply to the Subject Lands.

- e) Residents noted that the height difference between the proposed 3-storey townhouse dwellings and the existing 2-storey dwellings may result in overlook from the townhouse decks into the rear yards of the existing dwellings.

Three-storey townhouse dwellings are permitted in VOP 2010 within “Low-Rise Residential” designations. The existing single detached dwellings in the adjacent subdivision to the south are zoned “RD3 Residential Detached Zone Three” which

permits a maximum building height of 9.5 m. An “RT1 Townhouse Zone” is proposed for the Development which permits a maximum building height of 11 m. In response to resident comments from the community meeting regarding the building design, the Owner replaced the original flat roof design with pitched rooflines, resulting in increased roof heights. Zoning By-law 1-88 requires that the building height is measured to the mid-point of the roof when a pitched roof is used. The Owner is requesting approval of a maximum building height of 12 m.

Interfaces between 3-storey townhouses and 2-storey dwellings exist within the Nine-Ten West subdivision in the area of Thomas Cook Avenue and White Spruce Crescent and elsewhere in the Block 11 community (at Marc Santi Boulevard and Ilan Ramon Boulevard). Similar interfaces exist throughout the City. In response to the residents’ comments regarding rear yard depths and overlook, the Owner revised the site design to propose rear yards equal or greater in depth (8 m to 9 m) to the rear yards of the existing detached dwellings on Apple Grove Court and a landscaped buffer area adjacent to the rear property line to accommodate mature taller tree species for a landscape screen to mitigate overlook from the 2nd floor decks.

In addition, overlook into adjacent back and side yards will occur when 2-storey dwellings are adjacent to each other or located in a back-to back configuration, which is the typical lot/building layout in most residential subdivisions.

- f) The Association’s November 26, 2018, letter recommends the landscape buffer provide privacy to the neighbouring properties on Apple Grove Court and that the City consider public ownership of the buffer to ensure it is maintained.

The site plan includes back yards for the townhouse lots abutting the existing residential dwellings (Blocks 1 - 4 on Attachment 3) that are equal or greater in depth than the back yards of the existing dwellings on Apple Grove Court. The City does not typically require landscaped buffers between low-rise 2 and 3-storey residential development in plans of subdivision.

The Owner revised the site design in the December 2018 submission to include a landscape buffer at the rear of Blocks 1 - 4, as shown on Attachment 7, to provide privacy to the lots on Apple Grove Court.

This type of City-owned buffer block, located between two back yards with limited maintenance access, presents a significant maintenance and financial liability to the City. The limited access and space constraints make maintenance challenging and costly. Staff are proposing to include a minimum setback for all structures (e.g.

sheds, pools, additions) from the rear lot line for Blocks 1 - 4 to prevent structures from being constructed within the buffer as discussed in this report.

- g) Residents commented that other former school sites in the City were developed for detached dwellings under the existing zoning on those sites and why the City would consider a zoning by-law amendment to permit townhouses on the Subject Lands. site.

The Planning Act allows property owners to apply for a change in zoning to implement a use permitted by the Official Plan. All development applications are reviewed in consideration of the current applicable Provincial Policies and Plans, to York Region and City Official Plans and the appropriateness of the proposed development in the surrounding context.

Access, Traffic and Parking

- a) Residents stated that the traffic on Marc Santi Boulevard is intolerable and is a safety concern.

Marc Santi Boulevard is one of two east-west collector roads through Block 11 intended to direct traffic from local roads to Bathurst Street and Dufferin Street (arterial roads). A Traffic Impact Statement was submitted to the City in support of the Applications and has been reviewed and approved by the Development Engineering ('DE') Department as discussed later in this report.

- b) The residents commented that the density of the proposed Development will jeopardize their enjoyment of the area and reduce the availability of on-street parking on Marc Santi Boulevard for visitors to the Carrville Mill Park.

The proposed access to the Development will remove some of the on-street parking available on Marc Santi Boulevard. If the Subject Lands had been developed for the school identified in the Block Plan or any other development, access driveways would also have removed some on-street parking.

- c) The residents questioned where the proposed parking for the townhouse units and visitor parking is located, if the driveways can accommodate large vehicles, and if parking might spill onto neighbouring streets.

The site design includes 2 parking spaces for each unit, 6 m driveways for the interior units and 29 visitor parking spaces which meet the City's parking

requirements for the proposed “RT1 Townhouse Zone”. Parking for the proposed development is discussed further in the Site Development section of this report.

- d) Residents commented on the configuration and width of the proposed roads within the Development, compared to the configuration and character of the existing townhouse development on the west side of Crimson Forest Drive and requested that this Development be designed in the same manner. The Association’s November 26, 2018, letter indicates that the two proposed access points to the Development may be insufficient and suggest that the road pattern be revised to provide municipal roads which align with the existing street pattern and provide more egress and ingress points to the site.

The site design of the existing development on the west side of Crimson Forest Drive was restricted by the significant grade differences across the site and the requirement for a linear park, resulting in the east-west road pattern. From a traffic perspective the access driveway has been aligned opposite the existing laneway at Crimson Forest Drive to facilitate proper vehicle turn movements on Crimson Forest Drive. The site design and the road alignment for this proposed development were reviewed by the City and are discussed later in this report.

- e) Residents commented that the proposed private roads are narrower than those in the existing townhouse development on the west side of Crimson Forest Drive and recommended that the proposed Development should mirror the road widths of the detached lots to the south.

The existing townhouse development on the west side of Crimson Forest Drive is serviced by municipal roads and laneways. The residents’ comment is based on the original concept site plan submitted with the Zoning Amendment application. Following the Public Hearing and the community meeting, the site design was revised to widen the access roads from 6 m to 8 m and the internal streets were reoriented.

- f) The residents asked how the future development of high-rise buildings on the vacant lands in the Remington subdivision to the west will impact traffic in this area.

Several vacant blocks of land between Dufferin Street and the existing townhouses, and between Rutherford Road and Marc Santi Boulevard are designated for high-rise residential and high-rise mixed-use development in VOP 2010. Additional detailed traffic analysis will be required by the City and York Region prior to final approval of any high-rise development and improvements to the existing road infrastructure may be required prior to any future development proceeding.

Local Planning Appeal Tribunal ('LPAT')

- a) Residents questioned why the City is allowing this Development.

At the community meeting the residents were advised that at the March 6, 2018, Public Hearing no decision had been made on the application by Council. Council requested a community meeting be held to allow for further discussion on the development proposal between the Owner and the residents.

Residents were advised that the *Planning Act*, permits a property Owner to file a development application(s) with the City. The *Planning Act*, provincial policies and plans, York Region and City Official Plan policies outline how the development application(s) is given consideration by the municipality, prior to a municipal council decision on the application(s). The *Planning Act* also provides an applicant with the opportunity to appeal a Zoning By-law Amendment application to the Local Planning Appeal Tribunal ('LPAT') if a municipal council fails to make a decision within 120 days of receiving the application.

The Owner appealed the City's non-decision to the LPAT (formerly the Ontario Municipal Board) on the Zoning Amendment Application. As a result, the LPAT will make the final decision on Zoning By-law Amendment File Z.17.037. The *Planning Act* also affords an Owner the right to appeal a Site Development Application if the municipal council has not made a decision on the application within 30 days. The Site Development Plan has also been appealed to LPAT.

Condominium Development

- a) Residents stated that they enjoyed the community and the proposed condominium development will create a different dynamic for the area which is not conducive to the existing community. The residents indicated the Development would be the first condominium in the community and that detached dwellings should be developed on this site rather than condominium townhouses.

As noted above, VOP 2010 permits townhouses up to 3-storeys as a built form within the "Low-Rise Residential" designation. The Owner has applied to amend the existing zoning for detached dwellings to permit the proposed townhouses dwellings.

A condominium tenure is a form of property ownership. The Owner has indicated the Development would utilize a common element condominium tenure to permit

townhouse dwellings on Parcels of Tied Land (POTLs or freehold units) fronting onto common element (shared ownership) private roads.

Other common element condominium developments have been approved within in the community at Lebovic Campus Drive and Ilan Ramone Boulevard and at George Kirby Street and Ilan Ramone Boulevard. If the Applications are approved by the LPAT, the Subject Lands would not be the first common element townhouse development within the neighbourhood. Provincial policy and plans and York Region and City Official Plans also encourage a variety and mix of housing types. In addition, other common element condominium townhouse developments have been approved throughout the City.

- b) The Association's November 26, 2018, letter stated that the proposed townhouses should be on public streets to ensure the best interests of the City and public safety in providing municipal garbage collection and snow removal services for the Development should the condominium corporation fail to provide these services.

The Development has been reviewed in accordance with the City's standards for these services. The future condominium corporation will have the opportunity to apply for municipal waste collection services as discussed later in this report. Snow removal will be responsibility of the condominium corporation, as is the City's standard practice for common element condominium developments.

- c) Residents asked if the public will have input into the Development or if "the project is a done deal".

The Owner has appealed the Zoning By-law Amendment application to the LPAT due to Council's non-decision on the Zoning By-law Amendment and Site Development Application(s) within 120 days and 30 days, respectively, of their submission. The LPAT is now the decision-making authority for the Application(s).

Prior to the LPAT hearing, Vaughan Council's position on staff's recommendations for the Application(s) will be provided to the LPAT. The Carrville Mills Ratepayers' Association was granted conditional party status at the October 9, 2018, Pre-Hearing Conference subject to becoming incorporated (which it since has become incorporated). The residents have provided input to Council at the statutory Public Hearing for the Zoning Amendment application in March 2018, have submitted written correspondence and have discussed the Development at the community meeting held in May 2018. The public will have an opportunity to participate again at the Committee of the Whole meeting to consider the technical report for the applications.

The Association provided detailed comments on the Development in their November 26, 2018, letter. The comments state that condominium townhouses will introduce a significant physical change that does not respect or reinforce the physical characteristics of the existing development in the immediate community area. The Association commented on the local pattern of lots, streets and blocks; the size and configuration of lots; the building type of nearby residential properties; the orientation of buildings; the heights and scale of immediately surrounding residential properties; setback of buildings from the street; the pattern of rear and side-yard setbacks and the presence of mature trees and general landscape character of the streetscape for the Development. These comments are discussed further in this report.

Schools

- a) Residents asked how the local schools will accommodate the additional students from the proposed Development.

Both York Region school boards reviewed the Zoning By-law Amendment application and have no objection to the Development. Students from the proposed development will be accommodated within existing schools in the area.

The City is not involved in the student accommodation process. The web-sites for each school board provide information to identify the respective school area boundaries for local schools serving the Subject Lands. The following links to the school board's websites provide for more information regarding schools in the area.

<http://www.yrdsb.ca/AboutUs/Departments/Planning/Documents/Boundary/361boundary.pdf>

<http://locator.ycdsb.ca/schoollocator/>

- b) Residents commented that vehicles often run the stop sign at Crimson Forest Drive and Apple Grove Court and that the current location of the school bus stop creates safety concerns.

Stop signs and stop bars are in place at the intersection of Crimson Forest Drive and Apple Grove Court. The City refreshes the stop bars periodically when the paint has worn. The City's Traffic Section has been contacted by the regarding repainting of the stop bars. The school boards should be contacted regarding the location of the school bus stop. The Applications were circulated to each school board for review and the City has been advised that they have no objection to the Development.

The Owner revised the site design to address resident comments and comments from City staff and agencies

The Owner submitted a revised site design in June 2018 and further revised the design in December 2018, to incorporate changes in response to the comments presented at the May 2018 community meeting, written comments from the Association, and comments from City staff and agencies. The site design changes include:

- 8 m to 9 m rear yard depths for each unit and a landscaped buffer including 5 m high mature plantings (Attachment 7) to mitigate overlook from the 2nd storey decks in Blocks 1 - 4
- a reduction in the number of units from 126 to 114
- a reduction in the number of units within a block
- the addition of a private amenity area at the intersection of Streets 1 and 4
- providing rear yards for units internal to the Development
- a revised road layout with wider access roads to align with the existing road pattern on Crimson Forest Drive
- a turning area at end of Street 1
- the addition of on-street visitor parking on Street 2
- internal sidewalk connections for pedestrian permeability and, a lit pathway connection from the proposed Development to the existing lit pathway within the Carrville Mills Park

The Association has had the opportunity to review the revised plan and discuss the changes with the Owner. The December 2018 revised site design was reviewed by City staff. The December 2018 proposal is discussed below in this report.

The Development Planning Department, on March 22, 2019, mailed a courtesy notice of this Committee of the Whole meeting to all individuals requesting notice of Council's further consideration of the Applications, to those who submitted correspondence regarding the applications or made a deputation at the Public Hearing.

The Owner has appealed Zoning Amendment File Z.17.037 and Site Development File DA.18.046 to the Local Planning Appeal Tribunal ('LPAT')

On March 19, 2018, the Owner appealed Zoning By-law Amendment File Z.17.037 to the OMB, now the LPAT, as a legacy appeal, pursuant to Section 34 (11) of the *Planning Act*, citing Vaughan Council's failure to make a decision on the Application within the prescribed timelines of the *Planning Act*. The LPAT held a Prehearing Conference for this file (Case No. PL180253) on October 9, 2018. The Association requested party status at the hearing and a second Prehearing Conference was scheduled for February 22, 2019.

The Application appealed to the LPAT represents the original Zoning By-law Amendment submission for 126 (common element condominium) townhouse dwelling units. Site Development File DA.18.046 was submitted on June 18, 2018 and was revised to include 114 townhouse units, as shown in the related Site Development File DA.18.046 on Attachment 3. The Site Development application was appealed to the LPAT on November 1, 2018, for Council's failure to make a decision on the application within the 30 day timeframe prescribed in the *Planning Act*. Site Development File (Case No. PL180871) is being processed under the LPAT Rules of Practice and Procedure and at the time of the preparation of this report, no hearing date has been scheduled.

The Development Planning Department seeks direction from Vaughan Council to attend the LPAT proceedings in support of the Recommendations in this report for Zoning By-law Amendment and Site Development Files Z.17.037 and DA.18.046.

Previous Reports/Authority

[March 6, 2018, Committee of the Whole \(Public Hearing\) \(Item 5, Report 11, Recommendations 1 to 3\)](#)

Analysis and Options

The Development Planning Department has reviewed the Applications for the Development shown on Attachments 3 to 7 in consideration of the following policies:

Land Use Policy and Planning Considerations

The Subject Lands are located adjacent to the boundary of the Carrville Centre Secondary Plan ('CCSP') area identified in VOP 2010. The CCSP Plan provides for higher order development to create an urban centre surrounding the Dufferin Street and Rutherford Road intersection. This urban centre implements the City's planned "Urban Structure" in VOP 2010 by establishing the Carrville Centre as the focal point of residential, commercial and business activity within the Carrville community, and by integrating the centre with the surrounding Carrville community. Crimson Forest Drive is the east boundary of the CCSP. The first phase of development within this quadrant of the CCSP is developed with 3-storey townhouse dwellings and a linear park directly opposite the Subject Lands as shown on Attachment 2. Future phases of development within this quadrant of the CCSP are planned to include "High-Rise Mixed-Use" and "High-Rise Residential" buildings.

The Development is consistent with the Provincial Policy Statement ('PPS'), 2014

Section 3 of the *Planning Act*, requires that 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. These policies support the goal of enhancing the quality of life for all Ontarians. The key policy objectives are: building strong, healthy communities; wise use and management of resources; and protecting public health and safety.

Municipal land use planning decisions must be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the Provincial Policy, specifically the following sections under Part V - "Policies" of the PPS:

- Section 1.1.1. b) - accommodating an appropriate range of residential, employment, institutional, recreation, park and open space uses
- Section 1.1.1. e) - promoting cost-effective development patterns and standards to minimize land consumption and servicing costs
- 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 for current and future residents.

The Subject Lands are located within a "Settlement Area" as defined by the PPS. VOP 2010 is the in-effect land use planning policy document that applies to the Subject Lands. VOP 2010 defines the "Urban Structure" for the City and identifies "Community Areas". The Subject Lands are located within a "Community Area" and designated "Low-Rise Residential".

The Development conforms with the "Low Rise Residential" land use designation in the VOP 2010. The Development shown on Attachment 3 to 6 provides a residential land use which implements growth within a settlement area and efficiently utilizes the Subject Lands by minimizing land consumption and by utilizing existing municipal sewage and water infrastructure. The Development introduces a type of housing (townhouses) that will help to accommodate a wider range of housing options and provides a residential development within the Settlement Area. This Development includes pedestrian connections from the Subject Lands to the existing community facilities including neighbouring parks, and public transit routes along Dufferin Street and Rutherford Road. The Development is consistent with the PPS.

The Development Conforms to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, ("Growth Plan")

The A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019 ("Growth Plan") 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 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 sewer systems.

The *Planning Act* requires that Vaughan Council's planning decisions conform to, or not conflict with, the Growth Plan. The Development Planning Department has reviewed the Development in consideration of the policy framework of the Growth Plan and is of the opinion that the proposed townhouse development is consistent with the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas and locations with municipal water and wastewater systems, public services facilities and public transit to support the achievement of complete communities;
- Section 2.2.2 - contribute to meeting residential development growth targets with the delineated built-up area; and
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents and establish targets for affordable ownership housing and rental housing.

The Subject Lands are located within a settlement area and delineated as a built-up area that contributes to providing a mix of housing densities and unit types within neighbourhoods. As indicated above, the Subject Lands are located within a Community Area by VOP 2010. The policies of VOP 2010 protect and strengthen the character of the Community Areas and recognize that incremental change is expected as these neighbourhoods mature. Section 2.2.3.3 of VOP 2010 provides for limited intensification in Community Areas where the development is sensitive to and compatible with the character, form and planned function of the surrounding context, and in accordance with the policies of Section 9 of the VOP 2010.

The Development, shown on Attachments 3 to 7, would implement residential townhouse units within a settlement area where municipal water and wastewater services are available. The Development will contribute to meeting residential growth targets within the delineated built-up area and will provide housing options within the community. The proposed Development conforms to the Growth Plan.

The Development Conforms to the Oak Ridges Moraine Conservation Plan, 2017 ('ORMCP')

The Subject Lands are located within the *Oak Ridges Moraine Conservation Plan* ('ORMCP') boundary within an area designated "Settlement Area". Urban uses and development as set out in municipal official plans are allowed. The purpose of Settlement Areas is to focus and contain growth. The Subject Lands are also located within a plan of subdivision approved prior to the approval of the ORMCP. Current ORMCP policy requires that new lots created in Settlement Areas are subject to the provisions of the ORMCP subsections 19 (3) and 31 (4).

The Owner provided an ORMCP Conformity Report in support of the Applications, prepared by KLM Planning Partners Inc., dated November 27, 2018, which confirms that

the Subject Lands are designated Settlement Area in the ORMCP. Where a use is permitted by VOP 2010 it is permitted by the ORMCP however, the Development is subject to conformity with the specific land use provisions that apply to lands in Settlement Areas. The report reviewed the provisions of subsections 19(3) and 31(4) and concluded that there are no key natural heritage or hydrogeological features on the Subject Lands; that the Subject Lands are not within the Minimum Area of Influence of these features, and that there are no hydrologically sensitive features surrounding the Subject Lands. Staff concur that the Development conforms to the relevant policies of the ORMCP.

The Development Conforms to the York Region Official Plan 2010 (“YROP”)

The York Region Official Plan, 2010 (the ‘YROP 2010’) guides economic, environmental and community building decision making for land development by encouraging compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types.

The Subject Lands are located within an existing built up low-rise residential community and are designated “Urban Area” by Map 1 - “Regional Structure” of the YROP. The “Urban Area” designation permits a range of residential, commercial, employment and institutional uses, subject to additional policy criteria. Section 3.5.4 in the YROP requires that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community to meet the needs of the York Region’s residents.

The Development shown on Attachments 3 to 7, would provide a form of housing (townhouse dwellings) that is transit-supportive and located in close proximity to the existing public transit network along Dufferin Street and along Rutherford Road. The Development will diversify housing options within the neighbourhood by including a mix and range of housing type, lot and unit sizes, and tenure in the community and the Development will provide private amenity areas and pedestrian connections to the adjacent neighbourhood park. The Development conforms to the YROP. York Region has advised they have no objection to the Applications.

The Development conforms to Vaughan Official Plan 2010

The Subject Lands are located within a “Community Area”, identified on Schedule “1” - Urban Structure of VOP 2010 and are designated “Low-Rise Residential” by VOP 2010. The Community Area Policies of VOP 2010 Section 2.2.3.2 indicates “Community Areas with existing development are not intended to experience significant physical change. New development that respects and reinforces the existing scale, height, massing, lot pattern, building type and orientation, character, form and planned function of the immediate local area is permitted, as set out in the Section 9 policies of VOP 2010.

The policies of Section 2.2.3.3 recognize that limited intensification may be permitted in Community Areas in accordance with the lands use designations on Schedule 13 and the

policies of Section 9 of VOP 2010 and that such development must be sensitive to and compatible with the character, form and planned function of the surrounding context.

The “Low-Rise Residential” designation permits detached, semi-detached and townhouse dwellings no greater than 3-storeys in height subject to urban design and compatibility criteria policies in Section 9 of VOP 2010. Section 9.2.3.2 provides the following policies and development criteria for townhouse dwellings: that one block of townhouses shall consist of no more than six attached residential units; that townhouse dwellings shall generally front onto a public street; that the scale, massing, setbacks and orientation are similar to other townhouses in the area; and that the blocks of townhouses that are not separated by a public street shall have a minimum facing distance of 18 m.

The Development includes two blocks of seven townhouse units in a row, identified on Attachment 3 as Blocks 5 and 19. Five of the proposed townhouse blocks front onto Marc Santi Boulevard and Crimson Forest Drive. Seven townhouse blocks front onto a private 8 m wide road, and eight blocks front onto an internal 6 m wide private roads.

Townhouses similar in design, scale and massing and setbacks to Crimson Forest Drive and Marc Santi Boulevard are located directly opposite the Subject Lands on Crimson Forest Drive. The proposed access road from the Development aligns with the existing access road on the west side of Crimson Forest. The configuration of the proposed lots provides street-oriented units with front entrances on Marc Santi Boulevard, which is similar to the existing townhouse development to the west, to encourage pedestrian connections, provide active streetscapes, improve safety and mobility within the public realm. The townhouse blocks have a minimum facing distance of 18 m.

Section 9.2.1.2 of VOP 2010 allows for minor variations to the development criteria identified in Section 9.2.3.2, subject to the Owner submitting an Urban Design Brief to the satisfaction of the City. The Owner submitted a Planning Justification Report dated October 2017, prepared by KLM Planning Partners addressing the Urban Design for the Development which states that Block 19 facing Marc Santi Boulevard contains seven units. There are only two blocks fronting onto Marc Santi Boulevard and this larger block is adjacent to the landscaped entry feature.

With the use of a variation in exterior colour materials between the blocks, the streetscape character of the neighbourhood will not be impacted by a block with only one additional unit. Block 5 also contains seven units and is located internal to the site with limited public exposure.

The architectural finishes and colour variations in the blocks will enhance the public realm. The scale, massing, setbacks and orientation of the Development has considered the Development in the immediate area. The blocks facing the public streets create a streetscape similar to that which exists opposite the Subject Lands where the townhouses front onto Marc Santi Boulevard. The units fronting on the municipal streets will screen the internal townhouse blocks on the Subject Lands from the public realm. Units fronting onto

the municipal streets maintain a setback similar to the setback for the existing townhouses to the west of the Subject Lands and front doors will provide access to the public sidewalks. All garages and driveways for the proposed townhouses are internal to the site and will not impact the public streetscape.

John G. Williams Limited, Control Architect for Block 11 has confirmed that the Development is in general compliance with the design objectives of the Valleys of Thornhill Block 11 Architectural Guidelines. The Urban Design and Cultural Heritage Divisions of the Development Planning Department has reviewed the Planning Justification Report - Urban Design Brief and concurs with its conclusions.

The proposed Development is a compatible, but not an identical built form, to the surrounding lands. The proposed townhouse units are adjacent to the existing two-storey residential dwellings and are opposite existing townhouses utilizing a similar design on Crimson Forest Drive. The proposed access road to the Development aligns with the existing access road on the west side of Crimson Forest Drive and the configuration of the proposed lots provides street-oriented units and active streetscapes to improve safety and mobility within the public realm. The height, scale and building setbacks of the proposed Development is similar to the townhouse units on the west side of Crimson Forest Drive and other similar contemporary townhouse unit designs in the City. The proposed townhouse units abutting the existing two-storey residential dwellings propose rear yards equal to or greater than the rear yards of the detached dwellings.

VOP 2010 permits intensification in community areas where the proposed development is sensitive to and compatible with the character, form and planned function of the surrounding context. A 3-storey townhouses is a permitted use and is a compatible building form for development within the "Low-Rise Residential" designation for the Subject Lads. The proposed townhouse units conform to the following policies of the VOP 2010:

Section 9.2.3.2 of the VOP 2010 provides development criteria for townhouses as follows:

- a) A townhouse is a Low-Rise Residential building, up to three-storeys in height, situated on a single parcel and part of a row of at least three but no more than six attached units.
 - All of the proposed Blocks comply with the requirements except two Blocks that include 7 units.
- b) In Community Areas with existing development, the scale, massing, setbacks and orientation of Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved Townhouses in the immediate area. Variations are permitted for the purposes of minimizing

driveways and having front entrances and porches located closer to the street than garages.

- The 3-storey building height and the massing of townhouse blocks is compatible with the built form and character of the townhouses in the adjacent and surrounding neighbourhood. The 4.5 m front yard setback to Marc Santi Boulevard is consistent with the minimum setback for the existing townhouse dwellings on Marc Santi Boulevard. The 4.37 m front yard setback to Crimson Forest Drive is also similar to the setbacks of the existing townhouse development opposite the Subject Lands.
 - The private street (Street 1), which provides access to Crimson Forest Drive and Marc Santi Boulevard is designed with key elements of a public street including a sidewalk, which provides a connection to the public park, a landscaped streetscape including trees, shrubs and other plantings, walkways leading from the sidewalk to front porches, street lighting and on-street parking. Street 1 aligns with Adaskin Avenue on the west side of Crimson Forest Drive.
- c) In areas of new development, the scale, massing, setback and orientation of Townhouses will be determined through the process of developing and approving Secondary Plans, Block Plans, Plans of Subdivision, Zoning By-laws, and/or urban design guidelines.
- The Subject Lands are located within the existing Block 11 community area. Urban Design Guidelines for Block 11 provide guidance regarding the scale, massing, setback and orientation of townhouses. The proposed Zoning By-law will provide development standards to implement the Development should the Applications be approved.
- d) Townhouses shall generally front onto a public street. Townhouse blocks not fronting onto a public street are only permitted if the units(s) flanking a public street provide(s) a front-yard and a front-door entrance facing the public street.
- The Development includes units which front onto and have direct access from a porch on Crimson Forest Drive and along Marc Santi Boulevard. The remaining units have a front porch facing a private street, which includes key elements of a public street as noted above.
- e) The facing distance between blocks of Townhouses that are not separated by a public street should generally be a minimum 18 m in order to maximize

daylight, enhance landscaping treatments and provide privacy for individual units.

- The Development includes a minimum of 18 m facing distances between the townhouse Blocks.

VOP 2010 includes policies ensure a range of housing options within Vaughan to provide a wider variety of housing choices in communities by increasing choices in housing type, tenure and affordability and policies to permit limited intensification in Community Areas. The PPS, Growth Plan, and YROP require and encourage municipalities to plan for a range and mix of housing options. The existing housing stock in this area consists of primarily single detached dwellings, and some semi-detached dwellings and townhouses as noted above. “High-Rise Residential” and “High-Rise Mixed-Use” buildings are planned for the area in northeast quadrant of Dufferin Street and Rutherford Road through the CCSP. The Development will support the provision of a full range of housing options in the area, including ownership opportunities in the form of common element townhouse dwellings.

The Development Planning Department is satisfied that the proposed Development has appropriate regard for the “Community Area” policies and conforms to VOP 2010.

Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods

Vaughan Council approved Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) on October 19, 2016. These Guidelines identify the areas of the City subject to this document. Certain areas of the City with Established Community Areas including the Carrville community (all of Block 11) located east of Dufferin Street and north of Rutherford Road, are considered “developing communities” and are not subject to the Guidelines. The Subject Lands are not located within an “Established Community Area” identified within the Guidelines and are therefore, not subject the Guidelines.

Summary of Planning Policy

In consideration of the above, the Development Planning Department is satisfied that the Development is consistent with the PPS, conforms to the Growth Plan, the ORMCP, the York Region Official Plan, VOP 2010 and is compatible with the existing land uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of Zoning Amendment and Site Development Applications. The Development provides a residential built form that is consistent with the policies in VOP 2010 and compatible, but not identical to, the existing surrounding development.

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

The Subject Lands are zoned RD3 Residential Detached Three Zone ('RD3') by Zoning By-law 1-88. The Owner proposes to implement the Development through amendments to Zoning By-law 1-88 to rezone the Subject Lands to "RT1 Residential Townhouse Zone", in the manner shown on Attachment 3, together with the following site-specific zoning exceptions to Zoning By-law 1-88:

Table 1

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Definition - "Street Townhouse Dwelling"	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 or Parcel of Tied Land ('POTL'), which abuts a public street or a private common element road".
b.	Definition - "Lot"	Means "a parcel of land fronting on a public street"	Means "a parcel of land fronting on a public street or a private common element road"
c.	Definition - "Street Line"	Means "the dividing line between a lot and a street or the dividing line between a lot and a reserve abutting the street"	Means "the dividing line between a lot and a street or a private common element road, or the dividing line between a lot and a reserve abutting a street or a private common element road"
d.	Frontage on a Public Street	No person shall erect any building or structure in any zone unless the lot upon which such building or structure is to be erected fronts upon an improved public street	Permit a building to be erected that fronts onto a public street or a private common element condominium road

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
e.	Maximum Number of Units Per Townhouse Block	6 units	7 units (Blocks 5 and 19)
f.	Minimum Lot Depth	27 m	18.24 - 26.4 m
g.	Maximum Building Height	11 m	12 m (3-storeys) Blocks 1 to 20
h.	Minimum Lot Frontage	6 m / unit	5.5 m (for interior units within Blocks 1 to 15)
i.	Minimum Lot Area	162 m ²	109.5 m ² - 157 m ²
j.	Minimum Front Yard Setback (Marc Santi Blvd. and Crimson Forest Drive)	4.5 m	4.37 m (Blocks 16 - 18 and Blocks 19 - 20)
k.	Minimum Front Yard Setback to Garage	6.4 m	5.7 m (Blocks 2 - 7 (all Lots), Block 8 (Lot 1), Block 9, Block 10 (Lot 6), Block 11, Block 15 (Lot 1), Blocks 16 - 20 (n/a all Lots)

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
l.	Minimum Exterior Side Yard	4.5 m	<ul style="list-style-type: none"> • 4.1 m (Block 1) • 1.8 m (Block 5) • 3.42 m (Block 7) • 1.03 m (Block 8) • 1.93 m (Block 10) • 0.7 m (Blocks 9 & 11) • 1.75 m (Block 12) • 1.7 m (Block 14) • 1.41 m (Block 20)
m.	Minimum Rear Yard Setback	7.5 m	<ul style="list-style-type: none"> • 5.0 m (Blocks 5 to 7) • 6.4 m (Blocks 9) • 4.5 m (Blocks 8, 10, 12 - 15) • 6.6 m (Block 11) • 0.7 m (Blocks 16 and 20) • 1.0 m (Blocks 17 and 19)
n.	Minimum Interior Side Yard Abutting Walkway/ Greenway	3.5 m	<ul style="list-style-type: none"> • 1.8 m (Block 5) • 1.0 m (Block 8) • 0.7 m (Blocks 9, 11) • 0.8 m (Block 13) • 1.7 m (Block 14) • 1.0 m (Block 18) • 2.3 m (Block 19)
o.	Maximum Deck Encroachment into Rear Yard	1.8 m	2.0 m (Blocks 5 - 15)
p.	Maximum Porch Height	1.2 m	1.83 m

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
q.	Maximum Interior Garage Dimension	3.048 m on lots with frontages of less than 11 m	5.8 m (Blocks 16 - 20)
r.	Minimum Dimensions Visitor Parallel Parking Space	n/a	2 m X 6.7 m
s.	Maximum Driveway Width (Street 1 and 2)	7.5 m	8 m
t.	Landscaped Buffer and swale at Rear of Blocks 1- 4	None	All buildings, accessory structures, including sheds, decks, gazebos, play structures and pools for Blocks 1 - 4, shall be setback a minimum of 4 m from the rear lot line, for the purpose of maintaining trees and landscaping and a swale

The Development Planning Department can support the proposed site-specific zoning exceptions to permit the development of a contemporary urban townhouse built-form. The proposed built form is compatible with, but not identical to, the existing and planned built forms in the surrounding area. Many of the exceptions in Table 1 apply only to certain units or blocks and not to the entire Development. Contemporary townhouse development within the community area and throughout the City have been approved with similar site-specific zoning exceptions.

In consideration of the above, the Development Planning Department is satisfied that the proposed exceptions to Zoning By-law 1-88 will facilitate a development that is consistent with the PPS, conforms to the Growth Plan, the ORMCP and the YROP 2010 and

maintains the intent of VOP 2010 and facilitates a residential development that is compatible with the built form in the surrounding area.

Minimum of 4 m wide Landscaped Buffer

The Owner has proposed a minimum 4 m wide landscaped buffer adjacent to the rear lot line of Blocks 1 – 4, as shown on Attachment 7, to address overlook and privacy comments made by the Association regarding the abutting properties. The proposed landscaping and buffer are comprised of a 2 m wide swale and a 2 m wide planting berm. To ensure that the berm remains, the Development Planning Department is recommending that the implementing zoning by-law include a provision to restrict the placement of any structures within 4 m of the rear lot line for Blocks 1 - 4. In this regard, all buildings, structures, sheds, pools, decks, gazebos, or play structures shall be setback a minimum of 4 m from the rear lot line, to ensure that the landscape buffer is maintained for its intended use.

It is recommended that the Local Planning Appeal Tribunal (‘LPAT’) withhold its Order/Decision, should the Applications be Approved

Should the Application be approved by the LPAT, conditions are included in the Recommendations of this report requesting that the LPAT withhold its final Order/Decision until the implementing Zoning By-law is prepared to the satisfaction of the City.

It is also recommended that LPAT withhold its Order/Decision until the final plans documents and conditions of the Site Plan Approval are to the satisfaction of the City.

The Owner submitted Site Development File DA.18.046 to permit the Development

The Owner submitted Site Development File DA.18.046, to permit the Development of 114, 3-storey townhouse dwellings units within 20 blocks, accessed by private common element condominium roads as shown on Attachments 3 to 7.

The site design includes 28 units fronting onto the municipal roads with garages located at the back of each unit and accessed by a private road. These units are 6 m wide, 12.68 m deep, and most units are setback 4.5 m and 4.37 m from Marc Santi Boulevard and Crimson Forest Drive respectively, which is consistent with existing townhouse development on these roads. These units have private amenity spaces over the rear garages, similar to the development opposite the Subject Lands. The remainder of the units interior to the Development have back yards. End units are 6 m wide and interior units are a minimum of 5.5 m wide. The unit widths are consistent with similar townhouse developments approved in Block 11, and in the City.

The Development includes two access driveways from the public roads and an interior road pattern which generally provides east-west oriented roads with townhouse blocks

comprised of 6 units. Two private amenity areas and a pedestrian sidewalk connection to the Carrville Mill Park are proposed within the Development. The community mail boxes are located on Street 2 near Marc Santi Boulevard.

Each unit provides two parking spaces, and a total of 29 visitor parking spaces (including 2 barrier free spaces) are provided along Streets 2 and 4 (Attachment 3). The proposed access roads from Crimson Forest Drive and Marc Santi Boulevard are 8 m wide, and the other interior roads are 6 m wide. All units fronting on Crimson Forest Drive and Marc Santi Boulevard include front doors with walkway connections to the existing municipal sidewalks. The sidewalk on Street 1 is 1.5 m wide and connects to the municipal pathway in the Carrville Mill Park. The sidewalk on Street 2 is also 1.5 m wide.

The proposed lot configuration creates a front-to-back condition for two townhouse blocks (a total of 12 units) where the front of Blocks 8 and 9 face the rear of Blocks 19 and 20. All other units in the Development have back yards. The units adjacent to the park front onto the Street 2 and their back yards abut the park, similar to the existing dwellings on Apple Grove Court.

Landscape Plan

The proposed Landscape Plan shown on Attachment 4 identifies landscaping along the private roads and planting beds at the front entrances to each unit. A combination of coniferous trees (White Spruce, White Pine), coniferous shrubs (Juniper and Yew), deciduous trees (Maple, Oak, Basswood, Magnolia), deciduous shrubs (Dogwoods, Euonymus, and Hydrangeas) and perennial plants (Spirea, Coneflower, Daylily, Hosta, Sage and Daisy) are proposed to create a streetscape within the Development.

Blocks 2 - 4 on the proposed site plan include 5 units and the back yards for these Blocks are between 8 m to 9 m deep, exceeding the minimum rear yard setback of 7.5 m required by Zoning By-law 1-88 for the detached dwellings to the south. A landscape buffer (shown on Attachment 7) comprised soft landscaping and mature Pyramidal English Oak Trees deciduous trees planted within a berm, is provided along the rear lot line of Blocks 1- 4 adjacent to the rear lot line, to provide a visual buffer between the properties.

Sod is proposed in all yards. A common outdoor amenity area located at the intersection of Marc Santi Boulevard and Crimson Forest Drive is landscaped and includes entry walls, pavers, sod, shrubs and trees. A passive amenity area with individual bench seating and lighting is located at the northeast intersection of Streets 1 and 4 and will provide additional seating and landscaping. Both amenity areas have good exposure to sunlight.

Building Elevations

The building elevations shown on Attachments 5 and 6 utilize a contemporary townhouse design. Brick is the primary external material with stucco and stone accents. The individual blocks propose alternating colour palates based on dark charcoal, red, and beige brick colours, with light colour stucco and stone veneer accents as the architectural features. Panel garage doors include vertical glass accent panels consistent with the contemporary design.

In response to the residents' comment regarding the design, the Owner revised the elevations to add pitched roofs (originally flat roofs) finished in asphalt shingles, which increased the roof height. The Block 11 community contains both traditional and contemporary style dwellings.

This Development is subject of the Block 11 "Valleys of Thornhill Architectural Design Guidelines" ('Design Guidelines') and has been reviewed by the City in consideration of that document. The Design Guidelines provide guidance to create "well-designed buildings, open spaces tree-lined streets, community fencing and entrance features to create a unique community which promotes safety, pedestrian-friendly communities comprised of smaller residential neighbourhoods supporting commercial and institutional uses within the overall Block 11 Plan".

The Design Guidelines recommend that townhouse blocks contain a maximum of 6 units to enhance the streetscape. Upgraded rear and side building elevations are required where they are visible from a public street or park. The Development Planning Department also requires upgraded rear elevations for the Blocks 16-20, including glass railings for the amenity areas over the garages. In keeping with the City's standard practice, the Site Plan drawings for the Development are reviewed and are approved by the Control Architect for Block 11.

Air conditioning ('A/C') unit locations are shown on the Site Plan drawings and are located on the rear decks of the proposed townhouse units fronting onto the public streets and within the rear yards of all other units.

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

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

- “Should archaeological resources be found on the property during construction activities, all work must cease, and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan’s Development Planning Department, Urban Design and Cultural Heritage Section shall be notified immediately”; and
- “In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall immediately contract the York Region Police Department, the Regional Coroner, the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services, and the City of Vaughan’s Development Planning Department, Urban Design and Cultural Heritage Section”.

The Policy Planning and Environmental Sustainability Department has no objection to the Development, subject to conditions

The Policy Planning and Environmental Sustainability Department (‘PPES’) Department has reviewed and is satisfied with the ORMCP conformity report provided in support of the Applications and has no objection to the approval of the Development.

All Development applications regardless of location are required to abide by the Endangered Species Act (2007) regulated by the Ministry of Natural Resources and Forestry (‘MNR’). A condition will be included in the Site Plan Agreement, if the Development is approved, which indicates that:

“The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act*, 2007, S.O. 2007. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the Act.”

The Development Engineering (‘DE’) Department has no objection to the Development, subject to conditions

The Development Engineering (‘DE’) Department has no objection to the Development, subject to the following comments and the conditions included in the Recommendations of this report.

Municipal Servicing

A Functional Servicing Report (‘FSR’) dated May 2018 and a stormwater Management Report (‘SWM’) dated June 12, 2018, both prepared by Schaeffers Consulting Engineers, were submitted in support of the Development. The findings of the FSR and the SWM reports demonstrate that adequate water supply, sanitary servicing and stormwater management will be available for the Development and are consistent with the City’s criteria with no surcharging conditions downstream of the Subject Lands. The DE

Department concurs with the conclusions of these reports and has no objection to the Development, subject the Owner addressing all comments of the DE Department. The following provides a summary of the municipal services for the Development.

Road Network

The Development will be serviced by a private road network with full movement access via Marc Santi Boulevard and Crimson Forest Drive. The site provides an internal pedestrian network and a connection to Carrville Mill Park. A total of 257 parking spaces including two parking spaces per unit and 29 visitor parking spaces. The Subject Lands were planned as a possible future school site, which would generate higher traffic volumes during the peak morning hours.

The Owner submitted a Traffic Impact Study ('TIS') dated October 13, 2017, updated on June 11, 2018, and on a December 6, 2018, in support of the Development. The TIS studies conclude that the proposed site accesses are expected to operate at an excellent level of service and the site will operate safely and efficiently for motorists and provide pedestrian and bicycle connectivity. The TIS studies recommend that the intersection at Dufferin Street and District Avenue/Marc Santi Boulevard be monitored for future signal optimization. The DE Department concurs with the conclusions of the study.

Lot Grading

The Subject Lands drain southeast toward the existing Pond 6. There is a significant grade transition within the property and an emergency overland flow route is proposed to the Carville Mill Park due to grading constraints. The DE Department has reviewed the proposed Grading Plan and has no objection to the proposed grading, subject to the Owner addressing the DE Department's comments and providing revised detailed grading plans confirming that the grading of the Subject Lands and the lot grading of the individual lots meet the City's current Lot Grading Criteria and Site Plan Criteria Guide.

Stormwater Management ('SWM')

The Subject Lands were pre-serviced with storm connections to capture flows from a school site (institutional area) and is a tributary to stormwater management Pond 6, located south of Marc Santi Boulevard, east of Crimson Forest Drive. This stormwater management pond is proposed to provide quality and quantity control for the Subject Lands. Post-development flows from the Subject Lands are proposed to be controlled to the allowable release rate and the flows from up to and including 100-year storm events, which will be fully captured on the Subject Lands. Some emergency overflow is proposed to discharge towards the park drainage swale due to grading constraints. The external flows will be directed to the existing Pond 6. Various low impact development ('LID') mitigation measures (e.g. infiltration trenches) are proposed to achieve water balance requirements.

Water Supply

The Subject Lands are located within Pressure District 6 (PD6). The existing water supply network north and west of the Subject Lands consists of municipal watermains on Marc Santi Boulevard and on Crimson Forest Drive. The Subject Lands are proposed to be serviced via the existing watermains along Marc Santi Boulevard and Crimson Forest Drive, which will be adequate to service the Development.

Sanitary Servicing

The Subject Lands are pre-serviced to accommodate a school use (112 persons equivalent). The Development includes 114 townhouse dwellings (349 persons equivalent) which is an increase in sewage flow. The FSR concluded that there are no surcharging conditions downstream of the Subject Lands.

The DE Department requires the Owner to provide further assessments of the City's existing downstream sanitary sewer system based on actual measured sewage flow data to verify the findings of the theoretical analysis to the satisfaction of the City. In the event the findings of this supplementary analysis identify the need to undertake improvements to the existing downstream sanitary sewer system to accommodate the additional sewage flows from the Subject Lands, the Owner will be required to design and construct these system improvements. In addition, modifications to the existing sanitary service connection and sanitary sewer on Crimson Forest Drive are required and will be addressed through a Development Agreement with the City, should the Applications be approved.

Development Agreement

The Owner shall enter into a Development Agreement, to satisfy all conditions, financial or otherwise, of the City regarding such matters the City may consider necessary, including payment of the development levies, the provision of roads, municipal services, sanitary sewer improvements on Crimson Forest Drive, the installation of services, decommissioning of existing services, landscaping and fencing. This Development Agreement shall be registered against the land to which it applies to the satisfaction of the DE Department.

Environmental Site Assessment

The City is satisfied with the Environmental Site Screening assessment documentation submitted by the Owner dated May 2018, which indicated no environmental concerns for Development.

Noise Attenuation

The Preliminary Environmental Noise Report, by Jade Acoustics, dated June 2018, investigated the potential impacts of environmental noise on the Development. The report recommended adding air conditioning for Block 1 (Lot 1-05 and Lot 1-06), Block 7 (Lot 7-01), and Blocks 16 to 20 (all Lots) and warning clauses in all Offers of Purchase and Sale or Lease and registered on title to advise future occupants of potential noise impacts.

The following warning clause shall be included as part of the relevant legal documents, including all Offers of Purchase/Sale or Lease for the dwelling units on Block 1 (Lot 1-05 and Lot 1-06), Block 7 (Lot 7-01), and Blocks 16 to 20 (all Lots) on the site plan:

“Purchasers and/or tenants are advised that sound levels due to increasing road traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment, Conservation and Parks.”

The following warning clause shall be included in all Offers of Purchase and Sale or Lease for the dwelling units on Block 1 (Lot 1-05 and Lot 1-06), Block 7 (Lot 7-01), Blocks 16 to 20 (all Lots) on the site plan:

“Purchasers and/or tenants are advised that, despite the inclusion of noise control features within the development area, road noise will continue to increase, occasionally interfering with some activities of the dwelling occupants. This dwelling has, therefore, been equipped with forced air heating and ducting, etc. sized to accommodate the future installation of air conditioning by the purchaser and/or tenant. The location of the air conditioning unit on the lot shall comply with the provisions of City of Vaughan By-law 1-88.”

Review Fees

Prior to final Site Plan Approval, the Owner shall pay the Development Engineering Department's Site Plan Complex Fee in the amount of \$83,460.00 pursuant to the Fees and Charges By-law 171-2013, as amended from time to time.

Conditions to address the Development Engineering Department comments are included in the Recommendations of this report. The DE Department has no objections to the Development and will continue to work with the Owner to finalize all plans and reports subject to the conditions identified in the Recommendations of this report.

Construction Management Plan

The Association made comments about the potential disturbances / impacts to adjacent public and private properties (e.g. park, roads, residential homes), related to new

development, and requested conditions to mitigate potential impacts on neighbouring properties. The Association suggest measures such as construction hording (solid wood hording) adjacent to the neighbouring properties and the park, enforcement of street cleaning and daily mud mat practices, window cleaning, pool cleaning, and car washing for affected properties, and strict enforcement of construction hours.

The City requires the Owner to provide a Construction Management Plan addressing all stages of construction, including, but not limited to, construction access, contractor parking, mud and dust control, noise etc., to the satisfaction of the DE Department prior to construction. Construction Management Plans are enforceable by the City in accordance with a Development Agreement and do not require the Owner to provide cleaning services for vehicles, window, doors or pools for residential properties in the neighbourhood.

Sewer and Water Allocation

The Infrastructure Planning and Corporate Asset Management Department advised that on February 21, 2018, Vaughan Council endorsed the City's annual servicing capacity allocation strategy report which confirmed servicing capacity is available to support continued urban growth throughout the City. Accordingly, servicing capacity to Site Development File DA.18.046 is available and unrestricted. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council's approval and is included in the Recommendations of this report:

“THAT Site Development File DA.18.046 (Pala Builders Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a maximum of 114 residential units (349 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

The Development may be eligible for municipal waste collection services, or such services shall be the responsibility of the Condominium Corporation

The Environmental Services Department, Solid Waste Management Division has no objection to the waste collection proposed for the Development. It will be the responsibility of the future Condominium Corporation to file an application for municipal waste collection. Upon successfully completing an application, a site inspection and the execution and registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division, as determined by the City, the future Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection

services shall be privately administered and shall be the responsibility of the Condominium Corporation. The following clause shall be included in the future Site Plan and Condominium Agreements, should the Applications be approved:

“Prior to final approval, upon successfully completing an application, a site inspection and the execution and registration of an Agreement with the Vaughan Environmental Services Department, Solid Waste Management Division, as determined by the City, the future Condominium Corporation may be eligible for municipal waste collection services. Should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal waste collection services, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation.”

The final waste management plan and waste collection design standards submission must be approved to the satisfaction of the Vaughan Environmental Services Department, Solid Waste Management Division. Conditions to address the Waste Management Division comments are included in the Recommendation of this report.

The Owner shall be responsible for Snow Removal and Snow Storage

The Owner shall agree in the Site Plan Agreement that snow removal and snow storage is the Owner's responsibility. Snow shall not be stored in the City owned property of the Carrville Mill Park. A condition of approval will be included in the future Draft Plan of Condominium Application, should the Applications be approved, to include a clause in the Condominium Agreement and Declaration, that the snow from the Subject Lands shall not be stored on the City owned Carrville Mill Park. Conditions to address snow storage are included in the Recommendations of this report.

Cash-in-lieu of the dedication of Parkland and confirmation of the Owner's participation in the Block 11 Developers' Group Agreement is required for the Site Plan

The Office of the City Solicitor, Real Estate Department advises that prior to final approval of the Site Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 11 to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of parklands, road and municipal services within Block 11. The Agreement shall include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.

The Real Estate Department has requested that the Owner acknowledge that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and conform to

the City's "Cash-in-Lieu of Parkland Policy". Conditions have been added to the Recommendations of this report to address the Real Estate conditions of approval.

Development Charges are applicable to the Development

The Financial Planning and Development Finance Department advise that the Owner will be required to pay all applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, York Region, York Region District School Board and York Catholic District School Board. In addition, the Owner shall pay to the City a woodlot charge at the rate of \$1000.00 per residential dwelling unit in accordance with the City's Woodlot Acquisition Front-end Agreement. A condition to this effect is included in the Recommendations of this report.

Multi-Use Recreational Pathway Connection to Park required

The Development includes a 1.5 m wide connection from Street 2 to the adjacent Carrville Mill Park ('Park'). The Parks Development Department requires that Owner provide the pathway connection, from the end of the 1.5 m wide sidewalk on the Subject Lands, east to the existing municipal pathway within the Park. The proposed pathway connection shall match the width of the existing municipal pathway within the Park and it shall be lit. The existing pathway within the Park is currently lit from Marc Santi Boulevard south to the playground (shown on Attachment 3 and 4). The City requires that the Owner provide a lighting plan, for the proposed lit pathway connection to the existing pathway, and a cost estimate to provide lighting from the proposed pathway connection within the park. This shall include the associated infrastructure to provide lighting for the unlit section of the pathway, to point where it joins the existing lit section near the playground, as shown on Attachment 4.

The Owner is required to submit a brief Scoped Pathway Connection Report for the proposed pathway, from the Subject Lands into the adjacent Park, to the satisfaction of the City. The report shall address park tree / vegetation impact, grading, and drainage (e.g., culvert).

- cost estimates for the pathway within the park
- details for ideal location and alignment of proposed pathway
- details on drainage and the culvert crossing
- grading details
- assessment impact on existing vegetation and proposed vegetation removals, if required and landscape restoration planting plans.

The Owner shall design and agree to construct a lit accessible public pedestrian pathway, on City property, from the eastern limit of the Subject Lands (shown on Attachments 3 and 4), to connect with the existing public pathway system in the Carrville Mills Park. The

Owner will also provide lighting for the remainder of the existing pathway within Park north, toward Marc Santi Boulevard, to the point (near the playground) where the lighting will connect with that portion of the existing pathway, which is currently lit (as shown on Attachments 3 and 4). These works shall be completed in accordance with the required Scoped Pathway Connection Report, to the satisfaction of, and at no cost to the City.

The location / alignment of this pathway shall be subject of a Scoped Pathway Connection Report to the satisfaction of the City. Any external works for the pathway connection to the park including but not limited to culverts, stormwater water management, lighting, landscaping, fencing, sediment control, tree protection, grading, sodding and reinstating all disturbed areas to original or better condition, shall be to the satisfaction of the City, and at the Owner's cost. The extended pathway, from the Subject Lands into the municipal park shall not form part of any parkland dedication or cash-in-lieu for this Development. The pathway connection and associated infrastructure shall be shown on the landscape plans for the Development and the cost of pathway and associated infrastructure shall be included in the cost estimate.

Grading in the Park

The site grading plans for the Development, shall indicate the grading in the area of the pathway leading into the park, and must be to the satisfaction of the City.

Letter of Credit - Pathway Construction

The Owner shall provide the City with a Letter of Credit totaling the complete cost to build the lit pedestrian pathway on City property and the lighting of the portion of the existing pathway in Carrville Mill Park to Marc Santi Boulevard, (shown on Attachment 4), which shall be held for the estimated construction costs for the proposed site works. The Letter of Credit shall include, but is not limited to, all required surveying, grading, landscape restoration costs, including all required construction costs to build the lit path and lighting a portion of the existing pathway. The Owner shall be responsible for the total cost of the design and construction of all works to complete the works noted above. The City may draw upon the Letter of Credit, as necessary, to complete the pathway and lighting works, where the Owner does not fulfil the requirements for construction of the path, in accordance with the Pathway Scoped Connection Report, to the satisfaction of the City.

Noise and Lighting Warning Clauses

The following warning clause shall be included in all Offers of Purchase and Sale or Lease for Blocks 5 to 7 (All lots) and Block 4 (lot adjacent to the park) advising that:

“Purchasers and/or tenants are advised that the units/lots abut a neighbourhood park (Carrville Mill Park) which may result in noise and lighting which may be of

concern due to the nature of the park for active recreation.” A condition to this effect has been added to the Recommendations of this report.”

Tree Protection Protocol

The Owner submitted an Arborist Report prepared by MBTW, which was reviewed by the City Departments in accordance with the Council adopted Tree Protection Protocol. The Arborist Report determined five City Street Trees will require removal to accommodate access to the Development.

Should the Applications be approved, the Owner will be required to enter into a Tree Protection Agreement (‘Agreement’) with the City in accordance with the Council adopted Tree By-law 052-2018 to regulate the Planting Maintenance and Removal of Trees on Public and Private Property and the City’s Tree Protection Protocol. This Agreement will include a tree compensation plan, with prescribed tree planting and/or cash-in-lieu payment that must be submitted for review and approval to the satisfaction of the City.

Ratepayers’ Association Comments Regarding Parkland

The Association, in the November 26, 2018, letter requested that the Cash-in-lieu payment for the Subject Lands have a direct impact on park needs of the immediate community, with the possible addition of a tennis court that can be used as an outdoor rink and the possible expansion of the existing Park. The Parks Development Department reviewed the Association’s request along with the City’s Asset Management Inventory Data which indicates that there are two tennis courts in the neighbourhood, located in the Mill Race Park at Thomas Cook Avenue and Lebovic Campus Drive (adjacent to Nellie McClung Public School). The City has also planned additional tennis courts in the future District Park planned at Thomas Cook Avenue and Valley Vista Drive.

There are 5 municipal parks in Block 11 providing 11.5 ha of parkland to serve a population of 8,663. This provides a park service level of 1.33 ha per 1,000 residents, which does not include future parks planned in the Carrville District Centre and the future Block 11 District Park and Community Centre, which will add approximately 7 ha. When these parks are completed, the available parkland will increase to 18.5 ha. The parkland provision per 1000 residents will reach approximately 2.14 ha/1000 residents which will be consistent with the standard City-wide parkland provision target rate of 2 ha/1000 residents, as referenced in the 2018 Active Together Master Plan (‘ATMP’).

The parks and existing recreational facilities within this community were built between 2009-2014 and are not candidates for park improvements or redevelopment and have not been identified in the City’s Park Redevelopment Strategy (‘PRS’). Additional information regarding the PRS is available on the City’s website:

https://www.vaughan.ca/services/recreation/parks_open_space_facility_replacement_redevelopment/VOL%20Documents/2018%20Vaughan%20Parks%20Redevelopment%20Study_Final.pdf

With respect to Association's suggestion regarding an outdoor ice rink, the City has an Outdoor Natural Ice Rink Guideline which outlines the process for a community to request flooding of water on surfaces (i.g. tennis, basketball courts, sodded areas) by the City for the purposes of recreational skating in parks and open spaces. The community, via a Rink Leader, would need to make a request to the City on/before October 15, and the community Rink Leader is responsible for the maintenance of the outdoor natural ice rink.

The Fire and Rescue Services Department have no objections to the Development

The Fire and Rescue Services Department have no objection to the Development, but advise that adequate provisions for fire safety and protection must be provided in accordance with Sections 3.2.5.5 and 3.2.5.6 of the Ontario Building Code ('OBC') Accordingly, the Owner shall agree to provide the following for the purposes of fire safety and firefighting operations:

- the water supply for firefighting, including municipal or private hydrants, shall be identified on the appropriate plans according to OBC requirements, and must be installed and operational prior to the construction of the buildings
- hydrants shall be unobstructed and ready for use at all times
- access roads shall be complete to a minimum base coat of asphalt, maintained and suitable for large heavy vehicles, prior construction of buildings
- temporary municipal addresses are to be posted and visible for responding
- designated firebreaks, fire routes must be identified on the permit drawings
- the fire routes must be posted prior to construction and areas where no parking is permitted within the fire route must be identified in the drawings and on the site to ensure purchasers, residents and visitors are aware of the areas in the Development where no parking is permitted on the streets

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

The TRCA has indicated that the Subject Lands are located within the Oak Ridges Moraine Settlement Area and are within a vulnerable area referred to as Wellhead Protection Area - Q2 (WHPA-Q2) which has been delineated to manage activities that may reduce recharge to an aquifer (Prescribed Threat No. 20 under the *Clean Water Act*, 2006).

The TRCA concurs with the ORM Conformity Report prepared by KLM Planning Partners submitted with the Applications. The TRCA has confirmed that the Applications satisfy the

intent of the of the REC-1 clause 2(a) and (b) policies of the CTC Source Protection Plan (Credit Valley, Toronto and Region, Central Lake Ontario Source Protection Plan) and has no objection to the approval of the Development, subject to a condition being included in the Site Development Agreement.

The TRCA has requested that the Owner agree in the Site Plan Agreement to carry out, or cause to be carried out, the water balance mitigation strategy as described in the Stormwater Management Report, prepared by Schaeffers Consulting Engineers, revised on January 2019 and the Pre and Post Development Water Balance Assessment, prepared by Soil Engineers Ltd., dated October 15, 2018.

The TRCA also requires that the Owner provide the results of the on-site testing to verify the actual conditions on site related to the infiltration/percolation rates to the TRCA when completed. Conditions to this effect have been added to the Recommendation of this report to address TRCA's request.

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

Canada Post has no objection to the Development, subject to the Owner supplying, installing and maintaining a centralized community mail box facility to the satisfaction of Canada Post. A community mail box location is identified on the site plan.

The following utilities have no objection to the Development, subject to conditions

Bell Canada, Enbridge Gas Distribution, 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.

The School Boards have no objection to the proposed development

The York Region District School Board and the York District Catholic School Board have reviewed the proposed Development and have advised that they have no objection to the Development.

A Draft Plan of Condominium application is required to establish the Common Element Condominium Tenure of the Development

Should LPAT approve the Applications, the proposed condominium tenure for the Development will be created through a Draft Plan of Condominium application, which is subject to approval by Vaughan Council. The future condominium corporation will be responsible for the maintenance of all common element areas in the Development, including but not limited to, parking, private roads, pedestrian connections, landscaping, sanitary and storm water connections, and amenity areas.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services provided comments on the Zoning Amendment application on January 11, 2018, indicating that York Region staff consider the Development a matter of local significance and have no objection to the Development.

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Site Development Files Z.17.037 and DA.18.046 in consideration of the policies of the PPS, the Growth Plan, the ORMCP, the York Region Official Plan, Vaughan Official Plan 2010, 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 of the PPS, conforms to the policies of the Growth Plan, the ORMCP, the York Region Official Plan and VOP 2010.

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

The proposed Development is intended to be a future common element condominium. A Draft Plan of Condominium (Common Element) application for the Subject Lands is required to permit townhouse dwellings on Parcels of Tied Land (POTLs or freehold units) fronting onto common element (shared ownership) private roads and to establish the condominium tenure for the common elements consisting of private roads, sidewalks, an outdoor amenity area and 29 visitor parking spaces. The future Draft Plan of Condominium (Common Element) must be consistent with the final approved site plan.

For more information, please contact please contact: Laura Janotta, Planner, Development Planning Department, Extension 8634.

Attachments

1. Location Map
2. Proposed Zoning and Site Plan
3. Landscape Plan
4. Typical Elevations - Fronting onto Public Roads (Block 20)
5. Typical Elevations - Fronting onto Private Roads (Block 1)
6. Landscape Section – Blocks 1 - 4

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