

## Committee of the Whole Report

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**DATE:** Tuesday, May 07, 2019

**WARD:** 5

**TITLE: DM11 INCORPORATED**

**ZONING BY-LAW AMENDMENT FILE Z.17.035**

**DRAFT PLAN OF SUBDIVISION FILE 19T-17V012**

**VICINITY OF CENTRE STREET AND DONNA MAE CRESCENT**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.17.035 and Draft Plan of Subdivision File 19T-17V012 for the Subject Lands shown on Attachment 2 to permit a residential plan of subdivision consisting of 6 lots that would be developed with detached dwellings, as shown on Attachments 3 and 4.

### **Report Highlights**

- The Owner proposes a residential subdivision consisting of 6 lots for detached dwellings, accessed by a new public road extending from Donna Mae Crescent.
- The Development consists of four lots for new detached dwellings, and two lots for the retention of the existing dwellings at 11 and 19 Donna Mae Crescent.
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the proposal.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Draft Plan of Subdivision Applications as they will facilitate a residential development that is consistent with the Provincial Policy Statement 2014, conforms to the Growth Plan 2017, the York Region Official Plan, Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.17.035 (DM11 Incorporated) BE APPROVED, to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from R1V Old Village Residential Zone subject to site-specific Exception 9(662), to R1V Old Village Residential Zone and OS1 Open Space Conservation Zone, as shown on Attachment 3, and to permit the site-specific zoning exceptions to the R1V Old Village Residential Zone, as identified in Table 1.
2. THAT Draft Plan of Subdivision File 19T-17V013 (DM11 Incorporated) BE APPROVED, to facilitate a residential plan of subdivision comprised of 6 lots for detached dwellings and one open space block, as shown on Attachment 3, subject to the Conditions of Approval in Attachment 1.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-17V012 (DM11 Incorporated) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 4 residential units (14 persons equivalent).”

4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-17V012 (DM11 Incorporated) include the following clause:

“The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City’s Cash-in-Lieu Policy. The Owner shall submit an appraisal of the subject lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment.”

## **Background**

The subject lands (the ‘Subject Lands’) are located west of Yonge Street and south of Centre Street, and are known municipally as 11 and 19 Donna Mae Crescent, shown as “Subject Lands” on Attachment 2. The surrounding land uses are shown on Attachment 2.

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

On January 23, 2018, the City circulated a Notice of Public Hearing (the "Notice") to all property owners within 150 m of the Subject Lands and to the Springfarm Ratepayers Association. A copy of the Notice was also posted on the City's website at [www.vaughan.ca](http://www.vaughan.ca) and a notice sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on January 30, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of January 23, 2018, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following deputations and written submissions were received by the Development Planning Department and at the Public Hearing:

Deputations

- R. Mino-Leahan, KLM Planning Partners Inc., Jardin Drive, Concord, representing the Owner
- J. Stephenson, Donna Mae Crescent, Thornhill
- D. Weisz, Centre Street, Thornhill
- E. Palachi, Centre Street, Thornhill

Written Submissions

- M. Zichowski, Thornridge Drive, Thornhill, dated January 9, 2018
- W. Weigal, Thornridge Drive, Thornhill, dated October 27, 2017
- A. Kohl, Thornridge Drive, Thornhill, dated January 16, 2018
- J. Stephenson, Donna Mae Crescent, Thornhill, dated January 23, 2018 and October 9, 2018

Written Submissions in Support of the Applications

- F. and S. Accard, Donna Mae Crescent, dated January 20, 2018
- D. and G. Raimondo, Donna Mae Crescent, Thornhill, dated January 23, 2018

The following is a summary of, and response to, the comments provided in the deputations and written submissions submitted at the Public Hearing of January 23, 2018, and written submissions received by the Development Planning Department:

a) Building Height, Lot Coverage, and Compatibility of New Lots

The proposed building height and lot coverage is not compatible with the surrounding neighbourhood.

## Response

The Owner is proposing to develop Lots 1 to 4, as shown on Attachment 3, with two-storey detached dwellings. The zoning amendment application originally included a maximum building height of 11 m and a maximum lot coverage of 28%, provided that the maximum lot coverage for the main dwelling not exceed 25%.

Through discussions with the Development Planning Department and in consideration of the comments by area residents, the Owner has lowered the proposed building height to 10.5 m and the proposed lot coverage to 28%, provided that the maximum lot coverage for the main dwelling shall not exceed 23%. The proposed building height of 10.5 m and lot coverage of 23% for the main dwelling is consistent with previous approvals in the surrounding area and will maintain a housing form that is compatible with the existing detached dwellings located on Donna Mae Crescent.

### b) Stormwater Management

The proposed stormwater servicing and drainage for the development is inadequate. New stormwater servicing must be from a new storm sewer that connects directly to the trunk sewer on Centre Street, with no discharge to the existing street drainage system, or installation of a storm sewer along the entire length of Donna Mae Crescent providing complete stormwater servicing for all existing and new dwellings.

## Response

The Owner has revised the stormwater servicing scheme since the initial submission of the applications that includes a new storm sewer along the proposed cul-de-sac (Street "1") and Donna Mae Crescent. The proposed storm sewer will be connected to the existing storm sewer on Centre Street. Installation of a storm sewer upstream of the Subject Lands along Donna Mae Crescent can be implemented by local improvement and initiated by the existing residents.

Based on the revised design, the discharge flow to the ditch will be less than the current discharge flow for the Subject Lands. The revised Stormwater Management Report indicates that the existing roadside ditch will have adequate capacity to convey 100-year storm runoff captured from all upstream catchment areas. Further details regarding stormwater management are identified in the Development Engineering section of this report. The Development Engineering ('DE') Department has no objection to storm storage within the municipal right-of-way, subject to satisfying the Conditions of Approval identified in Attachment 1.

c) Pedestrian Connection to the Existing Park

Since the Subject Lands abut a public park in the Heritage Conservation District, a path for walking and bicycle access should be constructed from the new public street to the park to provide better car-free access to and from Yonge Street and the Thornhill Public School.

Response

The City's 2007 Pedestrian and Bicycle Master Plan and 2017 draft update do not identify a multi-use or bicycle trail through the Subject Lands. The Parks Development Department has reviewed the comment regarding a pedestrian connection into the J.E.H / Thoreau Macdonald House ("Macdonald House") lands to the east, and advise that the net public benefit of a connection through the proposed subdivision would be minimal.

d) Preservation of Trees and Heritage Landscape

The existing landscape surrounding the Macdonald House constitutes a significant cultural heritage landscape and should be preserved.

Response

The Owner has submitted a Cultural Heritage Impact Assessment ('CHIA') prepared by This Land Archaeology Inc. dated July 4, 2018. Cultural Heritage Staff have reviewed the CHIA and concurs with the report's proposed mitigation strategies with respect to the design of future dwellings. This includes the preservation of mature trees along the east property line of the Subject Lands to reinforce the tree canopy on the adjacent Macdonald House lands and to maintain a visual barrier between new residential development and the MacDonald House lands and Thornhill Heritage Conservation District. The lands for the preservation of mature trees along the east property line are proposed to be zoned "OS1 Open Space Conservation Zone" and conveyed to the City. In addition, the Owner is required to prepare an enhancement planting plan for the Macdonald House lands, to the satisfaction of the City. Conditions to this effect are included in Attachment 1.

e) Road and Intersection Design

The proposed road design appears to increase the risk of head-on collisions at the existing blind corner on Donna Mae Crescent. Pedestrian safety is also a concern due to the apparent wide throat of "Street 1" where it intersects with Donna Mae Crescent.

### Response

The four (4) new residential lots and existing dwellings on Block 5 will gain access to the public road network via the completion of a new public cul-de-sac road (Street “1”) connected to Donna Mae Crescent. The existing house located on Block 6 will continue to have access on Donna Mae Crescent; however, the existing access for Block 5 will be relocated to Street “1”.

The Owner has conducted a Transportation Review prepared by Burnside & Associates and dated June 2018, regarding the proposed public street and its intersection with Donna Mae Crescent. The Transportation Review concludes that the additional four residential lots will not adversely impact local traffic and that adequate sightlines are available for the traffic movements at the new intersection.

The DE Department concurs with the conclusion of the Transportation Review. In addition, based on collision history data, there have been no reported collisions on Donna Mae Crescent. To further improve existing traffic conditions, the DE Department recommends that warning signs and advisory speed tabs (30 km/h) be posted ahead of the horizontal bend on Donna Mae Crescent to alert drivers of the curve ahead. A condition to this effect is included in Attachment 1.

#### f) Noise

Noise pollution from motor vehicles and the occupants of the new homes, would affect quality of life and privacy.

### Response

The Owner has submitted a report entitled “Environmental Noise Assessment” (‘Noise Report’) prepared by Valcoustics Canada Ltd. and dated August 10, 2017. The purpose of the Noise Report is to verify the noise sources surrounding the Subject Lands, to provide a noise impact assessment, and to identify any noise control measures. The Noise Report concludes that the applicable Ministry of Environment, Conservation and Parks (‘MECP’) noise guidelines are predicted to be met for the Development and without any special acoustical requirements.

The DE Department has reviewed the Noise Report and agrees with its findings. The Owner is required to provide an updated Noise Report at the detailed design stage. A condition to this effect is included in Attachment 1.

The Development Planning Department, on April 30, 2019, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the applications.

## **Previous Reports/Authority**

[January 23, 2018, Committee of the Whole \(Public Hearing\) \(Item 3, Report No. 3\)](#)

## **Analysis and Options**

### ***Zoning By-law Amendment and Draft Plan of Subdivision Applications have been submitted to facilitate a residential development***

The Owner has submitted the following applications (the 'Applications') to permit the development (the 'Development') of 6 lots for detached dwelling units on the Subject Lands, of which two lots would retain the existing detached dwellings, as shown on Attachment 3:

1. Zoning By-law Amendment File Z.17.035 to rezone the Subject Lands from "R1V Old Village Residential Zone" subject to site-specific Exception 9(662), to "R1V Old Village Residential Zone" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 3, and to permit site-specific zoning exceptions to the "R1V Old Village Residential Zone" subject to site-specific Exception 9(662), as identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-17V012 to facilitate a residential plan of subdivision (the 'Draft Plan') shown on Attachment 3 consisting of the following:

Lots for Single Detached Residential Dwellings (Lots 1 to 4)	0.50 ha
Lots for Existing Dwellings (Blocks 5 and 6)	0.24 ha
Open Space (Block 8)	0.04 ha
Public Right-of-Way and Reserve (Street "1" and Block 7)	0.14 ha
Total	0.92 ha

### ***The Development is consistent with the Provincial Policy Statement ("PPS") 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *Provincial Policy Statement, 2014* (the "PPS"). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions 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 provincial policies, specifically:

Part V - "Policies" of the PPS states (in part) the following:

### Settlement Areas

1.1.3.2 "Land use patterns within settlement areas shall be based on:

- a) densities and a mix of land uses which:
  - efficiently use land and resources;
  - are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and
  - support active transportation."

Development is encouraged to locate in designated settlement areas, which are intended to be areas where growth is focused. Land use patterns within settlement areas should be based on an appropriate mix of land uses at densities that make efficient use of land and existing infrastructure.

### Housing

1.4.3 "Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market by (in part):

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; and
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed".

### Cultural Heritage and Archaeology

2.6.1 "Significant built heritage resources and significant cultural heritage landscapes shall be conserved."

2.6.2 "Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved."

2.6.3 "Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."



The Subject Lands are located within a defined settlement area by the PPS. The Development is consistent with the Settlement Areas and Housing policies of the PPS as it makes more efficient use of the Subject Lands, minimizes land consumption, utilizes existing servicing and infrastructure, and avoids the need for the uneconomical expansion of services.

The Subject Lands are located adjacent to the Thornhill Heritage Conservation District, as shown on Attachment 2. The property located at 121 Centre Street, which abuts the Subject Lands to the east, is designated under Part IV of the *Ontario Heritage Act*, (the Macdonald House), as shown on Attachment 2. The Owner has submitted a CHIA and a Stage 1 and Stage 2 Archaeological Assessment ('Archeological Assessment') in support of the Applications.

City of Vaughan Cultural Heritage Staff have reviewed the CHIA and agree with its recommendations to retain the existing hedgerow of mature trees located along the east property line to maintain the cultural landscape and visual barrier between the Development and the Macdonald House. The Archaeological Assessment did not find any archaeological sites for further assessment or mitigation of impacts. The Development is consistent with the Cultural Heritage policies of the PPS.

***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan")***

The Provincial *Growth Plan for the Greater Golden Horseshoe Growth Plan 2017* ("Growth Plan") is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at densities that are supportive of the Growth Plan objectives, specifically:

**Managing Growth**

2.2.1(2)(a) "the vast majority of growth will be directed to settlement areas that:

- i. have a delineated built boundary;
- ii. have existing or planned municipal water and wastewater systems; and
- iii. can support the achievement of complete communities."

## Delineated Built-up Areas

2.2.2 Contributing to meeting 40% of residential development within a delineated built-up area by 2031.

## Cultural Heritage Resources

4.2.7 “Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.”

The Development is located within a settlement area and a delineated built-up area that more efficiently utilizes existing municipal water and wastewater systems. The Development will also retain the existing hedgerow of mature trees located along the east property line to maintain the cultural landscape and visual barrier between the Development and the Macdonald House. The Development conforms to the Growth Plan.

### ***The Development conforms to the York Region Official Plan 2010 (“YROP”)***

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. The “Urban Area” designation permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.” Section 5.3.3 of the YROP identifies “local infill” as a municipal intensification strategy to meet York Regional intensification targets to 2031. The Development is for modest intensification in the form of four (4) new residential lots for detached dwellings that can be considered “local infill”. The Development conforms to the YROP.

York Region has indicated they have no objections to the Applications, subject to their comments in the Regional Implications section of this report, and the Conditions of Approval included in Attachment 1.

### ***The Development conforms to Vaughan Official Plan 2010 (“VOP 2010”)***

The Subject Lands are designated “Low-Rise Residential” by Vaughan Official Plan 2010 (“VOP 2010”) and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of VOP 2010. The “Low-Rise Residential” designation permits detached houses having a maximum permitted building height of 3-storays. There is no associated density requirement in the “Low-Rise Residential” designation.

Sections 2.2.3.3 of VOP 2010 permits limited intensification in Community Areas provided the development is sensitive to and compatible with the character, form and planned function of the surrounding context.

Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 identify compatibility criteria for new development in a “Community Area”. The compatibility criteria direct that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established development areas shall pay particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks. Section 9.2.3.1 in VOP 2010 identifies development criteria for detached houses, stating that detached houses will respect and reinforce the scale, massing, setback and orientation of other built and approved detached houses in the immediate area.

The eastern portion of the Subject Lands are identified as “Core Features - Unapproved” on Schedule 2 “Natural Heritage Network” of VOP 2010. “Core Features - Unapproved” are identified in Schedule 2 as “sites under consideration for Core Feature additions, Core Feature deletions, or classification as an Enhancement Area.”

Sections 3.3.3.1 and 3.3.3.2 of VOP 2010 seek to enhance and protect woodlands by prohibiting development and site alteration, and require that the precise limits of any woodland be established to the satisfaction of the City. The Owner has submitted a Woodland Evaluation, Arborist Report and Tree Inventory for the Subject Lands prepared by Beacon Environmental Limited, dated March 2019 (‘Woodland Evaluation’).

The Woodland Evaluation identifies a total of 115 trees on the Subject Lands, inclusive of a treed area on the east side of the Subject Lands that forms part of a 1.2 ha woodland primarily located on the Macdonald House lands located east of the Subject Lands. On December 18, 2018, the City staked the limit of the treed area on the Subject Lands with the Owner and identified 42 of the 115 trees located on the Subject Lands are within the staked woodland feature (‘Staked Limit’).

Of the 42 trees located within the Staked Limit, the Woodland Evaluation identifies the removal of 23 trees and the preservation of 19 trees. In addition to the 42 trees located within the Staked Limit, the Woodland Evaluation identifies 73 trees located on the Subject Lands outside of the Staked Limit, which are subject to a Tree Protection Agreement and discussed further in the Urban Design and Cultural Heritage section of this report. Of these trees, 41 are proposed to be removed and 32 preserved. In total, 64 trees are proposed to be removed and 51 trees are to be preserved on the Subject Lands to facilitate the Development.

Section 3.3.3.3 of VOP 2010 permits development in a woodland provided that the lands are located outside of areas designated “Natural Areas and Countryside”, are located within the “Urban Area”, and are not located within the Greenbelt Plan or Oak Ridges Moraine Conservation Plan (‘ORMCP’). The Subject Lands are located within an “Urban Area”, are not identified as a “Natural Area and Countryside” and are not located within the Greenbelt Plan or ORMCP.

Section 3.3.3.3 of VOP 2010 also identifies the following criteria to permit development within a woodland:

- a. the woodland does not meet the following criteria defining a significant woodland in the York Region Official Plan:
  - i) the woodland is over 2 ha
  - ii) is within 30 m of wetlands, lakes and their littoral zones, permanent and intermittent streams, kettle lakes, seepage areas and springs
  - iii) contains globally or provincially rare plants, animals or communities as designated by the Natural Heritage Information Centre
  - iv) contains species designated by the Committee on the Status of Endangered Wildlife in Canada or by the Committee on the Status of Species at Risk in Ontario as threatened, endangered, or of special concern
- b. the woodland is considered to be early successional or the woodland is dominated by invasive non-native tree species;
- c. the woodland is located outside of and is not connected to the Natural Heritage Network.

An assessment of Section 3.3.3.3 of VOP 2010 was conducted through the Woodland Evaluation and confirms the following:

- the woodland is 1.2 ha in size
- there are no wetlands, lakes, kettle lakes, seepage areas or springs within 30 m of the woodlands. A drainage feature is located more than 30 m away from the Subject Lands, on the Macdonald House Lands, and may contain a possible intermittent or ephemeral stream
- No rare plants or vegetation communities were encountered during field investigations. An investigation/survey is required to be conducted in June to determine the presence/absence of birds
- the woodland has a strong non-native component (including apple, Manitoba Maple, Norway Maple, and Black Locust) comprising 60% of the composition, and early successional species (e.g., Sugar Maple, Trembling Aspen, Eastern White Cedar, White Ash) comprising the balance

The Woodland Evaluation concludes that the existing ecological function of the remaining woodland would not be altered with the removal of the edge trees on the Subject Lands:

“the edge trees on the subject property are proposed for removal, which is adjacent to a City park with trees that constitute a woodland. Given the nature of the woodland (i.e., isolated, urban and dominated by non-native species), the removal of the edge trees would not alter the current ecological function of the woodland. Furthermore, there would be a net gain in urban canopy cover through the implementation of a woodland enhancement plan on the City property.”

The Development Planning and Policy Planning and Environmental Sustainability Departments concur with the findings of the Woodland Evaluation regarding the applicability of Section 3.3.3.3 of VOP 2010, subject to the Owner conducting a bird breeding survey and a seasonal field investigation in June to determine the presence or absence of significant species. In addition, an investigation shall be conducted to determine the presence of an ephemeral or intermittent stream. Conditions to this effect are included in Attachment 1.

A 3 m wide buffer is proposed along the east property line (Block 8) of the Subject Lands to be conveyed to the City and zoned “OS1 Open Space Conservation Zone”, as shown on Attachment 3. The 3 m buffer includes 19 trees proposed to be preserved and ensures the retention of the woodland function. Additional restoration plantings within the 3 m wide buffer will be implemented through the submission of an Edge Management Plan, to the satisfaction of the City. A condition to this effect is included in Attachment 1.

Section 3.3.3.4 of VOP 2010 requires the submission of a Woodland Enhancement Plan to provide ecological gains in areas on or adjacent to areas subject to Section 3.3.3.3 of VOP 2010. The Woodland Evaluation proposes woodland enhancement within the Macdonald House lands to enhance the existing tree canopy. The Owner is required to submit a Woodland Enhancement Plan, including implementation measures, to the satisfaction of the City. A condition to this effect is included in Attachment 1.

The Development is a permitted and compatible built form that conforms to the requirements of VOP 2010. The proposed lots maintain a similar lot frontage and lot area with the existing lots located on Donna Mae Crescent. The proposed detached dwellings are of a similar scale, setbacks, massing and orientation with the immediate and surrounding area. Accordingly, the Development is sensitive to and compatible with the character, form and planned function of the surrounding context.

The Development meets the requirements of Section 3.3.3.3 of VOP 2010 regarding development within a woodland, subject to conditions of approval in Attachment 1, and will provide appropriate woodland enhancement on the Macdonald House lands in the form of a Woodlot Enhancement Plan, as required by Section 3.3.3.4 of VOP 2010. The proposed 3 m wide buffer ensures the retention of the woodland function and the 19 trees proposed to be preserved. The Development conforms to VOP 2010.

***The Development is consistent with the Community Area Policy Review for Low-Rise Residential Designations***

Council in October 2015, directed the Policy Planning and Environmental Sustainability (‘PPES’) Department to undertake a policy review of the Low-Rise Residential designation of VOP 2010 in recognition of the increased development pressure in stable residential neighbourhoods. The PPES Department subsequently initiated the Community Area Policy Review for Low-Rise Residential Designations, which resulted in the Council adopted Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (‘Guidelines’) and the Community Area Policy Review for Low-Rise Residential Designations Study (‘Study’).

The Guidelines were approved by Vaughan Council on October 19, 2016. The Study was approved by Vaughan Council on April 19, 2017. Official Plan Amendment ('OPA') Number 15, to implement the Study recommendations, was adopted by Vaughan Council on September 27, 2018, which has been forwarded to York Region for approval. The Subject Lands are located within an established stable Community Area, where the Guidelines apply. Therefore, this Development is subject to the Guidelines as it is an infill development within an established low-rise neighbourhood in an identified stable Community Area.

The Guidelines and Study have identified the Subject Lands as being part of a "Large Lot Neighbourhood". The Development Planning Department has undertaken a comprehensive review of the Development in consideration of the Guidelines and adopted OPA, and provides the following summary:

- The existing lot sizes are identified as "large lot neighbourhood". All of the proposed lot frontages exceed 20 m, with the exception of Block 6, as shown on Attachment 3, which measures 15.1 m. However, frontage is measured from Street "1" as required by Zoning By-law 1-88, and will not affect the existing 67 m of frontage located on Donna Mae Crescent
- The proposed lot depth for all lots allows 7.5 m front and rear yard setbacks, which is consistent with the existing front yard setbacks (4.3 m to 16 m) along Donna Mae Crescent
- Each lot has a private front and rear yard
- The grading of the homes will be designed to ensure that all driveways do not have reverse slope conditions
- Access to the dwellings are from a new local public street (Street "1")
- The Development respects the characteristics of the surrounding existing development in terms of massing, lot pattern, lot size, lot frontage, lot configuration, building type, character and function

#### Summary of Planning Policy

In consideration of the above, the Development Planning Department is satisfied that the Development is consistent with the PPS, conforms with the Growth Plan, 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 Applications.

***The proposed rezoning and site-specific zoning exceptions identified in Table 1 would permit the Draft Plan, which is compatible with existing development in the community***

The Subject Lands are zoned R1V Old Village Residential Zone and subject to site-specific Exception 9(662) by Zoning By-law 1-88, as shown on Attachment 2.

The Owner is proposing the following site-specific exceptions to Zoning By-law 1-88 to permit the Development shown on Attachments 3 and 4:

	<b>By-law Standard</b>	<b>Requirements of the R1V Old Village Residential Zone, Exception 9(662)</b>	<b>Proposed Exceptions to the R1V Old Village Residential Zone, Exception 9(662)</b>
a.	Minimum Lot Frontage	30 m	23.7 m (Lots 1 and 2) 26 m (Lots 3 and 4) 25.4 m (Block 5) 15.1 m (Block 6)
b.	Minimum Front Yard Setback (Lots 1 to 4 and Block 5)	9 m	7.5 m
c.	Maximum Building Height	9.5 m	10.5 m
d.	Maximum Lot Coverage	20%	Maximum 23% for the main dwelling and 28% inclusive of unenclosed porches (covered or uncovered) and accessory structures
e.	Minimum Development Standards for “Block 6”  i) Front Yard Setback (Street “1”)  ii) Exterior Side Yard Setback (Donna Mae Crescent)  iii) Interior Side Yard (East) Setback to a Retaining Wall  iv) Rear Yard Setback (north property line)	i) 9 m  ii) 9 m  iii) 1.5 m  iv) 9 m	i) 7.5 m to the existing dwelling  ii) 4.3 m to the existing dwelling and 4.5 m to the existing garage  iii) 0 m  iv) 1.5 m to the existing garage

	<b>By-law Standard</b>	<b>Requirements of the R1V Old Village Residential Zone, Exception 9(662)</b>	<b>Proposed Exceptions to the R1V Old Village Residential Zone, Exception 9(662)</b>
	v) Maximum Lot Coverage	v) 20%	v) 23.3%

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions for the following reasons:

a) Minimum Lot Frontage

The existing lots located on Donna Mae Crescent range in lot frontage from 17 m to 30 m. The proposed minimum lot frontage for the Draft Plan is consistent with the existing lots within the neighbourhood.

The proposed minimum lot frontage of 15.1 m for Block 6 is the result of Lot frontage being measured from Street “1”, as shown on Attachment 3, as required by Zoning By-law 1-88. The frontage for Block 6 on Donna Mae Crescent measures 67 m and will remain unchanged, thereby maintaining the streetscape and character on Donna Mae Crescent.

b) Minimum Front Yard Setback

The front yard setback for existing lots located on Donna Mae Crescent range in size from approximately 4.3 m to 16 m. The proposed 7.5 m front yard setback for Lots 1 to 4 and Block 5 is consistent with the existing building setbacks in the neighborhood.

c) Maximum Building Height

The proposed maximum 10.5 m building height is consistent with the character and scale of the existing dwellings in the surrounding neighbourhood and with approved Minor Variance Applications by the Vaughan Committee of Adjustment. The Development will also retain the existing hedgerow of mature trees located along the east property line (Block 8), as required by Conditions of Approval in Attachment 1, which will mitigate the visual impact the Development may have on the Macdonald House located at 121 Centre Street.

d) Maximum Lot Coverage

The proposed 23% lot coverage for the main dwelling is consistent with the Council approved study for R1V Zones in March 2004, and Committee of Adjustment decisions regarding lot coverage in the “R1V Old Village Residential



Zone.” The additional 5% coverage is associated with covered, unenclosed porches and accessory structures, which are considered non-livable areas.

The proposed lot coverage is consistent with the established lot coverage permissions in the neighbourhood vicinity approved by the Vaughan Committee of Adjustment through Minor Variance Applications, and facilitate a residential development that is compatible with the existing streetscape and character of the neighbourhood.

e) Minimum Development Standards for Block “6”

The proposed zoning exceptions for Block “6” are required to recognize the dwelling, garage and retaining wall that currently exists on this Block, as Zoning By-law 1-88 requires the lot frontage and front yard setback to be measured from Street “1”. The proposed zoning exceptions to Block “6” will have no impact on existing dwellings, as the structures are currently built. Sufficient side yard setbacks between the existing building on Block “6” and the proposed dwelling on Lot “1” are proposed, as shown on Attachment 4. The 0 m interior side yard setback is for an existing 1.5 m high retaining wall, and will have minimal visual impact.

***The Development Planning Department has no objection to the approval of the Draft Plan, subject to Conditions of Approval***

The proposed Draft Plan shown on Attachment 3 consists of 4 lots (Lots 1 to 4) and 2 blocks (Blocks 5 and 6) for detached dwelling units accessed by a new 18.5 m wide public road that terminates in a cul-de-sac (Street “1”). Street “1” extends east from Donna Mae Crescent, as shown on Attachment 3. Lots 1 to 4 will be developed with new detached dwellings. Blocks 5 and 6 will retain the existing detached dwellings located on the Subject Lands. The Owner is required to erect a 1.5 m high chain-link fence or approved equivalent along the eastern limits of Lots 2 and 3, as shown on Attachment 3, that abut the buffer block (Block 8).

One 3 m wide open space block (Block 8) is proposed adjacent to Lots 2 and 3 that abuts the existing Macdonald House lands located east of the Subject Lands. These lands are proposed to be zoned “OS1 Open Space Conservation Zone” and conveyed to the City as a condition of approval in Attachment 1. The proposed buffer will maintain existing trees proposed for preservation on the Subject Lands and preserve the heritage landscape / woodland adjacent to the Macdonald House lands. The Owner is required to prepare an Edge Management Plan for the proposed 3 m wide open space block.

The Owner shall prepare an Urban Design Brief that must articulate how the community layout and concept is consistent with the Vaughan City-Wide Urban Design Guidelines.

The Owner shall display a Community Plan on the interior wall of the sales office, comprising information approved by the City of Vaughan, prior to offering any units for sale, and no Building Permit shall be issued until such information is approved by the

Vaughan Development Planning Department. Conditions respecting the requirements identified above are included in Attachment 1.

***The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the approval of the Draft Plan, subject to Conditions of Approval***

In addition to the 42 trees located within the Staked Limit, as discussed in the VOP 2010 section of this report, the Woodland Evaluation identifies 73 trees located on the Subject Lands outside of the Staked Limit. Of the 73 trees, forty-one (41) trees located outside of the Staked Limit are proposed for removal, which under the City's Tree Protection Protocol results in 80 replacement trees being required with a total value of \$44,000 (80 replacement trees x \$550 / tree = \$44,000). Five (5) City-owned trees are proposed for removal. Section 4.2 of the City's Tree Protection Protocol identifies a tree valuation formula for the removal of public trees. The Parks and Forestry Operations Department has assessed the value of the five (5) City-owned trees for removal at \$7,346 based on tree caliper.

The Owner is required to provide compensation in the form of a cash-in-lieu contribution, as required by the City of Vaughan's 'Replacement Tree Requirements' for the removal of the 41 trees located outside of the Staked Limit, and the five (5) City-owned trees (\$44,000 + \$7,346 = \$51,346). The remaining thirty-two (32) trees are proposed to be preserved, primarily along the south lot line and northwest portion of the Subject Lands.

The Owner shall enter into a Tree Protection Agreement with the City prior to registering the Draft Plan in accordance with the Vaughan Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol. Upon finalization of the landscape plan, the Owner shall quantify the value of tree replacements using the Tree Replacement Valuation outlined in the City's Tree Protection Protocol. The Owner shall not remove trees without written approval by the City. A condition to this effect is included in Attachment 1.

***The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the approval of the Draft Plan, subject to Conditions of Approval***

The PPES Department has no objection to the Draft Plan subject to their conditions of approval in Attachment 1.

The Owner is required to conduct a bird breeding survey and seasonal field investigation in June to determine the presence or absence of significant species. In addition, an investigation shall be conducted to determine the presence of an ephemeral or intermittent stream. Conditions to this effect are included in Attachment 1.

The Owner is required to provide monetary compensation to the City for the 0.2 ha woodland feature loss. The Woodland Evaluation includes a woodland compensation estimate of \$56,500 / ha utilizing the Toronto and Region Conservation Authority

("TRCA") and Lake Simcoe Region Conservation Authority ("LSRCA") compensation protocols, and best practices for restoration cost per hectare. The Woodland Evaluation identifies a compensation value of \$11,300 (\$56,500 / ha x 0.2 ha).

In accordance with the City's Tree Protection Protocol, the current standards for tree replacement on an individual basis for the Subject Lands is valued at \$16,500 using information provided in the Arborist Report. The calculation is based on replacement trees in accordance with the City's Tree Protection Protocol (30 replacement trees x \$550). However, the City's Tree Replacement Protocol was developed specifically to address individual tree loss and not to replicate woodland feature and function loss.

As the City does not have a Woodland Compensation Protocol at this time, the valuation calculated in the Woodland Evaluation, together with the replacement tree requirements as required by the Tree Protection Protocol, is considered a reasonable approach, and is calculated as follows:

\$16,500 (Individual Tree Replacement Costs) +
\$11,300 (Beacon Environmental Replacement Cost) =
<hr/>
\$27,800 (Total)

Prior to final approval of the Draft Plan, the Owner is required to pay \$27,800 to the City as compensation for the 0.2 ha woodland feature loss through a cash-in-lieu contribution and/or additional planting on the abutting Macdonald House Lands. The final Woodland Enhancement Plan and implementation strategy will be developed in consultation with staff from Parks and Forestry Operations, Parks Development, Urban Design and PPES to determine scope, timing, and resources requirements to implement the necessary site works. A condition to this effect is included in Attachment 1.

***The Development Engineering Department has no objection to the Draft Plan, subject to the comments in this report and Conditions of Approval***

The Development Engineering ('DE') Department has reviewed the Applications and provides the following comments:

#### Site Servicing and Stormwater Management

The Owner has submitted a Functional Servicing and Stormwater Management Report prepared by EMC Group Limited and dated July 2018 ('Servicing Report') in support of the Applications. The DE Department has reviewed the reports and provided comments on the proposed SWM. Prior to final approval of the plan the Owner is required to submit a revised SWM report to the satisfaction of the City.

The Servicing Report demonstrates that adequate water supply and sanitary servicing will be available for the Development and that the proposed servicing is consistent with City criteria. No constraints are expected within the proposed and existing

infrastructure. The DE Department agrees with the conclusions of the Servicing Report and has no objection to the Development. The Servicing Report identifies the following:

i) Water Supply

The Subject Lands are located within Pressure District 6. The Development will be serviced with municipal water via a watermain installed within the cul-de-sac (Street "1"). The watermain will connect to an existing municipal watermain on Donna Mae Crescent. The two existing homes located on Blocks 5 and 6 have existing water service connections to the watermain on Donna Mae Crescent.

ii) Sanitary Servicing

The Development will be serviced by a proposed sanitary sewer installed within the proposed cul-de-sac (Street "1"). The sanitary sewer will be connected to the existing sanitary sewer on Donna Mae Crescent. The two existing homes located on Blocks 5 and 6 have existing connections to the sanitary sewer on Donna Mae Crescent.

iii) Stormwater Management

The Subject Lands are located within the Don River Sub-watershed. The closest open water body is the East Don River, which is located north of Centre Street. Donna Mae Crescent is currently a rural cross section, with storm drainage conveyed via roadside ditches and culverts which drain to the trunk storm sewer within Centre Street and ultimately to the East Don River.

The majority of the Subject Lands drain towards properties located to the north and south. The Owner is proposing storm sewers in the cul-de-sac (Street "1") and along Donna Mae Crescent downstream of the Development to capture minor and major flows. In order to further improve the stormwater management in the surrounding area, the storm sewers may be extended in the future to the end of Donna Mae Crescent (towards the west). Accordingly, the DE Department recommends the Owner be reimbursed for the oversizing component through the capital budget with funding from the Stormwater reserve. The Owner shall agree in the Subdivision Agreement to design and construct the storm sewers on Donna Mae Crescent downstream of the Plan to Centre Street, to the satisfaction of the City. A Condition to this effect is included in Attachment 1.

The post-development flows from the Subject Lands will be controlled to the pre-development flow level for all storm events up to and including 100 year storm event. The attenuation of flows will require on-site storage within the municipal-right-way. The DE Department has no objection to storm storage within the municipal right-of-way, subject to satisfying the Draft Plan conditions identified in Attachment 1. An oil grit separator has been proposed to achieve a minimum of 80% total suspended solids removal. Infiltration trenches are proposed at the

rear yards to provide runoff reduction and will capture the drainage from the rear yards of the proposed new lots.

### Road Network

The four (4) new residential lots and existing dwellings on Block 5 will gain access to the public road network via the completion of a new public cul-de-sac road (Street “1”) connected to Donna Mae Crescent. The existing house located on Block 6 will continue to have access on Donna Mae Crescent; however, the existing access for Block 5 will be relocated to Street “1”.

The Owner has conducted a Transportation Review prepared by Burnside & Associates and dated June 2018, regarding the proposed public street (Street “1”) and its intersection with Donna Mae Crescent. The Transportation Review concludes that the additional four residential lots will not adversely impact local traffic and that adequate sightlines are available for the traffic movements at the new intersection.

The DE Department concurs with the conclusions of the Transportation Review. In addition, based on collision history data, there were no reported collisions on Donna Mae Crescent. To further improve existing traffic conditions, Development Engineering Staff recommend that warning signs and advisory speed tabs (30 km/h) be posted ahead of the horizontal bend on Donna Mae Crescent to alert drivers of the curve ahead. The Owner shall also design Street “1” with a sidewalk on one side of the right-of-way. Conditions to this effect are included in Attachment 1.

### Lot Grading

The Subject Lands generally slope from the southwest down to the north with an elevation difference of approximately 3.73 m, resulting in an existing average slope of 3.7% over the Subject Lands. There are existing homes to the north, east and south. The proposed grading on the Subject Lands must match existing elevations at the property lines. The proposed cul-de-sac (Street “1”) has been designed to meet City Standards and the lots are proposed to be graded to provide drainage in accordance with City Standards.

The DE Department has reviewed the grading plan submitted in support of the Applications and has no objections to the proposed grading subject to conditions of approval identified in Attachment 1. At the detailed design stage, the Owner shall provide a detailed grading plan confirming that the grading of the site and the individual lots meet the City’s Lot Grading Criteria.

### Noise Attenuation

The Owner has submitted a report entitled “Environmental Noise Assessment” (‘Noise Report’) prepared by Valcoustics Canada Ltd. and dated August 10, 2017. The purpose of the Noise Report is to verify the noise sources surrounding the Development, to provide a noise impact assessment, and to identify any noise control measures. The

Noise Report concludes that the applicable MECP noise guidelines are predicted to be met for the Development and without any special acoustical requirements.

The Development Engineering department has reviewed the Noise Report and agrees with its findings. The Owner is required to provide an updated Noise Report at the detailed design stage. A condition to this effect is included in Attachment 1.

#### Environmental Site Assessment

The Owner has submitted a Site Screening Questionnaire and Environmental Certification dated September 27, 2017, Soil Engineers Ltd. ('SEL') report entitled "Phase One Environmental Site Assessment, Proposed Residential Development, 11 and 19 Donna Mae Crescent, City of Vaughan", dated September 28, 2017, and SEL Letter of Reliance, dated January 26, 2018. The DE Department has reviewed the provided Environmental Site Assessment documents and has no objections allowing the Draft Plan of Subdivision to proceed with technical report to the Committee of the Whole.

Prior to conveyance of the proposed right-of-way lands (cul-de-sac) to the City, the Owner shall submit a certification letter confirming the environmental condition of the lands to the satisfaction of the City.

#### ***Sewage and Water Allocation is available for the Draft Plan***

On February 21, 2018, the City's latest annual servicing capacity allocation strategy report was endorsed by Vaughan Council. The report confirmed servicing capacity is available to support continued urban growth throughout the City.

Accordingly, servicing capacity to Draft Plan of Subdivision File 19T-17V012 is available and unrestricted for the four additional residential lots for new detached dwellings. Therefore, the following resolution to allocate capacity to the Development may be recommended for Council approval:

"THAT Draft Plan of Subdivision File 19T-17V012 (DM11 Incorporated) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 4 residential units (14 persons equivalent)."

#### ***The Office of the City Solicitor, Real Estate Department has no objection to the Draft Plan, subject to Conditions of Approval***

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% of the value of the subject lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-Lieu Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for

approval by the Office of the City Solicitor, Real Estate Division and the approved appraisal shall form the basis of the cash-in-lieu payment.

***The Financial Planning and Development Finance Department has no objection to the Draft Plan***

The owner shall pay applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

***The Parks Development Department has no objection to the approval of the Draft Plan***

The Parks Development Department has no objections to the Development subject to the submission of a final arborist report and payment of cash-in-lieu of parkland. Conditions to this effect are included in Attachment 1.

***The Toronto and Region Conservation Authority ("TRCA") have no objection to the Development***

The TRCA has no objections to the Applications and no conditions of approval for the Draft Plan.

***The various utilities have no objection to the Draft Plan, subject to Conditions of Approval***

Enbridge Gas Inc. has no objection to the Applications subject to the conditions included in Attachment 1c) of this report.

Alectra Utilities Corporation has no objection to the approval of the Applications, subject to their Conditions of Approval in Attachment 1e) of this report.

***Canada Post has no objection to the Development***

Canada Post Corporation has no objection to the Applications, subject to their conditions of approval included in Attachment 1d).

***The School Boards have no objection to the Draft Plan***

The York Region District School Board and York District Catholic School Board have advised that they have no objection to or any conditions of approval for the Draft Plan.

**Financial Impact**

In order to further improve stormwater management in the surrounding area, the storm sewers for the Development may be oversized and extended in the future to the end of

Donna Mae Crescent (towards the west). The DE Department recommends the Owner be reimbursed for the oversizing component through the capital budget with funding from the Stormwater reserve. The reimbursement, once determined, will be identified in the Subdivision Agreement.

### **Broader Regional Impacts/Considerations**

York Region has no objection to the Applications subject to their Conditions of Approval in Attachment 1b).

### **Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.17.035 and Draft Plan of Subdivision File 19T-17V012 in consideration of the applicable Provincial Policies, York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, the public, and the surrounding area context.

The Development Planning Department is of the opinion that the Applications are consistent with the Provincial Policy Statement, 2014, conforms to the Growth Plan for the Greater Golden Horseshoe, 2017, and the York Region and City of Vaughan Official Plans. The Development Planning Department recommends that the Applications be approved. On this basis, the Development Planning Department can support the approval of the Applications, subject to the recommendations in this report and the Conditions of Approval in Attachment 1.

**For more information**, please contact: Mark Antoine, Senior Planner, Development Planning Department, Extension 8212.

### **Attachments**

1. Conditions of Approval
2. Location Map
3. Draft Plan of Subdivision File 19T-17V012 and Proposed Zoning
4. Streetscape Plan

### **Prepared by**

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/CM