

Committee of the Whole (1) Report

DATE: Tuesday, January 21, 2025

WARD: 1

TITLE: EDENBROOK (WESTON) INC.
ZONING BY-LAW AMENDMENT FILE Z.22.039
DRAFT PLAN OF SUBDIVISION FILE 19T-22V013
11031 WESTON ROAD
VICINITY OF WESTON ROAD AND KIRBY ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on applications to rezone and for approval of a Draft Plan of Subdivision to permit a residential development consisting of 30 single detached units, as shown on Attachment 2.

Report Highlights

- The Owner proposes to rezone the subject lands to permit a residential development consisting of 30 single detached units.
- Zoning By-law Amendment and Draft Plan of Subdivision Applications are required to permit the proposed development
- The Development and Parks Planning Department supports the proposed development subject to conditions as outlined in this report

Recommendations

1. THAT Zoning By-law Amendment File Z.22.039 (Edenbrook (Weston) Inc.) BE APPROVED, to amend Zoning By-law 001-2021, to rezone the Subject Lands shown on Attachment 1, from “FD Future Development Zone” and “EP Environmental Protection Zone” to “R3 Third Density Residential Zone”, “R4 Fourth Density Residential Zone”, “OS1 Public Open Space Zone”, and “EP Environmental Protection Zone”, in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 on Attachment 4 of this report.

2. THAT Draft Plan of Subdivision File 19T-22V013 (Edenbrook (Weston) Inc.) as shown on Attachment 2, BE APPROVED, SUBJECT TO THE CONDITIONS OF DRAFT PLAN APPROVAL set out in Attachment 5, to permit a residential plan of subdivision on the Subject Lands shown on Attachment 1.
3. THAT Council's approval of Draft Plan of Subdivision File No. 19T-22V013 subject to the conditions set out in Attachment 5 be for a period of three years from the date on which approval was given, and the approval shall lapse at the expiration of that time period.

Background

Location: 11031 Weston Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

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

The Owner has submitted a Zoning By-law Amendment and Draft Plan of Subdivision (the 'Applications') for the Subject Lands to permit the following proposed development (the 'Development') as shown on Attachments 2 and 3:

- a) Blocks 1-30 – Single detached residential units (1.68 ha)
- b) Block 31 – Future residential (0.13 ha) (part lot to be merged with adjacent lands to the north to form 1 residential lot)
- c) Block 32 – Stormwater management (0.54 ha)
- d) Block 33 – Open space (0.98 ha)
- e) Block 34 – Road widening (0.03 ha)
- f) Blocks 35-36 – 0.3 m reserves (0.01 ha)
- g) Roads (Street A) (0.31 ha)

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

- December 22, 2022 (Circulated 150 m from Subject Lands and to the expanded 750 m polling area as shown on Attachment 1):
- Notice Signs were installed along Kirby Road and the Weston Road frontage of the Subject Lands
- Date of Public Meeting: February 28, 2023, date ratified by Council March 21, 2023
- Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: January 8, 2024

Public Comments were received

The following is a summary of the comments provided and received to date. The comments are organized by theme as follows:

Proposed Road Alignment for Future Development Blocks

- there are concerns regarding the proposed road alignment within the Development lining up with the existing roads in Block 41 extending to Weston Road

Proposed Park Block on lands not part of the Applications

- there are concerns regarding the location of the park block as it was previously shown entirely on the lands of non-participating landowners

Cost Sharing

- landowners in the general area have installed oversized/extra depth sewer pipes in Block 33 and 41 to provide improved sewer conveyance for the future development of Block 41 which other abutting landowners may benefit from

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the applications can be found at the following links:

Block 34 West – Residential Lands, Committee of the Whole (Public Meeting) Report [February 28, 2023, Committee of the Whole Public Meeting \(Item 4, Report 12\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement 2024 and conforms to the Greenbelt Plan, York Region Official Plan 2022 and Vaughan Official Plan 2010

Provincial Planning Statement, 2024 ('PPS 2024')

The Provincial Planning Statement 2024 ('PPS 2024') is a policy statement issued pursuant to section 3 of the Planning Act and comes into effect on October 20, 2024. All decisions made on or after October 20, 2024, in respect of the exercise of any authority that affects a planning matter shall be consistent with this policy statement. The PPS 2024 provides direction on matters of Provincial interest related to land use planning and development province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

The Subject Lands are within a Settlement Area and the Delineated Built-Up Area of the Built Boundary of York Region. The Proposed Development facilitates a compact urban form through the intensification of underutilized lands in the City's established Settlement Area where full municipal services are proposed. Staff are satisfied that the Proposed Development is consistent with the PPS.

The Greenbelt Plan, 2017 ('Greenbelt Plan')

The Greenbelt Plan is intended to identify where urbanization should not occur, to provide permanent protection to the agricultural land base, together with the ecological and hydrological features, areas and functions occurring on this landscape. The Subject Lands are identified as Protected Countryside and Natural Heritage System within the Greenbelt Plan. The Master Environmental Servicing Plan identified the following within

Item 6

Page 3 of 10

the Block 34 W area: valley lands, permanent and intermittent streams, woodlands and wetlands, seepage areas and springs, fish habitat and potential significant wildlife habitat associated with the East Purpleville Creek.

The residential blocks are proposed outside of the Greenbelt Plan area. The open space block (Block 33), where no development is proposed, is within the Greenbelt Plan. On this basis, the Development conforms to the Greenbelt Plan.

York Region Official Plan 2022 ('YROP 2022')

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (Planning Statute Law Amendment Act, 2023) and Bill 162 (Get It Done Act, 2024) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York Region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. More specifically, the Subject Lands are subject to VOP 2010 Volume 2, Section 11.4 Highway 400 North Employment Lands Secondary Plan.

The Subject Lands are identified in VOP 2010 as follows:

- "Community Areas" and "Natural Areas and Countryside" on Schedule 1 – "Urban Structure" of VOP 2010
- "Greenbelt Natural Heritage System" on Schedule 4 – "Oak Ridges Moraine Conservation Plan & Greenbelt Plan Areas"
- "Low Rise Residential" and "Greenbelt Natural System Area" in Volume 2, 11.4 – Highway 400 North Employment Lands Secondary Plan, Schedule 2D to OPA 450 "Employment Area (Highway 400 North) Land Use Plan"

The "Greenbelt Natural Heritage System" designation encourages connectivity between natural heritage features and requires no negative effects on the features or their functions.

Policy 2.2.2.4 of VOP 2010 states that public ownership of major open spaces and natural features within Natural Areas is preferred, and Council will endeavor to acquire appropriate lands to contribute to the system. The open space block (Block 33) containing the natural heritage features and the appropriate vegetation protection zones

will be conveyed to the City to contribute to the completion of the publicly owned natural heritage network within this area.

Policy 9.1.2.1.a) of VOP 2010 states that new development shall help establish an appropriate physical character that is compatible with its surroundings, as set out in policy 9.1.2.5. Policy 9.1.2.5 addresses such matters as the configuration and design of streets, the detailed approach to stormwater management, the protection and enhancement of the Natural Heritage Network, and the precise location of any parks and open spaces. The proposed road, stormwater management block (Block 32), and open space block (Block 33) adequately address these matters and ensures an orderly and comprehensive development. A public park is proposed for a block on the lands to the north (19T-22V011 (Cornice Developments Ltd. et. al.), shown on Attachment #3), will not be situated on any non-participating lands and will serve Block 34 West as a whole.

On this basis, the Development conforms to VOP 2010.

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

- FD Future Development Zone and EP Environmental Protection Zone by Zoning By-law 001-2021
- These Zones do not permit the proposed uses.
- The Owner proposes to rezone the Subject Lands to R3 Third Density Residential Zone, R4 Fourth Density Residential Zone, OS1 Public Open Space Zone, and EP Environmental Protection Zone together with the following site-specific zoning exceptions to permit the Development, as shown in Table 1, Attachment 4.

The Development and Parks Planning Department can support the proposed zone categories on the basis that they conform to the “Low Rise Residential” and “Greenbelt Natural System Area” designations in VOP 2010. The R3 and R4 Zones will provide for housing with varying unit sizes. The EP Zone proposed on Block 33 will preserve key natural heritage features within the Greenbelt.

The proposed site-specific zoning standards identified in Table 1 on Attachment 4, would facilitate a development that is consistent with the policies of the PPS and will enable an appropriate level of intensification for residential development by providing a compact built form, flexibility in design, a better pedestrian realm relationship in addition to compatible residential uses of varying unit sizes in keeping with the Community Areas designation on Schedule 1 of VOP 2010.

Minor modifications may be made to the zoning exceptions identified in Table 1, Attachment 4 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

The Development and Parks Planning Department recommends approval of the Draft Plan, subject to the Conditions of Approval

Subdivision Design

The Draft Plan shown on Attachment 2 will create 31 residential blocks to be developed with 30 single detached dwellings and 1 future residential block, 2 open space blocks and 1 block for a road widening. Street A, as shown in Attachment 2, forms part of the Subject Lands and will be conveyed to the City. The Development and Parks Planning Department is satisfied with the proposed Draft Plan of Subdivision design as shown on Attachment 2, subject to the Conditions of Approval in Attachment 5a) of this report.

Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved urban design requirements and Architectural Control guidelines. Conditions to this effect are included in Attachment 5a).

Tree Protection Agreement

The Owner shall provide a detailed Tree Preservation Study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved and proposed methods of tree preservation based on the arborist report recommendations. The Owner shall enter into a tree protection agreement in accordance with City Council enacted Tree By-Law 052-2018. A condition is included as Conditions of Approval in Attachment 5a).

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs ('PPSP') Department supports the Draft Plan, subject to Conditions of Approval

The PPSP Department has advised that the valley lands, buffers, vegetation protection zones, and compensation areas (Block 33), are to be dedicated to the City.

The PPSP Department advised that the Sustainability Metrics Performance (SMP) package is required, and the Owner shall achieve the minimum threshold SPM score. A condition is included as Conditions of Approval in Attachment 5a).

Archaeology

The Cultural Heritage Division has advised there are no built heritage concerns on the Subject Lands and is not identified as having archaeological potential, subject to any archaeological resources or human remains being located during construction. Warning clauses in this regard are included as Conditions of Approval in Attachment 5a).

The PPSP Department has no objection to the Development and has provided conditions of approval in Attachment 5a).

The Development Engineering ('DE') Department supports the Development, subject to the conditions in this report

The DE Department has provided the following comments:

Municipal Servicing - Water

Block 34 West predominantly lies within Pressure District 7 ('PD7') of the York Water System. The top portion of the half-block lies within Pressure District 8 ('PD8'). The current proposal (per FP and P Water Supply Analysis) envisions a Pressure Reducing Valve ('PRV') located at the boundary of PD7 and PD8. Block 34 West is proposing to connect a 400mm-dia. watermain to the existing 450mm-dia. stub and to extend the water distribution system in a northerly direction to Kirby Road. The PRV chamber is envisioned to be constructed in advance to allow for a future inter-connection to the PD8 system. In the interim, Block 34 West will function on one PD7 feed.

The City's ultimate water distribution system envisions a PD7 watermain north along Weston Road and PD8 watermain west along Kirby Road from Jane Street to service the northern portions of Block 34 and the white-belt lands to the north. The PD7 watermain (north along Weston Road from Teston to Kirby Road) and PD8 watermain (along Kirby Road from Jane Street) are development charge recoverable projects. From a Regional water distribution system perspective, there is water distribution infrastructure that will be constructed including a Pressure District 8 (PD8) booster pumping station in the vicinity of the northwest corner of Jane Street and Teston Road, a PD8 watermain along Jane Street (from Teston Road to King Vaughan Road), two PD8 elevated water storage facilities, and a PD9 water booster station in the vicinity of Jane Street and Kirby Road. The proposed Regional water infrastructure projects will be constructed in phases and in-service by Q4-2025 and Q4-2028, respectively.

Municipal Servicing - Interim Wastewater

The City completed its ISS Study (Final October 2021). The ISS Study developed servicing strategies to safely accommodate future new growth utilizing the City's existing local system on an interim basis prior to the availability of Regional infrastructure in 2028 and beyond. Block 34 West was considered a new growth area captured in the ISS Study. There were numerous options analyzed, however, the recommended option is to connect and outlet to the existing local sanitary sewer stub at the northeast corner of Weston Road and Teston Road. The ISS Study has confirmed the Corner Brook Crescent outlet through Block 32 West and southerly to York Region's Jane Rutherford Sanitary Trunk Sewer can support 12,425 persons equivalent (2,802 pe for B34W and 9,623 for B41) utilizing 370 L/c/d + 0.26 L/s/ha I-I, in the interim with minimal surcharging. Excerpts from the ISS Study are attached that identify the new-growth areas and design parameters for Block 34 West and Block 41.

Municipal Servicing - Ultimate Wastewater

York Region completed a Class Environmental Assessment ('Class EA') study in 2019 to identify and evaluate practical sewage and water servicing alternatives for the Northeast Vaughan area. The Class EA Study was conducted under Schedule 'B' of the Municipal Engineers Association Municipal Class Environmental Assessment process

approved under the *Environmental Assessment Act*. The Environmental Study Report ('ESR'), completed as part of the Class EA, identified a trunk sanitary sewer along Jane Street, a trunk sanitary sewer within an easement parallel to and just south of Rutherford Road and a trunk sanitary sewer along Keele Street. The Phase 1 trunk sanitary sewer along Keele Street will be advanced by the Block 27 Developer Group and Phase 2 will be completed by York Region as scheduled. The Phase 1 and Phase 2 in-service dates are Q4-2025 and Q4-2028, respectively.

Block 34 West is tributary to York Region's Northeast Vaughan Sanitary Trunk Sewer and its outlet is at a proposed manhole at the northeast corner of Jane Street and Teston Road.

A condition is recommended requiring the owner to front-end finance, construct and/or contribute its proportionate share of the cost(s) associated with implementing the recommended ultimate wastewater servicing infrastructure improvements identified in the City's final Integrated Urban Water Master Plan Class Environmental Assessment.

Environmental Engineering

A Phase One Environmental Site Assessment ('ESA') report dated January 2022 and reliance letter dated June 2024 were included with the submission. A Phase Two ESA is required to investigate the areas of potential environmental concerns identified in the Phase One ESA. Following the Phase Two ESA, if contamination is identified which requires remediation, a detailed Remedial Action Plan (RAP) is required. If remediation is required, a "H" Holding Symbol will be applied to the Amending Zoning by-law with removal conditional upon the filing and submission of a Ministry of the Environment, Conservation, and Parks (MECP) Record of Site Condition (RSC). A condition to this effect is included in Attachment 5a).

Sewage and Water Allocation

The Development will be allocated servicing capacity from the York Sewage Servicing / Water Supply System for 30.5 single-family residential units (93 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City's Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months.

Transportation

The Development will introduce an acceptable transportation impact to the surrounding network. However, a condition is recommended requiring a revision to the Transportation Impact Study included in Attachment 5a).

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

The Owner is required to pay to the City by way of certified cheque, cash-in-lieu of the dedication of the parkland, in accordance with the *Planning Act* and the City's cash-in-lieu Policy. A condition to this effect is included in Attachment 5a).

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

The Development Finance Department, TransCanada Pipelines Limited, Ministry of Transportation, Alectra Utilities, Bell Canada, Rogers Communications Canada Inc., Canada Post, and Enbridge Gas Inc., have no objections to the Development, subject to the conditions included in Attachment 5.

The York Region District School Board, York Catholic District School Board, By-law & Compliance Licensing & Permit Services, Building Standards, Environmental Services Department, Ministry of Energy, Emergency Planning, NAV Canada, Fire & Rescue Services, and Forestry and Horticulture Operations, have no objections to the Development.

Broader Regional Impacts/Considerations

The Applications have been circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e. roads and servicing infrastructure. York Region has no objection to their approval. The Owner is required to satisfy all York Region requirements, subject to the comments and Conditions of Approval in Attachment 5b).

The Toronto and Region Conservation Authority ('TRCA') has provided conditions of approval

Significant portions of the broader Block 34 W lands, including the Subject Lands, are located within the TRCA's Regulated Area, with several natural features and hazards on or adjacent to the subject properties, including but not limited to the East Humber River valley corridor, headwater drainage features, wetland features and Regional Storm flood plain. Permits from the TRCA pursuant to the *Prohibited Activities, Exemptions and Permits Regulation* (Ontario Regulation 41/24), are required for any development or site alteration within the Regulated Area.

The TRCA has no objections to the Applications, subject to their conditions of approval included in Attachment 5c).

Conclusion

The Development and Parks Planning Department is satisfied the Applications are consistent with the PPS 2024, conform to the Greenbelt Plan and VOP 2010, and are appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development and Parks Planning Department can recommend approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachment 5.

For more information, please contact Joshua Cipolletta, Planner, at extension 8112.

Attachments

1. Context and Location Map
2. Proposed Zoning and Draft Plan of Subdivision File 19T-22V013
3. Landscape Master Plan
4. Zoning By-law 001-2021 Table 1
5. Conditions of Draft Plan of Subdivision Approval File 19T-22V013

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