

Committee of the Whole (1) Report

DATE: Tuesday, March 4, 2025

WARD: 2

TITLE: E. STAR INTERNATIONAL INC.
ZONING BY-LAW AMENDMENT FILE NO. Z.21.021
1 MEMORIAL DRIVE AND 56 WALLACE STREET
VICINITY OF WOODBRIDGE AVENUE AND KIPLING AVENUE

FROM:

Vince Musacchio, Interim Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole on an application to rezone the subject lands shown on Attachment 1 to permit the development of one semi-detached dwelling, one single detached dwelling, and a second storey addition to an existing single detached dwelling, as shown on Attachments 2 to 5.

Report Highlights

- The Owner proposes the development of one semi-detached dwelling, one single detached dwelling and a second storey addition to an existing single detached dwelling.
- The Owner proposes to dedicate 3,266 m² (0.3 ha) of land to the City to expand Memorial Hill Park.
- A Zoning By-law Amendment Application is required to permit the proposed development.
- The Development Planning Department supports the proposed development as outlined in this report.

Recommendations

1. THAT Zoning By-law Amendment File Z.21.021 (E. Star International Inc.) BE APPROVED, to amend Zoning By-law 001-2021 to rezone the Subject Lands shown on Attachment 1 from “R3 – Third Density Residential Zone” (‘R3 Zone’) to “R5 – Fifth Density Residential Zone” with the Holding Symbol “(H)” (‘R5(H) Zone’) and “OS1 – Open Space Zone” (‘OS1 Zone’) in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Attachment 6;
2. THAT the Holding Symbol “(H)” shall not be removed from the Subject Lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - i. The Owner shall enter into a Development Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the municipal services including but not limited to storm and any land conveyances, as required for the Subject Lands at no cost to the City. The Agreement shall be registered to the lands to which it applies to and to the satisfaction of the City.
 - ii. The Owner shall agree in the Development Agreement, among other things, to:
 - a. Design and construct the required improvements to the storm water infrastructure that was previously existing on Memorial Hill Drive that conveyed the drainage from the existing woodlot to Wallace Street;
 - b. Pay applicable agreement fees and others pursuant to the City Fees and Charges By-law as amended and post necessary letters of credit;
 - c. Prepare and register, at their expense, a reference plan detailing the portion of the lands to be transferred to the City and easements that will be in favour of the City for access and maintenance. The City will register the legal transfer documents at the Owner’s expense. A draft reference plan shall be provided to the City for review prior to depositing;
 - d. Enter into an agreement with the City to remove all existing easements in favour of the City that are no longer required;
 - e. Provide consent from the owner of the adjacent property, also known as 66 Wallace Street, giving permission to enter and construct within the lands a new access way along Wallace Street and re-grade the existing lot to permit the construction of the proposed single detached dwelling;

- f. Address all of Development Engineering Departments engineering comments related to the proposed site plan, and demonstrate a design that meets the City of Vaughan's Engineering Design Criteria Standards, to the satisfaction of the City;
- g. Provide a certification from Sola Engineering Inc. that a general review of the final design and specifications verifies that the Geotechnical Investigation report has been properly interpreted and implemented to the satisfaction of the City; and
- h. Provide all of the necessary clearances and reports to the satisfaction of the Development Engineering Department to support all of the exceptions to the City of Vaughan's Engineering Design Criteria Standards.
- i. For all parks, open spaces, landscape buffers, and storm water management pond block(s) in the Development that are being conveyed to the City, submit a limited Phase Two Environmental Site Assessment (ESA) report in accordance or generally meeting the intent of Ontario Regulation (O. Reg.) 153/04 (as amended) assessing the fill in the conveyance block(s) for applicable contaminants of concern. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City. The implementation of the sampling and analysis plan shall be completed to the satisfaction of the City and shall only be undertaken following certification of rough grading but prior to placement of topsoil placement. Reliance on the ESA report(s) from the Owner's environmental consultant shall be provided to the City.
- j. If remediation of any portions of the conveyance block(s) is required in order to meet the applicable Standards set out in the Ministry of the Environment, Conservation, and Parks ('MECP') document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended), submit a complete copy of Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering the entire conveyance block(s) following remediation.
- k. Submit a sworn statutory declaration by the Owner confirming the environmental condition of the conveyance block(s).
- l. That the following condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the development to the satisfaction of CP Proximity: "Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or

yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of way and/or yard.”

iii. For Vaughan Council to adopt a resolution allocating sewage and water supply capacity in accordance with the City’s approved Servicing Capacity Distribution Policy assigning capacity to the subject lands.

3. THAT Council direct Staff to do all things necessary, including enter into any required Agreements, to convey the 3,266 m² (0.3 ha) of land (in the location identified on Attachment 2) to the City, free and clear of all encumbrances, at no cost to the City, to expand the City’s Natural Heritage Network.

Background

Location: 1 Memorial Drive and 56 Wallace Street (the ‘Subject Lands’). The Subject Lands and surrounding land uses are shown on Attachment 1.

A Zoning By-law Amendment Application has been submitted to permit the proposed development

E. Star International Inc. (the ‘Owner’) has submitted Zoning By-law Amendment file Z.21.021 (the ‘Application’) for the Subject Lands to permit the development of one semi-detached dwelling, one single detached dwelling, and a second storey addition to an existing single detached dwelling (the ‘Development’) as shown on Attachments 2 to 5.

In accordance with Bill 23, Site Development Applications are no longer required for developments containing 10 residential units or less, therefore, a Site Development Application is not required for this Development.

The Owner is required to submit Part Lot Control and/or Consent Applications to facilitate the Development.

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

- *Date of Notice (Circulation 150 m from Subject Lands as shown on Attachment 1): August 20, 2021 (first public meeting) and May 10, 2024 (second public meeting)*
- *Location of Notice Sign: Wallace Street*
- *Date of Public Meetings: September 13, 2021 ratified by Council September 27, 2021 (first public meeting) and June 4, 2024 ratified by Council June 25, 2024 (second public meeting).*
- *Date of the Committee of the Whole Courtesy Notice sent to those requested to be notified: February 25, 2025*

Public Comments were received

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

Natural Heritage and Tree Preservation/Maintenance

- Concerns with proposed tree removals and impacts to trees on neighbouring properties as a result of the Development.
- Concerns with the maintenance of the natural heritage feature proposed to be conveyed to the City.

Compatibility of Development within the Heritage Conservation District

- The Development will contribute to the loss of historic homes in the area.
- The Development is not compatible with the policies of the Woodbridge Heritage Conservation District Plan.

These comments are addressed throughout this report.

Previous Reports/Authority

Previous reports related to the Application and Subject Lands can be found at the following links:

1 Memorial Drive Holding Inc. and 56 Wallace Holding Inc Public Meeting Report: [September 13, 2021, Committee of the Whole Public Meeting \(Item 1, Report 38\)](#)

Demolition of a Two-Storey Dwelling and Construction of a Semi-Detached Building at 56 Wallace Street, and Renovations at 66 Wallace Street and 1 Memorial Hill Drive, Woodbridge Heritage Conservation District Transmittal Report: [June 6, 2023, Committee of the Whole \(2\) Report \(Item 30, Report 28\)](#)

E. Star International Inc. Public Meeting Report:
[June 4, 2024, Committee of the Whole \(Public Meeting\) Report \(Item 2, Report 23\)](#)

Analysis and Options

The Development is consistent with the Provincial Planning Statement and conforms to the Vaughan Official Plan 2010 ('VOP 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* that came 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 PPS 2024 states that planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents. This is permitted and facilitated through the provision of all housing options required to meet the social, health, economic and well-being requirements of current and future residents, and all types of residential intensification, including the development and introduction of new housing options within previously developed areas, and redevelopment which results in a net increase in residential units.

The Application contributes to the provision of a range and mix of housing options within the area, and results in a net increase of residential units on the Subject Lands. The Application is consistent with the PPS 2024.

York Region Official Plan 2010 ('YROP 2010') and 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.

Section 8.4.17 of YROP 2022 states that applications which are completed as of the date of the approval of YROP 2022 and that conform with in-force local official plans are required to conform only with the policies in-force at the time of complete application. Therefore, the Application is only subject to the policies of YROP 2010.

The Application conforms to YROP 2010, and the transition policies under YROP 2022.

Vaughan Official Plan 2010 ('VOP 2010')

VOP 2010 sets out the municipality's general planning goals and policies that guide future land use. The Subject Lands are identified in VOP 2010 as follows:

- "Community Area" on Schedule 1 – Urban Structure by VOP 2010
- Located within the "Built-up Valley Lands", with a portion of the Subject Lands identified as "Core Features" on Schedule 2 – Natural Heritage Network by VOP 2010.
- "Low-Rise Residential (1)" by VOP 2010, Volume 2, Section 11.11 Woodbridge Centre Secondary Plan ('WCSP') and on Schedule 1 – Land Use Plan

The "Low-Rise Residential (1)" designation permits single and semi-detached dwellings at a maximum building height of 3-storeys (11 m) and a Floor Space Index (FSI) of 0.5 times the area of the lot.

The Development conforms to VOP 2010.

The Development was recommended for approval by the Heritage Vaughan Committee

The Subject Lands are located within the "Wallace Street" Area of the Woodbridge Heritage Conservation District ('WHCD') and are protected under Part V of the *Ontario Heritage Act*. The Heritage Vaughan Committee on May 24, 2023, recommended approval of the Development, subject to conditions. Vaughan Council on June 20, 2023, approved the recommendation from the Heritage Vaughan Committee to approve the Development.

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

- R3 Zone by Zoning By-law 001-2021.
- This Zone does not permit semi-detached dwellings.

- The Owner proposes to rezone part of the Subject Lands to the OS1 Zone, as shown in Attachment 2, as these lands will be dedicated to the City for municipal park purposes.
- The Owner proposes to rezone the remaining part of the Subject Lands to the R5(H) Zone together with the site-specific zoning exceptions in Attachment 6, to permit the Development, as shown in Attachments 2 to 5:

The Development and Parks Planning Department can support the zoning exceptions on a site-specific basis for the following reasons:

- The Development is consistent with the policies of the PPS 2024 and conforms to VOP 2010 and WCSP.
- The Development represents modest intensification of the Subject Lands.
- The Application protects the natural feature on the Subject Lands by rezoning the lands into the OS1 zoning category, and the Development provides acceptable buffers and setbacks to the natural feature.

Minor modifications may be made to the zoning exceptions identified in Attachment 6 prior to the enactment of an implementing Zoning By-law, as required, should the Application be approved.

A Holding Symbol “(H)” is recommended for the Subject Lands to satisfy the conditions of the City.

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding issues discussed throughout this report. The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report are addressed to the satisfaction of the City. A condition to this effect is included in the Recommendations of this report.

The Development achieves a Bronze Sustainability Threshold Score.

The Development achieves an overall Sustainability Performance Metrics (SPM) application score of 38 (bronze level). This score meets minimum SPM threshold requirements.

Financial Impact

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

Operational Impact

The Policy Planning and Special Programs (‘PPSP’) Department supports the Development

Environmental Planning within the PPSP Department defers to the TRCA for matters relating to natural hazard and the confirmation of development limits. All other outstanding comments will be addressed through the Development Agreement.

The Owner is advised to abide by the *Migratory Birds Convention Act* for any authorized removals, and to not remove trees during the migratory bird season in Vaughan which is March 31 and August 31. Staff note that the onus is on the Owner to ensure the provisions of the *Endangered Species Act* are not contravened and it is the responsibility of the applicant to comply with the Ministry of Environment, Conservation and Parks (MECP) regulations and guidelines to protect SAR and their habitat.

The Development Engineering Department supports the Development, subject to the conditions in this report

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

Municipal Servicing – Water

The Subject Lands are situated within Pressure Districts (PD4) of the York Water Supply System. There exists one watermain on Wallace Street connected to the PD4 system. The Subject Lands are proposed to be serviced through a connection to a City watermain on Wallace Street. Each individual residential home will be serviced by individual service connections. The proposed service connection is sufficient to provide adequate pressures and flows to bring the water to the residential units to service the Subject Lands.

The DE Department requires the Owner to address outstanding comments and conditions through the Development Agreement process to support a complete approval of the proposed water servicing strategy.

Municipal Servicing – Sanitary

The Subject Lands will be serviced via a new proposed sanitary service connection to the municipal sanitary sewer located along Wallace Street. Each residential home will be serviced with individual residential service connections. The infrastructure improvements will be based on the conclusions and recommendations of the completed Functional Servicing Strategy Report.

The DE Department requires the Owner to address outstanding comments and conditions through the Development Agreement process to support a complete approval of the proposed sanitary servicing strategy.

Municipal Servicing – Stormwater

The Subject Lands are currently serviced by a 375 mm diameter municipal storm sewer located on Wallace Street. Stormwater conveys overland through the adjacent side and rear yard areas which is ultimately collected within the Wallace Street right-of-way. External drainage from the west direction also flows through the Subject Lands.

The Development proposes the use of the existing 375 mm diameter storm sewer on Wallace Street, and each property will be treated as a separate single detached dwelling or semi-detached dwelling with no on-site storage proposed. Two 300 mm culverts have been proposed to maintain the existing external drainage pattern which will be captured and conveyed through a 300 mm on-site pipe that will ultimately outlet to the existing 375 mm diameter storm sewer within the Wallace Street right-of-way in place of the previous existing ditches that captured and conveyed to existing catch basins. DE is generally satisfied that the Development's stormwater outflow can be adequately serviced and accommodated by the storm sewers.

The DE Department requires the Owner to address outstanding comments and conditions through the Development Agreement process to support a complete approval of the proposed storm servicing strategy.

Lot Grading

Grading, erosion and sediment control design drawings were submitted in support of the Subject Lands. The drawings should reflect upon all the special structures and property required to service the Subject Lands. The Owner shall inform the City of any operation and maintenance obligations for future municipal or private infrastructure including retaining walls, soil stability requirements or other proposed structures necessary to facilitate the development of the Subject Lands. A detailed evaluation of the grading design and erosion and sediment control measures will be conducted when the detailed drawings are submitted for the City's review.

The DE Department requires the Owner to address outstanding comments and conditions through the Development Agreement process to support a complete approval of the proposed lot grading strategy.

Noise Attenuation:

The Owner submitted a Noise Study to investigate the potential environmental noise impact on the Subject Lands from road traffic and surrounding land uses. The Study recommended upgraded building exterior components, central air conditioning, and noise warning clauses to be included in all Offers of Purchase and Sale or Lease and registered on title to make future occupants aware of potential noise situations.

Environmental Engineering:

No areas of potential environmental concerns were identified based on the Phase One Environmental Site Assessment ('ESA') reviewed, and no further ESA is required for the lands to be conveyed to the City. Prior to the conveyance of land and/or release of the applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the conditions of approval as set out in this report.

Transportation Engineering:

The proposed residential lots have access to and from the municipal road known as Wallace Street. The Development proposes the use of the existing access for 1 Memorial Hill Drive, which will be relocated slightly north, and access to each individual lot to be from Wallace Street. In principle, Transportation Engineering supports the Development.

The DE Department requires the Owner to address outstanding comments and conditions through the Development Agreement process to support a complete approval of the proposed transportation strategy.

Cash-in-lieu of the dedication of parkland is not required

Parks Planning has confirmed that parkland or cash-in-lieu of the dedication of parkland is not required for the Development, in accordance with the City of Vaughan Parkland Dedication By-law.

The Forestry Division of the Parks, Forestry and Horticulture Operations Department requires tree replacement and compensation in accordance with By-law 052-2018

The Forestry Division has advised that a total of 33 trees are required to be replanted in accordance with Forestry's Replacement Tree Requirements and By-law 052-2018, and where replanting cannot be reasonable accommodated, compensation shall be required. The Owner proposes 27 replacement trees on the Subject Lands, and therefore compensation for six (3) trees are required. In addition, compensation in the amount of \$5447.00 is required for the three (3) City-owned park trees proposed for removal.

Canadian Pacific (CP) Proximity Ontario requires a condition be inserted in all property and tenancy agreements and offers of purchase and sale

The Subject Lands abut the CP Railway to the west, and CP Proximity advises that freight trains operate 24/7 and schedules/volumes are subject to change. CP Proximity's approach to development in the vicinity of rail operations is encapsulated by the recommended 2013 Proximity Guidelines.

CP Proximity recommends that the following condition be inserted in all property and tenancy agreements and offers of purchase and sale for all dwelling units in the Development:

“Canadian Pacific Railway and/or its assigns or successors in interest has or have a railway right-of-way and/or yard located adjacent to the subject land hereof with operations conducted 24 hours a day, 7 days a week, including the shunting of trains and the idling of locomotives. There may be alterations to, or expansions of, the railway facilities and/or operations in the future, which alterations or expansions may affect the living environment of the residents in the vicinity. Notwithstanding the inclusion of any noise and/or vibration attenuating measures in the design of the development and individual dwellings, Canadian Pacific Railway will not be responsible for complaints or claims arising from the use of its facilities and/or its operations on, over, or under the aforesaid right-of way and/or yard.”

A condition to this effect has been included in the Recommendations of this report.

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

The Development Finance Department, Alectra Utilities, Canada Post and Hydro One Networks Inc., have no objections to the Development, and outstanding comments or conditions will be addressed through the Development Agreement or future Part Lot Control and/or Consent Applications.

The Cultural Heritage division of the Policy Planning and Special Programs Department, By-law and Compliance, Licensing & Permit Services, Environmental Services, Emergency Planning, Fire & Rescue Services, Bell Canada, Enbridge, Rogers, York Catholic District School Board have no objections to the Development.

Broader Regional Impacts/Considerations

Regional Municipality of York

The York Region Community Planning and Development Services Department has no objection to the Application and considers it to be a matter of local significance.

Toronto and Region Conservation Authority (TRCA)

The Subject Lands are located entirely within TRCA's Regulated Area as they are located within a historically developed portion of the Humber River valley corridor. As such, any development or site alteration on the Subject Lands would require a permit from TRCA pursuant to Ontario Regulation 41/24.

The TRCA has reviewed the Application and confirmed that the development limits and setbacks have been established to facilitate the Development. The TRCA has no objections to the approval of the Application.

Conclusion

The Development and Parks Planning Department is satisfied that the Application is consistent with the PPS 2024, conforms to VOP 2010, and is 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 Application, subject to the recommendations in this report.

For more information, please contact: Casandra Krysko, Senior Planner, ext. 8003

Attachments

1. Context and Location Map
2. Proposed Zoning and Site Plan
3. Building Elevation – New Semi-Detached Dwelling (56 Wallace Street)
4. Building Elevation – New Single Detached Dwelling
5. Building Elevation – Single Detached Dwelling 2nd Storey Addition (1 Memorial Hill Drive)
6. Proposed Zoning Exceptions to Zoning By-law 001-2021, File Z.21.021

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