

# Committee of the Whole (1) Report

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**DATE:** Tuesday, April 1, 2025

**WARD:** 1

**TITLE: EAST KLEINBURG DEVELOPMENTS INC., 1045501 ONTARIO LIMITED AND TOYA INVESTMENTS LIMITED (PHASE 4)  
ZONING BY-LAW AMENDMENT FILE Z.22.032  
DRAFT PLAN OF SUBDIVISION FILE 19T-22V009  
11063 AND 11191 HIGHWAY 27  
VICINITY OF HIGHWAY 27 AND KIRBY ROAD**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole on applications to rezone the subject lands to permit a residential draft plan of subdivision consisting of 103 single detached units and a 0.75 ha public park, as shown on Attachments 3 to 6.

**Report Highlights**

- The Owner proposes 103 single detached units and a public park on the subject lands
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the proposed development
- The Development Planning Department supports approval of the applications subject to the conditions as outlined in this report

**Recommendations**

1. THAT Zoning By-law Amendment File Z.22.032 (East Kleinburg Developments Inc., 1045501 Ontario Limited and Toya Investments Limited) BE APPROVED, to amend Zoning By-law 001-2021 to rezone the Subject Lands from “OS2 Private Open Space Zone” subject to site-specific Exception 14.801 to “R2A(H) Second

Density Residential Zone”, “R3A(H) Third Density Residential Zone”, “R4(H) Fourth Density Residential Zone”, “R4A(H) Fourth Density Residential Zone” all with a Holding Symbol “(H)”, and the “OS1 Public Open Space Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Attachment 7.

2. THAT notwithstanding the changes to proposed Zoning By-Law Amendment File Z.22.032 from what was proposed at the January 17, 2023 Statutory Public Meeting, Vaughan Council finds the changes to be minor and that no further notice is required in accordance with Section 34(17) of the *Planning Act*.
3. 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:
  - a) as the Subject Lands are tributary to future water and sanitary service infrastructure improvements, the Owner must demonstrate that an alternate interim sanitary and water servicing strategy can be achieved utilizing a comprehensive study, and must enter into an agreement with the City to design and construct the works, to the satisfaction of the City;
  - b) the Owner shall ensure that the proposed sanitary pump station, designated as the Kirby Sanitary Pumping Station (‘KSPS’), is substantially complete to the satisfaction of the Development Engineering Department in accordance with the approved plans, specifications, and all relevant municipal and regulatory standards;
  - c) that one of the following are met to the satisfaction of the City:
    - i. The City and York Region agree to the recommended pressure zone re-alignment to PD7, and the Owner implements all required water distributions system infrastructure to facilitate the re-alignment, to the satisfaction of the City; or
    - ii. The Owner agrees to install a local water distribution system pumping station to service the homes in Kleinburg-Nashville situated in the higher elevated area in the pressure district, to the satisfaction of the City;
  - d) external lands are required to provide service and access to the Subject Lands; therefore, the following conditions must be satisfied:
    - i. The Owner shall enter into a Developer’s Group Agreement or provide acknowledgement from the other landowners within Block 55 West to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of

parks, cash-in-lieu of parkland, roads and municipal services, including land dedication and construction of any future roads and streets deemed required to service the Subject Lands. This Agreement shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands, all to the satisfaction of the Development Engineering Department;

- ii. The Owner shall submit a letter from the Block Trustee or balance of the other landowners within Block 55W indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 55 West Landowners Cost Sharing Agreement, to the satisfaction of the Development Engineering Department; and
- iii. The Owner, through the Block 55W Developer's Group, shall enter into an Agreement with the City to satisfy all conditions, financial or otherwise, for the construction of the municipal services for the Block, including but not limited to roads, water, wastewater, storm and storm water management ponds, land conveyances including the construction of streets and roads south of the Subject Lands or front-end the works and enter into a Development Agreement with the City to satisfy all conditions, financial or otherwise for the construction of the said necessary municipal services. The Agreements shall be registered against the lands to which it applies and to the satisfaction of the Development Engineering Department.

- e) the Owner shall provide the City with a Remedial Action Plan outlining their approach to remediation and will be required to file and obtain a Ministry of the Environment Conservation and Parks ('MECP') Record of Site Condition ('RSC') for the Subject Lands. The Holding Symbol "H" removal will be conditional upon the submission of a filed MECP RSC covering the Subject Lands and associated Environmental Site Assessment reports to the City's satisfaction;
  - f) that York Region confirms additional available servicing capacity in the Kleinburg Water Resource Recovery Facility through York Region's Kleinburg Water Resource Recovery Facility Capacity Study; and
  - g) that Vaughan Council adopts 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.
4. THAT Draft Plan of Subdivision File 19T-22V009 (East Kleinburg Developments Inc., 1045501 Ontario Limited and Toya Investments Limited) as shown on

Attachment 3, BE APPROVED, to permit a residential Draft Plan of Subdivision, subject to the Conditions of Draft Plan of Subdivision Approval in Attachment 1.

5. THAT Council's approval of Draft Plan of Subdivision File No. 19T-22V009, subject to the conditions set out in Attachment 1, 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.
6. THAT the Block 55W Plan (File BL.55W.2019) approved by Council on September 26, 2023, as shown on Attachment 6, BE AMENDED, to reflect modifications made through the Draft Plan of Subdivision shown on Attachment 3.

### **Background**

Location: 11063 and 11191 Highway 27 (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 2.

#### ***The Subject Lands represent Phase 4 of a 4-phase development with associated Official Plan Amendment files that were considered by the Ontario Land Tribunal***

The Subject Lands represent Phase 4 of a comprehensive residential redevelopment that includes part of the Copper Creek Golf Course lands, as shown on Attachment 6 (the 'Block 55W Plan'). The existing clubhouse, 9 holes of the golf course and some associated accessory buildings will be retained and continue operating.

Kirby 27 Developments Limited submitted Official Plan Amendment file OP.17.007 to redesignate the Phase 1 lands from the "Agricultural" and "Natural Areas" designation to the "Low-Rise Residential" designation in Vaughan Official Plan 2010 ('VOP 2010'), and to modify the Future Transportation Network and establish minimum vegetation protection zones.

East Kleinburg Developments Inc. and 1045501 Ontario Limited submitted Official Plan Amendment file OP.17.008 to redesignate the Phases 2 to 4 lands from the "Private Open Space", "Natural Areas" and "Agricultural" designations in VOP 2010 to the "Low-Rise Residential" and "Low-Rise Mixed-Use" designations, and to establish minimum vegetation protection zones. Phases 2 to 4 include part of the lands known as the Copper Creek Golf Course.

On June 12, 2019, Vaughan Council approved Official Plan Amendment file OP.17.007 and OP.17.008, and adopted implementing OPA 47 (By-law 107-2019) and OPA 48 (By-law 108-2019). The OPAs are now in effect; however,

1. The OPAs were appealed unsuccessfully to the Local Planning Appeal Tribunal ('LPAT') (now known as the Ontario Land Tribunal – 'OLT') (Decision date: June 2021). A Motion for leave to appeal to the Divisional Court to challenge the OPAs is awaiting a hearing date.

2. A related Application for judicial review challenging the OPAs that was previously heard in Divisional Court was dismissed in April 2024. A motion for leave to appeal to the Court of Appeal challenging the OPAs was denied by the Court of Appeal in November 2024.

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

East Kleinburg Developments Inc., 1045501 Ontario Limited and Toya Investments Limited (the 'Owners') have submitted the following Zoning By-law Amendment and Draft Plan of Subdivision applications (the 'Applications') for the Subject Lands to permit the development of 103 single detached units and a 0.75 ha public park (the 'Development') as shown on Attachments 3 to 5, representing Phase 4 of the overall development as shown on Attachment 6:

1. Zoning By-law Amendment File Z.22.032 to rezone the Subject Lands from "OS2 Private Open Space Zone" ('OS2 Zone'), subject to site-specific Exception 14.801, to "R2A(H) Second Density Residential Zone" ('R2A(H) Zone'), "R3A(H) Third Density Residential Zone" ('R3A(H) Zone'), "R4(H) Fourth Density Residential Zone" ('R4(H) Zone'), "R4A(H) Fourth Density Residential Zone" ('R4A(H) Zone'), all with the Holding Symbol, and the "OS1 Public Open Space Zone" ('OS1 Zone') under Zoning By-law 001-2021 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified on Attachment 7.
2. Draft Plan of Subdivision File 19T-22V009, as shown on Attachment 3, for a Draft Plan of Subdivision (the 'Draft Plan') consisting of the following:

Lot/Blocks	Land Use	Area (ha)	Units
Lots 1-83 and 99-103	Single Detached	6.24	88
Lots 84-98	Single Detached with Public Laneway	0.54	15
Block 104	Public Park	0.75	
Blocks 105-123	0.3 m Reserve	0.01	
	Public Roads/ Laneway	2.36	
Total		9.90 ha	103 units

***The Development has been revised since the statutory Public Meeting***

Since the statutory Public Meeting held on January 17, 2023, a minor revision was made to the Development by the Owner to reduce the size of the public park identified as Park C on Attachment 3 from 1.03 ha to 0.75 ha, and add five single-detached lots along the east border of Park C fronting onto Street D (Lots 99 to 103 as shown on Attachment 3). With this change, the parkland dedication requirements are still being met over the Block 55W Plan and the four related phases of the Copper Creek partial redevelopment. Additional minor lotting adjustments have been made to the Draft Plan in response to City comments provided on the first submission.

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

- *Date of Notice (Circulated 150 m from Subject Lands as shown on Attachment 2, and to the Kleinburg and Area Ratepayers' Association): December 23, 2022*
- *Location of Notice Sign(s): Highway 27*
- *Date of Public Meeting: January 17, 2023, ratified by Council on January 24, 2023*
- *Date of Community Meeting: March 16, 2023*
- *Date of Committee of the Whole Courtesy Notice sent to those requested to be notified: March 25, 2025*

***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:

**Traffic Congestion and Road Improvements**

- There is existing traffic congestion in the area and road improvements are desired, including expansion of Highway 27

**Environmental Impacts**

- Concerns that the development will pose negative environmental impacts to nearby natural features and lands within the Greenbelt

**Active Transportation Linkages to Village of Kleinburg and Existing Facilities**

- There's a desire for more active transportation connections in the area which the Development could provide, including connections to the Highway 27 and Kirby intersection and the Vaughan Super Trail

**Proposed Density and Lot Sizes**

- The proposed densities were too high/lots were too small and did not reflect the character of the Kleinburg area
- The overall reduction in density from the proposal shown at the Official Plan Amendment stage may put development pressure on other areas including the Oak Ridges Moraine

**Transition to Existing Abutting Development**

- The Draft Plan should provide a larger buffer to the existing abutting development to the south such as a single loaded road or linear park.

These comments are addressed throughout this report.

**Previous Reports/Authority**

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

East Kleinburg Developments Inc. and 1045501 Ontario Limited File OP.17.008:  
Extract from the Council Meeting Minutes of June 12, 2019 (Item 2, Report No. 20 of the  
Committee of the Whole)

East Kleinburg Developments Inc., 1045501 Ontario Limited and Toya Investments  
Limited Files Z.22.023 and 19T-22V009 Public Meeting:  
Extract from the Council Meeting Minutes of January 24, 2023 (Item 6, Report No. 3 of  
the Committee of the Whole (Public Meeting))

Block 55 Northwest Landowners Group Block Plan File BL.55W.2019:  
Extract from the Council Meeting Minutes of September 26, 2023 (Item 2, Report No. 31  
of the Committee of the Whole)

## **Analysis and Options**

***The Development is consistent with the Provincial Planning Statement 2024 and conforms to the Vaughan Official Plan 2010, York Region Official Plan 2010, OPA 48 and the approved Block 55W Plan***

### 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* which 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 the PPS 2024. 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 Development facilitates a compact urban form through the intensification of underutilized lands with a mix of lot sizes that efficiently use existing and planned infrastructure and services, while maintaining a low-rise built form character compatible with the area.

The provision of a new park and active transportation connections will promote healthy, active communities and publicly accessible recreational opportunities. Staff are satisfied that the Development is consistent with the PPS 2024, specifically Sections 2.2.1.c, 2.3.1.2, 2.3.1.3 pertaining to promoting densities for new housing and land use patterns that support the creation of complete communities and efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

### The Greenbelt Plan, 2017 ('Greenbelt Plan')

The Greenbelt Plan identifies where urbanization should not occur to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions within the Greenbelt Plan area. The Greenbelt Plan includes transition provisions which recognize land uses permitted through an official plan amendment prior to December 16, 2004. The Kleinburg-Nashville Community Plan

(‘OPA 601’) was in full force and effect on October 29, 2001, which designated the Subject Lands as “Future Residential” and “Valley Area” and permitted residential uses on the “Future Residential” portion subject to the establishment of development limits.

The technical studies submitted through the review of OPA 48 established the development limits to the satisfaction of the Toronto and Region Conservation Authority (‘TRCA’). The land use permissions from OPA 601 for the Subject Lands were transitioned into VOP 2010, and therefore are transitioned under the Greenbelt Plan. Staff are satisfied that the Development conforms to the Greenbelt Plan.

#### York Region Official Plan 2010 (‘YROP 2010’)

The York Region Official Plan 2022 (‘YROP 2022’) replaces the YROP 2010 with respect to applications not deemed complete as of the YROP 2022 date of approval (Transition Policy 7.4.13). As the Applications were deemed complete prior to the approval of YROP 2022, the YROP 2010 remains the in-force Regional Plan against which conformity of the Applications is measured.

The YROP 2010 guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Towns and Villages” and “Greenbelt Protected Countryside” on Map 1 – “Regional Structure” of the YROP 2010. The Applications contribute to accommodating a minimum 40% of all residential development to the designated built-up area in accordance with Policy 8.2.3.a that is consistent with the character, form and planned function of the area in accordance with Section 5.0. The Applications conform to YROP 2010.

Although it does not apply to the Applications, it should be noted that the Subject Lands are now designated “Urban Area” on Map 1 – “Regional Structure” of the YROP 2022, which recognizes the approval of OPA 48 and redesignation for development.

#### VOP 2010 and OPA 48

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 and OPA 48 as follows:

- “Community Area” and “Natural Areas and Countryside” on Schedule 1 – “Urban Structure” of VOP 2010
- Partially within the “Greenbelt Natural Heritage System” on Schedule 4 – “Oak Ridges Moraine Conservation & Greenbelt Plan Areas”
- “Low-Rise Residential” on Schedule 13 – “Land Use”

The Low-Rise Residential designation permits the proposed single-detached dwellings.

Policies 13.48.1.2.b) and 13.48.1.5 of OPA 48 require various transportation improvements be identified within the submitted Traffic Impact Study and addressed through the Development. These policies are addressed in the Operational Impact section of the report and associated conditions of approval.



Policy 13.48.1.3 of OPA 48 requires transition measures be implemented between the Development and abutting existing neighbourhood to the south through the Zoning By-law and/or a restrictive covenant. The Development will provide a minimum 10 m rear yard structural setback and a minimum 5 m soft landscape strip along the rear lot line for all proposed lots which abut the existing neighbourhood to the south, being Lots 19 to 40 as shown on Attachment 3. In addition, an Enhanced Buffer Area shall be applied to said lots along the soft landscape strip to maintain existing trees and plant additional trees in this area where feasible, which shall be agreed to by the Owner in the subdivision agreement and be shown on the final landscape master plan and tree inventory, preservation and removals plan(s), to the satisfaction of the City.

All future purchasers shall be advised by the Owner in any Offers of Purchase and Sale that they are required to protect the critical root zone of the existing trees along the southern boundary of the lot within the Enhanced Buffer Area, and are prohibited from removing trees in the Enhanced Buffer Area with the exception of hazardous or dead trees and upon removal, replace such tree(s) with a similar species of tree in the same general location. Future purchasers are also responsible for the reasonable maintenance of the Enhanced Buffer Area on their respective lots. Conditions and warning clauses to this effect are included in Attachment 1.

Policy 13.48.1.8 of OPA 48 requires the Development to implement alternative street patterns other than a grid-like system to reinforce the existing character of the area, which the Development achieves through a mixture of internal street patterns as shown throughout the Approved Block 55W Plan shown on Attachment 6.

Policies 13.48.1.15 and 13.48.1.17 of OPA 48 requires the precise limits of valley and stream corridors, woodlands and their associated vegetation protection zones ('VPZ') be established. The development limits and a 10 m VPZ have been established to the satisfaction of the TRCA, and no lands are required for conveyance to the TRCA per Policy 13.48.1.19 of OPA 48.

The Applications conform to VOP 2010 and OPA 48.

#### Block 55W Plan

Policy 13.48.1.2 of OPA 48 required the Owner to submit a scoped Block Plan for the lands shown on Attachment 7 to determine the layout, unit type and yield of the Development, among other technical matters. The Block 55W Plan Application (File No. BL.55W.2019) was submitted and reviewed concurrently with the Applications to inform and facilitate the overall phased development. The Block Plan shown on Attachment 6 was approved by Council on September 26, 2023. The Development conforms to the Block 55W Plan, subject to minor modifications to the lot fabric and internal street design.

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

- The Subject Lands are zoned OS2 Private Open Space Zone by Zoning By-law 001-2021, subject to site-specific Exception 14.801, which permits the existing private golf course and related facilities.
- The Owner proposes to rezone the Subject Lands to R2A(H) Zone, R3A(H) Zone, R4(H) Zone, R4A(H) Zone, all with the Holding Symbol “(H)”, and the OS1 Zone, together with the site-specific zoning exceptions to permit the Development, as shown in Attachment 7.
- Minor modifications have been made to these exceptions from what was identified at the January 17, 2023 Statutory Public Meeting, specifying the minimum rear yard setback for Lot 61, the minimum setback of a retaining wall, landscaping requirements for rear lane units, and the permitted encroachment for eaves.
- The existing standards approved through the related Phase 2 Zoning By-law Amendment File Z.22.030 (By-Law 157-2024) for the R2A Zone, R3A Zone, R4 Zone and R4A Zone will also apply to the Subject Lands (Phase 4) as they fall within the same site-specific exception area. These standards are also shown on Attachment 7 for reference.

The Development Planning Department can support the proposed rezoning of the Subject Lands and the site-specific zoning exceptions in Attachment 7 to implement the Development as they establish an appropriate range and mix of low-rise housing types, development standards and open spaces compatible with the surrounding area, and conform to YROP 2010, VOP 2010, OPA 48 and the approved Block 55W Plan.

Minor modifications may be made to the zoning exceptions identified in Attachment 7 prior to the enactment of an implementing Zoning By-law, as required, should the Applications 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 matters discussed throughout this report, such as the Owners entering into agreements with the City and developers’ groups, for matters such as achieving an alternate interim sanitary and water servicing strategy, implementation of infrastructure, and cost sharing, obtaining an RSC from the MECP and receiving servicing allocation. 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 and Parks Planning Department recommends approval of the Draft Plan, subject to the Conditions of Approval***

Subdivision Design

The Draft Plan shown on Attachment 3 consists of 103 single detached units, a 0.75 ha public park and a series of public streets connecting the Development to the remainder of the Block 55W Plan, Highway 27 and Kirby Road.

The Draft Plan does not abut Highway 27 and relies on access from Phase 2 of the comprehensive residential development of the Copper Creek Golf Course. On this basis, the Owner shall agree in the subdivision agreement that adequate access and municipal services will be available to service the Subject Lands or demonstrate that alternative arrangements have been made for their completion to the satisfaction of the City. A condition to this effect is included in Attachment 1a)

#### Parking

In addition to the required number of parking spaces being provided on each lot, areas for 82 on-street parking spaces are proposed along the internal public streets shown on Attachment 3, with the final total subject to review by the Transportation Engineering Division of the Development Engineering Department.

#### Landscape Plan

Boulevard plantings are proposed along the internal public roads and park as shown on Attachment 4. Sidewalks are proposed on at least one side of the street throughout the Development and along all street frontages of the public park. A multi-use path is proposed within the future expanded right-of-way of Highway 27 along its east side to accommodate expected trips to Block 55 East and the Kleinburg Community.

#### Urban Design

All development within the Draft Plan is required to proceed in accordance with the Vaughan Council approved Copper Creek Block 55 North West Architectural Design Guidelines prepared by John G. Williams Limited, Architect, as revised if required. The Owner shall satisfy all Urban Design conditions as identified in Attachment 1 a).

#### Archaeology

The Policy Planning and Special Programs Department, 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 1a).

#### Tree Inventory and Preservation Plan

A total of 1,262 inventoried trees are recommended for removal from the combined Phase 2, 3 and 4 lands, with 826 trees requiring replacement and 440 trees being dead or below the minimum replacement size. As a Condition of Draft Plan approval, the Owner shall enter into a tree protection agreement and provide a detailed tree preservation plan to the satisfaction of the City to demonstrate the tree preservation methods and quantify the value of tree replacements.

### Building Elevations

A typical building elevation is shown for each proposed dwelling type on Attachment 5. The dwelling frontages will face internally to the subdivision and address the local public roads to maintain the character of the overall Kleinburg area.

### Financial Impact

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

### Operational Impact

***The Policy Planning and Special Programs ('PPSP') Department has no objection subject to conditions of draft plan approval***

The PPSP Department has no objection to the Applications provided the Draft Plan conforms with the approved Block 55W Plan and that a final Master Environment and Servicing Plan be submitted to the satisfaction of the City, York Region and TRCA, as identified in the Conditions of Draft Plan Approval in Attachment 1 a). The Environmental Planning Division of the PPSP Department also requests that efforts be made to retain mature trees and consider alternative compensation methodologies beyond standard replacement requirements. Standard natural heritage warning clauses shall be included within the subdivision agreement.

***The Development achieves a Silver Sustainability Threshold Score***

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 40 (silver level) which exceeds the City's minimum threshold requirements.

***The Development Engineering ('DE') Department has no objection subject to conditions of draft plan approval and holding conditions***

The DE Department has provided the following comments:

### Road Network

The Development proposes internal public roads and rear laneways which connect to the internal road network of the adjacent phases and new intersections at Highway 27 and Kirby Road. Various road improvements and land dedications are required as part of Phases 1 to 3, including the conveyance of all necessary lands to widen Highway 27 to a four-lane cross-section. The Owner is required to address comments and conditions provided by the Transportation Division of the Development Engineering Department and York Region.

### Water Servicing

The Subject Lands are within the Pressure District Kleinburg Nashville ('PDKN') of the York Water System. In general, Phases 2 to 4 and the homes situated in the higher elevated areas within the pressure district ('PD') will experience low water pressure and will not meet City design criteria. Therefore, the Block 55W Plan was analyzed comprehensively, and three water servicing options are recommended, as follows:

- The first option is a pressure district zone realignment to Pressure District 7 ('PD7') involving approval and coordination with York Region (the existing PD7 system has been set-up for the transition from PDKN to PD7);
- The second option is to maintain the Plan in the PDKN system with a local booster pumping station for the low-pressure area; or
- The third option is to maintain the Plan in the PDKN system with in-home water booster pumps for the homes located in the low-pressure area.

Discussions are ongoing with York Region, and the City's Infrastructure Planning Department is carrying the first option in its master plan update. This is the consultants recommended option. The second option to install a local booster pumping station to service the homes situated in the higher elevated area within the PD shall be carried forward as the recommended option if York Region does not approve the first option.

The DE Department supports both options and requires a Holding Condition be applied to resolve the water servicing approach.

### Sanitary Servicing

#### Interim Wastewater Servicing

The recommended option to service the Subject Lands in the interim is to connect to the exiting Nashville Sewage Pumping Station ('NSPS'). Given existing limitations, two upstream inline storage tanks are proposed to attenuate flows and to ensure the NSPS does not exceed its design capacity. The first storage location is upstream of the NSPS.

To convey flows from Block 55W to the NSPS, a new pumping station ('Kirby SPS') is required. The Kirby SPS captures flows from Block 55W (proposed and future growth) and an existing external area along Kirby Road. The second storage location is just upstream of the Kirby SPS and is consistent with the Interim Servicing Strategy Study.

#### Ultimate Wastewater Servicing

The Subject Lands are tributary to York Region's West Vaughan Sanitary Sewer, and its proposed outlet is at a manhole located on the Kleinburg Water Resource Recovery Facility ('KWRRF') site. A 14 km sanitary sewer route from the new Humber Sewage Pumping Station to the KWRRF is the preferred solution for future sewage servicing in West Vaughan. The sanitary sewer will be constructed in two phases.

The ultimate outlet for the Subject Lands will be available in phase 2 of the sanitary sewer, and its construction in-service date is beyond 2034. To connect to this outlet, a permanent sanitary sewer along Highway 27 is required from approximately Nashville Road to the KWRRF site. To allow for the Development to proceed ahead of the ultimate build out, the interim servicing solution identified above is proposed.

#### Storm Servicing

The majority of the Block 55 West Plan lands drain east towards the Humber River. Six man-made ponds and a network of private storm sewers and irrigation pipes are located on the Copper Creek Golf Course lands which service the Subject Lands. The

stormwater management ('SWM') plan comprises of employing the existing SWM pond located within the Copper Creek Golf Course, which will be upgraded to service the Block 55 West Plan area.

The City design standards dictate that the SWM pond should control the urban stormwater runoff to the target release rates established in the City's Master Plan and provide water quality treatment and erosion control. While the SWM pond will remain under private ownership, the City is requesting an easement over the lands for operations and maintenance, if required. The Owner shall provide the necessary financial security in the form of a Letter of Credit ('LC') for this arrangement, all to the satisfaction of the DE Department.

#### Lot Grading, Erosion and Sediment Control

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 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.

#### Environmental Site Assessment ('ESA')

Phase 1 and Phase 2 ESA reports were previously submitted and reviewed under related file OP.17.008, which identified that the proposed residential development on the golf course lands would require an MECP RSC due to the change to a more sensitive land use. In addition, the ESA reports indicated a number of locations with impacts exceeding the applicable MECP standards. As per the City's policy on contaminated sites for future development, the Owner shall provide the City with a Remedial Action Plan outlining their approach to remediation along with filing and obtaining a MECP RSC for the Subject Lands. A Holding Symbol "(H)" condition will be included in the amending zoning by-law for the submission of a filed MECP RSC and associated ESA reports to the satisfaction of the DE Department.

#### Noise Impact Study ('NIS')

The Owner submitted an NIS prepared by Aeroustics Engineering Ltd. dated May 26, 2021 to investigate the potential environmental noise impacts on the Subject Lands from road traffic and surrounding land uses. The NIS recommended noise barriers for most of the lots and blocks abutting Highway 27 and Kirby Road as well as upgraded building exterior components, central air conditioning, and noise warning clauses to be included in Offers of Purchase and Sale or Lease and registered on title to make future occupants aware of potential noise levels. The prediction results as well as noise control recommendations presented in the NIS should be verified based on the final grading of the Development. The final NIS must be approved to the satisfaction of the DE Department and all comments and conditions be addressed through a subsequent submission.

### Sewage and Water Allocation

The available servicing capacity amount tributary to the KWRRF was 2,300 persons equivalent, minus 1,040 persons equivalent formally allocated for Phase 1 and 973 persons equivalent allocated for Phase 2. The remaining 287 persons equivalent is not sufficient to accommodate Phases 3 and 4 (current Applications) and beyond. York Region has committed to completing a Kleinburg Water Resource Recovery Facility Capacity Study to determine if additional servicing capacity is available at the plant beyond the currently designed 7,505 persons equivalent. Therefore, a Holding Condition must be applied to confirm that additional servicing capacity is available and for Vaughan Council to adopt a resolution allocating sewage and water supply capacity in accordance with the City's approved Servicing Capacity Distribution Policy.

### ***Municipal waste collection will be provided to the Development***

The Environmental Serviced Department, Solid Waste Management Division has no objection to the Development, which will be serviced by municipal waste collection.

### ***The Parks Planning Division has no objection subject to conditions of draft plan approval***

The Development contains one 0.75 ha public park (Block 104) to be conveyed to the City. The Parks Planning division of the Development and Parks Planning Department has no objection to the Applications subject to their subject to their Conditions of Draft Plan Approval included in Attachment 1a).

### ***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 standard condition to this effect is included in Attachment 1a).

### ***Development Charges are applicable to the Development***

The Financial Planning and Development Finance Department requires the Owner to enter into a Subdivision Agreement with the City to satisfy all conditions, financial or otherwise, regarding matters the City may consider necessary, including paying all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. A standard condition to this effect is included in Attachment 1a) of this report.

### ***Canada Post has no objection subject to conditions of draft plan approval***

The Development will be serviced by centralized mail delivery provided through Canada Post Community Mailboxes. Canada Post has no objection to the Applications, subject to their Conditions of Draft Plan Approval identified in Attachment 1d) to satisfy their mail delivery requirements.

***The utility providers have no objection to the Applications***

Hydro One, Enbridge Gas, Alectra Utilities Corporation, Bell Canada and Rogers Communications Inc. have no objection to the Applications, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities (if required) prior to the commencement of any site works, and satisfying the Conditions of Draft Plan Approval in Attachments 1e).

***The school boards have no objection to the Applications***

The York Region District School Board and York District Catholic School Board advised that they have no objection to, or any conditions of approval for, the Applications pertaining to Phase 4 as they do not contain any school blocks. The Conseil Scolaire de District Catholique Centre-Sub have not provided comments on the Applications.

***The Subject Lands are within the proximity of a TC Energy pipeline***

TC Energy has provided the draft plan conditions and subdivision agreement/warning clauses contained in Attachment 1f) due to the Subject Lands' proximity to a natural gas pipeline contained within a right-of-way located to the southeast.

**Broader Regional Impacts/Considerations**

***York Region has no objection subject to conditions of draft plan approval***

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. Phases 1 to 3 of the Block 55W Plan abut Highway 27 to the west, which is under the jurisdiction of York Region. All accesses to Highway 27 from the Development shall be provided through City roads. York Region requires that Highway 27 be widened to a four-lane cross-section for the portion abutting the Development prior to the Development being occupied, which will ultimately complete the planned upgrades spanning from Kirby Road to Major Mackenzie Drive (road expansion, turning lanes, active transportation facilities, etc.).

On December 20, 2022, York Region indicated that the Applications are a matter of local significance and have no objection to their approval, subject to their Conditions of Draft Plan Approval included in Attachment 1b).

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

A portion of the Subject Lands are within the TRCA regulated area. The TRCA has no objection to the Application, subject to their conditions of draft plan approval identified in Attachment 1 c).

**Conclusion**

The Development and Parks Planning Department is satisfied the Applications are consistent with the PPS 2024 and conforms to the YROP 2010, VOP 2010, OPA 48 and Block 55W Plan, 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 Applications, subject to the recommendations in this report and Conditions of Draft Plan Approval in Attachment 1.

**For more information**, please contact Chris Cosentino, Senior Planner, at extension 8215.

### **Attachments**

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Draft Plan of Subdivision File 19T-22V009 and Proposed Zoning
4. Conceptual Landscape Plan
5. Elevations (Typical)
6. Approved Block 55W Plan
7. Zoning By-law 001-2021 Table 1

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