

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2019

Item 1, Report No. 4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 29, 2019.

1. OFFICIAL PLAN AMENDMENT FILES OP.16.007 / OP.17.011; ZONING BY-LAW AMENDMENT FILES Z.16.019 / Z.17.031 AND DRAFT PLAN OF SUBDIVISION FILES 19T-16V004 / 19T-17V011 - GEMINI URBAN DESIGN (W) CORP. VICINITY OF RUTHERFORD ROAD AND REGIONAL ROAD 27

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management dated January 22, 2019, be approved;**
- 2) That the following deputations be received:**
 - 1. Mr. Adam Grossi, Humphries Planning Group Inc., Chrislea Road, Vaughan; and**
 - 2. Mr. Jim Levac, Glen Schnarr & Associates Inc., Kingsbridge Garden Circle, Mississauga; and**
- 3) That Communication C3 from Mr. R. Andrew Biggart, Ritchie Ketcheson Hart & Biggart LLP, Eva Road, Toronto, dated January 22, 2019, be received.**

Recommendations

- 1. THAT Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend the following policies of Vaughan Official Plan 2010 ("VOP 2010") for the Subject Lands:**
 - a. Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 respecting new development within established "Community Areas" to permit the development of 111 townhouse units, as shown on Attachments 5 and 6.**
- 2. THAT Zoning By-law Amendment File Z.17.031 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from RR Rural Residential Zone to RR Rural Residential Zone, RT1(H) Residential Townhouse Zone with a Holding Symbol "(H)", and OS1 Open Conservation Zone, in the manner shown on Attachment 5, together the site-specific zoning exceptions as identified in Table 1 of this report.**
- 3. THAT the Holding Symbol "(H)", as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following conditions are satisfied:**

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- a. the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (‘RSC’) following remediation and verification sampling to the satisfaction of the City of Vaughan.
- b. The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
- c. The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol “(H)” is to only be lifted under one of the following two scenarios:
 - i. The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
 - ii. The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.
4. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
5. THAT Draft Plan of Subdivision File 19T-17V011 (Gemini Urban Design (W) Corp.) BE APPROVED, to create one residential block and other blocks for road widenings, in the manner shown on Attachment 4, subject to the Conditions of Approval in Attachment 1.
6. THAT, the Owner withdraw their appeals of Files OP.16.007, Z.16.018 and 19T-16V004, prior to the approval of a related Site Development File DA.18.070 which will be the subject a future report to the Committee of the Whole.

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7. THAT City of Vaughan staff and external counsel, as required, be directed to attend any Local Planning Appeal Tribunal Pre-hearing regarding the disposition of Official Plan and Zoning By-law Amendment Files OP.16.007 and Z.16.019 and Draft Plan of Subdivision File 19T-16V004), and if necessary, the Recommendations contained in this report.

Item:



Committee of the Whole Report

DATE: Tuesday, January 22, 2019

WARD: 2

**TITLE: OFFICIAL PLAN AMENDMENT FILES OP.16.007/OP.17.011
ZONING BY-LAW AMENDMENT FILES Z.16.019/Z.17.031
DRAFT PLAN OF SUBDIVISION FILES 19T-16V004/19T-17V011
GEMINI URBAN DESIGN (W) CORP.
VICINITY OF RUTHERFORD ROAD AND REGIONAL ROAD 27**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan Amendment Files OP.16.007 and OP.17.011, Zoning By-law Amendment Files Z.16.019 and Z.17.035 and Draft Plan of Subdivision Files 19T-16V004 and 19T-17V012 for the Subject Lands shown on Attachments 2 and 3 to permit the development of 111 townhouse units to be served by private common element roads, as shown on Attachments 4 to 6.

Report Highlights

- The Owner proposes to develop the Subject Lands with 111 townhouse units to be served by private common element roads.
- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 and Draft Plan of Subdivision approval to permit the development.
- The Owner appealed the Applications to the Ontario Municipal Board ("OMB") / Local Planning Appeal Tribunal ("LPAT").
- The Development Planning Department supports the approval of the Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Applications as they will permit a development that is consistent with the *Provincial Policy Statement 2017*, conforms to the Growth Plan, the York Region Official Plan and is compatible with the existing and planned land uses in the surrounding area.

Recommendations

1. THAT Official Plan Amendment File OP.17.011 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend the following policies of Vaughan Official Plan 2010 (“VOP 2010”) for the Subject Lands:
 - a) Sections 9.1.2.2, 9.1.2.3 and 9.2.3.2 respecting new development within established “Community Areas” to permit the development of 111 townhouse units, as shown on Attachments 5 and 6.
2. THAT Zoning By-law Amendment File Z.17.031 (Gemini Urban Design (W) Corp.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from RR Rural Residential Zone to RR Rural Residential Zone, RT1(H) Residential Townhouse Zone with a Holding Symbol “(H)”, and OS1 Open Conservation Zone, in the manner shown on Attachment 5, together the site-specific zoning exceptions as identified in Table 1 of this report.
3. THAT the Holding Symbol “(H)”, as shown on Attachment 4, shall not be removed from the Subject Lands, or any portion (phase) thereof, until the following conditions are satisfied:
 - a) the Owner obtaining and filing for a Ministry of the Environment, Conservation and Parks (“MECP”) Record of Site Condition (‘RSC’) following remediation and verification sampling to the satisfaction of the City of Vaughan.
 - b) The Owner successfully obtaining the approval of a Site Development Application and the required allocation of servicing capacity from Vaughan Council.
 - c) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol “(H)” is to only be lifted under one of the following two scenarios:
 - i) The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional 27; or,
 - ii) The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing

Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.

4. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect, to permit minor adjustments to the implementing Zoning By-law.
5. THAT Draft Plan of Subdivision File 19T-17V011 (Gemini Urban Design (W) Corp.) BE APPROVED, to create one residential block and other blocks for road widenings, in the manner shown on Attachment 4, subject to the Conditions of Approval in Attachment 1.
6. THAT, the Owner withdraw their appeals of Files OP.16.007, Z.16.018 and 19T-16V004, prior to the approval of a related Site Development File DA.18.070 which will be the subject a future report to the Committee of the Whole.
7. THAT City of Vaughan staff and external counsel, as required, be directed to attend any Local Planning Appeal Tribunal Pre-hearing regarding the disposition of Official Plan and Zoning By-law Amendment Files OP.16.007 and Z.16.019 and Draft Plan of Subdivision File 19T-16V004), and if necessary, the Recommendations contained in this report.

Background

The subject lands (the 'Subject Lands') are located on the south side of Rutherford Road, west of Regional Road 27, and are municipally known as 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street, shown as Subject Lands on Attachments 2 and 3. The surrounding land uses are shown on Attachment 3.

The applications are related to development applications that have been appealed to the Ontario Municipal Board ("OMB") / Local Planning Appeal Tribunal ("LPAT")

The Owner in April 2016, submitted Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision Files OP.16.007, Z.16.019, and 19T-16V004 ('Original Applications') to the City of Vaughan for 6061 and 6079 Rutherford Road, which form part of the Subject Lands shown on Attachments 2 and 3. The original development concept is shown on Attachment 7 and consisted of 100 three-storey freehold townhouse units and 1 (one) detached dwelling unit. Vaughan Council considered these applications at a Public Hearing held on November 1, 2016.

The Original Applications consisted of two development phases to accommodate the required sanitary servicing, which included a temporary septic system. Phase 1, as shown on Attachment 7, was for 76 townhouse units serviced by a temporary septic system located on the Phase 2 lands. Once municipal servicing was identified for the Phase 1 lands, the Phase 2 lands would be developed for 24 townhouse units and 1 detached dwelling.

After the filing of the Original Applications and the November 2016 Public Hearing, the Owner acquired two additional properties, municipally known as 134 and 140 Simmons Street, as shown on Attachment 3. The Owner submitted the subject Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Files OP.17.011, Z.17.031 and 19T-17V011 (the 'Applications') to reflect the additional property assembly and revisions to the Original Applications. The Applications include the entirety of the lands subject to the Original Applications.

The Owner, on November 22, 2017, appealed the Original Applications to the then Ontario Municipal Board ("OMB") now Local Planning Appeal Tribunal ("LPAT"), citing the City's failure to make a decision within the timeframes prescribed by the *Planning Act*. The Original Applications currently remain before the LPAT.

The Applications were the subject of a Public Hearing held on April 4, 2018. The Owner has not filed an appeal with respect to the subject Applications. For the purposes of this report, the Subject Lands shown on Attachments 2 and 3 comprise all 4 properties including, 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street.

The conceptual site plan shown on Attachment 5 includes revisions to the original concept site plan (Attachment 7) as follows:

- municipal water, sanitary and stormwater services for the development is proposed from Simmons Street
- vehicular access is from Simmons Street, whereas the original concept proposed access from Rutherford Road
- an emergency access onto Rutherford Road is proposed on the northwestern portion of the Subject Lands
- the private road access (at Simmons Street) has been widened
- a total of 111 townhouse units is proposed
- each townhouse unit will have a minimum width of 6 m, except for 2 units that are located next to a curve in the private access driveway
- the majority of the units have a minimum 6 m rear yard setback
- a maximum of 6 units or less is included in each block.

A LPAT Pre-hearing Conference was held on July 9, 2018, at which time the Owner, the City, Mr. Tony Di Benedetto, and the Toronto and Region Conservation Authority were identified as Parties. Participant status was granted to Mr. Sal Brassa and Mr. Livio Silvestri. The LPAT was advised that the Owner/Appellant anticipated a settlement proposal and that should Vaughan Council approve the Applications, including adopting the required Official Plan Amendment, enacting the implementing Zoning By-law

Amendment and approve the Draft Plan of Subdivision, their appeals of the Original Applications would be withdrawn after the expiration of the appeal periods for the implementing documents for the subject Applications.

The Owner has filed related Site Development File DA.18.070 which will be considered at a future Committee of the Whole Meeting. Should Vaughan Council approve the Applications and the Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision approval are not appealed, the Owner is required to withdraw their appeals, prior to the approval of the related Site Development File DA.18.070. A condition to this effect is included in the Recommendation section of this report.

A second Pre-hearing conference is scheduled for Friday, February 8, 2019 to consider the status of the anticipated settlement.

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

Vaughan Council has considered the Applications at 2 Public Hearings and the Owner arranged a non-statutory community meeting.

On October 7, 2016, the City circulated a Notice of Public Hearing (the 'Notice') to all property owners within 150 m of the Subject Lands, the West Woodbridge Homeowners' Association ("WWHA") and the Kleinburg and Area Ratepayers' Association ("KARA"). This Public Hearing was held on November 1, 2016, regarding the Original Applications. A copy of the Notice was also posted on the City's website at www.vaughan.ca and a notice sign was installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on November 15, 2016, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of November 1, 2016, and to forward a comprehensive technical report to a future Committee of the Whole meeting. Vaughan Council also passed a resolution that a community meeting be organized with the Owner, residents, appropriate City staff, and Regional Councillors.

A Community Meeting was held on January 26, 2017, with approximately 20 people in attendance.

On March 9, 2018, the City circulated a Notice to all property owners within 150 m of the all properties with frontage on to Simmons Street, the WWHA, KARA, and to those individuals who provided written correspondence or made oral deputations at the November 1, 2016, Public Hearing for the Original Applications.

Vaughan Council on April 11, 2018, ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of April 4, 2018, and to forward a comprehensive technical report to a future Committee of the Whole meeting.

At the Public Hearings, the following deputations and written submissions were received:

November 1, 2016 Public Hearing (Original Applications)

Deputations

- Mr. Jim Levac, Glen Schnarr & Associates Inc., Kingsbridge Garden Circle, Mississauga Jardin Drive, Concord, representing the Owner
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg

Written Submissions

- Mr. Joe Balderston, Brutto Consulting, Edgeley Boulevard, Vaughan, dated October 31, 2016
- Mr. Tony Di Benedetto, Di Benedetto Lane, Woodbridge, dated October 28, 2016
- Ms. Joan MacIntyre, Malone Given Parsons Ltd., Renfrew Drive, Markham, dated October 31, 2016

April 4, 2018 Public Hearing (Applications)

Deputations

- Mr. Jim Levac, Glen Schnarr & Associates Inc., Kingsbridge Garden Circle, Mississauga Jardin Drive, Concord, representing the Owner
- Mr. Richard Lorello, Treelawn Boulevard, Kleinburg
- Ms. Iolanda Grassa, Simmons Street, Woodbridge
- Mr. Salvatore Grassa, Arcangelo Gate, Woodbridge
- Ms. Lorenda Alberto (no address provided)

Written Submissions

- Mr. Adam Grossi, Humphries Planning Group Inc., Chrislea Road, Vaughan, dated April 4, 2018
- Mr. Doug Bentley, Simmons Street, Vaughan, dated April 4, 2018
- Ms. Alfia Lacaria, Simmons Street, Vaughan, dated March 29, 2018

The following is a summary of, and responses to, the comments provided in the deputations and written submissions submitted at the Public Hearings of November 1, 2016 and April 4, 2018, the community meeting held on January 26, 2017, and written submissions received by the Development Planning Department:

a) The City Could Use these Applications to Re-designate and Rezone Other Properties in the Area

Some of the landowners in the surrounding area expressed support for the Applications and commented that the City use the Applications as an opportunity to redesignate and rezone other properties in the area.

Response

Development applications must be submitted by the Owner(s) on each individual property to be considered by the City of Vaughan, should other landowners wish to pursue development of their land.

b) Stormwater Management Pond and the Use of Septic Systems

Previous iterations of the proposal included the use of a septic system and identified a stormwater management block at the southeast corner of the Subject Lands (abutting Simmons Street).

Response

The revised proposal is based on full municipal services and the stormwater management block has been removed and replaced by an underground system (located internal to the site).

c) Compatibility of New Lots and Amenity Space

The proposed built form is not compatible with the surrounding neighbourhood.

Response

The Owner revised the original plan (Attachment 7) to: limit the number of townhouse units per block to a maximum of 6; increase the amount of front and rear yard setbacks for the units; increase the amount of private additional amenity space throughout the development, include a pathway within an emergency access connection to Rutherford Road. The latest concept includes wider private roads of up to 8.4 m in width. The development proposal will be refined through the Site Plan review process.

d) Location of the entrance on Rutherford Road, Grade Separation and Possible GO Station in the Area

Comments were made about an additional entrance onto Rutherford Road, and as to the timing of a grade separation on Rutherford Road and a possible GO Station in the area.

Response

Rutherford Road is under the jurisdiction of York Region. The Region generally limits the number of access points onto a regional road and does not support multiple driveways due to safety concerns. The current proposal includes access to a private road from Simmons Street.

Road improvements to Rutherford Road, including the grade separation of the train tracks, are not currently included in York Region's 2017 ten-year capital roads construction program. York Region's 2016 Transportation Master Plan shows that Rutherford Road and the railway grade separation is planned to occur sometime between 2032 and 2041.

York Region has advised that Metrolinx has confirmed that a potential GO Station has been identified on the northeast quadrant of Rutherford Road and the Canadian Pacific Railway which satisfies policies 7.2.30 and 7.2.31 of the York Region Official Plan 2010.

e) Noise

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

Response

A Noise and Vibration Feasibility Study, prepared by HGC Engineering Ltd., was prepared to undertake an analysis of the noise and vibration impacts from the development, which must be approved to the satisfaction of the City. The study shall be updated and finalized concurrent with the detailed design of the subdivision and shall address matters related to the height and placement of acoustic barriers. A condition to this effect is included in the Conditions of Approval in Attachment 1.

The Development Planning Department, on January 15, 2019, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

[November 1, 2016 Public Hearing Related Applications](#)

[April 4, 2018 Public Hearing Report](#)

Analysis and Options

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

The Owner has submitted the following Applications for the Subject Lands shown on Attachments 2 and 3 to permit a residential development consisting of 111 townhouse units shown on Attachments 5 and 6 (the “Development”):

1. Official Plan Amendment File OP.17.011 to amend the policies of Vaughan Official Plan 2010 (“VOP 2010”) respecting the design and compatibility criteria for new development within lands identified as a “Community Area”.
2. Zoning By-law Amendment File Z.17.031, to rezone the Subject Lands, shown on Attachments 2 and 3, from RR Rural Residential Zone to RR Rural Residential Zone, RT1(H) Residential Townhouse Zone with a Holding Symbol “(H)”, and OS1 Open Conservation Zone, in the manner shown on Attachment 5, together the site-specific zoning exceptions as identified in Table 1 of this report.
3. Draft Plan of Subdivision File 19T-17V011, shown on Attachment 4, for a Draft Plan of Subdivision consisting of the following:

Block 1 for 111 residential units	3.10 ha
Block 2 for Private Open Space	0.13 ha
Block 3 for a Road Widening (Rutherford Road)	0.06 ha
Block 4 for an Environmental Buffer	0.15 ha
Total	3.44 ha

The Draft Plan of Subdivision application has been submitted to create a Block within a future Registered M-Plan and to facilitate a future Draft Plan of Condominium (Common Elements) application to create the condominium tenure of the common elements (internal road, visitor parking spaces and landscape amenity area) under the *Planning Act*, for the Development. The Draft Plan of Subdivision (Attachment 4) also includes a 0.37 ha Block shown as “Additional Lands Owned by the Applicant” fronting on to Simmons Street.

The Development Planning Department has reviewed the Development shown on Attachments 4 to 6 in consideration of the following policies:

The Development is consistent with the Provincial Policy Statement (“PPS”) 2014

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *Provincial Policy Statement, 2014* (the “PPS”). The PPS provides policy direction on matters of provincial interest related to land use planning and development.

The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with the PPS, specifically:

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

Settlement Areas

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

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

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

Housing

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

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

The Subject Lands are located within a defined settlement area identified by the PPS. The Development achieves the intention of the Settlement Areas and Housing policies of the PPS by making efficient use of the Subject Lands, as it minimizes land consumption, proposes a housing typology that adds to the range and mix of housing types in the City.

The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”)

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, housing, transportation and infrastructure. The Growth Plan promotes intensification of existing built-up areas, with a focus on directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields.

The Growth Plan is intended to guide the development of land, encourage compact built form, transit supportive communities, diverse land uses, and a range and mix of housing types, and, direct growth to settlement areas that offer municipal water and wastewater systems. The Growth Plan states that a focus for transit and infrastructure investment to support future growth can be provided by concentrating new development in these areas and creating complete communities with diverse housing types.

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

- Section 2.2.1 - directing growth to settlement areas with municipal water and wastewater systems, public service facilities, and public transit to support the achievement of complete communities;

- Section 2.2.2 - contributing to meeting 60% of residential development within a delineated built-up area by 2031; and
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents.

The Development shown on Attachments 5 and 6 is located within a settlement area and a delineated built up area that contributes to providing a mix of housing densities and unit types within the neighbourhood in accordance with VOP 2010. Accordingly, the Development conforms to the Growth Plan.

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

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” by the YROP. The “Urban Area” designation permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. Section 5.0 of the YROP states that “intensification within the Urban Area will accommodate a significant portion of the planned growth in the Region.”

Section 3.5.4 of the YROP requires that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.

The Development will diversify housing options, including a mix and range of housing type, lot and unit sizes, and tenure in the community. The Development conforms to the YROP.

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

The Official Plan Amendment applications were reviewed by York Region and considered to be of local significance and in accordance with Regional Official Plan policy 8.3.8. The proposed Amendment does not adversely affect Regional planning policies or interests. York Region, on May 29, 2018, exempted Official Plan Amendment Files OP.16.007 and OP.17.011 from approval by the Regional Committee of the Whole and Council.

An amendment to Vaughan Official Plan 2010 is required to permit the Development

The Subject Lands are designated “Low-Rise Residential” and “Natural Areas” by Vaughan Official Plan 2010 (“VOP 2010”) and are located within a “Community Area” as identified on Schedule 1, “Urban Structure” of VOP 2010. The “Low Rise Residential”

designation permits detached, semi-detached and townhouse dwelling units having a maximum permitted building height of 3-storeys, and there is no associated density requirement.

Sections 9.1.2.2 and 9.1.2.3 of VOP 2010 identifies compatibility criteria for new development in a “Community Area”. The compatibility criteria directs that new development be designed to respect and reinforce the physical character of the established neighbourhood within which it is located. In addition, new development in a “Community Area” within established development areas shall pay attention to local lot patterns, size and configuration, and existing building types with similar setbacks. The Development is located on the south side of Rutherford Road, a major arterial road, that contains larger residential lots to the east and the Canadian Pacific rail line and lands that are designated for employment uses to the west. The Development is not consistent with the compatibility and development criteria of VOP 2010. Therefore, an amendment to VOP 2010 is required.

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

A portion of the Subject Lands are designated as “Natural Areas”. Residential development is not proposed on this portion of the Subject Lands. The Natural Areas lands are proposed to be zoned OS1 Open Space Conservation Zone (Attachment 5) and will remain in private ownership.

Section 9.2.3.2. in VOP 2010 identifies development criteria for townhouses, stating that the following policies and development criteria apply to Townhouses:

- a. A Townhouse is a Low-Rise Residential building, up to three storeys in height, situated on a single parcel and part of a row of at least three but no more than six attached residential units.
- b. In Community Areas with existing development, the scale, massing, setback and orientation of Townhouses will respect and reinforce the scale, massing, setback and orientation of other built and approved Townhouses in the immediate area. Variations are permitted for the purposes of minimizing driveways and having front entrances and porches located closer to the street than garages.
- c. In areas of new development, the scale, massing, setback and orientation of Townhouses will be determined through the process of developing and approving

Secondary Plans, Block Plans, Plans of Subdivision, Zoning By-laws, and/or urban design guidelines.

- d. Townhouses shall generally front onto a public street. Townhouse blocks not fronting onto a public street are only permitted if the unit(s) flanking a public street provide(s) a front-yard and front-door entrance facing the public street.
- e. The facing distance between blocks of Townhouses that are not separated by a public street should generally be a minimum of 18 m in order to maximize daylight, enhance landscaping treatments and provide privacy for individual units.

The Development has regard for the Community Area Policy Review for Low-Rise Residential Designations

Council on October 20, 2015, directed the Policy Planning and Environmental Sustainability (“PPES”) Department to initiate the Community Area Policy Review for Low-Rise Residential Designations. Council subsequently adopted the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the “Guidelines”) and the Community Area Policy Review for Low Rise Residential Designations Study (the “Study”). Council on October 19, 2016, approved the Guidelines and serve to clarify and implement existing VOP 2010 policies related to compatibility. Council, on April 19, 2017, approved the Study. Official Plan Amendment Number 15, to implement the Study recommendations, was adopted by Council on September 27, 2018, which has been forwarded to York Region for approval.

The Guidelines and Study / OPA identify the Subject Lands as being part of a “Large Lot Neighbourhood”. The Applications were submitted on April 29, 2016 (Original Applications) and August 27, 2017 (Applications) and were deemed “Complete” on May 17, 2016 and February 14, 2018 respectively. The commencement of the Applications pre-date the approval of OPA Number 15. However, the Development has regard for the following provisions of the Guidelines:

- The townhouse blocks contain a maximum of 6 units
- The minimum unit size is 6 m x 12 m (with the exception of 2 units)
- The common amenity areas are located in prominent locations that are visible and easily accessed from all units
- The majority of the front and interior yard setbacks are consistent with the Guideline requirements of 4.5 m and 1.5 m respectively
- A minimum 50% of each front yard consists of soft landscaping (with exception of 2 units)
- Each townhouse has a private backyard as set out in the Guidelines

- The total number of visitor parking spaces complies with Zoning By-law 1-88, although a variance for the width of certain parallel spaces within the private road is required.

The Development Planning Department is satisfied that the proposed Development has appropriate regard for the “Community Area” policies of VOP 2010, and the Council approved Guidelines.

Summary of Planning Policy

In consideration of the above, the Development Planning Department is satisfied that the Development is consistent with the PPS, conforms to the Growth Plan, the York Region Official Plan, and is compatible with the existing land uses in the surrounding area. Accordingly, the Development Planning Department can support the Applications that includes an Amendment to VOP 2010 to address the compatibility criteria for new development in a “Community Area”.

The proposed 3-storey townhouse dwellings, shown as Blocks 1 to 22 on Attachment 5, will establish a residential Development consistent in scale and built form with the policies set out in VOP 2010 and will provide a low-rise residential development that is appropriate and compatible, but not identical, with the existing surrounding and proposed developments.

Other Development Application have been submitted for similar development in the vicinity of the Subject Lands

The following applications have been submitted in the area of the Subject Lands, shown on Attachment 3, for similar development as follows:

Files OP.18.019, Z.18.031 and 19T-18V012 (Di Benedetto Group Inc.)

These applications apply to properties municipally known as 10, 20, 25 Di Benedetto Lane and 110 Simmons Street for 73 townhouse units on a private road.

Files OP.18.020, Z.18.032 and 19T-18V013 (Gemini Urban Design (C) Corp.

These applications apply to the property municipally known as 88 Simmons Street for 32 townhouse units on a private road.

A Pre-Application Consultation Meeting was also held with respect to the property municipally known as 75 Simmons Street which contemplates townhouse units with direct frontage onto Simmons Street.

The review of all of the development applications in this area require the co-ordination of development. Should the development applications in this area be approved, each landowner will be required to grant reciprocal easements to maintain vehicular and pedestrian access between the adjoining developments. The provision of these easements will be secured through the site plan approval process. Review of the Applications will also ensure that multi-use recreational pathways to connect each project to Regional Road 27 via Rutherford Road is secured. The Parks Development Department will review the lands to the immediate south of the Subject Lands, as shown on Attachment 3, to determine if a Park block located off of Simmons Street and central to the existing and planned neighbourhood can be accommodated.

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

The Subject Lands are zoned RR Rural Residential Zone by Zoning By-law 1-88, which permits only detached dwellings on lots with a minimum frontage of 45 m and a lot area of 400m². A townhouse is not a permitted use in the RR Rural Residential Zone.

The Owner is proposing to rezone the Subject Lands from RR Rural Residential Zone to and RT1(H) Residential Townhouse Zone (lands to be developed with townhouse dwelling units) with a Holding Symbol “(H)”, RR Rural Residential Zone (to accommodate for the existing dwelling and remnant parcel shown as “Additional Lands Owned by the Applicant” on Attachment 4), and OS1 Open Space Conservation Zone (for the environmentally protected lands), in the manner shown on Attachment 5, together with the following site-specific zoning exceptions:

Table 1

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
a.	Frontage on a Public Street	No person shall erect any building in any zone unless the lot upon which such building is to be erected fronts onto a public street.	Permit a building to be erected that fronts onto a public street or a private common element condominium road.

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
b.	Definition of a “Street Townhouse Dwelling”	Means “a townhouse dwelling in which each dwelling unit is situated on its own lot, which abuts a public street”.	Means “a townhouse dwelling in which each dwelling unit is situated on its own lot or parcel of tied land (“POTL”), which abuts a public street or private common element road”.
c.	Minimum Lot Depth	27 m / unit	23 m / unit 19 m: Unit 111
d.	Minimum Lot Area	162 m ² / unit	<ul style="list-style-type: none"> • 160 m² / unit: Unit 109 • 150 m² / unit: Units 2-5, 8, 9, 19-21, 24, 25, 33, 34, 50-53, 68, 69, 90-93, and 108 • 145 m² / unit: Units 18, 28, 32, 37, 38, 41, 42, 45, 72-75 and 110 • 135 m² / unit: Units 46, 47, 56-59, 62, 63, 78-81, 84-87, 96, 97, 100, 101, 104, 105
e.	Minimum Lot Frontage	6 m/unit	5.83 m - Units 12 and 15
f.	Minimum Rear Yard Setbacks	7.5m	<ul style="list-style-type: none"> • 7.2 m (Block 1) • 7 m (Blocks 11 & 18) • 6.3 m (Blocks 10, 12, 13,

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
			16, 17, 19, 20 and 21) <ul style="list-style-type: none"> • 5.88 m (Unit 110) • 5 m (Unit 111)
g.	Minimum Exterior Side Yard Setback (Private Road)	4.5 m	<ul style="list-style-type: none"> • 1.25 m (Block 1) • 1.0 m to porch, 2.7 m to main wall (Block 4) • 1.1 m (Block 5) • 2.7 m (Block 7) • 3.3 m to main wall and 1.1 m to porch (Block 11) • 1.9 m (Block 13) • 3.7 m (Block 18) • 3.8 m (Block 21)
h.	Minimum Interior Side Yard Setback (Greenway or Buffer Block)	3.5 m	1.5 m (Block 22)
i.	Minimum Setback to a Site Triangle (Private Road)	3 m	<ul style="list-style-type: none"> • 1.2 m (Block 4) • 1.6m (Block 5) • 2.7 m (Block 7) • 2.2 m (Block 11) • 2.7 m (Block 16) • 7 m (Block 22)
j.	Percentage of Soft Landscape Area in Front Yard	60 %	50% - Units 12, 13, 14 and 15

	Zoning By-law 1-88 Standard	RT1 Residential Townhouse Zone Requirements	Proposed Exceptions to the RT1 Residential Townhouse Zone Requirements
k.	Maximum Building Height	11 m	11.5 m
l.	Maximum Width of a Driveway Entrance	7.5 m	9.32 m
m.	Minimum Dimensions Visitor Parallel Parking Space	2.7 m X 6 m	2 m X 6 m
n.	Placement of Air Conditioners	Not permitted in front yard	Permit in front yard, above the garage - Blocks 1, 2 and 3
	Zoning By-law 1-88 Standard	RR Rural Residential Zone	Proposed Exception to RR Rural Residential Zone Requirement
a.	Minimum Lot Area	4,000 m ²	3,700 m ²

The Development Planning Department has reviewed and supports the proposed site-specific zoning exceptions in Table 1 on the following basis:

Frontage on a Public Street and Definition

Zoning By-law 1-88 does not included standards for townhouse development utilizing a common element condominium road. The RT1 Residential Townhouse Zone permits units only on lots that front onto a public street. The proposed definition will permit a unit on a lot with frontage on a private common element road and facilitate the creation of

Parcels of Tied Land (POTLs) for future individual ownership. The proposed definitions implement the Development on a private common element road.

Lot Frontage, Lot Area, Minimum Yard Setbacks, Lot Depth, Building Height, Maximum Interior Garage Widths, and Driveway Widths

The amendments to the lot frontage, lot area, and lot depth requirements recognize the creation of the development blocks and POTLs for the townhouse dwellings that will facilitate a compact built form. The proposed yard setbacks, building height and make more efficient use of the Subject Lands and implements the compact built form. Many of the exceptions in Table 1 apply only to certain buildings and/or units and not to the entire Development.

The proposed zoning exceptions would implement a townhouse development which is a built form permitted by Vaughan Official Plan 2010 and is compatible with the existing and planned built form in the surrounding area.

The Planning Act permits Vaughan Council to pass a resolution to permit a landowner to apply for a future Minor Variance application(s), if required, within 2 years of a Zoning By-law coming into full force and effect

Section 45 (1.3) of the *Planning Act* restricts a landowner from applying for a Minor Variance Application to the Committee of Adjustment within two years of the day on which a Zoning By-law was amended. The *Planning Act* also permits Council to pass a resolution to allow an Owner to apply for a Minor Variance(s) within 2 years of the passing of a by-law amendment.

Should Council approve the Zoning By-law Amendment, the Development Planning Department has included a Recommendation to permit the Owner to apply for a Minor Variance application(s), if required, prior to the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

The Development Planning Department has no objection to the Draft Plan of Subdivision, subject to the Conditions of Approval of this report

The Development Planning Department has no objection to the approval of the Draft Plan of Subdivision ('Draft Plan') shown on Attachment 4, subject to the Conditions of Approval included in Attachment 1. The primary purpose of the Draft Plan is to create one residential development Block (Block 1) for the overall Development. In order to facilitate the creation of the individual freehold townhouse lots, the Owner must submit a

Part Lot Control Exemption application to create the freehold townhouse units, should the Applications be approved.

A Draft Plan of Condominium application is required to establish the Common element condominium tenure of the Development

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

Site Development Application File DA.18.070 will require the approval of Council

The Owner has submitted detailed conceptual site plans as part of the Applications that are the subject of this report. The Owner, in August 2018, submitted Site Development File DA.18.070 to permit the Development. Should the subject Applications be approved by Vaughan Council, Site Development File DA.18.070 will be subject to a technical report for consideration at a future Committee of the Whole meeting. The Owner will be required to withdraw their LPAT appeals of the Original Applications prior to the approval of Site Development File DA.18.070. A condition to this effect is included in the Recommendation section of this report.

The Development Engineering (“DE”) Department has no objection to the Development, subject to the Conditions of Draft Plan of Subdivision Approval and that the Zoning By-law include conditions to be satisfied prior to the removal of the Holding Symbol

A Functional Servicing Report (‘FSR’), prepared by Schaeffers Consulting Engineers dated May 2018, with supplemental information, was submitted in support of the Applications. Based on the review of documentation, the following comments are provided:

a) Water Servicing

The Development is proposed to be serviced primarily by an existing 300mm diameter watermain on the west side of Simmons Street with a second connection to an existing 300mm diameter watermain on the south side of Rutherford Road. The Development is located within Pressure District 5. The DE Department is satisfied with this schematic information provided in principle. However, additional analysis will be required through the detailed design stage

and the requirements for same are included in the conditions of approval in Attachment 1.

b) Sanitary Servicing

The Subject Lands are tributary to the future sanitary trunk sewer scheduled to be installed on Regional Road 27 and Rutherford Road by York Region in 2028. In the interim, the Owner is proposing that the Development be serviced by a new sanitary sewer traversing from Simmons Street to an existing 200mm diameter sanitary sewer located on Royalpark Way. The Development is north and west of the connection to the Royalpark Way sewer. The Owner is proposing to design and construct, at no cost to the City, a new sanitary sewer within the City (Simmons Street and Regional Road 27 rights-of-way) to discharge sanitary flow from the Subject Lands, utilizing part of an existing City watermain easement located on the property municipally known as 75 Simmons Street to connect the proposed sewers between Simmons Street and Regional Road 27. The FSR demonstrates that the interim solution is attainable.

The DE Department requires the Owner provide supplemental analysis including flow monitoring, study area refinements and detailed conveyance capacity analysis of downstream sewers. The Owner shall demonstrate that the interim sanitary schematic detailed within the FSR outlining sanitary discharge to the existing Royalpark Way sanitary network can be achieved utilizing an adequate easement width.

Prior to final approval of the Draft Plan, the Owner shall demonstrate, to the satisfaction of the City, that a design and construction method can facilitate both the existing watermain and proposed sanitary sewer concurrently. The Owner shall be responsible to modify the description of the easement to include the proposed sanitary sewer to the satisfaction of the City. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services utilizing an adequate easement width. Lands may include any required easements and/or additional lands within and/or external to the Draft Plan, to the satisfaction of the City. Conditions to this effect are included in Attachment 1.

c) Storm Servicing

Stormwater for the Development is proposed to be captured within underground storage facilities and oversized sewers to be constructed within the development boundaries, with the flow conveyed utilizing pre-development target flow rates to a new storm sewer on Simmons Street. The Owner further proposes to design and construct a new storm sewer, at no cost to the City, within the Simmons

Street right-of-way, to convey stormwater flow from the Subject Lands northerly to the existing road stormwater outlet located at the low point of Simmons Street. The sewer is proposed to terminate with a new headwall at the outlet east of Simmons Street where flow is then conveyed easterly through an existing overland ditch. All stormwater storage and quality facilities are proposed to be within a common-element condominium development.

The DE Department is generally satisfied with the general stormwater drainage schematic, however, supplemental analysis, particularly with respect to accommodating existing drainage areas within the Simmons Street right-of-way and the geotechnical and hydrogeological recommendations for the construction of the proposed sewer. Additional analysis will be required through the detailed design stage and the requirements for same are included in the Conditions of Approval in Attachment 1.

d) Grading Design

Preliminary engineering design drawings, prepared by Schaeffers Consulting Engineers, dated May 2018, were submitted in support of the Applications. A detailed evaluation of the grading design and erosion and sediment control measures will be conducted during the detailed design stage and as part of the Site Plan Approval. The DE Department is generally satisfied with the preliminary schematic for the Owner to urbanize Simmons Street, at no cost to the City, subject to the Conditions of Approval in Attachment 1.

e) Noise and Vibration

A Noise and Vibration Feasibility Study, prepared by HGC Engineering Ltd., was prepared to undertake an analysis of the noise and vibration impacts on the Development. The Owner shall address and fulfill the comments and conditions to the satisfaction of the City. The study shall be updated and finalized concurrent with the detailed design of the subdivision and shall address matters related to the height and placement of acoustic barriers. A condition to this effect is included in the Conditions of Approval in Attachment 1.

f) Environmental

The Owner submitted Phase One and Two Environmental Site Assessments ('ESA'), which identified minor exceedances of petroleum hydrocarbons in soil and polycyclic aromatic hydrocarbons in groundwater. As a result of the impacts, the Owner submitted a Remedial Action Plan ('RAP') that addressed the

remediation of the impacts. The DE Department reviewed the reports and correspondence and are satisfied with the ESA documents submitted to date.

Remediation is required for the Subject Lands, in accordance with the City's Contaminated Sites Policy, and therefore a Holding Symbol ("H") and will be included in the implementing Zoning By-law, with removal of the Holding Symbol from the Subject Lands being contingent upon the Owner's implementation of the RAP and submission of a Record of Site Condition ('RSC') filed on the Environmental Site Registry and acknowledged by the MECP. A condition to this effect is included in the Recommendations of this report and is to be included in the implementing Zoning By-law, should the Applications be approved. A condition to this effect is also included in the Conditions of Approval in Attachment 1.

g) Transportation

The Owner has submitted a Transportation Impact Study ('TIS) prepared by Nextrans Consulting Engineers, dated April 25, 2016, with an additional updated TIS dated April 2018 and a response letter dated November 9, 2018. The Transportation Engineering Division is working with the Owner to finalize the Study, including the review of all transportation infrastructure improvements including urbanization of Simmons Street to include sidewalk(s), streetlights and an eastbound right turn lane at Rutherford Road and Simmons Street intersection. All of which must be approved to the satisfaction of the DE Department. A condition to this effect is included in the Conditions of Approval in Attachment 1.

The DE Department requires that the Holding Symbol "(H)" shall not be removed from the lands zoned "RT(1) Residential Townhouse Zone" with the Holding Symbol "(H)" as shown on Attachment 5, until the following matters have been addressed to the satisfaction of the City:

- i) The Subject Lands are located in an area, adjacent to Regional roads (Rutherford Road and Regional Road 27), that are tributary to the future sanitary trunk sewer scheduled to be installed by York Region in 2028. The Holding Symbol "(H)" is to only be lifted under one of the following two scenarios:
 - a. The sanitary trunk sewer on Regional Road 27 is constructed by York Region and the Owner has secured the necessary lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the sanitary sewer between Simmons Street and Regional Road 27; or,

- b. The Owner has demonstrated that an alternate interim sanitary outlet to Royalpark Way as shown within the Functional Servicing Report can be achieved utilizing an adequate easement width and a comprehensive study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, and available allocation, to the satisfaction of the City.
- ii) The Owner obtaining and filing for an MECP Record of Site Condition (RSC) following remediation and verification sampling to the satisfaction of the City of Vaughan.

The DE Department has no objections to the Development and will continue to work with the Owner to finalize all plans and reports subject to the conditions identified in the Recommendations of this report, and the Conditions of Approval identified in Attachment 1 of this report.

The Urban Design and Cultural Heritage Division of the Development Planning Department have no objection to the Applications

The Urban Design and Cultural Heritage Division of the Development Planning Department have reviewed the Stage 1 – 2 Archaeological Assessment which conclude that no archaeological potential was identified on the Subject Lands. The letter from the Ministry of Tourism, Culture and Sport accepting this report has also been submitted. Therefore, the Subject Lands are cleared of archeological concern. However, standard clauses will apply and are included in the Conditions of Approval identified in Attachment 1 of this report:

- a) Should archaeological resources be found on the property during construction activities, all work must cease, and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.
- b) In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities and shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries at the of Consumer Services.

Cash-in-lieu of the dedication of Parkland is required for the Draft Plan

The Office of the City Solicitor, Real Estate Department has advised that the Owner shall dedicate land and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 300 units of the value of the Subject Lands, prior to the issuance of a Building Permit, in accordance with the *Planning Act* and the City's Cash-in-lieu of Parkland Policy. The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Office of the City Solicitor, Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

Development Charges are applicable to the Development

The Financial Planning and Development Finance Department has advised that the Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including development charges.

The Parks Development Department has no objection to the approval of the Applications, subject to the Owner providing a trail connection to Regional Road 27 via Rutherford Road

The Parks Development Department is generally satisfied with the Development and the Community Services and Facility Study submitted with the Applications, subject to the development of an acceptable multi-use recreational pathway to connect to Regional Road 27 via Rutherford Road. A condition to this effect is included in the Conditions of Approval in Attachment 1.

Given the lack of pedestrian connections from the Development into the surrounding community, the provision of a connection would be invaluable to allow for public access to the existing open space systems. This pedestrian connection will remain in place until such time as York Region is prepared to complete the grade separation at Rutherford Road, at which time, the connection will be re-established to the plan condition.

In order to facilitate the city wide parkland objectives of the Active Together Master Plan and given the submission of two additional development applications seeking townhouse units in the surrounding area, the Parks Development Department will consider the opportunities for future connections to public parkland in Block 59 (future District Park) and the future community area planned in Block 60 East, and /or the provision of public park space as part of the review of those development applications.

Parks Development staff will review the lands to the immediate south of the Subject Lands, as shown on Attachment 3, to determine if a Park block located off of Simmons Street and central to the existing and planned neighbourhood can be accommodated. These future development lands will require further review by the City of Vaughan for suitability for use as a park block, which will require the Owner(s) of these lands to provide a facility fit conceptual design prepared by a Landscape Architect. The facility fit conceptual design should be prepared to take into consideration basic park design and park planning practices, which shall include, but is not limited to:

- identify existing vegetation
- include setbacks to residential properties, streets and railway line
- assess slopes, storm water run-off, drainage patterns and servicing requirements
- includes park program requirements based on City's Active Together Master Plan and as determined by the City
- comply with the principles of CPTED (Crime Prevention Through Environmental Design) safety, active visual surveillance, etc.
- allow for a minimum road frontage in accordance with VOP 2010
- free of encumbrances that would include utilities, service easement(s), natural heritage features, buffers, railway rights-of-way, etc. Encumbered lands are not eligible for parkland dedication

The Environmental Services Department, Solid Waste Management Division has no objection to the Applications

The Environmental Services Department Solid Waste Management has no objection to the proposed waste collection proposed for the Development. Upon a successfully completed Application, site inspection and executed Agreement as determined by the City, the Condominium Corporation(s) may be eligible for municipal waste collection services. Should the Condominium Corporation(s) be deemed ineligible by the City or choose not to enter into an Agreement with the City for municipal collection service, all waste collection services shall be privately administered and shall be the responsibility of the Condominium Corporation(s). The following clause shall be included within the future Condominium Agreement:

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

The Fire and Rescue Service Department has no objection to the Development, subject to the Conditions of Approval

The Fire and Rescue Services Department has no objection to the Development. The Fire and Rescue Services Department has advised that fire hydrants (municipal or private) are required to be installed in accordance with the Ontario Building Code, and the fire hydrants shall be unobstructed and ready for use at all time. In addition, access roadways shall be maintained and suitable for large heavy vehicles.

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

The TRCA has no objection to the Applications subject to the Conditions of Approval set out in Attachment 1C.

All school boards have no objection to the Development

The York Region District School Board and York Region Catholic District School Board have no objection to the Development.

Canadian Pacific Railway has no objection to the Development

The Canadian Pacific Railway has no objection to the Development subject to the Conditions of Approval identified in Attachment 1D of this report.

Canada Post Corporation has no objection to the Development

The Canada Post Corporation has no objection to the Development subject to the Conditions of Approval identified in Attachment 1E of this report.

All utility companies have no objection to the Development

Alectra Utilities Corporation and Enbridge Gas Distribution Inc. have indicated no objection to the Draft Plan, subject to the Conditions of Approval identified in Attachment 1.

Bell Canada and Alectra Utilities Corporation (formerly PowerStream Inc.) have no objection to the approval of the Development, subject to the Owner coordinating servicing, connections, easements and locates with the above noted utilities prior to commencement of site works.

Financial Impact

There are no requirements for new funding associated with these Applications.

Broader Regional Impacts/Considerations

York Region has reviewed the Official Plan Amendment Application and has determined that the proposed amendment is a matter of local significance and does not adversely affect Regional planning policies or interest. York Region, on May 29, 2018, exempted the Official Plan Amendment Application from approval by the Regional Committee of the Whole and Council.

York Region has reviewed the Applications and 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 1B.

Conclusion

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.17.011 and Draft Plan of Subdivision File 19T-17V011 in consideration of the Provincial Policies and the applicable York Region and City Official Plan policies, the requirements of Zoning By-law 1-88, the comments received from City Departments, external public agencies, the public, and the surrounding area context.

The Development Planning Department is of the opinion that the Applications, when considered comprehensively, are consistent with the *Provincial Policy Statement, 2014*, conforms to the *Growth Plan for the Greater Golden Horseshoe, 2017*, and the York Region Official Plan and that the Applications represent good planning. The Development Planning Department recommends that the Applications be approved. On this basis, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report, and the Conditions of Approval set out in Attachment 1.

For more information, please contact Clement Messere, Senior Planner, Development Planning, at extension 8409.

Attachments

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision Files 19T-16V004 and 19T-17V011
5. Proposed Zoning and Conceptual Site Plan
6. Typical Elevation Rendering
7. Previous Conceptual Site Plan Considered at the November 1, 2016 Public Hearing

Prepared by

Clement Messere, Senior Planner, ext. 8409

Carmela Marrelli, Senior Manager of Development Planning, ext. 8791

Mauro Peverini, Director of Development Planning ext. 8407

/LG

ATTACHMENT NO. 1

CONDITIONS OF APPROVAL

DRAFT PLAN OF SUBDIVISION FILE 19T-17V011 ("THE PLAN") GEMINI URBAN DESIGN (W) CORP. PART OF EAST HALF OF LOT 15, CONCESSION 9, CITY OF VAUGHAN

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-17V011 ("THE PLAN") ARE AS FOLLOWS:

The Owner shall satisfy the following conditions:

1. The Conditions of Approval of the City of Vaughan as set out on Attachment No.1A.
2. The Conditions of Approval of York Region as set out on Attachment No.1B and dated February 28, 2018.
3. The Conditions of Approval of the Toronto and Region Conservation Authority as set out on Attachment No. 1C and dated October 24, 2018.
4. The Conditions of Approval of Canada Pacific Railway as set out on Attachment No. 1D, dated February 23, 2018.
5. The Conditions of Approval of Canada Post as set out on Attachment No. 1E and dated December 5, 2017.
6. The Conditions of Approval of Alectra Utilities as set out on Attachment No. 1F and dated February 26, 2018.
7. The Conditions of Approval of Enbridge Gas as set out on Attachment No. 1G and dated November 23, 2017.

Clearances

1. Final approval for registration may be issued in phases to the satisfaction of the City, subject to all applicable fees provided that:
 - a) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure, schools, and other essential services; and,
 - b) all commenting agencies agree to registration by phases and provide clearances, as required in the Conditions in Attachments Nos. 1A, 1B,

1C, 1D, and 1E, 1F and 1G for each phase proposed for registration; and furthermore, the required clearances may relate to lands not located within the phase sought to be registered.

2. The City shall advise that the Conditions on Attachment No. 1A have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
3. York Region shall advise that the Conditions on Attachment No. 1B have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
4. The Toronto and Region Conservation Authority shall advise that the Conditions on Attachment No. 1C have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
5. Canadian Pacific Railway shall advise that the Conditions on Attachment No. 1D have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
6. Canada Post shall advise that the Conditions on Attachment No. 1E have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
7. Alectra Utilities shall advise that the Conditions on Attachment No. 1F have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.
8. Enbridge Gas Distribution shall advise that the Conditions on Attachment No. 1G have been satisfied and the clearance letter shall include a brief statement detailing how each condition has been met.

ATTACHMENT NO. 1A

CONDITIONS OF DRAFT APPROVAL

**DRAFT PLAN OF SUBDIVISION FILE 19T-17V011 ("THE PLAN")
GEMINI URBAN DESIGN (W) CORP.
PART OF EAST HALF OF LOT 15, CONCESSION 9, CITY OF VAUGHAN**

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN ("CITY") THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION FILE 19T-17V011 ("THE PLAN") ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the Draft Plan of Subdivision, prepared by Glen Schnarr & Associates Inc., drawing 17:1, dated July 13, 2018.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law which has come into effect in accordance with the provisions of *The Planning Act*.
3. The Owner shall pay any and all outstanding application fees to the Development Planning Department, in accordance with Tariff of Fees By-law in-effect at the time of payment.
4. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
5. Prior to final approval, the Owner shall provide easements as may be required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
6. The road allowances within this Plan shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; proposed street names shall be submitted by the Owner for approval by the City and shall be included on the first engineering drawings.
7. Any dead ends or open sides of road allowances created by this Plan shall be terminated in 0.3 metre reserves, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands
8. The Owner shall obtain a Ministry of the Environment Conservation and Parks ("MECP") Record of Site Condition ('RSC') due to the change to a more sensitive

land use, the City shall rely on the MECP's RSC process to ensure the reports and ultimately the lands are deemed suitable for the Development.

9. Prior to the initiation of grading, and prior to the registration of this Plan or any phase thereof, the Owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed Development within this Plan, which report shall include:

- a) plans illustrating how this drainage system will tie into surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
- b) the location and description of all outlets and other facilities;
- c) storm water management techniques which may be required to control minor or major flows; and
- d) proposed methods of controlling or minimizing erosion and siltation onsite and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

10. The Owner shall agree in the subdivision agreement to maintain adequate chlorine residuals in the watermains within the Plan after successful testing and connection to the potable municipal water system and continue until such time as determined by the City or until assumption of the Plan. In order to maintain adequate chlorine residuals, the Owner will be required to retain a licensed water operator to flush the water system and sample for chlorine residuals on a regular basis determined by the City. The Owner shall be responsible for the costs associated with these activities including the metered consumption of water used in the program.
11. The Owner shall agree in the subdivision agreement that the location and design of the construction access shall be provided only in a location approved by the City and York Region.
12. The Owner shall agree to remove any driveways and buildings on site, which are not approved to be maintained as part of the Plan; any modification to off-site driveways required to accommodate the Plan shall be co-ordinated and completed at the cost of the Owner.

13. The Owner shall agree that all Lots or Blocks to be left vacant shall be graded, seeded, maintained and signed to prohibit dumping and trespassing.
14. The Owner shall agree in the subdivision agreement that no Building Permit(s) will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers, and storm drainage facilities are available to service the development.
15. Prior to final approval of the Plan, the Owner shall design and construct, at no cost to the City, any external municipal services, temporary and/or permanent built or proposed, that have been designed and oversized to accommodate the development of the Plan.
16. The Owner shall agree in the subdivision agreement to design, purchase material and install a streetlighting system in the Plan in accordance with City Standards and specifications. The Plan shall be provided with decorative streetlighting to the satisfaction of the City.
17. The Owner shall cause the following warning clauses to be included in a schedule to all Offers of Purchase and Sale, or Lease for all Lots/Blocks within the entire Plan:

- a) "Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the City and a conceptual location Plan is included in the subdivision agreement. While every attempt will be made to plant trees as shown, the City reserves the right to relocate or delete any boulevard tree without further notice.

The City has not imposed an amount of a tree fee or any other fee, which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front or on the side of the residential dwelling."

- b) "Purchasers and/or tenants are advised that proper grading of all lots in conformity with the Subdivision Grading Plans is a requirement of this subdivision agreement.

The City has taken a Letter of Credit from the Owner (Subdivision Developer) for the security to ensure all municipal services including, but not limited to lot grading, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for lot grading purposes, is NOT a requirement of this subdivision agreement. The City of Vaughan does not control the return of such deposits and purchasers/tenants must direct inquiries regarding this return to their vendor/landlord."

- c) "Purchasers and/or tenants are hereby put on notice that the Telecommunications Act and the Canadian Radio and Telecommunications Commission ("CRTC") authorize telephone and telecommunication facilities and services to be provided by telecommunication carriers other than traditional carriers for such services and that purchasers and tenants are advised to satisfy themselves that such carriers servicing the lands provide sufficient service and facilities to meet their needs."
- d) "Purchasers and/or tenants are advised that driveway widths and curb cut widths are governed by City of Vaughan Zoning By-law 1-88, as amended, as follows:
- i) The maximum width of a driveway shall be 6 metres measured at the street curb, provided circular driveways shall have a maximum combined width of 9 metres measured at the street curb.
 - ii) Driveway in either front or exterior side yards shall be constructed in accordance with the following requirements:

Lot Frontage	Maximum Driveway Width
5.8 - 6.99 m	3.5 m

¹The Front Yard for Lots between 5.8 - 6.99m shall be comprised of a Minimum of 33% Landscaped Front or Exterior side yard and a minimum sixty percent (60%) of the Minimum Landscaped Front or Exterior side yard shall be soft landscaping in accordance with Paragraph 4.1.2 of Zoning By-law 1-88.

- e) "Purchasers and/or tenants are advised that mail delivery will be from a designated community mailbox as per requirements dictated by Canada Post. The location of the mailbox shall be shown on the community plan provided by the Owner in its Sales Office."
- f) "Purchasers and/or tenants are advised that despite the inclusion of noise control features within both the development area and the individual building units, noise levels, including from construction activities, may be of concern and occasionally interfere with some activities of the building occupants."
- g) "Purchasers and/or tenants are advised that fencing and/or noise attenuation features along the lot lines of lots and blocks abutting public lands, including public highway, laneway, walkway or other similar public

space, is a requirement of this subdivision agreement and that all required fencing and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3m reserve, as shown on the Construction Drawings.

- h) “The City has taken a Letter of Credit from the Owner for security to ensure all fencing including, but not limited to privacy fencing, chain link fencing and acoustic fencing, are constructed to the satisfaction of the City. Direct cash deposit from the Purchasers to the City and/or Owner, for fencing, is not a requirement of this subdivision agreement.”
- i) “Purchasers and/or tenants are advised that fencing along the lot lines of Lots and Blocks abutting public lands is a requirement of this subdivision agreement and that all required fencing, noise attenuation feature and barriers shall be constructed with all fencing materials, including foundations, completely on private lands and totally clear of any 0.3 metre reserve, as shown on the Construction Drawings.

The maintenance of the noise attenuation feature or fencing shall not be the responsibility of the City, or the Region of York and shall be maintained by the Owner until assumption of the services of the Plan. Thereafter the maintenance of the noise attenuation feature or fencing shall be the sole responsibility of the lot owner or Condominium Corporation. Landscaping provided on Regional Road right-of-ways by the Owner or the City for aesthetic purposes shall be approved by the Region and maintained by the City with the exception of the usual grass maintenance.”

- j) “Purchasers and/or tenants are advised that this plan of subdivision is designed to include rear lot catchbasins. The rear lot catchbasin is designed to receive and carry only clean stormwater. It is the homeowner’s responsibility to maintain the rear lot catchbasin in proper working condition by ensuring that the grate is kept clear of ice, leaves and other debris that would prevent stormwater from entering the catchbasin. The rear lot catchbasins are shown on the Construction Drawings and the location is subject to change without notice.”
- k) “Purchasers and/or tenants are advised that the Owner (Subdivision Developer) has made a contribution towards recycling containers for each residential unit as a requirement of this subdivision agreement. The City has taken this contribution from the Owner to off-set the cost for the recycling containers, therefore, direct cash deposit from the Purchasers to the Owner for recycling containers purposes is not a requirement of the City of Vaughan. The intent of this initiative is to encourage the home Purchasers to participate in the City’s waste diversion programs and obtain their recycling containers from the Joint Operation Centre (JOC),

2800 Rutherford Road, Vaughan, Ontario, L4K 2N9, (905) 832-8562; the JOC is located on the north side of Rutherford Road just west of Melville Avenue.”

Any additional warning clause as noted in the subdivision agreement shall be included in all Offers of Purchase and Sale or Lease for all Lots and/or Blocks within the Plan to the satisfaction of the City.

18. Prior to final approval, a geotechnical report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
19. Prior to final approval, the Owner shall not remove any vegetation or topsoil or start any grading of the lands, without a fill permit issued by the City, and a development agreement, if necessary.
20. Prior to final approval of the Plan, and/or conveyance of land, and/or any initiation of grading or construction, the Owner shall implement the following to the satisfaction of the City:
 - a) Submit a Phase One Environmental Site Assessment ('ESA') report and, if required and as applicable, a Phase Two ESA, Remedial Action Plan ('RAP'), Phase Three ESA report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) for the lands within the Plan. The sampling and analysis plan prepared as part of the Phase Two ESA, Phase Three ESA, and RAP shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
 - b) Should a change to a more sensitive land use as defined under O. Reg. 153/04 (as amended) or remediation of any portions of lands within the Plan be required 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 the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site Registry including the acknowledgement letter from the MECP, covering all the lands within the Plan.
 - c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional ('QP') stating that they covenant and agree that all lands within the Plan and any lands and easements external to the Plan to be dedicated to the City and the Region were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use,

and meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act" (as amended).

- d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
21. The current servicing easement on 75 Simmons Street where the existing watermain servicing Simmons Street is located and the future sanitary sewer is proposed to be placed does not consider sanitary sewers within its limits. Furthermore, the current width of the servicing easement does not meet City and Provincial Standards to facilitate both water and sanitary services concurrently. Prior to final approval of the Plan, the Owner shall demonstrate, to the satisfaction of the City, that a design and construction method can facilitate the operation and maintenance of both the existing watermain and proposed sanitary sewer concurrently. The Owner shall be responsible to modify the description of the easement to include the proposed sanitary sewer to the satisfaction of the City. The Owner shall agree in the subdivision agreement to convey any lands and/or easements, free of all costs and encumbrances, to the City that are necessary to construct the municipal services utilizing an adequate easement width. Lands may include any required easements and/or additional lands within and/or external to the draft plan, to the satisfaction of the City.
 22. Prior to final approval of the Plan, the Owner shall coordinate any telephone or telecommunications service provider to locate its plant in a common trench on Simmons Street to service the proposed Development Block(s) prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be able to install its plant so as to permit connection to individual dwelling units within the subdivision, at no cost to the City.
 23. The Owner shall agree in the subdivision agreement to design and construct at no cost to the City all applicable external municipal infrastructure required including the urbanization of Simmons Street, improvements to the pedestrian facilities (Simmons Street), additional streetlighting along Simmons Street, watermain, storm and sanitary sewers, sidewalks, etc., that are necessary to benefit the Plan to the satisfaction of the City.
 24. All proposed watercourse/roadway crossings and subsurface infrastructure including, but not limited to, sanitary, stormwater and water services shall be constructed in conjunction with this development. The timing for construction of these works shall be to the satisfaction of the City.
 25. Prior to final approval of the Plan, the Owner shall prepare a comprehensive Traffic Management Plan ('TMP') based on updated traffic study. The TMP shall include the details of the future traffic calming measures, future transit routes,

pedestrian network, traffic controls, phasing etc. that reflects the latest road network to the satisfaction of the City.

26. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Electrical Consultant to provide an updated streetlighting design and photometric analysis as part of the Simmons Street road improvements. The plan/analysis to be submitted to the City and York Region for review and approval, shall demonstrate that adequate lighting is available for the sidewalk and roadway, and shall recommend mitigative measures for these issues, to the satisfaction of the City.
27. Prior to final approval of the Plan, the Owner shall ensure all necessary approvals to facilitate the road intersection of Simmons Street and Rutherford Road in accordance with the Traffic Impact Study ('TIS'), to the satisfaction of the City. The traffic study is to analyze operation of the existing intersection and this intersection is subject to approval by the York Region.
28. Prior to final approval of the Plan, the Owner shall retain the services of a qualified Transportation Consultant to provide an updated transportation report/plan outlining the required York Region and City road improvements. The report/plan submitted to the City and Region for review and approval, shall demonstrate that adequate road capacity is available for the proposed development, and shall explain all transportation issues and recommend mitigative measures for these issues. An updated transportation report shall include a traffic management/roadway detour plan for the proposed roadway improvements. The Owner shall agree in the subdivision agreement to implement the recommendations of the updated transportation report/Plan and TMP, to the satisfaction of the City.
29. The Owner shall agree in the subdivision agreement that any additional lands required for public highway purposes, where daylight triangles do not conform to the City Standard Design Criteria, will be conveyed to the City, free of all costs and encumbrances.
30. Prior to final approval of the Plan, a Water Supply Analysis Report shall be submitted to the satisfaction of the City which shall include a comprehensive water network analysis of the water distribution system and shall demonstrate that adequate water supply for the fire flow demands is available for the Plan and each phase thereof. The analysis shall include, but not be limited to, conducting a WaterCAD/InfoWater analysis of the lands in accordance to the recommendations set forth within the Functional Servicing Report.
31. Prior to final approval of the Plan, the Owner shall conduct comprehensive sanitary sewer study including, but not limited to, flow monitoring, conveyance capacity analysis of downstream sewers, downstream sanitary sewer design sheets and related drawings to demonstrate that the subject lands can be

adequately serviced as proposed and conform to the City's comments on the sewer design. The sanitary sewer analysis shall be completed using the City standards as these lands are proposed to connect through an existing sanitary sewer network. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City.

32. Prior to final approval of the Plan, the Owner shall conduct comprehensive storm sewer study including, but not limited to, conveyance capacity analysis of proposed sewers, downstream storm sewer design sheets, hydraulic grade line analysis and related design drawings to demonstrate that the subject lands can be adequately serviced as proposed and conform to the City's comments on the sewer design. The stormwater analysis shall be completed using the City standards as these lands are proposed to be serviced by a new storm sewer within the Simmons Street right-of-way. The Owner shall agree in the subdivision agreement to design and construct, at no cost to the City, all applicable works that are necessary to service the proposed lands to the satisfaction of the City.
33. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit a detailed hydrogeological impact study that identifies, if any, local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision.
34. For park/open space block(s) that are being conveyed to the City, prior to final approval of the Plan, and/or conveyance, and/or release of applicable portion of the Municipal Services Letter of Credit, the Owner shall implement the following to the satisfaction of the City:
 - a) Submit a Phase Two Environmental Site Assessment ('ESA') report in accordance with Ontario Regulation (O. Reg.) 153/04 (as amended) assessing all park/open space block(s) in the Plan for contaminants of concern to the satisfaction of the City. On-site sampling of the park/open space block(s) shall be conducted only after the City has certified the rough grading of the park/open space block(s), but prior to the placement of topsoil and landscaping. The sampling and analysis plan prepared as part of the Phase Two ESA shall be developed in consultation with the City, implemented, and completed to the satisfaction of the City.
 - b) Should remediation of any portions of the park/open space block(s) within the Plan be required 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 Remedial Action Plan (RAP) and a complete copy of the satisfactory registration of the Record(s) of Site Condition (RSCs) filed on the Environmental Site

Registry including the acknowledgement letter from the MECP, covering the remediated park/open space block(s) within the Plan.

- c) Submit a signed and stamped certificate letter prepared by the Owner's Environmental Qualified Person/Professional ('QP') stating that they covenant and agree that the park/open space block(s) to be dedicated to the City were remediated in accordance with O. Reg. 153/04 (as amended) and the accepted RAP (if applicable), are suitable for the intended land use, and meet the applicable Standards set out in the MECP document "Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the *"Environmental Protection Act"* (as amended).
 - d) Reimburse the City for the cost of the peer review of the ESA reports and RAP, as may be applicable.
35. Prior to the initiation of the grading or striping of top soil and final approval, the Owner shall submit a top soil storage plan detailing the location, size, slopes stabilization methods and time period, for approval by the City. Top soil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either the park or school blocks.
36. The Owner shall agree in the subdivision agreement to construct a 1.5-metre-high black vinyl chain link fence along the limits of the residential lots where they abut the open space, valley/woodlot, and/or park blocks to the satisfaction of the City.
37. The Owner shall include following warning clause for all purchasers and/or tenants within the Plan:
- a) abutting or in proximity of any open space, valleylands, woodlots or stormwater facility:
 - "Purchasers and/or tenants are advised that the adjacent open space, woodlot or stormwater management facility may be left in a naturally vegetated condition and receive minimal maintenance."
 - b) abutting or in proximity of any parkland or walkway:
 - "Purchasers and/or tenants are advised that the lot abuts a "Neighbourhood Park" of which noise and lighting may be of concern due to the nature of the park for active recreation."

- c) encroachment and/or dumping
 - “Purchasers and/or tenants are advised that any encroachments and/or dumping from the lot to the school site, park, open space, woodlot and/or storm water management facility are prohibited.”
 - d) gate of access point
 - “Purchasers and/or tenants are advised that the installation of any gate of access point from the lot to the school site, open space, stormwater management facility, watercourse corridor, woodlot, and/or park is prohibited.”
 - e) infiltration trench
 - “Purchasers and/or tenants are advised that their rear yard lot area has been design to incorporate an infiltration trench or soak-away pit system to achieve groundwater balance. It is the responsibility of the homeowner to maintain the infiltration trench or soak-away pit systems in good operating condition, which may include periodic cleaning of the rear yard catch basin. No planting activity or structures are permitted on the infiltration trenches and soak-away pits.”
 - f) future grade separation on Rutherford Road:
 - “Purchasers and/or tenants are advised that a future grade separation is anticipated to be constructed between the Canadian Pacific Railway track and Rutherford Road. Grading of Rutherford Road and the secondary access to Rutherford Road may be modified because of the anticipated construction works to facilitate the grade separation.”
38. The Owner shall agree in the subdivision agreement to obtain all necessary permissions to enter from adjacent private properties to facilitate and construct the proposed detailed design of Simmons Street as proposed, free of all costs and encumbrances, and to the satisfaction of the City.
39. 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.
40. Prior to final approval of the Plan and/or commencement of construction within the Plan, the Owner shall submit detailed engineering design plans for the road improvements of Simmons Street including, but not limited to, the intersection

design with Rutherford Road, lane widths, lane configurations, curb radii, turning lanes with storage/ taper length, retaining wall details and sidewalk details to the satisfaction of the City.

41. The Owner shall agree in the subdivision agreement to provide information on sustainable transportation, via various media, to all purchasers and/or tenants within the Plan, including pedestrian and cycling facilities.
42. Prior to final approval of the Plan, the Owner shall submit an environmental noise and/or vibration report to the City for review and approval. The preparation of the noise/vibration report shall include the ultimate traffic volumes associated with the surrounding road network and railway to according to the Ministry of Environment Guidelines. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in the approved noise/vibration report to the satisfaction of the City.
43. Prior to final approval of the Plan, the Owner shall obtain confirmation from the City and Region of York that adequate water supply and sewage treatment capacity are available and have been allocated to accommodate the proposed development.
44. Prior to initiation of grading or stripping of topsoil and prior to final approval of the Plan, the Owner shall prepare and implement a detailed erosion and sedimentation control plan(s) addressing all phases of the construction of the municipal services and house building program including stabilization methods, topsoil storage locations and control measures to the satisfaction of the City. The Owner shall prepare the erosion and sediment control plan(s) for each stage of construction (pre-stripping/earthworks, pre-servicing, post-servicing) in accordance with the TRCA Erosion and Sediment Control Guidelines for Urban Construction, dated December 2006 and implement a monitoring and reporting program to the satisfaction of the City.
45. The Owner shall agree in the subdivision agreement to decommission any existing wells and driveways on the Plan in accordance with all applicable provincial legislation and guidelines and to the satisfaction the City.
46. Prior to final approval of the Plan, the Owner shall address and satisfy all comments supplied by the Development Engineering Department, to the satisfaction of the City
47. Prior to final approval, 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.

- In addition, the study shall quantify the value of the tree replacements using the Urban Design Tree Replacement Valuation outlined in the City's Tree Protection Protocol.
 - The Owner shall not remove trees without written approval by the City.
 - The Owner shall enter into a Tree Protection Agreement and pay all applicable fees and tree compensation, if applicable.
48. Prior to the landscape plan review by Urban Design staff, the Owner shall pay to the Development Planning Department in accordance with the in-effect Tariff of Fees for Vaughan Planning Applications Landscape Plan Review.
- This fee will include staff's review and approval of proposed streetscaping/landscaping within the development (including but not limited to urban design guidelines, landscape master plan, architectural design guidelines, perfect submission landscape architectural drawings, stormwater management pond planting plans, natural feature edge restoration/management plans), and tree inventory/preservation/removals plans.
 - In addition, a fee will be applied for each subsequent inspection for the start of the guaranteed maintenance period and assumption of the development by the City of Vaughan.
49. Prior to final approval, the Owner shall prepare an urban design brief. The document shall address but not be limited to the following issues:
- Landscape Master Plan; Co-ordination of the urban design/streetscape elements including fencing treatments and street tree planting. Also, the appropriate community edge treatments along Rutherford Road and the Canadian Pacific Railway lands
 - Architectural control design guidelines, including appropriate flankage elevations along Rutherford Road.
 - Sustainability design practices/guidelines.
50. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along the limits of the residential blocks that abut the existing Canadian Pacific Railway lands to the west, to the satisfaction of the City of Vaughan.
51. The Owner shall agree in the subdivision agreement to erect an appropriate fence barrier along the limits of the residential blocks that abut the existing lands to the east and to the south, to the satisfaction of the City of Vaughan.

52. The Owner shall agree in the subdivision agreement to erect permanent wood fence treatments for flanking residential dwellings; to be co-ordinated with the environmental noise report and architectural design guidelines.
53. The Owner shall agree in the subdivision agreement that should archaeological resources be found on the property during construction activities, all work must cease and both the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan's Development Planning Department, Urban Design and Cultural Heritage Section shall be notified immediately.
54. The Owner shall agree in the subdivision agreement that in the event that human remains are encountered during construction activities, the proponent must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services.
55.
 - a) Prior to final approval and prior to commencement of any work on the site, the Owner shall carry out an archaeological assessment of the subject property to the satisfaction of the City and the Ministry of Culture; and the Owner shall agree to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeologically resources found. No grading or other soil disturbances shall take place on the subject property prior to the approval authority and the Ministry of Culture confirming that all archeological resource concerns have met licensing and resource conservation requirements.
 - b) Prior to final approval and prior to the commencement of any work on site, the Owner shall deliver to the City (Cultural Services Division) two copies of the Archeological Assessment.
 - c) Prior to the commencement of any archaeological fieldwork, a copy of the contract information sheet which was submitted to the Ministry of Culture, shall have been forwarded to the City; licensed consultants shall confirm that they have reviewed the Archaeological Master Plan Study for the City of Vaughan prior to commencing any fieldwork.
56. The Owner shall plan and construct a multi-use recreational pathway that connects the Subject Lands to Regional Road 27 via Rutherford Road to the satisfaction of Parks Development Department.
57. The Owner shall cause the following to be displayed on the interior wall of the sales office, information approved by the City of Vaughan, prior to offering any units for sale, to be monitored periodically by the City. No Building Permit(s) shall

be issued for a sales office or model home, or a residential unit until such information is approved by the City of Vaughan.

- the Block Plan for the broader area, showing surrounding land uses, arterials/highways, railways and hydro lines, etc.
- the location of street utilities, community mailboxes, entrance features, fencing and noise attenuation features, together with the sidewalk plan approved in conjunction with draft plan approval.
- the location of parks, open space, stormwater management facilities and trails. the location of institutional uses, including schools, places of worship, community facilities.
- the location and type of commercial sites.
- colour-coded residential for singles, semis, multiples, and apartment units.
- the following notes in BOLD CAPITAL TYPE on the map:

"For further information, on proposed and existing land uses, please call or visit the City of Vaughan, Development Planning Department, at 2141 Major Mackenzie Drive, L6A 1T1; (905)832-8585."

"For detailed grading and berming information, please call the developer's engineering consultant, (name) at * ".

"This map is based on information available as of (date of map), and may be revised or updated without notification to purchasers."

[In such circumstances, the Owner is responsible for updating the map and forwarding it to the City for verification.]

58. Where the Owner proposes to proceed with the construction of a model home(s) prior to registration of the Plan, the Owner shall enter into an agreement with the City, setting out the conditions, and shall fulfill relevant conditions of that agreement prior to issuance of a Building Permit.
59. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.

60. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

ATTACHMENT 1B
YORK REGION



Corporate Services

February 28, 2018

Mr. Mauro Peverini
Director of Development Planning
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Attention: Clement Messere, M.C.I.P., R.P.P.

RE: Proposed Official Plan Amendment
OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Zoning By-law Amendment
Z.17.031 (ZBA.17.V.0026) & Z.16.019
Draft Plan of Subdivision
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)
6061 & 6079 Rutherford Road & 134 & 140 Simmons Street
Part of East Half of Lot 15, Concession 9
(Gemini Urban Design (W) Corp.)
City of Vaughan

Further to the Region's letter dated October 28, 2016 wherein OP.16.007, Z.16.019 & 19T-16V04 were deemed premature, the Region is satisfied with the revised proposal. Metrolinx has confirmed that a potential GO station has been identified on the northeast quadrant of Rutherford Road and the Canadian Pacific Railway which satisfies policies 7.2.30 and 7.2.31 of the York Region Official Plan 2010. In addition, the proposal has been revised to include a connection to Simmons Street which addresses vehicular access and water and wastewater concerns. The development will be fully serviced through the City of Vaughan's infrastructure which addresses the previous proposal for a septic system as an interim wastewater solution.

Please refer to this letter on the Region's latest response to the circulation and request for comments for the above-captioned Official Plan Amendment (OPA), zoning by-law amendment and draft plan of subdivision applications.

The subject site is located on lands municipally known as 6061 & 6079 Rutherford Road & 134 & 140 Simmons Street, west of Highway 27 and on the south side of Rutherford Road, in the City of Vaughan. The proposal will facilitate the development of a residential block consisting of 108 residential units and blocks for a stormwater management pond, road widening and buffer, within a 3.44 ha site.

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

Page 2

Official Plan Amendment

Purpose and Effect of the Proposed Amendment

The subject lands are designated "Low-Rise Residential" by the Vaughan Official Plan 2010 (VOP 2010). The proposed OPA will amend the VOP 2010 by adding site specific provisions to allow for changes to policies relating to built form, urban design and compatibility.

2010 York Region Official Plan

The subject site is designated "Urban Area" by the York Region Official Plan (2010), which permits a wide range of residential, commercial, industrial and institutional uses.

Draft Plan of Subdivision

Sanitary Sewage and Water Supply

Residential development requires servicing capacity allocation prior to final site plan approval. If the City of Vaughan does not grant this development allocation from the existing capacity assignments to date, the development may require additional Regional infrastructure based on conditions of future capacity assignment, which may include:

- Duffin Creek WPCP Outfall Modification – 2021 pending the outcome of the Class EA
- West Vaughan Sewage Servicing – 2028 expected completion
- Other projects as may be identified in future studies

The timing of the above infrastructure is the current estimate and may change as each infrastructure project progresses and is provided for information purposes only.

Based on our review of York Region's GIS data and the documentation submitted, it is our understanding that the wastewater and water servicing for the proposed development is as follows:

Wastewater Servicing

There is a proposed sanitary connection to the existing City of Vaughan sanitary sewer on Royalpark Way. The sanitary connection requires the crossing of the Regional 750mm diameter Highway 27 watermain. Engineering drawings showing the proposed crossing, complete with plan and profile/cross-sections and details of the aforementioned Regional infrastructure shall be submitted to the Community Planning and Development Services Division and the Infrastructure Asset Management Branch for review and approval. The Owner is further advised that the integrity of the Regional infrastructure is to be maintained at all times during the grading and construction activities of the proposed development. A minimum of 2 week's notice to the Region is required prior to the scheduled construction work related to the crossing of Regional infrastructure.

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

Page 3

Water Servicing

The proposed water supply for the subject development is by way of 2 connections to City of Vaughan infrastructure in the Rutherford Road right-of-way and the Simmons Street right-of-way. The Owner is advised that the Regional 1800mm diameter York Peel Feedermain is located in the Rutherford Road right-of-way. The integrity of the Regional infrastructure is to be maintained at all times during the grading and construction activities of the proposed development.

Should there be any change in the proposed servicing scheme, the Owner shall forward the revised Plan to the Region for review and record.

Transit

The applicant is advised to coordinate with the City of Vaughan to provide sidewalk facilities connecting from the internal road network to Rutherford Road.

Transportation and Infrastructure Planning

The Regional Transportation and Infrastructure Planning Branch section has reviewed the draft plan of subdivision and the Transportation Study Update, prepared by Nextrans, dated August, 2017. Technical comments are attached hereto.

Development Engineering

The Regional Development Engineering section has reviewed the draft plan of subdivision and future site plan requirements are attached hereto.

Summary

York Region has no objection to the proposed Official Plan Amendment, zoning by-law amendment and draft plan of subdivision subject to the aforementioned comments and the attached Schedule of Conditions. We request that a copy of the Notice of Decision be forwarded to this office.

Please contact Justin Wong, Planner, at 1-877-464-9675 ext. 71577 or by email at Justin.Wong@york.ca should you require further assistance.

Sincerely,



Karen Whitney, M.C.I.P., R.P.P.
Director of Community Planning and Development Services

Attachments (2) Schedule of Conditions
 Memorandum – Technical Comments

JW/

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

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Schedule of Conditions
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)
6061 & 6079 Rutherford Road & 134 & 140 Simmons Street
Part of East Half of Lot 15, Concession 9
(Gemini Urban Design (W) Corp.)
City of Vaughan

Re: Glen Schnarr & Associates Inc., dated January 17, 2018

Conditions to be Included in the Subdivision Agreement

1. The Owner shall save harmless the City of Vaughan and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.

Conditions to be Satisfied Prior to Final Approval

2. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the City of Vaughan and York Region.
3. The Owner shall agree to advise all potential purchasers of the existing transit services near this development. This includes current transit routes, bus stops, and shelter locations. This shall be achieved through distribution of information/marketing materials (YRT/Viva route maps, future plan maps & providing YRT/Viva website contact information) at sales offices and appropriate notification clauses in purchase agreements. The Owner/consultant is to contact YRT/Viva Contact Centre (tel. 1-866-668-3978) for route maps and the future plan maps.

Current YRT/Viva transit services operate on the following roadways in the vicinity of the subject development:

- Rutherford Road
 - Highway 27
4. The owner shall provide a pedestrian and cycling connection from the internal road network to Rutherford Road, including any pedestrian and cycling connections recommended in the updated Transportation Mobility Plan Study to the boundary roadways and adjacent developments, as well as facilities on the site to promote the usage of non-auto travel modes. A drawing shall be provided to illustrate the pedestrian and cycling connections and facilities.
 5. The owner shall provide an updated Transportation Mobility Plan Study to the satisfaction of the Region.
 6. The Owner shall agree that the following lands will be conveyed to York Region for public highway purposes, free of all costs and encumbrances, to the satisfaction of York Region Solicitor:

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

Page 5

- a) A widening across the full frontage of the site where it abuts Rutherford Road of sufficient width to provide a minimum of 21.5 metres from the centreline of construction of Rutherford Road and any lands required for future grade separation at C.P. Railway and Rutherford Road, and
 - b) A 0.3 metre reserve across the full frontage of the site, adjacent to the above noted widening.
7. The Owner shall provide a solicitor's certificate of title in a form satisfactory to York Region Solicitor, at no cost to York Region with respect to the conveyance of the above noted lands to York Region.
 8. The Region requires the Owner submit a Phase One Environmental Site Assessment ("ESA") in general accordance with the requirements of the Environmental Protection Act and O. Reg. 153/04 Records of Site Condition, as amended ("O. Reg. 153/04"). The Phase One ESA must be for the Owner's property that is the subject of the application and include the lands to be conveyed to the Region (the "Conveyance Lands"). The Phase One ESA cannot be more than two (2) years old at: (a) the date of submission to the Region; and (b) the date title to the Conveyance Lands is transferred to the Region. If the originally submitted Phase One ESA is or would be more than two (2) years old at the actual date title of the Conveyance Lands is transferred to the Region, the Phase One ESA will need to be either updated or a new Phase One ESA submitted by the Owner. Any update or new Phase One ESA must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. The Region, at its discretion, may require further study, investigation, assessment, delineation and preparation of reports to determine whether any action is required regardless of the findings or conclusions of the submitted Phase One ESA. The further study, investigation, assessment, delineation and subsequent reports or documentation must be prepared to the satisfaction of the Region and in general accordance with the requirements of O. Reg. 153/04. Reliance on the Phase One ESA and any subsequent reports or documentation must be provided to the Region in the Region's standard format and/or contain terms and conditions satisfactory to the Region.

The Region requires a certified written statement from the Owner that, as of the date title to the Conveyance Lands is transferred to the Region: (i) there are no contaminants of concern, within the meaning of O. Reg. 153/04, which are present at, in, on, or under the property, or emanating or migrating from the property to the Conveyance Lands at levels that exceed the MOECC full depth site condition standards applicable to the property; (ii) no pollutant, waste of any nature, hazardous substance, toxic substance, dangerous goods, or other substance or material defined or regulated under applicable environmental laws is present at, in, on or under the Conveyance Lands; and (iii) there are no underground or aboveground tanks, related piping, equipment and appurtenances located at, in, on or under the Conveyance Lands.

The Owner shall be responsible for all costs associated with the preparation and delivery of the Phase One ESA, any subsequent environmental work, reports or other documentation, reliance and the Owner's certified written statement.

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

Page 6

9. The Owner shall provide a copy of the Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
10. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional development charges, or any part thereof, are payable.
11. The Regional Corporate Services Department shall advise that Conditions 1 to 10 inclusive, have been satisfied.

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

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MEMORANDUM – PRELIMINARY TECHNICAL COMMENTS

RE: Proposed Official Plan Amendment
 OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
 Zoning By-law Amendment
 Z.17.031 (ZBA.17.V.0026) & Z.16.019
 Draft Plan of Subdivision
 19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)
 6061 & 6079 Rutherford Road & 134 & 140 Simmons Street
 Part of East Half of Lot 15, Concession 9
 (Gemini Urban Design (W) Corp.)
 City of Vaughan

Regional Transportation and Infrastructure Planning and Development Engineering staff have reviewed the above noted Official Plan Amendment (OPA), zoning by-law amendment and draft plan of subdivision applications, as well as the supporting documents and offer the following comments for these applications and any subsequent development applications. These comments are not an approval and are subject to modification. It is intended to provide information to the applicant regarding the Regional requirements that have been identified to date.

1. Transportation and Infrastructure Planning

- a) The supporting Transportation Study shall be consistent with the Region Transportation Mobility Plan Guidelines as the study should assess the existing and future pedestrian and cycling infrastructure improvements to accommodate the development. The Study shall be revised to assess future infrastructure requirements for pedestrian, cycling and transit in the area.
- b) A 43.0 meter (21.5 m on either side) right-of-way is required for this section of Rutherford Road. However, a grade separation is identified for the C.P. Railway at Rutherford Road in the 2016 TMP. As such, additional lands may be required to accommodate the future grade separation.
- c) A pedestrian and cycling connection should be implemented from the internal road network to Rutherford Road.
- d) The Study should also consult Region's 2016 Transportation Master Plan update regarding roadway improvements in the area.

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

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- e) Trip assignment is based on the existing traffic pattern, therefore, the majority of the development traffic is assigned to Highway 27. However, once the Highway 427 extension completed in 2021 with a full interchange at Rutherford Road, traffic pattern will change on Rutherford Road, as such the majority of the development traffic will be travelling west on Rutherford Road. A sensitivity analysis regarding future traffic shall be conducted with the Highway 427 extension.
- f) With the future Highway 427 extension noted above, the study shall assess the need of an exclusive eastbound right turn lane on Rutherford Road and Simmons Street intersection to accommodate development traffic, given the geometry of the existing intersection. This intersection was designed to accommodate lower traffic volumes. As Simmons Street connects with Rutherford Road on a horizontal curve with significant slopes, this may create operational and safety issues as more development traffic will make right turns in the future.

2. Development Engineering

- a) Prior to final site plan approval, the Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
- b) Prior to final site plan approval, the location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
- c) Prior to final site plan approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
- d) Prior to final site plan approval, the Owner shall demonstrate, to the satisfaction of Development Engineering that elevations along the streetline shall be 0.1 to 0.2 metres above the centreline elevations of the York Region roadway, unless otherwise specified by Development Engineering.
- e) Prior to final site plan approval, the Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
 - a) All existing woody vegetation within the York Region road right of way,
 - b) Tree protection measures to be implemented on and off the York Region road right of way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the York Region road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within York Region

ATTACHMENT 1B (CONTINUED)
YORK REGION

OP.17.011 (LOPA.17.V.0055) & OP.16.007 (LOPA.16.V.0044)
Z.17.031 (ZBA.17.V.0026) & Z.16.019
19T-17V11 (SUBP.17.V.0047) & 19T-16V04 (SUBP.16.V.0042)

Page 9

road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.

- d) A planting plan for all new and relocated vegetation to be planted within the York Region road right of way, based on the following general guideline:

“Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the York Region Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed in the York Region right-of-way by the Owner or the area municipality for aesthetic purposes they must be approved by Development Engineering and shall be maintained by the area municipality with the exception of the usual grass maintenance”,

- e) For landscape features not maintained to York Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
- f) Prior to final site plan approval, the Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
- g) Prior to final site plan approval, the Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right of Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
- h) Please be aware that York Region Environmental Capital Delivery is scheduled to commence the construction of a sanitary trunk project along the frontage of the subject development, in 2023. For construction coordination please contact Alvaro Baca, Project Manager at 1-877-464-9675 extension 75091.
- i) Prior to final site plan approval, the Owner shall provide an electronic set of the engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services branch and the Infrastructure Asset Management Branch for record.

ATTACHMENT 1C
TORONTO AND REGION CONSERVATION AUTHORITY



October 24, 2018

CFN 60440
X-REF CFN 56077

BY E-MAIL ONLY (clement.messere@vaughan.ca)

Clement Messere
Senior Planner
Development Planning Department
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario L6A 1T1

Dear Mr. Messere:

**Re: Official Plan Amendment Applications OP.16.007 & OP.17.011
Zoning By-law Amendment Applications Z.16.019 & Z.17.031
Draft Plan of Subdivision Applications 19T-16V004 & 19T-17V011
Part of Lot 15, Concession 9
6061 & 6079 Rutherford Road and 134 & 140 Simmons Street
City of Vaughan, Regional Municipality of York
(Gemini Urban Design (W) Corp.)**

Further to the Toronto and Region Conservation Authority's (TRCA) correspondence of October 2, 2018, we are in receipt of a (revised) fifth submission in support of Official Plan Amendment Applications OP.16.007 and OP.17.011, Zoning By-law Amendment Applications Z.16.019 and Z.17.031 and Draft plan of Subdivision Applications 19T-16V004 and 19T-17V011 received by our office on October 16, 2018 with additional supporting materials received October 19, 2018. A list of materials reviewed can be found in Appendix 'A.'

Background

The original proposal reviewed by our office contemplated development on only the lots on Rutherford Road. The applications at that time sought to facilitate the development of 100 3-storey townhouse dwelling units within 16 blocks and one (1) single-detached dwelling served by a private common element condominium road with access from Rutherford Road. The Draft Plan of Subdivision Application (19T-16V004) was submitted for technical reasons to create a block which would then allow for future Draft Plan of condominium (Common Element).

Subsequently, the applicant secured two adjacent properties municipally known as 134 and 140 Simmons Street and Applications for Official Plan Amendment, Zoning By-law and Draft Plan of Subdivision were also submitted to reflect the additional properties and revision to the original concept. It is our understanding that the purpose of these applications is to facilitate a total of 111 townhouse dwelling units within 22 blocks and 2 semi-detached units, 12,691 m² of landscaped area, a stormwater management block and 34 visitor spaces.

The subject property is located on tablelands associated with the main Humber River valley corridor (to the east) with portions of the two lots on Simmons Street located within the valley wall, which contain a gradual slope east towards Simmons Street, which continues down beyond Highway 27 (to the east) and eventually meeting the Humber River. The tablelands are generally devoid of any significant vegetation; however the two lots on Simmons Street, which contain two existing dwellings, contain manicured lawns with an abundance of trees, many of which are slated for removal to accommodate the proposed development.

Tel. 416.661.6600, 1.888.872.2344 | Fax. 416.661.6898 | info@trca.on.ca | 5 Shoreham Drive, Downsview, ON M3N 1S4

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

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October 24, 2018

Application Specific Comments

TRCA completed its review of these applications and provide detailed-design comments in Appendix 'B'. The comments speak primarily to stormwater management practices, specifically quality control along the Simmons Street road right-of-way and confirmation that the LID measures are sized appropriately and detailed on all engineering drawings.

Recommendations

TRCA would have no objections to Official Plan Amendment Applications OP.16.007 and OP.17.011, Zoning By-law Amendment Applications Z.16.019 and Z.17.031 and Draft Plan of Subdivision Applications 19T-16V004 and 19T-17V011 subject to the draft zoning by-law schedule map being revised to remove the reference to 'SWM' (as noted in comment # 1) and the satisfactory resolution of the conditions noted in Appendix 'C' and detailed-design comments in Appendix 'B' of this letter.

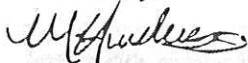
TRCA's detailed-design comments are included in Appendix 'B' herein. It is our expectation that the Owner will address all of TRCA's outstanding comments through fulfilment of the conditions of draft plan approval. This may necessitate redline revisions to the draft plan.

Should any revisions to the draft plan of subdivision applications, zoning by-law amendment applications or official plan amendment applications be proposed now or in the future, TRCA asks to be given the opportunity to amend our comments and conditions accordingly.

Please provide the Notice of Decision for these files once they are approved.

We trust these comments are of assistance. Should you have any questions, please contact me at extension 5936 or at mandrews@trca.on.ca.

Yours truly,



Mark Andrews
Planner II
Planning and Development

Copy: Ken Slater, Gemini Urban Design (W) Corp. (kslats46@gmail.com)
Jim Levac, Glen Schnarr & Associates (jiml@gsai.ca)

/MA

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

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October 24, 2018

Appendix 'A': List of Materials Reviewed

- Draft Plan of Subdivision, prepared by Glen Schnarr & Associates Inc., dated October 5, 2018, received by TRCA on October 16, 2018.
- Drawing No. SP1, Site Plan, prepared by FBP Architects Inc., revised October 5, 2018, received by TRCA on October 16, 2018.
- Drawing No. SP1, Site Plan, prepared by FBP Architects Inc., revised July 17, 2018, received by TRCA on October 19, 2018.
- Plan of Survey Showing Topographic Detail of Part of East Half of Lot 15, Concession 9 (Geographic Township of Vaughan), City of Vaughan, Regional Municipality of York, prepared by Rady-Pentek & Edward Surveying Ltd., dated December 4, 2017, received by TRCA on October 19, 2018.
- Functional Servicing & Stormwater Management Report, prepared by Schaeffers Consulting Engineers, dated August 2017, revised October 2018, received by TRCA on October 16, 2018.
- Drawing No. SS-SG-1, Preliminary Site Servicing and Grading Plan, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. SEC-1, Sections 1-8 and 13, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. SEC-2, Preliminary Site Servicing Grading Plan and Sections 14, 15 and 16, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. PP-1, Plan Profile of Simmons Street, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. PP-2, Plan Profile of Simmons Street, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. PP-3, Plan Profile of Sanitary Connection, prepared by Schaeffers Consulting Engineers, dated May 2018, received by TRCA on October 16, 2018.
- Drawing No. ESC-1, Erosion and Sediment Control Plan Stage 1 – Topsoil Stripping, prepared by Schaeffers Consulting Engineers, dated August 2018, received by TRCA on October 19, 2018.
- Drawing No. ESC-2, Erosion and Sediment Control Plan Details, prepared by Schaeffers Consulting Engineers, dated August 2018, received by TRCA on October 19, 2018.
- Response letter addressing TRCA Comments, prepared by Schaeffers Consulting Engineers, dated October 9, 2018, received by TRCA on October 16, 2018.
- Draft Zoning By-law Amendment Map Schedule, prepared by Glen Schnarr & Associates Inc., revised October 5, 2018, received by TRCA on October 16, 2018.
- Arborist Report, prepared by Strybos Barron King Landscape Architecture, dated August 24, 2018, received by TRCA on October 19, 2018.
- Drawing No. V100, Existing Tree Inventory, Preservation and Removals Plan, prepared by Strybos Barron King Landscape Architecture, revision No. 5 dated August 24, 2018, received by TRCA on October 19, 2018.
- Drawing No. V101, Existing Tree Inventory List, prepared by Strybos Barron King Landscape Architecture, revision No. 5 dated August 24, 2018, received by TRCA on October 19, 2018.
- Drawing No. L100, Key Plan, prepared by Strybos Barron King Landscape Architecture, revision No. 5 dated August 24, 2018, received by TRCA on October 19, 2018.
- Drawing Nos. L101 and L102, Landscape Plan, prepared by Strybos Barron King Landscape Architecture, revision No. 5 dated August 24, 2018, received by TRCA on October 19, 2018.
- Drawing Nos. L200 to L202, Landscape Details, prepared by Strybos Barron King Landscape Architecture, revision No. 5 dated August 24, 2018, received by TRCA on October 19, 2018.
- Figure No. 2-1, E to e Slope Study Line, prepared by Bruce A. Brown Associates Limited, dated October 4, 2018, received by TRCA on October 16, 2018.
- Figure No. 2-2, Scoped E to e Slope Study Line, prepared by Bruce A. Brown Associates Limited, dated October 4, 2018, received by TRCA on October 16, 2018.

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

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October 24, 2018

Appendix 'B': Detailed-Design Comments

Planning

1. A revised draft zoning by-law map schedule has been provided as requested, however, the OS1 zone references 'SWM' in the former location of the stormwater management facility. Please revise this schedule to remove this reference accordingly.
2. The Site Plan (drawing No. SP1) indicates the location of the underground stormwater management facility as 'Tot Lot.' Please revise this drawing to indicate this as the location of the stormwater management facility.

Water Resources Engineering

Stormwater Management – Quantity Control

3. In addition to the underground chamber, additional LID measures (infiltration chambers, backyard infiltration trenches and swales) have been added to the design. Based on Figure 2-3, it appears that the infiltration galleries are going through the middle of the lots for areas 103, 106 and 108. However, the supporting calculations in Appendix A shows the length including the lots on both sides which may overestimate the retention volume. For example, area 103 includes 19 lots in the calculation of the length, however it appears it is only spanning across 10 lots. It is expected that there should still be enough volume for the 5 mm on site-retention, however please clarify the LID on-site retention volumes. Further, please clarify how water is directed to the bioswale in catchment 105. In addition, please include a detail of all the LID measures and update all of the respective drawings including the Grading, Servicing and Erosion and Sediment Control plans.

Additional Comments Pertaining to Simmons Street Road Upgrades

4. It is noted that an OGS and scour pool are proposed at the outlet of the Simmons Street storm sewer. Please note that TRCA has taken a position parallel to the City of Toronto whereby OGS units, regardless of manufacturer, as a stand-alone measure can achieve up to a 50% TSS removal. As TRCA requires 80% TSS removal, additional measures for a treatment train approach must be considered.

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

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October 24, 2018

Appendix 'C': TRCA's Conditions of Draft Plan of Subdivision Approval

TRCA's Conditions of Draft Plan Approval

As noted above, TRCA has no objections to Draft Plan of Subdivision Application 19T-17V011, Part of East Half of Lot 15, Concession 9, City of Vaughan, Regional Municipality of York, prepared by Glen Schnarr & Associates Inc., dated October 5, 2018, subject to the following conditions:

1. That prior to site alteration and prior to the registration of this plan or any phase thereof, the Owner shall submit a detailed engineering report (or reports) and plans to the satisfaction of TRCA in accordance with the Functional Servicing & Stormwater Management Report (prepared by Schaeffers Consulting Engineers, dated October 2018), as may be amended to the satisfaction of TRCA and the City of Vaughan. This submission shall include:
 - i. a description of the storm drainage system (quantity and quality) for the proposed development;
 - ii. plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., identifying if it is part of an overall drainage scheme, how external flows will be accommodated, the design capacity of the receiving system;
 - iii. appropriate stormwater management techniques which may be required to control minor and major flows;
 - iv. appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to mitigate the impacts of development on the quality and quantity of ground and surface water resources as it relates to the natural system, both aquatic and terrestrial;
 - v. detailed plans and calculations for the proposed lot-level, conveyance, and end-of-pipe controls to be implemented on the site;
 - vi. proposed measures to promote infiltration and maintain water balance for the plan area;
 - vii. a subsurface investigation (including assessment of groundwater levels) for the final design of site grading, underground structures and infrastructure, and low impact development measures. The recommendations of the subsurface assessment will be used to inform the final design and construction plans;
 - viii. an evaluation that addresses the need for groundwater dewatering during construction, including but not limited to, details for its disposal, potential impacts to natural features due to groundwater withdrawal, mitigation and any permitting requirements;
 - ix. grading plans for the subject lands;
 - x. Cross-sections and details regarding areas where grading and filling is proposed in or adjacent to the Buffer (Block 4) and the valley lands, including detailed cross sections for any proposed retaining walls within the Simmons Street road right-of-way. The cross-sections and details shall include, but not be limited to, existing and proposed grades; limits of the natural features, hazards and buffers; transition to the adjacent tableland areas; interim and permanent stabilization of the slopes/disturbed areas; soil remediation; mitigation; tree protection; sediment and erosion controls; supporting geotechnical/soils analyses; and compensation, to the satisfaction of TRCA;

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

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October 24, 2018

- xi. an erosion and sediment control report and plans for the subject lands that includes proposed measures for controlling or minimizing erosion and siltation on-site and/or in downstream areas during and after construction; and
 - xii. the location and description of all outlets and other facilities or works which may require permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended.
2. That the Owner provide a copy of the approved implementing zoning by-law to TRCA, when available, to facilitate the clearance of conditions of draft plan approval.
3. That the Owner agrees in the subdivision and site plan agreement, in wording acceptable to TRCA:
 - i. to carry out, or cause to be carried out, to the satisfaction of TRCA, the recommendations of the reports/strategies and details of the plans referenced in TRCA's conditions of draft plan approval; and
 - ii. to install and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to TRCA;
 - iii. To comply with the permits approved under Ontario Regulation 166/06, as may be amended, including the approved plans, reports and conditions to the satisfaction of TRCA;
 - iv. To erect a permanent fence along all residential lots and blocks that abut the Buffer (Block 4), the valley lands and in other areas as may be required to protect existing and future open space lands from unauthorized/non-programmed entry to the satisfaction of TRCA;
 - v. To prohibit grading works within the Buffer (Block 4) and the valley lands unless approved by TRCA; and
 - vi. To prohibit retaining walls in or adjacent to the Buffer (Block 4) and the valley lands unless approved by TRCA.
4. That prior to the registration of this plan or any phase thereof, the Owner prepare a comprehensive edge management plans/restoration planting plans to the satisfaction of TRCA for the Buffer (Block 4) and the valley lands.
5. That prior to the registration of this plan or any phase thereof, the Owner prepare a plan that addresses the removal and restoration of historical, man-made intrusions (dwelling and accessory structure) in the Buffer (Block 4) and the valley lands to the satisfaction of TRCA, which must include but is not limited to the removal of paths, culverts, structures, fences, debris, etc. and the restoration of these areas to a natural state.
6. That the Buffer (Block 4) and the valley lands be dedicated to TRCA or the City of Vaughan, free of all charges and encumbrances, to the satisfaction of TRCA.
7. That prior to the registration of this plan or any phase thereof, that a geotechnical slope stability analysis be prepared, to the satisfaction of TRCA, for the proposed Simmons Street road upgrades that addresses the long term stability of the slope, including the factor of safety and any proposed retaining walls along the western side of Simmons Street.

ATTACHMENT 1C (CONTINUED)
TORONTO AND REGION CONSERVATION AUTHORITY

Clement Messere

7

October 24, 2018

8. That prior to the registration of this plan or any phase thereof, the Owner obtain all necessary permits from TRCA pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ontario Regulation 166/06), as may be amended, to the satisfaction of TRCA.
9. That this draft plan of subdivision and site plan be subject to red-line revision(s) in order to meet the requirements of TRCA's conditions of draft plan approval, if necessary, to the satisfaction of TRCA.
10. That the Owner provide a copy of the fully executed subdivision agreement to TRCA, along with a detailed letter stating how each draft approved condition has been addressed, in order to expedite the clearance of conditions of draft plan approval.
11. That the Owner pay the applicable clearance of draft plan conditions fee, pursuant to TRCA's fee schedule at the time the request to clear conditions has been made.

ATTACHMENT 1D
CANADA PACIFIC RAILWAY



**Canadian Pacific
Conditions of Approval
February 23, 2018**

**6061 & 6079 Rutherford Rd & 134 and Part 140 Simmons St.
19T-16V004, OP.16.007, Z.16.019 19T-17V011, OP.17.011, Z.17.031**

The proposed development is located adjacent to mile 14.13 of our Mactier Subdivision, which is classified as a principle main line.

Canadian Pacific Railway is not in favour of residential developments adjacent to our right-of-way as this land use is not compatible with railway operations. The health, safety and welfare of future residents could be adversely affected by railway activities.

However, to ensure the safety and comfort of adjacent residents and to mitigate as much as possible the inherent adverse environmental factors, we request that the following requirements be included as Conditions of Subdivision Approval:

1. A suitable safety berm be constructed on adjoining property, parallel to the railway right-of-way. The site plan drawing 15-1277-SP1 prepared by Flanagan Beresford & Patterson Architects references the 2.5 metre berm as required by CP.
2. Dwellings must be constructed such that the interior noise levels meet MOECC criteria. We have reviewed the Noise & Vibration Feasibility Study as prepared by HGC Engineering dated April 22, 2016 and support the implementation of all the recommendations contained therein. The vibration analysis was performed based on a proposed set-back of 30 metres, and it appears no mitigation is required.
3. Typical setback of dwellings from the railway right-of-way to be a minimum of 30 metres. The site plan drawing 15-1277-SP1 prepared by Flanagan Beresford & Patterson Architects indicates all units will meet the standard setback requirement.
4. A clause should be inserted in all offers to purchase, agreements of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
5. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed by the Railway.

ATTACHMENT 1D (CONTINUED)
CANADA PACIFIC RAILWAY

6. A 1.83 metre high chain-link fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense. It is noted that the site plan indicates a fence along the common property line.
7. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.

ATTACHMENT 1D (CONTINUED)
CANADA PACIFIC RAILWAY



PRINCIPAL MAIN LINE REQUIREMENTS

1. Berm, or combination berm and noise attenuation fence, having extensions or returns at the ends, to be erected on adjoining property, parallel to the railway right-of-way with construction according to the following:
 - a) Minimum total height 5.5 metres above top-of-rail;
 - b) Berm minimum height 2.5 metres and side slopes not steeper than 2.5 to 1.
 - c) Fence, or wall, to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre (4 lb/sq.ft.) of surface area.

No part of the berm/noise barrier is to be constructed on railway property.

A clause should be inserted in all offers of purchase and sale or lease, and be registered on title or included in the lease for each dwelling affected by any noise and vibration attenuation measures, advising that any berm, fencing, or vibration isolation features implemented are not to be tampered with or altered, and further that the owner shall have the sole responsibility for and shall maintain these features.

Dwellings must be constructed such that the interior noise levels meet the criteria of the appropriate Ministry. A noise study should be carried out by a professional noise consultant to determine what impact, if any, railway noise would have on residents of proposed subdivisions and to recommend mitigation measures, if required. The Railway may consider other measures recommended by the study.

2. Setback of dwellings from the railway right-of-way to be a minimum of 30 metres. While no dwelling should be closer to the right-of-way than the specified setback, an unoccupied building, such as a garage, may be built closer. The 2.5 metre high earth berm adjacent to the right-of-way must be provided in all instances.
 3. Ground vibration transmission to be estimated through site tests. If in excess of the acceptable levels, all dwellings within 75 metres of the nearest track should be protected. The measures employed may be:
 - a) Support the building on rubber pads between the foundation and the occupied structure so that the maximum vertical natural frequency of the structure on the pads is 12 Hz;
 - b) Insulate the building from the vibration originating at the railway tracks by an intervening discontinuity or by installing adequate insulation outside the building, protected from the compaction that would reduce its effectiveness so that vibration in the building became unacceptable; or
 - c) Other suitable measures that will retain their effectiveness over time.
 4. A clause should be inserted in all offers of purchase and sale or lease and in the title deed or lease of each dwelling within 300m of the railway right-of-way, warning prospective purchasers or tenants of the existence of the Railway's operating right-of-way; the possibility of alterations including the possibility that the Railway may expand its operations, which expansion may affect the living environment of the residents notwithstanding the inclusion of noise and vibration attenuating measures in the design of the subdivision and individual units, and that the Railway will not be responsible for complaints or claims arising from the use of its facilities and/or operations.
 5. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway, and be substantiated by a drainage report to be reviewed by the Railway.
 6. A 1.83 metre high chain link security fence be constructed and maintained along the common property line of the Railway and the development by the developer at his expense, and the developer is made aware of the necessity of including a covenant running with the lands, in all deeds, obliging the purchasers of the land to maintain the fence in a satisfactory condition at their expense.
 7. Any proposed utilities under or over railway property to serve the development must be approved prior to their installation and be covered by the Railway's standard agreement.
-

ATTACHMENT 1E
CANADA POST



December 5, 2017

**CITY OF VAUGHAN
2141 MAJOR MACKENZIE DRIVE
VAUGHAN ON L6A 1T1**

Attention: Clement Messere - Planner

Re: OP.16.007, Z.16.019 & 19T-16V004

OP.17.011, Z.17.031 & 19T-17V011

RELATED FILES:

KEN SLATER, GEMINI URBAN DESIGN (W) CORP

6061 & 6079 RUTHERFORD ROAD & 134 & PART OF 140 SIMMONS ST

THE CITY OF VAUGHAN WARD 2 POSTAL DELIVERY AREA: WOODBRIDGE

Dear Sir/Madam:

Thank you for the opportunity to comment on the above noted project.

As a condition of Condominium approval, Canada Post requires that the owner/developer comply with the following conditions.

- The owner/developer agrees to include on all offers of purchase and sale, a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
- The owner/developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
- The owner/developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailbox and to indicate these locations on the appropriate servicing plan.

ATTACHMENT 1E (CONTINUED)
CANADA POST

The owner/developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:

- An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on.
- Any required walkway across the boulevard, as per municipal standards.
- Any required curb depressions for wheelchair access.

The owner/developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to new residence as soon as the homes are occupied.

I trust that this information is sufficient, however, should you require further information, please do not hesitate to contact me at the above mailing address or telephone number.

Sincerely,

Patrick Brown

Patrick Brown
Delivery Planning Officer
Canada Post
1860 Midland Ave 2nd Fl
Scarborough ON M1P 5A1
416-751-0160 Ext 2019
Patrick.brown@canadapost.ca

ATTACHMENT 1F
ALECTRA UTILITIES



Date: February 26th , 2018

Attention: **Clemente Messere**

RE: Request for Comments

File No.: **Z.17.031**

Applicant: Ken Slater, Gemini Urban Design (W) Corp.

Location 6061 and 6079 Rutherford Road and 134 and 140 Simmons Street

ATTACHMENT 1F (CONTINUED)
ALECTRA UTILITIES



COMMENTS:

☐

We have reviewed the Proposal and have no comments or objections to its approval.

☒

We have reviewed the proposal and have no objections to its approval, subject to the following comments (attached below).

☐

We are unable to respond within the allotted time for the following reasons (attached) you can expect our comments by _____.

☐

We have reviewed the proposal and have the following concerns (attached below)

☐

We have reviewed the proposal and our previous comments to the Town/City, dated _____, are still valid.

Alectra Utilities (formerly PowerStream) has received and reviewed the submitted plan proposal. This review, however, does not imply any approval of the project or plan.

The owner, or his agent, for this plan is required to contact Alectra to discuss all aspects of the above project. Alectra will require site plan drawings, draft m-plans, legal plans, architectural design drawings, electrical consultant's drawings, number of units/lots in the subdivision/development and type of the subdivision/development (i.e., single family residential, town homes, condominium town homes, industrial etc.), square footage of the buildings, the required voltage, amperage and building loads, along with the completed and signed Subdivision Application Information Form (SAIF). Alectra will then use this information to determine the type of available service in the area to supply this project and determine the design fee for the subdivision or development.

Once Alectra has received the design fee and requested information, Alectra will prepare the hydro design, obtain the owner's /developer's approval of the design and obtain the required approvals from the local municipality and prepare the cost of the electrical distribution system (EDS) installation.

Alectra will provide the owner/developer with an "Offer to Connect" (OTC) agreement which will specify all the details and the responsibilities of each party.

The information on the SAIF must be as accurate as possible to reduce unnecessary customer costs, and to provide a realistic in-service date. The information from the SAIF is also used to allocate/order materials, to assign a technician to the project, and to place the project in the appropriate queue.

All proposed buildings, billboards, signs, and other structures associated with the development must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the Ontario Electrical Safety Code and the Occupational Health and Safety Act.

If there are any existing components of Alectra's electrical distribution system on the proposed project site, they will have to be relocated by Alectra at the Developer's cost. Any conflicts due to driveway locations or clearances to the existing overhead or underground distribution system will have to be relocated by Alectra at the Developer's cost.

We trust this information is adequate for your files.

Regards,
Mr. Tony D'Onofrio
Supervisor, Subdivisions & New Services
Phone: 1-877-963-6900 ext. 24419
Fax: 905-532-4401
E-mail: tony.donofrio@alectrautilities.com

Subdivision Application Information Form is available by calling 1-877-963-6900 ext. 31297

ATTACHMENT 1G
ENBRIDGE GAS DISTRIBUTION



Enbridge Gas Distribution
500 Consumers Road
North York, Ontario M2J 1P8
Canada

November 23, 2017

Clement Messere, BAA, MCIP, RPP
Senior Planner
City of Vaughan
Development Planning Division
2141 Major Mackenzie Drive
Vaughan, ON L6A 1T1

Dear Clement Messere,

Re: Draft Plan of Subdivision, Official Plan Amendment & Zoning By-law Amendment
Gemini Urban Design (W) Corp. (c/o Ken Slater)
6061 & 6079 Rutherford Road and 134 & Part of 140 Simmons Street
City of Vaughan
File No.: 19T-17V011, OP-17-011 & Z-17-031
Related: 19T-16V004, OP-16-007 & Z-16-019

Enbridge Gas Distribution does not object to the proposed application(s).

This response does not constitute a pipe locate or clearance for construction.

The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.

The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

ATTACHMENT 1G (CONTINUED)
ENBRIDGE GAS DISTRIBUTION

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,



Alice Coleman

Municipal Planning Coordinator
Long Range Distribution Planning

ENBRIDGE GAS DISTRIBUTION

TEL: 416-495-5386

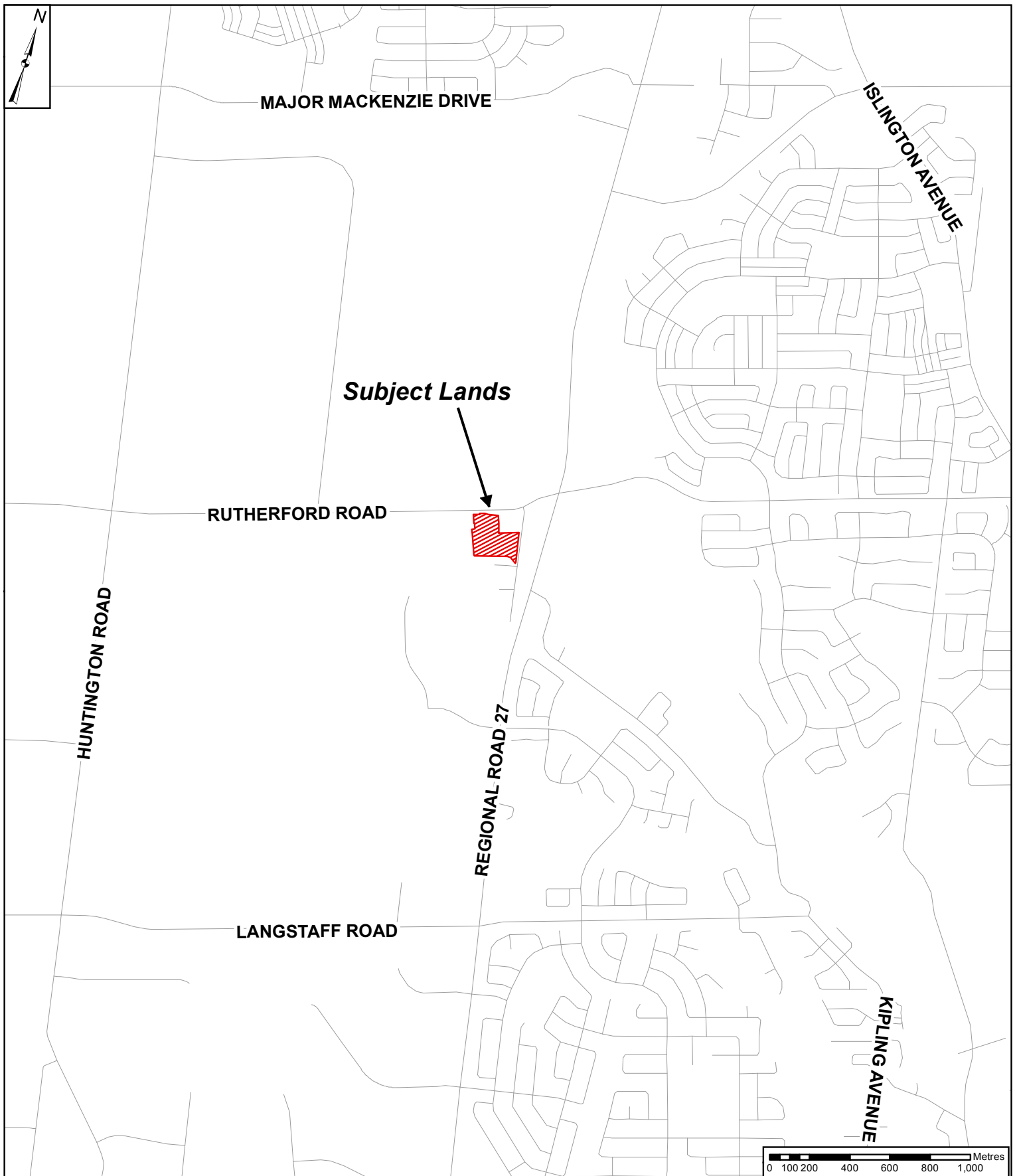
MunicipalPlanning@enbridge.com

500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Integrity. Safety. Respect.

AC/jh



Context Location Map

LOCATION:
Part Lot 15, Concession 9

APPLICANT:
Gemini Urban Design (W) Corp.



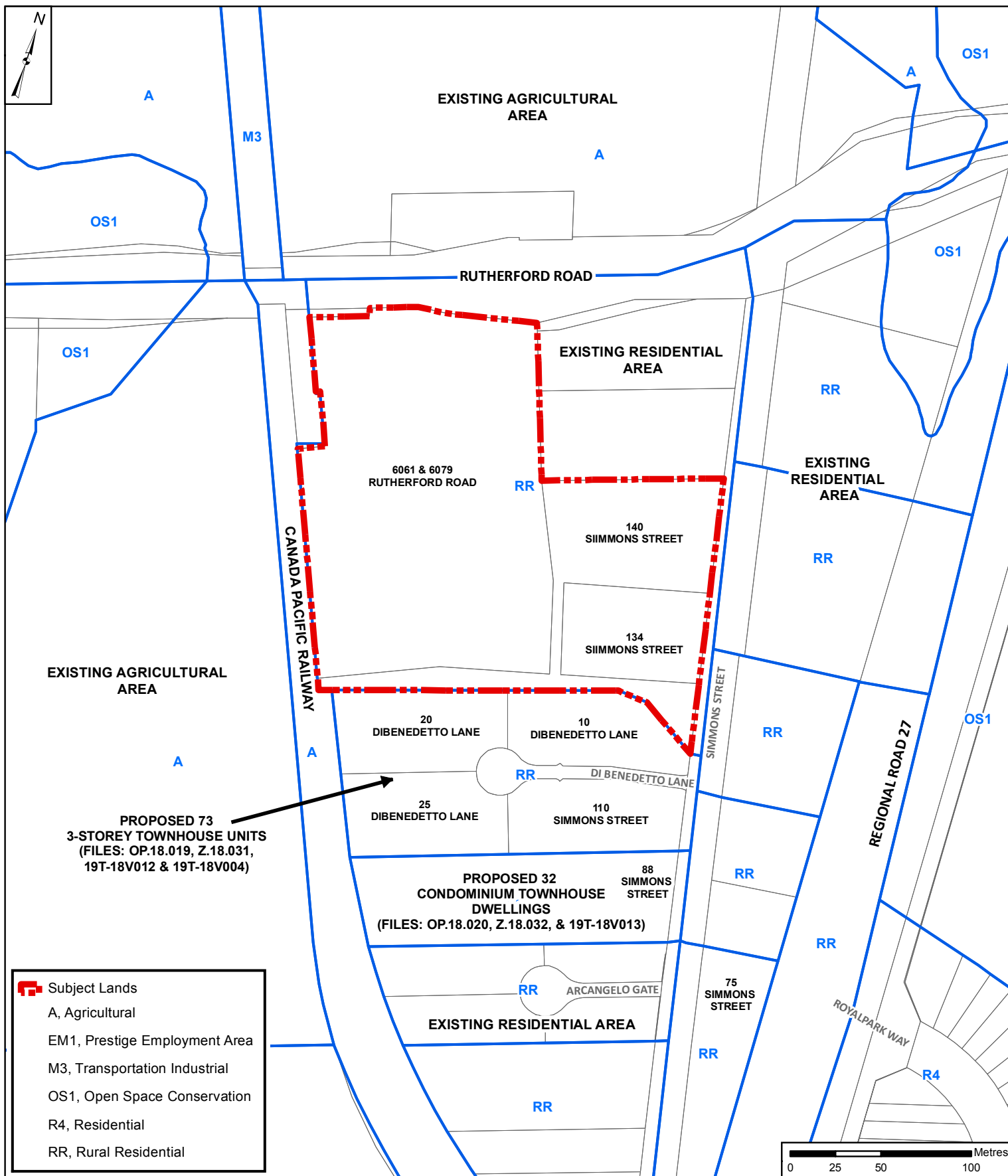
Attachment

FILES:
OP.16.007, Z.16.019, 19T-16V004,
OP.17.011, Z.17.031, 19T-17V011

RELATED FILE:
DA.18.070

DATE:
January 22, 2019

Printed on: 12/3/2018



Location Map

LOCATION:
Part Lot 15, Concession 9

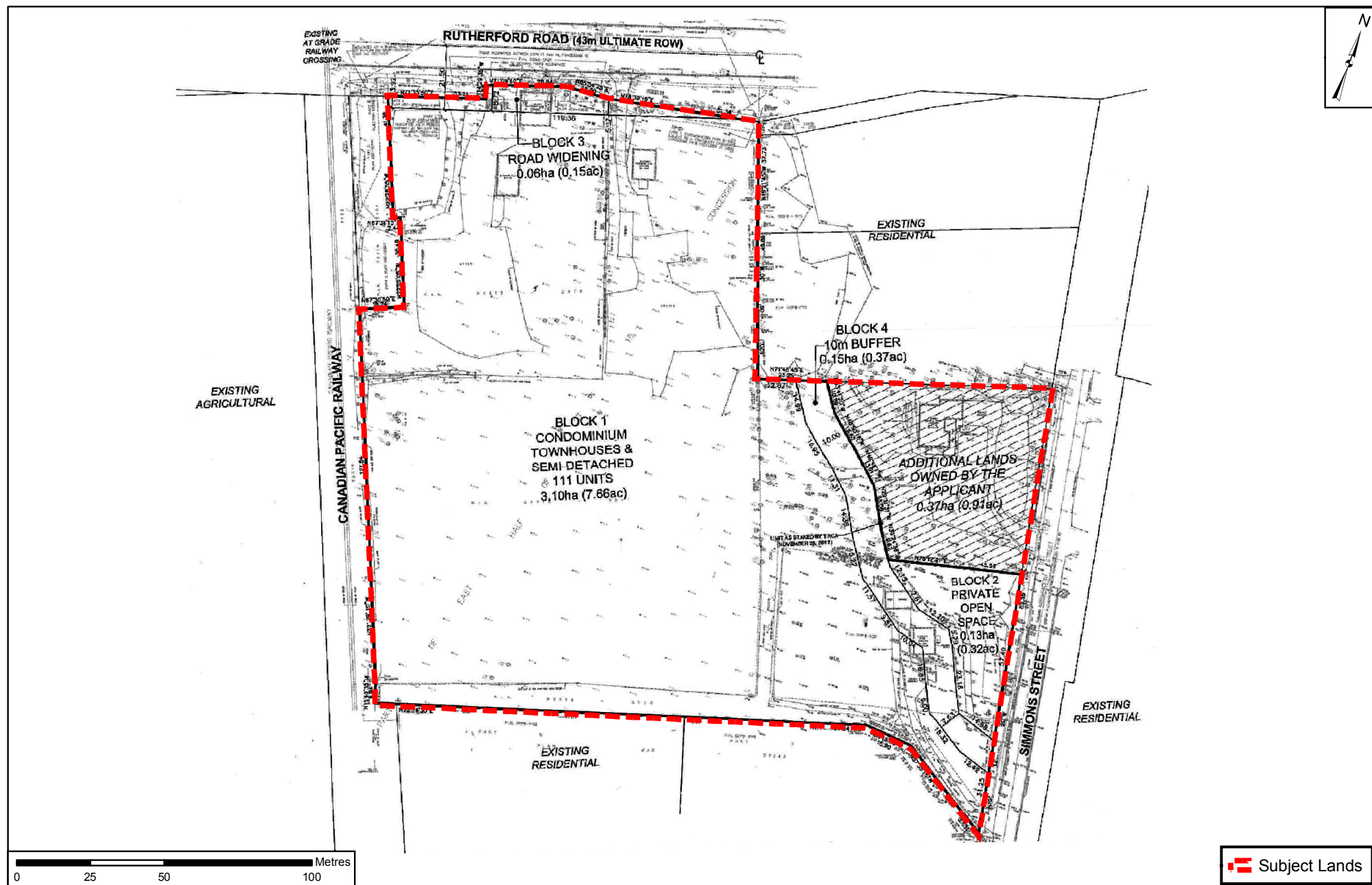
APPLICANT:
Gemini Urban Design (W) Corp.



Attachment

FILES:
OP.16.007, Z.16.019, 19T-16V004,
OP.17.011, Z.17.031, 19T-17V011
RELATED FILE:
DA.18.070
DATE:
January 22, 2019
Printed on: 12/3/2018

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Draft Plan of Subdivision Files 19T-16V004 and 19T-17V011

LOCATION:
Part Lot 15, Concession 9

APPLICANT:
Gemini Urban Design (W) Corp.

Document Path: N:\GIS_Archive\Attachments\DA.18.070\DA.18.070_C_DraftPlan.mxd



Attachment

FILES:
OP.16.007, Z.16.019, 19T-16V004,
OP.17.011, Z.17.031, 19T-17V011

RELATED FILE:
DA.18.070

DATE:
January 22, 2019

Printed on: 12/3/2018

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Typical Elevation Rendering

LOCATION:

Part Lot 15, Concession 9

APPLICANT:

Gemini Urban Design (W) Corp.

Document Path: N:\GIS_Archive\Attachments\DA\DA.18.070\DA.18.070_C_Rendering.mxd



Attachment

FILES:

OP.16.007, Z.16.019, 19T-16V004,
OP.17.011, Z.17.031, 19T-17V011

RELATED FILE:

DA.18.070

DATE:

January 22, 2019

Printed on: 12/3/2018

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Previous Conceptual Site Plan Considered At The November 1, 2016 Public Hearing

LOCATION:
Part Lot 15, Concession 9

APPLICANT:
Gemini Urban Design (W) Corp.

Document Path: N:\GIS_Archive\Attachments\DA.18.070\DA.18.070_C_PreviousSitePlan.mxd



Attachment
FILES:
OP.16.007, Z.16.019, 19T-16V004,
OP.17.011, Z.17.031, 19T-17V011
RELATED FILE:
DA.18.070
DATE:
January 22, 2019
Printed on: 12/3/2018

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