

Item:



## Committee of the Whole Report

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**DATE:** Monday, September 17, 2018

**WARD:** 1

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.17.038  
DRAFT PLAN OF SUBDIVISION FILE 19T-17V013  
NULOOK DEVELOPMENTS INC.  
VICINITY OF DUFFERIN STREET AND TESTON ROAD**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment File Z.17.038 and Draft Plan of Subdivision File 19T-17V013 for the Subject Lands shown on Attachments #2 and #3 to permit a residential plan of subdivision consisting of 8 lots for detached dwelling units.

### **Report Highlights**

- The Owner proposes a residential subdivision on the extension of Mapledown Way, consisting of 8 lots for detached dwellings, a buffer block along Dufferin Street and a walkway connection from Mapledown Way to Dufferin Street.
- Zoning By-law Amendment and Draft Plan of Subdivision applications are required to permit the development.
- The Development Planning Department supports the approval of the 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, Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

1. THAT Zoning By-law Amendment File Z.17.038 (Nulook Developments Inc.) BE APPROVED; to amend Zoning By-law 1-88 to rezone the Subject Lands shown on Attachments #2 and #3 from “R1 Residential Zone” to “R1 Residential Zone” and “OS2 Open Space Park Zone” in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-17V013 (Nulook Developments Inc.) BE APPROVED, to facilitate a residential plan of subdivision comprised of 8 lots for detached dwellings, a buffer block and a walkway connection, as shown on Attachment #4, subject to the Conditions of Approval set out in Attachment #1.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage servicing capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-17V013 (Nulook Developments Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 8 residential units (29 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City’s current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”
4. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-17V013 (Nulook Developments Inc.) shall include the following clause:

“The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 500 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 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 Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment.”
5. THAT the public road included in Draft Plan of Subdivision File 19T-17V013 as shown on Attachment #4, be named “Mapledown Way” as an extension of an existing street to the west.

## **Background**

The Subject Lands (the “Subject Lands”) are located on the west side of Dufferin Street, north of Teston Road, and are municipally known as 11,000 Dufferin Street, shown as

“Subject Lands” on Attachments #2, #3 and #4. The surrounding land uses are shown on Attachment #3.

***Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol, and included an expanded notification area***

On February 9, 2018, a Notice of a Public Hearing was circulated to all property owners within an extended notification area beyond 150 m, as shown on Attachment #3, and to the Mackenzie Ridge Ratepayers Association. A copy of the Notice of Public Hearing was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign was installed on the property in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council on March 20, 2018 ratified the recommendation of the Committee of the Whole to receive the Public Hearing report of March 6, 2018, and to forward a comprehensive report to a future Committee of the Whole meeting. Vaughan Council also directed that a community meeting be held with the Local and Regional Councillors, the Owner, the Ratepayers’ Association and residents. A community meeting was held on April 16, 2018 at the City of Vaughan municipal offices. Deputations were made by the following individuals at the Public Hearing and community meeting and a written submission has been received by the Development Planning Department:

Deputations

1. Mr. M. McConville, Humphries Planning Group Inc., Chrislea Road, Vaughan, representing the Owner;
2. Mr. R. Kenedy, Maple Ridge Ratepayers’ Association, Georgia Crescent, Maple;
3. Mr. B. Bressi, Mapledown Way, Maple;
4. Mr. M. Primozic, Mapledown Way, Maple;
5. Mr. B. Prete, Mapledown Way, Maple; and
6. Ms. E. Fusco, Mapledown Way, Maple.

Written Submission

1. N. Kvito, Mapledown Way, dated December 18, 2017;

The following is a summary of the comments provided at the deputations and in the written submission received by the Development Planning Department, submitted at the Public Hearing of March 6, 2018, and the Community Meeting held on April 16, 2018 and responses to each:

a) The proposed lot sizes are not consistent with the existing lot sizes

The lot frontages and areas on the Draft Plan of Subdivision meet the minimum lot frontage (18 m) and lot area (540 m<sup>2</sup>) requirements of the "R1 Residential Zone" of Zoning By-law 1-88. However, the existing lots on Mapledown Way are subject to site-specific Zoning By-law Exception 9(1107) that requires a minimum lot area of 1000 m<sup>2</sup>. The lots on the proposed Draft Plan of Subdivision (Attachment #4) have lot frontages that range between 23 m and 27.5 m and lot areas from 712 m<sup>2</sup> to 1,041 m<sup>2</sup>. The surrounding neighbourhood includes lots that range in frontage from 18.3 m (Antonini Court) to 31.36 m (Mapledown Way) and lot areas from approximately 610 m<sup>2</sup> (Celeste Drive) to 1,455 m<sup>2</sup> (Mapledown Way).

In addition, the Owner has provided a Conceptual Site Plan, as shown on Attachment #5, which illustrates the building footprints to demonstrate the lots are developable in a manner that is compatible with the existing surrounding development.

b) Flooding/drainage issue due to additional units and hardscape

The existing residents on Mapledown Way expressed concerns that the proposed development may increase the risk of flooding on their properties. Staff are aware that the side yard swales on some of the existing properties convey high flows of storm water during significant rain events. These high flows are directed and managed by the storm drainage system on Mapledown Way. City records indicate there have been no incidents of flooding on Mapledown Way and Antonini Court over the past 10 years. The high flows are expected in this case given the large size of the contributing lots.

Approximately 10 years ago, the original developer of the Mapledowns subdivision offered to install soak-way trenches along the side yard swales of these lots as a means of reducing the overall volume of storm water. This offer was not accepted by any of the existing homeowners at that time.

The proposed eight (8) lots have been designed to drain independent of the existing lots through the use of rear lot catchbasins and conveyed to the storm sewer located on Mapledown Way. A small drainage area at the rear of Lots 5 to 8, where trees are being preserved will continue to drain to the pre-existing conditions. The drainage from the extended Mapledown Way will be collected via catchbasins and conveyed to the storm sewer located on Mapledown Way which ultimately is conveyed to the downstream stormwater pond. The overland flow path is proposed towards Mapledown Way with emergency overland flow to the downstream stormwater pond. No constraints are expected within the proposed and existing infrastructure.

c) The grading of the Subject Lands is much higher than the existing surrounding lands, new development will be much higher

The Draft Plan of Subdivision meets all City Engineering Standards as the road will be constructed to a maximum allowed 6% grade. This is further discussed in the Lot

Grading section below. The Vaughan Development Engineering Department has no objections to the grading. Since the Public Hearing the Owner has also redesigned the proposed dwelling on Lot 1 to include the second floor within the roof/attic space to minimize the appearance of the height of the dwelling from the street and provide a transition with the abutting existing dwelling.

d) Loss of Trees

The existing trees on the Subject Lands have not been identified as a significant natural feature in VOP 2010. Since the Public Hearing, the Owner has revised the Draft Plan of Subdivision and 69 trees are proposed to be preserved however, the exact number will be determined through the detailed arborist report and tree preservation plan developed as part of the subdivision agreement process. The trees that are proposed to be retained on the site are located along Dufferin Street and along the north and south portions of the Subject Lands.

Prior to final approval, the Owner will be required to provide a detailed tree preservation study to the satisfaction of the City. The study shall include an inventory of all existing trees, an assessment of significant trees to be preserved and the 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 any trees without written approval by the City. The Owner will be required to enter into a Tree Protection Agreement which will form a condition of the Draft Plan of Subdivision approval. A condition with regard to the above is included in Attachment #1a).

e) Character and consistency with the existing street

The Draft Plan includes lots for detached dwellings each with driveway access along the extension of Mapledown Way. The character and form of the proposed dwellings are consistent, but not identical, to existing dwelling units on the street and in the surrounding area, as two-storey detached units ranging in size from 371.6 m<sup>2</sup> to 557.4m<sup>2</sup> (4000 – 6000 square feet) and bungalows from 278.7 m<sup>2</sup> (3000 square feet) with a variety of enhanced architectural styles and features are proposed.

f) Existing residents were told that nothing could happen to the 11,000 Dufferin Street (Subject Lands) due to the existing slope

Mapledown Way currently terminates in a cul-de-sac immediately west of the Subject Lands and includes a 0.3 m reserve abutting the Subject Lands, as shown on Attachment #4. Mapledown Way is planned to extend eastward as identified in the Staff report and approval considered by the Committee of the Whole on May 3, 2004, for the Draft Plan of Subdivision immediately west of the Subject Lands (File 19T-02V02). In the Staff Report, the Mapledown Way cul-de-sac was noted as temporary and the 0.3m reserve was to be lifted should 11,000 Dufferin Street (the Subject Lands) be

developed. The report also contained a condition of Draft Plan of Subdivision approval requiring the Owner to include a statement in all Offers of Purchase and Sale or Lease advising future Owners that Mapledown Way may be extended in the future to facilitate the development of adjacent lands. The requirement was restated in the associated Subdivision Agreement.

g) Impacts on Local Traffic and access from Dufferin Street

The Development Engineering (“DE”) Department has reviewed the Draft Plan of Subdivision and are satisfied the 8 additional lots will have negligible traffic impact on the surrounding road network.

A comment was made by a resident and expressed at the Public Hearing to obtain access to the Subject Lands from Dufferin Street instead of extending Mapledown Way to service the Subject Lands. Dufferin Street is a Regional Road and York Region does not support an additional vehicular access from this development to Dufferin Street. All connections shall be through the internal road network. As shown on Attachment #3, the neighbourhood obtains access to Dufferin Street through the local road system.

h) The decommissioning of the existing cul-de-sac and the potential impact to the existing private landscape features

When Draft Plan of Subdivision File 19T-02V02, to the west of the Subject Lands was approved, Mapledown Way was terminated in a temporary cul-de-sac as shown on Attachment #4. As it is proposed that Mapledown Way be extended, the excess lands which currently form part of the bulb of the cul-de-sac are owned by the adjacent properties, in this case the individual properties on the north and south sides of Mapledown Way (Blocks 33-36 on 65M-3821) with an easement in favour of the City of Vaughan for public road purposes. Once the road is extended and the existing cul-de-sac is removed by the Owner of the Subject Lands, the existing easements on Blocks 33-36 can be released.

Typically when a temporary cul-de-sac is extended asphalt is used to extend existing private driveways to the street curb. The Owner has indicated that the existing stone driveways will be extended to the new limits of Mapledown Way using the same or similar materials, as practically possible. A condition to this effect is included in Attachment #1.

On September 6, 2018, a courtesy notice of this Committee of the Whole meeting was sent to all individuals who made a deputation at the Public Hearing, submitted written correspondence to the Development Planning Department, or requested notification regarding the Applications.

**Previous Reports/Authority**

[Committee of the Whole \(Public Hearing\) Report](#)

## **Analysis and Options**

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

The Owner has submitted the following applications (the “Applications”) to permit a Development (the “Development”) consisting of 8 lots for detached dwelling units on the Subject Lands shown on Attachments #2, #3 and #4:

1. Zoning By-law Amendment File Z.17.038 to rezone the Subject Lands from “R1 Residential Zone” to “R1 Residential Zone” and “OS2 Open Space Park Zone” in the manner shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. Draft Plan of Subdivision File 19T-17V013 to facilitate a residential plan of subdivision (the “Draft Plan”) shown on Attachment #4 consisting of the following:

<b>Lots/ Blocks</b>	<b>Land Use</b>	<b>Area (ha)</b>	<b>Number of Units</b>
1-8	Detached Residential Units	0.688 ha	8
9-10	Landscape Buffer Block	0.074 ha	
11	6 m Walkway	0.004 ha	
12	0.3 m Reserve	0.003 ha	
	Road - Street “A” (Mapledown Way)	0.230 ha	
	<b>TOTAL</b>	<b>0.999 ha</b>	<b>8</b>

The Development Planning Department has reviewed the Applications in consideration of the following policies:

### ***The Draft Plan 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* (“PPS”). The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS is applied province-wide and provides direction to support strong communities, a strong economy and a clean and healthy environment.

The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Draft Plan in consideration of the policies of the PPS and is of the opinion that the Draft Plan is consistent with provincial policies, specifically:

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

### Settlement Areas

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

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

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

### Housing

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

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

The Subject Lands are located within a defined settlement area by the PPS. The Draft Plan achieves the intention of the Settlement Areas and Housing policies of the PPS, by making more efficient use of the Subject Lands as it minimizes land consumption, proposes a housing typology that will help meet projected housing needs, utilizes existing servicing and infrastructure and avoids the need for the uneconomical expansion of services and provides a walkway connection connecting the Subject Lands to Dufferin Street to support active transportation.

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

The Provincial Growth Plan for the *Greater Golden Horseshoe, 2017* (“Growth Plan”) is intended to guide decision making on the development of land by encouraging compact

built form, diverse land uses, and a range and mix of housing types. The Growth Plan encourages the concentration of population and employment growth within the settlement areas, and promotes the development of complete communities that offer a mix of housing types, access to local amenities, and connections to municipal water and wastewater systems.

With regard to how population and employment growth is to be accommodated, the Growth Plan identifies the importance of optimizing the use of the existing land supply to avoid the over designation of new land for future urban development. Objectives of the Growth Plan include creating complete communities that offer a range of options to live, work and play; providing greater choice in housing types to meet the needs of people in various states of life; curbing urban sprawl and reducing traffic by improved access to a range of transportation options.

### Intensification

The development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.

In consideration of the above, the Draft Plan conforms to the relevant policies and objective of the Growth Plan as the Development constitutes infill development of an existing designated parcel of land at a density greater than currently exists.

### ***The Draft Plan conforms to the Oak Ridges Moraine Conservation Plan (“ORMCP”)***

The Subject Lands are located within the Oak Ridges Moraine Conservation Plan (“ORMCP”) and are designated “Settlement Area”. This designation of the ORMCP permits residential land uses and therefore, the Draft Plan as shown on Attachment #4. New lots may be created in the Settlement Areas, subject to the policies of the ORMCP. The Owner has submitted an Oak Ridges Moraine Conservation Plan Conformity Report in support of the applications. The Policy Planning and Environmental Sustainability Department has reviewed the report and advised that the Development meets the requirement of the ORMCP.

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

The York Region Official Plan 2010 (“YROP”) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated “Urban Area” on Map 1, “Regional Structure” of the YROP. The “Urban Area”

designation permits a range of residential, commercial, industrial and institutional uses, subject to additional policy criteria. The Subject Lands abut Dufferin Street, a regional road with a planned 36 m right-of-way, (Map 12 – “Street Network”) and a planned regional cycling connection (Map 10 – “Regional Cycling Network”). The Draft Plan conforms to the YROP as it would create an urban interface with pedestrian connectivity onto Dufferin Street.

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

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

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

VOP 2010, S. 9.1.2.2 and 9.1.2.3 identify 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 particular attention to local lot patterns, size and configuration, and existing building types with similar setbacks.

Section 9.2.3.1. in VOP 2010 identifies development criteria for detached houses, stating that detached houses will respect and reinforce the scale, massing, setback and orientation of other built and approved detached houses in the immediate area. The Development for 8 detached dwellings is a permitted and compatible built form that conforms to the requirements of VOP 2010 and Section 9.2.3.1 as the proposed detached houses are of a similar scale and will have similar setbacks, massing and orientation with the immediate and surrounding area.

### ***The Draft Plan has considered 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 and an Official Plan

Amendment to implement the Study recommendations will be forwarded to Council for adoption at a future date. The Applications were submitted on November 1, 2017, and are subject to the Guidelines.

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

- The existing lot sizes are considered to be a “medium lot to large lot neighbourhood”. Frontages exceed 20 m and the lot depths allow for 6 m to 7.5 m front yards and 7.5m to 10 m rear yards;
- The exterior design of the homes will have well articulated facades, windows and front entry features. This includes the sides of the houses that are visible from Dufferin Street;
- The grading of the homes will be designed to ensure that all driveways do not have reverse slope conditions;
- Access to the dwellings would be from a local public street, specifically through the extension of Mapledown Way;
- A pedestrian connection will be provided to Dufferin Street by way of a 6 m wide walkway block east of the proposed cul-de-sac; and
- The Draft Plan respects the characteristics of the neighbouring pre-existing developments in terms of lot massing, lot pattern, lot size, lot frontage, lot configuration, building type, character and function of the surrounding context.

In consideration of the above, the Development Planning Department is satisfied that the Draft Plan is consistent with the PPS, conforms with the Growth Plan, Oak Ridges Moraine Conservation Plan, the York Region Official Plan, VOP 2010 and is compatible with the existing land uses in the surrounding area. Accordingly, the Development Planning Department can support the Applications.

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

The Subject Lands are zoned R1 Residential Zone subject to site-specific Exception 9(1107A) by Zoning By-law 1-88, as shown on Attachment #3.

The Owner is proposing to rezone the Subject Lands to R1 Residential Zone and OS2 Open Space Park Zone, as shown on Attachment #4, together with the site-specific zoning exceptions identified in Table 1, to permit the proposed Development includes the extension of the Open Space Zone (Buffer Block) along Dufferin Street.

The following site-specific exceptions to Zoning By-law 1-88 are required to permit the proposed Development shown on Attachments #4 and #5:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Exception 9(1107A) Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Exception 9(1107A) Requirements</b>
a.	Yard Encroachments and Restrictions (Lots 1-8 inclusive)	<p>i) Exterior stairs shall be permitted in the rear yard only except that exterior stairs not exceeding one-half storey in height shall be permitted in any yard</p> <p>ii) Exterior stairs, porches and balconies which are uncovered, unexcavated and unenclosed and a bay window or similar projection which is not constructed on footings may extend into a required interior side yard to a maximum distance of 0.3 m</p>	<p>i) Exterior stairs, with or without foundations may encroach into the interior side yard a maximum of 0.5 m, and a maximum of 3.6 m into the required front and rear yards</p> <p>ii) Balconies may encroach into the required interior side yard a maximum of 0.5 m</p> <p>Bay and box windows, or similar projections, with or without foundations, may encroach into the required interior side yard a maximum of 0.5 m, and a maximum of 1.8 m into the required front and rear yards</p> <p>Covered porches and porticos, with or without cold cellars, may encroach into the required interior side yard a maximum of 0.5 m, and a maximum of 1.8 m into the required front and rear yards</p>

	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Exception 9(1107A) Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Exception 9(1107A) Requirements</b>
b.	Minimum Soft Landscape Area (Lots 1-8 inclusive)	<p>i) A minimum of 60% of the required minimum landscaped front or exterior yard shall be composed of soft landscaping</p> <p>ii) Where the area of a rear yard of a lot is greater than 135 m<sup>2</sup>, a minimum of 60% of that portion of the rear yard in excess of 135 m<sup>2</sup> shall be composed of soft landscaping</p>	<p>i) A minimum of 50% of the required minimum landscaped front or exterior yard shall be composed of soft landscaping</p> <p>ii) Where the area of a rear yard of a lot is greater than 135 m<sup>2</sup>, a minimum of 40% of that portion of the rear yard in excess of 135 m<sup>2</sup> shall be composed of soft landscaping</p>
c.	Minimum Percentage of Landscaping in Front Yard	The front yard of a lot with a frontage of 12 m or greater shall be comprised of a minimum of 50% landscaped front or exterior side yard	The front yard of a lot with a frontage of 12 m or greater shall be comprised of a minimum of 40% landscaped front or exterior side yard (Lots 1-6 inclusive)
d.	Maximum Building Height	9.5 m	10.82 m (Lot 1) 10.5 m (Lot 8) 11 m (Lots 2 to 7 inclusive)
e.	Maximum Lot Coverage	35%	36.7% (Lot 5)

	<b>Zoning By-law 1-88 Standard</b>	<b>R1 Residential Zone Exception 9(1107A) Requirements</b>	<b>Proposed Exceptions to the R1 Residential Zone Exception 9(1107A) Requirements</b>
f.	Minimum Front Yard Setback	7.5 m	6 m (Lots 5 and 6)

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

a) Yard Encroachments and Minimum Landscape Area

The Owner proposes to increase the permitted encroachments into the minimum required yards for stairs, balconies and bay or box windows and decrease the minimum landscape requirements in order to provide variety to the house designs. These zoning exceptions are minor in nature and will not impact the adjacent properties.

b) Maximum Building Height

The Owner proposes to increase the maximum permitted building height by 1 m to 1.5m in order to accommodate a two-storey built form, but with higher ceiling height similar to those approved for the subdivision to the south along Giorgia Crescent, Hunterwood Chase, Celeste Drive and Antonini Court (Draft Plan of Subdivision File 19T-03V11). The proposed 10.5 m and 10.82 m building height for Lots 8 and 1 would provide a transition between the existing dwellings on Mapledown Way and dwellings on Lots 2 to 7. The proposed building height will have minimal impact on the adjacent dwellings.

c) Maximum Lot Coverage

The proposed increased lot coverage applies to 3 lots and is consistent with those approved for the Draft Plan of Subdivision File 19T-03V11 to the south, site-specific Exception 9(1306), which permits a maximum lot coverage ranging from 36% to 53%.

d) Front Yard Setback

The reduction in front yard setback is considered to be minor and applies only to Lots 5 and 6. The balance of the lots meet the minimum 7.5 m yard setback of the R1 Zone which is consistent with the surrounding development zoning and will result in new dwellings that are compatible with the neighbourhood. In addition, there will be no visual impact as Lots 5 and 6 are located at the bulb of the cul-de-sac furthest away

from the existing dwellings on Mapledown Way, and setback from the balance of the streetscape.

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

The lots will gain access by way of an extension of Mapledown Way, with the existing cul-de-sac to be decommissioned and a new cul-de-sac constructed further to the east. The Draft Plan consist of 8 lots for detached houses, a landscape buffer block along Dufferin Street and a walkway connection from the cul-de-sac bulb of Mapledown Way to Dufferin Street, as shown on Attachments #4 and #5. The Subject Lands will be serviced with full municipal services.

The proposed road in the Draft Plan of Subdivision will be named Mapledown Way, as it is an extension of the existing Mapledown Way road to the immediate west. A Recommendation in this regard is included in the report.

A condition of approval is included in Attachment #1a) requiring the Development to be consistent with the Urban Design and Architectural Design Guidelines for the area. The Owner must also execute a Developer's Group Agreement for cost-sharing and must be a member in good standing of the Developer's Group. The Owner must satisfy all requirements of the Block 27 Developers Group Agreement and is required to satisfy all obligations, financial and otherwise to the satisfaction of the Block 27 Trustee and the City of Vaughan.

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

The Urban Design and Cultural Heritage Division has advised that an archaeological assessment is not required, however, standard clauses with regard to archaeological resources or human remains being located during construction are included as conditions in Attachment 1a).

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

The Policy Planning and Environmental Sustainability Department has reviewed the Applications and the Natural Heritage Evaluation Report, which includes the Oak Ridges Conservation Plan Conformity Report and are satisfied with the report and there are no natural heritage features on the Subject Lands.

The Owner acknowledges that the City has Species at Risk within its jurisdiction which are protected under the *Endangered Species Act* 2007, S.O.2007. The Owner is required to comply with Ministry of Natural Resources and Forestry ("MNRF") regulations and guidelines to protect these species at risk and their habitat. The Owner

acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Draft Plan or the related Subdivision Agreement, the Owner must comply with the provisions of the Act.

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

The Development Engineering (“DE”) Department has provided the following comments:

Environmental

The Owner submitted Phase One and Two Environmental Site Assessment (“ESA”) reports. The reports have been reviewed by the DE Department. The reports were completed to the satisfaction of the City and no concerns were identified.

Lot Grading

The existing topography across the site has elevation differences of approximately 9 m. The proposed road extension will be constructed with a 6% grade. This exceeds the City maximum allowable grade of 5%, but considering the topography constraints of the existing site, acceptable in order to achieve a level of land form conservation.

The Owner proposed dwelling designs with raised first floor elevations on Lots 1 and 2 to avoid major grading and retaining walls at the back of the dwellings. The retaining wall proposed on Lot 1, as shown on Attachment #5 is 2 m high to allow the internal site grades to match grades of adjacent properties.

The dwellings on Lots 6 to 8 are proposed to be constructed with walk-out conditions. Some of the existing trees along north and south boundaries will be preserved, which requires the swales, catchbasins and the retaining wall to be located 5 m to 7 m from the property line. Furthermore, some of the drainage area on Lots 5 to 8, where trees are being preserved will continue to drain to the pre-existing conditions. The remaining drainage area of Lots 5 to 8 will be captured with the two rear lot catchbasins (“RLCB”). Two RLCBs on Lots 6 and 8 will direct water to the storm sewer on Mapledown Way.

The DE Department has reviewed the provided grading plans and has no objections to the proposed grading. At the detailed design stage, the Owner shall provide the final detailed grading plans confirming that the grading of the site and lot grading of the individual lots ensuring that they have met the current City’s Lot Grading Criteria.

Functional Servicing Report

The Owner has submitted a revised Functional Servicing Report, prepared by Schaeffers Consulting Engineers, dated May 17, 2018. The report provides a functional servicing plan for stormwater, sanitary and water servicing. The report demonstrates

that adequate stormwater, sanitary and water supply servicing will be available for the Development and the proposed water supply, sanitary servicing and stormwater management plans are consistent with City's criteria. There are no constraints expected within the proposed and existing infrastructure. The DE Department has reviewed the report and agrees with the conclusions.

The report provides the following site servicing and stormwater management schemes for the development:

a) *Water Servicing*

Water will be supplied to the site by extending the existing 150 mm watermain on Mapledown Way.

b) *Sanitary Servicing*

The downstream sewers have been designed to accommodate an additional 7 detached dwelling units. The current proposal is for 8 detached dwelling units which will result in a slightly higher theoretical flow. Staff does not anticipate any issues with the additional unit of flow.

Sanitary servicing will be provided by extending the existing 200 mm sanitary sewers on Mapledown Way. The proposed sanitary flows will not adversely affect the existing sanitary sewer system.

c) *Stormwater Management*

The Subject Lands will drain towards Mapledown Way. The minor system will be collected and conveyed through an extension of the Mapledown Way sewer, using rear lot catchbasins. The major system will be conveyed along Mapledown Way to the existing full capture location at the intersection of Mapledown Way and Hunterwood Chase and ultimately conveyed to the downstream stormwater pond. The downstream pond will provide quantity and quality control. Water balance criteria and 5 mm erosion criteria will be met with infiltrations through a trench chamber in the rear yards of Lots 6 to 8 and infiltration chambers in the front yards of Lots 1 to 5.

## Noise

The Owner has submitted a Noise Report prepared by Aeroustics Engineering Limited, dated January 10, 2018. The noise report indicates that the exterior wall and window construction meet the minimum requirements of the *Ontario Building Code* and will provide ample mitigation to satisfy the indoor noise limits set by the Ontario Ministry of the Environment, Conservation and Parks ("MOECP"). The sound levels in the backyard exceed the MOECP limit of 55 dBA for outdoor living areas and require the inclusion of warning clauses and mitigation requirements.

The DE Department has reviewed the report and agrees with the analysis. The Owner shall provide updated noise report at the detailed design stage. The future occupants will be advised through the use of warning clauses where mitigation is required.

The DE Department has no objections to the Development, subject to the Conditions of Approval in Attachment #1a).

***The Infrastructure Planning and Corporate Asset Management Department has no objections to the Draft Plan, Sewage and Water Allocation is available for the Draft Plan***

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

Accordingly, servicing capacity to Draft Plan of Subdivision File 19T-17V013 is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject Development may be recommended for Council approval:

“THAT Draft Plan File No. 19T-17V013 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 8 residential units (29 persons equivalent). The allocation of said capacity may be revoked by Council resolution and/or in accordance with the City's current Servicing Capacity Distribution Protocol in the event that (at the discretion of the City) the development does not proceed to registration within a reasonable timeframe.”

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

The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 ha per 500 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 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 Vaughan Legal Department, Real Estate Division, and the approved appraisal shall form the basis of the cash-in-lieu payment. A condition to this effect is included in the Recommendation of this report.

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

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 Owner shall pay to the City the applicable Development Charges in accordance with the Development Charges

By-laws of the City of Vaughan, York Region, York Region District School Board and the York Catholic District School Board. A condition to this effect is included in Attachment #1a) of this report.

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

The Parks Development Department has no objection to the Draft Plan.

***The Toronto and Region Conservation Authority have provided Conditions of Approval***

The Toronto and Region Conservation Authority ("TRCA") Conditions of Approval for the Draft Plan are included as Attachment #1c) of this report.

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

Alectra Utilities Corporation has no objection to the approval of the Draft Plan, subject to their Conditions of Approval in Attachment #1d) of this report.

Enbridge has no objection to the Applications subject to the conditions included in Attachment #1e) of this report.

Bell Canada has no objection to the Applications subject to the conditions included in Attachment #1g).

***Canada Post has no objection to the proposed Applications***

Canada Post has indicated that the provisions are already in place with regard to centralized mail delivery to a Community Mailbox for the above noted vicinity that can be configured to accommodate this new growth. As such, there will be no requirements of the Owner.

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

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

**Financial Impact**

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

## **Broader Regional Impacts/Considerations**

York Region has no objection to the Draft Plan and the Zoning By-law Amendment subject to their Conditions of Approval in Attachment #1b) of this report.

## **Conclusion**

The Development Planning Department has reviewed Zoning By-law Amendment File Z.17.038 and Draft Plan of Subdivision File 19T-17V013 to permit a residential Plan of Subdivision consisting of 8 lots for detached dwellings, a buffer block along Dufferin Street and a walkway connection from Mapledown Way to Dufferin Street. The proposed Draft Plan and the Zoning By-law Amendments are consistent with the policies in the PPS, conforms to the Growth Plan, York Region Official Plan and Vaughan Official Plan 2010.

The Development Planning Department is satisfied that the proposed Draft Plan, shown on Attachment #4, and the proposed zoning and the site-specific exceptions identified in Table 1 of this report will result in a residential development that is appropriate and compatible with the existing and permitted uses in the surrounding area. The Development Planning Department can support the approval of the Zoning By-law Amendment and the Draft Plan of Subdivision applications, subject to the Recommendations in this report, and the Conditions of Approval set out in Attachment #1.

**For more information**, please contact: Margaret Holyday, Planner, Development Planning Department, Extension 8216.

## **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Draft Plan of Subdivision File 19T-17V013 and Proposed Zoning
5. Preliminary Site Plan

## **Prepared by**

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/CM