

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018

Item 5, Report No. 27, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on September 27, 2018, as follows:

***By approving the following in accordance with communication C4, from the Deputy City Manager, Planning and Growth Management, dated September 21, 2018:***

1. ***THAT Recommendation #6 of Item No. 5 of the Committee of the Whole Report No. 27, dated September 17, 2018, be revised as follows:***

***“THAT unless the Owner has provided formal correspondence from the Block 12 Landowner Trustee indicating that the Owner has entered into a Developers Group Agreement with the other participating landowners within Block 12 and has fulfilled all cost sharing obligations, the Subdivision Agreement for Draft Plan of Subdivision File 19T-04V12 shall include the following clause:***

- a) ***“The Owner shall pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland equivalent to 5% or 1 has 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.”***

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5. **ZONING BY-LAW AMENDMENT FILE Z.04.049  
DRAFT PLAN OF SUBDIVISION FILE 19T-04V12  
EVELYN CHARTERS  
WARD 1 - VICINITY OF BATHURST STREET AND TESTON ROAD**

**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 September 17, 2018, be approved; and**
- 2) **That the deputation by Ms. Joan MacIntyre, Malone Given Parsons Ltd., Renfrew Drive, Markham, on behalf of the applicant, and Communication C5 dated September 17, 2018, be received.**

#### **Recommendations**

**THAT the Local Planning Appeal Tribunal (“LPAT”) be advised that Vaughan Council ENDORSES the following Recommendations:**

1. **THAT Zoning By-law Amendment File Z.04.049 (Evelyn Charters) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands,**

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### **EXTRACT FROM COUNCIL MEETING MINUTES OF SEPTEMBER 27, 2018**

#### Item 5, CW Report No. 27 – Page 2

shown on Attachments #2 and #3, from “A Agricultural Zone” and “OS5 Environmental Protection Zone” to the following zone categories, in the manner shown on Attachment #4:

- a. RD2 Residential Detached Zone Two;
  - b. RD3 Residential Detached Zone Three;
  - c. RD4 Residential Detached Zone Four;
  - d. RR(H) Rural Residential Zone, subject to the site-specific exceptions identified in Table 1 to this report;
  - e. OS1 Open Space Conservation Zone
  - f. OS2 Open Space Park Zone; and
  - g. OS5 Open Space Environmental Protection Zone.
2. THAT the Holding Symbol “(H)” shall not be removed from the lands zoned RR(H) Rural Residential Zone or any portion thereof, until the following condition is addressed to the satisfaction of the City:
    - a. The Owner shall provide municipal services for Lots 48 and 49, which may require a servicing easement over Lot 48
  3. THAT Draft Plan of Subdivision File 19T-04V12 (Evelyn Charters) BE APPROVED, subject to the Conditions of Approval set out in Attachment #1, to facilitate a residential subdivision, as shown on Attachment #4;
  4. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York Sewage Servicing/Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated February 21, 2018:

“THAT Draft Plan File No. 19T-04V12 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 59 residential units (211 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.”
  5. THAT City of Vaughan Staff be directed to attend the LPAT proceedings in support of the Recommendations contained in this report and the Conditions of Draft Approval identified in Attachment #1 for Draft Plan of Subdivision File 19T-04V12.
  6. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-04V12 shall include the following clause:

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- a. “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 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.”

(A copy of the attachments referred to in the following report have been forwarded to each Member of Council and a copy thereof is on file in the office of the City Clerk.)

Item:



## Committee of the Whole Report

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

**WARD:** 1

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.04.049  
DRAFT PLAN OF SUBDIVISION FILE 19T-04V12  
EVELYN CHARTERS  
WARD 1 - VICINITY OF BATHURST STREET AND TESTON  
ROAD**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek endorsement from the Committee of the Whole of the Recommendation contained in this report for Zoning By-law Amendment File Z.04.049 and Draft Plan of Subdivision File 19T-04V12, which have been appealed to the Local Planning Appeal Tribunal ("LPAT"), to permit on the Subject Lands shown on Attachments #2 and #3, a residential development consisting of 47 lots for detached dwellings, two estate residential lots, part blocks, landscape and environmental protection buffers, reserves, and streets, as shown on Attachment #4.

### **Report Highlights**

- The Owner proposes a residential subdivision consisting of 49 lots for detached dwellings and including landscape and environmental protection buffers, a stormwater management pond, and new streets that connect to Sweet Anna Court, Lady Nadia Drive, and Vanda Drive.
- The Development Planning Department supports the approval of the Zoning By-law Amendment and Draft Plan of Subdivision Applications as they are consistent with and conform to the Provincial Policies, the York Region Official Plan and the Vaughan Official Plan 2010 and compatible with the existing and planned land uses in the surrounding area.

## **Recommendations**

THAT the Local Planning Appeal Tribunal (“LPAT”) be advised that Vaughan Council ENDORSES the following Recommendations:

1. THAT Zoning By-law Amendment File Z.04.049 (Evelyn Charters) BE APPROVED, to amend Zoning By-law 1-88 to rezone the Subject Lands, shown on Attachments #2 and #3, from “A Agricultural Zone” and “OS5 Environmental Protection Zone” to the following zone categories, in the manner shown on Attachment #4:
  - a) RD2 Residential Detached Zone Two;
  - b) RD3 Residential Detached Zone Three;
  - c) RD4 Residential Detached Zone Four;
  - d) RR(H) Rural Residential Zone, subject to the site-specific exceptions identified in Table 1 to this report;
  - e) OS1 Open Space Conservation Zone
  - f) OS2 Open Space Park Zone; and
  - g) OS5 Open Space Environmental Protection Zone.
2. THAT the Holding Symbol “(H)” shall not be removed from the lands zoned RR(H) Rural Residential Zone or any portion thereof, until the following condition is addressed to the satisfaction of the City:
  - a) The Owner shall provide municipal services for Lots 48 and 49, which may require a servicing easement over Lot 48.
3. THAT Draft Plan of Subdivision File 19T-04V12 (Evelyn Charters) BE APPROVED, subject to the Conditions of Approval set out in Attachment #1, to facilitate a residential subdivision, as shown on Attachment #4;
4. THAT Vaughan Council adopt the following resolution with respect to the allocation of sewage capacity from the York Sewage Servicing/Water Supply System in accordance with the approved Servicing Capacity Distribution Protocol dated February 21, 2018:

“THAT Draft Plan File No. 19T-04V12 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 59 residential units (211 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.”

5. THAT City of Vaughan Staff be directed to attend the LPAT proceedings in support of the Recommendations contained in this report and the Conditions of Draft Approval identified in Attachment #1 for Draft Plan of Subdivision File 19T-04V12.
6. THAT the Subdivision Agreement for Draft Plan of Subdivision File 19T-04V12 shall include the following clause:
  - a) “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 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.”

## **Background**

The 9.55 ha Subject Lands (the “Subject Lands”) shown on Attachments #2 and #3 are located on the south side of Teston Road, west of Bathurst Street, and municipally known as 981 Teston Road. The surrounding land uses are shown on Attachment #3.

### ***The Owner has submitted the following applications to permit the proposed residential Draft Plan of Subdivision.***

The Owner has submitted the following applications ("Applications") to permit the proposed residential plan of subdivision:

1. Zoning By-law Amendment File Z.04.049 to rezone the Subject Lands from “A Agricultural Zone” and “OS5 Environmental Protection Zone” to the following zone categories, in the manner shown on Attachment #4:
  - a) RD2 Residential Detached Zone Two;
  - b) RD3 Residential Detached Zone Three;
  - c) RD4 Residential Detached Zone Four;
  - d) RR(H) Rural Residential Zone, subject to the site-specific exceptions identified in Table 1 to this report;
  - e) OS1 Open Space Conservation Zone;
  - f) OS2 Open Space Park Zone; and
  - g) OS5 Open Space Environmental Protection Zone.
2. Draft Plan of Subdivision File 19T-04V12 (the “Draft Plan”) to facilitate a residential subdivision as shown on Attachment #4.

***The Owner has appealed the Zoning By-law Amendment and Draft Plan of Subdivision Applications to the Local Planning Appeal Tribunal***

The Owner on March 29, 2018 filed an appeal (File No. PL180311) of Zoning By-law Amendment File Z.04.049, to the then Ontario Municipal Board (“OMB”), now the Local Planning Appeal Tribunal (“LPAT”), pursuant to Section 34 (11) of the *Planning Act* for Vaughan Council’s failure to make a decision on the Application within 120 days of the City deeming the Application complete.

The Owner on March 29, 2018 also submitted appealed (File No. PL180312) Draft Plan of Subdivision File 19T-04V12, to the LPAT pursuant to Section 51 (34) of the *Planning Act* for Vaughan Council’s failure to make a decision on the Application within 180 days, of the City deeming the Application complete.

An LPAT pre-hearing has been scheduled for October 16, 2018. To date, an LPAT hearing has not yet been scheduled.

***The Zoning By-law Amendment and the Draft Plan of Subdivision Applications were considered at the May 1, 2006, and the September 2, 2014, Public Hearing***

On August 8, 2014, a Notice of Public Hearing was circulated to all property owners within the 150 m polling area. A copy of the Notice of Public Hearing was also posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and three Notice Signs were installed on the property along Teston Road, Lady Nadia Drive, and Sweet Anna Court, in accordance with the City’s Notice Sign Procedures and Protocols.

A Public Hearing was held on September 2, 2014, to receive comments from the public and the Committee of the Whole, Vaughan Council on September 9, 2014, ratified. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 2, 2014, and to forward a comprehensive report to a future Committee of the Whole meeting.

The following individuals made a deputation at the Public Hearing on September 2, 2014, or submitted written correspondence regarding the Applications:

- a) T. Damircheli / M. Bakhshi, Vanda Drive;
- b) J. Huan Li / T. Ching, Lady Angela Lane, letter including 31 signatures;
- c) A. Glovatchii / J. Glovatcaia, Lady Angela Lane; and
- d) S. Ladak, Lady Angela Lane.

The following comments were provided by the community through the written submissions received by the Development Planning Department and by deputations at the Public Hearing on September 2, 2014. The Development Planning Department offers the following responses to comments below and in the relevant sections throughout this report.

- a) The Draft Plan will result in construction noise, dust and disruption to neighbouring Vanda Drive, Lady Nadia Drive, and Lady Angela Lane properties

The City will require the Owner to provide a construction management plan prior to the commencement of construction activity to minimize disruption to the surrounding properties.

- b) The Draft Plan may impact natural habitat of birds and animals

Draft Plan of Subdivision Blocks 50, 51, and 52 are Environmental Protection and Buffer Blocks. These Blocks will be zoned OS5 Open Space Environmental Protection Zone and will not be developed and conveyed into public ownership. The Toronto and Region Conservation Authority ("TRCA") have acknowledged that the Draft Plan includes a meander belt and a 30 metre buffer associated with Patterson Creek in order to conform to Redside Dace habitat protection requirements under the Endangered Species Act (2007). The TRCA has no objection to the approval of the Draft Plan, subject to their Conditions in Attachment #1c) of this report.

Furthermore, the City of Vaughan Policy Planning and Environmental Sustainability Department has included a Condition of Draft Approval that requires the Owner to comply to the *Endangered Species Act, 2007, S.O. 2007*.

- c) The Draft Plan will put pressure on schools and recreation facilities

The York Region District School Board and the York Catholic District School Board have no objection to the approval of the Draft Plan. The City of Vaughan is in a design process for the development of a new park, community centre and library south of Major MacKenzie Drive and east of Thomas Cook Avenue to provide additional recreation opportunities for City of Vaughan residents.

- d) The Draft Plan will increase traffic on the local streets

The Vaughan Development Engineering ("DE") Department has no objection to the Development. The Development will complete the existing local road



pattern within the Block 12 Community Plan. Proposed local Streets "A through F", inclusive, will provide connections to the existing roads Vanda Drive, Sir Angelo Way, Sweet Anna Court, Lady Nadia Drive and Lady Angela Lane. The Development does not provide a direct road connection to Teston Road, therefore, traffic from the major arterial road will not be drawn into the residential area.

In addition to the above, the Draft Plan of Subdivision conforms to the Block 12 Community Plan as shown on Attachment #5 which Council approved on September 22, 2003, and formed the basis for the development of Block 12.

On September 6, 2018, the Development Planning Department 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**

[http://meetingarchives.v Vaughan.ca/committee\\_2006/pdf/CW\(PH\)A0501\\_3.pdf](http://meetingarchives.v Vaughan.ca/committee_2006/pdf/CW(PH)A0501_3.pdf)

[https://www.v Vaughan.ca/council/minutes\\_agendas/Extracts/38ph0902\\_14ex\\_9.pdf](https://www.v Vaughan.ca/council/minutes_agendas/Extracts/38ph0902_14ex_9.pdf)

### **Analysis and Options**

#### ***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. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

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 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:

- Section 1.1.1 - to accommodate an appropriate range of residential, employment, institutional, recreation, park and open space uses;
- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- Section 1.5.1 - planning for and providing publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages; and

- Section 1.7 - encouraging a sense of place, by promoting well-designed built-form, cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The Draft Plan shown on Attachment #4 is for residential uses within a settlement area which conforms with the “Low-Rise Residential” and “Natural Areas” land use designation in VOP 2010. The Draft Plan includes residential uses, open spaces, environmental protection lands and buffers, and a public walkway linkage connecting proposed Street ‘A’ with Teston Road. On this basis, the Applications are consistent with the PPS.

***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 decisions on a wide range of issues, including economic development, land-use planning, urban form and housing. The Growth Plan requires that all decisions made on or after July 1, 2017, in respect of the exercise of any authority that affect a planning matter will conform to the Plan. The Growth Plan promotes intensification of existing built-up areas, with a focus on urban growth centres, intensification corridors and major transit stations. Concentrating intensification in these areas provides a focus for transit infrastructure investment to support growth and for building compact, transit-supportive communities.

The Growth Plan directs population and employment growth to be accommodated within the built-up areas, and the development of complete communities with a mix of land uses, a range and mix of employment and housing types, high quality open spaces, and easy access to local stores and services.

The Growth Plan includes the following policies:

a) “1.2.1 Guiding Principles (in part)

- Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Metis communities.”

b) “2.2 Policies for Where and How to Grow (in Part)

2.2.1 Managing Growth

Applying the policies of this Plan will support the achievement of complete communities that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- b) Improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) Provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and
- d) Ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

2.2.2 Delineated Built-up Areas

- 1. By the year 2031, and for each year thereafter, a minimum of 60 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.
- 2. By the time the next municipal comprehensive review is approved and in effect, and each year until 2031, a minimum of 50 per cent of all residential development occurring annually within each upper or single-tier municipality will be within the delineated built-up area.

c) 4.2 Policies for Protecting What is Valuable

“4.2.5 Public Open Space (in part)

- 1. Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publicly-accessible parkland, open space, and trails, including in shoreline areas, with the Greater Golden Horseshoe that:
  - a) clearly demarcates where public access is and is not permitted;

- b) is based on a co-ordinated approach to trail planning and development; and
- c) is based on good land stewardship practices for public and private lands.”

In consideration of the Growth Plan policies, the Draft Plan is located within a settlement area and a delineated built-up area that conforms to VOP 2010, is consistent with the approved Block 12 Community Plan, and conserves natural heritage features. The Draft Plan supports the achievement of a complete community, adds to the range of housing opportunities, and will contribute to additional public open space. Accordingly, the Draft Plan of Subdivision conforms to the Growth Plan.

***The Draft Plan conforms with the York Region Official Plan (“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.

Section 5.3 of the YROP outlines policies for development within the urban structure by encouraging residential development to occur within the built-up area as defined by the Province’s Built-Up Area Boundary in the Growth Plan. Well-designed, pedestrian-friendly and transit-oriented built form is encouraged. The Draft Plan will assist in achieving these goals.

Section 3.5 of the YROP, Housing our Residents, provides housing objectives which include and promote an integrated community structure and design that ensures a broad mix and range of lot sizes, unit sizes, housing forms and types and tenures that will satisfy the needs of the Region’s residents and workers.

In consideration of the above, the Draft Plan conforms with the policies of the YROP. York Region has no objections to the Development, subject to their Conditions of Approval in Attachment #1b) of this report.

***The Draft Plan conforms to Vaughan Official Plan 2010 (“VOP 2010”) and the Council approved Block 12 Community Plan***

The Subject Lands are designated “Low Rise Residential”, “Natural Areas”, and “Infrastructure and Utilities” by Vaughan Official Plan 2010 (“VOP 2010”), which permits detached dwelling units with no prescribed maximum density. The Draft Plan conforms to VOP 2010.

Vaughan Council on September 22, 2003, approved the Block 12 Community Plan (Attachment #5) which identifies the Subject Lands as lands for future development. The proposed land use is consistent with the approved Block 12 Community Plan. The

Owner will be required to submit an updated Block 12 Community Plan, to the satisfaction of the City, should the Draft Plan be approved. The Owner must satisfy all obligations, financial or otherwise of the Block 12 Developers Group Agreement to the satisfaction of the Block 12 Trustee and the City of Vaughan.

***The proposed rezoning and site-specific exceptions identified in Table 1 would permit a Draft Plan and a Development that is compatible with the existing and planned built form in the area***

The Subject Lands are zoned “A Agricultural Zone” and “OS5 Open Space Environmental Protection Zone” by Zoning By-law 1-88, as shown on Attachment #2, which does not permit the Draft Plan. A Zoning By-law Amendment has been submitted to rezone the Subject Lands to “RD2 Residential Detached Zone Two”, “RD3 Residential Detached Zone Three”, “RD4 Residential Detached Zone 4”, “RR(H) Rural Residential Zone” with the Holding Symbol (“H”), “OS1 Open Space Conservation Zone”, “OS2 Open Space Park Zone”, and “OS5 Open Space Environmental Protection Zone”, in the manner shown on Attachment #4, together with the following site-specific zoning exceptions to the RR Rural Residential Zone:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>RR Rural Residential Zone Requirements (Lots 48 and 49 only)</b>	<b>Proposed Exceptions to the RR Rural Residential Zone Requirements (Lots 48 and 49 only)</b>
a.	Minimum Lot Area	4,000 m <sup>2</sup>	3,000 m <sup>2</sup>
b.	Minimum Front Yard	15 m	7.5 m
c.	Minimum Rear Yard	15 m	3 m
d.	Minimum Interior Side Yard	4.5 m	1.5 m
e.	Maximum Lot Coverage	10 %	20 %
f.	Maximum Building Height	9.5 m	11 m

The Development Planning Department has reviewed the proposed rezoning and site-specific exceptions to Zoning By-law 1-88, and provides the following comments:

a) Zone Categories and Zoning Exceptions

The proposed Zone categories are shown on Attachment #4 and are consistent with the surrounding zone categories used to implement the Block 12 Community Plan as shown on Attachment #3. In addition, no exceptions to the RD2, RD3 and RD4 Zone standards are proposed.

Lots 48 and 49 are proposed to be zoned “RR(H) Rural Residential Zone” with the Holding Symbol “(H)” by Zoning By-law 1-88, subject to site-specific exceptions, as identified in Table 1. The Zoning exceptions are required to respect the TRCA development limits, and to allow for the retention of an existing residence which will be maintained on Lot 48. Also, Lots 48 and 49 will be zoned with the Holding Symbol “(H)” which will not be removed until the Owner provides sanitary sewer and water servicing that complies with City and/or York Region standards.

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

### Subdivision Design

The proposed Draft Plan shown on Attachment #4 consists of the following:

#### LOTS/BLOCKS/STREETS

Lots 1 - 47 (single detached dwellings, minimum 12.8 m frontage)	2.68 ha
Lots 48 and 49 Estate Residential	2.95 ha
Block 50 Environmental Protection	1.66 ha
Blocks 51 - 52 Buffer (5 m wide)	0.08 ha
Block 53 Stormwater Management Pond	0.24 ha
Block 54 Landscape Area	0.11 ha
Blocks 55 - 56 Landscape Buffer	0.03 ha
Blocks 57 - 77 Future Development	0.48 ha
Block 78 - 0.3 m Reserve	0.01 ha
Block 93 - 6 m Walkway	0.02 ha
Block 94 – Regional Road Widening	0.01 ha
Streets A - E, 17.5 m	
<u>Street F, 15 m</u>	<u>1.28 ha</u>
Total Area	9.55 ha

The proposed land uses within Draft Plan of Subdivision shown on Attachment #4, includes 47 lots for detached dwellings with frontages between 12.8 m to 15.24 m, two estate residential lots, part blocks, landscape and environmental protection buffers, reserves and streets, and a stormwater management pond.

The Development Planning Department is satisfied with the proposed Draft Plan design as it is consistent with the approved Block 12 Community Plan, subject to the Conditions of Approval in Attachment #1 of this report.

### Archaeology

The Development Planning Department, Urban Design and Cultural Heritage Division has reviewed the Stages 1 and 2 Archaeological Assessments, and have acknowledged

that the lands have been cleared of archaeological concerns. The Development Planning Department, Urban Design and Cultural Heritage Division has no objection to the Draft Plan, subject to the conditions in this report and the Conditions of Approval outlined in Attachment #1a) of this report.

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

The Policy Planning and Environmental Sustainability Department have no further concerns respecting the Draft Plan. However, all applications regardless of their location are required to abide by the *Endangered Species Act* (2007) regulated by the Ministry of Natural Resources and Forestry ("MNRF"). The Owner is required to comply with MNRF regulations and guidelines to protect species at risk and their habitat. A condition to this effect is included in Attachment #1a) of this report.

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

The Development Engineering ("DE") Department has reviewed the revised Draft Plan and offers the following comments:

a) Environmental

The Owner has submitted a Phase One Environmental Site Assessment entitled "981 Teston Road in Vaughan, Ontario", prepared by WSP, dated October 24, 2016, and Phase Two Environmental Site Assessment entitled "Proposed Residential Development 981 Teston Road, City of Vaughan" prepared by Soil Engineers Ltd., dated November 12, 2017. The Phase Two Environmental Site Assessment report concludes that the Subject Lands are suitable for the proposed development and no further environmental investigation is recommended at this time. The DE Department has reviewed the reports and has no objections to the approval to the approval of the Draft Plan.

b) Lot Grading

The DE Department has reviewed the provided Preliminary Grading Plans and has no objections to the proposed grading, however, fences and berms are required to be shown on the grading plans. At the detailed design stage, the Owner shall provide detailed grading plans confirming that the grading of the site and lot grading of the individual lots have meet the current City's Lot Grading Criteria.

c) Water/Sanitary/Storm Servicing and Storm Water Management

The Owner has submitted revised Functional Servicing Report entitled "Functional Servicing Report, Teston Westfield Residential Subdivision, City of Vaughan", prepared by Schaeffers Consulting Engineers, dated February 12, 2014. The report provides a

Functional Servicing Plan for stormwater, sanitary and water servicing. The proposed municipal services are in accordance with the approved Block 12 Master Environmental Servicing Plan ("MESP"). The report demonstrates that the water supply, sanitary servicing and stormwater management plans for the Draft Plan are consistent with City's criteria and can be accommodated by the Block 12 Spine services. The DE Department has reviewed the report and agrees with the conclusions.

d) Transportation Engineering

Road Network

Site accesses are proposed via public roads, Streets "A", "B", "C", "D" and "E" connected to the existing roads Vanda Drive, Sir Angelo Way, Sweet Anna Court, Lady Nadia Drive and Lady Angela Lane. The Owner will be required to complete the existing planned road within Block 12 to provide appropriate accesses to the Draft Plan. Transportation Planning Section has no further comments on the proposed Draft Plan.

Noise

The Owner has submitted a noise report titled "Environmental Noise Analysis, Block 12", dated March 23, 2017, and an Addendum Letter #1- Environmental Noise Analysis Update, dated October 5, 2017, both prepared by Valcoustics Canada Ltd. which recommends acoustical measures to be implemented into the development. The DE Department has reviewed the report and letter and agrees with the analysis, however, requires the following to be addressed:

- The Noise Report shall provide the noise requirements for Lots 48 and 49; and
- The Noise Report shall describe the type (earthen berms, solid fences or combination) of the proposed 3 m sound barrier for Lot 1.

***Servicing Capacity 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. This Draft Plan was reserved servicing capacity for 47 single-family units in the report. The current proposal includes 59 units total (49 single family units and 20 part lots which equals 10 units).

Accordingly, servicing capacity to Draft Plan is available and unrestricted. Therefore, the following resolution to allocate capacity to the subject Draft Plan may be recommended for Council approval:

"THAT Draft Plan of Subdivision File No. 19T-04V12 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 59 residential units (211 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 DE Department has no objections to the Development, subject to their Conditions of Approval outlined in Attachment #1a) of this report.

***The Office of the City Solicitor, Real Estate Department requires the Owner to enter into a Developers Group Agreement and to pay Cash-in-lieu of the dedication of parkland***

The Real Estate Department requires the Owner enter into a Developers Group Agreement with the other participating landowners within Block 12, to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, road and municipal services with Block 12. This agreement shall also provide a provision for additional developers to participate with the Developers’ Group Agreement when they wish to develop their lands.

The Owner must further acknowledge that Cash-in-lieu of the dedication of parkland shall be paid in accordance with Section 42 of the *Planning Act* and conform to the City’s “Cash-In-Lieu of Parkland Policy”.

***The Financial Planning and Development Finance Department has no objection to the Draft Plan and advises that development charges are applicable***

The Owner must satisfy all obligations, financial or otherwise of the Block 12 Developers Group Agreement, to the satisfaction of the Block 12 Trustee and the City of Vaughan. The Financial Planning and Development Finance Department also advises that development charges are applicable to the Development.

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 Draft Plan***

The Parks Development Department have no objections to the approval of the Applications subject to the Conditions of Approval in Attachment #1 of this report.

The Parks Development Department has advised that Block 54 – (Landscape Area) shall not be considered parkland and will not be credited as such.

Prior to final approval of the Draft Plan, the Parkland Dedication Chart, which was submitted on March 29, 2017, must be updated to confirm the status of the Subject Lands within the Block 12 Community Plan, and submitted for the Park Development Department's records.

***The Toronto and Region Conservation Authority ("TRCA") has no objection to the Draft Plan, subject to the conditions included in Attachment #1.***

The Toronto and Region Conservation Area ("TRCA") is satisfied that all natural heritage features and natural hazards have been identified and appropriate buffers to the Draft Plan are provided. The TRCA's conditions of approval are included as Attachment #1c).

***Alectra Utilities Corporation has 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.

***Canada Post has no objection to the Draft Plan***

Canada Post has no objections to the Draft Plan, subject to the Owner installing mail facilities and equipment to the satisfaction of Canada Post, in accordance with their conditions included in Attachment #1e).

***Bell Canada requires the Owner to confirm that sufficient wire-line communications and telecommunications infrastructure is available***

The Owner will be required to confirm that sufficient wire-line communications /telecommunications infrastructure is available within the Draft Plan. The Owner will also be required to grant any easements that may be required for telecommunication services. A condition to this effect is included in Attachment #1f).

***Enbridge has no objection to the Draft Plan***

Enbridge has no objections to the Draft Plan. The Owner will be required to prepare a composite utility plan that allows for the safe installation of all utilities, including the required separation between utilities. Enbridge has provided conditions of approval in Attachment #1g) to be included in the subdivision agreement.

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

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

### **Financial Impact**

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

### **Broader Regional Impacts/Considerations**

York Region has no objection to Draft Plan of Subdivision File 19T-04V12, subject to their Pre-conditions and Conditions of approval in Attachment #1b).

### **Conclusion**

The Vaughan Development Planning Department has reviewed Zoning By-law Amendment File Z.04.049 and Draft Plan of Subdivision File 19T-04V12, in accordance with the applicable Provincial policies, the York Region Official Plan, the City's Official Plan, the Block 12 Community Plan, Zoning By-law 1-88, comments from the public, City Departments and external public agencies, and the surrounding existing and planned land uses. The Applications will facilitate the development of a residential subdivision with a built form and character that is consistent with the policy objectives of the PPS and conforms to the Growth Plan and with the York Region and City of Vaughan Official Plans.

The Development Planning Department can support the approval of Zoning By-law Amendment File Z.04.049 and Draft Plan of Subdivision File 19T-04V12, subject to the Recommendations in this report, and the Conditions of Approval set out in Attachment #1.

**For more information**, please contact: Carol Birch, Planner, extension 8485

### **Attachments**

1. Conditions of Approval
2. Context Location Map
3. Location Map
4. Proposed Zoning and Draft Plan of Subdivision
5. Approved Block 12 Community Plan

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