Committee of the Whole (1) Report

DATE: Tuesday, January 19, 2021 **WARD(S):** 2

TITLE: PORTSIDE DEVELOPMENTS (KIPLING) INC.
SITE DEVELOPMENT FILE DA.18.030
7476 KIPLING AVENUE
VICINITY OF KIPLING AVENUE SOUTH OF HIGHWAY 7

FROM:
Nick Spensieri, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.18.030. The Owner proposes to develop the subject lands with 42, 3-storey (plus mechanical/amenity room) stacked townhouse units served by 55 parking spaces as shown on Attachments 3 to 6.

Report Highlights

- The Owner is proposing to develop the subject lands with 42 stacked townhouse units served by 55 parking spaces
- The proposed development is consistent with the Ontario Municipal Board Order and Minutes of Settlement May 6, 2016
- The Development Planning Department supports the approval of the Site Development Application as it is consistent with the Provincial Policy 2020,

Recommendations

1. THAT Site Development File DA.18.030 (Portside Developments (Kipling) Inc.) BE DRAFT APPROVED SUBJECT TO CONDITIONS included on Attachment 1, to the satisfaction of the Development Planning Department, to permit 42, 3-storey (plus mechanical/amenity room) stacked townhouse units served by 55 parking spaces, as shown on Attachments 3 to 6.

2. THAT prior to the execution of the Site Plan Agreement:

   a) the implementing Zoning By-law for the subject lands shall be in full force and effect, and

   b) the Owner shall withdraw their appeal of Vaughan Official Plan 2010 (Appeal 116 - PL111184) for the Subject Lands to the satisfaction of the Deputy City Manager Administrative Services & City Solicitor and the Deputy City Manager Planning & Growth Management.

3. THAT the Owner be permitted to apply for a Minor Variance Application(s) from the Committee of Adjustment if required, to permit minor adjustments to the in-effect Vaughan Zoning By-law before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands comes into effect.

4. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

"IT IS HEREBY RESOLVED THAT Site Plan Development File DA.18.030 (Portside Developments (Kipling) Inc.) be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 42 residential stacked townhouse units (129 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City), in accordance with the City's Allocation of Servicing Capacity Policy, if the development does not proceed to registration and/or Building Permit issuance within 36 months".

Background

The subject lands (the 'Subject Lands') are municipally known as 7476 Kipling Avenue, located south of Highway 7 as shown on Attachment 2. The surrounding land uses are shown on Attachment 2.

The Owner appealed Vaughan Official Plan Amendment 2010 as it applies to the Subject Lands to the then Ontario Municipal Board, now the Local Planning Appeal Tribunal

Portside Development (Kipling) Inc. (the 'Owner') on March 5, 2013 appealed (Appeal 116) Vaughan Official Plan 2010 ('VOP 2010') as it pertained to the Subject Lands to the then Ontario Municipal Board (the 'OMB'), now the Local Planning Appeal Tribunal (the 'LPAT') as a municipal decision was not made within the timeframe prescribed under the *Planning Act* and the proposed land use designation in VOP 2010 did not permit "Mid-Rise Residential" on the Subject Lands. Should the Application be approved, a condition is included in the Recommendations requiring the Owner to withdraw Appeal 116 to the satisfaction of the Deputy City Manager Administrative

Services & City Solicitor and the Deputy City Manager Planning & Growth Management, prior to the execution of the Site Plan Agreement.

The Owner appealed the related Official Plan and Zoning By-law amendment applications to the then OMB (now the LPAT)

The Owner on July 29, 2013 and September 12, 2013 filed appeals to Zoning By-law and Official Plan Amendment Files Z.13.005 and OP.13.003, respectively to the then then OMB (Case PL130802), now the LPAT, for the City's failure to make a decision within the prescribed timeframe stipulated under the *Planning Act*. The Owner proposed to amend the Official Plan and Zoning By-law to permit a 9-storey residential apartment building with162 units and 208 underground parking spaces.

Since the date of the initial appeals and following the Pre-hearing held on July 27, 2015 the Owner and the Toronto and Region Conservation Authority ('TRCA') engaged in negotiations to delineate the development limits for the Subject Lands and reached a settlement agreement, resulting in a revised proposal. The Owner at the OMB hearing of February 29, 2016 sought the OMB's approval for a revised development consisting of 43 stacked townhouse units distributed over two blocks within the defined development limits approved by the TRCA and outlined in Minutes of Settlement ('MOS'), subsequently executed by the TRCA and the Owner on February 24, 2016.

The OMB on May 6, 2016 issued a Decision Order to conditionally approve Zoning By-law and Official Plan Amendment Files Z.13.005 and OP.13.003 for the 43 unit stacked townhouse development. The Official Plan Amendment was incorporated into VOP 2010.

The OMB withheld its' final approval respecting the implementing Zoning By-law until a Site Development Application is approved by the City. To date, the implementing By-law has not been enacted. However, the LPAT on October 24, 2019 issued an Order delegating the City the authority to administer the final approval of the implementing Zoning By-law. Prior to the execution of the Site Plan Agreement the implementing Zoning By-law, shall be in full force and effect. A condition to this effect is included in the Recommendations section of this report.

Previous Reports/Authority

The following are links to the June 24, 2014 Council Meeting for the related Official Plan and Zoning By-law Applications, and the May 6, 2016 LPAT/OMB Decision Order:
June 17, 2014, Committee of the Whole (Council) (Item 5, Report No. 7)
May 6, 2016 LPAT/OMB E-Decision-Search Case No. PL130802, Item7

Analysis and Options

A Site Development Application has been submitted to permit 42 stacked townhouse units on the Subject Lands

The Owner has submitted Site Development File DA.18.030 (the 'Application') on the Subject Lands shown on Attachment 2 to permit 42, 3-storey (plus mechanical/amenity room) stacked townhouse units distributed over two blocks and served by 50 underground parking spaces and 5 surface parking spaces (the 'Development') as shown on Attachments 3 to 6.

The Development is consistent with the Provincial Policy Statement, 2020

In accordance with Section 3 of the *Planning Act,* all land use decisions in Ontario shall be consistent with the Provincial Policy Statement 2020 (the '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 clean and healthy environment.

The Development is consistent with policies 1.1.1, 1.1.3, 1.4.1 and 1.5.1 of the PPS regarding focusing growth and development within Settlement Areas and the efficient use of land by supporting and promoting intensification, redevelopment and open spaces and linkages, and to provide for a range of housing options and densities to meet current and future residential requirements.

The Subject Lands are located within the Woodbridge Community, a settlement area as defined by the PPS. The PPS states that within settlement areas, sufficient land shall be made available through intensification and redevelopment. The Development is consistent with the intent of the intensification and housing policies of the PPS by promoting the efficient use of land and adding to the range of housing options available in the community while maintaining a woodlot and a minimum 6 m buffer to the open space/natural area.

The Development conforms to A Place to Grow, the Growth Plan for the Greater Golden Horseshoe 2019, as amended

The policies of A Place to Grow, the Growth Plan for the Greater Golden Horseshoe 2019 (the 'Growth Plan') as amended, are intended to guide the development of land in the Greater Golden Horseshoe that support complete communities by encouraging compact built form, transit supportive communities and a range and mix of housing types directed to built-up areas with municipal wastewater systems.

The Development introduces a compact built form of ground related residential development (stacked townhouse units) within a built-up area with available municipal

services and transit facilities located approximately 700 m on Highway 7 with a direct transit/road connection to high order transit facilities in the Vaughan Metropolitan Centre ('VMC') The Development conforms with the policies of the Growth Plan.

The Development conforms to the York Region Official Plan 2010

York Region Official Plan 2010 ('YROP 2010') designates the Subject Lands "Urban Area" and "Regional Greenland's System". Intensification within an Urban Area is anticipated to accommodate a significant portion of the planned growth in York Region.

YROP 2010 encourages a mix of housing types within efficient mixed-use compact communities at an overall transit supportive density. Section 3.5.4 of the YROP requires "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." It also states "the mix and range of housing shall be consistent with Regional forecasts, and intensification and density requirements. Section 2.1.5 of the YROP requires local official plans to identify opportunities to integrate the "Regional Greenland's System" into community design and encourage remedial works and enhancement opportunities within the "Regional Greenland's System".

The Development introduces a stacked townhouse housing option into the community, makes use of existing services and infrastructure and preserves a woodlot, includes a 6m buffer and the Owner proposes to dedicate all open space lands below the Long Term Stable Top of Slope (the 'LTSTS') into public ownership ensuring the protection of the natural features. The Development conforms to the policies of YROP 2010.

The Development conforms to Vaughan Official Plan 2010, as amended by Site Specific Exception 13.35 Kipling Avenue South

The Subject Lands are designated "Low Rise Residential" and "Natural Area" by City of Vaughan Official Plan 2010 ('VOP 2010') Volume 2, as amended by Site Specific Exception 13.35 Kipling Avenue South (the 'Exception') approved by the OMB on September 21, 2016. The Exception maintains the "Low Rise Residential" designation on the Subject Lands and permits a maximum of 43 stacked townhouse units with a building height of 3-storeys. The portion of the Subject Lands designated "Natural Area" below the LTSTS shall be used for environmental protection, and the 6 m buffer setback from the LTSTS, and the Woodlot and its related 3 m setback may be used for environmental protection, low intensity recreational uses (including pedestrian access) and for woodlot management. The Development shown on Attachments 3 to 6 conforms to VOP 2010 as amended.

The OMB issued a Decision Order but withheld final approval of the Zoning by-law Amendment File Z.13.005

The Subject Lands are zoned "PB1 Parkway Belt Open Space" by Zoning By-law 1-88, as shown on Attachment 2. The Development is not permitted under the current zoning. The OMB Decision conditionally approved the rezoning of the Subject Lands to "RM2 Multiple Residential Zone" and "OS1 Open Space Conservation Zone" as shown on Attachment 3, to allow the Subject Lands to be developed for a maximum of 43 residential stacked townhouse units with the following site-specific zoning exceptions:

Minimum Lot Area (Net Area)	- 3829 m^2 or 91 m^2 /unit
Maximum Lot Coverage	- 22.8%
Minimum Rear Yard Setback	- To Long Term Stable Top of Slope: 6 m
Minimum Yard Setbacks	- Front Yard (Kipling Avenue): 3 m - North Interior Side: 11.5 m - South Interior Side: 38 m
Maximum Building Height	- 3-storeys (plus mechanical/amenity room) and a height of 14.5 m per the Ontario Building Code definition measured to highest point of roof (from grade elevation of 162.12 - South Block and 164.36 - North Block)
Minimum Parking	- 1.2 spaces per unit (incl. visitor and accessible parking)
Permit Encroachments	- staircases, landings, ramps, mechanical equipment (i.e. vent shafts, eves, infiltration trenches) to encroach into any yard
Lands zoned RM2	- to be used as a temporary sales office/pavilion related to this Development, and the Subject lands shall be considered a single lot notwithstanding any future severance or land dedication

The OMB approval also permits the portion of the Subject Lands zoned OS1 located above the LTSTS shall only be used for low intensity recreational use and for forest management, no structures or building, camping and accessory uses are permitted in the OS1 Zone.

The OMB withheld approval of the implementing Zoning By-law to ensure the details and zoning standards related to the final approved Site Development Application are included in the final implementing Zoning By-law. The LPAT on October 24, 2019 issued an Order delegating authority to approve the implementing Zoning by-law to the City of Vaughan. Prior to the execution of the Site Plan Agreement the implementing Zoning By-law shall be in full force and effect. A condition to this effect is included in the Recommendations.

Additional zoning exceptions are required to permit the proposed Development

The Development shown on Attachments 3 to 6 is consistent with the site-specific standards approved by the OMB on May 6, 2016. However, during the review of the Site Development Application the following additional site-specific zoning exceptions have been identified follows:

Table 1

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirements	Proposed Exceptions to RM2 Multiple Residential Zone Requirements
a.	Minimum Front Yard Setback to portion of Buildings below grade along Kipling Avenue	1.8 m	0.2 m
b.	Permitted Yard Encroachments and Restrictions	Balconies may encroach into interior side yard maximum of 0.3 m An uncovered staircase or porch may encroach into an interior side yard a maximum of 0.3 m and extend a maximum of 1.8 m into any other yard	Balconies above the first storey may encroach into any yard a maximum of 1.5m An uncovered staircase and porch may encroach into the interior, exterior and rear yards a maximum of 3.5 m, and may extend a maximum of 2.2 m into a front yard. Notwithstanding, no encroachment into the 6m buffer shall be permitted
c.	Minimum Width of a Driveway Access	7.5 m	6 m
d.	Minimum Landscape Strip abutting Kipling Avenue	6 m	3 m

The additional zoning exceptions identified in Table 1 are supported by the Development Planning Department as they are minor in nature and would implement a Development that conforms to VOP 2010, is consistent with the draft Zoning By-law and site plan conditionally approved the OMB Decision and the MOS dated May 6, 2016.

The Implementing Zoning By-law shall include the exceptions outlined in the OMB order and the exceptions identified in Table 1.

The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance application, 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 application(s) within 2 years of the passing of the zoning by-law amendment.

Should Council approve Zoning By-Law Amendment File Z.13.005 the Development Planning Department has included a Recommendation to permit the Owner to apply for Minor Variance application(s) to the Committee of Adjustment, if required, in advance of the two-year moratorium in order to address minor zoning deficiencies potentially arising through the finalization and construction of the Development.

The Development Planning Department supports the Development

Site Plan

The Development shown on Attachments 3 to 6 includes 42 stacked townhouse units distributed over two blocks separated by a 6 m wide private driveway leading to a service area and 5 visitor parking spaces located at the rear of the building. A second driveway located along the north lot line provides direct access to 48 parking spaces in the underground parking garage.

The lands designated “Natural Area” below the LTSTS and the 6 m buffer block shall be conveyed into the ownership of the TRCA. The 6 m setback buffer area is proposed to be maintained for open space purposes including low intensity recreational uses and will have an easement in favour of the Owner for passive uses and additional landscape buffering. A tableland woodlot with a 3 m buffer is located on the south portion of the property and will continue to be owned and maintained by the Owner and used for low intensity recreational uses and woodlot management with a conservation easement granted in favour of the TRCA for access and conservation purposes. An easement in favour of TRCA shall also be provided along the southerly driveway to allow access and conservation maintenance of the 6.0 m buffer and lands below the LTSTS. Conditions to this effect are included in Attachment 1 of this report.

The proposed Site Plan is consistent with the conceptual site plan conditionally approved through the MOS and by the OMB Order of May 6, 2016.

Landscape Plan

The Landscape Plan shown on Attachment 4 includes landscaping proposed along the periphery of the Subject Lands and in the open space/buffer areas. A landscape treatment consisting of a mix of shrubs, trees and grasses are proposed around the surface parking area, in the rear and in front of each unit.

The Owner will be required to enter into a Tree Protection Agreement ('TPA') to the satisfaction of the City, prior to the execution of a Site Plan Agreement. A condition to the effect is included in Attachment 1.

Building Elevations

The proposed building elevations are shown on Attachment 5 and 6 and consist of 2 residential townhouse blocks separated by a driveway. The residential blocks are 3-storeys in height including a mechanical/amenity room with a connection to a roof deck area.

The building elevations include black brick and clear vision glazing with a bird friendly treatment for the main façade accented with natural wood siding, charcoal and limestone stucco and a beige precast stone as shown on Attachments 5 and 6. A separate garbage room constructed using the same material and colour scheme is proposed at the rear of the site. Prior to the execution of the Site Plan Agreement, the final building elevations and garbage room details must be approved by the Development Planning Department. A condition to this effect is included in Attachment 1.

A Draft Plan of Condominium is required to establish the condominium tenure for the Development

A Draft Plan of Condominium application is required to establish the proposed condominium tenure of the Development, and to secure appropriate conditions and warning clauses of Draft Plan of Condominium approval, should the Application be approved.

Sustainability Performance Metrics

The Development achieves an overall Sustainability Performance Metrics ('SPM') application score of 36 points and a community score of 40 points. The Development is in proximity to open space lands and includes landscape and buffers as a transition to the open space. Public sidewalks are proposed linking the Development to the community to the north and amenities along Highway 7, a rapid Regional Transit Corridor. The Development exceeds the minimum required application performance level score of 31 points meeting the Bronze Sustainability Threshold level.

The Development Engineering Department has no objection to the Development subject to the Recommendations of this report

The Development Engineering Department ('DE') has no objection to the Development, subject to the conditions in the Recommendations of this report. The DE Department has provided the following comments:

Water Supply Network

The Subject Lands are located within Pressure District 4 ('PD4') and the Development is proposed to connect to the existing watermain on Kipling Avenue. The Functional Servicing Report submitted in support of the Application demonstrates the existing watermain can provide adequate flow and pressure to support the Development.

Sanitary Sewer Network

There is no municipal sanitary sewer adjacent to the Subject lands. The Owner proposes to extend the existing sanitary sewer located approximately 130 m north of Subject Lands to service the Development. The Owner's consultant has undertaken a downstream analysis and confirmed there is enough capacity in the sewer system downstream of the Subject Lands to service the Development.

Storm Sewer Network and Stormwater Management Measures

There is no storm sewer system within the immediate vicinity of the Subject Lands. Currently, storm flows from the Subject Lands are directed to an existing ditch on Kipling Avenue and drain southerly to the end of Kipling Avenue where they discharge to a valley.

The Owner proposes to install a new storm sewer along the frontage of the Subject Lands on Kipling Avenue to collect the storm flows from the Subject Lands and discharge the runoff to the ditch approximately 75 m south of the Subject lands. The remaining ditch will be regraded, and a new culvert installed to cross the road.

On-site stormwater management facilities, including an underground storm tank and a gravity-base treatment device are necessary to achieve the required quality and quantity targets pursuant to the City of Vaughan and TRCA design criteria.

Limit of the Construction of the External Services and Urbanizing Kipling Road

The Owner shall enter into a development agreement to urbanize Kipling Avenue, including the associated services such as sanitary and storm sewers. The limits of the urbanization shall be to the satisfaction of the City and will be determined and finalized at the detailed design stage.

The proposed sidewalk fronting the Subject Lands shall be extended to connect to the existing sidewalk on the west side of Kipling. This will help the City in planning for future trail connections to the Vaughan Grove Sports Park from this Development or other sections of Kipling.

Environmental Site Assessment ('ESA')

The Owner submitted a report, entitled "Scoped Environmental Impact Study, 7476 Kipling Avenue, City of Vaughan, Region of York" dated February 2013, prepared by Azimuth. Since there are no changes of use to a more sensitive use no further study is required, unless parcels of land are to be conveyed to the City.

Environmental Noise Assessment

The Owner is to submit a detailed Environmental Noise Assessment report to satisfy the Ministry of the Environment, Conservation and Parks and the City of Vaughan requirements.

Transportation

The Development is anticipated to introduce an acceptable traffic impact that can be accommodated by the existing road network. The Development includes two access driveways to Kipling Avenue. The proposed parking supply is consistent with the minimum parking rates included in Schedule B of the OMB MOS for File Nos. PL130802.

As part of the Development, Kipling Avenue will be urbanized, while the limits of urbanization will be determined at the detail design stage. The Owner shall extend the existing sidewalk on the west side of Kipling Avenue at Veneto Drive to the south limit of Kipling Avenue.

Conditions regarding the DE Department comments above are included in Attachment 1.

Servicing Allocation

Vaughan Council on December 17, 2019 endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. The report confirmed servicing capacity is available and unrestricted for the proposed Development. A resolution to this effect is included in the Recommendations section of this report.

The Urban Design Division of the Development Planning Department have no objection to the Development

Urban Design staff ('Urban Design') has no objection to the Development and have provided the following comments:

Site Layout

Urban Design are generally supportive of the site design. The Owner is encouraged to minimize the presence of the stairs on Kipling Avenue by orienting the basement stairs parallel to the street and ensure the public sidewalk is flush with the boulevards along the driveway cuts. The Owner is required to provide the construction details for the curbs and ramps to match the Accessibility for Ontarians with Disability Act ('AODA') standards.

Architecture

The Owner is encouraged to revise the building elevations to provide individual identity to the townhouses, using different materiality or colours. The Owner is proposing stucco to be carried to the ground floor along the north and south elevations. This stucco along the ground floor base should be reconsidered with a more durable material.

Landscape

Urban Design support the proposed landscape plan. The retaining wall and decorative fencing facing onto the open space lands should be an integrated design. A revised landscape cost estimate, arborist report and tree inventory must be revised to the satisfaction of Urban Design and Vaughan Forestry.

A total of 60 private trees are required as compensation, 24 trees will be planted on the Subject Lands and the remainder will be provided through a cash-in-lieu value to be included in the Tree Protection Agreement to the satisfaction of the Development Planning and the Forestry Operations Division of the Transportation Services, Parks and Forestry Operations Departments.

Prior to the execution of the Site Plan Agreement the final building elevations, landscape plan and landscape cost estimate and necessary reports shall be approved by the City. A condition to this effect is included in Attachment 1.

The Subject Lands have been identified as being in an area of high archaeological potential

The Vaughan Development Planning Department Cultural Heritage Division has advised the Subject Lands are located in an area identified as being of high archaeological potential. The standard archaeological clauses will be included in the

Site Plan Agreement regarding archaeological resources or human remains be encountered during construction. Conditions in this regard are included in Attachment 1.

Development Charges are applicable to the Development

The Financial Planning and Development Finance Department requires the Owner to pay all applicable development charges in accordance with the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board Development Charge By-laws. A condition to this effect is included in Attachment 1.

The Environmental Services Department, Waste Management Division has no objection to the Development, subject to conditions

The Environmental Services Department, Waste Management Division ('Waste Management') has no objection to the Development, subject to Owner providing a letter from a certified engineer indicating that loading area can support a fully loaded collection vehicle and that the Waste Collection Design Standard form be completed to their satisfaction. A condition to regarding the comments above is included in Attachment 1.

The Office of the Infrastructure Development Department, Real Estate Services and Parks Development Departments have no objections to the Development

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% 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 Office of the Infrastructure Development Department, Real Estate Services, and the approved appraisal shall form the basis of the cash-in-lieu payment.

The Forestry Operations Division has no objection to the Development, subject to conditions

The Forestry Operations Division of the Transportation Services, Parks and Forestry Operations ('Vaughan Forestry') Department has no objection to the Development subject to the Owner entering into a Tree Protection Agreement ('TPA') prior to the execution of the Site Plan Agreement. The TPA will identify the standards and procedures required by the City to protect public and private trees through the development processes as indicated in the City's Tree Protection Protocol. A condition to this effect is included in Attachment 1.

Vaughan Forestry has indicated trees shall be protected during all phases of construction and all tree protection and preservation requirements respecting tree protection fencing including light and heavy-duty fencing shall be installed in

accordance to the City's Tree Protection Protocol and to the satisfaction of Vaughan Forestry.

Vaughan Forestry has indicated 8 city owned boulevard trees have been identified along Kipling Avenue adjacent to the Subject Lands. Vaughan Forestry shall provide tree valuations for the boulevard trees proposed for removal in the Arborist Report. Vaughan Forestry has indicated tree 80 (100cm DBH Sugar Maple) is proposed for removal and is requesting Owner to provide a rationale for this tree removal, as it seems to be outside of the proposed development footprint. If required, Vaughan Forestry staff will conduct a site visit to examine the location of the tree.

The Fire and Rescue Services Department has no objection to the Development

The Fire and Rescue Services Department has no objection to the Development, subject to approval of the final truck maneuvering plan and adequate provisions for fire safety and protection being provided in accordance with the Ontario Building Code. A condition to this effect is included in Attachment 1.

The Policy Planning and Environmental Sustainability Department have no objection to the Development

The Policy Planning and Environmental Sustainability Department have no objection to the Development but advise the Owner is obligated to abide by the *Endangered Species Act* and *Migratory Birds Conservation Act* prior to any vegetation removal on the Subject Lands.

The Toronto and Region Conservation Authority has no objection to the Development

The Toronto and Region Conservation Authority ('TRCA') have reviewed the Applications and have no objection to the Development, subject to the Owner submitting revised Erosion Sediment Control plans and Hydrogeological report and satisfying their conditions included in Attachment 1.

The various utilities and Canada Post have no objection to the Development, subject to conditions

Enbridge Gas Distribution Inc., Alectra Utilities Corporation, Bell Canada and Canada Post have no objection to the Development, subject to their conditions included in Attachment 1.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region has no objection or conditions of approval respecting the Development.

Conclusion

The Development Planning Department has reviewed Site Development File DA.18.030 in consideration of the applicable Provincial Policies, Regional and City Official Plan policies, the requirements of Zoning By-law 1-88, the OMB decision regarding the Subject Lands and the surrounding area context.

The Development shown on Attachments 3 to 6 is consistent with the policies of the PPS, conforms to the Growth Plan, the York Region and City of Vaughan Official Plans and implements the OMB decision and Minutes of Settlement. The Development Planning Department is satisfied the Development is appropriate and compatible with the existing and permitted uses in the surrounding area. Accordingly, the Development Planning Department can support the approval of Site Development File DA.18.030, subject to the Recommendations in this report.

For more information, please contact Eugene Fera, Senior Planner, Extension 8003**.**

Attachments

1. Conditions of Site Plan Approval
2. Location Map
3. Proposed Site Plan and Zoning
4. Landscape Plan
5. South and East Elevations
6. North and West Elevations

Prepared by

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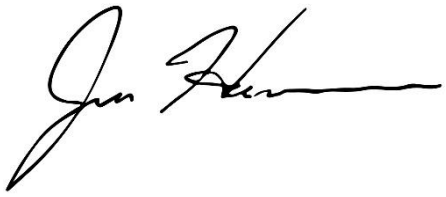


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