

Committee of the Whole (1) Report

DATE: Tuesday, June 1, 2021

WARD: 1

TITLE: G. FARRUGGIO ET AL.

ZONING BY-LAW AMENDMENT FILE Z.17.007

DRAFT PLAN OF SUBDIVISION FILE 19T-17V002

5315 KIRBY ROAD

VICINITY OF KIRBY ROAD AND KIPLING AVENUE

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Zoning By-law Amendment and Draft Plan of Subdivision Files Z.17.007 and 19T-17V002 (G. Farruggio et al.) for the subject lands shown on Attachment 2, to permit the development of a residential plan of subdivision consisting of 21 residential lots, as shown on Attachment 3.

Report Highlights

- The Owner proposes to develop the subject lands with a plan of subdivision consisting of 21 residential lots as shown on Attachment 3
- One additional lot will be created in the future when a portion of the lands identified as “Other Lands Owned by the Applicant” is conveyed into public ownership
- 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 proposed Development as it conforms to the Provincial Policy Statement 2020, A Place to Grow – Growth Plan for the Greater Golden Horseshoe 2019, as amended, York Region Official Plan, Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding

Recommendations

1. THAT Zoning By-law Amendment File Z.17.007 (G. Farruggio et. al.) BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands shown on Attachment 2, from “A Agricultural Zone” subject to site-specific Exception 9(702) to “RD2 Residential Detached Zone Two”, “RD3 Residential Detached Zone Three”, “RD4 Residential Detached Zone Four” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report.
2. THAT Draft Plan of Subdivision File 19T-17V002 (G. Farruggio et al) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL as set out in Attachment 1, to facilitate a residential plan of subdivision, as shown on Attachment 3.
3. THAT Vaughan Council adopt the following resolution for the allocation of water and sewage capacity:

“IT IS HEREBY RESOLVED THAT Draft Plan of Subdivision File 19T-17V002 (G. Farruggio et al) be allocated servicing capacity from the York Sewage Servicing/Water Supply System for a total of 22 detached dwellings (79 persons equivalent). The allocation of said capacity may be redistributed (at the discretion of the City) in accordance with the City’s Servicing Capacity Allocation Policy if the development does not proceed to registration and/or building permit issuance within 36 months”.
4. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law.
5. THAT the updated Block 55 Plan be approved as shown on Attachment 5.

Background

Location

The subject lands (the ‘Subject Lands’) shown on Attachment 2 are located south of Kirby Road and west of Kipling Avenue, being the south portion of the property known municipally as 5315 Kirby Road. The Subject Lands and surrounding land uses are shown on Attachment 2.

The Subject Lands do not include the 1.7 ha of land located in the north half of 5315 Kirby Road, identified as “Other Lands Owned by Applicant” on Attachments 2 and 3, which is located entirely within the Greenbelt. Therefore, they are not part of the Zoning By-law Amendment and Draft Plan of Subdivision applications for the Subject Lands.

The proposed Draft Plan of Subdivision for the Subject Lands will also be used to facilitate the severance of the south parcel from the north parcel where 1.53 ha will be conveyed into public ownership and 0.17 ha will be retained in private ownership as shown in Attachment 3.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol for the applications

The City on August 25, 2017 mailed a Notice of Public Hearing to all property owners within an expanded notification area beyond 150 m of the Subject Lands, as shown on Attachment 2, and to the Kleinburg and Area Ratepayers’ Association. A copy of the Notice of Public Hearing was also posted on the City’s website at www.vaughan.ca and a Notice Sign was installed on the Kirby Road street frontage, in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Meeting) was held on September 19, 2017, to receive comments from the public and Committee of the Whole.

At the Public Meeting deputations and written submissions were received from the following individuals regarding the applications:

- A Deputation was made by Mr. Claudio Brutto from Brutto Consulting Limited on behalf of the Owner, in support of the applications
- An anonymous written submission was received by the Development Planning Department with respect to the applications

Vaughan Council on September 26, 2017 received the Public Meeting report of September 19, 2017 and ratified the recommendation to forward a comprehensive report to a future Committee of the Whole meeting.

A Second Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol for the applications

In accordance with Policy 10.1.4.1 of Vaughan Official Plan 2010 (‘VOP 2010’), a second public meeting is required as the applications were not considered by Council within two years after the date it was considered at a previous statutory public meeting.

On November 6, 2020, the City circulated a second Notice of Public Meeting to an expanded notification area, all property owners within 150 m of the Subject Lands, and

to the Kleinburg and Area Ratepayers' Association. A copy of the second Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and an updated Notice Sign was installed on the Kirby Road street frontage.

At the second Public Meeting, deputations and written submissions were received from the following individuals regarding the applications:

- A Deputation was made by Mr. Claudio Brutto from Brutto Consulting Limited on behalf of the Owner, in support of the applications
- A Deputation was made by Mr. Sridhar Nimmagadda, First Nations Trail resident

Vaughan Council on December 15, 2020 received the Public Meeting report of December 1, 2020 and ratified the recommendation to forward a comprehensive report to a future Committee of the Whole meeting.

Summary of comments received regarding the Development

The following is a summary of, and response to, the comments provided in the deputations and written submissions submitted at the Public Hearing of September 19, 2017 and December 1, 2020:

Environmental

The proposed development will result in the removal of trees and wildlife habitat

Response

The portion of the Subject Lands located within the Greenbelt will be conveyed to the Toronto and Region Conservation Authority ('TRCA'), with the exception of a 0.17 ha parcel of land to be retained by the Owner for the development of one detached dwelling, which is permitted on a lot of record by the *Greenbelt Plan*. An Environmental Impact Assessment ('EIA') prepared by Beacon Environmental dated July 29, 2020 was submitted for review. Both the TRCA and Policy Planning and Environment Sustainability staff have no further concerns with the proposed development, subject to conditions identified in the report.

Traffic on Kleinburg Summit Way

Comments were made regarding the lack of stop signs on Kleinburg Summit Way as this road is being used as a by-pass for Kipling Avenue.

Response

On February 17, 2021 Council reached a resolution to install two (2) all-way stop signs at the intersections of Kleinburg Summit Way and Pierre Berton Boulevard and at Kleinburg Summit Way and McMichael Avenue. Understanding the concerns of

residents with respect to safety and traffic speeds, City Council has approved the installation of the stop-signs which have been implemented at this point. The City expects to further monitor traffic operations and speeds along Kleinburg Summit Way following the installation.

Infrastructure Improvements are needed on Teston Road

Improvements to Teston Road are required to support the increase in traffic, specifically between Kipling Avenue and Pine Valley Drive to increase it to at least 4 lanes.

Response

The North Vaughan New Communities Transportation Master Plan was recently completed and did not recommend widening the roadway at this time. The proposed development conforms to the approved Block 55 Plan and the infrastructure required to support the plan and residential dwellings, were reviewed for the Block Plan approval. There is a functional EA for this section of Teston Road, not for the purposes of vehicular capacity improvement, but for the separated cycling facilities and to address safety and operational improvements for all transportation users.

The Vaughan Development Planning Department on May 7, 2021, mailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals who made a deputation before Council or submitted written correspondence (and provided a return address) to the City regarding the applications.

Previous Reports/Authority

The following are links to previous Public Meeting reports regarding the Subject Lands:

[December 1, 2020, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 58, Recommendation 1\)](#)

[Sept. 19, 2017, Committee of the Whole \(Public Meeting\) \(Item 2, Report No. 32, Recommendation 1\)](#)

Analysis and Options

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

G. Farruggio et al (the 'Owner') has submitted the following applications (the 'Applications') to permit the development of 21 residential lots, open space, landscape and a stormwater management pond blocks, and two public local roads (the 'Development'), as shown on Attachment 3:

1. Zoning By-Law Amendment File Z.17.007 to amend Zoning By-law 1-88 to rezone the portion of the Subject Lands zoned “A Agricultural Zone” subject to site-specific Exception 9(702) to “RD2 Residential Detached Zone Two”, “RD3 Residential Detached Zone Three”, “RD4 Residential Detached Zone Four” and “OS1 Open Space Conservation Zone” in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1 of this report
2. Draft Plan of Subdivision File 19T-17V001 (the ‘Draft Plan’), to facilitate the proposed residential plan of subdivision, as shown on Attachment 3, consisting of the following:

<u>Blocks/Roads</u>	<u>Land Use</u>	<u>Area (ha)</u>	<u>Number of Units</u>
1-21	Detached Dwelling Units	1.126	21
22	Landscaped Area	0.051	N/A
23	Stormwater Management	0.571	N/A
24	Open Space Buffer	0.289	N/A
25	Open Space	0.023	N/A
26-29	0.30m Reserves	0.001	N/A
<u>Roads</u>	<u>18.5m ROWs</u>	<u>0.442</u>	<u>N/A</u>
Total		2.503	21

The Development is consistent with the Provincial Policy Statement (PPS), 2020

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with 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. The *Planning Act* requires that Vaughan Council’s planning decisions be consistent with the PPS. The Development 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

The Draft Plan shown on Attachment 3, comprised of 21 lots for detached residential dwellings is within a settlement area, efficiently utilizes existing and planned infrastructure (i.e. roads, water and sewage), can be accommodated based on the existing and planned public service facilities available in the area (i.e. education, recreation, police and fire). In addition, the Development protects the Greenbelt Plan area located north of the Subject Lands, which will be conveyed into public ownership. The proposed residential use is permitted and conforms to the land use designations and policies of VOP 2010. On this basis, the Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (the 'Growth Plan')

The Growth Plan is intended to guide decisions on a wide range of issues, including economic development, land-use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The proposed Draft Plan conforms with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density supportive of the Growth Plan objectives, specifically:

- Section 2.2.1 - directing growth to settlement areas that have existing or planned municipal water and wastewater systems
- Section 2.2.2 - contributing to meeting the residential density within a delineated built-up area and identifying the appropriate type and scale of development and transition of built form to adjacent areas
- Section 4.1. - protecting and managing valuable and important hydrological and natural heritage feature and areas

The Draft Plan shown on Attachment 3 provides for a residential Development within a settlement area and a delineated built-up area, while also protecting the Greenbelt Plan area located north of the Subject Lands and associated natural core features, in accordance with the policies of VOP 2010. Accordingly, the Development conforms to the Growth Plan.

The Development conforms to the York Region Official Plan, 2010 ('YROP')

The YROP guides economic, environmental and community building decisions across

York Region. The Subject Lands are designated “Towns and Villages” on Map 1: Regional Structure of the YROP. Section 5.0 of the YROP states that, “Growth will also occur in new community areas, Towns and Villages throughout the Region.”

Section 3.5.4 of the YROP requires that, “local municipal official plans and zoning bylaws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community.” YROP encourages pedestrian scale, safety, comfort and mobility, the enrichment of the existing area with landscaping and public streetscapes.

The Draft Plan is comprised of 21 lots for future detached dwellings that are compatible with and contribute to the range of lot and unit sizes in the community. The Draft Plan will also facilitate the creation of public amenity through the open space, landscaped areas, and a multi-use community trail. The Draft Plan and future Development conforms to the YROP.

The Development conforms to Vaughan Official Plan (VOP) 2010

The Subject Lands are identified as “Community Areas” by Schedule 1 – Urban Structure of VOP 2010 and are designated “KM Low-Rise Residential 1”, “Natural Areas” and “Special Study Area” in VOP 2010, Volume 2, Section 11.8 North Kleinburg-Nashville Secondary Plan (‘NKNSP’).

The NKNSP establishes 3 new neighbourhoods (Village of Nashville, Huntington Road Community, and Kipling Avenue Community) within the Secondary Plan area. The Subject Lands are located in the Kipling Avenue Community Neighbourhood (Focus Areas 5 & 6). The Neighbourhood Development objectives of the NKNSP are to create an urban environment that provides for safe, functional, and attractive residential/mixed-use neighbourhoods, while accommodating a projected development potential of approximately 1,650 new dwelling units through the entire developable land area of the NKNSP.

The NKNSP projects a density target of 30 residents/jobs per hectare for the Kipling Avenue Community Neighbourhood. The proposed Draft Plan achieves a density of 30.16 persons/jobs per hectare.

A Minor Collector Road is identified along the eastern boundary of the Subject Lands, abutting the hydro corridor, as shown on Schedule B3 of the NKNSP. The Draft Plan does not include the Minor Collector Road identified on Schedule B3 of the NKNSP because the road has been relocated to the east side of the hydro corridor in accordance with the approved Block 55 Plan, as shown on Attachment 4.

Schedule B3 of the NKNSP identifies a Special Study Area (SSA) on the Subject Lands shown in Attachment 2. Section 4.8 c) of the NKNSP recognizes that lands within the

SSA may have development potential, subject to a detailed Environmental Impact Study (EIS) prepared to the satisfaction of the City in consultation with the TRCA and any other agency having jurisdiction. The lands located within the SSA were found to have development potential and have been considered for development under the policies of the "KN Low-Rise Residential 1" designation, without requiring further amendment to VOP 2010. The review of the environmental reports was undertaken through the Block Plan process, discussed below. As such, the Development conforms to the Official Plan.

An updated Block 55 Plan has been submitted to correspond with the proposed Draft Plan of Subdivision

The Draft Plan forms part of the Block 55 Plan which coincides with the Kipling Avenue Community of the NKNSP, as shown on Attachment 4 (File BL.55.2013). Vaughan Council, on May 27, 2014, approved the Block 55 Plan. The proposed Draft Plan provides for the development of a cohesive and complete community, housing types and activities. The lotting pattern and length of the cul-de-sac shown as October Gold Court on Attachment 2 differs slightly from the approved Block 55 Plan (Attachment 4). The Block 55 Plan has been revised to reflect the proposed Draft Plan as shown on Attachment 5.

Through the Block 55 Plan approval process, the TRCA and the City reviewed and approved environmental reports that were submitted, including an EIS, and concluded the most appropriate use for the developable area of the Special Study Areas is residential, particularly larger lot. The City of Vaughan and TRCA have confirmed through their respective reviews of the Applications that the proposed Draft Plan of Subdivision is consistent with the findings of the EIS and the addendum letter to the EIS.

The proposed Draft Plan and update to the approved Block 55 Plan will facilitate the development of a cohesive and complete community with a mix of land uses, housing types and activities. The Policy Planning and Environmental Sustainability Department has no objection to the approval of the updated Block 55 Plan.

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

The Subject Lands are zoned "A Agricultural Zone", subject to site-specific Exception 9(702), by Zoning By-law 1-88, as shown on Attachment 2, which does not permit the proposed Development. In order to implement the proposed Draft Plan, a Zoning By-law Amendment is required to rezone the Subject Lands to "RD2 Residential Detached Zone Two", "RD3 Residential Detached Zone Three", "RD4 Residential Detached Zone Four" and "OS1 Open Space Conservation Zone" in the manner shown on Attachment 3, and to permit the following site-specific zoning exceptions to these zones:

Table 1:

	Zoning By-law 1-88 Standard	“RD2 Residential Detached Zone Two” and “RD4 Residential Detached Zone Four” Requirement	Proposed Exception to the “RD2 Residential Detached Zone Two” and “RD4 Residential Detached Zone Four” Requirements
a.	Minimum Interior Side Yard (Abutting a Non-Residential Use)	3.5 m	1.2 m (for Lots 9, 10, and 12 only)
	Zoning By-law 1-88 Standard	“RD3 Residential Detached Zone Three” and “RD4 Residential Detached Zone Four” Requirement	Proposed Exception to the “RD3 Residential Detached Zone Three” and “RD4 Residential Detached Zone Four” Requirements
b.	Minimum Interior Side Yard	1.2 m	1.2 m which may be reduced to 0.6 m on one side where it abuts an interior side yard of 1.2 m or 0.6 m
	Zoning By-law 1-88 Standard	“RD2 Residential Detached Zone Two”, “RD3 Residential Detached Zone Three” and “RD4 Residential Detached Zone Four” Requirements	Proposed Exceptions to the “RD2 Residential Detached Zone Two”, “RD3 Residential Detached Zone Three” and “RD4 Residential Detached Zone Four” Requirements
c.	Permitted Yard Encroachments	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and within the interior side yard abutting a greenway, walkway, buffer block or stormwater management pond, and at a site triangle.	A 1.5 m no encroachment zone shall be maintained inside the property line within the front yard and exterior yard, and a 0.6 m no encroachment zone shall be maintained inside the property line within an interior side yard abutting a greenway, walkway, buffer block or stormwater management pond (for Lot 9) or at a site triangle (for Lot 17)

The proposed site-specific zoning exceptions would permit a Development that is compatible with the existing and planned built form in the area

The Development Planning Department supports the proposed rezoning of the Subject Lands to the “RD2”, “RD3”, “RD4” and “OS1” Zones and the site-specific zoning exceptions identified in Table 1. The requested exceptions to the minimum interior side yard are minor and generally pertain to lots abutting open space blocks. The exception does not create a negative impact to the surrounding area and maintains the intent of the low-rise residential designation.

The boundary of the existing site-specific Exception 9(702) includes the Subject Lands and “Other Lands Owned by the Applicant”. Should the Applications be approved, the implementing Zoning By-law must amend Schedule E-781 to the existing site-specific Exception 9(702) to remove the Subject Lands from the Exception and implement the approved Zoning on the Subject Lands.

The Owner is required to convey a portion of the ‘Other Lands Owned by Applicant’ north of the Subject Lands into public ownership

The Subject Lands together with the lands identified as “Other Lands Owned by Applicant” as shown on Attachment 3, comprise a parcel of land municipally known as 5315 Kirby Road.

The ‘Other Lands Owned by Applicant’ as shown on Attachment 3 are located within the Protected Countryside and Natural Heritage System of the Greenbelt Plan, 2017 (the ‘Greenbelt Plan’) and zoned “A Agricultural”, subject to site-specific Exception 9(702), by Zoning By-law 1-88.

The Environmental Protection policies contained in Section 1.2.2.2 of the Greenbelt Plan, promote the protection, maintenance and enhancement of natural heritage features, habitat for flora and fauna, the hydrological integrity of watersheds, and provisions of long term guidance for the management of natural heritage and water resources.

These lands are designated “Natural Areas” and identified as a Core Feature by VOP 2010, and designated “Natural Areas” and “Agricultural” by the North Kleinburg-Nashville Secondary Plan. These lands contain a Provincially Significant Wetland (PSW 59), which are identified to support significant fauna, and to function as a breeding area for amphibians and as habitat for birds.

Policy 3.2.3.10 of VOP 2010 requires that Core Features and their related vegetation protection zone(s) be conveyed to the City and/or TRCA as a condition of development approval. To enable comprehensive management, such features shall not

be fragmented but shall be brought into public ownership to ensure their continued protection and management.

The northern 1.7 ha portion of 5315 Kirby Road is not subject to the current Zoning By-law Amendment and Draft Plan of Subdivision Applications. The Owner has agreed to dedicate 1.53 ha of these lands into public ownership, while the 0.17 ha remaining, as shown on Attachment 3, will be retained under private ownership with access from October Gold Court. Through this process of conveyance into public ownership, one additional residential lot, not part of this Draft Plan of Subdivision Application File 19T-17V002, will be created.

Conditions to dedicate these lands into public ownership are included in the Conditions of Approval in Attachment 1.

The Development Planning Department has no objection to the proposed rezoning of the Subject Lands and the Draft Plan, subject to the Conditions of Approval

Subdivision Design

The Draft Plan shown on Attachment 3 includes a residential plan of subdivision of 21 lots to be developed with detached dwellings, open space, a storm water management pond, and public roads. Potential compensation areas have also been identified in Attachment 2 for the reduced wetland buffer to allow the connection of Silver Morning Court to the adjacent developments.

Urban Design

The proposed Draft Plan of Subdivision is required to be consistent with the Vaughan Council approved Block 55 East Kleinburg Architectural Design Guidelines, prepared by John G. Williams Ltd., Architect and the approved Block 55 East Kleinburg Summit Landscape Master Plan prepared by Cosburn Nauboris Ltd. Landscape Architects. Prior to final approval, the Owner shall agree that all development shall proceed in accordance with the City of Vaughan Sustainability Metrics program. Conditions to this effect are included in Attachment 1a).

Cultural Heritage

The Development Planning Department, Urban Design and Cultural Heritage Division has reviewed the Draft Plan and have advised there are no cultural heritage concerns regarding the Subject Lands.

The Subject Lands have undergone Stage 1, 2, 3 and 4 Assessments for archaeological concerns and the reports have been entered into the Ontario Public Register of Archaeological Reports. The reports submitted conclude that there are no further concerns as it relates to impacts to archaeological resources. As such, the Urban

Design and Cultural Heritage Division does not have any further comments and have requested that the standard archaeological clauses apply.

The Development Planning Department has no objection to the approval of the proposed Draft Plan of Subdivision as shown on Attachment 3, subject to the Conditions of Approval in Attachment 1a).

The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the proposed rezoning of the Subject Lands and the Draft Plan, subject to the Conditions of Approval

PPES has reviewed the "Second Addendum to Kleinburg Summit (Block 55 East), City of Vaughan, Revised Environmental Impact Study ('EIS')" prepared by Beacon Environmental, dated July 29, 2019. Environmental Planning staff acknowledge Beacon's findings and recommendations and have no objections to the approval of the Development subject to conditions included in Attachment 1a). PPES has also requested that conditions regarding endangered species and migratory birds be included in the Subdivision Agreement. These conditions are included in Attachment 1a).

The Development Engineering Department has no objection to the proposed rezoning of the Subject Lands and the Draft Plan, subject to the comments in this report and Conditions of Approval included in Attachment 1a)

The Development Engineering ('DE') Department has provided the following comments regarding the Development:

Road Network

The proposed roads on the Subject Lands have been provided in accordance with the approved Block Plan, the recommendations of the Block Traffic Studies and City Standards. The road networks in the Draft Plan shall be constructed with an 18.5 m right-of-way.

Sidewalk Plan

Silver Morning Court is designed to be consistent with the revised Block Plan. The proposed pedestrian network will consist of an on and off-road trail system that links with the proposed road network and connects the residential community internally to community facilities. The sidewalk plan on the south side of Silver Morning Court is consistent with the approved Transportation Management and Sidewalk Master Plan.

Municipal Servicing

a) Water Servicing

The existing watermain on Silver Morning Court shall be extended to service the Development in accordance with the Master Environmental and Servicing (MESP) Plan and Water Distribution System Analysis for the Block 55 Plan.

b) Sanitary Servicing

The proposed sanitary sewer will be connected to the existing sanitary sewer on Silver Morning Court in accordance with the MESP and Block 55 Plan.

c) Storm Drainage

The Development is proposed to drain to a storm water management pond on Block 23, as shown on Attachment 3, located west of the Hydro Corridor and south of Silver Morning Court. The storm water management pond should be constructed to accommodate the flow from three subdivisions (Files 19T-14V011 Gold Park Subdivision, 19T-16V007 Kirby Developments Subdivision and the 19T-17V002 G. Farruggio et al Subdivision (Application)) along Silver Morning Court.

Sewage and Water Allocation

On December 13, 2016, the City's latest 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 over the next three years. A resolution to allocate capacity to the Development is included in the Recommendation of this report.

The allocation for 22 detached dwellings include the 21 residential dwellings as part of the Draft Plan of Subdivision File 19T-17V002 and the residential lot to be retained in private ownership within the "Other Lands Owned by the Applicant" as identified on Attachments 2 and 3.

Geotechnical Report

The Owner is required to submit a geotechnical investigation report and/or slope stability report for review and approval by the City as part of the detailed engineering submission. The reports shall provide information about subsoil and groundwater condition and shall provide recommendations for the construction of municipal services, pavement, earth berm/safety-berm and methods for any required slope stabilization.

Environmental Site Assessment

The Owner submitted Phase One and Phase Two Environmental Site Assessment ('ESA') reports. The ESA reports identified potential environmental concerns with former gasoline storage tanks. The results of the Phase Two ESA report indicated soil and groundwater samples met the applicable Ministry of the Environment, Conservation, and Parks ('MECP') standards and that the Subject Lands are suitable for the proposed

Development. The Owner also submitted a copy of a MECP Record of Site Condition ('RSC') # 225407 for the Subject Lands, acknowledged and filed on the Environmental Site Registry on February 21, 2019 as a result of the proposed change to a more sensitive land use (i.e., commercial landscaping business to residential use). The City is satisfied with the submitted ESA documentation.

Environmental Noise Impact

The Owner has provided a preliminary Noise Brief dated August 22, 2014 prepared by Aerocoustic Engineering Ltd. The Owner is required to submit a final noise report for review and approval by the City as part of the detailed engineering submission when grading design is typically established.

Street-lighting

The design and type of street lighting in the Plan shall meet City's design criteria with respect to the use of LED luminaire technology in the new developments. This matter will be addressed at the detailed engineering design stage.

Block 55 East Developers' Group Agreement and Cost Sharing

The Subject Lands are located within the approved Block 55 Plan and is subject to a Developers' Group Cost Sharing Agreement with the other participating landowners within Block 55 East to the satisfaction of the City. The Agreement shall be regarding, but not limited to, all cost sharing for the provision of parks, cash-in-lieu of parkland, roads and municipal services within Block 55 East and shall also include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands. Prior to final approval of the Plan, the Trustee for the Block 55 East Landowners Group shall provide the City with a letter confirming the Owner has fulfilled all cost sharing and other obligations of the Block 55 East Cost Sharing Agreement. A Condition to this effect is included in Attachment 1a).

The Financial Planning and Development Finance Department has no objection to the Applications

The Owner shall enter into a Subdivision Agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, regarding matters the City may consider necessary, including development charges. A condition to this effect is included in Attachment 1a).

The Parks Infrastructure Planning and Development Department has no objection to the Applications, subject to the Conditions of Approval

The Parks Infrastructure Planning and Development (PPID) Department has no objections to the Applications subject to the submission of a parkland dedication chart and confirmation that the Owner of the Subject Lands is in good standing by the Block

55 Landowners Group Trustee. The PPID Department is satisfied with the proposed 1.5m wide sidewalk along the south side of Silver Morning Court. The Owner shall design and agree to construct a multi-use community recreational trail in accordance with the approved Landscape Master Plan. Conditions to this effect are included in Attachment 1a).

Cash-in-Lieu of the dedication of parkland is required

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 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 Real Estate Services, and the approved appraisal shall form the basis of the cash-in-lieu payment. Standard conditions to this effect are included in Attachment 1a).

The Forestry Operations Division of the Parks, Forestry and Horticulture Operations Department has no objection to the Applications, subject to the Conditions of Approval

The Owner shall enter into a Tree Protection Agreement with the City prior to registering the Draft Plan in accordance with the Vaughan Council enacted Tree By-law 052-2018 and the City's Tree Protection Protocol. The Owner shall inform the Forestry Operations Division once tree protection measures have been installed for inspection and approval according to City specifications. Conditions to this effect are included in Attachment 1a).

The Toronto and Region Conservation Authority ('TRCA') has no objection to the proposed rezoning of the Subject Lands and the Draft Plan, subject to the Conditions of Approval

The Subject Lands are partially located within the TRCA Regulated Area. The TRCA request the implementing zoning by-law zone the Stormwater Management Block (Block 23) and the Open Space and Buffers (Blocks 24-25) in order to prohibit any development, to the satisfaction of TRCA.

The northern 1.7 ha portion of the Subject Lands contain Core Features within the Greenbelt Plan Area not subject to the Applications. The Owner has agreed to dedicate 1.53 ha of these lands into public ownership. The remaining 0.17 ha, as shown on Attachment 3, will be retained under private ownership as part of the conveyance into public ownership. The remaining lands that comprise 0.17 ha do not contain Core Features. The Open Space and Buffer (Blocks 24 – 25) and "Other Lands Owned by the Applicant" shall be dedicated to public ownership to the satisfaction of TRCA. TRCA has

no objection to the Development subject to the conditions of Approval included in Attachment 1c).

Hydro One Networks Inc. ('HONI') has no objection to the Applications, subject to Conditions of Approval

The Subject Lands abut a HONI high voltage transmission corridor ('transmission corridor') to the east. HONI has provided Conditions of Approval contained in Attachment 1d).

Bell Canada has no objection to the Applications, subject to Conditions of Approval

Bell Canada has no objection to the Applications subject to the Owner conveying any easements deemed necessary by Bell Canada to service this new Development and is advised to contact Bell Canada at the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed. This requirement is included in the Conditions of Approval in Attachment 1e).

Canada Post has no objection to the Applications, subject to Conditions

Canada Post has advised the Development will be serviced by centralized mail delivery provided through Canada Post community mailboxes and has no objection to the Development subject to their Conditions of Approval contained in Attachment 1f).

The various utility companies have no objection to the Applications, subject to the Conditions of Approval

Enbridge Gas and Alectra Utilities have advised that they have no objections to the Applications, subject to their Conditions of Approval contained in Attachment 1g) and 1h) respectively. Rogers Communications have no objection to the Applications.

The School Boards have no objection to the Applications

The York Region District School Board and the York Catholic District School Board have advised they have no comments or objections to the Applications and have no conditions for the Draft Plan.

Financial Impact

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

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services has no objection to the Applications, subject to Conditions of Approval

York Region has advised that they have no concerns with the Zoning By-law amendment and no objection to the approval of the Draft Plan subject to their comments

and Conditions of Approval in the letter dated August 21, 2017 included in Attachment 1b).

Conclusion

The Development Planning Department has reviewed Zoning By-law Amendment and Draft Plan of Subdivision Files Z.17.007 and 19T-17V002, in consideration of the Provincial Policy Statement, the Growth Plan, Greenbelt Plan, policies of the York Region Official Plan and Vaughan Official Plan 2010, the requirements of Zoning By-law 1-88, comments from area residents, City Departments and external public agencies, and the area context.

If approved, the Applications would facilitate the development of the Subject Lands with 21 lots for detached dwellings, open space, a stormwater management pond, and public roads. The Development Planning Department is satisfied that the proposed rezoning of the Subject Lands and the Draft Plan are consistent with and conform to the Provincial Policies, the York Region Official Plan and the Vaughan Official Plan 2010 and is compatible with the existing and planned land uses in the surrounding area and represents good planning. On this basis, the Development Planning Department recommends that the Applications be approved, subject to the Recommendations of this report.

For more information, please contact: Jennifer Kim, Planner, Development Planning Department ext. 8592.

Attachments

1. Conditions of Draft Plan of Subdivision Approval
2. Context and Location Map
3. Proposed Zoning and Draft Plan of Subdivision File 19T-17V002
4. Approved Block 55 Plan (File BL.55.2013) May 27, 2014
5. Updated Block 55 Plan March 31, 2021

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