

## Committee of the Whole (1) Report

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**DATE:** Wednesday, February 2, 2022

**WARD:** 1

**TITLE:** KLEINBURG VILLAGE DEVELOPMENT CORP.  
ZONING BY-LAW AMENDMENT FILE Z.21.020  
DRAFT PLAN OF SUBDIVISION FILE 19T-21V005  
DRAFT PLAN OF CONDOMINIUM FILE 19CDM-21V003  
SITE DEVELOPMENT FILE DA.21.023  
357, 365 AND 375 STEGMAN'S MILL ROAD  
VICINITY OF ISLINGTON AVENUE AND STEGMAN'S MILL  
ROAD

**FROM:**

Haiqing Xu, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and Site Development Applications for the subject lands shown on Attachment 4, to permit one (1) freehold lot accessed by Stegman's Mill Road, and 12 lots accessed by a private condominium road, for a total of 13 single detached dwelling units, as shown on Attachments 5 to 12.

### **Report Highlights**

- The Owner proposes to rezone the subject lands to permit the development of one (1) freehold lot accessed by Stegman's Mill Road, and 12 lots accessed by a private condominium road, all for single detached dwellings.
- Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and Site Development Applications are required to permit the proposed development.
- The Development Planning Department supports the approval of the applications as they are consistent with the Provincial Policy Statement, 2020, conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended, the York Region Official Plan 2010, and Vaughan Official Plan 2010, and is compatible with the existing and planned land uses in the surrounding area.

### **Recommendations**

1. THAT Zoning By-law Amendment File Z.21.020 (Kleinburg Village Development Corp.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the portion of the subject lands zoned "R5 Residential Zone" to "R2 Residential Zone", as shown on Attachment 7, together with the site-specific zoning exceptions identified on Table 1;
2. THAT Draft Plan of Subdivision File 19T-21V005 (Kleinburg Village Development Corp.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF SUBDIVISION APPROVAL identified on Attachment 1, to create one residential development block (Block "1"), one residential lot (Lot "1") and two open space blocks (Blocks "2" and "3"), as shown on Attachment 5;
3. THAT Draft Plan of Condominium (Common Elements) File 19CDM-21V003 (Kleinburg Village Development Corp.) BE APPROVED SUBJECT TO THE CONDITIONS OF DRAFT PLAN OF CONDOMINIUM APPROVAL identified on Attachment 2, to establish the condominium tenure and common elements shown on Attachment 6;
4. THAT Site Development File DA.21.023 (Kleinburg Village Development Corp.) BE DRAFT APPROVED SUBJECT TO CONDITIONS identified in Attachment 3 to permit the development of one (1) freehold lot accessed by Stegman's Mill Road, and 12 lots accessed by a private condominium road, all for single detached dwellings, as shown on Attachment 7;
5. THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City of 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; and

6. THAT Site Development Application DA.21.023 be allocated servicing capacity from the York Sewage Servicing / Water Supply System for a total of 13 single detached residential units (47 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.

## **Background**

Location: 357, 365 and 375 Stegman's Mill Road, located east of Islington Avenue on the south side of Stegman's Mill Road (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 4.

### ***Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and Site Development Applications have been submitted to permit the proposed development***

The Owner has submitted the following applications ('Applications') for the Subject Lands shown on Attachment 4 to permit the development of one (1) freehold lot accessed by Stegman's Mill Road, and 12 lots accessed by a private condominium road, all for single detached dwellings ('Development') as shown on Attachments 5 to 12:

1. Zoning By-law Amendment File Z.21.020 to rezone the portion of the Subject Lands zoned "R5 Residential Zone", as shown on Attachment 4, to "R2 Residential Zone", as shown on Attachment 7, together with the site-specific zoning exceptions identified in Table 1.
2. Draft Plan of Subdivision File 19T-21V005, as shown on Attachment 5 ('Draft Plan of Subdivision'), to facilitate a residential plan of subdivision consisting of the following:

Lots/Blocks	Land Use	Area (ha)	Units
Lot 1	Single Detached Dwelling (Freehold)	0.05	1
Block 1	Single Detached Dwellings (Common Element Condominium)	0.73	12
Block 2	Open Space - Walkway	0.14	
Block 3	Open Space - Valley	0.23	
Total		1.15	13 units

3. Draft Plan of Condominium File 19CDM-21V003 to establish a condominium common element road and walkway for the Development, identified as Block “1” on Attachment 6 (‘Draft Plan of Condominium’).
4. Site Development File DA.21.023 to permit the Development, as shown on Attachments 7 to 12.

***Vaughan Council previously approved a development containing 28 detached dwelling units on the Subject Lands***

Vaughan Council, on October 24, 2017, approved Official Plan Amendment, Zoning By-law Amendment and Site Development Applications (Files OP.15.006, Z.15.035 and DA.16.071) to permit 28 detached dwelling units on the Subject Lands (the ‘Original Proposal’). The Original Proposal included attached private garages and visitor parking areas located in an underground parking structure, and a pedestrian mews located at-grade, all owned and maintained by a future condominium corporation, as shown on Attachment 13.

The three proposed single detached dwellings fronting on Stegman’s Mill Road for the Original Proposal (Units 1, 2 and 28 shown on Attachment 13) were consistent with the residential building heritage styles and materials found in Sections 9.2.1 and 9.10.1 of the Kleinburg Nashville Heritage Conservation District Plan (‘KNHCP’). The proposed dwellings (Units 6, 7 and 8) fronting on Stegman’s Mill Road for the Development maintain the same traditional heritage design, materials, and landscape treatment as the Original Proposal.

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

The City, on August 20, 2021, circulated a Notice of Public Meeting (the ‘Notice’) to all property owners within the extended polling area shown on Attachment 1 and the Kleinburg and Area Ratepayers’ Association. A copy of the Notice was also posted on the City’s website at [www.vaughan.ca](http://www.vaughan.ca) and two notice signs were installed on the Subject Lands in accordance with the City’s Notice Signs Procedures and Protocols.

Vaughan Council on September 27, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of September 14, 2021, and to forward a comprehensive technical report to a future Committee of the Whole meeting. The following depositions and written submissions were received by the Development Planning Department and at the Public Hearing:

- Frank Fallico, Kellam Street, Kleinburg, dated September 7, 2021, on behalf of the Napier Street Residents (Napier Street, Kellam Street and John Street), including a petition with 25 signatures
- Matthew Aquino, on behalf of Frank and Liberata Aquino, Napier Street, Kleinburg

The comments provided in-person and in writing at the Public Meeting relate to safety issues at the existing intersection of Napier Street and Stegman's Mill Road, and are addressed in the Development Engineering section of this report.

### **Previous Reports/Authority**

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

[October 24, 2017 Council Meeting \(Original Proposal\)](#)

[September 14, 2021, Committee of the Whole \(Public Meeting\) Item 4, Report No. 41](#)

[October 7, 2021 Heritage Vaughan Meeting, Item 2](#)

### **Analysis and Options**

#### ***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 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. 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 Development is consistent with the following policies of the PPS:

- Section 1.1.1 - accommodating a market-based range and mix of residential types, and promoting land use planning, growth management and intensification to minimize land consumption and servicing costs
- 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
- Section 1.7 - encouraging a sense of place by promoting well-designed built-form and cultural planning
- Section 1.7.1 b) - encouraging residential uses to respond to dynamic market based needs
- Section 2.1.1 - natural features and areas shall be protected for the long term
- Section 2.6.1 - the conservation of cultural heritage landscapes

The Subject Lands are located within a Settlement Area as defined by the PPS, and within the Urban Boundary on Schedule 1 - Urban Structure of Vaughan Official Plan 2010 ('VOP 2010'). The Development will contribute to providing growth within a defined Settlement Area with appropriate development standards (Section 1.1.3). The

Development includes a pedestrian walkway within a valleyland buffer area, providing public access to a natural amenity, and incorporates built form and landscape elements that are reflective of the KNHCP (Section 1.7). The Development would zone and convey valleylands into public ownership for its long-term protection (Section 2.1.1) and retain an existing vista into the valleylands adjacent to Bindertwine Park (Section 2.6.1). The Development is consistent with the PPS.

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

The Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe, 2019, as amended ('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. Vaughan Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan.

The Growth Plan's emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of existing infrastructure and public service facilities, and less on continuously expanding the Urban Boundary.

The Development is consistent with the policy framework of the Growth Plan, specifically with the following policies:

- Section 2.2.1 - directing growth to Settlement Areas
- Section 2.2.2 - contributing to meeting 40% of residential development within a delineated built-up area by 2031
- Section 2.2.6 - providing a diverse mix of housing densities to meet the needs of current and future residents
- Section 4.2.7 - implementing the goals and objectives of the municipal cultural heritage plan, and the conservation of cultural heritage landscapes

The Development directs growth to a Settlement Area, as defined by the Growth Plan, and will contribute to meeting the prescribed 40% of residential development within a delineated built-up area (Sections 2.2.1 and 2.2.2). The Development provides for a housing density to meet the needs of future and current residents while respecting the existing built form in the surrounding neighbourhood (Section 2.2.6). The Development meets the goals and objectives of the KNHCP by retaining an existing vista into the

valleylands adjacent to Bindertwine Park, and proposing an Italianate, Georgian, and Ontario Gothic style buildings prominently located along Stegman's Mill Road (Units 6, 7 and 8 as shown on Attachment 7) (Section 4.2.7). The Development conforms to the Growth Plan.

***The Development conforms to the York Region Official Plan 2010***

The York Region Official Plan 2010 ('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. Towns and Villages are intended to have their own unique sense of place and identity, and form part of York Region's intensification strategy through modest growth.

The YROP also encourages pedestrian scaled safety, comfort and mobility, the enrichment of the existing area with attractive buildings, landscaping and public streetscapes. The Development will diversify housing options in the community, provide for an attractive streetscape along Stegman's Mill Road, and create a public amenity through the proposed pedestrian walkway, with the potential for future connections through the existing valley system.

The Development conforms to the following cultural heritage policies of the YROP:

- Section 3.4.4 - to promote heritage awareness and support local municipal efforts to establish Heritage Conservation Districts
- Section 3.4.8 - meeting the City's urban design standards in core historic areas that reflect the areas' heritage, character and streetscape
- Section 3.4.9 - to encourage access to core historic areas by walking, cycling and transit, and to ensure that the design of vehicular access and parking complements the historic built form
- Section 5.5.3 - to revitalize and preserve cultural heritage resources within core historic areas through urban design standards which reflect local heritage, character, and streetscape.

The Development conforms to the policies and guidelines of the KNHCD Plan, as identified in the Heritage Vaughan Committee Report dated October 7, 2021 for the Development prepared by the Development Planning Department, and approved by Vaughan Council on November 16, 2021. The proposed Italianate, Georgian, and Ontario Gothic styles for Units 6, 7, and 8, as shown on Attachment 7 are considered contributing styles to the KNHCD, while the remaining 10 detached units are sympathetic in all architectural aspects and components to the immediate neighbourhood, as well as to the KNHCD. The Development conforms to the YROP.

***The Development conforms to VOP 2010***

The Subject Lands are located within a “Community Area” and are adjacent to a “Local Centre” as identified on Schedule 1, “Urban Structure” of VOP 2010. The Subject Lands are also designated “Low-Rise Residential” on Schedule 13, “Land Use” in VOP 2010. “Community Areas” are generally established with a number of older, residential neighbourhoods that are characterized by large lots and/or by their historical, architectural, or landscape value. “Community Areas” are also characterized by their substantial rear, front and side yards and by lot coverages that contribute to expansive amenity areas, which provide opportunities for attractive landscape development and streetscapes.

The Subject Lands are located within the Kleinburg Core Secondary Plan (“KCSP”), as identified on Schedule 14-B, “Areas Subject to Area Specific Plans” of VOP 2010. The policies of the KCSP are found under Section 12.4 in Volume 2 of VOP 2010. The Subject Lands are designated “Village Residential” by the KCSP and are subject to Exception 12.4.13.4 - “Area C”, which permits 28 dwellings units detached at-grade with a maximum building height of 9.85 m for those dwellings not fronting Stegman’s Mill Road. The maximum building height for dwelling units fronting Stegman’s Mill Road is 9.5 m in accordance with Section 12.4.10.22 of the KCSP.

Section 12.4.4.2 of the KCSP identifies compatibility criteria that directs new development to respect and reinforce the physical character of the Kleinburg Core, and that residential infilling in the Kleinburg Core shall be compatible with, and complementary to, the local lot pattern, size and configuration of adjacent developments.

The Development includes 13 lots for single detached dwellings ranging in lot frontage between 15 m and 20 m and with lot depths of over 30 m. The proposed single detached dwellings measure two-storeys in height, with the three proposed dwellings fronting Stegman’s Mill Road (Units 6, 7, and 8 shown on Attachment 7) measuring 9.5 m in height and the proposed dwellings fronting the proposed private condominium road (Units 1 to 5 and 9 to 13 shown on Attachment 7) measuring 9.85 m.

The proposed lot and building dimensions for the Development maintain a consistent pattern and scale to the existing neighbourhood to the north (Napier Street), which consist of lots generally ranging in frontage between 17 m and 20 m. The Development also provides an appropriate built form transition to the “Local Centre” along Islington Avenue, as identified in VOP 2010, and to the existing mixed-use development located directly west of the Subject Lands (10425 Islington Avenue). On this basis, the Development conforms to the “Community Area” policies of VOP 2010, the compatibility



policies of the KCSP, and site-specific Exception 12.4.13.4 - “Area C” of the KCSP. The Development conforms to VOP 2010.

***The Development is consistent with the Urban Design Guidelines for Infill Development***

Vaughan Council on October 19, 2016, approved the Urban Design Guidelines for Infill Development in Established Low-Rise Residential Neighbourhoods (the ‘Guidelines’) to clarify VOP 2010 policy as it applies to low-rise neighbourhoods. The Guidelines are applied to new developments for detached, semi-detached and townhouse units located in a stable Community Area. In accordance with Map 1 of the Guidelines, the Subject Lands are located within a “Community Area” but are not located within a “Large-Lot Neighbourhood” as identified on Schedule 1B of VOP 2010. The Guidelines are also intended to complement, and not conflict with, any applicable Heritage Conservation Districts in the City.

The Development conforms to the policies and guidelines of the KNHCD Plan, as identified in the Heritage Vaughan Committee Report dated October 7, 2021 for the Development prepared by the Development Planning Department and approved by Vaughan Council on November 16, 2021. The Development also conforms to the “Community Area” policies of VOP 2010 and the compatibility policies of the KCSP. The Development conforms to the compatibility criteria for new development in Section 9.1.2.2 of VOP 2010, as further described in Section 4 of the Guidelines, as it reinforces the character of the neighbourhood with regards to lot pattern, size, and configuration, and maintains an appropriate building height for the Kleinburg Area. On this basis, the Development is consistent with the Guidelines.

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

The Subject Lands are zoned “R5 Residential Zone” and “OS1 Open Space Conservation Zone” by Zoning By-law 1-88, and are subject to site-specific Exception 9(1454), which permits 28 detached dwelling units having attached underground garages.

The Owner proposes to rezone the portion of the Subject Lands zoned “R5 Residential Zone” to “R2 Residential Zone” in the manner shown on Attachment 7 to permit the Development. The boundaries of the proposed “OS1 Open Space Conservation Zone” as shown on Attachment 7 remains unchanged from the Original Proposal. The following site-specific zoning exceptions are required to permit the Development:

Table 1:

	<b>Zoning By-law 1-88 Standard</b>	<b>“R2 Residential Zone” Requirement</b>	<b>Proposed Exceptions to the “R2 Residential Zone” Requirement</b>
a.	Definition of “Lot”	A parcel of land fronting on a public street separate from any abutting land.	A parcel of land fronting on a public street or private condominium road separate from any abutting land.
b.	Definition of “Street Line”	The dividing line between a lot and a street or the dividing line between a lot and a reserve abutting a street.	The dividing line between a lot and a street, a private condominium road, or a lot and a reserve abutting a street.
c.	Maximum Front Yard Encroachment for Exterior Stairways	1.8 m	2.5 m
d.	Maximum Rear Yard Encroachment for an Uncovered Deck	1.8 m	1.83 m (Units 1, 2 and 5)
e.	Minimum Lot Area	450 m <sup>2</sup>	380 m <sup>2</sup> (Unit 4) 337 m <sup>2</sup> (Unit 5)
f.	Minimum Front Yard Setback	4.5 m to the dwelling 6.4 m to a garage	4.3 m to the dwelling (Unit 7 only) 6 m to a garage (all lots/units)
g.	Minimum Rear Yard Setback	7.5 m	6 m (Units 1 to 5 and 7 to 13)  1.25 m (Unit 6)
h.	Minimum Interior Side Yard Setback	1.2 m	0.95 m (Unit 1)  0.6 m (Unit 13)

	<b>Zoning By-law 1-88 Standard</b>	<b>“R2 Residential Zone” Requirement</b>	<b>Proposed Exceptions to the “R2 Residential Zone” Requirement</b>
i.	Minimum Exterior Side Yard Setback	4.5 m	2.7 m (Unit 7)
j.	Maximum Lot Coverage	40%	51% (Units 1 to 5 and 9 to 13)
k.	Maximum Building Height	9.5 m	9.85 m (Units 1 to 5 and 9 to 13)
l.	Minimum Landscape Area for Front and Exterior Yards	60%	Shall not apply to Units 1 to 5 and 9 to 13
m.	Maximum Height and Minimum Setback to a Retaining Wall	1 m between two residential lots. A retaining wall exceeding 1 m in height shall be setback a distance equal to its height	1.3 m between two residential lots, with a minimum setback of 0 m

The Development Planning Department supports the above noted site-specific zoning exceptions for the following reasons:

- The Development conforms to the policies and guidelines of the KNHCD Plan, as identified in the Heritage Vaughan Committee Report dated October 7, 2021
- The Development conforms to the “Community Area” policies of VOP 2010 and the KCSP
- The Development conforms to the compatibility criteria for new developments in Section 9.1.2.2 of VOP 2010 with regards to lot pattern, size, and configuration, and maintains an appropriate building height for the Kleinburg Area
- The proposed building heights conform to site-specific Exception 12.4.13.4 - “Area C” of the KCSP
- The proposed definitions, lot area, setbacks and encroachments provide for an appropriate built form that is consistent with the character of the Kleinburg neighbourhood
- The proposed increase in lot coverage is for the proposed units that do not front Stegman’s Mill Road, and will have minimal impact on the existing Stegman’s Mill Road streetscape

- The proposed exceptions regarding landscape and retaining wall height and setbacks are minor in nature and maintain the intent of Zoning By-law 1-88

***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.21.020, the Development Planning Department has included a Recommendation to permit the Owner to apply for Minor Variance application(s), if required, in advance of the two-year moratorium in order to address minor zoning deficiencies that may arise through the finalization and construction of the Development.

***Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law***

On October 20, 2021, Council enacted By-law 001-2021 as the new Vaughan Comprehensive Zoning By-law. A notice of the passing was circulated on October 25, 2021 in accordance with the *Planning Act*. The last date for filing an appeal to the OLT in respect of By-law 1-21 was November 15, 2021. By-law 001-2021 is currently under appeal and, when in force, will replace Zoning By-law 1-88, as amended. Until such time as By-law 001-2021 is in force, the Owner will be required to demonstrate conformity with both By-law 001-2021 and Zoning By-law 1-88, as amended, unless a transition provision under By-law 001-2021 applies.

***The Development Planning Department supports the Draft Plan of Subdivision, subject to conditions***

The proposed Draft Plan of Subdivision (File 19T-15V007) shown on Attachment 5 is to create one residential development block (Block “1”), one freehold residential lot (Lot “1”) and two open space blocks (Blocks “2” and “3”) to implement the Development. Blocks “2” and “3” consist of lands zoned “OS1 Open Space Conservation Zone” and are intended to be conveyed to a public authority (the Toronto and Region Conservation Authority) as a condition of draft plan of subdivision approval. Block “2” is proposed to include a future 2.5 m wide public walkway via an easement to the City, as shown on Attachment 7.

Prior to the execution of the Site Plan Agreement, the Owner is required to satisfy all conditions of Draft Plan of Subdivision Approval in Attachment 1 and the final Draft Plan shall be registered on title. A condition to this effect is included in Attachment 3.

***The Development Planning Department supports the Development, subject to conditions***

**Site Plan**

The site plan shown on Attachment 7 consists of 13 lots for detached dwelling units. The three units proposed to front Stegman's Mill Road (Units 6, 7 and 8) consist of two-storey dwellings that are 9.5 m in height, with "heritage styles" that comply with Section 9.2.1 of the KNHCP. The remaining 10 units (Units 1 to 5 and 9 to 13) consist of two-storey single detached dwellings that are 9.85 m in height. Unit 8/Lot 1, as shown on Attachment 7, consists of one freehold residential lot with direct driveway access to Stegman's Mill Road, and will function separately from the proposed common element condominium units identified as Units 1 to 7 and 9 to 13 on Attachment 7 ('Condominium Units').

Access to the Condominium Units will be via a full-moves access from Stegman's Mill Road. Driveway access for the Condominium Units will be via the common element road identified as "Block 1" on Attachment 6. All units will provide a minimum of four (4) parking spaces per dwelling unit, which exceeds the Zoning By-law 1-88 requirement of three (3) spaces per dwelling unit.

A 1.5 m sidewalk is proposed on the west side of the common element road. A future 2.5 m public walkway through lands zoned "OS1 Open Space Conservation Zone" (Block 2, as shown on Attachment 7) is proposed to connect from an existing sidewalk on Stegman's Mill Road to the Development, with a potential future connection to the existing trail on the Kleinburg Public School lands located south of the Subject Lands. A Canada Post community mailbox is proposed at the rear of the development via a proposed hammerhead.

**Landscape Design**

The landscape plan shown on Attachment 8 consists of a mix of deciduous and coniferous trees, sod, perennials and shrubs. Extensive and large growth plantings are proposed within the Stegman's Mill right-of-way and within "Block 2" on each side of the proposed 2.5 m public walkway, as shown on Attachment 8. The proposed 2.5 m public walkway will be terraseeded and left to naturalize until it is designed and constructed by the City at a future date.

A 1 m high picket fence with decorative stone wall is proposed for Unit 8. Direct pedestrian access from Stegman's Mill Road to Units 6 and 7 will be via concrete walkways. A 1.8 m high wooden screen fence is proposed along the west side of the Development. A 1.5 m high black chain-link fence is proposed along the south side of the Development and the rear lots of Units 1 to 6 located adjacent to the valleyland open space area and public walkway. Armourstone seating areas are also proposed within the public walkway

### Building Elevations

The proposed building elevations are shown on Attachments 9 and 10. The three proposed single detached dwellings fronting on Stegman's Mill Road (Units 6, 7 and 8) shown on Attachment 9 are consistent with the residential building heritage styles and materials found in Sections 9.2.1 and 9.10.1 of the KNHCP, and maintain the same traditional heritage design, materials, and landscape treatment as the Original Proposal. The units are designed as Ontario Gothic (Unit 6), Georgian (Unit 7), and Italianate (Unit 8) architecture with materials and proportions replicating those of the original era. These three buildings are positioned prominently along Stegman's Mill Road as it enters the Kleinburg Village, to define and underscore the heritage values of the village.

The remaining 10 dwellings (Units 1 to 5 and 9 to 13) are contemporary representations of the Edwardian and Late Victorian styles, as shown on Attachment 10, with modern construction materials used in heritage applications to maintain a decorum in keeping with the policies of the KNHCP. This includes brick, precast stone and hardie panel trim.

The Development Planning Department is satisfied with the Development. The final site plan, building elevation plans, landscape plan, photometric plan and landscape cost estimate must be approved prior to the execution of the Site Plan Agreement. In addition, the Draft Plan of Subdivision must be registered prior to the execution of the Site Plan Agreement. A condition to this effect is included in Attachment 3.

### ***The Cultural Heritage Division of the Development Planning Department and Heritage Vaughan Committee supports the Development***

The three existing dwellings located on the Subject Lands are designated under Part V of the *Ontario Heritage Act* as part of the KNHCD, but are not considered to be contributing buildings. The Owner has submitted a Cultural Heritage Impact Assessment ('CHIA') prepared by ERA Architects Inc. and dated October 27, 2016.

The Cultural Heritage Division of the Development Planning Department has reviewed the CHIA and is satisfied the Development conforms to the policies and guidelines of the KNHCP. The landscape plan shown on Attachment 8 also incorporates a heritage

commemoration plaque to further enhance the heritage value of the Development. The plaque includes information regarding the KNHCP and the associated heritage architectural styles that contribute to the Kleinburg community. The maintenance and conservation of the commemorative heritage plaque and enhanced landscaping along the Stegman's Mill Road right-of-way shall be the responsibility of the future Condominium Corporation. Conditions to this effect are included in Attachments 2 and 3.

The Heritage Vaughan Committee, on October 7, 2021 endorsed the recommendations of the Cultural Heritage Division to approve the Development. Vaughan Council, on November 16, 2021, approved the recommendations of the Heritage Vaughan Committee.

***The Development Planning Department supports the Draft Plan of Condominium, subject to conditions***

The Draft Plan of Condominium (Common Element) shown on Attachment 6 consists of one common element condominium road (Block "1") to provide access and frontage to the Condominium Units. The Condominium Units will consist of freehold lots tied to the common element condominium road ("Parcels of Tied Land"). The Draft Plan of condominium is consistent with the proposed site plan shown on Attachment 7. The Development Planning Department has no objection to the Application, subject to the Conditions identified in Attachment 2.

***An Exemption from Part Lot Control Application is required to implement the Development***

Should the Applications be approved, an Exemption from Part Lot Control Application will be required to create the Condominium Units tied to the common element condominium ("Parcels of Tied Land") for future ownership.

***The Development meets the Bronze Sustainability Threshold Score***

The Owner has submitted a completed Sustainability Scoring Tool dated October 15, 2021, in support of the Development. The Sustainability Scoring Tool demonstrates an Overall Application Score of 33 for the Draft Plan of Subdivision, and an Overall Application Score of 31 for the Site Plan, which both meet the minimum required Bronze Sustainability Threshold Score. The Development includes the following sustainable features:

- A publicly accessible pedestrian walkway to enhance walkability throughout the Subject Lands and the Kleinburg Neighbourhood
- LED lighting throughout the Development

- The Subject Lands are in proximity to existing transit stops (Nashville Bus Stop 3359 and Islington Bus Stop 3365)
- The Subject Lands are located within 400 m from the existing Bindertwine Park

***The Development Engineering Department has no objection to the Applications, subject to conditions***

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

Municipal Servicing

The Owner has submitted a Functional Servicing and Stormwater Management report prepared by Valdor Engineering Inc. and dated October 2021 ('Servicing Report') in support of the Applications. Sanitary servicing for the Development is proposed via a 200 mm connection from a new proposed sanitary manhole located within Stegman's Mill Road. The Subject Lands will be serviced with domestic and fire water by a 200 mm connection to the existing 200 mm watermain located on Stegman's Mill Road.

The Development will be serviced by a 100 mm domestic watermain. A separate sanitary and water connection is proposed for the free hold lot fronting Stegman's Mill Road, identified as Lot "1" on Attachment 5.

The City's Focus Area Core Servicing Strategy dated December 2017 and Interim Servicing Study ('ISS') dated May 2021 identify surcharging in several segments of the existing sanitary sewer on Nashville Road and Islington Avenue, located downstream of the Development. Surcharging is not permitted in accordance with City criteria; however, based on the conclusions of the City's ISS and associated flow monitoring data, the Development may be adequately serviced in the interim with minimal surcharging to the City's existing downstream sanitary sewers.

The Infrastructure Planning and Corporate Asset Management ('IPCAM') Department requires a one-time financial contribution in the amount of \$85,944, representing the Owner's proportionate share of the Kleinburg area sanitary sewer improvements. The contribution amount of \$85,944 is the Owner's share of the cost of improvements to the Nashville Road and Islington Avenue sanitary sewers as identified in the Core Servicing Strategy based on a cost per person equivalent. (Cost per person = \$1,652.77, 52 persons x \$1,652.77 = \$85,944). A condition to this effect is included in Attachment 3.

Stormwater Management

Storm drainage for the Development is proposed via a storm service connection from the existing storm control manhole located within Stegman's Mill Road. This manhole is



proposed to be replaced with a larger diameter 1800 mm manhole to facilitate the new 300 mm connection. An additional manhole is proposed to be installed within Stegman's Mill Road to allow for drainage to be conveyed from the control manhole located on the property line. Internal storm sewers, foundation drain collection system, catch basins and orifices are proposed for the Development to maintain the allowable storm sewer discharge rates. The storm sewer system including the rear lot catch basins will be owned and maintained by the future Condominium Corporation.

### Transportation

Access to the Development, including the proposed freehold "Lot 1" as shown on Attachment 5, is from Stegmans Mill Road. The proposed driveway entrance for the Condominium Units remains unchanged from the Original Proposal. An access analysis was submitted by LEA Consulting dated April 26, 2017 for the Original Proposal of 28 detached units. The DE Department can support the Development as the findings of the report show acceptable transportation impacts to the transportation network.

Comments received at the Public Meeting for the Applications related to safety issues and sightline concerns at the existing intersection of Napier Street and Stegman's Mill Road. The Transportation and Fleet Management Services Department is currently undertaking a separate study for the intersection of Napier Street and Stegman's Mill Road. The study will include a traffic operations and safety review at the intersection of Stegman's Mill Road and Napier Street, and will assess the feasibility of closing all or part of Napier Street at Stegman's Mill Road, in addition to identifying appropriate traffic calming measures for the area, as applicable.

### Grading

The existing topography of the Subject Lands slopes from east to west from an elevation of 219 m to 209.40 m. To support the flat grading proposed for the Development, a retaining wall is proposed to span most of the west and south property lines, as shown on Attachment 7. Sections of a 3 to 1 slope are proposed along the east side of the Subject Lands to match existing elevations at the property lines. Internal roads and individual lots are proposed to be graded within 2% to 5%, in accordance with City standards. The Development has been graded to contain surface drainage within the Subject Lands. All residential units are proposed to be split-drained, with rear drainage being conveyed to rear lot catch basins to capture drainage and direct it to the common element stormwater system.

### Erosion and Sediment Control

Although a variety of erosion control best management practice manuals are available, the Erosion & Sediment Control Guidelines for Urban Construction (December 2006)

guideline was created as a consolidated document that best suits jurisdictions within the Greater Golden Horseshoe for common usage in land development, construction and water management. Erosion and sediment control mitigation measures are to be implemented during construction to minimize silt laden runoff discharge from the Subject Lands in accordance with the aforementioned document.

#### Environmental Engineering

Given that no lands are being conveyed to the City and no change in use has occurred since the last ESA reports were prepared and reviewed from the Original Proposal, the DE Department is satisfied with the submitted ESA documentation.

#### Noise Assessment

The Owner has submitted a Noise Feasibility Study prepared by HGC Engineering, dated April 18, 2021 ('Noise Study'). The Noise Study recommends noise control measures including mandatory air conditioners for the units fronting onto Stegman's Mill Road and site-specific warning clauses included in the implementing Site Plan Agreement. The DE Department must approve the final Noise Study. Conditions to this effect are included in Attachments 1 to 3.

Prior to registration of the Draft Plan, the Owner is required to satisfy all DE Draft Plan conditions identified in Attachment 1.

Prior to the execution of the Site Plan Agreement, the DE Department must approve the final site servicing and grading plan, erosion control plan, Servicing Report and Noise Study. Conditions to this effect are included in Attachment 3.

#### ***Sewage and Water Allocation is available for the Development***

On December 10, 2021, Vaughan Council endorsed its Allocation of Servicing Capacity Annual Distribution and Update and Allocation of Servicing Capacity Policy. Accordingly, servicing capacity for the Development is available and unrestricted. An allocation resolution is included in the Recommendations of this report.

#### ***The Toronto and Region Conservation Authority has no objection to the Applications, subject to conditions***

The TRCA has reviewed the Applications and can support the Development subject to conditions identified in Attachments 1 and 3.

Through the approval of the Original Proposal, the staked limit of the valley corridor traversing the eastern portion of the Subject Lands was confirmed. In addition, the valleyland and associated Vegetation Protection Zone ('VPZ') were zoned "OS1 Open Space Conservation Zone" as part of the approval for the Original Proposal. The lands

currently zoned “OS1 Open Space Conservation Zone” as shown on Attachment 4 contain the valleyland feature and is proposed to remain unchanged. As part of the Original Proposal, the valleyland and VPZ, identified as Blocks 2 and 3 on Attachment 5, were to be conveyed to the Toronto and Region Conservation Authority (‘TRCA’) with an easement in favour of the City for the proposed public walkway.

Blocks “2” and “3”, as shown on Attachment 5, shall be conveyed to the TRCA to ensure their long-term protection, and an easement in favour of the City shall be registered to permit the proposed future 2.5 m wide public walkway. Conditions to this effect are included in Attachments 1 and 3.

The Source Protection Plan (‘SPP’) under the *Clean Water Act, 2006*, developed for the Credit Valley, Toronto and Region and Central Lake Ontario (‘CTC’) Source Protection Region took effect on December 31, 2015. The Subject Lands are located in a vulnerable area referred to as a Wellhead Protection Area (‘WHPA-Q2’). In accordance with the REC-1 policy of the CTC SPP, new development and site alteration under the Planning Act is required to implement best management practices, such as Low Impact Development (‘LID’), with the goal of maintaining predevelopment recharge. Based on the TRCA’s comments dated July 2, 2021 for the Applications, the Owner has met the REC-1 policy of the CTC SPP.

***The Parks, Forestry and Horticulture Department has no objection to the Applications, subject to conditions***

The Parks, Forestry and Horticulture Department has no objection to the Applications subject to the installation of appropriate tree protection fencing during construction of the Development.

Based on the City’s Tree Replacement Requirements, a total of 113 trees are required to be replanted on the Subject Lands. According to the Arborist Report prepared by Davey Resource Group and dated April 27, 2021, 113 qualifying trees are proposed for replanting. If more replacement trees are required than can reasonably be accommodated on the Subject Lands, a ‘cash-in-lieu’ payment may be made to the Forestry Tree Reserve Fund to fund tree planting on public properties within the Kleinburg Community. The Owner, on May 28, 2021, entered into a Tree Protection Agreement with the City.

A Private Property Tree Removal and Protection Permit Application was submitted for the removal of shared trees with the adjacent property to the south of the Development located at 10391 Islington Avenue (the Kleinburg Public School). The Parks, Forestry and Horticulture Department will review the tree removal application form and issue a

permit once all requirements have been met. The City has received a letter of authorization by the York Region District School Board ('YRDSB'), the owners of 10391 Islington Avenue, to authorize the Owner to apply for a Private Property Tree Removal and Protection Permit Application on their behalf.

***The Policy Planning and Special Programs Department has no objection to the approval of the Applications, subject to Conditions***

The Policy Planning and Special Programs Department has no objection to the Applications. 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 complete an information request form and submit it to the MNRF for confirmation of any potential Species at Risk on the Subject Lands. A condition to this effect is included in Attachment 3.

***The Parks Infrastructure Planning Department has no objection to the Applications, subject to conditions***

The Parks Infrastructure Planning Department ('PIPD') has no objections to the Applications, subject to conditions and warning clauses identified in Attachments 2 and 3.

The Development includes a 2.5 m wide public walkway located within the valleylands, as shown on Attachment 7. The PIPD has no objections to the proposed public walkway subject to the following conditions:

- The proposed public walkway will be designed and constructed by the City at a future date;
- The public walkway will be a minimum of 2.5 m in width and may increase to 3 m as grades permit;
- The area in which the proposed public walkway is located is to be terraseeded and left to naturalize;
- Planting/restoration plans may be revised to take into account the proposed alignment of the public walkway, if necessary; and
- That an easement in favour of the City, for the purposes of constructing, operating and maintaining the public walkway be registered.

Conditions to this effect are included in Attachment 3.

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

The Site Plan shown on Attachment 7 identifies a hammer head turnaround along the south side of the Subject Lands for waste and emergency vehicle turnaround. Waste and recycling pick-up is proposed to be collected at the end of the driveway for each

dwelling unit. Waste and recycling will be picked up privately. The Environmental Services Department, Solid Waste Management Division has no objections to the proposed waste management plan for the Development. The Site Plan Agreement will include a standard clause requiring private waste collection services for the Development.

The Environmental Services Department, Solid Waste Management Division advise that the future Condominium Corporation may be eligible for municipal waste collection services upon a successfully completed application; however, should the Condominium Corporation be deemed ineligible by the City or choose not to enter into an agreement with the City for municipal waste collection services, all waste collection services shall remain to be privately administered and shall be the responsibility of the Condominium Corporation. A condition to this effect is included in Attachment 3.

***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 Dedication policy.

The Owner shall submit an appraisal of the Subject Lands, in accordance with Section 42 of the *Planning Act*, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall form the basis of the cash-in-lieu payment.

***Development Charges are Applicable to the Development***

The owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board. A clause for the payment of Development Charges is included as a standard condition in the Draft Plan of Subdivision conditions, Condominium Agreement, and Site Plan Agreement.

***Canada Post has no objection to the Development, subject to Conditions of Approval***

The Development includes a community mailbox along the south side of the Subject Lands adjacent to Unit 1, as shown on Attachment 7. Canada Post has no objection to the Development subject to conditions of approval included in Attachment 1.

***The School Boards have no objection to the Development***

The York Region District School Board and York District Catholic School Board have no objection to, or any conditions of approval for the Applications, and will not require a new school for the Development. No comments were received from the Conseil Scolaire de District Catholique Centre Sud.

***Other external agencies and various utilities have no objection to the Development***

The Owner is required to satisfy all requirements of Alectra Utilities, Enbridge Gas, Bell Canada, and Hydro One for the Development. Conditions to this effect are included in Attachments 1 to 3.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region has no objection to the Applications subject to their conditions identified in Attachments 1 and 3. The Owner shall satisfy all requirements of York Region prior to the registration of the Draft Plan and execution of the Site Plan Agreement.

**Conclusion**

The Applications have been reviewed in consideration of the policies of the PPS, Growth Plan, YROP 2010, VOP 2010, the requirements of Zoning By-law 1-88, comments from City Departments, external public agencies, and the area context. The Development Planning Department is satisfied that the Applications are consistent with the PPS, conforms to the Growth Plan, YROP 2010, and VOP 2010, and is appropriate for the development of the Subject Lands. The Development is considered appropriate and compatible with existing and planned surrounding land uses. Accordingly, the Development Planning Department can support approval of the Applications, subject to the recommendations in this report and Conditions of Approval in Attachments 1 to 3.

**For more information**, please contact Mark Antoine, Senior Manager of Development Planning, at extension 8212.

**Attachments**

1. Conditions of Draft Plan of Subdivision Approval (File 19T-21V005)
2. Conditions of Draft Plan of Condominium Approval (19CDM-21V003)
3. Conditions of Site Plan Approval (File DA.21.023)
4. Context and Location Map
5. Draft Plan of Subdivision File 19T-21V005
6. Draft Plan of Condominium File 19CDM-21V003
7. Site Plan and Proposed Zoning
8. Landscape Plan
9. Building Elevations Facing Stegman's Mill Road (Unit 6, 7 and 8)
10. Typical Building Elevations Facing Private Road (Units 1-3, 9-13)
11. Rendering (Fronting Stegman's Mill Road)

- 12. Rendering (Fronting Private Road)
- 13. Approved Site Plan – File DA.16.071

**Prepared by**

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**Approved by**



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**Reviewed by**



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