## **COMMITTEE OF THE WHOLE JUNE 18, 2001**

ZONING BY-LAW AMENDMENT FILE Z.99.075 DRAFT PLAN OF SUBDIVISION 19T-99V10 REPORT #P. 2000.03 C.J. COLLINS AND A.M. COLLINS

## **Recommendation**

The Commissioner of Planning recommends:

- 1. THAT the approval for Zoning By-law Amendment Application Z.99.075 (C.J. Collins and A.M. Collins), granted on February 12, 2001, BE AMENDED, to include the following:
  - i) that Lots 25 39 inclusive, and Blocks 79 and 80 be zoned R5 Residential Zone.
- 2. THAT Draft Plan of Subdivision 19T-99V10 (C.J. Collins and A.M. Collins), approved on February 12, 2001, prepared by Weston Consulting Group Inc., dated January 11, 2001, as red-lined February 5, 2001, BE FURTHER RED-LINED to include Lots 25 39 inclusive and Blocks 79 and 80, as shown on Attachment # 3; and,
- 3. That Condition #1 of Draft Approval for Plan 19T-99V10, dated February 12, 2001, (Attachment #4) be deleted and replaced with the following:

"Approval shall relate to Draft Plan of Subdivision, prepared by Weston Consulting Group Inc., dated January 11, 2001, and red-lined June 18, 2001"

#### **Purpose**

On November 12, 1999, the Owner submitted applications for draft plan of subdivision and a zoning by-law amendment, which were approved by Council on February 12, 2001, with the exception of a portion of the subject lands adjacent to Pine Valley Drive which did not conform to the Official Plan. With an Official Plan Amendment now in effect, this report deals with the remainder of the draft plan of subdivision and related zoning amendment application.

## **Background - Analysis and Options**

#### Background

The original November 1999, draft plan of subdivision consisted of the following:

Detached Lots (12m)	18	units
Detached Lots (10.5m)	1	unit
Detached Lots (9m)	56	units
Street Townhouses	54	<u>units</u>
TOTAL	129	units

On January 10, 2000, a Public Hearing was held, and Council subsequently ratified the Committee of the Whole recommendation to receive the applications, together with the following (in part):

"That Staff address concerns expressed, regarding:

- a) noise from Highway #407;
- b) traffic flow and access; and
- c) overall impact on the existing subdivision.

That a public meeting be held with the applicant, staff, the residents, and local Councillor to address the issues identified, prior to this item being brought forward to a future Committee of the Whole meeting."

On February 9, 2000, a community meeting was held with the Local Councillor, Regional Councillors, representatives of the landowner and the residents. The concerns raised at the meeting were traffic/access, parkland, and the proposed townhouse units. Subsequently, the plan was revised several times, based on discussions at various community meetings, resulting in the following plan:

Detached Lots (13m and greater)	32	units
Detached Lots (12.8m)	18	units
Detached Lots (12m)	2	units
Semi-Detached Lots (7.5m)	<u>52</u>	units
TOTAL	1 <del>04</del>	units

On February 12, 2001, Council approved draft plan of subdivision 19T-99V10 and Zoning Amendment application Z.99.075 (C.J. Collins and A.M. Collins), subject to Lots 25 - 39 inclusive, and Blocks 79 and 80 being combined into one block for future development, pending consideration of an official plan amendment application by Council.

On April 30, 2001, Council approved Official Plan Amendment OP.01.004 (C.J. Collins and A.M. Collins) to re-designate the lands along Pine Valley Drive from "Medium Density Residential" to "Low Density Residential" to permit the proposed semi-detached units. OPA #568 was adopted by Council on May 14, 2001.

#### Location

- West side of Pine Valley Drive, north of Highway #407
- Part 1 on Plan 65R-17734
- Part of Lot 3, Concession 7, City of Vaughan

#### Land Use Status

- Designation "Low Density Residential" by OPA #240, subject to site specific OPA #568
- Zoning A Agricultural Zone by By-law 1-88

## Site Description

- a 5.74 ha flat site previously used for farming
- the surrounding land uses are:
  - North detached residential, vacant (Subdivision 19T-00V22) (R2 and R4 Zones, A Agricultural Zone)
  - South Highway #407
  - East Pine Valley Drive; employment (EM1 Prestige Employment Area Zone)
  - West hydro corridor; undeveloped (A and PB1(S) Zones)

#### Official Plan

The lands are designated "Low Density Residential" by OPA #240 (Woodbridge Community Plan), subject to site specific OPA #568. The proposed development conforms to the policies of the Official Plan.

OPA #240 permits a maximum density of 22 (gross) units/hectare in the "Low Density" areas, and the proposed development represents a density of 18.12 units/hectare, in conformity with the Official Plan.

#### Zoning

The lands are zoned A Agricultural Zone and PB1(S) Parkway Belt Linear Facilities Zone by Bylaw 1-88. The semi-detached lots are proposed to be zoned R5 Residential Zone, which requires a minimum lot frontage of 7.5m/unit and a lot area of 225sg.m/unit.

The Ministry of Transportation (MTO) has requested a minimum setback of 13.7m for all structures on the lots abutting Highway #407, which will be included in the zoning by-law.

#### **Draft Plan of Subdivision**

The proposed subdivision design is based on the extension of Tall Grass Trail, and to link with a Terra Road extension. The future development block proposed for semi-detached units, are along the east side of Terra Road and back onto Highway #407 and Pine Valley Drive.

#### Traffic/Access

A Traffic Impact Study, prepared by Mark Engineering, concludes that there will be moderate increase in traffic on Tall Grass Trail, south of Pine York Avenue, and that the existing road system will operate at a satisfactory level of service. Therefore no road improvements are required. The Engineering Department has reviewed this study and have no objections.

Access to the development will initially be only from Tall Grass Trail and Pine York Avenue. A Draft Plan of Subdivision 19T-00V22 (Merin Investments Inc.) has been received, which would provide an additional access via Terra Road, giving the development 2 access points. Street "A" of the subject draft plan is to be aligned with existing Tall Grass Trail and Terra Road.

#### Noise

A Noise Report was submitted by Valcoustics Canada Ltd. which concluded that noise abatement measures will be required. A sound barrier ranging from 1.8m to 3.2m high along Highway #407 and the hydro corridor will be required and the majority of dwellings in the development must be fitted with central air conditioning.

The Engineering Department has reviewed this study and agree with the findings. A draft condition has been included to require implementation of noise abatement measures.

## Servicing

The development is within service area of Pressure District No. 4 of the York Water Supply System and it is expected that the lands will be serviced by the existing water mains. An easement is required through the undeveloped parcel to the north from Terra Road and the system is to be looped on the subject lands.

The development will have sanitary sewer service from Tall Grass Trail. A detailed storm servicing report will be required to address quantity and/or quality control methods at the design stage of the plan of subdivision, subject to the approval of T.R.C.A. The report should also address methods of minimizing and controlling erosion and siltation on and off the site, during and after construction.

The Engineering Department have reviewed the supporting servicing reports and have no objections to draft approval, subject to the conditions that are included in the draft conditions contained within Attachment #4.

The Engineering Department has indicated that the subject lands are located within the Woodbridge Service Area of the York/Durham Sanitary Servicing Scheme and Pressure District No. 4 of the York Water Supply System. Sewage capacity was allocated for the subject lands together with the draft approval of the remainder of the plan on February 12, 2001.

#### Parkland

The Department of Urban Design has calculated the parkland dedication for the overall plan and found an under- dedication of 0.360 ha. Parkland dedication was required with the initial draft approval.

#### **Agency Comments**

No objections to the proposed development have been received from the Toronto and Region Conservation Authority, Hydro One, and Canada Post, subject to requested conditions of draft approval. The York Region District School Board and the York Catholic District School Board also have no objections.

The Region of York and the Ministry of Transportation have no objection to draft plan approval, subject to conditions which were been included with the initial draft approval.

Hydro Vaughan Distribution Inc. has advised that the developer is to design and install utilities in accordance with current standards.

#### Planning Considerations

Draft approval of these lands represent the completion of draft approval granted by Council on February 12, 2001. These lands were reserved as a block for future development pending the consideration of an Official Plan Amendment application. The lands were designated "Medium Density Residential" which did not permit semi-detached dwellings. OPA #568 has since been adopted by Council to re-designate the lands to "Low Density Residential" to permit the proposed development. As such, the division of the block for semi-detached units would now conform to the Official Plan and can be draft approved.

## Conclusion

Staff have reviewed the proposed applications in accordance with the policies of the Official Plan and requirement of the Zoning By-law and have no objections. The proposed R5 Residential Zone will be compatible with the zoning in the immediate area, conforms to the "Low Density Residential" designation, and will implement the draft approved plan.

Staff can support the amendment of the approval for the zoning amendment application and the draft plan of subdivision, subject to conditions. Should Council concur, the "Recommendation" of this report can be adopted.

### **Attachments**

- 1. Location Map
- 2. Draft Plan of Subdivision Red-lined February 5, 2001
- 3. Draft Plan of Subdivision red-lined June 18, 2001
- 4. Conditions of Draft Approval

## Report prepared by:

Todd Coles, Planner, ext. 8634 Art Tikiryan, Senior Planner, ext. 8212

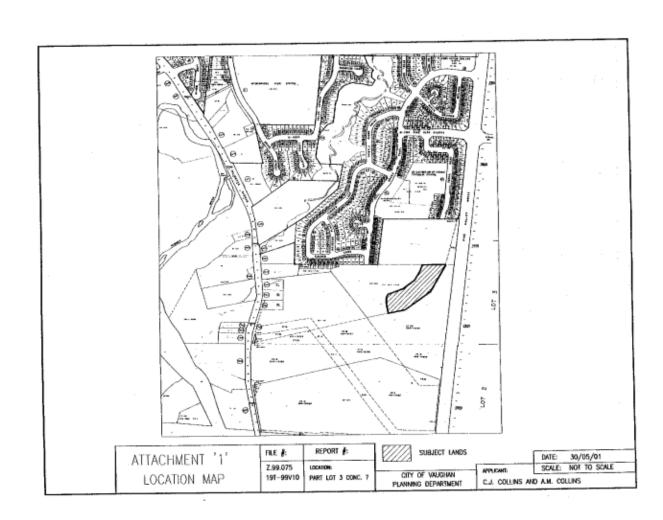
Bianca M.V. Bielski, Manager, Development Planning, ext. 8485

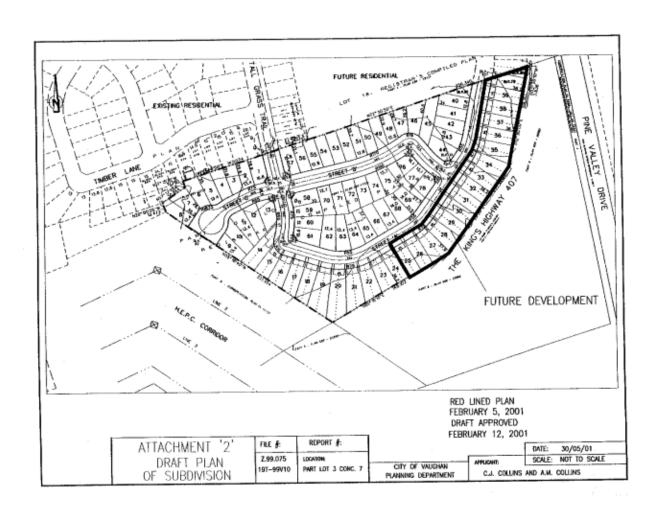
Respectfully submitted,

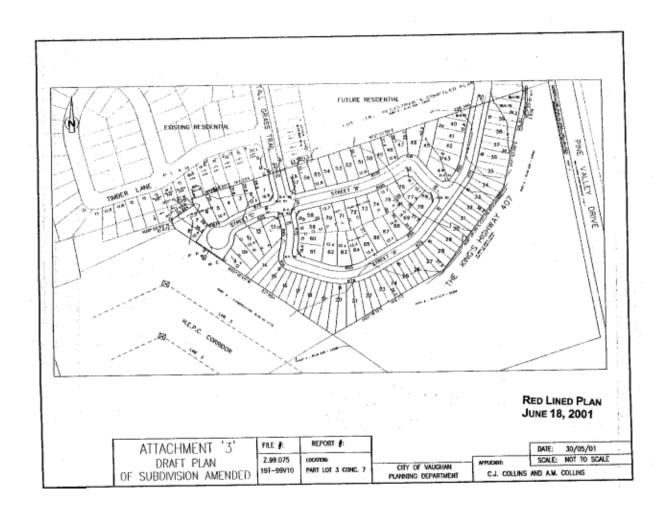
MICHAEL DeANGELIS Commissioner of Planning JOANNE R. ARBOUR Director of Community Planning

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## ATTACHMENT No. 4

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## CONDITIONS OF APPROVAL

THE CONDITIONS OF THE COUNCIL OF THE CITY OF VAUGHAN THAT SHALL BE SATISFIED PRIOR TO THE RELEASE FOR REGISTRATION OF PLAN OF SUBDIVISION 19T-99V10, CITY OF VAUGHAN, ARE AS FOLLOWS:

# City of Vauchan Conditions

- Approval shall relate to the draft plan of subdivision, prepared by Weston Consulting Group Inc., dated January 11, 2001, as red-lined February 5, 2001 to:
  - a) combine Lots 25 39 inclusive, and Blocks 79 and 80 into one block for future development.
- The lands within this draft plan of subdivision shall be appropriately zoned by a zoning by-law, which has come into effect, in accordance with the provisions of The Planning Act.
- Prior to final approval of the plan, the Owner agrees to pay any and all outstanding application fees to the Planning Department, in accordance with Tariff of Fees By-law 321-99.
- 4. Prior to final approval of the plan or a phase of the plan, the Owner shall submit a phasing plan(s), which provides details concerning the road pattern, open space network, stormwater management, recreational facilities, and number and type of dwelling units in the draft plan or each phase of the draft plan, to the satisfaction of the City.
- 5. The Owner shall enter into a subdivision agreement with the City to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payment of development levies, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
- The road allowances included within this draft plan of subdivision shall be dedicated as public highways without monetary consideration and free of all encumbrances.
- That prior to commencing the subdivision agreement process:
  - the road allowances included within this draft plan of subdivision shall be named to the satisfaction of the City, in consultation with the Regional Planning Department; and,
  - the lots on the draft plan of subdivision shall be assigned municipal addresses by the City.
- 8. The road allowances included within this draft plan of subdivision shall be designed in accordance with the City's standards for road and intersection design, temporary turning circles, daylighting triangles, and 0.3 m reserves. The pattern of streets, and the layout of lots and blocks shall be designed to correspond and coincide with the pattern and layout of abutting developments.
- 9. Any dead end or open side of a road allowance created by this draft plan of subdivision shall be terminated in a 0.3 m reserve, to be conveyed to the City without monetary consideration and free of all encumbrances, to be held by the City until required for future road allowances or development of adjacent lands.
- 10. The Owner agrees that prior to final approval, final engineering design(s) may result in variation to the road and lotting pattern, number of lots, distribution of uses, and conditions of approval, subject to the satisfaction of the City and other relevant approval authorities.

- The Owner shall agree in a subdivision agreement that construction access shall be provided only in a location approved by the City and the Region of York, if required.
- Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charges and encumbrances.
- 13. Prior to final approval, the Owner shall prepare a soils report prepared for review and approval of the City, and shall agree in the subdivision agreement that the recommendations (including pavement design structure for ideal and non-ideal conditions) shall be carried out to the satisfaction of the City.
- 14. Prior to final approval, the Owner shall submit to the satisfaction of the City, environmental site assessment report(s) in accordance with the Ministry of Environment and Energy's Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended.
- Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review for the environmental site assessment reports.
- 16. Prior to final approval, should site remediation be required in order to meet the applicable soil and ground water criteria as set out in the Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended, the Owner shall submit to the City, a copy of the Record of Site Condition, which has been acknowledged by a Provincial Officer of the Ministry of Environment and Energy.
- 17. The Owner shall agree in the subdivision agreement that the Owner covenants and agrees that all lands to be conveyed to the municipality meet the applicable soil and ground water criteria for the intended use as set out in the Guideline for Use at Contaminated Sites in Ontario, June 1996, as amended.
- Prior to the initiation of grading, and prior to registration of this draft plan of subdivision or any phase thereof, the Owner shall submit to the City for approval the following:
  - A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan of subdivision, which report shall include:
    - plans illustrating how this drainage system will tie into the surrounding drainage systems, and indicating whether it is part of an overall drainage scheme, how external flows will be accommodated, and the design capacity of the receiving system;
    - the location and description of all outlets and other facilities;
    - stormwater management techniques which may be required to control minor and major flows; and,
    - proposed methods of controlling or minimizing erosion and silitation on-site and in downstream areas during and after construction.

The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations set out in any and all of the aforementioned reports to the satisfaction of the City.

- 19. The Owner shall agree in the subdivision agreement that no building permits will be applied for or issued until the City is satisfied that adequate road access, municipal water supply, sanitary sewers and storm drainage facilities are available to service the proposed development.
- Prior to final approval of the plan, the Owner shall pay its proportionate share of the cost any external
  municipal services, temporary and/or permanent built or proposed that have been designed and
  oversized by others to accommodate the development of the plan.

- 21. Prior to final approval and prior to any works commencing on site, the Owner is required to provide lot grading, road grades and cross sections of each to the City's Engineering Department for review and approval.
- 22. The development of the proposed plan shall be coordinated with the lands to the north and the internal roads shall be interconnected with the roads of the adjacent plan of subdivision to the north.
- The Owner agrees that all part blocks within the Plan shall only be developed in conjunction with abutting part blocks of adjacent draft plans.
- 24. a) Prior to final approval, the Owner shall engage the services of a consultant to complete a noise study, recommending noise control features satisfactory to the City and the Region of York. The noise report shall include ultimate traffic volumes associated with the surrounding road network.
  - b) The Owner shall agree in the subdivision agreement that the noise control features recommended by the acoustical report, and approved by the City, shall be implemented as approved by the requirements of the subdivision agreement.
- The following warning clause shall be included in all Offers of Purchase of Sale or Lease for all affected Lots and/or Blocks within the Plan.

"Purchasers and/or tenants are advised that despite the inclusion of noise control features within the development area and within the individual units, noise levels may continue to be of concern occasionally interfering with some activities of the building occupants."

- The Owner shall erect a permanent 1.5 metre high black vinyl chain link fence along the ilmits of the said Lots and Blocks that abut the hydro right-of-way to the satisfaction of the City.
- 27. a) Prior to final approval of the draft plan of subdivision, or any phase of the draft plan of subdivision, the Owner shall satisfy all technical, financial and other requirements of Hydro Vaughan Distribution Inc., its successors and assigns, (herein Hydro Vaughan) regarding the design, installation, connection and/or expansion of electric distribution services or any other related matters arising in connection with the proposed development. The Owner shall enter into a development agreement with Hydro Vaughan which address the foregoing requirements on terms satisfactory to Vaughan Hydro.
  - b) The Owner is to design, purchase materials, and install a buried hydro distribution system and a street lighting system within the confines of the above noted plan of subdivision, and compatible with the existing and/or proposed systems, in surrounding plans of subdivision, all in accordance with the latest standards and specifications of Hydro Vaughan Distribution Inc. and the City.
- 28. The Owner shall agree in the subdivision agreement to include the following warning clause that Council approved on September 29, 1997 with respect to "Tree Fees" in all offers of purchase and sale or lease for all dwellings within the plan:

"Purchasers and/or tenants are advised that the planting of trees on City boulevards in front of residential units is a requirement of the subdivision agreement. The City has not imposed an amount of a tree fee or any other fee which may be charged as a condition of purchase for the planting of trees. Any tree fee paid by the purchasers for boulevard trees does not guarantee that a tree will be planted on the boulevard in front of or on the side of a residential lot."

- 29. Prior to final approval, the Owner shall prepare a tree assessment study to the satisfaction of the City. The study shall include an inventory of all existing trees, assessment of significant trees to be preserved, and proposed methods of tree preservation/or remedial planting. The Owner shall agree not to remove trees, without written approval by the City.
- 30. The owner shall agree in the subdivision agreement to erect a permanent 1.5 metre black vinyl chain link fence along the limits of the residential lots that abut the park block or school block or open space block.
- 31. Prior to final approval, the owner shall submit to the satisfaction of the Department of Urban Design, an urban design/streetscape master plan for the subdivision. The plan shall address, but not be limited to the following issues:
  - Internal landscaping on boulevards as it relates to the road rights-of-ways and the location of underground services, ie. typical road sections which incorporates boulevard trees are required.
  - Co-ordination of the urban design/streetscape elements as they relate to all draft plans.
  - The appropriate landscape treatment for the buffer along Highway 407.
- The Owner agrees to fulfill the following requirements of Canada Post:
  - The Owner agrees to include in all offers of purchase and sale a statement which advises the prospective purchaser that mail delivery will be from a designated Community Mailbox.
  - b) The Owner is responsible for notifying the purchasers of the exact Community Mailbox locations prior to the closings of any home sales.
  - c) The Owner will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to Indicate these locations on appropriate servicing plans.
  - d) The Owner will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
    - an appropriately sized sidewalk section (concrete pad), as per municipal and Canada Post standards, to piace the Community Mailboxes on;
    - any required waikway across the boulevard, as per municipal standards; and,
    - any required curb depressions for wheelchair access.
  - e) The Owner agrees to determine and provide a suitable temporary Community Mailbox location(s) which may be utilized by Canada Post until the curbs, sidewarks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail service to new residences as soon as homes are occupied.
- 33. That prior to final approval, the Owner shall provide confirmation of approval by the Ministry of Transportation Ontario of the following submissions:
  - a drainage/stormwater management report indicating the intended treatment of the calculated run-off;
  - an Illumination plan indicating the intended treatment of the headlight glare from traffic adjacent to Highway #407.

## Region of York Conditions

- 34. Where final approval of this draft plan of subdivision, or any portion thereof, has not been given within 3 years after the original date of draft approval, the Regional Transportation and Works department shall confirm that adequate water supply capacity and sewage treatment capacity continues to be available prior to final approval of any remaining portion of the plan, and continued capacity availability may require infrastructure additions or improvements.
- Contracts for any required capital works shall have been let prior registration of this plan of subdivision or any phase thereof.
- Prior to final approval, the Regional Transportation and Works Department shall confirm that contracts have been let for any necessary capital works required to service this draft plan of subdivision.
- 37. The Owner shall enter into an agreement with the Region of York, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-law DC-3-98-77.

## Hydro One Networks Inc.

- Prior to final approval, a copy of the lot grading and drainage plan, showing existing and final grades, must be submitted to Hydro One for review and approval.
- 39. Any development in conjunction with the subdivision must not block vehicular access to any Hydro One facilities located on the right-of-way. During construction, there will be no storage of materials or mounding of earth or other debris on the right-of-way.
- 40. Prior to final approval, the Owner must grant Hydro One a supplemental easement to ensure that existing Hydro One facilities and easement rights are adequately protected. This easement must be registered by the Owner prior to the registration of the plan.
- The costs of any relocations or revisions to Hydro One facilities which are necessary to accommodate this subdivision will be borne by the Owner.
- The easement rights of Hydro One and its legal predecessors are to be protected and maintained.
- 43. The transmission lines abutting this subdivision/condominium operate at either 500,000 or 230,000 volts. Section 186-Proximity- of the regulations for Construction projects in the Occupational Health and Safety Act, require that no object be brought closer than 6 metres (20 feet) to the energized 500 kV conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the conductors can raise and lower without warning, depending on the electrical demand placed on the line.

# Toronto and Region Conservation Authority Conditions

- 44. Prior to final registration of the plan of subdivision, or any on-site grading, the Toronto and Region Conservation Authority must have reviewed and approved the following reports describing:
  - A detailed engineering report that describes the storm drainage system for the proposed development of the subject lands. This report must include:
    - the manner in which stormwater will be conveyed from the site, including how the subdivision ties into existing development and how it conforms with the approved Functional Municipal servicing Report prepared by Ander Engineering;
    - appropriate Stormwater Management Practices (SWMPs) to be used to treat stormwater, to ensure no negative impact on the quality and quantity of ground and surface water resources;

- Note: Stormwater will not be permitted to enter the watercourse untreated, both during or after development.
- location and description of all outlets and other facilities which may require a permits under provincial regulations;
- proposed methods of controlling or minimizing erosion and siltation on-site and in downstream areas during and after construction; an erosion sediment control strategy which includes a description and plan be prepared
- 45. The Owner obtain all necessary permits under Ontario Regulation 158 from the TRCA prior to the registration of each/any phase of this plan.
- 46. That the Owner agree in the subdivision agreement, in wording acceptable to The Toronto and Region Conservation Authority:
  - To cause to be carried out the works referred to above need final numbering of conditions) above.
  - b) To design an d implement on-site erosion and sediment control, in order to meet the requirements of the <u>Federal Fisheries Act</u>. Any increase in concentrations of suspended solids or sediment loading may be a violation of this Act.
  - c) To maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the Toronto and Region Conservation Authority.
  - d) To have permanent fencing erected along the limits of Block 142 to the satisfaction of the TRCA.
- 47. A copy of the executed subdivision agreement for each phase of development shall be provided to The Toronto and Region Conservation Authority to expedite the registration of the plan.

#### Other Conditions

- Final approval for registration may be issued in phases provided that:
  - a) Phasing is proposed in an orderly progression, and;
  - b) All government agencies agree to registration by phases and provide clearances as required in Conditions 1 to 47 inclusive; clearances will be required for each phase proposed for registration by the Owner; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
- 49. The City shall advise that Conditions 1 to 33 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 50. The Regional of York shall advise that Conditions 34 to 37 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- Hydro One Networks Inc. shall advise that Conditions 38 to 43 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
- 52. The Toronto and Region Conservation Authority shall advise that Conditions 44 to 47 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

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