

COMMITTEE OF THE WHOLE JUNE 21, 2004

ZONING BY-LAW AMENDMENT FILE Z.00.095 DRAFT PLAN OF SUBDIVISION FILE 19T-00V20 BLOCK 18 TREES INC. REPORT P.2004.16

Recommendation

1. That the Block 18 – Staging Plan for Phase 1 lands (Attachment #4) BE APPROVED.
2. That Zoning By-law Amendment Application Z.00.095 (Block 18 Trees Inc.) BE APPROVED, to rezone the lands to the appropriate zone categories to implement the approved draft plan of subdivision
3. That Draft Plan of Subdivision 19T-00V20 (Block 18 Trees Inc.) prepared by KLM Planning Partners Inc., dated November 12, 2003, BE DRAFT APPROVED, subject to conditions contained in Attachment #1.
4. For the purpose of notice, the subdivision agreement shall contain a provision that parkland shall be dedicated, and/or cash-in-lieu be paid, within the plan at the rates stipulated in the approved “Cash-in-Lieu of Parkland Policy”.

Purpose

On October 17, 2000, the Owner submitted applications to amend the Zoning By-law to rezone the subject lands to the appropriate zone categories to permit a proposed draft plan of subdivision on a 8.005ha site. The plan contains the following:

- 6.136ha woodlot block
- 1.869ha storm water management block

Background - Analysis and Options

The 8.005ha site is located adjacent to the CN railway line, north of Rutherford Road, within Planning Block 18, being Part of Lot 17, Concession 3, City of Vaughan.

The subject lands are designated “Tableland Woodlots” by OPA #600, and OPA #604 (Oak Ridges Moraine Conservation Plan) further designates a portion of the lands as “Settlement Area”. The lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88, as amended by By-law 242-2003 (Oak Ridges Moraine). The applications respecting the southerly portion of the site, forming part of the original application, were commenced prior to November 17, 2001 and are not subject to the Oak Ridges Moraine Conservation Plan. The northerly part of the site forms part of the amended applications, filed after November 17, 2001 and a portion of this parcel is subject to the Oak Ridges Moraine Conservation Plan. The surrounding land uses are:

- North - vacant (A Agricultural Zone and OS5 Open Space Environmental Protection Zone)
- South - vacant (A Agricultural Zone)
- West - Canadian National Railway line, residential (M3 Transportation Industrial Zone and R3 Residential Zone)
- East - vacant (A Agricultural Zone and OS5 Open Space Environmental Protection Zone)

On January 5, 2004 a Notice of Public Hearing was circulated to all property owners within 120 metres of the subject land, and to the Maple Village and Gates of Maple Ratepayer Associations.

A letter was received from the owner of 9605 Dufferin Street expressing concerns related to Block 18, including:

- that the proposed development will interfere with a stream, which crosses from Block 18 into Block 12, east of Dufferin Street; and
- that adequate protection and buffer zones from the wetland, stream and woodlots, and greenways are required.

A notice of this Committee of the Whole meeting was sent to those individuals on file having expressed interest in this application.

The recommendation of the Committee of the Whole to receive the Public Hearing of January 5, 2004 and forward a comprehensive report of a future Committee meeting was ratified by Council on January 12, 2004. Council also directed that the appropriate funding be provided for streetscaping along Major Mackenzie Drive from Hill Street to the Railway crossing and pedestrian overpass; that the issues of the non-participating landowners be addressed prior to draft approval; and, that a front-end agreement be executed with respect to the widening of Dufferin Street between Rutherford Road and Major Mackenzie Drive prior to draft approval.

Block 18 Plan

On September 22, 2003, Council approved the Block 18 Block Plan. The proposed draft plan of subdivision is consistent with the Block 18 Plan as approved by Council.

The Block 18 Plan provides primarily low density residential development over most of the Block, comprised of detached lots with frontages ranging from 9.0 to 13.5 metres. There are four elementary schools, one secondary school, three neighbourhood parks, a district park and a community centre. Three of the school sites are adjacent to proposed parks. There is one Neighbourhood Commercial and three local convenience commercial sites, and six stormwater management ponds. The Block Plan further includes the northwest quadrant of the Carrville District Centre planned for the intersections of Rutherford Road and Dufferin Street, which will accommodate higher order residential and commercial uses.

The approved Block 18 Plan would accommodate a total of 3,638 dwelling units, (2,246 low density, 776 medium density and 616 high density). Revisions to certain draft plans of subdivision within the Block has resulted in a decrease in the total number of units to 3,527, comprised of 2,111, 740 and 676 low, medium and high density units respectively. OPA #600 provides for an overall gross density of 16-18 units per hectare. The Block Plan has an overall gross density of 17.023 units per hectare, which is in conformity with the Official Plan.

The Official Plan provides for a maximum average net density across all the Low Density Residential land of 16 – 18 units per hectare and the Block 18 Plan achieves a density of 17.8uph. Within the Medium Density Residential-Commercial area the net residential density on any one site is 17uph to 40uph. Furthermore, the average net density, taken across the Medium Density Residential-Commercial area of the block plan must be in the range of 25 to 35uph. The proposed draft plans of subdivision each comply with the maximum net residential requirements on one site, and the average net density taken across the Medium Density lands for the block is 30.4uph. The subject draft plan of subdivision does not include residential, commercial, institutional or community uses.

Oak Ridges Moraine Conservation Plan

The lands are located on the Oak Ridges Moraine. The Oak Ridges Moraine Conservation Plan (ORMCP) requires that all Planning Act applications must conform to the ORM Plan. The

applicant has submitted an Oak Ridges Moraine Conformity Report, prepared by Dillon Consulting, dated May 26, 2004, which has been reviewed and determined to be satisfactory.

Official Plan

The lands are designated "Tableland Woodlots" by OPA #600, and OPA #604 (Oak Ridges Moraine Conservation Plan) further designates a portion of the lands as "Settlement Area". The woodlot is being preserved as encouraged by the Official Plan.

Zoning

The lands are zoned A Agricultural Zone and OS5 Open Space Environmental Protection Zone by Zoning By-law 1-88, as amended by By-law 242-2003 (Oak Ridges Moraine). An amendment to the zoning is required to implement the draft plan of subdivision. The woodlot and stormwater blocks would be zoned OS5 Open Space Environmental Protection Zone and OS1 Open Space Conservation Zone, respectively.

Subdivision Design

The draft plan has been prepared in accordance with the approved Block 18 Plan. The plan includes one woodlot block and a stormwater management block. No other uses are being proposed as part of this plan.

Engineering Services

i) ESA

On May 4, 2004 Terrapex Environmental Limited concluded its peer review of the ESA Phase 1 and agreed with the conclusion that the land is suitable for use as a residential development.

ii) Roads

There are no roads proposed for this plan.

iii) Engineering Servicing

The municipal services for this development shall be in accordance with the approved Master Environmental Servicing Plan (August 1997); the Block 18 Master Environmental Servicing Plan Response to Comments (December 2000); the Block 18 Master Environmental Servicing Plan Supplementary Block Plan (July 2003); and Supporting Documents For Approval of Block 18 – Environmental (November 20, 2003) prepared by Schaeffer & Associates Ltd., Dillon Consulting Limited, and KLM Planning Partners Inc. Any subsequent reports which are approved and amended for Block 18 (OPA 600) shall also be deemed to constitute part of the approved M.E.S.P.

Subsequent to the individual draft plans receiving approval by the City, the participating landowners within Block 18 have indicated that they may wish to enter into a Skeleton Servicing Agreement with the City, which would address the design and construction of select storm sewers, sanitary sewers, watermains, roads and stormwater management facilities among other items. In this case, the roads constructed through the agreement shall be dedicated to the City in advance of the individual draft plans of subdivision proceeding to registration.

iv) Storm Drainage

This plan contains one of the six stormwater management ponds to be constructed as part of Block 18.

Urban Design Department

The Urban Design Department is satisfied with the proposed plan, subject to conditions of draft plan approval included in Attachment #1.

The Urban Design Department has also advised that the draft plan of subdivision should be revised to identify the location of the telecommunications and hydro utility building.

The Block 18 landowners have submitted a Landscape Masterplan (April 30, 2003) prepared by NAK Design Group, that are currently being reviewed and will require approval prior to final approval of the plan of subdivision.

Architectural Design Guidelines, prepared by The Planning Partnership have been submitted and are currently being reviewed. Council approval of the guidelines is required prior to final approval of the plan of subdivision.

Region of York

The Region of York Staff has reviewed the draft plan and has no objection to approval of the plan

Other Comments

The Toronto & Region Conservation Authority (TRCA) and GO Transit are generally satisfied with the plan subject to the conditions of draft plan approval included in Attachment #1.

The York Region Catholic School Board, York Region Public School Board and Canada Post have no objection to the plan.

Relationship to Vaughan Vision 2007

This report is consistent with the priorities previously set by Council and the necessary resources have been allocated and approved.

Conclusion

The proposed draft plan of subdivision is considered to conform to the policies of the Official Plan and approved Block Plan and can be draft approved, subject to the conditions contained in Attachment #1. Should Committee concur, the "Recommendation" can be adopted.

Attachments

1. Conditions of Draft Approval
2. Location Map
3. Draft Plan of Subdivision
4. BLOCK 18 - Phasing Plan

Report prepared by:

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Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Manager of Development Planning

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ATTACHMENT NO. 1

CONDITIONS OF DRAFT APPROVAL

DRAFT PLAN OF SUBDIVISION 19T-00V14 {BLOCK 18 TREES INC.} {LOT 17, CONCESSION 3}, CITY OF VAUGHAN

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-00V20, ARE AS FOLLOWS:

City of Vaughan Conditions

1. The Plan shall relate to the draft plan of subdivision, prepared by KLM Planning Partners Inc., drawing #03:1, dated November 12, 2003, subject to the following revision:
 - a) the location of the telecommunications and hydro utility building(s) shall be identified on the draft plan of subdivision.
2. The lands within this Plan shall be appropriately zoned by a zoning by-law, which has come into effect in accordance with the provisions of The Planning Act. Particular zoning categories to be applied are as follows:

OS1 – Open Space Conservation Zone (Storm water management pond)
OS5 – Open Space Environmental Protection Zone (Woodlot)
3. The Owner shall pay any and all outstanding application fees to the Community Planning Department, in accordance with Tariff of Fees By-law 321-99.
4. Prior to final approval of any part of the Plan, the Owner shall submit a revised Block Plan, if required, to reflect any significant alterations caused from this draft plan approval.
5. The Owner shall enter into a subdivision agreement with the City to satisfy all financial and other conditions, with regard to such matters as the City may consider necessary, including payment of development levies and the woodlot development charge, the provision of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
6. Prior to final approval, easements required for utility, drainage and construction purposes shall be created and granted to the appropriate authority(ies), free of all charge and encumbrances.
7. Prior to the initiation of grading or stripping of topsoil and prior to final approval, the Owner shall submit a topsoil storage plan detailing the location, size, side slopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
8. The Owner shall permit any telephone or telecommunications service provider to locate its plant in a common trench within the proposed Plan of Subdivision prior to release of the plan for

registration, provided such service provider has executed a Municipal Access Agreement with the City. The Owner shall ensure that any such service provider will be permitted to install its plant so as to permit connection to individual dwelling units within the subdivision as and when each dwelling unit is constructed.

Block Plan Conditions

9. That the applicant shall submit a detailed soils report to address ground water balance/recharge concerns and a comprehensive plan identifying all related groundwater recharge mitigation measures to be implemented throughout the block.
10. That the applicant shall ensure that the recommendations of the City's Draft Pedestrian and Bicycle Study are implemented in the draft plan of subdivision.
11. That the noise attenuation measures that are proposed by the Regional Municipality of York in its Noise Policy/Guideline Update Study be considered to the satisfaction of the City, and the Toronto and Region Conservation Authority (TRCA).
12. That the approved Oak Ridges Moraine (ORM) conformity report(s) will become an addendum to the supporting Block Plan reports.

Engineering Department (General Conditions)

13. The Owner shall enter into a subdivision agreement with the City of Vaughan to satisfy all conditions, financial or otherwise of the City, with regard to such matters as the City may consider necessary, including payments of development levies, the provisions of roads and municipal services, landscaping and fencing. The said agreement shall be registered against the lands to which it applies.
14. The Owner shall agree in the subdivision agreement that construction access shall be provided only in a location approved by the City.
15. Easements as may be required for utility, drainage or construction purposes shall be granted to the appropriate authority(ies), free of all charge and encumbrance.
16. Prior to final approval, a soils report prepared at the Owner's expense shall be submitted to the City for review and approval. The Owner shall agree in the subdivision agreement to carry out, or cause to carry out, the recommendations including pavement design structure for ideal and non-ideal conditions to the satisfaction of the City.
17. Prior to the initiation of grading, and prior to the registration of this draft plan of subdivision or any phase thereof, the owner shall submit to the City for review and approval the following:

A detailed engineering report that describes the storm drainage system for the proposed development within this draft plan, which report shall include:

- a) plans illustrating how this drainage system will tie into 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;

- b) the location and description of all outlets and other facilities;
- c) storm water management techniques which may be required to control minor or major flows; and
- d) proposed methods of controlling or minimizing erosion and siltation onsite 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.

- 18. Prior to final approval of the Plan, the Owner shall pay its proportionate share of the cost any external municipal services that have been designed and oversized by others to accommodate the development of the plan.

Engineering Department (Specific Conditions)

- 19. Prior to final approval of the Plan, any and all appropriate revisions, as required shall be made to the Block Plan for Block 18 and all associated reports to the satisfaction of the City.
- 20. Prior to final approval of the Plan or commencement of construction within the Plan, whichever comes first, the Owner shall submit a detailed hydrogeological impact study that identifies any local wells that may be influenced by construction and, if necessary, outline a monitoring program to be undertaken before, during and after construction of the subdivision. The Owner shall agree in the subdivision agreement to reinstate a suitable potable water supply to any resident whose well is adversely impacted by development, to the satisfaction of the City as well as connect any existing residences which remain in place after development to the municipal system.
- 21. (a) Prior to final approval of the Plan, the Owner shall enter into a Developers' Group Agreement with the other participating landowners within Block 18 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 18. This agreement shall include a provision for additional developers to participate with the Developers' Group Agreement when they wish to develop their lands.

The Owner shall acknowledge that parkland shall be dedicated and/or cash-in-lieu paid in accordance with Section 51 of the Planning Act and conform to the City's "Cash-In-Lieu of Parkland Policy".

- (b) Prior to final approval of the Plan, the Trustee for Block 18 shall provide the City with a letter indicating that the Owner has fulfilled all cost sharing and other obligations of the Block 18 Developers' Group Agreement.
- 22. Prior to final approval, the Owner shall reimburse the City for the cost of the City's peer review of the environmental site assessment reports.
- 23. Prior to final approval of the plan, the Owner shall covenant and certify to the City that they are not aware of any soil, groundwater or sediment contamination on or within lands to be conveyed to the municipality which could interfere with its intended use.

24. Prior to final approval, or prior to the initiation of grading or stripping of topsoil, whichever comes first, the Owner shall submit an Erosion and Sedimentation Control Plan including topsoil storage plan detailing the location, size, sideslopes, stabilization methods and time period, for approval by the City. Topsoil storage shall be limited to the amount required for final grading, with the excess removed from the site, and shall not occur on either park or school blocks.
25. Prior to final approval of the plan the Owner shall confirm that the necessary provisions of the Environmental Assessment Act and the Municipal Class Environmental Assessment for Municipal Roads, Water and Wastewater Projects as they may apply to the proposed primary roads and related infrastructure matters, have been met.
26. The Owner shall agree that all disturbed lands within Phase 1 Stage 2 or Phase 2 of the subject draft plan left vacant six (6) months following completion of overall grading shall be topsoiled to a minimum depth of 100mm, seeded, maintained and signed to prohibit dumping and trespassing, to the satisfaction of the City.
27. The Owner acknowledges that the plan shall proceed in phases in accordance with the approved Block 18 phasing plan.

Urban Design Department

28. Prior to final approval, the Owner shall pay to the City, a woodlot acquisition payment at the rate of \$1,000.00 per residential dwelling unit plus \$500.00 for each future residential dwelling unit contained on a part lot in the Plan which is to be combined with an abutting part lot in an adjacent plan to form a building lot, as per schedule "I", in accordance with the Special Area Woodlot Development Charge By-law.
29. The owner shall convey tableland woodlot Block 1 to the City free of encumbrances, through a Front-Ending Agreement to be entered into with the City in accordance with the City's Special Area Woodlot Development Charge By-law.
30. Prior to final approval, the owner shall prepare a streetscape and open space landscape master plan in accordance with the approved Block 18 Urban Design Guidelines and OPA 600 policies, the plan shall address but not be limited to the following issues:
 - Co-ordination of the urban design/streetscape elements as they relate to the approved urban design guidelines including entrance features, parkettes, trail heads, medians and fencing.
 - The appropriate configuration and landscape treatment for stormwater management facility block 2;
 - The pedestrian urban connections between streets and within the neighbourhood;
 - The appropriate location and high quality design for the telecommunications and hydro utility buildings and easements;
 - Open space edge management rehabilitation planting, trails, bridge crossings, erosion repair sites and pedestrian access points into the woodlot.

The Owner agrees to prepare detailed landscape construction drawings and implement the Streetscape and Open Space Landscape Master Plan to the satisfaction of the City.

31. Prior to final approval, the owner shall provide a tree preservation 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. The owner shall not remove trees, without written approval by the City.

32. Prior to final approval of the plan, the owner shall prepare a detailed edge management plan study for the perimeter of woodlot block 1. The study shall include an inventory of all existing trees within an 8 metre zone inside the staked edges, and areas where the open space edges are disturbed, assessment of significant trees to be preserved and proposed methods of edge management and/or remedial planting shall be included. The owner shall not remove any vegetation without written approval by the City.

The owner shall provide a report for a 20 metre zone within all staked woodlot edges to the satisfaction of the TRCA and City, which identifies liability and issues of public safety and recommends woodlot/forestry management practices and removal of hazardous and all other trees as identified to be removed prior to assumption of the subdivision.

33. Prior to final approval, the owner shall agree to provide funding for streetscaping along Major Mackenzie Drive from Hill Street to the Railway crossing and the pedestrian overpass to the satisfaction of the City.

Cultural Services

34. Prior to final approval, the applicant must review the Cultural Heritage Resource Impact Assessment prepared for the property municipally known as 1850 Rutherford Road with Culture Staff and Heritage Vaughan, the council-appointed committee for heritage related matters, addressing the mitigative options as outlined in the Assessment.

Toronto and Region Conservation Authority

35. Prior to the initiation of grading and prior to the registration of this plan or any phase thereof, that the Owner shall submit for the review and approval of the Toronto and Region Conservation authority (TRCA), the following:

A detailed report that describes the storm drainage system for the proposed development of the subject lands. This report shall include:

- Plans illustrating how this drainage system will tie into surrounding drainage systems, i.e., is it part of an overall drainage scheme? How will external flows be accommodated? What is the design capacity of the receiving system?;
- Stormwater management techniques which may be required to control minor or major flows;
- Proposed method for controlling or minimizing erosion and siltation on-site/or in downstream areas during and after construction;
- Location and description of all outlets and other facilities which may require a permit, pursuant to Ontario Regulation 158.

N.B. It is recommended that the applicant contact the Authority prior to preparing the above report to clarify the specific requirements for this development.

36. The submission of an edge management plan for the review of TRCA staff.
37. That the Owner agree in the subdivision agreement, in wording acceptable to the TRCA:
 - a) to carry out, or cause to be carried, to the satisfaction of the TRCA, the recommendations of the technical report referenced in Condition 35;
 - b) to maintain all stormwater management and erosion and sediment control structures operating in good repair during the construction period, in a manner satisfactory to the TRCA;
 - c) to obtain all necessary permit(s) pursuant to Ontario Regulation 158 from the TRCA.
38. A copy of the executed subdivision agreement should be provided to the TRCA when available in order to expedite the clearance of conditions of draft approval.

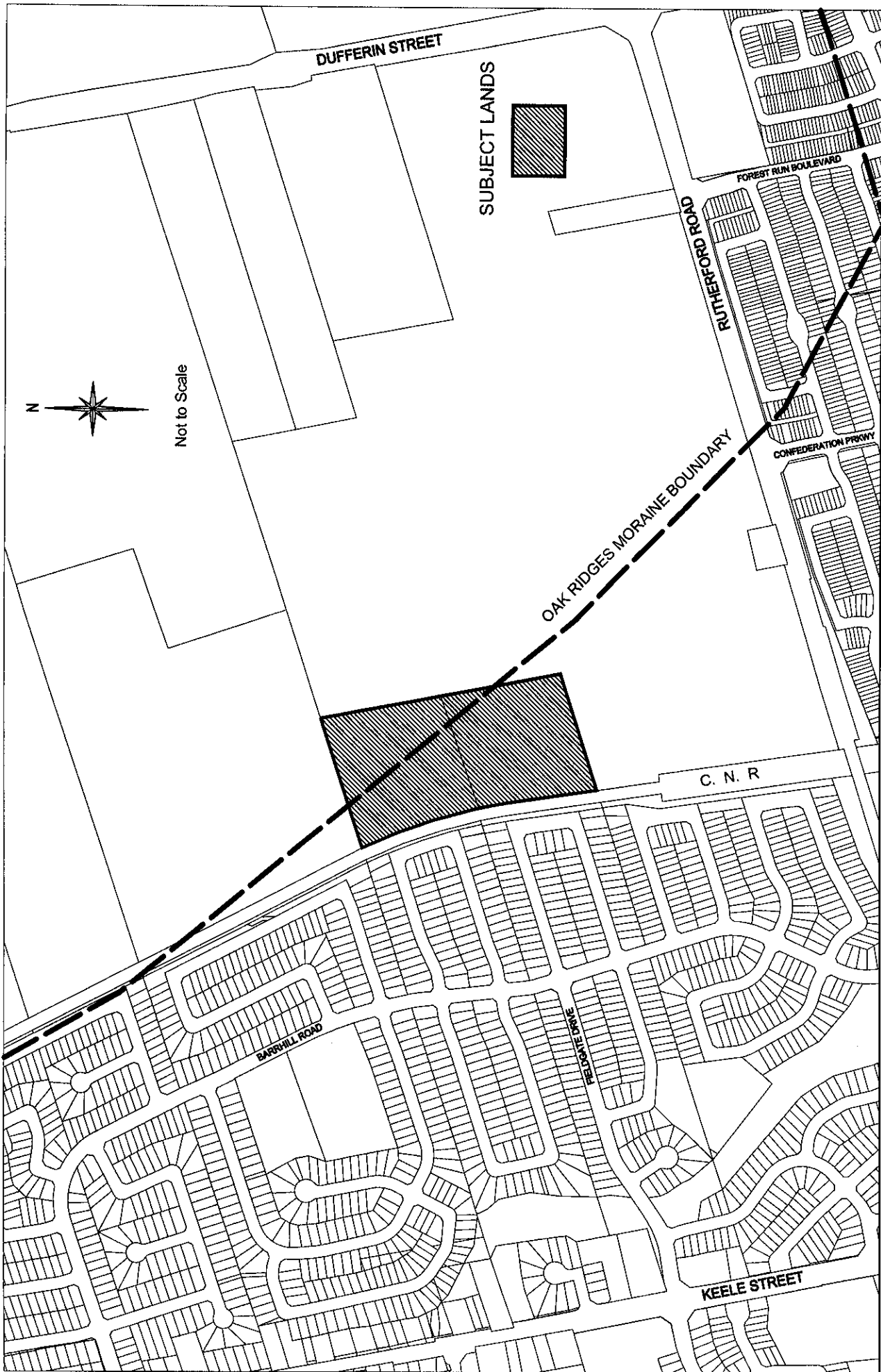
Go Transit

39. The Zoning By-law shall require a minimum building setback from the railway right-of-way of 30 metres in conjunction with a 2.5 metre high safety berm.
40. The Owner is required to engage a consultant to undertake an analysis of noise and vibration in order to recommend abatement measures necessary to achieve the maximum level limits set by the Ministry of the Environment and GO transit. Upon review and approval of the noise and vibration reports, all recommendations provided should be included in the subdivision agreement.
41. The Owner shall agree in the Subdivision Agreement, in wording satisfactory to GO Transit, to the following:
 - a) Construct and maintain an earthen berm a minimum of 2.5 metres above grade at the property line, having side slopes not steeper than 2.5 to 1, adjoining and parallel to the railway right-of-way with returns at the ends.
 - b) Construct and maintain an acoustic barrier along the top of the berm of a minimum combined height of 5.5 metres above top-of-rail. The acoustic fence is to be constructed without openings and of a durable material with a surface density not less than 20 kg/m². Subject to the review of the noise report, GO Transit may consider other measures recommended by an approved Noise Consultant.
 - c) Install and maintain a chain link fence of a minimum 1.83 metre height along the mutual property line.
 - d) That any proposed alterations to the existing drainage pattern affecting GO Transit property must receive prior concurrence from GO Transit and be substantiated by a drainage report to the satisfaction of GO Transit. Due to the location of the proposed stormwater management, we request to review the stormwater management report.
42. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have the sole responsibility for and shall maintain these measures to the satisfaction of GO Transit.

43. The Owner shall enter into an Agreement with GO Transit that will stipulate how GO Transit's concerns will be resolved and will pay GO Transit's reasonable costs in preparing and negotiating the agreement.

Other Conditions

44. The City shall advise that Conditions 1 to 34 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
45. The Toronto and Region Conservation Authority shall advise that Conditions 35 to 38 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
46. GO Transit shall advise that Conditions 39 to 43 inclusive, have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.



Location Map

Part Lot 17,
Concession 3
APPLICANT:
BLOCK 18 TREES INC.



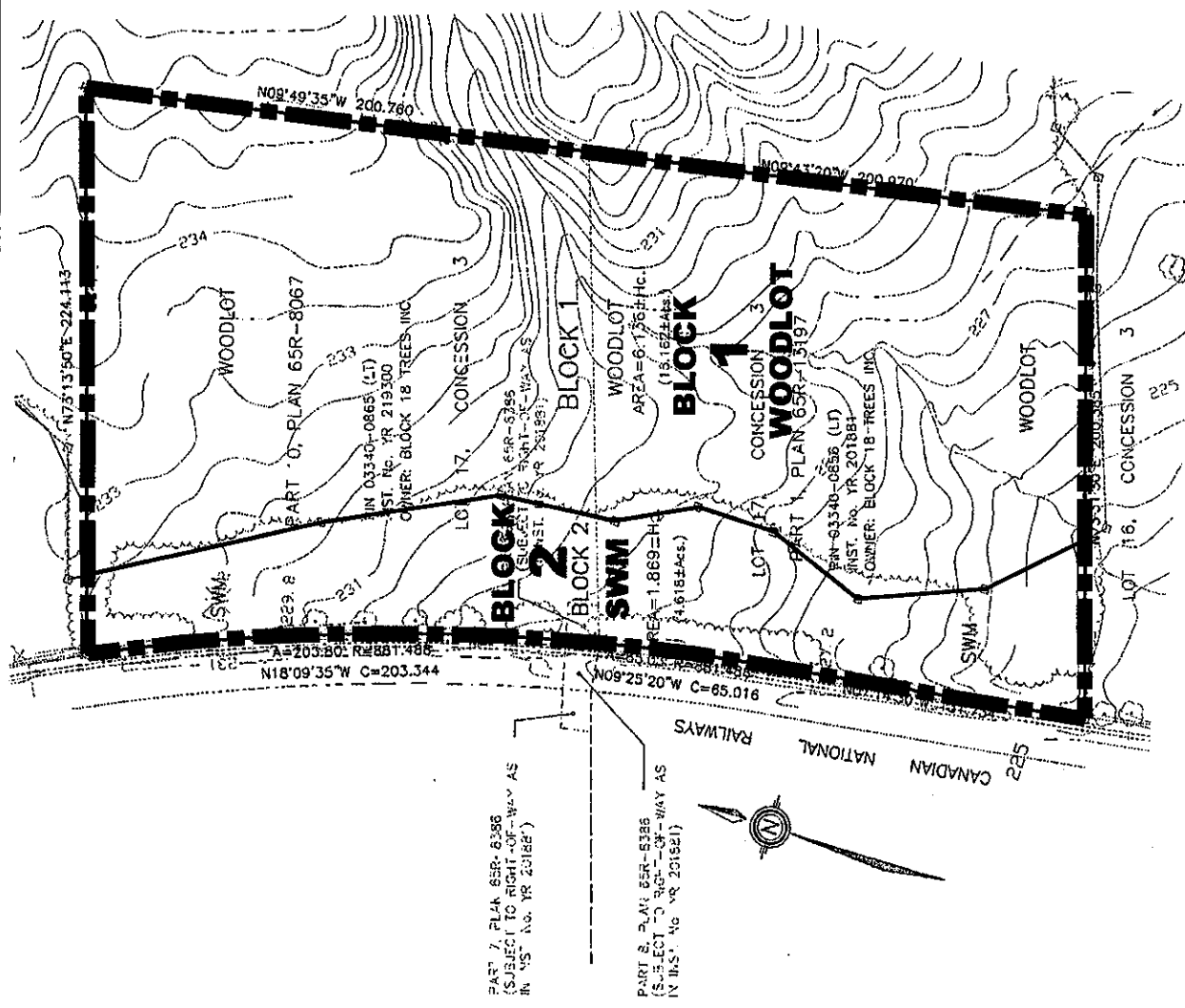
Community Planning Department

Attachment

2

FILE No.:
19T - 00V20 &
Z.00.095

December 1, 2003



SUBJECT LANDS



Not to Scale

Draft Plan of Subdivision

Part Lot 17,
Concession 3
APPLICANT:
BLOCK 18 TREES INC.



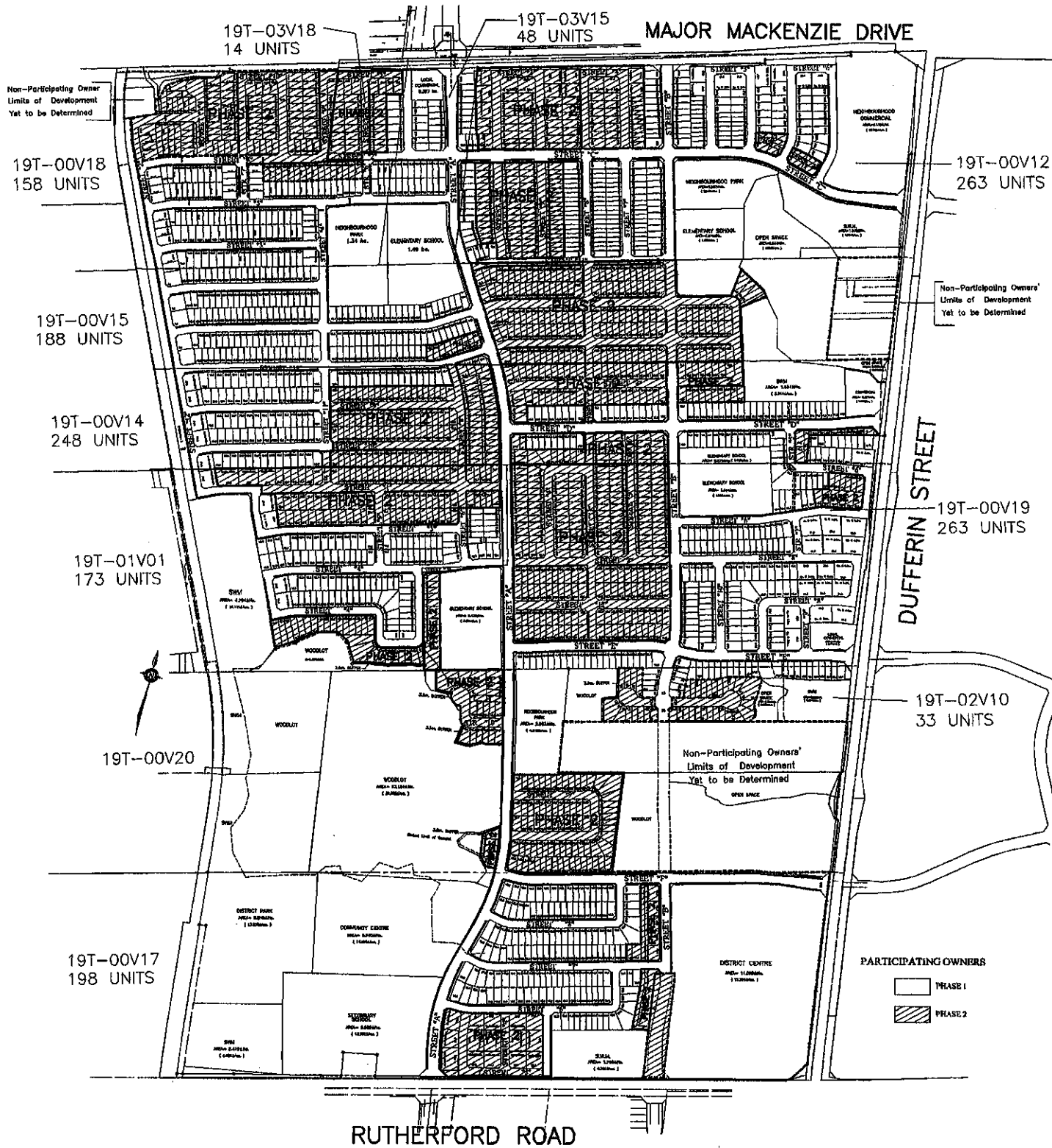
Community Planning Department

Attachment

3

FILE No.:
19T - 00V20 &
Z:00.095
June 16, 2004

BLOCK 18 PHASING PLAN



Not to Scale

Block 18 Phasing Plan

Lots 16 - 20,
Concession 3

City of
Vaughan

Community Planning Department

Attachment

June 10, 2004

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