Committee of the Whole (Public Meeting) Report

DATE: Monday, May 30, 2022 **WARD(S):** 1

TITLE: **NASHVILLE TEN ACRES DEVELOPMENTS INC. AND NASHVILLE DEVELOPMENTS (BARONS) INC.**
ZONING BY-LAW AMENDMENT FILE NO. Z.22.001
NORTHEAST CORNER OF MACTIER DRIVE AND BARONS STREET
VICINITY OF HUNTINGTON ROAD AND MACTIER DRIVE

FROM:
Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and the Committee of the Whole on an application to amend Zoning By-law 1-88 and Zoning By-law 001-2021 for the subject lands shown on Attachment 1, to permit the development of 15, 2-storey street townhouse units as shown on Attachments 2 to 6.

Report Highlights

- The Owner proposes 15, 2-storey street townhouse units
- A Zoning By-law Amendment application is required to permit the proposed development
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development Planning Department at a future Committee of the Whole meeting

Recommendations

1. THAT the Public Meeting report for Zoning By-law Amendment File Z.22.001(Nashville Ten Acres Developments Inc. and Nashville Developments (Barons) Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: The 0.35 ha vacant subject lands are located at the northeast corner of Mactier and Barons Street (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: February 11, 2021

Date application was deemed complete: January 26, 2022

Council Draft Approved a portion of the Subject Lands through Draft Plan of Subdivision File 19T-10V004 for an Open Space Public Square

- On November 17, 2015, Council ratified the November 3, 2015 recommendation of the Committee of the Whole to draft approve Draft Plan of Subdivision File 19T-10V004 Phase 4
- Block 1175 in Plan of Subdivision File 19T-10V004 Phase 4, identified as Block 125 on Plan 65M-4556 ('Block 125'), was draft approved for a proposed open space public square and was subsequently zoned "OS2 Open Space Park Zone"
- Plan of Subdivision File 19T-10V004 Phase 4 was registered as Plan 65M-4556 on May 18, 2017
- The Parks Infrastructure Planning and Development Department confirmed on March 18, 2022 that Block 125, shown on Attachment 2, is surplus to the local parkland requirement and therefore can be conveyed back to the Owner
- The Owner consolidated Block 125 with Block 106 on Plan 65M-4556 ('Block 106') and Part of Block 245, Plan 65M-4672 ('Block 245'), shown on Attachment 2, to develop 15 street townhouse units
- A 1.58 ha neighbourhood park and 1.1 ha linear greenway parks are located north on Barons Street, shown on Attachment 1

A Zoning By-law Amendment Application has been submitted to permit the proposed development

The Owner has submitted Zoning By-law Amendment File Z.22.001 (the 'Application') to rezone the Subject Lands as follows:

- From "RVM2 Residential Urban Village Multiple Dwelling Zone Two" and OS2 Open Space Park Zone, subject to site-specific Exception 9(1376) in Zoning By-law 1-88 to "RVM2 Residential Urban Village Multiple Dwelling Zone Two" in Zoning By-law 1-88 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report.

- From "RM1(H)-1006 Multiple Unit Residential Zone" with the addition of the Holding Symbol (H) and "OS1-1006 Public Open Space Zone" in Zoning By-law 001-2021 to "RT1 Townhouse Residential Zone" in Zoning By-law 001-2021 in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this report.

The Application would permit the development of 15, 2-storey street townhouse units with access onto Mactier Drive, Barons Street and Ghent Drive (the 'Development'), as shown on Attachments 2 to 6.

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

a) Date the Notice of Public Meeting was circulated: May 6, 2022.

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and Notice Signs were installed along Mactier Drive, Barons Street and Ghent Drive in accordance with the City's Notice Signs Procedures and Protocols.

b) Circulation Area: To all property owners within 200 m of the Subject Lands and to the Kleinburg and Area Ratepayers Association and to anyone on file with the Office of the City Clerk having requested notice.

c) The following is a summary of written comments received as of May 17, 2022, by the Development Planning Department:

- Suli Zhang and Bai Zhu, Ghent Drive, dated April 7, 2022

The comments are organized by theme as follows:

No commercial uses for the residents in the area

- Residents were advised at the time of purchasing the residential dwelling units that the Subject Lands might have ground floor commercial uses and upper floor residential uses
- Commercial uses would benefit the residents as no commercial uses are in the vicinity of the community

Any additional written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

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

May 10, 2011, Committee of the Whole Meeting (Item 30, Report 25)

November 15, 2011, Committee of the Whole Meeting (Item 13, Report 50)

November 3, 2015, Committee of the Whole (Item 10, Report 40)

June 5, 2018, Committee of the Whole (Item 40, Report 21)

Analysis and Options

The Development conforms with Vaughan Official Plan 2010

Official Plan Designation:

- "Community Area" on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 ('VOP 2010')
- "Mid-Rise Mixed Use "A"" on Map 12.7.A Block 61 West – Nashville Heights – Land Use by Volume 2, Area Specific Policy 12.7, Block 61 West – Nashville Heights
- This designation permits buildings at a maximum building height of 5-storeys and a maximum floor space index of 1.75 times the area of the Subject Lands
- The designation permits the townhouse dwelling units

Amendments to Zoning By-law 1-88 and Zoning By-law 001-2021 are required to permit the Development

Zoning:

- "RVM2 Residential Urban Village Multiple Dwelling Zone Two" and "OS2 Open Space Park Zone" by Zoning By-law 1-88, and subject to site-specific Exception 9(1376)
- These zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to "RVM2 Residential Urban Village Multiple Dwelling Zone Two" together with the following site-specific zoning exceptions shown on Table 1:

Table 1

	Zoning By-law 1-88 Standard	RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirement and Subject to Site-Specific Exception 9(1376) (Subject to the RT1 Residential Townhouse Zone Standard Lot Requirements)	Proposed Exceptions to the RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirements and Subject to Site-Specific Exception 9(1376) (Subject to the RT1 Residential Townhouse Zone Standard Lot Requirements)
a.	Minimum Front Yard (Yard area not in front of the attached garage)	4.5 m	4.2 m
b.	Minimum Rear Yard Setback	7.5 m (Unit 3, Block 2)	5.2 m (Unit 3, Block 2)
c.	Maximum Building Height	11 m	11.5 m (In the case of Flat or Mansard Roof the Highest Point of the

	Zoning By-law 1-88 Standard	RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirement and Subject to Site-Specific Exception 9(1376) (Subject to the RT1 Residential Townhouse Zone Standard Lot Requirements)	Proposed Exceptions to the RVM2 Residential Urban Village Multiple Dwelling Zone Two Requirements and Subject to Site-Specific Exception 9(1376) (Subject to the RT1 Residential Townhouse Zone Standard Lot Requirements)
			Roof Surface or in the case of a Gable, Hip or Gambrel Roof the Mid-Point the Roof)
d.	Minimum Landscaped Area for a Lot with Frontage between 6 m to 11.99 m	33% landscaped front or exterior yard with a minimum of 60% being soft landscaping	30% landscaped front or exterior yard with a minimum of 60% being soft landscaping

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 Ontario Land Tribunal ('OLT') in respect of By-law 001-2021 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.

Zoning:

- "RM1(H)-1006 Multiple Unit Residential Zone" with the addition of the Holding Symbol (H) and "OS1-1006 Public Open Space Zone
- These zones do not permit the Development
- The Owner proposes to rezone the Subject Lands to "RT1 Townhouse Residential Zone" together with the following site-specific zoning exception shown on Table 2 to permit the Development:

Table 2

	Zoning By-law 001-2021 Standard	RT1 Townhouse Residential Zone Requirement	Proposed Exceptions to the RT1 Townhouse Residential Zone Requirement
a.	Minimum Rear Yard Setback	7.5 m	7 m (Units 1 to 4 on Block 1 and Units 1 and 2 on Block 2 5.2 m (Unit 3, Block 2)
b.	Maximum Building Height	11 m	11.5 m
c.	Maximum Lot Coverage	50%	60%
d.	Maximum Encroachment of Porch, including access stairs from grade into the Front Yard, Rear Yard and Exterior Side Yard	2.0 m but no closer than 1.2 m from the lot line	3.0 m but no closer than 1.2 m from the lot line
e.	Minimum Landscaped Area for a Lot with Frontages between 6 m to 11.99 m	33% landscaped front or exterior yard with a minimum of 60% being soft landscaping	30% landscaped front or exterior yard with a minimum of 60% being soft landscaping
f.	Permitted Uses	Street Townhouse Dwellings that may include a Home Occupation is not permitted	Permit Street Townhouse Dwellings, which shall be subject to the RT1 Residential Townhouse Zone Requirements in Subsection 5.9 and 7.3.2 and Table 7-2 The following commercial uses in addition to Street Townhouse Dwellings shall be

	Zoning By-law 001-2021 Standard	RT1 Townhouse Residential Zone Requirement	Proposed Exceptions to the RT1 Townhouse Residential Zone Requirement
			permitted, but only as a home occupation: i) Business or Professional Office ii) Personal Service Shop iii) Retail Store Provided that: i) The business or professional office use shall not include a body-rub parlour or veterinary clinic; ii) The office of a physician, dentist or regulated health professional shall be used for consultation and emergency treatment only and not as a clinic or hospital; iii) The commercial use shall not exceed a maximum of three (3) persons engaged in the use, and at least one of the employees shall be a resident in the said dwelling; iv) A maximum of one commercial use may be permitted per dwelling unit, and shall not exceed a maximum of 25% of the gross floor area of the dwelling unit; and v) The home occupation parking space requirement in Subsection 6.3.5 shall apply.

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a comprehensive report at a future Committee of the Whole meeting.

Following a preliminary review of the applications, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	▪ The Application will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the 'PPS'), A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended (the 'Growth Plan') and the policies of the York Region Official Plan, 2010 ('YROP') and VOP 2010, Volume 2, Area Specific Policy 12.7, Block 61 West – Nashville Heights
b.	Appropriateness of Amendments to the Zoning By-laws	▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses
c.	Studies and Reports	▪ The Owner submitted studies and reports in support of the Applications available on the city's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the application review process
d.	Allocation and Servicing	▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council
e.	Urban Design Guidelines / Landscape Master Plan	▪ The Development will be reviewed in consideration of the following: ▪ City of Vaughan City-wide Urban Design Guidelines ▪ the Block 61 West Nashville Heights Architectural Design Guidelines prepared by John G. Williams Limited, Architect, and ▪ the Block 61 West Nashville Heights Landscape Master Plan prepared by NAK Design Strategies
f.	Public Agency/Municipal Review	▪ The Applications must be reviewed by York Region, external public agencies and utilities, and the Public, Separate, and French School Boards

	MATTERS TO BE REVIEWED	COMMENT(S)
g.	Parkland Dedication	▪ The Application will be reviewed in consideration of the requirements of the *Planning Act* and the City of Vaughan's Parkland Dedication Policy
h.	Related Site Development Application DA.21.071	▪ The Owner has submitted related Site Development File DA.21.071 for the street townhouse dwellings located along Barons Street, as shown in Attachments 3 to 6. Subsection 6 a) v) i) of Site Plan Control By-law 123-2013 delegates the approval of street townhouses to the Deputy City Manager, Planning and Growth Management ▪ A Site Development Application will be required for the portion of the Subject Lands fronting Ghent Drive ▪ The Owner submitted Part Lot Control Application File PLC.22.001 for the Subject Lands to create lots for the street townhouses and/or establish maintenance easements
i.	Tree Inventory and Preservation/Forest Edge Management Plan and Report	The Tree Inventory and Preservation/Forest Edge Management Plan and Report dated July 25, 2016 and prepared by Kuntz Forestry Consulting Inc. ('KFCI') in support of the Development identifies two (2) trees being a Black Walnut and a Manitoba Maple that require removal. Restoration planting would be addressed within the 10 m Open Space Buffer areas of Plan of Subdivision 19T-17V007, should the Application be approved

Financial Impact

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

Broader Regional Impacts/Considerations

The Application has been circulated to the York Region Community Planning and Development Services Department for review and comment. York Region has determined the Application to be a matter of local significance and does not have any comments to provide.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Application will be considered in the technical review of the Application. Comments from the public and Vaughan Council expressed at the Public

Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Context & Location Map
2. Proposed Zoning
3. Proposed Zoning and Site Plan - File DA.21.071
4. Landscape Plan - File DA.21.071
5. Building Elevations - Block 1 (File DA.21.071)
6. Building Elevations - Block 2 (File DA.21.071)

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