

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 6, 2022 **WARD(S):** 1

TITLE: NASHVILLE MAJOR DEVELOPMENTS INC.
ZONING BY-LAW AMENDMENT Z.22.027
BLOCK 226 AND PART OF BLOCK 227, PLAN 65M-4373
VICINITY OF MAJOR MACKENZIE DRIVE AND HUNTINGTON
ROAD

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.22.027. The Owner proposes to rezone the subject lands to permit an 8,315 m² commercial retail development consisting of five (5) buildings, as shown on Attachments 1 to 9.

Report Highlights

- The Owner proposes to amend Zoning By-law 1-88 and 001-2021 to permit five (5) commercial retail buildings.
- 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 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.22.027 (Nashville Major Developments 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: Block 226 and Part of Block 227, Plan 65M-4373 (the 'Subject Lands'), located on the north-west corner of Major Mackenzie Drive and Barons Street. The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: March 31, 2022

Date applications were deemed complete: October 25, 2022

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

Nashville Major Developments Inc. (the 'Owner') has submitted Zoning By-law Amendment File Z.22.027 (the 'Application') to permit an 8,315 m² commercial retail development consisting of five (5) buildings (the 'Development'), as shown on Attachments 2 to 9, through the following amendments:

- a) amend Zoning By-law 1-88 to rezone the Subject Lands from "A – Agricultural" and "OS1 – Open Space Conservation Zone" to "C5 – Community Commercial" in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 of this report; and
- b) amend Zoning By-law 001-2021 to rezone the Subject Lands from "A – Agriculture Zone" and "OS1 – Public Open Space Zone" to "GC – General Commercial Zone" as shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 of this report.

The Subject Lands are located in the approved Block 61 West Plan

Vaughan Council on May 24, 2011, approved the Nashville Heights Block 61 West Plan ('Block Plan'), with subsequent modifications approved on June 28, 2022, as shown on Attachment 10. The Block Plan provides the basis for land uses, housing mix, environmental protection, servicing infrastructure, transportation (road) network, public transit, urban design, and phasing for Block 61 to manage growth.

The Block Plan identifies the Subject Lands as "Commercial/Mixed Use" and "SWM 2". As the Development proposes to encroach 10 m into the adjacent stormwater management pond, the Block Plan will require a minor modification to the lot area and boundaries of the "SWM 2" block and "Commercial/Mixed Use" block, should the Application be approved.

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

- a) Date the Notice of Public Meeting was circulated: November 11, 2022.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and Notice Signs were installed along each street frontage, being Major Mackenzie Drive, Barons Street and Moody Drive, in

accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: To all property owners within 150 m of the Subject Lands and to the Kleinburg & Area Ratepayers' Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of November 22, 2022, by the Development Planning Department.

Any 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

[November 15, 2011 Committee of the Whole Report – Zoning By-law Amendment File Z.10.031 and Draft Plan of Subdivision File 19T-10V004 \(Nashville Developments Inc.\)](#)

[May 10, 2011 Committee of the Whole Report – Block 61 West \(Nashville Heights\), Block Plan File BL.61.2009, Malone Given Parsons Ltd. – Agent](#)

[November 15, 2011 Committee of the Whole Report – Block 61 West \(Nashville Heights\) Block Plan Conditions Report, Block Plan File BL.61.2009](#)

Analysis and Options

The Development conforms to Vaughan Official Plan 2010

Official Plan Designation:

- “Community Area” and “Natural Areas and Countryside” on Schedule 1 – Urban Structure by Vaughan Official Plan 2010 (‘VOP 2010’)
- “Mid-Rise Mixed-Use Area “C”” and “Natural Areas”, within the Major Mackenzie Drive Alignment Special Study Area by VOP 2010, Volume 2, Section 12.7 – Block 61 West - Nashville Heights, Schedule A
- In accordance with Policy 12.7.18.7, the location and widths of all valley and stream corridors, as shown on Map 12.7.A for Nashville Heights, is approximate and may change without requiring an amendment to VOP 2010
- The final alignment of Tributary ‘A’ and the “Natural Areas” designation of VOP 2010 traverses to the east of the Subject Lands, as shown on the Council approved Block Plan on Attachment 10
- The “Mid-Rise Mixed-Use Area “C”” designation permits residential, mixed-use residential-commercial, and commercial uses to serve the local community, and permits a residential density ranging from a minimum of 35 units per net residential hectare to a maximum of 150 units per net residential hectare
- The range of permitted commercial uses include a supermarket, pharmacy, retail store, eating establishments (convenience, take-out, convenience with drive-through), banks or financial institutions, and business or professional offices

- Policy 9.2.2.4.f identifies that for retail in “Mid-Rise Mixed-Use” areas within 70 metres of an area designated as “Low-Rise Residential”, low-rise buildings are a permitted building type
- Policy 12.7.5.10 identifies development within “Mid-Rise Mixed-Use Area “C”” and “Mid-Rise Mixed-Use Area “C”” within the Major Mackenzie Drive Alignment Special Study Area shall be subject to Architectural Control and in accordance with the Council approved Architectural Design Guidelines
- Policy 12.7.5.7 specifies requirements for a drive-through facility for an eating establishment, convenience with drive-through, including criteria that prohibits a drive-through associated with an eating establishment, convenience with drive-through to be located between a building and a street
- The proposed commercial uses are permitted within the “Mid-Rise Mixed-Use Area “C””

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 Bylaw 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 Zoning By-law 001-2021 and Zoning Bylaw 1-88, as amended.

The Application was received by the City on September 9, 2022, and as such, given Council’s direction on October 20, 2021, the Application is subject to a dual zoning review under Zoning By-law 1-88 and Zoning By-law 001-2021.

Amendments to Zoning By-law 1-88 are required to permit the development
Zoning:

- “A – Agricultural Zone” and “OS1 – Open Space Conservation Zone” by Zoning By-law 1-88, as shown on Attachment 1
- The proposed commercial uses are not permitted within the Agricultural and Open Space Zones
- The Owner proposes to rezone the Subject Lands to “C5 – Community Commercial Zone”, together with the following site-specific zoning exceptions in the manner shown on Attachment 2 to permit the Development:

Table 1:

| | Zoning By-law 1-88 Standard | C5 – Community Commercial Zone Requirement | Proposed Exceptions to the C5 – Community Commercial Zone Requirement |
|----|---|---|--|
| a. | Definition of Lot Line, Front | Means the street line, provided that in the case of a corner lot, the shorter street line is deemed to be the front lot line and provided further that in the case of a corner lot which has an abutting sight triangle the central point of the lot line abutting the sight triangle shall be deemed to be the point of intersection of the front and side lot lines (Major Mackenzie Drive) | The front lot line shall be deemed to be Barons Street |
| b. | Maximum Lot Area | 25,000 m ² | 36,300 m ² |
| c. | Minimum Front Yard (Barons Street) | 11 m | 3.75 m |
| d. | Minimum Rear Yard | 15 m | 10 m |
| e. | Minimum Exterior Yard | 11 m | 4.5 m |
| f. | Minimum Setback to "R" Residential Zone | 22.5 m | 12 m |
| g. | Minimum Landscaped Strip Width | <u>Abutting any Street Line:</u> 6 m | <u>Abutting any Street Line:</u> 3 m A drive-through stacking lane shall be permitted to encroach 1 m into the minimum landscape strip on the Barons Street frontage |

| | Zoning By-law 1-88 Standard | C5 – Community Commercial Zone Requirement | Proposed Exceptions to the C5 – Community Commercial Zone Requirement |
|----|--|---|---|
| | | | |
| h. | Permitted Yard Encroachments (Canopy) | 0.5 m into a required yard | 1 m into a required yard |
| i. | Minimum Parking Requirements | <u>Shopping Centre:</u> 6 spaces/100 m ² of GFA | <u>Shopping Centre:</u> 4 spaces/100 m ² of GFA |
| j. | Parking Space Dimensions | A parking space is defined as a rectangular area measuring at least 2.7 m by 6 m | A parking space shall measure at least 2.7 m by 5.7 m |
| k. | Accessible Parking Space Dimension | <p>A Type A Accessible Parking Space measuring a minimum of 3.4 m by 6 m</p> <p>A Type B Accessible Parking Space measuring a minimum of 2.4 m by 6 m</p> <p>An Accessible Access Aisle shall have a minimum width of 1.5 m and shall extend the full length of the parking space</p> | <p>A Type A Accessible Parking Space shall be a minimum of 3.4 m by 5.7 m</p> <p>A Type B Accessible Parking Space shall be a minimum of 2.4 m by 5.7 m</p> <p>An Accessible Parking Aisle shall be a minimum of 1.5 m by 5.7 m</p> |
| l. | Minimum Load Space Requirements | A loading space is required for Building B | No loading spaces shall be required for Building B |
| m. | Location of loading spaces | Where a lot is a through lot, loading and unloading shall take place anywhere on the lot except between a building and a Highway or arterial road | Loading and unloading may take place between Building A and Major Mackenzie Drive |

Amendments to Zoning By-law 001-2021 are required to permit the Development Zoning:

- “A – Agriculture Zone” and “OS1 – Public Open Space Zone”, subject to site-specific Exception 14.1006 by Zoning By-law 001-2021, as shown on Attachment 1
- The proposed commercial uses are not permitted within the Agriculture and Public Open Space Zones
- The Owner proposes to rezone the Subject Lands to “GC – General Commercial Zone”, together with the following site-specific zoning exceptions in the manner shown on Attachment 2 to permit the Development:

Table 2:

| | Zoning By-law 001-21 Standard | GC – General Commercial Zone Requirement | Proposed Exceptions to the GC – General Commercial Zone Requirement |
|----|---|---|--|
| a. | Definition of Lot Line, Front | In the case of a corner lot with two or more street lines of unequal lengths, the lot line which is the shorter of the two lot lines shall be deemed to be the front lot line (Major Mackenzie Drive) | The front lot line shall be deemed to be Barons Street |
| b. | Minimum Front Yard (Barons Street) | 4.5 m | 3.75 m |
| c. | Minimum Rear Yard | 12 m | 10 m |
| d. | Minimum Landscaped Strip Width | <u>Abutting a Residential or Open Space Zone (Interior and Rear Yard):</u> 6 m | <u>Abutting a Residential or Open Space Zone (Interior and Rear Yard):</u> 3 m A drive-through stacking lane shall be permitted to encroach 1 m into the minimum landscape strip on the Barons Street frontage |
| e. | Permitted Yard Encroachments (<u>Attached Canopy</u>) | 0.6 m into a required yard | 1 m into a required yard |

| | Zoning By-law 001-21 Standard | GC – General Commercial Zone Requirement | Proposed Exceptions to the GC – General Commercial Zone Requirement |
|----|--|---|--|
| f. | Minimum Parking Requirements | <u>Shopping Centre</u> 4.5 spaces/100 m ² of GFA | <u>Shopping Centre</u> 4 spaces/100 m ² of GFA |
| g. | Minimum Bicycle Parking Requirements | <u>Commercial Use/Retail and Shopping Centre:</u> 0.05 long-term spaces/100 m ² of GFA | No long-term bicycle parking spaces shall be required |
| h. | Minimum Load Space Requirements | A loading space Type B is required for Building B | No loading spaces shall be required for Building B |
| i. | Location of Stacking Lane | No part of a stacking lane shall be located in the front yard | A stacking lane may be located in the front yard |

Additional zoning exceptions may be identified through the detailed review of the Application and will be considered in a technical report to 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 | <ul style="list-style-type: none"> ▪ 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, Section 12.7 – Block 61 West – Nashville Heights |
| b. | Appropriateness of Amendments to Zoning By-laws 1-88 and 001-2021 | <ul style="list-style-type: none"> ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses ▪ The Development encroaches 10 m into the adjacent SWM pond lands currently zoned "OS1". Approval from the Development Engineering Department and the Toronto and Region Conservation Authority is required prior to rezoning |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--------------------------------|---|
| | | the lands to commercial and prior to the conveyance of these lands back to the Owner. |
| c. | Studies and Reports | <ul style="list-style-type: none"> ▪ 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. | Urban Design Guidelines | <ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the Block 61 West Nashville Heights Architectural and Urban Design Guidelines prepared by John G. Williams Limited Architect and dated June 2011 |
| e. | Stormwater Management | <ul style="list-style-type: none"> ▪ The subject lands are proposing to encroach 10 meters into the SWM pond block to the west to allow for a greater development area for the proposed site plan. The development will then propose a direct connection from the site to the adjusted SWM Pond ▪ The Owner shall consider removing the direct connection to the pond and utilize the existing storm control manholes provided for the block to meet City of Vaughan Site Plan Design Criteria. The DE Department prefers the minor storm drainage to outlet to the existing storm connections along Baron Street as per the subdivision design to ensure the minor drainage is out letting to the SWM pond through the forebay to ensure the SWM pond can treat for erosion and quantity as it was designed to ▪ The removal of the direct connection will reduce the need for additional infrastructure the City will have to assume and maintain for the SWM pond in the future |
| f. | Access | <ul style="list-style-type: none"> ▪ The right-in/right-out access to the Subject Lands proposed via Major Mackenzie Drive West shall be reviewed in consultation with York Region and the Ministry of Transportation Ontario |
| g. | Public Agency/Municipal Review | <ul style="list-style-type: none"> ▪ The Application must be reviewed by York Region, the Toronto and Region Conservation Authority, the Ministry of Transportation Ontario, and external public agencies and utilities |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
|----|--------------------------------------|---|
| h. | Sustainable Development | <ul style="list-style-type: none"> The Application will be reviewed in consideration of the City of Vaughan's Policies and Sustainability Metrics Program. The Development shall achieve a minimum Bronze score of 31 |
| i. | Source Water Protection Area | <ul style="list-style-type: none"> The Subject Lands are located within an area subject to the Source Protection Plan (SPP). The SPP under the <i>Clean Water Act</i>, 2006, developed for the Credit Valley, Toronto and Region and Central Lake Ontario (CTC) Source Protection Region, took effect on December 31, 2015. The proposed works are in a vulnerable area referred to as a Wellhead Protection Area – Q2 (WHPA-Q2) Development of the Subject Lands are subject to the REC-1 part 1 policy of the CTC SPP. In accordance with the REC-1 part 1 policy, new development is required to implement best management practices, such as Low Impact Development (LID), with the goal of maintaining predevelopment recharge |
| j. | Parkland Dedication | <ul style="list-style-type: none"> The Application will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy |
| k. | Related Site Development Application | <ul style="list-style-type: none"> The Owner has submitted related Site Development File DA.22.055 to be reviewed with the Application in a future technical report |

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. Any issues will be addressed when the technical report is considered.

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 Applications. 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 Michael Torres, Planner, Development Planning Department, ext. 8933.

Attachments

1. Context and Location Map
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Elevations – Building A1
5. Elevations – Building A2
6. Elevations – Building B
7. Elevations – Building C
8. Elevations – Building D
9. Elevations – Building E
10. June 28, 2022 Council Approved Block Plan 61 West - Revised

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