

Item: 3



## Committee of the Whole (Public Hearing) Report

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**DATE:** Tuesday, March 05, 2019

**WARD:** 1

**TITLE: ZONING BY-LAW AMENDMENT FILE Z.18.037  
NASHVILLE DEVELOPMENTS (NORTH) INC.  
VICINITY OF HUNTINGTON ROAD AND EAST'S CORNERS  
BOULEVARD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To receive comments from the public and the Committee of the Whole on Zoning By-law Amendment File Z.18.037 for the Subject Lands shown on Attachments 1 and 2, to rezone Block 56 on Registered Plan 65M-4564 from "OS1 Open Space Conservation Zone" to "RD4(H) Residential Detached Zone Four", subject to Exception 9(1376), with the addition of the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone" to facilitate five lots for detached dwelling units and maintain valley/open space lands as shown on Attachments 3 to 5.

**Report Highlights**

- The Owner proposes to rezone Block 56 on Registered Plan 65M-4564 from "OS1 Open Space Conservation Zone" to "RD4(H) Residential Detached Zone Four", subject to Exception 9(1376), with the addition of the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone" to be combined with the adjacent part lots to the north in Draft Approved Plan of Subdivision File 19T-16V010, specifically Blocks 129 to 133 inclusive, to facilitate five full lots for detached dwelling units and to maintain valley/open space lands.
- An amendment to Zoning By-law 1-88 is required to rezone the Subject Lands.
- A technical report to be prepared by the Development Planning Department will be considered at a future Committee of the Whole meeting.

## **Recommendations**

1. THAT the Public Hearing report for Zoning By-law Amendment File Z.18.037 (Nashville Developments (North) 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**

The Subject Lands (the 'Subject Lands') are located east of Huntington Road, north of East's Corners Boulevard, shown as "Subject Lands" on Attachments 1 and 2. The surrounding land uses are shown on Attachment 2.

### ***A Zoning By-law Amendment application has been submitted to rezone the Subject Lands to facilitate the creation of five full lots for residential development***

The Owner has submitted Zoning By-law Amendment File Z.18.037 (the 'Application') to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from "OS1 Open Space Conservation Zone" to "RD4(H) Residential Detached Zone Four", subject to Exception 9(1376), with the addition of the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone" to facilitate five full lots for detached dwelling units which are to develop with the adjacent lands to the north and to maintain valley/open space lands, as shown on Attachments 3 to 5, together with the site-specific zoning exceptions identified in Table 1 of this report.

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

- a) Date the Notice of Public Hearing was circulated: February 8, 2019.  
The Notice of Public Hearing was also posted on the City's web-site at [www.vaughan.ca](http://www.vaughan.ca) and a Notice Sign installed on the property 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 and Area Ratepayers' Association.
- c) Comments Received: None.

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. All written comments that are received will be reviewed by the Development Planning Department as input in the application review process and will be addressed in the final technical report at a future Committee of the Whole meeting.

## **Previous Reports/Authority**

[June 18, 2018 Committee of the Whole - Pinestaff Developments Inc.](#)

[September 19, 2017 Committee of the Whole - Nashville Developments \(North\) Inc.](#)

## **Analysis and Options**

### ***The proposed rezoning of the Subject Lands conforms to Vaughan Official Plan 2010 (VOP 2010)***

The Subject Lands are designated "Low-Rise Residential" and "Natural Areas" by Vaughan Official Plan 2010 (VOP 2010), specifically Volume 2, Section 12.7 - Block 61 West Nashville Heights. The "Low-Rise Residential" designation permits detached dwellings having a maximum building height of three-storeys. The proposed rezoning of the Subject Lands to "RD4(H) Residential Detached Zone Four" with site-specific exceptions and the addition of the Holding Symbol "(H)" conforms to the "Low-Rise Residential" designation policies of VOP 2010.

The "Natural Area" designation permits valley and stream corridors, wetlands and woodlands. Sections 12.7.8.2 and 12.7.18.7 of VOP 2010 states that "the location and widths of all valley and stream corridors are approximate and may change without requiring an amendment to the Official Plan". The Owner proposes to modify the "Natural Area" designation boundary of VOP 2010 to allow the Subject Lands to develop with Blocks 129 to 133 in Draft Plan of Subdivision File 19T-16V010, that are zoned "RD4(H) Residential Detached Zone Four" with the addition of the Holding Symbol "(H)".

In Draft Plan of Subdivision File 19T-16V010, the Owner modified the "Natural Areas" designation as part of on-going negotiations with the Toronto and Region Conservation Authority ('TRCA') regarding adjustments to the development limits, specifically as it relates to the central Tributary "A" corridor within the Block 61 West Plan. Tributary "A", located within Draft Plan of Subdivision File 19T-16V010, included two man-made ponds that were originally created for agricultural purposes. These ponds were subject to previous discussions with the TRCA and City Staff regarding potential alteration to eliminate long-term maintenance issues associated with the existing berms and outfalls, to address liability issues associated with the steep pond side slopes and to reduce the amount of ponding that may be acting as a source of thermal impact to the watercourse downstream.

Through the Memorandum of Understanding for Draft Plan of Subdivision File 19T-16V010 between the Owner and TRCA dated December 9, 2016, it was agreed that the man-made ponds and surrounding marsh and woodland would be decommissioned and

replaced with a new enhanced Tributary "A" valley corridor, similar to earlier realignment and restoration work undertaken along Tributary "A" south of the lands subject to Draft Plan of Subdivision File 19T-16V010 and the Subject Lands. In exchange, the Owner will provide an extensive restoration plan and contribute \$2.5 million to TRCA for enhancement, restoration, planting and rehabilitation projects within the Nashville Conservation Reserve Management Plan area northeast of Nashville Road and Huntington Road.

The TRCA, in correspondence dated January 21, 2019, advised that as a result of the enhancement, restoration, planting and rehabilitation projects, Parts 1 to 5 of Block 56 shown on Attachment 5 no longer contain any natural features or hazards and the lands are outside of the associated buffer of the new enhanced Tributary "A" valley corridor. As such, TRCA staff have no objection to the rezoning of Parts 1 through 5 to "RD4 Residential Detached Zone Four". The TRCA further advised that Part 6 of Block 56 shown on Attachment 5 is located within the established buffer of the new enhanced Tributary "A" valley corridor. As such, the Owner must revise the Application to maintain the current zoning of Part 6 as "OS1 Open Space Conservation Zone".

As the TRCA has identified that Parts 1 to 5 of Block 56 no longer contain any natural features or hazards, the "Natural Area" designation can be adjusted and Parts 1 to 5 of Block 56 will be subject to the policies of the "Low-Rise Residential" designation in accordance with Policy 12.7.18.7 of VOP 2010. Part 6 of Block 56 will be subject to the policies of the "Natural Area" designation of VOP 2010. The proposed rezoning for the Subject Lands conforms to VOP 2010.

### ***The Low-Rise Guidelines do not apply to the Subject Lands***

The City initiated the Community Area Policy Review for Low-Rise Residential Designations, which has resulted in the Council adopted Urban Design Guidelines ('Guidelines') for Infill Development in Established Low-Rise Residential Neighbourhoods and the Community Area Policy Review for Low-Rise Residential Designations Study ('Study'). Council on October 19, 2016, approved the Guidelines, which serve to help clarify and implement Policy 9.1.2.3 of VOP 2010 related to compatibility.

The south portion of Parts 3 to 5 (Attachment 5) of the Subject Lands are designated "Low-Rise Residential" and are located within a "Community Area" as identified on Schedule 1, Urban Structure by VOP 2010. All of Parts 1 and 2, and the north portion of Parts 3 to 5 (Attachment 5) of the Subject Lands are designated "Natural Areas" by VOP 2010 and are located within a "Natural Area" as identified on Schedule 1, Urban Structure by VOP 2010. The Guidelines apply to Established Community Areas. The Subject Lands are not located in an Established Community Area and are located in a developing community through the Draft Plan of Subdivision and Zoning By-law Amendment application process. Accordingly, the Guidelines do not apply to the Development.

**Amendments to Zoning By-law 1-88 are proposed to permit the future residential development**

The Subject Lands are zoned "OS1 Open Space Conservation Zone" as shown on Attachment 2. Residential uses are not permitted in a "OS1 Open Space Conservation Zone" and therefore, an amendment to Zoning By-law 1-88 is required to rezone the Subject Lands to "RD4(H) Residential Detached Zone Four", subject to Exception 9(1376), with the addition of the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone" as shown on Attachment 3, together with the following site-specific zoning exceptions:

Table 1:

	<b>By-law Standard</b>	<b>RD4 Residential Detached Zone Four Requirements in By-law 1-88</b>	<b>Proposed RD4 Residential Detached Zone Four subject to Exception 9(1376) Requirements</b>
a.	Minimum Interior Side Yard	1.2 m	1.2 m on one interior side yard and either 0.6 m or 1.2 m on the other interior side yard
b.	Maximum Interior Garage Width	5 m	5.5 m

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 Application, the Development Planning Department has identified the following matters to be reviewed in greater detail:**

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
a.	Conformity with Provincial Policies, York Region and City Official Plans	<ul style="list-style-type: none"> <li>▪ The Application will be reviewed in consideration of the statutory Provincial policies including the <i>Provincial Policy Statement, 2014</i> ("PPS") and the <i>Growth Plan for the Greater Golden Horseshoe (2017)</i> (the "Growth Plan") and the policies of the York Region ("YROP") and the City of Vaughan Official Plans.</li> </ul>
b.	Appropriateness of Proposed Zone Categories("RD4(H) Residential Detached Zone Four" and"OS1 Open Space Conservation Zone") and Site-Specific Zoning Exceptions	<ul style="list-style-type: none"> <li>▪ The appropriateness of the proposed zone categories ("RD4(H) Residential Detached Zone Four", subject to Exception 9(1376), with the addition of the Holding Symbol "(H)" and "OS1 Open Space Conservation Zone") and the site-specific zoning exceptions identified in Table 1 will be reviewed in consideration of the existing and planned surrounding land uses, with particular consideration given to appropriate development standards.</li> <li>▪ Consistent zoning and development standards for the part blocks that will form full lots with the corresponding blocks in the subdivision to the north will be reviewed within the context of the approved Nashville Heights Block 61 West Plan.</li> <li>▪ Should the Application be approved, Parts 1 to 5 of the Subject Lands will be zoned with the Holding Symbol "(H)", in order for the zoning to be consistent with the zoning on Lots 129 to 133 in Draft Plan of Subdivision File 19T-16V010, which are zoned with the Holding Symbol "(H)".</li> <li>▪ The Holding Symbol "(H)" requires the Subject Lands and the Lots 129 to 133 in Draft Plan of Subdivision File 19T-16V010 to develop together.</li> </ul>
c.	Nashville Heights Block 61 West Plan and Approved and Registered Plans of Subdivision	<ul style="list-style-type: none"> <li>▪ The configuration of the residential part blocks must be reviewed to ensure coordination with the adjacent lands to the north of the Subject Lands, and the approved Block 61 West Plan.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
d.	Urban Design and Architectural Design Guidelines	<ul style="list-style-type: none"> <li>▪ Future residential development must conform to the approved Urban Design Guidelines and Architectural Design Guidelines for the Block 61 West Nashville Heights Community, prepared by John G. Williams Architect, should the Application be approved.</li> </ul>
e.	Approved Source Protection Plan	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located within the Wellhead Protection Area as identified in the approved Source Protection Plan, and as shown on Schedule 11 of VOP 2010, which provides policies for protecting drinking water sources/supply. The Owner is required to satisfy the requirements of York Region.</li> <li>▪ The Subject Lands are located within the WHPA-Q (Wellhead Protection Area - Recharge Management Area), Significant Groundwater Recharge Area and Highly Vulnerable Aquifer as identified in the approved Source Protection Plan which provides policies for protecting the drinking water sources/supply. The Owner is required to satisfy the requirements of the TRCA.</li> </ul>
f.	TRCA/Open Space/Valleylands Dedication/Development Limits	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located within the TRCA Regulated Area. The Owner is required to obtain all necessary permits from the TRCA pursuant to the <i>Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 166/06)</i>, as may be amended, to the satisfaction of the TRCA, should the Application be approved.</li> <li>▪ The Owner shall convey Part 6 as shown on Attachment 5 to the City or TRCA, free of all charges and encumbrances, as a condition of approval, as required by Section 3.2.3.10 of VOP 2010, if the Application is approved.</li> <li>▪ The Owner will be required to satisfy all requirements of the TRCA.</li> </ul>
g.	Tree Inventory and Preservation/Edge Management	<ul style="list-style-type: none"> <li>▪ The Tree Inventory and Preservation and Edge Management Plan and Report submitted in support of the Application identifies that a buffer will be provided</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
		<p>adjacent to the new enhanced Tributary "A". The proposed methods of edge management and/or remedial planting edge restoration treatment along the open space block, must be approved to the satisfaction of the TRCA.</p> <ul style="list-style-type: none"> <li>▪ No trees were identified in the Tree Inventory and Preservation and Edge Management Plan and Report on the Subject Lands.</li> <li>▪ The Tree Inventory and Preservation and Edge Management Plan and Report must be approved to the satisfaction of the TRCA and City.</li> </ul>
h.	Parkland Dedication	<ul style="list-style-type: none"> <li>▪ The Owner will be required to dedicate parkland or cash-in-lieu of parkland equivalent to 5% or 1 ha per 300 units, prior to the issuance of a Building Permit, in accordance with the <i>Planning Act</i> and the City's Cash-in-Lieu of Parkland Policy, if the Application is approved.</li> </ul>
i.	Water and Servicing Allocation	<ul style="list-style-type: none"> <li>▪ The availability of water and sanitary sewage servicing capacity for the proposed residential units must be identified and allocated by Vaughan Council, if the Application is approved. If servicing capacity is unavailable, the Holding Symbol "(H)" may be applied to the Subject Lands. Removal of the Holding Symbol will be conditional on servicing being identified and allocated by Vaughan Council.</li> </ul>
j.	Block 61 West Developers' Group Agreement	<ul style="list-style-type: none"> <li>▪ The Owner will be required to satisfy all obligations financial or otherwise of the Block 61 West Developers' Group Agreement to the satisfaction of the Block 61 West Trustee and the City of Vaughan.</li> </ul>
k.	Metrolinx (Go Train)/ Canadian Pacific Railway Noise Attenuation	<ul style="list-style-type: none"> <li>▪ The Subject Lands are located to the west of an existing Canadian Pacific ('CP') and Metrolinx rail corridor. The Owner will be required to provide any necessary noise mitigation measures to address the noise generated due to the railway uses to the satisfaction of Metrolinx and CP Railway.</li> </ul>

	<b>MATTERS TO BE REVIEWED</b>	<b>COMMENTS</b>
I.	Studies and Reports	<ul style="list-style-type: none"> <li>▪ The Owner has submitted the following studies and reports in support of the Application, which must be approved to the satisfaction of the City and/or respective public approval authority: <ul style="list-style-type: none"> <li>• Planning Justification Report</li> <li>• Tree Inventory and Preservation and Edge Management Plan and Report</li> <li>• Natural Heritage Evaluation Addendum Report</li> <li>• Sustainability Analysis and Metrics</li> </ul> </li> <li>▪ The requirement for additional studies/information may be identified through the development application review process.</li> </ul>
m.	Future Part Lot Control Application and Zoning By-law Amendment Application	<ul style="list-style-type: none"> <li>▪ A Part Lot Control Exemption Application is required to create the individual lots.</li> <li>▪ A Zoning By-law Amendment Application is required to remove the Holding Symbol "(H)" from the Subject Lands and the adjacent lands to the north in Draft Plan of Subdivision File 19T-16V010.</li> </ul>

### **Financial Impact**

Not Applicable.

### **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 Application, together with comments from the public and Vaughan Council expressed at the Public Hearing or in writing, and 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. Location Map
3. Proposed Zoning
4. Concept Plan
5. Plan of Survey

## **Prepared by**

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