

## Committee of the Whole Report

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**DATE:** Tuesday, June 04, 2019

**WARD:** 1

**TITLE: HIGHVIEW BUILDING CORP INC.  
OFFICIAL PLAN AMENDMENT FILE OP.16.009  
ZONING BY-LAW AMENDMENT FILE Z.16.036  
VICINITY OF NASHVILLE ROAD AND REGIONAL ROAD 27**

**FROM:**

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

**ACTION:** DECISION

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### **Purpose**

To seek endorsement from the Committee of the Whole for the Recommendations in this Report for Official Plan and Zoning By-law Amendment Files OP.16.009 and Z.16.036, which have been appealed to the Local Planning Appeal Tribunal, for the Subject Lands to permit 27 residential dwelling units consisting of 4 townhouse dwellings, 2 semi-detached dwellings and 19 detached dwellings (above-grade), and the retention of two heritage buildings all connected below-grade with access onto a private common element condominium road, as shown on Attachments 3 to 11.

### **Report Highlights**

- The Owner seeks endorsement from Committee of the Whole to permit 27 residential dwelling units consisting of 4 townhouse dwellings, 2 semi-detached dwellings and 19 detached dwellings (above-grade), and the retention of two heritage buildings all connected below-grade.
- Official Plan and Zoning By-law Amendment, and Draft Plan of Subdivision and Site Development applications are required to implement the development.
- The existing heritage buildings located on the Subject Lands are proposed to be preserved and integrated into the development.
- Staff recommends approval of Official Plan and Zoning By-law Amendment Files OP.16.009 and Z.16.036 as the development implements Provincial policies and Regional Official Plan policies and is considered to be compatible with the surrounding existing and planned land uses.

## **Recommendations**

THAT the Local Planning Appeal Tribunal be advised that City of Vaughan Council ENDORSES the following recommendations to permit a development consisting of 27 residential dwelling units as shown on Attachments 3 to 11:

1. THAT Official Plan Amendment File OP.16.009 (Highview Building Corp Inc.), BE APPROVED, to amend Vaughan Official Plan 2010, as follows:
  - a) Volume 2, Section 12.4, Kleinburg Core to redesignate Part 'A' of the Subject Lands shown on Attachment 2 from "Mainstreet Commercial" to "Village Residential";
  - b) Volume 1 to redesignate Part 'B' of the Subject Lands shown on Attachment 2 from "Natural Areas" to "Village Residential" in Volume 2, Section 12.4, Kleinburg Core;
  - c) Volume 1, Schedules 1, 2 and 13 to make the necessary mapping changes to implement the proposed development;
  - d) permit the following on the Subject Lands:
    - i) detached (above-grade), semi-detached and townhouse dwellings (all connected below-grade), whereas the Official Plan permits only detached dwelling units; and
    - ii) maximum building heights of 9.8 m (3-storeys) for Units 1 to 4, 7 and 8 and 10.65 m (3-storeys) for Units 9 to 27 as shown on Attachment 3, whereas the Official Plan permits 9.5 m (2.5 storeys).
2. THAT Zoning By-law Amendment File Z.16.036 (Highview Building Corp Inc.), BE APPROVED, to amend Zoning By-law 1-88, to rezone the Subject Lands from "R1 Residential Zone" and "OS2 Open Space Park Zone", as shown on Attachment 1 to "R5(H) Residential Zone" with the addition of the Holding Symbol "(H)" in the manner shown on Attachment 3, together with the site-specific zoning amendments identified in Table 1 in this report.
3. THAT the Holding Symbol "(H)" shall not be removed from Subject Lands or any portion thereof until the water, wastewater and sanitary servicing are identified for the Subject Lands as part of the draft plan of subdivision and site plan processes to the satisfaction of the City.
4. THAT should the Local Planning Appeal Tribunal ('LPAT') approve Official Plan Amendment File OP.16.009 and Zoning By-law Amendment File Z.16.036

(Highview Building Corp Inc.), either in whole or in part, that the LPAT withhold its final Order until such time that:

- a) the implementing Official Plan and Zoning By-law Amendments are prepared to the satisfaction of the City; and
- b) the Draft Plan of Subdivision File 19T-18V006 and Site Development File DA.18.028 for the Subject Lands have been approved by Vaughan Council, to the satisfaction of the City, and to incorporate any adjustments, if necessary, in the implementing documents.

## **Background**

The subject lands ('Subject Lands') are located on the southeast corner of Nashville Road and Regional Road 27 and are municipally known as 89 and 99 Nashville Road and 10,515 Regional Road 27, as shown on Attachment 1.

### ***The Owner appealed the Official Plan and Zoning By-law Amendment Applications to the Local Planning Appeal Tribunal ('LPAT')***

The Owner, on August 26, 2016, submitted Official Plan and Zoning By-law Amendment Applications for a 10-storey mixed-use building consisting of 472.4 m<sup>2</sup> of commercial uses and 173 apartment dwellings, and a stand alone 2-storey building consisting of a ground floor commercial area and an upper floor amenity area for residential users, as shown on Attachments 13 to 15. On May 18, 2017, the City received the Owner's appeal to the LPAT for the original development concept (Attachments 13 to 15), which the Owner subsequently revised (Attachments 3 to 11) and which is the subject of this report. LPAT Pre-hearing Meetings were held on October 26, 2017, April 3, 2018 and October 18, 2018, and on April 5, 2019 a Pre-hearing Teleconference was held to allow the Owner time to revise the Development and to allow for its consideration by the Heritage Vaughan Committee. The LPAT Hearing is scheduled for four days, beginning on October 8, 2019.

### ***The Owner submitted a revised Development Concept on April 10, 2018***

The original development proposal included a 10-storey building and two stand-alone buildings as shown on Attachments 13 to 15. The Owner, on April 10, 2018, submitted a revised development concept to permit 27 dwelling units, which was further revised (4 townhouse, 2 semi-detached and 21 detached dwelling units (above-grade)) including the retention of the existing heritage buildings at 89 and 99 Nashville Road with access onto a private common element condominium road (the 'Development') as shown on Attachment 3 to 11.

The applications (the 'Applications') were revised as follows:

1. Official Plan Amendment File OP.16.009 to redesignate the Subject Lands from “Mainstreet Commercial” and “Natural Areas” to “Village Residential”, in the manner shown on Attachment 2 including the following site-specific exceptions:
  - a) permit as additional uses detached (above-grade), semi-detached and townhouse dwellings (all connected below-grade), whereas the Official Plan permits only detached dwelling units; and
  - b) permit maximum building heights of 9.8 m (3-storeys) for Units 1 to 4, 7 and 8 and 10.65 m (3-storeys) for Units 9 to 27 as shown on Attachment 3, whereas the Official Plan permits 9.5 m (2.5 storeys).
2. Zoning By-law Amendment File Z.16.036 to rezone the Subject Lands from “R1 Residential Zone” and “OS2 Open Space Park Zone” to “R5(H) Residential Zone” with the addition of the Holding Symbol ‘(H)’ in the manner shown on Attachment 3, together with the site-specific zoning exceptions identified in Table 1.

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

On August 10, 2018, a Notice of a Public Hearing was circulated to all property owners within 250 m of the Subject Lands and to the Kleinburg and Area Ratepayers’ Association (‘KARA’). A copy of the Notice of Public Hearing was also posted on the City’s web-site at [www.vaughan.ca](http://www.vaughan.ca) and Notice Signs were installed on the property in accordance with the City’s Notice Signs Procedures and Protocols.

A Committee of the Whole (Public Hearing) was held on September 17, 2018, to receive comments from the public and the Committee of the Whole. The recommendation of the Committee of the Whole to receive the Public Hearing report of September 17, 2018, and to forward a comprehensive report to a future Committee of the Whole meeting was ratified by Vaughan Council on September 27, 2018.

Vaughan Council also directed that a community meeting be held with the Local and Regional Councillors, the Owner, the Ratepayers’ Association and residents. The community meeting was held on November 8, 2018. The following deputations were made at the Public Hearing and written submissions have been received by the Development Planning Department, for both the current and original development proposals:

**Deputations**

1. Yuriy Pelech, Bessant Pelech Associates Inc., Miraya Court, Mississauga, representing the Owner
2. Alfredo Casati, Rafael and Bigaukas Architects, Sheppard Avenue West, Toronto, representing the Owner

## Communications/Written Submissions

1. Kathryn Angus, Kleinburg and Area Ratepayers Association ("KARA"), dated July 23, 2018
2. Mark and Lorraine Inglis, Main Street, dated November 24, 2016
3. Valeria and Michael Mravyan, Lester B. Pearson, November 25, 2016

The following is a summary of to the comments provided in the written submissions received by the Development Planning Department, and responses to each:

- a) The Development provides for the consolidation of lands which is discouraged in the VOP 2010 Plan and the Kleinburg-Nashville Heritage Conservation District ('KNHCD') Plan.

Policy 12.4.4.7 of VOP 2010 states that the consolidation or severance of lands shall be discouraged, and any consolidation or severance is consistent with the existing lot pattern in the immediate area. The Official Plan does not state that the consolidation or severance of lands shall not occur. Also, the Owner submitted an Official Plan Amendment Application as the Development does not reflect the existing lot pattern as a new building form is being introduced into the community which did not exist at the time the policies were established for the Kleinburg-Nashville area.

- b) Vehicular access to the Subject Lands has not been addressed adequately in the traffic study and does not address the impact of the Doctor's House hotel when it is approved. Poor site visibility of approaching vehicles due to the steep grade of Nashville Road. The sharing of the driveway access with the Montessori School of Kleinburg ('MSK') for refuse/recycling collection poses a risk to children at the Montessori School.

The Development Engineering ('DE') Department has reviewed the Traffic Impact and Parking Study submitted in support of the Development and has no objection to the approval of the Applications. The DE Department advised that further information respecting sightline obstructions and additional background traffic analysis are to be provided as part of the subdivision and site plan review processes, should the Applications be approved.

The DE Department is satisfied with the provision of the service and loading access from Regional Road 27 through 10,515 Regional Road 27, the Montessori School of Kleinburg ('MSK'). The proposed access is only for the front portion of the long MSK driveway close to Regional Road 27 and the turning around of service vehicles will occur at this portion of the driveway, whereas the MSK main entrance and the car pick-up / drop-off is approximately 100 m further east of the service and loading access.

An easement registered on title is required in favour of the Owner from the owner of 10,515 Region Road 27 for access across the MSK lands. The approved Site Development Application for the MSK lands (File DA.16.037) required 18 parking spaces (by Zoning By-law 1-88) to serve the MSK and day nursery uses, as confirmed

by the Building Standards Department, whereas 45 parking spaces are currently provided on the site. The removal of 18 spaces on the MSK site would result in a total of 27 parking spaces, which complies with Zoning By-law 1-88.

- c) The uses within the Development result in the proposal being crowded. Pedestrians cannot move through the Development. There is no pedestrian connection to the surrounding community. Pedestrian-friendly streets should be provided to reduce the use of cars.

The DE Department has advised the Owner to explore the potential of a pedestrian sidewalk from the south portion of the Subject Lands to Regional Road 27. The DE Department advises that the Infrastructure Planning and Corporate Asset Management Department ('IPCAM') Department, as part of the capital delivery program for 2021, will construct a sidewalk on the north side of Nashville Road between Regional Road 27 and Lester B. Pearson Street, for a continuous pedestrian connection between Regional Road 27 and Islington Avenue on the north side of Nashville Road. A sidewalk exists on the south side of Nashville Road between Regional Road 27 and Islington Avenue. As part of the Site Plan Application for the Subject Lands and the required Site Development Application for the MSK site a sidewalk will be required along Regional Road 27 to connect to Nashville Road to provide pedestrian movements.

- d) The Development exceeds the maximum building height of 9.5 m permitted in the Zoning By-law. The Development provides for a building height of 10.65 m and a building height of 16.65 m when the podium/stone foundation structure is included at the southwest corner of the Subject Lands.

The VOP 2010, Volume 2, Section 12.4, Kleinburg Core permits a maximum building height of 9.5 m (2.5 storeys) above the finished grade for the Kleinburg Core Area. The definition of building height and finished grade is established by Zoning By-law 1-88 as follows (in part):

“Building Height - Means the vertical distance between the average elevation of the finished grade at the front of the building (for the purpose of this definition, the front of the building shall be the wall containing the main entrance); and

- i) in the case of a flat roof, the highest point of the roof surface;
- ii) in the case of a gable, hip or gambrel roof, the mean height between the eaves and the highest point of the roof;

exclusive of any accessory roof construction such as a chimney, tower, steeple, elevator, mechanical room, or television antenna.”

“Finished Grade - Means the average elevation of the finished ground level at the wall(s).”

The existing heritage buildings (Units 5 and 6) have a building height of 6 m (89 Nashville Road) and 6.6 m (99 Nashville Road) as shown on Attachment 6, within the maximum permitted building height of VOP 2010. The other buildings along Nashville Road (Units 1 to 4, 7 and 8) are 9.8 m in height and the interior buildings (Units 9 to 27) are 10.65 m in height as defined in Zoning By-law 1-88. The topography of the Subject Lands slopes to the south and west, resulting in the buildings appearing to be higher due to the grading. However, Zoning By-law 1-88 requires the building height to be measured from the front of a building. The proposed building heights are compatible for low-rise residential areas, including the surrounding R1 Residential Zone.

- e) The Development does not include any commercial use. More commercial floor space should reduce rents and provide for more commercial uses besides eating establishments.

The Subject Lands are located about 300 m west of the main commercial area located at the corner of Islington Avenue and Nashville Road and on Islington Avenue within the Kleinburg Core. Between the Kleinburg Core and the Subject Lands are mostly residential and open space uses, with the commercial uses being within 100 m of Islington Avenue. At the northeast corner of Nashville Road and Regional Road 27 is a commercial plaza (110 Nashville Road) which includes an eating establishment. The Owner submitted a Commercial Market Justification Study in support of the Development which states that there is not sufficient pedestrian or vehicular traffic with direct access to the Subject Lands from Region Road 27 to support commercial uses on the Subject Lands. Further, commercial uses, particularly eating establishments, require a greater amount of parking to support the use.

The VOP 2010, Volume 2, Section 12.4, Kleinburg Core permits retail stores, personal service shops, professional and business offices, small-scale hotels, bed and breakfast operations and eating establishment for lands designated “Mainstreet Commercial”.

- f) The Development attempts to design attractive and Village compatible buildings but the mass of the proposal detracts from this. The Subject Lands are a Gateway to the Kleinburg-Nashville community. The proposed brickwork should be more compatible and decorative with similar colours as the commercial plaza to the north. Further details respecting the look of the backyards abutting Regional Road 27, fencing and landscaping are required.

The Development was reviewed in accordance with the requirements of *Kleinburg-Nashville Heritage Conservation District Volume 1: The Study and Plan* (‘KNHCD Plan’) to acknowledge the location of the Subject Lands as a gateway into the Kleinburg Core Area. The relocation of the heritage buildings to a more prominent location to frame the access to the Development, the building design and landscaping, contribute to reinforcing the Development as a gateway into the Kleinburg Core Area. The Development Planning Department is working with the Owner to ensure that that elements to create the gateway, including the building materials and landscaping, are in accordance with the KNHCD Plan. The Heritage Vaughan Committee on May 15, 2019,

reviewed the Development and recommended that Vaughan Council approve the Applications as discussed later in this report.

## **Previous Reports/Authority**

[Committee of the Whole \(Public Hearing\) Report September 17, 2018](#)

On May 23, 2019 a courtesy notice of this Committee of the Whole meeting was sent to all individuals who made a deputation at the Public Hearing, submitted written correspondence to the Development Planning Department, or requested notification regarding the Applications.

## **Analysis and Options**

### ***The Development is consistent with the Provincial Policy Statement ('PPS'), 2014***

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario "shall be consistent" with the *Provincial Policy Statement, 2014* ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy communities; the wise use and management of resources; and protecting public health and safety.

The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that Provincial interests are upheld. The *Planning Act* requires that Vaughan Council's planning decisions be consistent with the PPS. The Development Planning Department has reviewed the Development in consideration of the policies of the PPS and is of the opinion that the Development is consistent with provincial policies, specifically:

- Section 1.1.3 - settlement areas being the focus of development based on densities and land uses which efficiently use land;
- Section 1.4.3 - providing a mix of housing types; and
- Section 1.7 d) - encouraging a sense of place, by promoting well-designed built form, cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes.

The Development shown on Attachments 3 to 11 is for residential uses (detached, semi-detached and townhouse dwellings) within a settlement area. The Owner also proposes to maintain and restore two heritage buildings for residential use. The relocation of the heritage buildings, which will frame the entrance into the Development, was reviewed by and was recommended for approval by the Heritage Vaughan Committee. On this basis, the Development is consistent with the PPS.



### ***The Development conforms to the Growth Plan for the Greater Golden Horseshoe, 2019 ('Growth Plan')***

The Provincial *Growth Plan for the Greater Golden Horseshoe Growth Plan 2019* ('Growth Plan') is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. Council's planning decisions are required by the *Planning Act* to conform, or not conflict with, the Growth Plan. The Development is consistent with the policy framework of the Growth Plan as the built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density that is supportive of the Growth Plan objectives, specifically:

- Section 2.2.1.2.a) - directing growth to settlement areas that have existing or planned municipal water and wastewater systems;
- Section 2.2.1.4.c) - provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; and
- Section 4.2.7 - implementing the goals and objectives of the municipal cultural heritage plan, and the conservation of cultural heritage resources.

The Development shown on Attachments 3 to 11 provides for a mix of residential housing (detached, semi-detached and townhouse dwellings) within a settlement area and a delineated built-up area that is compatible with the policies of VOP 2010. The Development was reviewed by the Heritage Vaughan Committee and was recommended for approval. In consideration of the above, the Development conforms to the Growth Plan.

### ***The Development conforms to the York Region Official Plan 2010 ('YROP')***

The York Region Official Plan 2010 ('YROP') guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Towns and Villages" on Map 1, "Regional Structure" of the YROP. Section 3.4.8 of the YROP encourages "local municipalities to consider urban design standards in core historic areas that reflect the areas' heritage, character and streetscape." Section 5.3 of the YROP states that "Intensification will occur in strategic locations in the built-up area to maximize efficiencies in infrastructure delivery, human services provision and transit ridership." Section 3.5.4 of the YROP "requires that local municipal official plans and zoning by-laws permit a mix and range of housing types, lot sizes, unit sizes, functions, tenures and levels of affordability within each community."

The Development is located within the KNHCD and was reviewed in accordance with the KNHCD Plan. The Development is located within a community that has municipal services (water and sanitary) and is located within 200 m of a transit stop at the northeast corner of Regional Road 27 and Nashville Road. The Development will

provide detached, semi-detached and townhouse units and the retention of two heritage dwellings. The Development conforms to the YROP.

***Amendments to VOP 2010 are required to permit the Development***

Part 'A' of the Subject Lands shown on Attachments 1 and 2, is designated "Mainstreet Commercial" by VOP 2010, Volume 2, Section 12.4, Kleinburg Core. This designation permits small-scale mixed-use developments with at-grade commercial uses and an upper floor residential component. The designation permits a Floor Space Index ('FSI') between 0.2 to 1 times the area of the lot, and a maximum building height of 2.5 storeys (9.5 m). A development within this designation shall have consideration for the scale, massing and use of the existing development on abutting or adjacent properties.

Part 'A' of the Subject Lands is identified as a 'Strategic Site and Gateway' warranting buildings to have a high quality design and architectural elements because of its location at the corner of Regional Road 27 and Nashville Road. Part 'A' is located within an "Intensification Area", specifically a "Local Centre", by VOP 2010, Schedule 1, Urban Structure. Local Centres within Intensification Areas are intended to act as the focus for communities, are lower in scale and offer a more limited range of uses than other Intensification Areas.

VOP 2010 states historic village cores (i.e., Kleinburg/Nashville) will continue to be the main areas for local commercial activities and community facilities and that each village core will experience development and/or intensification to varying degrees, as befits the local context, and would also be subject to the KNHCD Plan.

Part 'B' of the Subject Lands as shown on Attachments 1 and 2, is designated "Natural Areas" by VOP 2010, which does not permit the Development. Part 'B' is proposed to be redesignated to "Village Residential" and be included in VOP 2010, Volume 2, Section 12.4, Kleinburg Core. Part "B" was originally part of a larger parcel and was severed and added to Part 'A' to form the Subject Lands, shown on Attachment 1 as part of Committee of Adjustment Consent Application File B052/14 ('Consent'). Through the Consent process, the Toronto and Region Conservation Authority ('TRCA'), was able to secure a 10 m open space buffer between Part 'B' and the natural feature to the south and east, plus an additional 5 m buffer to ensure the long term protection of an access route to the MSK to the south thereby allowing Part 'B', which is outside the natural features, to be joined with Part 'A' for future residential development.

The Development is not permitted by the "Mainstreet Commercial" and "Natural Areas" designations of VOP 2010, and accordingly an application to amend the Official Plan has been submitted as discussed in this report.

The goals and policies in VOP 2010, Volume 2, Section 12.4, Kleinburg Core state (in part):

“12.4.1.1.a. General:

- i. Ensure that land use and built form are compatible with the scale and character of the existing community and integrated with the existing and contemplated pattern of development in the surrounding area;
- iv. Ensure, to the fullest extent possible, that the heritage resources, both built and natural, of the Kleinburg Core area are protected in accordance with the Kleinburg-Nashville Conservation District Study and Plan.

12.4.1.1 d. Heritage:

- i. Protect and preserve the existing heritage features including buildings and other structures, sites, landscapes, natural features and vegetation through the application of the *Ontario Heritage Act* and other relevant legislation;
- ii. Encourage the retention and incorporation of existing heritage resources including buildings and other structures in the redevelopment of heritage property;
- iii. Encourage that new development along the historic core areas of Kleinburg be sympathetic in scale, massing and architectural design with the existing 19th and early 20th Century heritage buildings in these historic core areas;
- iv. Ensure that development or redevelopment occurs in accordance with the provisions of the Kleinburg-Nashville Heritage Conservation District Plan adopted by By-law 183-2003 as amended by By-law No. 268-2003 and designated under Part V of the *Ontario Heritage Act*;

- 12.4.10.2 New development and redevelopment in the Core Area shall be compatible with, and complementary to, the distinctive and historic character of the building, with particular regard for the scale, setback, spacing, massing, and architectural design. Detailed Development Standards will be set out in the implementing zoning by-law.”

The location of the Subject Lands at the southeast corner of Regional Road 27, an arterial road and Nashville Road, a minor collector road, and within the Local Center, an Intensification Area, provides the opportunity for the Development to have a higher density with minimal impact on the surrounding community. The surrounding land uses include a two-storey commercial plaza, open space and detached dwelling units. The Subject Lands are separated from the rest of the low-rise buildings in the Village Residential area due to the sloping topography of the land and road. The Development forms a transition between the commercial use at the northeast corner of Regional

Road 27 and Nashville Road and the low-rise residential area for detached dwelling units on large lots to the east of the Subject Lands.

The Subject Lands are located in the KNHCD and are designated under Part V of the *Ontario Heritage Act*. Therefore, all planning applications, demolitions and new constructions must be consistent with the KNHCD Plan. The KNHCD is divided into distinct areas with specific policies. Part 'A' of the Subject Lands along Nashville Road (89 and 99 Nashville Road) falls within the Mainstreet Commercial area. The rear parcel (Part 'B') of the Subject Lands (10,515 Regional Road 27) is located within the Valley Lands area. As such, both these sets of policies will apply towards the Development. The KNHCD Plan has several objectives, policies and guidelines regarding the redevelopment of sites with heritage resources. As both 89 and 99 Nashville Road are identified as being contributing properties in the Section 2.6.2, Heritage Resources of the KNHCD Plan, these policies will also be applied to the Development.

The Development Planning Department, Urban Design and Cultural Heritage Division advises that the two existing buildings (89 and 99 Nashville Road) are being maintained and restored with details consistent of the Georgian and Victorian styles as described in Section 9.2 of the KNHCD Plan. The proposed restoration of the two buildings will conserve the overall massing and roofline of each of the buildings. However, few distinguishing original features exist to be conserved on the buildings. The Owner submitted a Conservation Plan for Heritage Resources outlining how unsympathetic design treatments to the buildings will be restored. The new buildings are being designed in the Georgian and Edwardian styles consistent with Section 9.2 the KNHCD Plan. Site-specific zoning standards (Table 1 of this report) are proposed for the Development which has different building types from the existing residential buildings in the surrounding community.

The VOP 2010, Volume 2, Section 12.4, Kleinburg Core includes policies for providing low-density development and discouraging the consolidation and severance of properties in the Kleinburg Core as follows:

- “12.4.1.1.c. Residential Areas/Neighbourhoods:
  - i. Provide for predominantly low-density residential development consistent with the character of the existing community;
- 12.4.4.7. The consolidation or severance of lands shall be discouraged. Any consolidation or severance of lands may be permitted if the proposed lot pattern is consistent with the existing lot pattern in the immediate surrounding area, in situations of minor lot line adjustment or where otherwise required by law.
- 12.4.10.20. Where redevelopment of wide lots or consolidation of adjacent properties is proposed, the built form on the property shall reflect the historic scale and pattern of built form of the village and the

adjacent and neighbouring properties. Subject to the provisions of the Zoning By-law, more than one building may be developed on the property in order to achieve a consistent scale and pattern of development.”

The Subject Lands were created through the consolidation of three parcels being 89 and 99 Nashville Road and a portion of 10,515 Regional Road 27. The Official Plan policy states “discourage” not “prohibit” respecting the consolidation of lands. Landowners considering property(ies) for redevelopment, if they are not of a sufficient size, tend to consolidate parcels in order to create a buildable lot and to use land more efficiently to facilitate a proposal that can accommodate development resulting in a range of lot sizes in the Kleinburg Core. The Development includes detached (above-grade), semi-detached and townhouse dwellings (all connected below-grade) for the “Village Residential” designation which permits only detached dwelling units.

The proposed land use and lotting pattern is not contemplated for the Kleinburg Core. The Development includes 21 units which appear as detached dwelling units (above-grade). Along the Nashville Road frontage, the two heritage buildings will be maintained as detached dwelling units with a block of semi-detached and townhouse dwelling units located along the Nashville Road frontage to provide a transition to the balance of the Development. The Development is not identical to the land use form and lotting pattern in the surrounding area. However, the Development provides a low-rise building form that is compatible with the surrounding community.

VOP 2010, Volume 2, Section 12.4, Kleinburg Core provides a policy respecting the the building type permitted in the “Village Residential” designation and maximum building height permitted in the Kleinburg Core as follows:

“12.4.6.2 Residential uses include the following:

a. Detached residential dwellings;

12.4.10.22 New buildings, additions to buildings or the redevelopment of existing sites in the Core Areas of Kleinburg or Nashville shall generally not exceed a maximum height of 9.5 metres above finished grade.”

The Owner is proposing that detached (above-grade), semi-detached and townhouse dwellings (all connected below-grade) be permitted as additional uses in the “Village Residential” designation. Section 9.2.2.1, VOP 2010, Volume 1, Low-Rise Residential specifies that a detached, semi-detached and townhouse are permitted building types in low-rise residential areas. The proposed residential uses are compatible with the existing and planned building types that are permitted in the Low-Rise Residential designation. The proposed buildings will be connected by an underground parking garage. The underground parking garage allows for landscaping and amenity space at-grade to enhance the streetscape and private realm. The building types will appear as detached, semi-detached and townhouse units from the street.

The Kleinburg Core policies for the “Village Residential” and “Mainstreet Commercial” designations require buildings to “generally not exceed a maximum building height of 9.5 m (2.5-storeys) above the finished grade.” The VOP 2010 policies permit building heights up to 3-storeys for detached, semi-detached and townhouse dwelling units. Detached, semi-detached and townhouse dwelling units are low-rise buildings in VOP 2010. A building height of 3-storeys is proposed for the Development except for the two heritage buildings which will be two-storeys. The proposed semi-detached and townhouses units located along Nashville Road are 9.8 m (3-storeys in height) as shown on Attachment 6, which is slightly higher than the maximum building height permitted by the Kleinburg Core. The detached dwelling units internal to the Development are 10.65 m in height, as shown on Attachments 7 and 8.

The buildings appear higher than 10.65 m along the Regional Road 27 frontage due to the grading and the design of the underground parking garage. Zoning By-law 1-88 requires that the building height be measured from the front of the building containing the main entrance and not from the basement walkout level which faces Regional Road 27. The proposed building heights are comparable to the building heights of the surrounding residential development zoned “R1 Residential Zone” where Zoning By-law 1-88 permits a maximum building height of 9.5 m.

The Subject Lands are located within the KNHCD and are a Strategic Site (Gateway) into the Kleinburg Core by VOP 2010, Volume 2, Section 12.4, Kleinburg Core which states the following:

“12.4.9.2 Strategic Sites are those properties shown on Map 12.4.A that warrant special design treatment because of their location and visibility. These sites have the potential to strengthen and improve the quality of the public realm. The treatment of the architecture, building materials, massing and built form should reinforce their location as a gateway to the Kleinburg Core Area, a visual terminus or an important intersection.”

The Development was reviewed in accordance with the KNHCD Plan to ensure the quality of the public realm. The two existing heritage buildings are identified as being contributing properties in the KNHCD Plan will be maintained and restored. The buildings will be relocated to a more prominent location closer to Nashville Road to frame the entrance into the Development, which is acceptable to the Development Planning Department, Urban Design and Cultural Heritage Division and recommended for approval by the Heritage Vaughan Committee. These buildings will have more prominence on Nashville Road and reinforce these dwellings as gateway features entering Kleinburg, along with the landscaping treatment for the Development.

### Summary of Planning Policy

In consideration of the applicable Provincial policies and Regional and City Official Plan policies outlined in this report, the Owner has demonstrated that the Development

provides a low-rise residential built-form that is appropriate and compatible, but not identical, with the surrounding community. The Development provides an appropriate transition in density and built form within the surrounding land uses, thereby demonstrating compatibility between the existing and proposed building types. The Development is in keeping with the KNHCD Plan with the restoration and relocation of the existing heritage buildings to reinforce the buildings as gateway features entering Kleinburg. The Development Planning Department is of the opinion that the Development is consistent with the policies of the PPS, and conforms to the Growth Plan and the YROP, and maintains the intent of VOP 2010 and the KNHCD Plan.

### ***Heritage Vaughan Committee recommended approval of the Development***

The Subject Lands are located within the KNHCD Plan, and are designated under Part V of the *Ontario Heritage Act* ('OHA'), as part of the KNHCD Plan. The Development has been reviewed in consideration of the policies of the KNHCD Plan.

The KNHCD Plan's Guidelines includes objectives to:

- encourage new development that will enhance the heritage character of the District as infill, construction on vacant lands and replacement construction or alterations to non-heritage buildings; and
- guide new development so it can provide for contemporary needs, and to ensure its design will be compatible with and complementary to the character of the District and the heritage resources within.

The KNHCD Guidelines provides policies that include, but are not limited to the following:

- new development should complement and enhance the heritage character of the District; and
- new buildings should be sympathetic in siting, scale, material, texture, and general design to the heritage buildings around them.

The Heritage Vaughan Committee ('HVC') on May 15, 2019, considered the Development and was generally satisfied with the building materials and landscaping details and adopted the following recommendations:

- "1. THAT Heritage Vaughan Committee recommend approval to Council for the proposed restoration and relocation of two existing heritage dwellings at 89 and 99 Nashville Road.
2. THAT Heritage Vaughan Committee recommend approval to Council for the proposed new construction for 25 new units at 89 and 99 Nashville Road under Section 42 of the *Ontario Heritage Act*, subject to following conditions:

- a) Any significant changes to the proposal by the Owner may require reconsideration by the Heritage Vaughan Committee, which shall be determined at the discretion of the Director of Development Planning and Manager of Urban Design and Cultural Heritage;
- b) That Heritage Vaughan Committee recommendations to Council do not constitute specific support for any Development Application under the *Ontario Planning Act* or permits currently under review or to be submitted in the future by the Owner as it relates to the subject application;
- c) That the Owner submit Building Permit stage architectural drawings and building material specifications to the satisfaction of the Vaughan Development Planning Department, Urban Design and Cultural Heritage Division; and
- d) That the Owner continue to work with Cultural Heritage staff during the Site Plan application process in final selection of materials and landscaping details.”

### ***The Vaughan Design Review Panel supports the Development***

The Design Review Panel (‘DRP’) reviewed the Development at the Official Plan and zoning stage on October 25, 2018 and recommended the Development provide a village like feel, ensure the heritage buildings are well located to the public realm, and reduce the height and modify the design of the podium wall on Regional Road 27.

The Development was revised (from the original proposal) to relocate the two heritage buildings to have more prominence. The Owner has reduced the scale of the wall by lowering the underground parking height and creating a setback above the stone wall that has improved the elevation on Regional Road 27 and is working with staff to finalize the elevation of all façades and the proposed building materials through the site plan application process. The Development was reviewed and recommended for approval by the Heritage Vaughan Committee and meets the objectives of the PPS and Growth Plan policies.

### ***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, and serve to help clarify and implement the existing Policy 9.1.2.3 of VOP 2010 related to compatibility. The Subject Lands are designated “Mainstreet Commercial” and



“Natural Areas” by VOP 2010. The Subject Lands are located within a “Local Centre” by VOP 2010. The Guidelines do not apply to the Subject Lands as they are located within a “Local Centre” Intensification Area” and not a “Low-Rise Residential Area” within a Community Area.

***Amendments to Zoning By-law 1-88 are required to permit the Development***

The Subject Lands are zoned “R1 Residential Zone” and “OS2 Open Space Park Zone” by Zoning By-law 1-88, as shown on Attachment 1. The Owner is proposing to rezone the Subject Lands to “R5 Residential Zone”, in the manner shown on Attachment 3, to permit the Development, together with the following site-specific zoning exceptions:

Table 1

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
a.	Definition - Dwelling Detached, Linked Underground, on a Private Common Element Condominium Road	Zoning By-law 1-88 does not provide a definition for a Detached Dwelling, Linked Underground, on a Private Common Element Condominium Road	Means a detached dwelling above-grade, in which each dwelling unit is situated on its own lot and that is attached to a parking structure below-grade, where the lot abuts or has access to a private common element condominium road.
b.	Definition - Dwelling, Semi-Detached, Linked Underground, on a Private Common Element Condominium Road	Zoning By-law 1-88 does not provide a definition for a Semi-Detached, Linked Underground, on a Private Common Element Condominium Road	Means a semi-detached dwelling in which each dwelling unit is situated on its own lot, and that is attached to a parking structure below-grade, where the lot abuts or has access to a private common element condominium road.
c.	Definition - Dwelling, Townhouse, Linked Underground, on a	Zoning By-law 1-88 does not provide a definition for a Townhouse, Linked Underground, on a Private	Means a townhouse dwelling in which each dwelling unit is situated on its own lot, and that is

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
	Private Common Element Condominium Road	Common Element Condominium Road	attached to a parking structure below-grade, where the lot abuts or has access to a private common element condominium road.
d.	Permitted Uses	Detached Dwelling Semi-Detached Dwelling	Detached Dwelling, (Connected Below-grade)  Semi-Detached Dwelling, (Connected Below-grade)  Townhouse Dwelling, (Connected Below-grade)
e.	Minimum Lot Frontage	7.5 m	5 m/unit (Units 1 - 4 Townhouse Dwellings)  5.5 m/unit (Units 7 and 8 Semi-Detached Dwellings)  6.5 m (Units 22 and 23 Detached Dwellings)
f.	Minimum Lot Area	225 m <sup>2</sup>	120 m <sup>2</sup> /Unit (Units 1 - 4 Townhouse Dwellings)  135 m <sup>2</sup> /unit (Units 7 and 8 Semi-Detached Dwellings)  180 m <sup>2</sup> /unit (Units 9 to 27 Detached Dwellings)

	By-law Standard	Zoning By-law 1-88, R5 Residential Zone Requirements	Proposed Exceptions to the R5 Residential Zone Requirements
g.	Minimum Front Yard	4.5 m	<p>3.7 m (Units 5 and 6 Nashville Road Heritage Buildings)</p> <p>3.4 m (Units 12 - 27 Detached Dwellings)</p>
h.	Minimum Rear Yard	7.5 m	<p>6 m (Units 1 - 4 Townhouse Dwellings and Units 7 and 8 Semi-Detached Dwellings)</p> <p>6.3 m (Units 23 - 27 Interior Units)</p> <p>6.8 m (Units 19 - 22 Interior Units)</p> <p>3.2 m (Units 9 - 18 Abutting Regional Road 27)</p>
i.	Minimum Interior Side Yard	1.2 m	<p>0.59 m (Units 19 and 22)</p> <p>1.12 m (Unit 27)</p>
j.	Minimum Exterior Side Yard	4.5 m	1.6 m (Unit 8)
k.	Maximum Lot Coverage	50%	<p>65% (Units 1 - 8)</p> <p>55% (Units 9 - 27)</p>

	<b>By-law Standard</b>	<b>Zoning By-law 1-88, R5 Residential Zone Requirements</b>	<b>Proposed Exceptions to the R5 Residential Zone Requirements</b>
I.	Minimum Front Yard Soft Landscaping	60%	10% (Units 5 and 6)
m.	Permitted Accessory Buildings and Structures	Accessory buildings and structures, including garden and storage sheds, shall be located in the rear yard and subject to the required setbacks of the main dwelling.	No accessory buildings and structures, including garden and storage sheds shall be permitted for Units 8 to 18.
n.	Maximum Retaining Wall Height	1 m	1.5m

a) Definitions and Permitted Uses - Detached (above-grade), Semi-Detached and Townhouse Dwellings

The Development includes detached (above-grade), semi-detached and townhouse dwellings all connected below-grade. Detached and semi-detached units are permitted uses in the R5 Residential Zone. A townhouse dwelling is not a permitted use in the R5 Zone. The proposed zoning would permit a townhouse unit and amend the definitions for detached, semi-detached and townhouses to permit detached (above-grade), semi-detached and townhouse dwellings that are connected below-grade.

b) Minimum Lot Frontage, Minimum Lot Area, Maximum Lot Coverage, Minimum Front Yard, Minimum Rear Yard and Minimum Soft Front Yard Landscaped Area

The Development is on a private road and utilizes a compact built form with smaller lot frontages and areas. The smaller lot areas results in increased lot coverages, and reduced front yard soft landscaped areas and rear yards for the Development which are typical for a common element development.

c) Minimum Interior Yard and Minimum Exterior Yard

The proposed interior and exterior side yard setbacks that affect four units are appropriate and will have minimal impact on adjacent properties. The reduced setbacks are due to providing an additional 5 m buffer to the 10 m buffer to the natural feature outside of the Subject Lands and to increasing the interior yards for the existing heritage buildings.

d) Permitted Accessory Buildings and Structures

In order to maintain a high quality private and public realm and streetscape, no accessory buildings and structures will be permitted abutting Regional Road 27.

e) Maximum Retaining Wall Height

The proposed retaining wall height is due to the grading of the Subject Lands and the design of the underground parking garage. The height of the retaining wall is increased by a maximum of 0.5 m, which is considered minor.

The proposed zoning exceptions facilitate a development that utilizes a compact built form that is consistent with the policies of the PPS and conforms to the Growth Plan, YROP and VOP 2010. The Development has been reviewed by and recommended for approval from the Heritage Vaughan Committee. The zoning exceptions facilitate the Development that is compatible with the surrounding area. Accordingly, the Development Planning Department can support the site-specific exceptions identified in Table 1.

***Draft Plan of Subdivision and Site Development Approval shall be required to facilitate the Development***

The Owner has submitted Draft Plan of Subdivision File 19T-18V006 and Site Development File DA.18.028 to undertake the subdivision and site plan review processes. Additional detailed design comments will be provided at the plan of subdivision and site plan stages respecting matters, which include the site grading, building materials and landscaping, prior to any approval.

***It is recommended that the LPAT withhold its Order should these Applications be approved***

Should the LPAT approve the Applications, a condition is included in the Recommendations requesting the LPAT to withhold its final Order regarding the approval of the implementing Official Plan and Zoning By-law Amendments until such time that Draft Plan of Subdivision File 19T-18V006 and Site Development File

DA.18.028 for the Subject Lands have been approved by Vaughan Council, in order to incorporate any adjustments for the Development, if necessary, in the implementing documents.

***The Development Engineering ('DE') Department has no objection to the approval of the Applications***

The DE Department has no objection to the approval of the Applications. However, additional information will be required at the detailed design stage. As part of review process for Draft Plan of Subdivision File 19T-18V006 and Site Development File DA.18.028 matters to be addressed, but not limited to, include the following:

a) Servicing

- i) The City has completed several wastewater system optimization studies that identify the need for inflow-infiltration remediation and/or sanitary sewer infrastructure upgrades necessary to accommodate redevelopment / intensification and require these improvement works in an Area Specific Development Charge ('ASDC') By-law to collect the necessary capital funds for inflow-infiltration remediation and/or sanitary sewer infrastructure upgrades as necessary;
- ii) The submission of a revised Functional Servicing Report to confirm the limits of the watermain and the details pertaining to the location of or the proposed servicing extension of the local 300 mm diameter watermain, if necessary, within the Regional boulevard right-of-way; and to justify the extension of the required 200 mm diameter sanitary sewer extension through private lands instead of the Subject Lands; and
- iii) The stormwater management strategy for the Subject Lands will require review and approval from the TRCA for water balance and from York Region for quality and quantity.

b) Transportation

The submission of a final Traffic Impact and Parking Study will require additional background traffic information and a review of any sightline obstructions. A traffic signal warrant analyses for the intersection of Nashville Road and Islington Avenue is required at the draft plan of subdivision stage. An easement shall be registered on title of the MSK lands in favour of the Owner with the details such as maintenance, liability and times of usage shall be clearly identified.

c) Environmental Site Assessment ('ESA')

The submitted Environmental Site Assessment ('ESA') Phase 1 and 2 documentation has been reviewed and is acceptable to the City, and no further environmental site assessment documents are required at this time.

d) Noise

The Owner shall satisfy all requirements with respect to noise attenuation and ensure all recommendations are implemented in accordance with the Environmental Noise and Vibration Impact Study prepared by dBA Acoustical Consultants Inc. (February 26, 2018), including warning clauses respecting the noise and vibration generated by road traffic.

***The Holding Symbol ('H') is required on the Subject Lands until water, wastewater and sanitary servicing are identified***

The Infrastructure Planning and Corporate Asset Management Department has no objections to the approval of the Applications. A Holding Symbol ('H') is required for the Subject Lands and shall not be removed until water, wastewater and sanitary servicing are identified for the Subject Lands as part of the draft plan of subdivision and site plan processes. A condition to this effect is included in the Recommendations of this report.

***Policy Planning and Environmental Sustainability Department staff has no objection to the approval of the Applications***

The Policy Planning and Environmental Sustainability ('PPES') Department has no objection to the approval of the Applications. However, as part of review process for Draft Plan of Subdivision File 19T-18V006 and Site Development File DA.18.028, the following matters are to be addressed:

- The PPES Department reviewed the *Endangered Species Act* Screening Letter ('ESASL') dated March 16, 2018, provided by Ages Consultant Limited. The ESASL has identified definite nesting activity by barn swallow in the one barn structure. Prior to the demolition of the barn, as per the ESASL further field work is required at the draft plan of subdivision stage. The Owner is required to provide an update of this review in order for the City to keep an inventory of species at risk ('SAR') overall habitat compensation in the City. The Owner is required to provide the formal Ministry of Natural Resources and Forestry ('MNRF') screening response letter.
- Also, the removal of trees is proposed, the ESASL does not reference additional work needed to mitigate for potential endangered bat habitats within the trees. The required fieldwork is to be conducted prior to any tree removal.
- The Owner shall acknowledge their obligations under the *Endangered Species Act* and *Migratory Birds Convention Act*. At the site plan stage, the following condition will be included in the site plan agreement:

“The Owner acknowledges that the City has Species at Risk (‘SAR’) within its jurisdiction which are protected under the *Endangered Species (‘ES’) Act*, 2007, S.O.2007. The Owner is required to comply with Ministry of Natural Resources and Forestry (‘MNR’) regulations and guidelines to protect these SAR and their habitat. The Owner acknowledges that, notwithstanding any approvals made or provided by the City in respect to the Plan or the related Site Plan Agreement, the Owner must comply with the provisions of the ES Act.”

***The Fire and Rescue Service Department has no objection to the approval of the Applications***

The Fire and Rescue Services Department has no objection to the approval of the Applications. The Fire and Rescue Services Department has advised that fire hydrants (municipal or private) are required to be installed in accordance with the Ontario Building Code, and the fire hydrants shall be unobstructed and ready for use at all times. In addition, access roadways shall be maintained and suitable for large heavy vehicles, and temporary municipal addresses must be posted and visible for responding emergency vehicles in a manner satisfactory to the City.

***The Office of the City Solicitor, Real Estate Department has no objection to the approval of the Applications***

The Office of the City Solicitor, Real Estate Department has advised that there is no objection to the approval of the Applications. The Owner acknowledges that cash-in-lieu of parkland shall be paid in accordance with Section 42 of the *Planning Act* and conform to the City’s Cash-in-Lieu of Parkland Policy and is to be addressed at the Draft Plan of Subdivision or site plan stages.

***The Parks Development Department has no objection to the approval of the Applications***

The Parks Development Department has no objection to the approval of the Applications and offers the following to be addressed as part of the Draft Plan of Subdivision and site plan review processes:

a) Community Services and Facilities Impact Study

A Community Services and Facilities Impact Study (‘CSFIS’) will be required to be completed by the Owner, specifically referencing the Active Together Master Plan (‘ATMP’), 2018 to determine the impact of the Development on existing parkland and the parkland requirements of the community within a 2.5 km radius. The CSFIS should pay particular attention to walking distances, taking into account any obstacles (e.g., highways, valley/stream corridors, railways etc.). The CSFIS should provide specific distances (in metres/kilometres) to existing facilities and services and provide mapping



for contextual reference purposes (showing the property in relation to community services and facilities).

b) Parkland

The Owner shall be required to provide payment-in-lieu of parkland dedication in accordance with the City's Payment-In-Lieu of Parkland Policy. In addition to the payment-in-lieu requirement, a payment-in-lieu of parkland summary chart shall be submitted.

c) Pedestrian Connection

To provide increased pedestrian flow throughout the site, the Owner should consider providing pedestrian openings at the south end of the Subject Lands and provide a walkway connection to the west, towards Regional Road 27.

***The Financial Planning and Development Finance Department has no objection to the approval of the Applications***

The Financial Planning and Development Finance Department has no objection to the approval of the Applications. The Financial Planning and Development Finance Department advises that the Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

***The TRCA has no objection to the approval of the Applications***

The TRCA has no objection to the approval of the Applications and requires that the following be addressed through the Draft Plan of Subdivision and site plan review processes:

a) Stormwater Management

- i) Quality Control - The additional details and sizing calculations are required to confirm the drainage area to the driveway and that the drainage area is of the appropriate size.
- ii) Water Balance/Erosion Control - The water balance calculations need to be revised and the storage volume required for the 5 mm on-site retention must be updated. Further details are required respecting the volume of storage provided for infiltration in the tank.
- iii) Site Servicing (Outfall) - The supporting calculations are required to demonstrate that the outfall pipe size is appropriate for the expected flows

and details are required to confirm how stormwater will be directed to the existing culvert as it appears it may be susceptible to erosion. The details are required for the swale and to provide confirmation that the swale is protected/vegetated against long-term erosion.

- iv) Erosion and Sediment Control – Additional information is required to add construction and phasing sequencing to the plan, including a note that the infiltration chamber will not be connected until the site is stabilized to prevent clogging.

b) Planning Ecology

- i) Edge Management and Restoration Plans - The Edge Management and Restoration Plan Report must be updated to include the planting area size and quantities. The landscape plans must be updated to demonstrate the location and details of the tree protection fencing for trees 37 and 38 located within the staked top of slope, as well as along the 10 m setback adjacent to the existing asphalt driveway south of the Subject Lands, and the minimum Tree Protection Zones ('mTPZ') and tree protection fencing for all trees to be preserved.

The updated Tree Inventory and Preservation Plan indicates the removal of 40 trees and 4 vegetated areas within and adjacent to the Subject Lands to accommodate the Development. The details of how the tree and vegetation loss is being addressed on-site or off-site, by demonstrating that replanting ratios meet municipal and/or TRCA recommended replanting rates is required.

- ii) Erosion and Sediment Control Plan ('ESC') - The ESC Plan must be updated to include construction staging for the Development and appropriate phasing of on-site water management during construction. The TRCA recommends a treatment train approach to reduce sediment transport and provide on-site water management during construction.
- iii) SAR Screening - Any MNRF recommendations related to inventories or specific SAR protection should be included in a report that includes MNRF correspondence for reference. Spring inventories for bats and swallows as outlined in the screening should be completed prior to any activities related to the structures on-site.

***Alectra Utilities Corporation and Enbridge Gas Distribution Inc. have no objection to the approval of the Applications***

Alectra Utilities Corporation and Enbridge Gas Distribution Inc. have no objection to the approval of the Applications.

***The School Boards have no objection to the approval of the Applications***

The York Region District (Public) School Board, York Catholic District School Board and the Conseil Scolaire de District Catholique Centre-Sud have advised that they have no objection to the approval of the Applications.

***Canada Post has no objection to the approval of the Applications***

Canada Post has no objection to the approval of the Applications. The Owner shall install mailbox facilities and equipment to the satisfaction of Canada Post as part of the plan of subdivision and site plan processes.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

York Region advised that the “Official Plan Amendment generally conforms to the Regional Official Plan as it will assist in building complete communities and will help in ensuring that a minimum of 40% of all residential development in York Region occurs within the built-up area as defined by the Province's Built Boundary in the Growth Plan (YROP 2010 Policy 5.3.1). Infill and redevelopment within intensification areas should be compatible with built form of adjacent areas and support the use of existing infrastructure, including streets (YROP 2010 Policies 5.3.4 & 5.3.6). Although a portion of the Subject Lands are designated as “Regional Greenlands System” by the YROP 2010, the TRCA are generally satisfied with the limits of the Development. The TRCA has confirmed that the developable area is situated outside of the required 5 m and 10m buffers.”

York Region advised that the Owner has submitted a request for exemption from Regional approval. The Region has reviewed this request and finds that the proposed Official Plan Amendment to be a routine matter of local significance and in accordance with Regional Official Plan policy 8.3.8, the proposed Amendment does not adversely affect Regional planning policies or interests and advises that the Official Plan is exempt from Regional approval. York Region also advised that the proposed Zoning By-law Amendment is considered a matter of local significance and has no comments on the proposed Zoning By-law Amendment.

York Region has no objection to the approval of the Applications, however, York Region reserves the right to provide technical comments at the plan of subdivision and site plan stages on matters including, but not limited to, road and transit requirements, water sanitary and stormwater servicing, and landscaping within the Regional Road 27 right-of-way.

## **Conclusion**

The Development Planning Department has reviewed Official Plan and Zoning By-law Amendment Files OP.16.009 and Z.16.036, which if approved, would facilitate 27 dwelling units (detached (above-grade), and semi-detached and townhouse dwellings (all connected below-grade)) including the retention of the two existing heritage buildings at 89 and 99 Nashville Road with access onto a private common element condominium road as shown on Attachment 3 to 11, together with the site-specific amendments to the Official Plan and Zoning By-law. The proposed amendments to the Official Plan and Zoning By-law are consistent with the policies in the PPS, conform to the Growth Plan and YROP and maintains the intent of the VOP 2010.

The Development introduces a mix of unit types and restores two existing heritage buildings on the Subject Lands in accordance with the policies of the KNHCD Plan and is considered appropriate and compatible with the surrounding land uses. The Heritage Vaughan Committee, at its meeting on May 15, 2019 recommended approval of the Development, subject to conditions. Accordingly, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report.

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

## **Attachments**

1. Location Map/Notification Area
2. Proposed Official Plan Land Use Designation
3. Proposed Zoning and Site Plan
4. Elevation Plan (89 Nashville Road)
5. Elevation Plan (99 Nashville Road)
6. Elevation Plan (North & South)
7. Elevation Plan (West)
8. Elevation Plan (East)
9. Landscape Plan
10. Underground Parking (A-Level)
11. Underground Parking (B-Level)

12. Draft Plan of Subdivision (File 19T-18V006)
13. Original Site Plan
14. Original Elevation Plan (Building A - 2-storey Building)
15. Original Elevation Plan (Building B - 10-storey Mixed Use Building)

**Prepared by**

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