

Committee of the Whole (Public Meeting) Report

DATE: Tuesday, December 3, 2024

WARD(S): 1

TITLE: 2133904 ONTARIO INC.

OFFICIAL PLAN AMENDMENT FILE OP.24.013

ZONING BY-LAW AMENDMENT FILE Z.24.030

89 AND 99 NASHVILLE ROAD

VICINITY OF NASHVILLE ROAD AND HIGHWAY 27

FROM:

Haiqing Xu, Deputy City Manager, Planning, Growth Management and Housing Delivery

ACTION: FOR INFORMATION

Purpose

To receive comments from the public and the Committee of the Whole on applications to amend the official plan and zoning by-law for the subject lands shown on Attachment 1 to permit a high-rise residential development ranging from 11 to 14-storeys in height, with 557 residential units, a total Gross Floor Area ('GFA') of 45,083 m² and Floor Space Index of 6.15 times the area of the lot, as shown on Attachments 2 to 7.

Report Highlights

- The Owner proposes a high-rise residential development comprised of 557 residential units.
- Official Plan and Zoning By-law Amendment Applications are required to permit the proposed development.
- This report identifies preliminary issues to be considered in a technical report to be prepared by the Development and Parks Planning Department at a future Committee of the Whole meeting.

Recommendations

1. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.24.013 and Z.24.030 (2133904 Ontario Inc.) BE RECEIVED, and that any issues identified be addressed by the Development and Parks Planning Department in a comprehensive report to the Committee of the Whole.

Background

Location: 89 and 99 Nashville Road (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: *February 21, 2024*

Official Plan Amendment and Zoning By-law Amendment Applications have been submitted to permit the proposed development.

2133904 Ontario Inc. (the 'Owner') has submitted Official Plan Amendment Application File OP.24.013 and Zoning By-law Amendment Application File Z.24.030 (the 'Applications') for the Subject Lands shown on Attachment 1 to permit a high-rise residential development ranging from 11 to 14-storeys in height, with 557 residential units, a total GFA of 45,083 m² and Floor Space Index of 6.15 times the area of the lot (the 'Development') as shown on Attachments 2 to 7, for the following:

1. Official Plan Amendment File OP.24.013 to amend the policies of Vaughan Official Plan 2010, specifically to:
 - Redesignate the Subject Lands from "Natural Areas and Countryside" on Schedule 1 to "Local Centres".
 - Redesignate the Subject Lands from "Low-Rise Mixed-Use" and "Natural Areas" on Schedule 13 to "Mid-Rise Residential".
 - Add a new site-specific policy in Area Specific Policy 12.4 "Kleinburg Core" in Volume 2 of VOP 2010 (Section 12.4.13) to permit a mid-rise building with a maximum GFA of 46,000 m², a maximum building height of 14-storeys (57.5 m) that transitions to 12 storeys fronting Nashville Road and defining a mid-rise building as a building containing apartment dwelling units that does not exceed 14-storeys.

2. Zoning By-law Amendment File Z.24.030 to:
 - Rezone the Subject Lands from "R1 Residential Zone" ('R1 Zone') and "OS2 Open Space Park" ('OS2 Zone') under Zoning By-law 1-88 as shown on Attachment 1, to "RA3 Apartment Residential" ('RA3 Zone') in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 1 in Attachment 8.
 - Rezone the Subject Lands from "KMS Main Street Mixed-Use – Kleinburg Zone" ('KM2 Zone') subject to site-specific exception 14.525, "I1 General Institutional Zone" ('I1 Zone') and "OS1 Public Open Space Zone" ('OS1 Zone') under Zoning By-law 001-2021 as shown on Attachment 1, to "RM2 Multiple Unit Residential Zone" ('RM2 Zone') in the manner shown on Attachment 2, together with the site-specific zoning exceptions identified in Table 2 in Attachment 8.

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 8, 2024.

The Notice of Public Meeting was also posted on the City's website at www.vaughan.ca and Notice Signs were installed along Nashville Road and Highway 27 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 18, 2024, by the Development and Parks 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 and Parks Planning Department in a future technical report to the Committee of the Whole.

Previous Reports/Authority

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

Demolition of existing building and construction of identical replica building at 89 Nashville Road, Committee of the Whole (2) Report:

[June 29, 2020, Committee of the Whole \(2\) \(Item 19, Report No. 25\)](#)

Demolition of existing building and construction of identical replica building at 99 Nashville Road, Committee of the Whole (2) Report:

[June 29, 2020, Committee of the Whole \(2\) \(Item 20, Report No. 25\)](#)

Analysis and Options

An amendment to Vaughan Official Plan 2010 ('VOP 2010') is required to permit the Development.

VOP 2010 Designation:

- "Local Centres" and "Natural Areas and Countryside" on Schedule 1 – Urban Structure by VOP 2010.
- Containing "Core Features" on Schedule 2 – Natural Heritage Network by VOP 2010
- "Low-Rise Mixed Use" and "Natural Areas" on Schedule 13 – Land Use by VOP 2010.
- Subject to Area Specific Policy 12.4 "Kleinburg Core" in Volume 2 of VOP 2010
- Designated "Mainstreet Commercial" with a maximum building height of 2.5 storeys and density of 0.2-1.0 times the area of the lot on Map 12.4.A: Kleinburg Core Land Uses by VOP 2010, Volume 2.

- The “Low-Rise Mixed-Use” designation in VOP 2010 permits residential units, home occupations, private home daycares, and small-scale convenience retail within the following building types: detached house, semi-detached house, townhouse and public and private institutional buildings.
- The “Mainstreet Commercial” designation within the Area Specific Policy 12.4 “Kleinburg Core” in Volume 2 of VOP 2010 permits retail stores, personal service shops, professional and business offices, small scale hotels or village inns, bed and breakfast operations, restaurants including sidewalk cafes, small scale mixed-use developments with at-grade commercial uses and an upper floor residential component, detached residential dwellings, converted dwellings, parks and open space, and public and institutional uses.
- An amendment to VOP 2010 is required to redesignate the Subject Lands from “Natural Areas and Countryside” on Schedule 1 to “Local Centres”, from “Low-Rise Mixed-Use” and “Natural Areas” on Schedule 13 to “Mid-Rise Residential”, and to permit a mid-rise building with a maximum building height of 14-storeys, and a maximum GFA of 46,000 m² on a site-specific basis under the Area Specific Policy 12.4 “Kleinburg Core” in Volume 2 of VOP 2010

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

Zoning 1-88:

- R1 Zone and OS2 Zone by Zoning By-law 1-88.
- These Zones do not permit the Development.
- The Owner proposes to rezone the Subject Lands to the RA3 Zone together with the site-specific zoning exceptions identified in Table 1 of Attachment 8 to permit the Development, as shown in Attachments 2 to 7.

Council enacted Zoning By-law 001-2021 on October 20, 2021, as the new Vaughan Comprehensive Zoning By-law.

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

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

Zoning 001-2021

- KMS Zone subject to site-specific exception 14.525, I1 Zone and OS1 Zone by Zoning By-law 001-2021.
- These Zones do not permit the Development.
- The Owner proposes to rezone the Subject Lands to the RM2 Zone together with the site-specific zoning exceptions identified in Table 2 of Attachment 8 to permit the Development, as shown in Attachments 2 to 7.

Additional zoning exceptions may be identified through the detailed review of the Applications 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 and Parks Planning Department has identified the following matters to be reviewed in greater detail:

| | MATTERS TO BE REVIEWED | COMMENT(S) |
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| a. | Conformity and Consistency with Provincial Policies, and City Official Plan Policies | <ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Planning Statement 2024 ('PPS 2024') and the policies of VOP 2010 and other deemed City official plan policies. |
| b. | Appropriateness of Amendments to VOP 2010 and Zoning By-laws 1-88 and 001-2021 | <ul style="list-style-type: none"> ▪ The appropriateness of the amendments to VOP 2010 will be reviewed in consideration of the proposed land use designation, building height and density, and the Development contemplating only residential uses. ▪ The appropriateness of redesignating a portion of the Subject Lands from "Natural Areas" to permit the Development will be reviewed. ▪ The appropriateness of the rezoning and site-specific exceptions will be reviewed in consideration of the existing and planned surrounding land uses. ▪ The appropriateness of the proposed number of units and establishing a maximum number of units within the Development through the maximum lot area zoning provisions will be reviewed. ▪ The number and type of barrier free parking spaces required for the Development is regulated by Ontario Regulation 413/12: Integrated Accessibility Standards. Barrier-free parking standards cannot be amended by the Owner through the Applications. |
| c. | Kleinburg-Nashville Heritage Conservation District Plan ('KNHCDP') | <ul style="list-style-type: none"> ▪ The Subject Lands are located in the KNHCDP and are designated under Part V of the <i>Ontario Heritage Act</i>. The Development must be reviewed by the Vaughan Development and Parks Planning Department and the Heritage Vaughan Committee. ▪ On June 29, 2020, Council approved the demolition of existing buildings on 89 and 99 Nashville Road due to their irreparable conditions; however, the approval was subject to the |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
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| | | <p>construction of identical architectural replica buildings on the Subject Lands.</p> <ul style="list-style-type: none"> ▪ The Development does not incorporate the two (2) identical replica buildings, respectively at 89 and 99 Nashville Road, as required by Heritage Vaughan and approved by Council. |
| d. | 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. |
| e. | Allocation and Servicing | <ul style="list-style-type: none"> ▪ The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the lands will be zoned with a Holding Symbol “(H)”, which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council. |
| f. | Urban Design Guidelines | <ul style="list-style-type: none"> ▪ The Development will be reviewed in consideration of the City of Vaughan City-wide Urban Design Guidelines, and the requirements of the KNHCDP. |
| g. | Public Agency/Municipal Review | <ul style="list-style-type: none"> ▪ The Applications must be reviewed by York Region, the Toronto and Region Conservation Authority, external public agencies and utilities, and the Public, Separate, and French School Boards. |
| h. | Sustainable Development | <ul style="list-style-type: none"> ▪ The Applications 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 41. |
| i. | Parkland Dedication | <ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan’s Parkland Dedication Policy. |
| j. | Community Benefits Charges | <ul style="list-style-type: none"> ▪ The Development meets the criteria for Community Benefits Charges (‘CBC’) being 5 or more storeys and 10 or more units. The City passed the CBC By-law on September 14, |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
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| | | 2022, which is therefore the applicable mechanism used to collect community benefits. |
| k. | Affordable Housing | <ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City’s affordable housing goals. |
| l. | City’s Tree Protection Protocol (‘TPP’) | <ul style="list-style-type: none"> ▪ There are 55 trees on or adjacent to the Subject Lands, 43 of which are required to be removed to accommodate the Development, and six (6) trees recommended for removal due to their condition. ▪ The Development will be reviewed in accordance with the City’s Tree Protection Protocol, for the protection and the replacement of any trees should they be damaged during construction, if the Applications are approved. |
| m. | Traffic Impacts, Road Widening and Access | <ul style="list-style-type: none"> ▪ The Transportation Impact Study will be reviewed in accordance with the City’s Transportation Impact Study Guidelines to the satisfaction of the Development Engineering Department. ▪ The proposed traffic generated by the Development at the requested density will be reviewed in consideration of existing traffic conditions at Nashville Road and Highway 27. ▪ Matters including the driveway entrance, parking, ramps to the underground parking garage, truck manoeuvring, bicycle parking and Transportation Demand Management requirements are required to be reviewed to the satisfaction of the Development Engineering Department. ▪ The Subject Lands are located on Highway 27, an arterial road under the jurisdiction of York Region. ▪ York Region will identify any required land conveyances for Highway 27. |

| | MATTERS TO BE REVIEWED | COMMENT(S) |
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| n. | Toronto and Region Conservation Authority ('TRCA') | <ul style="list-style-type: none"> ▪ The Subject Lands are within the TRCAs Regulated Area. The TRCA must review and approve the applicable reports submitted in support of the Applications. Should the Applications be approved, the Owner must obtain all necessary permits from the TRCA. |
| o. | Natural Heritage Network | <ul style="list-style-type: none"> ▪ A portion of the Subject Lands are designated "Natural Areas" in VOP 2010 and identified as containing "Core Features". ▪ The Development and Parks Planning Department, Environmental Planning division and TRCA will need to review the submitted Environmental Impact Study to determine the limits of development and establish any required buffers to natural features on or in proximity to the Subject Lands. |
| p. | Required Applications | <ul style="list-style-type: none"> ▪ The Owner is required to submit Site Development and Draft Plan of Condominium Applications to implement the Development and establish the proposed tenure, should the Applications be approved. |

Financial Impact

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

Operational Impact

Development Planning staff have circulated the Applications to internal City Departments for review.

Broader Regional Impacts/Considerations

York Region Council adopted the YROP 2022 in June 2022. YROP 2022 was approved, as modified, by the Minister of Municipal Affairs and Housing in November 2022, bringing it into full force and effect. Bill 150 (*Planning Statue Law Amendment Act, 2023*) and Bill 162 (*Get It Done Act, 2024*) later rescinded some of those modifications.

On June 6, 2024, Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*) ("Bill 185") received Royal Assent which includes amendments to the *Planning Act*. In accordance with the amendments to the *Planning Act* implemented through Bill 185, York region became a Region without planning responsibilities effective July 1, 2024.

Pursuant to subsection 70.13(2) of the *Planning Act*, YROP 2022 is deemed to constitute an official plan of the City in respect of any area in the City to which it applies and will remain in effect until the City revokes or amends it.

The Applications are being circulated to York Region for the purpose of receiving comments on matters of Regional interest i.e., roads and servicing infrastructure. Further comments will be discussed in the future comprehensive report.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications 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 Casandra Krysko, Senior Planner, Development and Parks Planning Department, ext. 8003.

Attachments

1. Context and Location Map
2. Conceptual Site Plan and Proposed Zoning
3. Conceptual Landscape Plan
4. Building Elevations – North and South Elevations
5. Building Elevations – West and East Elevations
6. Perspective Renderings - View from Nashville Road
7. Perspective Renderings - Courtyard Views
8. Proposed Zoning Exceptions to Zoning By-laws 1-88 and 001-2021

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