

## Committee of the Whole (2) Report

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**DATE:** Tuesday, January 21, 2020

**WARD:** 1

**TITLE: NASHVILLE DEVELOPMENTS (NORTH) INC.  
ZONING BY-LAW AMENDMENT FILE Z.16.052  
DRAFT PLAN OF SUBDIVISION FILE 19T-16V010; AND  
ZONING BY-LAW AMENDMENT FILE Z.18.037  
VICINITY OF HUNTINGTON ROAD AND NASHVILLE ROAD**

**FROM:**

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

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole to amend the Council approved recommendations for Zoning By-law Amendment File Z.16.052 (Nashville Developments (North) Inc., Item 4, Report No. 31, September 26, 2017), and Zoning By-law Amendment File Z.18.037 (Nashville Developments (North) Inc., Item 8, Report No. 20, June 12, 2019), to include an additional recommendation to allow the Owner to apply for a Minor Variance Application(s) before the second anniversary of the day on which the implementing zoning by-laws came into effect for the Subject Lands shown on Attachment 1.

**Report Highlights**

- The Development Planning Department supports the inclusion of an additional recommendation to allow the Owner to apply for a Minor Variance Application(s) before the second anniversary of the day (April 11, 2018, for Zoning By-law Amendment File Z.16.032, and June 12, 2019, for Zoning By-law Amendment File Z.18.037) in which the implementing zoning by-laws came into effect on the Subject Lands.
- At this time, a reduction to an interior side yard setback to an open space buffer block has been identified for 46 Galen Crescent due to the house model design and placement on the lot shown on Attachment 2.

## **Recommendation**

1. THAT the Council approved Recommendations for Item 4, Report No. 31 (Nashville Developments (North) Inc.) of September 26, 2017, and for Item 8, Report No. 20 (Nashville Developments (North) Inc.) of June 12, 2019, be amended to include the following recommendation:

“THAT the Owner be permitted to apply for a Minor Variance Application(s) to the City and/or the Vaughan Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-law for the Subject Lands came into effect, to permit minor adjustments to the implementing Zoning By-law.”

## **Background**

The subject lands (the ‘Subject Lands’) are located east of Huntington Road, north of East’s Corners Boulevard, shown as “Subject Lands” on Attachment 1, and include lands that are municipally known as 46 Galen Crescent shown on Attachment 2, which requires a Minor Variance Application.

Vaughan Council, on September 26, 2017, approved Zoning By-law Amendment and Draft Plan of Subdivision Files Z.16.052 and 19T-16V010, and on June 12, 2019, approved Zoning By-law Amendment File Z.18.037. The lands subject to Zoning By-law Amendment Files Z.16.052 and Z.18.037 are shown on Attachment 1.

## **Previous Reports/Authority**

[September 26, 2017 Council and September 19, 2017 Committee of the Whole \(Item 4, Report No. 31\)](#)

[June 4, 2019 Committee of the Whole \(Item 8, Report No. 20\)](#)

## **Analysis and Options**

***The proposed amendment to the Registered Plan of Subdivision conforms to the Vaughan Official Plan 2010***

The Subject Lands are designated “Low-Rise Residential”, “Mid-Rise Residential” and “Natural Areas” by Vaughan Official Plan, 2010 (‘VOP 2010’), Volume 2, Section 12.7 - Block 61 West Nashville Heights. The Subject Lands conform to VOP 2010.

***The Planning Act permits Vaughan Council to pass a resolution to permit the Owner to apply for a Minor Variance Application(s) if required, within two years of a zoning by-law coming into full force and effect***

Section 45 (1.3) of the *Planning Act* restricts the submission of a Minor Variance Application(s) to the Committee of Adjustment within two years of the day on which a zoning by-law was amended. Section 45 (1.4) of the *Planning Act* permits a Council to pass a resolution to allow an Owner to apply for a Minor Variance Application within two years of the passing of a zoning by-law.

***A variance to Zoning By-law 1-88 is required to permit a proposed dwelling***

The portion of the Subject Lands, municipally known as 46 Galen Crescent, are zoned “RD4(H) Residential Detached Zone Four”, by Zoning By-law 1-88 and subject to Exception 9(1376), with the addition of the Holding Symbol “(H)”.

The Toronto and Region Conservation Authority (‘TRCA’), on July 18, 2017, provided conditions of Draft Plan of Subdivision approval to increase the width of the open space buffer to the west of the portion of the Subject Lands, municipally known as 46 Galen Crescent, from 4.9 m to 7.5 m. The adjustment was made and incorporated into the final plan of subdivision for registration. However, the builder of 46 Galen Crescent used the earlier version of the Draft Plan of Subdivision, which was not updated to incorporate the increased open space buffer width, for the house model design and building placement on the lot. The interior side yard setback to the open space buffer for the irregular shaped lot decreased from 3.5 m to 2.5 m for an extent of 7.66 m of the side wall of the building, as shown on Attachment 2. A minor variance is required to permit an interior side yard setback of 2.5 m abutting the Open Space Buffer.

The Owner is also requesting that the Council resolution apply to the Subject Lands in the event other minor zoning matters arise within the two-years of the passing of the By-laws.

**Financial Impact**

Not Applicable

**Broader Regional Impacts/Considerations**

There are no requirements from the York Region Community Planning Department.

**Conclusion**

The Development Planning Department supports the request to permit the Owner to

apply for a Minor Variance Application(s) before the second anniversary of the day the implementing Zoning By-laws come into effect to permit the development of the Subject Lands as shown on Attachment 1 and the proposed dwelling as shown on Attachment 2.

**For more information,** please contact Judy Jeffers, Planner, at extension 8645.

### **Attachments**

1. Location Map
2. Site Plan

### **Prepared by**

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